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# — PART 1 —

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## PROCLAMATIONS

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AA101

Industrial Relations Legislation Amendment Act 2021

### **Industrial Relations Legislation Amendment Act 2021 Commencement Proclamation 2022**

SL 2022/10

Made under the *Industrial Relations Legislation Amendment Act 2021* section 2(1)(b) by the Governor in Executive Council.

**1. Citation**

This proclamation is the *Industrial Relations Legislation Amendment Act 2021 Commencement Proclamation 2022*.

**2. Commencement**

The *Industrial Relations Legislation Amendment Act 2021* Part 5 (other than sections 100 to 119 and 121) and Part 6 come into operation on the day after the day on which this proclamation is published in the *Gazette*.

Governor

L.S.

W. JOHNSTON, Minister for Industrial Relations.

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**ENVIRONMENT**

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EV301

Botanic Gardens and Parks Authority Act 1998

**Botanic Gardens and Parks Amendment  
Regulations 2022**

SL 2022/13

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Botanic Gardens and Parks Amendment Regulations 2022*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Botanic Gardens and Parks Regulations 1999*.

**4. Regulation 43A inserted**

At the beginning of Part 7 insert:

**43A. Relevant amount**

For the purposes of the definition of *relevant amount* in section 11(4), the amount is \$5 000 000.

N. HAGLEY, Clerk of the Executive Council.

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**HEALTH**


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HE301

Health Services Act 2016

## Health Services (Fees and Charges) Amendment Order 2022

**SL 2022/9**

Made by the Minister under section 56 of the Act.

**1. Citation**

This order is the *Health Services (Fees and Charges) Amendment 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 the day after that day.

**3. Order amended**

This order amends the *Health Services (Fees and Charges) Order 2016*.

**4. Schedule 1 amended**

Amend the provisions listed in the Table as set out in the Table.

**Table**

Provision	Delete	Insert
Sch. 1 Div. 1 it. 5(b)	\$6.60	\$6.80
Sch. 1 Div. 1 it. 5(c)(i)	\$41.30	\$42.50
Sch. 1 Div. 1 it. 5(c)(ii) and (iii)	\$33	\$34
Sch. 1 Div. 2 it. 8(a)	\$41.30	\$42.50
Sch. 1 Div. 2 it. 8(b) and (c)	\$33	\$34

A. SANDERSON, Minister for Health.

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**JUSTICE**

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JU301

Prisons Act 1981

**Prisons Amendment Regulations 2022**

SL 2022/12

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Prisons Amendment Regulations 2022*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Prisons Regulations 1982*.

**4. Regulation 78 amended**

- (1) Delete regulation 78(1) and insert:
  - (1) A search of a prisoner under this regulation cannot be carried out unless ordered by the superintendent under section 41(1) of the Act.
  - (1A) Without limiting subregulation (1C), the manner in which a prisoner may be searched under this regulation includes by means of an approved electronic scanning device.
  - (1B) The superintendent must ensure that each prisoner is searched by a prison officer on the prisoner's admission to prison and immediately before the prisoner's discharge from prison.
  - (1C) A prisoner may be searched on such other occasions and in such manner as may be considered necessary by the superintendent.

- (2) In regulation 78(2):
- (a) delete “his” (each occurrence) and insert:
- the officer’s
- (b) delete “a prison officer shall search each prisoner.” and insert:
- the superintendent must ensure that each prisoner is searched by a prison officer.
- (3) In regulation 78(3) delete the passage that begins with “his” and ends with “officer)” and insert:
- the prisoner’s clothing and searched unless the superintendent
- (4) In regulation 78(4) delete “his” and insert:
- the prisoner’s
- (5) In regulation 78(5) after “officer” insert:
- to provide advice

N. HAGLEY, Clerk of the Executive Council.

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JU302

Criminal Procedure Act 2004  
Fines, Penalties and Infringement Notices Enforcement Act 1994

## **Attorney General Regulations Amendment (Security of Payment) Regulations 2022**

SL 2022/14

Made by the Governor in Executive Council.

### **Part 1 — Preliminary**

**1. Citation**

These regulations are the *Attorney General Regulations Amendment (Security of Payment) Regulations 2022*.

**2. Commencement**

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

### **Part 2 — *Criminal Procedure Regulations 2005* amended**

**3. Regulations amended**

This Part amends the *Criminal Procedure Regulations 2005*.

**4. Schedule 1A amended**

In Schedule 1A insert in alphabetical order:

*Building and Construction Industry (Security of Payment) Act 2021*



**Part 3 — *Fines, Penalties and Infringement Notices Enforcement Regulations 1994* amended**

**5. Regulations amended**

This Part amends the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994*.

**6. Schedule 1 amended**

In Schedule 1 insert in alphabetical order:

*Building and Construction Industry (Security of Payment) Act 2021*

N. HAGLEY, Clerk of the Executive Council.

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**WORKCOVER**

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WC301

Workers' Compensation and Injury Management (Acts of Terrorism)  
Act 2001

**Workers' Compensation and Injury  
Management (Acts of Terrorism) (Final Day)  
Amendment Regulations 2022**

SL 2022/11

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Workers' Compensation and Injury Management (Acts of Terrorism) (Final Day) Amendment Regulations 2022*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Workers' Compensation and Injury Management (Acts of Terrorism) (Final Day) Regulations 2002*.

**4. Regulation 2 amended**

In regulation 2 delete "2023." and insert:

2026.

N. HAGLEY, Clerk of the Executive Council.

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## — PART 2 —

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### FIRE AND EMERGENCY SERVICES

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**FE401****BUSH FIRES ACT 1954**  
**TOTAL FIRE BAN DECLARATION**

Correspondence No. D18023

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 5 February 2022 for the local government districts of—

Greater Geraldton, Chapman Valley, Mingenew, Morawa, Northampton, Carnamah, Coorow, Dandaragan, Moora, Perenjori, Three Springs, Victoria Plains, Beverley, Cunderdin, Dowerin, Goomalling, Northam, Quairading, Tammin, Wyalkatchem, York, Mount Marshall, Mukinbudin, Westonia, Bruce Rock, Kellerberrin, Merredin, Narembeen, Nungarin, Trayning, Yilgarn, Toodyay, Koorda, Dalwallinu, Wongan-Ballidu, Armadale, Gosnells, Swan, Chittering, Gingin, Kalamunda, Mundaring, Serpentine-Jarrahdale, Collie, Dardanup, Harvey, Waroona, Murray, Augusta-Margaret River, Manjimup, Nannup, Boyup Brook, Bridgetown-Greenbushes, Donnybrook-Balingup, Albany, Denmark, Gnowangerup, Jerramungup, Plantagenet, Cranbrook, Broomhill-Tambellup, Katanning, Kojonup, West Arthur, Wagin, Woodanilling, Boddington, Brookton, Cuballing, Narrogin (Shire), Narrogin (Town), Pingelly, Wandering, Wickepin, Williams, Dumbleyung, Kent, Lake Grace, Corrigin, Kondinin, Kulin, Bassendean, Bayswater, Belmont, Cambridge, Canning, Claremont, Cockburn, Cottesloe, East Fremantle, Fremantle, Joondalup, Kwinana, Mandurah, Melville, Mosman Park, Nedlands, Peppermint Grove, Perth, Rockingham, South Perth, Stirling, Subiaco, Vincent/Wanneroo, Irwin, Bunbury, Capel, Busselton and Victoria Park.

