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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

- Enquiries regarding publication of notices can be directed to the Publications Officer on (08) 6552 6012.
- Enquiries regarding payment of notices can be directed to (08) 6552 6000 or sales@dpc.wa.gov.au
- **Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.**

After lodging any notices, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

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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.

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—

Julie Ann Parker of Canning Vale

Dianne Shereen Blanchard of Willetton

JOANNE STAMPALIA, Director General, Court and Tribunal Services.

LOCAL GOVERNMENT

LG401

HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911

City of Bunbury

FEES

Notice is hereby given that pursuant to its powers under Section 344C of the *Health (Miscellaneous Provisions) Act 1911*, the Council of the City of Bunbury resolved at its meeting of 25 July 2023 as part of the Schedule of Fees and Charges to fix the following fees effective from 1 July 2023—

City of Bunbury Health Local Laws 2001 Part 8—Lodging-houses—

- | | |
|---|-----------------|
| • Registration of a Lodging-house for less than 100 lodgers | \$127 |
| • Renewal of Lodging-house Registration for less than 100 lodgers | \$127 per annum |
| • Registration of a Lodging-house for 100 or more lodgers | \$337 |
| • Renewal of Lodging-house Registration for 100 or more lodgers | \$337 per annum |

JAYSEN MIGUEL, Mayor.

MALCOLM OSBORNE, Chief Executive Officer.

 LG501

BUSH FIRES ACT 1954

FIRE BREAK NOTICE

Shire of Boyup Brook

Under section 33 of the *Bush Fires Act*, you are required to carry out the fire prevention work specified below on any land within the Shire that is owned or occupied by you.

The work must be carried out by 30 November, unless approved otherwise, and maintained throughout the summer months until 1 April.

If an owner or occupier fails to comply with these requirements, he or she may be issued with an infringement notice (penalty \$250) or prosecuted, and the Shire may carry out the required work at the cost of the owner or occupier.

If it is impractical for any reason to clear firebreaks, or to take measures in accordance with these requirements, you may apply to the Shire in writing before 11 November, for permission to provide firebreaks in alternative locations, or to take alternative measures to prevent the outbreak or spread of a bush fire. If permission is not granted in writing by the Shire, you must comply with these requirements.

TOWN SITE LAND

On all land located within a town site (except for land zoned Rural and Special Rural as shown in the Shire of Boyup Brook Town Planning Scheme No 2 (**Scheme**)), you must—

1. Where the area of land is 2023m² or less, clear the land free of all inflammable matter, except living trees and cultivated plants, shrubs and lawns, that are no greater than 5cm in height.
2. Where the area of the land is in excess of 2023m², clear a 3.0m wide bare earth firebreak immediately inside all external boundaries of the land or immediately surrounding all buildings on the land by removing all inflammable matter and vegetation within the 3.0m wide firebreak between the ground and 4m above the ground.

SPECIAL RURAL LAND

On all land zoned Special Rural under the Scheme, you must—

- (a) clear a 3.0m wide bare earth firebreak immediately inside all external boundaries of the land by removing all inflammable matter and vegetation within the 3.0m wide firebreak between the ground and 4m above the ground; and
- (b) clear a 10m wide bare earth firebreak around all buildings and fuel storage areas by removing all inflammable matter and vegetation within the 10m wide firebreak between the ground and 4m above the ground or a 20m building protection zone.

RURAL LAND

1. On land zoned Rural under the Scheme, you must either—

- (a) clear a 3.0m wide bare earth firebreak immediately around all buildings, homesteads, hay sheds, fuel storage areas, caravans, and mobile accommodation by removing all inflammable matter and vegetation within the 3.0m wide firebreak between the ground and 4m above the ground; and
- (b) clear a second 3.0m wide bare earth firebreak around all buildings, homesteads, hay sheds, fuel storage areas, caravans and mobile accommodation located not less than 20m nor more than 100m from the firebreak in paragraph (a) above by removing all inflammable matter and vegetation within the second 3.0m wide firebreak between the ground and 4 metres above the ground.

OR

2. As an alternative to the two-firebreak system described in 1, clear a 10m wide bare earth firebreak immediately around all buildings, homesteads, hay sheds, fuel storage areas, caravans and mobile accommodation by removing all inflammable matter and vegetation within the 10m firebreak between the ground and 4m above the ground.

AND

3. For Rural land (of less than 40ha) adjacent to Special Rural properties, you must—

clear a 3.0m wide bare earth firebreak immediately inside all external boundaries of the land by removing all inflammable matter and vegetation within the 3.0m wide firebreak between the ground and 4m above the ground.

PLANTATIONS

A plantation is defined as an area exceeding 3ha within a town site, or an area exceeding 20ha within a rural area, of trees planted for commercial purposes. The plantation will cease once the stumps are removed and the area is returned to agricultural production.

Up until the first harvest following the first planting of a plantation, the firebreak requirements for the plantation are those that applied for the fire season in which the plantation was approved by Council under the Scheme.

Further plantings and post-harvest or coppice regrowth or until all stumps are removed will be subject to the then current firebreak requirements.

Subject to the above, on all land on which there is a plantation, you must—

- (a) clear a 15m wide bare earth firebreak immediately inside all external boundaries of the land by removing all inflammable matter and vegetation to a height of 5m.
- (b) ensure all inflammable matter and vegetation greater than 5m above the ground is separated by no less than 10m.
- (c) where a plantation is divided into compartments—
 - (i) if the compartments do not exceed 30ha, a 6m wide bare earth firebreak between compartments must be cleared by removing all inflammable matter and vegetation within the 6m firebreak and between the ground and 5m above the ground.
 - (ii) if compartments exceed 30ha, a 10m wide bare earth firebreak between compartments must be cleared by removing all inflammable matter and vegetation within the 10m wide firebreak and between the ground and 5m above the ground.
- (d) clear a 50m wide bare earth firebreak around all buildings and fuel storage areas by removing all inflammable matter and vegetation within the 50m firebreak and between the ground and 5m above the ground.
- (e) where power lines pass through the plantation, clear firebreaks in accordance with Western Power specifications (consult Western Power—phone 13 10 87).

SPECIAL ORDERS

The requirements specified in this notice are recommended as the minimum standard of Fire Prevention work required to protect not only individual properties, but the district in general. The Shire may issue separate special orders requiring owners or occupiers of specific areas to carry out additional hazard reduction work.

CONSTRUCTION OF BUILDINGS

Where a building is under construction on any land between 9 October and 1 May, the land must be cleared of all inflammable matter within a 15m radius of the construction site. The Chief Fire Control Officer and relevant Fire Control Officer will be notified by Shire staff of all building permits granted.

CEO, Shire of Boyup Brook.

MARINE/MARITIME

MA401

WESTERN AUSTRALIAN MARINE ACT 1982**EXEMPTION FROM COMPLIANCE WITH CERTAIN SPEED RESTRICTIONS FOR
ROTTNEST FAST FERRIES VESSELS**

(WAMA-2023-206072)

I, Mark Briant, A/Director Waterways Safety Management, Department of Transport (DoT) and delegate of the Chief Executive Officer, acting pursuant to the power in section 115A of the *Western Australian Marine Act 1982* (the Act), **hereby exempt** the following Rottneest Fast Ferries vessels—

- Harbour Master UVI 443404; and
- Seaflyte UVI 437438

from compliance with—

- The speed restriction notice for Hillarys Boat Harbour made under section 67 of the Act and published in the *Government Gazette* on 13 December 2019; and
- The speed restriction notice for North Metropolitan Beaches made under section 67 of the Act and published in the *Government Gazette* on 7 January 2022.

