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— PART 1 —

COMMUNITY AND CHILD SERVICES

CN301

Education and Care Services National Law (Western Australia)

Education and Care Services National Amendment Regulations 2023

SL 2023/15

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Education and Care Services National Amendment Regulations 2023*.

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 1 March 2023.

3. Regulations amended

These regulations amend the *Education and Care Services National Regulations 2012*.

4. Regulation 24 amended

After regulation 24(h) insert:

- (ha) a description of any proposed regular transportation of children by or arranged by the education and care service;

5. Regulations 102E and 102F inserted

At the end of Part 4.2 Division 7 insert:

102E. Children embarking a means of transport — centre-based service

- (1) This regulation applies in relation to the regular transportation of children by or arranged by a centre-based service.
- (2) The approved provider of the service must ensure the requirements under subregulation (4) are complied with in relation to children embarking a means of transport at the education and care service premises.
Penalty for this subregulation: a fine of \$2 000.
- (3) A nominated supervisor of the service must ensure the requirements under subregulation (4) are complied with in relation to children embarking a means of transport at the education and care service premises.
Penalty for this subregulation: a fine of \$2 000.
- (4) The requirements are that —
 - (a) a staff member or nominated supervisor of the service, who is not driving the means of transport, is present when the children embark the means of transport at the education and care service premises; and
 - (b) each child embarking the means of transport at the education and care service premises is accounted for by the person referred to in paragraph (a); and
 - (c) immediately after all the children have embarked the means of transport at the education and care service premises, a record is made that —
 - (i) confirms each child referred to in paragraph (b) has been accounted for; and
 - (ii) states how each child referred to in paragraph (b) has been accounted for; and
 - (iii) states the date and time the record is made; and
 - (iv) states the name of, and is signed by, the person referred to in paragraph (a).

- (5) Nothing in this regulation prevents the person referred to in subregulation (4)(a) from being counted as an educator in calculating the educator to child ratio of the service under Chapter 4 Part 4.4 Division 3.

102F. Children disembarking a means of transport — centre-based service

- (1) This regulation applies in relation to the regular transportation of children by or arranged by a centre-based service.
- (2) The approved provider of the service must ensure the requirements under subregulation (4) are complied with in relation to children disembarking a means of transport at the education and care service premises.
Penalty for this subregulation: a fine of \$2 000.
- (3) A nominated supervisor of the service must ensure the requirements under subregulation (4) are complied with in relation to children disembarking a means of transport at the education and care service premises.
Penalty for this subregulation: a fine of \$2 000.
- (4) The requirements are that —
- (a) a staff member or nominated supervisor of the service, who is not driving the means of transport, is present when the children disembark the means of transport at the education and care service premises; and
 - (b) each child disembarking the means of transport at the education and care service premises is accounted for by the person referred to in paragraph (a); and
 - (c) the person referred to in paragraph (a) examines the interior of the means of transport to confirm no children remain on the means of transport; and
 - (d) immediately after all the children have disembarked the means of transport at the education and care service premises, a record is made that —
 - (i) confirms each child referred to in paragraph (b) has been accounted for; and
 - (ii) states how each child referred to in paragraph (b) has been accounted for; and
 - (iii) states the examination referred to in paragraph (c) has been carried out; and

- (iv) states the date and time the record is made; and
 - (v) states the name of, and is signed by, the person referred to in paragraph (a).
- (5) Nothing in this regulation prevents the person referred to in subregulation (4)(a) from being counted as an educator in calculating the educator to child ratio of the service under Chapter 4 Part 4.4 Division 3.

6. Regulation 175 amended

In regulation 175(2):

- (a) in paragraph (e) delete “Law.” and insert:

Law);

- (b) after paragraph (e) insert:

- (f) for a centre-based service that starts providing, or arranging for, regular transportation of children — the first time the service provides, or arranges for, the transportation of children;
- (g) for a centre-based service that stops providing, or arranging for, regular transportation of children — the final time the service provides, or arranges for, the transportation of children.

7. Regulation 177 amended

In regulation 177(1):

- (a) in paragraph (n) delete “Law.” and insert:

Law;

- (b) after paragraph (n) insert:

- (o) in the case of a centre-based service, a record of children embarking a means of transport at the education and care service premises as set out in regulation 102E(4)(c);
- (p) in the case of a centre-based service, a record of children disembarking a means of transport at the education and care service premises as set out in regulation 102F(4)(d).

8. Regulation 190 amended

In regulation 190(1):

- (a) in paragraph (1) delete “educator.” and insert:

educator);
- (b) after paragraph (1) insert:
 - (m) regulation 102E(2) and (3) (requirements in relation to children embarking a means of transport);
 - (n) regulation 102F(2) and (3) (requirements in relation to children disembarking a means of transport).

N. HAGLEY, Clerk of the Executive Council.

ENVIRONMENT

EV301

Environmental Protection Act 1986

**Environmental Protection Regulations
Amendment (Prohibited Plastics and Balloons)
Regulations 2023**

SL 2023/13

Made by the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *Environmental Protection Regulations Amendment (Prohibited Plastics and Balloons) Regulations 2023*.

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 1 March 2023.

Part 2 — *Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018* amended

3. Regulations amended

This Part amends the *Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018*.

4. Regulation 3 amended

- (1) In regulation 3 delete the definitions of:

accreditation authority

barrier bag

cup

pre-packaged food or drink product

prescribed drinking straw

- (2) In regulation 3 insert in alphabetical order:

biodegradable plastic means plastic that —

- (a) is able to be broken down by microorganisms into carbon dioxide, water, biomass and a mineral residue; and
- (b) does not contain an additive designed to accelerate fragmentation of the plastic;

catering platter means a prescribed plastic item that —

- (a) is —
 - (i) a food tray; or
 - (ii) a food container that has a lid on it (whether the lid is an integrated part of the food container or is detachable);

and

- (b) is designed to be used to contain multiple serves of food for the purposes of catering at a function or event;

cotton bud does not include an item designed to be used —

- (a) by a medical care provider in the course of conducting their practice as a medical care provider; or
- (b) as a swab to collect a specimen for scientific or medical testing;

degradable plastic —

- (a) means plastic that contains an additive designed to accelerate fragmentation of the plastic into smaller pieces under certain conditions, including exposure to light, bacteria or heat; but

(b) does not include biodegradable plastic;

degradable plastic item means an item or product made wholly or partly from degradable plastic;

eat-in food means food that is intended to be eaten at the premises at which it is supplied;

expanded plastic includes expanded polystyrene, expanded polyethylene and expanded polypropylene;

lid includes a plastic film that is designed to be heat sealed to the rim of a food container, food tray, bowl or cup;

microbead means a plastic particle of less than 5 mm at its widest point;

moulded packaging has the meaning given in regulation 3BB(1)(c);

pre-packaged food or drink product means a pre-packaged product that is a food or drink product;

pre-packaged food product means a pre-packaged product that is a food product;

pre-packaged product means a product that —

- (a) arrives at the premises from which it is to be supplied to a consumer in a container or packaging in or by which the product is wholly enclosed, whether or not it is also in an outer container or packaging that contains multiple units of the product; and
- (b) is not designed to be removed from its container or packaging, other than any outer container or packaging, before it is supplied to the consumer;

pre-packed takeaway food —

- (a) means takeaway food that is prepared in advance, and placed in a food container, food tray or bowl, before being put on display for the purposes of being selected by a consumer; but
- (b) does not include takeaway food that is prepared, or placed into a food container, food tray or bowl, following an order or request by a consumer;

prescribed drinking straw has the meaning given in regulation 3BA;

prescribed expanded plastic packaging has the meaning given in regulation 3BB;

prescribed microbead product means a product —

- (a) that is —
 - (i) a rinse-off cleaning product; or
 - (ii) a rinse-off personal care product;

and

- (b) that contains microbeads;

rinse-off cleaning product —

- (a) means a cleaning product that is designed to be rinsed off or removed with water immediately or shortly after application; and
- (b) does not include a product designed to be used for compressed air-blasting or cleaning closed system industrial equipment;

rinse-off personal care product has the meaning given in regulation 3BC;

- (3) In regulation 3 in the definition of ***plastic*** paragraph (b) delete “polystyrene; but” and insert:

plastic; but

5. Regulation 3A amended

- (1) In regulation 3A(1):

- (a) in paragraph (d) delete “container (made from plastic that is not expanded polystyrene) without a lid;” and insert:

container;

- (b) delete paragraph (e);
- (c) in paragraph (f) delete “made from expanded polystyrene”;
- (d) delete paragraphs (g) to (i) and insert:
 - (g) a food tray;
 - (h) a lid for a food tray;
 - (i) a bowl;
 - (j) a lid for a bowl;
 - (k) a cup;
 - (l) a lid for a cup;
 - (m) a cotton bud.

