



WESTERN  
AUSTRALIAN  
GOVERNMENT  
**Gazette**



ISSN 1448-949X PRINT POST APPROVED PP665002/00041

PERTH, FRIDAY, 19 SEPTEMBER 2008 No. 160

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

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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 and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Delivery address:

State Law Publisher  
Ground Floor,  
10 William St. Perth, 6000  
Telephone: 9321 7688 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
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Clients without an account will need to supply credit card details or pay at time of lodging the notice.

# — PART 1 —

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## JUSTICE

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JU301\*

Electronic Transactions Act 2003

### **Electronic Transactions Amendment Regulations 2008**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Electronic Transactions Amendment Regulations 2008*.

**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. The regulations amended**

The amendment in these regulations is to the *Electronic Transactions Regulations 2003*.

**4. Regulation 3 amended**

Regulation 3(1) is amended by deleting paragraph (a).

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

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## LOCAL GOVERNMENT

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LG301\*

### LOCAL GOVERNMENT ACT 1995

*City of Swan*

#### CONSOLIDATED LOCAL LAWS 2005 AMENDMENTS

Under the powers conferred by the Local Government Act 1995, and all other powers enabling it, the Council of the City of Swan resolved on 13 August 2008 to make the following amendments to the City of Swan Consolidated Local Laws 2005 published in the *Government Gazette* on 16 February 2005.

#### Purpose

1. The purpose of this amendment is to include additional provisions relating to the control of cats.

#### Objective

2. The objective of this amendment is to—
- (a) Promote responsible cat ownership;
  - (b) Reduce the nuisance to the community caused by cats;
  - (c) Limit the damage to and the loss of wildlife caused by cats; and
  - (d) Promote the welfare and safety of domestic cats.

#### Section 12.1 amended

3. Section 12.1 is amended by inserting the following definitions at the appropriate alphabetical position—

“**keeper**” in relation to a cat means a person over the age of 18 years who—

- (a) is the owner of the cat;
- (b) has the cat in his or her possession or under his or her control; or
- (c) is the occupier of any premises in which the cat is ordinarily kept or ordinarily permitted to live;

“**permit holder**” means a person who holds a permit granted under this Division of the local law;

“**premises**” includes any land or building or part of a building;

“**public place**” for the purposes of this Division includes any place to which the public has access;

#### Part 12 amended

4. Part 12 is amended by inserting the following after section 12.17—

“

#### *Division 5—Cats*

##### **12.18 Identification of Cats**

- (1) A keeper of a cat shall identify the cat by one of the methods described in section 12.18(2).
- (2) A cat is identified if—
  - (a) the cat has a collar around its neck and the collar, or a tag securely attached to the collar, is marked with the name, current address and telephone number of a keeper of the cat;
  - (b) the cat has a microchip implanted containing information that will provide the name, current address and telephone number of a keeper of the cat; or
  - (c) it is a cat that matches the description given for a cat in any permit issued under this section.
- (3) Section 12.18(1) does not apply to a cat—
  - (a) kept at any refuge conducted by the RSPCA or any other approved animal welfare organisation;
  - (b) kept at an animal pound which has been approved by the City;
  - (c) kept at a pet shop;
  - (d) kept at a veterinary surgery;
  - (e) which is less than 3 months old; or
  - (f) where an exemption has been granted by the City in accordance with a policy published by the City.
- (4) A person, other than the keeper of a cat or a person acting with the keeper's authority, shall not interfere with or remove the means by which a cat is identified under section 12.18(1).

- (5) For the purpose of giving a notice to a keeper of an identified cat, the keeper's address is to be taken to be that ascertained from the cat's collar or tag, or on or obtained from the information contained in the microchip.

#### **12.19 Keeping of cats**

- (1) A person shall not be a keeper of more than 2 cats on any premises except in accordance with a valid permit in relation to those premises.
- (2) A person shall not be a keeper of more than 6 cats on any premises.
- (3) An application for a permit required under section 12.19(1)—
- (a) Shall be made by the owner or occupier of the premises to which the permit will relate;
  - (b) Shall be in the form of the Form contained in Schedule 12.8 and accompanied by the application fee for the permit determined by the City from time to time;
  - (c) Is deemed to have not been made until the application fee has been paid in full; and
  - (d) Is to be accompanied by plans of the premises to the specification and satisfaction of the City of the premises to which the application relates.
- (4) In determining an application for a permit the City shall have regard to—
- (a) The physical suitability of the premises for the proposed use;
  - (b) The likelihood of a cat causing nuisance, inconvenience, or annoyance to the occupiers of adjoining land;
  - (c) The likely effect of environmental damage which may be caused by the proposed use;
  - (d) The applicant's infringement history, in respect of the keeping of cats, with the City or any other City; and
  - (e) Such other factors which the City may consider to be relevant in the circumstances of the particular case.
- (5) The City may—
- (a) grant or approve a permit subject to any terms or conditions as it thinks fit; or
  - (b) refuse to approve a permit.
- (6) If the City approves an application under subsection (5) of this section, the permit shall be issued to the applicant in the form determined by the Chief Executive Officer.
- (7) The additional conditions contained in Schedule 12.9 of these local laws shall form part of the conditions of any permit issued under this section.
- (8) Unless otherwise specified, a permit commences on the date of issue and is valid unless and until—
- (a) the 30th day of June following the issue of the permit;
  - (b) it is revoked; or
  - (c) the permit holder ceases to reside at the premises to which the permit relates.
- (9) A permit may be revoked by the City if there is a breach of any condition of that permit or if the permit holder is convicted of a breach of any provision of this Division of these local laws.
- (10) A permit shall be personal to the applicant and does not run with the land and is not transferable or assignable to any other person or premises.
- (11) A cat to which a permit relates must be identified in accordance with section 12.18.
- (12) A person shall not contravene a condition of a permit.

#### **12.20 Control of cats**

- (1) A cat shall not be in a place that is not a public place unless consent to its being there has been given—
- (a) by the occupier or a person apparently authorised to consent on behalf of the occupier; or
  - (b) if the place is unoccupied, by the owner or a person apparently authorised to consent on behalf of the owner.
- (2) If a cat is at any time in a place in contravention of subsection (1) of this section, the keeper of the cat commits an offence and the cat may be impounded pursuant to section 3.37 of the Act and regulation 29(1a) of the Local Government (Functions and General) Regulations 1996.

#### **12.21 Cat prohibited areas**

- (1) The lands described in Schedule 12.10 are designated as Cat Prohibited Areas.

- (2) The City may designate further areas as Cat Prohibited Areas but shall not do so without first giving Local Public Notice of its intention to designate a place or area as a Cat Prohibited Area and considering any submissions received in response to that Local Public Notice.
- (3) In designating land for the purposes of subsection (2) of this section, the City may have regard to the following matters in relation to the land—
  - (a) that the land should preferably be greater than 1 hectare in area;
  - (b) the nature of the fauna on the land;
  - (c) the nature of the vegetation on the land;
  - (d) whether the land has been recognised by any authority as having vegetation or fauna of local, regional or State significance; and
  - (e) whether the land is land to which the *Conservation and Land Management Act 1984* applies under section 5 of that Act.
- (4) A cat shall not be in a Cat Prohibited Area.
- (5) If a cat is in a Cat Prohibited Area in contravention of subsection (4) of this section then the keeper of the cat commits an offence unless the keeper of the cat has first obtained written authorisation from the City and the cat may be impounded pursuant to section 3.37 of the Act and regulation 29(1a) of the Local Government (Functions and General) Regulations 1996.

**Schedules to Part 12 amended**

5. The Schedules to Part 12 are amended by inserting the following after Schedule 12.7—

“

**SCHEDULE 12.8 (s.12.19)**

Local Government Act 1995

*City of Swan*

CONSOLIDATED LOCAL LAWS 2005

**APPLICATION FOR A PERMIT TO KEEP 3 TO 6 CATS**

Applicant Name:.....

Applicant Address: .....

Property where cats will be kept: .....

Please list name, breed and description of each cat—

	NAME	BREED	DESCRIPTION
1			
2			
3			
4			
5			
6			

\_\_\_\_\_  
*Applicant Signature*

\_\_\_\_\_  
*Date*

**SCHEDULE 12.9 (s.12.19)**

Local Government Act 1995

*City of Swan*

CONSOLIDATED LOCAL LAWS 2005

**ADDITIONAL CONDITIONS FOR A PERMIT TO KEEP 3 TO 6 CATS**

- (1) The permit holder shall ensure—
  - (a) cats do not escape the premises;
  - (b) there is adequate space for the exercise of the cats;
  - (c) cats are kept in a secure enclosure between 9pm and 6am.
- (2) Without the consent of the City, the permit holder will not substitute or replace any cat once that cat—
  - (a) dies; or
  - (b) is permanently removed from the premises.

