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

Email address:

gazette@dpc.wa.gov.au

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AGRICULTURE AND FOOD

AG401

BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013

QUARANTINE AREA NOTICE- *BACTROCERA (BACTROCERA) TRYONI* (QUEENSLAND FRUIT FLY)

Bayswater Outbreak

- Under regulation 60 of the *Biosecurity and Agriculture Management Regulations 2013* (Regulations) the area described below is declared to constitute a quarantine area until 11:59 pm on 4 December 2023.

The area within a 15 kilometre radius of the intersection of Frinton Street and Roberts Street, Bayswater, WA 6053.

Note: A map of the quarantine area will be published on the website of the Department of Primary Industries and Regional Development.

- This quarantine area is declared because there are reasonable grounds to suspect the declared pest *Bactrocera (Bactrocera) tryoni* (Froggatt, 1897) (Queensland fruit fly or Qfly) may be present in the area.
- In this notice—

"Department" means the Department of Primary Industries and Regional Development;

"fruit" means the fruit of any host or suspect host of Queensland fruit fly listed in the table in Schedule 1;

"inspector" means an inspector appointed under section 162 of the *Biosecurity and Agriculture Management Act 2007*.

- Persons, other than persons employed by or on behalf of the Department, must not move fruit grown in the quarantine area from the quarantine area to outside of the quarantine area but within Western Australia, for a commercial purpose, except in accordance with—
 - this notice; or
 - an approval under regulation 67 of the Regulations; or
 - a general exemption having effect under regulation 71 of the Regulations.
- Fruit grown in the quarantine area is moved for a commercial purpose from the quarantine area to outside of the quarantine area but within Western Australia in accordance with this notice if—
 - the fruit is moved for processing to a processing facility; or
 - the fruit has been treated by processing, cooking or freezing for a minimum of 24 hours; or
 - the fruit is treated in accordance with measures approved by the Department's Chief Plant Biosecurity Officer and securely transported; or
 - the fruit is securely transported for treatment outside of the quarantine area; or
 - the fruit is moved as authorised or directed by an inspector.

Note: Information about measures approved by the Chief Plant Biosecurity Officer for the purposes of clause 5 will be published on the Department's website.

- Fruit is moved from the quarantine area to areas outside Western Australia in accordance with this notice, if moved in accordance with the import requirements of the destination country or Australian State or Territory.
- Each person, who is the owner or occupier of land in the quarantine area, is taken to have been given a quarantine notice that applies to that land in the terms of this quarantine area notice.
- Failure to comply with this quarantine area notice could result in a fine, the Director General taking remedial action under regulation 133 of the Regulations, or both.

Schedule 1

Queensland fruit fly hosts and suspect hosts

Common Name	Scientific Name
Abiu	<i>Pouteria caimito</i>
Acerola	<i>Malpighia glabra</i>
Achachairu	<i>Garcinia humilis</i>
Apple	<i>Malus domestica</i>
Apricot, Cherry, nectarine, peach, peacharine, plum, plumcot	<i>Prunus</i> spp.
Avocado	<i>Persea americana</i>
Babaco	<i>Carica pentagona</i>
Banana	<i>Musa acuminata</i>
Black sapote	<i>Diospyros ebenum</i>
Blueberry	<i>Vaccinium corymbosum</i>
Blackberry, boysenberry, loganberry, youngberry, raspberry	<i>Rubus</i> spp.
Brazil cherry	<i>Eugenia uniflora</i>

Common Name	Scientific Name
Breadfruit	<i>Artocarpus altilis</i>
Caimito (star apple)	<i>Chrysophyllum cainito</i>
Cape gooseberry	<i>Physalis peruviana</i>
Capsicum	<i>Capsicum annuum</i>
Carambola	<i>Averrhoa carambola</i>
Cashew apple	<i>Anacardium occidentale</i>
Casimiroa (white sapote)	<i>Casimiroa edulis</i>
Cherimoya, custard apple, soursop, sweetsop	<i>Annona</i> spp.
Chilli	<i>Capsicum annuum</i> <i>Capsicum frutescens</i>
Chinese mulberry*	<i>Cudrania tricuspidata</i>
Citron, finger lime, grapefruit, lemon, lime, mandarin, orange, pummelo, tangelo	<i>Citrus</i> spp.
Climbing fig*	<i>Ficus pumila</i>
Clivia*	<i>Clivia</i> spp.
Coffee berry	<i>Coffea</i> spp.
Date (fresh)	<i>Phoenix dactylifera</i>
Durian	<i>Durio zibethinus</i>
Eggplant	<i>Solanum melongena</i>
Feijoa	<i>Feijoa sellowiana</i>
Fig	<i>Ficus carica</i>
Granadilla	<i>Passiflora quadrangularis</i>
Grapes	<i>Vitis</i> spp.
Grumichama	<i>Eugenia braziliensis</i>
Guava	<i>Psidium</i> spp.
Hog plum	<i>Spondias mombin</i>
Indian hawthorn*	<i>Rhaphiolepis indica</i>
Jaboticaba	<i>Myrciaria cauliflora</i>
Jackfruit	<i>Artocarpus heterophyllus</i>
Jew plum	<i>Spondias dulcis</i>
Kiwifruit	<i>Actinidia deliciosa</i>
Kumquat	<i>Fortunella japonica</i>
Lilly pilly*	<i>Syzygium smithii</i>
Longan	<i>Dimocarpus longan</i>
Loofah	<i>Luffa acutangula</i>
Loquat	<i>Eriobotrya japonica</i>
Lychee	<i>Litchii chinensis</i>
Mango	<i>Mangifera indica</i>
Mangosteen	<i>Garcinia mangostana</i>
Miraclefruit	<i>Synsepalum dulcificum</i>
Moreton fig*	<i>Ficus macrophylla</i>
Mulberry	<i>Morus nigra</i>
Nashi	<i>Pyrus pyrifolia</i> var. <i>culta</i>
Olive	<i>Olea europaea</i>
Ornamental pear*	<i>Pyrus calleryana</i>
Passionfruit	<i>Passiflora</i> spp.
Pawpaw	<i>Carica papaya</i>
Pear	<i>Pyrus communis</i>
Pepino	<i>Solanum muricatum</i>
Persimmon	<i>Diospyros kaki</i>
Pomegranate	<i>Punica granatum</i>
Prickly pear	<i>Opuntia stricta</i> ; <i>O. ficus-indica</i>
Quince	<i>Cydonia oblonga</i>
Rambutan	<i>Nephelium lappaceum</i>