Dated 4 February 2022.

RICK CURTIS, Assistant Commissioner of the Department of Fire and Emergency Services, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Act 1998*.

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**FE402****BUSH FIRES ACT 1954**  
**TOTAL FIRE BAN DECLARATION**

Correspondence No. D18023

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 6 February 2022 for the local government districts of—

Carnarvon, Cue, Meekatharra, Menzies, Mount Magnet, Murchison, Sandstone, Shark Bay, Upper Gascoyne, Wiluna, Yalgoo, Kalgoorlie-Boulder, Coolgardie, Dundas, Laverton, Leonora, Ngaanyatjarraku, Greater Geraldton, Chapman Valley, Mingenew, Morawa, Northampton, Irwin, Carnamah, Coorow, Dandaragan, Moora, Perenjori, Three Springs, Victoria Plains, Toodyay, Waroona, Murray, Armadale, Gosnells, Swan, Chittering, Gingin, Kalamunda, Mundaring, Serpentine-Jarrahdale, Albany, Denmark, Gnowangerup, Jerramungup, Plantagenet, Ravensthorpe, Esperance, Boddington, Brookton, Cuballing, Narrogin, Pingelly, Wandering, Wickepin, Williams, Corrigin, Kondinin, Kulin, Cranbrook, Broomhill-Tambellup, Katanning, Kojonup, West Arthur, Wagin, Woodanilling, Dumbleyung, Kent, Lake Grace, Koorda, Dalwallinu, Wongan-Ballidu, Mount Marshall, Mukinbudin, Beverley, Cunderdin, Dowerin, Goomalling, Northam, Quairading, Tammin, Wyalkatchem, York, Bruce Rock, Kellerberrin, Merredin, Narembeen, Nungarin, Trayning, Westonia, Yilgarn, Collie, Dardanup, Harvey, Boyup Brook, Bridgetown-Greenbushes, Donnybrook-Balingup, Augusta-Margaret River, Manjimup, Nannup, Bunbury, Capel, Busselton.

Dated 5 February 2022.

RICK CURTIS, Assistant Commissioner of the Department of Fire and Emergency Services, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Act 1998*.

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**FE403****BUSH FIRES ACT 1954**  
TOTAL FIRE BAN DECLARATION

Correspondence No. D18023

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for 7 February 2022 for the local government districts of—

Kalgoorlie-Boulder, Coolgardie, Dundas, Laverton, Leonora, Menzies.

Dated 6 February 2022.

RICK CURTIS, Assistant Commissioner of the Department of Fire and Emergency Services, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Act 1998*.

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**FE404****EMERGENCY MANAGEMENT ACT 2005**  
EXTENSION OF EMERGENCY SITUATION DECLARATION

I, Christopher John Dawson, State Emergency Coordinator, hereby extend the emergency situation declaration made on 2 February 2021 at 1500hrs, in respect to the Wooroloo Bushfire.

The area of the State to which the emergency situation declaration applies is—

- Shire of Mundaring
- City of Swan.

The emergency situation declaration is extended for a period of 6 months, until 12 August 2022.

The only powers that may be exercised during the period by which the emergency situation declaration is extended are those powers under section 69 and section 72 of the *Emergency Management Act 2005*.

Time when extension made: 11:05 hrs.

Date on which extension made: 8 February 2022.

This extension has effect from 06:40 hrs on 12 February 2022 and remains in force until—

- (a) 06.40 hrs on 12 August 2022; or
- (b) it is revoked under section 53 of the *Emergency Management Act 2005*.

This declaration of an extension of emergency situation declaration is made under section 52 of the *Emergency Management Act 2005*.

Dated 8 February 2022.

C. DAWSON, Commissioner of Police.  
State Emergency Coordinator.

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**FE405****BUSH FIRES ACT 1954**  
TOTAL FIRE BAN REVOCATION

Correspondence No. D18023

Pursuant to powers delegated under the *Bush Fires Act 1954*, the total fire ban for 6 February 2022 is revoked from 19:00 hours for the local government districts of—

Chapman Valley, Mingenew and Northampton.

Dated 6 February 2022.

RICK CURTIS, Assistant Commissioner of the Department of Fire and Emergency Services, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Act 1998*.

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**FE406****BUSH FIRES ACT 1954  
TOTAL FIRE BAN REVOCATION**

Correspondence No. D18023

Pursuant to powers delegated under the *Bush Fires Act 1954*, the total fire ban for 6 February 2022 is revoked from 18:00 hours for the local government districts of—

Greater Geraldton, Irwin, Gingin, Toodyay, Waroona, Murray, Armadale, Gosnells, Swan, Chittering, Kalamunda, Mundaring, Serpentine-Jarrahdale.

Dated 6 February 2022.

RICK CURTIS, Assistant Commissioner of the Department of Fire and Emergency Services, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Act 1998*.

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**HEALTH**

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**HE401****PUBLIC HEALTH ACT 2016****EXTENSION OF DECLARATION (NO.3) OF PUBLIC HEALTH STATE OF EMERGENCY**Pursuant to section 170 of the *Public Health Act 2016* (WA) I, Amber-Jade Sanderson, the Minister for Health, hereby extend the public health state of emergency declaration, which came into effect on 22 September 2021 at 16:25 hours.

The duration of the public health state of emergency declaration is extended for a period of 14 days (the extension).

Time of this extension: 1:00 pm.

Date of this extension: 7 February 2022.

Hon. AMBER-JADE SANDERSON, MLA, Minister for Health.

**HE402****MENTAL HEALTH ACT 2014****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS)  
REVOCATION ORDER (NO. 1) 2022**Made by the Chief Psychiatrist under section 539 of the *Mental Health Act 2014*.**1. Citation**This Order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Revocation Order (No. 1) 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) clause 3 — on the day after that day.

**3. Revocation of designation**

The designation, as an authorised mental health practitioner of the mental health practitioners specified in Schedule 1 to this order is revoked.

**Schedule 1**

<b>Name</b>	<b>Profession</b>
Drew, Adile	Registered Nurse
Hall, Jacqueline Melissa	Occupational Therapist
Hayter, Carole Anne	Registered Nurse
Law, Ilona Margaret	Registered Nurse
Molloy, Helen	Registered Nurse
Park, Susan Lyn	Registered Nurse
Scott, Rachel	Social Worker

Dated 8 February 2022.

Dr. EMMA CRAMPIN, Acting Chief Psychiatrist.

**HE403****MENTAL HEALTH ACT 2014****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) ORDER (NO. 1) 2022**

Made by the Chief Psychiatrist under section 539 of the *Mental Health Act 2014*;

**1. Citation**

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Order (No. 1) 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) clause 3 — on the day after that day.

**3. Authorised Mental Health Practitioner**

The mental health practitioners specified in Schedule 1 to this order are designated as Authorised Mental Health Practitioners.