**SCHEDULE 12.10 (s.12.21)**

Local Government Act 1995

*City of Swan*

CONSOLIDATED LOCAL LAWS 2005

**CAT PROHIBITED AREAS**

**Section 13.9 amended**

6. Section 13.9 is amended by inserting the following after section 13.9(2)—

“

- (3) Where a modified penalty for a prescribed offence is not specified in Schedule 13.1, the modified penalty shall be \$100.00.

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## — PART 2 —

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### AGRICULTURE

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AG401\*

#### AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976 DECLARATION

Agriculture Protection Board,  
South Perth.

Acting pursuant to sections 35 and 36 of the *Agriculture and Related Resources Protection Act 1976*, the Agriculture Protection Board hereby declares that—

1. The declarations relating to the European House Borer (*Hylotrupes bajulus*) published in the *Gazette* on 27 August 2004, 24 February 2006 and 21 December 2007 are revoked.
2. The European House Borer (*Hylotrupes bajulus*)—
  - (a) is a declared animal in respect of the whole of the State and every part of the State
  - (b) is declared generally;
  - (c) is assigned to categories A2 and A3 in the areas described below, each of which is designated as a Restricted Movement Zone (RMZ); and
  - (d) is assigned to categories A1 and A3 in the rest of the State.

**RMZ Murdoch**—The area of the state bordered by corner Leach Hwy / Winthrop Dr east to Karel Av, south to Roe Hwy, west to Kwinana Fwy, south to Shared path that goes west to Hope Rd, west along Hope Rd, south at Bibra Dr, west at Hope Rd, north along Progress Dr, follow parcel to connect to Gilbertson Rd, north to Kirk Rd, north to Somerville Blvd, east to Winthrop Dr, north to Leach Hwy.

**RMZ Karnup**—The area of the state bordered by corner Mandurah Rd / Sixty Eight Rd east to Eighty Rd, north to top of FPC Peel A pine plantation, west along top edge of plantation and south along eastern edge back to Sixty Eight Rd, east along Sixty Eight Rd to Baldivis Rd, north to Serpentine Rd, east and then south to Karnup Rd, east to River Rd, south then north-west along Vine Rd to Amarillo Dr, west along Amrillo Dr / Pagonini Rd to Mandurah Rd, north to Sixty Eight Rd.

**RMZ Southern River**—The area of the state bordered by corner Warton Rd / Corfield St, south-east to Tonkin Hwy, south-west to Ranford Rd, north-west to Warton Rd, north-east to Corfield St

**RMZ Oldbury**—The area of the state bordered by corner of Thomas Rd and Johnson Rd, east to Modong Nature Reserve parcel boundary, north along south-west edge of Jandakot Regional Park, north along Serpentine—Jarrahdale Shire Boundary to Rowley Rd, north along City of Armadale Shire Boundary, south-east at Keane Rd to Armadale Rd, east to Tonkin Hwy, south to Rowley Rd, west to Kargotich Rd, south to Thomas Rd, east to Briggs Rd, south to Abernethy Rd, east to Soldiers Rd, south to Karbro Dr, west to Hopkinson Rd, north to Gossage Rd, west to Boomerang Rd, south west to King Rd, north to Coyle Rd, west to Casuarina Rd, south along Lydon Rd to Banksia Rd, south to Duckpond Rd, south-east to Mundijong Rd, west to Baldivis Rd, north to Millar Rd West, south-west to the Wellard Suburb Boundary, north to Railway Line, then north east along railway line to Wellard Rd / Homestead Dr intersection, north-east to Bertram Rd, north-east along Bertram Rd to Johnson Rd, north to Thomas Rd.

**RMZ Roleystone**—The area of the state bordered by Buchanan Rd / Canning Mills Rd intersection north/north east to Douglas Rd, north to Feldts Rd, east along Feldts Rd to eastern parcel boundary, north along parcel boundary to City of Gosnells Shire Boundary, east then south to Canning Mills Rd, north east to Springdale Rd, south to end of road then east along parcel boundary to Canning Rd, south to Brookton Hwy, east to Gardiner Rd, south to Croyden Rd, west to McNess Dr, east to parcel boundary, south, west then north-west along parcel boundaries (Araluen Golf Course) to Heritage Dr, south then west to Old Albany La, north-west to parcel that connects to Wymond Rd, west along this road to Soldiers Rd, north to Brookton Hwy, west to Roleystone Suburb Boundary, north, north-west, west, north-east to corner Buchanan Rd / Canning Mills Rd.

**RMZ Gnangara**— Area of the state bordered by Great Northern Highway / Sounness Dr, south to Morrison Rd, east to Woodbridge Suburb boundary, north / west / south to Guildford Suburb boundary, west along boundary and west along top edge of Lilac Hill Park to West Swan Rd, south to eastern edge of Whiteman Park boundary and follows Whiteman Park boundary to Benara Rd, west to Lord St, north / north-west to Reid Hwy, west to Beechboro Rd North, north to walking track gates (south of Baal St), west to Marangaroo Dr / Hepburn Ave intersection, north-west to Alexander Dr, north to Gnangara Rd, west to proposed Ocean Reef Rd, west/north west along proposed Ocean Reef Rd to Hartman Drive, west along existing Ocean Reef Rd to Lenore Rd, north to Elliot Rd, west to Paltara Wy, north then west to Quarkum St, north to High Rd, east to Amos Rd, north-east then north to Belgrade Rd, east to Steven St, north to Dundobar Rd, west to Griffiths Rd, north along Griffiths Rd then follow the Wanneroo Suburb boundary through to Caporn St, west to Pinjar Rd, south to Wanneroo Rd, north to Flynn Dr, north-east through

bushland (following parcel boundaries) to Lake Rd, north to Wattle Av West, east to Dayrell Rd, before the corner go west to follow various parcels to Wesco Rd, north to north end of McLennan Dr (following parcel boundaries), north along Nowergup Suburb Boundary to Old Yanchep Rd, south-east to Sinatra Rd, north-east to Nisa Rd, north to Coastal Plain Walk Trail (south of Cypress Rd), east to Perry Rd, south to 'Unnamed Road', east to City of Swan Shire Boundary, south then east along boundary to Muchea South Rd, south to Morley Rd, go east along parcel boundaries (200m south of this road) to Great Northern Hwy, south to Sounness Dr

**RMZ Darling Scarp**—The area of the state bordered by Tonkin Hwy / Welshpool Rd East intersection, north along Tonkin Hwy to just south of Stanton Rd overpass, east along Perth Airport Suburb Boundary to Great Eastern Hwy / Great Eastern Hwy Bypass intersection, north along Great Eastern Hwy to James St, east along James Street / East St / Great Eastern Hwy to Woodbridge Suburb Boundary, south/east/south/east following boundary to Helena River, east to Mundaring Shire Boundary, east to Scott St, north along Scott St to Great Eastern Hwy, east to Innamincka Rd, north to Woolloomooloo Rd/Amherst Rd, north to Morrison Rd, east to Viveash Rd, north to Mundaring Shire Boundary. follow shire boundary north to Toodyay Rd, north—east to ESL Boundary, north/north-east along Boundary to O'Brien Rd, follow parcel boundaries north for approx 1km then east for approx 2km, then south to Toodyay Rd, north-east to Stoneville Rd, south to Cameron Rd, east to Joseph Rd, north to Trimble Rd, east to Bunning Rd, south to Quail St, east—north along Mundaring Shire boundary to Needham Rd, east to Government Rd, south to Great Eastern Hwy, north-east to Shire of Mundaring Boundary, south along boundary to Cobb Rd, west to Flynn Rd, south along Flynn Rd, south-west following along Wariin Brook, south-west to Helena River, south following around 2km EHB Buffer survey arc to Nockine Rd, south to Grass Tree Rd, west to Taylor Rd, north to Fifteen Rd, west to 2km EHB Buffer survey arc, follow to Hairpin Bend Rd, west along various "unnamed" forest access roads to bottom of 2km EHB Buffer survey arc, west to Pickering Brook Rd, south to Canning Rd, west following various parcel boundaries to Kalamunda Shire boundary, follow boundary north-west to Kelvin Rd, north to Crystal Brook Rd, west to Welshpool Rd East, west to Tonkin Hwy intersection.

**RMZ Serpentine**— Area of the state bordered by Norman Rd / South Western Hwy intersection, south to Arnold Rd, west to Lefroy St, south/south-west to Hall Rd, south to Wattle Rd, west to Rapids Rd, north to Karnup Rd, west to Hopelands Rd, north to Rowe Rd/Shire boundary, follows Shire boundary west then north to just south of the Serpentine River, follows various parcel boundaries north/north east then east to Kargotich Rd, north to Gossage Rd, East to Hopkinson Rd, south to Karbro Dr, east to Soldiers Rd, south to Norman Rd, east to Norman Rd / South Western Hwy Intersection.

Dated: 16 September 2008.

CHRIS RICHARDSON, Chairman.

