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- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper.
- Copy must be lodged with the Publications Officer, Department of the Premier and Cabinet no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition)—

Email address:

gazette@dpc.wa.gov.au

- Enquiries regarding publication of notices can be directed to the Publications Officer on (08) 6552 6012.
- Enquiries regarding payment of notices can be directed to (08) 6552 6000 or sales@dpc.wa.gov.au
- **Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.**

After lodging any notices, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*



GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2023 AND NEW YEAR HOLIDAY PERIOD 2024

Publishing Dates	Closing Dates and Times for copy
Tuesday, 19 December 2023	Friday, 15 December 2023 at 12 noon
Friday, 22 December 2023	Wednesday, 20 December 2023 at 12 noon
Friday, 29 December 2023	Wednesday, 27 December 2023 at 12 noon

The Government Gazette will not be published on

Tuesday 26 December 2023

Tuesday 2 January 2024

The next edition will be published on Friday 5 January 2024 and copy will close 12 noon Wednesday 3 January 2024

CONSUMER PROTECTION

CP401

RETAIL TRADING HOURS ACT 1987

RETAIL TRADING HOURS (REGIONAL CHRISTMAS & PUBLIC HOLIDAY) VARIATION ORDER 2023

Made by the Minister for Commerce under section 12E of the Act.

1. Citation

This order is the Retail Trading Hours (Regional Christmas & Public Holiday) Variation Order 2023.

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 the day after that day.

3. Variation of retail trading hours

- (1) During the period commencing on 9 December 2023 and ending on 17 December 2023 (both dates inclusive) and the period commencing on 26 December 2023 and ending on 31 December 2023 (both dates inclusive), general retail shops in the Boddington, Carnamah, Collie, Dowerin, Gnowangerup, Kalgoorlie-Boulder, Lake Grace, Mandurah and Wagin local government districts are authorised to be open at times when those shops would otherwise be required closed—
 - (a) on each Monday, Tuesday, Wednesday, Thursday and Friday from 8.00am to 9.00pm; and
 - (b) on each Saturday, Sunday and public holiday from 8.00am to 6.00pm.
- (2) During the period commencing on 18 December 2023 and ending on 24 December 2023 (both dates inclusive), general retail shops, other than motor vehicle shops, in the Boddington, Carnamah, Collie, Dowerin, Gnowangerup, Kalgoorlie-Boulder, Lake Grace, Mandurah and Wagin local government districts are authorised to be open at times when those shops would otherwise be required to be closed—
 - (a) on each Monday, Tuesday, Wednesday, Thursday and Friday from 7.00am to 9.00pm; and
 - (b) on each Saturday and Sunday from 8.00am to 6.00pm.

4. Variation of retail trading hours for public holidays in 2024

General retail shops, other than motor vehicle shops, in the Boddington, Carnamah, Collie, Dowerin, Gnowangerup, Kalgoorlie-Boulder, Lake Grace, Mandurah and Wagin local government districts are authorised to be open at times when those shops would otherwise be required to be closed, on the days and during the periods referred to in the table.

Table

Monday 1 January 2024	From 8.00am until 6.00pm
Friday 26 January 2024	From 8.00am until 6.00pm
Monday 4 March 2024	From 8.00am until 6.00pm
Monday 1 April 2024	From 8.00am until 6.00pm
Monday 3 June 2024	From 8.00am until 6.00pm
Monday 23 September 2024	From 8.00am until 6.00pm

5. Relationship to standing orders

This order has effect despite the Retail Trading Hours (City of Mandurah) Variation Order 2022, the Retail Trading Hours (Shire of Collie) Variation Order 2016 and the Retail Trading Hours (Shire of Boddington) Variation Order 2023.

6. Part disapplication

This order does not affect the operation of the Retail Trading Hours (Burt Street Precinct, Boulder) Exemption Order 2001 or the Retail Trading Hours (City of Kalgoorlie-Boulder) Variation Order 2020.

Hon. SUE ELLERY, MLC, Minister for Commerce.

EDUCATION

ED401**CURTIN UNIVERSITY ACT 1966****KALGOORLIE CAMPUS COUNCIL (APPOINTMENT OF MEMBERS) INSTRUMENT 2023**

Made by the Minister for Education under section 21M(1)(b) of the *Curtin University Act 1966*.

Citation

This is the *Kalgoorlie Campus Council (Appointment of Members) Instrument 2023*.

Appointment of Members

Mr Raleigh Finlayson is appointed under section 21M(1)(b) as a member of the Kalgoorlie Campus Council for a three-year term of office commencing on the date below.

Mr Matthew Terry is appointed under section 21M(1)(b) as a member of the Kalgoorlie Campus Council for a three-year term of office commencing on the date below.

Dated 30 October 2023.

Hon. Dr TONY BUTI, MLA, Minister for Education.