**Schedule 1**

<b>Name</b>	<b>Profession</b>
Booth, Mark Barrie	Registered Nurse
Doran, Ilona Margaret	Registered Nurse

Dated 8 February 2022.

Dr. EMMA CRAMPIN, Acting Chief Psychiatrist.

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## JUSTICE

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**JU401****PRISONS ACT 1981****PERMIT DETAILS**

Pursuant to Section 15P of the *Prisons Act 1981*, I hereby issue the following permit—

<b>Surname</b>	<b>Other Name(s)</b>	<b>Permit No.</b>
Couttie	John Samuel	PA 0576

Dated 31 January 2022.

MIKE REYNOLDS, Commissioner.

**JU402****JUSTICES OF THE PEACE ACT 2004****APPOINTMENTS**

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

- Mark Raymond Blowers of East Bunbury
- Jarrold Keith Chipperfield of Ellenbrook
- Vanniya Rajan Soundra Pandian of Wattle Grove

RON RANDALL, A/Executive Director, Court and Tribunal Services.

JU403

**COURT SECURITY AND CUSTODIAL SERVICES ACT 1999**

## PERMIT DETAILS

Pursuant to the provisions of section 56(1) of the *Court Security and Custodial Services Act 1999*, the Commissioner of Corrective Services has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Revoked
Marijanich	Christine	BRS-200011	31/01/2022
Boynes-Butler	Timothy Eric	BRS-180146	31/01/2022
Isaac	Tiahne Jeanette	BRS-210094	31/01/2022
Walker	Jamie Jonathan	BRS-170241-1	31/01/2022

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

MICHAEL REYNOLDS, Commissioner, Corrective Services.

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## LOCAL GOVERNMENT

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LG401

**LOCAL GOVERNMENT ACT 1995***Shire of Gingin*

## MEETING PROCEDURES AMENDMENT LOCAL LAW (NO. 2) 2021

Under the power conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Gingin resolved on 21 December 2021 to make the following local law.

**1. Title**

This is the *Shire of Gingin Meeting Procedures Amendment Local Law (No.2) 2021*.

**2. Commencement**

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

**3. Principal Local Law**

This local law amends the *Shire of Gingin Meeting Procedures Local Law 2014* as published in the *Government Gazette* on 6 November 2014 and as amended in the *Government Gazette* on 1 April 2021.

**4. Clause 5.9 deleted**

Clause 5.9 is deleted in its entirety.

Dated this Eighteenth day of January 2022

The Common Seal of the Shire of Gingin was affixed by authority of a resolution of the Council in the presence of:

C. W. FEWSTER, Shire President.  
L. CRICHTON, Acting Chief Executive Officer.

LG402

**LOCAL GOVERNMENT ACT 1995***Shire of Serpentine-Jarrahdale*

## BASIS OF RATES

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 14 January 2022, determined that the method of valuation to be used by the Shire of Serpentine-Jarrahdale as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

**Schedule**

	Designated Land
UV to GRV	All those portions of land being Lots 474 to 480 inclusive, Lots 511 to 515 inclusive, Lots 524 to 534 inclusive, Lots 543 to 545 inclusive, Lots 555 to 558 inclusive and Lots 562 to 565 inclusive as shown on Deposited Plan 421747.

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

## LG403

**DOG ACT 1976**  
**LOCAL GOVERNMENT ACT 1995**

*Town of Port Hedland*  
DOGS LOCAL LAW 2021

Under the powers conferred by the *Dog Act 1976*, the *Local Government Act 1995* and under all other powers enabling it, the Council of the *Town of Port Hedland* resolved on 24 November 2021 to make the following local law.

**PART 1—PRELIMINARY**

**1.1 Citation**

This local law may be cited as the *Town of Port Hedland Dogs Local Law 2021*.

**1.2 Commencement**

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

**1.3 Application**

This local law applies throughout the district.

**1.4 Repeal**

This local law repeals the *Town of Port Hedland Local Law (Dogs)* as published in the *Government Gazette* on 2 October 1998, and as amended in the *Government Gazette* on 26 February 1999.

**1.5 Interpretation**

In this local law unless the context otherwise requires—

*Act* means the *Dog Act 1976*;

*authorised person* means a person appointed by the local government to perform all or any of the functions conferred on an authorised person under this local law;

*CEO* means the Chief Executive Officer of the local government;

*dangerous dog* means a dog which is the subject of a declaration under section 33E of the Act declaring it to be a dangerous dog;

*district* means the district of the local government;

*dog management facility* has the meaning given to it in section 3(1) of the Act;

*local government* means the *Town of Port Hedland*;

*Regulations* means the *Dog Regulations 2013*;

*Schedule* means a schedule in this local law;

*fence* where used in this local law shall include walls and screen walls;

*public building* has the meaning given to it in *Health (Miscellaneous Provisions) Act 1911*;

*public place* as defined in section 3(1) of the Act; and

*street* includes highway, road, lane, thoroughfare, carriageway or similar place, or part thereof which is within the district, which the public are allowed to use and includes every part of the highway, lane, thoroughfare, or similar place and other things including the street verge, footpath, bridges and culverts appurtenant to it.

**PART 2—IMPOUNDING OF DOGS**

**2.1 Charges and costs**

The following are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*—

- (a) the charges to be levied under section 29(4) of the Act relating to the seizure and impounding of a dog;
- (b) the additional fee payable under section 29(4) of the Act where a dog is released at a time or on a day other than those determined under clause 2.2; and
- (c) the costs of the destruction and the disposal of a dog referred to in section 29(15) of the Act.

**2.2 Attendance of authorised person at dog management facility**

The authorised person is to be in attendance at the dog management facility for the release of dogs at the times and on the days of the week as are determined by the CEO.

**2.3 Release of impounded dog**

(1) A claim for the release of a dog seized and impounded is to be made to the authorised person or in the absence of the authorised person, to the CEO, subject to subclause (2) upon payment of the fees specified by local government, the dog shall be released to such person.

(2) The authorised person is not to release a dog seized and impounded to any person unless that person has produced, to the satisfaction of the authorised person, satisfactory evidence—

- (a) of her or his ownership of the dog or of her or his authority to take delivery of it; or
- (b) that he or she is the person identified as the owner on a microchip implanted in the dog.



**PART 3—REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS****3.1 Dogs to be confined**

- (1) The owner or occupier of premises within the district on which a dog is kept shall—
- (a) ensure that the means exist on the premises for effectively confining the dog within the premises; and
  - (b) cause the portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog to that portion in accordance with the provisions of this local law.
- (2) Every part of a fence used to confine a dog shall be of a type, height and construction which, having regard to the breed, age, size and physical condition of the dog, shall be capable of preventing the dog, at all times from passing over, under or through it.
- (3) Where a gate forms part of fence, the gate shall—
- (a) be kept closed at all times except when the dog is not kept on the premises;
  - (b) be fitted with an effective self-closing mechanism and an effective self-latching mechanism attached to the inside of the gate; and
  - (c) be fitted with a mechanism which enables the gate to be locked.
- (4) Where an occupier fails to comply with subclause (1), he or she commits an offence.
- Penalty:** Where the dog is a dangerous dog, \$4,000; otherwise \$2,000.