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## CONSUMER AND EMPLOYMENT PROTECTION

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CE401\*

### ASSOCIATIONS INCORPORATION ACT 1987

#### RE-INSTATEMENT

#### Section 35(4)

#### THE ADVENTIST AVIATION ASSOCIATION OF WESTERN AUSTRALIA (INC.)

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the Associations Incorporation Act 1987.

Dated 15 September 2008.

ROBERT ALLEN, A/Director,  
Business Services for Commissioner for Consumer Protection.

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## FISHERIES

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FI401\*

### PEARLING ACT 1990

#### Section 23(8)

#### GRANT OF PEARL OYSTER FARM

#### PARRY HARBOUR

FD 629/07

I, Peter Millington, the Chief Executive Officer of the Department of Fisheries, Western Australia, pursuant to Section 23 of the *Pearling Act 1990* ("the *Pearling Act*") have granted an application by Paspaley Pearling Co Pty Ltd, for an area of water located in the vicinity of Parry Harbour. I declare that this lease was granted on 4 September 2008.

The coordinates of the lease are as follows—

Boundary Corner Coordinates: Datum GDA94

Pnt	Latitude	Longitude
A	13°56.442'S	126°00.344'E
B	13°57.1476'S	126°01.877'E
C	13°57.502'S	126°01.695'E
D	13°57.663'S	126°02.070'E
E	13°59.504'S	126°01.104'E
F	13°59.227'S	126°00.343'E
G	13°58.470'S	126°00.782'E
H	13°57.852'S	125°59.545'E

Under section 33(1) of the Pearling Act a person aggrieved by my decision may apply to the State Administrative Tribunal (SAT) for a review of the decision. Application forms can be obtained from the SAT located at Level 4, 12 St Georges Terrace, Perth WA or from the SAT's website at [www.sat.justice.wa.gov.au](http://www.sat.justice.wa.gov.au). The application together with any supporting documents should be lodged with the SAT within 28 days of publication of the Notice. When an application is accepted by the Chief Executive Officer of the SAT, the applicant is to give a copy of the application to the Chief Executive Officer, Department of Fisheries, Level 3, 168 St Georges Terrace, Perth WA.

Dated this 9th day of September 2008.

P. J. MILLINGTON, Chief Executive Officer, Department of Fisheries.

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## JUSTICE

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JU401\*

### JUSTICES OF THE PEACE ACT 2004

#### APPOINTMENTS

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

Shaun Michael Burgess of 3 Wantajirri Court, South Hedland  
 Daniel Paul Lea of 14 Dodd Street, Hamilton Hill  
 Mark Walter Pattullo of 504 Hall Road, Serpentine

RAY WARNES, Executive Director,  
 Court and Tribunal Services.

JU402\*

### JUSTICES OF THE PEACE ACT 2004

#### RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignation of—

Ross Stewart Hunt of 7 Heaton Way, Safety Bay  
 Harold Gavin McCallum of 4 Yorkshire Grove, Currumbine.

from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, Executive Director,  
 Court and Tribunal Services.

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## LOCAL GOVERNMENT

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LG401\*

### LOCAL GOVERNMENT ACT 1995

#### LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

##### *Shire of Cunderdin*

#### INTENT TO REVEST LAND IN THE CROWN FOR NON PAYMENT OF RATES OR SERVICE CHARGES

Notice is hereby given that under section 6.74 of the *Local Government Act 1995*, as rates or service charges have been unpaid for a period of at least three years the Shire of Cunderdin intends to have revested in the Crown the land listed below.

Signed for and on behalf of the Shire of Cunderdin this 10th day of September 2008.

G. M. TUFFIN, Chief Executive Officer.

Description of Land	Plan/ Diagram Number	Title Number	Area m <sup>2</sup>	Street Name	Description of Improvements	Name of Owner	Name of Others appearing to have an interest	Rates/Service Charges Outstanding 10/9/08
Lot 243	P222786	Vol 767 Fol 34	13,734	Stewart St	Nil	Ivy Ethel Stone		\$463.00

LG402\*

**LOCAL GOVERNMENT ACT 1995**

**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

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Description of Land	Plan/ Diagram Number	Title Number	Area m <sup>2</sup>	Street Name	Description of Improvements	Name of Owner	Name of Others appearing to have an interest	Rates/Service Charges Outstanding 10/9/08
Lot 201	P222786	Vol 2022 Fol 847	20,234	Bourke St	Nil	Sherr Pastoral Company Pty Ltd	JM Oldmeadow	\$3,309.84
Lot 266	P222786	Vol 2022 Fol 849	20,234	Bourke St	Nil	Sherr Pastoral Company Pty Ltd		\$3,310.26
Lot 373	P256139	Vol 1160 Fol 791	33,460	Mitchell St	Nil	Sherr Pastoral Company Pty Ltd	Cosimo Ricupero	\$3,670.08
Lot 228	P222786	Vol 1861 Fol 565	20,234	Mitchell St	Nil	Sherr Pastoral Company Pty Ltd		\$3,309.84

LG403\*

**BUSH FIRES ACT 1954**

*Shire of Plantagenet*

**FIRE CONTROL OFFICERS 2008 / 2009**

The following persons have been appointed to the designated positions for the Shire of Plantagenet in accordance with the Bush Fires Act 1954. All other appointments are hereby cancelled.

<b>Chief Bush Fire Control Officer</b>	David Burcham
<b>Deputy Bush Fire Control Officer</b>	Len Handasyde
<b>Deputy Bush Fire Control Officer</b>	John Russell
<b>Fire Weather Officer</b>	Len Handasyde
<b>Deputy Fire Weather Officer</b>	Rod Stan-Bishop
<b>Base Radio Operator</b>	Keith Hart
<b>Deputy Base Radio Operator</b>	Rod Stan-Bishop

<b>Fire Control Officers</b>	
<b>Denbarker</b>	Simon Grylls
	Gavin Smith
	Simon Jenkins
	Norm Handasyde
	Geoff Mather
<b>Forest Hill</b>	Michael Lanigan
	Matt Candy
	Len Handasyde
	Murray McLean
<b>Kendenup</b>	Wayne Davis
	Rob Lally
	David Burcham
	Brian Harwood
	Keith Hart
	Geoff DePledge
	Stan Hall
	Stephen Beech
	Ken Frost
	Phillip Webb
<b>Middle Ward</b>	Bill Sounness
	Peter Stevens
	Ian Mackie
<b>Narpyn</b>	Anton Pickles
	Mark Wallace
	Brett Bell
	Owen Sounness
<b>Narrikup</b>	Graeme Frusher
	Warren Forbes
	Bill Bentley
	Bill Hollingworth
	Joe Plowright
<b>Perillup</b>	Graham Ravenhill
	Robin Ditchburn
<b>Porongurup</b>	John Russell
	Brad Cluett
	Ray Williams
	Ron Thomas
<b>Rocky Gully</b>	Ian Higgins
	Lachlan Cameron
<b>South Porongurup</b>	Phillip Rule
	Kelvin Ridgeway
	Richard Stan-Bishop
<b>Woogenellup</b>	Grant Cooper
	Phillip Trent
	Trevor Pieper
	Barry Pearce
<b>Shire of Plantagenet</b>	Cr Kevin Forbes AM
	Ray Parry
<b>Mount Barker Volunteer Fire and Rescue Brigade</b>	Wesley Beck
<b>Bush Fire Brigade</b>	<b>Dual Bush Fire Control Officer Nominee</b>
<b>South Stirlings</b>	Steve Fullarton
	Graeme Pyle
	John Howard
<b>Kojaneerup</b>	Tony Slattery
	John Hood
	Terry Bradshaw

ROB STEWART, Chief Executive Officer.

**LG404\***

*SHIRE OF HARVEY*  
AUTHORISATION OF RANGERS

It is hereby notified for public information that Mr Luke Anthony Brain has been appointed as a Ranger with the municipality of the Shire of Harvey and is an Authorised Officer to administer the relevant provisions of the following Acts, Regulations and Local Laws—

Local Government Act 1995	Section 3.24, Schedule 3.1, 5 & SA 3.27
3.2, 71, 3.39, 9.11, 9.16 & 9.29	
Local Government Act 1960	Part XX
Bush Fire Act 1954	
Dog Act 1976	
Litter Act 1979	
Control of Vehicles (Off-Road Areas) Act	
Town Planning and Development Act 1928	
All Shire of Harvey Local Laws	

MICHAEL PARKER, Chief Executive Officer.

**LG405\***

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960**

*Town of Kwinana*

APPOINTMENTS

It is hereby notified for public information that the following persons have been appointed as Rangers under the provisions of Section 449-450 of the Local Government (Miscellaneous Provisions) Act 1960 and as authorised officers to enforce the provisions of various legislation and Local Laws as authorised by Council and/or Chief Executive Officer under delegated authority.

