



PERTH, FRIDAY, 3 APRIL 2020 No. 50

PUBLISHED BY AUTHORITY KEVIN J. McRAE, GOVERNMENT PRINTER AT 12.00 NOON © STATE OF WESTERN AUSTRALIA

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The Western Australian *Government Gazette* is published by State Law Publisher 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 Publication Officer, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition)—

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

GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER 2020

A gazette will be published at noon on **Thursday 9th April** and closing time for copy is Tuesday 7th April at noon.

A gazette will be published at noon on **Friday 17th April** and closing time for copy is Wednesday 15th April at noon.

The Gazette will not be published on Tuesday 14th April.

— PART 1 —

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1995 HEALTH (MISCELLANEOUS PROVISIONS) ACT 1911 BIOSECURITY AND AGRICULTURE MANAGEMENT ACT 2007

City of Mandurah

ANIMALS ENVIRONMENT AND NUISANCE AMENDMENT LOCAL LAW 2020

Under the powers conferred by the *Health (Miscellaneous Provisions) Act 1911, Biosecurity and Agriculture Management Act 2007, Local Government Act 1995* and under all other powers enabling it, the Council of the City of Mandurah resolved on 24 March 2020 to make the following local law.

1.1 Citation

This local law may be cited as the City of Mandurah Animals Environment and Nuisance Amendment Local Law 2020.

1.2 Commencement

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

1.3 Principal local law amended

This local law amends the *City of Mandurah Animals, Environment and Nuisance Local Law 2010* as published in *Government Gazette* No. 43 on 22 March 2011 and as amended in the *Governance Gazette* No. 78 on 11 June 2019.

1.4 Clause 2.10 amended

In clause 2.10 delete sub clause (1) and replace with-

(1) The local government may vary permit conditions by giving written notice to the permit holder and the varied condition takes effect 7 days after that notice is given.

Dated: 26 March 2020.

The Common Seal of the City of Mandurah was affixed by authority of a resolution of the Council in the presence of—

RHYS JOHN WILLIAMS, Mayor. MARK ROBERT NEWMAN, Chief Executive Officer.

PLANNING

PL301

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Amendment Regulations 2020

SL 2020/30

Made by the Minister under Part 15 Division 1 of the Act.

1. Citation

These regulations are the *Planning and Development (Local Planning Schemes)* Amendment Regulations 2020.

2. Commencement

- (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 *Planning and Development (Local Planning Schemes) Regulations 2015.*

4. **Regulation 10A inserted**

At the end of Part 2 insert:

10A. Review of Schedule 2 Part 10B

- The Minister must review the operation and effectiveness of Schedule 2 Part 10B, and prepare a report based on the review, as soon as practicable after the 3rd anniversary of the day on which the *Planning and Development (Local Planning Schemes) Amendment Regulations 2020* regulation 5 comes into operation.
- (2) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 3rd anniversary.

5. Schedule 2 Part 10B inserted

After Schedule 2 clause 78G insert:

Part 10B — Exemptions from planning requirements for state of emergency

78H. Minister may issue notice of exemption from planning requirements in state of emergency

- (1) If a state of emergency declaration is in force under the *Emergency Management Act 2005* Part 5 in relation to the whole or any area or areas of the State, the Minister may, by notice in writing, issue 1 or more exemptions from planning requirements under this Scheme.
- (2) A notice under subclause (1) can be issued only if the Minister considers that it is necessary to do so for the purpose of facilitating response to, or recovery from, the emergency to which the state of emergency declaration relates.
- (3) A reference in subclause (1) to a planning requirement
 - (a) includes, without limiting that subclause
 - (i) a requirement to obtain development approval; and
 - (ii) a requirement under a condition of development approval; and
 - (iii) a requirement relating to the permissibility of uses of land; and
 - (iv) a requirement relating to works; and
 - (v) a provision having the effect that a non-conforming use of land is no longer permitted because of a discontinuance of that non-conforming use; and
 - (vi) a requirement in relation to consultation, advertisement, applications, time limits or forms;

but

- (b) does not include an environmental condition that applies to this Scheme as a result of an assessment carried out under the *Environmental Protection Act 1986*.
- (4) A notice under subclause (1) may be issued whether or not the state of emergency declaration applies in relation to any part of the Scheme area, but only if it is necessary for the purpose referred to in subclause (2).
- (5) An exemption in a notice under subclause (1) may
 - (a) apply generally or to land, or classes of land, specified in the notice; and
 - (b) be unconditional or subject to any conditions specified in the notice.