**3.2 Limitation on the number of dogs**

- (1) This clause does not apply to premises which have been—
- (a) licensed under Part 4 as an approved kennel establishment; or
  - (b) granted an exemption under section 26(3) of the Act.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act—
- (a) if the premises are situated on a lot having an area of 4 hectares or more—6 dogs over the age of 3 months and the young of those dogs under that age; or
  - (b) if the premises are situated on any other lot—2 dogs over the age of 3 months and the young of those dogs under that age and a maximum of 3 dogs with an application

**PART 4—APPROVED KENNEL ESTABLISHMENTS****4.1 Interpretation**

In this Part and in Schedule 2—

**licence** means a licence to keep an approved kennel establishment on premises;

**licensee** means the holder of a licence; and

**premises**, in addition to the meaning given to it in section 3 of the Act, means the premises described in the application for a licence.

**4.2 Application for licence for approved kennel establishment**

An application for a licence must be made in the form of that in Schedule 2, and must be lodged with the local government together with—

- (a) a plan showing the details and specifications of all kennel and yards appurtenant thereto and showing the distances from the kennels to the boundaries of the land the subject of the application and all buildings on the land;
- (b) such other information reasonably required by the local government; and
- (c) the fee for the application for a licence referred to in clause 4.10(1).

**4.3 Notice of proposed use**

- (1) A person seeking the issue of a license to keep an approved kennel establishment shall—
- (a) give notice of the proposed use of the land in writing to the owners and occupiers of all adjoining land and premises; and
  - (b) advertise the intention to do so in a newspaper having circulation in the area at least 14 days before application is made with the local government.
- (2) The notices in subclause (1) must specify that—
- (a) any written submissions as to the proposed use are to be lodged with the CEO within 14 days of the date the notice is given; and
  - (b) the application and plans and specifications may be inspected at the offices of the local government.
- (3) Where—
- (a) the notices given under subclause (1) do not clearly identify the premises; or
  - (b) a notice given under subclause (1)(a) is of a size or in a location in the newspaper which, in the opinion of the local government, would fail to serve the purpose of notifying persons of the proposed use of the premises,
- then the local government may refuse to determine the application for a licence until the notices or notice, as the case may be, is given in accordance with its directions.

#### 4.4 Exemption from notice requirements

Where an application for a licence is made in respect of premises on which an approved kennel establishment is either a—

- (a) permitted use; or
  - (b) use which the local government may approve subject to compliance with specified notice requirements,
- under a town planning scheme, then the requirements of clauses 4.2(b), 4.3 and 4.5(a) do not apply in respect of the application for a licence.

#### 4.5 When application can be determined

An application for a licence is not to be determined by the local government until—

- (a) the applicant has complied with clause 4.2;
- (b) the applicant submits proof that the notices referred to in clause 4.3(1) have been given in accordance with that clause; and
- (c) the local government has considered any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises.

#### 4.6 Determination of application

In determining an application for a licence, the local government is to have regard to—

- (a) the matters referred to in clause 4.7;
- (b) any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises;
- (c) any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;
- (d) the effect which the kennel establishment may have on the environment or amenity of the neighbourhood;
- (e) whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises; and
- (f) whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.

#### 4.7 Where application cannot be approved

The local government cannot approve an application for a licence where—

- (a) an approved kennel establishment cannot be permitted by the local government on the premises under a town planning scheme; or
- (b) an applicant for a licence or another person who will have the charge of the dogs will not reside on the premises, or, in the opinion of the local government, sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.

#### 4.8 Conditions of approval

(1) The local government may approve an application for a licence subject to the conditions contained in Schedule 3 and to such other conditions as the local government considers appropriate.

(2) In respect of a particular application for a licence, the local government may vary any of the conditions contained in Schedule 3.

#### 4.9 Compliance with conditions of approval

A licensee who does not comply with the conditions of a licence commits an offence.

**Penalty:** Where a dog involved in the contravention is a dangerous dog, \$4,000 and a daily penalty of \$400; otherwise \$2,000 and a daily penalty of \$200.

#### 4.10 Fees

- (1) On lodging an application for a licence, the applicant is to pay a fee to the local government.
- (2) On the issue or renewal of a licence, the licensee is to pay a fee to the local government.
- (3) On lodging an application for the transfer of a valid licence, the transferee is to pay a fee to the local government.
- (4) The fees referred to in subclauses (1) to (3) are to be imposed and determined by the local government under sections 6.16 to 6.19 of the *Local Government Act 1995*.

#### 4.11 Form of licence

The licence is to be in the form determined by the local government and is to be issued to the licensee.

#### 4.12 Period of licence

- (1) licence to keep an approved kennel establishment shall remain valid for a period of twelve (12) months from the date of issue thereof.
- (2) A licence is to be renewed if the fee referred to in clause 4.10(2) is paid to the local government prior to the expiry of the licence.
- (3) On the renewal of a licence the conditions of the licence at the time of its renewal continue to have effect.

#### 4.13 Variation or cancellation of licence

- (1) The local government may vary the conditions of a licence.
- (2) The local government may cancel a licence—
  - (a) on the request of the licensee;
  - (b) following a breach of the Act, the Regulations or this local law; or
  - (c) if the licensee is not a fit and proper person.
- (3) The date a licence is cancelled is to be, in the case of—
  - (a) paragraph (a) of subclause (2), the date requested by the licensee; or
  - (b) paragraphs (b) and (c) of subclause (2), the date determined under section 27(6) of the Act.
- (4) If a licence is cancelled the fee paid for that licence is not refundable for the term of the licence that has not yet expired.

#### 4.14 Transfer

- (1) An application for the transfer of a valid licence from the licensee to another person must be—
  - (a) made in the form determined by the local government;
  - (b) made by the transferee;
  - (c) made with the written consent of the licensee; and
  - (d) lodged with the local government together with—
    - (i) written evidence that a person will reside at or within reasonably close proximity to the premises the subject of the licence; and
    - (ii) the fee for the application for the transfer of a licence referred to in clause 4.10(3).
- (2) The local government is not to determine an application for the transfer of a valid licence until the transferee has complied with subclause (1).
- (3) The local government may approve, whether or not subject to such conditions as it considers appropriate, or refuse to approve an application for the transfer of a valid licence.
- (4) Where the local government approves an application for the transfer of a valid licence, then on the date of approval, unless otherwise specified in the notice issued under clause 4.15(b), the transferee becomes the licensee of the licence for the purposes of this local law.

#### 4.15 Notification

The local government is to give written notice to—

- (a) an applicant for a licence of the local government's decision on her or his application;
- (b) a transferee of the local government's decision on her or his application for the transfer of a valid licence;
- (c) a licensee of any variation made under clause 4.13(1);
- (d) a licensee when her or his licence is due for renewal and the manner in which it may be renewed;
- (e) a licensee when her or his licence is renewed;
- (f) a licensee of the cancellation of a licence under clause 4.13(2)(a); and
- (g) a licensee of the cancellation of a licence under paragraphs (b) or (c) of clause 4.13(2), which notice is to be given in accordance with section 27(6) of the Act.

