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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

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

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All other Notices—

Per Column Centimetre—\$15.60

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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.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

City of Swan

CONSOLIDATED AMENDMENT LOCAL LAW (NO.2) 2023

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the City of Swan resolved on 12 July 2023 to make the following local law.

1. Citation

This local law may be cited as the *City of Swan Consolidated Amendment Local Law (No.2) 2023*.

2. Commencement

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

3. Principal local law amended

This local law amends the *City of Swan Consolidated Local Laws 2005* published in the *Government Gazette* on 16 February 2005 and as amended in the *Government Gazette* on 19 September 2008, 22 January 2010, 27 January 2023 and 19 June 2023.

4. Clause 11.7 replaced

In clause 11.7, subclauses (1), (2) and (3) are replaced with the following—

(1) In this Division—

retailer means the proprietor of retail premises which provides shopping trolleys for the use of its customers; and

shopping trolley means a wheeled container or receptacle supplied by a retailer to enable a person to transport goods.

- (2) A retailer shall clearly mark its trading name or name on any shopping trolley it makes available for the use of customers and the information must be legible and conspicuously displayed.
- (3) It is an offence for a retailer to fail to clearly mark its trading name or name on any shopping trolley it makes available for the use of customers.
- (4) No person shall leave a shopping trolley in a place other than in an area set aside by the retailer for the storage of shopping trolleys.
- (5) If a shopping trolley is found in a public place, other than an area set aside for the storage of shopping trolleys the local government may notify either verbally or in a written form the retailer whose name is marked on the trolley, of the location of the trolley.
- (6) Notwithstanding the preceding sub-clause, if a shopping trolley is found in a place other than in an area set aside by the retailer for the storage of shopping trolleys then the local government may seize and impound the shopping trolley and give an infringement notice to the retailer and an infringement notice may relate to one or more shopping trolleys.
- (7) A retailer shall pay any fee imposed and determined under and in accordance with sections 6.16 to 6.19 of the 1995 Act within the period specified by the local government to claim the shopping trolley, otherwise the local government may dispose of the shopping trolley as it so determines.
- (8) It is an offence for a retailer to fail to claim a shopping trolley referred to in an infringement notice given under subclause (5) within the period stated in the notice.
- (9) The retailer of a shopping trolley impounded or disposed of under this local law will have no cause of action for damages, conversion or otherwise against the local government, an authorised person or other person acting in accordance with a local law.
- (10) In the absence of proof to the contrary the retailer whose name appears on the trolley shall be deemed to be the lawful owner of the trolley, for the purposes of this local law.

Dated 20th September 2023.

The Common Seal of the City of Swan was affixed in the presence of—

Cr DAVID LUCAS, Mayor.
MERIEL PICKERING, A/Chief Executive Officer.

LG402

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996
Shire of Kellerberrin

The Estate of Cyril James Kay (deceased)

c/- Public Trustee Perth WA

GPO Box M946, Perth WA 6843

Notice of intention to make an application to the Minister under section 6.74 of the *Local Government Act 1995*

In accordance with regulation 77(1) of the *Local Government (Financial Management) Regulations 1996*, the Shire of Kellerberrin gives notice of its intention to make an application under section 6.74 of the *Local Government Act 1995* for the revestment of land as Lot 30 on Deposited Plan 86666.

Unless the amount of \$506.00 is paid or an objection is lodged to the revestment with the Shire by Friday, 10 November 2023, the Shire will make the application in accordance with section 6.74 of the *Local Government Act 1995*.

Dated 26th September 2023.

RAYMOND GRIFFITHS, Chief Executive Officer.

LG501

BUSH FIRES ACT 1954
City of Armadale

Notice to all owners and occupiers of land situated within the City of Armadale

Notice is hereby given that pursuant to Section 33(1) of the *Bush Fires Act 1954*, all owners and/or occupiers of land within the City of Armadale are required to carry out fire prevention works in accordance with the requisitions of this Notice, to prevent the outbreak, spread or extension of a bush fire, on or before the 30th day of November 2023, or within fourteen days of becoming the owner or occupier of land should this be after the 30th day of November 2023, and maintain the required fire prevention works up to and including the 31st day of March 2024.

1. Definitions

Authorised Officer means an employee of the City of Armadale appointed as a Bush Fire Control Officer.

Bushfire Management Plan means a plan that has been developed in accordance with *State Planning Policy 3.7*, and approved by the City of Armadale to reduce and mitigate fire hazards within a particular subdivision, lot or other area of land anywhere in the district.

Driveway means a point of access to a Habitable Building accessible for both conventional two wheel drive vehicles and firefighting appliances that is totally clear of Inflammable Matter and other objects or things.

Fire-break means an area of land constructed to a Trafficable surface and maintained totally clear of all Inflammable Matter leaving bare mineral earth, and includes the pruning and removal of any living or dead trees, scrub or any other material encroaching into the Vertical Axis of the fire-break area. Such fire-breaks may be constructed by one or more of the following methods: ploughing, cultivating, scarifying, raking, burning, chemical spraying or other method as approved by an Authorised Officer.

Fire Management Plan has the same meaning as Bushfire Management Plan.

Fuel Depot / Fuel Storage Area means an area of land, building or structure where fuel (i.e. petrol, diesel, kerosene, or any other hydrocarbon liquid) is kept, excepting where the quantities of fuel being stored are considered "minor storage quantities" under Table 2.1 of *Australian Standard AS1940* The storage and handling of flammable and combustible liquids.

Habitable Building means a dwelling, workplace, place of gathering or assembly and includes a building used for storage or display of goods or produce for sale by wholesale in accordance with classes 1—9 of the *Building Code of Australia*.

