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

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

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

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

Email address:

gazette@dpc.wa.gov.au

- Inquiries regarding publication of notices can be directed to the Publications Officer on (08) 6552 6012.
- **Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.**

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

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2022 (Prices include GST)

Public Notices Section—\$78.20 minimum charge (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

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Per Column Centimetre—\$15.60

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Clients who **have** an account will only be invoiced for charges over \$100.

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Clients without an account will need to supply credit card details at the time of lodging the notice.

— PART 2 —

ENERGY

EN401**ELECTRICITY INDUSTRY ACT 2004****GRANT OF ELECTRICITY GENERATION LICENCE**

Notice under section 23 (1) Notice of Decisions.

Notice is given that the following electricity generation licence has been granted—

Licensee:	FRWF Stage 1 Pty Ltd (ACN 165 951 977)
Address of Licensee:	Level 23.07, 100 Barangaroo Avenue Barangaroo NSW 2000
Classification:	Electricity generation licence (EGL31, Version 1)
Commencement Date:	22 July 2022
Term of Licence:	Up to and including 21 July 2052
Licence Area:	The licence area is the area as set out in plan ERA-EL-160 in the State of Western Australia.
Inspection of Licence:	Economic Regulation Authority 4th Floor, Albert Facey House 469 Wellington Street Perth WA 6000 http://www.erawa.com.au

Mr STEVE EDWELL, Chair,
Economic Regulation Authority.

EN402**ELECTRICITY INDUSTRY ACT 2004****RENEWAL OF LICENCE**

Notice is given that the following electricity retail licence has been renewed—

Licensee:	Bluewaters Power 1 Pty Ltd ABN 93 106 034 879
Business address:	Level 8, 225 St George's Terrace, PERTH WA 6000
Classification:	Electricity retail licence (ERL12, Version 9)
Renewal date:	14 August 2022
Term of licence:	Up to and including 13 August 2025
Licence area:	The licence area is the area as set out in plan ERA-EL-103(C) in the State of Western Australia.
Inspection of licence:	Economic Regulation Authority 4th Floor, Albert Facey House 469 Wellington Street Perth WA 6000 http://www.erawa.com.au

MR STEVE EDWELL, Chair,
Economic Regulation Authority.

FIRE AND EMERGENCY SERVICES

FE401

EMERGENCY MANAGEMENT ACT 2005

EXTENSION OF STATE OF EMERGENCY DECLARATION

I, Stephen Noel Dawson, the Minister for Emergency Services, hereby extend the state of emergency declaration made on 15 March 2020 at 12:45 pm.

The state of emergency declaration is extended for a period of fourteen (14) days.

The powers that may be exercised during the period by which the state of emergency declaration is extended are limited as follows: Nil limitations.

Time when declaration made: 2:49 pm.

Date on which declaration made: 26 July 2022.

This declaration has effect from 12 am on 29 July 2022 and remains in force until—

(a) 12 am on 12 August 2022; or

(b) It is revoked under section 59 of the *Emergency Management Act 2005*.

This declaration of an extension of a state of emergency declaration is made under section 58 of the *Emergency Management Act 2005*.

STEPHEN NOEL DAWSON, Minister for Emergency Services.

FISHERIES

FI401

FISH RESOURCES MANAGEMENT ACT 1994

DECLARATION OF AUTHORISED PERSONS

A9179501

Made by the Minister under section 213 (2).

1. Declaration

The persons listed in the Schedule to this instrument are authorised persons for the purposes of section 213.

2. Revocation

The Notice made under section 213 and published in the *Government Gazette* (No.124) of 12 July 2013 is revoked.

Schedule

Dr Jason How	Department of Primary Industries and Regional Development (Deep sea crabs and rock lobster)
Dr Lachlan Strain	Department of Primary Industries and Regional Development (Abalone)
Dr Lynda Maree Bellchambers	Department of Primary Industries and Regional Development (Habitat, Ecosystem effects on fisheries, MSC, EBFM, Risk assessment)
Mr Scott Norman Evans	Department of Primary Industries and Regional Development (Habitat and ecosystem, Abrolhos, Aquaculture impacts)
Dr Samantha Dawn Bridgwood	Department of Primary Industries and Regional Development (Aquatic Biosecurity—Marine)
Ms Claire Margaret Wellington	Department of Primary Industries and Regional Development (Aquatic Biosecurity—Marine)
Mr Christopher Bird	Department of Primary Industries and Regional Development (Aquatic Biosecurity—Freshwater)
Dr Nicolavito Caputi	Department of Primary Industries and Regional Development (Invertebrates)
Dr Arani Chandrapavan	Department of Primary Industries and Regional Development (Blue swimmer crabs, scallops, and climate change)

