





PERTH, FRIDAY, 23 MARCH 2012 No. 48

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 12.00 NOON
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CONTENTS

PART 1	
	Page
Commercial Tenancy (Retail Shops) Agreements Act 1985—Commercial Tenancy (Retail Shops) Agreements Amendment Regulations 2012	1364 1368
Infringement Notices Enforcement Amendment Regulations (No. 2) 2011Land Administration Act 1997—Land Administration Amendment Regulations	1369
(No. 2) 2012	1370
Magistrates Court (Civil Proceedings) Act 2004—Magistrates Court (Civil Proceedings) Amendment Rules 2012	1366
Proclamations—	
Misuse of Drugs Amendment Act 2011—No. 56 of 2011	1363
Small Business and Retail Shop Legislation Amendment Act 2011—No. 20 of 2011 Retail Trading Hours Act 1987—Retail Trading Hours (City of Albany)—Variation Order	1363
No. 4 of 2012	1364
	
PART 2	
Agriculture and Food	1372
Consumer Protection	1372
Deceased Estates	1385
Education	1373
Fire and Emergency Services	1373
Fisheries	1374
Health	1374
Justice	1378
Lands	1375
Local Government	1375
Marine/Maritime	1376
	1976
Minerals and Petroleum	1377
Minerals and Petroleum	
Minerals and Petroleum Parliament	1377
Minerals and Petroleum Parliament Planning	1377 1379
Minerals and Petroleum Parliament	1373 1379 1379

STATE LAW PUBLISHER

NEW PHONE No.

NEW PHONE No. FOR SALES CLIENTS

6552 6000

Fax. No. remains unchanged at 9321 7536

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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR EASTER 2012

Gazettes will not be published on Friday, 6 April or Tuesday, 10 April 2012.

A Gazette will be published on Thursday, 5 April at noon. Copy closes at noon on Tuesday, 3 April.

The next Gazette published will be on Friday, 13 April at noon. Copy closes at noon on Wednesday, 11 April.

GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR ANZAC DAY 2012

Due to the public holiday on Wednesday, 25 April 2012, Copy will close at **noon on Tuesday, 24 April** for the *Gazette* published on **Friday, 27 April**.

— PART 1 —

PROCLAMATIONS

AA101*

MISUSE OF DRUGS AMENDMENT ACT 2011

No. 56 of 2011 PROCLAMATION

Western Australia

By His Excellency
Malcolm James McCusker,
Companion of the Order of Australia,
Commander of the Royal Victorian Order,
Queen's Counsel,
Governor of the State of Western Australia

[L.S.]

M. J. McCUSKER

I, the Governor, acting under the *Misuse of Drugs Amendment Act 2011* section 2(b) and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which sections 3, 4, 9, 10 and 11 of that Act come into operation.

Given under my hand and the Public Seal of the State on 21 February 2012. By Command of the Governor,

ROB JOHNSON, Minister for Police.

AA102*

SMALL BUSINESS AND RETAIL SHOP LEGISLATION AMENDMENT ACT 2011

No. 20 of 2011 PROCLAMATION

Western Australia

By His Excellency

Malcolm James McCusker,

Companion of the Order of Australia, Commander of the Royal Victorian Order, Queen's Counsel, Governor of the State of Western Australia

> M. J. McCUSKER Governor

[L.S.]

I, the Governor, acting under the *Small Business and Retail Shop Legislation Amendment Act 2011* section 2(b) and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 21 February 2012. By Command of the Governor,

SIMON O'BRIEN, Minister for Commerce.

Notes: Under the Commercial Tenancy (Retail Shops) Agreements Amendment Regulations 2012 regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the Small Business and Retail Shop Legislation Amendment Act 2011 section 32 comes into operation.

CONSUMER PROTECTION

CP301*

RETAIL TRADING HOURS ACT 1987

RETAIL TRADING HOURS (CITY OF ALBANY)

Variation Order No. 4 of 2012

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. 4 of 2012.

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: 25 April 2012

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

Table

Day	Hours
Wednesday 25 April 2012	From 12.00 noon until 6.00 pm

SIMON O'BRIEN, Minister for Commerce.

CP302*

Commercial Tenancy (Retail Shops) Agreements Act 1985

Commercial Tenancy (Retail Shops) Agreements Amendment Regulations 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Commercial Tenancy (Retail Shops) Agreements Amendment Regulations 2012.*

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 on which the Small Business and Retail Shop Legislation Amendment Act 2011 section 32 comes into operation.

3. Regulations amended

These regulations amend the Commercial Tenancy (Retail Shops) Agreements Regulations 1985.

4. Regulation 10 inserted

After regulation 9 insert:

10. Application to SAT - matters to which section 25D(1) does not apply

Section 25D(1) of the Act does not apply in respect of the matters set out in the Table.

Table

Item	Section of the Act	Description of matter
1.	12(1)(b)	Application for approval for proportion of operating expenses of a landlord payable by a tenant under a retail shop lease to be greater than the relevant proportion
2.	12A(3)(e)(ii)	Submission of a scheme of repayment for approval under section 12A(4) of the Act
3.	12B(3)(e)(ii)	Submission of a scheme of repayment for approval under section 12B(4) of the Act
4.	13(3)(a)	Application for approval for variation of the period during which an option to renew a lease is exercisable
5.	13(7)	Application to approve of the inclusion in a retail shop lease of a provision under which a landlord may determine the lease at a time that is before the expiry of the term that may be obtained by a tenant under section 13(1) of the Act
6.	13(7b)	Application for an order that an option of renewal does not arise under section 13(1) of the Act

Item	Section of the Act	Description of matter
7.	16(1)	Referral of a question between the parties to a lease which a party believes to be a question arising under the lease, but only if urgent relief in the form of an order for a party to the lease to do, or refrain from doing, something is sought in conjunction with the referral

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

JUSTICE

JU301*

Magistrates Court (Civil Proceedings) Act 2004

Magistrates Court (Civil Proceedings) Amendment Rules 2012

Made by the Magistrates Court.