Haystack means any collection of hay including fodder rolls placed or stacked that exceeds 100m³ in size (e.g. five (5) metres x five (5) metres x four (4) metres), whether in a shed, other structure or in the open air.

Inflammable Matter means any tree, bush, plant, grass, mineral, vegetable, substance, object, thing or material (except for living trees, shrubs, plants and lawns under cultivation) or any other thing deemed by an Authorised Officer to be capable of combustion that may, or is likely to, catch fire and burn.

Trafficable means to be able to travel from one point to another in a four-wheel drive fire appliance on a clear surface, unhindered without any obstruction that may endanger such fire appliances. A Fire-break is not to terminate, or lead to a dead end without provision for egress to a safe place or a cleared turn around area of 17.5 metre radius.

Vertical Axis means a continuous vertical uninterrupted line at a right angle to the horizontal line of the Fire-break.

2. All Land greater than 5,000m²

- a. A three (3) metre wide Fire-break with a four (4) metre high Vertical Axis shall be constructed and maintained as close as practicable inside the property boundary but no more than ten (10) metres from the boundary around the entire perimeter of the property. Reticulated and maintained green lawn may be accepted in lieu of a Fire-break; and
- b. A three (3) metre wide Fire-break with a four (4) metre high Vertical Axis shall be constructed and maintained immediately surrounding all outbuildings, sheds, haystacks and groups of buildings situated on the land; and
- c. A three (3) metre wide driveway with a four (4) metre high Vertical Axis shall be installed and maintained.

3. All Land 5,000m² or less

- a. All Inflammable Matter on the entire property (noting that this does not include living trees, shrubs, plants and lawns under cultivation) shall be reduced and maintained to a height of less than five (5) centimetres; and,
- b. A three (3) metre wide driveway with a four (4) metre Vertical Axis shall be installed and maintained.

4. Fuel Depot / Fuel Storage Areas

- a. All Inflammable Matter within the Fuel Depot / Fuel Storage Area shall be cleared leaving bare mineral earth; and
- b. A three (3) metre wide Fire-break with a four (4) metre Vertical Axis shall be installed and maintained immediately surrounding the Fuel Depot / Fuel Storage Area.

5. Hazard Reduction

The requirements of this Notice are considered to be the minimum requirement for fire prevention work, not only to protect individual properties but the district in general.

A separate Special Works Notice may be issued to individual landowners pursuant to Section 33 of the *Bush Fires Act 1954* to carry out further hazard reduction works with respect to anything upon the land, where in the opinion of an Authorised Officer, it is likely to be conducive to the outbreak and/or the extension of a bushfire.

6. Application to Vary Fire-break and Hazard Reduction Notice Requirements

If you consider, for any reason, that it is impractical to meet the requirements of this Notice, you may apply in writing to the City of Armadale, or its duly Authorised Officers, **no later than the 1st day of October 2023**, requesting authorisation to employ other methods of fire prevention. If permission is not granted by the City you must comply with the requirements of this Notice.

In some instances naturally occurring features such as rocky outcrops, natural watercourses or landscaping such as reticulated gardens, lawns or driveways may be an acceptable substitute for a Fire-break.

If approved the requirements of all approved variations to the Fire-break and Hazard Reduction Notice shall be established on or before the 30th day of November 2023 (or within 14 days of you becoming the owner or occupier should this occur after that date) and be maintained up to and including the 31st day of March 2024.

Note: No Fire-break exemptions will be given. Please apply for a Variation if an alternative location for Fire-break installation is required.

7. Bushfire Management Plans

Where an approved Bushfire Management Plan (BMP), exists for an individual or group of properties as part of a development or subdivision approval, the owners and/or occupiers of those properties shall comply with the requirements and responsibilities of that BMP in its entirety. Some BMPs may also require compliance with this Notice.

BMPs can be viewed on the City's website via <https://www.armadale.wa.gov.au/bushfire-management-plans>. If you have trouble accessing your BMP please contact the City's Customer Service Team on 9394 5000.

8. Bushfire Attack Level (BAL) Assessments

Where an approved Bushfire Attack Level assessment (BAL) has been developed in accordance with *Australian Standard 3959* as part of a development application, compliance with the requisitions of the BAL assessment is required in addition to the requirements contained within this Notice.

9. Penalties

Failure or neglect to comply with the requisitions of this Notice is an offence and can result in a penalty of up to \$5000.

Furthermore, Authorised Officers, servants, workmen, contractors, vehicles, machinery and appliances (as the officers deem fit) may enter upon the land and carry out the requisitions of this Notice that are not complied with by the time specified in the Notice, and the amount of any costs and expenses incurred may be recovered from you as the owner and/or occupier of the land.

By order of the City of Armadale.

JOANNE ABBISS, Chief Executive Officer.

Additional Important Information

Camping or Cooking Fires (Section 25(1a) *Bush Fires Act 1954*)

In accordance with the provisions of Section 25(1a) of the *Bush Fires Act 1954* the lighting of camp or cooking fires is prohibited on all land within the City of Armadale during the Prohibited Burning Time. This prohibition does not apply to a gas appliance that does not consume solid fuel comprising of a fire, the flame of which is encapsulated by the appliance.

Burning of Garden Refuse (Section 24G(2) *Bush Fires Act 1954*)

For the purposes of this Notice, "*Restricted Burning Time*" means the 1st day of October 2023 through until the 31st day of May 2024 (inclusive and as varied pursuant to Section 18 of the *Bush Fires Act 1954*) and the "*Prohibited Burning Time*" means the 1st day of December 2023 through until the 31st day of March 2024 (inclusive and as varied pursuant to Section 17 of the *Bush Fires Act 1954*).

