



Western  
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Government

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- Copy must be lodged with the Publications Officer, Department of the Premier and Cabinet no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition)—

Email address:

[gazette@dpc.wa.gov.au](mailto:gazette@dpc.wa.gov.au)

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- **Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.**

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

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# — PART 1 —

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## TRANSPORT

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TN301

Road Traffic (Vehicles) Act 2012

### Road Traffic (Vehicles) Inspection Order 2022

Made by the Minister under section 19 of the Act.

**1. Citation**

This order is the *Road Traffic (Vehicles) Inspection Order 2022*.

**2. Commencement**

This order comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this order is published in the *Gazette*;
- (b) the rest of the order — on 7 November 2023.

**3. Vehicles required to be inspected before grant of licence**

The grant of a vehicle licence for a vehicle is prohibited unless and until —

- (a) the vehicle has been examined; and
- (b) a certificate of inspection has been issued under the Act that —
  - (i) the vehicle meets the prescribed standards and requirements for that vehicle; and
  - (ii) the vehicle is fit for the purpose for which the licence is desired.

**4. Application of clause 3**

Clause 3 applies in respect of all vehicles other than the following vehicles —

- (a) a vehicle that has not previously been licensed or registered in this State or in another State or a Territory, a production model of which has been approved by the CEO;

- (b) a light vehicle —
  - (i) that was licensed or registered for the first time in this State or in another State or a Territory within the period of 3 years before the day on which the vehicle licence for the vehicle is to be granted; and
  - (ii) that has been driven less than 100 000 km; and
  - (iii) the vehicle licence for which is to be granted to a dealer, as defined in the *Motor Vehicle Dealers Act 1973* section 5(1), for the purposes of sale by the dealer;
- (c) a motor vehicle that —
  - (i) is designed for use primarily in industry (whether in the public or private sector) and to be driven or controlled by a person carried in or on the vehicle; and
  - (ii) is not designed for use primarily for the carriage on roads of passengers or goods or for hauling a semi-trailer;
- (d) a motor vehicle that —
  - (i) is, or has permanently attached to it, an excavator, road roller, road grader, bulldozer, mechanical shovel, plough, rotary hoe or similar plant; and
  - (ii) is designed to be driven or controlled by a person carried in or on the vehicle; and
  - (iii) is not suitable for the carriage of any load other than accessories necessary for the operation of the vehicle.

## 5. Vehicles required to be inspected before renewal of licence

The renewal of a vehicle licence for a vehicle is prohibited unless and until —

- (a) the vehicle has been examined; and
- (b) a certificate of inspection has been issued under the Act that —
  - (i) the vehicle meets the prescribed standards and requirements for that vehicle; and
  - (ii) the vehicle is fit for the purpose for which the licence is desired.

## 6. Application of clause 5

- (1) Clause 5 applies in respect of the following vehicles —
  - (a) a motor vehicle in relation to which a passenger transport vehicle authorisation, as defined in the *Transport (Road Passenger Services) Act 2018* section 4(1), has been granted or is to be applied for;

- (b) except as provided in subclause (2), a motor vehicle that is equipped to carry more than 12 people, including the driver;
  - (c) a motor vehicle that —
    - (i) is equipped to carry more than 8 people, including the driver; and
    - (ii) is, or is to be, used solely or principally to carry students (as defined in the *School Education Act 1999* section 4), with or without adults who are responsible for them, to or from a school (as defined in that section) or some other place where students enrolled at a school attend for an event or activity approved by the school;
  - (d) except as provided in subclause (2), a motor vehicle that is, or is to be, used solely or principally under a hiring agreement and is equipped to carry more than 7 people, including the driver;
  - (e) a motor vehicle that is, or is to be, used solely or principally by a driving instructor for the purposes of the instruction of drivers and is fitted with the modifications required by the *Motor Vehicle Drivers Instructors Regulations 1964* regulation 10;
  - (f) a tow truck as defined in the *Road Traffic (Vehicles) Regulations 2014* regulation 3.
- (2) Clause 5 does not apply in respect of a motor vehicle referred to in subclause (1)(b) or (d) if —
- (a) the vehicle is not a vehicle referred to in subclause (1)(a), (c) or (e); and
  - (b) the period since the vehicle was licensed or registered for the first time (whether in this State or in another State or a Territory) is not longer than 39 months.
- (3) Clause 5 does not apply in relation to the grant of a vehicle licence (the *new licence*) by way of the renewal of an existing vehicle licence (the *previous licence*) if —
- (a) when the previous licence was granted the vehicle was examined (the *relevant examination*) and a certificate of inspection was issued under the Act; and
  - (b) the new licence is to be granted for a period that expires not more than 12 months after the date of the relevant examination.

