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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

EFFECTIVE FROM 1 JULY 2023 (Prices include GST)

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

All other Notices—

Per Column Centimetre—\$15.60

Bulk Notices—\$285.60 per page

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

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

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

CEMETERIES

CE401

CEMETERIES ACT 1986

City of Greater Geraldton

Mullewa Cemetery

SCHEDULE OF FEES AND CHARGES

In pursuance of the powers conferred by section 53 of the *Cemeteries Act 1986*, The City of Greater Geraldton hereby records having resolved on Monday 26 June 2023, to set the following fees and charges effective from 1 July 2023. The fees and charges shall be payable upon application for services detailed hereunder.

All fees and charges listed are including GST.

Burial Register Enquiry	\$32
Grant of Right of Burial (25 year tenure)	\$270
Plot Reservation.....	\$151
Internment—Adult	\$973
Internment—Child/Stillborn.....	\$757
Exhumation Fee.....	\$1947
Re-interment after Exhumation.....	\$973
Burial on a Saturday	\$1298
Burial on a Sunday or Public Holiday	\$1622
Remove/Replace Headstone/ Install Ashes in existing grave	\$95

Permits and Licences

Funeral Director's Licence Fee—Annual.....	\$541
Funeral Director's Licence Fee—Single.....	\$216
Single Monumental Mason's Work Licence).....	\$108
(permit fee also payable)	
Permit to Erect Monument.....	\$108

Memorial Garden

Reservation Fee	\$80
Disposal of Ashes—Single Plot.....	\$216
Disposal of Ashes—Double Plot	\$433
Garden Plaque—Installation Fee	\$130

Dated 22 September 2023.

ROSS McKIM, Chief Executive Officer.

FIRE AND EMERGENCY SERVICES

FE401

FIRE AND EMERGENCY SERVICES SUPERANNUATION ACT 1985

APPOINTMENTS

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

MEMBER

Mr B T Winton (Re-Appointed) 1/7/2023—30/6/2026

LOCAL GOVERNMENT

LG401

BUSH FIRES ACT 1954

Town of Victoria Park

APPOINTMENT OF AUTHORISED OFFICERS

Please be advised that the below named persons are hereby authorised to act for and on behalf of the Town of Victoria Park in accordance with the following legislation—

Fire Control Officers

In accordance with section 38 of the *Bush Fires Act 1954*, the following employees for the 2023—2024 bush fire season are appointed as—

- Chief Bush Fire Control Officer: **Tim Cronin**
- Deputy Chief Bush Fire Control Officer 1: **Kayla Windram**
- Deputy Chief Bush Fire Control Officer 2: **Jeremy Christie**
- Deputy Chief Bush Fire Control Officer 3: **Tania Lyon**

Fire Control Officers

- Hyun-Su Joo
- Chetan Sharma
- Jethro Phiri
- Rosemary Fenton
- Deborah Shephard
- Tracy Preusker
- Edy Srblin
- Andrea Smith

For the purposes of the *Bush Fires Act 1954*.

Dated 14 September 2023.

ANTHONY VULETA, Chief Executive Officer.

LG402

LOCAL GOVERNMENT ACT 1995

City of Kwinana

BASIS OF RATES

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 19 September 2023, determined that the method of valuation to be used by the City of Kwinana as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land—

Schedule

	Designated Land
UV to GRV	All those portions of land being Lot 152, Lot 175, Lot 176, Lots 192 to 194 inclusive and Lot 231 as shown on Deposited Plan 423167

TIM FRASER, Executive Director Local Government,
Department of Local Government, Sport and Cultural Industries.

LG403

LOCAL GOVERNMENT ACT 1995

Shire of Serpentine Jarrahdale

BASIS OF RATES

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 19 September 2023, determined that the method of valuation to be used by the Shire of Serpentine Jarrahdale as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land—

Schedule

	Designated Land
UV to GRV	All those portions of land being Lots 2467 to 2473 inclusive as shown on Deposited Plan 417968.

TIM FRASER, Executive Director Local Government,
Department of Local Government, Sport and Cultural Industries.

LG501

BUSH FIRES ACT 1954

Town of Victoria Park

2023/2024 FIREBREAK NOTICE

For the prevention and control of bush fires and diminishing the dangers resulting from bush fires

Notice to all Owners and/or Occupiers of Land within the Town of Victoria Park.

Pursuant to the powers conferred in Section 33 of the *Bush Fires Act 1954*, you are required on or before the 31st October 2023, or within fourteen (14) days of the date you become the owner or occupier should this be after the 31st day of October 2023 and thereafter up to and including the 30th day of April 2024, to clear inflammable matter on land owned and/or occupied by you in accordance with the following requirements—

1. All land which is 2000 m² or less in area—
Remove inflammable matter from the whole of the land, except living trees and shrubs; plants under cultivation and lawn, by means of ploughing, cultivating or slashing to a height of no more than 50mm.
2. All other land within the Town of Victoria Park—
 - (i) Firebreaks of a minimum width and height of 3 metres are to be cleared immediately inside all external boundaries of the land;
 - (ii) Firebreaks to a minimum width of 3 metres and height of 3 metres are to be cleared immediately surrounding all buildings situated on the land; and any place where inflammable liquids and gas products are kept;

In addition to the requirements in this Firebreak Notice (Notice) Council may, by notice in writing, require an owner and/or occupier to act as and when specified in the Notice with respect to anything which is upon land and which in the opinion of Council is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire.

