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Gazette**

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**CONTENTS**

**PART 1**

Transport Co-ordination (Part III Exemptions) Order 2016.....	Page 2879
---	--------------

**PART 2**

Agriculture and Food.....	2884
Deceased Estates .....	2893
Health.....	2886
Justice.....	2887
Local Government.....	2887
Marine/Maritime.....	2889
Minerals and Petroleum .....	2890
Planning .....	2890

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# — PART 1 —

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## TRANSPORT

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TN301\*

Transport Co-ordination Act 1966

### Transport Co-ordination (Part III Exemptions) Order 2016

Made by the Minister under section 19 of the Act.

#### Part 1 — Preliminary matters

**1. Citation**

This order is the *Transport Co-ordination (Part III Exemptions) Order 2016*.

**2. Commencement**

This order comes into operation as follows —

- (a) Part 1 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on the day after that day.

**3. Term used: Act**

In this order —

*Act* means the *Transport Co-ordination Act 1966*.

#### Part 2 — Road vehicles

**4. School buses**

- (1) In this clause —

*school* has the meaning given in the *School Education Act 1999* section 4;

*student* has the meaning given in the *School Education Act 1999* section 4.

- (2) An omnibus is exempt from Part III of the Act if —

- (a) it is equipped to carry more than 8 people; and

- (b) it is being operated solely to carry students, with or without adults who are responsible for them, to or from —
  - (i) a school; or
  - (ii) some other place where students enrolled at a school attend for an event or activity approved by the school.

#### **5. Vehicles carrying farm stay guests**

A vehicle being operated on a road is exempt from Part III of the Act if —

- (a) it is not equipped to carry more than 7 people; and
- (b) it is owned, or is operated by or on behalf of, the owner or manager of a farm on which there is accommodation available to the public for hire or reward; and
- (c) it is being operated to carry passengers or their baggage or both between the farm and the nearest town or place that is serviced by public transport.

#### **6. Vehicles carrying airline passengers or baggage**

A vehicle being operated on a road is exempt from Part III of the Act if it is owned by or operated by or on behalf of the operator of an airline and the vehicle is being operated to carry the airline's passengers or their baggage or both —

- (a) between an airport and the nearest town by road; or
- (b) for the purposes of doing by road a journey that was to have been by air but for circumstances beyond the control of the airline such as a breakdown of the aircraft or adverse weather.

#### **7. Commercial goods vehicles**

- (1) Every commercial goods vehicle is exempt from Part III of the Act.
- (2) Subclause (1) does not apply to a commercial goods vehicle being operated to carry iron ore, or any mining product from which iron is to be extracted, that is sourced from a mine or mine stockpile situated —
  - (a) within 100 km of Geraldton, Marchagee, Pindar, South Mine 94 or Wubin; or
  - (b) within 100 km on either side of —
    - (i) the railway between Geraldton and Wubin, including the section of the railway between Mullewa and Pindar; or
    - (ii) the railway between Geraldton and Marchagee; or
    - (iii) the railway between Dongara and South Mine 94.

## Part 3 — Aircraft

### 8. Aircraft

An aircraft is exempt from Part III of the Act if —

- (a) it is being operated to carry people or goods on a flight that starts and finishes at the same airport and does not land at any other airport; or
- (b) it is a helicopter being operated to carry people to or from their workplace and the people themselves do not pay for the flight; or
- (c) it is being operated solely for any of these purposes —
  - (i) aerial mustering;
  - (ii) aerial spraying;
  - (iii) crop dusting;
  - (iv) spreading fertiliser or seed;
  - (v) spreading baits to control animals;
  - (vi) aerial photography or surveying;
  - (vii) spotting whales or fish;
  - (viii) providing medical services;
 or
- (d) it is being operated on a flight to or from an airport not listed in the Table.

**Table**

<b>Airport name</b>	<b>Address ALA Code</b>
Albany Airport	Albany Highway, Albany YABA
Broome International Airport	Macpherson Street, Broome YBRM
Busselton Regional Airport	86 Neville Hyder Drive, Yalyalup YBLN
Carnarvon Airport	James Street, Carnarvon YCAR
Curtin Airport/ RAAF Curtin	Willare YCIN
Derby Airport	Derby Highway, Derby YDBY
Esperance Airport	Coolgardie-Esperance Highway, Gibson YESP
Fitzroy Crossing Airport	Scrivener Road, Fitzroy Crossing YFTZ

