



**WESTERN  
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GOVERNMENT  
Gazette**

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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

**LOCAL GOVERNMENT AMENDMENT (ELECTIONS) ACT 2009**

No. 15 of 2009

PROCLAMATION

Western Australia

By His Excellency

*Doctor Kenneth Comminos Michael,  
Companion of the Order of Australia,  
Governor of the State of Western Australia*

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *Local Government Amendment (Elections) Act 2009* section 2(b) and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 25 August 2009.

By Command of the Governor,

G. M. CASTRILLI, Minister for Local Government.

Note: Under the *Local Government (Elections) Amendment Regulations (No. 2) 2009* regulation 2(b), those regulations, other than regulations 1 and 2, come into operation on the day on which the *Local Government Amendment (Elections) Act 2009* section 3 comes into operation.

Under the *Local Government (Constitution) Amendment Regulations 2009* regulation 2(b), those regulations, other than regulations 1 and 2, come into operation on the day on which the *Local Government Amendment (Elections) Act 2009* section 3 comes into operation.

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## CONSUMER & EMPLOYMENT PROTECTION

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CE301\*

Real Estate and Business Agents Act 1978

### **Real Estate and Business Agents (General) Amendment Regulations (No. 3) 2009**

Made by the Governor in Executive Council.

#### **1. Citation**

These regulations are the *Real Estate and Business Agents (General) Amendment Regulations (No. 3) 2009*.

**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 *Real Estate and Business Agents (General) Regulations 1979*.

**4. Regulations 14 and 15 inserted**

After regulation 13 insert:

**14. Infringement notices**

- (1) The offences specified in Schedule 3 are offences for which an infringement notice may be issued under Part 2 of the *Criminal Procedure Act 2004*.
- (2) The modified penalty specified opposite an offence in Schedule 3 is the modified penalty for that offence for the purposes of the *Criminal Procedure Act 2004* section 5(3).
- (3) The Board may, in writing, appoint persons or classes of persons to be authorised officers or approved officers for the purposes of the *Criminal Procedure Act 2004* Part 2.
- (4) The Board is to issue to each authorised officer a certificate, badge or identity card identifying the officer as a person authorised to issue infringement notices.

**15. Forms**

The forms set out in Schedule 2 are prescribed in relation to the matters specified in those forms.

**5. Schedule 2 amended**

(1) In Schedule 2 delete:

**Schedule 2**

[Regulation 7A]

**Forms**

Form 1

Western Australia

*Real Estate and Business Agents Act 1978*

[s. 131L(1)]

*Real Estate and Business Agents (General) Regulations 1979*

[r. 7A]

**APPLICATION FOR GRANT OF WHOLE OR ANY PART OF  
INCIDENTAL EXPENSES IN CONNECTION WITH PURCHASE OF A  
DWELLING OR PARTIALLY ERECTED DWELLING**

and insert:

**Schedule 2 — Forms**

[r. 15]

**Form 1 — Application for grant for assistance with incidental expenses  
under the *Real Estate and Business Agents Act 1978* section 131L***Real Estate and Business Agents Act 1978*

(2) At the end of Schedule 2 insert:

**Form 2 — Infringement notice**

<i>Real Estate and Business Agents Act 1978</i>		Infringement notice no.	
<b>Infringement notice</b>			
<b>Alleged offender</b>	Name: Family name _____		
	Given names _____		
	or	Company name _____	
	ACN _____		
Address _____		Postcode _____	
<b>Alleged offence</b>	Description of offence _____		
<i>Real Estate and Business Agents Act 1978</i> s.			
<i>Real Estate and Business Agents (General) Regulations 1979</i> r.			
Date	/	/20	Time a.m./p.m.
Modified penalty \$ _____			

<b>Officer issuing notice</b>	Name
	Signature
	Office
<b>Date</b>	Date of notice                    /                    /20
<b>Notice to alleged offender</b>	<p>It is alleged that you have committed the above offence.</p> <p>If you do not want to be prosecuted in court for the offence, pay the modified penalty within 28 days after the date of this notice.</p> <p><b>How to pay</b></p> <p><b>By post:</b> Send a cheque or money order (payable to 'Approved Officer — <i>Real Estate and Business Agents Act 1978</i>') to the following address:</p> <p>Approved Officer Real Estate and Business Agents Supervisory Board [Address]</p> <p><b>In person:</b> Pay the cashier at:</p> <p>Real Estate and Business Agents Supervisory Board [Address]</p> <p><b>If you do not pay</b> the modified penalty within 28 days, you may be prosecuted or enforcement action may be taken under the <i>Fines, Penalties and Infringement Notices Enforcement Act 1994</i>. Under that Act your driver's licence and/or vehicle licence may be suspended.</p>
	<b>If you need more time</b> to pay the modified penalty, you can apply for an extension of time by writing to the Approved Officer at the above postal address.
	<b>If you want this matter to be dealt with by prosecution in court</b> , sign here _____ and post this notice to the Approved Officer at the above postal address within 28 days after the date of this notice.

**Form 3 — Withdrawal of infringement notice**

<i>Real Estate and Business Agents Act 1978</i>		Withdrawal no.
<b>Withdrawal of infringement notice</b>		
<b>Alleged offender</b>	Name: Family name	
	Given names	
	or	Company name _____ ACN
	Address _____ Postcode	
<b>Infringement notice</b>	Infringement notice no.	
	Date of issue                    /                    /20	



<b>Offences under <i>Real Estate and Business Agents Act 1978</i></b>		<b>Modified Penalty</b>
s. 37(2)	Failing to have qualified manager at branch office	\$200
s. 37(3)	Branch manager acting for more than one licensee or as an agent on own account	\$400
s. 40(1)(a)	Carrying on business under a name not endorsed on triennial certificate	\$200
s. 40(1)(b)	Failing to include surname and initials of licensee on all business correspondence	\$200
s. 40(3)	Failing to notify Registrar of alteration of business name	\$200
s. 41(1)(a)	Failing to display official details at registered office	\$400
s. 41(1)(b)	Failing to display official details at branch office	\$400
s. 41(2)(a)	Failing to display official details on all correspondence and documents from registered office	\$400
s. 41(2)(b)	Failing to display official details on all correspondence and documents from branch office	\$400
s. 51(1)	Failing to notify Registrar of commencing or ceasing employment, or to act, as a sales representative	\$400
s. 70(1)	Failing to cause audit of trust account	\$600
s. 70(3)	Failing to deliver audit report to the Board	\$600
<b><i>Offence under Real Estate and Business Agents (General) Regulations 1979</i></b>		<b>Modified Penalty</b>
r. 8	Failing to notify Registrar of change in particulars	\$20

By Command of the Governor,

PETER F. CONRAN, Clerk of the Executive Council.



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## CORRECTIVE SERVICES

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CS301\*

Sentence Administration Act 2003

### Sentence Administration (Community Corrections Centres) Amendment Notice (No. 2) 2009

Made by the Minister under section 84 of the Act.

**1. Citation**

This notice is the *Sentence Administration (Community Corrections Centres) Amendment Notice (No. 2) 2009*.

**2. Commencement**

This notice comes into operation as follows —

- (a) clauses 1 and 2 — on the day on which this notice is published in the *Gazette*;
- (b) the rest of the clauses — on the day after that day.

**3. Notice amended**

This notice amends the *Sentence Administration (Community Corrections Centres) Notice 2008*.

**4. Clause 2 amended**

In clause 2 after Table 5 insert:

**Table 6**

**Community programme centres**

City/Town	Place
Caversham	130 Hamersley Road

CHRISTIAN PORTER, Minister for Corrective Services.

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## ENVIRONMENT AND CONSERVATION

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EV301\*

Conservation and Land Management Act 1984

### Conservation and Land Management Amendment Regulations 2009

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Conservation and Land Management Amendment Regulations 2009*.

**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 2009.

**3. Regulations amended**

These regulations amend the *Conservation and Land Management Regulations 2002*.

**4. Schedule 1 amended**

- (1) Delete Schedule 1 Division 2 and insert:

**Division 2 — Fees for passes providing extended entrance to  
CALM land**

		\$
1.	For an annual pass for a non-tour motor vehicle with up to 8 occupants to all CALM land where an entrance fee is charged except the Monkey Mia Conservation Park	80.00
2.	For an annual concession pass for a non-tour motor vehicle with up to 8 occupants to all CALM land where an entrance fee is charged except the Monkey Mia Conservation Park	50.00
	Conditions on entry: the driver holds a concession card	
3.	For a 4 week pass for a non-tour motor vehicle with up to 8 occupants to all CALM land where an entrance fee is charged except the Monkey Mia Conservation Park	40.00

	\$	
4.	For an annual local pass for a non-tour vehicle with up to 8 occupants for any one national park or reserve or for any one of the following groups of national parks, conservation parks and reserves —	
	(a) Walyunga, Avon Valley and John Forrest	
	(b) Gloucester, Warren, Beedelup, Greater Beedelup, Shannon and D'Entrecasteaux	
	(c) Stirling Range, Porongurup and Fitzgerald River	
	(d) Stokes, Cape Le Grand, Cape Arid and Fitzgerald River	
	(e) Karijini and Millstream-Chichester	
	(f) Mirima, Purnululu and Mitchell River	
	(g) Windjana, King Leopold Ranges and Tunnel Creek	
	(h) Nambung and Lesueur	20.00
5.	For an annual pass for a non-tour motor vehicle with up to 8 occupants to all CALM land where an entrance fee is charged except the Monkey Mia Conservation Park and an annual subscription to the magazine "Landscape"	110.00
6.	For a pass for one group entering the Yanchep National Park in one or more non-tour motor vehicles for the purposes of a wedding or other function	100.00
(2)	In Schedule 1 Division 4 delete item 3 and insert:	
3.	For family (2 adults and 2 children of more than 5 and less than 16 years of age)	60.00
4.	For holder of a concession card	20.00
(3)	In Schedule 1 Division 6 delete item 3 and insert:	
3.	Fee for site in Windjana Gorge National Park, Purnululu National Park or King Leopold Ranges Conservation Park —	
	each person 16 years of age or over	11.00
	each person 16 years of age or over who holds a concession card	8.00
	each person of more than 5 and less than 16 years of age	2.00
(4)	In Schedule 1 Division 9 items 1 and 2 delete "Wilyabrup" and insert:	
	Wilyabrup	

(5) After Schedule 1 Division 9 insert:

**Division 10 — Fees for Monkey Mia Conservation Park**

	\$
1. For person 16 years of age or over	8.00
2. For person of more than 5 and less than 16 years of age	3.00
3. For family (2 adults and 2 children of more than 5 and less than 16 years of age)	15.00
4. For holder of a concession card	6.00
5. One month pass for person 16 years of age or over	12.00
6. One month pass for person of more than 5 and less than 16 years of age	5.00
7. One month pass for family (2 adults and 2 children of more than 5 and less than 16 years of age)	30.00
8. One month pass for holder of a concession card	10.00

(6) Amend the provisions listed in the Table as set out in the Table.