The term "Inflammable Matter" for the purpose of this Notice includes dead plant material and all other combustible material not associated with a structure or living garden.

All firebreaks must be cleared on or before 31 October in any year and thereafter maintained clear of inflammable matter up to and including 30 April in the following year.

If for any reason an owner and/or occupier considers it impractical to clear firebreaks or comply with other fire protection measures in accordance with the Notice, the owner and/or occupier may apply in writing to Council no later than 31 October in any year for a variation. If permission is not granted in writing by Council or its authorised officer, the owner and/or occupier must comply with the requirements of this Notice. Any variation granted by Council will apply only for a single Firebreak Period. A variation granted by Council shall only remain in force until 30 April in the following year.

The penalty for failing to comply with this notice is a fine of not more than \$5,000.00 and a person in default is also liable whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this Notice.

By order of Town of Victoria Park.

Dated 15 September 2023.

ANTHONY VULETA, Chief Executive Officer.

LG502

BUSH FIRES ACT 1954

Section 33(1)

*City of Canning***ANNUAL FIRE HAZARD REDUCTION NOTICE**

As a measure for preventing the outbreak of a bush fire, or for preventing the spread or extension of a bush fire which may occur, all owners and occupiers of land within the City's district are required to comply with the requirements of this notice.

<p>Land zoned 'Rural' or 'Special Rural'</p> <p>On or before the 1st day in November in each year, all owners or occupiers of land zoned 'Rural' or 'Special Rural' under the City of Canning Local Planning Scheme No.42 are required to—</p> <p>(a) Clear the land free of all flammable matter, except for living trees, shrubs, plants, and lawns under cultivation, to a height no greater than 10cm; or</p> <p>(b) Clear a bare earth three (3) metre wide firebreak around all buildings, immediately inside all external boundaries of each lot on the land and within 20 metres of all stockpiled flammable matter by removing all flammable matter and all vegetation within the three (3) metre wide firebreak between the ground and four (4) metres above the ground so that the firebreak provides unrestricted vehicular access. The firebreaks must be continuous with no dead ends.</p> <p>The fire breaks and measures set out above must be maintained up to and including the 30th day of April in the following year.</p> <p>All other land, that is land which is not zoned 'Rural' or 'Special Rural'</p> <p><u>At ALL TIMES THROUGHOUT THE YEAR</u>, all owners and occupiers of land zoned other than 'Rural' or 'Special Rural' under the Scheme are required to clear and maintain the land free of all flammable matter, except for living trees, shrubs, plants and lawns under cultivation, to a height no greater than 10cm.</p>	<p>Flammable Matter</p> <p>Flammable matter includes, but is not limited to, vegetation (except for living trees, shrubs, plants, and lawns under cultivation), prunings, cardboard, wood, paper, general rubbish and any other combustible material.</p> <p>Permission needed to vary requirements</p> <p>If it is impracticable for any reason to clear firebreaks or to take measures in accordance with this Notice, owners and occupiers may apply in writing to the City for permission to provide firebreaks in alternative locations or take alternative measures.</p> <p>Unless and until permission in writing is granted by the City, owners and occupiers shall comply with the requirements of this Notice.</p> <p>Penalty for non-compliance</p> <p>A person who fails to comply with the requisitions in this notice is guilty of an offence and liable to a penalty of \$5,000. In addition, where the owner or occupier of the land fails to comply with a notice given pursuant to section 33(1) of the <i>Bush Fires Act 1954</i>, the City may enter upon the land and carry out the requisitions of the notice which have not been complied with. The City may recover the amount of any costs and expenses incurred in carrying out those requisitions as a debt due from the owner or occupier of the land.</p>
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MICHAEL LITTLETON, Chief Executive Officer, City of Canning.

LG503

BUSH FIRES ACT 1954*City of Kwinana***FIRE HAZARD COMPLIANCE NOTICE 2023/2024**

Important: The works outlined below must be completed by midnight 30 November 2023 and maintained up to and including 31 May 2024.

COMPLIANCE DUE BY 30 November 2023

INSPECTIONS COMMENCE FROM 1 December 2023

Notice to all landowners within the City of Kwinana

This Firebreak/Hazard Compliance Notice is issued by the City of Kwinana pursuant to section 33 of the *Bush Fires Act 1954* to assist with the prevention, control, and extinguishment of bush fires or to prevent the spread or extension of a bush fire to any adjoining land. All property owners and/or occupiers of land within the City of Kwinana are hereby served with a first and final Firebreak/ Hazard Compliance Notice (the Notice) and are required to comply with the requirements in full. **Failure or neglect to comply with this notice is an offence and may result in a penalty of up to \$5,000.**

Land with a total area of 3,501m² (0.35ha) or greater

Fire Breaks Owners and/or occupiers of land that is 3,501m² or greater are required to construct and maintain a 3-metre-wide mineral earth, by 4-metre-high vertical clearance, continuous (no dead ends) trafficable fire break as close as possible inside and along all boundaries of the entire perimeter of the land.