Common Name	Scientific Name
Rollinia	<i>Rollinia deliciosa</i>
Rose apple	<i>Syzygium jambos</i>
Santol	<i>Sandoricum indicum</i>
Sapodilla	<i>Manilkara zapota</i>
Sapote	<i>Casimiroa edulis</i>
Strawberry	<i>Fragaria spp.</i>
Tamarillo	<i>Solanum bataceum</i>
Tomato	<i>Lycopersicon esculentum</i>
Wax jambu/ water apple	<i>Syzygium samarangense</i>

*indicates suspect host

Dated 24 October 2023.

VICTORIA AITKEN, Acting Executive Director, Biosecurity,
Department of Primary Industries and Regional Development,
Delegate of the Director General.

AG402

BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013

QUARANTINE AREA REVOCATION NOTICE

Bactrocera (*Bactrocera*) *Tryoni* (Queensland Fruit Fly)

Bayswater Outbreak

Under regulation 61 of the *Biosecurity and Agriculture Management Regulations 2013*, the Quarantine Area Notice relating to the Bayswater outbreak of the declared pest *Bactrocera* (*Bactrocera*) *tyroni* (Queensland fruit fly) published in the *Government Gazette* on 17 March 2023, in the *West Australian* newspaper on 18 March 2023 and on the website of the Department of Primary Industries and Regional Development, as amended from time to time, is revoked.

Dated 24 October 2023.

VICTORIA AITKEN, Acting Executive Director, Biosecurity,
Department of Primary Industries and Regional Development,
Delegate of the Director General.

EDUCATION

ED401

EDITH COWAN UNIVERSITY ACT 1984

EDITH COWAN UNIVERSITY COUNCIL (APPOINTMENT OF MEMBER) INSTRUMENT 2023

Made by the Governor in Executive Council under section 9(1)(a) of the *Edith Cowan University Act 1984*.

Citation

1. This is the *Edith Cowan University Council (Appointment of Member) Instrument 2023*.

Appointment of member

2. Mr Michael Rundus is reappointed to be a member of the Council of the University for a term of office of three years commencing on the date of Executive Council approval.

Dated this 22nd day of August 2023.

K. COLLERAN, Clerk of the Executive Council.

FIRE AND EMERGENCY SERVICES

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 22 October 2023 for the local government districts of—

Dalwallinu, Koorda, Wongan-Ballidu.

Dated 21st October 2023.

GARY GIFFORD, 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*.

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994 OCTOPUS INTERIM MANAGED FISHERY MANAGEMENT PLAN AMENDMENT 2023

A1469

Made by the Minister under section 54.

1. Citation

This instrument is the *Octopus Interim Managed Fishery Management Plan Amendment 2023*.

2. Management plan amended

The amendments in this instrument are to the *Octopus Interim Managed Fishery Management Plan 2015*.

3. Clause 4 amended

In clause 4—

- (a) insert the following definitions in the correct alphabetical position—
 - cradle** means a frame that holds multiple traps;
 - pull** means, in relation to traps, to bring traps from the seabed to the surface;
- (b) replace the definition of **authorised boat** with the following definition—
 - authorised boat** means—
 - (a) a licensed fishing boat, the name and licensed fishing boat number of which is specified in a permit; or
 - (b) a boat specified in a written authority under any regulation providing that a substitute boat may be approved for short term use in place of a boat described in paragraph (a);
 - (c) a boat that is authorised to be used pursuant to clause 20A;
- (c) replace the definition of **passive trap** with the following definition—
 - passive trap** means a trap with one or more unobstructed openings that cannot be accidentally or intentionally closed;

4. Clause 11 amended

In clause 11 delete the word " licence " in each place that it appears and insert—
permit

5. Insert Clause 20A

Following clause 20 insert—

20A. Use of boat not specified on a permit

- (1) Notwithstanding any other clause in this Plan, a regional manager or compliance officer may, by notice in writing, authorise the holder of a permit to use, in place of the boat specified on the permit, not more than 3 boats, being boats specified on other permits, for a period not exceeding 10 days.
- (2) An application for an authority under subclause (1) must be made by the holder of a permit on a form approved for that purpose by the CEO.