ENERGY

EN401**ELECTRICITY INDUSTRY ACT 2004****AMENDMENT OF LICENCE**

Notice is given that the following electricity distribution licence has been amended—

Licensee:	TEC Desert Pty Ltd and TEC Desert No. 2 Pty Ltd (t/a Southern Cross Energy Partnership) ABN 79 271 003 656
Business Address:	Level 2, Parmelia House, 191 St Georges Terrace Perth WA 6000
Classification:	Electricity distribution licence EDL3, Version 11
Commencement Date:	30 June 2006
Amendment date:	7 November 2023
Term of licence:	Up to and including 29 June 2036
Licence area:	The licence area is the area as set out in plan ERA-EL-109E in the State of Western Australia.
Amendment:	To allow for the extension of 11kV distribution line for the construction and subsequent operation of new electrical distribution infrastructure for the Mount Keith west network upgrade project.
Inspection of licence:	Economic Regulation Authority 4th Floor, Albert Facey House 469 Wellington Street Perth WA 6000 https://www.erawa.com.au

Mr STEVE EDWELL, Chair, Economic Regulation Authority.

EN402

ELECTRICITY INDUSTRY ACT 2004
AMENDMENT OF LICENCE

Notice is given that the following electricity transmission licence has been amended—

Licensee:	TEC Desert Pty Ltd and TEC Desert No. 2 Pty Ltd (t/a Southern Cross Energy Partnership) ABN 79 271 003 656
Business Address:	Level 2, Parmelia House, 191 St Georges Terrace Perth WA 6000
Classification:	Electricity transmission licence ETL3, Version 11
Commencement Date:	30 June 2006
Amendment date:	7 November 2023
Term of licence:	Up to and including 29 June 2036
Licence area:	The licence area is the area as set out in plan ERA-EL-110/1E in the State of Western Australia.
Amendment:	To allow for the extension of 13kV transmission line for the construction and subsequent operation of new electrical transmission infrastructure for the Mount Keith west network upgrade project.
Inspection of licence:	Economic Regulation Authority 4th Floor, Albert Facey House 469 Wellington Street Perth WA 6000 https://www.erawa.com.au Mr STEVE EDWELL, Chair, Economic Regulation Authority.

JUSTICE

JU401

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999
PERMIT DETAILS

Pursuant to the provisions of section 55(1) of the *Court Security and Custodial Services Act 1999*, the Commissioner of Corrective Services has issued the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Issued
Dervishi	Besnik	WLG-2023-038	05/10/2023

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

DAVID DELANEY, Manager Contracts, Court and Tribunal Services.

JU402

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999
PERMIT DETAILS ISSUED

The following permits have been issued pursuant to Section 51 of the *Court Security and Custodial Services Act 1999*—

Surname	First Name(s)	Permit Number
Jackson	Helen Marie	232614
Bouquet	Marina Dominic	232615

Dated 02 November 2023.

BRAD ROYCE, Commissioner.

JU403

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999
PERMIT DETAILS ISSUED

The following permits have been issued pursuant to Section 51 of the *Court Security and Custodial Services Act 1999*—

Surname	First Name(s)	Permit Number
Aitchison	Mathew James	232701
Bin Omar	Keizar Kane	232702
Brown	Edwin Andrew	232703
Buckley	Lisa	232704
Cassidy	Ngaroria Eva Rose	232705
Godfrey	Raelene Lesley	232706
Kumar	Sandeep	232707
Leech	Devon Marseille	232708
Legg	Peter Charles	232709
Little	Jodie Marie	232710
Martin	Geoffrey Frank Rogers	232711
Millar	Alexander Christopher	232712
Rowley	Britney Jane	232713
Selvage	Lesena Dorothy	232714
Shahzad	Muhammad	232715
Shearer	Jordan Ann	232716
Stanley	Delia Adrienne	232717
Stuart	Ashleigh Marlene	232718
Stuart	Zachary Michael Wayne	232719
Wake	Brooke Catherine	232720
Williams	Patricia (Patty) Ann	232721

Dated 02 November 2023.

BRAD ROYCE, Commissioner.

JU404

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999
PERMIT DETAILS REVOKED

The following permit have been revoked pursuant to Section 56(1) of the *Court Security and Custodial Services Act 1999*—

Surname	First Name(s)	Permit Number
Powell	Steven	221709
Rogers	Neil	170188-1
Mcgill	Chris	220142
Barnes	Patricia	22181
Marteja	Patricia	232007
Lee	Mark	221801
Kumar	Satish	220029
McGregor	Alan	220027
Lawrence	Leslie	221616
Sukoska	Violeta	220138
Malezanoski	Beti	170299-1
Fairclough	Kate	232105

Dated: 06 October 2023.

CHRISTINE GINBEY, A/Commissioner.

LOCAL GOVERNMENT

LG401

CAT ACT 2011
LOCAL GOVERNMENT ACT 1995
Shire of Wyalkatchem
CATS LOCAL LAW 2023

Under the powers conferred by the *Cat Act 2011*, the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Wyalkatchem resolved on 19 October 2023 to make the following local law.

