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AGRICULTURE AND FOOD

AG401**BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013****QUARANTINE AREA AMENDMENT NOTICE**Queensland Fruit Fly *Bactrocera (Bactrocera) tryoni*

South Perth Outbreak

1. In accordance with regulation 60 of the *Biosecurity and Agriculture Management Regulations 2013* (Regulations) a Quarantine Area Notice (QAN) relating to the declared pest *Bactrocera (Bactrocera) tryoni* (Queensland fruit fly or Qfly) was published in the *Gazette* on 17 April 2026 and in the *West Australian* newspaper and on the website of the Department of Primary Industries and Regional Development (DPIRD).
2. Under regulation 61 of the BAM Regulations, clause 1 of the QAN is amended by deleting “until 11:59pm on 26 September 2026” and replacing it with “until 11:59pm on 31 March 2027”.
3. The amended QAN is available on DPIRD’s website: www.dpird.wa.gov.au.

Dated 9 September 2026.

CECILIA MCCONNELL,
Deputy Director General, Biosecurity and Emergency Management,
Department of Primary Industries and Regional Development.
Delegate of the Director General.

EDUCATION

ED401**EDITH COWAN UNIVERSITY ACT 1984****EDITH COWAN UNIVERSITY COUNCIL (APPOINTMENT OF MEMBER) INSTRUMENT 2026**Made by the Governor in Executive Council under section 9(1)(a) of *Edith Cowan University Act 1984*.**Citation**

1. This instrument may be cited as the *Edith Cowan University Council (Appointment of Member) Instrument 2026*.

Appointment of Member

2. Ms Vanessa Martin is appointed a member of the Council of Edith Cowan University for a 3-year term commencing on the date of Executive Council approval and expiring three years after Executive Council approval.

Dated 15th day of September 2026.

NICK HAGLEY, Clerk of the Executive Council.

FIRE AND EMERGENCY SERVICES

FE401**FIRE AND EMERGENCY SERVICES ACT 1998****CANCELLATION OF SES UNIT—SECTION 18C**

Correspondence No. 20947

Department of Fire and Emergency Services

FIRE AND EMERGENCY SERVICES ACT 1998—CANCELLATION OF SES UNITPursuant to section 18C(2) of the *Fire and Emergency Services Act 1998*, the approval of the following SES Unit is hereby cancelled—

Toodyay SES Unit

Dated 16 September 2026.

MELISSA PEXTON, Acting FES Commissioner.

FE402**FIRE AND EMERGENCY SERVICES ACT 1998****APPROVAL OF SES UNIT—SECTION 18C**

Correspondence No. BGU/0152-02

Department of Fire and Emergency Services

FIRE AND EMERGENCY SERVICES ACT 1998—APPROVAL OF SES UNIT

Pursuant to section 18C(1) of the *Fire and Emergency Services Act 1998*, the following group of persons is approved as a SES Unit for the purposes of the Act—

Toodyay Morangup SES Unit

Dated 16 September 2026.

MELISSA PEXTON, Acting FES Commissioner.

FE403**BUSH FIRES ACT 1954****BUSH FIRES (RESTRICTED BURNING TIMES) AMENDMENT NOTICE (No. 4) 2026**

Made by the FES Commissioner of the Department of Fire and Emergency Services under section 18(2) of the *Bush Fires Act 1954*.

1. Citation

This notice is the *Bush Fires (Restricted Burning Times) Amendment Notice (No. 4) 2026*.

2. Commencement

This notice comes into operation as follows—

- (a) clauses 1 and 2—on the day on which this notice is published in the *Gazette*;
- (b) the rest of the notice—on the day after that day.

3. The notice amended

The amendments in this notice are to the Bush Fires (Restricted Burning Times) Notice 2012* (as amended).

[* Published in *Gazette* 3 February 2012, p. 615-619.]

4. Schedule 1 amended

Schedule 1 is amended by deleting the restricted burning times of the Shire of Jerramungup and inserting the following instead—

Restricted Burning Time	Zone of the State
1 November—5 February	Shire of Jerramungup <i>(That portion of the Shire shown as Zones 1,2,3 and 4 on deposited plan 412417)</i>
1 November—5 March	Shire of Jerramungup <i>(That portion of the Shire shown as Zones 5 on deposited plan 412417)</i>

Dated 16 September 2026.

MELISSA PEXTON, Acting FES Commissioner of
the Department of Fire and Emergency Services.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

Shire of Trayning

ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND TRADING AMENDMENT LOCAL LAW 2026

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Trayning resolved on 19 August 2026 to adopt the following local law.

1. Citation

This local law may be cited as the *Shire of Trayning Activities in Thoroughfares and Public Places and Trading Amendment Local Law 2026*.

2. Commencement

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

3. Principal local law amended

This local law amends the *Shire of Trayning Activities in Thoroughfares and Public Places and Trading Local Law 2025* as published in the *Government Gazette* on 27 October 2025.

4. Clause 1.4 amended

In clause 1.4—

- (a) After the definition “local government property” insert the definition—
 “**local planning scheme**” means a local planning scheme of the local government made under the *Planning and Development Act 2005*;
- (b) delete the definition “town planning scheme”.

5. Clause 2.4 amended

Delete clause 2.4(2) and replace with—

- (2) The “person responsible for the works” in subclause (1) is to be taken to be—
 - (a) the builder named on the building permit issued under the *Building Act 2011*, if one has been issued in relation to the works; or
 - (b) the registered proprietor of that lot, if no building permit has been issued under the *Building Act 2011* in relation to the works.

6. Clause 3.1 amended

In clause 3.1 in the definition of “portable sign” replace the word ‘fee’ with the word ‘free’.

7. Clause 3.2 amended

In clause 3.2(2) replace the words ‘height not’ with the words ‘height nor’.

8. Clause 6.1 amended

In clause 6.1 replace the definition ‘competition Principles Agreement’ with—

 “**Competition Principles Agreement**” means the Competition Principles Agreement executed by each State and Territory of the Commonwealth and the Commonwealth of Australia on 29 November 2024;

9. Clause 6.17 amended

In clause 6.17(b)—

- (a) in paragraph (b)—
 - (i) replace the words ‘*Health Act 1911*’ with the words ‘*Food Act 2008*’; and
 - (ii) replace the word ‘town’ with the word ‘local’; and
- (b) delete paragraph (c).

10. Clause 6.18 amended

In clause 6.18(1)(a) delete the words ‘and any local law made under section 172 of the *Health Act 1911*’.

11. Part 8 amended

In the heading to Part 8 replace the word ‘OBJECTIVES’ with the word “OBJECTIONS”.

12. Clause 10.3 amended

In clause 10.3(2) delete the full stop after the word ‘exceeding’.

Dated 19 August 2026.

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

MELANIE BROWN, President.
PETER NAYLOR, Chief Executive Officer.

LG402

CEMETERIES ACT 1986
LOCAL GOVERNMENT ACT 1995
Shire of Trayning

CEMETERIES AMENDMENT LOCAL LAW 2026

Under the powers conferred by the *Cemeteries Act 1986*, the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Trayning resolved on 19 August 2026 to adopt the following local law.

1. Citation

This local law may be cited as the *Shire of Trayning Cemeteries Amendment Local Law 2026*.

2. Commencement

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

3. Principal local law amended

This local law amends the *Shire of Trayning Cemeteries Local Law 2025* as published in the *Government Gazette* on 27 October 2025.

4. Clause 1.1 amended

In clause 1.1 italicise the words “*Shire of Trayning Cemeteries Local Law 2025*”.

5. Clause 1.4 amended

In clause 1.4 in the definition of “Funeral Director” replace the word ‘directors’ with the word ‘director’s’.

6. Clause 4.1 amended

In the title of clause 4.1 replace the word ‘Directors’ with the word ‘Director’s’.

7. Clause 5.7 amended

In clause 5.7(3)(b) after the words ‘by the Board.’ delete the words ‘accordance with Board approval, provided the person requesting the placement of the ashes has the written permission of the Board and the approval of the holder of the right of burial of the grave.’

8. Clause 6.1 amended

In clause 6.1(1)(a) delete ‘(9b)’ and replace with ‘(b)’.

9. Clause 6.2 amended

In clause 6.2(1) delete the word ‘grace’ and replace with ‘grave’.

10. Clause 7.17 amended

Delete clause 7.17(3).

11. Clause 8.1 amended

Delete clause 8.1 and replace with—

8.1 Animals

A person shall not bring an animal into or allow an animal to enter or remain in a cemetery, other than—

- (a) an *assistance animal* as defined in section 9(2) of the *Disability Discrimination Act 1992* (Commonwealth); or
- (b) with the approval of the Board or an authorised person.

12. Clause 8.2 deleted

Delete clause 8.2.

13. Part 8A inserted

After Part 7, insert the following—

PART 8A—OBJECTIONS AND REVIEW

8A.1 Objections and review

Division 1 of Part 9 of the *Local Government Act 1995* applies to a decision under this local law to—

- (a) refuse an application for a permit;
- (b) impose or vary a condition of a permit; or
- (c) revoke a permit.

14. Monumental masons

In the following clauses replace the word “masons” with the word ‘mason’s’—

- (a) in clause 1.4 in the definition of “monumental masonry”;
- (b) in clause 7.13—
 - (i) in the title of the clause; and
 - (ii) in subclause (1);
- (c) in clause 7.14;

- (d) in clause 7.15(a);
- (e) in clause 7.16—
 - (i) in the title of the clause; and
 - (ii) in the first line of the clause;
- (f) in clause 7.17—
 - (i) in the title of the clause; and
 - (ii) in subclause (1); and
 - (iii) in subclause (2).

Dated 19 August 2026.

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

MELANIE BROWN, President.
PETER NAYLOR, Chief Executive Officer.

LG403

DOG ACT 1976
LOCAL GOVERNMENT ACT 1995
Shire of Trayning
DOGS AMENDMENT LOCAL LAW 2026

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 Trayning resolved on 19 August 2026 to adopt the following local law.