- (3) A regional manager or compliance officer must not provide an authority under subclause (1) unless satisfied that—
- the boat specified on the permit cannot be operated;
 - the holder of the permit is unable to apply to vary the permit or seek an authority for short-term use of a substitute boat, as provided for in the regulations, for reasons beyond the person's control;
 - each boat to be used in the place of the boat referred to in paragraph (3)(a) is specified on another permit; and
 - the master of each boat to be used in the place of the boat specified in paragraph (3)(a) has provided written consent to the provision of an authority under this clause and written acknowledgement of subclause (4).
- (4) It is a condition of a permit that, where the boat specified on a permit is also the subject of an authority provided under this clause, the master of that boat must immediately upon taking octopus clearly segregate and label the octopus with the details of the relevant permit under the authority of which the octopus were taken.
- (5) It is a condition of a permit that, where the boat specified on a permit is also the subject of an authority provided under this clause, a person must not use that boat to fish for octopus unless the person who gave written consent for the purposes of subclause (3)(d) is the master of that boat.
- (6) An authority provided under this clause may be given subject to such additional conditions as the regional manager or compliance officer thinks fit, and may be amended from time to time, or revoked by further notice in writing.
- (7) An authority provided under this clause may be surrendered by the delivery to a regional manager or compliance officer of notices in writing surrendering the consent made by the masters of each boat specified in the authority.

6. Clause 21 amended

In clause 21 delete subclause (5).

7. Clause 22 replaced

Delete clause 22 and insert—

22. Use of traps from 1 April to 30 November each year

- (1) In this clause—

first surface float means the surface float that is connected to the trap line;

float rig means the length of rope on the surface of the water that is connected to the first and last surface floats, including any rope extending beyond the last surface float;

last surface float means the surface float that is at the end of a float rig and is only connected to another surface float;

longline means a length of rope with multiple traps or cradles attached, and which is connected to a trap line;

trap line means the length of submerged rope between the first surface float and the point at which the line is attached to a trap or cradle, or to a longline.

- (2) This clause applies to the use of traps, trap lines and float rigs to fish for octopus during the period commencing on 1 April in any year and ending—
- on 31 October in the same year, in Zones 1 and 2 of the Fishery; and
 - on 30 November in the same year, in Zone 3 of the Fishery.
- (3) The master of an authorised boat must ensure that—
- the maximum length of the trap line does not exceed twice the depth of the water in which the master is fishing;
 - the top third of the trap line is held as close to vertical as possible in the water column, by the use of weighted rope, or by a weight attached to the trap line;
 - no rope other than the float rig is on the surface of the water; and
 - a float rig does not exceed 9.1 metres in length, and does not have attached—
 - more than 3 surface floats, when used in waters greater than 54.9 metres in depth; or
 - more than 2 surface floats, when used in waters less than or equal to 54.9 metres in depth.
- (4) The master of an authorised boat must not fish during the period specified in subclause (2) other than by—
- a longline to which are attached a minimum of 20 traps or cradles; or
 - a single trap line to which are attached—
 - a maximum of 2 traps; or
 - a maximum of 2 cradles.
- (5) The master of an authorised boat must ensure all traps are pulled from the water—
- at least once every 30 days, in the case of passive traps; and

- (b) at least once every 21 days, in the case of active traps.

8. Insert Clause 23A

Following clause 23 insert—

23A. Requirement to report lost traps

- (1) The master of an authorised boat must report any lost or irretrievable traps in the log sheet for that trip.
- (2) The master of an authorised boat must ensure that a report in the log sheet specifies—
 - (a) the quantity and type of lost or irretrievable traps; and
 - (b) the last known location of the lost or irretrievable traps.
- (3) If any traps referred to in subclause (1) are subsequently found, the master of an authorised boat must report the finding of those traps in the log sheet for that subsequent trip.

9. Clause 25 amended

Delete clause 25 and insert—

25. Persons prohibited from fishing in the Fishery

- (1) Subject to subclauses (2) and (3), a person must not fish in a zone of the Fishery other than—
 - (a) in accordance with this plan; and
 - (b) under the authority of a permit that authorises fishing in that zone.
- (2) This plan does not apply to a person fishing for octopus for a recreational purpose in accordance with the Act.
- (3) Except as provided for in clause 27, this plan does not apply to a person for whom fishing activity is otherwise authorised under a management plan in force under the Act.

10. Clause 27 replaced

Delete clause 27 and insert—

27. Prohibition on selling or dealing with, or attempting to sell or deal in, or possessing, octopus

- (1) In this clause—

deal in includes handling, storing, transporting, weighing and recording;

otherwise dealt with includes handled, stored, transported, weighed and recorded.
- (2) A person must not sell, purchase, or deal with, or attempt to sell, purchase or deal in, or be in possession of, any octopus taken from the Fishery, landed, or otherwise dealt with in contravention of this plan.
- (3) A person must not sell, purchase, or deal with, or attempt to sell, purchase, or deal in, or be in possession of, any octopus unless that octopus was taken and landed by a person fishing under the authority of a permit.
- (4) This clause does not apply to persons fishing under the authority of an authorisation granted with respect to a management plan specified in Schedule 7.

