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Gazette**

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— PART 1 —

PROCLAMATIONS

AA101*

WORKERS' COMPENSATION AND INJURY MANAGEMENT AMENDMENT ACT 2011

No. 31 of 2011

PROCLAMATION

Western Australia

By His Excellency
Malcolm James McCusker,
Officer of the Order of Australia,
Queen's Counsel,
Governor of the State of Western Australia

[L.S.]

M. J. McCUSKER
Governor

I, the Governor, acting under the *Workers' Compensation and Injury Management Amendment Act 2011* section 2(b) and with the advice and consent of the Executive Council, fix 1 October 2011 as the day on which section 3 and Part 3, other than section 123(2) to (7), of that Act come into operation.

Given under my hand and the Public Seal of the State on 20 September 2011.

By Command of the Governor,

SIMON O'BRIEN, Minister for Commerce.

AA102*

SENTENCE ADMINISTRATION (INTERSTATE TRANSFER OF COMMUNITY BASED SENTENCES) ACT 2009

No. 5 of 2009

PROCLAMATION

Western Australia

By His Excellency
Malcolm James McCusker,
Officer of the Order of Australia,
Queen's Counsel,
Governor of the State of Western Australia

[L.S.]

M. J. McCUSKER
Governor

I, the Governor, acting under the *Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009* section 2(b) and with the advice and consent of the Executive Council, fix 1 October 2011 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 20 September 2011.

By Command of the Governor,

TERRY REDMAN, Minister for Corrective Services.

Note: Under the *Sentence Administration (Interstate Transfer of Community Based Sentences) Regulations 2011* regulation 2, the provisions of those regulations come into operation on the day on which the *Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009* section 31 comes into operation.

CONSUMER PROTECTION

CP301*

RETAIL TRADING HOURS ACT 1987

RETAIL TRADING HOURS (CITY OF ALBANY) VARIATION ORDER NO. 2 OF 2011
Made by the Minister for Commerce under section 12E of the Act.

1. Citation

This order is the *Retail Trading Hours (City of Albany) Variation Order No 2 of 2011*.

2. Commencement

This order comes into operation as follows—

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

3. Variation of retail trading hours: September and October 2011

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

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

Table

Day	Hours
Sunday 25 September 2011	From 9.00am until 6.00pm
Sunday 30 October 2011	From 9.00am until 6.00pm

SIMON O'BRIEN, Minister for Commerce.

CORRECTIVE SERVICES

CS301*

Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009

Sentence Administration (Interstate Transfer of Community Based Sentences) Regulations 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Sentence Administration (Interstate Transfer of Community Based Sentences) Regulations 2011*.

2. Commencement

These regulations come into operation on the day on which the *Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009* section 31 comes into operation.

3. Term used: Act

In these regulations, unless the contrary intention appears —
Act means the *Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009*.

4. Participating jurisdictions (Act s. 8(3))

For the purposes of section 8(3) of the Act, these jurisdictions are declared to be participating jurisdictions —

- (a) New South Wales;
- (b) the Australian Capital Territory.

5. Registered interstate sentences — required details (Act s. 22)

For the purposes of section 22 of the Act, these are prescribed to be the required details of an interstate sentence —

- (a) the following details of the offender —
 - (i) his or her names (given and surname);
 - (ii) his or her aliases (if any);
 - (iii) his or her date of birth;
 - (iv) his or her criminal convictions for offences under the law of this State, the Commonwealth, another State or a Territory;
- (b) the following details of the interstate sentence —
 - (i) the name or kind of the sentence;
 - (ii) the name or kind of the corresponding community based sentence under the law of this jurisdiction;
 - (iii) the length of the sentence (including, if the sentence consists of more than one part, the length of each part of the sentence);
 - (iv) the start date of the sentence;
 - (v) the date when the offender first reported for the sentence in the participating jurisdiction;
 - (vi) the remaining period of the sentence to be served in Western Australia;
 - (vii) any condition to which the sentence is subject;
 - (viii) details of any appeal against the sentence;
 - (ix) details of any previous registration of the sentence in another participating jurisdiction;
 - (x) the prosecution notice or indictment in relation to each offence for which the sentence was imposed;
 - (xi) the written statement of material facts of the charge for each offence for which the sentence was imposed;

- (xii) any sentencing remarks made by the Court when imposing the sentence.

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

ENVIRONMENT

EV301*

Waste Avoidance and Resource Recovery Act 2007

Waste Avoidance and Resource Recovery Amendment Regulations (No. 2) 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Waste Avoidance and Resource Recovery Amendment Regulations (No. 2) 2011*.

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 *Waste Avoidance and Resource Recovery Regulations 2008*.

4. Regulation 11 amended

Delete regulation 11(4) and insert:

- (4) The representations must be made in writing.

5. Regulation 17 amended

Delete regulation 17(4) and insert:

- (4) A licensee must, on the written request of an authorised person, make the records available to the authorised person in the manner, and within the time, specified in the request.

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

HEALTH

HE301*

Mental Health Act 1996

Mental Health (Authorisation of Public Hospitals) Amendment Order 2011

Made by the Governor in Executive Council under section 21 of the Act.

1. Citation

This order is the *Mental Health (Authorisation of Public Hospitals) Amendment Order 2011*.

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. Order amended

This order amends the *Mental Health (Authorisation of Public Hospitals) Order 2002*.

4. Schedule 1 amended

(1) Delete Schedule 1 item 3 and insert:

3	Bentley Hospital	Areas coloured pink on South Metropolitan Area Health Service plan titled Bentley Hospital Mental Health Beds of 7 September 2011
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(2) In Schedule 1 after item 7 insert:

8A	Rockingham Hospital	Area bordered in red on Rockingham Hospital Redevelopment — Zone C — Mental Health Site Plan — Phase Site Plan of 3 March 2011
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By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Town of Cambridge

ANIMALS AMENDMENT LOCAL LAW 2011

Under the powers conferred by the *Dog Act 1976* and the *Local Government Act 1995* and under all other powers enabling it, the Council of the Town of Cambridge resolved on 19 April 2011 to make the following local law.

1. Citation

This local law may be cited as the *Town of Cambridge Animals Amendment Local Law 2011*.

2. Commencement

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

3. Principal local law

In this local law, the *Town of Cambridge Animals Local Law* published in *Government Gazette* No. 51 on 22 March 2002 and as amended and published in the *Government Gazette* No. 3 on 9 January 2007 is referred to as the principal local law. The principal local law is amended.

4. Clause 1.6 amended

Clause 1.6 is amended as follows—

- (a) delete the words “*Town Planning and Development Act 1928*” in the definition of the term “*lot*” and substitute with “*Planning and Development Act 2005*”;
- (b) delete the definition for the term “*thoroughfare*”, and substitute with—
“*thoroughfare* has the meaning given to it in the Act.”

5. Schedule 2 amended

Delete Schedule 2 and substitute the following—

“SCHEDULE 2—APPROVED DOG EXERCISE AREAS***Suburb, Name and Description of Approved Dog Exercise Areas*****WEST LEEDERVILLE—**

COWDEN PARK—*Being the area bounded by Bernard Street, Kimberley Street, Northwood Street and Kempton Lane, West Leederville; except between the hours of 8.00 am to 6.00pm during which time this public park shall be an on-leash area.*

LAKE MONGER RESERVE EAST—*Being the south eastern segment of Lake Monger Reserve between Lake Monger Drive, the Mitchell Freeway off-ramp and east of the prolongation of a line parallel with Kimberley Street, West Leederville.*

WEMBLEY—

RUTTER PARK—*Being the area bounded by Alexander Street, Jersey Street, Wembley Community Centre southern boundary, the northern boundary fence of 183 Jersey Street and the northern boundary of 34 Alexander Street, Wembley; except between the hours of 8.00 am to 6.00pm during which time this public park shall be an on-leash area.*

FLOREAT—

BIRKDALE PARK—*Being the area bounded by Birkdale Street, The Boulevard and Newry Street, but excluding the area occupied by the Tennis Club and associated car park, Floreat.*

BOURNVILLE PARK—*Being the area bounded by Bournville Street, The Boulevard and Grantham Street, Floreat.*

CROSBY PARK RESERVE—*Being the area located behind the residences bounded by Crosby Street, Winmarley Street, Selby Street, Bournville Street, and Highbury Street, Floreat.*