- (2) Delete regulation 3A(2) and insert:

- (2) A ***prescribed plastic item*** includes an item referred to in subregulation (1) that is —

- (a) made wholly or partly from biodegradable plastic; or
 - (b) made wholly or partly from plastic-laminated paper or plastic-laminated cardboard.
- (2A) On and after 1 September 2023, despite subregulations (1) and (2), a *prescribed plastic item* does not include a degradable plastic item.

Note for this subregulation:

On and after 1 September 2023, regulation 17 applies to the supply of an item that is a degradable plastic item.

- (3) In regulation 3A(3):
- (a) in paragraph (a) delete “polystyrene;” and insert:

plastic;
 - (b) in paragraph (b) delete “polystyrene” and insert:

plastic
 - (c) in paragraph (c) after “container,” insert:

food tray,
 - (d) delete paragraph (d) and insert:

(d) a lid for a food container, food tray or bowl if the lid is made from paperboard and certified as biodegradable.
- (4) In regulation 3A(4):
- (a) delete “(3)(c),” and insert:

(3)(c) and (d),
 - (b) in paragraph (a) delete “accredited by an accreditation authority” and insert:

or body accredited in a manner approved by the CEO

6. Regulation 3B amended

(1) Delete regulation 3B(1) and (2) and insert:

- (1) A *prescribed plastic bag* is —
- (a) a bag (a *carry bag*) with handles that is made wholly or partly from plastic and is designed to convey goods purchased from a retailer; or
 - (b) a bag (a *barrier bag*) without handles that is made wholly or partly from plastic and is used to carry unpackaged fresh fruit or vegetables.
- (2) A *prescribed plastic bag* includes a bag referred to in subregulation (1) that is —
- (a) made wholly or partly from biodegradable plastic; or
 - (b) made wholly or partly from plastic-laminated paper or plastic-laminated cardboard.
- (2A) On and after 1 September 2023, despite subregulations (1) and (2), a *prescribed plastic bag* does not include a degradable plastic item.

Note for this subregulation:

On and after 1 September 2023, regulation 17 applies to the supply of a bag that is a degradable plastic item.

(2) In regulation 3B(3):

- (a) delete paragraph (a);
- (b) in paragraph (d) delete “shopping bag” and insert:

carry bag or barrier bag

- (c) in paragraph (e) delete “shopping” and insert:

carry

7. Regulations 3BA to 3BC inserted

After regulation 3B insert:

3BA. Prescribed drinking straw

- (1) A *prescribed drinking straw* is a drinking straw that is a disposable plastic item.
- (2) A *prescribed drinking straw* includes a straw referred to in subregulation (1) that is —
- (a) made wholly or partly from biodegradable plastic; or

- (b) made wholly or partly from plastic-laminated paper or plastic-laminated cardboard.
- (3) On and after 1 September 2023, a *prescribed drinking straw* does not include a drinking straw that is a degradable plastic item.

Note for this subregulation:

On and after 1 September 2023, regulation 17 applies to the supply of a drinking straw that is a degradable plastic item.

3BB. Prescribed expanded plastic packaging

- (1) *Prescribed expanded plastic packaging* means any of the following made wholly or partly from expanded plastic —
 - (a) loose-fill or void-fill packaging;
 - (b) packaging for a pre-packaged food or drink product other than a non-perishable pre-packaged food product;
 - (c) packaging (*moulded packaging*) that is moulded to protect a specific item.
- (2) *Prescribed expanded plastic packaging* includes packaging referred to in subregulation (1) that is made wholly or partly from expanded plastic that is biodegradable plastic.
- (3) Despite subregulations (1) and (2), *prescribed expanded plastic packaging* does not include the following —
 - (a) packaging that is a degradable plastic item;
 - (b) a reusable cooler box;
 - (c) a lid for a reusable cooler box.

Note for subregulation (3)(a):

On and after 1 September 2023, regulation 17 applies to the supply of expanded plastic packaging that is a degradable plastic item.

3BC. Rinse-off personal care product

A *rinse-off personal care product* means —

- (a) a personal care product that is designed to be rinsed off or removed with water immediately or shortly after application; or
- (b) a hair colour or dye.

Note for this regulation:

1. The following are examples of products that are designed to be rinsed off or removed with water immediately or shortly after application —
 - (a) shampoo;
 - (b) conditioner;

- (c) shaving cream;
 - (d) mouthwash;
 - (e) toothpaste;
 - (f) a face, body, hand or foot wash product, including an exfoliant;
 - (g) a face, hand or foot mask product.
2. The following are examples of products that are not designed to be rinsed off or removed with water immediately or shortly after application —
- (a) deodorant;
 - (b) make-up;
 - (c) moisturiser.

8. Regulation 3D amended

In regulation 3D delete “item or prescribed drinking straw” and insert:

item, prescribed drinking straw, degradable plastic item, prescribed microbead product or prescribed expanded plastic packaging

9. Regulation 4A inserted

After regulation 4 insert:

4A. Offence in r. 4 does not apply to certain prescribed plastic bags before 1 March 2024

Regulation 4 does not apply to the supply of a prescribed plastic bag that is a barrier bag as defined in regulation 3B(1)(b) unless the supply occurs on or after 1 March 2024.

10. Regulation 6 deleted

Delete regulation 6.

11. Regulation 7 amended

(1) Delete regulation 7(2) and insert:

(2) Subregulation (1) does not apply to the supply of a prescribed plastic item if the item forms part of, is attached to, or is inside the sealed packaging of, a pre-packaged food or drink product.

Examples for this subregulation:

- 1. A spoon attached to, or sealed inside, a pre-packaged yoghurt container.
- 2. A fork attached to, or sealed inside, a pre-packaged instant noodles packet.

3. A bowl or cup that forms part of a pre-packaged instant noodles packet.
 4. A plate sealed inside a pre-packaged frozen meal.
- (2A) Subregulation (1) does not apply to the supply of a prescribed plastic item that is a food container, food tray or bowl if, when the food container, food tray or bowl is supplied, it —
- (a) contains food that is not eat-in food or takeaway food; and
 - (b) has a lid on it (whether the lid is an integrated part of the food container, food tray or bowl or is detachable).
- (2B) Subregulation (1) does not apply to the supply of a prescribed plastic item that is a lid for a food container, lid for a food tray or lid for a bowl if, when it is supplied —
- (a) the lid is attached to a food container, food tray or bowl that contains food that is not eat-in food or takeaway food; or
 - (b) the lid is attached to a food container, food tray or bowl that —
 - (i) is not a prescribed plastic item; and
 - (ii) contains pre-packed takeaway food.
- (2C) Subregulation (1) does not apply to the supply of a prescribed plastic item that is a catering platter, or a lid attached to a catering platter, if the catering platter —
- (a) contains food when it is supplied; and
 - (b) is supplied in the course of conducting a business that provides catering services for functions or events.
- (2D) The exceptions in subregulations (2A) to (2C) do not apply in relation to a prescribed plastic item that is made from expanded plastic.
- (2) Delete regulation 7(4) and (5) and insert:
- (4) Subregulation (1) does not apply to the wholesale supply of a prescribed plastic item if the wholesale supplier believes on reasonable grounds that the person to whom the item is supplied by the wholesale supplier, or another person to whom the item is subsequently to be supplied, will —
 - (a) use the item to prepare a pre-packaged food or drink product; or

- (b) in the case of a prescribed plastic item that is a food container, a food tray or a bowl — supply the item as permitted under subregulation (2A); or
- (c) in the case of a prescribed plastic item that is a lid for a food container, a lid for a food tray or a lid for a bowl — supply the item as permitted under subregulation (2B); or
- (d) in the case of a prescribed plastic item that is a catering platter or a lid for a catering platter — supply the item as permitted under subregulation (2C); or
- (e) use the item in connection with the service or consumption of food or drink on an aircraft.

