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PUBLISHING DETAILS

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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.**

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



GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2023 AND NEW YEAR HOLIDAY PERIOD 2024

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

The Government Gazette will not be published on

Tuesday 26 December 2023

Tuesday 2 January 2024

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

CONSUMER PROTECTION

CP401

RETAIL TRADING HOURS ACT 1987
RETAIL TRADING HOURS (SHIRE OF ESPERANCE)
Christmas Variation Order 2023

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

1. Citation

This order is the *Retail Trading Hours (Shire of Esperance) Christmas Variation Order 2023*.

2. Commencement

This order comes into operation as follows—

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

3. Variation of retail trading hours

General retail shops, other than motor vehicle shops, in the Esperance local government district are authorised to be open at times when those shops would otherwise be required to be closed—

- (a) on the days specified in the Table; and
- (b) during the hours specified for that day in the Table.

Table

Day	Hours
Sunday 24 December 2023	From 8.00am until 6.00pm
Tuesday 26 December 2023	From 10.00am until 4.00pm
Sunday 31 December 2023	From 8.00am until 6.00pm
Monday 4 March 2024	From 10.00am until 4.00pm
Monday 1 April 2024	From 10.00am until 4.00pm

4. Relationship to standing orders

This order has effect despite the *Retail Trading Hours (Shire of Esperance) Variation Order 2014*.

Hon. SUE ELLERY, Minister for Commerce.

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 23 November 2023 for the local government districts of—

Greater Geraldton, Mingenew, Morawa, Carnamah, Perenjori, Three Springs, Toodyay, Chittering, Gingin, Mundaring, Swan, Wanneroo, Armadale, Kalamunda, Gosnells, Serpentine-Jarrahdale, Murray

Dated 23 November 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*.

JUSTICE

JU401

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999
PERMIT DETAILS ISSUED

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

Surname	First Name(s)	Permit Number
Dyson	Renee Peta	232601
Khanna	Shashi Bhushan	232602
Kumar	Aman	232603
Lyfield	Chantelle Elizabeth	232604
Maringoni	Jodie Karen	232605
Negrieski	Toni	232606
Ni Er	Thawng Hlei Mang	232607
Purches	Daryl Samuel	232608
Sewell	Brett McDonald	232609
Singh	Manbir	232610
Woldemariam	Wasihun Asfaw	232611
Brown	Michael John Colin	232612

Dated 26 September 2023.

CHRISTINE GINBEY, A/Commissioner.

Surname	First Name(s)	Permit Number
Khoramshahi	Afsaneh	232613

Dated 17 October 2023.

CHRISTINE GINBEY, A/Commissioner.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996
City of Greater Geraldton

INTENT TO REVEST LAND IN THE CROWN FOR NON-PAYMENT OF OUTSTANDING RATES OR SERVICE CHARGES.

Notice is hereby given that under section 6.74 of the *Local Government Act 1995*, as rates and charges have been unpaid for a period of at least three years the City of Greater Geraldton intends to request the Minister for Local Government to approve the revestment in the Crown of the land described below unless the rates and other charges outstanding are paid within 30 days from the date of this notice.

Signed for and on behalf of the City of Greater Geraldton this 20th day of November 2023.

ROSS MCKIM, Chief Executive Officer.

Description of Land etc.		
Names of Owners	Other persons appearing to have an estate or interest in the land.	Description of Land
John Ernest SCHWARZE	Nil	Lot 15 on Plan 950 on Certificate of Title, Volume 1314, Folio 884 and situated at 22 Dalgety Street, Mullewa

LG402

LOCAL GOVERNMENT ACT 1995

CAT ACT 2011

Shire of Dardanup

CATS LOCAL LAW 2023

Under the powers conferred by the *Cat Act 2011*, the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Dardanup hereby records having resolved on the 22nd of November 2023 to adopt the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Dardanup Cats Local Law 2023*.

1.2 Commencement

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

1.3 Application

This local law applies throughout the district.

1.4 Repeal

The Shire of Dardanup Keeping and Control of Cats Local Law 2014 as published in the *Government Gazette* on 22 August 2014 is hereby repealed.