Asset Protection Zone Maintain a reduced fuel zone around all buildings and assets which extends 20 metres from the outermost point of all buildings and assets. Flammable Material Gutters, roofs, and walls of all buildings to be free of flammable matter and maintained. Asset Protection Zone Maintain a reduced fuel zone around all buildings and assets which extends 20 metres from the outermost point of all buildings and assets.

Flammable Material Gutters, roofs, and walls of all buildings to be free of flammable matter and maintained. Ensure that all long grass and weeds are slashed, mowed or trimmed down to a height no greater than 50mm across your entire property.

Land with a total area of 1,500m² (0.15ha) up to 3,500m² (0.35ha) *The works outlined in this category must be maintained all year round.*

Asset Protection Zone Maintain a reduced fuel zone around all buildings and assets which extends 20 metres from the outermost point of all buildings and assets.

Flammable Material Gutters, roofs, and walls of all buildings to be free of flammable matter and maintained. Ensure that all long grass and weeds are slashed, mowed or trimmed down to a height no greater than 50mm across your entire property.

Land with a total area up to 1,500m² (0.15ha) *The works outlined in this category must be maintained all year round.*

Flammable Material Gutters, roofs, and walls of all buildings to be free of flammable matter and maintained. Ensure that all long grass and weeds are slashed, mowed or trimmed down to a height no greater than 50mm across your entire property.

Definitions

'Firebreak' A strip of land 3 metres wide of mineral earth, effectively creating a 3-metre by 4-metre area that is clear of all vegetation allowing unrestricted access for fire and emergency vehicles. Living green lawn may be accepted instead of mineral earth.

'Flammable Material' Any bush, plant, tree, grass, vegetation, object, or material that may or is likely to catch fire and burn.

'Asset protection zone' An area with radius of 20 metres measured from any building/s or as stated in your approved Bushfire Attack Level (BAL) assessment, within the boundaries of the lot. Fuel loads in this zone shall be maintained to 2 tonnes per hectare or less.

'Bush Fire Control Officer' An officer appointed by the City to exercise the powers and duties of a Bush Fire Control Officer appointed under s38(1) of the *Bush Fires Act 1954*.

'Industrial zoned areas' Land on which manufacturing, processing, warehousing, and related activities are undertaken, as defined in Metropolitan Region Schemes.

'Mineral earth' Land clear of flammable material, consisting of ploughed or cleared soil, stone, hardstand, or any mixture of these.

'Trafficable' To be able to travel from one point to another in a fire vehicle on a firm and stable surface, unhindered without any obstruction that may endanger resources. A firebreak must not terminate without provision for egress or a cleared turn around area of not less than a 21-metre radius.

Variations to Notice Firebreak Specifications

If it is impractical for you to install a firebreak as specified in this Notice, you may apply to vary the location of your firebreak within your property by completing and submitting an 'Application to Vary Location and Type of Firebreaks' to the City of Kwinana no later than 31 October 2023.

Additional Works

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

'Industrial Zoned' areas may require additional works as identified by the Bush Fire Control Officer during fire hazard inspections. Where a property is affected by an approved bushfire management plan, property owner and/or occupier must still comply with all requirements in this notice and with ALL additional requirements outlined within that plan.

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

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

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

Firebreak/fire hazard compliance inspections To promote community safety and education, property inspections will be carried out by the City's Bush Fire Control Officers to identify non-compliant properties. In addition, Drones (Unmanned Remotely Piloted Aircraft) may also be used at times to conduct firebreak/fire hazard inspections. Drones are required to be operated in accordance with the guidelines of the Civil Aviation Safety Authority (CASA).

No burning in areas defined as Urban

Pursuant to section, 24G (2) of the *Bush Fires Act 1954*, no burning of garden refuse is to be undertaken in areas defined as "Urban" without written approval by the City of Kwinana.

WAYNE JACK, Chief Executive Officer.

LG504

BUSH FIRES ACT 1954

Shire of Boddington

BUSH FIRE NOTICE 2023-2024

FIREBREAK NOTICE: *BUSH FIRES ACT 1954*. As a landowner or occupier you are required under the provisions of the *Bush Fires Act 1954* to carry out fire prevention work on your property. Please read this notice carefully. If there are any points that are not fully understood please contact the Shire of Boddington, on (08) 9883 4999. Pursuant to the powers contained in 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 Notice, to the satisfaction of the Shire or its duly authorised officers on or before 15 November 2023. All land is to be maintained up to and including 26 April 2024. All previous versions of this document are hereby cancelled. Properties subject to an approved Bushfire Management Plan must comply with the requirements of their Plan. Persons who fail to comply with the requirements of this notice may be issued within an infringement notice or prosecuted. Where the owner fails to comply with the requirements of the notice, the Shire may carry out the required work at cost to the owner/occupier. If it is considered for any reason to be impractical to clear Fire Access Tracks unnecessary you may to the Shire in writing not later than 30 September 2023 for permission to provide Fire Access Tracks in alternative positions or to take alternative action to bade the fire hazards on the land. If permission is not granted by the Shire, you must comply with the requirements of this notice. FIRE ACCESS TRACKS are spaces that can provide vehicle and pedestrian access in the case of fire. They shall be maintained, cleared of flammable material for the purpose of fire control and in a trafficable condition. These areas shall be 2.5 metres wide as a minimum and have a 4.0 metre vertical clearance. Fire Access Tracks to be installed by November 15 2023. Compliance inspections will commence after this date.

