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## GOVERNMENT GAZETTE

### PUBLISHING DETAILS FOR CHRISTMAS 2020 AND NEW YEAR HOLIDAY PERIOD 2021

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**The Government Gazette will not be published on**

**Tuesday 29 December 2020**

**Tuesday 5 January 2021**

The next edition will be published on Friday 8 January 2021 and copy will close 12 noon Wednesday 6 January 2021

# — PART 1 —

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## PROCLAMATIONS

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AA101

Prisons Amendment Act 2020

### **Prisons Amendment Act 2020 Commencement Proclamation (No. 2) 2020**

SL 2020/243

Made under the *Prisons Amendment Act 2020* section 2(b) by the Governor in Executive Council.

**1. Citation**

This proclamation is the *Prisons Amendment Act 2020 Commencement Proclamation (No. 2) 2020*.

**2. Commencement**

The *Prisons Amendment Act 2020* sections 4(1), 12, 19 and 23(1) come into operation on 21 December 2020.

K. BEAZLEY, Governor.

L.S.

F. LOGAN, Minister for Corrective Services.

Notes: This proclamation brings into operation the remainder of the *Prisons Amendment Act 2020*.

The *Prisons Amendment Regulations 2020*, other than regulations 1 and 2, come into operation on the day on which the *Prisons Amendment Act 2020* sections 4(1), 12, 19 and 23(1) come into operation.

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AA102

Procurement Act 2020

## Procurement Act 2020 Commencement Proclamation (No. 2) 2020

SL 2020/244

Made under the *Procurement Act 2020* section 2(b) by the Governor in Executive Council.

### 1. Citation

This proclamation is the *Procurement Act 2020 Commencement Proclamation (No. 2) 2020*.

### 2. Commencement of Act

The following provisions of the *Procurement Act 2020* come into operation on 1 June 2021 —

- (a) Part 7;
- (b) sections 40 to 51, 53 and 54;
- (c) Part 10 Divisions 1 to 3 and 5 to 7.

K. BEAZLEY, Governor.

L.S.

B. WYATT, Minister for Finance.

Note: The *Procurement Regulations 2020*, other than regulations 1 and 2, come into operation on the day on which the *Procurement Act 2020* section 41 comes into operation.

The *Pay-roll Tax Assessment Amendment Regulations 2020*, other than regulations 1 and 2, come into operation on the day on which the *Procurement Act 2020* section 41 comes into operation.

The *Police Regulations Amendment (Procurement) Regulations 2020*, other than Part 1, come into operation on the day on which the *Procurement Act 2020* section 41 comes into operation.

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**HERITAGE**

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HR301

Heritage Act 2018

**Heritage Amendment (Valuation of Land)  
Regulations 2020**

SL 2020/246

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Heritage Amendment (Valuation of Land) Regulations 2020*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Heritage Regulations 2019*.

**4. Part 5A inserted**

After regulation 44 insert:

**Part 5A — Valuation of land****44A. Taking account of matters affecting land use or development**

- (1) This regulation applies when, under section 82(1)(a) of the Act, the Valuer-General takes into account restrictions on the use of land arising out of —
  - (a) the entry of the land in the register; or
  - (b) a heritage agreement to which the land is subject.
- (2) The Valuer-General may take into account other restrictions on the use of land, including —
  - (a) a State planning policy as defined in the *Planning and Development Act 2005* section 4(1); and
  - (b) a local planning scheme; and

- (c) another planning instrument as defined in the *Planning and Development (Local Planning Schemes) Regulations 2015* regulation 77; and
- (d) a region planning scheme as defined in the *Planning and Development Act 2005* section 4(1); and
- (e) an improvement plan referred to in the *Planning and Development Act 2005* section 119; and
- (f) an improvement scheme as defined in the *Planning and Development Act 2005* section 4(1); and
- (g) an approved redevelopment scheme as defined in the *Metropolitan Redevelopment Authority Act 2011* section 3; and
- (h) a document referred to in the *Metropolitan Redevelopment Authority Act 2011* section 7(1)(b)(i); and
- (i) a master plan in force under the *Hope Valley-Wattleup Redevelopment Act 2000* Part 3.

**44B. Supplementary valuation assumptions**

- (1) This regulation applies when, under section 82(1)(b)(i) of the Act, the Valuer-General assumes that all improvements to or on land at the date of valuation that contribute to its cultural heritage significance must be conserved and are not to be demolished.
- (2) The Valuer-General may assume —
  - (a) that the improvements that must be conserved are to be conserved so that the current use of the land may be continued; and
  - (b) that the improvements that must be conserved are new, so that no allowance need be made in the valuation for their actual condition; and
  - (c) that the cost of construction of the improvements that must be conserved has no effect on land value, so that no allowance need be made in the valuation in respect of any difference between —
    - (i) the cost of construction of those improvements as new improvements; and
    - (ii) the cost of construction of other improvements used as a basis for comparison in the determination of land value.

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**JUSTICE**

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JU301

Supreme Court Act 1935

**Supreme Court Amendment Rules (No. 2) 2020****SL 2020/242**

Made by the judges of the Supreme Court.

**1. Citation**

These rules are the *Supreme Court Amendment Rules (No. 2) 2020*.

**2. Commencement**

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day after that day.

**3. Rules amended**

These rules amend the *Rules of the Supreme Court 1971*.

**4. Note for Order 11A Division 1 amended**

At the beginning of Order 11A Division 1 delete note 3 and insert:

3. Information about the Hague Convention, including a copy of the Hague Convention, a list of all Contracting States, details of declarations and reservations made under the Hague Convention by each of those States and the names and addresses of the central and other authorities of each of those States can be found at the website of the Hague Conference on Private International Law.

**5. Order 58 amended**

- (1) In Order 58 rule 14(1) delete “his” and insert:

the applicant’s

- (2) In Order 58 rule 14(2) delete “shall” (each occurrence) and insert:

must

- (3) In Order 58 rule 14(3) delete “in the Central Office.” and insert:

with the seal of the Court.

- (4) Delete Order 58 rule 14(4).

- (5) In Order 58 rule 14(5):

- (a) delete “shall” and insert:

must

- (b) delete “thereof,” and insert:

of the Act (if any),

- (6) In Order 58 rule 19(1) delete “time shall be fixed by a notice in Form No. 76 which shall be sealed in the Central Office.” and insert:

time must be fixed by a notice in Form 76 which must be sealed with the seal of the Court.

- (7) In Order 58 rule 19(4)(a) delete “in the Central Office; and” and insert:

with the seal of the Court; and

## **6. Order 59 amended**

- (1) In Order 59 rule 4(2) delete “in the Central Office.” and insert:

with the seal of the Court.

- (2) Delete Order 59 rule 4(3).

- (3) In Order 59 rule 4(4) delete “shall” and insert:

must

## **7. Order 67 amended**

- (1) In Order 67 rule 1:

- (a) delete “senior master shall” and insert:

Chief Justice or the Principal Registrar must

- (b) delete “and shall give” and insert:

and give

- (2) In Order 67 rule 16 delete “senior master” and insert:

Chief Justice or the Principal Registrar

**8. Order 69 amended**

- (1) In Order 69 rule 2(1):

- (a) delete “shall,” and insert:

must,

- (b) delete “senior master — ” and insert:

Principal Registrar —

- (c) in paragraph (c) delete “writing and of such size as the senior master from time to time directs; and” and insert:

writing; and

- (d) after paragraph (c) insert:

(ca) comply with subrule (1AA); and

- (e) in paragraph (d) delete “40” (each occurrence) and insert:

30

- (2) After Order 69 rule 2(1) insert:

(1AA) The textual content of a document, including any endnotes, footnotes and quotations, must be typewritten or printed using at least the size of print used for these rules (12 point Times New Roman).

(1AB) Except as provided in subrule (1AC), a document may show an abbreviation of the title of the proceeding which is sufficient to identify the proceeding.

(1AC) Subrule (1AB) does not apply to the following documents —

- (a) an originating process;

- (b) a document to be served on a person who is not a party to a proceeding;
- (c) a final judgment or order.

(3) Delete Order 69 rule 2(1a).

## 9. Order 70 amended

(1) In Order 70 rule 1 delete the definitions of:

*Act*

*represented person*

(2) In Order 70 rule 1 insert in alphabetical order:

*GAA Act* means the *Guardianship and Administration Act 1990*;

*represented person* means a person in respect of whom a guardian or administrator has been appointed under the GAA Act with authority to do either or both of the following —

- (a) as the next friend of the represented person, to commence, conduct or settle on behalf of the represented person specified proceedings, some proceedings or all proceedings;
- (b) as the guardian *ad litem* of the represented person, to defend or settle specified proceedings, some proceedings, or all proceedings, that are taken against the represented person.

(3) In Order 70 rule 1 in the definition of *person under disability* paragraph (c) delete “his” and insert:

their

(4) Delete Order 70 rule 2(1) and insert:

(1) Except as provided in subrule (4) a person under disability —

- (a) cannot bring, or make a claim in, any proceedings except by the person’s next friend; and
- (b) cannot defend, make a counterclaim or intervene in any proceedings, or appear in any proceedings under a judgment or order, notice of which has been served on the person, except by the person’s guardian *ad litem*.