Dr Simon de Lestang	Department of Primary Industries and Regional Development (Deep sea crabs, blue swimmer crabs and rock lobster)
Dr David Victor Fairclough	Department of Primary Industries and Regional Development (Demersal Fisheries, Fisheries Science and Management)
Dr Warrick Jeffrey Fletcher	Department of Primary Industries and Regional Development (Fisheries Science)
Dr Daniel Joseph Gaughan	Department of Primary Industries and Regional Development (Fisheries Science and Management)
Dr Anthony Michael Hart	Department of Primary Industries and Regional Development (Molluscs)
Dr Gary Jackson	Department of Primary Industries and Regional Development (Finfish)
Dr Danielle Jane Johnston	Department of Primary Industries and Regional Development (Blue swimmer crabs)
Dr Mervi Inkeri Kangas	Department of Primary Industries and Regional Development (Prawns and scallops)
Ms Eva Kwok Man Lai	Department of Primary Industries and Regional Development (Research Data Governance)
Dr Stephen John Newman	Department of Primary Industries and Regional Development (Fisheries Science and Management)
Ms Karina Lee Ryan	Department of Primary Industries and Regional Development (Surveys)
Dr Claire Bouvier Smallwood	Department of Primary Industries and Regional Development (Surveys)
Dr Ainslie Maree Denham	Department of Primary Industries and Regional Development (Stock Assessment)
Dr Sybrand Alexander Hesp	Department of Primary Industries and Regional Development (Stock Assessment)
Dr Justin Ian McDonald	Department of Primary Industries and Regional Development (Aquatic Biosecurity—Marine; Sessile Marine Invertebrates)
Dr Corey Wakefield	Department of Primary Industries and Regional Development (Demersal Fisheries, Fisheries Science and Management)
Dr Emily Fisher	Department of Primary Industries and Regional Development (Demersal Fisheries, Fisheries Science and Management)
Dr Fabian Trinnie	Department of Primary Industries and Regional Development (Demersal Fisheries, Fisheries Science and Management)
Mr Paul Lewis	Department of Primary Industries and Regional Development (Pelagic Fisheries)
Mr Jeffrey Norriss	Department of Primary Industries and Regional Development (Pelagic Fisheries)
Dr Rodney Duffy	Department of Primary Industries and Regional Development (Marron, Hairy Marron)
Dr Michael Travers	Department of Primary Industries and Regional Development (Ecosystem, and tropical fish)
Dr Matias Braccini	Department of Primary Industries and Regional Development (Sharks and Rays, Fisheries Science)
Dr Cecile Dang	Department of Primary Industries and Regional Development (Aquaculture Health)
Aisling Fontanini	Department of Primary Industries and Regional Development (Aquaculture)
Mr Andrew Beer	Department of Primary Industries and Regional Development (Freshwater)
Dr Seema Fotedar	Department of Primary Industries and Regional Development (Diagnostic Molecular Biology and Aquatic DNA Barcoding)
Dr Lisa Kirkendale	Western Australian Museum (molluscs)
Mr Andrew Hosie	Western Australian Museum (crustaceans)
Ms Diana Jones	Western Australian Museum (crustaceans)

Dr Glenn Moore	Western Australian Museum (fishes)
Dr Zoe Richards	Western Australian Museum (corals)

Dated 20 July 2022.

BRUNO MEZZATESTA, Executive Director Operations and Compliance,
as delegate of the Minister for Fisheries.

HEALTH

HE401

HUMAN TISSUE AND TRANSPLANT ACT 1982

NON-CORONIAL POST-MORTEM EXAMINATIONS CODE OF PRACTICE 2022

Issued by the Chief Health Officer, with the approval of the Minister for Health, under Section 32A (1) of the *Human Tissue and Transplant Act 1982*.

This code is to be read in conjunction with the Principles set out in Schedule 1 and the Guidelines set out in Schedule 2. The Principles and Guidelines are based on the “The National Code of Ethical Autopsy Practice” endorsed by Health Ministers in April 2002 as reflecting “best practice” in post-mortem examinations.

1. Citation

This code may be cited as the *Non-Coronial Post-Mortem Examinations Code of Practice 2022*.

2. Commencement

The Code will come into operation on 1 October 2022.

3. Application

The Code applies to any non-coronial post-mortem examination.

4. Definitions

In the Code, the following words have the following meanings—

“**approved consent form**” means a consent form which has been approved by the Chief Medical Officer;

“**approved information document**” means an information document which has been approved by the Chief Medical Officer;

“**Chief Health Officer**” has the same meaning as set out in section 3(1) of the *Human Tissue and Transplant Act 1982*;

“**Chief Medical Officer**” means the person who holds, or acts in, the position of Chief Medical Officer in the Department of Health;

“**consent form**” means a document used by a hospital carrying out non-coronial post-mortem examinations to record the informed decisions of the senior available next of kin and other matters relevant to the authorisation of such a post-mortem examination;

“**designated officer**” has the same meaning as set out in the *Human Tissue and Transplant Act 1982*;

“**diagnostic purpose**” means for the purpose of arriving at a diagnosis in relation to the cause or extent of any pathological condition which may be present in the body of the deceased;

“**disposal**” and “**disposed of**” in relation to tissue includes disposal of retained tissue by—

(i) returning the tissue to the body;

(ii) returning the tissue to a funeral director nominated by the family;

or

(iii) by respectful disposal of the tissue by the hospital by cremation or burial;

“**hospital**” has the same meaning as set out in the *Human Tissue and Transplant Act 1982*;

“**information document**” means a document used by a hospital carrying out non-coronial post-mortem examinations to provide relevant information to the senior available next of kin about post-mortem examination practices and procedures;

“**informed decision**” means a decision by the senior available next of kin which has been made after that person has been provided with relevant information about post-mortem examination practices and procedures;

“**non-coronial post-mortem examination**” means any post-mortem examination carried out on the body of a deceased person which is not carried out at the direction of a coroner made under the *Coroners Act 1996*;

“non-diagnostic purpose” means any purpose other than a diagnostic purpose, and includes—

- (a) the purpose of medical research;
- (b) the purpose of teaching;
- (c) the purpose of therapeutic or medical use;

“post-mortem co-ordinator” means, in relation to a hospital, the person (or persons) appointed by a hospital in accordance with clause 6 of the Code;

“senior available next of kin” has the same meaning as set out in the *Human Tissue and Transplant Act 1982*;

“the Code” means, the Non-Coronial Post-Mortem Examinations Code of Practice 2022;

“tissue” has the same meaning as set out in the *Human Tissue and Transplant Act 1982*.