In addition, in accordance with regulation 48(a) of the *Navigable Waters Regulations 1958*, I **hereby grant approval** for the vessels to exceed the speed limit in regulation 48 in the same circumstances.

This exemption is subject to the following conditions—

1. The vessels do not exceed a speed of 8 knots while they are in the area covered by the speed restriction notice for Hillarys Boat Harbour;
2. The vessels do not exceed a speed of 12 knots while they are in the area covered by the speed restriction notice for North Metropolitan Beaches;
3. The vessels make sound signals as described in rule 34(a) of the *Prevention of Collision at Sea Regulations 1983* (the Regulations) when they depart their berth at Hillarys Boat Harbour;
4. The vessels make sound signals as described in rule 34(e) of the Regulations when they enter or exit Hillarys Boat Harbour;
5. The vessels display a flashing orange light, visible from all sides, at all times while they are inside Hillarys Boat Harbour;
6. All aspects of Rottneest Fast Ferries Safety Management System are adhered to; and
7. A copy of this instrument is produced to DoT as soon as possible upon request.

This instrument is to be known as WAMA-2023-206072 and is valid from the date of signing until 1 August 2025 unless revoked sooner.

This instrument revokes the instrument WAMA-2021-204740.

MARK BRIANT, A/Director Waterways Safety Management and
delegate of the Chief Executive Officer, Department of Transport.

MA402

WESTERN AUSTRALIAN MARINE ACT 1982**EXEMPTION FROM COMPLIANCE WITH CERTAIN SPEED RESTRICTIONS FOR TRIPLE J TOURS
VESSELS OPERATING ON LAKE KUNUNURRA BETWEEN DIVERSION DAM AND
THE LAKE ARGYLE DAM**

(WAMA—2023—206059)

I, Mark Briant, A/Director Waterways Safety Management, Department of Transport (DoT) and delegate of the Chief Executive Officer, acting pursuant to the power in section 115A of the *Western Australian Marine Act 1982* (the Act), hereby exempt the following Triple J Tours vessels—

- UVI428232;
- UVI447442;
- UVI441372; and
- UVI447767

from compliance with regulations 48(c), 48(d)(i) and 48(d)(iv) of the *Navigable Waters Regulations 1958* (the Regulations).

In addition, in accordance with regulation 48(a) of the Regulations, I hereby grant approval for the above vessels to exceed the speed limit in regulation 48(a).

This exemption is subject to the following conditions—

1. The vessel master only exceeds the speed limit at times when safe to do so in the areas of the Lake Kununurra and the Ord River system in order to maintain the vessels on the plane and clear of underwater obstructions;

2. The vessel masters carry a copy of this exemption or produce it to DoT as soon as possible upon request;
3. This instrument only applies to Triple J tour vessels operating on Lake Kununurra between Diversion Dam and the Lake Argyle Dam other than tributaries of the Ord river; and
4. All aspects of Triple J Tours speed exemption risk matrix are adhered to.

All other applicable legislation including the *Prevention of Collisions at Sea Regulations 1983* must be complied with.

This instrument is to be known as WAMA—2023—206059 and is valid from the date of signing until 1 August 2025 inclusive unless revoked sooner.

This instrument revokes the previous instrument WAMA-2022-205639.

MARK BRIANT, A/Director Waterways Safety Management and
delegate of the Chief Executive Officer, Department of Transport.

MA403

WESTERN AUSTRALIAN MARINE ACT 1982

EXEMPTION FROM SPEED LIMITS FOR VENUES WEST APPROVED MOTORISED VESSELS OPERATING AT THE CHAMPION LAKES REGATTA CENTRE

(WAMA—2023—206073)

I, Mark Briant, A/Director Waterways Safety Management, Department of Transport, delegate of the Chief Executive Officer, acting pursuant to section 115A of the *Western Australian Marine Act 1982*, hereby exempt motorised vessels approved by Venues West to operate at the Champion Lakes Regatta Centre (Events West vessels) from compliance with regulations 48(c), 48(d) and 48(e) of the *Navigable Waters Regulations 1958* (the Regulations) when operating at Champion Lakes Regatta Centre.

In addition, acting pursuant to the powers in regulation 48(a) of the Regulations, I hereby grant approval for Events West vessels to exceed the speed limit in regulation 48 of the Regulations in the same circumstances.

The exemption and approval listed above apply only if the following conditions are met—

1. Exceedance of the speed limit is only to the extent reasonably necessary to effectively undertake either—
 - (a) safety, coaching or umpiring activities during an event listed in the Events West calendar for the Champion Lakes Regatta Centre, or
 - (b) the organised training for such an event.
2. Speed is not in excess of 12 knots of the speed limit.
3. The Department of Transport is in receipt of a risk assessment or safety management plan/s which covers all events listed in the Events West calendar, which addresses issues including—
 - (a) conducting events in areas of high traffic density; and
 - (b) the provision of appropriate training for vessel operators and crew to ensure that they are suitably experienced in navigating whilst operating at high speed (including when undertaking emergency response), and they take reasonable care in all circumstances.
4. A copy of this instrument is produced to Department of Transport within 72 hours upon request.

This instrument revokes WAMA—2021—204609. This instrument remains in force until 1 August 2025 unless revoked sooner.

MARK BRIANT, A/Director Waterways Safety Management and
delegate of the Chief Executive Officer, Department of Transport.

MA404

WESTERN AUSTRALIAN MARINE ACT 1982

EXEMPTION FROM COMPLIANCE WITH CERTAIN SPEED RESTRICTIONS FOR WA DISABLED WATER SKI CLUB VESSELS

(WAMA—2023—206136)

I, Mark Briant, A/Director Waterways Safety Management, Department of Transport (DoT) and delegate of the Chief Executive Officer, acting pursuant to the power in section 115A of the *Western Australian Marine Act 1982* (the Act), hereby exempt bona fide WA Disabled Water Ski Club vessels towing disabled water skiers from compliance with—

- Regulations 48(b), 48(d)(i) and 48A(2) of the *Navigable Waters Regulations 1958* (the Regulations);
- The speed restriction notice for Mangles Bay made under section 67 of the Act and published in the *Government Gazette* on 30 June 2009; and

- The speed restriction notice for Point Walter made under section 67 of the Act and published in the *Government Gazette* on 27 November 2012.

In addition, in accordance with regulation 48(a) of the Regulations, I hereby grant approval for the vessels to exceed the speed limit in regulation 48 in the same circumstances.

This exemption is subject to the following conditions—

1. The vessel master may exceed the speed limits in the specified notices, up to a maximum of 12 knots, only when expedient and safe to do so;
2. The vessel master navigates directly to and from shore to the adjacent gazette water ski area;
3. All the provisions of the WA Disabled Water Ski Club standard operating procedures are adhered to; and
4. Vessel masters carry a copy of this exemption and present it to DoT on request.

This instrument revokes instrument WAMA—2021—204596 and is valid from the date it signed until 1 August 2025 inclusive unless revoked sooner.

MARK BRIANT, A/Director Waterways Safety Management and delegate of the Chief Executive Officer, Department of Transport.

