



Western
Australian
Government

Gazette

ISSN 2204-4264 (online)

4843

PERTH, FRIDAY, 29 OCTOBER 2021 No. 183

PUBLISHED BY AUTHORITY GEOFF O. LAWN, GOVERNMENT PRINTER

© STATE OF WESTERN AUSTRALIA

CONTENTS

PART 1

Nil

PART 2

	Page
Agriculture and Food.....	4845
Energy	4845
Environment	4846
Fire and Emergency Services	4850
Fisheries	4851
Health.....	4852
Heritage.....	4853
Local Government.....	4853
Marine/Maritime.....	4854
Minerals and Petroleum	4854
Planning	4855
Public Notices.....	4858
Salaries and Allowances Tribunal	4856
Treasury and Finance.....	4858

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

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

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

PUBLISHING DETAILS

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

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

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

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

Email address:

gazette@dpc.wa.gov.au

- Inquiries regarding publication of notices can be directed to the Publications Officer on (08) 6552 6012.
- **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 2021 AND NEW YEAR HOLIDAY PERIOD 2022

Publishing Dates	Closing Dates and Times for copy
Tuesday, 21 December 2021	Friday, 17 December 2021 at 12 noon
Friday, 24 December 2021	Wednesday, 22 December 2021 at 12 noon
Friday, 31 December 2021	Wednesday, 29 December 2021 at 12 noon

**The Government Gazette will not be published on
Tuesday 28 December 2021
Tuesday 4 January 2022**

The next edition will be published on Friday 7 January 2022 and
copy will close 12 noon Wednesday 5 January 2022

— PART 2 —

AGRICULTURE AND FOOD

AG401

BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007

BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013

BIOSECURITY AND AGRICULTURE MANAGEMENT (DECLARED PEST) DECLARATION (NO. 3) 2021

Made by the Minister under section 22 of the Act.

1. Citation

This declaration is the *Biosecurity and Agriculture Management (Declared Pest) Declaration (No. 3) 2021*.

2. Declared Pest

Mycobacterium avian subspecies paratuberculosis is declared under section 22(2) of the Act to be a Declared Pest for the whole of the State and is assigned under section 22(3) to the control Category 3 (C3)—Management as designated by regulation 7 of the *Biosecurity and Agriculture Management Regulations 2013*.

3. Revocation

All previous declarations under the Act relating to *Mycobacterium avian subspecies paratuberculosis* are revoked.

Hon. ALANNAH MacTIERNAN, MLC, Minister for Agriculture and Food.

Date: 9 October 2021.

ENERGY

EN401

ELECTRICITY INDUSTRY ACT 2004

ELECTRICITY INDUSTRY (WHOLESALE ELECTRICITY MARKET) REGULATIONS 2004

WHOLESALE ELECTRICITY MARKET RULES

Market Rules made by the Minister for Energy.

I, Mr Bill Johnston, Minister for Energy for the State of Western Australia hereby give notice of market rules made in accordance with regulation 7(5) of the *Electricity Industry (Wholesale Electricity Market) Regulations 2004*.

These market rules may be cited as the *Wholesale Electricity Market Amendment (Transitional Provisions) Rules 2021* and are to commence at 8:00am (WST) on the day after the day this notice is published in the *Gazette*.

A copy of the *Wholesale Electricity Market Amendment (Transitional Provisions) Rules 2021* is available on the website of the Coordinator for Energy at [<https://www.wa.gov.au/organisation/energy-policy-wa/past-wem-rule-changes>].

Dated at Perth this 27 October 2021.

Hon. W. JOHNSTON, MLA, Minister for Energy.

EN402

GAS SERVICES INFORMATION ACT 2021
GAS SERVICES INFORMATION REGULATIONS 2021
GAS SERVICES INFORMATION RULES

GSI Rules made by the Minister for Energy.

I, Mr Bill Johnston, Minister for Energy for the State of Western Australia hereby give notice of GSI Rules made in accordance with regulation 7(6) of the *Gas Services Information Regulations 2012*.

These GSI Rules may be cited as the *Gas Services Information Amendment (Transitional Provisions) Rules 2021* and are to commence at 8:00am (WST) on the day after the day this notice is published in the *Gazette*.

Dated at Perth this 25 October 2021.

Hon. W. JOHNSTON MLA, Minister for Energy.

1.1 Division 2 amended

1.1 Insert the following new rule 108B—

108B Transitional provisions for the Review Period from 1 July 2022 to 1 July 2025

(1) Notwithstanding rule 108A the following apply—

- (a) the Economic Regulation Authority must publish a proposal guideline by 31 October 2021;
- (b) AEMO must submit a proposal for its Allowable Revenue and Forecast Capital Expenditure to the Economic Regulation Authority for the Review Period by 31 December 2021;
- (c) the Economic Regulation Authority must publish on its website a draft determination of AEMO's Allowable Revenue and Forecast Capital Expenditure for the Review Period for public consultation by 31 March 2022; and
- (d) the Economic Regulation Authority must prepare and publish on its website its final determination of AEMO's Allowable Revenue and Forecast Capital Expenditure for the Review Period by 31 May 2022.

