



Western  
Australian  
Government

# Gazette

ISSN 2204-4264 (online)

223

PERTH, TUESDAY, 14 FEBRUARY 2023 No. 17

PUBLISHED BY AUTHORITY GEOFF O. LAWN, GOVERNMENT PRINTER

© STATE OF WESTERN AUSTRALIA

## CONTENTS

### PART 1

|  | Page |
|--|------|
| Marine and Harbours (Exmouth Boat Harbour) Proclamation 2023 ..... | 225  |

### PART 2

|                                   |     |
|-----------------------------------|-----|
| Fire and Emergency Services ..... | 227 |
| Minerals and Petroleum .....      | 227 |
| Planning .....                    | 228 |
| Public Notices .....              | 233 |

## IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Attorney General for Western Australia. Enquiries in the first instance should be directed to the Government Printer, Parliamentary Counsel's Office, [publications@pco.wa.gov.au](mailto:publications@pco.wa.gov.au).

**Note:** A Creative Commons Attribution 4.0 International Licence (CC BY 4.0) applies with respect to material on the WA Legislation Website (with certain exceptions), and to copies of Acts, and reprints of Acts and subsidiary legislation, printed by the Government Printer. To view relevant information and for a link to a copy of the licence, visit [www.legislation.wa.gov.au](http://www.legislation.wa.gov.au).

## PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by the Government Printer for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*—

- 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](mailto: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](mailto: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.*

## ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2022 (Prices include GST)

Public Notices Section—\$78.20 minimum charge (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices—

Per Column Centimetre—\$15.60

Bulk Notices—\$285.60 per page

Clients who **have** an account will only be invoiced for charges over \$100.

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

Clients without an account will need to supply credit card details at the time of lodging the notice.

# — PART 1 —

---

## PROCLAMATIONS

---

AA101

Marine and Harbours Act 1981

### Marine and Harbours (Exmouth Boat Harbour) Proclamation 2023

Made under the *Marine and Harbours Act 1981* section 9 by the Governor in Executive Council.

#### 1. Citation

This proclamation is the *Marine and Harbours (Exmouth Boat Harbour) Proclamation 2023*.

#### 2. Commencement

This proclamation comes into operation as follows —

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

#### 3. Terms used

In this proclamation —

**Deposited Plan**, followed immediately by a number, means the Deposited Plan of that number held by the Western Australian Land Information Authority established by the *Land Information Authority Act 2006*;

**The real property** means all land, waters, shores and seabed comprised in —

- (a) Lot 1462 on Deposited Plan 36308;
- (b) Lot 1463 on Deposited Plan 36308;
- (c) Lot 3001 on Deposited Plan 72632; and
- (d) Lot 3004 on Deposited Plan 73137;

**The Minister for Transport** means the body corporate created under the *Marine and Harbours Act 1981* section 8(1).

**4. Cancellation of proclamation dated 19 October 2010**

The proclamation relating to the Exmouth Boat Harbour dated 19 October 2010 and published in the *Gazette* on 29 October 2010 at page 5331 is cancelled.

**5. Property vested in The Minister for Transport**

The real property is vested in The Minister for Transport.

C. DAWSON, Governor.

L.S.

R. SAFFIOTI, Minister for Transport.

---

## — PART 2 —

### FIRE AND EMERGENCY SERVICES

#### FE401

##### EMERGENCY MANAGEMENT ACT 2005

##### EXTENSION OF EMERGENCY SITUATION DECLARATION

I, Kylie Maree Whiteley APM, State Emergency Coordinator, hereby extend the emergency situation declaration made on 2 January 2023 at 2140 hrs, in respect of Tropical Low 06 U.

The emergency situation declaration is extended for a period of **7 days**.

The powers that may be exercised during the period by which the emergency situation declaration is extended are limited as follows—

**Nil.**

Time when extension made: 6.35pm.

Date on which extension made: 8 February 2023.

This extension has effect from 1800 hrs on 9 February 2023 and remains in force until—

(a) 1800 hrs 16 February 2023; or

(b) it is revoked under section 53 of the *Emergency Management Act 2005*.

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

Dated 8 February 2023.

KYLIE WHITELEY, State Emergency Coordinator.

#### 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 10 February 2023 for the local government districts of—

Koorda, Dalwallinu, Wongan-Ballidu.

Dated 09 February 2023.

JON BROOMHALL, 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*.

### MINERALS AND PETROLEUM

#### MP401

##### PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

##### GRANT OF PETROLEUM EXPLORATION PERMIT EP 511

Petroleum Exploration Permit EP 511 has been granted to Macallum Group Ltd and will remain in force for a period of six (6) years commencing on 8 February 2023.