5. General guidelines

Each hospital in the State, which carries out non-coronial post-mortem examinations, shall take all reasonable steps, including the delivery of all associated training and funding needs, to ensure that—

- (a) its practices and procedures allow the senior available next of kin of a deceased person to make informed decisions about—
 - (i) whether or not to agree to a non-coronial post-mortem examination being carried out on the body of the deceased person;
 - (ii) whether or not to agree to a full post-mortem examination or some more limited form of post-mortem examination;
 - (iii) whether or not to agree to any tissue being retained at the completion of the internal examination (whether for diagnostic and/or non- diagnostic purposes);
 - (iv) how and when any tissue retained at the completion of the internal examination should be disposed of by the hospital;
- (b) its practices and procedures will enable the senior available next of kin (and any other relatives of the deceased person) to be treated with appropriate sensitivity and due respect, and in particular—
 - (i) so that the senior available next of kin is able to make any necessary decisions within a timeframe and setting, and with the emotional support, which will minimise any undue distress;
 - (ii) so that there is no pressure placed on the senior available next of kin to make any necessary decisions in a particular way;
- (c) the informed decisions of the senior available next of kin about any such matters are respected and implemented by the hospital.

6. Post-mortem co-ordinator

Each hospital in the State which carries out non-coronial post-mortem examinations shall have a person, or persons, appointed to be a post-mortem co-ordinator.

7. General responsibilities of post-mortem co-ordinator

A post-mortem co-ordinator shall have the following general responsibilities—

- (a) arranging for the senior available next of kin to be provided with the information which will enable that person to reach informed decisions about the matters referred to in clause 5(a) of the Code;
- (b) ensuring that a non-coronial post-mortem examination is not authorised by a designated officer unless and until the senior available next of kin has had the opportunity to reach informed decisions about the matters referred to in clause 5(a) of the Code;
- (c) ensuring that appropriate records are kept, in each case, of the decisions made by the senior available next of kin in relation to the matters referred to in clause 5(a) of the Code, and of the implementation of those decisions by the hospital;
- (d) being an ongoing point of contact for the senior available next of kin (or other relatives) in relation to any requests for further information about any matter relating to a non-coronial post-mortem examination carried out on the deceased person.

8. Notification to be given to the post-mortem co-ordinator

A post-mortem co-ordinator shall be notified, as soon as is practicable, whenever a non-coronial post-mortem examination is being considered.

9. Preliminary action by post-mortem co-ordinator

When a post-mortem co-ordinator is notified that a non-coronial post-mortem examination is being considered, that person shall take steps to ensure that—

- (a) the senior available next of kin of the deceased person is identified;
- (b) the senior available next of kin is provided with an approved information document and approved consent form;
- (c) the senior available next of kin is given an adequate opportunity to read and consider the approved information document and approved consent form and to discuss their contents with any other relatives;

- (d) the senior available next of kin is given an adequate opportunity to have any questions answered about the contents of the approved information document and approved consent form, or about any other aspects of the non-coronial post-mortem examination.

10. Subsequent action by post-mortem co-ordinator

When the post-mortem co-ordinator is satisfied that the senior available next of kin has had the opportunities referred to in clause 9(c) and (d) of the Code, that person shall—

- (a) ascertain from the senior available next of kin whether the deceased person had given any indication during his or her lifetime of his or her attitude to the possibility of a post-mortem examination after death;
- (b) ascertain from the senior available next of kin whether he or she agrees to a post-mortem examination being carried out on the body of the deceased person.

11. No further action when objection expressed

If the post-mortem co-ordinator is informed by the senior available next of kin that the deceased person had expressed an objection during his or her lifetime to a post-mortem examination after death, no further action shall be taken by the hospital.

12. Consent form procedure

Where the senior available next of kin agrees to a post-mortem examination being carried out on the body of the deceased person, the post-mortem co-ordinator shall ensure that—

- (a) an approved consent form is completed and signed by the senior available next of kin;
- (b) the approved consent form includes a record of all relevant decisions made by the senior available next of kin (including any limitations or conditions which may be placed by the senior available next of kin on the post-mortem examination and/or any retention of tissue following the internal examination);
- (c) the approved consent form includes certification from the post-mortem co-ordinator that all relevant information has been provided to the senior available next of kin so that informed decisions could be made (and that the approved consent form is not submitted to the designated officer until that has been certified); and
- (d) if requested by the senior available next of kin, a copy of the approved consent form is provided to the senior available next of kin if and when it has been endorsed with the authorisation to perform a post-mortem examination by the designated officer.

13. Action by designated officer

Subject to section 25(3) of the *Human Tissue and Transplant Act 1982*, a designated officer shall not authorise the carrying out of any non-coronial post-mortem examination unless he or she has been provided with a completed approved consent form (which includes the certification from the post-mortem co-ordinator referred to in clause 12(c) of the Code).

14. Feedback to relatives

The post-mortem co-ordinator shall ensure that the senior available next of kin has an opportunity to receive appropriate feedback on the findings of any post-mortem examination, which has been carried out on the body of that deceased person.

15. Records to be kept

The post-mortem co-ordinator shall ensure that, in relation to each case where a non-coronial post-mortem examination is considered, an adequate record is kept of—

- (a) who was identified as the senior available next of kin;
- (b) when an approved information document and approved consent form was given to the senior available next of kin;
- (c) any questions raised by the senior available next of kin about the contents of the approved information document, approved consent form or about any other aspects of the non-coronial post-mortem examination, and the answers given to those questions;
- (d) any information provided by the senior available next of kin about the attitude of the deceased, prior to death, to the possibility of a post-mortem examination;
- (e) any decisions made by the senior available next of kin in relation to the matters referred to in clause 5(a) of the Code;
- (f) the implementation by the hospital of any decisions made by the senior available next of kin in relation to the matters referred to in clause 5(a) of the Code.

