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— PART 1 —

PROCLAMATIONS

AA101*

LOCAL GOVERNMENT AMENDMENT ACT 2012

No. 2 of 2012 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 *Local Government Amendment Act 2012* section 2(b) and with the advice and consent of the Executive Council, fix—
 - (a) 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—
 - (i) sections 1 and 2; and
 - (ii) section 13 and Part 3; and
 - (iii) sections 14-18, 39, 40(b) and 41, to the extent that it inserts section 10(4)(c)(ii),

come into operation;

(b) 1 July 2012, as the day on which section 13 and Part 3 of that Act come into operation.

Given under my hand and the Public Seal of the State on 17 April 2012.

By Command of the Governor,

G. M. CASTRILLI, Minister for Local Government.

AA102*

CRIMINAL CODE AMENDMENT (IDENTITY CRIME) ACT 2010

No. 16 of 2010 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 Governor

I, the Governor, acting under the $Criminal\ Code\ Amendment\ (Identity\ Crime)\ Act\ 2010\ section\ 2(b)\ and\ with\ the\ advice\ and\ consent\ of\ the\ Executive\ Council,\ fix\ the\ day\ after\ the\ day\ on\ which\ this\ proclamation\ is\ published\ in\ the\ <math>Government\ Gazette\ as\ the\ day\ on\ which\ the\ provisions\ of\ that\ Act,\ other\ than\ sections\ 1\ and\ 2,\ come\ into\ operation.$

Given under my hand and the Public Seal of the State on 20 March 2012.

By Command of the Governor,

HEALTH

HE301*

Hospitals and Health Services Act 1927

Hospitals (Services Charges) Amendment Regulations (No. 3) 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Hospitals (Services Charges) Amendment Regulations (No. 3) 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 *Hospitals (Services Charges)* Regulations 1984.

4. Schedule 1 amended

In Schedule 1 Division 1 delete item 1(c) and (d) and insert:

- (d) for private nursing home type patients \$157.75 per day

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

HE302*

Food Act 2008

Food Amendment Regulations 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Food 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 after that day.

3. Regulations amended

These regulations amend the *Food Regulations 2009*.

4. Regulation 36 amended

- (1) Before regulation 36(1) insert:
 - (1A) In this regulation —

poultry processing premises has the same meaning as in the poultry standard;

poultry standard means the standard adopted under regulation 18(1)(f).

- (2) After regulation 36(3) insert:
 - (4) Subregulation (1) does not apply to the handling or storage of pet meat in poultry processing premises if the requirements stated in clauses 15.148 and 15.149 of the poultry standard are, to the extent applicable, complied with in relation to the handling or storage of that pet meat.
 - (5) Subregulation (1) does not apply to the processing, handling, storage or sale of pet meat at premises if the pet meat, before it became pet meat, was processed, handled or stored as food at those premises.

5. Part 7 deleted

Delete Part 7.

6. Schedule 3 amended

After Schedule 3 item 6 insert:

7A.	s. 36	\$500	\$1 000
7B.	s. 45(1)	\$500	\$1 000
7C.	s. 46	\$500	\$1 000
7D.	s. 48(1)	\$500	-

7E. s. 48(2) \$500 7F. s. 48(3) \$500

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

Local Government Act 1995

Local Government (Financial Management) Amendment Regulations 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Local Government (Financial Management) 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 when the *Local*Government Amendment Act 2012 Part 2 Divisions 4 and 5 come into operation.

3. Regulations amended

These regulations amend the *Local Government (Financial Management) Regulations 1996.*

4. Regulation 3 amended

(1) In regulation 3(1) insert in alphabetical order:

total assets means all current and non-current assets as shown in the balance sheet.