- (5) In Order 70 rule 2(2):
- (a) delete “shall” and insert:  
  
must
  - (b) delete “his” and insert:  
  
the person’s
- (6) After Order 70 rule 2(4) insert:
- (5) If a person under disability is a represented person, the next friend or guardian *ad litem* of the represented person in any proceedings must be —
    - (a) a guardian or administrator of the represented person authorised under the GAA Act Part 5 or 6 to act as next friend or guardian *ad litem*, as the case may be, in those proceedings; or
    - (b) some other person appointed by the Court to be the next friend or guardian *ad litem*, as the case may be, in those proceedings.
  - (6) An appointment by the Court under subrule (5)(b) may be —
    - (a) of its own motion; or
    - (b) on an application made under rule 5.
  - (7) For the purposes of subrule (6)(b) the Court may vary the requirements of rule 5 as it considers appropriate in the circumstances.
- (7) In Order 70 rule 3(2) delete “necessary.” and insert:
- necessary for the purpose of a proceeding to which this rule applies.
- (8) Delete Order 70 rule 3(3) and (4) and insert:
- (3) If a person under disability is a represented person, a guardian or administrator authorised under the GAA Act Part 5 or 6 to act as next friend or guardian *ad litem*, as the case may be, of the represented person in the proceedings is the next friend or guardian *ad litem*, as the case may be.

- 
- (4) Subrule (3) does not apply, in a case to which subrule (5) or (6) or rule 6 applies, if some other person is appointed by the Court to be the next friend or guardian *ad litem*, as the case may be, of the represented person in those proceedings.
- (9) In Order 70 rule 3(5):
- (a) delete “shall be” and insert:
- is
- (b) delete “him” and insert:
- another person
- (10) In Order 70 rule 3(6):
- (a) delete “thereto” and insert:
- to the proceedings
- (b) delete “shall” and insert:
- must
- (11) Delete Order 70 rule 3(7) and insert:
- (7) Except where the next friend or guardian *ad litem* of a person under disability has been appointed by the Court, is a guardian or administrator referred to in subrule (3), or is the Public Trustee, the documents specified in subrule (8) must be filed before —
- (a) the name of any person can be used in a cause or matter as next friend of the person under disability; and
- (b) an appearance can be entered in a cause or matter for the person under disability; and
- (c) the person under disability is entitled to appear by the person’s guardian *ad litem* on the hearing of a petition, summons or motion which, or notice of which, has been served on the person.

(12) Delete Order 70 rule 3(8)(b) and (c) and insert:

- (b) an affidavit by the solicitor for the person under disability deposing —
  - (i) that the solicitor knows or believes, as the case may be, that the person to whom the affidavit relates is an infant or a represented person, stating (in the case of a represented person) the grounds of that knowledge or belief; and
  - (ii) that the person named in the affidavit as next friend or guardian *ad litem*, as the case may be, has no interest in the cause or matter in question adverse to that of the person under disability; and
  - (iii) that in the case of an infant (who is not a represented person) who has attained the age of 14 years, the infant consents to the person named in the affidavit acting as next friend or guardian *ad litem*, as the case may be.

(13) After Order 70 rule 3(8) insert:

- (9) If the person who is the next friend or guardian *ad litem*, as the case may be, of a represented person and is authorised under the GAA Act Part 5 or 6 to conduct proceedings in a cause or matter in the name of the represented person or on behalf of the represented person, a copy of the order made under the GAA Act Part 5 or 6 giving the authority must be filed before —
  - (a) the name of any person can be used in the cause or matter as next friend of the represented person; and
  - (b) an appearance can be entered in a cause or matter for the represented person; and
  - (c) the represented person is entitled to appear by the person's guardian *ad litem* on the hearing of a petition, summons or motion which, or notice of which, has been served on the person.

(14) Delete Order 70 rule 4(2) and insert:

- (2) Except as provided in subrule (3), a person must not act in a probate action as next friend or guardian *ad litem* of a person under disability unless appointed to so act by the Court.

- (15) In Order 70 rule 4(3):
- (a) delete paragraph (a) and insert:
    - (a) in the case of a represented person, the person is the guardian or administrator authorised under the GAA Act Part 5 or 6 to conduct legal proceedings in the name of the represented person;
  - (b) in paragraph (b) delete “he” and insert:  
  
the person
  - (c) in paragraph (c) delete “him or her to act as his or her” and insert:  
  
the infant to act as the infant’s
- (16) In Order 70 rule 4(4):
- (a) delete “him” and insert:  
  
the person
  - (b) delete “he” and insert:  
  
the person
- (17) In Order 70 rule 4(5):
- (a) delete “Part 5 or Part 6 of the Act” and insert:  
  
the GAA Act Part 5 or 6
  - (b) in paragraph (b)(iii) delete “he” and insert:  
  
the proposed next friend or guardian *ad litem*
- (18) In Order 70 rule 5(2) delete “(as respects that person)” and insert:  
  
(as respects the person under disability)
- (19) In Order 70 rule 5(5)(d) delete “him.” and insert:  
  
the person under disability.

- (20) In Order 70 rule 6(b) delete “him.” and insert:

that person.

- (21) In Order 70 rule 7(2) delete “shall” and insert:

must

- (22) Delete Order 70 rule 8 and insert:

**8. No implied admission from pleading**

Despite anything in Order 20 rule 14(1), a person under disability is not taken to admit the truth of any allegation of fact made in the pleading of the opposite party by reason only that the allegation was not traversed in the pleadings of the person under disability.

- (23) In Order 70 rule 9:

- (a) delete “shall”;  
(b) delete “his” and insert:

the person’s

- (24) In Order 70 rule 10(1) delete “shall be” and insert:

is

- (25) In Order 70 rule 10(2):

- (a) delete “shall” (each occurrence) and insert:

must

- (b) delete “or judge”.

- (26) In Order 70 rule 12(1) delete “shall,” and insert:

must,

- (27) Delete Order 70 rule 13(3) and insert:

- (3) If the person to be served is a person under disability only because of infancy and has no next friend or

guardian *ad litem* in the proceedings, the document may be served —

- (a) if the person is aged 16 years or upwards, on the person; or
- (b) on one of the person's parents or the person's guardian; or
- (c) if the person has no parent or guardian, on the person with whom the person resides or in whose care the person is.

(28) Delete Order 70 rule 13(4) and insert:

- (4) If the person to be served is a represented person as defined in the GAA Act section 3(1) and has no next friend or guardian *ad litem* in the proceedings, the document may be served —
  - (a) on the Public Trustee if the person is a represented person as defined in the *Public Trustee Act 1941* section 2; or
  - (b) on the person with whom the represented person resides or in whose care the person is.

(29) In Order 70 rule 13(5) delete “shall be deemed” and insert:

is taken

(30) In Order 70 rule 13(7) delete “him,” and insert:

the person,

## **10. Order 75 amended**

(1) Delete Order 75 rule 3 and insert:

### **3. Copy of summons to be placed on probate file or linked to electronic file**

- (1) Upon the issue of an originating summons under this Order, the person presenting the summons for sealing must deliver to the Principal Registrar or file electronically a copy of the will of the testator as admitted to probate or annexed to letters of administration of the testator's estate.

- (2) The Principal Registrar must —
- (a) cause a copy of the summons to be placed on the probate file in the Registry; or
  - (b) link an electronic copy of the summons to the Court’s electronic file for the probate matter.
- (3) The Principal Registrar, in writing, may delegate the Principal Registrar’s functions under subrule (2) to 1 or more officers of the Court.

- (2) Delete Order 75 rule 10.

## 11. Schedule 2 Form 5B amended

In Schedule 2 Form 5B delete “[*Central Authority/additional authority*]:” and insert:

*[person to be served]:*

Note: The headings to the amended rules listed in the Table are to read as set out in the Table.

**Table**

<b>Amended rule</b>	<b>Rule heading</b>
Order 59 r. 4	<b>Form and issue of summons</b>
Order 69 r. 2	<b>Requirements as to documents prepared by parties</b>
Order 70 r. 3	<b>Appointment of next friend or guardian <i>ad litem</i></b>
Order 70 r. 4	<b>Special provisions for probate actions</b>
Order 70 r. 5	<b>Procedure on no appearance by person under disability</b>

The Hon. Chief Justice Peter Quinlan  
 Chief Justice of Western Australia  
 Supreme Court of Western Australia

Date 10 December, 2020.

JU302

Prisons Act 1981

## Prisons Amendment Regulations 2020

SL 2020/251

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Prisons Amendment Regulations 2020*.

### 2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Prisons Amendment Act 2020* sections 4(1), 12, 19 and 23(1) come into operation.

### 3. Regulations amended

These regulations amend the *Prisons Regulations 1982*.

