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— PART 1 —

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1995

Shire of Tammin

ACTIVITIES ON THOROUGHFARES AND PUBLIC PLACES AND TRADING AMENDMENT LOCAL LAW 2019

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the Shire of Tammin resolved on 27 February 2019 to make the following local law—

1. Citation

This local law is cited as the *Shire of Tammin Activities on Thoroughfares and Public Places and Trading Amendment Local Law 2019*.

2. Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

3. Principal Local Law

This local law amends the *Shire of Tammin Activities on Thoroughfares and Public Places and Trading Local Law 2006* as published in the *Government Gazette* on 7 February 2007

4. Clause 1.2 amended

Clause 1.2 is amended as follows—

- a. Insert the following definition in alphabetical order—
“**local planning scheme**” means a local planning scheme made by the local government under the *Planning and Development Act 2005*;
- b. Delete the definition of “**liquor**” and replace it with—
“**liquor**” has the meaning given to it in section 3 of the *Liquor Control Act 1988*;
- c. Delete the definition of “**lot**” and replace it with—
“**lot**” has the meaning given to it in the *Planning and Development Act 2005*;
- d. Delete the definition of “**town planning scheme**”.

5. Clause 3.5(g) amended

In clause 3.5(g) replace “24” with “72”.

6. Division 2 of Part 4 deleted

Part 4, Division 2 is deleted.

7. Clauses 6.17(a) and (b) amended

Replace clause 6.17(a) and (b) with—

- (a) the facility is conducted in conjunction with and as an extension of a food business which abut on the facility, and whether the applicant is the person conducting such food business;
- (b) any abutting food business is registered in accordance with the *Food Act 2008* and whether the use of the premises is permitted under the local planning scheme.

8. Schedule 1 amended

Schedule 1 is amended as follows—

- (a) delete the row for clause 4.5;
- (b) delete the row for clause 4.6(2);
- (c) in the row for clause 5.11 delete “\$600” and insert “\$500”;
- (d) in the row for clause 5.13 delete “\$600” and insert “\$500”;

- (e) in the row for clause 5.17 delete “\$600” and insert “\$500”; and
- (f) in the row for clause 5.19 delete “\$600” and insert “\$500”.

Dated 2 April 2019.

The Common Seal of the Shire of Tammin was affixed by authority of a resolution of the Council in the presence of—

Cr. MICHAEL GREENWOOD, President.
NEVILLE HALE, Chief Executive Officer.

LG302

LOCAL GOVERNMENT ACT 1995 CEMETERIES ACT 1986

Shire of Tammin

CEMETERIES AMENDMENT LOCAL LAW 2019

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the Shire of Tammin resolved on 18 December 2018 to make the following local law—

1. Citation

This local law is cited as the *Shire of Tammin Cemeteries Amendment Local Law 2019*.

2. Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

3. Principal Local Law

This local law amends the *Management and Control of Tammin Cemetery Local Law 2006* as published in the *Government Gazette* on 7 February 2007.

4. Title amended

The title of the local law is amended to ‘*Shire of Tammin Cemeteries Local Law 2006*’.

5. Clause 1.1 replaced

Clause 1.1 is deleted and replaced with—

1.1 Citation

This Local Law may be cited as the *Shire of Tammin Cemeteries Local Law 2006*.

6. Clause 1.2 added

(a) Renumber clause 1.2 to 1.3.

(b) After clause 1.1 insert the following—

1.2 Application

This local law applies to Tammin Cemetery (Reserve 10695) and Yorkrakine Cemetery (Reserve 16985).

7. Clause 1.3 amended

(a) Delete the definitions of ‘Funeral Director’ and ‘monumental mason’.

(b) In clause 1.3 insert the following in in alphabetical order—

“**funeral director**” means a person—

(a) holding current membership of—

- i. the Australian Funeral Directors Association, or
- ii. the National Funeral Directors Association; or

(b) a person authorised by the personal representative of a deceased person, and approved by the CEO; and

8. Clause 4.1 amended

Delete clause 4.1 and replace with—

4.1 Application for interment permit

- (a) A funeral director may apply for approval for an interment in the cemetery.
- (b) An application under subclause (a) shall be accompanied by the set fee.

