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PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by the Government Printer for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

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

The following guidelines should be followed to ensure publication in the *Government Gazette*—

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper.
- Copy must be lodged with the Publications Officer, Department of the Premier and Cabinet no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition)—

Email address:

gazette@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

EFFECTIVE FROM 1 JULY 2021 (Prices include GST)

Public Notices Section—\$78.20 minimum charge (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices—

Per Column Centimetre—\$15.60

Bulk Notices—\$285.60 per page

Clients who **have** an account will only be invoiced for charges over \$100.

For charges under \$100, clients will need to supply credit card details at time of lodging notice (i.e. a notice under 7cm would not be invoiced).

Clients without an account will need to supply credit card details at the time of lodging the notice.

— PART 2 —

FIRE AND EMERGENCY SERVICES

FE401**FIRE AND EMERGENCY SERVICES SUPERANNUATION ACT 1985****APPOINTMENTS**

The following have been elected to the Fire and Emergency Services Superannuation Board—

MEMBER

Mr M E Bailey (Elected)	19/8/2021-18/8/2024
Mr K A Landwehr (Elected)	19/8/2021-18/8/2022

ALTERNATE MEMBER

Mr T M Nolan (Elected)	19/8/2021-18/8/2022
Mr T L Quinlan (Elected)	19/8/2021-18/8/2022
Mr P R Markovic (Re-elected)	19/8/2021-18/8/2022

JOBS, TOURISM, SCIENCE AND INNOVATION

JO401**AGENT GENERAL ACT 1895****APPOINTMENT OF AGENT GENERAL**

It is notified for public information that the Governor, in Executive Council, has appointed John Leslie Langoulant to be Agent General for Western Australia for the period 18 October 2021 to 17 October 2024 (both dates inclusive).

REBECCA BROWN, Director General,
Department of Jobs, Tourism, Science and Innovation.

Dated August 2021.

JUSTICE

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

It is hereby notified for public information that the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Catherine May Lee of South Bunbury
Elizabeth Louise Oudin of Huntingdale
Nathan Tadek Papas of Dalyellup

JOANNE STAMPALIA, Executive Director, Court And Tribunal Services.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995 TOWN OF VICTORIA PARK

AMENDMENT (SIGNS ON THOROUGHFARES) LOCAL LAW 2021

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Town of Victoria Park resolved on the 20 July 2021 to make the following local law.

1 Citation

This local law may be cited as the *Town of Victoria Park Amendment (Signs on Thoroughfares) Local Law 2021*.

2 Commencement

This local law commences 14 days after its publication in the *Government Gazette*.

3 Purpose and effect

(1) The purpose of this local law is to amend the *Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000* to more easily provide for the regulation of advertising display signage on thoroughfares.

(2) The effect of this local law is to amend Part 3, Clause 9.4 and Schedule 1 of the *Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2000*.

4 Local law amended

This local law amends the *Town of Victoria Park Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law* as published in the *Government Gazette* on 31 May 2000.

5 Part 3 replaced

Part 3 is deleted and replaced with—

PART 3—SIGNS ON THOROUGHFARES

Division 1—Preliminary

3.1 Interpretation

In this Part, unless the context otherwise requires—

“**accused person**” means a person who is accused of an offence under this local law;

“**advertisement**” means the publication or display of information for the purpose of advertising any premises, services, business, function, event, product or thing;

“**advertising sign**” means a sign which may or may not be permanently attached to a structure or fixed to the ground, and includes a ground based sign, a sandwich board sign and an “A” frame sign, that is used or intended to be used for the purpose of advertising any premises, services, business, function, event, product or thing;

“**“A” frame sign**” means a folding sign which is hinged at the top to provide a stable structure when open;

“**direction sign**” means a sign which indicates the direction of another place, activity or event, but does not include—

(a) an advertising sign; or

(b) any sign erected or affixed by the local government or the Commissioner of Main Roads;

“**election sign**” means a sign which advertises any aspect of a forthcoming Federal, State or Local Government election;

“**permit holder**” means the person to whom a permit has been issued under Part 3 of this local law;

“**portable advertising sign**” means a portable, free standing, advertising sign;

“**portable direction sign**” means a portable, free standing, direction sign;

“**sign**” means an advertising sign, a direction sign or an election sign, depending on context, and includes a notice, poster, flag, mark, word, letter, model, placard, board, structure, device or representation;

“**permit**” means a permit issued by the local government to display a sign; and “**polling day**” means the polling day fixed for an election.