PART 1—PRELIMINARY

1.1 Title

This is the *Shire of Wyalkatchem Cats Local Law 2023*

1.2 Commencement

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

1.3 Repeal

- (1) The *Shire of Wyalkatchem Cats Local Law 2022* published in the *Government Gazette* on 30 June 2023 is repealed;
- (2) The *Shire of Wyalkatchem Cats Local Law* published in the *Government Gazette* on 13 March 2023 is repealed; and
- (3) Clause 5.2.4 of the *Shire of Wyalkatchem Health Local Laws* published in the *Government Gazette* on 3 May 2002 is repealed.

1.4 Terms used

- (1) In this local law, unless the context otherwise requires—

Act means the *Cat Act 2011*;

applicant means a person who applies for an approval;

application means an application for an approval;

approval means approval under regulation 9 of the *Cat (Uniform Local Provisions) Regulations 2013* and Part 2 of this local law;

approved person means the person to whom an approval is granted;

authorised person means a person appointed by the local government to perform the functions conferred on an authorised person under this local law;

cat has the meaning given to it in the Act;

cat management facility has the meaning given to it in the Act;

CEO means the Chief Executive Officer of the local government;

district means the district of the local government;

local government means the Shire of Wyalkatchem;

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

nuisance means—

- (a) an activity or condition which is harmful or annoying and which gives rise to legal liability in the tort of public or private nuisance at law;
- (b) an unreasonable interference with the use and enjoyment of a person of his or her ownership or occupation of land; or
- (c) interference which causes material damage to land or other property on the land affected by the interference;

owner has the meaning given to it in the Act;

premises has the meaning given to it in the Act; and

veterinarian has the meaning given to it in the Act.

- (2) A term that is used in this local law and is not defined in subclause (1) has the same meaning given to it in the Act or, if not defined in the Act, the same meaning given to it in the *Cat Regulations 2012*, the *Cat (Uniform Local Provisions) Regulations 2013* or the *Local Government Act 1995*.

1.5 Application

This local law applies throughout the district.

PART 2—NUMBER OF CATS THAT MAY BE KEPT

2.1 Interpretation

For the purposes of applying this Part, a **cat** does not include a cat less than 6 months old.

2.2 Prescribed premises

For the purposes of the definition of **prescribed premises** in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, this local law limits the number of cats that may be kept at any premises within the district except—

- (a) a cat management facility operated by a body prescribed as a cat management facility operator under the *Cat Regulations 2012*;
- (b) a cat management facility operated by the local government; or
- (c) a veterinary clinic or veterinary hospital as defined under section 2 of the *Veterinary Surgeons Act 1960*, but only in relation to cats kept on those premises for treatment.

2.3 Standard number of cats

For the purposes of the definition of **standard number of cats** in regulation 4(1) of the *Cat (Uniform Local Provisions) Regulations 2013*, no more than 3 cats over the age of 6 months may be kept on premises within the district at which a member of a cat organisation is not ordinarily resident.

2.4 Application for approval

- (1) An application for approval to keep an additional number of cats at prescribed premises is dealt with in regulation 8 of the *Cat (Uniform Local Provisions) Regulations 2013*.
- (2) An application for approval must be accompanied by the application fee determined by the local government in accordance with the Act.

2.5 Determining an application

- (1) For the purpose of determining whether to grant approval for an application to keep an additional number of cats at prescribed premises, the local government must have regard to—
 - (a) the zoning of the land under the local planning scheme;
 - (b) the physical suitability of the premises for the proposed use;
 - (c) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
 - (d) the structural suitability of any enclosure in which any cat is to be kept;
 - (e) the likelihood of a cat causing a nuisance, inconvenience or annoyance to an occupier of adjoining land;
 - (f) the likely effect on the amenity of the surrounding area of the proposed use;
 - (g) the likely effect on the local environment including any pollution or other environmental damage, which may be caused by the proposed use; and
 - (h) any other factors which the local government considers to be relevant in the circumstances of the application.
- (2) An approval is to be in the form determined by the local government and is to be issued to the approved person.

2.6 Conditions

- (1) For the purpose of ensuring that the premises to which an application relates are suitable for the additional number of cats, the local government may impose any condition that it considers to be reasonably necessary for that purpose, including—
 - (a) that the premises must be adequately fenced (and premises will be taken not to be adequately fenced if there is more than one escape of a cat from the premises);
 - (b) that there must be adequate space for the exercise of the cats;
 - (c) that, in the case of multiple dwellings where there is no suitable dividing fence, each current occupier of the adjoining multiple dwellings must give their written consent to the approval; and
 - (d) that, without the consent of the local government, the approved person must not substitute or replace any cat that dies or is permanently removed from the premises.
- (2) An approved person who does not comply with a condition of the approval, commits an offence.
Penalty: a fine of not less than \$1,000 and not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

2.7 Renewal of an application

- (1) An application is to be renewed if—
 - (a) the approved person has not breached the conditions of the approval;
 - (b) the approval would have been granted if a fresh application for approval had been made; and
 - (c) the renewal fee, imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*, is paid to the local government before the expiry of the approval.
- (2) On the renewal of an approval, the conditions of the approval that applied immediately before the renewal continue to have effect.

