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— PART 1 —

PROCLAMATIONS

AA101*

APPROVALS AND RELATED REFORMS (NO. 1) (ENVIRONMENT) ACT 2010

No. 40 of 2010

PROCLAMATION

Western Australia

By His Excellency

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

[L.S.]

KENNETH COMNINOS MICHAEL
Governor

I, the Governor, acting under the *Approvals and Related Reforms (No. 1) (Environment) Act 2010* section 2(b) and with the advice and consent of the Executive Council, fix 26 November 2010 as the day on which the provisions of that Act, other than the heading to Part 1 and sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 16 November 2010.

By Command of the Governor,

D. FARAGHER, Minister for Environment.

AA102*

MARINE AND HARBOURS ACT 1981

No. 21 of 1981

PROCLAMATION

Western Australia

By His Excellency

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

[L.S.]

KENNETH COMNINOS MICHAEL
Governor

I, the Governor, acting under the *Marine and Harbours Act 1981* section 9 and with the advice and consent of the Executive Council, vest in the Minister for Transport, the body corporate established under section 8(1) of that Act, the real property being Reserve 49797 (Lot 304 on Deposited Plan 47085) and Reserve 49800 (Lots 300, 301 and 302 on Deposited Plan 47085).

Given under my hand and the Public Seal of the State on 16 November 2010.

By Command of the Governor,

S. O'BRIEN, Minister for Transport.

CONSUMER PROTECTION

CE301*

Retail Trading Hours Act 1987

Retail Trading Hours (Metropolitan Area) Variation Order 2010

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

1. Citation

This order is the *Retail Trading Hours (Metropolitan Area) Variation Order 2010*.

Note: Under the *Interpretation Act 1984* section 41(1)(b), this order comes into operation on the day on which it is published in the *Gazette*.

2. Variation of retail trading hours

- (1) This order varies the trading hours of general retail shops, other than motor vehicle shops, in the metropolitan area.
- (2) General retail shops, other than motor vehicle shops, are required to be closed, when those general retail shops would otherwise not be required to be closed under section 12(3) of the Act, in accordance with the Table.

Table

<i>Days</i>	<i>Hours closed</i>
Friday 24 December 2010	until 8 a.m. and from and after 6 p.m.
Friday 31 December 2010	until 8 a.m. and from and after 6 p.m.

- (3) General retail shops, other than motor vehicle shops, are authorised to be open, when those general retail shops would otherwise be required to be closed under section 12(3) of the Act, in accordance with the Table.

Table

<i>Days</i>	<i>Hours open</i>
Sunday 5 December 2010	from 10 a.m. until 5 p.m.
Sunday 12 December 2010	from 10 a.m. until 5 p.m.

<i>Days</i>	<i>Hours open</i>
Sunday 19 December 2010	from 10 a.m. until 5 p.m.
Sunday 26 December 2010	from 10 a.m. until 5 p.m.
Monday 27 December 2010	from 8 a.m. until 5 p.m.
Tuesday 28 December 2010	from 8 a.m. until 5 p.m.

3. Special trading precincts and holiday resorts

This order does not affect the trading hours of general retail shops in the special trading precincts and holiday resorts.

BILL MARMION, Minister for Commerce.

CE302*

Retail Trading Hours Act 1987

Retail Trading Hours (Special Trading Precincts) Variation Order 2010

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

1. Citation

This order is the *Retail Trading Hours (Special Trading Precincts) Variation Order 2010*.

Note: Under the *Interpretation Act 1984* section 41(1)(b), this order comes into operation on the day on which it is published in the *Gazette*.

2. Order varied

- (1) This order varies the *Retail Trading Hours (Special Trading Precincts) Order (No. 2) 2010* for general retail shops, other than motor vehicle shops, in —
- (a) the Armadale special trading precinct; or
 - (b) the Fremantle special trading precinct; or
 - (c) the Joondalup special trading precinct; or
 - (d) the Midland special trading precinct; or
 - (e) the Perth special trading precinct.

- (2) Despite the *Retail Trading Hours (Special Trading Precincts) Order (No. 2) 2010*, general retail shops, other than motor vehicle shops, in a special trading precinct referred to in subclause (1) are required to be closed in accordance with the Table.

Table

<i>Days</i>	<i>Hours closed</i>
Sunday 5 December 2010	until 10 a.m. and from and after 5 p.m.
Sunday 12 December 2010	until 10 a.m. and from and after 5 p.m.
Sunday 19 December 2010	until 10 a.m. and from and after 5 p.m.
Friday 24 December 2010	until 8 a.m. and from and after 6 p.m.
Sunday 26 December 2010	until 10 a.m. and from and after 5 p.m.
Friday 31 December 2010	until 8 a.m. and from and after 6 p.m.

BILL MARMION, Minister for Commerce.

CE303*

Retail Trading Hours Act 1987

Retail Trading Hours (Shire of Katanning) Order 2010

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

1. Citation

This order is the *Retail Trading Hours (Shire of Katanning) Order 2010*.

2. Commencement

This order comes into operation as follows —

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

3. *Retail Trading Hours (Shire of Katanning) Order 2009* repealed

The *Retail Trading Hours (Shire of Katanning) Order 2009* is repealed.

4. Variation of retail trading hours: Saturdays

General retail shops within the Shire of Katanning are required to be closed at the times when the shops would otherwise not be required to be closed on and after 1.00 p.m. on Saturday of each week.

5. Variation of retail trading hours: December 2010

General retail shops within the Shire of Katanning are authorised to be open at times when the shops would otherwise be required to be closed —

- (a) on a day specified in the Table; and
- (b) during the hours specified for that day in the Table.

Table

Day	Hours
Saturday 11 December 2010	from 1.00 p.m. until 5.00 p.m.
Sunday 12 December 2010	from 10.00 a.m. until 4.00 p.m.
Saturday 18 December 2010	from 1.00 p.m. until 5.00 p.m.
Sunday 19 December 2010	from 10.00 a.m. until 4.00 p.m.
Tuesday 21 December 2010	from 6.00 p.m. until 9.00 p.m.
Tuesday 28 December 2010	from 10.00 a.m. until 4.00 p.m.

BILL MARMION, Minister for Commerce.

LOCAL GOVERNMENT

LG301*

Local Government Act 1995

Local Government (Halls Creek - Councillor Numbers) Order 2010

Made by the Governor in Executive Council on the recommendation of the Minister for Local Government.

1. Citation

This order is the *Local Government (Halls Creek - Councillor Numbers) Order 2010*.

2. Commencement

This order comes into operation as follows —

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

3. Change in number of councillors (s. 2.18(3)(a) of the Act)

The number of offices of councillor on the council of the Shire of Halls Creek is 7.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WATER/SEWERAGE

WA301*

Rights in Water and Irrigation Act 1914

**Water (Dixvale Area and Yanmah Area)
Licensing Repeal Regulations 2010**

Made by the Governor in Executive Council under the *Rights in Water and Irrigation Act 1914* and the *Water Agencies (Powers) Act 1984* section 37.

1. Citation

These regulations are the *Water (Dixvale Area and Yanmah Area) Licensing Repeal Regulations 2010*.

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) regulation 3 — on the day after that day.

3. Regulations repealed

The *Water (Dixvale Area and Yanmah Area) Licensing Regulations 1974* are repealed.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WA302*

Country Areas Water Supply Act 1947

Country Areas Water Supply (Clearing Licence) Amendment Regulations 2010

Made by the Governor in Executive Council under the *Water Agencies (Powers) Act 1984* section 37 for the purposes of the *Country Areas Water Supply Act 1947*.

1. Citation

These regulations are the *Country Areas Water Supply (Clearing Licence) Amendment Regulations 2010*.

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 *Country Areas Water Supply (Clearing Licence) Regulations 1981*.

4. Schedule amended

(1) In the Schedule Form 5:

- (a) delete “WATER AND RIVERS COMMISSION” and insert:

DEPARTMENT

- (b) delete “FOR WATER RESOURCES”;
(c) delete “FOR WATER RESOURCES.”;
(d) delete “THAT HE ALLEGES” and insert:

THAT THE MINISTER ALLEGES

(2) In the Schedule Forms 6 and 7:

- (a) delete “WATER AND RIVERS COMMISSION” and insert:

DEPARTMENT

- (b) delete “FOR WATER RESOURCES”;
(c) delete “FOR WATER RESOURCES.”.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WA303*

Water Services Licensing Act 1995

Water Services Licensing (Extension of Enactments) Amendment Regulations 2010

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Water Services Licensing (Extension of Enactments) Amendment Regulations 2010*.