12. Regulations 7A to 7C inserted

At the end of Part 3 Division 1 insert:

7A. Offence in r. 7(1) does not apply to certain supplies before 1 September 2023

- (1) Regulation 7(1) does not apply to the supply before 1 September 2023 of a prescribed plastic item of any of the following kinds —
 - (a) a cotton bud;
 - (b) a cup made from expanded plastic;
 - (c) a food tray made from expanded plastic that is used solely as packaging for raw meat or seafood.
- (2) Regulation 7(1) does not apply to the wholesale supply before 1 September 2023 of a prescribed plastic item that is a food tray made from expanded plastic if the wholesale supplier believes on reasonable grounds that the person to whom the item is supplied by the wholesale supplier, or another person to whom the item is subsequently to be supplied, will use the item as packaging for raw meat or seafood.

7B. Offence in r. 7(1) does not apply to certain supplies before 1 March 2024

- (1) Regulation 7(1) does not apply to the supply before 1 March 2024 of a prescribed plastic item of any of the following kinds —
 - (a) a food tray (made from plastic that is not expanded plastic) without a lid on it;
 - (b) a cup that contains a hot drink or soup when it is supplied;

- (c) a lid for a cup.
- (2) Regulation 7(1) does not apply to the wholesale supply before 1 March 2024 of a prescribed plastic item that is a cup of a kind that is suitable to be used to contain a hot drink or soup.

7C. Offence in r. 7(1) does not apply to certain supplies before 1 September 2024

- (1) Regulation 7(1) does not apply to the supply before 1 September 2024 of a prescribed plastic item of any of the following kinds —
 - (a) a food container (made from plastic that is not expanded plastic) with a lid on it, whether the lid is an integrated part of the food container or is detachable;
 - (b) a lid (made from plastic that is not expanded plastic) for a food container;
 - (c) a food tray (made from plastic that is not expanded plastic) with a lid on it, whether the lid is an integrated part of the food tray or is detachable;
 - (d) a lid for a food tray;
 - (e) a bowl with a lid on it, whether the lid is an integrated part of the bowl or is detachable;
 - (f) a lid for a bowl.
- (2) Regulation 7(1) does not apply to the wholesale supply before 1 September 2024 of a prescribed plastic item that is a food container (made from plastic that is not expanded plastic) without a lid on it, a food tray (made from plastic that is not expanded plastic) without a lid on it or a bowl without a lid on it if the wholesale supplier believes on reasonable grounds that the person to whom the item is supplied by the wholesale supplier, or another person to whom the item is subsequently to be supplied, will use the item with a lid on it.

13. Regulation 17 deleted

Delete regulation 17.

14. Parts 3A to 3C inserted

Before Part 4 insert:

Part 3A — Offences relating to degradable plastic items**17. Offence to supply degradable plastic item**

A person must not, in the course of conducting a business or undertaking, supply a degradable plastic item.

Penalty: a fine of \$5 000.

17A. Offence in r. 17 does not apply to supplies before 1 September 2023

Regulation 17 does not apply to the supply of a degradable plastic item before 1 September 2023.

17B. Offence to give false or misleading information about degradable plastic item

A person who supplies or manufactures degradable plastic items must not give any information that the person knows is false or misleading to another person about the composition of a degradable plastic item.

Penalty: a fine of \$5 000.

Part 3B — Offences relating to prescribed microbead products**17C. Offence to supply prescribed microbead product**

A person must not, in the course of conducting a business or undertaking, supply a prescribed microbead product.

Penalty: a fine of \$5 000.

17D. Offence in r. 17C does not apply to supplies before 1 September 2023

Regulation 17C does not apply to the supply of a prescribed microbead product before 1 September 2023.

17E. Offence to give false or misleading information about prescribed microbead product

A person who supplies or manufactures prescribed microbead products must not give any information that the person knows is false or misleading to another person about —

- (a) the composition of a prescribed microbead product; or
- (b) whether or not a product is a prescribed microbead product.

Penalty: a fine of \$5 000.

Part 3C — Offences relating to prescribed expanded plastic packaging

17F. Offence to supply prescribed expanded plastic packaging

- (1) A person must not, in the course of conducting a business or undertaking, supply prescribed expanded plastic packaging.

Penalty for this subregulation: a fine of \$5 000.

- (2) Subregulation (1) does not apply to the supply of prescribed expanded plastic packaging if —
 - (a) the packaging is used to protect an item that is designed to be used for medical or scientific purposes; or
 - (b) in the case of moulded packaging — the packaging is used to protect an item that —
 - (i) weighs 45 kg or more; or
 - (ii) has been identified by the manufacturer as being fragile and requiring protective packaging that complies with a standard specified by the manufacturer.
- (3) Subregulation (1) does not apply to the wholesale supply of prescribed expanded plastic packaging if the wholesale supplier believes on reasonable grounds that the person to whom the packaging is supplied by the wholesale supplier, or another person to whom the packaging is subsequently to be supplied, will —
 - (a) use the packaging to protect an item that is designed to be used for medical or scientific purposes; or
 - (b) in the case of moulded packaging — use the packaging to protect an item that —
 - (i) weighs 45 kg or more; or
 - (ii) has been identified by the manufacturer as being fragile and requiring protective packaging that complies with a standard specified by the manufacturer.

17G. Offence in r. 17F(1) does not apply to certain supplies before 1 September 2023

Regulation 17F(1) does not apply to the supply before 1 September 2023 of prescribed expanded plastic packaging that is —

- (a) loose-fill or void-fill packaging; or
- (b) packaging for a pre-packaged food or drink product.

17H. Offence in r. 17F(1) does not apply to certain supplies before 1 July 2025

Regulation 17F(1) does not apply to the supply before 1 July 2025 of prescribed expanded plastic packaging that is moulded packaging.

17I. Offence to give false or misleading information about prescribed expanded plastic packaging

A person who supplies or manufactures prescribed expanded plastic packaging must not give any information that the person knows is false or misleading to another person about —

- (a) the composition of the prescribed expanded plastic packaging; or
- (b) whether or not packaging is prescribed expanded plastic packaging.

Penalty: a fine of \$5 000.

15. Regulation 19 amended

- (1) In regulation 19 delete the definitions of:
offence of supplying prescribed drinking straws
offence of supplying prescribed plastic items
- (2) In regulation 19 in the definition of *Department's website* delete "Department;" and insert:

Department.

Note: The heading to amended regulation 19 is to read:

Term used: Department's website

16. Regulation 20 amended

- (1) In regulation 20(1) delete "the offence of supplying prescribed plastic items" and insert:

regulation 7(1)

- (2) In regulation 20(2) delete “the offence of supplying prescribed drinking straws” and insert:

regulation 8(1)

- (3) After regulation 20(2) insert:

(2A) If the CEO considers that it is reasonably necessary to do so, the CEO may, by notice published on the Department’s website, exempt a person or class of persons from regulation 17 in relation to —

- (a) all supplies of degradable plastic items; or
- (b) supplies of degradable plastic items of specified kinds, or in specified circumstances, or both.

(2B) If the CEO considers that it is reasonably necessary to do so, the CEO may, by notice published on the Department’s website, exempt a person or class of persons from regulation 17C in relation to —

- (a) all supplies of prescribed microbead products; or
- (b) supplies of prescribed microbead products of specified kinds, or in specified circumstances, or both.