1.5 Interpretation

In this local law unless the context otherwise requires—

Act means the *Cat Act 2011*;

animal welfare organisation means a non-government, not-for-profit organisation with the welfare of animals as their reason for existence;

applicant means the occupier of the premises who makes an application for a permit under this local law;

approved cat breeder has the meaning given to it in the Act;

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

cat means an animal of the species *felis catus* or a hybrid of that species;

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

cattery means any premises where 3 or more cats are boarded, housed or trained temporarily, usually for profit, and where the occupier of the premises is not the ordinary owner of the cats;

CEO means the Chief Executive Officer of the local government;

Council means the Council of the local government;

district means the district of the local government;

effective control in relation to a cat means any of the following methods—

- (a) held by a person who is capable of controlling the cat;
- (b) secured in a cage; or
- (c) any other means of preventing escape;

group dwelling (commonly referred to as a duplexes, villas or townhouses) means a dwelling that is 1 of a group of 2 or more dwellings on the same lot such that no dwelling is placed wholly or partly vertically above the other, except where special conditions of landscape or topography dictate otherwise, and includes a dwelling on a survey strata with common property;

local government means the Shire of Dardanup;

multiple dwelling (often called flats, apartments or units) meaning a dwelling in a group of more than 1 dwelling on a lot where any part of a dwelling is vertically above part of any other but—

- (a) does not include a group dwelling; and
- (b) includes any dwellings above the ground floor in a mixed use development;

nuisance means—

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

owner has the meaning given to it in the Act;

permit means a permit issued by the local government under clause 4.7;

permit holder means a person who holds a valid permit issued under clause 4.7;

pet shop means a shop or place used for the conduct of a business, in the course of which an animal is kept for the purposes of sale;

premises has the meaning given to it in the Act;

public place has the meaning given to it in the Act;

RSPCA means the Royal Society for the Prevention of Cruelty to Animals (Inc) of Western Australia;

Schedule means a Schedule to this local law;

scheme means a town planning scheme of the local government made by it under the *Planning and Development Act 2005* and its antecedents;

single dwelling means a house that stands alone on its own parcel of land;

veterinary hospital means any premises at which veterinary surgery is practised at which animals receive treatment, nursing care, and other services required for the reception, treatment and care of animals suffering from disease or injury or in need of surgical or medical treatment or assistance;

veterinary clinic means any premises at which veterinary surgery is practised, but at which animals are not retained overnight;

veterinary surgery means the art and science of veterinary surgery and veterinary medicine, and, without limiting the generality of the foregoing, includes—

- (a) the examination of any animal for the purpose of the diagnosis of disease in, or injury to, that animal, or the conduct of tests, whether physiological or pathological, on any animal for diagnostic purposes; and
- (b) the provision of advice based upon diagnosis of disease of, or injury to, any animal; and
- (c) the surgical or medical treatment of any animal;
- (d) the giving of any anaesthetic to, or the performance of surgical operations on, any animal; and
- (e) the doing or performing of any act, matter, procedure, or thing that is prescribed pursuant to section 31 as forming part of the practice of veterinary surgery.

PART 2—CONTROL OF CATS

2.1 Cats in public places

- (1) A cat shall not be permitted in a public place if the cat is causing a nuisance.
- (2) If a cat is at any time in a public place in contravention of subclause (1)—
 - (a) the owner of the cat commits an offence; and
 - (b) an authorised person may seize and impound the cat and deal with the cat pursuant to the Act.

2.2 Cats in other places

- (1) A cat shall not be in any place that is not a public place if—
 - (a) consent to it being there has not been given by the occupier, or a person authorised to consent on behalf of the occupier; and/or
 - (b) the cat is causing a nuisance.
- (2) If a cat is at any time in a place in contravention of subclause (1)—
 - (a) the owner of the cat commits an offence; and
 - (b) an authorised person may seize and impound the cat and deal with the cat pursuant to the Act.

2.3 Cat in prohibited areas

- (1) A cat shall not be in any Cat Prohibited Area as identified in Schedule 3.
- (2) If a cat is at any time in a place in contravention of subclause (1)—
 - (a) the owner of the cat commits an offence; and
 - (b) an authorised person may seize and impound the cat and deal with the cat pursuant to the Act.

2.4 Direction to abate the nuisance of a cat

- (1) The owner of a cat, or any other person responsible for a cat, shall not allow the cat to create a nuisance.
- (2) Where a cat is creating a nuisance, the local government may give written notice to the owner of the cat or any other person apparently in control of the cat, requiring that person to abate the nuisance.
- (3) When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the local government on the notice which shall not exceed 28 days.
- (4) A person given a notice to abate the nuisance shall comply with the notice within the period specified in the notice.
- (5) If the owner fails to comply—
 - (a) the owner of the cat commits an offence; and
 - (b) an authorised person may seize and impound the cat and deal with the cat pursuant to the Act.