Kristy Howell	Neil Hornby
Clinton Venables	Cecil Wells
Bradley Wilkinson	

All previous appointments are hereby cancelled.

**LG406**

**LOCAL GOVERNMENT ACT 1995**

*City of Melville*

APPOINTMENT

It is hereby notified for public information that Josip Talovic has been appointed as an Authorised Person at St John of God Hospital (as defined in the City of Melville Parking Facilities Local Laws) and as an Authorised Person for the purposes of Section 9.10, 9.13 and 9.15 of the Local Government Act 1995.

SHAYNE SILCOX Chief Executive Officer.

**LG501\***

**BUSH FIRES ACT 1954**

*Shire of Plantagenet*

ANNUAL FIREBREAK NOTICE 2008/2009

Action is required by owners and/or occupiers of ALL land in the Shire of Plantagenet.

**PLEASE READ IT COMPLETELY AND CAREFULLY**

**FIRST & FINAL NOTICE—PENALTIES MAY APPLY**

If in doubt, contact the Shire of Plantagenet or your Local Brigade

**FOR EMERGENCIES DIAL 000**

For current information relating to Harvest and Vehicle Movement Bans, phone 9892 1102

## **IMPORTANT INFORMATION TO OWNERS AND / OR OCCUPIERS OF LAND IN THE SHIRE OF PLANTAGENET**

**PURSUANT** to the powers contained in SECTION 33 of the Bush Fires Act 1954 you are hereby required, on all land owned or occupied by you, as a measure for preventing the spread and extension of a bush fire, to plough, cultivate, scarify, burn, chemically spray or otherwise clear upon the land firebreaks in such manner as set out in this notice.

### **GLOSSARY**

**Building Protection Zone:** is a low fuel area immediately surrounding a building and is designed to minimise the likelihood of flame contact with buildings.

It must fulfil the following conditions—

A minimum width of 20 metres around all homesteads and buildings in all Rural Land.

A minimum width of 20 metres around all habitable buildings in Townsites.

Bush Fire fuels to be maintained below 100mm in height.

Trees and branches which overhang a building must be removed.

Lower branches of any remaining trees must be trimmed.

**Hazard Separation Zone:** is a low fuel area which must be provided to create a minimum separation distance of 100 metres between buildings and the hazards and must be maintained in a hazard reduced state (i.e.: below 8 tonne per hectare for jarrah/marri; below 12-15 tonne per hectare in mallee heath and below 15 tonne per hectare in karri forests).

FESA: Fire and Emergency Services Authority

### **IMPORTANT INFORMATION**

#### **FIREBREAKS ARE REQUIRED**

Firebreaks are required between the following dates—

Eastern Portion of Zone 4—

Firebreaks required from 15 November to 29 March annually including plantations.

Western Portion of Zone 4—

Firebreaks required from 1 December to 12 April annually including plantations.

#### **RESTRICTED BURNING TIME—PERMITS TO BURN REQUIRED**

Permits to burn any inflammable material are required between the following dates—

Eastern Portion of Zone 4—

3 October to 14 November annually AND 15 February to 29 March annually.

Western Portion of Zone 4—

2 November until 14 December annually AND 15 February until 12 April annually.

Permit dates vary due to climatic conditions. Please check with your Fire Control Officer for dates and issue of permits (refer to the Brigade and Shire Contact Details tab)

#### **PROHIBITED BURNING TIME**

It is prohibited to burn during the following dates—

Eastern Portion of Zone 4—

15 November to 14 February

Christmas Day and Good Friday

Western Portion of Zone 4—

15 December to 14 February

Christmas Day and Good Friday

#### **CAMPING AND COOKING FIRES**

Camping and cooking fires are prohibited from 3 October until 12 April annually, including Good Friday when Good Friday falls outside these dates.

#### **HARVEST BAN**

A Shire wide harvest ban applies on Christmas Day.

#### **BOUNDARY LINE BETWEEN ZONE 4 WESTERN AND EASTERN**

The Shire of Plantagenet is divided into two bush fire control areas, Zone 4 Western and Zone 4 Eastern. The boundary between these two bush fire control areas is described as follows.

The boundary line between zones starts at—

- The northern end of Martagallup Road along Martagallup Road to Boyup Road;
- South on Boyup Road to Sturdee Road;
- East along Sturdee Road to Craddock Road;
- South on Craddock Road to Wilson Road;
- East along Wilson Road to Albany Highway;
- South on the Albany Highway until the northern boundary of the Town Fire District;
- Follow the boundary of the Town Fire District heading east, then south, then west back to the Albany Highway;

- South along the Albany Highway to O'Neill Road;
- East along O'Neill Road to Watermans Road;
- North/east along Watermans Road then picking up the boundary of the South Porongurup and Porongurup Bush Fire Brigades;
- East along the boundary between the South Porongurup and Porongurup Bush Fire Brigades (along the ridge of the Porongurup range) to Chester Pass Road;
- North on Chester Pass Road to Takalarup Road; and
- East on Takalarup Road to south east corner of the Shire boundary.

A more formal description of the boundary between Zone 4 (West) and Zone 4 (East) is available from the Shire of Plantagenet.

## **RURAL LAND FIRE PROTECTION REQUIREMENTS**

### **SEED PRODUCING CROPS**

A three (3) metre wide fire break shall be maintained adjacent to the perimeter of all seed producing crops. The fire break is to be maintained free of all inflammable material.

Alternatively, a three (3) metre wide fire break within 100 metres of the perimeter boundary of the property shall be installed.

### **NATIVE VEGETATION**

All native vegetation must be maintained in a low fuel state. This may be enforced by the Shire of Plantagenet if necessary, under provisions of the Bush Fires Act 1954 (Sect 33).

### **FUEL & CHEMICAL STORAGE**

Where fuel or chemical will be stored (including empty storage facilities) a firebreak of at least three (3) metres wide around such a facility MUST be maintained.

### **HARVESTED OR ABANDONED PLANTATIONS**

Plantation fire breaks shall remain in place until the removal of all stumps is completed.

## **VEHICLE MOVEMENT BAN DEFINITIONS**

### **Harvest Ban**

Any operation of machinery involved in harvesting seed crops/timber and/or any other produce MUST come to a complete stop in paddocks when a ban is in place. Vehicle Movement Ban & Operation of Combustion Engines. No vehicles to be driven unless on a constructed, gazetted road and/or front entrance of property residences when the ban is in place and no combustion engines are to be operated.

**ANY EXEMPTIONS FOR VEHICLE MOVEMENT BANS MUST BE RECEIVED, IN WRITING, AT THE SHIRE OF PLANTAGENET, BY NO LATER THAN 30 SEPTEMBER ANNUALLY.**

The following minimum requirements apply in the Shire of Plantagenet during the Restricted and Prohibited Burning Times.

- 1. Harvesting of Seed.**
- 2. Harvesting of Timber.**
- 3. Swathing (except canola).**
- 4. Slashing.**
- 5. Baling Straw / Stubble.**
- 6. Stone Chaining.**
- 7. Operation of a Portable/Sawmill.**

A mobile fire fighting unit to be stationed in, or immediately adjacent to, the paddock or area where the operation takes place and within one kilometre of the operating machine. Unit to be minimum of 400 litres.

- 8. All landowners or Managers of greater than 10,000 hectares.**

A 3.4 HD 4x4 truck carrying 3,000 litres of water.

- 9. Operation of Welding / Oxy equipment in the Open Air.**

- 10. Power-operated Abrasive Cutting Discs.**

A mobile fire fighting unit to be stationed immediately adjacent to the area where the operation takes place. A fire extinguisher to be provided at the place where the welding or cutting operation is carried out. Where a welding or cutting operation is carried out an area around the equipment shall be cleared of all inflammable material to bare earth to a 5 metre radius. In addition, an observer shall be on hand to monitor the site at all times.

- 11. Operation of tractors, trucks and self-propelled harvesters in standing crop or stubble paddocks.**

An operational fire extinguisher must be carried on the vehicles.

## **RURAL LAND FIRE PROTECTION REQUIREMENTS**

### **LAND AREA LESS THAN 40 HECTARES**

#### **BUILDING PROTECTION ZONE**

A building protection zone is required as defined in the glossary.

**HAZARD SEPARATION ZONE**

Where habitable buildings are located in close proximity to native vegetation, a hazard separation zone as defined in the glossary is to be maintained in addition to the building protection zone.

**BUILDING/ASSET PROTECTION**

Further, a fire break not less than three (3) metres wide must be installed around and within 100 metres of all homesteads, buildings and fuel ramps/bulk fuel and hay. Owners/Occupiers must also establish a low fuel (mowed) buffer at least twenty (20) metres wide around all homesteads and buildings. Hay stored beyond 100 metres of homesteads and buildings does not require a firebreak.

**SEED PRODUCING CROPS**

Refer to the requirements detailed in the Rural Land Fire Protection Requirements tab.