16. Register to be kept

(1) The post-mortem co-ordinator shall ensure that there is maintained at the hospital, and kept up to date, in relation to any non-coronial post-mortem examination which is carried out, a register which includes the following information—

- (a) a description of any tissue retained;
- (b) an indication of when the non-coronial post-mortem examination to which the tissue relates was carried out and the deceased person on whom it was carried out;
- (c) an indication of when the approved consent form was signed, and any limitations placed by the senior available next of kin on that retention;

- (d) an indication of any use of that retained tissue (i.e., for diagnostic purposes and/or non-diagnostic purposes as may have been authorised by the senior available next of kin) and when any such use was completed;
- (e) an indication of when any retained tissue was disposed of by the hospital.
- (2) In this clause—
“tissue” means a whole or a substantial part of a visibly recognisable functional unit of the body such as the brain, heart and liver but does not include the small tissue samples that are required to be taken for testing by microscopic examination as part of every non-coronial post-mortem examination”.

17. Access to register by senior available next of kin

An extract from the register maintained in accordance with clause 16 of the Code, containing the details which relate to any retained tissue from a particular deceased person, shall be provided by the hospital on request to any senior available next of kin of that deceased person (or other person authorised by the senior available next of kin).

18. Access to register by authorised officers

The register maintained in accordance with clause 16 of the Code shall be open to inspection at any time by the Chief Medical Officer or any officer of the Department of Health who is authorised in writing by the Chief Medical Officer.

19. Reporting

- (1) The post-mortem co-ordinator shall ensure that on or before the 31st day of July in each year, a report is provided to the Chief Medical Officer, which includes the following information—
- the number of non-coronial post-mortem examinations which were carried out at the hospital during the period from the 1st day of July of the preceding year to the 30th day of June of that current year;
 - the number of non-coronial post-mortem examinations during that period in which tissue was retained at the completion of the internal examination;
 - the number of non-coronial post-mortem examinations during that period in which tissue was retained for diagnostic purposes;
 - the number of non-coronial post-mortem examinations during that period in which tissue was retained for non-diagnostic purposes;
 - the total number of tissues retained from non-coronial post-mortem examinations carried out at the hospital during that period;
 - the number of tissues from non-coronial post-mortem examinations carried out at the hospital since the 1st day of August 2002 which were disposed of during that period;
 - the total number of tissues which are still retained at the hospital from non-coronial post-mortem examinations carried out at the hospital since the 1st day of August 2002.

- (2) In this clause—
“tissue” means a whole or a substantial part of a visibly recognisable functional unit of the body such as the brain, heart and liver but does not include the small tissue samples that are required to be taken for testing by microscopic examination as part of every non-coronial post-mortem examination”.

20. Copies of reports to be provided to Chief Health Officer

The Chief Medical Officer shall provide copies of any reports received in accordance with clause 19 of the Code to the Chief Health Officer on or before the 1st day of September in the year in which the reports are received, together with any comments which the Chief Medical Officer considers should be made on those reports and on the operation and effectiveness of the Code generally.

21. Repeal

The *Non-Coronial Post-Mortem Examinations Code of Practice 2021* is repealed.

Dr ANDREW ROBERTSON, Chief Health Officer.

SCHEDULE 1

The following Principles are based on “The National Code of Ethical Autopsy Practice” which is a national code of practice endorsed by Health Ministers in April 2002 as reflecting “best practice” in post-mortem examinations.

PRINCIPLES

The following principles underpin the Code and govern for the conduct of non-coronial post-mortems—

- It should be clear to families that a non-coronial post-mortem can only be carried out in accordance with the requirements set out in the *Human Tissue and Transplant Act 1982* and the Code.
- Respect must be shown towards the deceased and their families at all times.

- Full, open and attentive communication is fundamental to effectively involving families.
- Processes must be transparent and accountable and able to be assessed and reported.
- The public benefit of post-mortems needs to be recognised.

In addition, post-mortem practice must be governed by the following principles—

- The family must be consulted and given the opportunity to be involved to whatever extent they wish to be.
- The wishes of the deceased and the family in regard to the post-mortem examination should be accommodated as far as possible.
- Information must be provided in a timely, understandable and sensitive fashion and answers to questions must be open and honest.
- Only appropriately trained persons (post-mortem co-ordinators) should provide information to families.
- Family members must be consulted and their agreement obtained about organ retention and disposal, (in person wherever possible) unless they have made it clear they do not want to be consulted.
- Appropriate bereavement support should be provided to families in acknowledgment of their loss.
- An appropriately qualified and authorised person should take responsibility for the performance of each and every post-mortem.
- There must be a clear delineation between the uses to which retained tissues/organs can be put such as diagnosis, research or education.
- All research using organs or tissues derived from post-mortems must have the approval of a properly constituted ethics committee.

SCHEDULE 2

GUIDELINES

The following Guidelines are based on “The National Code of Ethical Autopsy Practice” which is a national code of practice endorsed by Health Ministers in April 2002 as reflecting “best practice” in post-mortem examinations.

(i) BEST PRACTICE GUIDELINES FOR INFORMING AND INVOLVING FAMILIES

Traditionally professionals have sought to protect families from information that they may find distressing. However, experience has shown that timely information provided in a sensitive manner can empower families and is far less distressing than later disclosure.

Bereaved families have the right to clear, factual and sensitive communication from a skilled professional. Institutions have a responsibility to ensure that in each case there is a specifically trained staff member (the post-mortem co-ordinator) whose role is to engage with the bereaved family and provide clear, factual information in a sensitive manner following the death of a patient.

The approach to the family regarding post-mortem is most appropriately made by the senior clinician treating the patient. This is not a duty to be delegated to a junior medical officer or untrained interviewing officer. Requesting a post-mortem and discussing organ retention and use and other sensitive information should be conducted face to face wherever possible. Whilst an approach by telephone may be allowable and in some cases unavoidable, it is not ideal.