ELPHIN ST MEDIAN—*Being the area bounded by Elphin Road, Bold Park Drive, Oceanic Drive and The Boulevard, Floreat.*

GRANTHAM PARK—*Being the area bounded by Selby Street, Grantham Street, Crosby Street, Peebles Road, Pearson Place, Floreat and the boundary of the Town with the City of Stirling; except where the public place is used for a function, sport training or activities approved by the Council.*

LOTHIAN PARK—*Being the area bounded by Lothian Street, Rannoch Street, Kintyre Crescent and Kinross Crescent, Floreat; except between the hours of 8.00 am to 6.00pm during which time this public park shall be an on-leash area.*

McLEAN PARK—*Being the area bounded by The Boulevard, Ulster Road, Chandler Avenue West and the western boundary of Floreat Primary School, Floreat.*

PERRY LAKES—*Being the area bounded by Alderbury Street, the concrete footpath on the southern boundary of Alderbury Reserve, the eastern shoreline of the East Lake and the bicycle path adjacent to western side of Meagher Drive, Floreat.*

WINMARLEY PARK—*Being the area bounded by Winmarley Street, Seymour Avenue, Highbury Street and The Boulevard, Floreat.*

CITY BEACH—

CHALLENGER PARADE PARK—*Being the irrigated area of Challenger Park, bounded by Challenger Parade, Falmouth Avenue, the eastern boundaries of 68 Branksome Garden to 14 Branksome Gardens, and the southern boundaries of 38 Boscombe Avenue to 47 Boscombe Avenue, City Beach.*

CITY BEACH UPPER OVAL—*Being the area bounded by West Coast Highway, Oceanic Drive and Fred Burton Way, City Beach; except where the public place is used for a function, sport training or activities approved by the Council.*

BEECROFT PARK—*Being the area bounded by Olinda Avenue, Tilton Terrace, Oban Road and Gayton Road, City Beach.*

BENT PARK—*Being the area bounded by 58 to 56 Chipping Road, 29 to 17 Talgarth Way, 27 to 1 Bendigo Way, Bent Street, 29 to 9 Skipton Way, Brompton Road, 29 to 19 Weldon Way, 22 to 36 Tranmore Way, 18 to 32 Sudbury Way and 12 Calver Place, City Beach; except between the hours of 8.00 am to 6.00pm during which time this public park shall be an on-leash area.*

BOULEVARD QUARRY PARK—*Being the area bounded by Alkoomie Terrace, The Boulevard, the western boundary of the Bold Park Swimming Pool access road and car park and the northern boundary of 1 Kalinda Drive, City Beach.*

DRABBLE PARK—*Being the section of the reserve to the east of the residences located on Drabble Road, City Beach between Cobb and Minibah Streets, Scarborough, to the north eastern boundary of the Town with the City of Stirling.*

EMPIRE PARK—Being the area bounded by Empire Avenue and Durston Road, Wembley Downs and the north western section of the boundary fence of Wembley Golf Course.

FRED BURTON PARK—Being the irrigated area of Fred Burton Park, bounded by West Coast Highway, Fred Burton Way and Challenger Parade, City Beach.

GIFFORD GARDENS—Being the area bounded by Pandora Drive, Gifford Gardens and Tilton Terrace, City Beach, to the boundary of the residences to the east.

HELSTON PARK—Being the area bounded by West Coast Highway, Helston Avenue, Boscombe Avenue and the eastern boundary of City Beach Tennis Club, City Beach.

MALONEY PARK—Being the area bounded by Chipping Road, Aruma Way, Kinkuna Way, Maloney Way, Bent Street, Yallambee Place, Carinya Place, Warreen Place and Adori Place, City Beach.

JUBILEE PARK—Being the area bounded by Jubilee Crescent, Branksome Gardens, Oceanic Drive and Challenger Parade, City Beach.

NORTH FLOREAT BEACH—Being the strip of beach extending from the low water line to the base of the western dune line on part of Reserve No. 16921 on the Indian Ocean foreshore, and north of the stormwater drain opposite Oban Road, City Beach to the northern boundary of the district (Approximately two kilometres).

OCEAN VILLAGE PARK—being the area bounded by the rear boundaries of 29 to 53 Tarongo Way, the rear boundaries of 18 to 20 Wayeela Place, the rear boundaries of 19B Wayeela Place to 36 Yaltara Road, rear boundaries of 32 Yaltara Road to 18 Perina Way, City Beach.

SOUTH CITY BEACH—Being the strip of beach from the low water line to the base of the western dune line on part of Reserve No. 16921 on the Indian Ocean foreshore situated south of the access path opposite Dartmouth Avenue, City Beach through to the southern boundary of the district.

TEMPLETONIA PARK—Being the area bounded by Templetonia Crescent, Dampier Avenue and The Boulevard, City Beach.

TILTON PARK—Being the area bounded by Waite Place, Empire Avenue, Erskine Place and Tilton Terrace, City Beach.

JOLIMONT—

PAT GOODRIDGE PARK—Being the area bounded by Selby Street, Hay Street and Halesworth Road, Jolimont and south of the car park; except where the public place is used for a function, sport training or activities approved by the Council. “

6. Schedule 3 amended

Schedule 3 is amended as follows—

(a) Insert—

“CHILDREN’S PLAYGROUNDS—All children’s playgrounds, including areas set aside by a wall, fence, sandpit or other soft fall surface.

CITY BEACH OVAL (lower and upper playing fields)—Being the area bounded by West Coast Highway, Fred Burton Way and Oceanic Drive for three days prior to, the day of and three days after the day on which the annual event known as ‘City to Surf’ takes place.”

(b) Delete *“PERRY LAKES STADIUM”*.

Dated: 9 September 2011.

The Common Seal of the Town of Cambridge was affixed by authority of a resolution of the Council in the presence of—

SIMON WITHERS, Mayor.
JASON BUCKLEY, Chief Executive Officer.

LG302*

LOCAL GOVERNMENT ACT 1995

Shire of Bridgetown-Greenbushes

STANDING ORDERS AMENDMENT LOCAL LAW 2011

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Bridgetown-Greenbushes resolved on 25 August 2011 to make the following Local Law.

1. Citation

This local law may be cited as the *Shire of Bridgetown-Greenbushes Standing Orders Amendment Local Law 2011*.

2. Commencement

This local law will come into operation 14 days after the day on which it is published in the *Government Gazette*.

3. Principal Local Law Amended

The *Shire of Bridgetown-Greenbushes Standing Orders Local Law 2008*, as published in the *Government Gazette* on 14 November 2008, is referred to as the principal local law. The principal local law is amended.

4. Clause 1.3 Amended

In clause 1.3(1) insert in alphabetical order—

Standing Committee means the Local Laws, Strategy, Policy & Organisation Development (Standing) Committee established by Council in accordance with Sections 5.8 and 5.9 of the Act;

5. Clause 2.1 Amended

In clause 2.1 delete “Notwithstanding clause 2.2(2), the notice of meeting shall be” and insert “Notice is to be given”.

6. Clause 2.2 Amended

In clause 2.2(2) delete the word “Where” and insert “Notwithstanding clause 2.1, where”.

7. Clause 2.3 Amended

In clause 2.3 insert “is” after the words “The notice”.

8. Clause 3.2 Amended

(1) In clause 3.2(1) delete paragraph (18) and renumber the remaining paragraphs accordingly.

(2) In clause 3.2(2)—

(a) after paragraph (2) insert—

(3) Response to Previous Questions Taken on Notice;

(4) Petitions/Deputations/Presentations;

(5) Comment on Agenda Items by Parties With an Interest;

(b) delete paragraph (11); and

(c) renumber the remaining paragraphs accordingly.

9. Clause 3.3 Amended

Delete clause 3.3 and insert—

Public question time shall be held in accordance with the Act and Regulations.

10. Clause 3.4.1 Amended

In clause 3.4.3(g)—

(a) delete subparagraph (ii);

(b) delete subparagraph (iii); and

(c) renumber subparagraph (iv) accordingly.

11. Clause 3.4.3 Amended

Clause 3.4.3 is amended by replacing all instances of “Council” with “Council or the Standing Committee”.