RURAL LAND: A Fire Access Track not less than 2.5 metres wide and a 4.0 metre vertical clearance must be established along, inside and as close as practically possible to all external boundaries of each property (i.e. cleared/part cleared or uncleared land) and where the boundary is adjacent to or adjoins a used gazetted road. A Fire Access Track can deviate up to 250 metres around natural rock formations, deep gullies and the like, without submitting an exemption request.

In the interest of protection from soil erosion, Fire Access Tracks may be established on the land contours but only with prior approval of the Shire or its duly authorised officer. An area at least 20 metres wide cleared of all flammable material shall be established immediately around the perimeter of all homesteads, buildings, haystacks and fuel storage areas.

SMALL LOT HOLDERS OR HOBBY FARMS: 20 HECTARES OR LESS: A Fire Access Track not less than 2.5 metres wide and a 4.0 metre vertical clearance must be established along, inside and as close as practically possible to all external boundaries of each property (i.e. cleared/part cleared or uncleared land) and where the boundary is adjacent to or adjoins a used gazetted road. A Fire Access Track can deviate up to 250 metres around natural rock formations, deep gullies and the like, without submitting an exemption request.

All lot/property holders must provide for a Fire Access Track around the entire permitter of their property. An area 20 metres wide cleared of all flammable material shall be established immediately around the permitter of all homesteads, buildings, hay stacks and fuel storage areas. A 2.5 meter diameter low fuel area cleared of flammable material around all "green electrical domes" where underground power is provided to a lot.

PRIVATE BUSH HOLDINGS / UNCLEARED LAND GREATER THAN 50 HECATRES: A Fire Access Track not less than 2.5 metres wide and a 4.0 metre vertical clearance must be established along, inside and as close as practically possible to all external boundaries of each property (i.e. cleared/part cleared or uncleared land) and where the boundary is adjacent to or adjoins a used gazetted road. A Fire Access Track can deviate up to 250 metres around natural rock formations, deep gullies and the like, without submitting an exemption request.

TOWNSITES OF BODDINGTON AND RANFORD: All town lots under 10,000 square metres in area and all fuel depots within the Shire are required to be cleared of all debris and flammable material to a height not more than 50mm.

Lots 10,000 square metres and over are to have a minimum 2.5 metre wide and 4.0 metre vertical clearance Fire Access Track installed immediately inside all external boundaries. An area of 20 metres wide cleared of all flammable material shall be established immediately around the permitter of all buildings and fuel storage areas.

INSPECTION AND COMPLIANCE: The Shire forwards a copy of this Bush Fire Notice each year to all property owners. The Notice is also published in a local newspaper circulating within the district. Additional copies are obtainable at the Shire office.

The requirements of this Notice are considered to be the minimum standard of fire prevention work required to protect not only individual properties, but the district generally.

In addition to the requirements of this Notice, the Shire may issue separate special orders on owners or occupiers if hazard removal is considered necessary.

PENALTIES (AS PER *BUSH FIRES ACT 1954*)

Failure to maintain 2.5 metre fire breaks or remove flammable material	\$250
Offence relating to lighting fire in open air	\$250
Burning during prohibited burning times	\$250
Failure of occupier to extinguish a fire	\$250

PENALTIES (AS PER <i>BUSH FIRES ACT 1954</i>)	
Refusal to state name and address or giving false name and address	\$100
Failure to produce a permit to burn	\$100

WHO CAN INSTALL A FIRE ACCESS TRACK FOR YOU? If you are unable to install a fire access track yourself on your property, there are local contractors who may provide a service to install firebreaks.

ALL PROPERTIES TO BE FIRE SAFE BY NOVEMBER 15 2023: If you do not meet your responsibilities as outlined in this brochure, you may be fined a minimum of \$250 and be required to meet the cost of the Shire's efforts to ensure compliance with this Notice. Ultimately you could be liable for a maximum penalty of \$5,000 plus costs.

ADVICE IS AVAILABLE: Further advice on how to protect your home, when and how to burn, is available from Ranger Services or your local Fire Control Officer. If you have any questions, please contact them.

BARBECUES: Solid fuel barbecues are prohibited when the fire danger rating is high or above and/or when a Total Fire Ban has been declared. Gas or electric barbecues are permitted for the purposes of cooking only.

IN THE EVENT OF A FIRE CALL 000 FIRST: You must have a permit for all fires including incinerators.

IMPORTANT DATES—

Restricted period, permit required, 2/11/2023—14/12/2023

Prohibited Burning Period, Total fire Ban, 15/12/2023—14/03/2024

Restricted Period, Permit Required, 15/03/2024—26/04/2024

BUSH FIRE INFORMATION: As a landowner you have a responsibility to manage your property to reduce the risk of fire.

This brochure advise what actions you must take by 15 November 2023.

HOW TO OBTAIN PERMITS: Burning permits can be obtained from your local Bush Fire Control Officer or the Shire Ranger.