PART 3—CAT PROHIBITED AREAS

3.1 Designation of Cat Prohibited Areas

- (1) The Local Government may designate land as a Cat Prohibited Area by stating a description of the land in Schedule 3 after following the process for amending a local law pursuant to the *Local Government Act*.
- (2) The Local Government shall make available to the public the list of lands designated as Cat Prohibited Areas after consideration of any submissions received under subclause 3.1(4).
- (3) In designating land for the purpose of section 3.1 the Local Government shall have regard to clause 2.1.
- (4) The Local Government shall not designate a place or area to be a Cat Prohibited Area without first giving Local Public Notice of its intention to designate a place or area as a Cat Prohibited Area and considering any submissions received in response the Local Public Notice.
- (5) The Local Government shall publish an up to date list of lands or areas specified as Cat Prohibited Areas in a Local Public Notice after the consideration of any submissions received.

PART 4—PERMITS FOR KEEPING CATS

4.1 Interpretation

In this Part, and for the purposes of applying the definition of “cattery” in Part 4, a cat does not include a cat less than 6 months old.

4.2 Cats for which a permit is required

- (1) Subject to subclause (2) a person is required to have a permit—
 - (a) to keep 3 or more cats on any premises;
 - (b) to use any premises as a cattery; or
 - (c) to be an approved cat breeder.
- (2) A permit is not required under subclause (1) if the premises concerned are—
 - (a) a refuge of the RSPCA or any other animal welfare organisation;
 - (b) a cat management facility which has been established by and is maintained by the local government for the impounding of cats;
 - (c) a veterinary hospital;
 - (d) a veterinary surgery;
 - (e) a veterinary clinic; or
 - (f) a pet shop.

4.3 Transitional provisions

Where an owner has 3 or more cats on their premises prior to this local law coming into operation they are not required to have a permit; however they will not substitute or replace any cat (in excess of 2 cats) once that cat—

- (a) dies; or
- (b) is permanently removed from the premises.

4.4 Application for permit

An application for a permit under clause 4.2 shall be—

- (a) made in writing by an occupier of either a single or multiple dwelling or premises in relation to that single or multiple dwelling or premises;
- (b) in a form approved by the local government, describing and specifying the number of cats to be kept at the single or multiple dwelling or on the premises;
- (c) accompanied by the plans of the single or multiple dwelling or premises to which the application relates, to the specification and satisfaction of the local government;
- (d) accompanied by the consent in writing of the owner of the single or multiple dwelling or premises, where the occupier is not the owner of the single or multiple dwelling or premises to which the application relates;
- (e) accompanied by the application fee for the permit determined by the local government from time to time; and
- (f) accompanied by written evidence that either the applicant or another person who will have charge of the cats, will reside at the single or multiple dwelling or on the premises or, in the opinion of the local government, sufficiently close to the single or multiple dwelling or premises so as to maintain effective control of the cats and ensure their health and welfare.

4.5 Refusal to determine application

The local government may refuse to determine an application for a permit if it is not made in accordance with clause 4.4.

4.6 Factors relevant to determination of application

- (1) In determining an application for a permit the local government may have regard to—
 - (a) the physical suitability of the premises for the proposed use;

- (b) the suitability of the zoning of the premises under any scheme which applies to the premises for the use;
 - (c) the environmental sensitivity and general nature of the location surrounding the premises for the proposed use;
 - (d) the structural suitability of any enclosure in which any cat is to be kept;
 - (e) the likelihood of a cat causing a nuisance, inconvenience or annoyance to the occupiers of adjoining land;
 - (f) the likely effect on the amenity of the surrounding area of the proposed use;
 - (g) the likely effect on the local environment, including any pollution or other environmental damage which may be caused by the use;
 - (h) any submissions received under subclause (2) within the time specified in subclause (2); and
 - (i) such other factors which the local government may consider to be relevant in the circumstances of the particular case.
- (2) Where an application is received pursuant to clause 4.4 the local government shall—
- (a) consult with adjoining occupiers and landowners; and
 - (b) advise the adjoining occupiers and landowners that they may make submissions to the local government on the application for the permit within 14 days of receiving that advice, before determining the application for the permit.

