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GOVERNMENT  
**Gazette**

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## — PART 2 —

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### LOCAL GOVERNMENT

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LG401\*

#### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

*City of Canning*

#### APPOINTMENT OF AUTHORISED OFFICERS

It is hereby notified for public information that the following person has been appointed as Security Officer pursuant to Part XX, Section 449 of the *Local Government (Miscellaneous Provision) Act 1960*. The appointment is effective as of 13 October 2009—

Warren Mark Alexander

M. DACOMBE, Chief Executive Officer.

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LG501\*

#### BUSH FIRES ACT 1954

*Shire of Harvey*

#### FIREBREAK ORDER AND HAZARD REDUCTION

2009/2010 Bush Fire Season

All Land Owners and Occupiers of Land

With reference to Section 33 of the *Bush Fires Act 1954*, you are required to carry out fire prevention work on land owned or occupied by you, in accordance with the provisions of this order.

Persons who fail to comply with the requirements of the order may be issued with an infringement notice (penalty \$250) or prosecuted with an increased penalty, and additionally, Council may carry out the required work at cost to the owner or occupier.

All landowners, including irrigated landowners, please note—

If it is considered to be impractical to clear firebreaks or remove flammable materials as required by this notice, or where—

- (a) Compliance with this order may aggravate soil erosion; or
- (b) You consider a more effective system of fire protection can be obtained; or
- (c) Natural features render firebreaks unnecessary

You must apply to the Council in writing no later than the 1st of November, for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land.

#### A. RURAL LAND/SPECIAL RURAL LAND

Firebreaks not less than 3 metres wide must be provided in the following positions—

- (a) Within 10 metres inside and along all boundaries of all land.
- (b) So as to divide the land into areas of not more than 120 ha (300 acres).
- (c) Around all groups of buildings, haystacks (includes two or more round bales placed in a paddock for storage purposes) and fuel installations but not closer than 6 metres.
- (d) Irrigation Areas—Owners or occupiers may be exempted from all or part of the requirements of the above. Contact Council's Law and Safety Services.

#### IRRIGATED LAND DEFINITION

Irrigated Land is defined as land that is watered, kept fully watered and is maintained in a non flammable state of the whole of the restricted and prohibited burning periods.

#### B. URBAN LAND/SPECIAL RESIDENTIAL

*(Residential, Commercial and Industrial land within a townsite or any other area subdivided for residential purposes)*

- (a) Where the area of land is 2,024m<sup>2</sup> (approx ½ acre) or less, remove all flammable material on the land except live standing trees, shrubs and plants, from the whole of the land;

- (b) Where the area of land exceeds 2,024m<sup>2</sup> (approx ½ acre) provide firebreaks of at least 2 metres wide and within 6 metres of the inside of all external boundaries of the land, cleared hardstand areas and reticulated grassed areas maintained in a green state maybe considered acceptable as an adequate firebreak.

NOTE: Myalup and Binningup—the following are accepted in lieu of item (a) of the above requirements. Firebreaks 2 metres wide inside and around all boundaries of land are accepted in lieu of item (a) of the above requirements.

1. Firebreaks 2 metres wide inside and around all boundaries of land.
2. Slashing of the entire block to remove flammable materials.
3. Removal of isolated fire flammable materials on the block.

### C. FUEL AND/OR GAS DEPOTS

In respect of any land used for the above purposes, you shall maintain the land clear of all flammable materials.

### D. PLANTATIONS

- (a) Definitions—
- (i) A plantation is any area of planted pines or eucalyptus species exceeding 3 hectares in area.
  - (ii) A windbreak is a planted area a maximum of 15 metres wide but with no defined length.
- (b) Boundary Firebreaks—On the horizontal plane, a firebreak shall be provided 15 metres wide and immediately adjoining all external boundaries of the planted area. The outer 10 metres will be cleared of all flammable material while the inner 5 metres, i.e. that portion closest to the trees, may be kept in a reduced fuel state, i.e. by slashing or grazing grass provided that the height of the grass does not exceed eight centimetres. On the vertical plane, a clear space of 10 metres high will be maintained above outer 10 metres of the firebreak.
- (c) Internal Firebreaks—Plantations shall be subdivided into areas not exceeding 30 hectares by firebreaks 6 metres wide and shall be cleared of all flammable material. In the vertical plane, a clearance of a minimum height of 4 metres from ground level will be maintained above the firebreak.
- (d) Special Risks—
- (i) Public Roads and Railway Reserves Firebreaks 15 metres wide shall be maintained where the planted area adjoins public roads and railway reserves. The specification will be as for “boundary firebreaks” on planted areas.
  - (ii) Power Lines-Firebreaks shall be provided along power lines where they pass through or lie adjacent to planted areas.