The appropriately trained person whose priority is the needs of the bereaved family should support the clinician in this role.

The capabilities of such persons in providing assistance to the bereaved family should include—

- an understanding of the dynamics of the grief process,
- counselling and communication skills to convey information at a pace and using language the family are able to understand,
- the capacity to recognise the needs of families where English is not the first language (including Torres Strait Islander and Aboriginal families), and the potential for diminishing fluency and comprehension or reversion to original language,
- communication and advocacy skills to ensure the wishes of the family are conveyed and respected,
- a good understanding of the non-coronial post-mortem examination process and the legal and ethical issues related to agreement to that process,
- a good understanding of the post-mortem process relative to the need for tissue/organ retention and options available for future use, release or disposal of the retained tissue/organ,
- knowledge of all aspects of funeral arrangements.

Institutions involved with the bereaved family must recognise and provide for the following needs—

- a quiet, private area to undertake these discussions,
- time to assimilate the impact of the death before being approached to discuss post-mortem. Whilst it is acknowledged in certain situations the treating clinician may have had extensive discussions about the prognosis of the patient and the benefit of post-mortem may have already been raised with the family, in most situations it is inappropriate to raise the issue until the family has had time to take in the death of the patient,

- information about events leading to the death, treatment attempts etc before feeling ready to discuss other issues,
- support to facilitate their “goodbye” to their relative,
- any special religious or cultural rituals which must be acknowledged and met where possible,
- clear honest information,
- specifically families must be clearly informed of their rights—
 - to refuse the performance of a post-mortem,
 - to limit the extent of the examination and retention of tissue and organs, understanding that such limitations may compromise the information obtained from the post-mortem,
 - in regard to disposal options for retained tissues and organs,
 - to be advised about uses other than diagnosis to which retained tissues/organs can be put;
- access to interpreters and appropriate health workers where necessary,
- information and assistance to make funeral arrangements,
- assessment and referral for ongoing counselling if required,
- provision of post-mortem results in an understandable form. They may prefer to meet with the clinical team who cared for their relative or with their own GP. In some situations discussion with the pathologist may be appropriate.

(ii) GUIDELINES FOR POST-MORTEM REQUEST AND CONSENT FORMS

The request by practitioner

The form should include—

- name of medical practitioner requesting post-mortem,
- name of deceased,
- the family member consulted, by whom and their relationship to the deceased,
- clinical report and reason for seeking post-mortem,
- information on hazards presented to mortuary staff—infectious, radioactive etc,
- mode of request—in writing, in person or by telephone.

Every reasonable effort must be made to contact the next of kin, recognising different kinship arrangements in some cultures (eg. Aboriginal).

The role of the post-mortem co-ordinator is to check and sign that the documentation reflects compliance with the *Human Tissue and Transplant Act 1982* and the Code.

The consent form

The approved consent form should be simple and refer to the approved information document, and include a statement that the approved information document has been read and understood, with a copy provided to the family. The approved consent form should also include—

- the name of the key person who discussed the issues with the family,
- the name of the person seeking the family’s authorisation,
- that there was adequate explanation of the reason for and process of post-mortem,
- options for both broad and conditional agreement. Both a general and specific agreement should be offered. Families should be offered the option to agree to a post-mortem without specifying conditions, but also to agree individually to research, teaching and return of organs. It is recognised that while many families want to be very informed and be provided with an opportunity to determine what organs are retained, what they can be used for and how they will be disposed of, not all families are comfortable considering these aspects,
- whether the deceased had previously agreed or objected to post-mortem,
- whether any other next of kin had previously objected to post-mortem,
- options for full or limited post-mortem, specifying limitations,
- options for retention of organs, specifying limitations,
- agreement that specimens will be retained—the need for indefinite retention of blocks and slides must be explained to the family,
- whether retained organs or tissues can be used for education,
- whether retained organs or tissues can be used for approved research consistent with the National Health and Medical Research Council National Statement on ethical conduct in research involving humans,
- options for disposal of retained organs including return to body, later return to funeral director nominated by the family or respectful disposal by the hospital,
- the date and time of planned funeral arrangements,
- name of doctor(s) to whom the post-mortem report should be provided.

(iii) GUIDELINES FOR WRITTEN MATERIAL PROVIDED TO FAMILIES

The information document

Families should be provided with a copy of the consent form that they have completed. Explanatory information (the approved information document) should be available to give to the family to supplement the discussions. The approved information document should include an explanation of the post-mortem including what retention of tissues and organs means. It may be necessary to include a glossary to explain samples, tissues, organs and other terms. This information should be provided in relevant languages if no member of the family is literate in English.

Information about non-coronial post-mortems should include the choices about—

- the rights to refuse permission for a post-mortem,
- the extent of the post-mortem,
- retention of organs,
- the limitations on the information available if they choose to limit the post-mortem,
- their right to choose whether retained samples can be used for other purposes such as research, education and quality control,
- who the post-mortem report is provided to,
- disposal of retained samples, eg. return to the body before release, subsequent release to funeral director or respectful disposal by the institution.

Families affected by non-coronial post-mortems may also benefit from information about—

- obtaining the death certificate,
- procedures for reporting complaints and concerns,
- sources of further assistance including interpreters and counselling.

JUSTICE

JU401**PRISONS ACT 1981****PERMIT DETAILS**

Pursuant to Section 15U of the *Prisons Act 1981*, I hereby revoke the following permits—

SURNAME	OTHER NAME(S)	PERMIT NO.
Allen (Demeza)	Diane	AP 0330
Clarke	Paul Francis	PA 0578
Heneghan	Liam Paul	PA 0420
Hudson	Kim Peter	PA 0086
Lieb Gott	Thierry	PA 0646
Ward	Paula Louise	PA 0081

Dated 27 July 2022.