(2C) If the CEO considers that it is reasonably necessary to do so, the CEO may, by notice published on the Department’s website, exempt a person or class of persons from regulation 17F(1) in relation to —

- (a) all supplies of prescribed expanded plastic packaging; or
- (b) supplies of prescribed expanded plastic packaging of specified kinds, or in specified circumstances, or both.

- (4) In regulation 20(3) and (4) delete “(1) or (2)” and insert:

(1), (2), (2A), (2B) or (2C)

- (5) In regulation 20(5) delete “(1) or (2).” and insert:

(1), (2), (2A), (2B) or (2C).

- (6) Delete regulation 20(6) and insert:
- (6) A period specified in a notice under subregulation (4) must not begin before —
- (a) if the notice relates to an exemption under subregulation (1) or (2) — 1 July 2022; or
 - (b) if the notice relates to an exemption under subregulation (2A), (2B) or (2C) — 1 September 2023.

17. Regulation 21 amended

- (1) In regulation 21(1) delete “20(1) or (2)” and insert:

20(1), (2), (2A), (2B) or (2C)

- (2) In regulation 21(2) delete “20(1) or (2),” and insert:

20(1), (2), (2A), (2B) or (2C),

18. Regulation 22 amended

- (1) In regulation 22(1) delete “The offence of supplying prescribed plastic items” and insert:

Regulation 7(1)

- (2) In regulation 22(2) delete “The offence of supplying prescribed drinking straws” and insert:

Regulation 8(1)

- (3) After regulation 22(2) insert:

- (3) Regulation 17 does not apply to —
- (a) the supply of a degradable plastic item by a person if an exemption under regulation 20(2A) applies to the person in relation to the supply; or
 - (b) the wholesale supply of a degradable plastic item if the wholesale supplier believes on reasonable grounds that an exemption under regulation 20(2A) applies to any of the following persons in relation to the supply of degradable plastic items of that kind —

- (i) the person to whom the item is supplied by the wholesale supplier;
 - (ii) another person to whom the item is subsequently to be supplied.
- (4) Regulation 17C does not apply to —
 - (a) the supply of a prescribed microbead product by a person if an exemption under regulation 20(2B) applies to the person in relation to the supply; or
 - (b) the wholesale supply of a prescribed microbead product if the wholesale supplier believes on reasonable grounds that an exemption under regulation 20(2B) applies to any of the following persons in relation to the supply of prescribed microbead products of that kind —
 - (i) the person to whom the item is supplied by the wholesale supplier;
 - (ii) another person to whom the item is subsequently to be supplied.
- (5) Regulation 17F(1) does not apply to —
 - (a) the supply of prescribed expanded plastic packaging by a person if an exemption under regulation 20(2C) applies to the person in relation to the supply; or
 - (b) the wholesale supply of prescribed expanded plastic packaging if the wholesale supplier believes on reasonable grounds that an exemption under regulation 20(2C) applies to any of the following persons in relation to the supply of prescribed expanded plastic packaging of that kind —
 - (i) the person to whom the item is supplied by the wholesale supplier;
 - (ii) another person to whom the item is subsequently to be supplied.

Part 3 — *Environmental Protection Regulations 1987* amended

19. Regulations amended

This Part amends the *Environmental Protection Regulations 1987*.

20. Schedule 6 amended

In Schedule 6 delete:

*Environmental Protection
(Prohibited Plastics and
Balloons) Regulations 2018*

1.	regulation 4	250	500
2.	regulation 5	250	500
3.	regulation 7(1)	250	500
4.	regulation 8(1)	250	500
5.	regulation 16	250	500
6.	regulation 18(1)	250	500
7.	regulation 18(2)	250	500

and insert:

*Environmental Protection
(Prohibited Plastics and
Balloons) Regulations 2018*

1.	regulation 4	250	500
2.	regulation 5	250	500
3.	regulation 7(1)	250	500
4.	regulation 8(1)	250	500
5.	regulation 16	250	500
6.	regulation 17	250	500
7.	regulation 17B	250	500
8.	regulation 17C	250	500
9.	regulation 17E	250	500
10.	regulation 17F(1)	250	500
11.	regulation 17I	250	500
12.	regulation 18(1)	250	500
13.	regulation 18(2)	250	500

N. HAGLEY, Clerk of the Executive Council.

EV302

Swan and Canning Rivers Management Act 2006

Swan and Canning Rivers Management Amendment Regulations 2023

SL 2023/14

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Swan and Canning Rivers Management Amendment Regulations 2023*.

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 *Swan and Canning Rivers Management Regulations 2007*.

4. Regulation 2 amended

In regulation 2 insert in alphabetical order:

aircraft —

- (a) means a machine that can derive support in the atmosphere from buoyancy or the reactions of the air; but
- (b) does not include a hovercraft;

aircraft activity means all or any of the following —

- (a) the landing or touching down of an aircraft;
- (b) the take-off of an aircraft;
- (c) the standing, parking, docking or mooring of an aircraft;
- (d) the embarkation of passengers onto or disembarkation of passengers from an aircraft;
- (e) the loading of freight onto or the unloading of freight from an aircraft;
- (f) the refuelling, servicing or repair of an aircraft;

5. Regulation 4 amended

After regulation 4(j) insert:

- (ja) aircraft activities;

Note: The heading to amended regulation 4 is to read:

Exclusions from development as defined in Act s. 3(1)

6. Regulation 16A replaced

Delete regulation 16A and insert:

16A. Restrictions on aircraft activity

A person must not undertake any aircraft activity in the Riverpark or development control area unless —

- (a) the activity is urgently required to avoid or mitigate danger to public safety or significant damage to property or the environment; or
- (b) the person has —
 - (i) a licence to do so granted under section 32; or
 - (ii) a permit to do so.

Penalty: a fine of \$5 000.

7. Regulation 29 amended

After regulation 29(2) insert:

- (3) A permit granted in relation to an activity authorises entry to, and use of, land and waters under the care, control and management of the Trust for the purposes of the activity.

8. Regulation 30 amended

- (1) In regulation 30 delete “Subject” and insert:

- (1) Subject

- (2) At the end of regulation 30 insert:

- (2) The CEO may, by written notice given to the holder of a permit, extend the period for which the permit has effect.

9. Regulations 32 to 35 replaced

Delete regulations 32 to 35 and insert:

32. Amendment of permit

- (1) The CEO may amend a permit by correcting in the permit a clerical mistake or unintentional error or omission.
- (2) The CEO may amend a permit to vary any conditions or restrictions imposed on the permit.

Note for this subregulation:

The procedure under regulation 34 applies to an amendment under this subregulation on the initiative of the CEO if the holder of the permit has not consented to the amendment.

- (3) A permit may be amended under subregulation (1) or (2) —
 - (a) on application by the holder of the permit; or
 - (b) on the initiative of the CEO (with or without the consent of the holder of the permit).
- (4) The CEO must give the holder of a permit written notice of an amendment of the permit under subregulation (1) or (2).

33. CEO may revoke or suspend permit

- (1) The CEO may revoke or suspend a permit if there are grounds to do so under subregulation (2).

Note for this subregulation:

The procedure under regulation 34 applies to a revocation or suspension under this subregulation.

- (2) The grounds for revocation or suspension of a permit under subregulation (1) are that —
 - (a) the CEO is satisfied that there has been a breach of any of the conditions or restrictions to which the permit is subject; or
 - (b) information contained in or supporting the application for the permit was false or misleading in a material respect; or
 - (c) the CEO considers that the continuation of the activity to which the permit relates would adversely affect the ecological and community benefits and amenity of the Riverpark or development control area.
- (3) The CEO may revoke a permit if —

- (a) the CEO intends to grant another permit to the holder of the permit in relation to the activity to which the permit relates; and
- (b) the CEO considers that the other permit will be more appropriate in the circumstances.

Note for this subregulation:

The procedure under regulation 34 applies to a revocation under this subregulation.