#### 4.16 Inspection of kennel

With the consent of the occupier, an authorised person may inspect an approved kennel establishment at any time.

### PART 5—MISCELLANEOUS

#### 5.1 Offence to excrete

- (1) A dog must not excrete on—
  - (a) any thoroughfare or other public place; or
  - (b) any land which is not a public place without the consent of the occupier.
- (2) Subject to subclause (3), if a dog excretes contrary to subclause (1), every person liable for the control of the dog at that time commits an offence.
- (3) The person liable for the control of the dog does not commit an offence against subclause (2) if any excreta is removed immediately by that person.
- (4) Notwithstanding clause 6.3, the maximum penalty for an offence under subclause (1) is \$1000.

### PART 6—ENFORCEMENT

#### 6.1 Interpretation

In this Part—

*infringement notice* means the notice referred to in clause 6.5; and

*notice of withdrawal* means the notice referred to in clause 6.8(1).

## 6.2 Offences

A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

## 6.3 General penalty

A person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5,000 and if the offence is of a continuing nature, to an additional penalty not exceeding \$100 for each day or part of the day during which the offence has continued.

## 6.4 Modified penalties

(1) The offences contained in Schedule 1 are offences in relation to which a modified penalty may be imposed.

(2) The amount appearing in the fourth column of Schedule 1 directly opposite an offence is the modified penalty payable in respect of that offence if—

- (a) the dog is not a dangerous dog; or
- (b) the dog is a dangerous dog, but an amount does not appear in the fourth column directly opposite that offence.

(3) The amount appearing in the fifth column of Schedule 1 directly opposite an offence is the modified penalty payable in respect of that offence if the dog is a dangerous dog.

## 6.5 Issue of infringement notice

Where an authorised person has reason to believe that a person has committed an offence in respect of which a modified penalty may be imposed, he or she may issue to that person a notice in the form of Form 8 of the First Schedule of the Regulations.

## 6.6 Failure to pay modified penalty

Where a person who has received an infringement notice fails to pay the modified penalty within the time specified in the notice, or within such further time as may in any particular case be allowed by the CEO, he or she is deemed to have declined to have the offence dealt with by way of a modified penalty.

## 6.7 Payment of modified penalty

(1) A person who has received an infringement notice may, within the time specified in that notice or within such further time as may in any particular case be allowed by the CEO, send or deliver to the local government the amount of the prescribed penalty, with or without a reply as to the circumstances giving rise to the offence, and the local government may thereupon—

- (a) appropriate that amount in satisfaction of the penalty and issue an acknowledgment; or
- (b) withdraw the Infringement Notice and refund the amount so paid.

(2) Where a person does not contest an allegation that the person committed an offence of the kind to which this clause applies, the production of an acknowledgment from the local government that the modified penalty has been paid to the local government is a defence to a charge of the offence in respect of which the modified penalty was paid.

## 6.8 Withdrawal of infringement notice

(1) Whether or not the modified penalty has been paid, local government, or an authorised person may withdraw an infringement notice by sending a notice in the form of Form 9 of the First Schedule of the Regulations, any amount received by way of modified penalty must be refunded and any acknowledgment of the receipt of that amount must for the purposes of any proceedings in respect of the alleged offence be regarded as not having been issued.

(2) A person authorised to issue an infringement notice under clause 6.5 cannot sign or send a notice of withdrawal.

## 6.9 Service

An infringement notice or a notice of withdrawal may be served on a person personally, or by leaving it at or posting it to her or his address as ascertained from her or him, or as recorded by the local government under the Act, or as ascertained from inquiries made by the local government.

### Schedule 1—Offences in respect of which modified penalty applies

(clause 6.4)

Item	Offence	Nature of offence	Modified penalty \$	Dangerous Dog Modified Penalty \$
1	3.1	Failing to provide means for effectively confining a dog	200	
2	4.9	Failing to comply with the conditions of a licence	200	
3	5.1(2)	Dog excreting in prohibited place	100	

Dated 2nd February 2022.

The Common Seal of the *Town of Port Hedland* was affixed by authority of a resolution of the Council in the presence of:

PETER CARTER, Mayor.  
CARL ASKEW, Chief Executive Officer.

**Schedule 2—Application for a licence for an approved kennel establishment**

(clause 4.2)

I/we (full name).....  
 of (postal address).....  
 (telephone number).....  
 (facsimile number).....  
 (E-mail address).....  
 Apply for a licence/renewal for an approved kennel establishment at (address of premises).....  
 .....  
 For (number and breed of dogs).....  
 \* (insert name of person)..... will be residing at the premises on and  
 from (insert date).....  
 \* (insert name of person)..... will be residing (sufficiently close to the  
 premises so as to control the dogs and so as to ensure their health and welfare) at  
 ..... (insert address of residence) on and from  
 ..... (insert date).

Attached are—

- (a) a site plan of the premises showing the location of the kennels and yards and all other buildings and structures and fences;
- (b) plans and specifications of the kennel establishment;
- (c) copy of notice of proposed use to appear in newspaper;
- (d) copy of notice of proposed use to be given to adjoining premises;
- (e) written evidence that a person will reside—
  - (i) at the premises; or
  - (ii) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare; and
- (f) if the person in item (e) is not the applicant, written evidence that the person is a person in charge of the dogs.

I confirm that I have read and agree to comply with the Code of Practice known as  
 ....., in the keeping of dogs at the proposed kennel  
 establishment.

Signature of applicant .....

Date .....

\* delete where inapplicable.

Note: a licence if issued will have effect for a period of 12 months—section 27.5 of the Dog Act.

**OFFICE USE ONLY**Application fee paid on *[insert date]*.**Schedule 3—Conditions of a licence for an approved kennel establishment**

(clause 4.8(1))

An application for a licence for an approved kennel establishment may be approved subject to the following conditions—

- (a) each kennel shall have a yard appurtenant thereto which is capable of retaining the dog within its confines;
- (b) each kennel and each yard must be at a distance of not less than—
  - (i) 10m from the front boundary of the premises and 10m from any other boundary of the premises;
  - (ii) 20m from any dwelling; and
  - (iii) 20m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;
- (c) each yard for a kennel must be kept securely fenced with a fence not less than two metre in height constructed of materials approved by the local government;
- (d) the minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;
- (e) the floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;