### 4. Part 3B inserted

After regulation 29 insert:

## Part 3B — Inspection and disclosure of medical records and mandatory taking of blood or other body samples

### Division 1 — Preliminary

#### 29A. Terms used

In this Part —

*affected prison officer* means a prison officer to whom, the chief executive officer suspects on reasonable grounds, there has been a transfer of bodily fluid from a prisoner;

*qualified person* means —

- (a) a medical officer; or
- (b) a medical practitioner; or
- (c) a person who is registered under the *Health Practitioner Regulation National Law (Western Australia)* in the nursing profession; or

- (d) the holder of —
- (i) a Certificate III in Pathology Collection from a college as defined in the *Vocational Education and Training Act 1996* section 5(1); or
  - (ii) an equivalent qualification from an institution based in another State or Territory or overseas;

*test authorisation notice* has the meaning given in regulation 29F(2).

**29B. COVID-19 prescribed as infectious disease**

COVID-19 is prescribed for the purposes of paragraph (d) of the definition of *infectious disease* in section 3(1) of the Act.

**Division 2 — Inspection and disclosure of medical records**

**29C. Inspection and disclosure of prisoner's medical records**

- (1) This regulation applies if the chief executive officer inspects a prisoner's medical records under section 46A(2)(a) of the Act.
- (2) The chief executive officer must not disclose any information in the prisoner's medical records to any person other than the affected prison officer.
- (3) For the purposes of subregulation (2), the only information that may be disclosed to the affected prison officer is information relating to the presence of an infectious disease.
- (4) The affected prison officer must not disclose the information disclosed to them under subregulation (2), except in a manner that does not disclose the identity of the prisoner or enable the identity of the prisoner to be ascertained.

Penalty for this subregulation: a fine of \$6 000.

**29D. Chief executive officer may direct medical officer to provide report on presence of infectious disease**

For the purposes of assisting with an inspection under section 46A(2)(a) of the Act, the chief executive officer may direct a medical officer to —

- (a) review a prisoner's medical records to find out whether the prisoner has an infectious disease; and
- (b) provide a report to the chief executive officer on the results of the review.

### **Division 3 — Mandatory testing of blood or other body samples**

#### **29E. Duty to notify of suspected transfer of bodily fluid**

A prison officer who suspects on reasonable grounds that there has been a transfer of bodily fluid from a prisoner to a prison officer must notify the chief executive officer.

#### **29F. Test authorisation notice**

- (1) This regulation applies if the chief executive officer requires a prisoner to submit themselves for the purpose of having a blood or other body sample taken under section 46A(2)(b) of the Act.
- (2) Before the sample is taken, the chief executive officer must give to the prisoner a notice (a *test authorisation notice*), in an approved form, that contains —
  - (a) the name of the prisoner; and
  - (b) the type of sample to be taken; and
  - (c) the infectious disease for which the sample is to be tested; and
  - (d) a statement including the following —
    - (i) the chief executive officer suspects on reasonable grounds that there has been a transfer of bodily fluid from the prisoner to a prison officer;
    - (ii) that a prison officer may take the prisoner to a place (including a place within a prison) that the chief executive officer considers has appropriate facilities for the taking of the sample;
    - (iii) that a qualified person at the place may take the sample;
    - (iv) that such force as is reasonably necessary in the circumstances may be used to take the sample;
    - (v) that the prisoner must submit themselves for the purpose of having the sample taken;
    - (vi) that the prisoner commits an aggravated prison offence if the prisoner fails to submit themselves for the purpose of having the sample taken.
- (3) The content of the test authorisation notice must, at the time when the notice is given to the prisoner, be explained to the prisoner in language most likely to be understood by the prisoner.

**29G. Effect of test authorisation notice**

A test authorisation notice given to a prisoner under regulation 29F(2) —

- (a) confers the power referred to in regulation 29F(2)(d)(ii); and
- (b) authorises —
  - (i) a sample of a type specified in the notice to be taken from the prisoner; and
  - (ii) the sample to be tested for the presence of the infectious disease named in the notice.

**29H. How samples are to be taken**

- (1) A prison officer executing a test authorisation notice may ask a qualified person to take from the prisoner a sample of a type specified in the notice.
- (2) The qualified person must not take the sample under subregulation (1) unless the qualified person is given a copy of the test authorisation notice.
- (3) Subject to section 46A(3) of the Act, in taking the sample, the qualified person may ask another person to give any reasonably necessary help.

**29I. Samples to be sealed, labelled and delivered to approved organisation**

- (1) A prison officer executing a test authorisation notice must ensure that a sample taken under the notice is sealed in a container marked or labelled in the presence of the prisoner and the prison officer with —
  - (a) the name of the prisoner; and
  - (b) the type of sample taken; and
  - (c) the infectious disease for which the sample is to be tested; and
  - (d) the name of the qualified person who took the sample; and
  - (e) the time and date when the sample was taken.
- (2) The chief executive officer may —
  - (a) approve an organisation to test the sample; and
  - (b) authorise the delivery of the sample to the organisation.

**29J. Testing of samples**

The organisation referred to in regulation 29I(2)(a) must —

- (a) test the sample for the presence of the infectious disease named in the test authorisation notice; and
- (b) notify the chief executive officer of the results of the test.

**29K. Disclosure of results of test**

- (1) The organisation referred to in regulation 29I(2)(a) must ensure that the results of any test done on the sample are not disclosed by the organisation or the employees of the organisation to any person other than the chief executive officer.
- (2) The chief executive officer must not disclose the test results to any person other than —
  - (a) the affected prison officer; or
  - (b) a medical officer responsible for the medical care and treatment of the prisoner.
- (3) The affected prison officer must not disclose the test results disclosed to them under subregulation (2)(a) except in a manner that does not disclose the identity of the prisoner or enable the identity of the prisoner to be ascertained.

Penalty for this subregulation: a fine of \$6 000.

- (4) The medical officer —
  - (a) must not disclose the test results disclosed to them under subregulation (2)(b) to any person other than the prisoner; and
  - (b) must record the test results on the prisoner's medical records held by the Department.
- (5) This regulation does not prevent the disclosure of a test result if the disclosure is authorised or required to be made under a written law apart from this regulation.

**29L. Admissibility of results of test**

The results of any test done on a sample taken from a prisoner under this Part is not admissible in evidence in any criminal proceeding against the prisoner.

V. MOLAN, Clerk of the Executive Council.

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**LOCAL GOVERNMENT**

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LG301

Local Government Act 1995

**Local Government (Mingenew - Discontinuance  
of Ward System) Order 2020**

Made by the Governor in Executive Council.

**1. Citation**

This order is the *Local Government (Mingenew - Discontinuance of Ward System) Order 2020*.

**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. Terms used**

In this order —

*commencement day* means the day on which clause 4 comes into operation;

*next election* means the first ordinary election for the Shire of Mingeneu held after commencement day;

*next election day* means the day fixed for the holding of the poll for the next election.

**4. Wards abolished**

On next election day, all wards in the district of Mingeneu are abolished.

**5. Consequential directions**

In order to give effect to clause 4 —

- (a) Part 4 of the Act applies to preparing for and conducting the next election as if the changes effected by clause 4 take effect on commencement day; and
- (b) the operation of Part 4 of the Act is modified to the extent necessary for the purposes of paragraph (a).

V. MOLAN, Clerk of the Executive Council.

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**PLANNING**

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PL301

Metropolitan Redevelopment Authority Act 2011

**Metropolitan Redevelopment Authority  
Amendment Regulations (No. 2) 2020**

SL 2020/250

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Metropolitan Redevelopment Authority Amendment Regulations (No. 2) 2020*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 24 December 2020.

**3. Regulations amended**

These regulations amend the *Metropolitan Redevelopment Authority Regulations 2011*.

**4. Regulation 10 amended**

In regulation 10(1) in the definition of *relevant plan* delete “ “Armadale redevelopment area 2019” ” and insert:

“Armadale redevelopment area 2020”

**5. Regulation 11 amended**

In regulation 11(1) in the definition of *relevant plan* delete “ “Central Perth redevelopment area” ” and insert:

“Central Perth redevelopment area 2020”

**6. Regulation 13 amended**

In regulation 13(1) in the definition of *relevant plan* delete “ “Subiaco Redevelopment Area 2017” ” and insert:

“Subiaco redevelopment area 2020”

## 7. Regulation 14B inserted

After regulation 14 insert:

### 14B. Saving of rights where land removed from redevelopment area

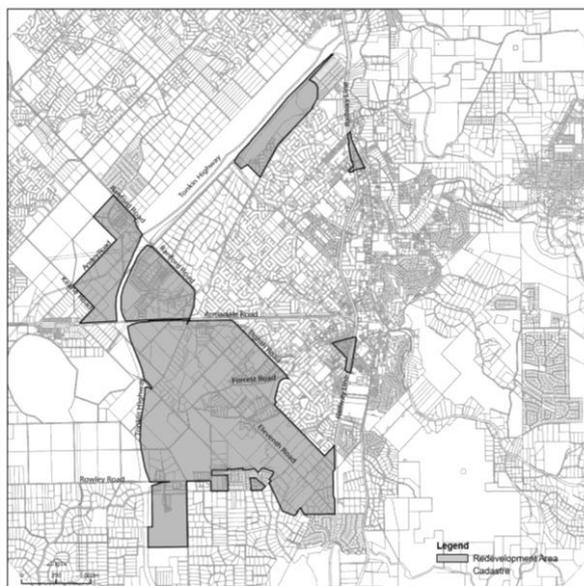
- (1) In this regulation —  
**removal day**, in relation to land removed from a redevelopment area, means the day on which the regulation made under section 31(1)(b) removing the land from the redevelopment area comes into operation.
- (2) This regulation applies if land is removed from a redevelopment area by a regulation made under section 31(1)(b).
- (3) The removal of the land from the redevelopment area does not affect —
  - (a) any right to use the land for the purpose for which the land was being lawfully used immediately before removal day; or
  - (b) any right to undertake any development on the land that was being lawfully undertaken on the land immediately before removal day.
- (4) This regulation has effect subject to any provision of the approved redevelopment scheme for the redevelopment area relating to non-conforming uses.