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

## PLANNING

PL401

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

*Shire of Carnarvon*

Local Planning Scheme No. 13—Amendment No. 1

Ref: TPS/2742

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 Carnarvon Local Planning Scheme amendment on 1 February 2023 for the purpose of—

1. Replace the term ‘overnight visitors’ with ‘beds’ throughout Local Planning Scheme No. 13.
2. Modify Schedule 1 No. 4 by rewording condition 1 to—  
The maximum number of beds is restricted to 280 (inclusive of workforce accommodation).
3. Replace Restricted Use 3 with the following—

| No. | Description of land         | Restricted Use  | Conditions  |
|-----|-----------------------------|---|---|
| 3   | Parent Lot 308<br>Coral Bay | Holiday accommodation<br>Holiday House<br>Workforce accommodation | <ol style="list-style-type: none"> <li>1. The general development standards of the Scheme apply unless prescribed in a Structure Plan approved under Part 4 of the deemed provisions or a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Code is designated, in which case the requirements of the Residential Design Codes shall apply.</li> <li>2. A structure Plan shall be prepared in accordance with Part 4 of the deemed provisions for the whole of the land holding (Parent Lot 308).<br/>The Structure Plan shall spatially define the location of ‘workforce accommodation’, ‘holiday house’ and ‘holiday accommodation’ uses.</li> <li>3. The Structure Plan be referred to the Department responsible for the <i>Contaminated Sites Act 2003</i>.</li> <li>4. Notwithstanding any other provision of the scheme, for the purposes of Restricted Use 3, the definition of a ‘lot’ within the ‘Holiday House’ definition is to also apply to survey-strata lots under the <i>Strata Titles Act 1985</i>.</li> <li>5. Freehold subdivision of the whole of the land holding (Parent Lot 308) shall be limited to ‘superlots’ with a minimum size of 4,000m<sup>2</sup> and generally be in accordance with an endorsed Local Structure Plan.</li> <li>6. Subdivision of the ‘superlots’ shall be limited to survey strata subdivision. No subdivision of lots in fee simple of less than 4,000m<sup>2</sup> will be approved.</li> <li>7. For all lots, both green title and survey strata or lease areas identified on a structure plan, the maximum number of beds is restricted to 920 (inclusive of workforce accommodation).</li> <li>8. At any stage of subdivision, section 70A notifications under the <i>Transfer of Land Act 1893</i> shall ensure future interest holders are made aware of the provisions that apply to Lot 308 relating to restriction of use.</li> </ol> |

| No. | Description of land | Restricted Use | Conditions   |
|-----|---------------------|----------------|--|
|     |                     |                | <p>9. Holiday accommodation and holiday house may require management plans to be submitted to the Local Government for approval prior to occupation and should address the following—</p> <p>9.1 Nomination of a management agent and details of management approval/protocol shall form a legally binding agreement with the Local Government;</p> <p>9.2 Car Parking and signage provision; and</p> <p>9.3 The maintenance of a booking register.</p> <p>10. Strata subdivision under the <i>Strata Titles Act 1985</i> shall only be considered once the Local Government has granted development approval.</p> <p>11. Strata subdivision may include the following additions to the by-laws contained in the Schedules 1 and 2 of the <i>Strata Titles Act 1985</i>.</p> <p>11.1 Development or redevelopment on the Strata lots must comply with an existing development approval issued by the Shire of Carnarvon, or such alternative development approval as the Local Government may grant, which complies with the requirements of the Scheme.</p> <p>11.2 Controls to ensure the overall management of the short-term accommodation.</p> <p>11.3 Provisions stipulating that the proposed short-term accommodation cannot be used for permanent residential purposes at any time and occupation by any individual shall not exceed 3 months in any 12 month period;</p> <p>11.4 Provisions that the owners of the proposed short-term accommodation may allow their property to be rented out for short-term accommodation purposes;</p> <p>11.5 Provisions requiring all common property, including the communal open space areas, to be landscaped and maintained by the Strata Company/Managing Authority;</p> <p>11.6 Amendment to or repeal of the provisions cannot be effected without approval of the Western Australian Planning Commission.</p> |

4. Modify Schedule 3—Restricted Uses for land in Scheme Area, Numbers 1, 4, 5, 6, 7, 8 and 15 in the following way—

| No. | Description of Land                 | Restricted Use                 | Conditions  |
|-----|-------------------------------------|--------------------------------|---|
| 1.  | Lot 52/66 Robinson Street Coral Bay | Camping ground<br>Caravan park | <p>1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply.</p> <p>2. No short-term accommodation other than for caravans and camping is permitted.</p> <p>3. The number of beds is restricted to 828 (inclusive of workforce accommodation).</p> |