2. Commencement

The commencement of these regulations is governed by section 46 of the Act.

3. Regulations amended

These regulations amend the *Water Services Licensing (Extension of Enactments) Regulations 1997*.

4. Schedule 1 amended**(1) In Schedule 1 Division 1:**

- (a) in the second column corresponding to the enactment specified in the first column as “s. 3(1) (definition of “works”)” delete the first listed modification;
- (b) in the second column corresponding to the enactment specified in the first column as “s. 3(1) (definition of “works”)” in the third listed modification delete “Commission” and insert:

Minister

- (c) in the second column corresponding to the enactment specified in the first column as “s. 34(1)” delete “Commission, the Corporation or the Coordinator” and insert:

Minister or the Corporation

- (d) in the second column corresponding to the enactment specified in the first column as “s. 34(3)” delete “Commission” and insert:

Minister

- (e) in the second column corresponding to the enactment specified in the first column as “s. 71” delete “Commission” and insert:

Minister

- (f) in the second column corresponding to the enactment specified in the first column as “s. 83(2)” delete “93, 94, 112 and 112A” and insert:

93, and 94

- (g) in the second column corresponding to the enactment specified in the first column as “s. 86 (definition of “exempt works”)” delete “Commission” and insert:

Minister

- (2) In Schedule 1 Division 2:
- (a) delete “s. 71” in the first column;
- (b) delete the modifications corresponding to that item in the second column.

5. Schedule 1A amended

In Schedule 1A Division 1:

- (a) in the second column corresponding to the enactment specified in the first column as “s. 3(1) (definition of “works”)” delete “Commission” and insert:

Minister

- (b) in the second column corresponding to the enactment specified in the first column as “s. 34(1)” delete “Commission, the Corporation or the Coordinator” and insert:

Minister or the Corporation

6. Schedule 2 amended

In Schedule 2 Division 3 under the heading “*Country Areas Water Supply Act 1947*” delete “s. 71(2)”.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WA304*

Waterways Conservation Act 1976

Waterways Conservation Amendment Regulations 2010

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Waterways Conservation Amendment Regulations 2010*.

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 *Waterways Conservation Regulations 1981*.

4. Regulation 5 amended

- (1) In regulation 5(1) delete “Commission or relevant management authority” and insert:

Minister

- (2) Delete regulation 5(3).

5. Regulation 6 amended

In regulation 6 delete the definition of *the Management Authority*.

6. Regulation 8 amended

In regulation 8(1):

- (a) in paragraph (d) delete “Management Authority;” and insert:

Minister;

- (b) in paragraph (e)(ii) delete “Management Authority;” and insert:

Minister;

- (c) in paragraph (f) delete “Management Authority” and insert:

Minister

- (d) in paragraph (f) delete “Management Authority;” and insert:

Minister,

- (e) in paragraph (g) delete “Management Authority” and insert:

Minister

- (f) in paragraph (h) delete “Management Authority,” and insert:

Minister,

7. Regulation 10 amended

In regulation 10(1) delete “Commission or relevant Management Authority” (each occurrence) and insert:

Minister

8. Regulation 11 amended

In regulation 11:

- (a) delete “(1) Where” and insert:

Where

- (b) delete “Commission” and insert:

CEO

- (c) delete “Commission,” and insert:

CEO,

- (d) delete “Commission.” and insert:

Department.

- (e) in paragraph (a) delete “as it sees fit” and insert:

as the CEO sees fit

9. Regulation 12 amended

In regulation 12 delete the passage that begins with “Commission” (first occurrence) and ends with “Commission” (second occurrence) and insert:

Minister shall be construed as including a reference to a person or body acting on behalf of, or under the direction of, the Minister

10. Regulation 13 amended

- (1) In regulation 13(1) delete “commission.” and insert:

Minister.

- (2) Delete regulation 13(2) and insert:

(2) After receiving an application the Minister may, in writing, direct the applicant to provide additional information relevant to the application.

- (3) In regulation 13(3):

- (a) delete “Commission” and insert:

Minister

- (b) delete “it shall forthwith” and insert:

the Minister shall

- (4) In regulation 13(4):

- (a) delete “Commission” and insert:

Minister

- (b) delete “its licence in such form as it sees fit.” and insert:

the licence in an appropriate form.

11. Regulation 17 replaced

Delete regulation 17 and insert:

17. Licences under Jetties Act

- (1) In this regulation —
jetty has the same meaning as in the Jetties Act;
jetties CEO means the chief executive officer as defined in the Jetties Act section 3;
jetty licence means a licence issued under the Jetties Act section 7.
- (2) A person who holds a jetty licence in respect of a jetty is, for the purposes of these regulations, taken to hold a licence in respect of the jetty.
- (3) The jetties CEO shall, before issuing a jetty licence, give the Minister an opportunity to make recommendations in respect of the issue of the licence and shall have regard to any recommendations made by the Minister.

12. Regulation 23 amended

In regulation 23:

- (a) in paragraph (a)(iv) delete “Commission or Management Authority by which he is appointed;” and insert:

CEO;

- (b) in paragraph (b) delete “Commission or Management Authority by which he is appointed” and insert:

CEO

13. Regulation 25 deleted

Delete regulation 25.

14. Regulation 26 amended

In regulation 26(2) delete “Chairman” and insert:

CEO

15. Regulation 27 amended

In regulation 27(1):

- (a) delete “Chairman” and insert:

CEO

- (b) delete “Chairman,” and insert:

CEO,

16. Various references to “Commission” amended

In the provisions listed in the Table delete “Commission” (each occurrence) and insert:

Minister

Table

r. 2(1) def. of <i>proximate to any waters</i>	r. 3
r. 4(1), (2) and (3)	r. 15(2)
r. 16(2)(b)(ii) and (iii)	r. 18(1) and (3)(e)
r. 19(2) and (3)	

17. Schedule 1 amended

- (1) In Schedule 1 delete Form 2 and insert:

Form 2

Waterways Conservation Act 1976

LICENCE FOR A PRIVATE BOAT RAMP

Issued under section 46 of the Act.

This licence authorises

.....
Name

.....
Address

to construct a private boat ramp at

.....
(Location of boat ramp)

in accordance with the plans and specifications attached.

Subject to special conditions as set out on the reverse side of this licence.

.....
Date of issue

.....
Minister (or delegate)

(Reverse of Form 2)

SPECIAL CONDITIONS

- (2) In Schedule 1 delete Form 4 and insert:

Form 4

Waterways Conservation Act 1976

LICENCE TO CONSTRUCT A RETAINING WALL

Issued under section 46 of the Act.

This licence authorises

.....
Name

.....
Address

to construct a retaining wall at

.....
(Location of retaining wall)

in accordance with the plans and specifications attached.

Subject to special conditions as set out on the reverse side of this licence.

.....
Date of issue

.....
Minister (or delegate)

(Reverse of Form 4)

SPECIAL CONDITIONS

- (3) In Schedule 1 Form 5 delete:

..... Management Authority

- (4) In Schedule 1 delete Form 6 and insert:

Form 6

Waterways Conservation Act 1976

LICENCE TO DREDGE AND/OR RECLAIM

Issued under section 46 of the Act.

This licence authorises

.....
Name

.....
Address

to carry out dredging and/or reclamation of the waters of the

.....
at
(Location of dredging and/or reclamation works)

in accordance with the plans and specifications attached.

This licence is for the period ending / / and is subject to the special conditions set out on the reverse side of this licence.

.....
Date of issue

.....
Minister (or delegate)

(Reverse of Form 6)

SPECIAL CONDITIONS

(5) In Schedule 1 Form 7 delete:

..... Management Authority

(6) In Schedule 1 delete Form 8 and insert:

Form 8

Waterways Conservation Act 1976

DISPOSAL LICENCE

Issued under section 47 of the Act.

This licences authorises

.....
Name

.....
Address

to discharge directly or via a drain, the wastes detailed on the reverse side of this licence into the waters of the

.....

at
 (Location of discharge point)

This licence is for one year from the date of issue and is subject to the special conditions set out on the reverse side of this licence.