1. Citation

These rules are the *Magistrates Court (Civil Proceedings) Amendment Rules 2012.*

2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 on the day on which these rules are published in the *Gazette* (*gazettal day*);
- (b) rule 4(1) and (2) on the day on which the *Building Act 2011* section 86 comes into operation;
- (c) the rest of the rules on the day after gazettal day.

3. Rules amended

These rules amend the *Magistrates Court (Civil Proceedings) Rules 2005*.

4. Rule 124 amended

- (1) In rule 124(1) in the Table delete the item relating to the *Local Government (Miscellaneous Provisions) Act 1960.*
- (2) In rule 124(1) in the Table insert in alphabetical order:

Building Act 2011

s. 86(1).

(3) In rule 124(1) in the Table insert in alphabetical order:

Road Traffic (Vehicle Standards) r. 60. Regulations 2002

5. Part 21 Division 3 inserted

At the end of Part 21 insert:

Division 3 — Applications under other written laws

133AA. Applications under other written laws

- (1) This rule applies to an application made under a written law, other than a written law referred to in another rule in this Part, for relief other than relief within the Court's jurisdiction conferred by section 6 of the Act.
- (2) The application must
 - (a) be made in accordance with rule 125; and
 - (b) be served in accordance with rule 126.
- (3) As soon as practicable after the application is made, a registrar must list it before a magistrate for a directions hearing, and advise each party in writing.

(4) At the directions hearing, the magistrate may make orders as to the procedure to be followed by each party and the Court in order to ensure the application is dealt with justly.

Dated: 23/2/12.

Magistrates' signatures:

STEVEN HEATH, Chief Magistrate.

ELIZABETH WOODS, Deputy Chief Magistrate.

PAUL HEANEY, Magistrate.

LEANNE ATKINS, Magistrate.

JU302*

Criminal Procedure Act 2004

Criminal Procedure Amendment Regulations (No. 4) 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the Criminal Procedure Amendment Regulations (No. 4) 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 *Criminal Procedure Regulations 2005*.

4. Schedule 1A amended

- (1) In Schedule 1A delete the item "Painters' Registration Act 1961".
- (2) In Schedule 1A insert in alphabetical order:

Building Act 2011

Building Services (Complaint Resolution and Administration) Act 2011

Building Services (Registration) Act 2011

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

JU303*

Fines, Penalties and Infringement Notices Enforcement Act 1994

Fines, Penalties and Infringement Notices Enforcement Amendment Regulations (No. 2) 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the Fines, Penalties and Infringement Notices Enforcement 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 *Fines, Penalties and Infringement Notices Enforcement Regulations 1994*.

4. Schedule 1 amended

(1) In Schedule 1 delete these items:

Builders' Registration Act 1939 Painters' Registration Act 1961

(2) In Schedule 1 insert in alphabetical order:

Building Act 2011

Building Services (Complaint Resolution and Administration) Act 2011

Building Services (Registration) Act 2011

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

LANDS

LA301*

Land Administration Act 1997

Land Administration Amendment Regulations (No. 2) 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the Land Administration Amendment Regulations (No. 2) 2012.

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 *Land Administration Regulations* 1998.

4. Regulation 17E inserted

At the end of Part 2 insert:

17E. Prescribed circumstance under s. 75(7a) of the Act

(1) In this regulation —

land means Lot 23 on Diagram 39050 Certificate of Title Volume 377 Folio 117A or the parcel of land formerly comprising that Lot amalgamated in another lot;

Public Trustee has the meaning given in the *Public Trustee Act 1941* section 2.

(2) For the purposes of section 75(7a) of the Act, the cancellation, under section 75(7) of the Act, on the application of either The Perth Diocesan Trustees or the Public Trustee of the conditions to which the use of the land is subject is a prescribed circumstance.

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE AND FOOD

AG401*

PLANT DISEASES ACT 1914

VETERINARY CHEMICAL CONTROL AND ANIMAL FEEDING STUFFS ACT 1976 AGRICULTURAL PRODUCE (CHEMICAL RESIDUES) ACT 1983

Department of Agriculture and Food, South Perth WA 6151.

I, the undersigned Minister for Agriculture and Food, being the Minister responsible for the administration of the *Plant Diseases Act 1914*, the *Veterinary Chemical Control and Animal Feeding Stuffs Act 1976* and the *Agricultural Produce (Chemical Residues) Act 1983* hereby appoint the following officer as an Authorised Inspector under—

Section 7A of the Plant Diseases Act 1914—

Claudia Quai

Section 37 of the $Veterinary\ Chemical\ Control\ and\ Animal\ Feeding\ Stuffs\ Act\ 1976$ —

Claudia Quai

Section 6 of the Agricultural Produce (Chemical Residues) Act 1983—

Claudia Quai

TERRY REDMAN MLA, Minister for Agriculture and Food.

AG402*

EXOTIC DISEASES OF ANIMALS ACT 1993

IMPORT RESTRICTION ORDER NO. 1/2011—EXTENSION

The Import Restriction Order made by the Minister for Agriculture and Food under section 24 of the *Exotic Diseases of Animals Act 1993* and published in the *Gazette* on 7 September 2011 is extended for a further period of 30 days from the publication of this notice.

TONY HIGGS, Chief Veterinary Officer.