12. Clause 3.9 Amended

In clause 3.9 delete subclause (2) and renumber the remaining subclauses accordingly.

13. Clause 3.10 Amended

In clause 3.10—

(a) delete subclause (1) and insert—

(1) Unless the Act, Regulations or these Standing Orders otherwise provide, a member may raise at a meeting such business as the member considers appropriate, in the form of a motion, of which notice has been given in writing to the Chief Executive Officer.

(b) delete subclauses (2), (3) and (10); and

(c) renumber the remaining subclauses accordingly.

14. Clause 7.1 Amended

In clause 7.1(1)(b) delete “spoke on” and insert “voted against”.

15. Clause 8 Amended

In clause 8.4 delete subclause (1) and renumber the remaining subclauses accordingly.

16. Clause 8.7 Inserted

After clause 8.6 insert—

8.7 Use of Laptop Computers

- (1) Members and officers are permitted to use laptop computers or other similar portable electronic devices in lieu of a printed agenda at a Council or Committee meeting.
- (2) Unless with the consent of the Presiding Member, the use of laptops by Members and officers at Council or Committee meetings are to be in 'read-only' mode, accessing only the agendas, their attachments and other related Council documents, with no data entry or external access being undertaken.

17. Clause 10.20 Inserted

After clause 10.19 insert—

10.20 Questions from Members

- (1) A member may, without notice during the course of a debate, or at appropriate times during a Council, Standing Committee or Committee meeting, ask any question relevant to that debate or to the subject under discussion or seek clarification of meeting procedure.
- (2) Members may ask any questions of a specific or general nature relating to the business of the local government as part of the agenda item "Elected Member Questions With Notice" at a Council or Standing Committee meeting subject to the member lodging the question with the CEO a minimum 7 hours prior to the commencement of the meeting.
- (3) Where a response to a question on notice referred to in subclause (2) is provided the Presiding Member will permit follow up questions without notice from members where such questions are seeking clarification to the response provided to the original question submitted with notice.

18. Clause 11 Amended

In clause 11.1(b) delete the words "the matter be deferred and referred" and insert "debate on the matter be adjourned".

19. Clause 15.2 Amended

In clause 15.2 delete "person" and insert "Presiding Member".

Dated: 25 August 2011.

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

BRIAN MOORE, President.
TIMOTHY CLYNCH, Chief Executive Officer.

TREASURY AND FINANCE

TR301*

State Trading Concerns Act 1916

**State Trading Concerns (Authorisation)
Amendment Regulations 2011**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *State Trading Concerns
(Authorisation) Amendment Regulations 2011*.

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 *State Trading Concerns (Authorisation) Regulations 1998*.

4. Schedule 1 amended

- (1) In Schedule 1 Part 1 after “Department of Transport” insert:

Mental Health Commission

- (2) In Schedule 1 Part 2 after the item relating to the Department of Transport insert:

Mental Health Commission

The provision by the Mental Health Commission of —

- (a) goods, information, or intellectual property, relating to mental health; and
- (b) advertising opportunities, or opportunities to participate in arrangements in the nature of advertising or having a purpose similar to advertising, relating to mental health.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE AND FOOD

AG401*

BEEKEEPERS ACT 1963

APPOINTMENTS

Department of Agriculture and Food,
South Perth WA 6151.

The Governor is pleased to appoint the following officers as Inspectors pursuant to Section 5 of the *Beekeepers Act 1963*.

Alison Jane Hayward
Catherine Marriott
Leah Elizabeth Spartalis

TERRY REDMAN MLA, Minister for Agriculture and Food.

CONSUMER PROTECTION

CP401*

CO-OPERATIVES ACT 2009

ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION

Notice is hereby given that on 15 September 2011, pursuant to section 26(a) of the Act, a certificate of registration was issued to—

BOYUP BROOK CO-OPERATIVE COMPANY LTD

WILL MORGAN, Deputy Registrar of Co-operatives.

CP402*

CO-OPERATIVES ACT 2009

ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION

Notice is hereby given that on 9 September 2011, pursuant to section 26(a) of the Act, a certificate of registration was issued to—

INDEPENDENT HARDWARE CO-OPERATIVE WESTERN AUSTRALIA LIMITED

WILL MORGAN, Deputy Registrar of Co-operatives.

CP403*

ASSOCIATIONS INCORPORATION ACT 1987

RE-INSTATED ASSOCIATION

The Eastern Hills Arts & Crafts Inc.—A0720068K

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

Dated: 19 September 2011

WILL MORGAN, Manager, Associations and Charities
for Commissioner of Consumer Protection.

HEALTH

HE401***HEALTH PROFESSIONALS (SPECIAL EVENTS EXEMPTION) ACT 2000**
HEALTH PROFESSIONALS (SPECIAL EVENTS EXEMPTION) ORDER (NO. 3) 2011

Made by the Minister under section 6 of the Act.

1. Citation

This order is the *Health Professionals (Special Events Exemption) Order (No. 3) 2011*.

2. Declaration of special event

The event specified in Schedule 1 is declared to be a special event for the purposes of the Act.

3. Exemption period

The period in which the exemptions under the Act have effect in respect of the special event specified in Schedule 1 commences on Wednesday 2nd November 2011 and ends on Tuesday 20th December 2011.

4. Procedure for notification

For the purposes of section 6(3)(b) of the Act, persons intending to provide health care services to visitors in the State, as visiting health professionals, are required to provide written notice to—

Dr Tarun Weeramanthri
Chief Health Officer
Western Australian Department of Health
189 Royal Street
EAST PERTH WA 6004

Schedule 1

Perth 2011 International Sailing Federation (ISAF) Sailing World Championships, to be held in Fremantle, Western Australia, commences Wednesday 2nd November 2011 and ends on Tuesday 20th December 2011.

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

HE402***HEALTH PRACTITIONER REGULATION NATIONAL LAW (WA) ACT 2010**
MEDICAL (AREA OF NEED) DETERMINATION (NO. 24) 2011

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. 24) 2011*.

Commencement

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

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

UROLOGY SERVICES AT THE FOLLOWING LOCATIONS—

- CITY OF BUNBURY
- SHIRE OF BUSSELTON

Dated this 19th day of September 2011.

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

HE403*

HUMAN REPRODUCTIVE TECHNOLOGY ACT 1991
WESTERN AUSTRALIAN REPRODUCTIVE TECHNOLOGY COUNCIL
APPOINTMENT OF MEMBER INSTRUMENT (NO. 2) 2011

Made by His Excellency the Governor, in Executive Council, under section 8(2)(a) of the Act.

1. Citation

This instrument may be cited as the *Human Reproductive Technology (Appointment of Member) Instrument (No. 2) 2011*.

2. Appointment of Member

The appointment of Professor Roger Hart pursuant to section 8(2)(a)(i)(D) of the *Human Reproductive Technology Act 1991*, as a member to the Western Australian Reproductive Technology Council is approved for a term commencing on 4 November 2011 and expiring on 3 November 2014.

By Command of His Excellency the Governor, in Executive Council,

N. HAGLEY, Clerk of the Executive Council.

HE404*

HUMAN REPRODUCTIVE TECHNOLOGY ACT 1991
WESTERN AUSTRALIAN REPRODUCTIVE TECHNOLOGY COUNCIL
APPOINTMENT OF DEPUTY INSTRUMENT (NO. 2) 2011

Made by the Minister under clause 2(1) of the Schedule of the Act.

1. Citation

This instrument may be cited as the *Human Reproductive Technology (Appointment of Deputy) Instrument (No. 2) 2011*.

2. Appointment of Deputy

The appointment of Dr Angela Margaret Cooney as deputy to Professor Constantine Michael, member and chairperson, to the Western Australian Reproductive Technology Council, pursuant to clause 2(1) of the Schedule to the *Human Reproductive Technology Act 1991* is approved for a term of three years commencing on the date this appointment is published in the *Government Gazette*.