1. Citation

This local law may be cited as the *Shire of Trayning Dogs Amendment Local Law 2026*.

2. Commencement

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

3. Principal local law amended

This local law amends the *Shire of Trayning Dogs Local Law 2025* as published in the *Government Gazette* on 27 October 2025.

4. Clause 1.1 amended

In clause 1.1 italicise the words '*Shire of Trayning Dogs Local Law 2025*'.

5. Clause 1.2 amended

Delete clause 1.2 after the word 'respectively,' insert the words 'and the *Shire of Trayning Dogs Local Law* published in the *Government Gazette* on 28 September 2001'.

6. Clause 1.3 amended

In clause 1.3—

- (a) after the definition of "Local Government" insert the definition—

"local planning scheme" means a local planning scheme made by the local government under the *Planning and Development Act 2005* which applies throughout the whole or a part of the district;
- (b) in the definition of "**Schedule**" amend '*Schedule to this local law*' to plain text;
- (c) in the definition of "**thoroughfare**" replace "; and" with a full stop; and
- (d) delete the definition of "**Local planning scheme**".

7. Clause 4.3 amended

In clause 4.3(3) after paragraph (b) replace the word 'that' with the word 'then'.

8. Clause 4.15 amended

In clause 4.15—

- (a) in subclause (a) replace the word "governments" with the word 'government's'; and
- (b) in subclause (b) replace the word "governments" with the word 'government's'.

9. Clause 5.2 amended

In clause 5.2 after the word 'places' insert the words 'which are dog exercise areas is dealt with in the Act.'

10. Clause 7.2 amended

In clause 7.2(1) replace the words 'Schedule 2' with the words 'Schedule 3'.

11. Clause 7.3 amended

In clause 7.3 delete the words ‘*Form 2 in Schedule 1 of the Local Government (Functions and General) Regulations 1996*’ and replace with the words ‘*Form 8 in Schedule 1 of the Dog Regulations 2013*’.

12. Clause 7.6 amended

In clause 7.6(1) delete the words ‘FORM 8’ and replace with the words “Form 9”.

13. Schedule 1 amended

In the title of Schedule 1 replace the word ‘KENNERL’ with the word “KENNEL”.

Dated 19 August 2026.

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

MELANIE BROWN, President.
PETER NAYLOR, Chief Executive Officer.

LG404

LOCAL GOVERNMENT ACT 1995**CAT ACT 2011***Shire of Trayning***PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY AMENDMENT LOCAL LAW 2026**

Under the powers conferred by the *Local Government Act 1995*, *Cat Act 2011* and all other powers enabling it, the Council of the Shire of Trayning resolved on 19 August 2026 to adopt the following local law.

1. Citation

This local law may be cited as the *Shire of Trayning Public Places and Local Government Property Amendment Local Law 2026*.

2. Commencement

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

3. Principal local law amended

This local law amends the *Shire of Trayning Public Places and Local Government Property Local Law 2025* as published in the *Government Gazette* on 27 October 2025.

4. Clause 1.4 amended

In clause 1.4 delete subclause (1) and replace with—

- (1) The *Shire of Trayning Public Places and Local Government Property Local Law 2015* is repealed.

5. Clause 1.5 amended

In clause 1.5—

- (a) delete the definitions of “eating house”, “food” “*Health Act 1911*” and “proprietor”;
- (b) after the definition of “Act” insert the following definition—
animal means any living thing that is not a human being or a plant, but excludes a cat;
- (c) in the definition of ***district*** delete the words ‘Health Act’ and replace with the words “*Health (Miscellaneous Provisions) Act 1911*”;
- (d) in the definition of ***permissible verge treatment*** delete the words ‘off the 4’ and replace with the words ‘of the’.

6. Clause 2.2 amended

In clause 2.2(2) delete the words ‘local government’ and replace with the word ‘Council’.

7. Clause 2.7 amended

In clause 2.7(1)(f)(ii) delete the numeral ‘1973’ and replace with the numeral ‘2024’.

8. Clause 3.2 amended

In clause 3.2(4) delete the words ‘regulation 11(2)(a)’ and replace with the words ‘regulation 11’.

9. Clause 4.3 amended

In clause 4.3(2) in the definition of ***animal*** after the word ‘plant’ insert the words ‘but does not include a cat’.

10. Clause 4.5 amended

In clause 4.5(2) after the word ‘dog’ insert the words ‘or a cat’.

11. Clause 4.10 amended

In clause 4.10(b) delete the numeral '1987' and replace with the numeral '2015'.

12. Part 10 deleted

Delete Part 10.

13. Clause 11.10 amended

In clause 11.10(2)—

- (a) delete the words ' , unless the contrary is proved, ' ; and
- (b) after the word 'satisfied' insert the words " , unless evidence to the contrary is provided ' .

14. Schedule 1 amended

In Schedule 1—

- (a) in clause 1.1 in the definition of *local law* delete the words '*Public Places and Local Government Property Local Law*' and replace with the words '*Shire of Trayning Public Places and Local Government Property Local Law 2025*'.
- (b) in clause 2.1(1)(d) renumber subclauses (iii), (iv) and (v) as subclauses (i), (ii) and (iii).

15. Schedule 2 amended

In Schedule 2

- (a) in the clause reference after the title replace the numeral '10.8' with the numeral '11.8'; and
- (b) in the column headed 'Clause'—
 - (i) delete the reference '4.8' and replace with '4.7'; and
 - (ii) delete the reference '4.9' and replace with '4.8'.

Dated 19 August 2026.

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

MELANIE BROWN, President.
PETER NAYLOR, Chief Executive Officer.

LG405

LOCAL GOVERNMENT ACT 1995

Shire of Trayning

STANDING ORDERS AMENDMENT LOCAL LAW 2026

Under the powers conferred by the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Trayning resolved on 19 August 2026 to adopt the following local law.

1. Citation

This local law may be cited as the *Shire of Trayning Standing Orders Amendment Local Law 2026*.

2. Commencement

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

3. Principal local law amended

This local law amends the *Shire of Trayning Standing Orders Local Law 2025* as published in the *Government Gazette* on 27 October 2025.

4. Table of Contents inserted

Insert the Table of Contents in the Schedule prior to the commencement of the local law.

5. Clause 16.3 amended

In clause 16.3(3) replace the words '*Local Government (Rules of Conduct) Regulations 2007*' with the words '*Local Government (Model Code of Conduct) Regulations 2021*'.

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Dated 19 August 2026.

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

MELANIE BROWN, President.
PETER NAYLOR, Chief Executive Officer.

LG406

BUSH FIRES ACT 1954

CITY OF PERTH APPOINTMENTS

It is hereby advised that the following persons are appointed as City of Perth Bush Fire Control Officers pursuant to Section 38 of the *Bush Fires Act 1954*—

Chief Bush Fire Control Officer Peter Henry; Deputy Chief Bush Fire Control Officers Tyrrell Levitt, Dean Ball, Adelisa Rekic, Christopher (Chris) Jones, Gregory (Greg) Smith; Bush Fire Control Officers: Dylan Larchet, Elaine Suart, Nathan Emery, Paul Halton, Rozaiman (Roz) Bohari, Rhys Gill, Stojan (Steve) Taseski Stephen Wrigglesworth, Travis Carney, Tiffany Ugle.

MARIA COOKE, A/Chief Executive Officer.

LG407

LOCAL GOVERNMENT ACT 1995

Shire of Serpentine Jarrahdale

BASIS OF RATES

I, Alex Lyon, 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 31 August 2026 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 80 to 84 inclusive and 125 to 131 inclusive as shown on Deposited Plan 431092.

ALEX LYON, A/Executive Director Local Government,
Department of Local Government, Industry Regulation and Safety.

LG408

LOCAL GOVERNMENT ACT 1995

Shire of Kellerberrin

FENCING LOCAL LAW 2026

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Kellerberrin resolved on 15 September 2026 to make the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Kellerberrin Fencing Local Law 2026*.

1.2 Commencement

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

1.3 Purpose and effect

- (1) The purpose of this local law is to prescribe a sufficient fence and the standard for the construction of fences throughout the district.
- (2) The effect of this local law is to establish the minimum requirements for fencing within the district.

1.4 Application

This local law applies throughout the district.

1.5 Repeal

The *Shire of Kellerberrin Local Laws Relating to Fencing* published in the *Government Gazette* on 13 July 2004 and *Fencing Amendment Local Law 2007* published in the *Government Gazette* on 19 June 2007, and the *Fencing Local Law 2016* published in the *Government Gazette* on 17 August 2016 is repealed.