2.8 Transfer of an approval

- (1) An approval relates only to the premises specified in the approval, and only to the approved person specified in the approval, and is transferrable only in accordance with this clause 2.8.
- (2) An application for the transfer of an approval from the approved person to another person must be—
 - (a) made in the form determined by the local government;
 - (b) made by the proposed transferee;
 - (c) made with the consent of the approved person; and
 - (d) lodged with the local government together with the fee for the application for the transfer of an approval that is imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*.
- (3) The local government is not to determine an application for the transfer of an approval until the proposed transferee has complied with subclause (2).
- (4) The local government may grant, or refuse to grant, an application for the transfer of an approval, and this approval will be subject to such conditions as the local government may impose under Regulation 9(3) of the *Cat (Uniform Local Provisions) Regulations 2013*.
- (5) Where the local government grants an application for the transfer of an approval—
 - (a) it is to issue to the transferee an approval in the form determined by the CEO; and
 - (b) on the date of approval, unless otherwise specified in the approval, the transferee becomes the approved person for the purposes of this local law.

2.9 Variation or cancellation of an approval

- (1) The local government may, at any time, vary the conditions of an approval by giving written notice to the permit holder and specifying the date on which the changes will become effective.
- (2) The local government may cancel an approval—
 - (a) on the request of the approved person;
 - (b) if the approved person breaches the Act, the *Cat Regulations 2012*, the *Cat (Uniform Local Provisions) Regulations 2013* or this local law; or
 - (c) if the approved person is not a fit and proper person to provide for the health and welfare of the cats.
- (3) If an approval is cancelled, the fee paid for the approval is not refundable for the term of the approval that has not yet expired.

2.10 Objection and review rights

A decision of the local government made under clauses 2.7, 2.8 or 2.9 is a decision to which Division 1, Part 9 of the *Local Government Act 1995* applies.

PART 3—ENFORCEMENT**3.1 Infringement notices**

- (1) An offence against clause 2.6(2) is a prescribed offence for the purposes of section 62(1) of the Act and the modified penalty for the offence is a fine of \$200.
- (2) The form of an infringement notice is Form 6 in the *Cat Regulations 2012*, Schedule 1.
- (3) The form of withdrawal of the infringement notice is Form 7 in the *Cat Regulations 2012*, Schedule 1.

Dated 23 October 2023.

The Common Seal of the Shire of Wyalkatchem was affixed in the presence of—

Cr QUENTIN DAVIES, President.
PETER KLEIN, Chief Executive Officer.

LG402

LOCAL GOVERNMENT ACT 1995**SHIRE OF WYALKATCHEM PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY
AMENDMENT LOCAL LAW 2023**

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the Shire of Wyalkatchem resolved on 19 October 2023 to make the following local law—

1. Citation

This local law is cited as the *Shire of Wyalkatchem Public Places and Local Government Property Amendment Local Law 2023*.

2. Commencement

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

3. Revocation

The *Shire of Wyalkatchem Public Places and Local Government Property Amendment Local Law 2023* published in the *Government Gazette* on 30 June 2023 is revoked.

4. Principal local law

This local law amends the *Shire of Wyalkatchem Public Places and Local Government Property Local Law 2023* as published in the *Government Gazette* on 13 March 2023, No 499.

5. Clause 5.10 replaced

Clause 5.10 is deleted and replaced with—

5.10 Disposal of lost property

An article left on any local government property, and not claimed within a period of 3 months, may be disposed of by the CEO or an authorised person—

- (a) if the value of the property is reasonably believed to exceed the amount prescribed by Regulation 30(3) of the Local Government (Functions and General) Regulations 1996, using the process under section 3.58 of the Act for the sale of the article as if it was property referred to in that section; and
- (b) if the article is reasonably believed to be below the amount prescribed by Regulation 30(3) of the Local Government (Functions and General) Regulations 1996, by being handed over to the WA Police Service.

6. Clause 9.2(2A) added

Clause 9.2(2A) is added as follows—

- (2A) In clause (2), 'animal' excludes a cat.

Dated 23 October 2023.

The Common Seal of the Shire of Wyalkatchem was affixed in the presence of—

Cr QUENTIN DAVIES, President.
PETER KLEIN, Chief Executive Officer.

LG403**BUSH FIRES ACT 1954****LOCAL GOVERNMENT ACT 1995****SHIRE OF WYALKATCHEM BUSH FIRE BRIGADES AMENDMENT LOCAL LAW 2023**

Under the powers conferred by the *Bush Fires Act 1954* and the *Local Government Act 1995*, and all other powers enabling it, the Council of the Wyalkatchem resolved on 19 October 2023 to make the following local law—

1. Citation

This local law is cited as the *Shire of Wyalkatchem Bush Fire Brigades Amendment Local Law 2023*.

2. Commencement

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

3. Bush Fire Brigades Amendment Local Law 2023 revoked

The *Shire of Wyalkatchem Bush Fire Brigades Amendment Local Law 2023* published in the *Government Gazette* on 30 June 2023 is revoked.