.....
 Date of issue Minister (or delegate)

(Reverse of Form 8)

SPECIAL CONDITIONS AND DETAILS OF WASTE

- (7) In Schedule 1 Forms 9 and 10 delete:

.....
 Signature of Authorised officer of
 the Water and Rivers Commission*
 the Management Authority*
 (*delete as appropriate)

and insert:

.....
 Signature of CEO (or delegate)

- (8) In Schedule 1 Form 11 delete “Management Authority” and insert:

Department

- (9) In Schedule 1 Form 12 delete “Chairman, Management Authority.” and insert:

CEO (or delegate).

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

WA305*

Water Agencies (Powers) Act 1984

Water Agencies (Entry Warrant) Amendment Regulations 2010

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Water Agencies (Entry Warrant) Amendment Regulations 2010*.

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 *Water Agencies (Entry Warrant) Regulations 1985*.

4. Schedule amended

In the Schedule Form 1:

- (a) delete “Water and Rivers Commission” (first occurrence) and insert:

Department

- (b) delete “Water and Rivers Commission” (second occurrence) and insert:

Minister

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

— PART 2 —

CONSUMER PROTECTION

CE401*

CONSUMER AFFAIRS ACT 1971

ORDER PROHIBITING SUPPLY OF GOODS

I, Anne Marie Driscoll Commissioner for Consumer Protection in the State of Western Australia—

- being satisfied that a Consumer Affairs Authority, namely Craig Emerson, Minister for Competition Policy and Consumer Affairs in the Commonwealth Government of Australia, has, by notice dated 30 June 2010 and published in the Commonwealth of Australia Gazette on 1 July 2010, made an Order or similar instrument (“the Corresponding Order”) prohibiting the supply of goods described in the Schedule hereto; and
- considering it necessary in the interests of the safety of the public;
- ORDER pursuant to section 23R(2) of the Consumer Affairs Act 1971 that the supply to consumers of goods described in the Schedule below is banned in this State for a period of 18 months; and
- FURTHER ORDER that this Order shall take effect upon the date of gazettal.

SCHEDULE

Particulars of Goods

Goods that are miniature motorbikes, known as Mini Bikes, Pocket Bikes or Monkey Bikes, not certified under the Road Vehicle Certification System, operated by the Australian Government Department of Infrastructure, Transport, Regional Development and Local Government, unless they comply with the following requirements—

1. Throttle
 - (1) The motorbike must have a self-closing, hand operated throttle that returns in a clockwise direction to allow the motorbike’s motor to idle when a person riding the motor bike releases his or her grip on the throttle; and
 - (2) The throttle must be mounted on the right handlebar of the motorbike.
2. Braking System
 - (1) A motorbike must have a braking system capable of acting on the front and rear wheels;
 - (2) Unless the motorbike is fitted with a drum-type braking system, the braking system must incorporate a floating or sliding type brake calliper that compensates for any increased movement of its components arising from wear; and
 - (3) The braking system must automatically distribute the braking effort applied by a person riding the motorbike to a braking system’s control lever equally onto each brake lining without the need for an adjuster at the brake calliper.
3. Foot pegs
 - (1) A motor bike must have 2 foot pegs, each capable of holding a static load of—
 - a. The maximum carrying capacity recommended by the motorbike’s manufacturer; or
 - b. If the manufacture does not state a maximum carrying capacity—70kg.
4. Steering
 - (1) The steering head system for a motorbike must not exhibit free play; and
 - (2) When the front wheel of the motorbike is raised off the ground, the steering head system must move freely under its own weight from right lock to left lock.
5. Supplemental engine stop
 - (1) A motorbike must have a functioning, thumb operated, device on the right or left handlebar that is capable of stopping the motor; and
 - (2) The device must be clearly visible to a person riding the motorbike.

Dated this 16th day of November 2010.

ANNE MARIE DRISCOLL, Commissioner for Consumer Protection.

CE402*

CONSUMER AFFAIRS ACT 1971
ORDER PROHIBITING SUPPLY OF GOODS

I, Anne Marie Driscoll Commissioner for Consumer Protection in the State of Western Australia—

- being satisfied that a Consumer Affairs Authority, namely Craig Emerson, Minister for Competition Policy and Consumer Affairs in the Commonwealth Government of Australia, has, by notice dated 30 June 2010 and published in the *Commonwealth of Australia Gazette* on 1 July 2010, made an Order or similar instrument (“the Corresponding Order”) prohibiting the supply of goods described in the Schedule hereto; and
- considering it necessary in the interests of the safety of the public;
- ORDER pursuant to section 23R(2) of *the Consumer Affairs Act 1971* that the supply to consumers of goods described in the Schedule below is banned in this State for a period of 18 months; and
- FURTHER ORDER that this Order shall take effect upon the date of gazettal.

This order revokes and replaces an earlier Order dated 29 July 2008 and published in the Western Australian *Government Gazette* on 17 October 2008.

SCHEDULE

Particulars of Goods

Goods known as “yo-yo water balls” and similar products. These are toys intended to be thrown and returned to the hand, consisting of an elastic cord extendable to at least 500mm in length, usually with a loop on one end to wear around the finger; and a soft synthetic object on the other. The object may be filled with liquid or air, and/or contain a novelty.

This ban excludes outdoor and sporting toys, such as a practice tennis ball retained on an elastic tension cord intended to be anchored, a bat with a ball attached by an elastic cord and goods known as the “Yo-Be Sling Disc”.

Dated this 16th day of November 2010.

ANNE MARIE DRISCOLL, Commissioner for Consumer Protection.

CE403*

CONSUMER AFFAIRS ACT 1971
ORDER PROHIBITING SUPPLY OF GOODS

I, Anne Marie Driscoll Commissioner for Consumer Protection in the State of Western Australia—

- being satisfied that a Consumer Affairs Authority, namely Craig Emerson, Minister for Competition Policy and Consumer Affairs in the Commonwealth Government of Australia, has, by notice dated 30 June 2010 and published in the *Commonwealth of Australia Gazette* on 1 July 2010, made an Order or similar instrument (“the Corresponding Order”) prohibiting the supply of goods described in the Schedule hereto; and
- considering it necessary in the interests of the safety of the public;
- ORDER pursuant to section 23R(2) of *the Consumer Affairs Act 1971* that the supply to consumers of goods described in the Schedule below is banned in this State for a period of 18 months; and
- FURTHER ORDER that this Order shall take effect upon the date of gazettal.

SCHEDULE

Particulars of Goods

Inflatable toys, novelties or furniture which—

- (a) may be inflated by the mouth; and
- (b) contain small beads or pellets of materials, such as polystyrene, that may be inhaled during inflation or deflation.

Dated this 16th day of November 2010.

ANNE MARIE DRISCOLL, Commissioner for Consumer Protection.

CE404*

CONSUMER AFFAIRS ACT 1971
ORDER PROHIBITING SUPPLY OF GOODS

I, Anne Marie Driscoll Commissioner for Consumer Protection in the State of Western Australia—

- being satisfied that a Consumer Affairs Authority, namely Craig Emerson, Minister for Competition Policy and Consumer Affairs in the Commonwealth Government of Australia, has, by notice dated 30 June 2010 and published in the *Commonwealth of Australia Gazette* on 1 July 2010, made an Order or similar instrument (“the Corresponding Order”) prohibiting the supply of goods described in the Schedule hereto; and

- considering it necessary in the interests of the safety of the public;
- ORDER pursuant to section 23R(2) of *the Consumer Affairs Act 1971* that the supply to consumers of goods described in the Schedule below is banned in this State for a period of 18 months; and
- FURTHER ORDER that this Order shall take effect upon the date of gazettal.

This Order revokes and replaces an earlier Order dated 29 July 2008 and published in the Western Australian *Government Gazette* on 17 October 2008.

SCHEDULE

Particulars of Goods

Imitation cigarettes that contain a fine powder such as talc (hydrated magnesium silicate) or similar substances, and that allow users to blow into, or inhale from, the imitation cigarette to produce a cloud of fine dust. These may be known as “Puff Cigarettes” or by other names.

Dated this 16th day of November 2010.

ANNE MARIE DRISCOLL, Commissioner for Consumer Protection.