NOTE: You will need to contact DFES on (08) 9395 9210 prior to commencing a burn during permit season.

FIRE CONTROL OFFICERS:

Chief BFCO	Bob Jones	0419 041 139
Deputy Chief BFCO	Brant Lehman	0427 267 773
Boddington	Jared Green	0402 337 167
	Daniel Carrotts	0455 604 500
	Peter Clements	0427 381 730
Crossman	Jeremy Lobb	0467 421 332
	Brad Hardie	0427 841 035
	Charlie Roberts	0428 311 726
Marradong	Mark Roberts	0409 686 036
	Damien Batt	0429 110 911
	Adam Durack	0427 838 865
	William Batt	0427 988 705
Quindanning	Kingsley Foster	0448 718 552
	Aaron Foster	0437 445 871
	Wayne Littleton	0488 220 213
	Brad Morgan	0427 857 058
Shire of Boddington	Kevin Petch	9883 4999

CONTACT US—

(08) 9883 4999

Shire@boddington.wa.gov.au

39 Bannister Road, Boddington

www.boddington.wa.gov.au

JULIE BURTON, Chief Executive Officer.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Yilgarn
Local Planning Scheme No. 2—Amendment No. 3

Ref: TPS/3003

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 Yilgarn Local Planning Scheme amendment on 5 September 2023 for the purpose of—

1. Delete reference to the following terms and replace them with the corresponding term throughout the Scheme—
 - i. Town Planning Scheme No 2 with Local Planning Scheme No 2.
 - ii 'Council' with 'local government'.
2. Delete the preamble in its entirety and insert—

SHIRE OF YILGARN
LOCAL PLANNING SCHEME NO. 2

The Shire of Yilgarn under the *Planning and Development Act 2005* makes the following Local Planning Scheme.

3. Delete Appendix 4, Appendix 5 Appendix 6, Appendix 7, and the 'Application for Planning Approval.
4. Replace roman numerals with numbers used for each part throughout the Scheme text consistent with the model provisions as follows—

Part I—PRELIMINARY to Part 1—PRELIMINARY;
Part II—RESERVES to Part 2—RESERVES
Part III—ZONES to Part 3—ZONES AND USE OF LAND;
Part IV—GENERAL DEVELOPMENT REQUIREMENTS to Part 4—GENERAL DEVELOPMENT REQUIREMENTS
Part V—SPECIAL CONTROLS to Part 5—SPECIAL CONTROL AREAS.
5. In Part 1 deleting clauses 1.1—1.8 and inserting clauses 1-12 of the model provisions (as applicable) and—
 - i. inserting Shire of Yilgarn Local Planning Scheme No. 2 after 'the' in clause 1;
 - ii. inserting Shire of Yilgarn Local Planning Scheme No. 1—Southern Cross Townsite—
 - iii. Gazetted 13 December 1968 in clause 3;
 - iv. inserting Shire of Yilgarn after 'The' in clause 5;
 - v. inserting (c) the supplemental provisions to the deemed provisions contained in Schedule A. in clause 7(1);
 - vi. inserting the following scheme aims under clause 9—
 - (a) facilitate an independent, growing and vibrant community;
 - (b) encourage, direct and control quality and orderly development in the Scheme area so as to promote and protect the health, safety, and general economic and social well being of the community, and the amenity of the area;
 - (c) promote sustainable development that integrates consideration of economic, social and environmental goals for the Scheme area;
 - (d) provide a sufficient supply of suitable serviced land for housing, rural, mining, commercial, industrial and tourism development, community facilities, recreation and open space;
 - (e) assist employment and economic growth by facilitating the timely provision of suitable land for retail, commercial, industrial and tourism development, as well as providing opportunities for home-based employment;
 - (f) manage the use and development of land by means of zoning and development controls to achieve compatibility between land uses, and the preservation and where possible the enhancement of amenity for urban and rural uses;
 - (g) maintain and protect valuable areas of agricultural production and conserve its non-rban character whilst accommodating other complementary rural activities;
 - (h) retain the primary of the Great Southern townsite as the commercial centre of the Scheme area;

- (i) maintain and enhance the positive aspects of a country lifestyle enjoyed by the inhabitants of the Scheme area through appropriate control over the layout and design of developed areas by fostering a distinctive character based on good design principles;
 - (j) conserve, protect and enhance the biodiversity (genetic, species and ecosystem diversity, environmental values and natural heritage) of the Scheme area and its environs by ensuring that land use and development is undertaken sustainably with biodiversity values at the fore-front of decision-making.
- 6. inserting the words 'there are no other local planning schemes that apply to the Shire of Yilgarn' in clause 11 and 'there are no region planning schemes which apply to the Scheme area' in clause 12.
- 7. In Part 2, deleting clause 2.1 and inserting clauses 13, 14(1) and 15 of the model provision and—
 - i. inserting 'There are no regional reserves in the Scheme area,' in clause 13;
 - ii. inserting clause 14(2) as follows—

Local reserves are shown on the Scheme Map accordingly to the legend on the Scheme Map and are listed hereunder—