## 8. Schedules 1 and 2 replaced

Delete Schedules 1 and 2 and insert:

### Schedule 1 — Armadale redevelopment area

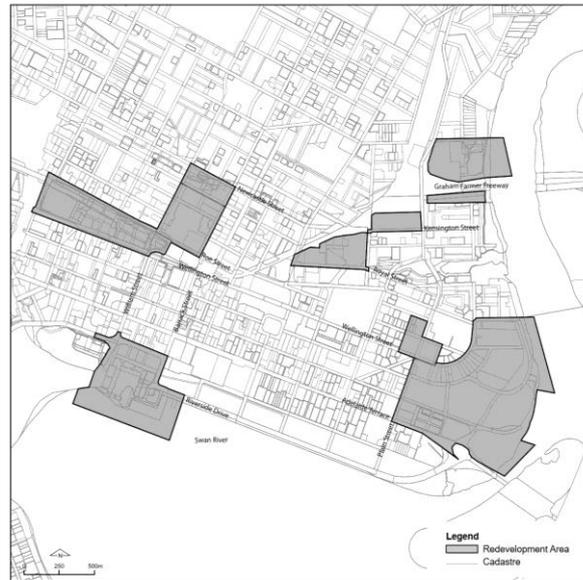
[r. 10(4)]



Armadale redevelopment area 2020

### Schedule 2 — Central Perth redevelopment area

[r. 11(4)]



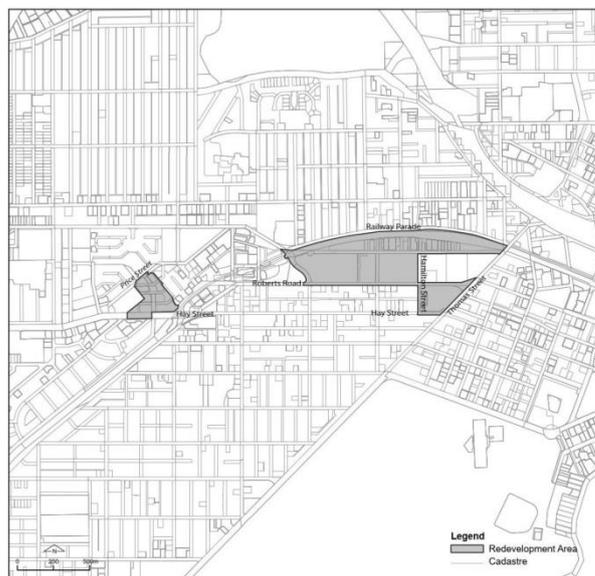
Central Perth redevelopment area 2020

**9. Schedule 4 replaced**

Delete Schedule 4 and insert:

### Schedule 4 — Subiaco redevelopment area

[r. 13(4)]



Subiaco redevelopment area 2020

V. MOLAN, Clerk of the Executive Council.

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## RACING, GAMING AND LIQUOR

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### RA301

#### RACING AND WAGERING WESTERN AUSTRALIA ACT 2003 RWWA RULES OF HARNESS RACING 2004

In accordance with Section 45 (1) (b) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 11 December 2020 resolved that the RWWA Rules of Harness Racing 2004 be amended as follows—

##### Amendments to Local Rules

Amend LR 96C

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park 6017, WA or Racing and Wagering Western Australia website, [www.rwwa.com.au](http://www.rwwa.com.au).

IAN EDWARDS, Acting Chief Executive Officer.

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### RA302

#### RACING AND WAGERING WESTERN AUSTRALIA ACT 2003 RWWA RULES OF THOROUGHBRED RACING 2019

In accordance with Section 45 (1) (a) of the *Racing and Wagering Western Australia Act 2003*, notice is hereby given that the Board of Racing and Wagering WA on 11 December 2020 resolved that the RWWA Rules of Thoroughbred Racing 2019 be amended as follows—

##### Amendments to Local Rules

Amend LR225

##### Amendments to Australian Racing Rules (National Rules) effective 1 February 2021

Amend AR69, AR104(2)(d), AR106(1), AR113, AR122(6), AR123(4), AR241, AR267 and Number 10 in Schedule 1, Part 2, Division 3—Prohibited List B thresholds.

Add AR104(2)(h), AR122(7) and AR123(5)

Re-number existing AR122(6) to AR122(8)

Re-number existing AR123(4) to AR123(6)

A copy of the above rules may be obtained during office hours from the RWWA offices at 14 Hasler Road, Osborne Park 6017, WA or Racing and Wagering Western Australia website, [www.rwwa.com.au](http://www.rwwa.com.au).

IAN EDWARDS, Acting Chief Executive Officer.

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**TREASURY AND FINANCE**

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TR301

Pay-roll Tax Relief (COVID-19 Response) Act 2020

**Pay-roll Tax Relief (COVID-19 Response)  
Amendment Regulations 2020**

SL 2020/245

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Pay-roll Tax Relief (COVID-19 Response) Amendment Regulations 2020*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *Pay-roll Tax Relief (COVID-19 Response) Regulations 2020*.

**4. Regulation 3 replaced**

Delete regulation 3 and insert:

**3. Terms used**

In these regulations —

***apprenticeship commencements subsidised exempt wages*** —

- (a) means wages paid or payable by an employer that are subsidised by an apprenticeship commencements wage subsidy; but
- (b) does not include any part of wages paid or payable by an employer that are not subsidised by an apprenticeship commencements wage subsidy;

***apprenticeship commencements wage subsidy*** means a payment that —

- (a) is payable by the Commonwealth for the purpose of encouraging employers to engage new apprentices or trainees; and
- (b) is known as the Boosting Apprenticeship Commencements wage subsidy;

***jobkeeper (extended) subsidised exempt wages*** —

- (a) means wages paid or payable by an employer, for the period commencing on 28 September 2020 and ending on 28 March 2021, that are subsidised by the jobkeeper payment; but
- (b) does not include any part of wages paid or payable by an employer that are not subsidised by the jobkeeper payment.

**5. Regulations 6 and 7 inserted**

At the end of the regulations insert:

**6. Emergency period: apprenticeship commencements subsidised exempt wages**

For the purposes of paragraph (c) of the definition of ***emergency period*** in section 4(2) of the Act, the period commencing on 5 October 2020 and ending on 30 September 2021 is prescribed in relation to apprenticeship commencements subsidised exempt wages.

**7. Exempt wages: apprenticeship commencements subsidised exempt wages**

For the purposes of section 6(c) of the Act, apprenticeship commencements subsidised exempt wages are prescribed as exempt.

V. MOLAN, Clerk of the Executive Council.

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TR302

Procurement Act 2020

## Procurement Regulations 2020

SL 2020/249

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Procurement Regulations 2020*.

### 2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Procurement Act 2020* section 41 comes into operation.

### 3. State agencies prescribed (Act s. 5(1)(c))

For the purposes of the Act, each of the following entities is prescribed to be a State agency —

- (a) the Commissioner for Children and Young People appointed under the *Commissioner for Children and Young People Act 2006* section 7(1);
- (b) the Information Commissioner appointed under the *Freedom of Information Act 1992* section 56(1);
- (c) the Parliamentary Commissioner for Administrative Investigations appointed under the *Parliamentary Commissioner Act 1971* section 5(1).

### 4. Transitional provisions for existing common use arrangements

- (1) In this regulation —

*existing common use arrangement* means an arrangement —

- (a) entered into by the State Supply Commission; and
- (b) under which the State Supply Commission obtains from a supplier a standing contractual offer for the supply of goods or services to 1 or more public authorities or persons or bodies approved under section 23 of the former Act; and
- (c) that is in force immediately before transition day;

*former Act* has the meaning given in section 40 of the Act;

*public authority* has the meaning given in section 3(1) of the former Act;

*State Supply Commission* has the meaning given in section 40 of the Act;

*supply* has the meaning given in section 3(1) of the former Act;

*transition day* has the meaning given in section 40 of the Act.