CE405*

CONSUMER AFFAIRS ACT 1971

ORDER PROHIBITING SUPPLY OF GOODS

I, Anne Marie Driscoll Commissioner for Consumer Protection in the State of Western Australia—

- being satisfied that a Consumer Affairs Authority, namely Craig Emerson, Minister for Competition Policy and Consumer Affairs in the Commonwealth Government of Australia, has, by notice dated 30 June 2010 and published in the *Commonwealth of Australia Gazette* on 1 July 2010, made an Order or similar instrument (“the Corresponding Order”) prohibiting the supply of goods described in the Schedule hereto; and
- considering it necessary in the interests of the safety of the public;
- ORDER pursuant to section 23R(2) of *the Consumer Affairs Act 1971* that the supply to consumers of goods described in the Schedule below is banned in this State permanently; and
- FURTHER ORDER that this Order shall take effect upon the date of gazettal.

This Order revokes and replaces an earlier Order dated 23 September 2008 and published in the Western Australian *Government Gazette* on 17 October 2008.

SCHEDULE

Particulars of Goods

A “No Holes Tongue Stud” and similar products as described below are unsafe goods.

Description of a “No Holes Tongue Stud”—

- a small bead with an opening on one side only, which acts to create a vacuum; and
- is intended for use as jewellery on the human tongue, without the need for piercing.

Dated this 16th day of November 2010.

ANNE MARIE DRISCOLL, Commissioner for Consumer Protection.

CE406*

CONSUMER AFFAIRS ACT 1971

ORDER PROHIBITING SUPPLY OF GOODS

I, Anne Marie Driscoll Commissioner for Consumer Protection in the State of Western Australia—

- being satisfied that a Consumer Affairs Authority, namely Craig Emerson, Minister for Competition Policy and Consumer Affairs in the Commonwealth Government of Australia, has, by notice dated 30 June 2010 and published in the *Commonwealth of Australia Gazette* on 1 July 2010, made an Order or similar instrument (“the Corresponding Order”) prohibiting the supply of goods described in the Schedule hereto; and
- considering it necessary in the interests of the safety of the public;
- ORDER pursuant to section 23R(2) of *the Consumer Affairs Act 1971* that the supply to consumers of goods described in the Schedule below is banned in this State for a period of 18 months; and
- FURTHER ORDER that this Order shall take effect upon the date of gazettal.

SCHEDULE

Particulars of Goods

Art, craft and stationery sets for use by a child containing an undeclared knife or cutter with a metal blade.

Interpretation

The declaration that the art, craft or stationery set includes a knife or cutter must be easily legible and prominently displayed on the outside packaging and the lettering must not be less than 3mm high.

Dated this 16th day of November 2010.

ANNE MARIE DRISCOLL, Commissioner for Consumer Protection.

CE407**ASSOCIATIONS INCORPORATION ACT 1987****CANCELLED ASSOCIATION**

Arts Vision Armadale (AVA) Inc—A1014224P

Notice is hereby given that pursuant to Section 35(2) of the *Associations Incorporation Act 1987*, the incorporation of the above-named association has been cancelled as from the date of this notice.

Dated: 11 November 2010.

SUSAN NULSEN, Director, Business Services.
for Commissioner for Consumer Protection.

CE408**ASSOCIATIONS INCORPORATION ACT 1987****CANCELLED ASSOCIATION**

Goatwest Farmers Association Incorporated—A1009680Y

Notice is hereby given that pursuant to Section 35(2) of the *Associations Incorporation Act 1987*, the incorporation of the above-named association has been cancelled as from the date of this notice.

Dated: 11 November 2010.

SUSAN NULSEN, Director, Business Services.
for Commissioner for Consumer Protection.

CORRECTIVE SERVICES

CE401***COURT SECURITY AND CUSTODIAL SERVICES ACT 1999****PERMIT DETAILS**

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Commissioner of the Department of Corrective Services has revoked the following Permits to do High-Level Security Work—

Surname	First Name(s)		Permit Number	Date Permit Revoked
Picken	Clint	Travis	CS9-061	11/11/2010

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Commissioner of the Department of Corrective Services has issued the following persons with Permits to do High-Level Security Work—

Surname	First Name(s)		Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
Frankland	Toshieba	Harley	CS9-061	11/11/2010	11/11/2010	30/07/2011

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

MIKE REINDL, CS&CS Contract Manager.

HEALTH

HE401***HEALTH PRACTITIONER REGULATION NATIONAL LAW (WA) ACT 2010
MEDICAL (AREA OF NEED) DETERMINATION (NO. 3) 2010**

Made by the Minister for Health pursuant to section 67(5) of the *Health Practitioner Regulation National Law (WA) Act 2010*.

Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 3) 2010*.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Unmet area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67 of the Act.

Expiry of determination

4. This determination expires five years after its commencement.

SCHEDULE**CONSULTANT ANAESTHETISTS AT THE ROCKINGHAM GENERAL HOSPITAL**

Dated this 15th day of November 2010.

Dr KIM HAMES MLA, Deputy Premier,
Minister for Health.

HE402***HEALTH PRACTITIONER REGULATION NATIONAL LAW (WA) ACT 2010
MEDICAL (AREA OF NEED) DETERMINATION (NO. 2) 2010**

Made by the Minister for Health pursuant to section 67(5) of the *Health Practitioner Regulation National Law (WA) Act 2010*.

Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 2) 2010*.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Unmet area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67 of the Act.

Expiry of determination

4. This determination expires five years after its commencement.

SCHEDULE**GENERAL MEDICAL SERVICES IN THE SUBURB OF HIGH WYCOMBE IN THE SHIRE OF KALAMUNDA**

Dated this 15th day of November 2010.

Dr KIM HAMES MLA, Deputy Premier,
Minister for Health.

HE403***HEALTH PRACTITIONER REGULATION NATIONAL LAW (WA) ACT 2010
MEDICAL (AREA OF NEED) DETERMINATION (NO. 1) 2010**

Made by the Minister for Health pursuant to section 67(5) of the *Health Practitioner Regulation National Law (WA) Act 2010*.

Citation

1. This determination may be cited as the *Medical (Area of Need) Determination (No. 1) 2010*.

Commencement

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

Unmet area of need

3. The area of need specified in the Schedule is determined to be an area of need for the purposes of section 67 of the Act.

Expiry of determination

4. This determination expires five years after its commencement.

SCHEDULE

GENERAL MEDICAL SERVICES IN THE SUBURB OF HELENA VALLEY IN THE SHIRE OF MUNDARING

Dated this 15th day of November 2010.

Dr KIM HAMES MLA, Deputy Premier,
Minister for Health.

LOCAL GOVERNMENT

LG401*

CITY OF SOUTH PERTH

APPOINTMENTS

It is hereby noted for public information that the following officers have been appointed by Council as Authorised Person of the City of South Perth pursuant to the following—

1. To exercise power under Part XX of the Local Government Act (Miscellaneous Provisions), 1960;
2. Section 449 of the Local Government Act (Miscellaneous Provisions), 1960, as pound keeper and Ranger;
3. Part 9 Division 2 of the Local Government Act 1995;
4. Section 9.13, 9.15 of the Local Government Act as an Authorised Person;
5. Part 3 subdivision 4 of the Local Government Act 1995;
6. Section 3.39 of the Local Government Act 1995 as an Authorised Person

and as an Authorised person pursuant to the following—

- Dog Act 1976,
- Control of Vehicles Act 1978, (Off Road Area),
- Litter Act 1979
- Bushfires Act 1954,
- Caravan Parks and Camping Grounds Act 1995
- Tobacco Products Control Act 2006
- City of South Perth Local Laws—Authorised Officer, and for
- Effecting general Ranger duties as directed within the gazetted area of the City of South Perth.

Dene Lawrence

Paul McCormick

Paul Fromont

Jason Semenow

Jeffery Woodward

Cara Kimber

Anthony Heppener

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
 PROHIBITED SWIMMING AREA

North Fremantle

Department of Transport
 Fremantle WA, 23 November 2010.

Acting pursuant to the powers conferred by Regulation 10A(b) of the Navigable Waters Regulations 1958, I hereby close all of the following waters to swimming, between 9.00 pm and 10.00 pm on Saturday 27 November 2010.

Swan River

All the waters within a 45 metre radius of the firing point, located on the foreshore of the Swan River at the prolongation of Johannah Street, North Fremantle.

This area is set aside for safety measures during the set up and display of pyrotechnics.

RAYMOND BUCHHOLZ, A/General Manager, Marine Safety
 Department of Transport.