11. Clause 29 amended

In clause 29 delete " 22(2) " and insert—

22

12. Schedule 1 amended

Delete Schedule 1 and insert—

SCHEDULE 1—Description of the Fishery

[clause 6]

All the waters within the Australian Fishing Zone, and coastal waters, situated on the west and south coasts of the State between 26° 30' south latitude and 129° 00' east longitude; but excluding the waters bounded by a line commencing at a point on the high water mark at the western extremity of the South Mole at the entrance to Fremantle Harbour; thence extending westerly to the southern most rock of the Straggler Rocks; thence south easterly to the high water mark on the northern most point of Mewstone; thence generally southerly along the high water mark on the eastern shore of Mewstone to its southern most point; thence southerly to the high water mark on the northern most point of Carnac Island; thence generally southerly along the high water mark on the eastern shore of that island to its southern most point; thence southerly to the high water mark at Entrance Point on Garden Island; thence generally southerly along the high water mark on the eastern shore of that island to South West Point; thence southerly to the high water mark at John Point on the mainland; thence generally east then north along the high water mark to the commencing point.

13. Schedule 4 amended

In Schedule 4—

- (a) delete the Table.
- (b) delete the word " licence " and insert—

permit

14. Schedule 7 inserted

Following Schedule 6 insert—

Schedule 7—Management plans for which authorisation holders are excepted from the prohibition on selling or dealing

[Clause 27]

Marine Aquarium Fish Managed Fishery Management Plan 2018

South Coast Crustacean Managed Fishery Management Plan 2015

South-West Trawl Limited Entry Fishery Notice 1989

West Coast Estuarine Managed Fishery Management Plan 2014

West Coast Rock Lobster Managed Fishery Management Plan 2012

Dated 11th of October 2023.

Hon. DON PUNCH, MLA, Minister for Fisheries.

JUSTICE

JU401**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—

Patrick Joseph Fraser of Swan View

JOANNE STAMPALIA, Deputy Director General, Court and Tribunal Services.

LOCAL GOVERNMENT

LG401**LOCAL GOVERNMENT ACT 1995***Shire of Capel***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 11 October 2023, determined that the method of valuation to be used by the Shire of Capel 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 71 to 74 inclusive as shown on Deposited Plan 425636.

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

LG402**LOCAL GOVERNMENT ACT 1995***City of Kwinana***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 17 October 2023, determined that the method of valuation to be used by the City of Kwinana 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	<p>All those portions of land comprised in the schedules below—</p> <p>SCHEDULE 'A'</p> <p>All those portions of land being Lot 9110 and Lot 9112 as shown on Deposited Plan 423335 and Lot 9015 as shown on Deposited Plan 424537.</p> <p>SCHEDULE 'B'</p> <p>All that portion of land being Lot 3 as shown on Diagram 86318.</p>

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

LG403

LOCAL GOVERNMENT ACT 1995

Shire of Coolgardie

DETERMINATION—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 8 September 2023, determine that the method of valuation to be used by the Shire of Coolgardie, as the basis for a rate on the mining tenements referred to in Column 1 of the Schedule (Mining Tenement), in respect of the portions of land referred to in Column 2 of the Schedule (Portion of Land), is to be the gross rental value of the land;

Schedule 1. Mining Tenement
Cherish Metals—Lan Franchi Camp
Mining Tenement M15/473

2. Portion of Land
All that portion of Lot 101 on Deposited Plan 238594, starting from a point at coordinate 391820 metres East, 6513125 metres North (MGA94 Zone 51) and extending easterly 90 degrees, 0 minutes, 0 seconds, 325 metres; thence southerly 180 degrees, 0 minutes, 0 seconds, 295 metres; thence westerly 270 degrees, 0 minutes, 0 seconds, 325 metres; thence northerly 0 degrees, 0 minutes, 0 seconds, 295 metres to the starting point.
Approximate Area: 9.59 hectares

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

LG404

LOCAL GOVERNMENT ACT 1995

Shire of Coolgardie

DETERMINATION—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 8 September 2023, determine that the method of valuation to be used by the Shire of Coolgardie, as the basis for a rate on the mining tenements referred to in Column 1 of the Schedule (Mining Tenement), in respect of the portions of land referred to in Column 2 of the Schedule (Portion of Land), is to be the gross rental value of the land;

Schedule 1. Mining Tenement
Avoca Mining Pty Ltd—Higginsville
Accommodation Village
Mining Tenement M15/351

2. Portion of Land
All that portion of Crown Reserve 10305. Starting from a point at coordinate 378865 metres East, 6489835 metres North (MGA94 Zone 51) and extending easterly 90 degrees, 0 minutes, 0 seconds, 400 metres; thence southerly 180 degrees, 0 minutes, 0 seconds, 320 metres; thence westerly 270 degrees, 0 minutes, 0 seconds, 400 metres; thence northerly 0 degrees, 0 minutes, 0 seconds, 320 metres to the starting point.
Approximate Area: 12.8 hectares

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

LG405

LOCAL GOVERNMENT ACT 1995*Shire of Coolgardie***DETERMINATION—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 7 September 2023, determine that the method of valuation to be used by the Shire of Coolgardie, as the basis for a rate on the mining tenements referred to in Column 1 of the Schedule (Mining Tenement), in respect of the portions of land referred to in Column 2 of the Schedule (Portion of Land), is to be the gross rental value of the land;

Schedule 1. Mining Tenement	2. Portion of Land
Alita Resources Ltd—Bald Hill Camp Mining Tenement G15/28	All that portion of Lot 101 on Deposited Plan 238594. Starting from a point at coordinate 422950 metres East, 6513580 metres North (MGA94 Zone 51) and extending easterly 85 degrees, 14 minute 10.9 seconds, 120.416 metres; thence southeasterly 118 degrees, 36 minutes, 37.7 seconds, 125.3 metres; thence southwesterly 209 degrees, 44 minutes, 41.6 seconds, 161.245 metres; thence westerly 270 degrees, 0 minutes, 0 seconds, 120 metres; thence northwesterly 296 degrees, 33 minutes, 54.2 seconds, 89.443 metres; thence northerly 18 degrees, 26 minutes, 5.8 seconds, 158.114 metres to the starting point. Approximate Area: 4.06 hectares

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

LG501

BUSH FIRES ACT 1954*Shire of Wyndham East Kimberley***FIREBREAK ORDER AND BUSHFIRE INFORMATION EFFECTIVE FROM 2023**

(This is a summary of the Order adopted by the Shire of Wyndham East Kimberley under Section 33 of the *Bush Fires Act 1954*).