CHRISTINE GINBEY, A/Commissioner, Corrective Services.

LOCAL GOVERNMENT

LG401**LOCAL GOVERNMENT ACT 1995***Shire of Upper Gascoyne***ACTIVITIES IN THOROUGHFARES LOCAL LAW 2021**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Upper Gascoyne resolved on 22nd June 2022 to make the following local law.

PART 1—PRELIMINARY**1.1 Citation**

This local law may be cited as the *Shire of Upper Gascoyne Activities in Thoroughfares Local Law 2021*.

1.2 Definitions

In this local law unless the context otherwise requires—

Act means the *Local Government Act 1995*;

applicant means a person who applies for a permit;

authorised person means a person authorised by the local government under section 9.10(2) of the Act to perform any of the functions of an authorised person under this local law;

CEO means the chief executive officer of the local government;

Council means the council of the local government;

district means the district of the local government;

footpath has the meaning given to it in the *Road Traffic Code 2000*;

garden means any part of a thoroughfare planted, developed or treated, otherwise than as a lawn, with one or more plants;

kerb includes the edge of a carriageway;

local government means the Shire of Upper Gascoyne;

local government property means anything except a thoroughfare—

- (a) which belongs to the local government;
- (b) of which the local government is the management body under the *Land Administration Act 1997*; or
- (c) which is an ‘otherwise unvested facility’ within section 3.53 of the Act;

owner or **occupier** in relation to land does not include the local government;

permit means a permit issued under this local law;

permit holder means a person who holds a valid permit;

person does not include the local government;

premises for the purpose of the definition of public place in both this clause and clause 6.1, means a building or similar structure, but does not include a carpark or a similar place;

public place includes any thoroughfare or place which the public are allowed to use, whether or not the thoroughfare or place is on private property, but does not include—

- (a) premises on private property from which trading is lawfully conducted under a written law; and
- (b) local government property;

Regulations means the *Local Government (Functions and General) Regulations 1996*;

sign includes a notice, flag, mark, structure or device on which may be shown words, numbers, expressions or symbols;

thoroughfare has the meaning given to it in the Act, but does not include a private thoroughfare which is not under the management control of the local government;

vehicle includes—

- (a) every conveyance and every object capable of being propelled or drawn on wheels, tracks or otherwise; and
- (b) an animal being ridden or driven,

but excludes—

- (c) a wheel-chair or any device designed for use by a physically impaired person on a footpath; and
- (d) a pram, a stroller or a similar device; and

verge means that part of a thoroughfare between the carriageway and the land which abuts the thoroughfare, but does not include any footpath.

1.3 Application

This local law applies throughout the district.

1.4 Commencement

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

PART 2—ACTIVITIES IN THOROUGHFARES

Division 1—General

2.1 General prohibitions

A person shall not—

- (a) unless at the direction of the local government, damage, remove or interfere with any signpost, direction plate, guidepost, notice, shelter, shed, fence or any structure erected on a thoroughfare by the local government or a person acting under the authority of a written law;

2.2 Activities allowed with a permit—general

- (1) A person shall not, without a permit—
- (a) dig or otherwise create a trench through or under a kerb or footpath;
 - (b) cause any obstruction to a vehicle or a person using a thoroughfare as a thoroughfare;
 - (c) cause any obstruction to a water channel or a water course in a thoroughfare;
 - (d) throw, place or drain offensive, noxious or dangerous fluid onto a thoroughfare;
 - (e) damage a thoroughfare;
 - (f) light any fire or burn any thing on a thoroughfare other than in a stove or fireplace provided for that purpose or under a permit issued under clause 4.2(1)(a);
 - (g) fell any tree onto a thoroughfare;
 - (h) provide, erect, install or use in or on any building, structure or land abutting on a thoroughfare any hoist or other thing for use over the thoroughfare;
 - (i) on a public place use anything or do anything so as to create a nuisance;
 - (j) interfere with the soil of, or anything in a thoroughfare or take anything from a thoroughfare.
- (2) The local government may exempt a person from compliance with subclause (1) on the application of that person.

Division 2—Public works

2.3 Power to carry out public works on verge

Where the local government or an authority empowered to do so under a written law disturbs a verge, the local government or the authority—

- (a) is not liable to compensate any person for that disturbance;
- (b) may backfill with sand, if necessary, any garden or lawn; and
- (c) is not liable to replace or restore any—
 - (i) verge treatment and, in particular, any plant or any acceptable material or other hard surface; or
 - (ii) sprinklers, pipes or other reticulation equipment.

2.4 Public place—Item 4(1) of Division 1, Schedule 3.1 of Act

The following places are specified as a public place for the purpose of item 4(1) of Division 1 of Schedule 3.1 of the Act—

- (a) a public place, as that term is defined in clause 1.2; and
- (b) local government property.

Division 3—Property numbers

Subdivision 1—Preliminary

2.5 Interpretation

In this Division, unless the context requires otherwise—

Number means a number of a lot with or without an alphabetical suffix indicating the address of the lot by reference to a thoroughfare.

Subdivision 2—Assignment and marking of numbers

2.6 Assignment of numbers

The local government may assign a number to a lot in the district and may assign another Number to the lot instead of that previously assigned.

Division 4—Signs erected by the local government

2.7 Signs

- (1) A local government may erect a sign on a public place specifying any conditions of use which apply to that place.
- (2) A person shall comply with a sign erected under subclause (1).
- (3) A condition of use specified on a sign erected under subclause (1) is to be for the purpose of giving notice of the effect of a provision of this local law.