ENVIRONMENT

EV401

ENVIRONMENTAL PROTECTION ACT 1986

DELEGATION NO. 49

I, Michelle Andrews, Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986* ("the Act"), acting pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the office of Executive Director, Compliance and Enforcement and Executive Director, Environmental Protection Authority Services both of the Department of Water and Environment Regulation, all of my powers and duties under sections 47(3), 48(1) and 48(2)(b) of the Act.

Pursuant to section 59(2) of the *Interpretation Act 1984* the delegation of the powers referred to in the sections of the Act listed above shall be deemed to include the delegation of any duty incidental thereto or connected therewith.

Pursuant to section 20 of the Act and section 59(1)(e) of the *Interpretation Act 1984*, the following delegations are revoked—

- a. Delegation No. 90 dated 19 November 2009 and published in the *Gazette* on 27 November 2009
- b. Delegation No. 100 dated 28 March 2012 and published in the *Gazette* on 18 May 2012
- c. Delegation No. 101 dated 28 March 2012 and published in the *Gazette* on 18 May 2012
- d. Delegation No. 102 dated 28 March 2012 and published in the *Gazette* on 18 May 2012
- e. Delegation No. 103 dated 28 March 2012 and published in the *Gazette* on 18 May 2012
- f. Delegation No. 133 dated 3 July 2017 and published in the *Gazette* on 7 July 2017

Dated the 25th day of October 2021.

MICHELLE ANDREWS, Chief Executive Officer,
Department of Water and Environmental Regulation.

Approved by—

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

EV402**ENVIRONMENTAL PROTECTION ACT 1986**

DELEGATION NO. 52

I, Hon Amber-Jade Sanderson, Minister for Environment, acting pursuant to section 18 of the *Environmental Protection Act 1986* (“the Act”), delegate all my powers and duties conferred or imposed by sections 44(3), 45C (except for section 45C(8)) and 48D(3) of the Act.

Pursuant to section 59(2) of the *Interpretation Act 1984* the delegation of the powers referred to in the sections of the Act listed above shall be deemed to include the delegation of any duty incidental thereto or connected therewith.

Persons to whom this delegation applies—

- a. The Chairman of the Environmental Protection Authority appointed under section 7(4a) of the Act;
- b. The Deputy Chairman of the Environmental Protection Authority appointed under section 7(4a) of the Act on the condition that the delegation is only exercised by the Deputy Chairman when the Chairman is unable to exercise the delegation either because of an absence (including, but not limited to, on business, on leave or vacancy of office) or due to a conflict of interest.

Pursuant to section 18 of the Act and section 59(1)(e) of the *Interpretation Act 1984* the following delegations are revoked—

- a. Delegation No. 44 dated 5 November 2020 and published in the *Gazette* on 13 November 2020.
- b. Delegation No. 47 dated 12 October 2021.

Dated the 25th day of October 2021.

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

EV403**ENVIRONMENTAL PROTECTION ACT 1986**

DELEGATION NO. 53

I, Hon Amber-Jade Sanderson, Minister for Environment, acting pursuant to section 18 of the *Environmental Protection Act 1986* (“the Act”), delegate to the holder for the time being of the office of the Executive Director, Environmental Protection Authority Services, Department of Water and Environmental Regulation all my powers and duties under section 38I of the Act.

Pursuant to section 59(2) of the *Interpretation Act 1984* the delegation of the powers referred to in the sections of the Act listed above shall be deemed to include the delegation of any duty incidental thereto or connected therewith.

Pursuant to section 18 of the Act and section 59(1)(e) of the *Interpretation Act 1984*, Delegation no. 128 of 2017 dated 24 June 2017 and published in the *Gazette* on 4 July 2017 and Delegation No. 48 dated 12 October 2021 are revoked.

Dated the 25th day of October 2021.

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

EV404**ENVIRONMENTAL PROTECTION ACT 1986**

DELEGATION OF POWERS

DELEGATION NO. 158

I, Michelle Andrews, acting in my capacity as the Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986* (“the Act”), and pursuant to section 20 of the Act, hereby delegate to the holders for the time being of the following offices of the Department of Water and Environmental Regulation—

- (a) Executive Director, Regulatory Services;
- (b) Director, Native Vegetation Protection;
- (c) Senior Manager, Native Vegetation Regulation;
- (d) Manager, Native Vegetation Regulation; and
- (e) Senior Environmental Officer, Native Vegetation Regulation,

all my powers and duties under—

- (a) sections 51DA, 51E, 51F, 51H, 51I, 51K, 51KA, 51KB, 51M, 51MA, 51N, 51O, 51P, and 122B of the Act; and
- (b) regulations 7(4), 8, 8A, 11, 12, and 13 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*,

other than this power of delegation.

Under section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 152 gazetted 25 March 2020, Delegation No. 155 gazetted 5 May 2021 and Delegation No. 156 dated 22 October 2021 are hereby revoked.

MICHELLE ANDREWS, Chief Executive Officer,
Department of Water and Environmental Regulation.