- (6) The Minister
 - (a) may, by notice in writing, amend a notice under subclause (1) for the purpose referred to in subclause (2); and
 - (b) may, by notice in writing, revoke a notice under subclause (1); and
 - (c) must under paragraph (b) revoke a notice under subclause (1) if the Minister considers that the notice is no longer necessary for the purpose referred to in subclause (2).

78I. Process for issuing notice under cl. 78H

- (1) A notice under clause 78H(1) or (6) must be signed by the Minister and published in the *Gazette*.
- (2) A notice under clause 78H(1) or (6) of this Scheme may be combined in a single instrument with 1 or more other notices of that kind issued under 1 or more other local planning schemes or all other local planning schemes.
- (3) Before issuing a notice under clause 78H(1) or (6), the Minister must, unless the Minister considers that it is impracticable to do so because of the urgency of the circumstances, make reasonable endeavours to consult in relation to the notice —
 - (a) the Commission; and
 - (b) WALGA.
- (4) The Minister must ensure that a copy of the notice is sent to the local government or WALGA.
- (5) A failure to comply with subclause (3) or (4) in relation to a notice does not invalidate the notice.

78J. Coming into effect and cessation of notices and exemptions under cl. 78H

- (1) A notice under clause 78H(1) or (6) must state the date and time at which it is signed.
- (2) A notice under clause 78H(1) must also state, for each exemption under the notice, that the exemption is to expire
 - (a) when the state of emergency declaration ceases to be in force; or
 - (b) at a date and time stated in the notice, which must not be later than the end of the period of 5 years beginning on the day on which the notice is signed.
- (3) A notice under clause 78H(1) or (6) takes effect when it is signed.
- (4) An exemption under a notice under clause 78H(1) remains in effect, subject to any amendment or revocation of the notice under clause 78H(6), until the time of expiry stated under subclause (2) for that exemption.

(5) When an exemption under a notice under clause 78H(1) is amended or ceases to be in effect, the provisions of this Scheme in relation to non-conforming uses of land do not apply in relation to any use or development of land that was permitted only because of the effect of the exemption prior to the amendment or cessation.

R. SAFFIOTI, Minister for Planning.

— PART 2 —

AGRICULTURE AND FOOD

AG401

BIOSECURITY AND AGRICULTURE MANAGEMENT REGULATIONS 2013

QUARANTINE AREA NOTICE—BACTROCERA (BACTROCERA) TRYONI

(QUEENSLAND FRUIT FLY OR QFLY)

Claremont, Nedlands and Dalkeith

1. Under regulation 60 of the *Biosecurity and Agriculture Management Regulations 2013* (Regulations) the area of Claremont, Nedlands and Dalkeith within the boundaries described below is declared to constitute a quarantine area for a period of 6 months following the date of publication.

The area bordered by and including the river line south of Fairway along the river line to the river line east of Forrest Street, north of Forrest Street, east and south of Stirling Highway, east of Grange Street, south of Barnsfield Road, east of Stirling Road, south of Claremont Crescent, south of Shenton Road, east of Davies Road, south of Alfred Road, east of Stubbs Terrace, under subway, south of Railway Road, south of Aberdare Road, west of Smyth Road, south of Gordon Street, west of Portland Street, south of Stirling Highway, west of Fairway, to the river line.

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

2. This quarantine area is declared because the declared pest *Bactrocera* (*Bactrocera*) tryoni (Froggatt, 1897) (Queensland fruit fly/ Qfly) is present in the area.

3. Each person who is the owner or occupier of land within the quarantine area must ensure that any ripening fruit on plants or trees, or any fruit that has fallen to the ground from a plant or tree on that land is removed and disposed of every three days. Fruit means any host fruit of Queensland fruit fly listed in the table in Schedule 1 below.

4. Fruit is to be disposed of by eating, cooking (boiling or microwaving), freezing or solarisation (securing in a sealed plastic bag which is placed in direct sunlight for a period of three days).

5. Persons other than inspectors must not move any non-commercially produced fruit from the quarantine area except in accordance with—

- (a) this notice; or
- (b) an approval under regulation 67 of the Regulations; or
- (c) a general exemption under regulation 71 of the Regulations.

6. Non-commercially produced fruit is moved in accordance with this notice if it is moved after being either cooked (boiled or microwaved), frozen or solarised.

7. Each person who is the owner or occupier of land in the quarantine area is taken to have been given a quarantine notice that applies to that land in the terms of this quarantine area notice.

