



Western
Australian
Government

Gazette

ISSN 2204-4264 (online)

4023

PERTH, TUESDAY, 12 DECEMBER 2023 No. 165

PUBLISHED BY AUTHORITY GEOFF O. LAWN, GOVERNMENT PRINTER

© STATE OF WESTERN AUSTRALIA

CONTENTS

	Page
Agriculture and Food.....	4025
Energy.....	4027
Fire and Emergency Services.....	4027
Health.....	4028
Local Government.....	4028
Minerals and Petroleum.....	4028
Public Notices.....	4030
Regional Development.....	4029

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

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

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

- 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

AGRICULTURE AND FOOD

AG401

BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013

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

Bayswater Outbreak

- Under regulation 60 of the *Biosecurity and Agriculture Management Regulations 2013* (Regulations) the area described below is declared to constitute a quarantine area until 11:59pm on 23 February 2024.

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

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

- This quarantine area is declared because there are reasonable grounds to suspect the declared pest *Bactrocera (Bactrocera) tryoni* (Froggatt, 1897) (Queensland fruit fly or Qfly) may be present in the area.
- In this notice—
 - “**Department**” means the Department of Primary Industries and Regional Development;
 - “**fruit**” means the fruit of any host or suspect host of Queensland fruit fly listed in the table in Schedule 1;
 - “**inspector**” means an inspector appointed under section 162 of the *Biosecurity and Agriculture Management Act 2007*.
- Persons, other than persons employed by or on behalf of the Department, must not move fruit grown in the quarantine area from the quarantine area to outside of the quarantine area but within Western Australia, for a commercial purpose, except in accordance with—
 - i. this notice; or
 - ii. an approval under regulation 67 of the Regulations; or
 - iii. a general exemption having effect under regulation 71 of the Regulations.
- Fruit grown in the quarantine area is moved for a commercial purpose from the quarantine area to outside of the quarantine area but within Western Australia in accordance with this notice if—
 - a. the fruit is moved for processing to a processing facility; or
 - b. the fruit has been treated by processing, cooking or freezing for a minimum of 24 hours; or
 - c. the fruit is treated in accordance with measures approved by the Department’s Chief Plant Biosecurity Officer and securely transported; or
 - d. the fruit is securely transported for treatment outside of the quarantine area; or
 - e. the fruit is moved as authorised or directed by an inspector.

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

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

Schedule 1

Queensland fruit fly hosts and suspect hosts

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

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

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

*indicates suspect host

Dated 07 December 2023.

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

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 (Reserve Capacity Reform) Rules 2023* and are to commence—

1. The amending rules set out in Schedule 1 come into operation at 8:00 AM (WST) on the day after the day of publication of this notice in the *Gazette*.
2. The amending rules set out in Schedules 2, 3 and 4 come into operation at a time specified by the Minister in a notice published in the *Gazette*. Different days may be specified for different provisions.

A copy of the *Wholesale Electricity Market Amendment (Reserve Capacity Reform) Rules 2023* is available on the website of the Coordinator for Energy.

Dated at Perth this 6th day of December 2023.

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

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 07 December 2023 for the local government districts of—

Ashburton, Dalwallinu, Koorda, Wongan-Ballidu.

Dated 6 December 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*.

HEALTH

HE401

TOBACCO PRODUCTS CONTROL ACT 2006

INSTRUMENT OF APPOINTMENT

Appointment of Investigators (No.2) 2023

1. I, Dr D J Russell-Weisz, Chief Executive Officer of the Department of Health, acting pursuant to section 76 of the *Tobacco Products Control Act 2006*, hereby appoint the following persons employed in the Public Service under the *Public Sector Management Act 1994* Part 3, in Tobacco Control Compliance, Public Health Regulation Directorate, Public and Aboriginal Health Division, Department of Health, listed in the Table, to be investigators for the purposes of the *Tobacco Products Control Act 2006*.

Table

Antonio Atanasovski	Alexander Huw Ravine
Casey Marie Moate	Daniel Gene Maguire
Katy Alyce Trevaskis	

2. This instrument of appointment shall take effect upon signing and shall remain in force until otherwise amended or revoked.
3. The instrument of appointment titled '*Tobacco Products Control Act 2006—Instrument of Appointment—Appointment of Investigators (No.1) 2023*' and dated 2 March 2023 is hereby revoked.

Dated this 7th day of November 2023.