Approved by

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

Dated the 25th day of October 2021.

EV405

ENVIRONMENTAL PROTECTION ACT 1986

DELEGATION OF POWERS

DELEGATION NO. 159

I, Michelle Andrews, acting in my capacity as the Chief Executive Officer of the Department responsible for the administration of the *Environmental Protection Act 1986* (“the Act”), and pursuant to section 20 of the Act, hereby delegate to the holder for the time being of the following offices of the Department of Mines, Industry Regulation and Safety—

- (a) Director General;
- (b) Deputy Director General, Resource and Environmental Regulation;
- (c) Executive Director, Resource and Environmental Compliance; and
- (d) General Manager, Environmental Compliance,

all my powers and duties under—

- (a) Part V Division 2 of the Act (other than sections 51DA(2), 51E(1)(a), 51KA(1)(a), and 51MA(2)(a); and
- (b) sections 106(1)(b) and 110 of the Act; and
- (c) regulations 7(4), 8A, 11, 12, and 13 of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*,

other than this power of delegation.

This delegation is subject to following conditions—

- (a) The powers listed above may only be executed in respect of clearing that is the result of carrying out—
 - (i) an activity under an authority granted, or a requirement imposed, under the *Mining Act 1978*, the *Petroleum and Geothermal Energy Resources Act 1967*, the *Petroleum Pipelines Act 1969* or the *Petroleum (Submerged Lands) Act 1982*; or
 - (ii) an activity under a government agreement administered by the Department of Jobs, Tourism, Science and Innovation.
- (b) A decision about a clearing matter in respect of clearing that is the result of carrying out an activity referred to in (a)(i) or (a)(ii) above must not be made unless—
 - (i) the authority or requirement under which the activity is to take place has been granted or imposed; or
 - (ii) an application for the authority has been refused.

In this delegation—

“clearing matter” means—

- (a) a referral of proposed clearing made under section 51DA of the Act; or
- (b) an application for a clearing permit made under section 51E of the Act; or
- (c) an application to amend a clearing permit made under section 51KA of the Act; or
- (d) an application to surrender a clearing permit made under section 51MA of the Act; or
- (e) a notification of change of land ownership and request to transfer an area permit made under section 51N of the Act.

“government agreement” has the meaning given to that term in section 2 of the *Government Agreements Act 1979*.

Under section 59(1)(e) of the *Interpretation Act 1984*, the *Environmental Protection Act 1986* Delegation Notice No. 146 gazetted 9 July 2019 and Delegation No. 157 dated 22 October 2021 are hereby revoked.

MICHELLE ANDREWS, Chief Executive Officer,
Department of Water and Environmental Regulation.

Approved by

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

Dated the 25th day of October 2021.

EV406

ENVIRONMENTAL PROTECTION ACT 1986

DELEGATION NO. 50

The Environmental Protection Authority (“Authority”), acting pursuant to section 19 of the *Environmental Protection Act 1986* (“the Act”), has resolved to delegate all its powers and duties conferred or imposed by—

- a. section 17(3)(b) of the Act save that these powers and duties may only be exercised in circumstances where an implementation condition provides for the Authority’s advice to be given to the Minister for Environment on a matter relating to the implementation of the proposal;
- b. sections 38A, 38C, 38F, 38G, 38H, 38I, 39, 40(2)(a), 40(2)(aa), 40(2)(b), 40(2a), 40(3), 40(4), 40(5), 40(6)(b), 40A, 41A, 43A, 48A and 48C of the Act;
- c. any request received by the Authority from the Appeals Convenor to report on an appeal under section 106(1)(a) of the Act, including the preparation and submission of a report to the Minister on the appeal;
- d. sections 44(1) and 44(2a) of the Act save that these powers and duties may only be exercised in circumstances where the Authority has resolved that, a person to whom this delegation applies, should prepare and approve the final report and give that report to the Minister;
- e. section 46 of the Act, including s46(4) save for exercising the discretion under s46(4) in relation to the decision as to whether or not to inquire into implementation conditions relating to a proposal declared a derived proposal under s38E of the Act;
- f. section 48D (1) of the Act save that these powers and duties may only be exercised in circumstances where the Authority has resolved that, a person to whom this delegation applies, should prepare and approve the final report and give that report to the Minister.

Pursuant to section 59(2) of the *Interpretation Act 1984* the delegation of the powers referred to in the sections of the Act listed above shall be deemed to include the delegation of any duty incidental thereto or connected therewith.

Persons to whom this delegation applies—

- a. The Chair of the Authority appointed under s7(4a) of the Act;
- b. The Deputy Chair of the Authority appointed under s7(4a) of the Act on the conditions that the delegation is only exercised by the Deputy Chair when the Chair is unable to exercise the delegation either because of an absence (including, but not limited to on business, on leave or vacancy of office) or due to a conflict of interest.

Pursuant to section 19 of the Act and section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 43 dated 15 October 2020 and published in the gazette on 27 October 2020 and Delegation No. 45 dated 21 October 2021 are hereby revoked.

Dated the 26th day of October 2021.