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 1 Div. 1 it. 2	10.00	11.00
Sch. 1 Div. 1 it. 3	4.00	5.00
Sch. 1 Div. 1 it. 4	4.00	5.00
Sch. 1 Div. 3 it. 1	8.00	10.00
Sch. 1 Div. 3 it. 2	4.00	5.00
Sch. 1 Div. 3 it. 3	22.00	25.00
Sch. 1 Div. 3 it. 4	6.00	8.00
Sch. 1 Div. 4 it. 1	25.00	28.00
Sch. 1 Div. 4 it. 2	5.00	7.50
Sch. 1 Div. 5 it. 1	5.50	6.50
Sch. 1 Div. 5 it. 2	40.00	50.00
Sch. 1 Div. 6 it. 1	6.50	7.00
Sch. 1 Div. 6 it. 1	4.50	5.00
Sch. 1 Div. 6 it. 2	7.50	9.00
Sch. 1 Div. 6 it. 2	5.50	6.00

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 1 Div. 7 it. 1	6.50	10.00
Sch. 1 Div. 7 it. 1	3.50	5.00
Sch. 1 Div. 7 it. 1	15.50	25.00
Sch. 1 Div. 7 it. 1	5.00	8.00
Sch. 1 Div. 7 it. 2	12.00	15.00
Sch. 1 Div. 7 it. 2	6.00	8.00
Sch. 1 Div. 7 it. 2	35.00	40.00
Sch. 1 Div. 8 it. 1	4.00	5.00
Sch. 1 Div. 8 it. 4	50.00	100.00
Sch. 1 Div. 8 it. 5	50.00	100.00
Sch. 1 Div. 9 it. 1	6.00	8.00
Sch. 1 Div. 9 it. 2	6.00	8.00

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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## **LOCAL GOVERNMENT**

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LG301\*

**AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976**

**LOCAL GOVERNMENT ACT 1995**

*Shire of Bridgetown-Greenbushes*

**PEST PLANTS LOCAL LAW 2009**

Under the powers conferred by the *Agriculture and Related Resources Protection Act 1976* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Bridgetown-Greenbushes resolved on 25 June 2009 to make the following local law.

### **PART 1—PRELIMINARY**

#### **1.1 Citation**

This local law may be cited as the *Shire of Bridgetown-Greenbushes Pest Plant Local Law 2009*.

#### **1.2 Definitions**

In this local law, unless the contrary intention appears—

“**district**” means the district of the local government;

“**local government**” means the Shire of Bridgetown-Greenbushes; and

“**pest plant**” means a plant described as a pest plant by clause (2.1) of this local law.

**1.3 Application**

This local law applies throughout the district.

**PART 2—DESCRIPTION OF PEST PLANTS****2.1 Description of Pest Plants**

Every plant described in the First Schedule of this local law is a pest plant.

**PART 3—SERVING OF NOTICES****3.1 Serving of Notices**

The Council may serve on the owner or occupier of private land within the district a duly completed notice in the form of the Second Schedule to this local law requiring the destruction, eradication or otherwise control of any pest plant on that land and any person so served shall comply with that notice within the time and in the manner specified therein.

**PART 4—OFFENCES****4.1 Penalties**

Where a person fails to comply with that notice under clause (3.1) of this local law, the Council may—

- (a) without payment of any compensation in respect thereof, destroy, eradicate or control, as the case may be, any pest plant the destruction, eradication and control of which was required by the notice; and
- (b) recover in a court of competent jurisdiction from the person to whom the notice is directed, the amount of the expense of such destruction, eradication or control.

**First Schedule**

*Agriculture and Related Resources Protection Act 1976*

*Local Government Act 1995*

Shire of Bridgetown-Greenbushes

Pest Plants Local Law 2009

**PEST PLANTS**

<b>Common Name</b>	<b>Scientific Name</b>
Coastal (Victorian) tea-tree	<i>Leptospermum laevigatum</i>
Pampas grass	<i>Cortaderia selloana</i>
Flaxleaf broom	<i>Genista linifolia</i>
Montpellier broom	<i>Genista monspessulana</i>
Evening primrose	<i>Oenothera spp</i>
Myrtle-leaved milkwort	<i>Polygala myrtifolia</i>
Milkwort	<i>Polygalia virgata</i>
Sweet pittosporum	<i>Pittosporum undulatum</i>
Taylorina	<i>Psoralea pinnata</i>
Tagasaste	<i>Chamaecytisus palmensis</i>
Afghan/pie/camel melon	<i>Citrullus lanatus</i>
Prickly paddy melon	<i>Cucumis myfiocarpus</i>

**Second Schedule**

*Agriculture and Related Resources Protection Act 1976*

*Local Government Act 1995*

Shire of Bridgetown-Greenbushes

Pest Plants Local Law 2009

**PEST PLANT NOTICE**

No: \_\_\_\_\_

To \_\_\_\_\_ (full name)  
of \_\_\_\_\_ (address).

You are hereby given notice under the Bridgetown-Greenbushes Pest Plant Local Law 2008 you are required to \_\_\_\_\_ (specify: destroy, eradicate, or control) the pest plant

\_\_\_\_\_ (Common Name),

\_\_\_\_\_ (Scientific Name),  
 on \_\_\_\_\_ (specify the land)  
 of which you are the \_\_\_\_\_ (owner or occupier).  
 This notice may be complied with by \_\_\_\_\_

(specify manner of achieving destruction, eradication or control).

Such measures shall be commenced not later than \_\_\_\_\_ (date),  
 and shall be completed by \_\_\_\_\_ (date).

***Upon failure to comply with this notice within the times specified, the Council may destroy, eradicate or control, as the case may be, any specified pest plant at your expense, and if necessary recover the same in a court of competent jurisdiction.***

Date of service of notice: \_\_\_\_\_

Date: \_\_\_\_\_

(Signature of authorised person).

The Common Seal of the Shire of Bridgetown-Greenbushes was hereto affixed by authority of a resolution of the Council in the presence of—

BRIAN MOORE, Shire President.  
 TIM CLYNCH, Chief Executive Officer.

LG302\*

Local Government Act 1995

## **Local Government (Elections) Amendment Regulations (No. 2) 2009**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Local Government (Elections) Amendment Regulations (No. 2) 2009*.

### **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 the *Local Government Amendment (Elections) Act 2009* section 3 comes into operation.

### **3. Regulations amended**

These regulations amend the *Local Government (Elections) Regulations 1997*.

### **4. Regulation 3 amended**

- (1) In regulation 3 delete the definition of ***first preference vote***.

- (2) In regulation 3 insert in alphabetical order:
- electronic counting system* means an electronic system to ascertain the total votes received by each candidate, which may include a process for recording the votes indicated on the ballot papers for an election;
- (3) In regulation 3 in the definition of *election papers* delete paragraph (ba) and “and” after it and insert:
- (ba) a paper record that shows the total votes received by each candidate named on the ballot paper for the election; and
- 5. Regulation 27 amended**
- Delete regulation 27(2) and (3) and insert:
- (2) If the number of votes received by a candidate is at least 5% of the total number of votes included in the count, that candidate’s deposit is to be refunded.
- 6. Regulation 31 amended**
- In regulation 31(1)(i)(ii) delete “preferences” and insert:
- votes
- 7. Regulation 34 replaced**
- Delete regulation 34 and insert:
- 34. One office to be filled — s. 4.69(1)**
- If only one office is to be filled at the election, an elector is to mark the ballot paper by placing a tick in the box opposite the name of the candidate whom the elector wishes to be elected.
- 8. Regulation 35 replaced**
- Delete regulation 35 and insert:
- 35. Two or more offices to be filled — s. 4.69(2)**
- If 2 or more offices are to be filled at the election, an elector is to mark the ballot paper by placing a tick in



the box opposite the name of each candidate whom the elector wishes to be elected but is not to place ticks in more boxes than the number of offices to be filled.

**9. Regulation 56 amended**

After regulation 56(3)(a) insert:

- (b) the names of any one or more of the candidates not being listed on the ballot paper;

**10. Regulation 71 amended**

Delete regulation 71(e) and insert:

- (e) to be present after the close of the poll when ballot boxes are opened and during the counting of the votes so as to observe all proceedings at the count.

**11. Regulation 75A deleted**

Delete regulation 75A.

**12. Regulation 75B replaced**

Delete regulation 75B and insert:

**75B. Use of electronic counting system**

For the purposes of Schedule 4.1 to the Act the RO may use an electronic counting system to ascertain the number of votes given to each candidate.

**13. Regulation 75C amended**

(1) In regulation 75C(3):

- (a) in paragraph (a)(ii) delete “preferences” and insert:

votes

- (b) delete paragraph (b) and insert:

- (b) permit the transmission, by data file or any other electronic means, of the data so recorded to an electronic counting place for use as data by the electronic counting system.

(2) Delete regulation 75C(4)(b) and insert:

- (b) permit the transmission, by fax or any other electronic means, of an image of a ballot paper to an electronic counting place for use in the electronic counting system.

**14. Regulation 77A amended**

(1) Delete regulation 77A(1) and insert:

(1) In this regulation —

*clause 5* means clause 5 of Schedule 4.1 to the Act;

*tied candidates* means the candidates between whom the drawing of lots is required under clause 5.

(2) In regulation 77A(2) delete “clause 2(2), 7, 8, 18, 21 or 23,” and insert:

clause 5,

(3) Delete regulation 77A(7) and insert:

(7) The candidate whose name appears on the slip obtained by the RO in accordance with subregulation (5) is to be elected.

**15. Regulation 80 amended**

(1) Delete regulation 80(2)(c) and “and” after it and insert:

(c) if voting by electors took place, the votes received by each candidate; and

(2) Delete regulation 80(4) and (5).

**16. Schedule 1 amended**

(1) In Schedule 1 delete Form 10 and the notes after Form 10 and insert:

**Form 10. Ballot Paper**

**BALLOT PAPER**

Election of 1

Local government district<sup>2</sup>:

Ward <sup>3</sup> :
Election date <sup>4</sup> :

**How to vote<sup>5</sup>**  
 Place a tick  in the box next to the candidate you want to elect.  
 Do not make any other marks on the ballot paper.

**Candidates<sup>6</sup>**

	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

**Notes to Form 10**

**Notes to Returning Officer when preparing the ballot paper**

- 1 Mayor, president or councillor(s)**  
 Insert "Mayor", "President", "Councillor" or " \_\_\_\_\_<sup>7</sup>  
 Councillors" as appropriate.
- 2 District**  
 Fill in the name of the local government district.
- 3 Ward**  
 Fill in name of the ward, or if there is no ward delete this  
 box.
- 4 Election date**  
 Fill in the election date.
- 5 How to vote**  
 This 'How to Vote' note is for an election for a mayor,  
 president or one councillor. If the election is for 2 or more  
 councillors replace it with the following note:

<b>How to vote</b>
Place a tick <input checked="" type="checkbox"/> in the box next to each of the candidates you want to elect. You may choose up to _____ <sup>7</sup> candidates. If you choose more than _____ <sup>7</sup> your vote will be invalid. Do not make any other marks on the ballot paper.

- 6 Candidates**  
 Insert the names of the candidates in the order determined  
 under section 4.56(a) of the Act. Add more lines if necessary  
 and delete any unused lines.  
 All names must be in the same size text.  
 If 2 names are confusingly similar add such descriptions or  
 additions as are necessary to distinguish them from each  
 other.
- 7 Number of councillors**  
 If the election is for more than one councillor insert the  
 number of councillors to be elected.