- a. In accordance with the provisions of Section 24G of the *Bush Fires Act 1954* the burning of garden refuse in an incinerator or on the ground that would otherwise be permitted under Section 24F is absolutely prohibited—
 - i. on land 1,200m² in size or less, during the Restricted Burning Time; and
 - ii. on land larger than 1,200m² in size, during the Prohibited Burning Time.

The effect of this Notice is that the burning of garden refuse in an incinerator or on the ground on land that is 1,200m² or less in size is prohibited during the Restricted Burning Time and the burning of garden refuse in an incinerator or on the ground is prohibited on all land within the district during the Prohibited Burning Time.

- b. In addition to the restrictions under Clause (a), garden refuse in an incinerator or on the ground must be burnt in accordance with the following conditions—
 - i. There is no inflammable matter (other than that being burnt) within five (5) metres of the fire at any time while the fire is burning; and
 - ii. The fire is lit between 6.00pm and 11.00pm and is completely extinguished before midnight on the same day; and
 - iii. At least one person is present at the site of the fire at all times until it is completely extinguished; and
 - iv. When the fire is no longer required, the person who lit the fire must ensure that the fire is completely extinguished by the application of water or earth; and
 - v. Only one pile (up to one (1) cubic metre in size) of garden refuse may be burnt at any one time; and
 - vi. No burning on a Sunday or a day that is a Public Holiday; and
 - vii. The person intending to light the fire must telephone the Department of Fire and Emergency Services' Communications Centre (COMCEN) on 08 9395 9209 and register the burn immediately prior to lighting the fire.
- c. Any time when there is in force a fire danger forecast issued for the district by the Bureau of Meteorology in Perth of Catastrophic, Extreme or High, a Total Fire Ban (TFB) or any other prohibition is in effect under the *Bush Fires Act 1954*, burning of garden refuse in an incinerator or on the ground is prohibited on all land within the district.

The *City of Armadale Environment, Animals and Nuisance Local Laws 2002* further restricts and/or prohibits burning of rubbish or refuse on land in the district.

No Burning on Sundays or Public Holidays

In accordance with Clause 49(2)(a) of the *City of Armadale Environment, Animals and Nuisance Local Laws 2002* an owner and/or occupier of land shall not set fire to, or cause or allow to be set on fire, any bush, rubbish or refuse whatsoever on a Sunday or a day that is a Public Holiday, except when specifically authorised to do so for the purpose of fuel reduction by a Bush Fire Control Officer (BFCO) duly appointed under Section 38 of the *Bush Fires Act 1954*.

Clearing of Remnant Native Vegetation—Rural Living & Special Rural Zone

In accordance with the *City of Armadale Town Planning Scheme No.4*, a separate Development Approval to clear native vegetation on properties zoned Rural Living or Special Rural may need to be obtained. Generally, clearing to satisfy necessary bush fire protection measures as determined by the local government or other relevant authority is exempt from planning approval. Please refer to the following sections of *Town Planning Scheme No.4* for further information—

- Clause 4.7.5 deals with clearing where a property contains a development envelope;
- Clause 4B.7 deals with clearing in the Rural Living and General Rural zones; and
- Clause 4C.9 deals with clearing in the Strategic Regional Centre, District Centre, Local Centre and Mixed Business/Residential zones.

See link—

https://www.armadale.wa.gov.au/sites/default/files/assets/documents/docs/Planning_and_Land_Use/Town_Planning_Scheme_No4.pdf

Specific situations where development approval is required for the clearing of remnant native vegetation is outlined within the following info sheet—

https://www.armadale.wa.gov.au/sites/default/files/assets/documents/docs/Planning_and_Land_Use/Info_Clearing_Vegetation_Fire_Hazard_Reduction.pdf

LG502

BUSH FIRES ACT 1954*Town of Bassendean***FUEL LOAD NOTICE 2023/24****Notice to all owners and/or occupiers of land situated within the Town of Bassendean**

As a measure to assist in the control of bush fires, or preventing the spread or extension of a bush fire which may occur, notice is hereby given to all owners and/or occupiers of land within the Town of Bassendean that pursuant to the powers conferred in section 33 of the *Bush Fires Act 1954*, works in accordance with the requisitions of this notice must be carried out before 1 November in each year, or within 14 days of becoming the owner or occupier of land if after that date. All work specified in this notice is to be maintained up to, and including, 31 March in the following year.

All land

- Cleared to the satisfaction of Council or its duly authorised officer, of all flammable material from the ***whole of the land, except*** living trees, shrubs and plants under cultivation and lawns.
- Maintain all dry grass on the land to a height no greater than 10cm.
- Wood piles and flammable material stored a safe distance from buildings.

Application to vary the above requirements.

If it is considered impractical for any reason to implement any of the requirements of this notice, you may apply in writing to the Town of Bassendean by no later than 15 October each year for permission to implement alternative measures. If permission is not granted in writing, by the Town of Bassendean, you must comply with the requirements of this notice.

Additional Works

In addition to the requirements of this Notice, you may be required to carry out further works that are considered necessary by an Authorised Officer and specified by way of a separate written notice, with reasonable time allowed to undertake the works as required.

Additional Information

The Town has prohibited all burning of garden material, for all properties within the district, as per the notice published in the *Government Gazette*.

Penalty for Failure to Comply

The penalty for failing to comply with this notice is a fine of not more than \$5000.

Additional Costs to Owner / Occupier

A person, who has failed to undertake the works as required by this notice, whether prosecuted or not is liable to pay the costs of performing the works as directed by an Authorised Officer.

In accordance with Section 38 of the Bush Fires Act, the following officers have been Appointed Bush Fire Control Officers—

Luke Gibson (Chief), Alex Snadden (Deputy) Sharna Merritt (FCO) Mark Bettridge (FCO), Scott Simeons (FCO), Edy Srblin (FCO) and Andrea Smith (FCO).