- (4) The CEO may revoke a permit with the consent of the holder of the permit.
- (5) The CEO may revoke the suspension of a permit under subregulation (1) at any time.
- (6) The CEO must give the holder of a permit written notice of —
 - (a) a revocation of the permit under subregulation (1), (3) or (4); or
 - (b) a suspension of the permit under subregulation (1); or
 - (c) a revocation of the suspension of the permit under subregulation (5).
- (7) A notice under subregulation (6)(b) must specify the period of suspension.

34. Procedure to be followed before certain amendments, revocations and suspensions

- (1) This regulation sets out the procedure that must be followed if the CEO proposes to do any of the following (the *proposed action*) —
 - (a) amend a permit under regulation 32(2) on the initiative of the CEO, if the holder of the permit has not consented to the amendment;
 - (b) revoke a permit under regulation 33(1) or (3);
 - (c) suspend a permit under regulation 33(1).
- (2) The CEO must give the holder of the permit a written notice that —
 - (a) states details of the proposed action including, in the case of a proposed suspension under regulation 33(1), the proposed period of suspension; and
 - (b) invites the holder to make written representations to the CEO to show why the proposed action should not be taken; and
 - (c) states the period within which representations may be made.

- (3) The period stated in the notice under subregulation (2)(c) must be a period of at least 14 days beginning on the day after the notice is given.
- (4) Representations by the holder of the permit must be made in writing.
- (5) The CEO must not take the proposed action until after the end of the period stated in the notice under subregulation (2)(c), unless the holder of the permit has —
 - (a) given written notice to the CEO that the holder does not intend to make representations; or
 - (b) made written representations to the CEO and given written notice to the CEO that the holder does not intend to make further representations.
- (6) Before taking the proposed action, the CEO must consider any representations made by the holder of the permit in accordance with this regulation.
- (7) If the CEO decides not to take the proposed action, the CEO must give the holder of the permit written notice of the decision.

Note for this subregulation:

If the CEO decides to take the proposed action, written notice of the amendment, revocation or suspension must be given under regulation 32(4) or 33(6), as the case requires.

35. Interim suspension of permit while procedure under r. 34 is followed

- (1) This regulation applies if —
 - (a) the CEO gives the holder of a permit a notice under regulation 34(2) in relation to a proposed revocation or suspension of the permit under regulation 33(1) on the grounds referred to in regulation 33(2)(c); and
 - (b) the CEO considers it necessary for the permit to be suspended immediately because there is an immediate and serious risk of harm to the ecological and community benefits and amenity of the Riverpark or development control area.
- (2) The CEO may, by written notice (an *interim suspension notice*) given to the holder of the permit, immediately suspend the permit until the earlier of the following —
 - (a) the day on which the CEO gives the holder written notice of —
 - (i) the revocation or suspension of the permit under regulation 33(1); or

- (ii) the decision not to revoke or suspend the permit under regulation 33(1);
 - (b) the end of the period of suspension specified in the interim suspension notice.
- (3) The interim suspension notice must —
 - (a) state that the permit is suspended with immediate effect; and
 - (b) specify a period of suspension not exceeding 6 weeks; and
 - (c) explain the period for which the suspension has effect under subregulation (2).
- (4) The interim suspension notice may form part of the notice given to the holder of the permit under regulation 34(2).
- (5) The CEO may revoke the suspension of the permit under subregulation (2) at any time.
- (6) The CEO must give the holder of the permit written notice of a revocation of the suspension of the permit under subregulation (5).

10. Regulations 48 and 49 inserted

At the end of Part 6 insert:

48. Act Schedule 5 amended

- (1) Under section 136(2)(a), this regulation amends Schedule 5 to the Act.
- (2) After item 9 insert:
 - 10. The National Trust of Australia (W.A.) established under the *National Trust of Australia (W.A.) Act 1964*.
 - 10A. The Commissioner of Police appointed under the *Police Act 1892*.

49. Act Schedule 7 amended

- (1) Under section 136(2)(a), this regulation amends Schedule 7 to the Act.
- (2) In the item for the Shire of Kalamunda delete “Shire” and insert:

City

(3) Delete the item for the City of Subiaco.

11. Schedule 1 amended

In Schedule 1 delete “r. 16A(2)” and insert:

r. 16A

12. Various penalties amended

In the provisions listed in the Table delete “Penalty:” and insert:

Penalty for this subregulation:

Table

r. 9(1)	r. 10(2)
r. 11(2)	r. 12(2) and (3)
r. 13(2)	r. 14A(2)
r. 14(2)	r. 15(2)
r. 17(1)	r. 18(1)
r. 19(1)	r. 20(1)
r. 21(1)	r. 22A(1) and (2)
r. 22(2)	r. 24(2) and (3)
r. 25(2) and (3)	r. 26(2)
r. 31(3)	

N. HAGLEY, Clerk of the Executive Council.

PREMIER AND CABINET

PR301

Mutual Recognition (Western Australia) Act 2020

**Mutual Recognition (Western Australia)
(Temporary Exemption) Regulations 2023**

SL 2023/8

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mutual Recognition (Western Australia) (Temporary Exemption) Regulations 2023*.

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 1 September 2023.

3. Temporary exemption: law relating to prohibited plastics (s. 5)

The following provisions of the *Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018* are declared to be a law to which section 15 of the Commonwealth Act applies —

- (a) Parts 2 and 3, but only to the extent that those provisions relate to items that do not fall within the meaning of “prescribed drinking straw”, “prescribed plastic bag” or “prescribed plastic item”, as those terms were defined in those regulations as in force on 28 February 2023;
- (b) Parts 3A to 3C.

4. Repeal

These regulations are repealed on 1 September 2024.

N. HAGLEY, Clerk of the Executive Council.

PR302

Mutual Recognition (Western Australia) Act 2020

Mutual Recognition (Western Australia) (Temporary Exemption) Amendment Regulations 2023

SL 2023/9

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Mutual Recognition (Western Australia) (Temporary Exemption) Amendment Regulations 2023*.

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 1 March 2023.

3. Regulations amended

These regulations amend the *Mutual Recognition (Western Australia) (Temporary Exemption) Regulations 2021*.

4. Regulation 3 amended

- (1) In regulation 3 delete “The” and insert:

- (1) The

- (2) At the end of regulation 3 insert:

- (2) Subregulation (1) applies to the *Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018* Parts 2 and 3 only to the extent that those provisions relate to items that fall within the meaning of “prescribed drinking straw”, “prescribed plastic bag” or “prescribed plastic item”, as those terms were defined in those regulations as in force on 28 February 2023.

N. HAGLEY, Clerk of the Executive Council.

PR303

Trans-Tasman Mutual Recognition (Western Australia) Act 2007

Trans-Tasman Mutual Recognition (Western Australia) (Temporary Exemption) Regulations 2023

SL 2023/10

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Trans-Tasman Mutual Recognition (Western Australia) (Temporary Exemption) Regulations 2023*.

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 1 September 2023.

3. Temporary exemption: law relating to prohibited plastics (s. 5)

For the purposes of section 46 of the Commonwealth Act, the following provisions of the *Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018* are declared to be exempt from the operation of the Commonwealth Act —

- (a) Parts 2 and 3, but only to the extent that those provisions relate to items that do not fall within the meaning of “prescribed drinking straw”, “prescribed plastic bag” or “prescribed plastic item”, as those terms were defined in those regulations as in force on 28 February 2023;
- (b) Parts 3A to 3C.

4. Repeal

These regulations are repealed on 1 September 2024.

N. HAGLEY, Clerk of the Executive Council.

PR304

Trans-Tasman Mutual Recognition (Western Australia) Act 2007

Trans-Tasman Mutual Recognition (Western Australia) (Temporary Exemption) Amendment Regulations 2023

SL 2023/11

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Trans-Tasman Mutual Recognition (Western Australia) (Temporary Exemption) Amendment Regulations 2023*.

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 1 March 2023.

3. Regulations amended

These regulations amend the *Trans-Tasman Mutual Recognition (Western Australia) (Temporary Exemption) Regulations 2021*.