(2) In Schedule 1 delete Form 11 (front and back) and insert:

**Form 11. Absent Vote Ballot Paper**

<b>ABSENT VOTE BALLOT PAPER</b> See back for notes on how to vote	
<b>Election of<sup>1</sup></b>	<input type="checkbox"/> <b>Mayor</b> <input type="checkbox"/> <b>President</b> <input type="checkbox"/> <b>Councillor(s)</b>
Local government district <sup>2</sup> :	
Ward <sup>3</sup> :	
Election date <sup>4</sup> :	

**Candidates<sup>5</sup>**

	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

**Back of Form 11**

**How to make an absent vote**

<b>1 Mayor, president or councillors</b>	Place a tick <input checked="" type="checkbox"/> in the appropriate box.
<b>2 District</b>	Fill in the name of the local government district in respect of which you are voting.
<b>3 Ward</b>	Fill in the name of the ward in respect of which you are voting. If you are voting in respect of a local government district which is not divided into wards, leave this box blank.
<b>4 Election date</b>	Fill in the official election date — not the day you are filling in this form.
<b>5 Candidates</b>	Fill in the names of the candidates. Write one name on each line. You may fill in the candidates' names in any order.
<b>Cast your vote</b>	<p>If the election is for a mayor or president or only one councillor place a tick <input checked="" type="checkbox"/> in the box next to the candidate you want to elect. If the election is for 2 or more councillors place a tick <input checked="" type="checkbox"/> in the box next to each of the candidates you want to elect. You may choose up to the number of candidates as there are councillors to be elected. If you choose any more, your vote will be invalid.</p> <p style="text-align: center;"><i>For example — if the election is for 3 councillors you may tick the boxes for 1, 2 or 3 candidates but if you tick 4 boxes your vote will be invalid.</i></p> <p>Do not make any other marks on the ballot paper.</p>

- (3) In Schedule 1 delete Form 13(a) and (b) and the notes after Form 13 and insert:

### Form 13. Postal Voting Instructions

#### (a) Mayoral/Presidential or Ward Election

*Local Government (Elections) Regulations 1997, r. 43(1)(a)*

### POSTAL VOTING INSTRUCTIONS

<b>Election package</b>	<p>This is your Postal Voting Election Package. It contains:</p> <ul style="list-style-type: none"> <li>• profiles of each of the candidates in your electorate;</li> <li>• a ballot paper;</li> <li>• an elector's certificate<sup>1, 1a</sup>; and</li> <li>• a ballot paper envelope<sup>1a</sup>;</li> <li>• a postage pre-paid envelope addressed to the Returning Officer<sup>1a</sup>.</li> </ul> <p>If any of these papers are missing from your package please contact the Returning Officer for your district.</p>
<b>How to vote<sup>1b</sup></b>	<ol style="list-style-type: none"> <li>❶ Decide which candidate(s) you want to elect and mark your choice on the ballot paper. The instructions on the ballot paper tell you how to do this.</li> <li>❷ Put your completed ballot paper into the ballot paper envelope and seal that envelope.</li> <li>❸ Fill in and sign the elector's certificate.</li> <li>❹ Put the ballot paper envelope and the elector's certificate<sup>2</sup> into the envelope addressed to the Returning Officer and seal that envelope.</li> <li>❺ Post that envelope to the Returning Officer or deliver it to an electoral officer at: <ul style="list-style-type: none"> <li>• the offices of the local government during office hours before election day; or</li> <li>• a polling place between 8 a.m. and 6 p.m. on election day.</li> </ul> </li> </ol> <p>If you post your vote the Returning Officer must receive it before 6 p.m. on election day. Make sure you post it in plenty of time.</p>
<b>Any questions</b>	<p>If you have any questions about your Postal Voting Election Package or about how to lodge your vote, contact the Returning Officer for your district.</p> <p style="text-align: center;"><b>Returning Officer<sup>3</sup></b></p> <p>Name: Address:</p> <p>Phone No.: Fax No.: Email address:</p>

### Form 13. Postal Voting Instructions

#### (b) Simultaneous Mayoral/Presidential and Ward Elections

*Local Government (Elections) Regulations 1997, r. 43(1)(a)*

### POSTAL VOTING INSTRUCTIONS

<b>Election package</b>	<p>This is your Postal Voting Election Package. It contains:</p> <ul style="list-style-type: none"> <li>• for the election of the mayor<sup>4</sup>: <ul style="list-style-type: none"> <li>• profiles of each of the candidates; and</li> <li>• a mayoral<sup>4</sup> ballot paper;</li> </ul> </li> <li>• for the election of councillors: <ul style="list-style-type: none"> <li>• profiles of each of the candidates; and</li> <li>• a councillors ballot paper;</li> </ul> </li> </ul>
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	<ul style="list-style-type: none"> <li>• an elector's certificate<sup>1, 1a</sup>;</li> <li>• a ballot paper envelope<sup>1</sup>;</li> <li>• a postage pre-paid envelope addressed to the Returning Officer<sup>1a</sup>.</li> </ul> <p>If any of these papers are missing from your package please contact the Returning Officer for your district.</p>
<b>How to vote<sup>3a</sup></b>	<ol style="list-style-type: none"> <li>❶ Decide which candidate you want to elect as mayor<sup>4</sup> and mark your choice on the mayoral<sup>4</sup> ballot paper. The instructions on the ballot paper tell you how to do this.</li> <li>❷ Decide which candidate(s) you want to elect as councillor(s) and mark your choice on the councillors ballot paper. The instructions on the ballot paper tell you how to do this.</li> <li>❸ Put both your completed ballot papers into the ballot paper envelope and seal that envelope.</li> <li>❹ Fill in and sign the elector's certificate.</li> <li>❺ Put the ballot paper envelope and the elector's certificate<sup>2</sup> into the envelope addressed to the Returning Officer and seal that envelope.</li> <li>❻ Post or deliver that envelope to the Returning Officer or deliver it to an electoral officer at: <ul style="list-style-type: none"> <li>• the offices of the local government during office hours before election day; or</li> <li>• a polling place between 8 a.m. and 6 p.m. on election day.</li> </ul> </li> </ol> <p>If you post your vote the Returning Officer must receive it before 6 p.m. on election day. Make sure you post it in plenty of time.</p>
<b>Any questions</b>	<p>If you have any questions about your Postal Voting Election Package or about how to lodge your vote, contact the Returning Officer for your district.</p> <p><b>Returning Officer<sup>3</sup></b>  Name:  Address:   Phone No.:  Fax No.:  Email address:</p>

### **Notes to Form 13**

#### ***Notes to Returning Officer when preparing postal voting instructions***

##### **1 Elector's certificate**

*If the elector's certificate is —*

- (a) *attached to the ballot paper envelope insert "which is attached to the ballot paper envelope"; or*
- (b) *printed on the return envelope insert "which is printed on the envelope addressed to the Returning Officer".*

##### **1a Ballot paper envelopes and pre-paid envelopes**

*If the ballot paper envelope is also the postage pre-paid envelope addressed to the Returning Officer and incorporates the elector's certificate, delete these 3 items and insert instead —*

- “• a combined ballot paper envelope and postage pre-paid envelope addressed to the Returning Officer with an elector's certificate attached.”.

##### **1b How to vote (Form 13(a))**

*If the ballot paper envelope is also the postage pre-paid envelope addressed to the Returning Officer and*

*incorporates the elector's certificate, delete these "How to vote" instructions and insert instead —*

<b>How to vote</b>	<ol style="list-style-type: none"> <li>❶ Decide which candidate(s) you want to elect and mark your choice on the ballot paper. The instructions with the ballot paper tell you how to do this.</li> <li>❷ Put your completed ballot paper into the envelope provided and seal the envelope.</li> <li>❸ Fill in and sign the elector's certificate.</li> <li>❹ Post the envelope to the Returning Officer, or deliver it to an electoral officer at: <ul style="list-style-type: none"> <li>• the offices of the local government during office hours before election day; or</li> <li>• a polling place between 8 a.m. and 6 p.m. on election day.</li> </ul> </li> </ol> <p>If you post your vote the Returning Officer must receive it before 6 p.m. on election day. Make sure you post it in plenty of time.</p>
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## 2 **Elector's certificate**

*If the elector's certificate is:*

- (a) *attached to the ballot paper envelope, replace "and the elector's certificate" with ", including the elector's certificate"; or*
- (b) *printed on the return envelope, delete "and the elector's certificate" and renumber 'How to vote' instructions 3 and 4 as 4 and 3 respectively.*

## 3 **Returning Officer**

*Insert the name and contact details of the Returning Officer or, where the Electoral Commissioner has been declared responsible for the conduct of an election, such other contact details as are appropriate.*

### 3a **How to vote (Form 13(b))**

*If the ballot paper envelope is also the postage pre-paid envelope addressed to the Returning Officer and incorporates the elector's certificate, delete these "How to vote" instructions and insert instead —*

<b>How to vote</b>	<ol style="list-style-type: none"> <li>❶ Decide which candidate you want to elect as mayor<sup>4</sup> and mark your choice on the mayoral<sup>4</sup> ballot paper. The instructions with the ballot paper tell you how to do this.</li> <li>❷ Decide which candidate(s) you want to elect as councillor(s) and mark your choice on the councillors ballot paper. The instructions with the ballot paper tell you how to do this.</li> <li>❸ Put your completed ballot papers into the envelope provided and seal the envelope.</li> <li>❹ Fill in and sign the elector's certificate.</li> <li>❺ Post that envelope to the Returning Officer, or deliver it to an electoral officer at: <ul style="list-style-type: none"> <li>• the offices of the local government during office hours before election day; or</li> <li>• a polling place between 8 a.m. and 6 p.m. on election day.</li> </ul> </li> </ol> <p>If you post your vote the Returning Officer must receive it before 6 p.m. on election day. Make sure you post it in plenty of time.</p>
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## 4 **Mayor/President**

*For an election in a Shire replace "mayor" with "president" and "mayoral" with "presidential".*

- (4) In Schedule 1 Form 18 on the back of the duplicate copy in the box entitled “What you may do” delete:

- be present when ballot boxes are opened, when preferences indicated on ballot papers are recorded electronically and during the counting of the votes.

and insert:

- be present when ballot boxes are opened and votes are being counted.

- (5) In Schedule 1 delete Form 19 and the notes after Form 19 and insert:

**Form 19. Results of Election**

<i>Local Government Act 1995, s. 4.77</i> <b>RESULTS OF ELECTION FOR</b> _____ <sup>1</sup>
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<b>Results</b>	These are the results of the local government election held on _____.
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<b>Mayor/President<sup>2</sup></b>	<b>Candidate</b>	<b>Number of votes<sup>3</sup></b>
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____

Therefore \_\_\_\_\_ is elected as mayor/president<sup>2</sup> of \_\_\_\_\_ until \_\_\_\_\_

<b>Ward<sup>4</sup></b>	<b>Candidate</b>	<b>Number of votes<sup>3</sup></b>
	_____	_____
	_____	_____
	_____	_____
	_____	_____
	_____	_____

Therefore the following people are elected as councillors for the \_\_\_\_\_ ward. Each councillor will hold office until the date set out next to his or her name.

<b>Name</b>	<b>Expiry of term</b>
_____	_____
_____	_____
_____	_____

<b>Returning officer</b>	Full name:	
	Signature:	Date:

**Notes to Form 19**

**Notes to Returning Officer when preparing results**

**1 District**

*Insert the name of the local government district.*



**2 Mayor or President**

Delete "Mayor" or "President" as appropriate.

If the election did not include the election of the mayor or president, delete this box.

**3 Elected unopposed or appointed**

If a person was elected unopposed under section 4.55 of the Act insert "elected unopposed" in this column.

If a person was appointed by the council of the local government under section 4.57(3) of the Act insert "appointed by council" in this column.

**4 Ward**

Repeat this box for each ward in the district in which there was an election and insert the name of the ward.