4. Bush Fire Brigades Local Law amended

Clause 7 of the *Shire of Wyalkatchem Bush Fire Brigades Local Law 2023* published in the *Government Gazette* on 13 March 2023 is deleted.

Dated 23 October 2023.

The Common Seal of the Shire of Wyalkatchem was affixed in the presence of—

Cr QUENTIN DAVIES, President.
PETER KLEIN, Chief Executive Officer.

LG404

DOG ACT 1976
CAT ACT 2011
LOCAL GOVERNMENT ACT 1995

City of Vincent

ANIMAL AMENDMENT LOCAL LAW 2023

Under the powers conferred by the *Dog Act 1976*, the *Cat Act 2011*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Vincent resolved on 17 October 2023 to make the following amendment local law.

1. Citation

This local law may be cited as the *City of Vincent Animal Amendment Local Law 2023*.

2. Objective

- (a) The objective of this amendment local law is to amend certain provisions of the *City of Vincent Animal Local Law 2022*.
- (b) The effect of this amendment local law is to provide further clarity of the requirements with which owners and occupiers of premises within the district must comply with in order to keep cats.

3. Commencement

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

4. Principal Local Law

This amendment local law amends the *City of Vincent Animal Local Law 2022*, published in the *Government Gazette* on 3 February 2023.

5. Clause 3.7(1) replaced

Clause 3.7(1) is replaced with—

- (1) Every licence is issued subject to the following conditions—
 - (a) each cat kept on the premises to which the licence relates must comply with the requirements of the Cat Act;
 - (b) the licence holder will provide adequate space for the exercise of each cat kept on the premises;
 - (c) the premises must be maintained in good order and in a clean and sanitary condition; and
 - (d) the conditions contained in Schedule 3.

6. Schedule 5 amended

Schedule 5 is amended by—

1. Deleting the item as follows —

19.	3.7(1)(b)	Failure to contain each cat on premises	200
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and;

2. Renumbering the subsequent items accordingly.

Dated 31 October 2023.

The Common Seal of the City of Vincent was affixed by authority of a resolution of the Council in the presence of—

ALISON XAMON, Mayor.
 DAVID MACLENNAN, Chief Executive Officer.

LG405

BUSH FIRES ACT 1954
APPOINTMENTS

It is hereby advised for public information that the following person have been appointed as Shire of Dalwallinu Bush Fire Control Officers under the *Bush Fires Act 1954*, Section IV Division 1 Section 38—

Deputy Chief Bush Fire Control Officer	Paul Burrridge
Appointment is hereby revoked for—	
Deputy Chief Bush Fire Control Officer	James Butcher
	JEAN KNIGHT, Chief Executive Officer.

LG406**LOCAL GOVERNMENT ACT 1995***Shire of Augusta Margaret River***BASIS OF RATES**

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 15 August 2023, determined that the method of valuation to be used by the Shire of Augusta Margaret River 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 38 to 50 inclusive and Lots 55 to 60 inclusive as shown on Deposited Plan 423807.

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

MINERALS AND PETROLEUM

MP401**MINING ACT 1978**

Section 19

INSTRUMENT OF EXTENSION OF TERM OF EXEMPTION OF LAND

I, Kristian Hartley Dawson, Executive Director, Resource Tenure, pursuant to section 19 of the *Mining Act 1978*, hereby extend the exemption originally declared on 27 November 2019 and published in the *Government Gazette* dated 06 December 2019 for that area described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) from Divisions 1 to 5 of Part IV of the *Mining Act 1978*, for a further period of two years expiring on 26 November 2025.

Locality

Kimberley Mineral field

Description of Land

Land designated S19/375 in the TENGRAPH electronic plan of the Department of Mines, Industry Regulation and Safety. A geospatial description is filed in the Department of Mines, Industry Regulation and Safety electronic file number A1992/201901, document ID A68423446.

Area of Land

Total estimated area 1741.42 hectares

Dated at Perth this 1st day of November 2023.

KRISTIAN HARTLEY DAWSON, Executive Director, Resource Tenure.

PLANNING

PL401**PLANNING AND DEVELOPMENT ACT 2005****APPROVED LOCAL PLANNING SCHEME AMENDMENT***Town of Mosman Park*

Local Planning Scheme No. 3—Amendment No. 8

Ref: TPS/3026

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 Town of Mosman Park Local Planning Scheme amendment on 23 October 2023 for the purpose of—

1. Amending Table 2—Zone Objectives in the following ways—
 - a. Deleting the following text within the objectives of the residential zone—
 - i. To promote work at home opportunities.