| No. | Description of Land                 | Restricted Use  | Conditions   |
|-----|-------------------------------------|---|--|
|     |                                     | Workforce Accommodation   | <ol style="list-style-type: none"> <li>Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply.</li> <li>Notwithstanding other clauses within the Scheme, Workforce accommodation is to be classed as an 'I' use, it must be demonstrated that approval of the use will support the predominant use.</li> </ol> |
| 4.  | Lot 800/79 Banksia Drive Coral Bay  | Camping ground<br>Caravan park<br>Hotel<br>Motel<br>Tourist development | <ol style="list-style-type: none"> <li>The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Code is designated, in which case the requirements of the Residential Design Codes shall apply.</li> <li>The number of beds to be accommodated is restricted to 340 (inclusive of workforce accommodation).</li> </ol>             |
|     |                                     | Workforce Accommodation   | <ol style="list-style-type: none"> <li>Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply.</li> <li>Notwithstanding other clauses within the Scheme, Workforce accommodation is to be classed as an 'I' use, it must be demonstrated that approval of the use will support the predominant use.</li> </ol> |
| 5   | Lot 13/ No 20 Robinson Street,      | Caravan Park<br>Camping ground<br>Tourist development<br>Hotel<br>Motel | <ol style="list-style-type: none"> <li>The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Code is designated, in which case the requirements of the Residential Design Codes shall apply.</li> <li>The number of beds to be accommodated is restricted to 534 (inclusive of workforce accommodation).</li> </ol>             |
|     |                                     | Workforce Accommodation   | <ol style="list-style-type: none"> <li>Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply.</li> <li>Notwithstanding other clauses within the Scheme, Workforce accommodation is to be classed as an 'I' use, it must be demonstrated that approval of the use will support the predominant use.</li> </ol> |
| 6.  | Lot 1/14 Robinson Street, Coral Bay | Camping ground<br>Caravan park<br>Hotel<br>Motel<br>Tourist development | <ol style="list-style-type: none"> <li>The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Codes is designated, in which case the requirements of the Residential Design Codes shall apply.</li> </ol>  |



| No. | Description of Land  | Restricted Use  | Conditions   |
|-----|--|---|--|
|     |  |   | 2. The number of beds to be accommodated is restricted to 270 (inclusive of workforce accommodation).  |
|     |  | Workforce Accommodation   | 1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply.<br>2. Notwithstanding other clauses within the Scheme, Workforce accommodation is to be classed as an 'I' use, it must be demonstrated that approval of the use will support the predominant use. |
| 7.  | Lot 9500, Coral Bay  | Camping ground<br>Caravan park<br>Hotel<br>Motel<br>Tourist development | 1. The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Code is designated, in which case the requirements of the Residential Design Codes shall apply.<br>2. The number of beds to be accommodated is restricted to 816 (inclusive of workforce accommodation).             |
|     |  | Workforce Accommodation   | 1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply.<br>2. Notwithstanding other clauses within the Scheme, Workforce accommodation is to be classed as an 'I' use, it must be demonstrated that approval of the use will support the predominant use. |
| 8.  | Lot 1/44 Robinson Street and Lot 2/24 French Street, Coral Bay | Camping ground<br>Caravan park<br>Hotel<br>Motel<br>Tourist Development | 1. The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Codes is designated, in which case the requirement of the Residential Design Codes shall apply.<br>2. The number of beds to be accommodated is restricted to 546 (inclusive of workforce accommodation).             |
|     |  | Workforce Accommodation   | 1. Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply.<br>2. Notwithstanding other clauses within the Scheme, Workforce accommodation is to be classed as an 'I' use, it must be demonstrated that approval of to use will support the predominant use.  |

| No. | Description of Land                  | Restricted Use                                   | Conditions   |
|-----|--------------------------------------|--|--|
| 15. | Lot 10/16 Robinson Street, Coral Bay | Camping ground<br>Caravan park<br>Hotel<br>Motel | <ol style="list-style-type: none"> <li>The general development standards of the Scheme apply unless prescribed in a Local Development Plan approved under Part 6 of the deemed provisions; or unless an R-Code is designated, in which case the requirements of the Residential Design Codes shall apply.</li> <li>The number of beds to be accommodated is restricted to 265 (inclusive of workforce accommodation).</li> </ol> |
|     |                                      | Workforce Accommodation                          | <ol style="list-style-type: none"> <li>Where development standards are not prescribed in a Local Development Plan approved under the Part 6 of the deemed provisions, the general development standards of the Scheme apply.</li> </ol>  |

5. Insert the following into Schedule 7—Special Control Areas in Scheme Area—

**12. Special Control Area 11: Lot 308 Coral Bay**

| Purpose   | Objectives  | Additional Provisions  |
|---|---|--|
| Future use and development within the Special Control Area 11 boundary is solely for 'Workforce Accommodation'. | Land within the boundary of Special Control Area 11 is to be used solely for the 'Workforce Accommodation' use. | <p>The following provisions apply to all land within SCA 11 as notated on the Scheme Map.</p> <ol style="list-style-type: none"> <li>Notwithstanding any other provisions of the Scheme, use and development of land within SCA 11 shall be restricted to 'Workforce Accommodation'.</li> <li>All other uses are not permitted ('X').</li> </ol> |

6. Update the Scheme Maps accordingly.

7. Pursuant to Regulation 35A of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the amendment to the above Local Planning Scheme affects the following structure plan(s): Coral Bay Settlement Structure Plan (2014).