1.6 Interpretation

In this local law, unless the context requires otherwise—

Act means the *Local Government Act 1995*;

applicant means a person who makes an application for approval under this local law;

AS or AS/NZS means an Australian or Australian/New Zealand Standard as published by Standards Australia and amended from time to time;

AS2870-1996 means the “Residential slabs and footing—Construction” Australian Standard published by Standards Australia and amended from time to time;

AS/NZS3.16:2002 means the “Electrical installations—Electric security fences” Australian/New Zealand Standard published by Standards Australia and amended from time to time;

barbed wire fence means a wire or strand of wires having small pieces of sharply pointed wire twisted around it at short intervals;

authorised person means a person appointed by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

boundary fence means a fence constructed on the boundary of a lot which abuts a thoroughfare;

building surveyor means a building surveyor of the local government;

CEO means the Chief Executive Officer of the local government;

Council means the Council of the Shire of Kellerberrin;

dangerous in relation to any fence means—

- (a) an electrified fence other than a fence approved by the local government under this local law;
- (b) a fence containing barbed wire other than a fence erected and maintained in accordance with this local law;
- (c) a fence containing exposed broken glass, asbestos fibre, razor wire or any other potentially harmful projection or material; or
- (d) a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, from any cause;

district means the district of the local government;

dividing fence has the meaning given in the *Dividing Fences Act 1961*;

electrified fence means a fence carrying or designed to carry an electric charge;

estate entry statement means a fence, or wall constructed of masonry or other materials to identify the entrance of an estate and may include but not be limited to a sign indicating the estate name and locality, sculptures, flagpoles and flags;

estate boundary fence means the fence erected around the external boundary of a subdivision of land to indicate the extent of that subdivision and includes any special works or construction that identifies the entrance to that land;

fence means any structure used or functioning as a barrier, irrespective of where it is located and includes any gate;

front boundary means the boundary line between a lot and the thoroughfare upon which that lot abuts, or in the case of a lot abutting on more than one thoroughfare the boundary line between the lot and the primary thoroughfare;

front fence means a fence erected on the front boundary of a lot or on a line adjacent to the front boundary;

front setback area means the area between the building line of a lot and the front boundary of that lot;

general agriculture (broadacre) lot means a lot where a rural use;

- (a) is or may be permitted under the town planning scheme; and
- (b) is or will be the predominant use of the lot;

height in relation to a fence means the vertical distance between—

- (a) the top of the fence at any point; and
- (b) the ground level or, where the ground levels on each side of the fence are not the same, the higher ground level, immediately below that point;

industrial lot means a lot where an industrial use;

- (a) is or may be permitted under the local planning scheme; and
- (b) is or will be the predominant use of the lot;

licence means an electrified fence licence or a razor wire fence licence;

local government means the Shire of Kellerberrin;

local government property means anything—

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an “otherwise unvested facility” under section 3.53 of the Act;

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

lot has the meaning given to it in and for the purposes of the *Planning and Development Act 2005*;

notice of breach means a notice referred to in clause 5.1;

occupier has the meaning given to it in the Act;

owner has the meaning given to it in the Act;

razor wire fence means a coiled strong wire with pieces of sharp cutting edges set across it at close intervals;

Residential Lot means a lot where a residential use—

- (a) is or may be permitted under the district planning scheme; and
- (b) is or will be the predominant use of the lot;

retaining wall means any structure which prevents the movement of soil or retains soil or structures in order to allow ground levels of different elevations to exist adjacent to one another;

Rural Lot means a lot where a rural use—

- (a) is or may be permitted under the district planning scheme; and
- (b) is or will be the predominant use of the lot;

Schedule means a Schedule to this local law;

Special Rural Lot means a lot where a special rural use—

- (a) is or may be permitted under the district planning scheme; and
- (b) is or will be the predominant use of the lot;

sufficient fence means a fence described in clause 2.1; and includes a fence of the description and quality agreed upon by the owners of adjoining lots which does not fail to satisfy clause 2.1;

thoroughfare has the meaning given to it by the *Local Government Act 1995*, but does not include a private thoroughfare which is not under the management or control of the local government;

public places means any place to which the public has access whether or not that place is on private property;

Residential Design Codes means the Residential Design Codes developed by the Department of Planning to provide the basis for the control of residential development throughout Western Australia;

rear setback area means the area between the building line of a lot and the rear boundary of that lot;

town centre lot means a lot where a town centre use—

- (a) is or may be permitted under the local planning scheme; and
- (b) is or will be the predominant use of the lot.

1.7 Fees and charges

All fees and charges applicable under this local law shall be determined by the local government from time to time under and in accordance with sections 6.19 of the Act.

PART 2—FENCES

Division 1—Sufficient fences

2.1 Sufficient fences

- (1) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence.
- (2) Pursuant to section 24 of the *Dividing Fences Act 1961* and subject to subclauses (3), (4) and (5), a sufficient fence—
 - (a) on a residential lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 2;
 - (b) on a town centre lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 3;
 - (c) on an industrial lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 3A;
 - (d) on a general agriculture lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 4; and
 - (e) on a rural lot or a special lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 4.
- (3) Where a fence is erected on or near the boundary between—
 - (a) a Residential Lot and an Industrial Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 2;
 - (b) a Residential Lot and a Commercial Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 3;
 - (c) a Residential Lot and a Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 4;

- (d) a Residential Lot and a Special Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 4; and
 - (e) a Special Rural Lot and a Rural Lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 4.
- (4) An application must be made to the local government for grant of consent to any variation to the specifications in Schedules 2, 3 and 4.
 - (5) Unless an authorised person determines otherwise, a sufficient fence on a boundary between lots other than those specified in subclauses (2) and (3) is a dividing fence constructed in accordance with the specifications and requirements of Schedule 2.
 - (6) Notwithstanding any other provisions in this local law, a dividing fence or boundary fence constructed of masonry, stone or concrete shall be a sufficient fence only if it is designed by a suitably qualified structural engineer and constructed in accordance with that design where—
 - (a) it is greater than 1,800 millimetres in height; or
 - (b) the Building Surveyor so requires.
 - (7) Notwithstanding any other provision in this local law, a dividing fence or boundary fence shall not exceed 1,800 millimetres in height unless the approval of the local government has been obtained to such a fence.

Division 2—General

2.2 Fences within front or rear setback areas

- (1) Not with standing the provisions of clause 2.1, a person shall not erect a fence within the front or rear setback areas, including along the side boundaries, unless the fence complies with the provisions of the local planning scheme or the Residential Design Codes.
- (2) Where there is inconsistency between the standards and requirements of the local planning scheme and those specified in the Residential Design Codes, the standards and requirements of the local planning scheme shall prevail to the extent of the inconsistency.
- (3) A person shall not, without the written consent of the Building Surveyor, erect a free-standing fence greater than 1200 millimetres in height, within the front set-back area of a Residential Lot within the district.
- (4) The Council or Chief Executive Officer may approve the erection of a fence of a height greater than 1200 millimetres in the front setback area of a Residential Lot only if the fence on each side of the driveway into the lot across the front boundary is to be angled into the lot for a distance of not less than 1500 millimetres along the frontage to a distance of not less than 1500 millimetres from the frontage in order to provide appropriate splayed lines of vision for a motorist using the driveway for access to a thoroughfare.
- (5) The provision of subclause (2) shall not apply to a fence—
 - (a) of open construction that does not obscure the lines of vision of a motorist using the driveway for access to a thoroughfare; or
 - (b) that does not adjoin a footpath.

2.3 Gates in fences

A person shall not erect a gate in a fence, which does not—

- (a) open into the lot; or
- (b) open by sliding parallel and on the inside of the fence, which it forms part of, when closed.

2.4 Depositing fencing material on public place

A person shall not deposit or permit the deposit of any materials whatsoever used in the construction or maintenance of any fence, on any thoroughfare, public place or local government property without the approval of the local government.

2.5 Fences of Rural Lots

A person shall not, without the written consent of the Council or Chief Executive Officer, erect a fence on a Rural Lot of a height exceeding 1500 millimetres.

2.6 Alteration of ground levels

- (1) A fence constructed of corrugated fibre-reinforced pressed cement shall not have more than 150 millimetres difference in the ground levels on each side of the fence.
- (2) Where land has been filled or retained to a height of more than 500 millimetres above natural ground level at or within 1,000 millimetres of a boundary of a lot, a person shall only erect a dividing fence that is a sufficient fence on the said filled land or retaining wall if the person produces to the local government the written agreement of the owners of the adjoining lot.
- (3) A person shall not alter the natural ground level of land on or within 1,000 millimetres of the boundary of a lot, whether by removing soil or bringing onto the land any fill of any kind, by more than 500 millimetres without the approval of the local government.

2.7 Maintenance of fences

An owner of a lot on which a fence is erected shall maintain the fence in good condition so as to prevent it from becoming dangerous, dilapidated or unsightly to the amenity of the locality.

2.8 Fences and sight lines

- (1) Where a front fence or a boundary fence is adjacent to a vehicle access point or a thoroughfare, the front fence or boundary fence is to have a sight line truncation or a reduction in height shall be provided at the property line to ensure adequate visibility, as follows—
 - (a) at an intersection of a driveway with a road or right-of-way a minimum sight line truncation of 1.5 meters x 1.5 meters, unless the local government approves otherwise, or as a minimum a sight line truncation of 1 metre x 1 metre for low and medium peak vehicle movements, and a sight line truncation of 3 metres x 3 metres where achievable, for high peak vehicle movements; and
 - (b) at an intersection of 2 roads a minimum sight line truncation of 3 metres x 3 metres. A sight line truncation is not required on the entry side of a driveway where it is clearly defined as “ENTRY ONLY” or where a driveway is not less than 6 metres wide, and where appropriate signage and line marking is provided.
- (2) Subclause (1) does not apply to a fence of open construction that does not obscure the lines of vision of a motorist using a vehicle access point or thoroughfare.
- (3) A person shall not erect or maintain a fence without the sight line or height reduction required under subclause (1).

2.9 Fences across rights-of-way, public access ways or thoroughfares

A person must not, without the approval of the local government, erect or maintain a fence or obstruction of a temporary or permanent nature across any right-of-way, public access way or thoroughfare so as to impede or prevent use of those facilities in the manner for which they are intended and constructed.

2.10 General discretion of the local government

- (1) Notwithstanding the provisions of clause 2.1, the local government may approve the erection or repair of a dividing fence which is not a sufficient fence, where all of the owners of the lots to be separated by the dividing fence make an application for approval for that purpose.
- (2) In determining whether to grant its approval under subclause (1), the local government may consider whether the erection or repair of the fence would have an adverse effect on—
 - (a) the safe or convenient use of any land;
 - (b) the safety or convenience of any person; or
 - (c) the visual amenity of the locality.

*Division 3—Fencing Materials***2.11 Pre-used fencing materials**

- (1) Notwithstanding clause 2.1, a person shall not construct a fence on a residential lot, a town centre lot or an industrial lot from pre-used materials without the approval of the local government.
- (2) Where the local government approves the use of preused materials in the construction of a fence under subclause (1) that approval shall be conditional on the applicant painting or treating the pre-used material as stated in or attached to the form of approval issued by the local government under clause 3.2.