- (f) the upper surface of the kennel floor must be—
- (i) at least 100mm above the surface of the surrounding ground;
  - (ii) smooth so as to facilitate cleaning;
  - (iii) rigid;
  - (iv) durable;
  - (v) slip resistant;
  - (vi) resistant to corrosion;
  - (vii) non-toxic;
  - (viii) impervious;
  - (ix) free from cracks, crevices and other defects; and
  - (x) finished to a surface having a fall of not less than 1 in 100 to a spoon drain which in turn must lead to a suitably sized diameter sewerage pipe which must be properly laid, ventilated and trapped in accordance with the health requirements of the local government;
- (g) all kennel floor washing's shall pass through the drain and shall be disposed of in accordance with the requirements of the *Health (Miscellaneous Provisions) Act 1911*;
- (h) where a yard is to be floored, the floor must be constructed in the same manner as the floor of any kennel;
- (i) from the floor, the lowest internal height of a kennel must be at least two metres from the floor with an average inbuilt height of not less than 2100 mm;
  - (j) the walls of each kennel must be constructed of concrete, brick, steel or timber framing sheeted internally and externally with galvanized iron or fibre cement sheeting or other durable material approved by the local government;
- (k) all gates shall be provided and fitted with proper catches or other means of securing or fastening such gate;
- (l) all external surfaces of each kennel must be kept in good condition;
- (m) the roof of each kennel must be constructed of impervious material;
- (n) all kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorised person or Environmental Health Officer;
- (o) all refuse, faeces and food waste must be disposed of daily in a manner approved by the authorised officer or Environmental Health Officer;
- (p) noise, odours, fleas, flies and other vectors of disease must be effectively controlled;
- (q) maintain the established in a clean, sanitary and tidy condition;
- (r) every approved kennel established shall be provided with reticulated water in the form of a supported stand pipe and hose for the hosing down of kennels and yards.
- (s) the licensee or the person nominated in the application for a licence, must, in accordance with the application for the licence, continue to reside—
- (i) at the premises; or
  - (ii) in the opinion of the local government, sufficiently close to the premises so as to control the dogs, and to ensure their health and welfare.

**LG404****LOCAL GOVERNMENT ACT 1995***City of Cockburn***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 10 January 2022, determined that the method of valuation to be used by the City of Cockburn 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 119 to 126 inclusive and Lots 217 to 219 inclusive as shown on Deposited Plan 421466.

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

**LG405****LOCAL GOVERNMENT ACT 1995***City of Swan***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 3 February 2022, determined that the method of valuation to be used by the City of Swan 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 204-215, 216-233, 234-253, and 257-264 on Deposited Plan 421740

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

**LG406****LOCAL GOVERNMENT ACT 1995***City of Swan***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 2 February 2022, determined that the method of valuation to be used by the City of Swan 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 137 to 145 inclusive, Lots 165 to 173 inclusive, Lots 260 to 274 inclusive, Lot 300, Lot 301, Lots 320 to 324 inclusive, Lots 330 to 339 inclusive and Lots 360 to 362 inclusive as shown on Deposited Plan 421366.

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

**LG407****LOCAL GOVERNMENT ACT 1995***City of Busselton***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 2 February 2022, determined that the method of valuation to be used by the City of Busselton 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 18 to 23 inclusive and Lots 31 to 45 inclusive as shown on Survey Strata Plan 54626.

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

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## MINERALS AND PETROLEUM

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**MP401****PETROLEUM PIPELINES ACT 1969**

## NOTICE OF VARIATION STP-PLV-0119 OF PETROLEUM PIPELINE LICENCE PL 40

Petroleum Pipeline Licence PL 40 held by DBNGP (WA) Nominees Pty Limited has, by instrument of variation STP-PLV-0119, been varied with effect on 9 February 2022.

MAMTA KAPOOR, Senior Titles Officer, Resource Tenure Division,  
Department of Mines, Industry Regulation and Safety.

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**MP402****MINING ACT 1978**

## APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,  
Leonora WA 6438.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

WARDEN A. MATTHEWS.

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To be heard by the Warden at Leonora on 12 April 2022.

**EAST MURCHISON MINERAL FIELD***Prospecting Licences*

P 36/1910 Anderson, Robert John  
Malatesta, Nathan Kim

**MT MARGARET MINERAL FIELD***Prospecting Licences*

P 37/8456 World Field (Aust) Pty Ltd  
P 39/5536 Freeth, Stewart Ross  
Freeth, Philip Noel  
P 39/5538 Freeth, Stewart Ross  
Freeth, Philip Noel  
P 39/5539 Freeth, Stewart Ross  
Freeth, Philip Noel  
P 39/5540 Freeth, Stewart Ross  
Freeth, Philip Noel  
P 39/6170-S Keogh, Terrence Leonard  
Keogh, James Patrick  
P 39/6182 Horsley, Paul David

**NORTH COOLGARDIE MINERAL FIELD***Prospecting Licences*

P 40/1465 Drew, David Allan



## PLANNING

PL401

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT

*Town of East Fremantle*

Local Planning Scheme No. 3—Amendment No. 17

Ref: TPS/2688

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 East Fremantle Local Planning Scheme amendment on 21 January 2022 for the purpose of—

Amend Schedule 2 by deleting the information for Lots 14, 15, 16, 17, 18, and 19 Canning Highway, East Fremantle, between Glyde Street and East Street, and replacing it with the following—

No.	Description of Land	Additional Use and/or Development	Special Conditions
A9	Lots 14, 15, 16, 17, 18 and 19 Canning Highway, East Fremantle, between Glyde Street, and East Street	<p>(i) A maximum of R80 residential development, i.e., development above the base density code of R20.</p> <p>(ii) Any dwelling development within this Additional Use area shall be used for residential dwelling purposes only, and shall not be used for any other purpose.</p> <p>Note: To qualify for the foregoing additional use, the requirements (Special Conditions) in column 4 applicable to the area, are to be met.</p>	<p>The use of the land for the Additional Use is conditional on development of and compliance with the following—</p> <ol style="list-style-type: none"> <li>1. Local Development Plan approved by the local government depicting coordinated development of Lots 14, 15, 16, 17, 18 and 19.</li> <li>2. The Local Development Plan shall address the following to the satisfaction of the local government—               <ol style="list-style-type: none"> <li>(i) Building massing, height and setbacks to minimise the amenity, overlooking and overshadowing impact to surrounding properties;</li> <li>(ii) Vehicle parking, access and egress arrangements with vehicular access and egress prohibited to/from Canning Highway;</li> <li>(iii) Noise mitigation measures pursuant to the Fremantle Inner Harbour Buffer Definition Study requirements;</li> <li>(iv) Building, landscaping and access interface measures;</li> <li>(v) Development to provide an active edge to all street frontages and provide pedestrian access;</li> <li>(vi) Landscape buffer to the southern boundary of all lots and the eastern boundary of part of Lot 15 Canning Highway;</li> <li>(vii) Boundary setbacks;</li> <li>(viii) A transport assessment that identifies the impacts and any appropriate mitigation measures in accordance with the WAPC's <i>Transport Impact Assessment Guidelines (2016)</i>. This includes identifying future access locations to and from Glyde Street and/or East Street that do not compromise future road and intersection treatments within the 'proposed MRS reservation';</li> </ol> </li> </ol>