MX402*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958

WATER SKI AREA

Waroona Dam

Shire of Waroona

Department of Transport
 Fremantle WA, 19 November 2010.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations 1958, the department by this notice revokes Notice MX404 as published in the *Government Gazette* on 5 October 2010 and hereby closes Waroona Dam to water skiing until further notice.

RAYMOND BUCHHOLZ, A/General Manager, Marine Safety
 Department of Transport.

MX403*

WESTERN AUSTRALIAN MARINE ACT 1982

RESTRICTED SPEED AREAS—ALL VESSELS

Swan River—Perth Waters

Department of Transport
 Fremantle WA, 23 November 2010.

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982, the department hereby revokes notice MX 401 as published in the *Government Gazette* on 29 June 2010 and temporarily restricts the speed of all vessels to six (6) knots until further notice, to all the waters of the Swan River as detailed hereunder—

SWAN RIVER: All the waters of the Swan River bounded by a line commencing at the northern foreshore of the eastern side of the Narrows Bridge (31°57.749'S 115°50.857'E); thence south to a point on the southern foreshore of the eastern side of the Narrows Bridge (31°57.857'S 115° 50.840'E); thence east approximately 520 metres to the Port Lateral Navigational Marker (31°57.731'S 115°51.130'E); thence north, north east approximately 385 metres to a point on the northern foreshore (31°57.527'S 115°51.187'E); thence westerly along the foreshore for approximately 680 metres to the starting point. All coordinates based on GDA 94.

PROVIDING HOWEVER that this speed limit does not apply to any bona fide vessels attached to the 2010 Sunseeker Australian Cup.

This restriction does not apply to bona fide vessels associated with the river wall reconstruction.

RAYMOND BUCHHOLZ, A/General Manager, Marine Safety
 Department of Transport.

MINERALS AND PETROLEUM

MP401*

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

APPLICATION FOR A PIPELINE LICENCE

I, Reza Malekzadeh, the delegate of the Minister of Mines and Petroleum for the State of Western Australia and the Designated Authority in respect of the offshore area of the State of Western Australia, Give notice pursuant to Section 708 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*, that an application has been received from—

INPEX BROWSE LTD and TOTAL E & P AUSTRALIA

for a pipeline licence pursuant to Section 217 of the *Offshore Petroleum and Greenhouse Gas Storage Act 2006* to construct and operate a pipeline for the conveyance of gas and condensate from the Ichthys Gas Field. The pipeline start point is at or about coordinates Zone: 51, 532170mE, 8459000mN and the end point is at the WA/NT boundary of Commonwealth adjacent area at or about coordinates Zone: 52, 434074mE, 8615937mN.

Dated this 17 day of November 2010

REZA MALEKZADEH, A/Executive Director, Petroleum Division.

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA

ROYAL ASSENT TO BILLS

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Acts passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Eighth Parliament.

Title of Act	Date of Assent	Act No.
Building and Construction Industry Training Fund and Levy Collection Amendment Act 2010	12 November	47 of 2010

MALCOLM PEACOCK, Clerk of the Parliaments.

19 November 2010.

PLANNING

PI401*

PLANNING AND DEVELOPMENT ACT 2005
**METROPOLITAN REGION SCHEME MINOR AMENDMENT 1201/57
 LOTS 1 AND 2 FLYNN DRIVE, CARRAMAR**

Call for Public Submissions

The Western Australian Planning Commission (WAPC) intends to amend the Metropolitan Region Scheme (MRS) for land in the local government of Wanneroo and is seeking public comment.

The amendment proposes to rezone approximately 98 ha of land in Carramar from the rural zone to the urban zone in the MRS.

The Western Australian Planning Commission certifies that, in its opinion, the proposed amendment does not constitute a substantial alteration to the MRS.

The plans showing the proposed change and the WAPC amendment report, which explains the proposal, will be available for public inspection from Tuesday 23 November 2010 to Friday 28 January 2011 at—

- Western Australian Planning Commission, 469 Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Wanneroo

Documents are also available from the PlanningWA website www.planning.wa.gov.au.

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a form 57. This submission form is available from the display locations, the amendment report and the internet.

Submissions must be lodged with—

the Secretary, Western Australian Planning Commission,
469 Wellington Street,
Perth WA 6000

on or before 5 pm **Friday 28 January 2011**.

Late submissions will not be considered.

TONY EVANS, Secretary,
Western Australian Planning Commission.

PI402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Canning
Town Planning Scheme No. 40—Amendment No. 168

Ref: TPS/0073

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 Canning local planning scheme amendment on 19 July 2010 for the purpose of zoning portions of the properties surrounding the Gerard Street Bridge to Residential R17.2/R60, City Centre and City Centre Deferred as depicted on the Scheme Amendment Plan to reflect changes to the Metropolitan Region Scheme.

G. DELLE DONNE JP, Mayor.
M. DACOMBE, Chief Executive Officer.

PI403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Irwin
Local Planning Scheme No. 5—Amendment No. 5

Ref: TPS/0060

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 Irwin local planning scheme amendment on 3 November 2010 for the purpose of—

1. Rezoning Lot 149 Money Street, Lots 30 and 31 Golf Course Road, Lot 55 Point Leander Drive and portion of Lot 148 Money Street, Port Denison from Special Residential to Residential with a density code of R15.
2. Rezoning portion of Lot 148 Money Street, Port Denison from Special Residential to Residential with a density code of R20.
3. Amending the Scheme Map accordingly.

S. C. CHANDLER, Shire President.
B. E. JONES, Chief Executive Officer.

PI405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Perth
City Planning Scheme No. 2—Amendment No. 21

Ref: TPS/0271

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 Perth local planning scheme amendment on 31 August 2010 for the purpose of—

1. After Clause 57A(1)(n) of City Planning Scheme No. 2 inserting—
 - (o) 92-120 Roe Street Special Control Area.

2. Inserting the following in Schedule 9—Special Control Areas, of City Planning Scheme No. 2—

15.0 92-120 Roe Street Special Control Area.

15.1 Special Control Area

The following provisions apply to the land marked as Figure 15—92-120 Roe Street Special Control Area.

15.2 Objectives

The objectives of the 92-120 Roe Street Special Control Area are to—

- (a) facilitate development of the Special Control Area as a whole in a coordinated manner; and
- (b) promote the development of an appropriate built form outcome which is responsive to its context.

15.3 Plot Ratio

For the purpose of determining plot ratio the 12,036m² total area of the 92-120 Roe Street Special Control Area shall be treated as one lot.

15.4 Car Parking

For the purpose of determining the tenant parking allowance under the Perth Parking Policy for any development within the Special Control Area, the 92-120 Roe Street Special Control Area shall be treated as one lot.

The tenant car parking facilities may be leased or used by the tenants of any non-residential building within the Special Control Area and in accordance with any planning approval for the land.

Vehicle entry and exit points for all on-site car parking should be from Roe Street to minimise pedestrian/vehicle conflict in the core entertainment area of Northbridge.

15.5 Built Form

Any new development within the Special Control Area is required to be responsive to its context by incorporating the following design principles—

- (a) the corner element of any new development immediately adjacent to the corner of Roe and Lake Streets should form the visual focal point of the Special Control Area, being emphasised by greater building height relative to other development on the site.
- (b) the bulk and scale of the development should read as being more intensive towards Roe Street and should demonstrate the transitioning of a lower building height and scale, down from south to north (lower scale fronting James Street) to reinforce the desired character of the Northbridge Precinct while providing an appropriate interface with development in the 'Link' project area.
- (c) the building mass along the Roe Street frontage should be mitigated by designing buildings that have well articulated façades, visually broken into narrower vertical sections or that are divided into separate buildings to reflect the traditional urban grain of Northbridge.

3. Inserting Figure 15 relating to 92-100 and 116-120 Roe Street and 161 James Street Special Control Area.

L. M. SCAFFIDI, Lord Mayor.
F. R. EDWARDS, Chief Executive Officer.

PI406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Tammin

Town Planning Scheme No. 1—Amendment No. 1

Ref: 853/4/27/1 Pt 1

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 Tammin local planning scheme amendment on 24 August 2010 for the purpose of—

1. Creating new local scheme reserves by adding 'Public Purposes—Waste Water Treatment Plant' and 'Public Purposes—Water Supply' to the scheme map legend.
2. Reclassifying Lot 82 Redmond Street, Tammin, from 'Residential R12.5' zone to 'Public Purposes—Depot' local scheme reserve, and deleting the R Code accordingly.
3. Creating the following new zones by adding 'Special Use—Roadhouse' zone, 'Special Use—Caravan Park / Short Term Accommodation' zone, 'Special Use—Observatory' zone and 'Special Use—CWA' zone to the scheme map legend.