## 7. Order to apply throughout the State

The provisions of this order apply throughout the State.

**8. *Road Traffic (Vehicles) Inspection Order 2019* repealed**

The *Road Traffic (Vehicles) Inspection Order 2019* is repealed.

R. SAFFIOTI, Minister for Transport.

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## — PART 2 —

### FIRE AND EMERGENCY SERVICES

#### FE401

#### BUSH FIRES ACT 1954

#### BUSH FIRES (PROHIBITED BURNING TIMES) AMENDMENT NOTICE (NO. 4) 2022

Made by the FES Commissioner of the Department of Fire and Emergency Services under section 17(1) of the *Bush Fires Act 1954*.

#### 1. Citation

This notice is the *Bush Fires (Prohibited Burning Times) Amendment Notice (No. 4) 2022*.

#### 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 (Prohibited Burning Times) Declaration 2012\*.

[\* Published in *Gazette* 3 February 2012, p. 610-615.]

#### 4. Schedule 1 amended

Schedule 1 is amended by deleting the prohibited burning times of the Shire of Mount Marshall and inserting the following instead—

Prohibited Burning Time	Zone of the State
1 November—15 February	Shire of Corrigin

Dated 19 October 2022.

DARREN KLEMM AFSM, FES Commissioner of the Department of Fire and Emergency Services, as a delegate of the Minister under section 15 of the *Fire and Emergency Services Act 1998*.

### JUSTICE

#### JU401

#### PRISONS ACT 1981

#### PERMIT DETAILS

Pursuant to Section 15U of the *Prisons Act 1981*, I hereby revoke the following permits—

Surname	Other Name(s)	Permit No.
Cole	Natalie Helen	PA 0638
Furey	Gaye Suzanne	PA 0412
Harris	Leonie Kate	PA 0534
Nesari	Mohammad	PA 0239
O'Connor	John Daniel	PA 0263
Sim	Murray Stewart	AP 0246
Trew	Dean Gavin	PA 0216
Webster	Alice May	PA 0650

Dated 18 October 2022.

MICHAEL REYNOLDS, Commissioner, Corrective Services.

**JU402****PRISONS ACT 1981**  
PERMIT DETAILSPursuant to Section 15U of the *Prisons Act 1981*, I hereby issue the following permit—

Surname	Other Name(s)	Permit No.
Stojadinovic	Nikola	PA 0687

Dated 18 October 2022.

MICHAEL REYNOLDS, Commissioner, Corrective Services.

**JU403****PRISONS ACT 1981**  
PERMIT DETAILSPursuant to Section 15U of the *Prisons Act 1981*, I hereby Revoke the following permit—

Surname	Other Name(s)	Permit No.
Hindi	Nikola	PA 0343

Dated 18 October 2022.

MICHAEL REYNOLDS, Commissioner, Corrective Services.

**JU404****PRISONS ACT 1981**  
PERMIT DETAILSPursuant to Section 15P of the *Prisons Act 1981*, I hereby issue the following permits—

Surname	Other Name(s)	Permit No.
Bayliss	Natasha	PA 0679
Bovell	Linda	PA 0680
Drinoczky	Catherin Louise	PA 0681
Hogg	David William	PA 0682
Manning	Paul	PA 0683
Manton	Suzanne Blanche	PA 0684
Sinclair	Benjamin Sean	PA 0685
Wilson	Nartasha Amy	PA 0686

Dated 17 October 2022.

MICHAEL REYNOLDS, Commissioner, Corrective Services.

**JU405****COURT SECURITY AND CUSTODIAL SERVICES ACT 1999**  
PERMIT DETAILS REVOKEDThe following permits have been revoked pursuant to Section 56 of the *Court Security and Custodial Services Act 1999*—

Surname	Given and Other Name(s)	Permit No.
Biddiscombe	Samantha Faye	210086
Lilleyman	Lynette Ruth	170291-1
Moulds	Michael Douglas	170360-1
Sam-Bindi	Yayah	220143
Singh	Amandeep	221711
Summerskill	Daren Paul	180074

Dated 18 October 2022.

MIKE REYNOLDS, Commissioner.



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## LOCAL GOVERNMENT

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LG501

### BUSH FIRES ACT 1954

*Shire of Nannup*

#### The Burning of Garden Refuse

Pursuant to the powers contained in section 24G (2) of the *Bush Fires Act 1954*, the Shire of Nannup prohibits the burning of all garden refuse within its district during the Prohibited Burning Times. This prohibition applies to all persons within the Shire's district.

During the Restricted Burning Time the burning of garden refuse or rubbish on the ground or in an incinerator that would otherwise be permitted under Section 24F is prohibited on all land within the district, without a Fire Permit issued under Regulation 15 of the *Bush Fires Act 1954*.