Division 2—Signs Requiring a Permit

3.2 Permit required for signs

A person shall not, without a permit—

(a) erect, place or display an advertising sign, direction sign or election sign; or

(b) post any bill or paint, place or affix any advertisement; on a thoroughfare or any structure situated on a thoroughfare.

3.3 Matters to be considered in determining application for Permit

In determining an application for a permit for the purposes of this Division the local government is to have regard to—

- (a) any other written law regulating the erection or placement of signs or advertisements within the district;
- (b) the dimensions of the signs or advertisements;
- (c) other signs already approved or erected in the vicinity of the proposed location of the signs or advertisements;
- (d) whether or not the signs or advertisements will create a hazard to persons using a thoroughfare;
- (e) the amount of the public liability insurance cover, if any, to be obtained by the applicant;
- (f) whether the sign would—
 - (i) obstruct the visibility or clear sight lines of any person at an intersection of thoroughfares; or
 - (ii) impede pedestrian access;
- (g) whether the sign may obstruct or impede the use of the footpath for the purpose for which it was designed; and
- (h) any other matter that the local government considers to be relevant.

3.4 Conditions on Permit for election sign

(1) If the local government approves an application for a permit for the erection or placement of an election sign on a thoroughfare under this Division, the application is to be taken to be approved subject to the sign—

- (a) being erected at least 30m from any intersection;
- (b) being free standing and not being affixed to any existing sign, post, power or light pole, or similar structure;
- (c) being placed to the satisfaction of the local government so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person;
- (d) being placed to the satisfaction of the local government so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing;
- (e) being maintained in good condition to the satisfaction of the local government;
- (f) not being erected until the election to which it relates has been officially declared;
- (g) being removed within 24 hours of the close of polls on polling day;
- (h) not being placed within 100m of any works on the thoroughfare;
- (i) being securely installed, to the satisfaction of the local government;
- (j) not being an illuminated sign;
- (k) not incorporating reflective or fluorescent materials, in the opinion of the local government; and
- (l) not displaying only part of a message which is to be read with other separate signs in order to obtain the whole message, in the opinion of the local government.

(2) The permit holder of a permit for the erection or placement of an election sign shall comply with each of the conditions in subclause (1) in addition to any other conditions imposed on the permit by the local government.

Division 3—Signs Not Requiring a Permit

3.5 Certain Signs do not require a Permit

(1) Clause 3.2 does not apply to a sign that is erected, placed or displayed in accordance with this clause.

(2) An owner or occupier of land or a building or part of a building, is not required to obtain a permit under Part 3 of this local law for the purpose of erecting, placing or displaying a portable direction sign on a thoroughfare provided that the portable direction sign-

- (a) does not exceed 500mm in height nor 0.5m² in area; and
- (b) is placed or erected on a thoroughfare directly in front of the owner or occupier's land or building on an infrequent or occasional basis only to direct attention to another place, activity or event during the hours of that activity or event.

(3) An owner or occupier of land or a building or part of a building, not being used for residential purposes, is not required to obtain a permit under Part 3 of this local law for the purpose of erecting, placing or displaying a portable advertising sign on a thoroughfare provided that the portable advertising sign-

- (a) does not exceed 1,000mm in any dimension;
- (b) relates only to the business activity of the relevant owner or occupier;
- (c) is not placed in any position other than;
 - (i) immediately in front of the land, building or part of the building of the owner or occupier; and