MA405

WESTERN AUSTRALIAN MARINE ACT 1982

EXEMPTION FROM CERTAIN PROVISIONS OF THE NAVIGABLE WATERS REGULATIONS 1958 AND THE WESTERN AUSTRALIAN MARINE ACT 1982 FOR CERTAIN VESSELS IN THE SWAN CANNING RIVERPARK

(WAMA—2023—206116)

I, Mark Briant, A/Director Waterways Safety Management, Department of Transport (DoT), delegate of the Chief Executive Officer, acting pursuant to the powers in section 115A of the *Western Australian Marine Act 1982* (the Act) and regulation 48(a) of the *Navigable Waters Regulations 1958* (the Regulations), hereby make the exemptions and approval set out below, in relation to motorised vessels under the control of a bona fide member, coach or event official of Rowing WA, Rowing Australia, the Western Australian Institute of Sport or associated rowing club or school rowing program (Rowing Safety Vessels) whilst operating within the following areas only—

- a. Coffee Point on the Canning River to Riverton Bridge; and
- b. Fremantle Traffic Bridge to Reid Highway Bridge on the Swan River.

Excluding all the waters of the Milyu, Pelican Point and Alfred Cove Marine Parks.

Exemptions

Pursuant to section 115A of the Act, Rowing Safety Vessels are exempt from compliance with—

- a. Regulations 19A, 48(b), 48(c), 48(d)(i), 48(d)(iv) and 48(e) of the Regulations; and
- b. Notices made under section 67 of the Act that are in force on the date of this exemption but does not include new notices that come into effect during the period of this exemption.

Approval

Pursuant to regulation 48(a) of the Regulations, Rowing Safety Vessels are granted approval to operate in exceedance of 8 knots in water less than 3 metres in depth and within 50 metres of a river bank or water's edge.

Conditions

1. Exceedance of the speed limit is only to the extent as is reasonably necessary to effectively undertake either—
 - (a) safety, coaching or umpiring activities during an aquatic event as listed in the Rowing WA calendar; or
 - (b) organised training.
2. The speed at which Rowing Safety Vessels are operated shall not exceed 12 knots above the specified speed limit.
3. DoT is in receipt of risk management plan(s), which covers all events listed in a calendar of events involving rowing that is maintained by Rowing WA, and addresses the following—
 - (a) conducting events in areas of high traffic density; and
 - (b) the provision of appropriate training for vessel operators and crew to ensure that they are suitably experienced in navigating whilst operating at high speed (including when undertaking emergency response), and they take reasonable care in all circumstances.

All aspects of the risk management plan(s) referred to at condition 3 are adhered to at all times.

4. The operator of a Rowing Safety Vessel must annually complete an online acknowledgement that they have read and understood the requirements outlined within the relevant *Rowing Training Water Safety Guideline*; Rowing WA will provide this online tool. A copy of this acknowledgement must be produced to DoT upon request.

5. A copy of the risk management plan(s) referred to at section 3 are produced to DoT upon request.
 6. The Rowing Safety Vessels display the word 'Safety' in letters at least 200mm high and 20mm thick, either on both sides of the hull, or on a white flag in red writing positioned on the vessel so that it is visible to other vessels.
 7. The Rowing Safety Vessels have suitable and operational navigational lights fitted and these are used always between sunset and sunrise and/or at times of reduced visibility.
 8. The Rowing Safety Vessels have a suitable and operational orange 360° flashing light fitted and this is used always when the vessel is being used in accordance with this exemption between sunset and sunrise and/or at times of reduced visibility.
 9. The operator of a Rowing Safety Vessel must hold, as a minimum, a Recreational Skippers Ticket
 10. The operator of a Rowing Safety Vessel must—
 - (a) assess if it is appropriate to exceed the speed limit; and
 - (b) comply with the *Prevention of Collisions at Sea Regulations 1983*) including but not limited to—
 - i. Rule 5 (Look-out);
 - ii. Rule 6 (Safe Speed);
 - iii. Rule 7 (Risk of Collision);
 - iv. Rule 22 (Visibility of Lights); and
 - v. Rule 23 (Power Driven Vessel Underway)
 11. A copy of this instrument is produced to DoT within 24 hours upon request; and
 12. Participants keep at least 15m away from vessels underway that are not associated with the event.
- This instrument is to be known as WAMA—2023—206116 and is valid from the date it is signed until 1 August 2025 inclusive unless revoked sooner. This instrument revokes the previous instrument WAMA—2021—204780.

MARK BRIANT, A/Director Waterways Safety Management and
delegate of the Chief Executive Officer, Department of Transport.

MA406

WESTERN AUSTRALIAN MARINE ACT 1982

EXEMPTION FROM COMPLIANCE WITH VARIOUS REGULATIONS OF THE *NAVIGABLE WATERS REGULATIONS 1958* FOR WESTERN AUSTRALIAN WATER SKI ASSOCIATION VESSELS WHEN TRAINING AND PARTICIPATING IN WATER SKIING IN THE WA POWERED WATER SPORTS AREA.
(WAMA—2023—206134)

I, Mark Briant, A/Director Waterways Safety Management, Department of Transport (DoT) and delegate of the Chief Executive Officer, acting pursuant to the power in section 115A of the *Western Australian Marine Act 1982* (the Act), hereby exempt bona fide Western Australian Water Ski Association (WAWSA) vessels when training and participating in water skiing in the WA Powered Water Sports Area, made under Regulation 48A of the *Navigable Waters Regulations 1958* (the Regulations) and published in the *Government Gazette* on 27 February 2015, MA403 from compliance with regulations 48(c), 48(d)(i), 48(d)(iv), 48(e), 49C, 49E, 49F, 49G, 49H, 49I, 49K and 50.

In addition, in accordance with regulation 48(a) of the Regulations, I hereby grant approval for the WAWSA vessels to exceed the speed limit in regulation 48 in the same circumstances.

This exemption is subject to the following conditions—

1. WAWSA must ensure a sufficient number of suitable rescue craft are available during all water-skiing activities to ensure safe management of the events.
2. DoT is in receipt of WAWSA's risk management plan.
3. All aspects of WAWSA's risk management plan are adhered to; and
4. Organisers must carry a copy of this exemption during the approved activities and produce it to DoT as soon as possible upon request.

This instrument revokes instrument WAMA—2021—204728 and is valid from the date it is signed until 1 August 2025 inclusive unless revoked sooner.

MARK BRIANT, A/Director Waterways Safety Management and
delegate of the Chief Executive Officer, Department of Transport.

MA407

WESTERN AUSTRALIAN MARINE ACT 1982 (WA) (CI)
WESTERN AUSTRALIAN MARINE ACT 1982 (WA) (CKI)

EXEMPTIONS FOR INDIAN OCEAN TERRITORIES RECREATIONAL REGISTRABLE VESSELS FROM
HULL IDENTIFICATION NUMBER REGISTRATION REQUIREMENTS, MADE PURSUANT TO SECTION
115A *WESTERN AUSTRALIAN MARINE ACT 1982 (WA) (CI)* AND *(CKI)*

(WAMA—2023—206158)

I, Mark Briant, A/Director Waterways Safety Management, Department of Transport, a delegate of the Chief Executive Officer, make the following two exemptions below—

Christmas Island Exemption

1. Acting pursuant to the power in section 115A of the *Western Australian Marine Act 1982 (WA) (CI)*, hereby exempt vessels—
 - a. within the definition of **registrable vessel** under regulation 45A(2) of the *Navigable Water Regulations 1958 (WA) (CI)* (“CI Regulations”); and
 - b. which do not have a hull identification number (“HIN”);
from regulation 45B(5a)(a) of the CI Regulations relating to HIN requirements for vessel registration.