2.12 Barbed wire fences and spiked or jagged materials

- (1) This clause does not apply to a fence constructed wholly or partly of razor wire.
- (2) An owner or occupier of a residential lot, a town centre lot or an industrial lot shall not erect, affix to or allow to remain on any fence on such a lot any barbed wire or other material with spiked or jagged projections, without the approval of the local government.
- (3) An owner or occupier of an Industrial Lot shall not erect, affix or allow to remain on any fence bounding that lot any barbed wire or other materials with spiked or jagged projections unless the wire or other materials are carried on posts at an angle of 45 degrees, and unless the bottom row of wire or other materials is setback 150mm from the face of the fence and is not nearer than 2000mm from the ground level.
- (4) If the posts which carry the barbed wire or other materials referred to in subclause (3) are angled towards the outside of the lot bounded by the fence, the face of the fence must be set back from the lot boundary a sufficient distance to ensure that the angled posts, barbed wire or other materials do not encroach on adjoining land.
- (5) An owner or occupier of a lot shall not erect, affix or allow to remain as part of any fence or wall, whether internal or external on that lot, any broken glass.
- (6) An owner or occupier of a Rural Lot shall not erect, affix or allow to remain any barbed wire upon a fence on that lot where the fence is adjacent to a thoroughfare or other public place unless the barbed wire is fixed to the side of the fence posts furthest from the thoroughfare or other public place.

2.13 Electrified and razor wire fences

- (1) An owner or occupier of a lot, shall not—
 - (a) except on a rural lot, construct or use an electrified fence on that lot without the approval of the local government; or
 - (b) construct a fence wholly or partly of razor wire on that lot without the approval of the local government.

- (2) The local government shall not approve an application for the purpose of subclause (1)(a)—
 - (a) in respect of a lot which is or which abuts a residential lot;
 - (b) fence will comply with “AS/NZS 3016:2002 Electrical installations—Electricity security fences”; and
 - (c) unless provision is made so as to enable the fence to be rendered inoperable during the hours of business operations, if any, on the lot where it is erected.
- (3) The local government shall not approve an application for the purpose of subclause (1)(b)—
 - (a) if the fence is within 3,000 millimetres of the boundary of the lot; or
 - (b) where any razor wire used in the construction of the fence is less than 2,000 millimetres or more than 2,400 millimetres above the ground level.
- (4) An application for approval for the purpose of subclause (1) shall be made by the owner of the lot on which the fence is or is to be erected, or by the occupier of the lot with the written consent of the owner.
- (5) Where the local government approves an application made under this clause, it shall provide a licence to the applicant in the form of—
 - (a) Schedule 5, where an application is made under subclause (1)(a); or
 - (b) Schedule 6, where an application is made under subclause (1)(b).

2.14 Prohibited fencing materials

A person shall not affix or use broken glass in the construction of any fence.

Division 4—Tennis Court Fencing

2.15 Tennis court fencing

- (1) A person shall not erect a fence around or partly around a tennis court on a lot unless—
 - (a) the fence is not more than 3,600 millimetres in height;
 - (b) the whole of the fence is at least 900 millimetres from the boundary between the lot on which the tennis court is located and the adjoining lot; and
 - (c) the fence is fabricated from 2.5 millimetre poly-vinyl chloride coated or galvanised wire 50 millimetre link mesh, erected in accordance with the manufacturer’s specifications.
- (2) Subclause (1) does not apply to a fence erected with the approval of the local government.
- (3) In determining any application for approval for the purpose of subclause (2), where the fence will be less than 900 millimetres from the boundary between the lot on which the tennis court is located and the adjoining lot, the local government shall invite the owner of the adjoining lot to make submissions on the proposal, and the local government shall have regard to any such submissions in making its decision under clause 3.2.

Division 5—Estate Fencing

2.16 Estate fencing

- (1) A person shall not construct or erect an estate entry statement or estate boundary fence without the approval of the local government.
- (2) Where an estate entry statement or estate boundary fence is constructed and contains an estate name, the entry statement or estate boundary fence shall also depict the locality name in at least equal prominence.
- (3) An owner or occupier of a lot adjacent to an estate boundary fence shall, where that fence is damaged, dilapidated or in need of repair, cause it to be repaired or replaced with the same or similar materials with which it was first constructed, so as far as practicable the repaired or replaced section shall be the same as the original fence.

PART 3—APPROVALS

3.1 Application for approval

- (1) Where a person is required to obtain the approval of the local government under this local law, that person shall apply for approval in accordance with subclause (2).
- (2) An application for approval under this local law shall—
 - (a) be in the form determined by the local government;
 - (b) be signed by the applicant and the owner of the lot;
 - (c) provide the information required by the form; and
 - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under sections 6.16 to 6.19 of the Act.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for approval.
- (4) The local government may refuse to consider an application for approval which is not in accordance with subclauses (2) and (3).

3.2 Decision on application for approval

- (1) The local government may—
 - (a) approve an application for approval unconditionally or subject to any conditions; or
 - (b) refuse to approve an application for approval.

- (2) If the local government approves an application for approval, it is to issue to the applicant an approval in the form determined by the local government.
- (3) If the local government refuses to approve an application for approval, it is to give written notice of that refusal to the applicant.
- (4) Where a clause of this local law refers to conditions which may be imposed on an approval, or which are to be taken to be imposed on an approval, the clause does not limit the power of the local government to impose other conditions on the approval under subclause (1)(a).

3.3 Compliance with approval

Where an application for approval has been approved, the applicant and the owner and occupier of the lot to which the approval relates, shall comply with the terms and any conditions of that approval.

3.4 Transfer of approval

Unless otherwise stated in the form of approval, an approval granted under this local law runs with the lot to which it relates and may be relied upon by any subsequent occupier or owner of the lot and may be enforced against them, by the local government.

3.5 Duration of approval

Unless otherwise stated in the form of approval, an approval granted under this local law—

- (a) runs with the lot to which it relates;
- (b) may be relied upon by any subsequent occupier or owner of the lot; and
- (c) may be enforced by the local government against a subsequent occupier or owner of the lot.

PART 4—MISCELLANEOUS

4.1 False or misleading statement

A person shall not make a false or misleading statement in connection with any application, requirement or request under this local law.

PART 5—NOTICES OF BREACH

5.1 Notices of breach

- (1) Where a breach of any provision of this local law has occurred in relation to a fence on a lot, the local government may give a notice of breach in writing to the owner of that lot.
- (2) A notice of breach shall—
 - (a) specify the provision of this local law which has been breached;
 - (b) specify the particulars of the breach; and
 - (c) state that the owner is required to remedy the breach within the time specified in the notice.
- (3) An owner given a notice of breach shall comply with the terms of the notice and remedy the breach within the time specified in the notice.
- (4) Should an owner fail to comply with a notice of breach, the local government may by its employees, agents or contractors enter upon the lot to which the notice relates and remedy the breach, and may recover the expenses of so doing from the owner or occupier of the lot, as the case may be, in a court of competent jurisdiction.
- (5) The provision of this clause are subject to section 3.25 and item 12 of Division 1 of Schedule 3.1 of the Act and any power of entry exercised by the local government under this local law is subject to Part 3, Division 3 of the Act.

PART 6—OFFENCES

6.1 Offences and penalties

- (1) A person who fails to comply with a notice of breach commits an offence and is liable upon conviction to a penalty of not less than \$200 and not exceeding \$5,000 and, if the offence is a continuing offence, to a maximum daily penalty of \$500.
- (2) A person who fails to comply with or who contravenes any provision of this local law commits an offence and is liable on conviction to a penalty of not less than \$200 and not exceeding \$5,000 and, if the offence is a continuing offence, to a maximum daily penalty of \$500.

6.2 Modified penalties

- (1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.
- (2) The amount appearing in the final column of Schedule 1 directly opposite a prescribed offence in that Schedule is the modified penalty for that prescribed offence.
- (3) Before giving an infringement notice to a person in respect of the commission of a prescribed offence, an authorised person should be satisfied that—
 - (a) commission of the prescribed offence is a relatively minor matter; and
 - (b) only straightforward issues of law and fact are involved in determining whether the prescribed offence was committed, and the facts in issue are readily ascertainable.

6.3 Form of notices

For the purposes of this local law—

- (a) the form of the infringement notice referred to in sections 9.16 and 9.17 of the Act is to be in the form of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (b) the form of the withdrawal of infringement notice referred to in section 9.20 of the Act is to be in the form of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

PART 7—OBJECTIONS AND REVIEW**7.1 Objections and review**

When the local government makes a decision under clause 3.2, the provisions of Part 9 Division 1 of the Act and Regulation 33 of the *Local Government (Functions and General) Regulations 1996* apply to that decision.

Schedule 1**PRESCRIBED OFFENCES**

[Clause 6.2(2)]

Item No	Clause No.	Nature of offence	Modified penalties \$
1	2.1(1)	Erect a fence which is not a sufficient fence	250
2	2.2	Erect a fence greater than 1200mm in height within a front setback area of a residential lot without the written consent of the Council or Chief Executive Officer	250
3	2.3(a)	Erect a gate in a fence not opening into the lot	200
4	2.3(b)	Erect a gate in a fence not sliding parallel and inside a fence	200
5	2.7	Failure to maintain a fence in good condition to prevent the fence becoming dangerous, dilapidated or unsightly	250
6	2.8	Erect a fence without the required sight line truncation or height reduction	250
7	2.9	Erect or maintain a fence or obstruction of temporary or permanent nature across a right-of way, public access way or thoroughfare without approval	250
8	2.11	Construct a fence on a Residential, Commercial or Industrial Lot from pre-used materials without written approval	250
9	2.12	Erect a fence using barbed wire or material with spiked or jagged projections in the fence construction without approval	250
10	2.13	Construct, erect or use razor wire in a fence or electrify a fence without approval	250
11	2.14	Affix, or use, any broken glass in a fence	250
12	2.15	Erect tennis court fence higher than 3,600 millimeters without written approval	200
13	2.15	Erect tennis court fence less than 900 millimeters from boundary of adjoining lot without written approval	200
14	2.15(1)(C)	Without written approval, erect a fence that does not comply with wire or link mesh specifications detailed in clause 2.14(1)(C) and/or does not comply with the manufacture's specifications.	200
15	2.16	Construct or erect an estate entry statement or restate boundary fence without written approval of the local government	250
16	3.3	Failure to comply with terms or conditions of approval	250
17	6.1	Failure to comply with notice of breach	250

Schedule 2**SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT**

[clause 2.1(2)(a)]

Each of the identified categories in this Schedule is a sufficient fence on a Residential Lot and the fence design being certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170.0:2002 Structural design actions—General principles.