The specification of the width and the height of clearing shall be in accordance with Western Power specifications.

### FIREBREAK DEFINITION

Firebreak means an area of land which must be maintained totally clear of all flammable material (living or dead) and any overhanging trees or other vegetation (up to a height of four (4) metres from ground level at any point) for the whole of the compliance period, 1st December to 26th April.

### SPECIAL WORKS ORDERS

Whilst the requirements of this Firebreak Order are considered to be the minimum standard for fire prevention work not only to protect individual properties but the district in general, Council retains the ability to issue Special Work Orders pursuant to Section 33 of the Bush Fire Act, 1954 to individual landowners should additional works be necessary for a potential fire hazard that may exist on a property.

### PROHIBITED AND RESTRICTED BURNING TIMES

The prohibited (total ban) and restricted (permits required) burning times applying within this Shire are—

#### IRRIGATION LAND:

Restricted	Prohibited	Restricted
9th November, 2009 to 22nd December, 2009	23rd December, 2009 to 14th February, 2010	15th February, 2010 to 29th March, 2010

#### BALANCE OF SHIRE:

Restricted	Prohibited	Restricted
2nd November, 2009 to 15th December, 2009	16th December, 2009 to 14th March, 2010	15th March, 2010 to 26th April, 2010

M. A. PARKER, Chief Executive Officer.

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**PLANNING**

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PI401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1153/41

Caversham Urban Cell

Outcome of Amendment

It is hereby notified for public information that the Caversham Urban Cell amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament in accordance with the provisions of section 41 of the *Planning and Development Act 2005*.

This amendment, as depicted on Western Australian Planning Commission plan number 3.2099/1, is effective in the Metropolitan Region Scheme on and from 18 September 2009.

During the amendment process, the City of Swan requested, pursuant to section 126(3) of the *Planning and Development Act 2005*, that the WAPC amend its Town Planning Scheme No. 17 for the urban zoned land in MRS Amendment 1153/41. This was agreed to by the WAPC and the urban zoned land included within MRS Amendment 1153/41 is transferred from the Swan Valley Rural zone to the Residential Development zone in the local planning schemes.

Amendment 20 to the local planning scheme is effective from the date of this notice.

TONY EVANS, Secretary,  
Western Australian Planning Commission.

PI402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
METROPOLITAN REGION SCHEME MINOR AMENDMENT 1166/57

South West Districts Omnibus 8

Notice of Approved Amendment

File: 833-2-1-46

The Minister for Planning has approved, with modifications, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission plan number 3.2279 and is effective from the date of publication of this notice in the *Government Gazette*.

By virtue of section 126(1) of the Planning and Development Act 2005, the City of Cockburn Town Planning Scheme 3, the City of Rockingham Town Planning Scheme 2 and the Town of Kwinana Town Planning Scheme 2 are amended to give effect to the reservations included in Proposals 2, 3, 4, 7, 8, 12, 14, 16 and 17 of MRS Amendment 1166/57.

During the amendment process, the City of Rockingham and the Town of Kwinana requested, pursuant to section 126(3) of the *Planning and Development Act 2005*, that the WAPC amends their Town Planning Scheme No 2 for land included in proposals 9, 13, 14, 15 and 17. The WAPC agreed to the request for the land included in proposals 13, 14 and 17.

Accordingly the City of Rockingham Town Planning Scheme No. 2 is amended by including the urban zoned land in proposal 17 in the Development zone. The Town of Kwinana Town Planning Scheme 2 is also amended by including the urban zoned land in Proposals 13 and 14 in the Development zone and are respectively classified as "Development Area 1" and "Development Area 2".