If there were no councillor elections, delete this box.

If the district is not divided into wards but councillors were elected for the district, change the title of this box to "Councillors" and delete the word "ward" in the last line.

(6) In Schedule 1 delete Form 20 and insert:

**Form 20. Report to Minister****REPORT TO MINISTER**

Local Government Act 1995, s. 4.79(2)  
Local Government (Elections)  
Regulations 1997, r. 81

**Part 1 — General information**

Use one form for each election.

**District and date**

District (and ward, if applicable) where election held: Election date:	
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**Vacancies**

Number of vacancies:	
Vacancies unfilled: (i.e. vacancies for which no nominations were received at the close of nominations):	

**Type of election**

Voting in person:	<input type="checkbox"/>
Postal:	<input type="checkbox"/>
	(Tick one box)

**Position/s**

Mayor/ president/ councillor*
* Delete whichever is inapplicable.

**Number of persons on rolls**

Number of persons on owners and occupiers roll	
--	--

Number of persons on residents roll	
Total number of names of persons on rolls (roll, if consolidated)	

## Part 2 — Voter turnout

<i>Voter categories</i>	<i>Number of voters</i>
Absent voters whose voting papers were rejected <sup>1</sup>	
Postal voters whose voting papers were rejected <sup>1</sup>	
Absent voters whose voting papers were accepted <sup>2</sup>	
Postal voters whose voting papers were accepted <sup>3</sup>	
Early voters recorded on roll	
Voters who voted in person on election day recorded on roll	
Provisional voters whose voting papers were accepted <sup>4</sup>	
<b>Total voter turnout<sup>5</sup></b>	

<sup>1</sup> Assume the voting papers include a ballot paper for this election.

<sup>2</sup> Work out using number of accepted absent voter declarations retained.

<sup>3</sup> Work out using number of accepted elector certificates retained.

<sup>4</sup> Work out using number of Form 16s accepted by an electoral officer.

<sup>5</sup> Total number of eligible electors who attempted to vote by the close of poll.

## Part 3 — Number of late arriving postal packages

Number of late arriving postal packages <sup>6</sup> :	
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<sup>6</sup> Include voting packages arriving up to one week after the close of poll. Assume the voting papers include a ballot paper for this election.

## Part 4 — Details of candidates and votes

<i>Surname</i>	<i>Other names</i>	<i>Gender</i>	<i>Previous member (yes/no)</i>	<i>Votes received<sup>7</sup></i>

<sup>7</sup> Insert the total number of votes received by each candidate.

Insert "unopposed" if the candidate was elected unopposed under section 4.55 of the *Local Government Act 1995*.

Insert "appointed" if the candidate was appointed under section 4.57(3) of the *Local Government Act 1995*.

## Part 5 — Ballot papers counted

<i>Ballot papers</i>	<i>Number</i>
Number of valid ballot papers counted	
Number of informal ballot papers counted	

## Part 6 — Candidate/s elected

<i>Surname</i>	<i>Other names</i>	<i>Year term expires</i>	<i>Type of vacancy (Ordinary/extraordinary/other)</i>

<b>Returning officer</b>	Full name:	
	Signature:	Date:

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

\_\_\_\_\_

LG303\*

Local Government Act 1995

## **Local Government (Constitution) Amendment Regulations 2009**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Local Government (Constitution) Amendment Regulations 2009*.

### **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 the *Local Government Amendment (Elections) Act 2009* section 3 comes into operation.

### **3. Regulations amended**

These regulations amend the *Local Government (Constitution) Regulations 1998*.

### **4. Regulation 10A amended**

In regulation 10A in the definition of *records of the election* delete paragraph (d) and insert:

- (d) a paper record that shows the total votes received by each candidate.

**5. Regulation 11A amended**

Delete regulation 11A(4) and (5) and insert:

- (4) A council member is to cast his or her vote by marking the ballot paper by placing a tick in the box opposite the name of the candidate whom the council member wishes to be elected.

**6. Regulation 11F amended**

- (1) Delete regulation 11F(2)(aa) and “and” after it.
- (2) Delete regulation 11F(3) and insert:
  - (3) The declaration may include the number of votes received by each candidate.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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# — PART 2 —

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## LOCAL GOVERNMENT

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LG401\*

**LOCAL GOVERNMENT ACT 1995**

*Shire of Capel*  
(BASIS OF RATES)

Department of Local Government.

DLGRD: CP5-4#06

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 23 July 2009.

JENNIFER MATHEWS, Director General.

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### SCHEDULE

## ADDITIONS TO GROSS RENTAL VALUE AREA

*Shire of Capel*

All those portions of land being Lots 507 to 516 inclusive, Lots 519 to 529 inclusive and Lots 762 to 772 inclusive as shown on Deposited Plan 62292; Lots 269 to 271 inclusive as shown on Deposited Plan 62293 and Lot 517, Lot 518 and Lots 530 to 532 inclusive as shown on Deposited Plan 62853.

LG402\*

**LOCAL GOVERNMENT ACT 1995**

*City of Swan*  
(BASIS OF RATES)

Department of Local Government.

DLGRD: SW5-4#04

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government under delegation from the Hon G M (John) Castrilli MLA, Minister for Local Government, being charged for the time being with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the Schedule hereunder shall be gross rental value for the purposes of rating with effect from 23 July 2009.

JENNIFER MATHEWS, Director General.

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### SCHEDULE

## ADDITIONS TO GROSS RENTAL VALUE AREA

*City of Swan**All those portions of land comprised in the schedules below—***SCHEDULE 'A'**

All that portion of land being Lot 21, Lot 22 and Lot 25 as shown on Plan 2235; Lot 21, Lot 23, Lot 25, Lot 26 and Lots 49 to 51 inclusive as shown on Plan 2746; Lot 39, Lot 72 and Lot 81 as shown on Plan

2747; Lot 60 as shown on Plan 3106; Lot 105, Lot 139, Lot 230 and Lot 233 as shown on Plan 3598; Lot 548, Lot 549, Lot 552, Lot 560, Lot 565, Lot 571, Lot 580, Lot 581 and Lot 592 as shown on Plan 3698; Lot 46, Lot 100 and Lot 139 as shown on Plan 3830; Lot 41, Lot 49 and Lot 52 as shown on Plan 3952; Lot 18, Lot 32 and Lot 39 as shown on Plan 4460; Lot 15 as shown on Plan 4473; Lot 12 as shown on Plan 4556; Lot 16 as shown on Plan 4613; Lot 13 as shown on Plan 5834; Lot 19 as shown on Plan 9452; Lot 23, Lot 29 and Lot 31 as shown on Plan 12868; Lot 103 as shown on Plan 13789; Lot 19, Lot 24 and Lot 29 as shown on Plan 13952; Lot 36 and Lot 43 as shown on Plan 14483; Lot 128 as shown on Plan 14510; Lot 58, Lot 63 and Lot 67 as shown on Plan 14696; Lot 57 and Lot 62 as shown on Plan 14768; Lot 66 and Lot 68 as shown on Plan 14898; Lot 117 as shown on Plan 15429; Lot 129 as shown on Plan 15430; Lot 82, Lot 156 and Lot 178 as shown on Plan 15624; Lot 81 as shown on Plan 17681; Lot 21, Lot 22, Lot 23 and Lot 31 as shown on Plan 18486; Lot 26 as shown on Plan 19859; Lot 5 as shown on Plan 22434; Lot 107 as shown on Plan 22882; Lot 214 and Lot 217 as shown on Plan 23854; Lot 37, Lot 41 and Lot 60 as shown on Plan 24019; Lot 79 and Lot 99 as shown on Plan 24020; Lot 124 as shown on Plan 24027; Lot 82 and Lot 85 as shown on Plan 24028; Lot 231 and Lot 232 as shown on Plan 24118; Lot 103 and Lot 250 as shown on Plan 24251 and Lot 500 as shown on Plan 24316.

#### **SCHEDULE 'B'**

All that portion of land being Lot 4 as shown on Diagram 2205; Lot 2 as shown on Diagram 5207; Lot 10 as shown on Diagram 5290; Lot 123 as shown on Diagram 9490; Lot 123 as shown on Diagram 9557; Lot 50 as shown on Diagram 9586; Lot 37 as shown on Diagram 13802; Lot 5 as shown on Diagram 21669; Lot 10 as shown on Diagram 30034; Lot 18 as shown on Diagram 31929; Lot 501 as shown on Diagram 41012; Lot 4 as shown on Diagram 42670; Lot 10 as shown on Diagram 42911; Lot 1 as shown on Diagram 46986; Lot 1 as shown on Diagram 47415; Lot 203 as shown on Diagram 49469; Lot 10 as shown on Diagram 52977; Lot 3 as shown on Diagram 53856; Lot 1 as shown on Diagram 56809; Lot 3 and Lot 4 as shown on Diagram 59619; Lot 6 as shown on Diagram 60674; Lot 203 as shown on Diagram 63002; Lot 215 as shown on Diagram 63943; Lot 21 as shown on Diagram 64349; Lot 501 as shown on Diagram 64412; Lot 59 as shown on Diagram 65662; Lot 18 as shown on Diagram 68061; Lot 66 as shown on Diagram 68873; Lot 71 as shown on Diagram 71189; Lot 12 as shown on Diagram 72725; Lot 17 as shown on Diagram 72729; Lot 19 as shown on Diagram 72731; Lot 20 as shown on Diagram 72732; Lot 11 and Lot 12 as shown on Diagram 79968; Lot 10 as shown on Diagram 80766; Lot 200 as shown on Diagram 87661; Lot 29 as shown on Diagram 88352; Lot 1115 as shown on diagram 95204; Lot 61 as shown on Diagram 95351; Lot 20 as shown on Diagram 99316; Lot 1391 as shown on Diagram 99339; Lot 57 as shown on Diagram 99523; Lot 222 as shown on Diagram 99535; Lot 23 as shown on Diagram 99930 and Lot 112 as shown on Diagram 99990.