<b>Airport name</b>	<b>Address ALA Code</b>
Geraldton Airport	Airport Road, Moonyoonooka YGEL
Halls Creek Airport	Stan Tremlett Drive, Halls Creek YHLC
Kalbarri Airport	Fawcett-Broad Drive, Kalbarri YKBR
Kalgoorlie-Boulder Airport	Hart Kerspien Drive, Kalgoorlie YPKG
Kambalda Airport	Off Callitris Road, Kambalda YKBL
Karratha Airport	Bayley Avenue, Gap Ridge YPKA
Kununurra Airport	Victoria Highway, Kununurra YPKU
Laverton Airport	Airport Road, Laverton YLTN
Learmonth Airport/ RAAF Learmonth	Minilya-Exmouth Road, Learmonth YPLM
Leonora Airport	Rajah Street, Leonora YLEO
Meekatharra Airport	Murchison Downs Road, Meekatharra YMEK
Mount Magnet Airport	Great Northern Highway, Mount Magnet YMOG
Newman Airport	Great Northern Highway, Newman YNWN
Onslow Airport	Onslow Road, Onslow YOLW
Paraburdoo Airport	Paraburdoo-Tom Price Road, Paraburdoo YPBO
Port Hedland International Airport	Great Northern Highway, Port Hedland YPPD
Ravensthorpe Airport	Jerdacuttup Road, Hopetoun YNRV
Shark Bay Airport	Monkey Mia Road, Denham YSHK
Wiluna Airport	Goldfields Highway, Wiluna YWLU

## Part 4 — Ferries

### 9. Ferries

A ferry is exempt from Part III of the Act if —

- (a) its carrying capacity is not more than 30 passengers, not including the crew; or
- (b) it is operated to provide charter voyages for which the vessel is hired for a fixed fee calculated by reference to the time or distance of the voyage and for which individual fares are not charged; or
- (c) it is operated to provide voyages during which the passengers are carried for the sole purpose of fishing from or underwater diving from the ferry, whether or not the voyages are charter voyages or voyages for which passengers pay individual fares.

## Part 5 — Revoked orders

### 10. Previous orders revoked

These orders are revoked —

- (a) the *Transport (Exemptions) Order 1985*;
- (b) the *Transport (Commercial Goods Vehicles Exemption) Order 1992*.

D. NALDER, Minister for Transport.

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# — PART 2 —

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## AGRICULTURE AND FOOD

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AG401\*

**BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007**  
**BIOSECURITY AND AGRICULTURE MANAGEMENT (PERMITTED ORGANISMS)**  
**DECLARATION (NO. 4) 2016**

Made under section 11 of the Act by the Minister for Agriculture and Food.

**1. Citation**

This declaration is the *Biosecurity And Agriculture Management (Permitted Organisms) Declaration (No. 4) 2016*.

**2. Permitted Organisms**

An organism listed below is declared under section 11 of the Act to be a permitted organism.

## Plant pathology

- *Bipolaris indica* J.N. Rai, Wadhvani & J.P. Tewari (1969)
- *Botryosphaeria zeae* (G.L. Stout) Arx & E. Müll. (1954)
- *Cercospora canescens* Ellis & G. Martin (1882)
- *Cercospora sorghi* Ellis & Everh. (1887)
- *Cercospora taccae* (Syd. & P. Syd.) Chupp (1954)
- *Cercospora ternateae* Petch (1909)
- *Cerotelium fici* (Castagne) Arthur (1917)
- *Cintractia limitata* G.P. Clinton (1904)
- *Cintractia mitchellii* Vánky (1997)
- *Cladosporium oxysporum* Berk. & M.A. Curtis (1869)
- *Colletotrichum xanthorrhoeae* R.G. Shivas, Bathgate & Podger (1998)
- *Corallocytostroma ornithocopreoides* R.G. Shivas & Alcorn (1997)
- *Curvularia brachyspora* Boedijn (1933)
- *Curvularia clavata* B.L. Jain (1962)
- *Curvularia harveyi* Shipton (1966)
- *Curvularia intermedia* Boedijn (1933)
- *Curvularia penniseti* (Mitra) Boedijn (1933)
- *Curvularia sorghina* R.G. Shivas & Sivan. (1987)

## Invertebrate

- *Apterothrips secticornis* (Trybom, 1896)
- *Thrips nigropilosus* Uzel, 1895
- *Dicranolaius bellulus* (Boisduval, 1835)
- *Xerocincta neglecta* (Draparnaud, 1805)
- *Archimantis brunneriana* Saussure, 1871
- *Archimantis latistyla* (Serville, 1838)
- *Archimantis monstrosa* Wood-Mason, 1878
- *Archimantis quinquelobata* (Tepper, 1905)
- *Archimantis sobrina* Saussure, 1872
- *Archimantis straminea* Sjöstedt, 1918
- *Copris elphenor* Klug, 1855
- *Tropidoderus childrenii* (Gray, 1833)
- *Urodacus macrurus* Pocock, 1899
- *Onthophagus obliquus* (Olivier, 1789)
- *Onitis vanderkelleni* Lansberge, 1886
- *Xylotrupes australicus australicus* Thomson, 1859
- *Sinoxylon anale* Lesne, 1897
- *Eulecanium tiliae* (Linnaeus, 1758)
- *Protopulvinaria pyriformis* (Cockerell, 1894)
- *Anaphothrips sudanensis* Trybom, 1911



**3. Revocation**

Any previous declaration relating to an organism listed above is revoked.