CONSUMER PROTECTION

CP401*

ASSOCIATIONS INCORPORATION ACT 1987

FAILURE TO LODGE DISTRIBUTION PLAN

Dissolved Incorporated Association formerly known as Bencubbin Pre-Primary Parents and Citizens Association Inc

Pursuant to the provisions of Section 33(10) of the Associations Incorporation Act 1987 ("Act"), I hereby declare that the committee of the dissolved incorporated association formerly known as Bencubbin Pre-Primary Parents and Citizens Association Inc failed to lodge a distribution plan in accordance with section 33(6) of the Act in respect of the property known as 81 Monger Street, Bencubbin, being Lot 75 on Deposited Plan 148004, the subject of Certificate of Title Volume 1229 Folio 723 ("the Surplus Property").

I intend to distribute the Surplus Property to the Shire of Mount Marshall to be used for charitable purposes within one (1) month from the date this declaration takes effect.

Pursuant to section 33(12) of the Associations Incorporation Act 1987, any person who is aggrieved by this declaration may apply to the Supreme Court for a review of this declaration.

This declaration takes effect from the date of publication of this declaration.

ANNE MARIE DRISCOLL, Commissioner for Consumer Protection.

Dated: 21 March 2012.

EDUCATION

ED401*

SCHOOL EDUCATION ACT 1999

HIGHER SCHOOL LEAVING AGE OPTIONS ORDER (No. 2) 2012

Made by the Minister for Education under Section 11B (2) and (3) of the School Education Act 1999.

1. Citation

This is the Higher School Leaving Age Options Order (No. 2) 2012.

2. Prescribed courses and providers

- (1) A course specified in column 1 of the table to this clause being a course that does not otherwise come within section 11(1) (b) of the *School Education Act 1999* is prescribed as a course for the purposes of that subsection.
- (2) The person or body specified in column 2 of the table to this clause opposite and corresponding to a course referred to in column 1 of the table is specified as the provider for that course.

TABLE

Column 1 Course	Column 2 Provider	Location
Joodoogeb-be-gerring Werlemen	Wunan Foundation	Kununurra

FIRE AND EMERGENCY SERVICES

FE401*

EMERGENCY MANAGEMENT ACT 2005

EMERGENCY SITUATION DECLARATION

The Fire and Emergency Services Authority of Western Australia is the prescribed hazard management agency for the emergency management aspect of preparedness and response for the whole of the State for the hazard of cyclone and flood.

I, Chris Arnol, Director of Operations, Fire and Emergency Services Authority of Western Australia, do hereby declare an emergency situation in respect of Tropical Cyclone Lua.

The area of the State to which the emergency situation declaration applies is—

The Local Government districts of Broome, Derby, East Kimberley, Halls Creek, West Kimberley, Wyndham, Ashburton, East Pilbara, Port Hedland, Roebourne.

Time when the declaration made: 1720

Date on which declaration made: 16 March 2012

This emergency situation declaration has effect from 16 March 2012 and remains in force until—

- (a) expiry; or
- (b) it is revoked under section 53 of the Emergency Management Act 2005; or
- (c) the expiry of any extension of the emergency situation declaration made by the State Emergency Coordinator under section 52 of the *Emergency Management Act 2005*.

This emergency situation declaration is made under section 50 of the *Emergency Management Act 2005*.

CHRIS ARNOL, Director of Operations of the Fire and Emergency Services Authority of Western Australia, as a delegate of the Authority under section 5 of the Emergency Management Act 2005.

FISHERIES

FI401*

FISHERIES ADJUSTMENT SCHEMES ACT 1987

WETLINE AND RELATED FISHERIES VOLUNTARY FISHERIES ADJUSTMENT SCHEME VARIATION NOTICE 2012

FD 234/09 [1079]

Made by the Minister under section 10B.

1. Citation

This notice may be cited as the Wetline and Related Fisheries Voluntary Fisheries Adjustment Scheme Variation Notice 2012.

2. Notice amended

The amendments in this notice are to the Wetline and Related Fisheries Voluntary Fisheries Adjustment Scheme Notice 2008.

3. Clause 7 amended

In clause 7(1) delete "28 January 2012" and insert— 28 January 2013

4. Clause 8 amended

In clause 8 delete "25 March 2012" and insert— 25 March 2013

Dated this 19th day of March 2012.

NORMAN MOORE, Minister for Fisheries.

HEALTH

HE401*

MENTAL HEALTH ACT 1996

MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) ORDER (No. 1) 2012 Made by the Chief Psychiatrist under section 20 of the Mental Health Act 1996;

1. Citation

This order may be cited as the Mental Health (Authorised Mental Health Practitioners) Order (No. 1) 2012.

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 ${\it Gazette};$
- (b) clause 3—on the day after that day.

3. Authorised mental health practitioner

The mental health practitioners specified in Schedule 1 to this order are designated as Authorised Mental Health Practitioners.

Schedule 1

Name	Profession
Carslake, Vanessa	Registered Mental Health Nurse
Gibbons, Adie	Registered Mental Health Nurse
Brabazon, Vernon	Social Worker

Dated: 19 March 2012.

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—

Julian Richard Paull Burt of 123 Wellington Street, Mosman Park

Myra Frances Taylor of 21 Gladstone Avenue, South Perth

Nicola Jo Sandover of 40/85 Herdsman Parade, Wembley

Brian Lee Fuller of 16 Diprose Crescent, Albany

RAY WARNES, Executive Director, Court and Tribunal Services.

JU402*

JUSTICES OF THE PEACE ACT 2004

RESIGNATION

It is hereby notified for public information that the Minister has accepted the resignation of— Mr Ivan Newby Rutherford of North Fremantle

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

RAY WARNES, Executive Director, Court and Tribunal Services.