Dr D. J. RUSSELL-WEISZ, Chief Executive Officer, Director General.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

City of Swan

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 this date determined that the method of valuation to be used by the City of Swan 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	<ul style="list-style-type: none"> All those portions of land being Lots 880 to 896 inclusive, Lots 900 to 910 inclusive, Lots 915 to 945 inclusive and Lots 950 to 963 inclusive as shown on Deposited Plan 73876.

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

MINERALS AND PETROLEUM

MP401

MINING ACT 1978

Section 19

INSTRUMENT OF VARIATION TO EXEMPTION OF LAND

I, Kristian Hartley Dawson, Executive Director Resource Tenure, pursuant to section 19 of the *Mining Act 1978*, hereby vary the exemption of land originally declared on 4 September 2019 and published in the *Government Gazette* dated 20 September 2019 by varying the description to that as described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) exempt from Divisions 1 to 5 of Part IV of the *Mining Act 1978*. The exemption will expire on 3 September 2025.

Locality

Fitzroy River—West Kimberley and Kimberley Mineral Fields

Description of Land

Land designated S19/381 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 A1181/201901, document ID A70416556.

Area of Land

294,228.60 hectares

Dated at Perth this 6th day of December 2023.

KRISTIAN HARTLEY DAWSON, Executive Director Resource Tenure.

MP402**PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967**

Section 5(8)

DECLARATION OF REVOCATION OF RESERVED BLOCKS

I, Kristian Hartley Dawson, Executive Director Resource Tenure Division of the Department of Energy, Mines, Industry Regulation and Safety under delegation from the Minister for Mines and Petroleum, pursuant to section 5(8) of the *Petroleum and Geothermal Energy Resources Act 1967*, hereby declare that the following graticular blocks previously reserved pursuant to section 28(1) of the *Petroleum and Geothermal Energy Resources Act 1967* and published by *Government Gazette* are hereby revoked.

PERTH MAP SHEET (SH50)

6672 6815

The reservation of these blocks no longer remain in effect.

Dated at Perth this 8th day of December 2023.

Made under the *Petroleum and Geothermal Energy Resources Act 1967* of the State of Western Australia.

KRISTIAN HARTLEY DAWSON, Executive Director Resource Tenure,
Department of Energy, Mines, Industry Regulation and Safety.

REGIONAL DEVELOPMENT

RG401**REGIONAL DEVELOPMENT COMMISSIONS ACT 1993****APPOINTMENTS**

It is hereby notified for general information that the Minister for Regional Development has approved the following appointments in accordance with Part 3 of the *Regional Development Commissions Act 1993*—

Wheatbelt Development Commission

Board of Management

Ms Robyn Sermon as Chair and ministerial representative for a term expiring 31 October 2026.

Hon. DON PUNCH, MLA, Minister for Regional Development.

PUBLIC NOTICES

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

Notice to Creditors and Claimants

Keith George Parry, late of 7 Flora Gardens, Alexander Heights, Western Australia, Shire Worker, 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 30 June 2023 are required by the Administrator Judith-Anne Watson of care of Birman & Ride, Level 3, 16 Irwin Street, Perth WA 6000 to send particulars of their claims to her by the date being one month from 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 she then has notice.

ZZ402**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 by the Executor/Administrator of these estates to send particulars of their claims to the Executor/Administrator within one month from the date of publication of this Notice after which date the Executor/Administrator may convey or distribute the assets having regard only to the claims of which the Executor/Administrator then has notice.

Kaye Regan late of Regis Nedlands, 118-120 Monash Avenue, Nedlands, who died on 27/11/2020

HAYNES LEEUWIN, Solicitors for the Executors / Administrators,
Suite 2, 190 Main Street, Osborne Park WA 6017. Tel: 9409 6300.

ZZ501**CHARITABLE TRUSTS ACT 1962****SCHEME FOR VARIATION OF TRUST**

Approval Notice

The following scheme is approved—

1. The Will dated 15 December 1983 of Esmee Marjorie Byatt, who died on 20 May 2003, establishing the Templeton-Byatt Fund, be amended by deleting clause (g).
2. In accordance with section 24(2) of the Act, the expenses of the scheme be paid out of, and be a charge on, the property to which the scheme relates, namely the funds of the Templeton-Byatt Fund.

Dated 20 November 2023.

Hon. JOHN QUIGLEY, MLA, Attorney General.