9. Clause 7.2 replaced

Delete clause 7.2 and replace with—

7.2 Placement of monumental work

Every memorial shall be placed on proper and substantial foundations and comply with any conditions relating to an approval given by the Board to place or erect a memorial.

10. Part 7, Division 3 deleted

Part 7, Division 3 is deleted.

Dated 2 April 2019.

The Common Seal of the Shire of Tammin was affixed by authority of a resolution of the Council in the presence of—

Cr. MICHAEL GREENWOOD, President.
NEVILLE HALE, Chief Executive Officer.

LG303

DOG ACT 1976
LOCAL GOVERNMENT ACT 1995

Shire of Tammin

DOGS AMENDMENT LOCAL LAW 2019

Under the powers conferred by the *Dog Act 1976*, the *Local Government Act 1995*, and all other powers enabling it, the Council of the Shire of Tammin resolved on 27 February 2019 to make the following local law—

1. Citation

This local law is cited as the *Shire of Tammin Dogs Amendment Local Law 2019*.

2. Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

3. Principal Local Law

This local law amends the *Shire of Tammin Dogs Local Law 2006* published in the *Government Gazette* on 7 February 2007.

4. Clause 1.2 amended

Clause 1.2 is amended as follows—

- a. Delete the definition of “**pound keeper**”;
- b. Insert the following definition in alphabetical order—
“**local planning scheme**” means a local planning scheme made by the local government under the *Planning and Development Act 2005*;
- c. Delete the definition of “**town planning scheme**”; and
- d. Delete the definition of “**Regulations**” and replace it with—
“**Regulations**” means the *Dog Regulations 2013*; and

5. Part 2 deleted

Part 2 is deleted.

6. Clause 3.2(2) amended

In clause 3.2(2), the words ‘**Penalty:** Where the dog kept is a dangerous dog, \$2,000; otherwise \$1,000.’ are deleted.

7. Clause 4.2 amended

In clause 4.2, ‘of that in Schedule 1’ is replaced with ‘as determined by the local government from time to time’.

8. Clauses 4.4 and 4.7 amended

In clauses 4.4 and 4.7, all instances of ‘town planning scheme’ are replaced with ‘local planning scheme’.

9. Clause 4.9 amended

Clause 4.9 is deleted and replaced with—

4.9 Compliance with conditions of approval

Penalties where a licensee does not comply with the conditions of a licence are dealt with in the Act and Regulations.

10. Part 5 deleted

Part 5 is deleted.

11. Clause 7.2 replaced

Clause 7.2 is deleted and replaced with—

7.2 Modified Penalties

(1) The offences contained in Schedule 3 are offences in relation to which a modified penalty may be imposed; and

(2) The amount appearing in the third column of Schedule 3 directly opposite an offence is the modified penalty payable in respect of that offence.

12. Schedule 3 replaced

Schedule 3 is deleted and replaced with—

SCHEDULE 3

(clause 7.2)

Offences in respect of which a modified penalty applies

Offence	Nature of offence	Modified penalty \$
3.1	Failing to provide means for effectively confining a dog	100
6.1(2)	Dog excreting in prohibited place	20

Dated 2 April 2019.

The Common Seal of the Shire of Tammin was affixed by authority of a resolution of the Council in the presence of—

Cr. MICHAEL GREENWOOD, President.
NEVILLE HALE, Chief Executive Officer.

LG304**LOCAL GOVERNMENT ACT 1995**

Shire of Tammin

FENCING AMENDMENT LOCAL LAW 2019

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the Shire of Tammin resolved on 28 March 2019 to make the following local law—

1. Citation

This local law is cited as the *Shire of Tammin Fencing Amendment Local Law 2019*.

2. Commencement

This local law comes into operation 14 days after its publication in the *Government Gazette*.

3. Principal Local Law

This local law amends the *Shire of Tammin Fencing Local Law 2006* as published in the *Government Gazette* on 7 February 2007.

4. Clause 3 amended

In clause 3—

(a) Insert the following definitions in the appropriate place of alphabetical order—

“**authorised person**” means a person authorised by the local government under section 9.10 of the *Local Government Act 1995* to perform any of the functions of an authorised person under this local law;

“**local planning scheme**” means a local planning scheme of the local government made under the *Planning and Development Act 2005*.