Prof. MATTHEW TONTS, Chair, Environmental Protection Authority.

Approved by—

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

EV407

ENVIRONMENTAL PROTECTION ACT 1986

DELEGATION NO. 51

The Environmental Protection Authority (“Authority”), acting pursuant to section 19 of the *Environmental Protection Act 1986* (“the Act”), has resolved to delegate all its powers and duties conferred or imposed by—

- a. sections 38G(1)(b), 38G(5), 38G(7), 40(4), 40(5) and 40(6)(b);
- b. section 48A(1)(a) of the Act to inform the responsible authority that a scheme will not be assessed, but nevertheless give advice and make recommendations to the responsible authority and any other relevant person;
- c. section 48A(1)(b) of the Act to inform the responsible authority that a scheme will be assessed under Division 3 of Part IV of the Act;
- d. section 48C(3A) and 48C(4) of the Act to make available for public review any report provided in compliance with section 48C(1)(a) of the Act;
- e. section 48C(5)(b) of the Act to require the responsible authority to respond to any submissions made in respect of the report provided in compliance with section 48C(1)(a) of the Act and made available for public review.

Pursuant to section 59(2) of the *Interpretation Act 1984* the delegation of the powers referred to section above shall be deemed to include the delegation of any duty incidental thereto or connected therewith.

Persons to whom this delegation applies—

- a. the holder for the time being of the office of the Executive Director, Environmental Protection Authority Services of the Department of Water and Environmental Regulation.

Pursuant to section 19 of the Act and section 59(1)(e) of the *Interpretation Act 1984*, Delegation No. 127 dated 20 July 2017 and published in the *Gazette* on 28 July 2017 and Delegation No. 46 dated 21 October 2021 are revoked.

Dated the 26th day of October 2021.

Prof. MATTHEW TONTS, Chairman, Environmental Protection Authority.

Approved by—

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

FIRE AND EMERGENCY SERVICES

FE401

BUSH FIRES ACT 1954 TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

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 24 October 2021 for the local government districts of—

Ashburton

BRADLEY DELAVALLE, 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*.

24 October 2021.

FE402

BUSH FIRES ACT 1954 TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

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 25 October 2021 for the local government districts of—

Kalgoorlie-Boulder, Dundas, Sandstone, Wiluna, Coolgardie, Laverton, Leonora, Menzies

BRADLEY DELAVALLE, 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*.

24 October 2021.

FE403

BUSH FIRES ACT 1954 TOTAL FIRE BAN DECLARATION

Correspondence No. 12080

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 26 October 2021 for the local government districts of—

Wiluna, Laverton, Menzies, Ngaanyatjarraku

PAUL CARR, 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*.

25 October 2021.

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994**MACKEREL MANAGED FISHERY MANAGEMENT PLAN AMENDMENT 2021**

Actionstep 1716

Made by the Minister under section 54.

1. CitationThis instrument is the *Mackerel Managed Fishery Management Plan Amendment 2021*.**2. Management plan amended**The amendments in this instrument are to the *Mackerel Managed Fishery Management Plan 2011*.**3. Clause 3 amended**

In clause 3—

- (a) Delete the definition “ broad-barred Spanish mackerel ”;
- (b) Insert in the correct alphabetical position the definition—
grey mackerel means fish of that common name described by the scientific classification opposite that name in Column 2 of Schedule 7 of the regulations;
- (c) In the definition of ‘fillet’ delete “ broad-barred Spanish mackerel ” in each place it appears and insert—
grey mackerel

4. Clause 10 amendedIn clause 10(1)(k) delete “ broad-barred Spanish mackerel ” in each place it appears and insert—
grey mackerel**5. Clause 12 amended**In clause 12 delete “ broad-barred Spanish mackerel ” in each place it appears and insert—
grey mackerel**6. Clause 13 amended**In clause 13 delete “ broad-barred Spanish mackerel ” in each place it appears and insert—
grey mackerel**7. Clause 15 amended**In clause 15(4) delete “ broad-barred Spanish mackerel ” and insert—
grey mackerel**8. Clause 22 amended**In clause 22(2)(c) delete “ broad-barred Spanish mackerel “ in each place it appears and insert—
grey mackerel**9. Clause 26 amended**In clause 26(2)(e) delete “ broad-barred Spanish mackerel ” in each place it appears and insert—
grey mackerel**10. Clause 27 amended**In clause 27(2) and 27(3)(g) delete “ broad-barred Spanish mackerel ” in each place it appears and insert—
grey mackerel**11. Schedule 7 amended**In Schedule 7 delete “ broad-barred Spanish mackerel ” in each place it appears and insert—
grey mackerel

Dated 20 of October 2021.

Hon. DON PUNCH, MLA, Minister for Fisheries.