1. Categories A,B,C,D,E & F in this Schedule, with minimum and maximum specifications as stated, is a sufficient fence on a residential lot.
2. An application must be made to the local government for grant of consent to any variation to the specifications in this Schedule.
 - (a) Height: 1,800 millimetres except with respect to the front or rear setbacks; minimum height: subject to requirements and standards of local planning scheme.

Timber fence

- (a) corner posts to be 125mm x 125mm x 2400mm and intermediate posts to be 125mm x 75mm x 2400mm spaced at 2400mm centres;
- (b) corner posts to be strutted two ways with 100mm x 50mm x 450mm sole plates and 75mm x 50mm struts;
- (c) intermediate posts to be doubled yankee strutted with 150mm x 25mm x 450mm struts;
- (d) all posts to have tops with a 60mm weather cut and to be sunk at least 600mm into the ground;
- (e) rails to be 75mm x 50mm with each rail spanning 2 bays of fencing double railed or bolted to each post with joints staggered;
- (f) the fence to be covered with 75mm x 20mm sawn pickets, 1800mm in height placed 75mm apart and affixed securely to each rail; and
- (g) the height of the fence to be 1800mm except with respect to the front set back area for which there is no minimum height but which is subject to clause 2.2.

Corrugated fence

A fence constructed of corrugated fibre reinforced pressed cement or steel sheeting constructed to manufacturer's specifications or which satisfies the following specifications—

- (a) a minimum in-ground length of 25 per cent of the total length of the sheet, but in any case, shall have a minimum in-ground depth of 600mm;
- (b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement or steel sheet;
- (c) corrugated sheets to be lapped and capped with extruded “snap-fit” type capping in accordance with the manufacturer's written instructions; and
- (d) height: 1,800 millimetres except with respect to the front setback area; minimum height: subject to requirements and standards of local planning schemes.

Brick, stone or concrete fence

A fence constructed of brick, stone or concrete, which satisfies the following requirements and specifications—

- (a) a site classification is to be provided by a professional engineer in accordance with AS 2870-2011 Residential slabs and footings as amended;
- (b) the footing is to be designed in accordance with AS 2870-2011 Residential slabs and footings as amended;
- (c) footings of minimum 225mm x 150mm concrete 15MPa or 300mm x 175mm brick laid in cement mortar;
- (d) fences to be offset a minimum of 200mm at maximum 3000mm centres or 225mm x 100mm engaged piers to be provided at maximum 3000mm centres;
- (e) expansion joints in accordance with the manufacturer's written instructions; and
- (f) the height of the fence to be 1800mm except with respect to the front, side and rear set back area for which there is no minimum height but which is subject to clause 2.2.

Composite fence

A composite fence which satisfies the following specifications for the brick construction—

- (a) a site classification is to be provided by a professional engineer in accordance with AS2870-1996 as amended from time to time;
- (b) the footing is to be designed in accordance with AS2870-1996 as amended from time to time;
- (c) height: maximum overall height of 1,800 millimetres, except with respect to front, side and rear setback areas for which there is no minimum height but subject to requirements and standards of local planning scheme;
- (d) brick fence of height not exceeding 1,200 millimetres shall have brick piers of a minimum of 230 millimetres x 230 millimetres x 1,800 millimetres centres; bonded to a maximum height base wall of 514 millimetres; or, brick fence of height exceeding 1,200 millimetres shall have brick piers of a minimum of 230 millimetres x 230 millimetres x 1,800 millimetres centres; bonded to a maximum height base wall of 514 millimetres;

- (e) each pier shall be reinforced with, one R10 galvanised starting rod for 230 millimetres x 230 millimetres piers; and, two R10 galvanised starting rods for 345 millimetres x 345 millimetres piers, each rod being 1,500 millimetres high with a 250 millimetres horizontal leg bedded into the concrete footing; set 65 millimetres above the base of the footing and the top of the footing shall be 1 course (85 millimetres) below ground level;
- (f) cavity to brick piers to be filled with 20MPA concrete;
- (g) minimum ultimate strength of brickwork shall be 20 MPA, mortar shall be a mix of 1 part cement, 1 part lime and 6 parts sand;
- (h) the ground under the footings is to be compacted to 7 blows per 300 millimetres and checked with a standard falling weight penetrometer; and
- (i) control joints in brickwork shall be provided at piers at a maximum of 6 metre centres.

Brick fence with base wall

A brick fence which satisfies the following specifications for the brick construction—

- (a) height not exceeding 1,200 millimetres having brick piers of a minimum of 230 millimetres x 230 millimetres x 2,700 millimetres centres bonded to the base wall; and each pier shall be reinforced with one R10 galvanised starting rod as previously specified; or
- (b) height exceeding 1,200 millimetres having brick piers of a minimum 345 millimetres x 345 millimetres x 2,700 millimetres centres bonded to base wall; and each pier shall be reinforced with two R10 galvanised starting rods as previously specified.

Brick fence with no base wall

A brick fence, which satisfies the following specifications for the brick construction—

- (a) height not exceeding 1,200 millimetres having brick piers with a minimum of 230 millimetres x 230 millimetres x 2,700 millimetres centres with no brick base wall; and, each pier shall be reinforced with one R10 galvanised starting rod as previously specified; or
- (b) height exceeding 1,200 millimetres having brick piers with a minimum of 345 millimetres x 345 millimetres x 2,700 millimetres centres with no brick base wall; and, each pier shall be reinforced with two R10 galvanised starting rods as previously specified

Schedule 3

TOWN CENTRE LOT

[Clause 2.1(2)(b)]

Specifications for a sufficient fence on a town centre lot

1. Each of the identified categories in this Schedule or Schedule 2, with minimum and maximum specifications where stated, is a sufficient fence on a town centre lot.
2. An application must be made to the local government for grant of consent to any variation to the specifications in this Schedule.

(A) Galvanised or PVC fence and gate

A fence constructed of galvanised or PVC coated non-rail link mesh, chain mesh or steel mesh, which satisfies the following specifications—

- (a) corner posts to be minimum 50 millimetres nominal bore x 3.5 millimetres, footings of a 225 millimetres diameter x 900 millimetres;
- (b) intermediate posts to be minimum 37 millimetres nominal bore x 3.15 millimetres; maximum 3,500 millimetres centres; and footings of 225 millimetres diameter x 600 millimetres;
- (c) struts to be minimum 30 millimetres nominal bore x 3.15 millimetres fitted at each gate; 2 at each corner post; and footings 225 millimetres x 600 millimetres;
- (d) cables to be affixed to the top centre and bottom of all posts; and consists of 2 or more 3.15 millimetres wires twisted together; or single 4 millimetres wire;
- (e) non-rail link, chain or steel mesh is to be a height of 2,000 millimetres on top; and 3 strands of barbed wire carrying the fence to a height of 2,400 millimetres in accordance with the requirements and standards of the local planning scheme;
- (f) galvanised link mesh wire to be 2,000 millimetres in height; constructed of 50 millimetres mesh, 2.5 millimetres galvanised iron wire; and to be strained, neatly secured and laced to the posts and affixed to cables;
- (g) vehicle entry gates shall provide an opening not less than 3,600 millimetres and be constructed of 25 millimetres tubular framework; one horizontal and one vertical stay constructed of 20 millimetres piping; and shall be covered with 50 millimetres x 2.5 millimetres galvanised link mesh strained to framework; and
- (h) gates shall be fixed with a drop bolt and locking attachment.

(B) Other fences which satisfy the following specifications—

- (a) a fence of cement sheet or steel-sheeting construction to the minimum specifications referred to in Schedule 2 and no greater than 2,000 millimetres in height; or

- (b) a fence constructed of aluminium sheeting when supported on posts and rails provided that it is used behind a building line and no greater than 2,000 millimetres in height; or
- (c) a fence of timber, brick, stone or concrete constructed to the minimum specifications referred to in Schedule 2 and no greater than 2,000 millimetres in height; and
- (d) gates shall be fixed with a drop bolt and locking attachment.
- (c) a fence of timber, brick, stone or concrete constructed to the minimum specifications referred to in Schedule 2.

Schedule 3A
INDUSTRIAL LOT

[Clause 2.1(2)(c)]

Specifications for a sufficient fence on an industrial lot

1. Each of the identified categories in this Schedule, with minimum and maximum specifications where stated, is a sufficient fence on an industrial lot.
2. An application must be made to the local government for grant of consent to any variation to the specifications in this Schedule.