**REMAINDER OF THE PROPERTY**

All of the remainder of the lot, if not under a seed producing crop, to be maintained to a low fuel state (200 millimetres).

**NATIVE VEGETATION**

All native vegetation must be maintained in a low fuel state. This may be enforced by the Shire of Plantagenet under provisions of the Bush Fires Act 1954 (Sect 33).

**TOWNSITES—KENDENUP, MOUNT BARKER, NARRIKUP AND ROCKY GULLY****BUILDING PROTECTION ZONE**

A building protection zone is required as defined in the glossary. In addition, owners/occupiers of townsites lots shall—

- i. Clear all inflammable material from around all buildings to a minimum width of twenty (20) metres or to the property boundary (building protection zone);
- ii. Hazard reduce the remainder of the lot or lots to a maximum vegetation height of 100 mm including native vegetation within cleared areas;
- iii. Owners of bush lots shall install a fire break to a minimum of two (2) metres wide around and within 10 metres of the boundary of the bush lot or lots; and
- iv. All bush or re-vegetated areas are to be maintained in a hazard reduced state.

**MOUNT BARKER HILL SUBDIVISION****BUILDING PROTECTION ZONE**

A building protection zone is required as defined in the glossary. Land in the Mount Barker Hill subdivision to be maintained to a low fuel state. Grass to be maintained at a maximum height of 100mm. Bush or re-vegetation areas to be maintained in a hazard reduced state.

**MIRA FLORES****BUILDING PROTECTION ZONE**

A building protection zone is required as defined in the glossary.

In addition—

- i. A three (3) metre wide fire break shall be maintained along the perimeter/boundary of each lot. The firebreak is to be maintained clear of inflammable material and vegetation. Overhanging branches to be cut back to a height of four (4) metres.
- ii. All private access tracks to be six (6) metres wide with a four (4) metre trafficable surface and four (4) metre vertical clearance to allow entry and exit of a heavy duty fire unit.
- iii. Sufficient room to be provided to turn a heavy duty fire unit at the end of all access tracks; i.e. a cul-de-sac or ring road to be provided.

**LAND GREATER THAN 40 HECTARES****BUILDING PROTECTION ZONE**

A building protection zone is required as defined in the glossary.

**HAZARD SEPARATION ZONE**

Where habitable buildings are located in close proximity to native vegetation, a hazard separation zone as defined in the glossary is to be maintained in addition to the building protection zone.

**BUILDING/ASSET PROTECTION**

Further, a fire break not less than three (3) metres wide must be installed around and within 100 metres of all homesteads, buildings and fuel ramps /bulk fuel and hay. Owners/Occupiers must also establish a low fuel (mowed) buffer at least twenty (20) metres wide around all homesteads and buildings. Hay stored beyond 100 metres from buildings does not require a fire break.

**NATIVE VEGETATION**

All native vegetation must be maintained in a low fuel state. This may be enforced by the Shire of Plantagenet if necessary, under provisions of the Bush Fire Act 1954 (Sect 33).

**BOUNDARY FIREBREAKS OR WAIVER OF BOUNDARY FIREBREAKS**

A landowner / occupier can either install a three (3) metre wide boundary firebreak or accept the conditions of the waiver. The boundary firebreak must be three (3) metres wide and be placed within

100 metres of the perimeter of the property. The firebreak must be maintained free of inflammable material. To accept the waiver you must comply with ALL of the following conditions—

1. The owner/occupier must reside on the property OR share a common boundary which either adjoins or is separated by NO MORE THAN 100 metres where a stock route or road reserve is involved
2. The owner/occupier must also have a mobile fire fighting unit (self propelled, towed or slipon) in good working order with a minimum capacity of 400 litres of water situated where the owner/occupier RESIDES
3. The owner/occupier shall submit a completed Statutory Declaration to the Shire of Plantagenet no later than 30 September annually (see attached Statutory Declaration).

Failure to submit a Statutory Declaration by 30 September will result in the property being subject to the requirements of the Annual Firebreak Notice. **PROVIDING MISLEADING INFORMATION ON A STATUTORY DECLARATION IS A CRIMINAL OFFENCE.**

#### **BARRIERS TO INSTALLING FIREBREAKS**

If you have obstructions on your property, for example physical barriers (swamps, rocky outcrops etc.) which prevent you from installing firebreaks, a Variation to Installing a Firebreak should be requested. To obtain a variation, a written application must be addressed to the Chief Executive Officer, and received at the Shire of Plantagenet by no later than 30 September. If granted, a variation applies for a five year period.

#### **PLANTATIONS**

Notice to all owners and/or occupiers of land, within the Shire of Plantagenet, currently planted, or proposed to be planted, as a Hardwood or Softwood plantation or tree farm.

**PURSUANT** to the powers contained in Section 33 of the Bush Fires Act 1954 you are hereby required on all Hardwood or Softwood Plantations/Tree Farms owned or occupied by you, to plough, cultivate, scarify, burn, chemically spray or otherwise clear of all inflammable material, firebreaks of dimensions as set out in this notice.

**FIREBREAKS** shall be installed on all **PLANTATIONS—TREE FARMS** in the Eastern sector by 15 November annually and in the Western sector, by 1 December annually. Firebreaks must be maintained and kept clear as required by this notice until 29 March annually (Eastern sector) and 12 April annually (Western sector).

#### **1. BOUNDARY FIREBREAKS**

- 1.1 Firebreaks shall be constructed fifteen (15) metres wide on the boundaries of all Plantations, Tree Farms, or such other location as may be agreed to by the Council, in accordance with the requirements of Definition—Specification 2.2 (below).
- 1.2 Firebreaks shall be constructed around Plantation Compartments of approximately thirty (30) hectares, in accordance with the requirements

#### **2. DEFINITIONS—SPECIFICATIONS**

- 2.1 Plantations—Tree Farms: A plantation tree farm is defined as an area exceeding 3 hectares within townsites or an area exceeding 10 hectares within rural areas, of trees planted for commercial purposes.
- 2.2 Boundary Firebreaks—Fifteen (15) metre requirement: That for external fire breaks around plantations a horizontal clearance of five (5) metres be established to a height of five (5) metres above the ground level over the trafficable portion of the firebreak.
- 2.3 Planting Compartments: A planting compartment is defined as an individual area of approximately thirty (30) hectares surrounded by firebreaks cleared of all inflammable material six (6) metres wide, with a vertical clearance of all overhanging branches at least four (4) metres upwards from ground level to allow unrestricted access for firebreak maintenance and fire fighting equipment.
- 2.4 All landowners or managers of land greater than 10,000 hectares—A 3.4HD 4x4 truck carrying 3,000 litres of water.

#### **3. PRIVATE HARDWOOD AND SOFTWOOD PLANTATIONS**

When harvesting is in process, harvesters must maintain a 400 litre fire fighting unit in or adjacent to where harvesting is being carried out.

#### **4. FIRE PROTECTION OF PRIVATE HARDWOOD/SOFTWOOD PLANTATIONS**

All hardwood and softwood plantations within the Shire must comply with the Plantation Fire Protection Guidelines unless approval to vary those conditions has been granted by the Shire.

The Plantation Fire Protection Guidelines have been adopted by the Lower Great Southern Plantation Fire Advisory Committee and copies of these Guidelines may be obtained from the Shire of Plantagenet.

#### **BRIGADE & SHIRE CONTACT DETAILS**

##### **Denbarker**

Captain Simon Grylls 9857 6068

Secretary Sandi Grylls 9857 6068

**Forest Hill**

Captain Michael Lanigan 9851 1578

Secretary Clea Candy 9851 1772

**Kendenup**

Captain Wayne Davis 9851 4562

Secretary Jacqui Burcham 9851 4091

**Middle Ward**

Captain Bill Sounness 9851 1450

Secretary Greg Stothard 9851 1003

**Narpyn**

Captain Mark Wallace 9851 1046

Secretary Don Steven 9851 2098

**Narrikup**

Captain Graeme Frusher 9845 3073

Secretary Dianne Bentley 9853 2128

**Perillup**

Captain Robin Ditchburn 9856 1014

Secretary Dean Trotter 9856 1045

**Porongurup**

Captain John Russell 9853 1097

Secretary Jodi Vitler 9853 1108

**Porongurup South**

Captain Philip Rule 9853 2141

Secretary Belinda Allain 9853 2141

**Rocky Gully**

Captain Ian Higgins 9855 1558

Secretary Jo Wills 9855 1590

**Woogenellup**

Captain Grant Cooper 9854 2025

Secretary Martin Wiehl 9854 1056

**South Stirling**

Captain Graeme Pyle 9854 3021

Secretary Rose Easton 9854 3017

**Kojaneerup**

Captain Tony Slattery 9847 1050

Secretary Craig Nelson 9847 7026

**Mt Barker Volunteer Fire & Rescue**

Captain Wes Beck 0448 791 169

Secretary Jeffrey Drage 0411 636 398

**Chief Bush Fire Control Officer**

David Burcham 9851 4091

**Deputy Chief Bush Fire Control Officer 1**

Len Handasyde 9851 2259

**Deputy Chief Bush Fire Control Officer 2**

John Russell 9853 1097

**Base Radio Operator**

Keith Hart 9851 4097

**Deputy Base Radio Operator**

Rod Stan-Bishop 9851 4035

**Fire Weather Reporting Officer**

Len Handasyde 9851 2259

**Deputy Fire Weather Reporting Officer**

Rod Stan-Bishop 9851 4035

**Shire Office** 9892 1111

**Manager of Works** 0417 181 532

**Works Supervisor** 0417 185 573

**Ranger** 0419 042 237

**Clover Burn Permit Officers**

David Burcham 9851 4091

Len Handasyde 9851 2259

Rod Stan-Bishop 9851 4035

**Ambulance** 000

Hospital 9892 1222

Doctor 9851 1566

Police 9851 1122

Town—Fire & Rescue 000

For any queries regarding firebreaks, permits, exemptions etc, please contact your local Fire Brigade Captain.