Division 5—Driving on a closed thoroughfare

2.8 No driving on closed thoroughfare

- (1) A person shall not drive or take a vehicle on a closed thoroughfare unless—
 - (a) that is in accordance with any limits or exceptions specified in the order made under section 3.50 of the Act; or
 - (b) the person has first obtained a permit.
- (2) In this clause—

closed thoroughfare means a thoroughfare wholly or partially closed under section 3.50 or 3.50A of the Act.

PART 3—OBSTRUCTING VEHICLES*Division 1—Vehicles***3.1 Leaving vehicle in public place or on local government property**

(1) A person shall not leave a vehicle, or any part of a vehicle, in a public place or on local government property so that it obstructs the use of any part of that public place or local government property, unless that person has first obtained a permit or is authorised to do so under a written law.

(2) A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

PART 4—PERMITS*Division 1—Applying for a permit***4.1 Application for permit**

(1) Where a person is required to obtain a permit under this local law, that person shall apply for the permit in accordance with subclause (2).

(2) An application for a permit under this local law shall—

(a) be in the form determined by the local government;

(b) be signed by the applicant;

(c) provide the information required by the form; and

(d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.

(3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.

(4) The local government may require an applicant to give local public notice of the application for a permit.

(5) The local government may refuse to consider an application for a permit which is not in accordance with subclause (2).

4.2 Decision on application for permit

(1) The local government may—

(a) approve an application for a permit unconditionally or subject to any conditions; or

(b) refuse to approve an application for a permit.

(2) If the local government approves an application for a permit, it is to issue to the applicant a permit in the form determined by the local government.

(3) If the local government refuses to approve an application for a permit, it is to give written notice of that refusal to the applicant.

(4) Where a clause of this local law refers to conditions which may be imposed on a permit or which are to be taken to be imposed on a permit, the clause does not limit the power of the local government to impose other conditions on the permit under subclause (1)(a).

(5) Where a clause of this local law refers to the grounds on which an application for a permit may be or is to be refused, the clause does not limit the power of the local government to refuse the application for a permit on other grounds under subclause (1)(b).

*Division 2—Conditions***4.3 Conditions which may be imposed on a permit**

The local government may approve an application for a permit subject to conditions relating to—

(a) the payment of a fee;

(b) the duration and commencement of the permit;

(c) the commencement of the permit being contingent on the happening of an event;

(d) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application;

(e) the approval of another application for a permit which may be required by the local government under any written law;

(f) the area of the district to which the permit applies;

(g) where a permit is issued for an activity which will or may cause damage to a public place, the payment of a deposit or bond against such damage;

(h) the obtaining of public risk insurance in an amount and on terms reasonably required by the local government; and

(i) the provision of an indemnity from the permit holder indemnifying the local government in respect of any injury to any person or any damage to any property which may occur in connection with the use of the public place by the permit holder.

4.4 Imposing conditions under a policy

(1) In this clause—

policy means a policy of the local government adopted by the Council containing conditions subject to which an application for a permit may be approved under clause 4.2(1)(a).

(2) Under clause 4.2(1)(a) the local government may approve an application subject to conditions by reference to a policy.

(3) The local government is to give a copy of the policy, or the part of the policy which is relevant to the application for a permit, with the form of permit referred to in clause 4.2(2).

(4) An application for a permit is to be taken not to have been approved subject to the conditions contained in a policy until the local government gives the permit holder a copy of the policy or the part of the policy which is relevant to the application.

(5) Sections 5.94 and 5.95 of the Act shall apply to a policy and for that purpose a policy is to be taken to be information within section 5.94(u)(i) of the Act.

4.5 Compliance with and variation of conditions

(1) Where an application for a permit has been approved subject to conditions, or where a permit is to be taken to be subject to conditions under this local law, the permit holder shall comply with each of those conditions.

(2) The local government may vary the conditions of a permit, and the permit holder shall comply with those conditions as varied.

Division 3—General

4.6 Duration of permit

A permit is valid for one year from the date on which it is issued, unless it is—

- (a) otherwise stated in this local law or in the permit; or
- (b) cancelled under clause 4.10.

4.7 Renewal of permit

(1) A permit holder may apply to the local government in writing prior to expiry of a permit for the renewal of the permit.

(2) The provisions of—

- (a) this Part; and
- (b) any other provision of this local law relevant to the permit which is to be renewed,

shall apply to an application for the renewal of a permit with all the necessary changes as required.

4.8 Transfer of permit

(1) An application for the transfer of a valid permit is to—

- (a) be made in writing;
- (b) be signed by the permit holder and the proposed transferee of the permit;
- (c) provide such information as the local government may require to enable the application to be determined; and
- (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.

(2) The local government may approve an application for the transfer of a permit, refuse to approve it or approve it subject to any conditions.

(3) Where the local government approves an application for the transfer of a permit, the transfer may be effected by—

- (a) an endorsement on the permit signed by the CEO; or
- (b) issuing to the transferee a permit in the form determined by the local government.

(4) Where the local government approves an application for the transfer of a permit, it is not required to refund any part of any fee paid by the former permit holder.

4.9 Production of permit

A permit holder is to produce to an authorised person her or his permit immediately upon being required to do so by that authorised person.

4.10 Cancellation of permit

(1) Subject to clause 5.1, a permit may be cancelled by the local government if the permit holder has not complied with a—

- (a) condition of the permit; or
- (b) provision of any written law which may relate to the activity regulated by the permit.

(2) On the cancellation of a permit the permit holder—

- (a) shall return the permit as soon as practicable to the local government; and
- (b) is to be taken to have forfeited any fees paid in respect of the permit.

PART 5—OBJECTIONS AND APPEALS**5.1 Application of Part 9 Division 1 of Act**

When the local government makes a decision—

- (a) under clause 4.2(1); or
- (b) as to whether it will renew, vary, or cancel a permit,

the provisions of Division 1 of Part 9 of the Act and regulation 33 of the Regulations apply to that decision.