4.7 Decision on application

- (1) The local government may—
- (a) approve an application for a permit, in which case it shall approve it subject to the conditions in clause 4.8, and may approve it subject to any other conditions it considers fit; or
 - (b) refuse to approve an application for a permit.
- (2) If the local government approves an application under subclause (1), then it shall issue to the applicant a permit in the form determined by the CEO.
- (3) If the local government refuses to approve an application under subclause (1), then it is to advise the applicant accordingly in writing.

4.8 Conditions

- (1) Every permit is issued subject to the following conditions—
- (a) each cat kept on the premises to be kept so as not to create a nuisance;
 - (b) the permit holder will provide adequate space for the exercise of the cats;
 - (c) the single or multiple dwelling or premises shall be maintained in good order and in a clean and sanitary condition;
 - (d) the written consent to the application for a permit of the adjoining multiple dwellings has been obtained;
 - (e) the written consent to the application from the owner of the premises, if not the applicant, has been obtained;
 - (f) without the consent of the local government, the permit holder will not substitute or replace any cat once that cat—
 - (i) dies; or
 - (ii) is permanently removed from the premises.
 - (g) those conditions contained in Schedule 1.
- (2) In addition to the conditions subject to which a permit is to be issued under this clause, a permit may be issued subject to other conditions, as the local government considers appropriate.
- (3) A permit holder who fails to comply with a condition of a permit commits an offence.

4.9 Duration of permit

Unless otherwise specified, in a condition on a permit, a permit commences on the date of issue and until any cat either—

- (a) dies;
- (b) is permanently removed from the premises; or
- (c) the permit holder ceases to reside at the dwelling or premises to which the permit relates.

4.10 Revocation

The local government may revoke a permit if the permit holder fails to observe any provision of this local law or a condition of a permit.

4.11 Permit not transferable

A permit is not transferable in relation to either the permit holder or the dwelling or premises.

PART 5—IMPOUNDING OF CATS**5.1 Cat management facility**

- (1) The local government may establish and maintain a cat management facility or facilities, managed by an authorised person for the impounding of cats and the subsequent management of those cats under this local law.
- (2) The local government may determine from time to time—
- (a) the times when a cat management facility will be open for the reception and release of cats; and
 - (b) times for the sale of cats from the facility.
- (3) An authorised person, referred to in subclause (1), is to be in attendance at the facility for the release of impounded cats at the times and on the days of the week as are determined by the CEO.

5.2 Impounding register

- (1) The local government is to keep a proper record of impounded cats (the “Impounding Register”).
- (2) The Impounding Register is to contain the following information about each impounded cat—
- (a) if known, the breed and sex of the cat;
 - (b) the colour, distinguishing markings and features of the cat;
 - (c) if known, the name and address of the owner;
 - (d) the date, time and location of seizure and impounding;
 - (e) the name and address of the authorised person who impounded the cat and, if applicable, the person who delivered a cat for impounding;
 - (f) the reason for the impounding;
 - (g) a note of any direction made by an authorised person under clause 2.4 relating to the cat; and
 - (h) the date of the sale, release or destruction of the cat.
- (3) The Impounding Register is to be available for inspection by the public.

5.3 Charges and costs

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

- (1) the charges to be levied under section 31 of the Act relating to the seizure, impounding, caring, microchipping, sterilisation or destruction/disposal of a cat; and
- (2) the additional fee payable under section 31 of the Act where a cat is released or sold at a time or on a day other than those determined under clause 5.1(2).

5.4 Release of impounded cats

- (1) A claim for the release of a cat seized and impounded is to be made to the authorised person referred to in clause 5.1(1) or in the absence of that person, to the CEO.
- (2) The authorised person referred to in clause 5.1(1) is not to release a cat seized and impounded to any person unless that person has produced, to their satisfaction, evidence—
- (a) of his or her ownership of the cat or of his or her authority to take delivery of it;
 - (b) that he or she is the person identified as the owner on a microchip implanted in the cat;
 - (c) of proof of registration of the cat in accordance with the Act;
 - (d) if a permit under Part 4 is required, proof of obtaining the permit.

PART 6—MISCELLANEOUS**6.1 Giving of a notice**

A notice given under this local law may be given to a person—

- (a) personally;
- (b) by mail addressed to the person; or
- (c) by leaving it for the person at her or his address.

6.2 Content of a notice

The contents of a notice given under section 6.1 can be—

- (a) ascertained from the person directly;
- (b) recorded by the local government under the Act; or
- (c) ascertained from enquiries made by the local government.