In accordance with the provisions of this Order, landowners are required to carry out fire prevention work on land they own or occupy on or before 1st May every year to provide and thereafter maintain free of all inflammable material until 15th January of the following year.

Firebreaks are to be maintained as stipulated in the manner described in the following schedule 1-9.

PERSONS WHO FAIL TO COMPLY WITH THE REQUIREMENTS OF THE ORDER MAY BE ISSUED WITH AN INFRINGEMENT NOTICE (PENALTY \$250) OR PROSECUTED WITH AN INCREASED PENALTY UP TO (\$1000). IN ADDITION, THE SHIRE MAY CARRY OUT THE REQUIRED WORK AT COST TO THE OWNER OR OCCUPIER OF THE LAND.

There may be instances where it is considered to be impractical to clear firebreaks or remove flammable materials as required by this Order, due to—

- The aggravation of soil erosion;
- The identification of a more effective system of fire prevention; or
- Firebreaks being rendered unnecessary by natural features existing on the land.

In this instance, application may be made to Council not later than 15 February each year for permission to provide firebreaks in alternative positions or to take alternative action to reduce fire hazards on the land.

If Council permission is not forthcoming, then you will be required to comply with the provisions of this Order.

Firebreaks are used primarily to gain access to and provide an area to work from when controlling a fire. They will not stop all fires, and removal of unnecessary flammable material prior to the fire season is your best safeguard against fire threat.

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

1. Ord Irrigation Project Area

Firebreaks for all land within the Ord Irrigation Area must be—

- Approximately three (3) metres wide inside, along and as close as possible to external boundaries; and
- Approximately six (6) metres wide and within three (3) metres of the perimeter of all buildings and/or haystacks and groups of buildings.

2. Pastoral Lands

Being land outside the Town Sites of Wyndham and Kununurra held under Pastoral Lease.

- (a) Firebreaks are to be a distance approximately six (6) metres wide and within three (3) metres of a building/s and haystacks.

3. Town Site Land

For land inside Town Sites and not being rural land or land under a Pastoral Lease, firebreaks are required to be—

- (a) Provide a 20m Building Protection Zone (BPZ) around all infrastructure.
- (b) Where the area is 2000sq metres or less, remove vegetation by clearing or slashing inflammable material from the whole of the land, excluding standing live trees.
- (c) Where the area of the land is greater than 2000sq metres a firebreak approximately six (6) meters in width, immediately surrounding any buildings or approximately three (3) metres in width inside and along the whole of the external boundaries of the land is required.

4. Rural Lands

Being land outside the Town Sites and not being land under a Pastoral Lease, this includes rural subdivisions. Firebreaks are required to be—

- (a) Approximately three (3) metres wide inside, along and within ten (10) metres of external boundaries, and
- (b) Approximately six (6) metres wide and within three (3) metres of the perimeter of all buildings or haystacks or group of buildings.
- (c) Provide a 20m Building Protection Zone (BPZ) around all infrastructure.

5. Rural Living Areas

Where land (up to 5 ha per lot) outside of the Wyndham and Kununurra town sites is used primarily for residential purposes, firebreaks are to be provided to all boundaries in accordance with the following requirements—

- (a) clear a three (3) metre wide firebreak of all flammable material, immediately inside the external boundaries of the land; and
- (b) trees must be trimmed back to provide a vertical clearance of three and a half (3.5) metres to allow fire appliances along the firebreak
- (c) Provide a 20m Building Protection Zone (BPZ) around all infrastructure.

Where a Shire managed strategic firebreak is provided the provisions of a) do not apply to the boundaries abutting the strategic firebreak.

Where there is a risk soil erosion or the ground conditions do not permit (e.g. rocky terrain) the provisions of a) may be deemed to be satisfied where the grasses are slashed and maintained at a height of 75mm or less.

6. Rural Accommodation Providers

Where land outside of the Wyndham and Kununurra town sites is used primarily for accommodation, dining and/or entertainment purposes, the following fire mitigation measures must be taken

- (a) Install a minimum three (3) and maximum six (6) metre wide firebreak clear of all flammable material, immediately inside the external boundaries of the land; and
- (b) Provide a 20m Building Protection Zone (BPZ) around all infrastructure.

Where there is a risk soil erosion or the ground conditions do not permit (e.g. rocky terrain) the provisions of a) may be deemed to be satisfied where the grasses are slashed and maintained at a height of 75mm or less.

A minimum amount of portable firefighting equipment is required—

- (a) Portable firefighting appliance/s, in working order, containing at least 500 litres of water; and
- (b) Firefighting equipment as determined by Shire Fire Control Officer/s; and
- (c) Any other fire mitigation measures the Shire Fire Control Officer deems necessary.