- ii. To provide for residential development in a manner promoting the health, welfare and safety of inhabitants and their environment.
 - iii. To promote a high quality residential environment taking account of both the existing residential amenity and desired future patterns of development.
 - iv. To protect residential areas from any interaction between different intensities of use or incompatible uses, which could be objectionable or detrimental to the desired amenity for any neighbourhood.
 - v. To encourage new forms of residential design including comprehensive development projects, particularly adjacent to the Stirling Highway Activity Corridor, that are in keeping with any development provisions for the Residential Zone or any adopted local development plan.
 - vi. To enhance the amenity of the residential neighbourhood by ensuring the privacy of residents, the appropriate street orientation of new dwellings and adherence to solar and environmentally sound design principles.
 - vii. To ensure development occurs in sympathy with the established streetscape in residential precincts, taking into consideration the intended density and zoning for any locality, setbacks, roof pitches, materials, design and landscaping.
 - viii. To promote and encourage design that incorporate crime prevention through environmental design, including, but not limited to, appropriate fencing, appropriate landscaping, casual surveillance of public open spaces and adequate pedestrian movement sightlines.
 - ix. To ensure due consideration is given to the access and management of waste collection for multiple dwelling.
- b. Replacing point one of the objectives of the commercial zone as follows—
To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.
- c. Deleting the following text within the objectives of the commercial zone—
- i. To provide for a diversity of land use and housing typologies in suitable locations, particularly with a view to accommodating well designed higher density residential development.
 - ii. To facilitate commercial and other mixed use forms of development taking advantage of Transit Oriented Development opportunities.
 - iii. To allow businesses to locate and develop in close proximity to residential localities and provide services locally.
 - iv. To provide an increase to the level of employment opportunities in the locality.
 - v. To provide for the establishment of vehicle access based development including showrooms in limited circumstances only on lots fronting Stirling Highway.
- d. Replacing point two of the objectives of the mixed use zone as follows—
To allow for the development of a mix of varied by compatible land uses such as housing, offices, showrooms, amusement centres, eating establishments and appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents.
- e. Deleting the following text within the objectives of the mixed use zone—
- i. To provide for and add to the range and amenity of existing residential and commercial development in a form providing a suitable transition between the Commercial Zone and residential areas, along with the preservation of identified buildings and dwellings of state and local heritage significance.
 - ii. To provide for a diversity of housing typologies in suitable locations, including well designed higher density residential development.
 - iii. To facilitate mixed use and commercial development opportunities at an appropriate scale reflecting the transitional nature of the zone.
 - iv. To allow businesses to locate and develop in close proximity to residential localities and provide services locally.
 - v. To provide an increase to the level of employment opportunities in the locality.
- f. Deleting the following text within the objectives of the centre zone—
- i. To facilitate the development of activity centres in the Town providing for the identified needs of the community in the provision of retail goods and services, cultural, health and community facilities, entertainment and employment opportunities.
 - ii. To encourage residential and employment opportunities in a mixed use format complementing and supporting the vitality of desired uses.
 - iii. To promote the redevelopment of activity centres to provide greater land use efficiency, vibrancy, accessibility and safety, in addition to improved urban amenity.

- g. Deleting the following text within the objectives of the private clubs, institutions & places of worship zone—
- i. To provide for the educational and private recreation requirements of the wider region without unduly impacting on local amenity.
 - ii. To provide for the controlled development of existing educational institutions and identified private recreation facilities within the Town, including private educational facilities, sports grounds with facilities for spectators, and recreation activities of a similar nature.
 - iii. To ensure that the activities on these sites do not unduly affect the residential amenity of the locality including, but not limited to, traffic and parking.
 - iv. To separate potentially noisy engine sports from incompatible uses.
2. Amending Table 3—Zoning Table in the following ways—
- a. Deleting the following land uses—
 - i. Industry—cottage
 - ii. Industry—service
3. Amending Clause 18. Interpreting zoning table in the following ways—
- a. Deleting the following text within Note 1—

For development on land that does not require development approval see clause 61 of the deemed provisions.
 - b. Replacing Note 2 as follows—

2. Under clause 61 of the deemed provisions, certain works and uses are exempt from the requirement for development approval.
 - c. Including the following text within the Note section—

3. Clause 67 of the deemed provisions deals with the consideration of applications for development approval by the local government. Under that clause, development approval cannot be granted for development that is a class X use in relation to the zone in which the development is located, except in certain circumstances where land is being used for a non-conforming use.
 - d. Deleting Clause 18(6)(a) and Clause 18(6)(b).
 - e. Deleting Clause 18(7)(b).
4. Modifying Table 4—Specified additional uses for zoned land in Scheme area in the following way—
- a. Deleting the word 'Location' from row No. 2, column No. 2 of the table.
5. Amending Clause 24. Register of non-conforming uses in the following ways—
- a. Replacing Clause 24(3)(b) as follows—

must ensure that an up-to-date copy of the register is published in accordance with clause 87 of the deemed provisions.
 - b. Deleting Clause 24(3)©.
 - c. Inserting a new sub-clause (3A) to Clause 24 to read as follows—

(3A) Subclause (3)(b) is an ongoing publication requirement for the purpose of clause 87(5)(a) of the deemed provisions.
6. Amending Clause 25. R-Codes in the following ways—
- a. Replacing Clause 25(2) as follows—

The local government must ensure that the R-Codes are published in accordance with clause 87 of the deemed provisions.
 - b. Deleting Clause 25(2)(a) and Clause 25(2)(b)
 - c. Inserting a new sub-clause (2A) to Clause 25 to read as follows—