4. Regulation 3 amended

- (1) In regulation 3 delete “For” and insert:

- (1) For

- (2) At the end of regulation 3 insert:

- (2) Subregulation (1) applies to the *Environmental Protection (Prohibited Plastics and Balloons) Regulations 2018* Parts 2 and 3 only to the extent that those provisions relate to items that fall within the meaning of “prescribed drinking straw”, “prescribed plastic bag” or “prescribed plastic item”, as those terms were defined in those regulations as in force on 28 February 2023.

N. HAGLEY, Clerk of the Executive Council.

TREASURY AND FINANCE

TR301

Duties Act 2008

Duties Amendment Regulations 2023

SL 2023/12

Made by the Governor in Executive Council.

1. CitationThese regulations are the *Duties Amendment Regulations 2023*.**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 amendedThese regulations amend the *Duties Regulations 2008*.**4. Regulation 4 amended**

- (1) Before regulation 4(1) insert:

- (1A) In this regulation —

asset-backed securitisation arrangement means a unit trust scheme under which the profits, distributions of capital, or income in which beneficiaries participate arise or arises from the acquisition, holding, management or disposal of financial assets;

financial asset means any of the following —

- (a) a loan, including any security for the loan;
- (b) a credit card account;
- (c) a hire-purchase agreement;
- (d) a chattel lease, whether finance or operating;
- (e) any rights of a lender or bailor that are —
 - (i) usually conferred in relation to a financial asset referred to in paragraphs (a) to (d); or

- (ii) incidental to a financial asset referred to in paragraphs (a) to (d);

fixed infrastructure has the meaning given in section 91A(1) of the Act;

fixed to land financial asset means dutiable property that is both —

- (a) an estate or interest in fixed infrastructure; and
- (b) a financial asset.

(2) In regulation 4(1):

- (a) in paragraph (g)(ii) delete “value.” and insert:

value;

- (b) after paragraph (g) insert —

- (h) a declaration of trust over dutiable property if —

- (i) the dutiable property subject to the declaration of trust includes fixed to land financial assets and does not include any other dutiable property (except for fixed infrastructure connected with those fixed to land financial assets or chattels); and

- (ii) the declaration of trust is for the purposes of creating an asset-backed securitisation arrangement;

- (i) a transfer of, or an agreement for the transfer of, dutiable property if —

- (i) the dutiable property includes fixed to land financial assets and does not include any other dutiable property (except for fixed infrastructure connected with those fixed to land financial assets or chattels); and

- (ii) the transfer, or agreement, directly relates to the creation or winding up of an asset-backed securitisation arrangement;

- (j) a transfer of, or an agreement for the transfer of, dutiable property if —

- (i) the dutiable property includes fixed to land financial assets and does not include any other dutiable property (except for fixed infrastructure connected with those fixed to land financial assets or chattels); and
- (ii) the transfer is to, or the agreement is for the transfer to, an asset-backed securitisation arrangement.

(3) After regulation 4(4) insert:

- (5) Subregulation (1)(h), (i) and (j) apply to a transaction that occurs on or after 13 June 2019.

5. Regulation 4AAA inserted

After regulation 4A insert:

4AAA. Excluded classes of right (Act s. 91A(4))

- (1) In this regulation —
retirement village licence means a residence contract (as defined in the *Retirement Villages Act 1992* section 3(1)) that takes the form of a licence.
- (2) A right under a retirement village licence is, despite section 91A(1) of the Act, excluded from the definitions of *fixed infrastructure access right* and *fixed infrastructure control right* in that section.
- (3) Subregulation (2) applies to a transaction that occurs on or after 13 June 2019.

N. HAGLEY, Clerk of the Executive Council.

— PART 2 —

CONSUMER PROTECTION

CP401

RETAIL TRADING HOURS ACT 1987
RETAIL TRADING HOURS (PERTH METROPOLITAN AREA)
PUBLIC HOLIDAY VARIATION ORDER 2023

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

1. Citation

This order is the *Retail Trading Hours (Perth Metropolitan Area) Public Holiday Variation Order 2023*.

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

General retail shops, other than motor vehicle shops, in the Perth metropolitan area, are authorised to be open at times when those shops 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 6 March 2023	from 8:00am until 6:00pm
Monday 10 April 2023	from 8:00am until 6:00pm
Monday 5 June 2023	from 8:00am until 6:00pm
Monday 25 September 2023	from 8:00am until 6:00pm

4. Relationship to Retail Trading Hours (Public Holidays) Order 2012.

This order has effect despite the *Retail Trading Hours (Public Holidays) Order 2012*.

Hon. SUE ELLERY, MLC, Minister for Commerce.

ELECTORAL

EL401

ELECTORAL ACT 1907
REGISTRATION OF POLITICAL PARTIES—WESTERN AUSTRALIA
Cancellation of Registration (Sections 62L and 217)

Section 217(3) of the *Electoral Act 1907* requires the registration of an existing political party to be cancelled if that party did not make an application for continued registration within twelve months of the commencement of the *Constitutional and Electoral Legislation Amendment (Electoral Equality) Act 2021* (the *Electoral Equality Act*).

Eleven political parties did not make an application for continued registration within the specified period. On 20 February 2023, in accordance with sections 62L(5), 217(3) and 217(4) of the *Electoral Act 1907*, I decided to cancel the registration of those eleven political parties.

I hereby give notice of the cancellation of registration of the following 11 political parties—

- Daylight Saving Party
- Great Australian Party
- Health Australia Party
- Liberal Democratic Party
- No Mandatory Vaccination Party

Pauline Hanson's One Nation
Shooters, Fishers and Farmers Party (WA)
Small Business Party
Socialist Alliance WA
Sustainable Australia Party—Stop Overdevelopment / Corruption
Western Australia Party

ROBERT KENNEDY, Electoral Commissioner.

ENERGY

EN401

ELECTRICITY INDUSTRY ACT 2004

SURRENDER OF ELECTRICITY GENERATION LICENCE

Alcoa of Australia Limited (ACN 004 879 298) notified the Economic Regulation Authority on 16 February 2023 of its intention to surrender its electricity generation licence EGL14. The licensee has complied with the conditions of the licence as to surrender. The surrender of the licence is effective from the date of publication of this notice.

Mr STEVE EDWELL, Chair, Economic Regulation Authority.

FIRE AND EMERGENCY SERVICES

FE401

BUSH FIRES ACT 1954

TOTAL FIRE BAN DECLARATION

Correspondence No. D18023

Pursuant to powers delegated under the *Bush Fires Act 1954*, the Assistant Commissioner of the Department of Fire and Emergency Services, declared under Section 22A of the *Bush Fires Act 1954*, a total fire ban for Tuesday 21 February 2023 for the local government districts of—

Mount Marshall, Mukinbudin, Westonia, Yilgarn, Bruce Rock, Kellerberrin, Merredin, Narembeen, Nungarin, Trayning, Corrigin, Kondinin, Kulin, Dumbleyung, Kent, Lake Grace, Ravensthorpe, Jerramungup, Esperance.

Dated 20 February 2023.

GARY GIFFORD, Assistant Commissioner of the Department of Fire and Emergency Services, as a sub-delegate of the Minister under section 16 of the *Fire and Emergency Services Act 1998*.

FISHERIES

FI401

AQUATIC RESOURCES MANAGEMENT ACT 2016

NOTICE OF PROPOSAL FOR AN AQUATIC RESOURCE MANAGEMENT STRATEGY FOR THE *PINCTADA MAXIMA* MANAGED AQUATIC RESOURCE

I, Heather Brayford, Chief Executive Officer of the Department of Primary Industries and Regional Development, hereby give notice in accordance with section 17 of the *Aquatic Resources Management Act 2016* of the proposal for an Aquatic Resource Management Strategy (ARMS) for the *Pinctada maxima* Managed Aquatic Resource.