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

Date: 22 August 2011.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004
APPOINTMENTS

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

Henry Atturo of 11 Chesham Mews, Canning Vale
Bruce Wayne Lynch of 3 The Strand, Bunbury

RAY WARNES, Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG401*

DOG ACT 1976
City of Kalgoorlie-Boulder
APPOINTMENTS

The City of Kalgoorlie-Boulder wishes to advise for public information the appointment of Susan Mizen and Helen Cooper as authorised officers to operate within the City of Kalgoorlie-Boulder to enforce the following Act and Regulations effective immediately—

Dog Act 1976 and Regulations for purpose of Dog Registration Officer

The City of Kalgoorlie-Boulder also wishes to advise the cancellation of Kim Versace as an authorised officer.

D. S. BURNETT, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954*Town of Victoria Park and City of Vincent***2011/2012 FIREBREAK NOTICE**Notice to all Owners and/or Occupiers of Land within
the Town of Victoria Park and City of Vincent

Pursuant to the powers conferred in Section 33 of the *Bush Fires Act 1954*, you are required on or before the 31st day of October 2011, or within fourteen days of the date you become the owner or occupier should this be after the 31st day of October 2011 and thereafter up to and including the 30th day of April 2012, to clear inflammable matter, on land owned and/or occupied by you in accordance with the following requirements—

1. All land which is 2000 m² or less in area—
Remove inflammable matter from the whole of the land, except living trees and shrubs; plants under cultivation and lawn, by means of ploughing, cultivating or slashing to a height of no more than 50mm.
2. All other land within the Town of Victoria Park and City of Vincent—
 - (i) Firebreaks of a minimum width and height of 3 metres are to be cleared immediately inside all external boundaries of the land;
 - (ii) Firebreaks to a minimum width of 3 metres and height of 3 metres are to be cleared immediately surrounding all buildings situated on the land; and any place where inflammable liquids and gas products are kept.

In addition to the requirements in this notice, the Town/City may, by notice in writing, require an owner and/or occupier to act as and when specified in the notice with respect to anything which is upon land and which in the opinion of the Town/City is or is likely to be conducive to the outbreak of a bush fire or the spread or extension of a bush fire.

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

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

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

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

Pursuant to Sections 24G(2) and 25(1a) of the *Bush Fires Act 1954*, the burning of garden refuse and lighting of fires in the open air is prohibited within the districts of the Town of Victoria Park and City of Vincent between the 31st day of October 2011 and the 30th day of April 2012.

By order of Town of Victoria Park—

ATHANASIOS (Arthur) KYRON, Chief Executive Officer.

By order of City of Vincent—

JOHN GIORGI, JP, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006**GRANT OF PETROLEUM EXPLORATION PERMIT WA-365-P (R1)**

Petroleum Exploration Permit No. WA-365-P (R1) has been granted to Chevron Australia (WA-365-P) Pty Ltd and Shell Development (Australia) Proprietary Limited

to have effect for a period of five (5) years from and including 16 September 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP402*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006**GRANT OF PETROLEUM EXPLORATION PERMIT WA-364-P (R1)**

Petroleum Exploration Permit No. WA-364-P (R1) has been granted to Chevron Australia (WA-364-P) Pty Ltd and Shell Development (Australia) Proprietary Limited to have effect for a period of five (5) years from and including 16 September 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP403***MINING ACT 1978****INSTRUMENT OF EXEMPTION OF LAND**

Extension of Period

The Minister for Mines and Petroleum, pursuant to the powers conferred by Section 19 of the *Mining Act 1978*, hereby extends for a period of two years expiring on 17 September 2013, the exemption (initially granted on 18 September 2007 and published in the *Government Gazette* dated 28 September 2007) in respect of a reduced area as described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) from Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

Description of Land

Land designated S19/305 in the Tengraph electronic plan of the Department of Mines and Petroleum. A geospatial description of the reduced area, the subject of the exemption, is filed on Department of Mines and Petroleum File No A1746/201001 and identified as document 1541981.

Locality

90 km West of Kalgoorlie

Dated at Perth this 8th day of September 2011.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

MP404***MINING ACT 1978****INSTRUMENT OF 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 declares the land described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) exempt from Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

Description of Land

Land designated S19/332 in the Tengraph plan of the Department of Mines and Petroleum. A geospatial description is filed at pages 19 to 24 of Department of Mines and Petroleum File No. A1930/200601.

Area: 7186.85 hectares

Locality: Town of Onslow

Dated at Perth this 13th day of September 2011.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

MP405***MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines and Petroleum,
Norseman WA 6443.

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

GREG BENN, Warden.

To be heard by the Warden at Norseman on 24 November 2011.

DUNDAS MINERAL FIELD
Prospecting Licence

P 63/1784 Marsh, John Douglas

MP406*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Coolgardie WA 6429.

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

GREG BENN, Warden.

To be heard by the Warden at Coolgardie on 23 November 2011.

COOLGARDIE MINERAL FIELD
Prospecting Licences

P 15/5309 Pratt, Andrew James
P 16/2528 Hass, Neil William

MP407*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Coolgardie WA 6429.

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

GREG BENN, Warden.

To be heard by the Warden at Coolgardie on 23 November 2011.

COOLGARDIE MINERAL FIELD
Prospecting Licence

P 15/5244 Lyons, David Charles

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Capel

Town Planning Scheme No. 7—Amendment No. 40

Ref: TPS/0064

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 Capel local planning scheme amendment on 29 August 2011 for the purpose of—

1. Rezoning Lots 11, 12 and 70 Fishermans Road, Stratham from “Rural” to “Special Rural” in accordance with the Scheme Amendment Map.

2. Modifying the Scheme Text by introducing “Special Rural Area No. 1B” into Appendix 6 and inserting the following—

Special Rural Zone Area	Specific Provisions
<p>Special Rural Zone No. 1B—as depicted on the Scheme Map (Lots 11, 12 and 70 Fishermans Rd, Stratham)</p>	<p>Intent of Special Rural Zone No. 1B</p> <p>1. The intent of the Special Rural Area No. 1B is to create a range of lots with an average 2ha lot size to accommodate the sensitive development of rural-residential retreats while protecting woodland areas.</p> <p>Subdivision Coordination Between Land Owners</p> <p>2. Subdivision and development is to be in accordance with a Subdivision Guide Plan endorsed by the Shire of Capel and the WAPC.</p> <p>Subdivision Conditions</p> <p>3. At the time of subdivision the subdivider is required to prepare and to implement a Fire Management Plan (FMP) to the satisfaction of the Shire and FESA to provide for ongoing and adequate fire protection and management. The FMP is to give regard to the “Planning for Bush Fire Protection Guidelines”.</p> <p>4. At the time of subdivision the subdivider is required to install fencing of—</p> <ul style="list-style-type: none"> • the Highway Protection Area; • the area adjacent to the National Park; • the land protected by conservation covenants; or <p>to comply with the fencing requirements of any other Management Plans adopted and applicable to the subdivision and development of the Scheme Amendment Area.</p> <p>5. Main Roads WA shall at the subdivision stage request that the Western Australian Planning Commission impose a requirement for a Restrictive Covenant prohibiting vehicle access between Bussell Highway and adjoining lots.</p> <p>6. At the time of subdivision the subdivider is required to contribute to the funding of the upgrading of that portion of Fishermans Road adjacent to lots, 11, 12 and 70.</p> <p>7. At the time of subdivision the subdivider is required to apply a conservation covenant to the identified Conservation Lot (proposed lot 42) shown on the Subdivision Guide Plan to protect vegetation and habitat values.</p> <p>8. At the time of subdivision the subdivider is required to contribute towards the provision of community facilities including the upgrade of existing community infrastructure in the locality.</p> <p>9. Council may at the subdivision stage request the Western Australian Planning Commission to impose a condition requiring the subdividers to prepare and implement an endorsed Drainage Management Plan to ensure that drainage and stormwater management issues are addressed prior to subdivision and development of the site to the satisfaction of the Council.</p> <p>10. Council may at the subdivision stage request the Western Australian Planning Commission to impose a condition requiring the subdivider to prepare a Development Envelope Plan for adoption.</p> <p>11. Council may at the subdivision stage request the Western Australian Planning Commission to impose a condition requiring a geotechnical assessment be undertaken for all lots that adjoin the ‘P3’ soil classification unit to ensure that Development Envelopes are located outside of the classification area and land modifications carried out if necessary.</p> <p>12. At the time of subdivision the subdivider is required to prepare and implement a Vegetation Protection and Rehabilitation Management Plan to be endorsed by the Council, Department of Environment, Water, Heritage and the Arts and the Department of Environment and Conservation prior to commencing the subdivision development.</p>