4. Rezoning portions of Lot 100 Great Eastern Highway, Tammin, from 'Light Industry' zone to 'Special Use—Roadhouse' zone and 'Special Use—Caravan Park/Short Term Accommodation' zone, by adding to 'Appendix No. 3—Special Use Zone' as follows—

No.	Land Particulars	Permitted Uses	Development Standards/Conditions
2	Portion Lot 100 Great Eastern Highway, Tammin	Roadhouse	(a) Development to conform to an Outline Development Plan as approved by Council. (b) Development to consider buffer requirements between a road house and sensitive land uses such as caravan parks and accommodation, in accordance with the requirements of the appropriate State environmental agency. (c) No additional access to Great Eastern Highway will be permitted unless on advice from the State road agency.
3	Portion Lot 100 Nottage Way, Tammin	Caravan Park, Short Stay Accommodation	Development to conform to an Outline Development Plan as approved by Council

5. Adding the following definition for 'Short stay accommodation' to Appendix 1: Interpretations between the definition for 'shop' and 'showroom'—

"Short-Stay Accommodation" means a building, or group of buildings forming a complex, designed for the accommodation of short-stay guests and which provides on-site facilities for the convenience of guests and for management of the development, where occupation by any person is limited to a maximum of three months in any 12-month period and excludes those uses more specifically defined elsewhere.

6. Rezoning Lots 33 and 34 Walston Street, Tammin from 'Residential R12.5' zone to 'Special Use—CWA' zone by adding to 'Appendix No 3—Special Use Zone' as follows, and deleting the R Code accordingly—

No.	Land Particulars	Permitted Uses	Development Standards/Conditions
4	Lots 33 and 34 Walston Street, Tammin	CWA related activities	Development to be consistent with surrounding amenity

7. Reclassifying Lot 19 Station Road, Tammin from 'Rural' zone to 'Public Purposes—Waste Water Treatment Plant' local scheme reserve.

8. Including Appendix 8 Restricted Uses in accordance with the following—

Appendix 8 Restricted Uses

No.	Land Particulars	Restricted Uses	Development Standards/Conditions
1	Lot 129 Barrack Road, South Tammin	Rural Accommodation	Uses as determined by the Council.

9. Reclassifying Lot 51 Station Road, North Tammin from 'Rural' zone to 'Public Purposes—Water Supply' local scheme reserve.

10. Reclassifying Lot 861 Lowles Road, North Tammin from 'Rural' zone to 'Special Use—Observatory' zone by adding to Appendix No 3—Special Use zone as follows—

No.	Land Particulars	Permitted Uses	Development Standards/Conditions
6	Lot 861 Lowles Road, North Tammin	Observatory	

11. Reclassifying Lots 168-173 Donnan Street, Tammin from 'Town Centre' zone to 'No Zone'.

12. Adding the following text to PART V of the Scheme—

5.8 WASTE WATER TREATMENT PLANT BUFFER SPECIAL CONTROL AREA

5.8.1 The objective of the Waste Water Treatment Plant Buffer Special Control Area is to control development within close proximity of the waste water treatment plant which may be considered a nuisance or offensive by virtue of odour and health concerns.

5.8.2 The Council may impose restrictions and conditions over land use and other development including development for residential land use, caretakers dwellings, and the preparation and sale of food on land within 500 metres of the sewerage effluent pond and may recommend conditions in respect of the subdivision for such land. Development within the SCA may trigger a notification on the title about potential odour impacts.

5.8.3 Within the Waste Water Treatment Plant Buffer Special Control Area, no additional land should be zoned for residential purposes or additional food preparation land uses approved.

5.8.4 Council may refer proposals prior to determining applications for development in the vicinity of effluent ponds to the appropriate State environment agency for consideration of the offsite impacts and any conditions to be imposed on its approval.

R. J. STOKES, Shire President.
G. STANLEY, Chief Executive Officer.

PI407*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Albany

Town Planning Scheme No. 3—Amendment No. 301

Ref: TPS/0213

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 Albany local planning scheme amendment on 11 November 2010 for the purpose of—

1. Rezoning Portion of Lot 30 Nanarup Road, Kalgan from the Special Site—Caravan Park zone to Special Rural zone and amending the Scheme Maps accordingly.
2. Amending Schedule 1—“Special Rural Zones—Provisions Relating to Specified Areas” by—
 - (a) Including Portion of Lot 30 Nanarup Road, Kalgan in Special Rural Zone No. 9.
 - (b) Amending the “(a) Specified Area of Locality” to include reference to “Portion of Lot 30 Nanarup Road, Kalgan”.
 - (c) Modifying clause 1.4 by replacing the reference to Lots 46-52 with reference to Lots 56-74 and the reference to Lots 1-45 with Lots 1-55.
 - (d) Modifying clause 6.6 by replacing the reference to Lots 4, 6-22 and 46-62 with reference to Lots 15-22, 37-47 and 56-74.
 - (e) Modifying clause 7.2 by replacing the reference to Lots 1, 2, 4 and 7-22 with reference to Lots 13-15, 17-20, 22 and 38-47.
 - (f) Modifying clause 7.5 by replacing the reference to Lots 46-52 with reference to Lots 56-74 and deleting “as shown on the Subdivision Guide Plan”.
 - (g) Modifying clause 7.7 by replacing the reference to Lots 50, 51, 52 and 53 with reference to Lots 64-70.
 - (h) Modifying clause 10.7 by replacing the reference to Lots 50-53 and 56-61 with reference to Lots 64-70 and 57-62.
3. Rezoning Portion of Lot 30 Nanarup Road, Kalgan from Special Site—Caravan Park zone to Special Use and amending the Scheme Maps accordingly.
4. Inserting Land Particulars, Permitted Uses and Special Conditions into Schedule 3 of the Scheme to relate to Special Use Zone No. 20, as follows—

Code No.	Land Particulars	Additional Uses	Special Conditions
20	Portion of Lot 30 Nanarup Road, Kalgan	<ul style="list-style-type: none"> • Holiday Chalets (maximum 6). • Caretakers/Managers Dwelling. • Private Recreation • Other incidental or non defined activities considered appropriate by Council 	See Below

SPECIAL CONDITIONS

1.0 General

1.1 Development of the site to be in accordance with the Development Guide Plan signed by the Chief Executive Officer along with any variations as may be approved by Council.

1.2 All development to be subject to the issue of Planning Consent.

1.3 No person shall occupy a holiday chalet or accommodation unit for more than a total of three months in any 12 month period.

2.0 Parking, Access and Drainage

2.1 A minimum of one car parking bay shall be provided per holiday accommodation unit, which shall be marked out adjacent to each unit.

2.2 No more than one access point onto Nanarup Road shall be permitted.

2.3 Stormwater drainage shall be accommodated on-site to Council’s satisfaction.

3.0 Fire Management

3.1 Areas to remain under pasture shall be maintained in a low fuel condition.

3.2 Council may require the installation/provision of smoke detectors, gutter guards, downpipe plugs, fire extinguishers and fire blankets within all holiday accommodation units and compliance of all new habitable buildings with AS 3959.

3.3 Strategic firebreaks and emergency exits being constructed to the requirements of the Fire and Emergency Services Authority of Western Australia, and should be available for usage at all times.

3.4 Appropriate low fuel zones shall be maintained around all habitable buildings in accordance with the Planning for Bush Fire Protection Guidelines Edition 2, May 2010, or any document superseding it.

3.5 Emergency access and emergency gate being constructed to the requirements of the Fire and Emergency Services Authority of WA, and should be available for usage at all times.

4.0 Effluent Disposal

4.1 Effluent disposal shall be undertaken to the satisfaction of Council and the Health Department of Western Australia with approved effluent disposal systems. Alternative Treatment Unit systems may be required to service the proposed development.