#### **SCHEDULE 'C'**

All that portion of land being Lot 174, Lot 177, Lot 183, Lot 185, Lot 187 and Lot 188 as shown on Deposited Plan 24340; Lot 27, Lot 29, Lot 30 and Lot 34 as shown on Deposited Plan 24713; Lot 205 as shown on Deposited Plan 24973; Lot 3 as shown on Deposited Plan 25231; Lot 888 and Lot 889 as shown on Deposited Plan 25348; Lot 182 and Lot 183 as shown on Deposited Plan 25472; Lot 107, Lot 109 and Lot 129 as shown on Deposited Plan 25497; Lot 134 and Lot 141 as shown on Deposited Plan 25498; Lot 301 as shown on Deposited Plan 26036; Lot 229 as shown on Deposited Plan 26981; Lot 300 as shown on Deposited Plan 28035; Lot 210 as shown on Deposited Plan 28414; Lot 110 as shown on Deposited Plan 29372; Lot 104 as shown on Deposited Plan 29438; Lot 106 and Lot 107 as shown on Deposited Plan 30526; Lot 152 and Lot 217 as shown on Deposited Plan 31283; Lot 265 and Lot 266 as shown on Deposited Plan 31284; Lot 514 and Lot 516 as shown on Deposited Plan 32108; Lot 7, Lots 9 to 11 inclusive as shown on Deposited Plan 33915; Lot 402 as shown on Deposited Plan 34786; Lot 191, Lot 192, Lot 195, Lot 214 and Lot 268 as shown on Deposited Plan 35074; Lot 110 and Lot 111 as shown on Deposited Plan 35195; Lot 506 and Lot 507 as shown on Deposited Plan 36993; Lot 162 and Lot 164 as shown on Deposited Plan 37050; Lot 71 as shown on Deposited Plan 37666; Lot 31 as shown on Deposited Plan 38330; Lot 161 as shown on Deposited Plan 38455; Lot 200 and Lot 201 as shown on Deposited Plan 38647; Lot 201, Lots 205 to 207 inclusive and Lot 212 as shown on Deposited Plan 38751;

Lot 104 and Lots 106 to 108 inclusive, Lot 111 and Lot 116 as shown on Deposited Plan 39484; Lot 131 and Lot 137 as shown on Deposited Plan 40097; Lot 101 as shown on Deposited Plan 40567; Lot 248 as shown on Deposited Plan 41659; Lot 112, Lot 113, Lot 120, Lot 123, Lot 125 and Lot 126 as shown on Deposited Plan 41757; Lot 63, Lot 67 and Lot 68 as shown on Deposited Plan 42184; Lot 102 as shown on Deposited Plan 42190; Lot 601 and Lot 603 as shown on Deposited Plan 42506; Lot 606, Lot 620 and Lot 633 as shown on Deposited Plan 42511; Lot 220 as shown on Deposited Plan 42849; Lot 215 as shown on Deposited Plan 42919; Lot 31 as shown on Deposited Plan 43852; Lot 205 as shown on Deposited Plan 43858; Lot 204, Lot 206, Lot 213, Lot 217, Lot 222, Lot 224, Lot 227 and Lot 239 as shown on Deposited Plan 45220; Lot 200 as shown on Deposited Plan 45909; Lot 244 and Lot 245 as shown on Deposited Plan 46598; Lot 401 as shown on Deposited Plan 48986; Lot 255 and Lot 256 as shown on Deposited Plan 51120; Lot 34, Lot 38, Lot 46 and Lot 54 as shown on Deposited Plan 51297; Lot 804 as shown on Deposited Plan 51415; Lot 185 as shown on Deposited Plan 52653; Lot 816 as shown on Deposited Plan 53664; Lot 88 as shown on Deposited Plan 54193; Lot 257 as shown on Deposited Plan 54611; Lot 243 as shown on Deposited Plan 55374; Lot 630 as shown on Deposited Plan 56110; Lots 201 to 205 inclusive, Lots 211 to 218 inclusive, Lot 235, Lot 239 and Lot 9000 as shown on Deposited Plan 57120; Lots 501 to 506 inclusive as shown on Deposited Plan 57576; Lot 822 as shown on Deposited Plan 58361; Lots 206 to 223 inclusive as shown on Deposited Plan 61479 and Lot 3 as shown on Strata Plan 43973.

## MAIN ROADS

MR401\*

### ROAD TRAFFIC ACT 1974

### ROAD TRAFFIC CODE 2000

#### Authorised Persons

#### Appointment of Accredited Pilots as Authorised Persons

I hereby declare that each person who is an accredited pilot pursuant to Regulation 3 of the *Road Traffic Code 2000* named in the attached lists are 'authorised persons' within the meaning of and in accordance with Regulation 271 of the *Road Traffic Code 2000* for the purposes of Regulations 272(1)(a), 272(1)(d), 282(2) and 286 of the *Road Traffic Code 2000* – whilst performing their functions in facilitating the safe movement of an oversize vehicle escorted by an accredited pilot.

KARL J. O'CALLAGHAN APM, Commissioner of Police.

#### Authorised Persons / Accredited Pilot Escorts

No.	Surname	First Name	Street	Suburb	State	P/C	Accredited Pilot No.	Training Provider
1.	Abbey	David	PO Box 273	Goomalling	WA	6460	WA-1-66120	Transport Forum
2.	Audino	Larry	83 Swanstone Street	Collie	WA	6225	KB0784	Keenbros
3.	Bauer	Karan	150 Eastern Service Road	Burpengary	QLD	4505	WA-86843	
4.	Bell	Matthew	4 Beach Street	Fremantle	WA	6160	WA-86802	
5.	Bennett	Michelle	265 Wilkie Crescent	Dampier	WA	6713	KB0782	Keenbros
6.	Berrios	Marino	43 Aldersyde Meander	Baldivis	WA	6171	KB0781	Keenbros
7.	Bettison	Donna	9-13 Lee Court	Greenbank	QLD	4124	WA-86844	
8.	Bettison	Graham	9-13 Lee Court	Greenbank	QLD	4124	WA-86845	
9.	Bianco	Eddie	3 Magnolia Rise	Halls Head	WA	6210	WA-1-65569	Transport Forum
10.	Brennan	Russell	3 Merino Strret	Caboalture	QLD	4510	WA-86846	
11.	Brown	Scott	5 Lantana Way	Baldivis	WA	6171	KB0788	Keenbros
12.	Carpenter	Lee	40 Grand Ocean Boulevard	Port Kennedy	WA	6172	KB0790	Keenbros
13.	Castle	Patrick	8 Jessie Street	Spring Field Lakes	QLD	4300	WA-86847	
14.	Charles	Kevin	PO Box 39	Onslow	WA	6710	WA-1-65675	Transport Forum
15.	Churchill	John	18 Cotula Avenue	Beechboro	WA	6063	WA-1-66202	Transport Forum
16.	Cloughessy	Nick	21 Silky Oak Lane	Willetton	WA	6155	WA-86839	
17.	Clowes	Mario	5 Dugan Street	Kalgoorlie	WA	6430	WA-1-65951	Transport Forum
18.	Connolly	David	8 Bauhinia Drive	Hervey Bay	QLD	4655	WA-86848	
19.	Cooper	Patricia	13 Spencer Street	Macdonald Park	SA	5121	WA-86754	
20.	Cooper	John	13 Spencer Street	Macdonald Park	SA	5121	WA-86753	
21.	Cormie	Toni	49 Hawtin Road	Miadavale	WA	6057	KB0791	Keenbros
22.	Cross	Glenice	PO Box 1043	Carnarvon	WA	6201	KB0798	Keenbros
23.	Cvoro	Aleksander	46 Darwin Crest	Beechboro	WA	6063	WA-86745	
24.	Daw	Denis	8 Wattle Grove	Ningi	QLD	4511	WA-86849	
25.	De-Prada	Brian	51 Apex Avenue	Kippa-Ring	QLD	4021	WA-86850	
26.	Dyson	Kerrilyn	20 Thunderbolt Drive	Oak Valley	QLD	4811	WA-1-66386	Transport Forum
27.	Ellery	William	PO Box 165	The Gap	QLD	4061	WA-86851	
28.	Evans	Stephen	452 Old Bay Road	Burpengary	QLD	4505	WA-86852	
29.	Farrell	Ian	12 Pineapple Avenue	Hervey Bay	QLD	4655	WA-86853	
30.	Favre	David	1034 Dayboro Road	Kurwongbah	QLD	4503	WA-1-65775	Transport Forum
31.	Ferguson	John	17/6 Aramac Court	Capalaba	QLD	4157	WA-86854	
32.	Fleay	Jeanette	62 Peelwood Parade	Hallshead	WA	6210	KB0793	Keenbros
33.	Fraser	Stefan	14 Plaistowe Boulevard	Byford	WA	6122	KB0786	Keenbros
34.	Freeman	Peter	10 James Street	Morpeth	NSW	2321	WA-86810	
35.	Gadd	David	85 Berkshire Road	Forrestfield	WA	6057	KB0795	Keenbros
36.	Gear	Angie	71 Colchester Crescent	Kirwan	QLD	4817	WA-1-66387	Transport Forum
37.	Grace	Jamie	104 Paterson Road	Bolwarra	NSW	2320	KB0785	Keenbros
38.	Green	Kayla	86 Paterns Drive	Chittering	WA	6084	KB0779	Keenbros
39.	Green	Alan	86 Paterns Drive	Chittering	WA	6084	KB0780	Keenbros
40.	Groves	Ken	PO Box 44	Tambellup	WA	6320	WA-1-66163	Transport Forum
41.	Guinness	Kevin	8A Poincianna Street	Wickham	WA	6720	KB0759	Keenbros
42.	Harper	Arthur	PO Box 132	Roma	QLD	4455	WA-86855	
43.	Heafey	Malcolm	16 Carter Street	Geraldton	WA	6530	KB0792	Keenbros
44.	Hollick	Warren	55 Loton Road	Millendon	WA	6056	KB0783	Keenbros
45.	Howett	David	266 Deltoro Road	Cedar Grove	QLD	4285	WA-86856	
46.	Hudson	Shane	25 Rosewood Place	Wickham	WA	6720	KB0760	Keenbros
47.	Joyce	Christoher	519 Hunt Way	Karratha	WA	6114	KB0764	Keenbros
48.	Keeris	Brent	3 Grieve Place	Moora	WA	6510	WA-1-65730	Transport Forum

No.	Surname	First Name	Street	Suburb	State	P/C	Accredited Pilot No.	Training Provider
49.	Kendall	Glenn	PO Box 285	Katanning	WA	6317	WA-1-66167	Transport Forum
50.	Kershaw	Karen	10 Burleigh Drive	Australind	WA	6233	WA-86746	
51.	Knight	Troy	12 Nathan Court	Plainland	QLD	4341	WA-86755	
52.	Lloyd	Geoff	48 Victoria Street	West End	QLD	4101	WA-86857	
53.	Mcdonald	Carson	26 Gilwell Avenue	Kelmscott	WA	6111	KB0789	Keenbros
54.	Morris	Russell	PO Box 240	Waterford	QLD	4133	WA-86858	
55.	Norgate	David	PO Box 313	Emu Plains	NSW	2750	WA-86859	
56.	Pearce	William	180 Normanhurst Road	Boondall	QLD	4034	WA-86860	
57.	Perry	Wayne	6 Dianella Drive	Marsden	QLD	4132	WA-86861	
58.	Peters	Keith	46 Serenity Drive	Tinana	QLD	4650	WA-86862	
59.	Philis	Leslie	52 Hampshire Drive	Jindalee	WA	6036	WA-86804	
60.	Philis	Robyn	52 Hampshire Drive	Jindalee	WA	6036	WA-86805	
61.	Phillis	Russell	28 Walpole Street	St James	WA	6102	KB0794	Keenbros
62.	Prior	James	175 Copley Road	Upper Swan	WA	6056	WA-1-66102	Transport Forum
63.	Robinson	Elsie	PO Box 132	Roma	QLD	4455	WA-86863	
64.	Robinson	Mark	PO Box 118	Kununurra	WA	6743	WA-86806	
65.	Sackett	Peter	64 Brights Drive	Rye	VIC	3941	KB0799	Keenbros
66.	Saunders	David	268 Deltoro Road	Cedar Grove	QLD	4285	WA-86864	
67.	Schofield	Geoffrey	44 Bluegum Drive	Camira	QLD	4300	WA-86865	
68.	Sellar	Adam	3 Coolabah Court	Goondiwindi	QLD	4390	WA-86866	
69.	Simpson	Kenneth	36 Albatros Loop	Beechboro	WA	6063	KB0796	Keenbros
70.	Sjerp	Olaf	11 Winfield Road	Melville	WA	6156	KB0763	Keenbros
71.	Smith	Michael	44 Petunia Crescent	Mount Cotton	QLD	4165	WA-86867	
72.	Smyth	Malcolm	14 Gladesville Street	Kenmore	QLD	4069	WA-86868	
73.	Stokes	Brian	15 Bordeau Crescent	Petrie	QLD	4502	WA-86869	
74.	Summers	Joanna	232 Jones Road	Bellbird Park	QLD	4300	WA-86870	
75.	Summers	Marshall	232 Jones Road	Bellbird Park	QLD	4300	WA-86871	
76.	Tanner	John	176 Kent Street	Maryborough	QLD	4650	WA-86872	
77.	Throsvy	Richard	5-38 Ramsay Street	Kedron	QLD		WA-86873	
78.	Tuliau	Junior	3C Banksia Place	Wickham	WA	6720	KB0761	Keenbros
79.	Walker	Terry	55 Macnaughton Crescent	Kinross	WA	6028	WA-1-65952	Transport Forum
80.	Walker	Peter	14/8 Searle Street	Middleswan	WA	6056	KB0797	Keenbros
81.	Watkinson	Graham	PO Box 719	Arundel	QLD	4214	WA-86874	
82.	Williams	Julie	4 Cypress Drive	Marsden	QLD	4132	WA-86807	
83.	Wilson	Tanya	1/1 Haig Street	Golden Beach Caloundra	QLD		WA-86747	
84.	Winter	David	6 Raintree Rise	Marangaroo	WA	6064	KB0787	Keenbros
85.	Wolski	Errol	PO Box 395	Gatton	QLD		WA-86875	
86.	Wood	Adrian	9A Charlesworth Street	Gosnells	WA	6110	KB0762	Keenbros