#### Cooking and Camping

Pursuant to the powers contained in section 25H (1) of the *Bush Fires Act 1954*, the Shire of Nannup prohibits the lighting of a fire in the open air for the purpose of camping or cooking during the prohibited period. The lighting of camping and/or cooking fires is prohibited when the Fire Danger Rating for the District is High or above at any other time of the year.

For the purposes of this section (1aa) a gas appliance, comprising a fire the flame of which is encapsulated by the appliance and which does not consume solid fuel, shall not be taken to be a fire in the open air.

A fire for the purpose of camping or cooking shall not be lit within 3 metres of a log or stump, and unless a space of ground around the site of the fire having a radius of at least 3 metres from the centre of the fire, is cleared of all vegetation and other flammable materials

Campfires shall not be left unattended, shall have an available method of extinguishment while burning and may not be lit on public land unless purpose built campfire pits have been provided by the owner of the land and permission to use them has been given.

The person who lit the fire, or another capable person left in attendance at the fire, as the case may be, shall completely extinguish the fire by the application of water and/or earth before that person leaves the site unattended.

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### BUSHFIRE RISK COMPLIANCE NOTICE

Section 33 Bush Fires Act 1954

To prevent bush fires and to minimise the spread of a bush fire, all owners and occupiers of land within the Shire of Nannup are required to comply with the requirements of this Bushfire Risk Compliance Notice (Notice).

All land to meet the requirements from 1 December each year until 30 April the following year as specified in the Notice.

#### Variations

If, due to constraints on your land, you are unable to comply with the requirements set out in this Notice, you may apply for a variation by no later than 1 November each year for permission to provide firebreaks in alternative locations or take alternative measures.

A Bushfire Risk Compliance Notice Variation Application form must be signed by the Bush Fire Control Officer for the area indicating their agreement to the variation, then submit to the Shire of Nannup. A list of Bush Fire Control Officers and Application form are found online at [www.nannup.wa.gov.au](http://www.nannup.wa.gov.au) (Fire and Emergencies) or from the Shire of Nannup office. Application fees applies (per lot applied): 1 year \$60, 5 years \$200.

Unless and until permission in writing is granted by the Shire of Nannup, you shall comply with the requirements of this Notice.

#### Penalty for non-compliance

Failing to comply with the requirements of this Notice is an offence under the *Bush Fires Act 1954*, which carries a penalty of up to \$5,000. In addition, where the owner or occupier of the land fails to comply with a Notice given pursuant to Section 33(1), the Shire of Nannup may enter the land to carry out the work required to comply with the Notice and also recover any costs and expenses incurred in carrying out that work from the owner or occupier of the land.

This Notice will apply until revoked by the publication of another Notice or by order of the Shire of Nannup Chief Executive Officer.

#### Definitions

For the purpose of this Notice, the following definitions apply—

**Flammable Material** means accumulated fuel (living or dead) capable of carrying a running fire such as bark, leaf litter, twigs, dead trees and grass over seventy five (75) millimetres in height, depending on the type of property.

**Low Fuel Zone** means an area from which the majority of flammable material such as dry grass, leaf litter, dead bracken, dead trees and dead limbs/ branches on live trees (to a height of two (2) metres) has been removed.

**Bushfire Attack Level (BAL)** is a bushfire risk rating determined for sites in a bushfire prone area by, at a minimum, an accredited Level 1 BAL Assessor or Bushfire Planning Practitioner.

**Bushfire Management Plan (BMP)** means a plan developed in accordance with State Planning Policy 3.7, and approved by the Shire of Nannup to reduce and mitigate fire hazards within a particular subdivision, lot or other area of land anywhere in the Shire. Properties subject to an approved BMP must comply with the requirements of their BMP in addition to the requirements of the Notice. Note—where the requirements of a BMP are inconsistent with the requirements of this Notice, owners should apply for a Variation.

**Trafficable** means to be able to travel from one point to another in a four-wheel fire vehicle on a firm, stable surface, unhindered without any obstruction that may endanger such fire vehicles.

**Firebreaks and Driveways** means a trafficable area or strip of land where flammable material has been removed or modified to reduce the risk of fires starting, and to reduce the intensity and rate of spread of fires that may occur. It allows unrestricted access to your property for all maintenance and fire fighting vehicles.

The firebreak should be constructed within six (6) metres of the boundary of the property, must be four (4) metres wide with three (3) metres being mineral earth, and have all trees/vegetation on both sides of the firebreak laterally pruned to a height of four (4) metres.