The Aquatic Resource Management Strategy includes the following;

- i. the main objective to be achieved by managing the *Pinctada maxima* (pearl oyster) resource,
- ii. the minimum quantity of the pearl oyster resource that is considered necessary to be maintained for the resource to be ecologically sustainable,

- iii. the activities that should be regulated,
- iv. the quantity that is to be available for customary fishing and public benefit uses,
- v. the method to be used in calculating the total allowable catch,
- vi. the proportion of the total allowable catch that is to be available for commercial fishing, and
- vii. the proportion of the total allowable catch that is to be available for recreational fishing.

The Aquatic Resource Management Strategy also incorporates the Harvest Strategy for the pearl oyster resource.

A copy of the draft Aquatic Resource Management Strategy may be obtained from the Department of Primary Industries and Regional Development Fisheries website (<https://fish.wa.gov.au>) under the public comment and consultation section.

Interested persons who wish to comment on the draft Aquatic Resource Management Strategy are invited to make submissions in writing by 4 pm, 23 April 2023.

Representations may be forwarded to—

CEO
 Department of Primary Industries and Regional Development
 c/- Manager, Strategic Projects and Coordination
 Locked Bag 4 Bentley Delivery Centre
 WA 6983

Alternatively, written submissions may be forwarded electronically to arma@dpird.wa.gov.au.

Dated 17 February 2023.

HEATHER BRAYFORD, CEO.

JUSTICE

JU401

JUSTICES OF THE PEACE ACT 2004

APPOINTMENTS

It is hereby notified for public information that the Governor in Executive Council has approved of the following to the Office of Justice of the Peace for the State of Western Australia—

Mathew Kooliath Joseph of Madora Bay
 Christabel Mary Barnes of Dianella

JOANNE STAMPALIA, Executive Director, Court and Tribunal Services.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995

City of Kwinana

BASIS OF RATES

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 13 February 2023, determined that the method of valuation to be used by the City of Kwinana as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

Schedule

	Designated Land
UV to GRV	All those portions of land being Lot 133, Lot 134 and Lot 215 as shown on Deposited Plan 424274.

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

LG402**LOCAL GOVERNMENT ACT 1995***City of Kwinana***BASIS OF RATES**

I, Tim Fraser, being delegated by the Minister of the Crown to whom the administration of the *Local Government Act 1995* is committed by the Governor, and acting pursuant to section 6.28 (1) of that Act, hereby, and with effect from 16 February 2023, determined that the method of valuation to be used by the City of Kwinana as the basis for a rate in respect of the land referred to in the Schedule is to be the gross rental value of the land;

Schedule

	Designated Land
UV to GRV	All those portions of land being Lots 429 to 432 inclusive as shown on Deposited Plan 424759.

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

LG403**LOCAL GOVERNMENT ACT 1995***Shire of Kent***APPOINTMENT OF AUTHORISED PERSON**

Delegate authority to the Shire of Kent Ranger, Steven Ball, to perform his role and administer the provisions of the following acts, regulations, and local laws—

- *Dog Act 1976* and Regulations
- *Cat Act 2011*
- *Cat Regulations 2012*
- *Control of Vehicles (Off-road Areas) Act 1978* and Regulations
- *Local Government Act 1995* Part 3—Executive Functions of Local Government and Part 9 *Miscellaneous Provisions Act 1960*
- *Litter Act 1979* and Regulations
- *Bush Fires Act 1954* and Regulations
- *Caravan and Camping Act 1995*
- *Animal Welfare Act 2002*
- Shire of Kent Local Laws

ADAM SEILER, CEO.
SCOTT CROSBY, Shire President.

MINERALS AND PETROLEUM

MP401**PETROLEUM PIPELINES ACT 1969****VARIATION STP-PLV-0127 PETROLEUM PIPELINE LICENCE PL 40**

Petroleum Pipeline Licence PL 40 held by DBNGP (WA) Nominees Pty Limited has, by instrument of variation STP-PLV-0127, been varied with effect on 17 February 2023.

HAYDEN WILLIAMS, Senior Titles Officer, Resource Tenure Division,
Department of Mines, Industry Regulation and Safety.

MP402

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Coolgardie WA 6429.

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

WARDEN HOLGATE.

To be heard by the Warden at Kalgoorlie on 5 April 2023.

COOLGARDIE MINERAL FIELD
Prospecting Licences

P 15/5975	Salkanovic, Frederick Ferid Keleher, Damian Peter
P 15/6204	Rosa Management Pty Ltd
P 15/6390-S	Francis, Raymond John
P 16/3158	Oreb, Gary
P 16/3159	Oreb, Gary
P 16/3160	Berndsen, Matthew James

MP403

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Coolgardie WA 6429.

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

WARDEN HOLGATE.

To be heard by the Warden at Kalgoorlie on 5 April 2023.

COOLGARDIE MINERAL FIELD
Prospecting Licences

P 15/6039	Cardwell, Richard
P 15/6596	Briggs, Patrick
P 16/3071	Askham, Mark Andrew

MP404

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines, Industry Regulation and Safety,
Kalgoorlie WA 6430.

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

WARDEN HOLGATE.

To be heard by the Warden at Kalgoorlie on 5 April 2023.

BROAD ARROW MINERAL FIELD

Prospecting Licences

P 24/5525 Caine, Charles Edward
P 24/5527 Glazer, Erez

EAST COOLGARDIE MINERAL FIELD

Prospecting Licences

P 25/2321 Pumphrey, Andrew Ian
Honey, William Harold

N. E. COOLGARDIE MINERAL FIELD

Prospecting Licences

P 27/2253 Edwards, Robert Glenn
P 28/1392 McDonald, David Wayne

NORTH COOLGARDIE MINERAL FIELD

Prospecting Licences

P 31/2137 Transit Lane Pty Ltd

PREMIER AND CABINET

PR401

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 appointments in the office of Minister for Police; Road Safety; Defence Industry; Veterans Issues in the absence of the Hon P. Papalia MLA—

- Hon R. Saffioti MLA, for the period 24 to 26 February 2023 inclusive; and
- Hon S. N. Dawson MLC, for the period 27 February to 7 March 2023 inclusive.

E. ROPER, Director General, Department of the Premier and Cabinet.

PR402

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 Dr A. D. Buti MLA to act temporarily in the office of Minister for Agriculture and Food; Forestry; Small Business in the absence of the Hon J. Jarvis MLC for the period 1 to 9 July 2023 (both dates inclusive).

E. ROPER, Director General, Department of the Premier and Cabinet.

PR403

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 R. Saffioti MLA to act temporarily in the office of Minister for Finance; Commerce; Women's Interests in the absence of the Hon S. M. Ellery MLC for the period 1 to 24 July 2023 (both dates inclusive).

E. ROPER, Director General, Department of the Premier and Cabinet.

PR404**DEPUTY OF THE GOVERNOR NOTICE 2023**

Given under the *Letters Patent relating to the office of Governor of the State of Western Australia* dated 14 February 1986 clause XXI.

1. Citation

This notice is the *Deputy of the Governor Notice 2023*.

2. Appointment of the deputy of the Governor

- 1) Under the *Letters Patent relating to the office of Governor of the State of Western Australia* dated 14 February 1986 clause XVI, the Governor has appointed the Lieutenant-Governor, the Honourable Chief Justice Peter Damien Quinlan, to be the deputy of the Governor and in that capacity to perform and exercise all of the powers and functions of the Governor for the period 2 March 2023 to 4 March 2023 (both dates inclusive).
- 2) Under the *Letters Patent relating to the office of Governor of the State of Western Australia* dated 14 February 1986 clause XVI, the Governor has appointed the Honourable Justice Kenneth James Martin to be the deputy of the Governor and in that capacity to perform and exercise all of the powers and functions of the Governor for the period 5 March 2023 to 29 March 2023 (both dates inclusive).

DIRECTOR GENERAL, Department of the Premier and Cabinet.

PUBLIC NOTICES

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

Notice to Creditors and Claimants

Geoffrey Cyril West Walmsley late of 11 Kintyre Crescent, Floreat, WA 6014, Banker, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died 20 October 2022, are required by the executor, Anthony James King Walmsley, care of Butlers Lawyers & Notaries, 45 Stirling Highway, Nedlands, WA 6009, to send particulars of their claims to them within one (1) month from today, after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

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

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estates of the undermentioned deceased persons are required by the respective personal representatives care of Culshaw Miller Lawyers, Level 8, 233 Adelaide Terrace, Perth, Western Australia to send particulars of their claims to them within one calendar month of the date of publication 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.