 - (i) Nature Reserves;
 - (ii) State Forest;
 - (iii) Recreation;
 - (iv) Public purposes;
 - (v) Railway; and
 - (vi) Waterways
 - iii. inserting 'There are no additional uses for land in local reserves that apply to this Scheme.' In clause 15.
- 8. In Part 3—
 - i. deleting Clauses 3.1-3.4 and inserting Clause 16(1) and 16(2) of the model provisions;
 - ii. inserting the following model zones and objectives within Table 1—Zone Objectives in Clause 16(2)—Residential, Commercial and Special Use; and
 - iii. inserting the model objectives for the model 'General Industry' zone in Table 1—Zone Objectives in Clause 16(2) under the existing zone name 'Industrial'
 - iv. inserting existing Townsite and Rural/Mining zones and objectives within Table 1—Zone Objectives in Clause 16(2) as follows—

Zone Name	Objectives
Townsite	<ul style="list-style-type: none"> • To be used primarily for residential development, different forms of accommodation and public recreation. • The local government may consider uses in accordance with Table 2 Zoning Table where they may benefit the community and / or will not result in a negative impact on amenity.
Rural/Mining	<ul style="list-style-type: none"> • To be used primarily for rural, mining, agricultural, single houses, and public recreation.

- v. deleting clause 3.2, 3.3 and 3.4 and inserting Clause 17, 18, 19, 20 and 21 of the model provisions; and
 - vi. inserting 'There are no restricted uses which apply to this Scheme' under clause 20.
- 9. Relocate 'Table 1—Zoning Table' to Clause 17 and modify it as follows—
 - i. replace the symbols listed as 'AA' and 'SA' with the correlating 'D' and 'A' symbol from the model provisions;
 - ii. insert an 'X' symbol where no symbol appears in the cross reference for a use class against a zone to show those uses are not permitted;
 - iii. rename 'Table 1-Zoning table' to 'Table 2-Zoning Table';
 - iv. replace existing land use terms with correlating terms from the model provisions as follows, and in the Scheme text as required—
 - Car Sales with motor vehicle, boat or caravan sales;
 - Civic Building with civic use;
 - Consulting Room with consulting rooms;
 - Health Centre to medical centre;
 - Hotel/Tavern as separate hotel and tavern;
 - Industry General with Industry;
 - Motor Repair Station with motor vehicle repair;
 - Public Worship with place of worship;
 - Radio/TV Installation with telecommunications infrastructure;
 - Restaurant with restaurant/café;
 - Industry cottage with rural home business/ industry cottage;

- Rural Pursuit with rural pursuit/hobby farm; and
 - Veterinary Consulting Rooms with Veterinary Centre;
 - Showroom with Bulky goods showroom;
- v. delete cemeteries/crematoria, drive in theatre, attached house, fish shop, industry- hazardous, industry-noxious, industry—service, dry cleaning premises, milk depot, public amusement, public assembly, public recreation, public utility, petrol filling station, professional office, reception centre, sportsground, stables, showroom and zoological gardens;
- vi. delete the heading 'residential' and list a single house and a grouped dwelling separately; and
- vii. delete 'Refer to Appendix 3' and insert 'Refer to Clause 21 and Table 4' in the Special use zone column.
- viii. insert 'Tavern' within the Zoning table with the following permissibility—

LANDUSE	Residential	Commercial	Industrial	Special Use	Townsite	Rural Mining
Tavern	X	P	X		D	X

10. In Part 3, Inserting the following as "Table 3—Specified additional uses for zoned land in the scheme area" in clause 19(1)(b)—

No	Description of land	Additional use	Conditions
1	Lot 64 (No 37) and Lot 63 (No 39) Altair Street, Southern Cross	roadhouse	To the discretion of the local government
2	Lot 159 (92) Antares Street, Southern Cross	shop motor vehicle repairs	To the discretion of the local government
3	Lot 700 (No 51), Lot 70 (No 53), Lot 71 (No 55) and Lot 72 (No 57) Antares Street, Southern Cross	Bulky goods showroom warehouse	To the discretion of the local government

11. In Part 3, inserting the following as "Table 4—Special use zones in scheme area" in clause 21(1)—

No.	Description of land	Special use	Conditions
1.	Lot 501 (6) Orion Street, Southern Cross	hotel	To the discretion of the local government
2.	Lot 768 (70) and Lot 899 (79) Canopus Street, Southern Cross Portion Lot 300, Reserve 8902, Canopus Street, Southern Cross	motel	To the discretion of the local government
3.	Lot 40 (No 21) Antares Street, Southern Cross	hotel	To the discretion of the local government
4.	Lot 203 (94), Lot 202 (92) Sirius Street and Lot 201 (90) Sirius Street, Southern Cross	hotel	To the discretion of the local government
5.	Lot 438 (50) and Lot 439 (48) Altair Street, Southern Cross	Place of worship public assembly	To the discretion of the local government
6.	Lot 607 (66) and Lot 278 (60) Antares Street, Southern Cross	Place of worship public assembly	To the discretion of the local government
7.	Lot 755 (10) Coolgardie Street, Southern Cross	caravan park camping ground	To the discretion of the local government