- (2) On and after transition day, each existing common use arrangement is taken to be a common use contractual arrangement.
- (3) Unless the parties to an existing common use arrangement agree otherwise on or after transition day, a reference to a potential customer in the existing common use arrangement is, despite any definition of the term in the existing common use arrangement, taken to be a reference to each State agency and authorised body (as those terms are defined in section 4(1) of the Act).

V. MOLAN, Clerk of the Executive Council.

TR303

Firearms Act 1973  
Pawnbrokers and Second-hand Dealers Act 1994

## **Police Regulations Amendment (Procurement) Regulations 2020**

**SL 2020/248**

Made by the Governor in Executive Council.

### **Part 1 — Preliminary**

#### **1. Citation**

These regulations are the *Police Regulations Amendment (Procurement) Regulations 2020*.

#### **2. Commencement**

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Procurement Act 2020* section 41 comes into operation.

**Part 2 — *Firearms Regulations 1974* amended****3. Regulations amended**

This Part amends the *Firearms Regulations 1974*.

**4. Regulation 12 amended**

Delete regulation 12(b) and insert:

- (b) sell the firearm or ammunition; or

**Part 3 — *Pawnbrokers and Second-hand Dealers Regulations 1996* amended****5. Regulations amended**

This Part amends the *Pawnbrokers and Second-hand Dealers Regulations 1996*.

**6. Regulation 3 amended**

- (1) In regulation 3 delete the definition of *public authority*.
- (2) In regulation 3 insert in alphabetical order:

*State agency* has the meaning given in the *Procurement Act 2020* section 5(1);

**7. Regulation 7 amended**

In regulation 7(1)(d) delete “public authority.” and insert:

State agency.

**8. Regulation 9 amended**

In regulation 9(d) delete “public authority.” and insert:

State agency.

**9. Regulation 13 amended**

In regulation 13(1) in the Table item 14 delete “public authority” and insert:

State agency

**10. Regulation 15 amended**

In regulation 15(3)(d) delete “public authority.” and insert:

State agency.

V. MOLAN, Clerk of the Executive Council.

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TR304

Pay-roll Tax Assessment Act 2002

## **Pay-roll Tax Assessment Amendment Regulations 2020**

**SL 2020/247**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Pay-roll Tax Assessment Amendment Regulations 2020*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day on which the *Procurement Act 2020* section 41 comes into operation.

**3. Regulations amended**

These regulations amend the *Pay-roll Tax Assessment Regulations 2003*.

**4. Schedule 1 amended**

In Schedule 1 delete “The State Supply Commission”.

V. MOLAN, Clerk of the Executive Council.

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## — PART 2 —

### AERIAL ADVERTISING

AX401

#### MAJOR EVENTS (AERIAL ADVERTISING) ACT 2009

##### EVENT ORDERS

The Minister for Sport and Recreation the Hon Mick Murray, MLA, has declared the following event to be subject to an Event Order under the Act.

**Table 1: Optus Stadium: Schedule of Events—January 2021**

Date	Location/ Venue	Event/s	Event Start time/s	Event Order Start time/s	Event Finish time/s	Event Order Finish time/s
03/01/21	Optus Stadium	BBL Match	1030	1030	1600	1700
06/01/21	Optus Stadium	BBL Match	1330	1330	1915	2015
07/01/21	Optus Stadium	BBL Match	1230	1230	1815	1915
09/01/21	Optus Stadium	BBL Match	1330	1330	1915	2015
12/01/21	Optus Stadium	BBL Match	1330	1330	1915	2015

Place at event/s conducted—

Optus Stadium

Event Organiser—

VenuesLive

The manner in which the event organiser must publicise that the event is covered by the event order—

In all advertisements for the above-mentioned matches in the *West Australian* newspaper and prior to the events

Event Order Conditions—

There are no conditions applied

### CONSERVATION

CO401

#### CONSERVATION AND LAND MANAGEMENT ACT 1984

AMENDED JOINT MANAGEMENT PLAN PREPARED FOR THE LALANG-GARRAM / CAMDEN SOUND,  
LALANG-GARRAM / HORIZONTAL FALLS AND NORTH LALANG-GARRAM MARINE PARKS AND OF  
PROPOSAL TO RESERVE WESTERN AUSTRALIAN WATERS.

Proposed Bardi Jawi Marine Park Management Plan 2020; Proposed Mayala Marine Park  
Management Plan 2020; and Amended Joint Management Plan for the Lalang-garram / Camden  
Sound, Lalang-garram / Horizontal Falls and North Lalang-garram Marine Parks and Indicative  
Joint Management Plan for the Proposed Maiyalam Marine Park 2020.

Notice is hereby given under section 14 of the *Conservation and Land Management Act 1984* (CALM Act) of a proposal to reserve Western Australian waters under CALM Act section 13(1) as marine parks in the Buccaneer Archipelago and surrounds and that the marine parks will be classified as Class A under CALM Act section 13(4).

Notice is given under section 14 of the CALM Act to advise that the *Proposed Mayala Marine Park Indicative Joint Management Plan 2020*; the *Proposed Bardi Jawi Marine Park Indicative Joint Management Plan 2020*; and the *Proposed Maiyalam Marine Park Indicative Joint Management Plan for the 2020* (the plans) are available for public comment.

Notice is also given under CALM Act section 57 to advise that proposed amendments to the *Lalang-garram / Camden Sound Marine Park Management Plan 73, 2013-2023* and the *Lalang-garram / Horizontal Falls and North Lalang-garram Marine Parks Joint Management Plan 2016 Management Plan 88* are available for public comment. The proposed amendments comprise changes to structure

and wording of the management plans to amalgamate the plans and management arrangements with those of the *Proposed Maiyalam Marine Park Indicative Joint Management Plan 2020*. Management arrangements within the existing marine parks remain unchanged. An exception is an amendment to the permitted activities table to change moorings from 'no' to 'assess' in the special purpose zone (whale conservation) in Lalang-garram / Camden Sound Marine Park, to be able to better manage visitation impacts in this zone. The second exception is an amendment to the permitted activities table to change moorings from 'yes' to 'assess' in the sanctuary zones in Lalang-garram / Camden Sound Marine Park.

Indicative joint management plans have been prepared in consultation with traditional owners outlining how the proposed Bardi Jawi, Mayala and Maiyalam marine parks will be managed. The plans include a map and details of the proposed boundaries, marine park management zoning and management strategies for the proposed marine parks. It is proposed that the Bardi Jawi, Mayala and Maiyalam marine parks will be jointly managed by Bardi and Jawi, Mayala and Dambeemanggardee traditional owners respectively, and the Department of Biodiversity, Conservation and Attractions. The proposed parks will be reserved subject to compliance with the *Native Title Act 1993* (Commonwealth). In addition, section 57(2) of the CALM Act requires the preparation of management plans under the CALM Act to have the objective of protecting and conserving the value of the land to the culture and heritage of Aboriginal persons.

Marine parks are created to protect natural features and aesthetic, scientific and educational values while at the same time enabling compatible recreational and commercial uses. The statutory purpose of marine parks is provided in CALM Act section 13B(1).

#### **Proposed Bardi Jawi Marine Park boundary**

Situated in the Indian Ocean, the proposed Bardi Jawi Marine Park comprises Western Australian waters, the airspace above those waters, the seabed below those waters, and the subsoil to a depth of two hundred metres below that seabed that are—

- (a) contained within and bounded by a line—
  - (i) commencing offshore generally north-north-east of Swan Point at the intersection of the seaward limit of the coastal waters of the State and a south-western boundary of the Mayala People (WCD2018/009) Determination Area that crosses that limit, and from that point;
  - (ii) extending generally south-easterly, south-westerly, and again south-easterly along that boundary, and along the contiguous boundary of the Bardi and Jawi (WCD2005/003) Determination Area, to the point located at the intersection of those boundaries and the 'southern boundary' defined in the Bardi and Jawi (WCD2005/003) Determination on page 10;
  - (iii) thence west along that 'southern boundary' to the point located at the intersection of that boundary and the high water mark of the mainland, that point being generally south of Carlisle Head on the eastern side of the Dampier Peninsula;
  - (iv) thence generally northerly along the high water mark of the mainland past Cunningham Point, and continuing along that water mark on the eastern side of Dampier Peninsula past Cygnet Bay, Catamaran Bay, One Arm Point, Curlew Bay, and around Swan Point;
  - (v) and further continuing along the high water mark of the mainland down the western side of Dampier Peninsula past Cape Leveque, Thomas Bay, Chile Head, Lombadina Point, Cape Borda and Lombardachin Bore, to the point located at the intersection of that water mark and the 'southern boundary' defined in the Bardi and Jawi (WCD2005/003) Determination on page 10, that point being located on the northern boundary of Reserve 1834 alongside Kelk Creek;
  - (vi) thence westerly along that 'southern boundary' to the 'centre line of Kelk Creek', and further continuing generally north-westerly and west-north-westerly along that 'southern boundary', down Kelk Creek and across Pender Bay, to the point located at the intersection of that 'southern boundary' and the seaward limit of the coastal waters of the State;
  - (vii) thence generally northerly and generally north-easterly along that limit, past Alarm Shoal, Ferret Reef and Fitzgerald Patch, to the point of commencement;
- (b) and within that line, excludes all islands for that part of those islands that is landward of the high water mark.