No through firebreaks should be avoided if possible, but if they do exist, they should be signposted and include distance to end. You must have a turnaround large enough to accommodate a fire truck with a radius of twelve (12) metres. Firebreaks should have areas to allow vehicles to pass.

Driveways should be maintained; if a fire truck cannot get into your property safely and turn around, it will not be able to defend your home from a bushfire.

## **Bushfire Risk Compliance Requirements**

### **1. For All Land**

**Asset Protection Zone (APZ)** means a low fuel load area immediately surrounding a building and related structure to minimise the likelihood of flame contact with the building. APZs predominantly consist of managed vegetation, reticulated lawns and gardens and other non-flammable features.

NOTE—For buildings built to Australian Standards 3959 Construction of Buildings in Bushfire-Prone Areas, the APZ is to be maintained as per the Bushfire Attack Level (BAL) assessment for that specific property.

The following APZ requirements apply to all properties regardless of size, and must be maintained all year round—

- The area of land within twenty (20) metres from the external walls of any habitable building. Attached structures such as sheds, pergolas, carports and other buildings, or adjacent structures within six (6) metres of the habitable building.
- The area of land on sloping ground shall increase one (1) metre for every degree in slope on the sides of any habitable building that are exposed to down slope natural vegetation.
- Flammable material must be kept at a minimal and not exceed seventy five (75) millimetres in height.
- Trees must be low pruned (or under pruned) to a height of two (2) metres from the ground.
- Trees and branches must not be closer than three (3) metres to a building, and tress must not overhang a building within five (5) metres of the external roof.
- Wood piles and flammable materials must be stored a safe distance from habitable buildings.
- Remove dead leaves and twigs (flammable material) from the gutters, downpipes, rooftops, under eaves and under building.

### **2. Urban Land**

**Urban Land** includes “Land within the Shire of Nannup which is within the Nannup townsite or zoned as Residential, Special Residential or Special Use Zone Numbers 6 and 7 in the Shire of Nannup Local Planning Scheme No.3”.

#### **2.1. Land less than or equal to 2024m<sup>2</sup> (approx. 0.5 acre)**

All flammable material removed to a height of seventy five (75) millimetres, with the exception of live standing trees and live garden plants.

#### **2.2. Land exceeding 2024m<sup>2</sup> (approx. 0.5 acre)**

Maintained as per 2.1 requirements, or firebreaks must be constructed within six (6) metres of the boundary of the property, must be four (4) metres wide with a minimum three (3) metres mineral being earth, and have all trees/vegetation on both sides of the firebreak laterally pruned to a height of four (4) metres.

#### **2.3. Parkland clearing**

Maintain paddocks by removing flammable material (excluding crops, pasture areas and living trees/shrubs).

### 3. Rural Land

*Rural Land* includes “Land within the Shire of Nannup which is zoned Agricultural, Agricultural Priority 1—Scott Coastal Plain, Agricultural Priority 2—Coastal Landscape, Special Use (outside the Nannup townsite) or Future Development, and any freehold land outside the Nannup townsite that is a Local Scheme Reserve in the Shire of Nannup Local Planning Scheme No.3”.

#### 3.1. Asset Protection Zone (APZ)

Maintain as per 1. requirements in addition, all buildings must have an **access** (cleared of all flammable material) not less than four (4) metres wide, with a three (3) metre trafficable width and a vertical clearance of four (4) metres to allow access by fire appliances.

#### 3.2. Rural Managed Land

Land actively used for agriculture, viticulture, horticulture etc (excluding plantations).

Active fuel reduction by means such as grazing by an appropriate number of livestock, slashing and baling etc., or a fuel reduction plan that shows the means of fuel reduction on the land. Grass not to exceed seventy five (75) millimetres in height.

Managed land is not required to have perimeter firebreaks, although all owners and occupiers of land are encouraged to install them in strategic places to protect the property in the event of a fire.

#### 3.3. Rural Unmanaged Land

Land not used primarily for agriculture, viticulture, horticulture etc (excluding plantations).

Unmanaged land shall be accessible by firebreaks and broken into areas with firebreaks so that unmanaged land areas do not exceed forty (40) hectares. The firebreak must be a minimum of four (4) metres wide with a minimum of three (3) metres being mineral earth, and have all trees/vegetation on both sides of the firebreak laterally pruned to a minimum height of four (4) metres.

### 4. Special Rural Land

*Special Rural* includes “Land within the Shire of Nannup which is zoned Special Rural in the Shire of Nannup Local Planning Scheme No.3”.

#### 4.1. Firebreaks

The firebreak must be a minimum of four (4) metres wide with a minimum of three (3) metres being mineral earth, and have all trees/vegetation on both sides of the firebreak laterally pruned to a height of four (4) metres. Firebreaks constructed within six (6) metres of the boundary of the property.