Special Rural Zone Area	Specific Provisions
	<p>13. At the time of subdivision the subdivider is required to prepare a Fauna and Fauna Habitat Management Plan to be endorsed by the Department of Environment, Water, Heritage and the Arts and the Department of Environment and Conservation prior to commencing the subdivision development.</p> <p>14. At the time of subdivision the subdivider is required to prepare and implement an endorsed Western Grey Kangaroo Management Plan to the satisfaction of the Department of Environment and Conservation.</p> <p>15. At the time of subdivision the subdivider is required to connect the subdivision area to Chislehurst Avenue by the construction of Venus Road, to the satisfaction of Council.</p> <p>16. At the time of subdivision the subdivider is required to provide a Dual Use Path linking the subject area to local community facilities/services to the satisfaction of Council.</p> <p>17. At the time of subdivision the subdivider may be required to prepare and implement a revegetation plan for a 10m buffer within lots adjoining the south western boundary.</p> <p>18. At the time of subdivision the subdivider may be required to place a restrictive covenant on the titles of applicable lots to ensure protection of the 10m buffer.</p> <p>19. At the time of subdivision the subdivider may be required to prepare a Heritage Assessment/Management Plan prepared by a heritage consultant of the existing heritage building on lot 70 to inform the level of importance afforded in the Municipal Inventory and Town Planning Scheme No. 7.</p> <p>20. At the time of subdivision the subdivider may be required to place a Section 70A notice upon the applicable title(s) advising of existing heritage value and that a Development Application is required for any development within the lot.</p> <p>21. The Department of Environment and Conservation and Council shall at the subdivision stage require a Weed and Pest Management Plan for the conservation covenant lot.</p> <p>22. At the time of subdivision the subdivider may be required to prepare and implement a Mosquito Management Plan to the satisfaction of Council.</p> <p>23. At the time of subdivision the subdivider may be required to prepare a Land Use Plan and report to be adopted by Council.</p> <p>24. At the time of subdivision, the subdivider is required to prepare and implement a Transport Noise Management Plan, consistent with State Planning Policy 5.4 'Road and Rail Transport Noise and Freight Considerations in Land Use Planning'. This plan will also need to determine the need and scope of any 'Quite House Design Criteria' that may be required to be incorporated into future dwellings.</p> <p>Development Requirements</p> <p>25. Land owners shall not clear natural vegetation or any part of the lot external to the Development Envelope except for the purpose of establishing driveways and Fire Management measures such as firebreaks, low fuel zones etc in accordance with the Shire of Capel's Bush Fire Order or an approved Fire Management Plan.</p> <p>26. All development of lots shall be contained within a Development Envelope as shown on the adopted Development Envelope plan.</p> <p>27. The minimum setback for all buildings and structures from Bussell Highway Road Reserve is 80 metres.</p> <p>28. Boundary fencing of lots, excluding fencing specified under Specific Provision 4 is to consist of a minimum of</p>

Special Rural Zone Area	Specific Provisions
	<p>post and 8 strand minimum, 15cm square, ring lock or hinge joint wire or similar product as specified by the Council. Cellulose fibre cement, metal sheeting or wooden pickets or similar solid fencing will not be permitted.</p> <p>29. Council shall, dependant upon the heritage findings and significance identified for the heritage building on lot 70 as part of the Heritage Assessment/Management Plan, and the level of importance under the Shire's Municipal Inventory require the submission of a Development Application for any development proposals within the lot.</p> <p>30. A 100m fire management buffer will be maintained between all buildings and the adjoining Tuart Forest National Park.</p> <p>31. The carrying out of Rural Pursuit activities outside the adopted development envelope and the keeping of any stock which cause adverse environmental impact, such as tree damage, are not permitted unless approved by Council.</p> <p>32. Prior to considering any applications by landowners for the 'AA' and 'SA' uses listed in Appendix 2 Zoning Table of the Scheme, Council may require the applicant to submit a water usage Strategy and will seek advice from the Department of Water and Department of Agriculture and Food WA.</p> <p>33. Dwellings shall incorporate Quite House Design Criteria as determined by a Transport Noise Management Plan, consistent with State Planning Policy 5.4 'Road and Rail Transport Noise and Freight Considerations in Land Use Planning'.</p>

M. T. SCOTT, Shire President.
P. F. SHEEDY, Chief Executive Officer.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Cockburn
Town Planning Scheme No. 3—Amendment No. 55

Ref: TPS/0429

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 Cockburn local planning scheme amendment on 8 September 2011 for the purpose of—

1. Rezoning Reserve 38252 (Lot 2719) Hilory Street, Reserve 38243 (Lot 2718) Benedick Road and Reserve 30233 (Lot 2168) Montague Way, Coolbellup from 'Public Purposes—Primary School' to 'Development' and 'Development Area 34'.
2. Rezoning Reserve 30565 Capulet Street, Coolbellup from 'Lakes and Drainage' reserve to 'Development' and 'Development Area 34'.
3. Including part of Lot 255 pedestrian access way connecting Rosalind Way and Benedick Road into the 'Development' zone 'Development Area 34'.
4. Adding a new Development Area 34 to Schedule 11 of the scheme text as follows—

Ref.	Area	Provisions
DA 34	COOLBELLUP SCHOOL SITES Reserve 38242; Lot 2719 Hilory Street, Coolbellup Reserve 38243; Lot 2718 Benedick Road, Coolbellup Part of Lot 255 pedestrian access way connecting Rosalind Way and Benedick Road, Coolbellup	<ol style="list-style-type: none"> 1. An approved structure plan for each of the former school sites together with all approved amendments shall apply to the land in order to guide subdivision and development. 2. Structure plans will be required to fulfil the following design objectives to the satisfaction of Council— <ol style="list-style-type: none"> i. Provide for a range of densities, dwelling types and lot sizes. ii. Provide for medium to higher density development on the former Koorilla

Ref.	Area	Provisions
	Reserve 30233; Lot 2168 Montague Way, Coolbellup Reserve 30565 Capulet Street, Coolbellup (DEVELOPMENT ZONE)	<p>Primary School site, taking advantage of its location adjoining the Coolbellup Town Centre.</p> <p>iii. Provide for medium density development on the former Coolbellup and North Lake Primary School sites.</p> <p>iv. Ensure the layout and urban form of structure plans responds appropriately to the surrounding neighbourhood environment. Structure plans must specifically be seen to facilitate a 'natural' extension to the surrounding neighbourhood environment, through providing for appropriate integration with the neighbourhood layout and pattern of residential development.</p> <p>v. Ensure the layout and urban form of structure plans responds appropriately to existing and planned areas of public open space.</p> <p>vi. Ensure that the layout and urban form of structure plans provides for the practical retention of significant trees/vegetation. This shall include the appropriate allocation of public open space areas, as well as opportunities to retain significant trees/vegetation within road reserves.</p> <p>vii. Ensure environmentally sustainable design approaches are achieved in terms of solar orientation of lots.</p> <p>viii. Ensure general consistency with the findings of the Coolbellup Enquiry By Design Workshop Outcomes Report.</p> <p>3. Land uses classified on the structure plans apply in accordance with Clause 6.2.6.3.</p> <p>4. The Local Government may adopted Detailed Area Plan(s) pursuant to Clause 6.2.15 for any part of the Development Area as defined on the approved structure plan(s). All land use and development for a particular lot or lots the subject of a Detailed Area Plan shall accord with the adopted Detailed Area Plan.</p> <p>5. A total of 3.79 hectares shall be provided across the three former school sites for the purposes of public open space and/or community purposes.</p>

5. Amending the Scheme Map accordingly.

L. HOWLETT, Mayor.
S. G. CAIN, Chief Executive Officer.

PL403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Harvey
Town Planning Scheme No. 1—Amendment No. 93

Ref: TPS/0290

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 Harvey local planning scheme amendment on 1 September 2011 for the purpose of—

1. Modifying Clause 6.7 'Residential Development Zone' by deleting Clause 6.7.3 and rewording Clause 6.7.2 as follows—

"Prior to any subdivision or development in the 'Residential Development' zone, a Structure Plan is required to be prepared and approved in accordance with Clause 9.14 of the Scheme."