D. NALDER, MLC, Minister for Agriculture and Food.

Date: 27 June 2016.

**AG402\***

**BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007**  
**BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013**  
**BIOSECURITY AND AGRICULTURE MANAGEMENT (PROHIBITED ORGANISMS)**  
**DECLARATION (NO. 2) 2016**

Made under section 12 of the Act by the Minister for Agriculture and Food.

**1. Citation**

This declaration is the *Biosecurity And Agriculture Management (Prohibited Organisms) Declaration (No. 2) 2016*.

**2. Prohibited Organisms**

An organism listed below is declared under section 12 of the Act to be a Prohibited organism and is assigned under regulation 8 of the Regulations to the control category C1 for the whole of the state.

Plant pathology

- *Verticillium dahliae* VCG 1A Kleb. (1913)
- *Curvularia trifolii* f.sp. *gladioli* Parmelee & Luttr. (1954)
- *Meloidogyne enterolobii* Yang & Eisenback 1983

Invertebrate

- *Platyptilia ignifera* Meyrick, 1908
- *Sternochetus olivieri* (Faust, 1892)
- *Rastrococcus rubellus* Williams, 1989
- *Leptocybe invasa* Fisher & La Salle, 2004
- *Aulacophora femoralis chinensis* Weise, 1923

**3. Revocation**

Any previous declaration relating to an organism listed above is revoked.

D. NALDER, MLC, Minister for Agriculture and Food.

Date: 27 June 2016.

**AG403\***

**BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007**  
**BIOSECURITY AND AGRICULTURE MANAGEMENT (PERMITTED ORGANISMS)**  
**REVOCATION DECLARATION 2016**

**1. Citation**

This declaration is the *Biosecurity and Agriculture Management (Permitted Organisms) Revocation Declaration 2016*.

**2. Revocation**

Declarations of the organisms listed below as permitted organisms, made on 29 April 2013 are revoked.

Plant pathogens

- Verticillium dahliae* Kleb. 1913
- Pseudomonas syringae* pv. *porri* R. Samson, H. Shafik, A. Benjama, and L. Gardan 1998

Invertebrates

- Baoris mathias* F.
- Nomadacris guttulosa*
- Piezodorus hybneri* (Gmelin)
- Baoris Zelleri cinnara* Wallengren
- Typhlodromus dossei* Schicha 1979

D. NALDER, MLC, Minister for Agriculture and Food.

Date: 27 June 2016.

AG404\*

**BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007**  
**BIOSECURITY AND AGRICULTURE MANAGEMENT (PROHIBITED ORGANISMS)**  
**REVOCATION DECLARATION 2016**

**1. Citation**

This declaration is the *Biosecurity and Agriculture Management (Prohibited Organisms) Revocation Declaration 2016*.

**2. Revocation**

Declarations of the organisms listed below as prohibited organisms, made on 29 April 2013 are revoked.

Invertebrates

*Myelois* (Ectomyelois) *ceratoniae* (Zeller)*Myelois ceratoniae* Zeller*Ectomyelois ceratoniae* Zeller*Daktulosphaera vitifoliae* (Fitch, 1855)*Pelopidas mathias* Fabricius, 1798*Bruchidius algiricus* (Allard)*Holotrichia morosa* Waterhouse

D. NALDER, MLC, Minister for Agriculture and Food.

Date: 27 June 2016.

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## HEALTH

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HE401\*

**HEALTH PRACTITIONER REGULATION NATIONAL LAW**  
**(WESTERN AUSTRALIA) ACT 2010**

**HEALTH PRACTITIONER REGULATION NATIONAL LAW (WESTERN AUSTRALIA)**

MEDICAL (AREA OF NEED) DETERMINATION (No. 11) 2016

Made by the Chief Medical Officer, pursuant to section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

**Citation**

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 11) 2016*.

**Commencement**

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

**Area of need**

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67(5) of the Schedule of the *Health Practitioner Regulation National Law (Western Australia)*.

**Expiry of determination**

4. This determination expires 2 years after its commencement.

**SCHEDULE**

GENERAL MEDICAL SERVICES IN THE SUBURB OF WESTMINSTER IN THE  
CITY OF STIRLING

Dated this 12th day of July 2016.

PROFESSOR GARY GEELHOED, Chief Medical Officer,  
Department of Health,  
As delegate of the Minister for Health.