- (ii) is located not closer than 500mm to the kerb; ensuring always that a minimum 2m clear and free passage is maintained for persons using the footpath;
 - (d) is removed each day at the close of the owner or occupier's business conducted from the land, building or part of the building and not be erected, placed or displayed again until the business next opens for trading;
 - (e) is secured in position in accordance with any requirements of an authorised person;
 - (f) is not an illuminated sign;
 - (g) does not incorporate reflective or fluorescent materials;
 - (h) is not being placed within 100m of any works on the thoroughfare;
 - (i) is placed so as not to obstruct or impede the reasonable use of a thoroughfare or access to a place by any person;
 - (j) is placed so as not to obstruct or impede the vision of a driver of a vehicle entering or leaving a thoroughfare or crossing; and
 - (k) is maintained in good condition.
- (4) An owner or occupier of land, a building or part of a building may only erect, place or display one portable direction sign and one portable advertising sign directly in front of their land or building pursuant to this clause 3.5 without first obtaining a permit.
- (5) A person is not required to obtain a permit under Part 3 of this local law for the purposes of erecting, placing or displaying a portable advertising sign on a thoroughfare provided that the portable advertising sign—
- (a) does not exceed 500mm in height nor 0.5m² in area, is located in a position not closer than 500mm to any kerb, and ensuring always that a minimum 2m clear and free passage is maintained for persons using the footpath; and
 - (b) is erected, placed or displayed on a thoroughfare on an infrequent or occasional basis only to advertise another place, activity or event during the hours of that activity or event, and within close proximity of that activity or event; and
 - (c) meets the requirements listed in clause 3.5 (3)(e) to 3.5 (3)(k)

Division 4—General

3.6 Obligations on person erecting, placing or displaying sign

- (1) An owner, occupier or permit holder that erects, places or displays a sign in accordance with Part 3 of this local law shall—
- (a) maintain the sign in a safe and serviceable condition at all times, in the opinion of the local government;
 - (b) display the permit number (if applicable) provided by the local government in a conspicuous place on the sign and whenever requested by an authorised person to do so, produce the permit to that person;
 - (c) ensure that the sign is of a stable design and is not readily moved by the wind, and does not by the nature of its design or anything else cause any hazard or danger to any person using a thoroughfare, in the opinion of the local government;
 - (d) comply with—
 - (i) the conditions imposed upon the permit where a permit has been issued by the local government; or
 - (ii) the requirements of clause 3.5 where a sign is erected, placed or displayed in accordance with clause 3.5;
 - (e) display the sign in the location approved by the local government and as specified in the permit;
 - (f) ensure the sign does not prevent free passage of persons using the footpath at all times, in the opinion of the local government; and
 - (g) not erect, place or display a sign—
 - (i) over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2,700mm;
 - (ii) on or within 500mm from the kerb;
 - (iii) in any other location where, in the opinion of the local government or an authorised person, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or
 - (iv) on any other sign (or structure supporting a sign) any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.
- (2) A person shall not cause or permit a sign, to be erected, placed or displayed in such a condition, which in the opinion of an authorised person, causes or is likely to cause injury or danger to any person or damage to the clothing or possessions of any person.

3.7 Removal of sign for works

A permit holder shall ensure that a sign that is erected, placed or displayed pursuant to Part 3 of this local law, is removed from any footpath to permit the footpath to be swept or to allow any other authorised work to be carried out when directed to do so by an authorised person.

3.8 Removal of sign which does not comply

A person shall remove any sign, or item which does not comply with the requirements of Part 3 of this local law, from any footpath when directed to do so by an authorised person.

6 Clause 9.4(4) inserted

After clause 9.4(3) insert—

- (4) An infringement notice expires if no payment of the modified penalty has occurred and the 28 days, plus any extension of the time to pay by an authorised person, from the date of issuing of the infringement notice has expired.
- (5) An infringement notice must contain advice that if the modified penalty is not paid within 28 days of the date of issue of the infringement notice (unless extended), the infringement notice will lapse and a prosecution may be commenced.