LANDS

LA401*

TRANSFER OF LAND ACT 1893

APPLICATION L771504

Take notice that Donald Pty Ltd of 36 Milton Street, Yokine, has made application to be registered under the Act as proprietors of an estate in fee simple in possession in the land situated at Thompson Road, Gillingarra of Shire of Victoria Plains being Melbourne Location 67 and now known as Lot 67 on Deposited Plan 228035 containing 26.4579 hectares being the whole of the Land comprised in Memorial Book XXX No.182.

All persons other than the applicants claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge at Landgate on or before 16 April 2012 a caveat forbidding the land being brought under the operation of the Act.

BRUCE ROBERTS, Registrar of Titles.

LOCAL GOVERNMENT

LG403*

LOCAL GOVERNMENT ACT 1995

Shire of Wongan-Ballidu Appointments

It is herby notified for public information that the following persons have been authorised as Registration Officers in accordance with the Dog Act 1976 and Regulations— $\,$

Marian Schindler

Wayne Smith

Erica Mitchell

Kahlia Harding

Deb Taylor

All previous appointments are hereby cancelled.

LG401*

CITY OF BELMONTAPPOINTMENTS

It is also hereby notified for public information that Ian Chance has been appointed Authorised Officers for the City of Belmont, effective from 31 August 2010, and are officers authorised to exercise the powers in accordance with the following Acts, Regulations and Local Laws—

- —Local Government Act 1995
- -Control of Vehicles (Off Road Areas) Act 1978 and Regulations
- -Litter Act 1979 and Regulations
- —Dog Act 1976 (as amended) and Regulations
- —Local Government "Parking for Disabled Persons" Regulations 1996
- -City of Belmont Local Laws Relating to Parking Facilities
- -City of Belmont Local Laws Relating to Dogs
- —All other Council Local Laws or Regulations administered or enforced by the City of Belmont

STUART COLE, Chief Executive Officer.

LG402*

BUSH FIRES ACT 1954

City of Belmont APPOINTMENTS

It is hereby notified for public information that in accordance with Section 38 of the Act, the Council of the City of Belmont have appointed the following Officers—

Chief Fire Control Officer—Jozef Zygadlo

Deputy Chief Fire Control—Matthew Robinson

Fire Control Officers—Geoff Copley, Ian Chance, Craig Bell

Fire Weather Officer—Jozef Zygadlo

All previous appointments are hereby cancelled.

STUART COLE, Chief Executive Officer.

MARINE/MARITIME

MA401*

WESTERN AUSTRALIAN MARINE ACT 1982 NAVIGABLE WATERS REGULATIONS 1958

EXEMPTION TOW-IN SURFING ACTIVITIES

(NWR-2012-00778)

Exemption of personal watercraft conducting 'Tow-in Surfing' Activities from compliance with regulations 48A(2) and 49 of the Navigable Waters Regulations 1958.

I, David Harrod, General Manager, Marine Safety, Department of Transport, delegate of the chief executive officer of the Department, acting pursuant to section 115A of the Western Australian Marine Act 1982, hereby exempt personal watercraft (PWC) from compliance with regulations 48A(2) and 49 of the *Navigable Waters Regulations 1958* while those vessels are being used only for the purposes of 'Tow-in Surfing' activities.

Regulation 48A(2) requires that the towing of water skiers only occur in gazetted water-ski-ing areas. Regulation 49 requires that the driver of a speed boat towing a water skier must be accompanied by another person to keep watch over the skier.

This exemption applies only to PWC crewed by persons who are at least seventeen years of age while conducting tow in surfing activities using PWC within offshore surf breaks consistent with the activity of tow in surfing.

It does not apply to motorised surfboards or kayaks. It does not apply in any gazetted water ski, PWC restricted or prohibited areas.

It does not exempt any person or vessel from compliance with any other maritime legislation including speed restrictions and the *Prevention of Collisions at Sea Regulations 1983*.

This exemption is subject to the following conditions—

- 1. PWC operator and the person being towed must each hold a Recreational Skippers Ticket (RST).
- 2. Towing is limited to only one person at one time
- 3. Tow in surfing activities must not impede the safe passage or navigation of any other craft and must give right of way to all other aquatic activities.
- 4. Tow in surfing activities must maintain a minimum distance of 45 metres from any other tow in surfing activity and 200 metres from all other aquatic activities (swimmers, paddle surfers, other vessels, persons on the shore).
- 5. Tow in surfing activities may only operate between the hours of sunrise and sunset.
- 6. Each PWC participating in a Tow in surfing activity in any area is to be equipped at all times with—
 - All safety equipment as required under the Navigable Waters Regulations 1958
 - A rescue sled with a minimum size of 90cm width, 1.2m length and 7cm thickness equipped with a minimum of five (5) grip handles. The use of the sled is not to exceed the load capacity recommended by the manufacturer
 - Two(2) kill switch lanyards, one to be worn on the wrist or attached to the personal flotation device (PFD) of the operator and the other to be wrapped around the handlebars of the PWC
 - A marine band radio which has an effective range of coverage for the operation
 - A suitable quick release floating tow rope
 - A suitable bow tow line
 - · A suitable first aid kit
 - Dive fins, mask and a safety knife in a readily accessible location

This exemption is to be known as NWR—2012—00778. It is effective until 7 April 2013 and supersedes Instrument number NWR—2012—00723

DAVID HARROD, FNI, General Manager, Marine Safety, Department of Transport.

Dated: 8 March 2012.

MINERALS AND PETROLEUM

MP401*

MINING ACT 1978 FORFEITURE

Department of Mines and Petroleum, Perth WA 6000.

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

NORMAN MOORE MLC, Minister for Mines and Petroleum.