Cocos Keeling Islands Exemption

2. Acting pursuant to the power in section 115A of the *Western Australian Marine Act 1982 (WA) (CKI)*, hereby exempt vessels—
 - a. within the definition of **registrable vessel** under regulation 45A(2) of the *Navigable Water Regulations 1958 (WA) (CKI)* (“CKI Regulations”); and
 - b. which do not have a HIN;
from regulation 45B(5a)(a) of the CKI Regulations relating to HIN requirements for vessel registration.

These exemptions only apply to registrable vessels operating within navigable waters, as defined within *Navigable Waters Regulations 1958 (WA) (CI)* and *(CKI)*, of the Territory of Christmas Island and the Territory of Cocos (Keeling) Islands.

These exemptions do not exempt the above vessels from the application of any other legislation.

This instrument revokes WAMA—2021—206432. This instrument is valid from date of signing and is effective until 1 August 2025 unless revoked sooner.

MARK BRIANT, A/Director Waterways Safety Management and
delegate of the Chief Executive Officer, Department of Transport.

MA408

WESTERN AUSTRALIAN MARINE ACT 1982 (WA) (CI)
WESTERN AUSTRALIAN MARINE ACT 1982 (WA) (CKI)

SAFETY EQUIPMENT EXEMPTIONS FOR SPECIFIED CRAFT OPERATING WITHIN CERTAIN WATERS OF
THE COCOS (KEELING) ISLANDS LAGOON

(WAMA—2023—206140)

I, Mark Briant, A/Director Waterways Safety Management, Department of Transport (DoT) and delegate of the Chief Executive Officer, acting pursuant to the power in section 52CA of the *Navigable Waters Regulations 1958 (WA) (CKI)* (the Regulations), hereby make the exemptions with the condition set out below—

General

In this instrument, the term “sailboard riding” includes reference to sailboard riders and the term “Recreational paddle craft” is as defined in regulation 46 of the Regulations.

Exemptions—

1. Sailboard riders are exempt from compliance with regulation 52BAC(3) of the Regulations when operating more than 400 m from shore.
2. Sailboard riders are exempt from compliance with regulation 52BAC(4) of the Regulations when operating more than 2 nautical miles from shore.
3. Recreational paddle craft are exempt from compliance with regulation 52BAD(4) of the Regulations when operating more than 400 m from shore.
4. Recreational paddle craft are exempt from compliance with regulation 52BAD(5) of the Regulations when operating more than 2 nautical miles from shore.

Condition—

The exemptions only apply when the craft are operating within the area of protected waters of the Territory of Cocos (Keeling) Island lagoon, as set out in the attached chart. The area is defined on its northern boundary by the Port of Cocos (Keeling) Island's southern limit which commences on the West side of Home Island at point 12°07'.28 South and 96°53'.59 East, thence goes in a South West direction to a point on West Island at 12°10' South and 96°49'.98 East.

This instrument revokes WAMA—2021—204633. This instrument is to be known as NWR—2023—206140 and is effective from the date of signing until 1 August 2025 unless revoked sooner.

MARK BRIANT, A/Director Waterways Safety Management and delegate of the Chief Executive Officer, Department of Transport.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Canning
 Local Planning Scheme No. 42—Amendment No. 11

Ref: TPS/2971

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 Canning Local Planning Scheme amendment on 2 August 2023 for the purpose of—

1. Inserting Additional Use No. 31 into Schedule B as follows:

No.	Description of land	Additional use	Conditions
31	Land zoned 'Light Industry' and generally bounded by Roxby Lane, Herald Avenue, Acanthus Road and Freesia Way.	Consulting Rooms (D) Medical Centre (D) Motor Vehicle, Boat or Caravan Sales (D) Restaurant/Café (A)	

2. Updating the Local Planning Scheme No.42 Map as shown on the Scheme Amendment No. 11 Map.

P. HALL, Mayor.
M. LITTLETON, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Carnarvon
 Local Planning Scheme No. 13—Amendment No. 6

Ref: TPS/3019

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Carnarvon Local Planning Scheme amendment on 2 August 2023 for the purpose of—

Reclassifying Lot 500 on Deposited Plan 74108 North River Road in the locality of North Plantations from the Local Planning Scheme reserve 'Environmental Conservation' to the Local Planning Scheme zone 'Priority Agriculture'.

E. SMITH, President.
A. SELVEY, Chief Executive Officer.

PL403

PLANNING AND DEVELOPMENT ACT 2005
APPROVED TOWN PLANNING SCHEME AMENDMENT
City Of Armadale
 Town Planning Scheme No. 4—Amendment No. 116

Ref: TPS/2893

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 2 August 2023 for the purpose of—

- a. Rezoning Lot 10 and portion of Lot 12 (863) Rowley Road, Lots 5 (596), 7 and 9 Oxley Road and Lot 5066 Kargotich Road Forrestdale from “Rural Living 20” zone to “Industrial Development” zone as shown on the Scheme Amendment map and amend the Scheme Maps accordingly;
- b. Amend Special Control Area Map 3 to extend the boundaries of Development Area 46 to include Lot 10 and portion of Lot 12 (863) Rowley Road, Lots 5 (596), 7 and 9 Oxley Road and Lot 5066 Kargotich Road, Forrestdale; and
- c. Amend Schedule 8 Development (Structure Plan) Areas in the Scheme Text by—
 - i. Amending the “Description of Land” for Development Area 46 to include the land the subject of Amendment No.116 as follows—

“South Forrestdale Industrial Area”—Lot 6, 8 and 200 Rowley Rd, Forrestdale (Stage 1) and Lot 10 and portion of Lot 12 (863) Rowley Rd, Lots 5 (596), 7 and 9 Oxley Rd and Lot 5066 Kargotich Road, Forrestdale (Stage 2)”.
 - ii. Amending provision 46.3 to the following—

46.3 The Structure Plan shall make adequate provision for the protection of adjoining Conservation Category Wetlands, Bush Forever land and Regional Parks and the Resource Enhancement Wetland on Lot 8 Rowley Road to the satisfaction of the Environmental Protection Authority and the local government through—

 - (a) The provision of appropriate buffers between future industrial development and the Bush Forever site and Conservation Category Wetland on Lot 12 and environmentally sensitive areas abutting the northern boundaries of Lots 5, 7 and 9 Oxley Road. The buffer areas are to be detailed on the Structure Plan. The extent/width of the buffers is to be to the satisfaction of the EPA and the DBCA.
 - (b) A Buffer Management Plan for the buffer areas determined by the EPA and DBCA. The Buffer Management Plan is to address the retention of any native vegetation within the buffer, revegetation of cleared areas, bushfire management, access and drainage. The Buffer Management Plan is to be prepared in consultation with the Department of Biodiversity, Conservation and Attractions to the satisfaction of the local authority.
 - (c) At the Subdivision stage, the land identified for buffer areas is to be ceded free of cost as reserves for Public Open Space and Drainage.
 - iii. Adding a part c, to provision 46.4 as follows—
- c. A Local Water Management Strategy which, in addition to standard matters, addresses the location and design of any proposed stormwater drainage features within the buffer. The Local Water Management Strategy is to be prepared in consultation with the Department of Water and Environmental Regulation to the satisfaction of the local authority.