2. Clause 6.7.4 under Part 6 'Additional Development Requirements in Residential zones' of the Scheme being renumbered to Clause 6.7.3.
3. Modifying Clause 6.5 'Outline Planning Areas Development Requirements' by deleting Clauses 6.5.2 and 6.5.3 and rewording Clause 6.5.1 (a) as follows—

“a structure plan has been prepared and approved by the Local Government and the Western Australian Planning Commission in accordance with the requirements of Clause 9.14.”
4. Modifying Clause 7.3 “Kemerton Park Industrial Area and Buffer” under Part 7 “Additional Development Requirements in Commercial and Industrial” zones of the Scheme as follows—

“In addition to other provisions of the Scheme as may affect it, a Structure Plan shall be prepared and endorsed in accordance with Clause 9.14 for land included in the Kemerton Park Industry, Kemerton Ancillary Industry, Kemerton Buffer and Inter Industry Buffer Zones. Furthermore, development and subdivision shall be subject to those provisions as set out in Schedule 5—Additional Requirements Industrial Zones [Area 2] Kemerton Industrial Area and Buffer—Statement of Policy.”
5. Adding a new Clause 9.14 “Structure Plans” under Part 9 “General Development Requirements” of the Scheme, as follows—

9.14 STRUCTURE PLANS

9.14.1 Interpretation

In Clause 9.14, the following definitions apply—

‘Proponent’ means any owner or owners of land to which the Proposed Structure Plan relates that has or have submitted that Proposed Structure Plan;

‘Proposed Structure Plan’ means a structure plan, which may apply to either a local area or a district, that has been prepared in accordance with Clause 9.14.4; and

‘Structure Plan’ means a Proposed Structure Plan that has been adopted by the local government and endorsed by the Commission under Clause 9.14.5.

9.14.2 Purpose

9.14.2.1 To coordinate subdivision, land use and development in areas requiring comprehensive planning.

9.14.3 Planning Requirements

9.14.3.1 The provisions of Clause 9.14 apply to land identified as requiring a Structure Plan by the Scheme.

9.14.3.2 Any subdivision and development of land is to be generally in accordance with any structure plan that applies to that land and any relevant associated provisions contained in Schedules 2-8, 12, 14 and 19.

9.14.3.3 The local government may require a structure plan for any other area in the Scheme where it is of the opinion that comprehensive planning is required.

9.14.3.4 Structure Plans in these areas will need to address, to the satisfaction of the local government, relevant scheme provisions and matters specified in Clause 9.14.4.

9.14.3.5 The local government or the Western Australian Planning Commission may, as a condition of adopting or approving a Proposed Structure Plan, require a more detailed structure plan in the future if the local government or the Commission considers that it will be necessary to provide additional detail to the proposals contained in the Proposed Structure Plan.

9.14.4 Preparation of Structure Plans

9.14.4.1 A Structure Plan may include plans and other documents.

9.14.4.2 A Structure Plan may, with the agreement of the local government, be prepared and implemented in stages.

9.14.4.3 A Structure Plan is to contain such detail as, in the opinion of the local government, is required to satisfy the planning requirements of the relevant zone, and, without limiting the generality of the foregoing, may include the following details—

- (a) The area to which the Structure Plan applies;
- (b) Key opportunities and constraints of the Structure Plan area including landform, topography, hydrology, landscape, vegetation, soils, conservation and heritage values, ownership, land use, roads and public transport, and services;
- (c) The planning context for the Structure Plan area including the regional and neighbourhood structure, relevant strategies, Scheme provisions and policies and where appropriate, indicating how the Proposed Structure Plan is to be integrated into the surrounding area;

- (d) Proposed major land uses, in particular, residential areas, public open space, school sites, civic and community uses, commercial uses (including the location and hierarchy of commercial centres), mixed use, industrial and mixed business uses;
 - (e) The proposed indicative subdivision pattern, lot yields, lot sizes and general location of any major building;
 - (f) Estimates of future population and employment;
 - (g) Provision for major infrastructure, including main drainage, sewerage, water supply and other key infrastructure services;
 - (h) The proposed road network and hierarchy, public transport services, and bicycle and pedestrian networks;
 - (i) The timeframe and staging of subdivision and development, and the method of implementation, including any proposals for funding by development contributions;
 - (j) Details as appropriate relating to—
 - (i) Vehicular access and parking;
 - (ii) The location, orientation and design of buildings and the space between buildings;
 - (iii) Conservation areas;
 - (iv) Heritage places; and
 - (v) Special development control provisions; and
 - (k) Such other information as may be required by the local government.
- 9.14.4.4 In considering a Proposed Structure Plan, the local government may require the Proponent to demonstrate how planning for the subject land may be integrated with surrounding land, including how broad land uses, essential services, main movement systems and major conservation and recreation areas are to be integrated and provide information on the arrangements for implementation.
- 9.14.5 Adoption and approval of Structure Plans
- 9.14.5.1 A Proposed Structure Plan may be prepared by a Proponent or the local government. Where prepared by a Proponent, the Proposed Structure Plan is to be submitted to the local government.
- 9.14.5.2 Upon receiving a Proposed Structure Plan, the local government is to either—
- (a) determine that the Proposed Structure Plan is satisfactory for advertising;
 - (b) determine that the Proposed Structure Plan is not to be advertised until further details have been provided or modifications undertaken; or
 - (c) determine that the Proposed Structure Plan is not satisfactory for advertising and give reasons for this to the Proponent.
- 9.14.5.3 If within 60 days of receiving a Proposed Structure Plan for approval for advertising, or such longer period as may be agreed in writing between the Proponent and the local government, the local government has not made one of the determinations referred to in Clause 9.14.5.2, the local government is deemed to have determined that the Proposed Structure Plan is not satisfactory for advertising.
- 9.14.5.4 Where the Proponent is aggrieved by a determination of the local government under Clause 9.14.5.2(b) or 9.14.5.2(c) or Clause 9.14.5.3, the Proponent may request the local government by notice in writing to forward the Proposed Structure Plan to the Commission.
- 9.14.5.5 Within 21 days of receiving a notice from the Proponent under Clause 9.14.5.4, the local government is to forward to the Commission—
- (a) a copy of the Proposed Structure Plan;
 - (b) details of the local government's determination including any modifications to the Proposed Structure Plan required by the local government; and
 - (c) any other information the local government considers may be relevant to the Commission's consideration of approval of the Proposed Structure Plan for advertising.
- 9.14.5.6 Upon receiving a Proposed Structure Plan in accordance with Clause 9.14.5.5, the Commission is to make one of the determinations referred to in Clause 9.14.5.2 and advise the local government and the Proponent accordingly.
- 9.14.5.7 If the Commission requires modifications to the Proposed Structure Plan, the Commission is to consult with the local government prior to making its determination under Clause 9.14.5.6.