By order of the Town of Bassendean.

CAMERON WOODS, Chief Executive Officer.

LG503

BUSH FIRES ACT 1954

Section 33

*Shire of Mundaring***FIREBREAK AND FUEL LOAD NOTICE****Notice to all owners and occupiers of land situated within the Shire of Mundaring**

Pursuant to section 33(1) of the *Bush Fires Act 1954*, the Shire of Mundaring (the Shire) gives notice that the owners and/or occupiers of land within the Shire of Mundaring are required to undertake the following works on land owned or occupied by them. This must be done by **1 November each year and maintained until 31 March the year following**.

DEFINITIONS WITHIN THIS NOTICE

Authorised Officer—means an employee of the Shire appointed as a Bush Fire Control Officer pursuant to the powers conferred in section 38 of the *Bush Fires Act 1954*.

Trafficable—means to be able to travel from one point to another in an emergency services vehicle on a clear surface, unhindered, without any obstruction that may endanger such vehicles. It must not terminate, lead to a dead end, or have any pinch points without provision for egress to a safe place or a cleared turnaround area of not less than an 18-metre diameter.

Inflammable Material—means any substance which will catch fire easily without contact with flames or with a low ignition point, such as but not limited to petrol or liquefied petroleum gas.

Fuel Depot / Fuel Storage Area—means an area of land, a building or a structure where fuel, i.e. (petrol, diesel, kerosene, liquid gas or any other fossil fuel) is kept in any container or vessel.

Flammable Material—means any fine fuels, plant, tree, grass, substance, object, thing or material that may or is likely to catch fire and burn or any other thing deemed by an Authorised Officer to be capable of combustion.

Vertical Clearance—means a continuous, uninterrupted vertical line at a right angle to the horizontal baseline of the firebreak to a minimum height of 4 metres from the ground.

Firebreak—means a strip or area of ground, with a minimum width of 3 metres and a vertical clearance of 4 metres, immediately inside all external boundaries of any lot and constructed to a trafficable surface that is kept and maintained totally clear of all flammable material and includes the pruning and removal of any living or dead trees, scrub or any other material encroaching onto it or into the vertical clearance of the firebreak area. Firebreaks may be constructed by one or more of the following methods: ploughing, cultivating, scarifying, raking, burning, chemical spraying, blowing or other methods as approved by an Authorised Officer

Fuel Loads

Fine Fuel Loads—means the leaf litter on the ground, including leaves, twigs (up to 6mm in diameter) and bark.

A fine fuel load depth of 5mm from the top of the layer to the mineral earth beneath indicates approximately 2 tonnes per hectare. A fine fuel load depth of 15mm from the top of the layer to the mineral earth beneath indicates approximately 8 tonnes per hectare.

Coarse Fuel Loads—means branches, logs etc.

Maintaining Fuel Loads—relates to managing fuel loads described in this Notice. Reducing fuel load levels does not necessarily require the removal of existing natural vegetation. A combination of methods can be utilised, including planned burning, raking, weed removal, pruning and/or removing dead plant material.

Managed Vegetation—includes vegetation that is pruned away from buildings, under pruned to minimise contact with ground fuels, and that is kept free of dead suspended matter such as twigs, leaves and bark.

Habitable Buildings—means any building or other dwelling suitable for human residency, occupation, or use. This includes attached or adjacent structures such as garages, carports, verandas, or similar roofed structures that are attached to, or within 6 metres, of the dwelling or primary building.

Asset Protection Zone (APZ)—is an area of very low fuel levels surrounding a habitable building extending to a minimum of 20 metres out from any external walls of the building, attached structures, or adjacent structures within 6 metres of that building. On sloping ground, it shall increase at 1 metre for every degree in slope on the sides of the habitable building that are exposed to downslope natural vegetation.

1. The Land owner (or occupier) is required to do the following

1.1 All land with an area of 5000sqm up to 50,000sqm (5 Hectares) with a building on it must

- (a) Maintain all grass on the land to a height no greater than 5cm
- (b) Install a firebreak around all structures outside of your APZ and immediately inside all external boundaries of the land.
- (c) Maintain fuel loads in natural bush areas at less than 8 tonnes per hectare across the land.
- (d) Maintain an A P Z in line with the requirements of section 1.5 of this Notice.

1.2 All land with an area of 50,000sqm or greater, with a building on it must

- (a) Maintain all grass to a height no greater than 5cm for a distance of 10m from any firebreak.
- (b) All other grasses within the area must be managed by slashing or effective grazing by livestock or as directed by an Authorised Officer.
- (c) Install a firebreak around all structures outside of your APZ and immediately inside all external boundaries of the land.
- (d) Maintain fuel loads in natural bush areas at less than 8 tonnes per hectare across the land.
- (e) Maintain an APZ in line with the requirements of section 1.5 of this Notice.

1.3 All land with an area of 5,000sqm or less, with a building on it must

- (a) Maintain all grass on the land to a height no greater than 5cm
- (b) Maintain fuel loads in natural bush areas at less than 8 tonnes per hectare across the land.
- (c) Maintain an APZ in line with the requirements of section 1.5 of this Notice

1.4 All vacant land with an area less than 2000sqm

Must ensure all grass be maintained on the land to a height no greater than 5cm and that fuel loads in natural bush areas are maintained to less than 8 tonnes per hectare across the land.