5.0 Building Location, Design and Construction

5.1 All buildings shall be setback a minimum of 100m from Nanarup Road.

5.2 Setbacks to all other boundaries shall be 20m except where otherwise dictated on the Development Guide Plan.

5.3 Buildings shall not exceed 7.5m in height, which is measured vertically from the natural ground level.

5.4 The maximum habitable floor area for each individual holiday accommodation unit is to be 140m².

5.5 Buildings shall be located where possible in cleared areas in order to minimise removal of significant trees.

5.6 New buildings shall be designed and constructed using colours and materials that, in the opinion of Council, blend with the landscape and are in keeping with the rural amenity of the area.

M. J. EVANS, Mayor.
J. BONKER, Chief Executive Officer.

PI408*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Bridgetown-Greenbushes
Town Planning Scheme No. 4—Amendment No. 65

Ref: 853/6/5/4 Pt 65

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 Bridgetown-Greenbushes local planning scheme amendment on 21 October 2010 for the purpose of—

1. Replacing that part of 'Schedule 6—Special Residential Zones' of the Scheme Text which applies to Portion Lot 2 Laverty Street (CT Vol 1561 Fol 682), Bridgetown with the following—

Site Description		Special Provisions
SRes 2	Portion of Lot 2 Laverty Street, Bridgetown	(1) Subdivision and development shall be generally in accordance with the Development Guide Plan (Ref No. HB201.8) for the land adopted by Council and endorsed by the Western Australian Planning Commission, forming part of the Shire of Bridgetown-Greenbushes Local Planning Scheme No. 4 Scheme Amendment No. 65. (2) Council, at the time of considering any Application for Subdivision of the subject land, will require the following to be undertaken— Engineering Studies (a) Preparation of engineering studies of the drainage and soils of the land in the north-west corner of the site, to be conducted in the winter months to the requirements of the Department of Environment and Conservation and Health Department of Western Australia.

Site Description	Special Provisions
	<p>Landscape Master Plan</p> <p>(b) A Landscape Master Plan that addresses but not limited to—</p> <ul style="list-style-type: none"> (i) the suitability of planting native vegetation corridors along drainage lines and elsewhere if appropriate; (ii) landscape buffers of 25m and 15m shall be provided on the eastern and northern boundaries of Lot 2 (or subdivided portion thereof), respectively where it abuts private land holdings; (iii) existing vegetation and means by protecting identified existing vegetation; (iv) means by which vegetation is planted in accordance with the recommended species and planting of the Landscape Master Plan; (v) means by which all existing and planted vegetation shall be retained and protected; and (vi) land owners obligations to replanting and maintenance. <p>Fire Management Plan</p> <p>(c) A Fire Management Plan that addresses but not limited to—</p> <ul style="list-style-type: none"> (i) strategic firebreaks; (ii) 'Fuel Reduced Area'; (iii) means by which no buildings, outbuildings or any other structure shall be permitted within the 'Fuel Reduced Area'; (iv) the disposal of vegetation which has been cleared for fire fighting purposes; (v) water supply for fire fighting purposes (domestic/strategic); (vi) emergency fire access to a two wheel drive standard; and (vii) fire fighting equipment required to service the subdivision. <p>Stocking Management Plan</p> <p>(d) A Stocking Management Plan that addresses but not limited to—</p> <ul style="list-style-type: none"> (i) stocking rates (to be determined with the intention of preventing land degradation and the advice of the Department of Agriculture and Food); and (ii) where appropriate, fence the landscape buffer to Council's satisfaction to exclude the activity of livestock there from. <p>(3) Prior to clearance of subdivisional conditions, Council will require the subdivider to undertake the following—</p> <ul style="list-style-type: none"> (a) Design Guidelines specifying minimum building standards and materials; (b) Building envelopes on all lots abutting the southern boundary of Lot 2 (or subdivided portions thereof); (c) Implementation of the endorsed Fire Management Plan; (d) Provide an undertaking that prospective purchasers will be informed of— <ul style="list-style-type: none"> • those provision relating to the land and such other provisions of the Scheme that may affect it; and • the environmental importance of the adjoining nature reserve and its associated restrictions; (e) Fencing off and graze those portions of land not subdivided (i.e. the second and third stages) to aid in fire control of the site.

Site Description	Special Provisions
	<p>(4) No building or structures shall be permitted to be erected within the landscape buffers identified within the Landscape Management Plan.</p> <p>(5) The grazing of any lot shall—</p> <ul style="list-style-type: none"> (a) Require the written consent of Council; (b) Reflect the direction and stocking numbers of the Stocking Management Plan; and (c) Have a minimum combined area of 4,000m² on any such lot not inclusive of any landscape buffer. <p>(6) With the intention of preventing land degradation, Council may, with the advice of the Department of Agriculture and Food, require the removal of, or reduction in, the number of stock on any lot within the zone.</p> <p>(7) No effluent disposal system for the Special Residential lots will be permitted within 50 metres of the dam within Special Use Zone No. 2.</p> <p>(8) For proposed Lots 307-405 (inclusive), the following applies—</p> <ul style="list-style-type: none"> (a) No development or activity is permitted within the 100 metre buffer area to the Nature Reserve which is incompatible or is sensitive to the management of the Nature Reserve, which includes all buildings, except an outbuilding which can be built no closer than 80 metres to the Nature Reserve. The desirable use of the 100 metres buffer area would be grazing conforming with sustainable stocking rates; (b) The preparation and implementation of a revised Fire Management Plan to the satisfaction of the Department of Environment and Conservation, in relation to the 100 metre buffer area addressing the responsibilities for the on-going upkeep of the buffer area as a low fire risk as well as the building standards for the dwelling and outbuildings; (c) The 100 metre buffer area is to be appropriately fenced by the subdivider to the satisfaction of the Shire of Bridgetown-Greenbushes and the Department of Environment and Conservation; (d) The on-going maintenance of the fencing and the fire risk in relation to the 100 metre buffer area is to be the owners cost, as well as any remedial work if the owner does not comply with the required standards, as determined by the Shire of Bridgetown-Greenbushes; (e) Prospective purchasers being advised of the above special provisions, including the revised fire management plan, by the way of a Section 70A Notification on new titles; and (f) Outbuildings are to be built of non-flammable materials and not have glazed windows or other openings facing the nature reserve.

2. Amending that part of 'Schedule 6—Special Use Zones' of the Scheme Text which applies to Portion Lot 2 Laverty Street (CT Vol 1561, Fol 682), Bridgetown by adding to 'Permitted Uses' and replacing Special Provision Condition No. 1 as follows—

(a) Location of Zone	(b) Special Provision
SU 2	<p>Portion of Lot 2 Laverty Street, Bridgetown (Tourist Site)</p> <p><u>Permitted Uses</u> Single dwelling (per green title lot)</p> <p><u>Conditions</u> (1) Subdivision shall be in accordance with the Development Guide Plan (Ref No. HB20I.8) for the land adopted by Council and endorsed by the Western Australian Planning Commission, forming part of the Shire of Bridgetown-Greenbushes Local Planning Scheme No. 4 Scheme Amendment No. 65.</p>

3. Rezoning Lots 87 and 88 Balmoral Drive, Lot 89 Gleneagles Drive and part portion of Lot 2 Laverty Street, Bridgetown from 'Recreation' reserve to 'Special Residential' zone as depicted on the amending map adopted by Council.
4. Rezoning Lot 90 Gleneagles Drive, Bridgetown from 'Public Purposes' reservation to 'Special Residential' zone as depicted on the amending map adopted by Council.
5. Rezoning Lot 207 Galloway Drive, Bridgetown from 'Special Residential' zone to the 'Recreation' reserve as depicted on the amending map adopted by Council.
6. Rezoning portion of Lot 9008 Gleneagles Drive, Bridgetown (proposed Lots 449—451, portion of Lot 452 and proposed Lot 466 Gleneagles Drive) Bridgetown from the 'Special Use No. 2 (Tourist)' zone to 'Special Residential' zone as depicted on the amending map adopted by Council.
7. Rezoning a portion of Lot 9008 Gleneagles Drive, Bridgetown (rear portion of proposed Lots 397—405 Lake View Crescent) from 'Special Use No. 2 (Tourist)' zone to 'Special Residential' zone as depicted on the amending map adopted by Council.
8. Rezoning all road reserves within portion Lot 2 Laverty Street (CT Vol 1561 Fol 682) Bridgetown to no zone or reserve.
9. Amending reference to 'Schedule 6—Special Residential Zones' of the Scheme Text to read Schedule 7—Special Residential Zones' of the Scheme text.
10. Rezoning portion of Lot 9008 (adjoining Lots 452—462) Gleneagles Drive, Bridgetown from 'Special Residential' to 'Special Use No. 2 (Tourist)' zone as depicted on the amending map adopted by Council.