No.	Description of Land	Additional Use and/or Development	Special Conditions
			<p>(ix) An earthworks plan demonstrating that any works in the future road reservation are the same as existing ground levels for the applicable section of Canning Highway. This plan is to be provided to the satisfaction of Main Roads, in consultation with the local government; and</p> <p>(x) An acoustic report prepared by a qualified acoustic consultant in accordance with the requirements of the WAPC's <i>State Planning Policy No 5.4—Road and Rail Noise</i> and submitted to the satisfaction of the local government, in consultation with Main Roads and implemented thereafter.</p> <p>3. No development on the site is to exceed a maximum height of 25.5 metres AHD or 4 storeys or whichever is the lesser, including all roof top services, plant equipment, amenities and the like.</p> <p>4. Development should not exceed a maximum height of—</p> <p>(a) 21.0 metres AHD or 3 storeys or whichever is the lesser, within 8 metres of the southern boundary; and</p> <p>(b) 17.5 metres AHD or 2 storeys or whichever is the lesser, within 5 metres of the southern boundary.</p> <p>5. Development should not exceed a maximum height of 17.5 metres AHD or two storeys whichever is the lesser on the whole of Lot 19 Canning Highway.</p> <p>6. The special conditions for this Additional Use are not open to variation through any provision of this Scheme or any other mechanism.</p> <p>7. No development approval is to be granted for a development above the base density code of R20 unless a Local Development Plan is prepared and approved by the Local Government.</p>

J. O'NEILL, Mayor.  
G. TUFFIN, Chief Executive Officer.

PL402

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Dundas*

Local Planning Scheme No. 2—Amendment No. 11

Ref: TPS/2786

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Dundas Local Planning Scheme amendment on 21 December 2021 for the purpose of—

1. In Table 4—Special Use Zones in Scheme Area, for Special Use No. 1—Lot 3 Eyre Highway, Norseman, delete the text in the ‘Special Use’ and ‘Conditions’ columns and replace with the text set out below—

	Description of land	Special use	Conditions
1	Lot 3 Eyre Highway, Norseman	<ul style="list-style-type: none"> <li>• Transport depot</li> <li>• Fast food outlet</li> <li>• Lunch bar</li> <li>• Motor vehicle wash</li> <li>• Restaurant/Café</li> <li>• Service Station</li> </ul>	<ol style="list-style-type: none"> <li>1. The purpose of this zone is to provide for the ‘Special Uses’ listed in Column 3 of this Table.</li> <li>2. The ‘Special Uses’ listed in Column 3 of this Table are permitted within the SU1 zone subject to an application for development approval for any of the listed uses being submitted to the local government demonstrating compliance with relevant provisions of this scheme and the following specific conditions of development—               <ol style="list-style-type: none"> <li>(a) There shall be no drive-through service for the provision of food and beverages;</li> <li>(b) There shall be no retailing or consumption of alcoholic beverages as defined under the <i>Liquor Control Act 1988</i>;</li> <li>(c) There shall be no provision for short-term accommodation;</li> <li>(d) All development is to be set back a minimum of 10 metres from any street boundary;</li> <li>(e) All vehicular access shall be from Roberts Road only, with no direct vehicular access to Eyre Highway;</li> <li>(f) All loading and service areas, storage areas and ancillary equipment such as mechanical plant shall be appropriately screened from public view;</li> <li>(g) The local government may require the preparation and submission with an application for development approval a truck movement plan and/or a traffic impact assessment for any new development or redevelopment within the SU1 zone. The truck movement plan and/or traffic impact assessment is to be prepared in accordance with the WAPC’s Transport Impact Assessment Guidelines (August 2016);</li> </ol> </li> </ol>

	Description of land	Special use	Conditions
			<p>(h) Any truck movement plan and/or traffic impact assessment required by the local government shall demonstrate that commercial vehicles can ingress and egress the site safely and that there will be no adverse impact on traffic safety for motorists travelling along the Eyre Highway;</p> <p>(i) The local government may refer any application for development approval to Main Roads Western Australia or the Department of Fire and Emergency Services for comment; and</p> <p>(j) A Bushfire Management Plan, prepared by an accredited bushfire consultant, shall be lodged with any application for development approval of a high-risk land use in accordance with State Planning Policy 3.7 Planning in Bushfire Prone Areas.</p>

L. BONZA, President.  
P. FITCHAT, Chief Executive Officer.

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## PREMIER AND CABINET

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### PR401

#### INTERPRETATION ACT 1984

##### COMMITTAL OF ADMINISTRATION OF ACT

It is notified for public information that on 8 February 2022, the Governor, under the *Interpretation Act 1984* section 12(a), committed the administration of the *Animal Resources Authority Act 1981* to the Minister for Science.

N. HAGLEY, Clerk of the Executive Council.

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### PR402

#### INTERPRETATION ACT 1984

##### COMMITTAL OF ADMINISTRATION OF ACT

It is notified for public information that on 8 February 2022, the Governor, under the *Interpretation Act 1984* section 12(a), committed the administration of the *Western Australian Future Health Research and Innovation Fund Act 2012* (except Part 3) to the Minister for Medical Research and Part 3 of the Act only to the Treasurer.

N. HAGLEY, Clerk of the Executive Council.

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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 Culture and the Arts; Sport and Recreation; International Education; Heritage in the absence of the Hon D. A. Templeman MLA for the period 18 to 22 April 2022 (both dates inclusive).

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

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**WORKSAFE**

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**WS401****OCCUPATIONAL SAFETY AND HEALTH ACT 1984****OCCUPATIONAL SAFETY AND HEALTH (CODE OF PRACTICE) NOTICE**Published under section 57(4) of the *Occupational Safety and Health Act 1984*.**1. Citation**This notice may be cited as the *Occupational Safety and Health (Code of Practice) Notice (No. 1) 2022*.**2. Approval of code of practice**Notice is hereby given that I, the undersigned Minister for Industrial Relations, being the Minister charged with administration of the *Occupational Safety and Health Act 1984*, acting in exercise of the power conferred upon me by section 57(1) of the said Act, do hereby—

- (i) approve the *Code of Practice: Psychosocial Hazards in the Workplace, 2022*.

**3. Commencement**This approval comes into force from the date of publication in the *Western Australian Government Gazette*.

**Note:** A copy of the code of practice referred to in this notice is available on the Department of Mines, Industry Regulation and Safety website [www.dmirs.wa.gov.au](http://www.dmirs.wa.gov.au). The code of practice can also be made available in alternative formats, upon request.

HON. BILL JOHNSTON, MLA, Minister for Industrial Relations.  

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**WS402****OCCUPATIONAL SAFETY AND HEALTH ACT 1984****OCCUPATIONAL SAFETY AND HEALTH (CODE OF PRACTICE) NOTICE**Published under section 57(4) of the *Occupational Safety and Health Act 1984*.**1. Citation**This notice may be cited as the *Occupational Safety and Health (Code of Practice) Notice (No. 2) 2022*.**2. Approval of code of practice**Notice is hereby given that I, the undersigned Minister for Industrial Relations, being the Minister charged with administration of the *Occupational Safety and Health Act 1984*, acting in exercise of the power conferred upon me by section 57(1) and 57(3) of the said Act, do hereby—

- (i) revoke the approval of the *Code of Practice: Violence, Aggression and Bullying at Work* published in the *Government Gazette* on 21 July 2006; and
- (ii) approve the *Code of Practice: Violence and Aggression at Work, 2022* and the *Code of Practice: Workplace Behaviour, 2022*.

**3. Commencement**This approval comes into force from the date of publication in the *Western Australian Government Gazette*.

**Note:** Copies of the codes of practice referred to in this notice are available on the Department of Mines, Industry Regulation and Safety website [www.dmirs.wa.gov.au](http://www.dmirs.wa.gov.au). The codes of practice can also be made available in alternative formats, upon request.