7. Rubbish Sites (Prescribed Premises)

Being all Rubbish Sites for Pastoral Stations that have been registered as a Prescribed Premises. Firebreaks are required to be approximately three (3) metres wide and within three (3) metres of the perimeter of the rubbish site.

NOTE: Pursuant Schedule 1 (5B) 63, 64, 65 of the *Environmental Protection Regulations 1987* a "Rubbish Site" must be a Prescribed Premises (refer definitions).

8. Fuel Dumps and Depots

Remove all flammable material from all land where fuel drum ramps or dumps are located and where fuel drums whether containing fuel or not are stored to a distance approximately fifteen (15) metres outside the perimeter of any drum, ramp or stack of drums.

9. Satisfactory Compliance

Section 33 Bush Fires Act 1954—

The requirements referred to in paragraphs 1 to 8 hereof, must be performed to the satisfaction of the duly authorised person appointed by the Shire of Wyndham East Kimberley.

Section 33(3) Bush Fires Act 1954—

Persons who fail to comply with these requirements may be issued with an infringement notice (Penalty \$250) or prosecuted with an increased penalty up to \$5000.00.

Section 33(4) Bush Fires Act 1954—

In addition, the Shire may carry out the required work at cost to the owner or occupier of the land.

10. Exemptions**10.1 Exemptions for individual properties**

If it is considered impracticable for any reason to clear firebreaks or to remove flammable material from the land as required by this notice you may apply to the Council or its duly authorised officer by not later than 15 February each year for permission to provide firebreaks in alternative positions or take alternative action to abate fire hazards on the land.

10.2 Exemptions for specific areas

Properties within a specific area may be exempt from the above requirements if they are within an established firebreak area that is maintained by the affected land owner and approved by the Shire.

11. Definitions**11.1 Building Protection Zones (BPZ)**

- **A Building Protection Zone (BPZ)** is an area extending for **20 metres** around a building where there is reduced flammable material. This means there is less material that can catch on fire, improving the chances that your home may survive a bushfire.
 - (a) Create a minimum 20 metre building protection zone around your home and other buildings. This area needs to be cleared of all rubbish, long dry grass, bark and material that may catch fire.
 - (b) Prune lower branches (up to two metres off the ground) to stop a ground fire spreading into the canopy of the trees.
 - (c) Clear vegetation around your property to create a fire break, particularly the overhanging branches.
 - (d) Cut grass to less than 10 centimetres high and prune shrubs to remove dead material.



RESTRICTED BURNING PERIOD
1st March to 14th January Each Year

The Restricted Burning Period includes Kununurra and Wyndham Town sites, the Ord Irrigation Area and pastoral areas.

PERMITS TO BURN

1. Permits to burn are required for the whole of the Restricted Period, and must be obtained from one of the Fire Control Officers (FCO) identified for your area.
2. Any special conditions imposed by the FCO when issuing permits must be strictly adhered to.
3. The permit holder shall give notice of his intention to burn to—
 - (a) The Shire's Ranger Services by no later than 24 hours prior to the day when the burning is to take place. Weekend burning must be notified by 4.00pm, Thursday. (Office Hours: 9168 4100—After Hours: 9168 4166)
 - (b) The owner or occupier of adjoining land.
 - (c) The Department of Fire and Emergency Services (DFES) office on 9395 9209 or 9395 9210.
 - (d) The nearest Department of Biodiversity, Conservation and Attractions (DBCA) office if the land is situated within three (3) kilometres of State Forest land, National Park, Nature Reserve or other DBCA lands.
4. The period of notice to neighbours prior to burning cannot be more than twenty eight (28) days or less than four (4) days, although lesser notice may be determined by mutual agreement of all neighbours.
5. All landowners and occupiers who suffer a bush fire have an obligation to assist each Area FCO to complete a Fire Report Form.

BUSHFIRE CONTROL OFFICERS

The Shire of Wyndham East Kimberley pursuant to *S38(2A) of the Bush Fires Act 1954* hereby notify the following appointed Bushfire Control Officers for the gazetted fire district.

- **Simon Hawes**—Deputy Chief Bushfire Control Officer—Senior Ranger (Entire Shire)
- **Thomas Garner**—Bushfire Control Officer—Ranger (Entire Shire)
- **Craig Dobson**—Bushfire Control Officer—Ranger (Entire Shire)
- **Narelle Graue**—Bushfire Control Officer—Ranger (Entire Shire)
- **Charlie Buckley**—Bushfire Control Officer (Crossing Falls Bush Fire Brigade)
- **Darren Tomkins**—Bushfire Control Officer (Crossing Falls Bush Fire Brigade)
- **David Hasted**—Bushfire Control Officer (Ivanhoe Bush Fire Brigade)
- **John Koeyers**—Drysedale River Station

FIRE WEATHER OFFICERS

The Shire of Wyndham East Kimberley, pursuant to *S38(8)&(10) of the Bush Fires Act 1954*, hereby notify the following appointed Fire Weather Officer and deputy for the gazetted fire district.

- **Simon Hawes**—Fire Weather Officer—Senior Ranger (Entire Shire)
- **Thomas Garner**—Deputy Fire Weather Officer—Ranger (Entire Shire)

PUBLIC NOTICES

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

Notice to Creditors and Claimants

In the estate of Sharon Dawn Kennedy late of 6 Toronto Place, Wanneroo 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 19 December 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.