(A) Galvanised or PVC fence and gate

A fence constructed of galvanised or PVC coated non-rail link mesh, chain mesh or steel mesh, which satisfies the following specifications—

- (a) maximum height 2,400 millimetres;
- (b) corner posts to be minimum 50 millimetres nominal bore x 3.5 millimetres footings of a 225 millimetres diameter x 900 millimetres;
- (c) intermediate posts to be minimum 37 millimetres nominal bore x 3.15 millimetres; maximum 3,500 millimetres centres; and footings of 225 millimetres diameter x 600 millimetres;
- (d) struts to be minimum 30 millimetres nominal bore x 3.15 millimetres fitted at each gate; 2 at each corner post; and footings 225 millimetres x 600 millimetres;
- (e) cables to be affixed to the top centre and bottom of all posts; and consists of 2 or more 3.15 millimetres wires twisted together; or single 4 millimetres wire;
- (f) non-rail link, chain or steel mesh is to be a height of 2,000 millimetres on top; and 3 strands of barbed wire carrying the fence to a height of 2,400 millimetres in accordance with requirements and standards of local planning scheme;
- (g) galvanised link mesh wire to be 2,000 millimetres in height; constructed of 50 millimetres mesh 2.5 millimetres galvanised iron wire; and to be strained, neatly secured and laced to the posts and affixed to cables;
- (h) vehicle entry gates shall provide an opening not less than 3,600 millimetres constructed of 25 millimetres tubular framework;
- (i) one horizontal and one vertical stay constructed of 20 millimetres piping; and shall be covered with 50 millimetres x 2.5 millimetres galvanised link mesh strained to framework; and
- (j) gates shall be fixed with a drop bolt and locking attachment.

(B) Other fences which satisfy the following specifications—

- (a) a fence of cement sheet or steel-sheeting construction to the minimum specifications referred in Schedule 2, of a minimum height of 1,800 millimetres but no greater than 2,400 millimetres;
 - (b) a fence constructed of aluminium sheeting when supported on posts and rails provided that it is used behind a building line and is of a minimum height of 1,800 millimetres but no greater than 2,400 millimetres; or
 - (c) a fence of timber, brick, stone or concrete constructed to the minimum specifications referred to in Schedule 2 of a minimum height of 1,800 millimetres but no greater than 2,400 millimetre; and
 - (d) gates shall be fixed with a drop bolt and locking attachment.
-

Schedule 4**SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RURAL LOT OR SPECIAL RURAL LOT**

[clause 2.1(2)(e)]

Specifications for a sufficient fence on a rural lot

1. Each of the identified categories in this Schedule, with minimum and maximum specifications where stated, is a sufficient fence on a Rural Lot or a Special Rural Lot and the fence design being certified by a practicing structural engineer as being suitable for wind loadings found in Region D Category 2 areas in accordance with the current edition of AS/NZS 1170.0:2002 Structural design actions—General principles.
2. An application must be made to the local government for grant of consent to any variation to the specifications in this Schedule.

Non-electrified fence

- (a) wire shall be high tensile wire and not less than 2.5mm;
- (b) minimum of 5 wires shall be used, generally with the lower wires spaced closer together than the higher wires so as to prevent smaller stock passing through, and connected to posts in all cases.
- (b) posts shall be of indigenous timber or other suitable material including—
 - (i) timber impregnated with a termite and fungicidal preservative;
 - (ii) standard iron star pickets; or
 - (iii) concrete;
- (e) posts are to be placed at not more than 5,000 millimetres intervals, set minimum 600 millimetres in the ground and 1,200 millimetres above the ground;
- (f) if timber posts are used, posts are to be cut not less than 1,800 millimetres long x 50 millimetres diameter at small end if round, or 125 millimetres x 60 millimetres if split or sawn;
- (g) if strainer posts are to be not less than 2,250 millimetres long and 150 millimetres in diameter at the small end (tubular steel to be 50 millimetres in diameter) these strainer posts shall be placed a minimum of 1,000 millimetres in the ground and set at all corners, gateways and fence line angles but are not to exceed 200 metres apart; and
- (h) barbed wire may be used to replace a maximum of 2 wires. Where a fence adjoins a thoroughfare barbed wire is to be affixed to the inside of the fence if barbed wire has been used.

Electrified fence

An electrified fence having 4 wires is a sufficient fence if constructed generally in accordance with a non-electrified fence.

Schedule 4A**RURAL RESIDENTIAL LOT**

[Clause 2.1(2)(e)]

Specifications for a sufficient fence on a rural residential lot

A sufficient fence on a rural residential lot is a fence as provided in Schedule 4, except an electric fence is not permitted unless approved by the local government.

Schedule 5**LICENCE FOR APPROVED ELECTRIFIED FENCE**

[clause 2.13(1)(a)]

This is to certify that

Name: _____

of Address: _____

is licensed, subject to the conditions set out below, to have and use an electrified fence on

(address)

from _____ 20 _____ and until this licence is transferred or cancelled.

Dated this _____ day of _____ 20 _____

Chief Executive Officer,
Shire of Kellerberrin.

Conditions of Licence—

The holder of the licence must—

- (a) display the licence in a prominent position on the land or premises on which the electrified fence has been erected;
- (b) upon the request of a Building Surveyor produce to him or her the licence;
- (c) within 14 days of a change in the ownership or occupation of the land or premises in respect of which the licence has been granted, notify the Chief Executive Officer in writing of the details of that change or those changes;
- (d) obtain the written consent of the local government prior to the commencement of any alteration, addition or other work relating to or affecting the electrified fence; and
- (e) comply with AS/NZS 3016:2002 Electrical installations—Electric security fences.

Transfer by Endorsement

This licence is transferred to

Name: _____

of Address: _____

from and including the date of this endorsement.

Dated this _____ day of _____ 20_____

Chief Executive Officer,
Shire of Kellerberrin.

Schedule 6**LICENCE FOR APPROVED RAZOR WIRE FENCE**

[clause 2.12(1)(b)]

This is to certify that

Name: _____

of Address: _____

is licensed, subject to the conditions set out below, to have a fence constructed wholly or partially of razor wire at—

of Address: _____

From _____ 20__ and until this licence is transferred or cancelled.

Dated this _____ day of _____ 20_____

Chief Executive Officer,
Shire of Kellerberrin.

Conditions of licence—

- (a) display the licence in a prominent position on the land or premises on which the fence has been erected;
- (b) upon the request of a Building Surveyor produce to him or her the licence;
- (c) within 14 days of a change in the ownership or occupation of the land or premises in respect of which the licence has been granted, notify the Chief Executive Officer in writing of the details of that change or those changes; and
- (d) obtain the written consent of the local government prior to the commencement of any alteration, addition or other work relating to or affecting the fence.

Transfer by Endorsement

This licence is transferred to

Name: _____

of Address: _____

from and including the date of this endorsement.

Dated this _____ day of _____ 20_____

Chief Executive Officer,
Shire of Kellerberrin

Dated 15 September 2026.

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

MATTHEW STEBER, Shire President.
RAYMOND GRIFFITHS, Chief Executive Officer.

LG501

BUSH FIRES ACT 1954*City of Perth***FIREBREAK AND FUEL HAZARD REDUCTION NOTICE 2026/2027****Notice to all owners and/or occupiers of land within the City of Perth**

Pursuant to the powers contained in Section 33 of the *Bush Fires Act 1954* (the Act), you are hereby given notice to, on or before 31st October 2026 or within 14 days of becoming the owner or occupier after the 31st October 2026 and thereafter up to and including 30th April 2027, remove inflammable matter from the land owned or occupied by you, in accordance with the following requirements—

1. All land which is 2000m² or less in area—
Remove inflammable matter from the whole of the land, except living trees, shrubs and 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 City of Perth—
 - (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 of this Firebreak Notice (Notice) the City of Perth (the City) may, by notice in writing require an owner 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 the City is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire (Section 33(1)(b) of the Act).

Where the owner or occupier of the land fails or neglects to comply with the requisitions of this Notice within the time specified, the City may, enter upon the land and carry out the requisitions of this Notice which have not been complied with (Section 33(4) of the Act). The amount of any costs and expenses incurred by the City may be recovered from you as the owner or occupier of the land (Section 33(5) of the Act).

By order of the City of Perth,

MARIA COOKE, A/Chief Executive Officer.

LG502

BUSH FIRES ACT 1954*City of Subiaco***FIREBREAK NOTICE 2026-2027**

Notice to all owners and/or occupiers of land within the City of Subiaco.

Pursuant to the powers contained in Section 33 of the *Bush Fires Act 1954*, you are required on or before 1 November 2026, or within fourteen (14) days of becoming the owner or occupier after 1 November 2026, and thereafter up to and including 31 March 2027, to remove from the land owned or occupied by you all inflammable matter from the whole of the land except living trees, shrubs and plants under cultivation and lawns, by means of ploughing, cultivating or slashing to a height of no more than 50mm.

If for any reason an owner and/or occupier consider it impractical to clear the land or to comply with other fire protection measures in accordance with this notice, the owner and/or occupier may apply in writing to the City no later than 31 October 2026 for a variation. If permission is not granted in writing by the City or its authorised officer, the owner and/or occupier must comply with the requirements of this notice.

The penalty for failing to comply with this notice is a fine up to \$5,000 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.

APPOINTMENTS

It is hereby notified that the following persons are appointed as City of Subiaco Bush Fire Control Officers under the *Bush Fires Act 1954*, Part IV Division 1 Section 38.

Chief Bush Fire Control Officer—Dean Bradshaw—Coordinator Compliance Services

Deputy Chief Bush Fire Control Officer—Andrew Haynes—Senior Ranger

Bush Fire Control Officers—All City of Subiaco Rangers

All previous appointments are cancelled.

COLIN CAMERON, Chief Executive Officer.

LG503

BUSH FIRES ACT 1954*City of Melville***FIRE BREAK AND HAZARD REDUCTION NOTICE 2026-2027**

Notice to all owners and / or occupiers of land situated in the City of Melville

Purpose

This Notice helps reduce the risk of bush fire across the City of Melville and supports the safety of residents, properties and the broader community. It explains the fire prevention work that owners and occupiers must complete and maintain during the Firebreak Period.

What you need to do

Check which property category applies to your land, complete the required fire prevention works by 1 November 2026, and keep those works maintained until 30 April 2027. If you become the owner or occupier after 1 November 2026, you must complete the required works within 14 days.