All vacant land with an area more than 2000sqm must

- (a) Install a firebreak immediately inside all external boundaries of the land All land with an area of less than 50,000sqm (5 Hectares), all grass must be maintained on the land to a height no greater than 5cm

- (b) All land with an area of 50,000sqm (5 Hectares) or greater, the grass must be maintained on the land to a height no greater than 5cm for a distance of 10 metres from any firebreak, and all other grasses managed by slashing or effective grazing by livestock or as directed by an Authorised Officer
- (c) Maintain fuel loads in natural bush areas to less than 8 tonnes per hectare across the land.

1.5 Asset Protection Zone Specification

- (a) Maintain all grass on the land to a height no greater than 5cm.
- (b) Fuel loads maintained at 2 tonnes per hectare or lower.
- (c) Clear separation between adjoining or nearby tree crowns.
- (d) Small group/s of trees within close proximity to one another may be treated as one crown provided the combined crowns do not exceed the area of a large or mature crown size for that species.
- (e) No trees/shrubs over 2 metres high are to be within 2 metres of a habitable building.
- (f) Trees and shrubs must be under-pruned to a minimum height of 2 metres from the ground.
- (g) Shrubs over 2 metres high must not be planted in groups close to habitable buildings, ensuring there is a gap of at least three times the height (at maturity) of the shrub away from habitable buildings.
- (h) Ensure no part of a tree overhangs any buildings.
- (i) Roofs, gutters, and walls of all buildings on the land are free of fine fuel loads and other flammable material.
- (j) Ensure paths and non-flammable features immediately adjacent to habitable buildings are installed.
- (k) Wood piles and flammable materials are stored a safe distance from habitable buildings.
- (l) Ensure roofs, gutters, and walls of all buildings on the land are free of flammable matter, for example, the accumulation of leaves in gutters, wood piles against building walls and flammable/inflammable materials against that building or stored under pole-framed houses.

1.6 Fuel Depot /Storage Area, Haystacks / Stockpiled Flammable Material

- (a) Remove all flammable material within 10 metres of where it is stored.
- (b) Install a firebreak immediately adjacent to any haystacks or stockpiled flammable material.

1.7 Application to vary the above Requirements/Arrangements

An application to vary any of the above requirements can be made to the Shire to implement measures in the case of geographical or environmental obstructions. This will be assessed by an Authorised Officer, and will be granted for a time period as decided by the Authorised Officer assessing your application. If approved you must still comply with the other sections of this notice. If not approved, your property must still comply with this notice. Bushfire Management Plans, Bushfire Management Statements, or Fuel Load Management Plans, approved by the Shire to reduce and mitigate fire hazards within a particular subdivision, lot or other area of land anywhere in the district, are also included.

1.8 Additional Works

- (a) All driveways must be clear of flammable material and accessible to allow for the safe access and egress of emergency services vehicles as deemed by the Authorised Officer.
- (b) In addition to the requirements of this Notice, you may be required to carry out further works that are considered necessary by an Authorised Officer and specified by way of a separate written notice forwarded to the address of the owner/s as shown on the Shire rates record for the relevant land.

The Shire advises that its officers, servants, workmen, contractors, vehicles, machinery, and appliances (as the officers deem fit) may carry out the requisitions of this notice that are not complied with by the date specified above, and any costs and expenses incurred may be recovered from you as the owner and/or occupier of the land.

The penalty for failing or neglecting to comply with this Notice is a fine not exceeding \$5000, and a person in default is also liable, whether prosecuted or not, to pay the costs of performing the work directed by this Notice if it is not carried out by the owner and/or occupier by the date required by this Notice.

Supplementary requirements to this notice

Section 24F and 24G (Restricted Burning)

Burning of Garden Refuse

- (a) 1sqm piles of garden refuse may be burnt without a permit between 6 pm and 11 pm.
- (b) No more than one pile of garden refuse is to be burnt at any one time.
- (c) A permit to burn before 6 pm is required, and all permit conditions must be followed.
- (d) One able-bodied adult person must be in attendance at all times or as specified on your permit.

The following requirements must be carried out by the responsible person in attendance

- Piles to be fully extinguished by midnight. Fully extinguished means no heat, smoke or steam, or white ash is to be present where the fire was situated.
- The persons responsible for the lighting of piles are required to check the Fire Danger Rating and weather conditions to ensure burning is allowed at that time.

If the requirements of this Notice are carried out by burning, such burning must be in accordance with the relevant provisions of the *Bush Fires Act 1954*.

By order of the Council.

JONATHAN THROSSELL, Chief Executive Officer.

LG504**BUSH FIRES ACT 1954**

City of Subiaco

FIREBREAK NOTICE 2023-2024

Notice to all owners and/or occupiers of land within the City of Subiaco.

Pursuant to the powers contained in Section 33 of the *Bush Fires Act 1954*, you are required on or before 1 November 2023, or within fourteen (14) days of becoming the owner or occupier after 1 November 2023, and thereafter up to and including 31 March 2024, to remove from the land owned or occupied by you all inflammable matter from the whole of the land except living trees, shrubs and plants under cultivation and lawns, by means of ploughing, cultivating or slashing to a height of no more than 50mm.

If for any reason an owner and/or occupier consider it impractical to clear the land or to comply with other fire protection measures in accordance with this notice, the owner and/or occupier may apply in writing to the City no later than 31 October 2023 for a variation. If permission is not granted in writing by the City or its authorised officer, the owner and/or occupier must comply with the requirements of this notice.

The penalty for failing to comply with this notice is a fine up to \$5,000 and a person in default is also liable whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this Notice.

APPOINTMENTS

It is hereby notified that the following persons are appointed as City of Subiaco Bush Fire Control Officers under the *Bush Fires Act 1954*, Part IV Division 1 Section 38.

Chief Bush Fire Control Officer— Kris Rogers

Deputy Chief Bush Fire Control Officer— Dean Bradshaw

Bush Fire Control Officers—Andrew Haynes, James Kelleher, Candy Birchall, Mark Liversidge, Robyn Browne

All previous appointments are cancelled.