Copies of the amendment and the accompanying report on submissions are available for public inspection from Tuesday, 20 October 2009 to Friday, 20 November 2009 at the following locations—

- Western Australian Planning Commission, Wellington Street, Perth;
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre;
- Municipal offices of the Cities of Cockburn, Melville and Rockingham and the Town of Kwinana.

Documents are also available from the Planning WA website [www.planning.wa.gov.au](http://www.planning.wa.gov.au).

TONY EVANS, Secretary,  
Western Australian Planning Commission.

**PI403\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Wongan-Ballidu*  
Town Planning Scheme No. 4—Amendment No. 3

Ref: 853/3/19/5 Pt 3

It is hereby notified for public information, in accordance with section 87 of the Planning & Development Act 2005 that the Minister for Planning approved the Shire of Wongan-Ballidu local planning scheme amendment on 22 September 2009 for the purpose of reclassifying a portion of Crown Reserve 22526 Quinlan Street, Wongan Hills from 'Public Purposes—School Site' to 'Residential R12.5 and R25' to facilitate infill residential development in accordance with the residential development provisions of the Scheme on land that has been deemed to be surplus by the Department for Education and Training for the current and future purposes of the Wongan Hills District High School and amending the Scheme Map accordingly,

S. A. TAYLOR, Chief Executive Officer.

**PI404\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Busselton*  
Town Planning Scheme No. 20—Amendment No. 117

Ref: 853/6/6/21 Pt 117

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 Busselton local planning scheme amendment on 7 September 2009 for the purpose of modifying clause 69(2) and (3) to read as follows—

- (2) The cash payment in lieu of the provision of parking shall not be less than the estimated cost to Council of—
  - (a) constructing, sealing and draining the number of car parking spaces as a consequence of the development; and
  - (b) all associated administration costs to Council and shall not include any costs related to the value or acquisition of land.
- (3) In respect to sub-clause (2), a standard contribution fee for cash-in-lieu of car parking is set in the Council's Car Parking Policy. The total contribution fee is calculated by multiplying the contribution fee by every car parking space a development is deficient. The contribution fee is upgraded in line with the Australian Bureau of Statistics Road and Bridge Construction Index on 30 June and 30 December each year.

W. H. HARTLEY Shire President.  
A. MacNISH, Chief Executive Officer.

**PI405\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Dandaragan*  
Local Planning Scheme No. 7  
Amendment No. 14

Ref: 853/3/6/8 Pt 14

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 Dandaragan local planning scheme amendment on 30 September 2009 for the purpose of amending the Scheme Map and Legend to rezone.

Amending the Scheme Map and Legend to rezone—

- (a) Reserve 48717, Lot 1000 Jurien Road, from Rural Residential to Conservation Reserve.
- (b) Reserve 33287, Lot 12781 Canover Road, from Special Use zone to Conservation Reserve.

- (c) Location 4113 Wongonderrah Road, from Public Purposes to Rural.
- (d) Portion of Lot 596, Reserve 30824 Seville Street, Cervantes, from Commercial zone to Public Purposes—Parking and Rest Area (PRA) and the Scheme Legend be modified to add “PRA—Parking and Rest Area” under Public Purposes Reserve.
- (e) Lot 239 corner of Bashford Street and Whitfield Street, Jurien Bay, from Residential zone to Public Purposes Reserve for Communications Facility and the Scheme Legend be modified to add “CT—Communications Facility” under Public Purposes Reserve.

R. S. LOVE, Shire President.

C. P. STRUGNELL, Chief Executive Officer.

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## DECEASED ESTATES

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ZX401\*

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Una Jean McGill late of 6 Grasmere Place, Kelmscott, Pensioner.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect to the estate of the above deceased who died on 2 July 2009. are required by the deceased's personal representatives to send particulars of their claim to the executors of the will Kevan McGill and Dallas Gersch of 38 Montebello Ave, Heathridge WA within one month of the date of this publication after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated: 20 October 2009.

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ZX402

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

McKay, Malcom Ross late of 424 Shakespeare Road, Bulgarra in the State of Western Australia, construction worker, died on 2 February 2009.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased person are required by the deceased's personal representative, Eric Eng Wei Tan, to send particulars of their claims to him c/o Robertson Hayles Lawyers Pty Ltd of PO Box Z5403, Perth WA 6000 within one month of the date of publication hereof after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

Dated: 20 October 2009.

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