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## JUSTICE

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JU401\*

### JUSTICES OF THE PEACE ACT 2004 APPOINTMENTS

It is hereby notified for public information that Her Excellency the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Geoffrey Rowland Howell of Harvey  
Don Charles of Westminster  
Michael Dominic Kirkby of Cannington  
Balwinder Singh of Kenwick

JOANNE STAMPALIA, A/Executive Director, Court and Tribunal Services.

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## LOCAL GOVERNMENT

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LG401\*

### LOCAL GOVERNMENT ACT 1995 *City of Armadale* (BASIS OF RATES)

This notice, which is for public information only, is to confirm that—

I, Jenni Law, 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 4 July 2016, determined that the method of valuation to be used by the City of Armadale 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 1026 to 1036 inclusive and Lots 1051 to 1062 inclusive as shown on Deposited Plan 405419.

JENNI LAW, A/Executive Director Sector Regulation and Support  
Department of Local Government and Communities.

LG402\*

### CITY OF BELMONT APPOINTMENTS

It is hereby notified for public information that Brad Casserly has been appointed an Authorised Officer for the City of Belmont, effective from 11 July 2016, and is an officer authorised to exercise the powers in accordance with the following Acts, Regulations and Local Laws—

*Local Government Act 1995*  
*Control of Vehicles (Off-road Areas) Act 1978* and Regulations  
*Litter Act 1979* and Regulations  
*Dog Act 1976* (as amended) and Regulations  
*Cat Act 2011* and Regulations  
*Local Government (Parking for People with Disabilities) Regulations 2014*  
City of Belmont Local Laws Relating to Parking Facilities  
City of Belmont Local Laws Relating to Dogs

All other Council Local Laws or Regulations administered or enforced by the City of Belmont  
The previous appointment of Angelique Duckett is hereby cancelled.

STUART COLE, Chief Executive Officer.

**LG403\*****BUSH FIRES ACT 1954***City of Belmont***APPOINTMENTS**

It is hereby notified for public information that in accordance with Section 38 of the Act, the Council of the City of Belmont have appointed the following additional Officer—

Fire Control Officer—Brad Casserly

STUART COLE, Chief Executive Officer.

**LG404\*****LOCAL GOVERNMENT ACT 1995***Shire of Bridgetown-Greenbushes***APPOINTMENT**

It is hereby notified for public information that John Ernest Drew has been appointed as a Ranger and an Authorised Officer as from 18 July 2016 to enforce the following Acts, Regulations and Local Laws—

*Local Government Act 1995*

*Local Government (Miscellaneous Provisions) Act 1960*

*Bush Fires Act 1954* and Regulations

*Caravan Parks and Camping Grounds Act 1995* and Regulations

*Control of Vehicles (Off-road Areas) Act 1978* and Regulations

*Dog Act 1976* and Regulations

*Cat Act 2011* and Regulations

*Litter Act 1979* and Regulations

Shire of Bridgetown-Greenbushes Local Laws

TIM CLYNCH, Chief Executive Officer.

**LG501\*****BUSH FIRES ACT 1954***Shire of Dandaragan***FIREBREAK AND FUEL HAZARD REDUCTION NOTICE 2016/2017**

Prohibited Burning Period, 1st November to 28th February—Strictly No Burning.

Restricted Burning Period, 19th September to 31st October and 1st of March to 1st of April—Permits are Required.

Notice to all owners and/or occupiers of land in the Shire of Dandaragan.

Notice is hereby given to landowners/occupiers within the Shire of Dandaragan that firebreaks must be installed by 1st November 2016 and maintained clear of inflammable material up to and including 30th April 2017 as per the requirements in relation to Section 33 of the *Bush Fires Act 1954*.

**Urban/Residential Land, Firebreak and Fuel Hazard Reduction Notice.**

***(All gazetted townsites)***

***Land 4,000m<sup>2</sup> or less***

Clear land of all inflammable material on the entire property shall be reduced and maintained to a height of less than (5) centimetre.

***Land larger than 4,001m<sup>2</sup>***

A firebreak of at least 3m wide shall be installed or constructed immediately inside all external boundaries of the land and so immediately surrounding all buildings situated on the land.

**Rural Residential Land, Firebreak and Fuel Hazard Reduction Notice.**

***Rural development, properties 2,023m<sup>2</sup> (half an acre to 20 hectares (50 acres))***

This category relates to all lots in all industrial estates and the subdivisions of Jurien Bay Heights, Alta Mare, Marine Fields, Koorngal Vale and Hill River Heights.

1. Clear and maintain a 3m wide firebreak with a vertical clearance of 4m high, clear of any obstructions (no hanging tree limbs or objects) immediately inside or as close as practical inside all external boundaries of the land to allow for the unobstructed movement of Fire Appliances. In rural residential land, subject to erosion, firebreaks can be slashed, however they MUST be maintained to a height less than 10cm.