Number	Holder	Mineral Field	
	EXPLORATION LICENCE		
36/716	Foley; Michael Joseph	East Murchison	
39/1526	Oro Del Sur Pty Ltd	Mt Margaret	
51/1191	Emergent Resources Ltd Murch		
80/3757	Lee; George Francis	Kimberley	
	MINING LEASE		
39/149	Clark; Virgil John Steffensmeier; Lloyd Anthony Kimble; Malcom Duane	Mt Margaret	

MP402*

MINING ACT 1978

FORFEITURE

Department of Mines and Petroleum, Perth WA 6000.

I hereby declare in accordance with the provisions of section 97 of the *Mining Act 1978* that the undermentioned mining lease is forfeited for the non-lodgement of the annual Operations Report (Form 5).

NORMAN MOORE MLC, Minister for Mines and Petroleum.

Number	Holder	Mineral Field
	MINING LEASE	
24/808	MATSA Resources Limited	Broad Arrow

MP403*

MINING ACT 1978

INTENTION TO FORFEIT

Department of Mines and Petroleum, Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned mining tenements are paid on or before 27 April 2012 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant, being non-payment of rent.

DIRECTOR GENERAL.

Number	Holder	Mineral Field
	EXPLORATION LICENCE	
E 08/1502-I	Haggarty Nominees Pty Ltd	Ashburton
E 28/1814	Atriplex Pty Ltd	N. E. Coolgardie
E 28/1838	Heron Resources Limited	N. E. Coolgardie
E 28/2045	Gryphon Minerals Ltd	N. E. Coolgardie
E 37/1053	Stillwild Pty Ltd	Mt Margaret
E 37/1060	Dalla Costa, Melville Raymond	Mt Margaret
E 40/230	Kookynie Resources Pty Ltd	North Coolgardie
	FMR Investments Pty Limited	
E 52/2645	Downunder Exploration Pty Ltd	Peak Hill
E 59/1654	GHL Resource Investments Pty Ltd	Yalgoo
E 59/1684-I	Hemisphere Resources Ltd	Yalgoo
E 63/1114	Smit, Ronald	Dundas
E 63/1121	Smit, Ronald	Dundas
E 80/4068	Aussie Diamond Group Pty Ltd	Kimberley
	MINING LEASE	
M 27/166	Boyes, Charles Joseph	N. E. Coolgardie
M 29/279	Vassileff, Peter	North Coolgardie

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 Act 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.
Community Protection (Offender Reporting) Amendment Act 2012	15 March 2012	1 of 2012

MALCOLM PEACOCK, Clerk of the Parliaments.

20 March 2012.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005

METROPOLITAN REGION SCHEME MINOR AMENDMENT 1217/57 Beehive Montessori School Rationalisation

Notice of Approved Amendment

File: 833-2-18-11

The Minister for Planning has approved, as advertised, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission (WAPC) plan number 3.2417 and is effective from the date of publication of this notice in the *Government Gazette*.

By virtue of section 126(1) of the *Planning and Development Act 2005*, the Town of Mosman Park Town Planning Scheme is amended to give effect to the reservations included in MRS Amendment 1217/57

Copies of the amendment and the accompanying report on submissions are available for public inspection from Friday $23 \, \text{March} \, 2012$ to Friday $20 \, \text{April} \, 2012$ at—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Town of Mosman Park
- Town of Cottesloe

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

NEIL THOMSON, Secretary, Western Australian Planning Commission.

PL402*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Busselton

Town Planning Scheme No. 20—Amendment No. 163

Ref: TPS/0603

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 Busselton local planning scheme amendment on 6 March 2012 for the purpose of—

- 1. Rezoning a portion of Lot 22 Caves Road, Wilyabrup from 'Viticulture/Tourism' zone to 'Conservation' by modifying the Scheme maps accordingly.
- 2. Applying Special Provision Area No. 38 over Lot 22 Caves Road, Wilyabrup by modifying the Scheme maps accordingly.

3. Inserting the following special provisions into Schedule 7 of the Scheme text as follows—

No.	Particulars of Land	Zone	Special Provisions
	ot 22 Caves Road, Wilyabrup	Viticulture/Tourism Conservation	1. Subdivision and development is to be generally in accordance with a Development Guide Plan and Fire Management Plan for the site as adopted by the Council and approved by the Western Australian Planning Commission (WAPC). 2. No existing remnant vegetation shall be removed from the 'Conservation' zoned lot, other than for compliance with an approved Fire Management Plan, vehicle access to buildings associated with approved development, clearing for approved development within a building envelope and provision of service infrastructure. 3. Remnant vegetation within the 'Conservation' zoned lot shall be the subject of a conservation covenant to be implemented at the time of subdivision, to the satisfaction of the relevant administering authority. 4. As a condition of subdivision, the subdivider is to prepare and implement to the satisfaction of the covenanting agency— (a) A regeneration, rehabilitation and revegetation plan, which addresses Western Grey Kangaroo management/ exclusion; and (b) A weed and pest management plan for the 'Conservation' zoned lot.

 ${\hbox{I. W. STUBBS, Mayor.}} \\ {\hbox{M. ARCHER, Chief Executive Officer.}}$

PL403*

PLANNING AND DEVELOPMENT ACT 2005

 $\label{eq:APPROVED LOCAL PLANNING SCHEME AMENDMENT} Shire of Kojonup$

Town Planning Scheme No. 3—Amendment No. 7

Ref: TPS/0057

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 Kojonup local planning scheme amendment on 1 March 2012 for the purpose of—

- $1. \ \ Including \ Lots \ 1 \ and \ 3 \ Albany \ Highway, \ Kojonup, \ within \ the \ `Additional \ Uses \ Zone' \ to \ reflect \\ the \ existing \ land \ use \ as \ a \ Transport \ Depot.$
- 2. Modifying Schedule VII—Additional Uses by including the following text within the existing Table—

SCHEDULE VII—ADDITIONAL USES

No.	Lot Description	Additional Use	Special Conditions
3.	Lots 1 and 3 Albany Highway, KOJONUP	Transport Depot	1. All development of the premises for transport depot uses shall be generally in accordance with adopted Concept Site Plan (DWG SK1 Dated Aug 08) or any minor variation approved by Council. Minor additional uses may be permitted by the Shire of Kojonup if it is satisfied that the use is incidental and ancillary to the predominant transport depot use.