Upon the amendment taking effect, the structure plan is to be amend.

E. SMITH, Shire President.  
A. SELVEY, Chief Executive Officer.

**PL402**

**PLANNING AND DEVELOPMENT ACT 2005**

**BOARD OF VALUERS**

**Appointment of Member**

Notice is given that His Excellency the Governor has been pleased to appoint in accordance with the provisions of section 182 of the *Planning and Development Act 2005* Ms Kate Bingham for a term of two years expiring on 7 February 2025.

Dated 7 February 2023.

SAM FAGAN, Secretary, Western Australian Planning Commission.

**PL403**

**PLANNING AND DEVELOPMENT ACT 2005**

**APPROVED LOCAL PLANNING SCHEME AMENDMENT**

*City of Melville*

**Local Planning Scheme No. 6—Amendment No. 14**

Ref: TPS/2859

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 Melville Local Planning Scheme amendment on 1 February 2023 for the purpose of rezoning Lot 52 (No.45) and Lot 166 (No. 47) Canning Beach Road, Applecross (site) from Residential R12.5 to Residential R30.

G. GEAR, Mayor.  
M. TIELEMAN, Chief Executive Officer.

**PL404**

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

Local Planning Scheme No. 15—Amendment No. 17

Ref: TPS/2910

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 Belmont Local Planning Scheme amendment on 3 February 2023 for the purpose of—

1. Amending the City of Belmont Local Planning Scheme No. 15—Map 2 of 6 Redcliffe Locality Map by replacing the R20 Residential Density Coding for the properties at Lots 47-51 on P2252 and Lots 1-4 on SP43890 with a R20/40 split Residential Density Coding.
2. Amending the City of Belmont Local Planning Scheme No. 15—Map 2 of 6 Redcliffe Locality Map by removing the 'Development Area 7' border from Lots 47-51 on P2252 and Lots 1-4 on SP43890.
3. Amend Schedule No. 7—Special Control Areas—Development Areas as follows:

|          |  |   |
|----------|--|---|
| SCA-DA 7 | Lot 602 (No. 55) Fauntleroy Avenue Ascot and Lot 1 Coolgardie Avenue, Ascot. | <ol style="list-style-type: none"><li>1. An approved Structure Plan together with all approved amendments shall apply to the land in order to guide subdivision and development.</li><li>2. To provide for residential development.</li></ol> |
|----------|--|---|

P. MARKS, Mayor.  
J. CHRISTIE, Chief Executive Officer.

**PL405**

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

Local Planning Scheme No. 15—Amendment No. 19

Ref: TPS/2860

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 Belmont Local Planning Scheme amendment on 3 February 2023 for the purpose of—

1. Amending Schedule No. 11—Special Control Areas—Development Contribution Plans Scheme by—

| Reference No         | Development Contribution Area 1  |
|----------------------|--|
| Period of operation: | The period of operation of this DCP is deemed to continue and remain in operation until 7 February 2027 notwithstanding any other provision of the Scheme. |
| Priority and timing: | Landscaping ( <b>Complete</b> )  |

P. MARKS, Mayor.  
J. CHRISTIE, Chief Executive Officer.

---

## PUBLIC NOTICES

---

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

## Notice to Creditors and Claimants

In the matter of the Estate of Walter Clifford Barrett late of 39 Pinjarra-Williams Road Pinjarra Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the deceased who died on 8 July 2022 are required by the Executor Anne Barrett of 39 Pinjarra-Williams Road Pinjarra WA 6208, to send the particulars of their claims to 39 Pinjarra-Williams Road Pinjarra WA 6208 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 they then have notice.

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

## Notice to Creditors and Claimants

Estate of the late Mrs Ruth Abdullah OAM of 9 Zamia Link, Kununurra, Western Australia, 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 6th January 2023, are requested by the Executor, Charles Berger of PO Box 732, Kununurra, Western Australia 6743, to send particulars of their claims to the Executor at the above address, within one month from the date on which this notice is published, after which date the Executor may convey or distribute the assets of the estate, having regard only to the claims of which he then has notice.

---

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

## Notice to Creditors and Claimants

In the Estate of Massimo Mantovani late of 18 Barrett Street, Wembley 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 20 October 2022, are required by the trustee Cooper Webb Lawyers of PO Box 5674, Perth WA 6831 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.

---