FI402**FISH RESOURCES MANAGEMENT ACT 1994**

STATEMENT OF DETERMINATION

Abalone Management Plan 1992

I, Heather Brayford, Deputy Director General Sustainability and Biosecurity as delegate for the Chief Executive Officer of the Department of Primary Industries and Regional Development Western Australia, pursuant to clause 11(3a) of the *Abalone Management Plan 1992*, hereby make a revised determination in regard to the maximum quantity of abalone that may be taken from the relevant area of the Abalone Managed Fishery during the licensing period commencing on 1 April 2021, as set out below—

Area 7—

29, 100 kilograms of Roe's abalone (whole weight)

HEATHER BRAYFORD, Deputy Director General Sustainability and Biosecurity as delegate for the Chief Executive Officer.

Dated this 29th day of September 2021.

FI403**FISH RESOURCES MANAGEMENT ACT 1994**

PROHIBITION ON RECREATIONAL FISHING (NINGALOO MARINE PARK)

Amendment Order 2021

Order No. 5 of 2021

Made by the Minister under section 43.

1. Citation

This instrument is the *Prohibition on Recreational Fishing (Ningaloo Marine Park) Amendment Order 2021*.

2. Order amended

This instrument amends the *Prohibition on Recreational Fishing (Ningaloo Marine Park) Order 2005*.

3. Clause 2 amended

In clause 2(2) delete “cod”; ‘ and insert in the correct alphabetical place—
“rockcod”;

4. Clause 9 amended

In clause 9 delete the word “ cod “ in each place it appears and insert—
rockcod

Dated 20 of October 2021.

Hon. DON PUNCH, MLA, Minister for Fisheries.

HEALTH

HE401**PUBLIC HEALTH ACT 2016**

EXTENSION OF DECLARATION (NO.3) OF PUBLIC HEALTH STATE OF EMERGENCY

Pursuant to section 170 of the *Public Health Act 2016* (WA) I, Roger Cook, the Minister for Health, hereby extend the public health state of emergency declaration, which came into effect on 22 September 2021 at 16:25 hours.

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

Time of this extension: 12:30 pm.

Date of this extension: 25 October, 2021.

Hon. ROGER COOK, MLA, Minister for Health.

HERITAGE

HR401

HERITAGE ACT 2018

HERITAGE (TANKER JETTY, ESPERANCE PROTECTION ORDER) REVOCATION ORDER 2021
 Made under the *Heritage Act 2018* section 61(1) by the Minister for Heritage.

1. Citation

This order is the *Heritage (Tanker Jetty, Esperance Protection Order) Revocation Order 2021*.

2. Commencement

This order comes into operation on the day on which it is published in the *Gazette*.

3. Revocation of protection order

(1) In this clause—

Tanker Jetty, Esperance Protection Order means the conservation order in respect of the Tanker Jetty, Esperance made under the *Heritage of Western Australia Act 1990*, published in the *Gazette* on 21 December 2016 at p.5887, and taken to be a continuing protection order under the *Heritage Act 2018* section 179(1)(c).

(2) The Tanker Jetty, Esperance Protection Order is revoked.

Hon. DAVID TEMPLEMAN, MLA, Minister for Heritage.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

Shire of Serpentine-Jarrahdale

BASIS OF RATES

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 13 October 2021, determined that the method of valuation to be used by the Shire of Serpentine-Jarrahdale as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

Schedule

	Designated Land
UV to GRV	All those portions of land being Lots 404 to 417 inclusive, Lots 425 to 430 inclusive, Lot 469, Lots 472 to 477 inclusive, Lots 503 to 510 inclusive and Lots 653 to 655 inclusive as shown on Deposited Plan 420855.

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

MARINE/MARITIME

MA401

WESTERN AUSTRALIAN MARINE ACT 1982**NAVIGABLE WATERS REGULATIONS 1958**

PROHIBITED SWIMMING AREA

Swan River, City of Fremantle

Department of Transport
 Fremantle WA, 29 October 2021.

Acting pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close the following area of water to swimming between the hours of 7:50 PM and 8:20 PM on Friday 5th November 2021, Saturday 6th November 2021 and Sunday 7th November 2021.

Swan River—

Area of Closure:—All the waters in between the Fremantle Traffic Bridge and Stirling Bridge.

This area is set aside for the approved "Moombaki" event.

CHRISTOPHER J. MATHER, Director Waterways Safety
Management, Department of Transport.

MINERALS AND PETROLEUM

MP401

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Mt Magnet WA 6638.

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

WARDEN GLUESTEIN.

To be heard by the Warden at Mt. Magnet on 23 December 2021.

MURCHISON MINERAL FIELD
Prospecting Licence

P 58/1824 McAuliffe, Bernard James

MP402

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Mt. Magnet WA 6638.

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

WARDEN GLUESTEIN.

To be heard by the Warden at Mt. Magnet on 23 December 2021.

MURCHISON MINERAL FIELD
Prospecting Licences

P 58/1694 Eastern Goldfields Exploration Pty Ltd
P 58/1695 Eastern Goldfields Exploration Pty Ltd
P 58/1696 Eastern Goldfields Exploration Pty Ltd
P 58/1819 Lang, Brett William

PLANNING

PL401**PLANNING AND DEVELOPMENT ACT 2005****NOTICE OF AMENDMENT TO INSTRUMENT OF DELEGATION—POWERS OF OFFICERS**

Notice of amendment to the Instrument of Delegation to committees of certain functions of the Western Australian Planning Commission, as gazetted on 3 October 2018, and as amended.