There is no requirement for firebreaks where the whole area is covered by buildings and/or is kept mown or slashed or clear of Flammable Material, or is maintained and kept green by efficient reticulation systems installed by landowner.

In addition, Cockatoo Valley has a Bushfire Management Plan that includes a Strategic Firebreak. Properties bounded by the strategic firebreak are required to maintain unrestricted access across the strategic firebreak.

#### 4.2. Parkland Clearing

Maintain paddocks by removing flammable material (excluding crops, pasture areas and living trees/shrubs).

### 5. Special Requirements

Special requirements apply in addition to the requirements set out in 1, 2, 3 and 4 Bushfire Risk Compliance requirements.

The requirements of this Notice are considered the minimum standard of fire protection required to protect not only the individual property but the community as a whole.

#### 5.1. Hazards

A Fire Control Officer can impose additional requirements to remove or abate hazards if he/she considers it necessary.

#### 5.2. Bushfire Management Plan and Bushfire Attack Level Assessment

Under the Shire’s planning requirements, most land uses other than single houses and outbuildings require planning approval. If a land use is to occur in a declared bushfire prone area, a Bushfire Management Plan (BMP) may be required. Properties subject to an approved BMP, a Bushfire Attack Level (BAL) assessment, or with other imposed development approval conditions, must comply with the approved conditions in addition to the requirements of this Notice.

NOTE—where the requirements are inconsistent with the requirements of this Notice, owners should apply for a Variation.

#### 5.3. Short-Stay Accommodation Venues

Short-stay accommodation includes bed and breakfasts, guesthouses, holiday homes, chalets, serviced apartments, hotels, motels, campgrounds, caravan parks and resorts.

Short-stay accommodation involves people visiting and inhabiting a premises where they may be less likely to be able to respond in the event of an emergency. These uses are classified as ‘vulnerable’ under State Planning Policy 3.7 Planning in Bushfire Prone Areas and may be subject to a Bushfire Management Plan. Applications for vulnerable land uses are to be lodged with the Shire.

#### 5.4. Plantations

A plantation means any area of trees, other than a windbreak, exceeding 3 hectares, established in pine, eucalypt or other trees that have been planted or grown for commercial gain, excluding vineyards and fruit producing trees within orchards.

Most plantations require Development Approval from the Shire prior to commencement of planting. The Shire will require plantation fire protection measures, including the development of a Fire Management Plan (FMP), to be fulfilled as a condition of Development Approval. These measures shall apply to all new plantations and additional rotations of existing plantations.

Owners should apply for a Variation where the requirements of a FMP are inconsistent with the following requirements.

All land excluding Scott River are to meet the requirements from 3 November each year until 30 April the following year as specified in the Notice. Scott River are to meet the requirements from 15 December each year until 30 April—

- (i) The firebreak requirements for harvested plantations are the same as those for unharvested plantations, unless it has been clear felled and all prunings, branches and/or other accumulated tree litter and logging residue have been removed.
- (ii) Established residue heaps into manageable piles no greater than ten (10) metres wide and four (4) metres high and burnt. The ignition of heaps to occur as soon as weather and fuel conditions permit after the previous fire season ends. If unable to achieve the requirements install a fifteen (15) metre wide firebreak around the heaps, it must be trafficable and cleared of all Flammable Material. The appropriate agencies are to be notified in advance of the burn off. Contact the Shire of Nannup for further information.
- (iii) Bushfire Management Plan maps are to be stored in red fire cylinders at the main entrances to the plantation. The maps to include property boundaries, firebreaks, water point, buildings and owners or managers contact details.
- (iv) Firebreaks to be constructed on the boundaries of plantations or in such alternative locations as may be agreed with the Shire and the plantation owner.
- (v) Fifteen (15) meter wide boundary firebreaks are to be cleared of all flammable material and have no overhanging tree branches for a vertical clearance of five (5) metres.
- (vi) Six (6) metre wide internal firebreaks are to be clear of all flammable material, progressively pruned on both sides to a minimum height of four (4) metres, and shall be constructed surrounding compartments of approximately thirty (30) hectares. Internal firebreaks maintained to a trafficable condition.
- (vii) Where power lines pass through or near plantation areas, additional obligations are imposed by the State power authority. Plantation owners and/ or managers should consult Western Power for advice.