12. Delete 'PART VII—NON CONFORMING USES' in its entirety and in Part 3 insert Clause 22, 23, and 24 from the model provisions.
13. Delete clauses 4.1, 4.2, 4.3, 4.4, 4.5 (excluding Table 2—Development Table) and insert model provisions 25—31 in Part 4 and—
- i. inserting "There are no modifications to the R-Codes which apply to this Scheme" in clause 26;
 - ii. inserting "There are no modifications to State Planning Policy 3.6" in clause 28;
 - iii. inserting "There are no other State planning policies that are to be read as part of the Scheme" in clause 29;

- iv. inserting "There are no modifications to a State planning policy that, under clause 29 is to be read as part of the Scheme" in clause 30; and
 - v. inserting 'There are no environmental conditions imposed under the *Environmental Protection Act 1986* that apply to this Scheme' In clause 31.
14. In Part 4, inserting clause 32 of the model provisions with the heading 'General site and development requirements' and;
- i. inserting clause 32(1) to state 'The Table sets out requirements relating to development that are additional to those set out in the R-Codes, precinct structure plans, local development plans or State or local planning policies.';
 - ii. relocating 'Table 2—Development Table' to clause 32(1) and re-naming 'Table 2—Development Table' to 'Table 5—Development Table';
 - iii. deleting and replacing the following terms in existing 'Table 2—Development Table—
 - 'Club' to 'Club Premises';
 - 'Consulting Room' to 'Consulting Rooms';
 - 'Day Care Centre' to 'Family Day Care';
 - 'Industrial Light' to 'Industry—Light';
 - 'Industrial General' to 'Industry';
 - 'Restaurant' to 'Restaurant/Café';
 - 'Vehicle Sales' to 'Motor Vehicle, Boat or Caravan Sales'; and
 - 'Veterinary Consulting Rooms' to 'Veterinary Centre'.
15. Delete clauses 5.1 (Heritage), 5.2.2, 5.2.3, 5.2.5, 5.2.6, 5.2.7, 5.2.8 and 5.2.9 as they have been superseded by the deemed provisions.
16. Renumber clause 5.2 'Control of Advertisements' to clause 32.1 in Part 4 and replacing clauses 5.2.1.1 and 5.2.1.2 as follows—
- 32.1 Control of Advertisements**
- 32.1.1 Power to control advertisements
- Applications for development approval pursuant to this Part shall be in accordance with Clause 62 and 63 of the deemed provisions and accompanied by the form set out in Clause 86(1) and 86(2) of the deemed provisions.
17. Delete Clause '5.3 Transportable dwellings and insert new heading 'Repurposed or second hand dwellings' in Part 4 inserting new clauses as follows—
- 32.2.1 Notwithstanding any other provision in this Scheme, a second hand or repurposed dwelling requires development approval.
- 32.2.2 Applications for development approval pursuant to this Part shall be in accordance with Clause 62 and 63 of the deemed provisions, and accompanied by the form set out in Clause 86(1) and 86(2) of the deemed provisions.
- 32.2.3 In determining an application for a Repurposed Dwelling or Second Hand Dwelling, the local government will have regard to the following matters—
- (a) The objectives of the relevant zone;
 - (b) The ability of the built form including roof pitch, eaves, colours, material and architectural details to complement the expected character of the locality;
 - (c) The potential for negative visual impact or conflict with any established streetscape and character of the locality;
 - (d) Any proposed upgrading, alterations and additions which will enhance the elevations and architectural detail of proposed development;
 - (e) Use of new external materials to upgrade the dwelling to have the equivalent of the appearance of a new dwelling;
 - (f) The potential for existing or proposed landscaping and vegetation to mitigate visual impacts of the development;
 - (g) The visibility of the dwelling from any street, public place or neighbouring lots having regard for matters such as lot size and setbacks.
18. In Part 4 inserting model provision clauses 33-35 and—
- i. inserting 'There are no additional requirements that apply to this Scheme' in clause 33; and
 - ii. modifying clause 34(1) to 'in this clause general site and development requirements means requirements set out in clause 32.
19. In Part 5, inserting model provision clause 36 and stating "There are no special control areas which apply to this Scheme".
20. Delete Parts VI, VII, VIII Appendix 1-3, in their entirety.
21. Inserting 'Part 6—Terms referred to in Scheme' consistent with clause 37 and 38 of the model provisions with the exception of the land use terms and definitions for 'bed and breakfast', fast food outlet / lunch bar', 'industry primary production', 'marina', 'marine filling station', 'rural home business', 'tree farm' and 'wind farm'.

22. Inserting the following land use terms and their definitions from approved drafting instructions and/or WAPC policy—

industry—rural means premises used for an industry that—

- (a) supports and/or is associated with primary production; or
- (b) services plant or equipment used in primary production;

renewable energy facility means premises used to generate energy from a renewable energy source and includes any building or other structure used in, or relating to, the generation of energy by a renewable resource. It does not include renewable energy electricity generation where the energy produced principally supplies a domestic and/or business premises and any on selling to the grid is secondary;

Independent living complex means a development with self-contained, independent dwellings for aged or dependent persons together with communal amenities and facilities for residents and staff that are incidental and ancillary to the provision of such accommodation, but does not include a development which includes these features as a component of a residential aged care facility;

nature based park means premises as defined in the *Caravan Parks and Camping Grounds Regulations 1997*;

rural home business/ industry- cottage means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or occupation if the carrying out of the business, service or occupation—