#### **Proposed Mayala Marine Park boundary**

Situated in the Indian Ocean, the proposed Mayala Marine Park comprises Western Australian waters, the airspace above those waters, the seabed below those waters, and the subsoil to a depth of two hundred metres below that seabed that are—

- (a) contained within and bounded by a line—
  - (i) commencing offshore generally east of Tasmanian Shoal at the intersection of the seaward limit of the coastal waters of the State and the northernmost boundary of the Mayala People (WCD2018/009) Determination Area, and from that point;
  - (ii) extending easterly along the northern boundary of that determination area, to the easternmost point of that northern boundary;
  - (iii) thence southerly along the boundary of that determination area to the point located at the intersection of that determination area boundary and Latitude 16°03'06" South;

- (iv) thence west along that latitude to the point located at the intersection of that latitude and the easternmost boundary of mining lease M 04/452-I;
  - (v) thence northerly, westerly, southerly, again westerly, again southerly, and easterly along the boundary of that mining lease, and excluding Bathurst and Flora islands that are intersected by that mining lease boundary for that part of those islands that is landward of the high water mark, to the point located at the intersection of the southernmost boundary of that mining lease and Longitude 123°32'37.2" East;
  - (vi) thence south along that longitude to the point located at the intersection of that longitude and Latitude 16°08'00" South (GDA2020);
  - (vii) thence east along that latitude to the point located at the intersection of that latitude and the boundary of the Mayala People (WCD2018/009) Determination Area;
  - (viii) thence generally southerly along the boundary of the Mayala People (WCD2018/009) Determination Area, and along the high water mark of any land that intersects that determination area boundary and extends into that determination area, through Whirlpool Pass and past Strickland Bay, Cone Bay and Cascade Bay, and continuing generally southerly and generally south-easterly along that determination area boundary to the easternmost point of the southernmost boundary of that determination area;
  - (ix) thence westerly along the southernmost boundary of that determination area to the westernmost point of that southernmost boundary, that point being coincident with the boundary of the Bardi and Jawi (WCD2005/003) Determination Area in King Sound;
  - (x) thence generally north-westerly along the boundary of the Mayala People (WCD2018/009) Determination Area, through King Sound and Sunday Strait, to the point located at the intersection of that determination area boundary and the seaward limit of the coastal waters of the State;
  - (xi) thence generally north-easterly along that limit to the point of commencement;
- (b) and within that line, excludes all islands for that part of those islands that is landward of the high water mark.

#### **Proposed Maiyalam Marine Park boundary**

Situated in the Indian Ocean, the proposed Maiyalam Marine Park comprises Western Australian waters, the airspace above those waters, the seabed below those waters, and the subsoil to a depth of two hundred metres below that seabed that are—

- (a) contained within and bounded by a line—
  - (i) commencing offshore generally west-north-west of Macleay Island at the intersection of the Dambimangari (WCD2011/002) Determination Area boundary and Latitude 15°55'00" South, that point being on the westernmost southern boundary of Lalang-garram / Camden Sound Marine Park (Marine Reserve 15 on Deposited Plan 409992), and from that point;
  - (ii) extending east along that latitude, contiguous with the boundary of that marine park, to the point located at the intersection of that latitude and Longitude 123°45'00" East;
  - (iii) thence south along that longitude, contiguous with the boundary of that marine park, to the point located at the intersection of that longitude and Latitude 16°03'00" South;
  - (iv) thence east along that latitude, contiguous with the boundary of that marine park, to the point located at the intersection of that latitude and Longitude 123°48'12" East, that point being coincident with a north-western corner of Lalang-garram / Horizontal Falls Marine Park (Marine Reserve 18 on Deposited Plan 410023);
  - (v) thence south along that longitude, contiguous with the boundary of that marine park, and along the western high water mark of the island intersected by that longitude, and continuing south along that longitude to the point located at the intersection of that longitude and the high water mark on the northern side of an un-named island near the seaward entrance to Talbot Bay, that intersection point being the one nearest latitude 16°11'16.20" South;
  - (vi) thence generally westerly, generally southerly and generally easterly along that watermark, around that island, to the point located at the intersection of that watermark and the easternmost boundary of Lot 3000 on Deposited Plan 63939 (Reserve 50387—Yampi Sound Port Area) on the southern side of that island;
  - (vii) thence southerly along the easternmost boundary of that lot, and excluding islands that are intersected by that lot boundary for that part of those islands that is landward of the high water mark, and continuing south-westerly along a south-eastern boundary of that lot, to the point located at the intersection of that lot boundary and the mainland high water mark;
  - (viii) thence generally north-westerly along that water mark to the point located at the intersection of that water mark and Latitude 16°10'00" South (GDA2020), that intersection point being the one nearest Longitude 123°45'57" East;
  - (ix) thence east along that latitude, and excluding islands that are intersected by that latitude for that part of those islands that is landward of the high water mark, to the point located at the intersection of that latitude and Longitude 123°48'10.80" East;

- (x) thence north along that longitude to the point located at the intersection of that longitude and Latitude 16°09'37.20" South;
  - (xi) thence west along that latitude to the point located at the intersection of that latitude and the easternmost boundary of mining exploration licence E 04/1266;
  - (xii) thence northerly and westerly along the boundary of that mining exploration licence to the point located at the intersection of that boundary and Longitude 123°44'12" East;
  - (xiii) thence north along that longitude to the point located at the intersection of that longitude and Latitude 16°03'06" South;
  - (xiv) thence west along that latitude to the point located at the intersection of that latitude and a western boundary of the Dambimangari (WCD2011/002) Determination Area;
  - (xv) thence northerly along the boundary of that determination area to the point of commencement;
- (b) and contained within and bounded by a line—
- (i) commencing offshore generally north-west of Conilurus Island at the point located at the intersection of the Dambimangari (WCD2011/002) Determination Area boundary and Latitude 16°08'00" South (GDA2020), and from that point;
  - (ii) extending east along that latitude to the point located at the intersection of that latitude and Longitude 123°36'00" East (GDA2020);
  - (iii) thence south along that longitude to the point located at the intersection of that longitude and Latitude 16°08'48" South (GDA2020);
  - (iv) thence east along that latitude to the point located at the intersection of that latitude and Longitude 123°41'00" East;
  - (v) thence north along that longitude to the point located at the intersection of that longitude and Latitude 16°08'00" South (GDA2020);
  - (vi) thence east along that latitude to the point located at the intersection of that latitude and the high water mark of the mainland, that intersection point being the one nearest Longitude 123°42'15.60" East, generally south-east of Nares Point;
  - (vii) thence generally south-easterly along that water mark and continuing along that water mark generally westerly, around Silver Gull Creek, Myridi Bay and Coppermine Creek and past Koomi Point;
  - (viii) thence generally southerly and generally south-easterly along the high water mark of the mainland, and along the boundary of the Dambimangari (WCD2011/002) Determination Area where that water mark intersects that determination area boundary and extends into the Mayala People (WCD2018/009) Determination Area, around Boonook Bay, Mundurrul Bay, Strickland Bay, Cone Bay and Cascade Bay and into King Sound, to the point located at the intersection of that water mark and a southern boundary of the Dambimangari (WCD2011/002) Determination Area, that point being adjacent to Stokes Bay on the eastern side of King Sound;
  - (ix) thence westerly along the boundary of that determination area to the westernmost point of that southern boundary, that point being located offshore in King Sound;
  - (x) thence generally northerly along the boundary of the Dambimangari (WCD2011/002) Determination Area, past Cascade Bay, Cone Bay and Strickland Bay, through Whirlpool Pass and past Goose Channel, to the point of commencement;
- (c) and within those lines, excludes all islands for that part of those islands that is landward of the high water mark.

The proposed marine parks will be reserved subject to compliance with the *Native Title Act 1993* (Commonwealth).

**Notes—**

- (1) All referenced Deposited Plans are held by the Western Australian Land Information Authority, trading as Landgate.
- (2) **Bardi and Jawi (WCD2005/003) Determination** means the determination of native title made by the Federal Court of Australia in *Sampi on behalf of the Bardi and Jawi People v State of Western Australia (No 2) [2010] FCAFC 99*, National Native Title Tribunal file number WCD2005/003.
- (3) **Bardi and Jawi (WCD2005/003) Determination Area** means the area the subject of the Bardi and Jawi (WCD2005/003) Determination.
- (4) Boundary positions as described are subject to survey.
- (5) **coastal waters of the State** has the meaning given to that term in the *Coastal Waters (State Powers) Act 1980* (Commonwealth) section 3(1).
- (6) **Datum**: Geocentric Datum of Australia 1994 (GDA94), unless otherwise defined.
- (7) **Dambimangari (WCD2011/002) Determination Area** means the area the subject of the determination of native title made by the Federal Court of Australia in *Barunga v State of Western Australia [2011] FCA 518*, National Native Title Tribunal file number WCD2011/002.
- (8) **high water mark** means the ordinary high water mark at spring tides as defined in the *Land Administration Act 1997* section 3(1).