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## PLANNING

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### PL401

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Stirling*  
 Local Planning Scheme No. 3—Amendment No. 123

Ref: TPS/2778

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 Stirling Local Planning Scheme amendment on 15 September 2022 for the purpose of—

1. Amending Schedule 2—Additional Uses to include the following—

No.	Description of Land	Additional Uses	Conditions
A22	Portion of Swan Location Z and being Lot 4 on Diagram 59974 (No. 256) Walcott Street, Menora	Office 'P' use Veterinary Centre 'D' use Consulting Rooms 'D' use Medical Centre 'D' use	<ol style="list-style-type: none"> <li>1. Prior to development a local development plan shall be prepared in accordance with Schedule 2, Part 6 of the Deemed Provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</li> <li>2. Development is to generally be in accordance with an approved Local Development Plan.</li> </ol>

Amending the Scheme Map by designating Lot 4 on Diagram 59974, (No. 256) Walcott Street, Menora as "R60" as shown on the Amendment Map.

M. IRWIN, Mayor.  
S. JARDINE, Chief Executive Officer.

PL402

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Stirling*  
 Local Planning Scheme No. 3—Amendment No. 112

Ref: TPS/2723

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 Stirling Local Planning Scheme amendment on 15 September 2022 for the purpose of—

1. Amending the Scheme Text by—
  - a. Modifying Clause 6.1.1 “Special Control Areas” to include ‘Main Street District Centre’ between ‘Karrinyup Civic Centre’ and ‘Main Street Plaza’.
  - b. Inserting a new Clause 6.18 under ‘Part 6—Special Control Areas’ as follows—

**6.18 Main Street District Centre Special Control Area**

6.18.1 Development and Subdivision

(a) Building Height

The following building height plan in Figure 6.18.1 and Table 6.18.1 shall apply to all development within the Main Street District Centre Special Control Area.



Figure 6.18.1—Building Height Plan

Table 6.18.1—Height and Building Standards

Building Type	Building Height	Plot Ratio
Attached—A2	Minimum height— 2 storeys Maximum base height— 4 storeys	Base plot ratio: 2.5
	Bonus building height and plot ratio— Subject to the requirements of the Main Street Local Development Plan	
Detached—D1	Minimum height— 2 storeys Maximum height— 2 storeys for lots less than 1,000m <sup>2</sup> and/or less than 24m frontage 3 storeys for lots greater than 1,000m <sup>2</sup> and 24m frontage	Plot ratio of 0.8 for lots less than 1,000m <sup>2</sup> and/or less than 24m frontage Plot ratio of 1.1 for lots greater than 1,000m <sup>2</sup> and 24m frontage
	No bonus building height or plot ratio permitted	

Building Type	Building Height	Plot Ratio
Detached—D1A	Minimum height— 2 storeys	Plot ratio of 1.0 for lots less than 1,000m <sup>2</sup> and/or less than 24m frontage
	Maximum height— 3 storeys for lots less than 1,000m <sup>2</sup> and/or less than 24m frontage 4 storeys for lots greater than 1,000m <sup>2</sup> and 24m frontage	Plot ratio of 1.3 for lots greater than 1,000m <sup>2</sup> and/or less than 24m frontage
	No bonus building height or plot ratio permitted	
Detached—D1B	Minimum height— 2 storeys	Plot ratio of 1.0 for lots less than 1,000m <sup>2</sup> and/or less than 24m frontage
	Maximum height— 3 storeys for lots less than 1,000m <sup>2</sup> and/or less than 24m frontage 4 storeys for lots greater than 1,000m <sup>2</sup> and 24m frontage	Plot ratio of 1.3 for lots greater than 1,000m <sup>2</sup> and/or less than 24m frontage
	No bonus building height or plot ratio permitted	

- (b) Development bonuses only apply to land zoned District Centre and shall be considered above the base building criteria outlined within section 5.0—Building Types of the Main Street Local Development Plan.
- (c) Notwithstanding the provisions of the Residential Design Codes, subdivision of single house and grouped dwellings within the Main Street District Centre Special Control Area is to be in accordance with the requirements of the R40 density code.
- (d) For the purposes of the Main Street District Centre Special Control Area, *substantial redevelopment* is defined as: a development application which proposes the complete redevelopment of a site including demolition of existing buildings.

#### 6.18.2 Residential Design Codes

Notwithstanding clause 5.3.2, the residential component of mixed use development within the Main Street District Centre Special Control Area is to comply with the requirements of multiple dwellings under the R-AC0 code.

#### 6.18.3 Mandatory Residential—District Centre zone

- (a) A minimum residential plot ratio area of 0.5 shall be provided upon the substantial redevelopment of any site within the District Centre zone of the Main Street District Centre Special Control Area.
- (b) Notwithstanding clause 6.18.3(a), the Council may consider allowing the transfer of one development's minimum required residential plot ratio area requirement to another lot subject to the following—
- The lot in receipt of the additional residential floorspace requirement is included in the District Centre zone of the Main Street District Centre Special Control Area; and
  - It is demonstrated to the satisfaction of the Council by the landowner(s) and/or proponent of the development that the lot in receipt of the additional residential floorspace requirement can and will accommodate the additional residential floorspace whilst complying with all relevant standards and requirements applicable to that lot under this Scheme.