7 Schedule 1 replaced

Schedule 1 is deleted and replaced with—

Schedule 1
PRESCRIBED OFFENCES

Item	Clause	Description	Modified Penalty \$
1	2.1(a)(i)	Plant which may cause a hazard	100
2	2.1(a)(ii)	Plant of 0.75m in height on thoroughfare	100
3	2.1(a)(iii)	Plant (except grass) on thoroughfare within 1m of carriageway	100
4	2.1(b)	Damaging lawn or garden	100
5	2.1(c)	Placing hazardous substance on footpath	100
6	2.1(d)	Damaging or interfering with signpost or structure on thoroughfare	300
7	2.1(e)	Playing games so as to impede vehicles or persons on thoroughfare	100
8	2.1(f)	Riding of skateboard or similar device on mall or verandah of shopping centre	100
9	2.2(1)(a)	Digging a trench through a kerb or footpath without a permit	100
10	2.2(1)(b)	Throwing or placing anything on a verge without a permit	100
11	2.2(1)(c)	Causing obstruction to vehicle or person on thoroughfare without a permit	100
12	2.2(1)(d)	Causing obstruction to water channel on thoroughfare without a permit	200
13	2.2(1)(e)	Placing or draining offensive fluid on thoroughfare without a permit	200
14	2.2(1)(g)	Lighting a fire on a thoroughfare without a permit	300
15	2.2(1)(h)	Felling tree onto thoroughfare without a permit	100
16	2.2(1)(i)	Installing pipes or stone on thoroughfare without a permit	100
17	2.2(1)(j)	Installing a hoist or other thing on a structure or land for use over a thoroughfare without a permit	300
18	2.2(1)(k)	Creating a nuisance on a thoroughfare without a permit	100
19	2.2(1)(l)	Placing a bulk rubbish container on a thoroughfare without a permit	100
20	2.2(1)(m)	Interfering with anything on a thoroughfare without a permit	100
21	2.3(1)	Consumption or possession of liquor on thoroughfare	100
22	2.4(1)	Failure to obtain permit for temporary crossing	200
23	2.5(2)	Failure to comply with notice to remove crossing and reinstate kerb	300
24	2.8(1)	Installation of verge treatment other than permissible verge treatment	200
25	2.9	Failure to maintain permissible verge treatment or placement of obstruction on verge	100
26	2.10	Failure to comply with notice to rectify default	100
27	2.16(2)	Failure to comply with sign on public place	100
28	2.18(1)	Driving or taking a vehicle on a closed thoroughfare	300

Item	Clause	Description	Modified Penalty \$
29	3.2(a)	Erect, place or display an advertising sign, direction sign or election sign on a thoroughfare or any structure situated on a thoroughfare without a permit	250
30	3.2(b)	post any bill or paint, place or affix any advertisement on a thoroughfare or any structure situated on a thoroughfare without a permit	250
31	3.4(2)	Failing to comply with conditions imposed on a permit for an election sign issued by the local government.	250
32	3.6(a)	Failing to maintain the sign in a safe and serviceable condition at all times, in the opinion of the local government;	100
33	3.6(b)	Failing to display the permit number provided by the local government in a conspicuous place on the sign ;	50
34	3.6(b)	Failing to produce a permit whenever requested by an authorised person to do so	100
35	3.6(c)	Failing to ensure that the sign is of a stable design and is not readily moved by the wind, and does not by the nature of its design or anything else cause any hazard or danger to any person using a thoroughfare, in the opinion of the local government;	100
36	3.6(d)(i)	Failing to comply with the conditions imposed upon the permit where a permit has been issued by the local government	250
37	3.6(d)(ii)	Failing to comply with the requirements of clause 3.5 where a sign is erected , placed or displayed in accordance with clause 3.5;	100
38	3.6(e)	Failing to display the sign in the location approved by the local government and as specified in the permit;	250
39	3.6(f)	Failing to ensure the sign does not prevent free passage of persons using the footpath at all times, in the opinion of the local government.	100
40	3.6(g)(i)	Erecting, placing or displaying a sign over any footpath where the resulting vertical clearance between the sign and the footpath is less than 2,700mm;	100
41	3.6(g)(ii)	Erecting, placing or displaying a sign on or within 500mm from the kerb;	100
42	3.6(g)(iii)	Erecting, placing or displaying a sign in any location where, in the opinion of the local government or an authorised person, the sign is likely to obstruct lines of sight along a thoroughfare or cause danger to any person using the thoroughfare; or	250
43	3.6(g)(iv)	Erecting, placing or displaying a sign on any other sign (or structure supporting a sign) any natural feature, including a rock or tree, on a thoroughfare, or on any bridge or the structural approaches to a bridge.	100
44	3.6(h)	Erecting, placing or displaying a sign in such a condition, which in the opinion of an authorised person, causes or is likely to cause injury or danger to any person or damage to the clothing or possessions of any person	250
45	3.7	Failing to ensure that a sign that is erected, placed or displayed pursuant to Part 3 of this local law, is removed from any footpath when directed to do so by an authorised person.	100
46	3.8	Failing to remove any sign, or item which does not comply with the requirements of Part 3 of this local law, from any footpath when directed to do so by an authorised person.	100
47	4.1(1)	Animal or vehicle obstructing a public place or local government property	100
48	4.2(2)(a)	Animal on thoroughfare when not led, ridden or driven	100
49	4.2(2)(b)	Animal on public place with infectious disease	100
50	4.2(2)(c)	Training or racing animal on thoroughfare in built-up area	100
51	4.2(3)	Horse led, ridden or driven on thoroughfare in built-up area	100
52	4.5	Person leaving shopping trolley in public place other than trolley bay	100
53	4.6(2)	Failure to remove shopping trolley upon being advised of location	100
54	5.2(1)	Conducting of stall in public place without a permit	300
55	5.3(1)	Trading without a permit	300
56	5.7(1)(a)	Failure of stallholder or trader to display or carry permit	100