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

PL404

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Ravensthorpe
 Local Planning Scheme No. 6—Amendment No. 3

Ref: TPS/2518

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Ravensthorpe Local Planning Scheme amendment on 2 August 2023 for the purpose of—

- 1) Replace Clause 2.2.3 with the following—

2.2.3 The objectives of each local reserve are as follows—

Reserve name	Objectives
Public Open Space	<ul style="list-style-type: none"> • To set aside areas for public open space, particularly those established under the <i>Planning and Development Act 2005 s. 152</i>.

Reserve name	Objectives
	<ul style="list-style-type: none"> To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage.
Environmental Conservation	<ul style="list-style-type: none"> To identify areas with biodiversity and conservation value, and to protect those areas from development and subdivision. To identify and protect areas of biodiversity conservation significance within National Parks and State and other conservation reserves.
Civic and Community	<ul style="list-style-type: none"> To provide for a range of community facilities which are compatible with surrounding development. To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.
Public Purpose	<ul style="list-style-type: none"> To provide for a range of essential physical and community infrastructure.
Medical Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential medical services.
Infrastructure Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential infrastructure services.
Education	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential education facilities.
Emergency Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of essential emergency services.
Government Services	<ul style="list-style-type: none"> Public Purposes which specifically provide for a range of government services.
Cemetery	<ul style="list-style-type: none"> To set aside land required for a cemetery.
Car Park	<ul style="list-style-type: none"> To set aside land required for a car park.
Drainage / Waterway	<ul style="list-style-type: none"> To set aside land required for significant waterways and drainage.
Primary Distributer Road	<ul style="list-style-type: none"> To set aside land required for a primary distributor road being a road classified as a Regional Distributor or Primary Distributor under the Western Australian Road Hierarchy.
District Distributer Road	<ul style="list-style-type: none"> To set aside land required for a district distributor road being a road classified as a Distributor A or Distributor B under the Western Australian Road Hierarchy.
Local Distributer Road	<ul style="list-style-type: none"> To set aside land required for a local distributor road being a road classified as a Local Distributor under the Western Australian Road Hierarchy.
Local Road	<ul style="list-style-type: none"> To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy. To set aside land for use as a pedestrian access way.
Strategic Infrastructure	<ul style="list-style-type: none"> To set aside land required for port or airport facilities.

2) Inserting into the table under Clause 2.3 the following—

No.	Description of land	Additional use	Conditions
AR2	Portion of Reserve 7369	Child care premises	1. As determined by the local government

3) Applying 'AR2' to a portion of Reserve 7369 as depicted on the Amendment Map.

4) Inserting into the table under Clause 2.3 the following –

No.	Description of land	Additional use	Conditions
AR3	Reserve 33638	Single house	1. As determined by the local government

5) Applying 'AR3' to Reserve 33638 as depicted on the Scheme Amendment map.

6) Replacing Clause 3.1.2 with the following—

3.1.2 The objectives of each zone are as follows –

Zone name	Objectives
Residential	<ul style="list-style-type: none"> To provide for a range of housing and a choice of residential densities to meet the needs of the community. To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.

Zone name	Objectives
	<ul style="list-style-type: none"> To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
Rural	<ul style="list-style-type: none"> To provide for the maintenance or enhancement of specific local rural character. To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use. To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage. To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone. To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.
Rural Residential	<ul style="list-style-type: none"> To provide for lot sizes in the range of 1 ha to 4 ha. To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
Rural Smallholdings	<ul style="list-style-type: none"> To provide for lot sizes in the range of 4 ha to 40 ha. To provide for a limited range of rural land uses where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. To set aside areas for the retention of vegetation and landform or other features which distinguish the land.
Light Industry	<ul style="list-style-type: none"> To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones. To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.
General Industry	<ul style="list-style-type: none"> To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses. To accommodate industry that would not otherwise comply with the performance standards of light industry. Seek to manage impacts such as noise, dust and odour within the zone.
Commercial	<ul style="list-style-type: none"> To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres. To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades. To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.
Mixed Use	<ul style="list-style-type: none"> To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels. To allow for the development of a mix of varied but compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.
Tourism	<ul style="list-style-type: none"> To promote and provide for tourism opportunities. To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area. To allow limited residential uses where appropriate. To encourage the location of tourist facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.
Special Use	<ul style="list-style-type: none"> To facilitate special categories of land uses which do not sit comfortably within any other zone. To enable the Council to impose specific conditions associated with the special use.

- 7) Deleting the zone Special Use from the Zoning Table in Clause 3.2.
- 8) Inserting the 'Commercial' zone in the Zoning Table in Clause 3.2 with the same land use permissibilities as the current 'Rural Townsite' zone.
- 9) Deleting all reference and/or provisions relating solely to the Rural Townsite zone from the Scheme as required, including on the Scheme Maps.
- 10) Amending the permissibility of 'Telecommunications Infrastructure' from 'A' to 'D' in the 'General Industry' zone in Clause 3.2.
- 11) Amending the permissibility of 'Workforce Accommodation' within the 'Residential' zone to 'X' and within the 'Light Industry' zone to 'D' in Clause 3.2.
- 12) Amending the permissibility of 'Exhibition Centre'; 'Reception Centre'; 'Recreation—Private'; and 'Veterinary Centre' within the 'Residential' zone to 'X' in Clause 3.2.
- 13) Amending the permissibility of 'Single House' within the 'Rural Residential' and 'Rural Smallholdings' zones to 'D' in Clause 3.2.
- 14) Replacing clause 4.9 with the following—

There are no additional requirements that apply to this Scheme.
- 15) Replacing 'Rural Townsite' with 'Commercial' in the heading in clause 4.12.
- 16) Replacing 'Rural Townsite' with 'Commercial' in Clauses 4.12.2, 4.12.3, 4.12.4 and 4.12.5.
- 17) Deleting Clause 4.12.1 and renumbering the Scheme accordingly.
- 18) Deleting the second ';' in clause 4.14.1.2(a).
- 19) Amending the Scheme in relation to additional dwellings on farms as follows—
 - a. delete clause 4.14.1.2 and replace with the following—
 - 4.14.1.1 The local government may grant approval for an additional dwelling in the Rural zone provided that—
 - (a) the total number of dwellings on the lot (excluding any ancillary dwelling) will not exceed three;
 - (b) the local government is satisfied that adequate provision can be made for the supply of domestic water and for the disposal of sewage from the additional dwelling/s;
 - (c) the additional dwelling/s will not adversely affect the rural landscape or conflict with agricultural production on the subject lot or on adjoining land;
 - (d) the additional dwelling/s should generally be clustered in one location on the property with all relevant services shared; and
 - (e) the lot has an area of 50ha or greater.
 - 4.14.1.2 The approval of more than one (1) dwelling on any lot zoned Rural should not be construed as support for the subdivision of the lot. Subdivision of Rural land shall be in accordance with State planning policy.
 - b. amend the permissibility of Grouped Dwelling in the Rural zone from X to D in clause 3.2.
- 20) Replacing the following in Clause 4.14.3.1—
 - a. '4.14.3' with '4.14.2'; and
 - b. 'Regulations' with 'deemed provisions'
- 21) Deleting subclauses (a); (c) to (f); and (h) to (j) in Clause 4.14.3.1 and renumbering the clause accordingly.
- 22) Replacing 'additional site and development requirements for areas covered by a structure plan, activity centre plan or local development plan in' with 'provisions of' in Clause 4.15.1.
- 23) Replacing '10% of the lot area, or 2,000m²' with '20% of the lot area, or 4,000m²' in Clause 4.15.3.2 b).
- 24) Inserting 'in the Rural Residential and Rural Smallholdings zones' after the word 'vegetation' Clause 4.15.8 (a).
- 25) Inserting into Clause 4.15.8 a new subclause (c) as follows—

'(c) In areas that are identified as containing the Proteaceae Dominated Kwongkan Shrubland listed in the *Australian Government Environmental Protection and Biodiversity Conservation Act 1999* (EPBC) as a threatened ecological community the removal of vegetation will not be supported, unless in accordance with subclause (a), prior to the proponent satisfying the requirements of the Commonwealth Department responsible for environmental legislation.'
- 26) Moving Clause 4.15.8 to a new clause before Clause 4.17 with the title 'Vegetation Protection' and renumber the Scheme to take into account the removal from Clause 4.15 and insertion of a new clause.
- 27) Deleting Clause 4.16.8 and renumbering the Scheme accordingly.
- 28) Deleting the words 'On land within the Rural, Residential, Mixed Use or Rural Townsite Zones,' in Clause 4.17.1.