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 27 October 2021 pursuant to section 16 of the Act, the WAPC resolved—

- A. To amend the Instrument of Delegation 2018/01 Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 3 October 2018 (and as amended), as set out in Schedule 1 below.

SAM FAGAN, Secretary, Western Australian Planning Commission.

Schedule 1

1. Instrument of delegation amended

The amendments within this Schedule are to the Schedules set out in the Instrument of Delegation 2018/01—Delegation to officers of certain powers and functions of the Western Australian Planning Commission as gazetted on 3 October 2018, and as amended.

2. Amendment to Schedule 9

1. In column 2 of clauses 9.1, 9.2, 9.4, 9.7, 9.8, 9.9, 9.16, 9.18, 9.19, 9.20 and 9.25 reference to the title “Assistant Director General, Business and Corporate Services” is deleted and replaced with the title “Assistant Director General, Heritage and Property Services.”
2. In column 2 of clause 9.9 the title “Chief Property Officer” is inserted.
3. In column 2 of clauses 9.26 the reference to the title “Any Compliance Officer” is deleted and replaced with three new titles, being “Manager Investigations” “Senior Investigator” and “Investigator.” In column 3 the reference to the title “Compliance Officer” is replaced with the title “Investigations Officer.”

3. Amendment to Schedule 10

1. In column 2 of clause 10.15 the reference to the title “Assistant Director General, Business and Corporate Services” is deleted and replaced with the title “Assistant Director General, Heritage and Property Services.”

PL402**PLANNING AND DEVELOPMENT ACT 2005****APPROVED DISTRICT PLANNING SCHEME AMENDMENT**

City of Wanneroo

District Planning Scheme No. 2—Amendment No. 185

Ref: TPS/2635

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Wanneroo District Planning Scheme amendment on 19 October 2021 for the purpose of—

- (a) Replacing Clause 9.13.3 with the following.

9.13.3 In the event that upon the subdivision, development or strata subdivision of all the land in the Cell, the Infrastructure Contributions received by the Local Government exceeds the amount necessary to complete the Cell Works and meet all of the Cell Costs, the amount of such excess will be distributed amongst the owners who made Infrastructure Cost payments to the Cell Account in accordance with sub clause 9.6.3.

The amount of any excess that an owner may be entitled to receive shall be in the same proportion to the total value of contributions paid by the landowner to the total value of the contributions received in a Cell. The amount payable to an owner under this clause shall be reduced by the amount of any shortfall in the payments made by that owner to their assessed Infrastructure Costs.

If an owner or other person or persons, corporation or other legal entity entitled to an interest in a Cell cannot be located by the Local Government after the giving of public notice by way of an advertisement in a local, state or national newspaper circulating in the area on at least two occasions, writing by registered mail to their last known address as shown in the Local Government records and on the City's website and no request for a claim is received by the Local Government within a period of six months from a decision being made by the Local Government to distribute excess funds, that owner's proportion of the surplus funds may be expended, subject to the approval of the Minister of Planning, either towards further improvements and facilities within the Cell or transferred to the Cell Account of an abutting Cell where insufficient funds will be received to complete Cell Works that are common to both Cells and thereafter such an owner shall have no claim in respect to such money.

- (b) Amending Clause 9.10 .9 of DPS2 to replace reference to Section 142 of the *Supreme Court Act* and insert the *Civil Judgement Enforcement Act (2004)* and the associated Regulations.
- (c) Amend all sections of Part 9 of DPS2 by replacing reference to 'Council' with 'Local Government'.

T. ROBERTS JP, Mayor.
D. SIMMS, Chief Executive Officer.

SALARIES AND ALLOWANCES TRIBUNAL

SA401

SALARIES AND ALLOWANCES ACT 1975 DETERMINATION VARIATION

Preamble

The Salaries and Allowances Tribunal has issued a determination to reflect changes in relation to the following offices in the Special Division of the WA Public Service—

- Office of the Director of Public Prosecutions positions;
- Managing Director, Tourism, Department of Jobs, Tourism, Science and Innovation;
- CEO Lotteries Commission;
- CEO Western Australian Health Promotion Foundation;
- State Solicitor's Office Executive;
- Deputy Director General Housing and Assets, Department of Communities.

Determination

VARIATION 1 (effective on and from 15 September 2021)

The determination of the Salaries and Allowances Tribunal made on 24 June 2021 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below, with effect on and from 15 September 2021.

- Delete the reference to the office below, as it appears in "Table 14: Remuneration and Offices within Part 1 of the Second Schedule, and insert the following—

Office	Department or Agency	Band	Office Holder	Salary
Senior Consultant	Office of the Director of Public Prosecutions	3	L Fox SC	\$344,003*

VARIATION 2 (effective on and from 16 September 2021)

The determination of the Salaries and Allowances Tribunal made on 24 June 2021 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below, with effect on and from 16 September 2021.