Item	Clause	Description	Modified Penalty \$
57	5.7(1)(b)	Stallholder or trader not displaying valid permit	100
58	5.7(1)(c)	Stallholder or trader not carrying certified scales when selling goods by weight	100
59	5.7(2)	Stallholder or trader engaged in prohibited conduct	100
60	5.9	Performing in a public place without a permit	100
61	5.10(2)	Failure of performer to move onto another area when directed	100
62	5.13	Failure of performer to comply with obligations	100
63	5.15	Establishment or conduct of outdoor eating facility without a permit	300
64	5.17	Failure of permit holder of outdoor eating facility to comply with obligations	100
65	5.19	Failure to leave outdoor eating facility when requested to do so by permit holder	50
66	6.5	Failure to comply with a condition of a permit	100
67	6.9	Failure to produce permit on request of authorised person	100
68	9.1	Failure to comply with notice given under local law	100

Under the powers conferred by the *Local Government Act 1995* and by all other powers, the Council of the Town of Victoria Park resolved to make the following local law on the 20 July 2021.

The Common Seal of the Town of Victoria Park was affixed by the authority of a resolution of the Council in the presence of—

KAREN VERNON, Mayor.

ANTHONY VULETA, Chief Executive Officer.

On the 11th day of August, 2021.

LG501

BUSH FIRES ACT 1954

City of Kwinana

FIRE-BREAK/HAZARD COMPLIANCE NOTICE

September 2021

This Fire-Break/Hazard Compliance Notice is issued by the City of Kwinana pursuant to section 33 and 24G (2) of the *Bush Fires Act 1954* to assist with the prevention, control and extinguishment of bush fires or to prevent the spread or extension of a bush fire to any adjoining land.

All property owners and/or occupiers of land within the City of Kwinana are hereby served with a first and final Fire-Break/Hazard Compliance Notice (the Notice) and are required to comply with the requirements in full.

Failure to comply with this Notice may result in a penalty of up to \$5,000

Where an owner and/or occupier of land fails or neglects to comply with the Notice then, whether or not the land owner/and/or occupier has faced prosecution and incurred a penalty, the City may direct the Bush Fire Control Officer to enter upon the land to carry out the fire-breaks or fire hazard reduction works set out in the Notice or as advised by the Fire Control Officer. If this occurs, the owner and/or occupier of land will be liable to pay the costs and expenses incurred by the City in undertaking the works.

Engagement of contractors by owner and/or occupier to carry out works

Any owner and/or occupier who engages a contractor to undertake works on their behalf is responsible for ensuring that such works when completed meet the requirements of this Notice.

Fire-breaks

The fire-breaks outlined below must be completed before the dates in the Notice and must be maintained throughout the period as required by this Notice.