2. On heavily vegetated or grass blocks a further 5m low fuel zone is required inside the 3m firebreak. Fuel is defined as any material such as grass, leaf litter, twigs, bark, logs, even live vegetation, that can be ignited and sustain a fire. Fuel loads must be less than 2 tonnes per hectare.

3. Clear and maintain a 20m Building Protection Zone around all habitable buildings.

**Rural Land, Firebreak and Fuel Hazard Reduction Notice.**

***Properties 20 hectares (50 acres) or larger.***

1. Clear a firebreak consisting of mineral earth, to a width of no less than 3m, as close as practicable, inside the external boundaries of the property.

2. Firebreaks must be maintained to provide a vertical clearance of a minimum 4m so as to allow adequate access for fire appliances.

3. Clear and maintain a 5m mineral earth firebreak immediately surrounding all fuel and chemical storage areas.

4. Clear and maintain a 2m mineral earth cleared area around all stationary pumps and motors.

5. Areas cleared and piled for burning require a 20m mineral earth firebreak.

6. Clear and maintain a 3m mineral earth firebreak around all hay stacks and hay sheds.

7. Clear and maintain a 20m Building Protection Zone around all habitable buildings.

**Plantations, Firebreak and Fuel Hazard Reduction Notice.**

***Tree plantations of more than 3 hectares but less than 10 hectares.***

Clear and maintain a 10m wide mineral earth firebreak with a vertical clearance of 4m high; clear of all inflammable material immediately surrounding the plantation (adjacent areas of the same property subject to provisions as for rural areas).

***Plantations larger than 10 hectares***

Plantations established after the 30 November 1984 that exceed three (3) hectares in total area shall have a ten (10) metre wide firebreak completely surrounding the perimeter of planted trees. Each compartment of a plantation is limited to an area of less than thirty (30) hectares in size. Each thirty (30) hectare compartment shall have a ten (10) metre wide firebreak surrounding the planted trees. Furthermore all plantations shall comply with requirements contained in the Department of Fire and Emergency Services guidelines or standards for Plantation Fire Protection.

**Alternative Alignments and Variations to Firebreak and Fuel Hazard Notices**

If it is impractical to have a firebreak immediately inside a boundary, for environmental or any other reason(s), you are required to apply to the Shire of Dandaragan in writing, before 1st October to obtain permission for firebreaks to be installed in an alternative position or for alternative measures to be put in place. Approval is granted for a period of no less than three (3) years, after which the landowner must re-apply for a variation to the firebreak notice.

**Campfires and burning of Garden Refuse**

No solid fuel fires are permitted between 1st November and the 31st March—including for the purpose of cooking. Only gas or electric barbecues are permitted during prohibited burning times. No burning of garden refuse between 1st September to 31st March.

By order of the Council,

ANTHONY NOTTLE, Chief Executive Officer.

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## MARINE/MARITIME

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MA401\*

**WESTERN AUSTRALIAN MARINE ACT 1982**

**CLOSED WATERS MOTORISED VESSELS AREA**

**Cancellation**

Old Mandurah Bridge, Mandurah Estuary

*City of Mandurah*

Department of Transport,  
Fremantle WA, 15 July 2016.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby cancel Notice MA402 as published in the *Government Gazette* on 24 February 2012.

MARK BRIANT, A/Director Waterways Safety Management,  
Marine Safety, Department of Transport.

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## MINERALS AND PETROLEUM

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MP401\*

**PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967****CANCELLATION OF PETROLEUM EXPLORATION PERMIT EP 464**

The cancellation of petroleum exploration permit EP 464, held by Exceed Energy (Australia) Pty Ltd, will take effect on the date this notice appears in the *Government Gazette*.

JEFFERY HUNTLY HAWORTH, Executive Director,  
Petroleum Division, Department of Mines and Petroleum.

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## PLANNING

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PL402\*

**PLANNING AND DEVELOPMENT ACT 2005****APPROVED LOCAL PLANNING SCHEME AMENDMENT***City of Wanneroo*

Local Planning Scheme No. 2—Amendment No. 132

Ref: TPS/1698

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Wanneroo Local planning Scheme amendment on 4 July 2016 for the purpose of—