PART 7—OBJECTIONS AND REVIEW**7.1 Objections and review**

Any person who is aggrieved by the conditions imposed in relation to a permit, the revocation of a permit, or by the refusal of the local government to grant a permit may object to the decision under Division 1 of Part 9 of the *Local Government Act 1995*.

PART 8—OFFENCES AND PENALTIES**8.1 Offences**

- (1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this local law is liable, on conviction, to a penalty not exceeding \$5000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

8.2 Prescribed offences

- (1) An offence against a clause specified in Schedule 2 is a prescribed offence for the purposes of section 84 of the Act.
- (2) The amount appearing directly opposite each such offence is the modified penalty in relation to that offence.

8.3 Forms

- (1) The issue of infringement notices, their withdrawal and the payment of modified penalties are dealt with in Division 4 of Part 4 of the Act.
- (2) An infringement notice given under section 62 of the Act is to be in the form of Form 6 of Schedule 1 of the *Cat Regulations 2012*.
- (3) A notice sent under section 65 of the Act withdrawing an infringement notice is to be in the form of Form 7 of Schedule 1 of the *Cat Regulations 2012*.

SCHEDULE 1—ADDITIONAL CONDITIONS APPLICABLE TO PARTICULAR PERMITS

[Clause 4.8]

A. Permit to use premises as a cattery*Additional conditions*

- (1) All building enclosures must be structurally sound, have impervious flooring, be well lit and ventilated and otherwise comply with all legislative requirements;
- (2) There is to be a feed room, wash area, isolation cages and maternity section;
- (3) Materials used in structures are to be approved by the local government;
- (4) The internal surfaces of walls are, where possible, to be smooth, free from cracks, crevices and other defects;
- (5) All fixtures, fittings and appliances are to be capable of being easily cleaned, resistant to corrosion and constructed to prevent the harbourage of vermin;
- (6) Wash basin with the minimum of cold water to be available to the satisfaction of the Local Government;
- (7) The maximum number of cats to be kept on the premises stated on the permit is not to be exceeded;
- (8) A register is to be kept recording in respect of each cat the—
 - (a) date of admission;
 - (b) date of departure;
 - (c) breed, age, colour and sex; and
 - (d) the name and residential address of the owner;
- (9) The register is to be made available for inspection on the request of an authorised person;
- (10) Enclosures are to be thoroughly cleaned each day and disinfected at least once a week to minimise disease;
- (11) Any sick or ailing cat is to be removed from the premises or transferred to an isolation cage separated from other cats on the premises; and
- (12) Any other matter which in the opinion of the local government is deemed necessary for the health and wellbeing of any cat, or person, or adjoining premises or the amenity of the area (or any part thereof).

B. Permit for Approved Cat Breeder*Additional conditions*

- (1) Required to keep records of all purchases and or transfers of cat/s for a period of 2 years, including but not limited to the purchasers' name and address, and the cat/s microchip number; and
 - (2) Premises may be inspected annually.
-

SCHEDULE 2—MODIFIED PENALTIES

[Clause 8.2]

Item No.	Clause	Nature of offence	Modified Penalty \$
1	2.1(2)(a)	Cat in a public place causing a nuisance	\$200
2	2.2(2)(a)	Cat in a place that is not a public place without consent and/or is causing a nuisance	\$200
3	2.3(1)	Cat in any prohibited area	\$200
4	2.4(5)(a)	Failure to abate the nuisance	\$200
5	4.2(1)	Failure to obtain the proper permit for the keeping of 3 or more cats	\$200
6	4.8(3)	Failure to comply with the conditions of a permit	\$200

SCHEDULE 3—AREAS WHERE CATS ARE PROHIBITED ABSOLUTELY

[Clause 2.23]