(2) In regulation 3(1) in the definition of *section* delete "Act." and insert:

Act;

5. Regulation 8 amended

In regulation 8(1)(a) delete "(c), (d) or (e));" and insert:

(c));

6. Regulation 16 replaced

Delete regulation 16 and insert:

16. Accounting for land under local government's control

The annual financial report of a local government —

- (a) is not to include as an asset
 - (i) Crown land that is a public thoroughfare, the responsibility for managing which is vested in the local government; or
 - (ii) land that is not owned by the local government but which is under the control or management of the local government (whether that land is Crown land or is owned by another person, or not),

unless it is operated by the local government as a golf course, showground, racecourse or any other sporting or recreational facility of State or regional significance; and

- (b) is to include as an asset
 - (i) a structure or any other improvement placed by the local government on land referred to in paragraph (a); and
 - (ii) an easement granted in favour of the local government over any land.

7. Regulation 17A inserted

After regulation 16 insert:

17A. Assets — fair value measurement required

(1) In this regulation —

fair value, in relation to an asset, means the fair value of the asset measured in accordance with the AAS.

(2) Subject to subregulation (3), the value of an asset shown in a local government's financial reports must be the fair value of the asset.

- (3) A local government must show in each financial report
 - (a) for the financial year ending on 30 June 2013, the fair value of all of the assets of the local government that are plant and equipment; and
 - (b) for the financial year ending on 30 June 2014, the fair value of all of the assets of the local government
 - (i) that are plant and equipment; and
 - (ii) that are
 - (I) land and buildings; or
 - (II) infrastructure;

and

- (c) for a financial year ending on or after 30 June 2015, the fair value of all of the assets of the local government.
- (4) A local government must revalue all assets of the local government of the classes specified in column 1 of the Table to this subregulation on the day specified in column 2 of the Table and at the end of each subsequent period of 3 years.

Table

Class of asset	Day
Plant and equipment	30 June 2016
Land, buildings and infrastructure for which the fair value was shown in the local government's annual financial report for the financial year ending on 30 June 2014	30 June 2017
All other classes of asset	30 June 2018

8. Regulation 19A amended

In regulation 19A delete "11%." and insert:

9. Regulation 19C inserted

After regulation 19B insert:

19C. Investment of money — s. 6.14(2)(a)

(1) In this regulation —

authorised institution means —

- (a) an authorised deposit-taking institution as defined in the *Banking Act 1959* (Commonwealth) section 5; or
- (b) the Western Australian Treasury Corporation established by the *Western Australian Treasury Corporation Act 1986*;

foreign currency means a currency except the currency of Australia.

- (2) When investing money under section 6.14(1), a local government may not do any of the following
 - (a) deposit with an institution except an authorised institution;
 - (b) deposit for a fixed term of more than 12 months;
 - (c) invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
 - (d) invest in bonds with a term to maturity of more than 3 years;
 - (e) invest in a foreign currency.

10. Regulation 50 amended

- (1) Delete regulation 50(1)(b) to (h) and insert:
 - (b) the asset consumption ratio; and
 - (c) the asset renewal funding ratio; and
 - (d) the asset sustainability ratio; and
 - (e) the debt service cover ratio; and
 - (f) the operating surplus ratio; and
 - (g) the own source revenue coverage ratio.
- (2) In regulation 50(2) delete the definitions of:

available operating revenue debt ratio debt service cost debt service ratio

```
economically realisable assets
gross debt
gross debt to economically realisable assets ratio
gross debt to revenue ratio
infrastructure assets
net rate revenue
outstanding rates ratio
rate coverage ratio
rates collectable
rates outstanding
total assets
total liabilities
total revenue
```