8. Failure to comply with this quarantine area notice could result in a fine, the Director General taking remedial action under regulation 133 of the *Biosecurity and Agriculture Management Regulations 2013*, or both.

SCHEDULE 1

Common Name Scientific Name Common Name **Scientific Name** Abiu Pouteria caimito Cape Gooseberry Physalis peruviana Malpighia glabra Acerola Capsicum Capsicum annuum var. grossum Achachairu Garcinia humilis Carambola Averrhoa carambola Malus domestica Apple Cashew Apple Anacardium occidentale Apricot Prunus armeniaca Casimiroa Casimiroa edulis Avocado Persea americana Cherimoya Annona cherimolia Babaco Carica pentagona Cherry Prunus avium Banana Musa acuminata Chilli Capsicum annuum var. Blackberry acuminatum Rubus fruiticosus Citrus medica Black Sapote Diospyros ebenum Citron Blueberry Coffee berry Coffea species Vaccinium corymbosum **Custard** Apple Brazil Cherry Eugenia uniflora Annona squamosa Caimito Chrysophyllum cainito Date (fresh) Phoenix dactvlifera

Queensland Fruit Fly Hosts

GOVERNMENT GAZETTE, WA

Common Name	Scientific Name	Common Name	Scientific Name
Dragon Fruit	Hyloscereus undatus	Nectarine	Prunus persicae var. nectarina
Durian	Durio zibethinus	Olive	Olea europaea
Eggplant	Solanum melongena	Orange	Citrus aurantium, Citrus sinensis
Feijoa	Feijoa sellowiana	Passionfruit	Passiflora spp.
Fig	Ficus carica	Pawpaw	Carica papaya
Granadilla	Passiflora quadrangularis	Peach	Prunus persica
Grapefruit	Citrus paradisi	Peacharine	Prunus nucipersica
Grapes	Vitis species	Pear	Pyrus communis
Grumichama	Eugenia braziliensis	Pepino	Solanum muricatum
Guava	Psidium species	Persimmon	Diospyros kaki
Hog Plum	Spondias mombin	Plum	Prunus domestica
Jaboticaba	Myrciaria cauliflora	Plumcot	Prunus domestica x Prunus
Jackfruit	Artocarpus heterophyllus		armeniaca
Kiwifruit	Actinidia deliciosa	Pomegranate	Punica granatum
Kumquat	Fortunella japonica	Prickly Pear	Opuntia stricta or O. ficus indica
Lemon	Citrus meyeri (Also Citrus limon x	Pummelo	Citrus grandis
	citrus chinese)	Quince	Cydonia oblonga
Lime—West	Citrus aurantiifolia	Rambutan	Nephelium lappaceum
Indian Lime		Raspberry	Rubus idaeus
Lime—Tahitian Lime	Citrus latifolia	Rollinia	Rollinia deliciosa
Lime—Rangpur	Citrus reticulata var. austera	Rose Apple	Syzygium jambos
Lime Lime	Cirrus rericultura val. dustera	Santol	Sandoricum indicum
Lime—Finger	Citrus australasica	Sapodilla	Manilkara zapota
Lime		Sapote	Sapote
Loganberry	Rubus loganaoaccus	Soursop	Annona muricata
Loofa, Smooth	Luffa cylindrica	Strawberry	Fragaria ananassa
Loquat	Eriobotrya japonica	Sweetsop	Annona squamosa
Lychee	Litchii chinensis	Tamarillo	Cyphomandra betacea
Mandarin	Citrus reticulata	Tangelo	Citrus reticulata x C. paradisi
Mango	Mangifera indica	Tangor	Citrus reticulata × C. sinensis
Mangosteen	Garcinia mangostana	Tomato	Lycopersicon esculentum
Mulberry	Morus nigra	Wax jambu /	Syzygium samarangense
Nashi	Pyrus pyrifolia var. culta	Water Apple	_

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

Date: 1 April 2020.

HERITAGE

HR401

HERITAGE ACT 2018

INSTRUMENT OF DELEGATION NO. 2

188/2020

Pursuant to section 19 of the Heritage Act 2018 (Act), the Council resolved to—

- 1. Revoke the delegation instruments, pursuant to section 19 of the Act and section 59(1)(e) of the *Interpretation Act 1984*, which was published on 2 July 2020; and
- 2. Delegate its powers and functions under the Act and *Heritage Regulations 2019* (Regulations) as set out in Column 1 of the Schedule to the specified person or the holder for the time being of a specified office in the Heritage and Property Services Division, Department of Planning, Lands and Heritage as specified in Column 2 of the Schedule.