- 29) Replacing clause 4.17.1(d) with the following—
(d) where workforce accommodation is proposed it is to comply with the car parking requirements contained in Schedule 4.’
- 30) Replacing the heading of Clause 4.18 with ‘Holiday Accommodation, Holiday House and Bed and Breakfast Requirements’.
- 31) Amending Clause 4.18.1 as follows—
a. by deleting ‘not exceed 100 square metres per dwelling and’;
b. inserting ‘, holiday house or bed and breakfast’ after the words ‘holiday accommodation’; and
c. inserting ‘, in addition to the matters listed in clause 67 of the deemed provisions,’ after the word ‘shall’.
- 32) Deleting Clauses 4.18.3 to 4.18.5.
- 33) Inserting the following new Clause 4.18.3—
‘4.18.3 Where Holiday Accommodation, a Bed and Breakfast or Holiday House uses are proposed, the site is to be connected to reticulated sewerage, or a suitable on-site effluent disposal system in accordance with the Government Sewerage Policy (as amended).’
- 34) Inserting subclause 4.19.5(c) as follows—
(c) If an owner or developer object to the amount of the costs and values determined by the local government pursuant to subclause 4.19.5(a), the matter may be referred to arbitration in accordance with the provisions of the *Commercial Arbitration Act 2012*.
- 35) Inserting new clause before clause 4.20 as follows and renumbering subsequent clause as required—
4.20 Parking, loading and unloading separated from Development
Where parking or loading and unloading is provided on a lot or lots separated from the lot upon which the development or redevelopment is to occur, the local government will need to be satisfied that the land so allocated to parking or loading and unloading will be permanently retained for such purpose by either requiring an amalgamation of the lots set aside for parking and/or loading and unloading with the lots being developed or, by a right of carriage way being registered on the respective titles.
- 36) Renaming Schedule 3 to ‘SCHEDULE 3—RURAL RESIDENTIAL—SPECIAL PROVISIONS’.
- 37) Deleting subclause 4.25.3 and renumbering the subclauses accordingly;
- 38) Inserting a new clause 4.25.4 as follows—
‘4.25.4 The height limit for telecommunications infrastructure is not limited by the Scheme.’
- 39) Amending Clause 4.31 as follows—
a. deleting ‘and structures’ and ‘or structures’ in the subclauses as required;
b. replacing ‘height limits’, ‘height limitations’ and ‘limit’ with ‘building height’ in the subclauses; and
c. replacing ‘4.30.1’ with ‘4.31.1’ within subclauses 4.31.2 and 4.31.3.
- 40) Replacing Clause 4.33 with—
(a) In addition to Clause 61 of the deemed provisions, where a mining operation in the rural zone is proposed development approval of the local government is not required subject compliance with subclause (b).
(b) In considering proposals to commercially extract minerals, the Local Government will exercise its discretion to inform the Minister for Mines and the Minister for Planning in writing that the granting of a mining lease or general purpose lease is either consistent with or contrary to the provisions of the Scheme and the Local Planning Strategy.
- 41) Replace clause 4.40 with the following—
4.40 Outbuildings
The erection of an outbuilding on a Residential or Rural Residential zoned lot is not permitted unless development approval has already been issued for the erection of a single house, grouped dwelling or multiple dwelling where such development approval is required.
- 42) Modify SCA1 within Table 12 as follows—
a. Replace with the following in the ‘Purpose’—
The purpose of SCA 1 is to protect public drinking water source areas from incompatible land use and pollution in order to maintain water quality.
Note: Public Drinking Water Source Protection Areas are defined on the Scheme Map in accordance with information provided by the Department of Water and Environmental Regulation.
b. Insert the following into ‘Objectives’—
The objectives of SCA 1 are to—
(a) provide a basis for the protection of public drinking water resources (PDWSA) through the control of land use or development, which has the potential to prejudice the quality of water supplies for public use;

- (b) identify land that has been designated as groundwater reserves and surface catchment areas that supply public drinking water;
 - (c) ensure that any land use does not detrimentally impact on a public drinking water source;
 - (d) implement Scheme controls that are designed to mitigate any adverse effects on a public drinking water source.
- c. Replace with the following in the 'Additional Provisions'—
1. Despite any other provision of the Scheme, development approval is required for all works including a single house, removal of vegetation, earthworks or the use of land for the keeping of or grazing animals, except that outbuildings with a maximum area of 10m² and building height of 2.4m do not require approval unless otherwise specified in the Scheme.
 2. The local government may refuse any application for development approval or impose conditions on any development approval so as to—
 - (a) protect the resource;
 - (b) require the registration of a notification under section 70A of the *Transfer of Land Act 1893* on the title to the land giving notice of any limitations or constraints associated with the protection of public drinking water resources at the applicant's cost;
 - (c) despite any other provision of the Scheme development approval cannot be issued unless the proposal complies with the provisions of Water Quality Protection Note 25 Land Use Compatibility in Public Drinking Water Source Areas unless it is satisfactory to the Department of Water and Environmental Regulation; and
 - (d) despite any other provision of the Scheme, development approval cannot be issued for a development that contains the storage of fuel or chemicals without referral to the Department of Water and Environmental Regulation and the Local Government is to have due regard to recommendations and advice received from that authority when determining applications.
 3. Subdivision will not be supported unless the proposal complies with the provisions of Water Quality Protection Note 25 Land Use compatibility in Public Drinking Water Source Areas.

Note: There will be a general presumption against development or use of land, which is not compatible with Public Drinking Water Source Areas or which involves a significant risk to the resource. The onus will be on the proponent of development to demonstrate that the proposed activity will not prejudice the resource.

4. In addition to other provisions of the Scheme, in considering any application for rezoning, subdivision or development approval in SCA 1, the local government is to have particular regard to—
 - (a) the Department of Water and Environmental Regulation Water Quality Protection Note: Land Use Compatibility in Public Drinking Water Source Areas, and any advice received from the Department of Water and Environmental Regulation;
 - (b) Ravensthorpe Water Reserve Drinking Water Source Protection Plan, the Hopetown Water Reserve Drinking Water Source Protection Plan and other plans prepared or amended within the Shire of Ravensthorpe;
 - (c) the requirements of Statement of Planning Policy No. 2.7: Public Drinking Water Source Policy;
 - (d) The potential impact of the proposal on the quality of the water resource;
 - (e) The practicability and cost of any ameliorative measures proposed for the protection of the resource;
 - (f) The existing level of protection of the resource provided, with reference to management of land and location of development;
 - (g) The nature, location and performance of any existing or proposed effluent disposal system;
 - (h) The drainage characteristics of the land, including surface and groundwater flow, and the adequacy of proposed measures to manage run-off and drainage.
 - (i) For the purposes of this Scheme the groundwater reserves will be deemed to be as per the relevant Drinking Water Source Protection Plan and a wellhead protection zone of with a 500 metres radius around each production bore in a Priority 1 area and a 300 metres radius around each production bore in Priority 2 and Priority 3 and where a wellhead protection zone from a drinking water production bore in a Priority 1 area extends into a Priority 2 or Priority 3 area the wellhead protection zone will be generally circular with a 300m radius within the Priority 2 or Priority 3 area will apply unless the Department of Water and Environmental Regulation indicates otherwise.