PART 6—MISCELLANEOUS NOTICES**6.1 Notice to repair damage to thoroughfare**

Where any portion of a thoroughfare has been damaged, the local government may by notice to the person who caused the damage order the person to repair or replace that portion of the thoroughfare to the satisfaction of the local government.

6.2 Notice to remove thing unlawfully placed on thoroughfare

Where any thing is placed on a thoroughfare in contravention of this local law, the local government may by notice in writing to the owner or the occupier of the property which abuts on that portion of the thoroughfare where the thing has been placed, or such other person who may be responsible for the thing being so placed, require the relevant person to remove the thing.

PART 7—ENFORCEMENT*Division 1—Notices given under this local law***7.1 Offence to fail to comply with notice**

Whenever the local government gives a notice under this local law requiring a person to do any thing, if the person fails to comply with the notice, the person commits an offence.

7.2 Local government may undertake requirements of notice

Where a person fails to comply with a notice referred to in clause 7.1, the local government may do the thing specified in the notice and recover from that person, as a debt, the costs incurred in so doing.

*Division 2—Offences and penalties**Subdivision 1—General***7.3 Offences**

(1) Any person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing, commits an offence.

(2) Any person who commits an offence under this local law is liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

*Subdivision 2—Infringement notices and modified penalties***7.4 Prescribed offences**

(1) An offence against a clause specified in Schedule 1 is a prescribed offence for the purposes of section 9.16(1) of the Act.

(2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 1.

7.5 Forms

Unless otherwise specified, for the purposes of this local law—

- (a) where a vehicle is involved in the commission of an offence, the form of the notice referred to in section 9.13 of the Act is that of Form 1 in Schedule 1 of the Regulations;
- (b) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the Regulations; and
- (c) the form of the notice referred to in section 9.20 of the Act is that of Form 3 in Schedule 1 of the Regulations.

SCHEDULE 1—PRESCRIBED OFFENCES

CLAUSE	NATURE OF OFFENCE	MODIFIED PENALTY \$
2.1(a)	Damaging or interfering with signpost or structure on thoroughfare	500
2.2(1)(a)	Digging a trench through a kerb or footpath without a permit	125
2.2(1)(b)	Causing obstruction to vehicle or person on thoroughfare without a permit	125
2.2(1)(c)	Causing obstruction to water channel on thoroughfare without a permit	250
2.2(1)(d)	Placing or draining offensive fluid on thoroughfare without a permit	250

CLAUSE	NATURE OF OFFENCE	MODIFIED PENALTY \$
2.2(1)(e)	Causing damage to a thoroughfare	250
2.2(1)(f)	Lighting a fire on a thoroughfare without a permit	350
2.2(1)(g)	Felling tree onto thoroughfare without a permit	125
2.2(1)(h)	Installing a hoist or other thing on a structure or land for use over a thoroughfare without a permit	350
2.2(1)(i)	Creating a nuisance on a thoroughfare without a permit	125
2.2(1)(j)	Interfering with anything on a thoroughfare without a permit	125
2.7(2)	Failure to comply with sign on public place	125
2.8(1)	Driving or taking a vehicle on a closed thoroughfare	500
3.1(1)	Vehicle obstructing a public place or local government property	125
4.5	Failure to comply with a condition of a permit	125
4.9	Failure to produce permit on request of authorised person	125
7.1	Failure to comply with notice given under local law	500

Dated 27 of July 2022.

The Common Seal of the Shire of Upper Gascoyne was affixed by authority of a resolution of the Council in the presence of—

D. HAMMARQUIST, Shire President.
J. McCLEARY, Chief Executive Office.

MINERALS AND PETROLEUM

MP401

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

RENEWAL OF PETROLEUM EXPLORATION PERMIT EP 447

Renewal of Petroleum Exploration Permit EP 447 has been granted to Strike South West Pty Ltd and Talon (AUST) Pty Ltd and will remain in force for a period of five (5) years commencing on 25 July 2022.

MAMTA KAPOOR, Senior Titles Officer, Resource Tenure Division,
Department of Mines, Industry Regulation and Safety.

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Doris Irene Haight late of 1596 Millbrook Road, King River, 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 21 February 2022, are required by the trustee of the late—

Doris Irene Haight of care of Philip Wyatt Lawyers, PO Box 1026, Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 28th day of July 2022.

PHILIP WYATT LAWYERS.

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

Notice to Creditors and Claimants

Alan Geoffrey Down late of 153 Grove Road, Lesmurdie, 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 12 January 2022 are required by the personal representative, Brendan Richard Down of care of IRDI Legal, 248 Oxford Street, Leederville, Western Australia 6007, to send particulars of their claims to him within 31 days from date of publication of this Notice after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

IRDI Legal as solicitors for the personal representative.

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

Notice to Creditors and Claimants

Creditors and other persons having claims on the estate of the late John Edwin Ford of Bethanie Subiaco, 45 Bishop Street, Jolimont, Western Australia, deceased who died on 3 April 2022, are required to send particulars of their claims to the executor Jason Damian Victor Wegg care of Solomon Hollett Lawyers, Level 3, 33 Richardson Street, West Perth WA 6005 by 5 September 2022, after which date the executor may distribute the assets having regard only to the claims of which they then have notice.

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

Notice to Creditors and Claimants

Paul John Knight late of 109 Manchester Drive, Hocking, Western Australia, deceased.

Creditors and other persons having claim (to which Section 63 of the *Trustees Act 1962* (WA) relates) in respect of the estate of the deceased who was found dead on 24 November 2020, are required by the administrator, Callum John Knight of care of Costantino & Co, PO Box 1304, West Perth, Western Australia 6872 to send particulars of their claims to him by 2 September 2022 after which date the executor may distribute the assets, having regard only to the claims of which he has notice.