- (a) Deleting the following clauses from the Scheme Text, as they have been superseded by the deemed provisions set out in the *Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2—
  - 3.25.6, 3.25.14, 4.4.6, 4.6.4, 5.1.2, 5.1.4, 5.15, 5.1.6, 5.1.7, 5.1.8, 5.1.9, 5.2, 6.1, 6.3, 6.4, 6.5, 6.7, 6.8, 6.9.1, 6.9.2, 6.9.3, 6.12, 8.4, 8.6, 8.7, 8.8, 8.11, Part Nine, Schedules 6, 7 and 8 in their entirety.
- (b) Removing the following clauses from the Scheme Text and inserting them into Schedule A—Supplemental Provisions—
  - 6.1.3(e), 6.1.3(f), 6.1.3(g), 6.1.3(i)
- (c) Inserting the following provisions into Schedule A—Supplemental Provisions—
  - Clause 60
    - (c) the terms or conditions of any development approval obtained under Part 8 are complied with.
  - Clause 61(1)
    - (l) the erection or extension of a single house on a lot if a single house is a permitted (“P”) use in the zone (where the R Codes do not apply) in which that lot is located, where the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is—
      - (i) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or
      - (ii) the subject of an order under the *Heritage of Western Australia Act 1990* Part 6; or
      - (iii) included on a heritage list prepared in accordance with the Scheme
      - (iv) within an area designated under the Scheme as a heritage area; or
      - (v) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29;
    - (m) the erection or extension of an outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house is a permitted (“P”) use in the zone (where the R Codes do not apply) where the development standards set out in the scheme for that particular zone (including boundary setbacks) are satisfied, unless the development is located in a place that is—
      - (vi) entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*; or

- (vii) the subject of an order under the *Heritage of Western Australia Act 1990* Part 6;  
or
- (viii) included on a heritage list prepared in accordance with the Scheme
- (ix) within an area designated under the Scheme as a heritage area; or
- (x) the subject of a heritage agreement entered into under the *Heritage of Western Australia Act 1990* section 29;
- (n) erection of a boundary fence in any zone where the R Codes do not apply;
- (d) Delete the following definitions from Schedule 1, as they have been superseded by the definitions in the deemed provisions set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2—
- Act, advertisement, agreed detailed area plan, agreed structure plan, amenity, building code of Australia, codes, cultural heritage significance, detailed area plan, heritage list, owner, premises, reserve, scheme area, substantial development and zone;
- (e) Amend the following clauses by removing the cross reference to the clause deleted by the amendment and replace them with cross reference to deemed provisions set out in the *Planning and Development (Local Planning Scheme) Regulations 2015* Schedule 2—
- 2.3.2, 2.3.4.1, 3.2.2, 3.10.3, 3.13.3, 3.13.4, 3.14.3, 3.14.4, 3.15.3, 3.15.4, 3.17.2, 3.18.3, 3.23.2, 3.25.5, 3.25.9, 3.25.12, 3.25.13, 4.2.2 (a), 4.2.3 (a), 4.5.1, 4.6.2.1, 4.6.3.1, 4.21.2, 4.24.1, 5.3.2.2, 6.6.2, 6.6.3, 7.2.2, 10.1, 10.14.1, Schedule 2—R3, Schedule 15—RC1, RC2, Schedule 4;
- (f) Deleting reference to the following terms and replace them with the corresponding term throughout the scheme—
- ‘Town Planning and Development Act 1928’ with ‘Planning and Development Act, 2005’;
  - ‘Agreed Structure Plan’ with ‘Structure Plan’;
  - ‘Development Guide Plan with Structure Plan’;
  - ‘Planning Approval’ with ‘Development Approval’;
  - ‘Residential Planning Codes’ with ‘Residential Design Codes’;
  - ‘Detailed Area plan with Local Development Plan’;
- (g) Update the following clauses and definitions as detailed below—
- 1.4—delete the clause and replace it with the following—
- “The Scheme comprises—
- (a) this Scheme Text;
- (b) the deemed provisions (set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* Schedule 2);
- (c) supplemental provisions contained in Schedule A;
- (d) the Scheme Map;
- (e) Residential Density Code Maps”;
- 1.5—delete Part 9 and renumber subsequent Parts;
- 3.17.2(h)—delete the words ‘as contemplated under subclause 6.1.1 of this Scheme. Subclause 6.1.3 (b) does not apply in this Zone’;
- 3.19.1—delete the sentence commencing ‘This clause and the special provisions’;
- 3.23.4—delete the sentence commencing ‘the provisions of subclause’;
- 3.25.10—delete the words ‘, 9.6 and 9.7’
- 3.7.4 and 3.13.6—add ‘or Activity Centre Plan’ following the words ‘Structure Plan’;
- 4.4.4—delete the words ‘subject to subclause 4.4.5’;
- 4.4.5—delete the clause and replace it with the following—
- Where land within the Scheme area is subject to a Structure Plan and a residential density code is not specified on the Residential Density Code Maps, the Residential Density Codes for the area shall be determined according to the Structure Plan, in accordance with clause 27 of the deemed provisions;
- 4.4.7—delete the remainder of the sentence after ‘under this scheme’;
- 4.5, 4.6.3.2—insert the letter ‘R’ before the word ‘Codes’;
- 4.6.1.1—delete the words ‘subject to subclause 4.6.4’;
- 4.22.1—delete ‘7A4’ and replace it with ‘81’;
- 5.1.3—delete the words ‘hereinafter in this subclause referred to as “existing advertisements”’;
- 7.1(c)—delete the words ‘subject to clause 5.1.6’;
- 8.1.2—delete the words ‘section 13’ and replace with ‘sections’
- 8.2.4—delete ‘V’ and replace with ‘14’;
- 8.5.1—delete ‘11’ and replace with ‘173’;
- 8.5.2—delete ‘11(1)’ and replace with ‘173’;
- 8.9.1—delete ‘10 of the *Town Planning Act*’ and replace with ‘214 of the Act’;