**STATUTORY DECLARATION**

**OATHS, AFFIDAVITS AND STATUTORY DECLARATIONS ACT 2005  
(FOR THE FIRE FIGHTING EQUIPMENT OPTION IN LIEU OF BOUNDARY  
FIRE BREAKS ON RURAL LAND LARGER THAN 40 HECTARES)**

This declaration must be returned to the Shire of Plantagenet

**NO LATER THAN 30 SEPTEMBER 2008 OR YOU WILL BE SUBJECT TO THE REQUIREMENTS OF THE ANNUAL FIREBREAK NOTICE**

I, (insert full name).....

(insert address).....

(insert occupation).....

Sincerely declare as follows—

I comply with the Shire of Plantagenet boundary firebreaks waiver option for rural land greater than 40 hectares, as detailed in the Shire of Plantagenet Annual Firebreak Notice 2008/2009.

The land upon which I reside is: (insert Lot / Location number)

Adjoining lots/locations to which this statutory declaration applies—

Brigade District

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the Oaths, Affidavits and Statutory Declarations Act

2005 at: (place) .....

on: (date) .....

by: (signature of person making the declaration). .....

in the presence of: (signature of authorised witness) .....

(name of authorised witness) .....

(qualification of witness) .....

ROB STEWART, Chief Executive Officer.

**NOTICE HAS ALSO BEEN EMAILED**

**LG502\***

**BUSH FIRES ACT 1954**

*Town of Victoria Park and Town of Vincent*

**2008/2009 FIREBREAK NOTICE**

Notice to all Owners and/or Occupiers of Land within the Town of Victoria Park and Town of Vincent.

Pursuant to the powers conferred in Section 33 of the Bush Fires Act 1954, you are required on or before the 31st October 2008, or within fourteen days of the date you become the owner or occupier should this be after the 31st day of October 2008 and thereafter up to and including the 30th day of April 2009, to clear inflammable matter, on land owned and/or occupied by you in accordance with the following requirements—

- 1. All land which is 2000 m<sup>2</sup> or less in area;

Remove inflammable matter from the whole of the land, except living trees and shrubs; plants under cultivation and lawn, by means of ploughing, cultivating or slashing to a height of no more than 50mm.

2. All other land within the Town of Victoria Park and Town of Vincent—
- (i) Firebreaks of a minimum width and height of 3 metres are to be cleared immediately inside all external boundaries of the land;
  - (ii) Firebreaks to a minimum width of 3 metres and height of 3 metres are to be cleared immediately surrounding all buildings situated on the land; and any place where inflammable liquids and gas products are kept;
  - (iii) In addition to the requirements in this clause Council may, by notice in writing require an owner and/or occupier to act as and when specified in the notice with respect to anything which is upon land and which in the opinion of Council is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire.

The term "Inflammable Matter" for the purpose of this notice includes bush (as defined in the Bush Fires Act 1954), timber, boxes, cartons, paper, rubbish and any other combustible or inflammable matter, but does not include buildings, green standing trees and bushes or growing bushes or plants in gardens or lawns.

All firebreaks must be cleared on or before 31st October in any year and thereafter maintained clear of inflammable matter up to and including 30 April in the following year.

If for any reason an owner and/or occupier considers it impractical to clear firebreaks or comply with other fire protection measures in accordance with the Notice, the owner and/or occupier may apply in writing to Council no later than 31 October in any year for a variation. If permission is not granted in writing by Council or its authorised officer, the owner and/or occupier must comply with the requirements of this Notice. Any variation granted by Council will apply only for a single Firebreak Period. A variation granted by Council shall only remain in force until 30 April in the following year.

The penalty for failing to comply with this notice is a fine of not more than \$5,000.00 and a person in default is also liable whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

Pursuant to Sections 24G(2) and 25(1a) of the Bush Fires Act 1954, the burning of garden refuse and lighting of fires in the open air is prohibited within the districts of the Town of Victoria Park and Town of Vincent between 31st October 2008 and 30 April 2009.

By order of Town of Victoria Park—

JOHN BONKER, Chief Executive Officer.

By order of Town of Vincent—

JOHN GIORGI JP, Chief Executive Officer.

LG503\*

### BUSH FIRES ACT 1954

*City of Swan*

#### FIRE BREAK ORDER

Notice to owners and/or occupiers of land within, the City of Swan

Pursuant to Section 33 of the Bushfires Act, 1954 you are hereby required on or before the 2 November 2008, or within 14 days of the date of you becoming owner or occupier should this occur after 2 November 2008, to remove from the land owned or occupied by you, all inflammable material or to clear firebreaks in accordance with the following requirements, and thereafter to maintain the land or the firebreaks clear of inflammable material up to and including the 31 day of March 2009.

#### GENERAL

1. Where the area of land is less than 100 hectares, clear and maintain firebreaks at least 3 metres wide immediately inside all external boundaries of the land and immediately surrounding all buildings on the land.
2. Where the area of land is greater than 100 hectares, clear and maintain firebreaks—
  - (a) at least 3 metres wide immediately inside all external boundaries of the land and immediately surrounding all buildings on the land, and
  - (b) at least 3 metres wide in such a position so as to divide the land into the areas not exceeding 100 hectares, with each area to be enclosed by such a firebreak.

#### FUEL DUMPS

On all land where fuel drum ramps are located and where fuel dumps, whether containing fuel or not, are stored, clear and maintain a firebreak at least four metres wide around any drum, ramp or stack of drums.

#### HAY STACKS

Clear and maintain a firebreak at least 3 metres wide completely surrounding any haystack on the land, within 60 metres of the haystack.

#### PINE PLANTATIONS

1. Clear and maintain a firebreak at least 10 metre wide—
  - (a) immediately surrounding any area of land on which pine trees are planted,

- (b) along the boundary of those portions of pine plantations which adjoin a formed public road; and
  - (c) such positions so that the area of pine plantation bounded by each firebreak does not exceed 200 hectares.
2. Clear and maintain firebreaks at least 6 metres wide (including the firebreaks referred to in (a) above) in such positions so that the area bounded by each firebreak does not exceed 25 hectares.

In addition, to the firebreaks required by this notice, pine plantations traversed by Western Power transmission lines have additional obligations under the State Energy Commission Act.

#### **BURNING**

The requirements of this notice to provide a firebreak, other than an alternative or strategic firebreak may be carried out by burning. That burning must be in accordance with the relevant provisions of the Bushfires Act, 1954.

#### **ALTERNATIVE FIREBREAKS**

1. (a) Should you consider it to be impracticable for any reason to clear firebreaks or remove inflammable material from the land as required by this notice, you may apply to the Council in writing on or before the 15 October 2008, for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted in writing by the Council prior to 2 November 2008, you shall comply with the requirements of this notice
- (b) When written permission to provide alternative firebreaks has been granted, you shall—
  - (i) comply with all conditions endorsed on the permit.
  - (ii) provide firebreaks at least 3 metres wide in the agreed position(s) on the land.
2. (a) Where the Council has, in writing, approved a Fire Management Plan and the Fire Management Plan depicts an array of alternative firebreaks, an owner may as an alternative to the construction of a general firebreak, elect to provide the alternative firebreak depicted on the Bushfire Management Plan. However, where the alternative firebreak is not constructed by the date required by this notice, the general firebreak requirements shall apply.
- (b) Any alternative firebreak provided for under (c) above shall be of the same width requirements as that applicable to a general firebreak but shall be limited to the extent and location depicted on the Bushfire Management Plan.

#### **STRATEGIC FIREBREAKS**

- (a) Where, under an agreement with the Council, or where depicted on an approved Bushfire Management Plan, strategic firebreaks are required to be provided on the land you are required to clear and maintain firebreaks at least 6 metres wide in the agreed position.
- (b) Strategic firebreaks shall be graded to provide a continuous trafficable surface (suitable for 4 wheel drive vehicles) at least 4 metres wide unimpeded by obstructions including boundary or dividing fences unless fitted with approved gates.