Lot Number	Reserve Number	Common Name	Locality
6203	47036	Shier Rise Park	Burekup
647; 2011; 2012 and 2061 646 501 2010 644 and 645 2009 15; 121; 122; 443; 444; 2001; 2002; 2003; 2005; 2006 and 2023 2060 16 14	48979 48802 43939 52264 48829 52942 47537 49458 49457 47825	Millars Creek	Eaton Drive, Millbridge
641	48801	Hunter Park	Hunter Circle, Millbridge
90 and 123	48003	Cadell Park	Swan Avenue, Millbridge
5679	43641	Leicester Ramble Wetlands (including the possum sanctuary)	Eaton Drive, Eaton
874	48933	Peninsula Lakes Park	Holstein Drive, Millbridge
5536	25417	Watson Park (including the wetland area)	Pratt Road, Eaton
500; 501 and 4847	25417 and 24359	Collie River Foreshore (including the Western Ring Tail Possum area)	Pratt Road, Eaton
510	27516	Eaton Bowling Club	Eagle Crescent, Eaton
4880	25775	Duck Pond	Hamilton Road, Eaton
1; 2; 5 and 5680	42368	Lofthouse Park	Pecan Lane, Eaton
6	45537	Cottonwood Gardens	Cottonwood Gardens, Eaton
6097	46512	Hale Street Park	Hale Street, Eaton

Dated 22nd November 2023.

The Common Seal of the Shire of Dardanup was affixed under the authority of a resolution of Council in the presence of—

CR TYRRELL GUY GARDINER, Shire President.
MR ANDRIES STEFANUS SCHÖNFELDT, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401

MINING ACT 1978

Section 19

INSTRUMENT OF EXTENSION OF TERM OF EXEMPTION OF LAND

I, Kristian Hartley Dawson, Executive Director, Resource Tenure, pursuant to section 19 of the *Mining Act 1978*, hereby extend the exemption originally declared on 3 December 2007 and published in the *Government Gazette* dated 7 December 2007 for that area described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) from Divisions 1 to 5 of Part IV of the *Mining Act 1978*, for a further period of two years expiring on 2 December 2025.

Locality

Caraban—South West Mineral Field

Description of Land

Land designated S19/308 in the TENGRAPH electronic plan of the Department of Mines, Industry Regulation and Safety. A geospatial description is filed in the Department of Mines, Industry Regulation and Safety electronic file number A1650/201801, document ID A69693796.

Area of Land

2191.22 hectares

Dated at Perth this 23rd day of November 2023.

KRISTIAN HARTLEY DAWSON, Executive Director, Resource Tenure.

SALARIES AND ALLOWANCES TRIBUNAL

SA401

SALARIES AND ALLOWANCES ACT 1975

DETERMINATION OF THE SALARIES AND ALLOWANCES TRIBUNAL FOR MEMBERS OF UNIVERSITY GOVERNING COUNCILS

PREAMBLE

Statutory context

(1) In accordance with the *Salaries and Allowances Act 1975* (the Act), the Salaries and Allowances Tribunal (the Tribunal) is required to inquire into and determine, on an annual basis, the remuneration provided to members of University Governing Councils.

(2) The Tribunal's last Determination was issued on 21 November 2023.

Inquiry

(3) The Tribunal has reviewed the operation of the previous Determination and invited submissions from the respective Universities.

(4) The Council of Curtin University, Senate of Murdoch University and Council of Edith Cowan University (ECU) each provided a submission.

Conclusion

(5) The Tribunal has determined to support the Council of Curtin University's request to increase the remuneration of its members 5% across all categories. The Tribunal has also supported Murdoch University's request to maintain the same rate as Curtin University.

(6) The Tribunal has determined the Council of ECU may increase remuneration of its members, to 75% of Curtin University's rates, prior to the adjustment made in this Determination. ECU did not wish to receive the additional 5% allocated to Curtin University in this Determination.

(7) The Tribunal has re-affirmed its decision from 2022 not to support the Council of ECU's request for equivalent remuneration paid to student and non-student members. The Tribunal maintains the view that non-student members of the Council are remunerated for the depth of skills and external experience brought to the Council, which is not considered applicable to student members. The Tribunal determined to maintain the 50% difference in remuneration between student and non-student members of the Council of ECU.

(8) The Tribunal acknowledges that, while it has the power to determine the remuneration for University Governing Council members, any remuneration must be met from within University existing budgets and must be for the fulfilment of University strategic objectives.

(9) By necessity, any remuneration determined is done in consultation with each University. The Tribunal will continue to liaise with the sector to ensure the fee structure remains relevant for each University.

The Determination will now issue.

DETERMINATION

PART 1 INTRODUCTORY MATTERS

This Part deals with some matters that are relevant to the Determination generally.

1.1 Short Title

This Determination may be cited as the *University Governing Board Members No. 1 of 2023*.

1.2 Commencement

This Determination comes into operation on and from 1 January 2024.