#### 6.18.4 Road Widening Requirements

- (a) Where—
- a site contains land affected by a road widening requirement identified within Figure 6.18.4; and
  - in the opinion of the local government, the development to which the development approval relates is substantial redevelopment as defined within clause 6.18.1(d).
- The City may require the land so affected to be ceded—
- to the Crown prior to commencement of development;
  - at the cost of the landowner without any reimbursement of that cost by the City; and
  - without the payment of any compensation to the landowner.
- (b) Development shall not encroach into the road widening requirement as identified in Figure 6.18.4.

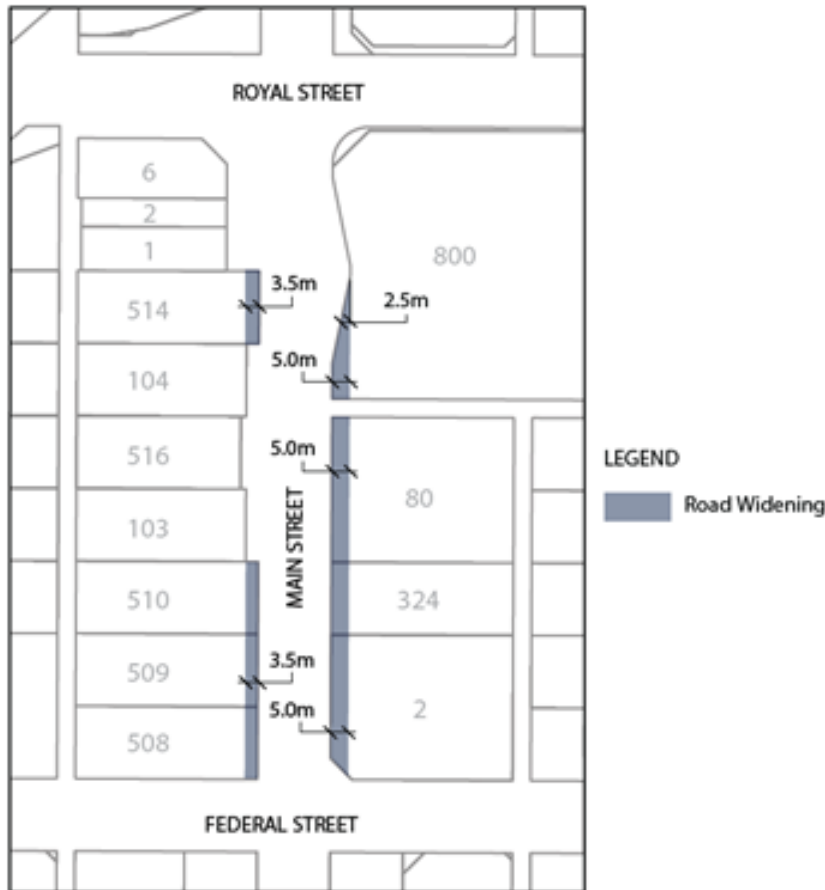


Figure 6.18.4—Road Widening Plan

2. Inserting the following in ‘Schedule 3—Restricted Uses’:

No.	Description of Land	Restricted Use	Conditions
RU2	Lot 5, (House Number 178) Edward Street, Osborne Park	Car Park Multiple Dwelling	1. Upon substantial development of the site, 20 public car parking bays shall be maintained until such time as Lot 6, House Number 221, Main Street, Osborne Park is redeveloped and provided with sufficient parking within that lot.

3. Amending the Scheme Maps by—

(a) Rezoning various lots as outlined in the Scheme Amendment Map as follows—

- i. The existing ‘Mixed Use’ area to ‘District Centre (R-AC0)’;
- ii. Lot 340, House Number 223 Main Street, Osborne Park from ‘Civic’ and ‘No Zone’ to ‘District Centre (R-AC0)’; and
- iii. Lot 4, House Number 223A Main Street, Osborne Park from ‘Civic’ to ‘District Centre (R-AC0)’;
- iv. Lot 550, House Number 181 Hutton Street, Osborne Park from ‘Residential R40’ to ‘District Centre (R-AC0)’; and
- iv. Lot 5, House Number 178 Edward Street, Osborne Park from ‘Civic’ to ‘District Centre (R-AC0)’ zone and ‘Restricted Use (RU2)’ designation.

(b) Recoding existing ‘Residential (R30)’ and ‘Residential (R40)’ areas to introduce a R-AC0 code; and

(c) Adding the Main Street District Centre Special Control Area to the Scheme Map.