- Delete the reference to the office below, as it appears in "Table 14: Remuneration and Offices within Part 1 of the Second Schedule, and insert the following—

Office	Department or Agency	Band	Office Holder	Salary
Consultant	Office of the Director of Public Prosecutions	4	I Jones	\$261,000

VARIATION 3 (effective on and from 18 October 2021)

The determination of the Salaries and Allowances Tribunal made on 24 June 2021 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below, with effect on and from 18 October 2021.

- Delete the reference to the office below, as it appears in ‘Table 3: Special Division Non-CEOs within Part 1 of the First Schedule, and insert the following—

Office	Department or Agency	Band	Office Holder	Salary
Managing Director	Jobs, Tourism, Science and Innovation	3	C Turnbull	\$282,140

VARIATION 4 (effective on and from 25 October 2021)

The determination of the Salaries and Allowances Tribunal made on 24 June 2021 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below, with effect on and from 25 October 2021.

- Insert the following in ‘Table 1: Special Division CEOs’ within Part 1 of the First Schedule—

Office	Department or Agency	Band	Office Holder	Salary
Chief Executive Officer	Lotteries Commission	3	Vacant	\$ -
Chief Executive Officer	Western Australian Health Promotion Foundation	4	Vacant	\$ -

VARIATION 5 (effective on and from 25 October 2021)

The determination of the Salaries and Allowances Tribunal made on 24 June 2021 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below, with effect on and from 25 October 2021.

- Delete the reference to the office below, as it appears in ‘Table 14: Remuneration and Offices within Part 1 of the Second Schedule, and insert the following—

Office	Department or Agency	Band	Office Holder	Salary
Deputy State Solicitor—Public and General Litigation	Justice	2	Vacant	\$ -
Deputy State Solicitor—Civil Litigation	Justice	2	Vacant	\$ -
Deputy State Solicitor—Native Title and State Lands	Justice	2	Vacant	\$ -
Advisor—Counsel	Justice	4	Vacant	\$ -
Advisor—Commercial	Justice	4	Vacant	\$ -

VARIATION 6 (effective on and from 25 October 2021)

The determination of the Salaries and Allowances Tribunal made on 24 June 2021 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a determination set out below, with effect on and from 25 October 2021.

- Insert the following in ‘Table 3: Special Division Non-CEOs within Part 1 of the First Schedule—

Office	Department or Agency	Band	Office Holder	Salary
Deputy Director General, Housing and Assets	Communities	2	Vacant	\$-

Signed on 25 October 2021.

M. SEARES AO
Chair.

B.A. SARGEANT PSM
Member.

HON. J. DAY
Member.

Salaries and Allowances Tribunal.

TREASURY AND FINANCE

TR401**STATE SUPERANNUATION ACT 2000**
APPOINTMENT

In accordance with section 8(1)(a) and clause 4 of Schedule 1 to the *State Superannuation Act 2000* notice is hereby given that the following person has been appointed by the Governor in Executive Council as chair of the Government Employees Superannuation Board, for a five-year term expiring on 18 October 2026—

Ms Jo Gaines.

BEN PALMER, Chief Executive Officer.

PUBLIC NOTICES

ZZ401**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the estate of Edward Clough, late of 108 Loftus Street, North Perth, in the State of Western Australia, Land Administrator, 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 1st day of February 2021, are required by the Personal Representatives, Maureen Elizabeth Stephenson and Vanessa Clough, 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 3rd day of December 2021, after which date the said Personal Representatives may convey or distribute the assets, having regard only to the claims of which they then have had notice.

Dated the 25th day of October 2021.

GLEN B. GILES, Taylor Smart.

ZZ402**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Estate of the late Robert William Burnside of 66 Easton Road, Esperance, 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 above-named Deceased who died on 10 April 2021 are required to send particulars of their claims to the Executors, care of RSM (see address below) within one (1) month of the date of publication of this notice after which date the Executors may convey or distribute the assets having regard only to claims of which notice has been given.

c/- Andrew Marshall, RSM, GPO Box R1253, Perth WA 6844.
Telephone: (08) 9261 9393.
Contact: Andrew Marshall.

ZZ403**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

David Pegrum, late of 111 Beachfields Drive, Abbey, 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 15th April 2021, are required by the joint executors, Mr David John Garnsworthy and Mrs Lesley Anne Garnsworthy, of care of JNC Legal, Suite 7, 99-101 Francis Street, Northbridge, Western Australia, to send particulars of their claims to them within one (1) month of the date of publication, after which date the executors may convey or distribute the assets of the estate, having regard only to the claims of which they then has notice.

ZZ404**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Sydney Peter Websdale late of 37 Glasgow Way, Seville Grove, 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 20 September 2021, are required by the Executor, Amelia Jane Hibben c/- PO Box 2006, Seville Grove, Western Australia, to send particulars of their claims to her by the date one month following publication of this notice after which date the Executor may convey or distribute the assets, having only regard to the claims of which she then has notice.