Stewart: Loris Joan late of Room 19, Regis Nedlands, 116 Monash Avenue, Nedlands, Western Australia. Died 14 November 2022.

Peter: Josephine Helen late of Regent Garden, 248 Lyon Road, Aubin Grove, Western Australia. Died 20 November 2022.

Cooling: Margaret Rose late of Bethanie Fields, Villa 13, 111 Eaton Drive, Eaton, Western Australia. Died 8 November 2022.

Russell: Mary Elizabeth late of 14 Wrenbank, Mount Oval Village, Rochestown, Cork, Ireland. Died 9 December 2021.

ZZ403**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Rose Lorraine Calder late of 11 Seaview Terrace, Kalamunda, 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 28 July 2022 are required by the personal representative, Craig Anthony Calder 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 then has notice.

IRDI LEGAL as solicitors for the personal representative.

ZZ404**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Andrew Rawaingarohi Te Tane Tukaki (also known as Andrew Riwai Tukaki), late of 21 Carmody Road, Waikiki 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 09/12/2021, are required by the trustee of the late Andrew Rawaingarohi Te Tane Tukaki, 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.
Ph: (08) 9592 7326.

ZZ405**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

James Graham Niccol late of 34 Indooroopilly Crescent, Dunsborough, 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 the 19th December 2021, are required by the personal representative, Paul Leslie Hesford of 25 Douglas Avenue, South Perth, Western Australia to send particulars of their claims to him by the 27th day of March 2023, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ406**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Margaret Lenora Cowlan late of 47B Riverton Drive West, Rossmoyne, 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 11 February 2021 are required by the Executors, Franco Del Borrello and Bruce David Greenlaw to send particulars of their claims to them care of William Buck Advisors (WA) Pty Ltd, PO Box 748, South Perth WA 6951 within 31 days from date of publication of this Notice, after which date the Executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZZ407**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Hilary Mary Walter late of 18 Boonooloo Road, Kalamunda in Western Australia, Physiotherapist, 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 July 2022, are required by the Executor of care of Fort Knox Legal, P.O. Box 390, West Perth, WA 6872, to send the particulars of their claims to Fort Knox Legal by one month from the publication of this notice after which date the Personal Representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ408**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Gregory Charles Strange-Mure late of 4 Illyarrie Street, Leeman, 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 30 December 2021, are required by the personal representative, Guy Douglas, of care of Douglas Cheveralls Lawyers, 510A Hay Street, Subiaco, Western Australia 6008 to send particulars of their claims to him within one (1) month from the date of publication of this notice, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ409**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Bradley James Rule, late of Unit 24, 6 McMaster Street, Victoria Park 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 Bradley James Rule, deceased, who died on 19 June, 2022 at Royal Perth Hospital, Perth in the said State are required to send particulars of their claims to the Executor, Lynette Kaye James, 21 Wendlebury Way, Eden Hill, Western Australia 6054 within one month of the date of publication of this notice, after which date the Executor may convey or distribute the assets having regard only to the claims which she then has notice.

Dated 9 February 2023.

LYNETTE KAYE JAMES, Executor.

ZZ410**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Estate of Kathleen Janice Williams, late of 5 Saint Andrews Lane, Ambergate, 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 6 August 2022, are required by the Executor of the Estate, Ian Ross Gregory, of care of Shaddicks Lawyers, PO Box 515, Busselton, 6280, to send particulars of their claims to him by one month from the date hereof, after which date the Executor may convey or distribute the assets, having regard only to the claims of which he then has notice.

ZZ411**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 21 March 2023 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Baird, Grahame Martin (also known as Graham Martin Baird), late of Hocart Lodge Aged Care, 3 Knowles Street, Harvey, who died on 31 October 2022 (PM3154657 EM214).

Bradford, Robert John (also known as John Bradford), late of Mercy Place Lathlain Aged Care, 63 Archer Street, Carlisle, who died on 1 January 2023 (DE19820602 EM37).

Burgess, Rose May, late of Rockingham Nursing Home, 14 Langley Street, Rockingham, who died on 11 August 2022 (PM33179686 EM27).

Cosgrave, William Joseph, late of Opal Health Care Carine, 29 Silica Road, Carine, who died on 8 January 2023 (DE33050334 EM26).

Dent, Edith Ruth (also known as Edith Dent), late of 574 Rocky Road, Forest Grove, who died 18 September 2022 (DE19731291 EM313).

Freind, Kim Philip, late of 850 Lion Street, Mount Helena, who died 21 June 2022 (DE33062688 EM113).

Green, Leslie Allen, formerly of 7 Rowe Court, late of Aegis Hilton Park, 19 Laidlaw Street, Hilton, who died 14 December 2022 (DE32005159 EM24).

Griffiths, Margaret Anne, late of Bethel Village, Room 12, 2 Bethel Way, Yakamia, who died 22 January 2023 (DE33060789 EM16).

Geilesky, Sheila Helen (also known as Sheila Geilesky), late Acacia Living Group Menora Gardens Retirement Village, 51 Alexander Drive, Menora, who died 29 December 2022 (DE33065591 EM36).

Goddard, Dennis Clifton, late of 6/2 Bland Place, Beechboro, who died 27 July 2022 (DE33096465 EM16).

Hackett, Daniel, late of Regis Como, 36 Talbot Avenue, Como, who died 16 August 2022 (DE33080264 EM16).

Hutson, Maureen Emilie Mary (also known as Maureen Hutson), late of St Francis Hostel, 678 North Beach Road, Gwelup, who died 30 December 2022 (DE33098845 EM113).

Jones, Annie May (also known as Nance Jones), late of Kingsley Lodge, 190 Twickenham Drive, Kingsley, who died on 28 December 2022 (DE19581365 EM17).

Murphy, Lorna Daphne (also known as Lorna Daphne Greenwall and Lorna Daphne Hossack), late of Karingal Green Aged Care Facility, 53 Hawkevale Road High Wycombe, who died 26 November 2022 (DE19993298 EM17).

O'Loughlin, John (also known as Joseph O'Loughlin), late of Windsor Park Aged Care, 110 Star Street, Carlisle, who died 2 October 2015 (PM33063839 EM14).

Quake, Neil William, late of 57 Davilak Avenue, Hamilton Hill, who died 29 December 2022 (DE19991563 EM16).

Thompson, Thora Jasmine, late of Harbourside Village, 9 The Walk, Mindarie, who died 26 August 2022 (DE33033635 EM15).

Walker, Stanley Walter William, late of Juniper Annesley, 145-147 Hill View Terrace, Bentley, who died 23 January 2023 (DE19692653 EM26).

Walker, Margaret, late of Juniper Annesley Bentley, 145-147 Hill View Terrace, Bentley, who died 27 December 2022 (DE19692654 EM26).

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

ZZ501**DISPOSAL OF UNCOLLECTED GOODS ACT 1970****DISPOSAL OF UNCOLLECTED GOODS**

Notice under part III of Disposal of uncollected goods assessed at a value not exceeding \$3,500.

To: Garibaldi Delisle (Daewoo Cielo 9IB871), Bailor, Thomas Loo (Toyota Hiace 1ABY052), Bailor, Abdullah Al-Kahtani (Toyota Camry 1GSI101), Bailor.

You were given notice on 26th April 2022 that the following goods situated at RAC Auto Services, Osborne Park and Northbridge were ready for redelivery. Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, RAC Automotive Services Pty Ltd (ABN 93 095 467 226) of 38 Collier Pass, Joondalup, bailee, intends to sell or otherwise dispose of them in accordance with the Act. Should you wish to take repossession of the goods, please contact Norm Bromley on 0418 130 681

Dated 13 February 2023.

RAC AUTOMOTIVE SERVICES.