1.3 Content and intent

(1) Pursuant to section 6(1)(ea) the *Salaries and Allowances Act 1975* (‘the Act’) this Determination provides for the salary, allowances and other benefits to be paid, provided or reimbursed to a person holding any of the following offices—

- (a) Member of the Council of Curtin University;
- (b) Member of the Kalgoorlie Campus Council of Curtin University;
- (c) Member of the Council of Edith Cowan University;
- (d) Member of the ECU South West Campus (Bunbury) Advisory Board;
- (e) Member of the Advisory Board of the Western Australian Academy of Performing Arts (ECU);
- (f) Member of the Senate of Murdoch University; or
- (g) Member of the Senate of the University of Western Australia.

(2) This Determination fulfils the Tribunal's obligations under section 8 of the Act with respect to offices identified in section 6(1)(ea).

1.4 References to Dates

(1) In this Determination, a reference to “a year” or “per annum” relates to a calendar year.

(2) Where benefits or entitlements are provided with specific reference to “a year” or “per annum”, these cease on and from 31 December each year and, unless otherwise specified in this Determination, no unexpended amount can be carried over to later years.

1.5 Pro rata payments

The amount of a person's entitlement to remuneration specified in this Determination shall be apportioned on a pro rata basis according to the portion of a year that the person holds office.

1.6 Terms used

In this Determination, unless the contrary intention appears—

Committee Chairperson means Chairperson of a designated committee of a University Governing Council.

Committee Member means a Member of a designated committee of a University Governing Council.

Remuneration means salary, allowances, fees, emoluments and benefits (whether in money or not).

Tribunal means the Salaries and Allowances Tribunal.

PART 2 REMUNERATION

This Part deals with the remuneration payable to Governing Council members.

2.1 Eligibility Criteria

(1) Members are ineligible to receive any remuneration fees if they are—

- (a) On the public payroll, including all current full time State, Commonwealth and Local Government employees, including Western Australian statutory authorities;
- (b) Members of Parliament;
- (c) Current and retired judicial officers;

- (d) A former Member of Parliament and less than 12 months has passed since they ceased to be a Member of Parliament.
- (2) Part time employees of State, Commonwealth and Local Government public services, including Western Australian statutory authorities are eligible for remuneration fees only if the member can clearly demonstrate that the work of the Governing Council will happen in their own time.
- (3) University Governing Councils may create Committees from within the membership of the Council, such as Audit and Compliance Committees, that are eligible for remuneration at the Committee Chairperson/Member rates described in Part 2.2. In doing so the Governing Council must—
- Designate each Committee as being eligible for remuneration at the higher level through the policies and procedures of the University; and
 - Ensure that each Committee has sufficient scope and workload to justify the higher level of remuneration.

2.2 Remuneration

- (1) Members of certain University Governing Councils are eligible to receive remuneration fees specified in the Table below, subject to the eligibility criteria in Part 2.1.
- (2) Each eligible member must make an annual application to the respective Governing Council to receive the remuneration specified for their position. Once an application has been made, the University must remunerate the member according to their applicable rate. If an eligible member does not make an annual application, their remuneration fees will be \$0.
- (3) Each member is entitled to the remuneration applicable to one category only, the remuneration levels are not cumulative.
- (4) An eligible member may accept or decline the remuneration payments in full. In deciding whether to accept or decline remuneration payments, eligible members should be mindful that accepting such payment may mean that the member is no longer deemed a volunteer for the purposes of, for example, work health and safety legislation, thereby potentially increasing their exposure to relevant liabilities. If members have any questions they should seek the advice of their respective University.
- (5) If an eligible member has entered into an arrangement with an employer which provides that the remuneration payments are to be paid to the employer as part of the member's conditions of employment, payment will be made to the employer.
- (6) Remuneration payments will be subject to PAYG tax under Australian Taxation Office legislation. Employer superannuation guarantee contributions, levies and payroll tax will be payable by the University.