This delegation shall come into operation on the date this instrument is published in the Government Gazette.

VAUGHAN DAVIES, Assistant Director General, Heritage and Property Services, Department of Planning, Lands and Heritage.

Schedule

This is the Schedule to the instrument of delegation as authorised by the Heritage Council of Western Australia pursuant to section 19 of the Heritage Act 2018 (Act).

Column 1: Powers or functions	Column 2: Delegate	
to make preliminary determination under section 39(2) of the Act as to whether the nominated place warrants eview.	 Assistant Director General; or Executive Director Heritage Services. 	
To determine whether the accepted request for mendment of the land description in the register entry varrants consideration in detail under section $43(2)$.		
To determine, and recommend to the Minister, whether n amendment to the land description in an entry in the egister be made pursuant to section 44.		
o determine whether the accepted request for removing n entry in the register warrants consideration in detail nder section 48(2).		
o update or amend statements of cultural heritage ignificance pursuant to section 53.		
To determine whether a place should be the subject of a eritage agreement for any reasons as specified in ection $91(1)(e)$ of the Act.		
'o call tenders, award contracts, appoint technical or rofessional consultants for the purposes of—		
(a) identifying, documenting or conserving places of cultural heritage significance; and		
(b) assisting with education, research and publication that furthers the objectives of the Act.		
o commence any prosecution under section 136 the Act.		
o determine an application for a works permit made nder section 79 of the Act.	Assistant Director General;Executive Director Heritage	
To provide advice to the relevant decision-maker on a efferred proposal under section 74 of the Act and other written laws (e.g. <i>Planning and Development 2005</i>).	Services; orDirector Heritage Development.	
To direct an owner or occupier of any place to give information or comply with any orders under ections 126(1) and 133(5) of the Act	 Assistant Director-General; Executive Director Heritage Services; or Inspectors appointed under 	
'o nfoi	direct an owner or occupier of any place to give rmation or comply with any orders under	

MINERALS AND PETROLEUM

MP401

MINING ACT 1978

MINISTERIAL STATEMENT OF OPINION

Exemption from Expenditure Conditions for Exploration Licences

This Statement recognises the impacts of current and future mitigation risk measures required to protect Western Australia against the spread of the COVID-19 pandemic.

In relation to section 102(3) of the Mining Act 1978 (the Act)¹, I am of the opinion that until 31 March 2021 a reason for granting of an exemption from expenditure conditions for the holder of a Mining Tenement under section 102 of the Mining Act can be that the holder was unable to meet the expenditure requirements relating to the tenement as the direct result of COVID-19 or restrictions imposed by governments in response to the COVID-19 pandemic.

Applicants should therefore provide a statement demonstrating that exploration expenditure conditions have not been met because of a direct result of the effects of COVID-19 and/or the restrictions imposed by governments in response to the COVID-19 pandemic; which will then be considered in determining the application.

Hon BILL JOHNSTON MLA, Minister for Mines and Petroleum.

 $^{^{1}}$... exemption may also be granted for any other reason which may be prescribed or which in the opinion of the Minister is sufficient to justify such exemption.

PLANNING

PL401

PLANNING AND DEVELOPMENT ACT 2005

METROPOLITAN REGION SCHEME MINOR AMENDMENT 1352/57

Part Lot 799 Katharine Street, Bellevue

Approved Amendment

The Minister for Planning has approved, as advertised, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission (WAPC) plan number 3.2724 and is effective from the date of publication of this notice in the *Government Gazette*.

Pursuant to section 126(3) of the *Planning and Development Act 2005*, the Shire of Mundaring requested that the WAPC amend its Local Planning Scheme (LPS) No. 4 for the urban zoned land included in the proposal. This was agreed to by the WAPC and Part Lot 799 Katharine Street, Bellevue will be transferred to the Development zone in LPS No. 4. This amendment to LPS No. 4 is effective from the date of publication of this notice in the *Government Gazette*.

The amendment and the accompanying report on submissions are available online for inspection from Friday 3 April 2020 at the Department of Planning, Lands and Heritage website *www.dplh.wa.gov.au/mrs-amendments*.

Ms SAM FAGAN, Secretary, Western Australian Planning Commission.

PREMIER AND CABINET

PR401

INTERPRETATION ACT 1984

MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the temporary appointment by the Governor, in accordance with section 12(c) of the *Interpretation Act 1984*, of the Hon W. J. Johnston MLA as Minister for Child Protection; Women's Interests; Prevention of Family and Domestic Violence; Community Services during the period 14 to 27 April 2020 (both dates inclusive), has been cancelled.