- 8.9.2—delete ‘10(2)’ and replace with ‘215(2)’;
- 8.10.2—delete ‘10’ and replace with ‘223’;
- 10.10.5, 11.4.3.1—delete ‘Regulation 10 of the Western Australian Planning Commission Regulations 1962’ and replace with ‘Section 145 of the Act’;
- 10.11.6, 10.12.3, 11.5.7.1—delete ‘1985’ and replace with ‘2012’;
- 10.14.2—delete ‘11(2) and replace with ‘184’;
- 10.14.8 (c)—delete ‘section 11(4) of the Act’ and replace with ‘the *Commercial Arbitration Act 2012*’;
- Schedule 1
- Conservation—delete ‘5.5.2’ and replace with ‘8 of the deemed provisions’;
- Proponent—insert ‘activity centre structure plan’ following the words ‘structure plan’
- (h) Modify Table 1—The Zoning Table to make Ancillary Accommodation a ‘P’ use in the Residential zone;
- (i) Insert the definition of home office from Clause 38 of Schedule 1 of the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- (j) Renumber the remaining scheme provisions and schedules sequentially and update any cross referencing to new clause numbers as required.

T. ROBERTS JP, Mayor.  
D. SIMMS, Chief Executive Officer.

**PL401\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Perth*  
Local Planning Scheme No. 2—Amendment No. 33

Ref: TPS/1697

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Perth Local Planning Scheme amendment on 27 June 2016 for the purpose of—

1. After Clause 57A (1) (t) insert—
  - (u) Melbourne Hotel Special Control Area.
2. Insert the following in Schedule 9 Special Control Areas—
 

**21.0 Melbourne Hotel Special Control Area**

  - 21.1 Special Control Area
 

The following provisions apply to the land marked as Figure 21—The Melbourne Hotel Special Control Area.
  - 21.2 Objectives
    - (a) To facilitate the development of the Special Control Area as a whole in a coordinated manner;
    - (b) The restoration and maintenance of the Melbourne Hotel building in a good condition with the use of the building being for purposes appropriate to the heritage status and location.
  - 21.3 Heritage
 

The Melbourne Hotel building shall be restored and thereafter maintained.
  - 21.4 Plot Ratio
 

For the purpose of determining plot ratio, the total area of the Melbourne Hotel Special Control Area shall be treated as one lot.
  - 21.5 Car Parking
 

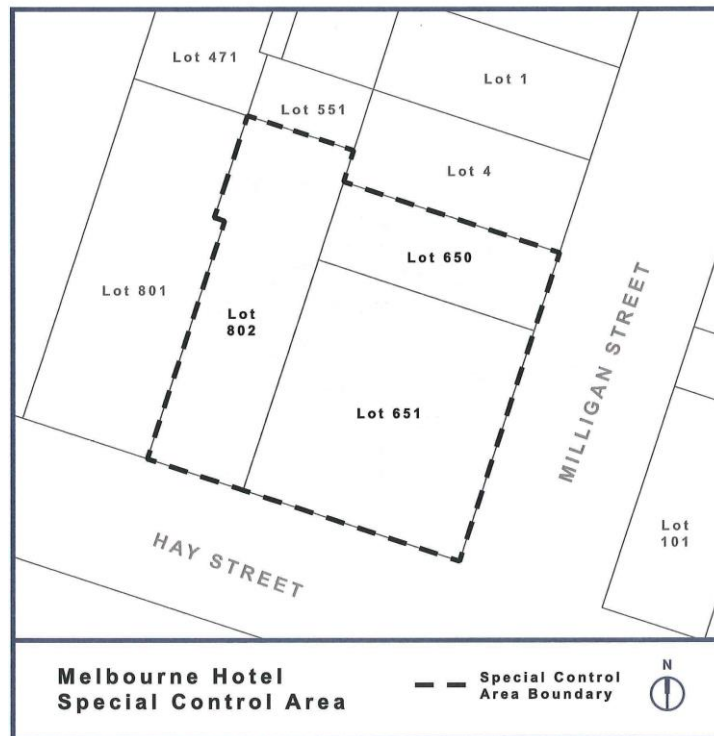
For the purpose of determining the tenant parking allowance under the Perth Parking Policy for any redevelopment as may be defined in the Perth Parking Policy, the Melbourne Hotel Special Control Area shall be treated as one lot.