COLIN CAMERON, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401**MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines, Industry Regulation and Safety,
Meekatharra WA 6642.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable for forfeiture under the provision of Section 96(1)(a) of the *Mining Act 1978* for non / late payment of rent.

WARDEN CLEARY.

To be heard by the Warden in Perth on 22 November 2023.

MURCHISON MINERAL FIELD

Prospecting Licences

P 51/3249	Atkin, Christopher John
P 51/3265-S	Armstrong, Michael James

MP402**MINING ACT 1978****NOTICE OF INTENTION TO FORFEIT**

Department of Mines, Industry Regulation and Safety,
Perth WA 6000.

In accordance with Regulation 50 of the *Mining Regulations 1981*, notice is hereby given that unless the outstanding royalty payment due on the under mentioned lease is paid on or before **26 October 2023** or a written submission is made by that date to the Minister responsible for the *Mining Act 1978* to consider, it is the intention of the Minister under the provisions of Section 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant by the holder of the under mentioned lease for failure to comply with the royalty provisions in accordance with Regulation 86A

DIRECTOR GENERAL.

Number	Holder	Mining Lease		Mineral Field
M 08/62	Exmouth Quarries and Concrete			Ashburton

PLANNING

PL401**PLANNING AND DEVELOPMENT ACT 2005****METROPOLITAN REGION SCHEME MINOR AMENDMENT 1344/57**

Maida Vale Urban Precinct

Call for Public Submissions

The Western Australian Planning Commission (WAPC) is seeking public comment on a proposal to amend the Metropolitan Region Scheme (MRS) for land in the local government of Kalamunda.

The amendment proposes to rezone approximately 177.53 ha of land in Maida Vale from the Rural zone to the Urban Deferred zone in the MRS.

The proposed Urban Deferred zone will allow for future residential development and areas of public open space, following the lifting of Urban Deferment, a local scheme amendment, detailed structure planning and subdivision approval.

The Environmental Protection Authority required the proposed amendment to be formally assessed by way of an Environmental Review. A draft Environmental Review has been undertaken to examine the likely environmental impacts of the amendment if implemented and puts forward proposed environmental management measures.

The draft Environmental Review is being advertised concurrently with the MRS Amendment so that comment can be made on both environmental and planning related matters.

The WAPC certifies that, in its opinion, the proposed amendment does not constitute a substantial alteration to the MRS.

Display locations

The plans showing the proposed change and the WAPC amendment report which explains the proposal, will be available for public inspection from Friday 29 September 2023 to Tuesday 28 November 2023 at the—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Kalamunda
- City of Gosnells

Documents can also be viewed online at the Department of Planning, Lands and Heritage website www.dplh.wa.gov.au/mrs-amendments.

Submissions

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a Form 57, which is available from the display locations, the amendment report and online.

Submissions can be lodged online via <https://consultation.dplh.wa.gov.au>, emailed to RegionPlanningSchemes@dplh.wa.gov.au or by post to: Secretary, Western Australian Planning Commission, Locked Bag 2506, Perth WA 6001.

Submissions close **Tuesday 28 November 2023**. Late submissions will not be considered.

Ms SAM FAGAN, Secretary, Western Australian Planning Commission.

PL402

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Kwinana

Local Planning Scheme No. 2—Amendment No. 162

Ref: TPS/2728

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 Kwinana Local Planning Scheme amendment on 11 September 2023 for the purpose of—

1. Rezoning a portion of Lots 1, 7—11 and 88 Lyon Rd, Wandi from the Special Rural (SR13) zone to the Residential zone with a Residential Design Code of R5, R10 and R12.5 as shown on the Scheme Amendment Map, and amending the Scheme Map accordingly.
2. Extending the DCA5 boundary to correspond with the Residential zone boundary over portions of Lots 1, 7—11 and 88 Lyon Rd, Wandi as shown on the Scheme Amendment Map, and amending the Scheme Map accordingly.
3. Insert Clause 5.19 Additional site and development requirements in Part V—Development Requirements as follows—

5.19. Additional site and development requirements

(1) The Table sets out requirements relating to development that are additional to those set out in the R-Codes, precinct structure plans, local development plans or State or local planning policies.

Table

Additional requirements that apply to land in Scheme area

No.	Description of land	Development Standards/Conditions
ASR1	Lots 1, 7—11 and 88 Lyon Road, Wandi	<ol style="list-style-type: none"> 1. The local government shall recommend as a condition of subdivision approval, and/or shall impose a condition on any development approval to prevent any new dwelling being located within the Rural—Water Protection zone under the Metropolitan Region Scheme. 2. Replacement of any existing dwelling in the Special Rural zone is discretionary subject to development approval being granted by the local authority. 3. For lots zoned Residential with a density code of R5, R10 or R12.5 the local governmental shall recommend as a condition of subdivision approval, and/or shall impose a condition on any development approval to ensure, as far as practical, that any trees worthy of retention as determined by the local government are adequately retained and incorporated into development. 4. No clearing of vegetation within the Rural—Water Protection zone under the Metropolitan Region Scheme is permitted, except in accordance with a bushfire management plan approved by the local government. 5. Notwithstanding the R-Codes, for R10 and R12.5 development, a minimum 10 metre primary street setback is required to accommodate landscaping to the satisfaction of the local government. 6. Developer Contributions shall be in accordance with City of Kwinana Town Planning Scheme No. 2, except for the following under Development Contribution Area 5— <ol style="list-style-type: none"> (a) Infrastructure items excluded from contributions include— <ul style="list-style-type: none"> • Item 1.3 (Internal Collector Road) (b) The method for determining developer contributions shall be based on a pro-rata contribution for the proposed R5, R10 and R12.5 coded Residential zoned land for the agreed infrastructure items.