1. Land with a total area of 3,501m² or greater

Note: As owner and/or occupier the land, you must ensure that your property complies with the requirements of this Notice from 1 December each year and must be maintained throughout and until 31 May in the following year.

Owners and/or occupiers of land that is 3,501m² or greater are required to construct fire-breaks and maintain fire-breaks—

inside and along all land boundaries in a continuous form or within 10 metres of property boundaries;

around all sides of all buildings on the land;

as a minimum, all driveways and access ways to houses, sheds and buildings on the land must be constructed and maintained to the specification of a fire-break;

on any land surrounding any place where, wood or timber piles, hay stacks, tyres, flammable liquids, chemicals and gas products or other flammable material are kept on the land;

in a manner so that they are trafficable, contain no dead ends and are wide enough for a heavy-duty fire vehicle or other emergency service vehicles to be able to turn corners and carry out other manoeuvres without the vehicles being obstructed in any way;

that maintains an asset protection zone around all buildings, infrastructure and fixed assets on the land; and

that ensures that all flammable materials are removed from all rooftops and gutters of buildings.

2. Land with a total area of 1,500m² to 3,500m²

The works outlined in this category **must be maintained all year round** and owners and/or occupiers of land are required to maintain an asset protection zone around all buildings, infrastructure and fixed assets on the property by—

ensuring that all long grass, weeds, etc. are slashed, mowed or trimmed down by other means to a height no greater than 50mm across your entire property; and

removing all flammable materials from all rooftops and gutters of buildings.

3. Land with a total area of up to 1,499m²

The works outlined in this category **must be maintained all year round** and owners and/or occupiers are required to—

ensure all long grass, weeds, etc. are slashed, mowed or trimmed down by other means to a height no greater than 50mm across the entire property; and

remove all flammable materials from all rooftops and gutters of buildings.

Variations to Notice

If it is impractical for you to install a fire-break as specified in this Notice, you may apply to vary the location of your firebreak within your property by completing and submitting an 'Application to Vary Location and Type of Fire-breaks' form available on the City's website kwinana.wa.gov.au/fires

Submit completed forms to the City—marked for the attention of the Chief Bush Fire Control Officer—no later than 31 October.

Additional works

Regardless of land size and location, the City or its Bush Fire Control Officers may require owners and/or occupiers to undertake additional work on their property to improve access, and/or undertake further works to reduce a hazard that may be conducive to preventing an outbreak and/or the spread or extension of a bush fire.

'Industrial zoned' areas may require additional works as identified by the Bush Fire Control Officer during fire hazard inspections.

Owners and/or occupiers of land should note that emergency access ways, if any, are for emergency service vehicles only and are not to be considered as an escape route unless declared as such by the incident controller during an emergency.

Fire-hazard reduction

As a measure to assist in the control of bush fires, you have a legal requirement to carry out fire prevention works on your property.

Fire-break/fire hazard compliance inspections

To promote community safety and education, property inspections will be carried out by the City's Bush Fire Control Officers to identify non-compliant properties.

In addition, Drones (Unmanned Remotely Piloted Aircraft) may also be used at times to conduct fire-break/fire hazard inspections. Drones are required to be operated in accordance with the guidelines of the Civil Aviation Safety Authority (CASA).

Definitions

“asset protection zone”	means an area with a radius of 20 metres measured from the external perimeter of the building/s or as stated in your approved Bushfire Attack Level (BAL) assessment, within the boundaries of the lot on which the building/s is situated. Fuel loads in this zone shall be reduced and maintained to 2 tonnes per hectare or less.
“Bush Fire Control Officer”	means an officer appointed by the City to exercise the powers and duties of a Bush Fire Control Officer appointed under s38(1) of the <i>Bush Fires Act 1954</i> .
“bush fire”	means a fire or potential fire, however caused, and includes a fire in a building.
“dead end”	means a track, fire-break, road or access way that terminates without any means of escape or ability to turn around safely.