No.	Lot Description	Additional Use	Special Conditions
			2. Compliance with the Main Roads WA requirements regarding the crossover and drainage of the site.
			3. No access/egress or use of Partridge Street for any transport depot activities is permitted.
			4. The transport depot operator is responsible to ensure that all activities on the premises are undertaken in such a manner that minimises any potential adverse impacts on neighbouring properties especially noise and dust to the satisfaction of the Shire of Kojonup and other relevant agencies including the Department of Environment and Department of Health. Should problems occur with the operation of the transport depot resulting in noise, dust or similar emissions adversely affecting neighbouring properties, Council will require the operator to undertake all necessary action(s) to ensure the emission is abated.
			5. The future use of the premises on Lot 1 and Lot 3 for commercial or residential uses will require the cessation of the transport depot activities as determined by Council.
			6. The use of adjoining Lot 2 for residential purposes is recognised by the Shire of Kojonup.
			7. No addition or expansion of the grain handling area (i.e. silos) or seed cleaning or drying is permitted without the prior written consent of the Council.
			8. Fuel storage shall be the subject of a separate planning consent application and shall be developed in accordance with the relevant standards and requirements.
			9. Stormwater drainage of the site shall be in accordance with an overall Drainage Management Plan prepared by the operators to show collection and disposal of stormwater to the satisfaction of the Shire of Kojonup.
			10. In recognition of the temporary nature of the Additional Use, a person shall not commence or carry out the Additional Use without having first applied for and obtained the planning consent of Council under the scheme. In granting planning approval Council may set a time period from which any planning approval shall cease to have effect. Upon application made to it within the time period set by Council, Council may grant an extension of time to an approved period.
			11 The transport operator shall, to the satisfaction of Council—
			(a) Establish a program for the provision of information to the neighbouring properties about emissions from the use;
			(b) Establish procedures for responding to any complaints received regarding operation of the use;
			(c) Identify actions, procedures and where necessary a timetable for the ongoing reduction of any impacts on the neighbouring properties;
			(d) Submit a report to Council within one month of the conclusion of each calendar year documenting the actions undertaken and the outcomes achieved in fulfilling the above; and
			(e) Submit a report to Council every two years documenting a review of the operations of the Additional Use including

No.	Lot Description	Additional Use	Special Conditions				
			changes to operational practices, technological advancements, or other matters relevant to the operation of the Additional Use.				

3. Amending the face of the Scheme Map accordingly.

J. TRETHOWAN, Shire President. S. GASH, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RA401*

BETTING CONTROL ACT 1954

CALLING OF THE CARD

Notice is hereby given that the Gaming and Wagering Commission has pursuant to section 5(2) of the Betting Control Act 1954, authorised the conduct of betting at "Calling of the Card" functions to be held at the Wintersun Hotel Motel, Geraldton on occasions approved by the Gaming and Wagering Commission from time to time.

Approved by the Gaming and Wagering Commission on the 20 March 2012.

BARRY SARGEANT, Chairman, Gaming and Wagering Commission.

TRAINING

TA401*

VOCATIONAL EDUCATION AND TRAINING ACT 1996

CLASSIFICATION OF PRESCRIBED VOCATIONAL EDUCATION AND TRAINING QUALIFICATIONS
Amendment to Western Australian Government Gazette 2009/225

Under the *Vocational Education and Training Act 1996* section 60C, I, the Minister for Training and Workforce Development, deem that the existing nominal terms and conditions on the Prescribed Vocational Education and Training Qualifications be retained except for the following temporary classifications for eligible participants in the Responsive Trade Training Advanced Preapprenticeship Pilot Program—

Class A qualifications

			Training contract requirements						
No.	Qualification	Conditions	Title of apprentice under training contract	Nominal period (months) full time	Part time	School based	Other requirements		
	Certificate III in Electrotechnology Electrician (UEE30807)	Pre-condition: Before entry into the 45 month training contract a person must complete the eight (8) week fulltime pre-training and study course that forms part of the Responsive Trade Training Pilot.	Apprentice	45	N	N	This variation only applies to a maximum of 16 participants in the Responsive Trade Training Advanced Preapprenticeship Pilot Program. To be eligible a person must not previously or currently be enrolled as a preapprentice or apprentice in the same trade stream.		
	Certificate III in Carpentry and Joinery (CPC32011)	Pre-condition: Before entry into the 30-42 month training contract a person must complete the fulltime pre-training and study course that forms part of the Responsive Trade Training Pilot.	Apprentice	30-42	N	N	This variation only applies to a maximum of 15 participants in the Responsive Trade Training Advanced Preapprenticeship Pilot Program. To be eligible a person must not previously or currently be enrolled as a preapprentice or apprentice in the same trade stream.		

			Training contract requirements						
No.	Qualification	Conditions	Title of apprentice under training contract	Nominal period (months) full time	Part time	School based	Other requirements		
	Certificate III in Data and Voice Communications (UEE30407)	Pre-condition: Before entry into the 42 month training contract a person must complete the fulltime pre-training and study course that forms part of the Responsive Trade Training Pilot.	Apprentice	42	N	N	This variation only applies to a maximum of 15 participants of the Responsive Trade Training Advanced Preapprenticeship Pilot Program. To be eligible a person must not previously or currently be enrolled as a preapprentice or apprentice in the same trade stream.		