HON. BILL JOHNSTON, MLA, Minister for Industrial Relations.

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**PUBLIC NOTICES**

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**ZZ401****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Valerie Lorraine Holtfreter formerly of 16 Curlew Street, Dudley Park, Western Australia late of McNamara Lodge, 41 Portrush Parade, Meadow Springs, Western Australia, Carer and Home Duties, 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 10 September 2021 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 by 14 March 2022 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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**ZZ402****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 estate of the late Graeme James Deane, deceased, who died on 19 January 2018, are required by the executor, Lynda Merie Reghenzani, c/- Unit 2, 62 Pinjarra Road, Mandurah WA 6210, to send particulars of their claims to the Executor 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 she then has notice.

PETHERICK COTTRELL LAWYERS,  
PO Box 1891, Mandurah WA 6210.  
Ph: (08) 9535 4604.  
Ref: NL:JS:194405.

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**ZZ403****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.

Kevin James Craig late of 63 Widgee Road, Noranda, who died on 28/10/2021.

Kenneth Davidson, late of Menora Gardens, 51 Alexander Drive, Menora, who died on 29/10/2021.

Anne Hibbert late of Cherokee Village, Unit 1/10 Hocking Road, Kingsley, who died on 19/10/2021.

Kaye Frances Judson, late of 215 Lilydale Road, Chidlow, who died on 15/06/2021.

Ellen Margaret Warburton late of Aegis Stirling, 32 Spencer Avenue, Yokine, who died on 05/10/2021.

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

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

## Notice to Creditors and Claimants

Notice is hereby given to any persons having claims pursuant to Section 63 of the *Trustees Act 1962* against the Estate of Annette Marjorie Regterschot late of 1B Stirton Court, South Bunbury, Western Australia who died on 27.08.2021, to submit in writing any such claims complete with supporting documentation to the Executors c/- Ball & Co, PO Box 1281, Bunbury Western Australia 6231, within 31 days of the date of this Notice, after which date the Executors may convey or distribute the assets, having regard only to the claims of which they have notice.

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

## Notice to Creditors and Claimants

David Allan Halliday late of 37 Radburne Drive, Hyden, 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 14 March 2021, at Hyden in the said State are required by the Administrator Michelle Halliday c/- 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 Administrator may convey or distribute the assets having regard only to the claim for which the Administrator then had notice.

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**ZZ406****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* and amendments thereto relate) in respect of the estates of the undermentioned deceased persons are required by the personal representatives care of Messrs Jackson McDonald, Level 17, 225 St Georges Terrace, Perth, Western Australia 6000 (GPO Box M971 Perth Western Australia 6843) to send particulars of their claims to them within one month from the date of publication of this notice at the expiration of which time the personal representatives may convey or distribute the assets having regard only to the claims of which they have then had notice—

Geoffrey Gordon Allen deceased late of 66 Clotilde Street, Mount Lawley, Western Australia, who died on 24 October 2021.

Dated this 7th day of February 2022.

JACKSON McDONALD.

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

## Notice to Creditors and Claimants

Creditors and claimants and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates), in respect of the Estate of Norma Eleanor June Chadwick late of 7 Brian Street, Mount Nasura in the State of Western Australia who died on 18 April 2021, are required by the Executor, Wayne Hilton Chadwick, to send to Solicitors for the Trustees, Templar Legal Pty Ltd, P.O. Box 8243, Subiaco WA 6008, particulars of such claims by 14 March 2022. After such date, the Executor may convey or distribute the assets of the Estate having regard only to the claims of which the Trustee then has notice.

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**ZZ408****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

In the matter of the Estate of Thelma Wanda Grogan late of 26 Wooramel Way, Cooloongup in Western Australia, Sales Person, 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 29 July 2021, are required by the Executor of care of Fort Knox Legal, P.O. Box 390, West Perth, WA 6872, to send the particulars of their claims to Fort Knox Legal by one month from the publication of this notice after which date the Personal Representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

**ZZ409****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Jeremy Frank Stronach late of 46 Campbell Road, Denmark, Western Australia, Earthmoving Contractor, 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 19 December 2020 are required by the trustee, care of McFarlane Lawyers, PO Box 1079 West Perth WA 6872 to send particulars of their claim to them by 25 March 2022 after which date the trustee may convey or distribute the assets having regard only to the claims of which they then have notice.

**ZZ410****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 11 March 2022 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Armstrong, Pansy, formerly of 21B Villa Maria, Lesmurdie and 14 Ronneby Road, Lesmurdie, late of Ningana SwanCare, 3 Allen Court, Bentley, who died on 19 January 2022 (DE19982086 EM110).

Barrow, Eileen Marjorie, late of City of Bayswater Hostel, 21 Embleton Avenue, Embleton, who died on 2 January 2022 (DE19914344 EM37).

Castellas, Li Ken Tan (also known as Judy Castellas), late of 97 The Promenade, Wattle Grove, who died on 8 December 2021 (DE33188207 EM15).

Corston, Jack Edmund Lankester, formerly of 28 Ward Avenue, Greenmount, late of Regents Garden Four Seasons, 495 Marmion Street, Booragoon, who died on 29 December 2021 (DE33030126 EM36).

Jackson, Doris Patricia, late of 82 Oakmont Avenue, Meadow Springs, who died on 17 March 2020 (DE19734636 EM18).

Jeredis, Chrissanthi, late of Italian Community, 33 Kent Road, Marangaroo, who died on 27 December 2021 (DE19940203 EM18).

Levins, Mary Elizabeth Patricia (also known as Maureen Elizabeth Patricia Levins and Maureen Levins), late of Braemar Cooida, 31 Moorhouse Street, Willagee, who died on 11 December 2021 (DE19871546 EM23).

McCormack, Kathleen June (also known as Ananta June McCormack), late of Air Force Memorial Estate, 2 Bull Creek Drive, Bull Creek, who died on 14 December 2021 (DE19901466 EM16).

Mudie, John Glen, late of Aegis Hilton Park, 19 Laidlaw Street, Hilton, who died on 26 December 2021 (DE19620996 EM26).

Murray, Robert Hunter, late of Unit 4, 85 Forrest Street, Mandurah, who died on 7 December 2021 (DE19902530 EM18).

Ramsay, Doris Lucy, late of 64 Epsom Avenue, Belmont, who died on 8 September 2021 (DE33037336 EM17).

Timms, Elsie Annabell, late of 4-10 Hayman Road, Bentley, who died on 11 October 2021 (DE19750067 EM18).



Tomich, Frana, late of 62 Sturtridge Road, Lockridge, who died on 4 December 2021  
(DE19981120 EM13).

Tutton, Siew Wah (also known as Siew Wah Chiang), formerly of 5 Kaliamba Court, Cannington, late  
of Aegis Amherst, 75 Amherst Road, Canning Vale, who died on 30 August 2021  
(DE33112230 EM313).

Wendy, Robert Jason, formerly of 5 Currawong Court, Bennett Springs, late of 26B Whitehaven  
Crescent, Balga, who died on 15 October 2021 (PM33174058 EM214).

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

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