5. Upon finalisation of any Public Drinking Source Area within the Scheme Area by the Department of Water and Environmental Regulation, any realignment of the SCA 1 boundary will trigger a Basic Amendment.
- 43) Amending the Scheme Map to show the Public Drinking Source Priority Areas and Wellhead Protection zones, as shown in the Hopetoun Water Reserve Drinking Water Source Protection Review—WRP 157, as SCA1.
- 44) In Additional Provision '3.' of SCA2 replace 'Schedule 3' with 'Clause 4.9 and Schedule 3'.
- 45) Amending the Scheme by inserting into Schedule 2 'Residential' before 'Rural Townsite' as follows –

Zone	Site coverage %	Plot Ratio	Minimum Setback (m)**			Landscaping %	Special Conditions/ comments
			Front	Rear	Side		
Residential	In accordance with the Residential Design Codes			N/A			

- 46) Renaming the 'Rural Townsite' zone to 'Commercial' in Schedule 2.
- 47) Moving footnote (i) in Schedule 2 and amending the word 'adjoin' to 'adjoins' in the table to a new row under the 'Tourism' zone with the same format as the 'Rural Smallholdings' zone.
- 48) Renumbering the footnote and associated references from '(i)' to '(ii)' in Schedule 2 for the 'Rural Smallholdings' zone.
- 49) Amending the following in relation to commercial vehicles—
- Replace Clause 4.36(a) (retaining the subclauses) with—
 - No person shall park a commercial vehicle within the Residential zone unless the following requirements are complied with:
 - Insert the term 'Commercial Vehicle' into clause 6.1(1) in accordance with the model provisions;
 - Insert the land use term 'Commercial Vehicle Parking' into clause 6.2 in accordance with the model provisions; and
 - Insert the Commercial Vehicle Parking land use term alphabetically into the zoning table with the following permissibility—
 - Residential: 'A';
 - Commercial: 'P';
 - Mixed Use: 'P';
 - Tourism: 'D';
 - General Industry: 'P';
 - Light Industry: 'P';
 - Rural: 'P';
 - Rural Residential: 'P'; and
 - Rural Smallholding: 'P'.
- 50) Amending the Scheme by replacing within Clause 4.8.1 'the clauses 4.12 to 4.33' with 'clause 4.12 onwards'.
- 51) Replacing, within Clause 6.2, the meaning for the land use 'park home park' with—
'**park home park** means premises used as a park home park as defined in the *Caravan Parks and Camping Grounds Regulations 1997* Regulation 3;
- 52) Amending Schedule 4 by deleting the headings 'Residential Uses', 'Ancillary Residential Uses', 'Commercial Uses', 'Tourism Uses', 'Industrial Uses' 'Rural Uses' and 'Community Uses' and sort the Use Class alphabetically.
- 53) Amending Schedule 4 by inserting alphabetically the following into the table –

Use Class	Parking	Qualifications, requirements or conditions
Holiday House	2 bays	
Grouped Dwelling	As per the R Codes.	
Workforce Accommodation	1 bay per accommodation unit	
Multiple Dwellings	As per the Residential Design Codes.	
Repurposed Dwelling	As per the R Codes.	
Second-hand Dwelling	As per Single House	
Single House	As per the R Codes.	

- 54) Deleting 'or fence' within Schedule A Clause 61(1)(l).
- 55) Replacing Schedule A Clause 61(1)(m) with 'The erection of a boundary fence in accordance with an adopted Fencing Local Law.

- 56) Replacing within Schedule A Clause 61(1)(o) 'The placement of a shipping container on a lot except where it is:' with 'The placement of a shipping container on a lot only where it is—'
- 57) Renumbering the clauses and any referenced clauses within the Scheme, formatting the numbering to follow the same format as the Deemed Provision.
- 58) Amending, within Clause 6.2 the definition of 'bulky goods showroom' by deleting the word 'and' between subclauses (a) and (b) and replacing it with 'or'.

AMENDMENTS TO THE SCHEME MAP

- 59) Rezoning all areas currently zoned 'Rural Townsite' to 'Commercial', except as otherwise provided in other parts of this Amendment, as depicted on the Scheme Amendment map.
- 60) Reclassifying Alan Rose Drive, Hopetoun from 'Public Open Space' to 'Local Road' as depicted on the Scheme Amendment map.
- 61) Reclassifying the portion of Reserve 49744 currently reserved as 'Local Road' to 'Public Open Space' as depicted on the Scheme Amendment map.
- 62) Reclassifying the portion of road currently zoned 'Residential' and 'Rural Townsite' north of Clarke Street between Veal Street and Barnett Street in Hopetoun to 'Local Road' as depicted on the Scheme Amendment map.
- 63) Reclassifying the portion of Reserve 7661 classified 'Residential' zone and 'Local Road' reserve to 'Civic and Community' as depicted on the Scheme Amendment map.
- 64) Reclassifying Reserve 50715 from 'Mixed Use' to 'Car Park' as depicted on the Scheme Amendment map.
- 65) Reclassifying Reserve 34497 from 'Residential' to 'Civic and Community' as depicted on the Scheme Amendment map.
- 66) Reclassifying Reserve 46889 from 'Light Industry' to 'Drainage / Waterway' as depicted on the Scheme Amendment map.
- 67) Reclassifying Reserve 41421 from 'Residential' to 'Drainage / Waterway' as depicted on the Scheme Amendment map.
- 68) Reclassifying Reserve 44732 from 'Residential' to 'Drainage / Waterway' as depicted on the Scheme Amendment map.
- 69) Reclassifying Reserve 34288 from 'Public Purposes' to 'Environmental Conservation Reserve' as depicted on the Scheme Amendment map.
- 70) Reclassifying Reserve 34286 and Lot 730 on Deposited Plan 36806 from 'Residential' to 'Local Road' as depicted on the Scheme Amendment map.
- 71) Reclassifying a portion of Wilkinson Road from 'Public Open Space' to 'Local Road' as depicted on the Scheme Amendment map.
- 72) Reclassifying a portion of Leata Street from 'Public Open Space' to 'Local Road' as depicted on the Scheme Amendment map.
- 73) Reclassifying Reserve 49295 from 'Residential' to 'Local Road' as depicted on the Scheme Amendment map.
- 74) Reclassifying the portion of Reserve 35584 south of Alan Rose Drive from 'Public Purposes' and 'Public Open Space' to 'Civic and Community' as depicted on the Scheme Amendment Map.
- 75) Reclassifying Reserve 40521 from 'Public Open Space' to 'Infrastructure Services' as depicted on the Scheme Amendment map.
- 76) Reclassifying Lot 520 on Plan 214600 from 'Residential' to 'Local Road' as depicted on the Scheme Amendment map.
- 77) Reclassifying the Right of Way between Melia Way and Manjart Street in Munglinup from 'Rural Townsite' zone to 'Local Road' reserve as depicted on the Scheme Amendment map.
- 78) Reclassifying the Right of Way off Manjart Street, Munglinup from 'Rural Townsite' zone to 'Local Road' reserve as depicted on the Scheme Amendment map.
- 79) Reclassifying the portion of Reserve 29437 currently zoned 'Rural' to 'Public Open Space' as depicted on the Scheme Amendment map.
- 80) Reclassifying Reserve 47050 from 'Rural' and 'Local Road' to 'Infrastructure Services' as depicted on the Scheme Amendment Map.
- 81) Reclassifying Reserve 49207 from 'Rural Residential' to 'Emergency Services' as depicted on the Scheme Amendment Map.
- 82) Reclassifying Reserve 49159 from 'Rural Residential' to 'Environmental Conservation' as depicted on the Scheme Amendment Map.
- 83) Reclassifying Reserve 38324 from 'Local Road' and 'Light Industry' to 'Emergency Services' as depicted on the Scheme Amendment Map.
- 84) Reclassifying Reserve 43238 from 'Light Industry' to 'Drainage / Waterway' as depicted on the Scheme Amendment Map.
- 85) Reclassifying Reserve 38863 from 'Residential' to 'Infrastructure Services' as depicted on the Scheme Amendment Map.
- 86) Reclassifying the portion of roadway between Ravensthorpe—Hopetoun Road and Lot 231 on Plan 104934 zoned 'Public Open Space' to 'Local Road' as depicted on the Scheme Amendment Map.