M. IRWIN, Mayor.  
S. JARDINE, Chief Executive Officer.

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## PREMIER AND CABINET

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PR401

**INTERPRETATION ACT 1984**  
**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor, in accordance with section 12(c) of the *Interpretation Act 1984*, has approved the following temporary appointment—

Hon. W. J. Johnston MLA to act temporarily in the office of Minister for State Development, Jobs and Trade; Tourism; Commerce; Science in the absence of the Hon. R. H. Cook MLA for the period 19 to 23 October 2022 (both dates inclusive).

E. ROPER, Director General, Department of the Premier and Cabinet.

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PR402

**INTERPRETATION ACT 1984**  
**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor, in accordance with section 12(c) of the *Interpretation Act 1984*, has approved the following temporary appointment—

Hon. J. N. Carey MLA to act temporarily in the office of Minister for Transport; Planning; Ports in the absence of the Hon. R. Saffioti MLA for the period 20 October 2022.

E. ROPER, Director General, Department of the Premier and Cabinet.

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PR403

**INTERPRETATION ACT 1984**  
**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor, in accordance with section 12(c) of the *Interpretation Act 1984*, has approved the following temporary appointment—

Hon. D. T. Punch MLA to act temporarily in the office of Minister for Environment; Climate Action in the absence of the Hon. R. R. Whitby MLA for the period 5 to 16 November 2022 (both dates inclusive).

E. ROPER, Director General, Department of the Premier and Cabinet.

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## PUBLIC NOTICES

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ZZ401

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

Notice to Creditors and Claimants

Isabella Huxtable, late of 8/24 Shoalhaven Place, Waikiki, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 6 January 2022, are required by the personal representative to send particulars of their claims to them c/- Plain Legal, Suite 3, 80 Walters Drive, Osborne Park WA 6017, within one month after publication of this notice, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which they then have notice.

PLAIN LEGAL.

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

## Notice to Creditors and Claimants

Paolo Teodoro Lionetti late of 123 Burt Street, Albany, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 31 May 2022, are required by the trustee of the late Paolo Teodoro Lionetti of care of Philip Wyatt Lawyers, 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 18 October 2022.

PHILIP WYATT LAWYERS.

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

## Notice to Creditors and Claimants

Anthony Peter O'Brien late of 139 Inlet Drive, Denmark, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 18 April 2022 are required by the trustee of the late Anthony Peter O'Brien of care of Philip Wyatt Lawyers, 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 20 October 2022.

PHILIP WYATT LAWYERS.

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

## Notice to Creditors and Claimants

Rae Patricia Beagley (Rae Patricia Parsons) formerly of 48 Mariners Cover Drive, Dudley Park, Western Australia, late of Acacia Living, 82 Oakmont Avenue, Meadow Springs, Western Australia, Medical Secretary, 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 7 June 2022 are required by the personal representative to send particulars of their claims to the care of Amanda Liston Legal, PO Box 4234, North Mandurah WA 6210 within 4 weeks from the date of this advertisement after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

AMANDA LISTON LEGAL as solicitors for the personal representative.

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**ZZ405****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Audrey Ann Larder formerly of 19 Parkland Villas, 2 Hungerford Avenue, Halls Head, Western Australia, late of Nash Street, Kapunda, South Australia, Secretary, 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 4 May 2022 are required by the personal representative to send particulars of their claims to the care of Amanda Liston Legal, PO Box 4234, North Mandurah WA 6210 within 4 weeks from the date of this advertisement after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

AMANDA LISTON LEGAL as solicitors for the personal representative.

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**ZZ406****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

In the Matter of the Estate of Barbara Jean Couper, late of 9 Harvest Loop, Edgewater, in the State of 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 4th day of August 2022, are required by the Executor, Glen Bernard Giles, to send the particulars of their claim to Messrs Taylor Smart of Level 2, 100 Railway Road, Subiaco in the State of Western Australia, by the 25th day of November 2022, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated 21 October 2022.

PETER A. NEVIN, Taylor Smart.

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**ZZ407****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

In the Matter of the Estate of Lynette Merle McLennan, late of 43/314 Erindale Road, Warwick, in the State of Western Australia, deceased.

Creditors and other persons having claims to which Section 63 of the *Trustees Act 1962* relates in respect of the Estate of the deceased, who died on or before the 3rd day of July 2022, are required by the Executor, Glen Bernard Giles, to send the particulars of their claim to Messrs Taylor Smart of Level 2, 100 Railway Road, Subiaco, in the State of Western Australia, by the 25th day of November 2022, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

Dated 21 October 2022.

PETER A. NEVIN, Taylor Smart.

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