(2A) Subclause 2 is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.
 - d. Replacing Clause 25(4) as follows—

The R-Codes apply to an area if—

 - (a) the area has a coding number superimposed on it in accordance with subclause (3); or
 - (b) a provision of the Scheme provides that the R-Codes apply to the area.
7. Amending Clause 27. State Planning Policy 3.6 to be read as part of Scheme in the following ways—
- a. Replacing Clause 27(2) as follows—

The local government must ensure that State Planning Policy 3.6 is published in accordance with clause 87 of the deemed provisions.
 - b. Deleting Clause 27(2)(a) and Clause 27(2)(b).
 - c. Inserting a new sub-clause (3) to Clause 27 to read as follows—

(3) Subclause (2) is an ongoing publication requirement for the purposes of clause 87(5)(a) of the deemed provisions.

8. Amending Clause 37. Terms Used in the following ways—
- a. Replacing Clause 37(1) as follows—

If a word or expression used in this Scheme is listed in this clause, its meaning is as follows—
 - b. Deleting Clause 37(2)(a) and Clause 37(2)(b).
 - c. Deleting the following text of Clause 37(3)—

(3) If a word or expression used in this Scheme is listed in this clause, its meaning is as follows—
 - d. Deleting the following definitions—
 - i. Building height
 - ii. Commencement day
 - iii. Frontage
 - iv. Incidental use
 - v. Net lettable area
 - vi. Non-conforming use
 - vii. Wall height
 - e. Inserting the following definitions—
 - i. **cabin** means a dwelling forming part of a tourist development or caravan park that is—
 - (a) an individual unit other than a chalet; and
 - (b) designed to provide short-term accommodation for guests.
 - ii. **chalet** means a dwelling forming part of a tourist development or caravan park that is—
 - (a) a self-contained unit that includes cooking facilities, bathroom facilities and separate living and sleeping areas; and
 - (b) designed to provide short-term accommodation for guests.
 - iii. **Scheme commencement day** means the day on which this Scheme comes into effect under section 87(4) of the Act.
 - f. Replacing the definition of floor area as follows—

floor area has the meaning given in the Building Code.
 - g. Inserting a new sub-clause (2) to Clause 37 to read as follows—

(2) A word or expression that is not defined in this Scheme—
 - (a) has the meaning it has in the *Planning and Development Act 2005*; or
 - (b) if it is not defined in that Act—has the same meaning as it has in the R-Codes.
9. Amending Clause 38. Land use terms used in the following ways—
- a. Deleting the following definitions—
 - i. Industry—cottage
 - ii. Industry—service
 - b. Relocate the definition of serviced apartment so that it appears above service station.
10. Amending Schedule A—Supplemental provisions to the deemed provisions in the following ways—
- a. Renumber Clause 13A—Significant Tree Register. New number shall be Clause 13B.
 - b. Delete Clause 61(1)(I)
 - c. Delete Clause 61(1)(m)
 - d. Delete Clause 61(1)(n)

P. SHAW, Mayor.
C. BYWATER, Chief Executive Officer.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED DISTRICT PLANNING SCHEME AMENDMENT
City of Wanneroo
District Planning Scheme No. 2—Amendment No. 196

Ref: TPS/2940

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 District Planning Scheme amendment on 23 October 2023 for the purpose of—

- (a) Rezoning the following land parcels from 'Urban Development' to 'Residential' (R30), as shown on Scheme (Amendment) Map 1—
- i. Lot 101 (187) Golf Links Drive, Carramar (on DP: 40216);
 - ii. Lot 102 (189) Golf Links Drive, Carramar (on DP: 40216);
 - iii. Lot 103 (191) Golf Links Drive, Carramar (on DP: 40216);
 - iv. Lot 104 (193) Golf Links Drive, Carramar (on DP: 40216);
 - v. Lot 105 (U2/3) Willeroo Chase, Carramar (on DP: 40216); and
 - vi. Lot 106 (U1/3) Willeroo Chase, Carramar (on DP: 40216)
- (b) Rezoning various residential land parcels in the Banksia Grove locality from 'Urban Development' to 'Residential' (R20 or R30), as shown on Scheme (Amendment) Map 2.
- (c) Reclassifying Lot 3789 (71) Abbey Green Road, Banksia Grove (on DP: 53382) from the Urban Development Zone to 'Local Schemes Reserve—Public Open Space', as shown on Scheme (Amendment) Map 2.
- (d) Amending Schedule 7 of District Planning Scheme No. 2 to delete the following—

LOCALITY	DESCRIPTION OF CENTRE AND COMMERCIAL ZONES	NLA (m ²)
BANKSIA GROVE	Portion of Lot 9509 Lot 530 on Plan 23714 (2) Viridian Drive	4500 200

And replacing the above with the following—

LOCALITY	DESCRIPTION OF CENTRE AND COMMERCIAL ZONES	NLA (m ²)
BANKSIA GROVE	Lot 530 on Plan 23714 (2) Viridian Drive	200
CARRAMAR	Lot 2495 on Deposited Plan 49069 (7) Cheriton Drive	5500

L. AITKEN, Mayor.
B. PARKER, Chief Executive Officer.

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Elaine Simcock late of 441 Rokeby Road, Subiaco, 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 15 May 2023, are required by the trustee of the late Elaine Simcock 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 this 1st day of November 2023.