## MINERALS AND PETROLEUM

MP101\*

*CORRECTION*

**MINING ACT 1978**

APPLICATION FOR AN ORDER FOR FORFEITURE

The notices at page 3282 of the *Government Gazette* dated 21 August 2009 to be corrected as follows—

EAST COOLGARDIE MINERAL FIELD

26/2178 Norkal Pty Ltd, Barrick Gold of **Austrlia** Ltd & Macapa Pty Ltd

NORTH EAST COOLGARDIE MINERAL FIELD

27/1312 Cyprus Amax **Austrlaia** Corporation, AngloGold Australia (Brocks Creek) Pty Ltd and Great Southern Mines NL

**TO**

EAST COOLGARDIE MINERAL FIELD

26/2178 Norkal Pty Ltd, Barrick Gold of Australia Ltd & Macapa Pty Ltd

NORTH EAST COOLGARDIE MINERAL FIELD

27/1312 Cyprus Amax Australia Corporation, AngloGold Australia (Brocks Creek) Pty Ltd and Great Southern Mines NL



**MP401\***

**MINING ACT 1978**  
**INTENDED HEARING OF APPLICATION FOR FORFEITURE OF**  
**MINING TENEMENT**

In accordance with Regulation 49(2) of the Mining Regulations 1981, notice is hereby given that the following mining tenement is liable to forfeiture pursuant to the provisions of section 96(1)(a) of the *Mining Act 1978* for non compliance with the expenditure condition.

G. CALDER SM, Warden.

The application for forfeiture is to be heard before the Warden in Open Court, Court Room 83, Level 8, Central Law Courts, 501 Hay Street, Perth at 9.30am on 16 October 2009.

Number	Holder	Mineral Field	Year Ending
PROSPECTING LICENCE			
70/1551	Robinson, Gary John Grozotis, Victor Terry	South West	20 May 2009

**MP402\***

**MINING ACT 1978**  
**NOTICE OF FORFEITURE**

Department of Mines and Petroleum,  
EAST PERTH WA 6004.

I hereby declare in accordance with the provisions of section 96A(1) of the *Mining Act 1978* that the undermentioned mining tenements are forfeited for breach of covenant, being failure to pay the prescribed annual rent.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

Number	Holder	Mineral Field
EXPLORATION LICENCES		
69/2144	Wotiph Pty Ltd	Warburton
69/2145	Wotiph Pty Ltd	Warburton
69/2146	Wotiph Pty Ltd	Warburton

**MP403\***

**MINING ACT 1978**  
**INSTRUMENT OF VARIATION TO EXEMPTION OF LAND**

The Minister for Mines and Petroleum pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby varies the exemptions of land designated S19/188 and S19/192 in TENGRAPH by including those portions of land described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) into the respective exemptions with all the exemptions expiring on 8 May 2011.

**Locality:**

Ord River Development Area—Kimberley Mineral Field

**Description of land being included into current exempted lands:**

Current S19 Exemption No. (as shown in DMP's TENGRAPH System)	Name of Current S19 Exemption	Current S19 Exemption Varied by Adding Additional Area (Ha)	Description of Additional Area	New Total Area of Current S19 Exemption (Ha)
S19/188	Livistona—Ord West Bank	269.1785	See page 207 of DMP File A1620/200405	63,574.66
S19/192	Zimmerman	2,709.2004	See Page 211 of DMP File A1620/200405	14,311.2198

Dated at Perth this 17th day of August 2009.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

MP404\*

**MINING ACT 1978**  
RESTORATION OF MINING LEASE

Department of Mines and Petroleum,  
PERTH WA 6000.

In accordance with section 97A(8) of the *Mining Act 1978*, I hereby cancel the forfeiture of the undermentioned mining lease previously forfeited for failure to pay a penalty imposed pursuant to section 97(6) of the Act having failed to lodge a report on operations (Form 5) for the year ending 1 July 2008.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

Number	Holder	Mineral Field
MINING LEASE		
09/79	James Arthur Millar	Gasgoyne

MP405\*

**MINING ACT 1978**  
NOTICE OF FORFEITURE

Department of Mines and Petroleum,  
100 Plain Street,  
EAST PERTH WA 6004.

I hereby declare in accordance with the provisions of section 99(1)(a) of the *Mining Act 1978* that the undermentioned mining lease is forfeited for breach of covenant, being failure to comply with the prescribed expenditure condition, with prior right of application being granted to the applicant for forfeiture under section 100(2).

NORMAN MOORE MLC, Minister for Mines and Petroleum.

Number	Holder	Mineral Field
MINING LEASE		
37/49	Gratten Well Mining Co. Pty Ltd	Mt Margaret

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## PLANNING

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PI401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Geraldton-Greenough*

Town Planning Scheme No. 3 (Geraldton)—Amendment No. 49

Ref: 853/3/2/7 Pt 49

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005*, that the Minister for Planning approved the City of Geraldton-Greenough local planning scheme amendment on 16 July 2009 for the purpose of—

1. Rezoning Lot 8 Bradford Street, Wonthella from “Development” to “Industry Service” and “Industry General”.
2. Amending the Scheme Maps accordingly.
3. Inserting a new clause 4.10.2 (vii) as follows—  
“Notwithstanding the minimum lot size requirements stipulated in clause 4.10.2 (i) above, Lots subject to the “Wonthella Development Zone Industrial Development Plan” abutting the Webberton Road future extension shall have a minimum lot size of 3500m<sup>2</sup>.”
4. Adding the following to Schedule 5—

No.	Site	Restricted Use(s)	Conditions
2	Lot 8 Bradford Street, Wonthella	“Caretaker’s Dwelling” is NOT PERMITTED	Caretaker’s dwellings are not permitted within the Water Corporation’s Odour Buffer Area of the Geraldton No. 2 Wastewater Treatment Plant.

ANTHONY BRUN, Chief Executive Officer.  
IAN CARPENTER, Mayor.

## PI402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Geraldton-Greenough*

Town Planning Scheme No. 4 (Greenough)—Amendment No. 141

Ref: 853/3/7/6 Pt 141

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005*, that the Minister for Planning approved the City of Geraldton-Greenough local planning scheme amendment on 14 August 2009 for the purpose of—

1. Rezoning Lot 25 Geraldton-Mt Magnet Road, Eastlyn from “Geneal Farming” and “Important Regional Road” reserve to “Special Rural 15”.
2. Amending the Scheme Text by inserting additional requirements in Appendix III as follows—

No.	Area	Additional requirements to Clause 3.9 and the Zoning and Development Table
SR15	Lot 25 Geraldton-Mount Magnet Road, Deepdale	<ol style="list-style-type: none"> <li>1. Subdivision shall be generally in accordance with a subdivision guide plan as adopted by Council or any subsequent changes endorsed/approved by the Council/WAPC;</li> <li>2. Within the locality, the keeping of stock is permitted with the following restrictions—               <ol style="list-style-type: none"> <li>(i) Only one stock option (as described in (ii) below) or a combination equivalent of one option is permitted.</li> <li>(ii) Maximum stocking rate options for a 1 ha lot area—                   <ul style="list-style-type: none"> <li>2 horses;</li> <li>2 cows/heifers;</li> <li>10 sheep; or</li> <li>10 goats.</li> </ul> </li> <li>(iii) Where stables, yards and supplementary feeding are provided to the animals, maximum stocking rates of twice the above rates are permitted without the special approval of Council.</li> <li>(iv) Where the keeping of animals results in problems due to land degradation, nutrient enrichment/leaching, animal welfare or public nuisance, Council may require restriction of stock rates to the above rates as described in part (ii).</li> </ol> </li> <li>3. All trees and remnant native vegetation shall be protected from grazing by stock, and Council may require fencing to ensure protection is maintained.</li> <li>4. The following uses are not permitted unless special approval is given by Council after advertising—               <ul style="list-style-type: none"> <li>Horse Training Areas;</li> <li>Dog Kennels (more than two dogs);</li> <li>Veterinary Clinic; and</li> <li>Veterinary Hospital.</li> </ul> </li> </ol>

3. Amending the Scheme Map accordingly.

ANTHONY BRUN, Chief Executive Officer.  
 IAN CARPENTER, Mayor.

## PI403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Serpentine-Jarrahdale*

Town Planning Scheme No. 2—Amendment No. 157

Ref: 853/2/29/3 Pt 157

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Serpentine-Jarrahdale local planning scheme amendment on 2 July 2009 for the purpose of—

1. Rezoning Lot 1254 Abernethy Road, Oakford from “Rural” to “Rural Living A”.

2. Amending the Scheme Map by delineating Lot 1254 Abernethy Road, Oakford within the Rural Living A Zone and identifying it as A26.
3. Including Lot 1254 Abernethy Road, Oakford in Appendix 4A—Rural Living A Zone and including the appropriate details in Appendix 4A of the Scheme as follows—