(2) To the extent that a requirement referred to in subclause (1) is inconsistent with a requirement in the R-Codes, a precinct structure plan, a local development plan or a State or local planning policy the requirement referred to in subclause (1) prevails.

4. Amending the Scheme Map to depict the ASR1 designation over Lots 1, 7—11 and 88 Lyon Road, Wandi on the Proposed Zoning Map and inserting the ASR designation in the legend.

C. ADAMS, Mayor.
W. JACK, Chief Executive Officer.

PL403

PLANNING AND DEVELOPMENT ACT 2005
GREATER BUNBURY REGION SCHEME MINOR AMENDMENT 0069/57
Treendale East Urban Expansion Area
Notice of Approved Amendment

File: 833-6-9-4

The Minister for Planning has approved, as advertised, the abovementioned amendment to the Greater Bunbury Region Scheme (GBRS). The amendment is shown on Western Australian Planning Commission plan number 3.2796 and is effective from the date of publication of this notice in the *Government Gazette*.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Friday, 29 September 2023 to Friday, 13 October 2023 at—

- Western Australian Planning Commission, 140 William Street, Perth;
- Department of Planning, Lands and Heritage, Level 6, 61 Victoria Street, Bunbury;
- State Reference Library, Northbridge; and
- Shire of Harvey, Australind Administration Centre, 7 Mulgara Street, Australind.

Documents can also be viewed online on the Department of Planning, Lands and Heritage's website at Greater Bunbury Region Scheme (www.wa.gov.au).

Ms SAM FAGAN, Secretary, Western Australian Planning Commission.

PL404

PLANNING AND DEVELOPMENT ACT 2005
IMPROVEMENT PLAN NO. 27: ELLENBROOK

File: 819-2-21-8

It is hereby notified for public information that under the provisions of section 120 of the *Planning and Development Act 2005*, the Western Australian Planning Commission has recommended the revocation of Improvement Plan No. 27. The recommendation has been accepted by the Minister for Planning and the Governor, and is effective on and from 29 September 2023.

Ms SAM FAGAN, Secretary, Western Australian Planning Commission.

PL405

PLANNING AND DEVELOPMENT ACT 2005
IMPROVEMENT PLAN NO. 59: ELLENBROOK STATION PRECINCT

File: RLS/1067

It is hereby notified for public information that the Western Australian Planning Commission, acting pursuant to part 8 of the *Planning and Development Act 2005*, has certified and recommended that, for the purpose of advancing the planning, development and use of the land described below, it should be made the subject of Improvement Plan No. 59: Ellenbrook Station Precinct.

The Improvement Plan No. 59 area comprises the land depicted on Western Australian Planning Commission plan numbered 3.2810.

The purpose of this improvement plan is to—

- (a) Enable the Western Australian Planning Commission to undertake all steps to advance the planning and development of the Ellenbrook Station Precinct Area as provided for under Part 8 of the *Planning and Development Act 2005*;
- (b) Establish the strategic planning and development intent for Ellenbrook Station Precinct;
- (c) Provide for a strategic planning framework endorsed by the WAPC, Minister for Planning and the Governor;
- (d) Authorise the preparation of an Improvement Scheme for the Ellenbrook Station Precinct;
- (e) Provide the objectives of the Improvement Scheme; and
- (f) Provide guidance to the preparation of statutory plans, statutory referral documentation and policy instruments.

The recommendation has been accepted by the Minister for Planning and the Governor.

Improvement Plan No. 59: Ellenbrook Station Precinct is effective on and from 29 September 2023.

A copy of Improvement Plan No. 59 can be viewed at—

1. Western Australian Planning Commission, 140 William Street, Perth
2. City of Swan
3. J S Battye Library, Alexander Library building, Francis Street, Northbridge.

Documents can also be viewed online at the Department of Planning, Lands and Heritage website at www.dplh.wa.gov.au/improvement-plans-schemes.

Ms SAM FAGAN, Secretary, Western Australian Planning Commission.

ROTTNEST ISLAND

RX401

ROTTNEST ISLAND AUTHORITY ACT 1987**ROTTNEST ISLAND MANAGEMENT PLAN 2023-28 APPROVAL NOTICE**

Given by the Minister under section 24 of the *Rottnest Island Authority Act 1987*.

1. Citation

This notice is the *Rottnest Island Management Plan 2023-28 Approval Notice*.

2. Notice of approval

The Minister gives notice that the Rottnest Island Management Plan 2023-28 has been approved without modifications made by the Minister under section 23 of the Act.

3. Inspection of the management plan

Copies of the Rottnest Island Management Plan 2023-28 may be inspected at—

- (a) the Visitor Centre, Rottnest Island;
- (b) Rottnest Island Authority, 1 Mews Road, Fremantle WA; or
- (c) the Rottnest Island Authority website www.ria.wa.gov.au

4. Obtaining a copy of the management plan

Copies of the Rottnest Island Management Plan 2023-28 may be obtained from—

- (a) the Rottnest Island Authority website www.ria.wa.gov.au; or
- (b) the Visitor Centre, Rottnest Island
- (c) Rottnest Island Authority, 1 Mews Rd, Fremantle Western Australia.

Hon. RITA SAFFIOTI, MLA, Deputy Premier; Minister for Tourism.

PUBLIC NOTICES

ZZ101

CORRECTION**TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Doreen Hilda Clark, late of Aegis Greenfields Aged Care, 95 Lakes Road, Greenfields 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 5 May 2023 are required by the Executors Lynn Harrison and Paul Clark, PO Box 297, Belmont 6984 to send particulars of claims by registered mail within 30 days of this notice after which date the Executors may convey and distribute the assets having regard only to claims of which they have had notice.