ZZ405**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Notice to Creditors and Claimants of June Merle Trenberth late of 11 Carnoustie Court Yanchep Western Australia, Printer, 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 18 September 2013 are required by the trustee, care of McFarlane Lawyers, PO Box 1079 West Perth WA 6872 to send particulars of their claim to them by 10 December 2021 after which date the trustee may convey or 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

Percival Sidney Bygrave, late of Aegis Shoalwater, 72 Fourth Avenue, Shoalwater 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 , are required by the trustee of the late Percival Sidney Bygrave, c/- Mountains Lawyers, PO Box 5379, Rockingham Beach WA 6969 to send particulars of their claims to the trustee within 30 days of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which the trustee then has notice.

MOUNTAINS LAWYERS Pty Ltd, Solicitors for the Trustee.
Telephone: (08) 9592 7326.

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

Notice to Creditors and Claimants

Notice is hereby given to any persons having claims pursuant to Section 63 of the *Trustees Act 1962* against the Estate of Leonard Kazimir Blaszczyk also known as Lannye Antonye Blaszczyk late of 9A Jipse Street, East Bunbury Western Australia who died on 27.06.2021, to submit in writing any such claims complete with supporting documentation to the Executors c/- Ball & Co, PO Box 1281, Bunbury Western Australia 6231, within 31 days of the date of this Notice, after which date the Executors may convey or distribute the assets, having regard only to the claims of which they have notice.

ZZ408**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 29 November 2021 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Appleby, Nanette Nicol (also known as Nanette Nicole Appleby), late of Aegis Shoalwater, 72 Fourth Avenue, Shoalwater, who died on 26 July 2021 (DE19880001 EM26).

Beecroft, Gladys Eileen, late of Elderbloom Aged Care Home, 9 Amos Road, Wanneroo, who died on 17 July 2021 (DE19970613 EM24).

Berry, Trevor William, late of Coolibah Care, 30 Third Avenue, Mandurah, who died on 30 August 2021 (DE33110721 EM17).

Cooper, John William, late of Bethanie Esprit Lifestyle Village, 29 Zedora Close, Eaton, who died on 19 September 2021 (DE19670976 EM13).

Egglestone, Robert Lloyd, late of 4 Carmichael Street, Beckenham, who died on 22 September 2021 (DE19950017 EM35).

Espie, Catherine Ellen, late of Baptistcare Gracewood, 20 Roebuck Drive, Salter Point, who died on 21 September 2021 (DE33131374 EM17).

Garrity, Roma Margaret, late of Unit 27, 49 North Lake Road, Myaree, who died on 6 September 2021 (DE33014812 EM13).

Goddard, Mary Monica, late of SwanCare Kingia Ningana, 3 Allen Court, Bentley, who died on 27 August 2021 (DE19990195 EM36).

Gowland, Gordon Desmond, late of 24 Lifford Road, Floreat, who died on 10 July 2021 (DE19851171 EM35).

Harris, Dorothy, formerly of 83 Calume Street, Hillman, late of Rockingham Nursing Home By Hall & Prior, 14 Langley Street, Rockingham, who died on 17 September 2021 (DE19952542 EM32).

Hunt, Dorothy, formerly of Unit 6, 12 Hastings Street, Wanneroo, late of Juniper The Residency Northam, 47-57 Burgoyne Street, Northam, who died on 24 September 2021 (DE19851331 EM110).

Long, Isobel, late of 278B Drake Street, Morley, who died on 10 September 2021 (DE19991615 EM15).

O'Sullivan, Jean Mary, late of 5 Ollis Street, Safety Bay, who died on 8 April 2015 (DE33030089 EM35).

Snary, Norma Ellen, late of Aegis Aged Care, 1 French Road, Melville, who died on 27 August 2021 (DE19922465 EM32).

Tillotson, Albert Charles (also known as Alby Tillotson), late of 56 Cygnus Street, Rockingham, who died on 30 September 2021 (DE33061955 EM38).

Van Wyk, Sean John, formerly of 49 Lyndale Avenue, Parkwood, late of 126 Gloster Street, Subiaco, who died on 16 August 2019 (DE33176710 EM26).

Watts, Brian Bartholomew, late of Brightwater Care Group, 150 Dundas Road, Inglewood, who died on 5 August 2021 (PM19821085 EM214).

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

ZZ409

PUBLIC TRUSTEE ACT 1941
ADMINISTERING OF ESTATES

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

Dated at Perth on this 29th day of October 2021.

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

Name of Deceased	Address	Date Of Death	Date Election Filed
Cole, Cedric Charles (DE19754791 EM37)	Formerly of 32 Purslowe Street, Mount Hawthorn, late of Juniper St David's, 17-19 Lawley Crescent, Mount Lawley.	26 July 2021	12 October 2021
Harnett, Constance Joy (DE19992230 EM35)	Formerly of 40 Raeburn Road, Roleystone, late of MercyCare Kelmscott, 89 Clifton Street, Kelmscott.	15 July 2021	19 October 2021
Lawson, Margaret Aldersey (DE19851859 EM32)	Late of Seaforth Aged Care Centre, 2542 Albany Highway, Gosnells.	21 September 2020	1 October 2021