- (9) **Mayala People (WCD2018/009) Determination Area** means the area the subject of the determination of native title made by the Federal Court of Australia in *Wiggan on behalf of the Mayala People v State of Western Australia [2018] FCA 1485*, National Native Title Tribunal file number WCD2018/009.
- (10) **Western Australian waters** means all waters that are within the limits of the State; or that are *coastal waters of the State*.

Under CALM Act section 62(1a), the proposed Bardi Jawi, Mayala and Maiyalam marine parks are intended to be zoned for management purposes by classifying areas within it as general use area, sanctuary area and special purpose area for cultural protection.

The conservation purpose of the special purpose areas (cultural protection) in the propose Bardi Jawi Marine Park will be to recognise the value of the land and waters to the culture and heritage of Bardi and Jawi People. The conservation purpose of the special purpose areas (cultural protection) in the proposed Mayala Marine Park will be to recognise the value of the land and waters to the culture and heritage of Mayala People. The conservation purpose of the special purpose areas (cultural protection) in the propose Maiyalam Marine Park will be to recognise the value of the land and waters to the culture and heritage of Dambeemangarddee People. The following activities are considered to be incompatible with the purpose of these areas: commercial fishing (other than commercial trochus fishing); commercial coral, live rock and sand collection; pearling and associated activities; aquaculture; mining or petroleum activities that disturb the land, seabed or subsoil; non-ground-disturbing activities including geophysical surveys, geological mapping, sampling and geochemical surveying; ship loading and other mining related infrastructure (e.g. ship loading docks, cabling or pipelines); artificial structures; bioprospecting; wildlife/fish feeding; recreational fishing (other than by charter vessel or on a guided tour); vessel sewage discharge and de-ballasting.

### Submissions

Any person may make a written submission on the proposal and all persons with an interest in the proposals are encouraged to do so. Written submissions will be considered as part of the finalisation of the proposals.

Copies of the indicative and amended joint management plans, inclusive of maps of the proposed marine parks and zoning schemes, can be inspected at the following State Government offices—

#### Department of Biodiversity, Conservation and Attractions

- 17 Dick Perry Avenue, Technology Park, Western Precinct, Kensington.
- West Kimberley District Office, 111 Herbert Street, Broome.

#### Department of Primary Industries and Regional Development

- Broome Regional Office, Port of Pearls House, 401 Port Drive, Broome.

The indicative joint management plan can be downloaded, and an online submission completed, at <https://www.dbca.wa.gov.au/haveyoursay>.

Written submissions can be directed to—

Plan Coordinator  
Aboriginal Engagement, Planning and Lands Branch  
Department of Biodiversity, Conservation and Attractions  
Locked Bag 104  
Bentley Delivery Centre WA 6983

**The closing date for submissions is Friday 21 May 2021.**

MARK WEBB, Director General, Department of Biodiversity,  
Conservation and Attractions.

Dated 16 December 2020.

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## CONSUMER PROTECTION

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CP401

### RETAIL TRADING HOURS ACT 1987

#### RETAIL TRADING HOURS

#### *Shire of Wagin*

#### Christmas Variation Order 2020

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

#### 1. Citation

This order is the *Retail Trading Hours (Shire of Wagin) Christmas Variation Order 2020*.

#### 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**

The Wagin Foodworks Supermarket, 3/11 Tavistock Street, Wagin is authorised to be open at times when the shop would otherwise be required to be closed—

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

**Table**

Day	Hours
Monday 28 December 2020	9.00am until 5.00pm

J. QUIGLEY, Minister for Commerce.

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## EDUCATION

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**ED401****SCHOOL EDUCATION ACT 1999****HIGHER SCHOOL LEAVING AGE OPTIONS ORDER (NO. 2) 2020**

Made by the Minister for Education under section 11B (2) of the *School Education Act 1999*.

**1. Citation**

This is the *Higher School Leaving Age Options Order (No. 2) 2020*.

**2. Repealed order**

The *Higher School Leaving Age Options Order 2020* is repealed.

**3. Prescribed courses and providers**

(1) A course specified in column 1 of the table to this clause, being a course that does not otherwise come within section 11B (1) of the *School Education Act 1999*, is prescribed as a course for the purposes of that subsection.

(2) The person or body specified in column 2 of the table to this clause opposite and corresponding to the course referred to in column 1 of the table is specified as the provider for that course.

(3) The locations specified in column 3 of the table to this clause opposite and corresponding to the course referred to in column 1 of the table are specified as the locations from which that course may be delivered.

(4) The date specified in column 4 of the table to this clause opposite and corresponding to the course referred to in column 1 of the table is specified as the final date of approval for the course.

**Table**

Column 1 Course	Column 2 Provider	Column 3 Location	Column 4 Final date
Anchor Point	Youth Futures Ltd	1 Kingfisher Avenue, Ballajura Unit 6, 4 Bassendean Road, Bayswater 19 Sundew Rise, Joondalup 8 Sudbury Road, Mirrabooka	31 December 2023

Dated this 13th day of December, 2020.

SUE ELLERY, MLC, Minister for Education and Training.

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## MINERALS AND PETROLEUM

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**MP401****MINING ACT 1978****INSTRUMENT OF EXTENSION OF TERM OF EXEMPTION OF LAND**

I, Anthony Thomas Bullen, Acting Executive Director, Resource Tenure, pursuant to section 19 of the *Mining Act 1978*, hereby extend the exemption originally declared on 12 December 2008 and published in the *Government Gazette* dated 30 December 2008 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 period of two years expiring on 11 December 2020.

**Locality**

Cape Preston

**Description of Land**

Land designated S19/315 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 G08/0074, document ID 6099336.

**Area of Land**

5561.0162 hectares

Dated at Perth this 10th day of December, 2020.

ANTHONY THOMAS BULLEN, Acting Executive Director, Resource Tenure.

**MP402****MINING ACT 1978****INSTRUMENT OF EXTENSION OF TERM OF EXEMPTION OF LAND**

I, Anthony Thomas Bullen, Acting Executive Director, Resource Tenure, pursuant to section 19 of the *Mining Act 1978*, hereby extends the exemption originally declared on 16 January 2017 and published in the *Government Gazette* dated 27 January 2017 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 period of two years expiring on 15 January 2023.

**Locality**

Ellendale—West Kimberley Mineral Field

**Description of Land**

Land designated S19/368 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 A0785/201801, document ID 7926235.

**Area of Land**

3,783.62 hectares

Dated at Perth this 11th day of December, 2020.

ANTHONY THOMAS BULLEN, Acting Executive Director, Resource Tenure.

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**PLANNING**

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**PL101****CORRECTION****PLANNING AND DEVELOPMENT ACT 2005***Town of Port Hedland***LOCAL PLANNING SCHEME NO. 5—AMENDMENT NO. 84**

Ref: TPS/2629

It is hereby notified for public information that the notice under the above Amendment No. 84 published at page 4224 of the *Government Gazette* No. 189 dated 13 November 2020, contained an error which is now corrected as follows—

4. Amending Appendix 10—Urban Development Additional Development Requirements as shown below—

**To read—**

4. Amending Appendix 7—Urban Development Additional Development Requirements as shown below—

C. ASKEW, Chief Executive Officer.

**PL401****PLANNING AND DEVELOPMENT ACT 2005**  
DECLARATION OF PLANNING CONTROL AREA 134  
*City of Canning*

Thornlie-Cockburn Link (METRONET)—Ranford Road

File No. 835-2-1-20

**General description**

The Minister for Planning as granted approval to amend Planning Control Area 134. The planning control area has previously been declared to protect land required for the Thornlie-Cockburn Link at Ranford Road, Canning Vale. The planning control area is now amended to allow for the inclusion of the Ranford Road Station Rail Corridor Widening as shown on the Western Australian Planning Commission (WAPC) plan numbered 3.2733/1.

**Purpose**

The purpose of the planning control area is to facilitate development of the land for railways purposes. The WAPC considers that the planning control area is required to ensure that no development occurs on this land which might prejudice this purpose.

**Duration and effects**

The declaration remains in effect for a period of five years from the date of publication of this notice in the *Government Gazette* to 7 May 2024 or until revoked by the WAPC with approval by the Minister, whichever is the sooner.

A person shall not commence and carry out development in a planning control area without the prior approval of the WAPC. The penalty for failure to comply with this requirement is \$200,000 and, in the case of a continuing offence, a further fine of \$25,000 for each day during which the offence continues.

Compensation is payable in respect of land injuriously affected by this declaration, and land so affected may be acquired by the WAPC in the same circumstances and in the same manner as if the land had been reserved in the Metropolitan Region Scheme for a public purpose.

**Display locations**

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Canning, 1317 Albany Highway, Cannington.

Documents can also be viewed online at the Department of Planning, Lands and Heritage website <https://www.dplh.wa.gov.au/planning-control-areas>.