TABLE 1: Annual remuneration for University Governing Councils members

	Chancellor	Pro Chancellor	Committee Chairperson	Committee Member	Committee Member (student)	Council Member (non-student)	Council Member (student)
Council of Curtin University	\$84,000	\$42,000	\$36,750	\$21,000	\$6,930	\$15,750	\$5,250
Senate of Murdoch University	\$84,000	\$42,000	\$36,750	\$21,000	\$0	\$15,750	\$5,250
Council of ECU	\$60,000	\$30,000	\$26,250	\$15,000	\$0	\$11,250	\$5,625
Senate of UWA	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Kalgoorlie Campus Council of Curtin University	\$0	\$0	\$0	\$0	\$0	\$0	\$0
ECU South West Campus Advisory Board	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Advisory Board of the Western Australian Academy of Performing Arts (ECA)	\$0	\$0	\$0	\$0	\$0	\$0	\$0

PART 3 EXPENSES

This Part deals with the reimbursement of reasonable out of pocket expenses incurred in carrying out approved duties of the office.

3.1 General

- All members of a Governing Council may, upon application to the University, be reimbursed for reasonable out of pocket expenses for which they are not otherwise reimbursed.
- The expenses must have been incurred while performing Council-approved duties.
- Reimbursements should not be used so that a member receives any personal benefit from the reimbursement.
- Each University should develop guidelines on what is considered an approved expense.
- Any reimbursements must be approved by the Council or by an appropriate approving authority of the University.
- All claims for reimbursement must be supported by documentation such as receipts.

3.2 Reimbursement of Expenses

(1) Travel expenses to and from approved University events may be claimed, subject to the approval of the Governing Council, and shall not exceed the rates outlined in the reimbursement of travel expenses, located on the Public Sector Commission website under “Remuneration of Government Boards and Committees”.

(2) Professional development expenses may be covered/ reimbursed subject to the approval of the University.

(3) Any other reasonable out of pocket expenses may be approved subject to the relevant approvals of the University Governing Council.

Signed on 21 November 2023.

M SEARES AO
Chair.

B A SARGEANT PSM
Member.

HON. J DAY
Member.

Salaries and Allowances Tribunal

TRAINING

TA401

VOCATIONAL EDUCATION AND TRAINING ACT 1996

CLASSIFICATION OF PRESCRIBED VOCATIONAL EDUCATION AND TRAINING QUALIFICATIONS

Under the *Vocational Education and Training Act 1996* I, the Minister for Training; Water; Youth, hereby—

- remove the following apprenticeship in the prescribed vocational education and training qualification—

Class A

Qualification	Apprenticeship Name	Conditions	Training Contract Requirements				
			Title on contract	Nominal term (months) full time	Part time	School based	Other requirements
CPC30220 Certificate III in Carpentry	Carpentry and Joinery		Apprentice	36-48	Y	Y	For elite athletes the minimum hours of employment are 7.5 hours per week, which can be averaged over six month periods.

Dated 15 November 2023.

Hon SIMONE MCGURK MLA, Minister for Training; Water; Youth.

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Patricia Laura Berry, late of Bethanie Beachside Yanchep 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 above named deceased, who died on the 7th June 2023, are required by the Administrator Richard Wreford Bullock (Grant of letter of Administration obtained) to send particulars of their claim to Richard Bullock of 53 Fairbairn Road Busselton Western Australia 6280 within 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 he then has notice.

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

Notice to Creditors and Claimants

Suzanne Rose Brough, late of 84 Lambertia Crescent, High Wycombe, 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 above named Deceased, who died on the 10/10/2023, are required by the Administrator/Executor, Christopher John Brough, of 24 Percheron Entrance, Stratton, Western Australia, to send the particulars of their claims to him within one Month from the date of Publication of this notice after which date the Executor may convey or distribute the assets, having regard only to the claims of which they then have notice.

Date 22/11/2023.

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

Notice to Creditors and Claimants

Geoffrey William Friebe late of 46 Clement Street, Swanbourne, Western Australia, Retired, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died 15 November 2022, are required by the Administrator of the Estate of Geoffrey William Friebe, Elliot Brian Brennan Ryan, to send particulars of their claims to the Estate, care of Butlers, Lawyers & Notaries, 45 Stirling Highway, Nedlands, WA 6009, within one (1) month from today, after which date the Administrator may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Notice to Creditors and Claimants

Linda Carol Marvin late of 3 Bourke Street, Kalgoorlie in the State of Western Australia, who died on 2 January 2023

Adele Marie Brigitte De Grace late of 12 Kruseana Street, Kambalda in the State of Western Australia, who died on 30 April 2023

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 persons are required by the Personal Representatives to send the particulars of their claim to Ellery Brookman, Locked Bag 400, Kalgoorlie WA 6433, within one month of publication hereof, after which date the Personal Representatives may convey or distribute the assets, having regard only to claims of which they then have notice.