PHILIP WYATT LAWYERS.

ZZ402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Kevin Horace Parker, late of Bethanie Como, 30 McNabb Loop, Como WA 6152 and formerly of U180, St Ives Retirement Village, 22 Windelya Road, Murdoch WA 6150, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962 (WA)* relates) in respect of the estate of the deceased, who died on 31 July 2023, are required by the trustee, Susan J Parker of 4A Janis Street, Halls Head WA 6210, to send particulars of their claims to her within 1 month from the day on which this notice is published, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZZ403**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Alois Kometer late of 2 Elphick Street, Gosnells, Western Australia, 6110, 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 28 June 2023, are required by the executor, Grant Phillip Kometer of care of Douglas Cheveralls Lawyers, 510A Hay Street, Subiaco, Western Australia 6008 to send particulars of their claims to him within one (1) month from the date of publication of this notice, after which date the executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ404**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 by the Executor/Administrator of these estates to send particulars of their claims to the Executor/Administrator within one month from the date of publication of this Notice after which date the Executor/Administrator may convey or distribute the assets having regard only to the claims of which the Executor/Administrator then has notice.

Valma Freda Staalesen late of Aegis Shawford, 8 Twyford Place, Innaloo, who died on 17/08/2023.

Denise Margaret Okey late of 55 Bacchante Circle, Ocean Reef, who died on 27/07/2023.

Fotini Brumtis late of Hellenic Community Aged Care, 2 Hellenic Drive, Dianella, who died on 20/07/2023.

HAYNES LEEUWIN, Solicitors for the Executors / Administrators,
Suite 2, 190 Main Street, Osborne Park WA 6017. Tel: 9409 6300.

ZZ405**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Graham Rodney Winner late of 19 Constance Street, Bayswater, 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 27/10/2022, are required by the personal representatives Steven James Brown and Jacqueline Ann Brown c/- Lynn & Brown Lawyers, PO Box 1114, Morley, WA 6943 to send particulars of their claims to them by the 08/12/2023, after which date the personal representatives may convey or distribute the assets of the estate, having regard only to the claims of which they then have notice.

ZZ406**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

The Estate of Michele Zampogna, late of 8 Fleet Street, Leederville, Western Australia, Retired, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the late Michele Zampogna (deceased) who died on 19/09/2019 are required by the Executor, Maria Victoria Zampogna of care of Birman & Ride, Level 3, 16 Irwin Street, Perth WA 6000, to send particulars of their claims to her by the date being one month from the date of publication of this notice after which date the Executor may convey or distribute the assets having regard only to the claims of which she then has notice.

ZZ407**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Simone Joanne Wallace late of 10 Coode Street, Mount Lawley, Western Australia, Mining Superintendent, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the abovenamed deceased who died on the 12th day of February 2023 are required by the personal representative Rebecca Megan Wallace of 92 Lenori Road, Gooseberry Hill, Western Australia 6076 to send particulars of their claims to her by the 7th day of December 2023 after which date the personal representative may convey or distribute the assets having regard only to the claims of which she then has notice.

ZZ408**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims on the Estate of the late Jacqueline Ann Pedroz of 79 San Sebastian Boulevard, Port Kennedy in the State of Western Australia, deceased, who died on 16 January 2023 are required to send particulars of their claims to the Administrator, Paul Lynton Haynes, care of Solomon Hollett Lawyers, PO Box 840, West Perth WA 6872, within one (1) month from the date of publication of this Notice, after which date the Executor may distribute the assets having regard only to the claims of which they then have notice.

ZZ409**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Joan Pamela Kentish late of 14 Georgette Street, Busselton, 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 the 4th day of June 2023 at Busselton in the said State are required by the executor Constantyn Willem Receveur of 45 Duke Street, Albany, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany W.A. 6332 by the date one month following the publication of this notice after which date the executors may convey or distribute the assets having regard only to the claim for which they have then had notice.

ZZ410**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Tindara Messina late of Bethanie Gwelup Aged Care Home 72-74 Huntriss Road, Gwelup 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 17 September 2023, are required by the trustee of the late Tindara Messina of care of Lawley Legal, PO Box 208, Mount Lawley, Western Australia 6929 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.

ZZ411

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Elsie Millicent King late of 53 Hawkevale Road, High Wycombe, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* (WA) relates) in respect of the estate of the deceased who died on 13 August 2023 are required by the executor Sandra King to send particulars of their claim to PO Box 145 Walliston DC, WA 6925 by the date that is one (1) month from the date of publication of this notice, after which date the executor may convey or distribute the assets having regard only to the claims of which she then has notice.