Notice is hereby given that, pursuant to section 33 of the *Bush Fires Act 1954*, all owners and occupiers of land situated within the City of Melville are required to carry out the fire prevention works specified in this Notice on or before 1 November 2026, or within 14 days of becoming the owner or occupier of land after that date, and to maintain those works up to and including 30 April 2027.

Definitions relevant to this notice

Term	Definition
Authorised Officer	A person appointed by the City of Melville Chief Executive Officer as an authorised person/officer to exercise the powers and duties set out in the <i>Local Government Act 1995</i> , <i>Bush Fires Act 1954</i> and Local Law(s).
Inflammable Matter	Any dead or dry grass, vegetation, substance, object, thing or material that may catch fire and burn, or is likely to catch fire and burn, excluding living trees, shrubs, plants under cultivation and maintained lawns. For the purposes of this Notice, inflammable matter also includes any other material or thing on the land that, in the opinion of the City or its Authorised Officer, is or is likely to be conducive to the outbreak, spread or extension of a bush fire.
Firebreak Period	The period of each year where fire hazard reduction works must be maintained as specified in this Fire Break and Hazard Reduction Notice. This period is 1 November of each year until and including 30 April of the following year.

Property Category 1: If your property is 1,500 square metres or smaller, or is zoned “Residential”

You must—

- A. clear and remove all inflammable matter from the whole of the land, except living trees, shrubs, plants under cultivation and lawns;
- B. keep living lawns trimmed to a height of 50mm or less during the Firebreak Period.

Property Category 2: If your property is larger than 1,500 square metres, or is not zoned “Residential”

You must—

- A. clear firebreaks at least 3 metres wide, with a minimum vertical clearance of 4 metres, inside all external boundaries of the land;
- B. clear firebreaks at least 5 metres wide, with a minimum vertical clearance of 3 metres, around all buildings on the land; and
- C. if the land is larger than 10 hectares, clear firebreaks at least 5 metres wide so that no area of land within the firebreak exceeds 10 hectares.

Requirements that apply to all properties

In addition to the requirements for your property category, all owners and occupiers must also—

- A. ensure any required firebreaks are cleared to the satisfaction of the City’s Authorised Officer; and
- B. ensure the roofs, gutters and walls of all buildings on the land are free of inflammable matter.

Additional works the City may require

In addition to the requirements of this Notice, the City or its Authorised Officer may, by notice in writing, require an owner or occupier to complete the actions specified in that notice with respect to anything on the land which, in the opinion of the City or its Authorised Officer, is or is likely to be conducive to the outbreak, spread or extension of a bush fire.

Fire Break and Hazard Reduction Notice Variation

The City recognises that some properties may need an alternative approach to meet the intent of this Notice. If an owner or occupier considers it impractical to clear firebreaks or comply with other fire protection measures in accordance with this Notice, the owner or occupier may apply in writing to the City's Authorised Officer, no later than 15 October 2026, for approval to vary the requirements. The owner or occupier must continue to comply with this Notice until the City provides written approval for a variation.

Owners and occupiers are encouraged to contact the City as early as possible if they are unsure about the requirements or believe a variation may be needed.

If you do not comply with this Notice

The City's preference is for owners and occupiers to complete the required works voluntarily and to seek advice early if they need help understanding or meeting the requirements.

An owner or occupier who fails or neglects to comply with this Notice commits an offence under section 33 of the *Bush Fires Act 1954* and is liable to a penalty of up to \$5,000. If an owner or occupier fails to comply with this Notice, the City may arrange for the required work to be carried out and recover the costs of that work from the owner or occupier, whether or not prosecution is commenced.

If you engage a contractor to complete works on your behalf, you remain responsible for ensuring the work meets the requirements of this Notice.

Need help?

If you are unsure which requirements apply to your property, or need to discuss a possible variation, please contact the City of Melville as early as possible and before the relevant deadline.

GAIL BOWMAN, Chief Executive Officer.

LG504**BUSH FIRES ACT 1954***City of Kwinana***FIRE HAZARD COMPLIANCE NOTICE 2026/2027**

Pursuant to section 33 of the *Bush Fires Act 1954*, the City of Kwinana hereby gives notice to all owners and occupiers of land within the district of the City of Kwinana that they are required to complete the following fire prevention measures before 1 December 2026 and maintain compliance until 31 May 2027 inclusive.

Failure to comply with this Notice is an offence under section 33(3) of the *Bush Fires Act 1954* and may result in a fine of up to \$5,000 on conviction. Where an owner or occupier fails to comply with this Notice, the City of Kwinana may enter the land to undertake the required works and recover all associated costs from the owner or occupier in accordance with section 33(4) of the Act.

LAND OF 1,500m² OR LESS (0.15ha)

The owner or occupier shall—

- (a) Reduce and maintain all dead flammable material on the ground across the entire property to a fuel load below eight (8) tonnes per hectare;
- (b) Ensure all long grass and weeds are slashed, mowed or trimmed to a height not exceeding 50mm across the entire property;
- (c) Maintain all driveways and access ways to buildings at a minimum width of three (3) metres and a minimum vertical clearance of four (4) metres; and
- (d) Ensure gutters, roofs and walls of all buildings are free of flammable matter.

LAND OF MORE THAN 1,501m² (0.15ha) BUT NOT MORE THAN 3,500m² (0.35ha)

The owner or occupier shall—

- (a) Maintain defensible space by ensuring that, within three (3) metres of any wall or supporting post of a habitable building, the area is free of flammable vegetation and overhanging branches;
- (b) Reduce and maintain all dead flammable material on the ground across the entire property to a fuel load below eight (8) tonnes per hectare;
- (c) Ensure all long grass and weeds are slashed, mowed or trimmed to a height not exceeding 50mm across the entire property;
- (d) Maintain all driveways and access ways to buildings at a minimum width of three (3) metres and a minimum vertical clearance of four (4) metres; and
- (e) Ensure gutters, roofs and walls of all buildings are free of flammable matter.

LAND OF MORE THAN 3,501m² (0.35ha)

The owner or occupier shall—

- (a) Install and maintain firebreaks in accordance with the specifications contained within this Notice;
- (b) Maintain an Asset Protection Zone around all habitable buildings in accordance with this Notice;
- (c) Ensure all long grass and weeds are slashed, mowed or trimmed to a height not exceeding 50mm across the entire property;
- (d) Maintain all driveways and access ways to buildings at a minimum width of three (3) metres and a minimum vertical clearance of four (4) metres; and
- (e) Ensure gutters, roofs and walls of all buildings are free of flammable matter.

ASSET PROTECTION ZONES

For properties not subject to an approved Bushfire Management Plan, the owner or occupier shall ensure—

- (a) Fuel load within the inner 10 metres of a habitable building does not exceed two (2) tonnes per hectare;
- (b) Fuel load within 10 metres to 20 metres of a habitable building does not exceed eight (8) tonnes per hectare;
- (c) Trees exceeding five (5) metres in height within the 20-metre zone are under-pruned to a height of two (2) metres; and
- (d) Trees and shrubs located between three (3) metres and twenty (20) metres from a habitable building shall be maintained to minimise fire intensity and prevent direct flame contact with the building.

Properties subject to an approved Bushfire Management Plan shall comply with the requirements of that Plan and any additional requirements of this Notice unless otherwise approved by the City.

FIREBREAK SPECIFICATIONS

Firebreaks shall—

- (a) Consist of a strip of mineral earth free of flammable material;
- (b) Be a minimum of three (3) metres wide and four (4) metres high;
- (c) Be located as close as practicable inside and along all boundaries of the land;
- (d) Have corners and intersections that permit the safe passage of a four-wheel drive fire appliance.
- (e) Be trafficable by a four-wheel drive vehicle;
- (f) Be clear of obstructions; and
- (g) Not terminate in a dead end.

Maintained green lawn may be used in lieu of a mineral earth firebreak, provided the lawn is maintained in a condition that minimises fire risk and complies with all firebreak width, vertical clearance, access and trafficability requirements specified in this Notice.

ADDITIONAL WORKS

Where the City of Kwinana determines that anything upon the land is, or is likely to be, conducive to the outbreak, spread or extension of a bush fire, the City may issue a further written notice pursuant to section 33(1)(b) of the *Bush Fires Act 1954* specifying any additional works required and the timeframe for compliance.

VARIATIONS

Where it is impracticable to comply with the firebreak requirements specified in this Notice, the owner or occupier may apply to vary the location and/or type of firebreak by completing and applying to Vary Location and Type of Firebreaks. The submission of an application does not vary the requirements of this Notice, nor extend any compliance period, unless otherwise approved in writing by the City of Kwinana.

Applications must be submitted to—

Chief Bush Fire Control Officer

City of Kwinana

Email: customer@kwinana.wa.gov.au

Applications should be submitted no later than 31 October 2026 to allow sufficient time for assessment prior to the compliance date.

INSPECTIONS

Property inspections may commence on and from 1 December 2026 to verify compliance with this Notice.

WAYNE JACK, Chief Executive Officer, City of Kwinana.

MINERALS AND PETROLEUM

MP401**MINING ACT 1978**
NOTICE OF FORFEITURE

Department of Mines, Petroleum and Exploration,
East Perth WA 6004.

I hereby declare in accordance with the provisions of sections 96A and 97 of the *Mining Act 1978* that the undermentioned mining tenements are forfeited for failure to comply with statutory requirements being failure to pay annual rent.

TYLER SUJDOVIC, A/Deputy Director General,
Resource and Environmental Compliance Division.

Tenement	Holder	Mineral Field
	<i>Exploration Licence</i>	
E28/2704	Classic Minerals Limited AND IGO Newsearch Pty Ltd	Kanowna
E28/2705	Classic Minerals Limited AND IGO Newsearch Pty Ltd	Kanowna

MP402**MINING ACT 1978**
NOTICE OF FORFEITURE

Department of Mines, Petroleum and Exploration,
East Perth WA 6004.