- 87) Reclassifying the portion of Reserve 7369 currently zoned 'Residential' to 'Public Open Space' as depicted on the Scheme Amendment Map.
- 88) Reclassifying Reserve 44777 from 'Mixed Use' to 'Civic and Community' as depicted on the Scheme Amendment Map.
- 89) Reclassifying Reserve 24519 from 'Mixed Use' to 'Civic and Community' as depicted on the Scheme Amendment Map.
- 90) Reclassifying the Right of Way between Reserve 24519 and 44777 from 'Mixed Use' to 'Local Road' as depicted on the Scheme Amendment Map.
- 91) Reclassifying the Right of Way between Lots 15 and 16 on Plan 223075 from 'Rural Townsite' to 'Local Road' as depicted on the Scheme Amendment Map.
- 92) Reclassifying the Right of Way between Lot 173 on Plan 223076 and Reserve 29814 from 'Residential' to 'Local Road' as depicted on the Scheme Amendment Map.
- 93) Reclassifying the Right of Way between Lots 163 and 164 on Plan 223076 from 'Residential' to 'Local Road' as depicted on the Scheme Amendment Map.
- 94) Reclassifying the Right of Way between Lots 539 and 540 on Plan 223079 from 'Residential' to 'Local Road' as depicted on the Scheme Amendment Map.
- 95) Reclassifying the Right of Way between Lots 566 and 567 on Plan 223079 from 'Residential' to 'Local Road' as depicted on the Scheme Amendment Map.
- 96) Reclassifying the Right of Way between Lots 576 and 577 on Plan 223079 from 'Residential' to 'Local Road' as depicted on the Scheme Amendment Map.
- 97) Reclassifying the Right of Way between Lots 611 and 612 on Plan 223079 from 'Residential' to 'Local Road' as depicted on the Scheme Amendment Map.
- 98) Reclassifying the Right of Way between Lot 25 on Plan 223075 and Reserve 7712 from 'Rural Townsite' to 'Local Road' as depicted on the Scheme Amendment Map.
- 99) Reclassifying the Right of Way between Lots 35 and 36 on Plan 223075 from 'Mixed Use' to 'Local Road' as depicted on the Scheme Amendment Map.
- 100) Reclassifying Reserve 42699 from 'Mixed Use' to 'Government Services' as depicted on the Scheme Amendment Map.
- 101) Reclassifying Reserve 38694 from 'Residential' to 'Local Road' as depicted on the Scheme Amendment Map.
- 102) Reclassifying the portion of Reserve 29693 reserved as 'Local Road' to 'Public Open Space' as depicted on the Scheme Amendment Map.
- 103) Reclassifying Reserve 46397 from 'Residential' to 'Public Open Space' as depicted on the Scheme Amendment Map.
- 104) Reclassifying Reserve 33638 from 'Residential' to 'Medical Services' as depicted on the Scheme Amendment Map.
- 105) Reclassifying Reserve 38727 and Lot 126 on Plan 223075 from 'Public Purposes' to 'Commercial' as depicted on the Scheme Amendment Map.
- 106) Reclassifying McCulloch Way from 'Public Open Space' to 'Local Road' as depicted on the Scheme Amendment Map.
- 107) Reclassifying Reserve 19492 from 'Rural' to 'Environmental Conservation' as depicted on the Scheme Amendment Map.
- 108) Reclassifying a portion of Lot 82 on Plan 224161 from 'Public Purposes' to 'Strategic Infrastructure' as depicted on the Scheme Amendment Map.
- 109) Reclassifying Reserve 35585 from 'Public Purposes' and 'Public Open Space' to 'Education' reserve, and amend the Scheme Map accordingly.

K. DUNLOP, President.
M. BIRD, Chief Executive Officer.

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Charles Thomas Tyler (Deceased) late of 22 Chipping Crescent, Wellard, Western Australia.

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 15 January 2023, are required by the Administrator to send particulars of their claims to Formbys, the Solicitors for the Administrator, at PO Box 369, South Perth, WA 6951 by 5 September 2023, after which date the Administrator may convey or distribute the assets of the estate of the late Charles Thomas Tyler, having regard only to the claims of which he then has notice.

ZZ402**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Nellie Margaret Caudle, late of 13 Merian Close, Bentley, Western Australia, accountant, 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 24 January 2022 are required by the Executor Michael Stephen Caudle of care of Birman & Ride, Level 3, 16 Irwin Street, Perth WA 6000 to send particulars of their claims to him by the date being one month from the date of publication of this notice after which date the Executor may convey or distribute the assets having regard only to the claims of which he then has notice.

ZZ501**DISPOSAL OF UNCOLLECTED GOODS ACT 1970**

NOTICE UNDER PART III OF DISPOSAL OF UNCOLLECTED GOODS ASSESSED AT A VALUE NOT EXCEEDING \$3,500

To John Willett, Jacob Slater-Gaugi, Shanthas Pathmanathan, Ofa Mario, Sonia Gray, Rebecca Guthrie, Sharlene Abbott, Bailor.

NOTICE

You were given notice on 10 November 2022 that the following goods: Ford Focus (1GPA505), Hyundai Tuscon (1BXF267), Hyundai Getz (1HKY879), Mitsubishi Lancer(1CAH556), Nissan Tiida (1CLL602), Ford Territory (1LA9HW), Volco XC90 (1ECC901), situated at RAC Auto Services, Mandurah, Canning Vale, Myaree, Northbridge, were ready for redelivery.

Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, RAC AUTOMOTIVE SERVICES PTY LTD (ABN 93 095 467 226) of 38 Collier Pass, Joondalup, bailee, intends to sell or otherwise dispose of them in accordance with the Act.

Should you wish to take repossession of the goods, please contact RAC Automotive Services on 1300 135 916.

Dated: 4 August 2023, RAC Automotive Services.

NIKITA TAYLOR.