26.	Lot 1254 Abernethy Road, Oakford	<ol style="list-style-type: none"> <li>1. Within the Rural Living A zone the following land uses are permitted, or are permitted at the discretion of the Council— <ul style="list-style-type: none"> <li>Use classes permitted (P)— <ul style="list-style-type: none"> <li>Single House</li> <li>Public Recreation</li> <li>Public Utility</li> </ul> </li> <li>Discretionary Uses (AA)— <ul style="list-style-type: none"> <li>Ancillary Accommodation</li> <li>Home Occupation</li> <li>Rural Use</li> <li>Stables (refer clause 6 below)</li> </ul> </li> </ul> <p>All other uses are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with government agencies that the land use does not involve excessive nutrient application or clearing of land.</p> </li> <li>2. No dwelling shall be approved by the Council unless it is connected to an alternative effluent disposal system as approved by the Department of Health with an adequate phosphorus retention capacity, as determined by the Department of Environment and Conservation.</li> <li>3. The subdivider shall undertake topsoil stripping, proof rolling and elevation of the land with a minimum of 1.2 metres of free draining, engineered sand fill, for the entire building envelope of each lot in order to achieve a suitable site classification and meet the requisite building and environmental requirements for residential development and effluent disposal.</li> <li>4. No indigenous vegetation shall be cleared, except where such vegetation is dead or diseased, or where the clearing is required for the purpose of firebreak, dwelling, outbuilding, fence, drainage system, driveway or to accommodate discretionary (AA) uses listed in Special Provision 1. Prior to any such clearing, the developer of the landowner shall seek and obtain the written consent of the Council.</li> <li>5. The subdivider shall place notifications on the certificates of title for each lot advising prospective purchasers of the restrictions relating to the keeping of horses.</li> <li>6. The keeping of horses is restricted to a maximum of one (1) horse per lot and such horse shall be required to be stabled overnight to the satisfaction of the Shire. Planning approval is required for this land use prior to commencement.</li> <li>7. The subdivider shall prepare and implement a Landscape/Revegetation Plan in accordance with the endorsed Subdivision Guide Plan for this estate including the planting of indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council, prior to the transfer of a lot(s) to a new owner.</li> <li>8. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement of those trees and shrubs, planted by the subdivider to the satisfaction of the Council.</li> <li>9. The subdivider shall prepare and implement a Fire Management Plan, including construction of the emergency access ways, the strategic firebreaks/multiple</li> </ol>
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		<p>use network depicted on the endorsed Subdivision Guide Plan, water supplies and equipment and any other fire management requirements deemed necessary, to the specification and satisfaction of Council and the Fire and Emergency Services Authority of Western Australia.</p> <p>10. Notwithstanding the obligations of the subdivider under Clause 5.12.9(e) of the Scheme, the subdivider shall drain the land and provide detention areas generally in accordance with a Local Water Management Strategy (LWMS) prepared for the subdivision at the time of application for subdivision to the satisfaction of the Council and the Department of Water.</p> <p>The LWMS should demonstrate how the subject area will address water use and management. It should contain a level of information that demonstrates the site constraints and the level of risk to the water resources. The LWMS should include, but not be limited to—</p> <ol style="list-style-type: none"> <li>a. A Geotechnical Report;</li> <li>b. Site characteristics, constraints and opportunities;</li> <li>c. Capacity of land to support proposed land use;</li> <li>d. Fit-for-purpose water use strategy; Issues to be determined at time of subdivision;</li> <li>e. Recommended monitoring and implementation framework;</li> <li>f. Building and effluent disposal envelopes and minimum pad heights;</li> <li>g. Any reserves or easements required.</li> </ol> <p>11. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, proposed pad level, existing frees and strands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p> <p>The site plan and proposal shall demonstrate that the development and use of the land will not compromise the implementation of the overlay subdivision, as depicted on the endorsed Subdivision Guide Plan.</p> <p>12. The Council shall not support any application for subdivision of the land into Rural Living A lot sizes unless the subdivision is consistent with a Subdivision Guide Plan endorsed by Council and the Western Australian Planning Commission for whole or part of the area.</p> <p>13. A Subdivision Guide Plan for the subdivision of land into Rural Living A lot sizes, shall have regard to the objectives set out in this Scheme for the zone or zones affected by it and the requirements of clause 5.9.3.</p> <p>14. The Subdivision Guide Plan referred to in Clause 12 shall include and be accompanied by Technical Guidelines that provide a prescription for development and the implementation of subdivision in areas of planning, road works, drainage, effluent disposal, water, bushfire control, protection of the environment, landscaping, easements, landowner coordination, infrastructure cost sharing, controlling developments, or generally regulating or prescribing the use or development of land to overcome problems which would occur, should the land be developed.</p> <p>15. The subdivider shall upgrade by widening and sealing Abernethy Road along the full length of the property and construct the proposed road junctions at Abernethy Road and Kargotich Road, including preparation of design drawings, to the satisfaction of Council. The Casuarina trees lining both sides of Abernethy Road and Kargotich Road, shall be preserved from removal or damage. The subdivider shall be responsible for ensuring that no damage occurs to the Casuarina trees through works done by all service providers and contractors.</p> <p>16. The subdivider is to place a notification on the title of each lot advising potential purchasers that their property is</p>
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		<p>located within an area that has been recognised as posing a “moderate to low” acid sulfate soils risk. Therefore, any proposal that may lead to the disturbance of acid sulfate soils associated with future development of the site should be planned and managed to avoid adverse effects on the natural and built environment, including human health and activities.</p> <p>17. The subdivider is to place a notification on the title of each lot advising potential purchasers that their property may be subject to periodic inundation in storm and flood events and dwellings should therefore be designed with flexibility and consideration for possibilities such as dwellings on stumps. In addition, purchasers are to be advised that direct stormwater connection into the Shire’s roadside drainage system is not permitted.</p>
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D. L. NEEDHAM, Shire President.  
J. ABBISS, Chief Executive Officer.

PI404\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Bayswater*

Town Planning Scheme No. 24—Amendment No. 42

Ref: 853/2/14/29 Pt 42

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Bayswater local planning scheme amendment on 21 July 2009 for the purpose of—

1. Rezoning Lot 101, No. 14 Rowlands Street, Maylands from “Medium Density Residential R50” to “Medium and High Density Residential R50” and including Lot 101 in a Character Protection Area under the Scheme.
2. Rezoning Reserve 8634 Swan Location 5554, 9751 and 9750, No. 150 Guildford Road, Maylands (former Maylands Primary School) from “Medium Density Residential R50” and “Special Control Area 1” to “Medium and High Density Residential R50” and ‘Special Control Area 1’.
3. Rezoning Lots 1 & 30, No 326-328 Walter Road, Morley from “Medium Density Residential R40” to “Medium and High Density Residential R40”.

L. J. MAGRO, Mayor.  
F. LEFANTE, Chief Executive Officer.

PI405\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of York*

Town Planning Scheme No. 2—Amendment No. 25

Ref: 853/4/34/2 Pt 25

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of York local planning scheme amendment on 12 August 2009 for the purpose of—

1. Rezoning Lot 76 Monger Street, Lots 6, 7 & 8 Thorn Street and Lots 37, 38, 39, 40, 41 & 42 Monger Street from ‘Recreation and Open Space’ to ‘Residential R40’.
2. Rezoning Part Lot 8 South Street, York from ‘Recreation and Open Space’ to ‘Town Centre’.

J. P. HOOPER, Shire President.  
R. P. HOOPER, Chief Executive Officer.

PI406\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of York*

Town Planning Scheme No. 2—Amendment No. 35

Ref: 853/4/34/2 Pt 35

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of York local planning scheme amendment on 12 August 2009 for the purpose of—

1. Amending Clause 5.4 with new provisions for development on or adjacent to the Avon River floodplain in York—
  - 5.4 Avon River Floodplain
    - (a) Proposed development that is located within the floodway (i.e. filling, building, or any land improvements) and is considered obstructive to major river flooding as determined by the appropriate State Government water agency and the local government and shall not be permitted.
    - (b) For land within the designated flood fringe development or endeavours thereto shall require planning consent in addition to a building licence (including a single house).
    - (c) In determining an application for planning consent the local government shall consult with the appropriate State government water agency and State Government environment and conservation agency.
    - (d) Any application for development or land use shall require a Notification pursuant to section 70A of the Transfer of Land Act 1893 (as amended), or a similar legal instrument, to be placed on title of the land to the effect that the land is subject to inundation during a flood event.
    - (e) Any habitable building to be located within the flood fringe boundary shall have a minimum floor level of 500 millimetres above the adjacent 100 year ARI flood level, as determined from time to time by the relevant State Government department.
    - (f) The erection of a fence within the floodway is permitted providing it is of a non-obstructive nature to flood flows, such as post and rail fencing, so that it does not alter the direction of natural water flows nor retain surface water that may affect adjoining properties.
    - (g) At the local government's discretion, where proposed non habitable development is in the flood fringe, but within a designated heritage streetscape area, a minimum floor level of 300mm above the centre of the road fronting the property may be approved.
    - (h) Any developments proposed in the flood fringe should consider potential opportunities for environmental improvements and rehabilitation.
2. Inserting into Schedule 1—Interpretations the definitions of 'floodway', 'flood fringe' and 'floodplain' after 'fast food outlet' and before 'fuel depot'—
  - (i) floodway means the river channel and portion of the floodplain which forms the main flow path for floodwaters once the main channel has overflowed.
  - (ii) flood fringe means the area of the floodplain, outside the main floodway, which is affected by flooding.
  - (iii) floodplain means the portion of a river valley next to the river channel that is or has been periodically covered with water during flooding.

J. P. HOOPER, Shire President.  
R. P. HOOPER, Chief Executive Officer.

PI407\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of York*

Town Planning Scheme No. 2—Amendment No. 39

Ref: 853/4/34/2 Pt 39

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of York local planning scheme amendment on 12 August 2009 for the purpose of—

1. Rezoning Lots 1 to 8 and 501 Ulster Road, York, Lots 9, 10, 11 (North), 11 (South), 12 (North), 12 (South), 13 to 16, 21 and 500 George Street, York, Lots 1 to 6, 8, 20, 427, 438, 439 and 440 Bird Street, York, Lots 3, 4, 22 and 23 South Street, York, Lots 1, 2, 3, 6, 7, 51, 52, 179, 207 (North), 207 (South), 208 (North), 208 (South), 209, 340, 480, 481, 600 and 601 Georgiana Street, York, Lots 25, 29, 206 and 207 Macartney Street, York, Lots 1 and 340 Emmet Place, York, and Lots 4, 50, 183, 341 and 496 Grey Street, York, from 'Residential R10/30' to 'Residential R10/40'.

## 2. Deleting the following words from Clause 4.4 (a)—

The local government may permit an increase from R10 up to a maximum of R30 for land in the Residential zone with dual R10/30 coding where—

And replace it with—

In respect to land in the Residential zone where a dual coding applies, the local government may permit development to the maximum higher coding where—

J. P. HOOPER, Shire President.  
R. P. HOOPER, Chief Executive Officer.

PI408\*

**PLANNING AND DEVELOPMENT ACT**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Augusta-Margaret River*  
Town Planning Scheme No. 11—Amendment No. 157

Ref: 853/6/3/8 Pt 157

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development 2005* that the Minister for Planning approved the Shire of Augusta-Margaret River local planning scheme amendment on 19 August 2009 for the purpose of—

1. Amending Town Planning Scheme No. 11, Map No. 1 to rezone Sussex Location 1058 Juniper Road, Cowaramup from 'Rural' to 'Special Use—Single Dwelling'.
2. Incorporating the following provisions into Schedule III of the District Town Planning Scheme 11—