Ms. SAM FAGAN, Secretary, Western Australian Planning Commission.

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**PREMIER AND CABINET**

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**PR401****INTERPRETATION ACT 1984**  
COMMITTAL OF ADMINISTRATION OF ACT

It is notified for public information that on 17 November 2020, the Governor, under the *Interpretation Act 1984* section 12(a), committed the administration of the *Road Traffic Act 1974* as follows—

- Part 6A to the Minister for Transport; and
- The rest of the Act, to the Minister for Road Safety.

V. MOLAN, Clerk of the Executive Council.

**PR402****INTERPRETATION ACT 1984**  
COMMITTAL OF ADMINISTRATION OF ACT

It is notified for public information that on 1 December 2020, the Governor, under the *Interpretation Act 1984* section 12(a), committed the administration of the *Work Health and Safety Act 2020* to the Minister for Industrial Relations.

V. MOLAN, Clerk of the Executive Council.

**PR403****INTERPRETATION ACT 1984****COMMITTAL OF ADMINISTRATION OF ACT**

It is notified for public information that on 15 December 2020, the Governor, under the *Interpretation Act 1984* section 12(a), committed the administration of the *Mutual Recognition (Western Australia) Act 2020* to the Premier.

V. MOLAN, Clerk of the Executive Council.

**PR404****INTERPRETATION ACT 1984****MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor, in accordance with section 12(c) of the *Interpretation Act 1984*, has approved the following temporary appointment—

Hon F M Logan MLA to act temporarily in the office of Minister for Police; Road Safety in the absence of the Hon M H Roberts MLA for the period 28 December 2020 to 3 January 2021 (both dates inclusive).

R. BROWN, A/Director General, Department of the Premier and Cabinet.

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## TREASURY AND FINANCE

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**TR401****FINANCIAL MANAGEMENT ACT 2006****TREASURER'S INSTRUCTIONS**

Department of Treasury  
Perth, 18 December 2020.

It is notified for general information that, pursuant to section 78 of the *Financial Management Act 2006*, the Treasurer has amended or deleted the following Treasurer's instructions—

Treasurer's Instruction	Title	Action
104C	Annual Reporting 2019-20 Exemption	Deleted
202	Collection Agents	Amended
204	Cashing of Cheques, Change	Deleted
213	Receipt of Money by Credit/Debit Card	Deleted
214	Personal Cash and Cheques	Deleted
302	Supplementation of Appropriation	Amended
307	Treasurer's Advance	Deleted
310	Payments and Returned Payments	Amended
320	Refunds of Revenue	Amended
323	Timely Payment of Accounts	Amended
406	Custody of Public Property	Amended
410	Records of Assets	Amended
411	Motor Vehicles	Amended
807	Write-Offs	Amended
951	Related and Affiliated Bodies	Amended
1102	Statements of Comprehensive Income	Amended

The full suite of financial management legislation (including the Treasurer's instructions) is available for download from: <https://www.wa.gov.au/government/publications/financial-administration-bookcase>

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**PUBLIC NOTICES**

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ZZ401

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

## Notice to Creditors and Claimants

Robert John Day, late of 4 Forrest Street, Northam, Western Australia, Spray Painter, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased who died on 24 July 2020 are required by the Legal Personal Representative Mr Jason Nicholas Day of care of Birman & Ride Lawyers, Level 3, 16 Irwin Street, Perth WA 6000 to send particulars of their claim to him by the date one month from the publication date after which date the Legal Personal Representative 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

In the matter of the Estate of Olwen Spiers, late of 1 Gibney Street, Cottesloe, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the Estate of the deceased, who died on the 13th day of May 2020, are required by the Executor, Stuart Mark Caradoc Moore to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia, by the 18th day of January 2021, after which date the said Executor may convey or distribute the assets, having regard only to the claims of which he then has had notice.

PETER A. NEVIN, Taylor Smart.

ZZ403

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

## Notice to Creditors and Claimants

Eggert Jochum Vikingur, late of 1 Munday Way, Medina, 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 21 August 2020, are required by the trustee of the late Eggert Jochum Vikingur, 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

ZZ404

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

## Notice to Creditors and Claimants

Alexander Fairweather, late of Unit 2/4 Kirkus Road, Medina in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died 19 March 2020, are required by the trustee of the late Alexander Fairweather, 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

**ZZ405****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Valerie Mary Huljich, late of 18 Denham Street, Spearwood, 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 the 5th of August 2020, are required by the trustees Dean Robert Bavich of 32 Marian Avenue, Armadale, Western Australia and Peter John Thorpe of 4 Birbeck Way, Spearwood, Western Australia to send particulars of their claims to solicitor Alya Barnes, Barnes & Gatti Legal, Unit 1, 8 Pakenham Street, Fremantle, Western Australia within 31 days of the date of this notice. After such date the trustee may convey or distribute the assets, having regard only to the claims of which they then have notice.

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**ZZ406****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Giovanni Serra (also known as John Serra), late of 19 Richardson Road, Coogee, 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 25 January 2020, are required by the trustee, Joanne McGivern of care of Frichot Lawyers, Level 1 Manning Buildings, 135 High Street Mall, Fremantle, Western Australia, to send particulars of their claim to them by 18 January 2021, after which date the trustees may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

## Notice to Creditors and Claimants

Estate of the late Aurora Martyn late of 70 Koolinda Street, Falcon 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 or before 1 January 2020, are requested by the Executor, Murray Thornhill, c/- HHG Legal Group, PO Box 231, Mandurah, 6210, Western Australia to send particulars of their claims to the address stated herein within 30 days of this notice, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

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

Adams, Marjorie, also known as Adams, Marj late of Moonya Lodge, 59 Ipsen Street, Manjimup, who died on 5 November 2020 (PM33118541 EM27).

Brown, Margaret Jean late of 61 Abbotswood Parkway, Erskine, who died on 16 October 2020 (DE19642313 EM38).

Cope, John late of Marist Lodge Nursing Home, 12 Lapage Street, Belmont, who died on 13 January 2015 (DE33091550 EM36).

Cox, Grace Irene late of Undercliffe House, 22 Coongan Avenue, Greenmount, who died on 12 November 2020 (DE19680264 EM36).

Flannery, Barrie Thomas late of 8 Dellwood Lane, Ballajura, who died on 30 October 2020 (DE33161623 EM37).

- Fooks, Patricia Doreen late of 8 Lakeview Drive, Edgewater, who died on 28 November 2020 (DE19916396 EM110).
- Lyons, Joan Eileen late of St Francis Court, Unit 305, 34 Robinson Street, Inglewood, who died on 23 August 2020 (DE19880764 EM36).
- Morris, Alan Richard late of James Brown House, 32/171 Albert Street, Osborne Park, who died on 31 October 2020 (DE19934218 EM16).
- Pages-Oliver, Kenneth John late of 54/47 Forrest Avenue, East Perth, who died on 21 May 2020 (DE19590025 EM38).
- Skane, Brian Ross formerly of 10 Hepburn Way, Balga, late of Anchorage Aged Care, 340 Anchorage Drive, Mindarie, who died on 19 September 2020 (DE19962695 EM36).
- Studsor, Shirley Joan late of Opal Aged Care, 39 Hayes Street, Bunbury, who died on 9 September 2020 (DE19970680 EM26).
- Zaunmayr, Lorna Mary, late of Aegis Balmoral, Unit 32/29 Gardner Street, Como, who died on 18 October 2020 (DE33028644 EM213).
- Zhu, Yuchuan, late of Concorde Nursing Home, 25 Anstey Street, South Perth, who died on 17 April 2020 (DE33134309 EM214).

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

**ZZ409**

**TRUSTEES ACT 1962**  
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 this 18th day of December 2020.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Murray, Wayne Frederick (DE19820039 EM16)	Formerly of 9 Oakover Street East Fremantle, Late of 9 O'Reilly Close, Beaconsfield	27 August 2020	10 December 2020

**ZZ501**

**DISPOSAL OF UNCOLLECTED GOODS ACT 1970**  
DISPOSAL OF UNCOLLECTED GOODS

Intention to Apply to Court for an Order to Sell or Otherwise Dispose of Goods  
Valued in Excess of \$3,500.00

To: Chokar Shyampal 66 Willis Street, Victoria Park, Western Australia, Bailor.

You were given notice on 27 September 2019 that the following goods: Peugeot 508 1DWO839 situated at Gosnells Smash Repairs, Maddington, Western Australia were ready for redelivery.

You were given another notice on 14 September 2020 to pay for the repairs and storage fee for the following goods: Peugeot 508 1DWO839 situated at Gosnells Smash Repairs, Maddington, Western Australia.

Since you failed to pay the account or collect the vehicle on 18 September 2020. Gosnells Smash Repairs, bailee, has no option but to dispose of the vehicle in accordance with the Act.

Should you wish to take repossession of the goods, please contact Rick Visser of Gosnells Smash Repairs on (08) 94596307.

Dated: 11 December 2020.

GOSNELLS SMASH REPAIRS.