Class B qualifications

			Training contract requirements						
No.	Qualification	Conditions	Title of apprentice under training contract	Nominal period (months) full time	Part time	School based	Other requirements		
	Certificate III in Hospitality (Commercial Cookery) (SIT30807)	Pre-condition: Before entry into the 24 month training contract a person must complete the fulltime pre-training and study course that forms part of the Responsive Trade Training Pilot.	Apprentice	24	Y	N	This variation only applies to a maximum of 15 participants of the Responsive Trade Training Advanced Preapprenticeship Pilot Program. To be eligible a person must not previously or currently be enrolled as a preapprentice or apprentice in the same trade stream.		

TRANSPORT

TN401*

OWNER-DRIVERS (CONTRACTS AND DISPUTES) ACT 2007

GUIDELINE RATES

Table A: New Vehicles

		Met	ropolitan		Regional					
			iesel fuel cost	of	Based on diesel fuel cost of					
		\$1.51	per litre			\$1.60 per litre				
Heavy Vehicle Type	One	Driver	Two	Drivers	One I	Oriver	Two D	rivers		
	Hourly Rate (exc	Rate per km	Hourly Rate	Rate per km	Hourly Rate	Rate per km	Hourly Rate	Rate per km		
	GST)	(exc GST)	(exc GST)	(exc GST)	(exc GST)	(exc GST)	(exc GST)	(exc GST)		
5 tonne GVM	\$47.75	\$2.23			\$66.99	\$1.01				
(rigid truck, 2 axles)										
8 tonne GVM	\$48.86	\$2.28			\$70.21	\$1.06	1 \			
(rigid truck, 2 axles)										
15 tonne GVM	\$55.26	\$2.58		/	\$79.68	\$1.20	1			
(rigid truck, 2 axles)			/	\wedge			/			
22.5 tonne GVM	\$60.84	\$2.84			\$90.40	\$1.36] /			
(rigid truck, 2 axles)										
Prime mover (haulier)	\$69.90	\$3.26			\$103.86	\$1.57	1 /			
2 axles, 31.5 tonne GCM										
Prime mover (haulier)	\$77.31	\$3.12	\$62.30	\$2.91	\$110.59	\$1.67	\$101.29	\$1.53		
3 axles, 1 trailer,										
42.5 tonne GCM										
Prime mover (haulier)	\$89.36	\$3.61	\$75.05	\$3.03	\$138.33	\$2.09	\$125.24	\$1.89		
3 axles, 2 trailers,										
79 tonne GCM										
Prime mover (haulier)	\$100.26	\$4.05	\$83.19	\$3.36	\$152.22	\$2.30	\$139.11	\$2.10		
3 axles, 3 trailers,										
122.5 tonne GCM										
Prime mover + 1 trailer	\$83.16	\$3.36	\$68.50	\$2.77	\$116.91	\$1.76	\$105.70	\$1.59		
42.5 tonne GCM										

		Based on d	ropolitan iesel fuel cost per litre	of	Regional Based on diesel fuel cost of \$1.60 per litre				
Heavy Vehicle Type	One	Driver	Two Drivers		One I	One Driver		rivers	
	Hourly Rate (exc GST)	Rate per km (exc GST)	Hourly Rate (exc GST)	Rate per km (exc GST)	Hourly Rate (exc GST)	Rate per km (exc GST)	Hourly Rate (exc GST)	Rate per km (exc GST)	
Prime mover + 2 trailers 79 tonne GCM	\$104.70	\$4.23	\$84.46	\$3.41	\$157.05	\$2.37	\$139.21	\$2.10	
Prime mover + 3 trailers 122.5 tonne GCM	\$125.09	\$5.05	\$98.48	\$3.98	\$182.67	\$2.76	\$161.99	\$2.44	
B-Double 62.5 tonne GCM	\$101.94	\$4.12	\$81.94	\$3.31	\$152.48	\$2.30	\$134.82	\$2.03	
Pocket road train (haulier) 79 tonne GCM	\$89.36	\$3.61	\$75.05	\$3.03	\$138.33	\$2.09	\$125.24	\$1.89	

The Guideline Rates—

- Are based on standard, tray-top vehicles.
- Are based on fuel consumption data released by Australian Trucking Association, June 2010.
- Do not set a minimum or maximum rate.
- Provide general guidance and a starting point for rates negotiations.
- Metropolitan rates might also be applicable for some operations in regional areas.
- Table A rates are based on new vehicles; Table B rates are based on vehicles 5 years or older.
- Owner-drivers and hirers need to consider their individual circumstances in deciding a rate that is appropriate for a particular freight task. The *Owner-Drivers Cost Calculator* (available, free, from Dept of Transport) can assist with cost and rate calculations.
- "Prime mover + 1, 2 or 3 trailers" refers to trailers owned or leased by the owner-driver.
- 2 axles => single steer, single drive; 3 axles => single steer, bogie drive.