The tenant parking facilities in one building within the Special Control Area may be leased or used by the tenants of other buildings within the Special Control Area.
3. Amending the City Centre (CC) Precincts Plan (P1 to 8) accordingly.



4. Insert Figure 21 Melbourne Hotel Special Control Area into Schedule 9—Special Control Areas of the Scheme.

Figure 21—Melbourne Hotel Special Control Area



J. LIMINIOS, Deputy Lord Mayor.  
M. MILEHAM, A/Chief Executive Officer.

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## DECEASED ESTATES

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ZX401\*

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Phillip Shirley, late of Clarence Estate Residential Health and Aged Care, 55 Hardie Road, Albany, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 10 December 2015, are required by the trustee of the late Phillip Shirley of care of Philip Wyatt Lawyer, PO Box 1026, Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 6th day of July 2016.

PHILIP WYATT LAWYER.

ZX403\*

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Nasir Abdullah Boksmati late of 10 Carcoo Court, Beckenham, who died on 4 May 2015.

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 4 May 2015, are required by the Executor of the estate, Mohammed Boksmati of care of Elizabeth Wiese & Associates, 5 Ellen Street, Fremantle, to send particulars of their claims to him at the address stated herein within 30 days of this notice, after which date the Executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

**ZX402\*****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Estate of the late Harold Steele of Howard Solomon Aged Care Facility, Hybanthus Road, Ferndale, in the State of Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the above-named deceased who died on 25 February 2016 are required to send particulars of their claims to the Executors, care of RSM (see address below) within one (1) month of the date of publication of this notice after which date the Executor may convey or distribute the assets having regard only to claims of which notice has been given.

c/- Andrew Marshall, RSM, GPO Box R1253, Perth WA 6844  
Telephone: (08) 9261 9393  
Contact: Andrew Marshall

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

## Notice to Creditors and Claimants

Jamie Harris Nilan, late of 22/66 Great Eastern Highway, Rivervale, 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 between 11 May 2014 and 13 May 2014 are required by the administrator of the estate Peter John Nilan of 3 Kempton Grove, Clarkson, WA 6030 to send particulars of their claims to him by the 15th day of August 2016, after which date the administrator may convey or distribute the assets, having regard only to the claims of which he then has notice.

**ZX405\*****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 15 August 2016 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bowring, Edward Ronald, late of Meath Care, 80-82 Henley Street, Como, died 8.06.2016 (DE19621132 EM15)

Cockman, Kelvin Roy, late of 12 Manbari Crescent, Wanneroo, died 18.06.2016 (DE19950481 EM35)

Dillon, Edna Reby, late of Unit 1, 21 State Street, Victoria Park, died 6.06.2016 (DE19923510 EM23)

Garland, Gertrude Maud, also known as Judy Garland, late of 25 View Street, North Perth, died 18.03.2016 (DE30228324 EM16)

Ismail, Madeleine Lauris, late of Opal Aged Care, 15/30 Carron Road, Applecross, died 6.06.2016 (DE19772049 EM38)

Lynn, Sidney Owen, late of Bethanie Waters Retirement Village, 18 Olivenza Crescent, Port Kennedy, died 23.06.2016 (DE19880633 EM16)

Martin, Roy James, late of 57 Dora Street, Broome, died 15.01.2016 (DE33133417 EM22)

McClare, Helena Joan, late of Bethanie Elanora Villas Nursing Home, 37 Hastie Street, Bunbury, died 19.05.2016 (DE19791824 EM37)

Murray, Roma Joyce, late of 5 Armstrong Road, Applecross, died 7.06.2016 (DE19711240 EM110)

Phipps, Alan Stanley, late of Brightwater Birrallee Nursing Home, 155 Odin Road, Innaloo, died 2.02.2016 (DE30224219 EM17)

Russell, Barbara Jean, late of Concorde Nursing Home, 25 Anstey Street, South Perth, died 12.03.2015 (PM33074453 TM52)

Sibthorpe, David John, late of 3 Carlindie Way, Wedgefield, died 26.04.2016 (DE33072836 EM35)

Sumner, Emily, late of 19b Walter Street, East Fremantle, died 12.06.2016 (DE20010861 EM38)

Verrier, Albert Jesse, late of Menora Gardens, 51 Alexander Drive, Menora, died 20.05.2016 (DE20011960 EM26)

Webb, Raymond George, late of 30 David Crescent, Hillarys, died 15.05.2016 (DE19913132 EM15)

Williamson, Mable Elsie, also known as Mabel Elsie Kuipers, late of Juniper Tranby Nursing Home, 30 Winifred Road, Bayswater, formerly of Unit 37C, 30 Winifred Road, Bayswater, died 5.05.2016 (DE19703319 EM17)

BRIAN ROCHE, Public Trustee,  
553 Hay Street, Perth WA 6000.  
Telephone: 1300 746 212.