“fire-break”	means a strip of land 3 metres wide of mineral earth with an additional 0.5 metre strip either side of low fuel area (meaning no grasses or shrubs higher than 50mm) effectively creating a 4-metre-wide by 4 metre vertical axis high area that has been cleared of all trees, bushes, grasses, vegetation and all other objects (to allow unrestricted access for all types of fire and other emergency vehicles), including the trimming back of all overhanging trees, bushes, shrubs and any other objects on or over the fire-break area. Living green lawn may be accepted (without a fire-break variation) instead of mineral earth.
“flammable material”	means any bush, plant, tree, grass, vegetation, object, thing or material that may or is likely to catch fire and burn.
“industrial zoned areas”	means land on which manufacturing, processing, warehousing and related activities are undertaken, as defined in Metropolitan Region Schemes.
“living green lawn”	means soil covered land, planted with grasses or other durable plants, maintained green and less than 50mm in height.
“mineral earth”	means land clear of flammable material, consisting of ploughed or cleared soil, stone, hardstand or any mixture of these.
“trafficable”	means to be able to travel from one point to another in a fire vehicle on a firm and stable surface, unhindered without any obstruction that may endanger resources. The fire-break must not terminate without provision for egress to a safe place or a cleared turn around area of not less than a 21 metre radius (prior written approval may be required from the City if trees are to be removed). All corners around the fire-break must be radiused.
“vertical axis”	means a continuous vertical uninterrupted line at a right angle to the horizontal line of the fire-break.

MARINE/MARITIME

MA401

PORT AUTHORITIES ACT 1999

PORT AUTHORITIES (VESTING OF PROPERTY AND DESCRIPTION OF PORT OF ESPERANCE)
ORDER 2021

Made under the *Port Authorities Act 1999* section 24(2) and section 26 by the Governor in Executive Council.

1. Citation

This order is the *Port Authorities (Vesting of Property and Description of Port of Esperance) 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. Terms used

In this order—

- 1) **Deposited Plan** followed by a number, means the deposited plan of that number held by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006*;
- 2) **The Excluded Area** means the area of water and seabed described in the *Port Authorities (Description of Port of Esperance) Order 2015* except for the area of water and seabed described in clause 5i) of this order.

4. Land revested in the Crown

The Excluded Area is withdrawn from the Southern Ports Authority and is revested in the Crown.

5. Port of Esperance described

The Port of Esperance consists of—

- (a) the area of water and seabed shown as Lot 322 on Deposited Plan 416487; and
- (b) the area of land shown as—
 - (i) Lot 1027 on Deposited Plan 31503; and
 - (ii) Lot 502 on Deposited Plan 57791; and
 - (iii) Lot 8 on Deposited Plan 57177.

6. Order revoked

The *Port Authorities (Description of Port of Esperance) Order 2015* is revoked.

V. MOLAN, Clerk of the Executive Council.

PARLIAMENT

PA401

PARLIAMENT OF WESTERN AUSTRALIA ROYAL ASSENT TO BILLS

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Acts passed by the Legislative Council and the Legislative Assembly during the First Session of the Forty First Parliament.

Title of Act	Date of Assent	Act No.
<i>Public Health Amendment (Safe Access Zones) Act 2021</i>	17 August 2021	9 of 2021
<i>Railway (BBI Rail Aus Pty Ltd) Agreement Amendment Act 2021</i>	17 August 2021	10 of 2021
<i>Agricultural Produce Commission Amendment Act 2021</i>	17 August 2021	11 of 2021

NIGEL PRATT, Clerk of the Parliaments.

Dated 18 August 2021.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005 APPROVED LOCAL PLANNING SCHEME AMENDMENT *City of Albany*

Local Planning Scheme No. 1—Amendment No. 9

Ref: TPS/1711

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 Albany Local Planning Scheme amendment on 8 August 2021 for the purpose of—

- i. Rezone Lot 5 Lowanna Drive, portion of Lot 9 and 110 George Street and Lot 16 South Coast Highway, Gledhow from “General Agriculture” zone to “Rural Residential” zone.
- ii. Include Lot 5 Lowanna Drive, Lots 9 and 110 George Street, Lot 16 South Coast Highway, Lot 203 Charles Street, and Lots 200, 201 and 202 Pearson Place, Gledhow within Schedule 14—Specified Rural Residential Zone No.22 (RR22).
- iii. Modify Special Provisions Applying to Specified Rural Residential Zone column within Schedule 14—Specified Rural Residential Zone No.22 (RR22) as follows—