#### **FIREBREAK CONSTRUCTION**

Without affecting the generality of any other provision herein requiring trafficable firebreaks, all firebreaks required by this order on properties greater than 5 hectares in area shall be constructed and maintained in a condition trafficable by 4 wheel drive vehicles. Overhanging trees abutting firebreaks shall be pruned to minimise accumulation of litter and to allow unimpeded access to vehicles up to 4 metres high.

M. J. FOLEY, Chief Executive Officer.  
City of Swan.

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## **MARINE/MARITIME**

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MX401\*

### **WESTERN AUSTRALIAN MARINE ACT 1982**

*Shire of Waroona*

#### **NAVIGABLE WATERS REGULATIONS**

Water Ski Area

Waroona Dam

Department for Planning and Infrastructure,  
Fremantle WA, 19 September 2008.

Acting pursuant to the powers conferred by Section 48A of the Navigable Waters Regulations the department by this notice defines and sets aside the following area of Navigable Water for the purpose of Water Skiing:—

**Waroona Dam**—All the waters of the dam lying from the dam wall to lines marked with buoys and signs on the shore in the north-east and eastern arms. PROVIDING HOWEVER that skiing

is not permitted within 45 metres of the foreshore except when taking off and landing. Skiing is not permitted within 45 metres of the dam wall and this is a no take-off and landing area. The rotation of all water skiing on the dam shall be in an anti-clockwise direction. Skiing is only permitted within the hours of sunrise and sunset.

DAVID HARROD, General Manager Marine Safety,  
Department for Planning and Infrastructure.

**MX402\***

**WESTERN AUSTRALIAN MARINE ACT 1982**

**NAVIGABLE WATERS REGULATIONS**

**Water Ski Area**

**Swan River, Belmont**

Department for Planning and Infrastructure,  
Fremantle WA, 19 September 2008.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, the department by this notice temporarily revokes paragraph (d)(iii) of Notice MH401 as published at Page 5480 of the *Government Gazette* of 25 October 1991, relating to the 8 knot speed limit within the following area of water on the Swan River at Belmont—

**Sandringham Temporary Water Ski Area**

All the waters within an area bounded by an imaginary Northern Boundary Line drawn from a point on the western foreshore approximately 200 metres south east of the Maylands Boatyard Building to a point on the eastern foreshore approximately 200 metres north east of the Bristle Park Boat Ramp. The Southern Boundary Line shall be an imaginary line drawn from the prolongation of Belmont Avenue to the western foreshore.

Providing that this revocation will apply only on 5 October 2008 between the hours 1045 to 1115 and 1230 to 1300 and will only apply to bona fide vessels competing in approved aquatic events held by Show Ski WA Inc.

FURTHERMORE, pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, during the above time periods the above navigable waters will become a Boating Prohibited area that will apply to all vessels, other than bona fide vessels competing in approved aquatic events held by Show Ski WA Inc.

FURTHERMORE, that subject to Navigable Waters Regulation 48 (a), (b), (c), (d) and (e) that all the above navigable waters may be used for water skiing by bona fide vessels competing in approved aquatic events held by Show Ski WA Inc.

DAVID HARROD, General Manager Marine Safety,  
Department for Planning and Infrastructure.

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## **MINERALS AND PETROLEUM**

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**MP401\***

**MINING ACT 1978**  
**INTENTION TO FORFEIT**

Department of Industry Resources,  
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned licences and leases is paid on or before 20 October 2008 it is the intention of the Minister for Resources under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach covenant, viz, non-payment of rent.

STEDMAN ELLIS, Deputy Director General.

Number	Holder	Mineral Field
		Exploration Licences
08/1576	Plasia Pty Ltd	Ashburton
28/1602	Teakdale Nominees Pty Ltd	N/E Coolgardie
51/1057	Church, Paul Robert	Murchison
51/1195	Goldlaw Pty Ltd	Murchison

Exploration Licences—*continued*

53/644	Magellan Metals Pty Ltd	East Murchison
53/771	Western Resources and Exploration Pty Ltd	East Murchison
63/1035	Askins, Paul Winston	Dundas
80/3727	Mystar Investments Pty Ltd	Kimberley

## Mining Leases

25/67	Lakewood Mill Pty Ltd	East Coolgardie
80/519	Ngoonjuwah Council Aboriginal Corporation	Kimberley

MP402\*

## MINING ACT 1978

## FORFEITURE

Department of Industry and Resources,  
Perth WA 6000.

I hereby declare in accordance with the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* that the undermentioned mining tenements are forfeited for breach of covenant viz; non payment of rent.

FRANCIS LOGAN MLA, Minister for Energy;  
Resources; Industry and Enterprise.

Number	Holder	Mineral Field
		Exploration Licences
30/279	Brooks, Rita Marion	North Coolgardie
30/280	Brooks, Rita Marion	North Coolgardie
		General Purpose Lease
70/161	Australian Mineral Products Pty Ltd	South West

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**PLANNING AND INFRASTRUCTURE**


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PI401\*

## ARMADALE REDEVELOPMENT ACT 2001

## ARMADALE REDEVELOPMENT SCHEME 2004—AMENDMENT NO. 17

Notice is hereby given that, in accordance with the consent of the Minister for Planning and Infrastructure to its public notification, the proposed Armadale Redevelopment Scheme 2004—Amendment No. 17 has been prepared by the Armadale Redevelopment Authority.

Amendment 17 proposes to replace the existing Part 8—'Contribution Area Redevelopment Costs' in the Scheme with a revised Part 8 which will address deficiencies in the structure and content of the existing Part 8 provisions and the methods for calculating cost contributions.

A document setting out the Amendment is available for inspection at the offices of the Armadale Redevelopment Authority, 210-220 Jull Street Mall, Armadale, between the hours of 8.30 am and 4.30 pm, Monday to Friday, from 18 September 2008 until 29 October 2008. The document can also be viewed at the Authority's website at [www.ara.wa.gov.au](http://www.ara.wa.gov.au).

Written submissions on the Scheme should be addressed to—

Executive Director  
Armadale Redevelopment Authority  
PO Box 816  
Armadale WA 6992

Submissions may also be hand delivered to the Authority's office and the closing date for all submissions is 5.00pm, 29 October 2008.

JOHN ELLIS, Executive Director,  
Armadale Redevelopment Authority.

## RACING, GAMING AND LIQUOR

RG401\*

### LIQUOR CONTROL ACT 1988 LIQUOR APPLICATIONS

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* and required to be advertised.

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming & Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
12536	Shire of Esperance	Application for the grant of a Special Facility—Reception Centre licence in respect of premises situated in Esperance and known as Esperance Civic Centre	28/10/2008
12543	Toro Group Nominees Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in Malaga and known as Toro Wines & Spirits	5/10/2008
12545	Robert Hooker & Lynne Hooker	Application for the grant of a Producer's licence in respect of premises situated in Upper Swan and known as Lot 113 Wines	16/10/2008
12549	Chunga Nominees Pty Ltd	Application for the grant of a Producer's licence in respect of premises situated in Channybearup and known as Big Brook Wines	21/10/2008
12547	Element WA Pty Ltd	Application for the grant of a Tavern licence in respect of premises situated in Highgate and known as The Beaufort Street Merchant	16/10/2008
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
32548	Albion Hotel (WA) Pty Ltd	Application for an extended trading permit—ongoing hours of a Hotel Licence in respect of premises situated in Cottesloe and known as Albion Hotel	08/10/2008

This notice is published under section 67(5) of the Act.

Dated: 17 September 2008.

B. A. SARGEANT, Director of Liquor Licensing.

## TRANSPORT

TR401\*

### ROAD TRAFFIC ACT 1974 ROAD TRAFFIC (VEHICLE STANDARDS) REGULATIONS 2002 Notice of Exemption—Steer Axle Mass Limit for Certain Heavy Vehicles

#### 1. Exemption

(1) Under Regulation 41 of the *Road Traffic (Vehicle Standards) Regulations 2002* I, Eric Lumsden, Chief Executive Officer of the Department for Planning and Infrastructure and Director General for the purposes of the Regulations do, by this Notice, exempt vehicles to which this Notice applies from the following provisions of the Regulations, as provided by this Notice and subject to compliance with the conditions set out in this Notice—

- (a) Schedule 1, Division 1, clause 2 (Mass limits for tyres, wheels and axles) and Table 1 (Mass limits for single axles and axle groups), to the extent that that clause and Table prescribe a maximum single steer axle mass limit of 6.0 tonnes; and
- (b) Schedule 1, Division 1, clause 3 (1), (2) and (3), and Table 2 (Mass limits relating to axle spacing); and

- (c) Schedule 1, Division 1, clause 4 (1) (Mass limits for combinations); and
  - (d) Schedule 2, Division 2, clause 13 and Table 4 (Mass limits for axles and axle groups), to the extent that that clause and Table prescribe a maximum single steer axle mass limit of 6.0 tonnes.
- (2) A vehicle to which this Notice applies must comply with all other applicable requirements of the Regulations.