- 9.14.5.8 If within 60 days of receiving a Proposed Structure Plan under Clause 9.14.5.5, or such longer period as may be agreed in writing between the Proponent and the Commission, the Commission has not made one of the determinations referred to in Clause 9.14.5.2, the Commission is deemed to have determined that the Proposed Structure Plan is not satisfactory for advertising.
- 9.14.5.9 Where the local government, or the Commission under Clause 9.14.5.6, has determined that the Proposed Structure Plan is satisfactory for advertising, the local government is to—
- (a) Advertise, or require the Proponent to advertise, the Proposed Structure Plan for public inspection by one or more of the methods of advertising proposals for development as set out in Clause 2.3 of the Scheme; and
 - (b) give notice or require the Proponent to give notice in writing to—
 - (i) all landowners affected by the Proposed Structure Plan; and
 - (ii) such public authorities and other persons as the local government nominates,and such advertisement and notice are to explain the scope and purpose of the Proposed Structure Plan, when and where it may be inspected, and invite submissions to the local government by a specified date being at least 21 days from the date of the notice of advertisement.
- 9.14.5.10 Within 7 days of determining that a Proposed Structure Plan is satisfactory for advertising, the local government is to forward a copy of the Proposed Structure Plan to the Commission.
- 9.14.5.11 The local government is to consider all submissions received and within 60 days of the latest date specified in the notice under Clause 9.14.5.9 is to either—
- (a) adopt the Proposed Structure Plan with or without modifications; or
 - (b) refuse to adopt the Proposed Structure Plan and give reasons for this to the Proponent.
- 9.14.5.12 If within the 60 day period, or such further time as may be agreed in writing between the Proponent and the local government, the local government has not made one of the determinations referred to in Clause 9.14.5.11, the local government is deemed to have refused to adopt the Proposed Structure Plan.
- 9.14.5.13 Within 21 days of the local government making its determination under Clause 9.14.5.11, or deemed refusal under Clause 9.14.5.12, the local government is to forward to the Commission—
- (a) a summary of all submissions and comments received by the local government in respect of the Proposed Structure Plan, and the local government's decisions or comments in relation to these;
 - (b) the local government's recommendation to the Commission to approve, modify or refuse to approve the Proposed Structure Plan; and
 - (c) any other information the local government considers may be relevant to the Commission's consideration of the Proposed Structure Plan.
- 9.14.5.14 The Commission is to either—
- (a) approve the Proposed Structure Plan with or without modifications; or
 - (b) refuse to approve the Proposed Structure Plan and give reasons for its decision to the Proponent and the local government.
- 9.14.5.15 If within 60 days of receiving the information referred to in Clause 9.14.5.13, or such further time as may be agreed in writing between the Proponent and the Commission, the Commission has not made one of the determinations referred to in Clause 9.14.5.14, the Commission is deemed to have refused to approve the Proposed Structure Plan.
- 9.14.5.16 If the Commission approves the Proposed Structure Plan, it is to notify the local government and the Proponent of its decision within 14 days of the date of the Commission's decision.
- 9.14.5.17 If the Commission requires modifications to the Proposed Structure Plan, the Commission is to consult with the local government prior to approving the Proposed Structure Plan under Clause 9.14.5.14.
- 9.14.5.18 If the local government, following consultation with the Commission, is of the opinion that any modification to the Proposed Structure Plan is substantial, the local government may—
- (a) readvertise the Proposed Structure Plan; or

- (b) require the Proponent to readvertise the Proposed Structure Plan; and, thereafter, the procedures set out in Clause 9.14.5.9 onwards are to apply.
- 9.14.5.19 As soon as practicable after receiving notice of the approval of the Proposed Structure Plan by the Commission, the local government is to adopt the Proposed Structure Plan and forward a copy of the Structure Plan to—
- (a) the Proponent;
 - (b) the Commission; and
 - (c) any other appropriate person or public authority which the local government thinks fit.
- 9.14.6 Inspection of Structure Plan
- 9.14.6.1 Structure Plan is to be kept at the local government's administrative offices, and is to be made available for inspection by any member of the public during office hours.
- 9.14.7 Change or Departure from Structure Plan
- 9.14.7.1 The local government may adopt a minor change to or departure from a Structure Plan if, in the opinion of the local government, the change or departure does not materially alter the intent of the Structure Plan.
- 9.14.7.2 The Local government is to forward a copy of the minor change or departure to the Commission within 10 days from the date of adopting the minor change or departure.
- 9.14.7.3 If the Commission considers that the change or departure adopted by the local government under Clause 9.14.7.1 materially alters the intent of the Structure Plan, then the Commission—
- (a) may require the local government to follow the procedures set out in Clause 9.14.5 in relation to the change or departure; and
 - (b) is to notify the local government of this requirement within 10 days.
- 9.14.7.4 Any change to or departure from a Structure Plan that is not within Clause 9.14.7.1 is to follow the procedures set out in Clause 9.14.5.
- 9.14.8 Detailed Area Plans
- 9.14.8.1 Where it is considered desirable to enhance, elaborate or expand the details or provisions contained in a Structure Plan for a particular lot or lots, a detailed area plan may be prepared by—
- (a) the local government; or
 - (b) an owner.
- 9.14.8.2 A detailed area plan may include details as to—
- (a) building envelopes;
 - (b) distribution of land uses within a lot;
 - (c) private open space;
 - (d) services;
 - (e) vehicular access, parking, loading and unloading areas, storage yards and rubbish collection closures;
 - (f) the location, orientation and design of buildings and the space between buildings;
 - (g) advertising signs, lighting and fencing;
 - (h) landscaping, finished site levels and drainage;
 - (i) protection of sites of heritage, conservation or environmental significance;
 - (j) special development controls and guidelines; and
 - (k) such other information considered relevant by the local government.
- 9.14.8.3 When a proposed detailed area plan is prepared under Clause 9.14.8.1, the local government—
- (a) may advertise, or may require the owner who submitted the proposed detailed area plan to advertise, the proposed detailed area plan for public inspection by one or more of the following ways—
 - (i) notice of the proposed detailed area plan published in a newspaper circulating in the Scheme area;
 - (ii) a sign or signs displaying notice of the proposed detailed area plan to be erected in a conspicuous place or places in the Development Area, or part of the Development Area, to which the proposed detailed area plan applies; and
 - (b) may give notice or may require the owner who submitted the proposed detailed area plan to give notice, in writing to—
 - (i) all owners whose land is included in the proposed detailed area plan;

- (ii) all owners and occupiers who, in the opinion of the local government, are likely to be affected by the adoption of the proposed detailed area plan;
 - (iii) such public authorities and other persons as the local government nominates.
- 9.14.8.4 The advertisement and notice are to—
- (a) explain the scope and purpose of the proposed detailed area plan;
 - (b) specify when and where the proposed detailed plan may be inspected; and
 - (c) invite submissions to the local government by a specified date being not less than 21 days after the giving or erection of the notice or publication of the advertisement, as the case requires.
- 9.14.8.5 The local government is to consider all submissions received and—
- (a) approve the detailed area plan with or without conditions; or
 - (b) refuse to approve the detailed area plan and, where the proposed detailed area plan was submitted by an owner, give reasons for this to the owner.
- 9.14.8.6 If within 60 days of receiving a detailed area plan prepared under Clause 9.14.8.1(b), or such longer period as may be agreed in writing between the owner and the local government, the local government has not made one of the determinations referred to in Clause 9.14.8.5, the local government is deemed to have refused to approve the detailed area plan.
- 9.14.8.7 The local government may vary a detailed area plan in accordance with the procedures set out in Clause 9.14.8 onwards provided such variations do not prejudice the intention of any related Structure Plan.
- 9.14.9 Application for review
- 9.14.9.1 The Proponent may make an application for review, in accordance with Part 14 of the Planning and Development Act, any—
- (a) determination or decision made by the Commission;
 - (b) requirement imposed by or modification sought by the Commission; or
 - (c) determinations deemed to have been made by the Commission under Clauses 9.14.5.8 or 9.14.5.15 in the exercise of the Commission's powers under Clause 9.14.
- 9.14.9.2 The Proponent may make an application for review, in accordance with Part 14 of the Planning and Development Act, any decision made by the local government under Clause 9.14.7.1.
- 9.14.9.3 An owner who has submitted a detailed area plan in accordance with Clause 9.14.8 may appeal, in accordance with Part V of the Planning and Development Act 2005, any discretionary decision made by the local government under Clause 9.14.8.

P. F. MONAGLE, Shire President.
A. PARKER, Chief Executive Officer.

PL404*

PLANNING AND DEVELOPMENT ACT 2005
LOCAL PLANNING SCHEME AVAILABLE FOR INSPECTION
Shire of Northam
Local Planning Scheme No. 6 and Local Planning Strategy

Ref: TPS/0245 & DP/10/02153/1

Notice is hereby given that the local government of the Shire of Northam has prepared the abovementioned local planning scheme and local planning strategy for the purpose of—

Local Planning Scheme

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 Schedule 7 to the Planning Act.

Local Planning Strategy

Setting out the long term planning directions for land use and development, assisting the local government to make decisions in the context of State, regional and local planning policies by providing a long term strategic planning framework, and assists in the preparation of new local planning schemes by providing the rationale for the zones, reserves and other provisions included in such schemes.

Plans and documents setting out and explaining the local planning scheme and local planning strategy have been deposited at Council Offices, 395 Fitzgerald Street, Northam and at the Western Australian Planning Commission, 140 William Street, Perth, and will be available for inspection during office hours up to and including 30 December 2011.