Table B: Vehicles 5+ years old

		Based on d	ropolitan iesel fuel cost 1 per litre	of	Regional Based on diesel fuel cost of \$1.60 per litre			
Heavy Vehicle Type	One	Driver	Two	Two Drivers		One Driver		rivers
	Hourly Rate (exc GST)	Rate per km (exc GST)	Hourly Rate (exc GST)	Rate per km (exc GST)	Hourly Rate (exc GST)	Rate per km (exc GST)	Hourly Rate (exc GST)	Rate per km (exc GST)
5 tonne GVM	\$47.45	\$2.21			\$66.76	\$1.01		
(rigid truck, 2 axles)						· ·		
8 tonne GVM	\$48.55	\$2.26	1		\$69.97	\$1.06	1 \	
(rigid truck, 2 axles)								
15 tonne GVM	\$54.81	\$2.56	1		\$79.34	\$1.20	1 \	
(rigid truck, 2 axles)			/	X			l /	
22.5 tonne GVM (rigid truck, 2 axles)	\$60.20	\$2.81			\$89.92	\$1.36		
Prime mover (haulier) 2 axles, 31.5 tonne GCM	\$68.98	\$3.22			\$103.16	\$1.56		
Prime mover (haulier) 3 axles, 1 trailer, 42.5 tonne GCM	\$76.30	\$3.08	\$61.79	\$2.88	\$109.82	\$1.66	\$100.90	\$1.52
Prime mover (haulier) 3 axles, 2 trailers, 79 tonne GCM	\$88.23	\$3.56	\$74.48	\$3.01	\$137.11	\$2.07	\$124.63	\$1.88
Prime mover (haulier) 3 axles, 3 trailers, 122.5 tonne GCM	\$98.72	\$3.99	\$82.42	\$3.33	\$151.00	\$2.28	\$138.50	\$2.09
Prime mover + 1 trailer 42.5 tonne GCM	\$81.85	\$3.31	\$67.84	\$2.74	\$115.92	\$1.75	\$105.20	\$1.59
Prime mover + 2 trailers 79 tonne GCM	\$102.84	\$4.15	\$83.53	\$3.37	\$155.28	\$2.34	\$138.33	\$2.09
Prime mover + 3 trailers 122.5 tonne GCM	\$122.40	\$4.94	\$97.13	\$3.92	\$180.58	\$2.72	\$160.94	\$2.43
B-Double 62.5 tonne GCM	\$100.09	\$4.04	\$81.01	\$3.27	\$150.71	\$2.27	\$133.93	\$2.02
Pocket road train (haulier) 79 tonne GCM	\$88.23	\$3.56	\$74.48	\$3.01	\$137.11	\$2.07	\$124.63	\$1.88

Approved-

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Geff Michael Lockard, late of 48A Olympia Way, Esperance, Western Australia, Brick Layer/Fisherman.

Creditors and other persons having claims in respect of the estate of the deceased who died on the 28th September 2011 are required by the Trustees Josephine Lockard, Bernadette Margaret Harris and John Terrence Lockard c/- Murdoch Clarke, Barristers and Solicitors, 10 Victoria Street, Hobart in Tasmania to send particulars of their claims to them by the 24th April 2012 after which date the Trustee may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated this 23rd day of March 2012.

MURDOCH CLARKE, Barristers and Solicitors, (Solicitors to the Estate).

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of John David Weres, late of 19 Elsie Street, Gosnells in the State of Western Australia, Mechanic, deceased.

Creditors and other persons having claims to which Section 63 of the *Trustees Act 1962*, relate in respect of the Estate of the deceased, who died on the 26th day of October 2011, are required by the Administratrix, Diana Faye Lyon, to send the particulars of their claim to Messrs Taylor Smart of 1 Regal Place, East Perth in the State of Western Australia, by the 23rd day of April 2012, after which date the said Administratrix may convey or distribute the assets, having regard only to the claims of which she then has had notice.

Dated the 20th day of March 2012.

GARRY E. SAME, Taylor Smart.

ZX403

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Ethel May Craigie, late of Boyup Brook and District Soldiers Memorial Hospital, Boyup Brook, Western Australia, Retired Farmer ("the deceased").

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect to the estate of the deceased who died on 10 March 2011 are required by the executor Audrey Jane Evans and Frederick Stephen Ricetti of care of Kroon Legal, PO Box 1722, Bunbury WA 6231 to send particulars of their claims to them by not later than 20 April 2012 after which the Executor may distribute the assets having regard to only the claims on hand.

ZX404

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Judith Allnutt, late of St Andrews Aged Care, 313 Main Street, Balcatta, Western Australia, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased who died on 6 December 2011 at St Andrews Aged Care, 313 Main Street, Balcatta, Western Australia, are required by the Administrator, Helen Clohessy c/-Murfett Legal, Solicitors of 7 Tully Road, East 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 Administrator may convey or distribute the assets, having regard only to the claims of which she then has notice

Dated the 19th day of January 2012.

MURFETT LEGAL.

ZX405*

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 April 2012 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bevon, Brian late of c/- Leighton Nursing Home, 40 Florence Street, West Perth WA 6005 (DE 19772840 EM24)

Dow, Elsina May late of River Gardens Aged Care, 89 Clifton Street, Kelmscott 6111 died 18 February 2012 (DE 19630847 EM36)

Fiegert, Ronald James late of Bethanie Illawong Village, 28/1 Rodd Place, Hamilton Hill 6163 died 26 November 2011 (DE 19510857 EM37)

Goddard, Lois late of Regents Garden, 33 Drover Place, Wanneroo 6065 died 1 March 2012 (DE 20001007 EM23)

Richardson, Agnes Mary late of Rockingham Nursing Home, 14 Langley Street, Rockingham 6168 died 26 November 2011 (DE 33080919 EM15)

Waynne, Marie Kemp late of Shawford Lodge, 8 Tywford Place, Innaloo 6018 died 17 February 2012 (DE 19922109 EM22)

Western, Harold late of Pensioners Seniors Reserve, Unit 5 Marble Bar died 15 April 2011 (DE 33089566 EM13)

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

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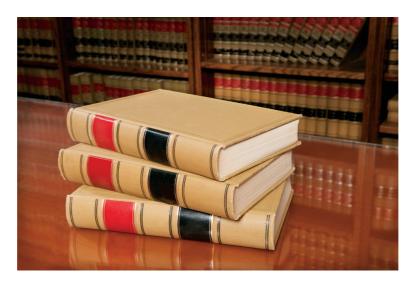
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