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

Notice to Creditors and Claimants

Creditors and other persons having claims on the estate of the late Jannifer Lesley Visser of 3/16 Curtin Mews, Eaton, Western Australia, deceased who died on 31 May 2022, are required to send particulars of their claims to the executor Kya-J Bell care of Solomon Hollett Lawyers, PO Box 840, West Perth, Western Australia, within one month from the date of publication of this notice, after which date the executor may distribute the assets having regard only to the claims of which they then have notice.

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

Notice to Creditors and Claimants

In the matter of the Estate of Egidio Mario Magenta (also known as "Eddie"), late of Jeremiah Donovan House, 138 Lewis Road, Forrestfield in the State of Western Australia, deceased.

Creditors and other persons having claims to which Section 63 of the *Trustees Act 1962* relate in respect of the Estate of the deceased, who died on the 26th day of July 2023, are required by the Executor, Glen Bernard Giles, to send the particulars of their claim to Messrs Taylor Smart of Unit 18, Level 2, 100 Railway Road, Subiaco in the State of Western Australia, by the 27th day of November 2023, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which she then has had notice.

Dated the 23rd day of October 2023.

GLEN BERNARD GILES, Taylor Smart.

ZZ404

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

In the matter of the Estate of John Walter Beck, late of 9 Genoa Court, Kingsley in the State of Western Australia, deceased.

Creditors and other persons having claims to which Section 63 of the *Trustees Act 1962* relate in respect of the Estate of the deceased, who died on the 6th day of July 2023, are required by the Executor, John Raymond Waddell, to send the particulars of their claim to Messrs Taylor Smart of Unit 18, Level 2, 100 Railway Road, Subiaco in the State of Western Australia, by the 27th day of November 2023, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which they then had notice.

Dated the 23rd day of October 2023.

GLEN BERNARD GILES, Taylor Smart.

ZZ405

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Creditors and other persons having claims on the estate of the late Anthony Parentich of 15 Wolsely Road, East Fremantle, Western Australia (formerly of 186 Burke Drive, Attadale, Western Australia), deceased, who died on 15 September 2022, are required to send particulars of their claims to the executor Paula Dorothy Parentich care of Solomon Hollett Lawyers, PO Box 840, West Perth, Western Australia, within one month from the date of publication of this notice, after which date the executor may distribute the assets having regard only to the claims of which they then have notice.

ZZ406

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Ann Janet Dannatt, late of 35 Rosalie Street, Shenton Park, 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 March 2023, are required by Shirley Brenda Tascone, the lawful attorney appointed under a deed of Power of Attorney dated 15 June 2023 of Johanna Kennedy Valentine (the lawful named Executor), care of Bespoke Wills and Estates, Suite 6, 14 Main Street, Osborne Park, Western Australia, to send particulars of their claims to her within one (1) month of the publication of this notice, after which date the attorney may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZZ407

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Renato Panizza, late of 145 Station Street, East Cannington, in the State of Western Australia, Retired Builder, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on the 12th day of July 2023, are required by the Executor and Trustee, being Mrs Enid Joan Panizza, of c/- Mort & Associates, PO Box 20, Cannington, WA, 6987, to send particulars of their claims to her at Mort & Associates of PO Box 20, Cannington, WA, 6987, by the date being one month following the date of publication of this notice, after which date the Executor and Trustee may convey or distribute the assets, having regard only to claims of which she then has notice.

MORT & ASSOCIATES as solicitor for the Executor and Trustee.

ZZ408

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Mary O'Brien, late of Bethanie Fields Nursing Home, 111 Eaton Drive, Eaton, Western Australia, Book Keeper, 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 24 July 2023, are required by the Executor, Mr Robert Sceales, to send particulars of their claims care of Sceales Lawyers, PO Box Z5305 St Georges Terrace, Perth, WA, 6831, Telephone: (08) 9322 8479, by the date one (1) month following the publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to the claims of which he has then had notice.

ROBERT WALTER FAHEY SCEALES, Sceales Lawyers.

ZZ409

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Clare Jones, late of 114B Bessell Avenue, Como, Western Australia, Psychologist, 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 2022, are required by the Executor, Mr Robert Sceales, to send particulars of their claims care of Sceales Lawyers, PO Box Z5305 St Georges Terrace, Perth, WA, 6831, Telephone: (08) 9322 8479, by the date one (1) month following the publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to the claims of which he has then had notice.

ROBERT WALTER FAHEY SCEALES, Sceales Lawyers.

ZZ410

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Helene Bernhard Smith, late of 109 Marine Terrace, Sorrento, in the State of Western Australia, Draughtsperson, Retired, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died 7 September 2023 are required by the applicant for grant of representation, c/- CS Legal, Level 6, 218 St Georges Terrace, Perth WA 6000 to send particulars of their claims to the applicant within 30 days from the date of publication of this notice, after which date the applicant for grant of representation may convey or distribute the assets, having regard only to the claims of which she/he then has notice.

ZZ411

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 Friday, 27 November 2023. after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Addis, Barrie Milton, late of St Lukes Nursing Home by Hall and Prior, 429 Rokeby Road, Shenton Park, who died on 24 July 2023 (PM33096708 EM214).

Baris, Sandor, late of Meath Care Nursing Home, 18 Hocking Road, Kingsley, who died on 5 August 2023 (DE19991940 EM36).

Bell, Margaret Ruth, formerly of Unit 99, 22 Carnegie Place, Greenfields, late of 1 Rainbird Street, Balddivis, who died on 18 April 2023 (DE33096221 EM32).