- (b) Delete the definitions of “**Building Surveyor**” and “**town planning scheme**”; and
- (c) Replace “town” with “local” wherever it appears in the definitions of “**Commercial Lot**”, “**Industrial Lot**”, “**Residential Lot**”, “**Rural Lot**” and “**Special Rural Lot**”.

5. “Building Surveyor” replaced with “authorised person”

In clauses 5(4), 5(5)(b), 6(1), 6(2), 7, 10(1), 10(2), and 11(2) all instances of “the Building Surveyor” is replaced with “an authorised person”.

6. Clause 17(2) replaced

Clause 17(2) is deleted and replaced with—

- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in the Fourth Schedule.

7. Fourth Schedule added

After the Third Schedule insert—

FOURTH SCHEDULE

(Clause 17(2))

PRESCRIBED OFFENCES AND MODIFIED PENALTIES

Item No.	Clause No.	Nature of Offence	Modified Penalty (\$)
1	5(1)	Constructing or altering a dividing fence which is not a sufficient fence	125
2	6(1)	Constructing without a permit a fence higher than 1.2m within the front setback which is not an open fence	125
3	8	Failure to maintain a fence in good condition to prevent fence becoming dangerous, dilapidated, unsightly	125
4	11(2)	Using broken glass or barbed wire in construction of a fence	250
5	12(1)(a)	Having and using an electrified fence without a licence	250
6	12(1)(b)	Having and using a razor wire fence without a licence	250
7		Other offences not specified	125

Dated 2 April 2019.

The Common Seal of the Shire of Tammin was affixed by authority of a resolution of the Council in the presence of—

Cr. MICHAEL GREENWOOD, President.
NEVILLE HALE, Chief Executive Officer.

— PART 2 —

PREMIER AND CABINET

PR401

INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor, in accordance with section 12(c) of the *Interpretation Act 1984*, has approved the following temporary appointments in the office of Minister for Regional Development; Agriculture and Food; Ports; Minister Assisting the Minister for State Development, Jobs and Trade in the absence of the Hon A. MacTiernan MLC—

- Hon W. J. Johnston MLA for the period 25 to 28 April 2019 inclusive; and
- Hon D. J. Kelly MLA for the period 29 April to 4 May 2019 inclusive.

D. FOSTER, Director General,
Department of the Premier and Cabinet.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Richard Peter Elliott, late of 4 Timbo Court, Stratton, in Western Australia, retired, 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 3 January 2019, are required by the Executor, being Wendy Clarice Anne Rutkauskas, to send particulars of their claims to Earnshaw & Associates, PO Box 2235, Midland WA 6936, within one month of publication of this notice after which date the Executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

EARNSHAW & ASSOCIATES.

ZX402

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

Edward John Dickinson (otherwise known as Ted), late of 38 Wavecrest Circle, Drummond Cove, Western Australia, Businessman, Deceased (“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 26 April 2017, are required by the administrator, Sue Ho Dickinson (“Administrator”) of care of Mid West Lawyers, Suite 1, Wiebbe Hayes House, 7 Wiebbe Hayes Lane, Geraldton, Western Australia, to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the Administrator may convey or distribute the assets, having regard only to the claims of which she then has notice.

MID WEST LAWYERS.

ZX403**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Norman Henry Carnsew, late of 35 Turton Heights, Dongara, Western Australia, Clerk, 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 October 2005, are required by the executor, Gregory Norman Frank Pink (Executor) care of Mid West Lawyers, Suite 1, Wiebbe Hayes House, 7 Wiebbe Hayes Lane, Geraldton, Western Australia, to send particulars of their claims to them within one (1) 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 they then have notice.

MID WEST LAWYERS.

ZX404**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Helena Surmon, late of 4 Kultown Drive, Waggrakine, Western Australia, Retired, 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 6 December 2018, are required by the executor, Robert George Surmon (Executor) care of Mid West Lawyers, Suite 1, Wiebbe Hayes House, 7 Wiebbe Hayes Lane, Geraldton, Western Australia, to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the Executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

MID WEST LAWYERS.