## 2. Vehicles to which this Notice applies

This Notice applies to a heavy vehicle—

- (a) with a gross vehicle mass of not less than 15 tonnes; and
- (b) that is not a bus.

## 3. Conditions

A vehicle to which this Notice applies is exempt from the provisions set out in clause 1 of this Notice provided that the vehicle complies with the following conditions—

- (a) The vehicle's single steer axle mass must not exceed 6.5 tonnes.
- (b) The vehicle's mass limit relating to its axle spacing must not exceed the mass prescribed in Table 2 to clause 3 in Division 1 of Schedule 1 to the Regulations by more than the amount by which its single steer axle mass exceeds 6.0 tonnes.

**Note:** For example, if the single steer axle mass of a vehicle has only increased by 0.25 tonne due to the vehicle being equipped with front underrun protection, cabin strength and ADR 80/01 engines, the mass limit prescribed in relation to that vehicle's axle spacing can only be increased by 0.25 tonne.

- (c) The vehicle must comply with the requirements of UN ECE R29 relating to cabin strength.
- (d) The vehicle must—
  - (i) be a front underrun protection vehicle; or
  - (ii) be fitted with a front underrun protection device that complies with UN ECE R93.
- (e) The vehicle must have an engine that complies with emission levels as set out in ADR 80/01 or a later version of that Rule.
- (f) The vehicle must bear an approval plate or plates certifying the vehicle's compliance with paragraphs (c) and (d) and complying with the requirements of clause 5.

## 4. Application of other provisions and requirements

For the purposes of determining whether any gross mass limit set out in the Regulations by or under any other law applies to a vehicle to which this Notice applies, that GVM limit or GCM limit is taken to be increased by the amount by which the vehicle's single steer axle mass exceeds 6.0 tonnes.

**Note:** Some provisions of the Regulations, and some instruments made under the Regulations, the *Road Traffic Act 1974*, or legislation of another jurisdiction applying to vehicles in WA, are stated to apply to vehicles above or below a specified gross mass limit. If the single steer axle mass of a vehicle has increased due to the vehicle being equipped with front underrun protection, cabin strength and ADR 80/01 engines, the relevant limit is taken to be increased by the amount by which the single steer axle mass has increased.

## 5. Approval plates

An approval plate is to be—

- (a) made of such a material, and affixed in such a way, that it cannot be removed without leaving evidence of tampering; and
- (b) affixed in a position that is easily accessible, visible and legible.

## 6. Definitions

(1) Words and expressions used in this Notice have the same meaning as they have in the Regulations.

(2) In this Notice—

“**ADR 80/01**” means Australian Design Rule 80/01, “Emission Control for Heavy Vehicles”.

“**approval plate**” means a decal, label or plate issued by a competent entity.

“**competent entity**” means—

- (a) a heavy vehicle manufacturer holding compliance plate approval issued by the Vehicle Safety Standards Branch of the Commonwealth Department of Infrastructure, Transport, Regional Development and Local Government; or
- (b) a person or authority approved by an Australian road authority to certify as to a vehicle's compliance with the requirements of UN ECE R29 and UN ECE R93.

“**front underrun protection vehicle**” means a vehicle fitted with a structure complying with UN ECE R93 at the time of manufacture.

“**gross mass limit**” means a reference in the Regulations or other statutory instrument to a specified vehicle mass that is the upper mass limit for determining whether a vehicle falls into a particular category or determining whether specified statutory provisions or administrative arrangements apply to a particular vehicle.

“**the Regulations**” means the *Road Traffic (Vehicle Standards) Regulations 2002*.

“UN ECE R29” means United Nations Economic Commission for Europe Regulation No. 29, “Cabs of commercial vehicles”.

“UN ECE R93” means United Nations Economic Commission for Europe Regulation No. 93, “Front underrun protective devices”.

ERIC LUMSDEN, Chief Executive Officer,  
Department for Planning and Infrastructure.

Dated: 2 September 2008.

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## DECEASED ESTATES

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**ZX401**

**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

William Arthur Bromfield and Murial Ann Bromfield, both late of 2 Bibbulman Entrance, Sinagra in Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of each deceased, who both died 19 August 2007, are required by the trustee Jayne Louise Bromfield of c/- Level 1, 85 Market Street, Fremantle in Western Australia to send particulars of their claims to her within 30 days of the date of this notice, after which date the trustee may convey or distribute the assets having regard only to the claims of which she then has notice.

**ZX402**

**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Any creditors having claims on the estate of the late Jozef Trafalski of RSL Aged Care, 16 Freedman Road, Menora in the State of Western Australia, deceased 28 May 2008, are required to send particulars of their claims to Annelie van Zyl, Administrator, C/- Lynn & Brown Lawyers, PO Box 1114, Morley, WA 6943 by 17 October 2008, after which date the administrator may distribute the assets having regard only to the claims of which they then have notice.

**ZX403\***

**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act* relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 19/10/2008 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

ALLEN James Aubrey, late of Craigmont Nursing Home Third Avenue Maylands, died 13.08.2008 (DE19971279EM27)

BALLARD Irene Mary, late of 30 Elmslie Street Orelia, died 27.07.2008 (DE19883995EM26)

BENTLEY Kathleen Mavis, late of 39 Armadale Road Rivervale, died 21.08.2008 (DE19894837EM15)

CLARE Brian William, late of 6 Antigonus Street Coolbellup, died 8.08.2008 (DE33067317EM213)

DAY Lewis Barry, late of Third (East) Avenue Maylands, died 17.08.2008 (DE30310937EM110)

EATON Ruth Doreen Lillian, late of St Vincent Aged Care 224 Swan Street Guildford, died 29.08.2008 (DE19821701EM27)

EDGE Vera Susan, late of room 108 Carinya Plantation Street Mount Lawley, formerly of unit 7/85 Shakespeare Avenue Yokine, died 06.08.2008 (DE19790431EM26)

FLAND Daphne, late of 200 Forrest Circle South Hedland, died 20.08.2007 (DE33060049EM26)

HALL John, late of 8 Mirreen Court Karawara, died 24.06.2008 (DE19992926EM32)

LYON Edward James, late of Ray Village 20 Ray Avenue Broadwater, died 22.08.2008 (DE19742786EM113)  
 MADER Eileen Elizabeth, late of 95 Imperial Avenue Madeley, died 10.08.2008 (DE19550127EM313)  
 NALDRETT Charles David, late of 2 Ommanney Street Hamilton Hill, died 22.08.2008 (DE33014660EM22)  
 PAYNE Elsie May, late of David Buttfield Centre 649 North Beach Road Gwelup, died 22.08.2008 (DE19610578EM35)  
 RICCARDI Antonio, late of 7 Kanangra Crescent Greenwood, died 10.03.2007 (DE19842978EM23)  
 ROYCE Robert Dunlop, late of C/Midland Nursing Home 44 John Street Midland, formerly of 19 Pirianda Way Aveley, died 10.07.2008 (DE19780662EM16)  
 SINCLAIR Geoffrey Neill, late of Western Hostel 118 Monash Avenue Nedlands, died 18.06.2008 (DE19841491EM36)  
 STAL Shaun Andrew, late of C-/Ms Kristina Stal 7 Walker Crescent High Wycombe, died 22.06.2005 (DE33033960EM32)  
 VAN SCHAYK Arnoldus Odulphus, late of 12 Belair Lifestyle Village 463 Marine Terrace Geraldton, died 27.07.2008 (DE19731791EM13)  
 VICKERS Winfield Denise, late of Banksia Village 108/219 Midland Road Hazelmere, died 15.05.2008 (DE19730734EM13)

JOHN SKINNER, Public Trustee,  
 Public Trust Office,  
 565 Hay Street,  
 Perth WA 6000.  
 Telephone: 9222 6777.

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**ZX404\***

**PUBLIC TRUSTEE ACT 1941**  
**ADMINISTERING OF ESTATES**

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.  
 Dated at Perth the 19 September 2008.

JOHN SKINNER, Public Trustee,  
 565 Hay Street, Perth WA 6000.

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Name of Deceased	Address	Date of Death	Date Election Filed
Kym Longdon Hall DE30228000EM36	7 Lyneham Place Bassendean	12/12/2007	9/09/2008
Phyllis Elizabeth Sashegyi DE19652635EM16	18 Bollig Gardens Bentley	2/08/2008	9/09/2008
Bruce George Forsyth DE19870523EM36	38 Chesterton Road Bassendean	24/07/2008	11/09/2008
Conrad Erick Kleeman DE19960470EM37	9 Ingram House RAAFA Estate Bullcreek	29/07/2008	11/09/2008

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