Modify Provision 1 to read—

1.
 - (a) Subdivision of RR22 shall generally be in accordance with the Lowanna Drive Subdivision Guide Plan, endorsed by the CEO, with any minor variations approved by the Western Australian Planning Commission.
 - (b) Subdivision and development of land bound by South Coast Highway, George Street, Lowanna Drive and Charles Street, shall generally be in accordance with the Gledhow Local Structure Plan, endorsed by the CEO, with any minor variations approved by the Western Australian Planning Commission.

Place a heading prior to Provision 5 (a) as follows—

Lowanna Drive Subdivision Guide Plan

Modify Provision 5 (a) (i) to remove the reference to George Street.

Place a new heading subsequent to Provision 5 (b) as follows—

Gledhow Local Structure Plan

Insert additional points on Special Provisions Applying to Specified Rural Residential Zone column within Schedule 14—Specified Rural Residential Zone No. 22 (RR22) as follows—

6.
 - (a) All habitable buildings within the Gledhow Local Structure Plan shall be located outside of the acoustic setback zone. Non-habitable buildings shall be set back a minimum of 20m from the future ring road reserve and South Coast Highway.

- (b) A restrictive covenant shall be placed on the Certificate of Title of Lots 15, 16 and 17 South Coast Highway at the full expense of the landowner/ applicant, is to specify—
- (i) Lots 15 and 16 “Access to and from South Coast Highway is to be via a single constructed crossover”
 - (ii) Lot 17 “Access to and from South Coast Highway is not permitted. Access to and from Lot 17 is to be via Charles Street.”
- (c) A restrictive covenant shall be placed on the Certificate of Title of Lots 8, 9, 110 and 15 preventing vehicular access onto George Street at the full expense of the landowner/applicant.
- (d) At the subdivision stage of Lots 8, 9, 110 George Street, Lots 15, 16 and 17 South Coast Highway, a notification is to be placed on the Certificate of Title advising the lot(s) are situated in the vicinity of a transport corridor and is currently affected, or may in the future be affected by transport noise.
- iv. Amend the Scheme Map to partially designate Lots, 9 and 110 George Street to Rural Residential Zone No.22 (RR22) in accordance with the Gledhow Local Structure Plan, and retain the remaining portion of each lot as General Agriculture as indicated on Gledhow Local Structure Plan.

D. WELLINGTON, Mayor.

A. SHARPE, Chief Executive Officer.

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Robin Glenis Burns, late of Unit 28, 1140 Wanneroo Road, Wanneroo, Western Australia, Supervisor, 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 7 June 2021 are required by Birman & Ride of Level 3, 16 Irwin Street, Perth WA 6000 to send particulars of their claim to them by the date one month from the publication date after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ZZ402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Teresa Silvestri late of 21 Gugerri Road, Middle Swan Western Australia, Home Duties, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased who died on 9 April 2021 are required by the trustee, care of McFarlane Lawyers, PO Box 1079 West Perth WA 6872 to send particulars of their claim to them by 5 October 2021 after which date the trustee may convey or distribute the assets having regard only to the claims of which they then have notice.

ZZ403**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 by the Executor/Administrator of these estates to send particulars of their claims to the Executor/Administrator within one month from the date of publication of this Notice after which date the Executor/Administrator may convey or distribute the assets having regard only to the claims of which the Executor/Administrator then has notice.

Jean Lilian Loxton, late of 5/41 Eric Street, Como, who died on 26 April 2021

Simon John Heymanson, late of 4 Plover Way, Stirling who died on 2 January 2021

James David Gourley late of 79 Blencowe Road, Geraldton who died on 18/05/2021

Dorothy Beryl Iles late of 11 Buckden Street, Butler who died on 15/04/2021

HAYNES LEEUWIN, Solicitors for the Executors/Administrators.
Suite 2, Ground Floor, 190 Main Street, Osborne Park WA 6017.
Telephone: 9409 6300.