Submissions on the local planning scheme and local planning strategy may be made in writing on Form No. 4 and lodged with the undersigned on or before 30 December 2011.

N. A. HALE, Chief Executive Officer.

PL405***PLANNING AND DEVELOPMENT ACT 2005****METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1191/41****Rationalisation of Fremantle Ports Operations****Outcome of Amendment**

It is hereby notified for public information that the Rationalisation of Fremantle Ports Operations amendment to the Metropolitan Region Scheme (MRS) has been submitted before both Houses of Parliament in accordance with the provisions of section 56 of the *Planning and Development Act 2005*.

This amendment, as depicted on Western Australian Planning Commission (WAPC) plan number 3.2349/1, is effective in the MRS on and from 2 September 2011.

By virtue of section 126(1) of the Planning and Development Act 2005, the City of Fremantle Local Planning Scheme is amended to give effect to the reservation included in MRS Amendment 1191/41.

TONY EVANS, Secretary,
Western Australian Planning Commission.

PL406***PLANNING AND DEVELOPMENT ACT 2005****TOWN PLANNING REGULATIONS 1967****RESOLUTION TO PREPARE A TOWN PLANNING SCHEME***City of Melville***Local Planning Scheme No. 6**

Notice is hereby given that the City of Melville on 19 May 2011 passed the following resolution—

1. That Council In pursuance of Section 88(3) of the *Planning and Development Act 2005* resolve not to prepare a consolidation of Community Planning Scheme No. 5 and prepare Local Planning Scheme No. 6 in substitution for that Scheme.
2. That In pursuance of Section 72 of the *Planning and Development Act 2005* Council resolves to prepare the Local Planning Scheme No. 6 with reference to an area situated wholly within the City of Melville and enclosed within the inner edge of the blue border on the plan attached.
3. That the resolution be formally submitted to the Western Australian Planning Commission under the required Form 1 with the required attachments identified under the Planning Regulations and signed by the Chief Executive Officer of the City of Melville.

Dr SHAYNE SILCOX, Chief Executive Officer.

PL501***PLANNING AND DEVELOPMENT ACT 2005****GREATER BUNBURY REGION SCHEME AMENDMENT 0019/41****Harvey Townsite Expansion****Call for Public Submissions**

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

The purpose of the amendment is to transfer approximately 53.30 hectares of Rural zoned land in the locality of Harvey to the Urban Deferred zone to facilitate future residential development.

Display locations

The plans showing the proposed changes and the WAPC's amendment reports which explain the proposals, will be available for public inspection from Friday 29 July 2011 to Wednesday 26 October 2011 at each of the following places—

- | | |
|--|---|
| <ul style="list-style-type: none"> • Western Australian Planning Commission,
140 William Street, Perth • Department of Planning,
61 Victoria Street, Bunbury • J S Battye Library
Level 3, Alexander Library Building
Perth Cultural Centre | Municipal offices of the— <ul style="list-style-type: none"> • City of Bunbury • Shire of Dardanup • Shire of Harvey • Shire of Capel |
|--|---|

Documents are also available from the WAPC's website www.planning.wa.gov.au (Public Comment page).

Submissions

Any person who desires to make a submission to support, object or provide comment on the proposed amendment should do so on a Form 41. 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, 61 Victoria Street, Bunbury WA 6230; on or before 5.00pm **Wednesday, 26 October 2011**.

Late submissions will not be considered.

TONY EVANS, Secretary,
Western Australian Planning Commission.

SALARIES AND ALLOWANCES TRIBUNAL

SA401*

SALARIES AND ALLOWANCES ACT 1975 DETERMINATION VARIATION

Preamble

The Salaries and Allowances Tribunal has issued a determination in respect of the holder of the office of Chief Executive Officer, Fire and Emergency Services Authority.

Determination

The determination of the Salaries and Allowances Tribunal made on 31 March 2011 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

The variation is effective from the date of appointment.

Remove from Part 1 of the First Schedule the following—

Office	Department or Agency	Office Holder	Salary
Chief Executive Officer	Fire and Emergency Services	J. Harrison-Ward	\$290,992

Include in Part 1 of the First Schedule the following—

Office	Department or Agency	Office Holder	Salary
Chief Executive Officer	Fire and Emergency Services	W. Gregson	\$290,992

Dated at Perth this 15th day of September 2011.

W. S. COLEMAN AM,
Chairman.
Salaries and Allowances Tribunal.

C. A. BROADBENT
Member.

B. J. MOORE,
Member.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962 DECEASED ESTATES

Notice to Creditors and Claimants

In the estate of Ann Margaret Heard, who died on 21 May 2011, of Carrington Aged Care, Ivermey Road, Hamilton Hill in Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the said deceased person are required by the Executor of the deceased's estate being Jacqueline Ann Phillips, care of Angus Tibbits Solicitors, Suite 9, 73 Calley Drive, Leeming Western Australia, to send particulars of their claims to her by the 24 October 2011, after which date the Executrix may convey or distribute the assets having regard only to the claims of which she then has notice.

ZX402*

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, and amendments thereto relate) in respect of the estate of the undermentioned deceased person are required by Executor Damien Matthew Bowen of Bowen Buchbinder and Vilensky Lawyers of Level 14, 251 Adelaide Terrace, Perth in the State of Western Australia to send particulars of their claims within one month from the date of publication of this notice at the expiration of which time the personal representative may convey or distribute the assets having regard only to the claims of which they have then had notice—

Leslie William Lamb, late of Annesley House Rowethorpe, 4-10 Hayman Road, Bentley, in the State of Western Australia, Deceased.

Dated this 23rd day of September 2011.

ZX403

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Trevor John Thomas Stranger, late of 89 Thompson Road, Cookernup, Western Australia, Research Officer, 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 10 May 2007, are required by the Executor, Marjorie Grace Stranger care of Allion Legal, Level 2, 50 Kings Park Road, West Perth, Western Australia to send particulars of their claims to her within ONE (1) month of the date of publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

ALLION LEGAL.

ZX404*

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 23 October 2011 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Aitken, Marjorie Estelle late of C/- Nazareth House Aged Care, 17 Crowtheron Street, Bluff Point died 2 May 2011 (DE 33057262 EM37)

Basden, Pauline Nancy late of Brightwater Care Group—Kingsway Court, 4 Viscount Loop, Madeley 6065 died 28 July 2011 (DE 33081870 EM313)

Binder, Neville Spencer late of 15 Cornish Crescent, Manning 6152 died 3 September 2011 (DE 33049529 EM26)

Blake, Thomas Kellow late of 45 Connell Avenue, Gosnells 6110 died 21 August 2011 (DE 19840672 EM32)

Cooper, Albert Ernest Stuart late of Dale Cottages, 16 Deerness Way, Armadale 6112 died 16 August 2011 (DE 19822353 EM36)

Jenkins, Ross Arthur late of 21 Aldwych Way, Joondalup 6027 died 21 August 2011 (DE 33071623 EM23)

Lewis, Delphine Lily formerly of 26 Edlaston Road, Carine late of Osborne Lodge G Block Osborne Park Stirling 6021 died 26 August 2011 (DE 19760480 EM23)

McGibbon, Reginald also known as Reggie McGibbon late of 24 Valencia Road, Carmel WA 6076 died 9 June 2011 (DE 33032854 EM16)

Pierce, Amy Millicent formerly of Bethanie at Wearne 1 Gibney Street, Cottesloe late of 61 Hawkstone Street, Cottesloe 6011 died 17 August 2011 (DE 20000410 EM35)

Thomas, Ashley Cope late of Unit 7 34 Archer Street, Carlisle 6101 died 28 March 2011 (DE 33091464 EM15)

Towie, Gary Roden late of Bethanie Beachside, 629 Two Rocks Road, Yanchep 6035 died 14 August 2011 (DE 33071646 EM17)

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

ZX405*

PUBLIC TRUSTEE ACT 1941
ADMINISTERING OF ESTATES

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

Dated at Perth the 23rd day of September 2011.

BRIAN ROCHE, Public Trustee,
565 Hay Street, Perth WA 6000.

Name of Deceased	Address	Date of Death	Date Election Filed
Tanya Eileen Spearing (DE 19800222 EM26)	22 Ashcroft Way, Balga, Western Australia	8 July 2011	14 September 2011

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