I hereby declare in accordance with the provisions of sections 96A and 97 of the *Mining Act 1978* that the undermentioned mining tenements are forfeited for failure to comply with statutory requirements being failure to pay annual rent.

TYLER SUJDOVIC, A/Deputy Director General,
Resource and Environmental Compliance Division.

Tenement	Holder	Mineral Field
	<i>Exploration Licence</i>	
E38/3763	Formidable Resources Pty Ltd	Mt Margaret
E70/6559	AEMCO Pty Ltd	South West

MP403**MINING ACT 1978**
NOTICE OF FORFEITURE

Department of Mines, Petroleum and Exploration,
East Perth WA 6004.

I hereby declare in accordance with the provisions of sections 96A and 97 of the *Mining Act 1978* that the undermentioned mining tenements are forfeited for failure to comply with statutory requirements being failure to pay annual rent.

This notice comes into operation at 12:00 midday on the day of publication.

TYLER SUJDOVIC, A/Deputy Director General,
Resource and Environmental Compliance Division.

Tenement	Holder	Mineral Field
	<i>Mining Lease</i>	
M45/84	Hinds, Colin Wayne	Marble Bar

MP404

MINING ACT 1978
NOTICE OF INTENTION TO FORFEIT

Department of Mines, Petroleum and Exploration,
Perth WA 6000.

In accordance with Regulation 50 of the *Mining Regulations 1981*, notice is hereby given that unless the outstanding royalty payment due on the under mentioned leases is paid on or before Tuesday, 6 October 2026 or a written submission is made by that date to the Minister responsible for the *Mining Act 1978* to consider, it is the intention of the Minister under the provisions of Section 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant by the holder of the under mentioned leases for failure to comply with the royalty provisions in accordance with Regulation 86A.

DIRECTOR GENERAL.

Number	Holder	Mineral Field
	<i>Mining Lease</i>	
M 15/1549	Lunnon Metals Limited	Coolgardie
M 15/1553	Lunnon Metals Limited	Coolgardie

PARLIAMENT

PA401

PARLIAMENT OF WESTERN AUSTRALIA
ROYAL ASSENT TO BILLS

It is hereby notified for public information that the Governor has Assented in the name and on behalf of His Majesty the King, on the date shown, to the undermentioned Act passed by the Legislative Council and the Legislative Assembly during the First Session of the Forty Second Parliament.

Title of Act	Date of Assent	Act No.
Land Forces Event (Special Powers) Act 2026	16 September 2026	15 of 2026

Dated 17 September 2026.

SAM HASTINGS, Clerk of the Parliaments.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Mukinbudin
Local Planning Scheme No. 4 Amendment No. 3

File: TPS/3228

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 abovementioned amendment to the Shire of Mukinbudin Local Planning Scheme No. 4 on 2 February 2026 for the purpose of—

- (a) Creating a new zone ‘Urban Development’ by
 - i. Adding a new dot point to clause 3.2 Objectives of the Zones as follows—
 - ‘Urban Development Zone
 - To provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.
 - To provide for a range of residential densities to encourage a variety of residential accommodation.
 - To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.

ii. Inserting a new column in Table 1—Zoning Table as follows—

USES	URBAN DEVELOPMENT
aged or dependent persons dwelling agriculture—extensive agriculture—intensive ancillary accommodation anillary tourist use animal establishment animal husbandry—intensive aquaculture caretaker's dwelling club premises educational establishment fuel depot grouped dwelling home business hotel industry—extractive Industry—general industry—light industry—rural motel motor vehicle, boat or caravan sales motor vehicle repair office place of worship plant nursery residential building restaurant rural pursuit service station shop single house transport depot transported building veterinary centre workers accommodation	Development in accordance with the approved Structure Plan

iii. Adding a new clause to Part 4—General Development Requirements as follows—

4.19 URBAN DEVELOPMENT ZONE

Subdivision of land within the Urban Development zone shall generally be in accordance with an approved structure plan.

- (b) Rezone Lot 91, Bent Street, Mukinbudin, from 'Rural' to 'Urban Development'.
- (c) Rezone Lots 66 and 66 Bent Street, Mukinbudin, from 'Road' to 'Urban Development'.
- (d) Rezone portion of Lot 90 Koorda-Bullfince Road, Mukinbudin, from 'Rural' to 'Town Centre', and
- (e) Amend the Scheme Map accordingly.

G. SHADBOLT, President.
T. MCLENNAN, Chief Executive Officer.

PL402**PLANNING AND DEVELOPMENT ACT 2005****DECLARATION OF PLANNING CONTROL AREA 196**

Scarborough Beach Road (Hinderwell Street to Odin Road and King Edward Road to Main Street)

REVOCATION OF PLANNING CONTROL AREA 166

Scarborough Beach Road (Hinderwell Street to Odin Road and King Edward Road to Main Street)

Cities of Stirling and Vincent

File: RLS/1222, RLS/0979

General Description

The Minister for Planning and Lands has granted approval for the declaration of Planning Control Area 196—Scarborough Beach Road (Hinderwell Street to Odin Road and King Edward Road to Main Street), as shown on Western Australian Planning Commission (WAPC) plans numbered 1.8287, 1.8288, 1.8289, 1.8290, 1.8291, 1.8292, 1.8293, 1.8294 and 1.8295.

Notice is hereby given that the Minister for Planning and Lands has approved the revocation of Planning Control Area 166, pursuant to section 113 of the *Planning and Development Act 2005*. The land requirements associated with this land are outlined in and protected by the above declared Planning Control Area 196.

Purpose of the Planning Control Area

Planning Control Area 196 is intended to protect land required for the future widening and upgrade of Scarborough Beach Road (Hinderwell Street to Odin Road, King Edward Road to Main Street).

The WAPC considers that the planning control area is required over the properties to ensure that no development occurs on the land which might prejudice this purpose until it may be reserved for Primary Regional Roads purposes in the Metropolitan Region Scheme.

Duration and Effects

The declaration remains in effect for a period of five years from the date of publication of this notice in the *Government Gazette*, being, or until revoked by the WAPC with approval by the Minister, whichever is sooner.

The revocation of Planning Control Area 166 is effective on and from the date of this notice in the *Government Gazette*.

A person shall not commence and carry out development in a planning control area without the prior approval of the WAPC. The penalty for failure to comply with this requirement is \$200,000 and, in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.

Compensation is payable in respect of land injuriously affected by this declaration and land so affected may be acquired by the WAPC in the same circumstances and in the same manner as if the land had been reserved in the Metropolitan Region Scheme for a public purpose.

Display Locations

Documents can be viewed online at the Department of Planning, Lands and Heritage's website at <https://www.wa.gov.au/government/document-collections/planning-control-areas>.

Ms SAM BOUCHER, Secretary, Western Australian Planning Commission.

PUBLIC NOTICES

ZZ401**TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

In the matter of the Estate of Fanny Fay Staras, late of Unit 15, 39 Hertha Road, Innaloo, Western Australia, deceased.

Creditors and other persons having claims to which Section 63 of the *Trustees Act 1962* relate in respect of the Estate of the deceased, who died on the 11th day of April 2026, are required by the Executor, Mary Dimitriou to send the particulars of their claim to Messrs Taylor Smart of Unit 18, Level 2, 100 Railway Road, Subiaco in the State of Western Australia, by the 22nd day of October 2026, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which they then have had notice.

Dated the 10th day of September 2026.

GLEN B GILES, Taylor Smart.

ZZ402

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of Douglas Gordon Heatley late of 63 Warnbro Sound Avenue, Warnbro in Western Australia, Florist Delivery Worker, 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 22 June 2026, are required by the Executor of care of Fort Knox Legal, PO Box 390, West Perth WA 6872, to send the particulars of their claims to Fort Knox Legal by one month from the publication of this notice after which date the Personal Representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ403

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Patricia Ann O'Byrne, late of 3 Kanimbla Road, Nedlands, Western Australia, 6009 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 April 2026, are required by the Executors, Susan Taylor and Joseph John Peczka, care of Cornerstone Partners, 255 Hay Street, Subiaco, Western Australia, 6008 to send particulars of their claims to them within one (1) month from the date of this publication, after which date the Executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZZ404

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Caterina Maria Vocisano (also known as Caterina Vocisano), late of 155 Odin Road, Innaloo, in the State of Western Australia, Pensioner, 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 the 16th day of July 2026, are required by the Executor and Trustee, being Ms Maria Antonia Barbaro, of care of Mort & Associates, PO Box 20, Cannington, WA, 6987, to send particulars of their claims to her at Mort & Associates of PO Box 20, Cannington, WA, 6987, by the date being one month following the date of publication of this notice, after which date the Executor and Trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

MORT & ASSOCIATES as solicitor for the Executor and Trustee.

ZZ405

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Deceased Estate of Jocelyn Dorothy Ellen Scott, late of 24 Yanagin Crescent, City Beach, WA 6015.

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 06/11/2024, are required by the Executors, Neil Temple Scott of 74 Wandi Drive, Wandi WA 6167, and Scott William Ocean of 25 O'Connor Close, North Coogee, WA to send particulars of their claims to them within 45 days of the 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.

Particulars may be emailed to jk@kitto.legal or by mail to Kitto Legal, Box 2002 Claremont North LPO Western Australia, on behalf of the Executors.

ZZ501**DISPOSAL OF UNCOLLECTED GOODS ACT 1970**

NOTICE OF INTENTION TO SELL

Manheim Pty Ltd of **81 Grogan Rd, Perth Airport WA 6105** intends to sell the following vehicles under the *Disposal of Uncollected Goods Act 1970*. Owners of the vehicles have been sent notices that state that they are ready for collection. If said owners do not make arrangements for payment within 28 days from now they will be disposed of to settle any outstanding debt.

Make	Model Desc	Registration No.	VIN
Hyundai	Getz	1CFX528	KMHBT51BR6U536655