B. J. MOORE, Shire President.
T. CLYNCH, Chief Executive Officer.

PI409*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Joondalup
District Planning Scheme No. 2—Amendment No. 45

Ref: TPS/0191

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 Joondalup local planning scheme amendment on 11 November 2010 for the purpose of—

1. Adding additional use 1-21 to Lot 535 (20) Burrarah Way, Duncraig in Schedule 2—Section 1 (Clause 3.15)—Additional Uses as follows—

No.	Street/Locality	Particulars of Land	Additional Use
1-21	20 Burrarah Way, Duncraig	Lot 535	Medical Centre with a maximum of 2 health consultants, being general practitioners, specialist practitioners, dentist, radiologist, physiotherapist and any other medical staff generating their own independent patient load.

2. Amending the Scheme Map to depict the additional use over Lot 535 Burrarah Way, Duncraig.

T. PICKARD, Mayor.
G. HUNT, Chief Executive Officer.

PI410*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Plantagenet
Town Planning Scheme No. 3—Amendment No. 51

Ref: TPS/0130

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 Plantagenet local planning scheme amendment on 11 November 2010 for the purpose of—

1. Rezoning portion Lot 830 Spring Road, Porongurup from the 'Rural' zone to the 'Rural Residential' zone.

2. Deleting 2150 and inserting 830 and part of 831 into column a) of Schedule 5 of the Scheme Text, 'Rural Residential zones—Provisions Relating to Specified Areas' within Specified Area of the Locality RRes 9.
3. In Schedule 5, replacing Special provision 6.5 for RRes 9 with the following—
 - 6.5 On those lots allocated building envelopes on the Subdivision Guide Plan, all structures shall be confined to the building envelope and all habitable buildings located such that Hazard Separation Zones and Building Protection Zones do not encroach upon the Development Exclusion and Creekline Protection Area shown on the Subdivision Guide Plan.
4. Amending the Scheme Maps accordingly.

K. A. CLEMENTS, Shire President.
R. STEWART, Chief Executive Officer.

PI411*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Roebourne
Town Planning Scheme No. 8—Amendment No. 15

Ref: TPS/0097

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 Roebourne local planning scheme amendment on 11 November 2010 for the purpose of—

1. Reclassifying approximately 56ha of land at the intersection of Point Samson, Roebourne Road and North West Coastal Highway comprising Unallocated Crown Land, Lot 689 on Plan 180334 being Reserve 33250 and Lot 567 on Plan 180334 being Reserve 33643 from 'Parks, Recreation and Drainage' reserve and 'Rural' zone to 'Urban Development' zone.
2. Amending Scheme Map accordingly.

N. LOCKWOOD, Shire President.
C. LONGMORE, Chief Executive Officer.

PI412*

PLANNING AND DEVELOPMENT ACT 2005
LOCAL PLANNING SCHEME AVAILABLE FOR INSPECTION
Shire of Chapman Valley
Local Planning Scheme No. 2

Ref: TPS/0391

Notice is hereby given that the local government of the Shire of Chapman Valley has prepared the abovementioned local planning scheme for the purpose of—

1. setting out the local government's planning aims and intentions for the scheme area;
2. setting aside land as reserves for public purposes;
3. zoning land within the scheme area for the purposes defined in the scheme;
4. controlling and guiding land use and development;
5. setting out procedures for the assessment and determination of planning applications;
6. making provision for the administration and enforcement of the scheme; and
7. addressing other matters set out in the Planning and Development Act.

Plans and documents setting out and explaining the local planning scheme have been deposited at Council Offices, Lot 7 Chapman Valley Road, Nabawa and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 23 February 2011.

The local planning scheme proposes the creation of the Buller 'Development' zone and this aspect of the scheme is subject to Environmental Review. The Environmental Review examines the environmental effects associated with the implementation of the proposed zoning. The Environmental Review is available for public review in accordance with the advertising period determined by the Western Australian Planning Commission from 23 November 2010 to 23 February 2011.

Copies of the Environmental Review documents have been deposited at Council Offices, Lot 7 Chapman Valley Road, Nabawa and will be available for inspection during office hours up to and including 23 February 2011. The documents can also be viewed online at www.chapmanvalley.wa.gov.au. The Environmental Review is also available for examination at the

Department of Environment and Conservation, Information Centre and Library, 4th Floor, The Atrium, 168 St Georges Terrace, Perth WA 6000.

Submissions on the local planning scheme and the associated Environmental Review may be made in writing on Form No. 4 and lodged with the undersigned on or before 23 February 2011.

D. SELLENGER, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RG401

RACING PENALTIES (APPEALS) ACT 1990

RACING PENALTIES APPEAL TRIBUNAL

Appointment of Members

Under section 6(3) of the *Racing Penalties (Appeals) Act 1990*, the Minister for Racing and Gaming appointed the following to the panel of persons who are eligible to be selected by the Chairperson to be appointed as members of a Tribunal in relation to any appeal for terms expiring on 28 February 2014—

- Ms Karen Josephine Farley
- Mr Andrew Emilio Monisse
- Mr Robert John Nash

Dated this 18 of November 2010.

BARRY SARGEANT, Director General,
Department of Racing, Gaming & Liquor.

RG402*

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			
13777	AG & JJ Carter Pty Ltd	Application for the grant of a Small Bar licence in respect of premises situated in Mandurah and known as Oyster Bar Mandurah	21/12/2010
APPLICATIONS FOR THE REMOVAL OF A LICENCE			
354079	Phoenix Beers Pty Ltd	Application for the Removal of a wholesale licence in respect of premises currently situated at 4/2 James St, Bayswater to premises situated at 8/10 Dewar St Morley.	21/12/2010
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
37400	WE & JM Mayne (Anors)	Application for the grant of an Extended Trading Permit in respect of premises situated in Bunbury and known as Burlington Hotel.	02/12/2010

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

Dated: 19 November 2010.

B. A. SARGEANT, Director of Liquor Licensing.

DECEASED ESTATES

ZX401**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Anthony John Scibilia late of 3 Paperbark Way, Morley.

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 16 February 2010 are required by the personal representatives David Robert Scibilia and Carolyn Anne Scibilia of c/- Lynn & Brown Lawyers of 5 Collier Road, Morley to send particulars of their claims to them by the 24 December 2010 after which date the personal representatives may convey or distribute the assets of the estate, having regard only to the claims of which they then have notice.

ZX402**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Milton Beverley Ball, late of 46 Alison Parade, Lower King in the State of Western Australia, Retired Truck Driver, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of Milton Beverley Ball deceased who died on the 18th day of August 2010 at Albany, in the said State are required by the personal representative David Malcolm Moss of 45 Duke Street, Albany, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany W.A. 6332 by the date one month following the publication of this notice after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

ZX403**TRUSTEES ACT 1962****DECEASED ESTATES**

Notice to Creditors and Claimants

Keith Snowball, late of 22 Wakefield Crescent, Albany in the State of Western Australia, Company Director, deceased

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of Keith Snowball deceased who died on the 5th day of July 2010 at Albany, in the said State are required by the personal representative Ronald Keith Snowball of 10 Wakefield Crescent, Albany W.A. to send particulars of their claims to David Moss & Co of PO Box 5744, Albany W.A. 6332 by the date one month following the publication of this notice after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

PUBLIC NOTICES

ZZ401**DISPOSAL OF UNCOLLECTED GOODS ACT 1970****NOTICE UNDER PART VI OF INTENTION TO APPLY TO COURT FOR AN ORDER TO SELL OR OTHERWISE DISPOSE OF GOODS VALUED IN EXCESS OF \$300.**

To Sherryl Herd of 27 Jenolan Way, Merriwa WA 6030, Bailor.

1. You were given notice on 13th of May 2010 that the following goods: Holden Commodore Sedan Registration Number 1DCA 581 situated at Clarkson Holden 1890 Marmion Avenue, Clarkson WA 6030 were ready for redelivery.
2. Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, Clarkson Holden of 1890 Marmion Avenue, Clarkson WA 6030, bailee, intends making an application to the Court for an order to sell or otherwise dispose of them in accordance with the Act.

Date: 17 November 2010.

CLARKSON HOLDEN, Bailee.