Bereczky, David Gabor, late of 48 Monterey Drive, Woodvale, who died on 17 September 2023 (DE33157221 EM15).

- Carroll, Mary Frances, late of Unit 1, 23 Magnolia Way, Forrestfield, who died on 1 April 2023 (DE20011607 EM23).
- Chung, Yoon Ngan, formerly of 3 Macnab Rise, Duncraig, late of Aegis Sandstrom, 44 Whatley Crescent, Mount Lawley, who died on 17 August 2023 (DE19890495 EM24).
- Collins, Leslie Joseph, late of Valencia Aged Care, 24 Valencia Road, Carmel, who died on 17 October 2022 (PM30335657 EM27).
- Collins, Janice Lorraine, late of 2 Dorothy Avenue, Falcon, who died on 27 June 2023 (DE19971862 EM35).
- Corfield, Roberta, late of Hamersley Aged Care Home by Hall and Prior, 441 Rokeby Road, Shenton Park, who died on 22 January 2023 (PM33044158 EM214).
- Edwards, Dianne Lesley, late of 21 Beacham Crescent, Medina, who died on 27 June 2023 (DE33074272 EM36).
- Hay, Olga Mary, late of Unit 5, 518 Salvado Road, Wembley, who died on 11 June 2023 (DE19551014 EM22).
- Hogan, John, late of Braemar House Nursing Home, 10 Windsor Road, East Fremantle, who died on 12 August 2023 (DE33146940 EM16).
- Hogg, Barry Hilton, late of Agmaroy Nursing Home by Hall and Prior, 115 Leach Highway, Wilson, who died on 13 July 2023 (PM33166199 EM214).
- Katonka, Kathy Julianna, late of 37 Cheshire Drive, Baldivis, who died on 3 May 2023 (PM33065926 EM214).
- Lewis, Jane, late of 45 Moolanda Boulevard, Kingsley, who died on 2 September 2023 (DE33137806 EM26).
- Mallard, Grace Beryl, late of Aegis Greenfields, 95 Lakes Road, Greenfields, who died on 14 September 2023 (DE19934188 EM17).
- Marsden, David John, late of 185 Craigie Drive, Beldon, who died on 25 May 2023 (DE33045417 EM24).
- Miller, Heather, late of Catholic Homes St Vincent's Aged Care, 224 Swan Street, Guildford, who died on 7 May 2022 (PM30320437 EM214).
- Morrison, Elizabeth Rose, late of 2 Waterway Crescent, Ascot, who died on 28 July 2023 (DE20002793 EM13).
- Prue, Dorothy, late of Swancare Kingia, Unit 107, 5 Allen Court, Bentley, who died on 16 June 2023 (DE19920145 EM37).
- Quach, Tran De (also known as Tran De Quach), late of 9 Mckivett Crescent, Leeming, who died on 1 August 2022 (DE33196296 EM313).
- Richardson, Ellen Jeanette (also known as Ellen Richardson), late of Aegis Balmoral, 29 Gardner Street, Como, who died on 19 July 2023 (DE19780067 EM39).
- Tijon, Alison Margaret, late of Unit 3, 131 Hubert Street, East Victoria Park, who died on 6 June 2023 (DE19872206 EM13).
- Timmins, Malcolm Paul, late of 30 Leonard Street, Victoria Park, 13 August 2023 (DE19981505 EM14).
- Webb, Kevin Patrick, late of St Georges Care Centre, 2 Essex Street, Bayswater, who died on 5 September 2023 (PM33185070 EM214).
- Wells, Garry Peter, formerly of Juniper Halliday Serviced Units, 27 Prisk Street, Karrinyup, late of Unit 4, 81 King William Street, Bayswater, who died on 25 August 2023 (DE19882001 EM32).

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

ZZ501**DISPOSAL OF UNCOLLECTED GOODS ACT 1970**

s. 19(1), (2)(b) and (c) and 26(1)(c), (2) and (5)

NOTICE UNDER PART VI OF INTENTION TO APPLY TO COURT FOR ORDER TO SELL OR OTHERWISE
DISPOSE OF GOODS VALUED IN EXCESS OF \$3 500

To WA Holdings Australia Pty Ltd of Paxton Group Level 5, 160 St Georges Tce, Perth 6000, Bailor.

Notice

1. You were given notice on 9/1/2023 that the following goods 2003 Hino Ranger Truck, registration 1EFK845 situated at 24-26 Kewdale Rd, Welshpool 6106 were ready for redelivery.
2. *A dispute relating to the goods was determined on 22/12/2021 in the following manner repeated failed phone calls on the 22/12/21 at 1.15pm, 24/12/21 at 9.07am, 4/1/22 at 3.01pm, 7/1/22 at 11.29am and 9/3/22 at 9.31am.
A visit to 392 Airfield Rd, Bambun, 6503 on the 18/7/22 at 9.35am—spoke to staff, no knowledge of T&L Produce.
A visit to 34 Brigalow St, Banksia Grove 6031 on the 18/7/22 at 3.01pm—nobody home.

3. Unless not more than 1 month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, Brandon McNee, WA Hino, PO Box 144 Welshpool DC 6986 (Bailee) intends making an application to the Court for an order to sell or otherwise dispose of them in accordance with the Act.

Dated 27 September 2023.

BRANDON McNEE, Bailee.

Note: Copies of this notice must also be sent to the Commissioner of Police and to every other person (if any) whom the Bailee knows has or claims to have an interest in the goods.