- (a) does not involve employing more than 2 people who are not members of the occupier's household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 200m²; and
- (d) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (e) does not involve the presence, use or calling of more than 3 vehicles at any one time or of a vehicle more than 30 tonnes gross weight;

second hand dwelling means a dwelling that has been in a different location, and has been dismantled and transported to another location, but does not include a modular home or transportable dwelling;

repurposed dwelling means a building or structure not previously used as a single house which has been repurposed for used as a dwelling;

airfield means any premises used for purposes relating to aircraft landing, take-off and maintenance and does not include a private airstrip incidental to farming operations;

fast food outlet means premises, including premises with a facility for drive-through service, used for the preparation, sale and serving of food to customers in a form ready to be eaten—

- (a) without further preparation; and
- (b) primarily off the premises;

lunch bar means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas;

tree farm means land used commercially for tree production where trees are planted in blocks of more than one hectare, including land in respect of which a carbon right is registered;

residential aged care facility means a residential facility providing personal and/or nursing care primarily to people who are frail and aged or dependent persons which, as well as accommodation, includes—

- (a) appropriate staffing to meet the nursing and personal care needs of residents;
- (b) meals and cleaning services;
- (c) furnishings, furniture and equipment.

This may consist of multiple components that include communal amenities and facilities for residents and staff that are incidental and ancillary to the provision of such accommodation, residential respite (short-term) care, and/or an independent living complex, but does not include a hospital, rehabilitation or psychiatric facility;

camping ground means an area used for a camping ground as defined in the *Caravan Parks and Camping Grounds Act 1995*.

23. Inserting "Schedule A—Supplemental provisions to the deemed provisions" after Division 2, with the following—

These provisions are to be read in conjunction with the deemed provisions (Schedule 2) contained in the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Supplementary provisions in this Schedule A are numbered to correlate with the clauses outlined in Schedule 2 Deemed Provisions, as per the *Planning and Development (Local Planning Schemes) Regulations 2015*—

61(1)(b)—Table

(note that clause 61 includes a preamble setting out that the uses in the table are exempt from requiring a DA, subject to the conditions being met. Numbering continues the numbers in the Regs)

No.	Column 1 Works	Column 2 Conditions
22	The erection of, or alterations or additions to, a single house on a lot including ancillary outbuildings.	(a) Within the Townsite or Rural/Mining zones if a single house is a permitted ("P") use in the zone (where the R-Codes do not apply); (b) The works are not a 'second-hand' or 're-purposed' dwelling. (c) The works are not located in a heritage-protected place.
23	Any of the exempted classes of advertisements listed in Schedule B	(a) The works are not located in a heritage protected place.
24	the erection of a boundary fence	(a) The fence is not located in the street setback area on land zoned Residential and does not comply with the R-Codes.

61(2) (note that numbering follows the Regulations)

- (i) The use of the land in a reserve, where such land is vested in the local government or vested in a Public Authority—
 - (i) for the purpose for which the land is reserved under the Scheme; or
 - (ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority;
- 24. Rename Appendix 8 to Schedule B and Appendix 9 to Schedule C.
- 25. Amend the Southern Cross townsite zoning map as follows—
 - i. Labelling lots that have existing Additional Uses as A1 to A3 consistent with proposed Table 3.
 - ii. Numbering the existing Special Use zones SU 1 to SU6 consistent with proposed Table 4.
 - iii. Updating the map legend in accordance with the scheme amendment maps
- 26. Any editorial matters arising from these modifications, including renumbering, cross referencing to new clause numbers and deemed provisions as required; updating the Table of Contents and headings to align with the model provisions and revised scheme format.

W. DELLA BOSCA, President.
N. WARREN, Chief Executive Officer.

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Doreen Hilda Clark, late of Aegis Greenfields Aged Care, 95 Lakes Road, Greenfields Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased who died on 5 May 2023 are required by the Executors Lynn Harrison and Paul Clark, PO Box 29, Belmont 6984 to send particulars of claims by registered mail within 30 days of this notice after which date the Executors may convey and distribute the assets having regard only to claims of which they have had notice.

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

Notice to Creditors and Claimants

John Cecil Shelton formerly of Unit 5, 24 Fulford Street, Dundas, Sydney, late of Brightwater The Cove, 35 Hudson Drive, Dudley Park, Western Australia, Barman, 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 20 January 2022 are required by the personal representative to send particulars of their claims to the care of Amanda Liston Legal, PO Box 4234, North Mandurah WA 6210 within 4 weeks from the date of this advertisement after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

AMANDA LISTON LEGAL as solicitors for the personal representative.

ZZ403**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Jeffrey John Krapljanov late of 27 Scott Road, Wanneroo in the State of Western Australia, Storeman, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* (WA) relates) in respect of the estate of the Deceased who died on 17 July 2016, are required by the administrator, Vjera Vucak of c/- Hall & Wilcox, Level 19, 108 St Georges Terrace, Perth 6000 to send particulars of their claims to her by no later than one month from the date of this advertisement, after which date the administrator may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZZ404**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Joan Mary Kershaw, late of 53 Hawkevale Road, High Wycombe, 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 23 May 2023 are required by the Executor Michael Leslie Hodgkins 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.