ZZ401

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 Lillian Charlotte Eustace, deceased, who died on 25 December 2022, are required by the executor, Trent Mark Petherick, c/- 60 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 he then has notice.

PETHERICK COTTRELL LAWYERS,
PO Box 1891, Mandurah WA 6210,
Ph: (08) 9535 4604.
Ref: TP:JS: 237381.

ZZ402

TRUSTEES ACT 1962**DECEASED ESTATES****Notice to Creditors and Claimants**

Estate of Raymond John Smith late of 7 Grealis Street, Armadale 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 23rd April 2023, are required by the Executor, Mark John Smith, of 23 Bluestone Loop, Piara Waters, in the State of Western Australia, to send particulars of their claims to him within one (1) month from the date of publication of this notice, after which date the Executor may convey or distribute the assets 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**

Shirley Eva May Johns late of 9 Birch Street, Esperance, 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, Shirley Eva May Johns, who died on 4 November 2021, are required by a substitute executor, Timothy Ward Johns, to send particulars of their claims to him care of EW Gray Lawyer, Post Office Box 317, Esperance WA 6450 on or before the expiration of one (1) month from the date of publication of this notice, after which date the substitute executor may convey or distribute the respective assets, having regard only to the claims of which he then has notice.

EW GRAY LAWYER.

ZZ404

TRUSTEES ACT 1962**DECEASED ESTATES****Notice to Creditors and Claimants**

Estate of the late George Notaras, of 566 Newcastle Street, West Perth, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 15 May 2022, are required by the Administrator, care of George Papamihail Barristers and Solicitors, 124 Aberdeen Street, Northbridge WA 6003, ph. (08) 9228 2794, to send particulars of their claims to them within one (1) month of the date of publication of this notice, after which date the Administrator may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZZ405

TRUSTEES ACT 1962**DECEASED ESTATES****Notice to Creditors and Claimants**

Erl Peter Anderson late of The Queenslea Claremont, 1 Shenton Road, Claremont Western Australia, previously of 88/4 Albert Street, Claremont, 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 21 June 2023 are required by Executor, Perpetual Trustee Company Limited ACN 000 001 007 of Level 18, 123 Pitt Street, Sydney, New South Wales to send particulars of their claims to them within one (1) month from the date of publication of this Notice, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

PERPETUAL TRUSTEE COMPANY LIMITED,
Level 18, 123 Pitt Street, Sydney, New South Wales.

ZZ406**TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

Virginia Gilmour, late of 51 Alexander Drive, Menora, Western Australia, who died on 31/12/2022.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estate of the abovementioned deceased person are required by the Executor of her Estate to send particulars of their claims to Lawton Macmaster Legal, of PO Box 5680, St Georges Tce WA 6831, within 30 days from the date of publication of this Notice, after which date the Executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ407**TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

William George Harris late of 40 Angove Street, Norseman, 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, William George Harris, who died on 6 February 2022, are required by the executor, Corrina Bridgette Kingma, to send particulars of their claims to her care of EW Gray Lawyer, Post Office Box 317, Esperance WA 6450 on or before the expiration of one (1) month from the date of publication of this notice, after which date the executor may convey or distribute the respective assets, having regard only to the claims of which she then has notice.

EW GRAY LAWYER.

ZZ408**TRUSTEES ACT 1962****DECEASED ESTATES****Notice to Creditors and Claimants**

In the estate of Roger Stanley Massina-Wragge late of 46 Yougenup Road, Gnowangerup, Western Australia, Nurse, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the abovenamed deceased who died on 18 July 2023 are required by the personal representative Jade Lattimore of Greenstone Legal, PO Box 744, West Perth, Western Australia, 6872 to send particulars of their claims to them within 30 days from the date 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.

ZZ409**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 30 October 2023 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Dhue, Donald Francis, late of Unit 27, 11 Marchamley Place, Carlisle, who died on 30 December 2022 (DE33200857 EM14).

Germon, Daffyd Vaughan (also known as David Vaughan Germon), late of Kensington Park Nursing Home by Hall & Prior, 62 Gwenyfred Road, Kensington, who died on 27 February 2023 (PM33175192 EM214).

Hadfield, John Shenstone, late of Aegis Shorehaven, 49 Scotthorn Drive, Alkimos, who died on 8 August 2023 (DE19861144 EM14).

Lawrence, Edward Arthur Richard, late of Unit 8, 79 Cooper Street, Mandurah, who died on 24 May 2023 (DE33177467 EM15).

Mason, Byron Lawrence Hall (also known as Byron Mason), formerly of Discover Parks, Unit 123, 91 Benara Road, Caversham, late of Unit 4, 100 Hayman Road, Bentley, who died on 15 February 2022 (DE33190514 EM36).

Moloney, Isabelle Winifred, late of Raafa Merriwa Estate, 19 Hughie Edwards Drive, Merriwa, who died on 19 August 2023 (DE19882340 EM23).

Steinochr, Anna Maria, late of 108A Virgil Avenue, Yokine, who died on 23 August 2023 (DE19981856 EM15).

Tudino, Antonia (also known as Tony Tudino), late of Unit 9, 124-126 Woodrow Avenue, Dianella, who died on 21 May 2023 (DE33035916 EM24).

Waters, Susanne Gweneth, late of 7A Wilson Place, Belmont, who died on 24 May 2023 (DE33170495 EM15).

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

ZZ410**PUBLIC TRUSTEE ACT 1941**

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth on this 29th day of September 2023.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Murphy, Cedric Roy (DE19901894 EM14)	18 Turner Road, Byford	26 April 2022	19 June 2023