Lot and Location	Permitted Uses (see Clause 4.8)
Pt. Sussex Location 1058 Juniper Road, Cowaramup	<ol style="list-style-type: none"> <li>1. Subdivision and development of the land shall be in accordance with the Subdivision and Development Guide Plan (DGP) forming part of this Scheme Amendment No. 157. However, minor variations may be approved by the Council if deemed necessary and if in accordance with the objectives of the Scheme.</li> <li>2. Approval for any clearing must be obtained from the Shire to ensure that no flora and fauna habitats are destroyed, except where clearly stated in the Subdivision and Development Guide Plan.</li> </ol> <p>Objective</p> <ol style="list-style-type: none"> <li>3. Subdivision and development of the land is to maintain, protect and enhance the landscape and conservation values in accordance with the Ridge Landscape Amenity Area designation of the land within the Leeuwin-Naturaliste Ridge Statement of Planning Policy.</li> </ol> <p>Subdivision</p> <ol style="list-style-type: none"> <li>4. No further subdivision to that shown on the DGP will be supported by Council.</li> <li>5. Council shall request, amongst other matters, as conditions of subdivision approval—               <ol style="list-style-type: none"> <li>a. The implementation of an endorsed Fire Management Plan (FMP) included within the amendment report.</li> <li>b. That a Section 70A notification under the Transfer of Land Act be imposed to advise the prospective purchasers that—                   <ul style="list-style-type: none"> <li>• No further subdivision of the lots will be supported;</li> <li>• Residential development is restricted to one(1) single dwelling and ancillary outbuildings located within the nominated building envelope for each lot, in accordance, with the provisions of the Scheme and the objectives and policies of the Leeuwin-Naturaliste Ridge Statement of Planning Policy except where buildings or structures were in existence prior to the gazettal of this Scheme Amendment; and</li> </ul> </li> </ol> </li> </ol>



Lot and Location	Permitted Uses (see Clause 4.8)
	<ul style="list-style-type: none"> <li>• A FMP is applicable to the land, which requires the land owner to undertake ongoing fire protection measures as described.</li> <li>c. The Subdivider entering into a conservation covenant with the Department of Environment and Conservation (DEC) (Formerly CALM) or an alternative authority acceptable to the Western Australian Planning Commission (WAPC) to ensure the protection of remnant vegetation in perpetuity in accordance with the objectives and policies of the Leeuwin-Naturaliste Ridge Statement of Planning Policy.</li> </ul> <p>Development</p> <ol style="list-style-type: none"> <li>6. The uses permitted ('P' use) within the Special Use zone are as follows— <ul style="list-style-type: none"> <li>• "Single Dwelling"</li> <li>• "Home Occupation"</li> </ul> </li> <li>7. Council may, at its discretion, consider approving residential outbuildings, which are incidental to the use "Single Dwelling" where it can be demonstrated that these buildings by their type and scale will not have a detrimental impact on the landscape and conservation of the land.</li> <li>8. Any proposed buildings or structures shall be contained within the building envelopes nominated on the DGP except where buildings or structures were in existence prior to the gazettal of this Scheme Amendment.</li> <li>9. No vegetation shall be cleared within any Lot except for the purposes of; <ul style="list-style-type: none"> <li>• Compliance with the approved FMP;</li> <li>• Construction of access ways as shown in the DGP; and</li> <li>• Clearing within the Building Envelope, as shown on the DGP, to facilitate approved development.</li> </ul> </li> <li>10. In considering any development application, Council shall seek comments from the DEC regarding potential visual, landscape and conservation impacts of the proposal.</li> <li>11. No additional fences shall be erected on the proposed lots except to define a yard area, within the building envelope, for each single dwelling. Fencing is to be inevident in the landscape from important tourist routes and not detract from the landscape and conservation values of the land. Written approval from Council will be required for any fencing.</li> <li>12. All buildings shall comply with AS 3959 (1991 as amended)—'Construction of Buildings in Bush Fire Prone Areas' or subsequent revisions applicable at the time of building.</li> <li>13. Any revegetation or landscaping works outside the nominated building envelope areas shall consist of local indigenous species, which complement the landscape or environmental values of the land.</li> <li>14. Disposal of on-site effluent is to be to the specifications and satisfaction of Council and the Department of Health, and avoid the risk of damaging cave ecosystems.</li> <li>15. Each dwelling shall be provided with a supply of potable water to be in form of a water tank with a minimum capacity of 140 kilolitres.</li> <li>16. Only non-reflective building and roofing materials will be permitted and shall be of a colour consistent with the vegetation and/or predominant natural colours of individual buildings sites.</li> <li>17. The keeping of animals is permitted on land shown as "Animal Keeping Area" on the DGP. No further clearing of the land is permitted for the keeping of animals.</li> </ol>

S. HARRISON, Shire President.  
G. EVERSLED, Chief Executive Officer.

PI409\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**

*Shire of Augusta-Margaret River*

Town Planning Scheme No. 19—Amendment No. 9

Ref: 853/6/3/19 Pt 9

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Augusta-Margaret River local planning scheme amendment on 12 August 2009 for the purpose of—

1. Rezoning Location 1 of Location Sub A Blackwood Avenue, Augusta, from “Tourist Accommodation” to “Residential—R25” zone.
2. Amending Map No. 1 of Town Planning Scheme No. 19 showing Lot 1 of Location Sub A Blackwood Avenue, Augusta as Overall Planning Area 8.
3. Inserting in Part 9 “Development Requirements in Overall Planning Areas” of the Scheme, the following new clause—

## 9.6 Area B

- Within Area No. 8 Council shall support a diversity of lot sizes, development design and land uses to cater for the sustainable expansion of the town, whilst maintaining an average density of R25. In this regard, variations to the standard provisions of the Residential Design Codes (e.g. minimum lot sizes, setbacks, open space etc) can be applied in order to achieve design provided the average density requirements are not exceeded.
  - Subdivision and/or development of the land shall be preceded by an Outline Development Plan which examines and makes recommendations on the following—
    - (i) An Urban Water Management Plan incorporating the principles of Water Sensitive Urban Design in accordance with Council’s Policy (PE 53).
    - (ii) Water saving and water reuse strategies, to the satisfaction of Council.
    - (iii) Proposed lot sizes, solar passive orientation in lot design and building design layout, to the satisfaction of Council.
    - (iv) Details of a landscape plan and its implementation which incorporates the retention of trees and native vegetation on site and revegetation with appropriate native plan species. In particular, the plan shall address the retention and augmentation of the visual buffer provided by existing trees along Blackwood Avenue.
    - (v) A traffic and pedestrian access plan addressing access to Blackwood Avenue and Bussell Highway, traffic generation and safety of intersections, pedestrian linkages to Augusta Centre and recreational trails, to the satisfaction of Council.
    - (vi) A Geotechnical report covering the entire site.
    - (vii) The provision of the open space and foreshore reserve areas and their management. The foreshore reserve boundary to appropriately link to the foreshore reserve on the north-east and south-east boundary of the site.
    - (viii) Development shall not be permitted in a ‘gated’ format and internal streets and paths shall be open and accessible to the general public.
    - (ix) Development shall provide for public pedestrian and vehicular access into the site from Cassidy Street.
    - (x) A preliminary Western Ringtail Possum assessment survey undertaken by a suitably qualified and experienced (arboreal mammal) biologist. Dependent on results from the preliminary assessment the proponent may be required to develop and implement a WRP Mitigation Plan and/or undertaken further surveys. Preliminary assessment must be submitted to DEC for review.
    - (xi) An ethnographic and archaeological survey being conducted on site with input from the traditional Noongar custodians from this area.
    - (xii) The identification of any or all of the dwellings within the ODP as suitable for tourist accommodation (for example short stay accommodation use), and an appropriate management strategy to manage permanent residents and tourist uses in accordance with the recommendations of the Tourist Taskforce.
4. Renumbering Clause 9.6 and 9.7 of the Scheme to “9.7 Advertising a Draft Outline Development Plan” and “9.8 Adoption of an Outline Development Plan”.

S. HARRISON, Shire President.  
G. EVERSLED, Chief Executive Officer.

## 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 and 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			
13001	D and N Good Food Pty Ltd	Application for the grant of a Special Facility—Foodhall licence in respect of premises situated in Perth and known as Phi Yen Enex 100.	04.10.2009
12997	Croctac Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Shafto Lane, Perth and known as The Burger Bistro	05.10.2009
12995	Michael Anthony O'Connor & Kay Annette O'Connor	Application for the grant of a Producer's licence in respect of premises situated in Rosa Brook and known as Marjorie's Place	24.09.2009

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

Dated: 26 August 2009.

B. A. SARGEANT, Director of Liquor Licensing.

## DECEASED ESTATES

ZX401

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Hazel Augusta White, late of Wearne House, 7 Leslie Street, Mandurah 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 25 June 2009 are required by the personal representative to send particulars of their claims to her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by the 12 October 2009 after which date the personal representative may convey or distribute the assets having regard to the claims of which she then has notice.

CLEMENT & CO, as solicitors for the personal representative.

ZX402\*

### 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 28 September 2009 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bontempo, Lauro Domenic, late of 92 Wendouree Road, Wilson, died 11.07.2009 (DE33073464EM32)

Caple, Garry Richard, late of 17 Dion Place, Coolbellup, died 12.07.2009 (DE19944034EM23)

Fenwick, Dorothy Irene, late of 6a Glenhurst Court, Kelmscott, died 6.08.2009 (DE19802514EM35)

Fyfe, Alice Ilderton, late of Wanneroo Community Nursing Home, 721 Belgrade Road, Wanneroo, died 4.08.2009 (DE19993309EM26)

Grieves, Ruby, late of c/-Regents Garden Residential Care, 2 Amur Place, Bateman, died 1.08.2009 (DE19862130EM23)

Johnson, Kathleen Lesley, late of Windsor Park Aged Care, 110 Star Street, Carlisle, formerly of 17/322 Grand Promenade, Dianella, died 26.03.2009 (DE19901004EM16)

Lambert, Marjorie Kathleen, late of Unit 22/24 Freedman Road, Menora, died 8.07.2009 (DE19851765EM26)

Lapham, Anna Creszentia, late of Amaroo Retirement Village, 3 Rotary Avenue, Gosnells, died 20.07.2009 (DE19703683EM37)

Nolan, Victor, late of 11/25 Oliver Street, Dianella, died 24.06.2009 (DE33073786EM213)

Pearce, Ronald Malcolm, late of Graceford Hostel, 18 Turner Road, Byford, died 14.06.2009 (DE19780992EM27)

Pizer, Phyllis Doreen, late of Osboine Aged Care, 39 Newton Street, Bayswater, died 29.07.2009 (DE19660145EM22)

Thomas, Mervyn Donald, late of 8 Donar Street, Innaloo, died 11.07.2009 (DE19840053EM32)

Thornberry, Patricia May, late of 61 Kanangra Crescent, Greenwood, died 8.08.2009 (DE19960659EM24)

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

**ZX403\*****PUBLIC TRUSTEE ACT 1941**

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 28th day of August 2009.

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

<b>Name of Deceased</b>	<b>Address</b>	<b>Date of Death</b>	<b>Date Election Filed</b>
Barbara Anne Elve DE33054341EM27	42 John Street Midland	14 February 2008	20 August 2009
Keith James Gardiner DE19802878EM26	18 Whiteside Street Cloverdale	20 June 2009	18 August 2009
Leslie Joseph Teichelman DE19783395EM27	2542 Albany Highway Gosnells	30 June 2009	20 August 2009
Francis Albert Wallington DE33038691EM24	206/32 Dumond Street Bentley	28 July 2009	18 August 2009

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## **PUBLIC NOTICES**

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**ZZ401****DISPOSAL OF UNCOLLECTED GOODS ACT 1970****DISPOSAL OF UNCOLLECTED GOODS**

Simon Negus of Negus Auto Services, Unit 7/8 Corbusier Pl, Balcatta, WA, 6021 hereby gives notice to Rhonda Kelly, registered owner of vehicle Daihatsu Sirion Reg No. 1AJD 850 that it is overdue for collection at the above address. Payment of \$92.40 is required for services rendered to the vehicle as at 10/09/2008. Failure to collect the said vehicle within four weeks will result in Negus Auto Services disposing and/or selling of the vehicle under the *Disposal of Uncollected Goods Act 1970*.