This notice supersedes acting arrangements relating to the above office that were published in *Government Gazette* No. 26 of 25 February 2020.

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

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

John Gregory Scolaro, late of 80 Lawley Crescent, Mount Lawley, 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 7 August 2012, are required by the Administratrix, Diana Scolaro, to send particulars of their claims to her c/- Stoddart & Co, PO Box 1101, Subiaco, Western Australia 6904, within one month of the publication date, after which date the Administratrix may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZZ402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Bessie Eastland, late of 1/42 Ridge Road, Cockburn Central, Western Australia, Medical Secretary, 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 29 October 2019 are required by the legal personal representatives Glenn Alexander Bernard and Wayne Allan Bernard of c/- Birman & Ride of Level 3, 16 Irwin Street, Perth WA 6000 to send particulars of their claim to them by the date one month from the publication date after which date the Trustees may convey or distribute the assets having regard only to the claims of which they then have notice.

ZZ403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Eunice Aster Richards, late of Bert England Lodge, 111 Woodbridge Drive, Cooloongup 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 14 August 2019, are required by Executor, Perpetual Trustee Company Limited ACN 000 001 007 of Level 15 Central Plaza One, 345 Queen Street, Brisbane Queensland to send particulars of their claims to them within one (1) month from the date of publication of this Notice, after which date it may convey or distribute the assets, having regard only to the claims of which it then has notice.

PERPETUAL LEGAL SERVICES PTY LTD, Level 15 Central Plaza One, 345 Queen Street, Brisbane Queensland.

ZZ404

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the estate of Gerald Cowdery, late of 83 Spencer Road, Langford in the State of Western Australia, Retired, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 17 February 2019, are required by the executor Diane Cowdery, of 83 Spencer Road, Langford, Perth WA 6147 to send the particulars of their claims to her within 1 month from the date of publication of this notice, after which date the executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

ZZ405

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Eileen Mary Monk, late of 11 Hepworth Way, Noranda, 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 6 November 2019, are required by the personal representatives Steven James Brown and Jacqueline Ann Brown c/- Lynn & Brown Lawyers, PO Box 1114, Morley, WA 6943 to send particulars of their claims to them by the 5 May 2020, after which date the personal representatives may convey or distribute the assets of the estate, having regard only to the claims of which they then have notice.

ZZ406

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Robert Leonard Parsons, late of Opal Bunbury, 39 Hayes Street, Bunbury, Western Australia, Electrician, 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 17 December 2019, are required by the legal personal representative Robert Richard Parsons c/- Birman & Ride of Level 3, 16 Irwin Street, Perth WA 6000 to send particulars of their claim to them by the date one month from the publication date after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ZZ407

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 3 May 2020 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- Arney, Bernard, late of 5 Robin Court, Singleton, who died on 30 November 1994 (DE33169230 EM16).
- Faulkner, Dawn Lorraine, late of 24-36 Charsley Street, Willagee, who died on 5 March 2020 (DE19925662 EM24).
- Geen, Enid Kathleen, late of Bethanie Waters Retirement Village, 18 Olivenza Crescent, Port Kennedy, who died on 8 February 2020 (DE19953490 EM17).
- Jost, Corinne Elva, late of Midland Convalescent Hospital, 44 John Street, Midland, who died on 9 November 2019 (DE33050449 EM17).
- Mann, Avis Isabel, late of Pineview Lifestyle Village, Unit 164, 48 Ashley Road, Tapping, who died on 17 February 2020 (DE19841578 EM35).
- Moran, Kevin George, late of Lady McCusker Home, 27 Beddi Road, Duncraig, who died on 29 December 2019 (DE19763821 EM17).
- Purvis, June, formerly of Unit 2, 14-18 Hassell Crescent, Bullcreek, late of Joseph Banks Aged Care, 58 Canna Drive, Canning Vale, who died on 11 February 2020 (DE33079348 EM110).
- Russell, Lola Florence, late of Villa Terenzio, 33 Kent Road, Marangaroo, who died on 22 January 2020 (DE33138390 EM26).
- Scurr, Spencer Allan (also known as Spencer Allen Scurr), late of 69 Ridgetop Ramble, Bindoon, who died on 20 December 2019 (DE19963297 EM24).
- Taylor, Evelyn Lois, late of Aegis Parkview Aged Care, 6 Drummond Street, Redcliffe, who died on 22 February 2020 (DE19943691 EM35).

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