(3) In regulation 50(2) insert in alphabetical order:

untied cash to unpaid trade creditors ratio

annual operating surplus before interest and depreciation means operating revenue minus net operating expense;

asset consumption ratio means the ratio determined as follows —

depreciated replacement cost of assets
current replacement cost of
depreciable assets;

asset renewal funding ratio means the ratio determined as follows —

NPV of planned capital renewals over 10 years

NPV of required capital expenditure over 10 years;

asset sustainability ratio means the ratio determined as follows —

capital renewal and replacement expenditure depreciation expense;

capital renewal and replacement expenditure means expenditure to renew or replace existing assets;

current replacement cost of depreciable assets means the cost of replacing assets at current prices;

debt service cover ratio means the ratio determined as follows —

annual operating surplus before interest and depreciation principal and interest;

depreciable assets has the meaning given in the AAS;

depreciated replacement cost of assets has the meaning given in the AAS;

depreciation expense has the meaning given in the AAS:

liabilities associated with restricted assets means the lesser value of a current liability or the cash component of restricted assets held to fund that liability;

net interest expense means interest expense less interest received from self-supporting loans;

net operating expense means operating expense excluding net interest expense and depreciation expense;

NPV means net present value;

operating expense means the expense that is operating expense for the purposes of the AAS, including net interest expense and depreciation expense;

operating revenue means the revenue that is operating revenue for the purposes of the AAS, excluding —

- (a) grants for the development or acquisition of assets; and
- (b) contributions for the development or acquisition of assets; and
- (c) other comprehensive income;

operating surplus ratio means the ratio determined as follows —

operating revenue minus operating expense
own source operating revenue;

other comprehensive income has the meaning given in the AAS;

own source operating revenue means revenue from rates and service charges, fees and user charges, reimbursements and recoveries, interest income and profit on disposal of assets;

own source revenue coverage ratio means the ratio determined as follows —

own source operating revenue operating expense;

planned capital renewals means capital renewal and replacement expenditure as estimated in the long-term financial plan;

principal and interest means all principal and interest expenses for borrowings under section 6.20;

required capital expenditure means capital renewal and replacement expenditure as estimated in the asset management plan;

self-supporting loans means money borrowed for a work or undertaking in respect to which persons or organisations are required to repay all or part of the principal or interest.

11. Regulation 52A inserted

At the beginning of Part 5 insert:

52A. Differential general rates — s. 6.33(1)(d)

For the purposes of section 6.33(1)(d), the following are prescribed characteristics —

- (a) whether or not the land is situated in a townsite as defined in the *Land Administration Act 1997* section 3(1);
- (b) whether or not the land is situated in a particular part of the district of the local government.

12. Regulation 54 replaced

Delete regulation 54 and insert:

54. Service charge — prescribed works, services and facilities — s. 6.38(1)

For the purposes of section 6.38(1), the following are prescribed as works, services and facilities —

- (a) property surveillance and security;
- (b) television and radio rebroadcasting;
- (c) underground electricity;
- (d) water.

13. Regulation 56 amended

- (1) After regulation 56(3)(c) insert:
 - (da) where, under the *Rates and Charges (Rebates and Deferments) Act 1992*, a rebate on a rate or service charge may be allowed, the amount of the probable rebate adjacent to the words "State Government Rebate";

(2) After regulation 56(4)(g) insert:

(ha) a brief statement that rebates to pensioners and seniors under the *Rates and Charges (Rebates and Deferments) Act 1992* are funded by the Government of Western Australia;

14. Regulation 68 amended

In regulation 68 delete "5.5%." and insert:

2%.

15. Regulation 70 amended

In regulation 70 delete "11%." and insert:

7%.

16. Regulation 79 replaced

Delete regulation 79 and insert:

79. Local Government (Financial Management) Amendment Regulations 2012, provisions for

(1) In this regulation —

amending regulations means the Local Government (Financial Management) Amendment Regulations 2012, other than regulations 1 and 2 of those regulations;

new law means these regulations as in force after the amending regulations come into operation;

old law means these regulations as in force immediately before the amending regulations come into operation.

- (2) This regulation does not affect the operation of the *Interpretation Act 1984* Part V unless the contrary intention appears.
- (3) Despite the amending regulations, the old law applies to and in respect of the financial reports and rate notices for, or relating to, the financial year ending on 30 June 2012.

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE AND FOOD

AG401*

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.

CEMETERIES

CE401*

CEMETERIES ACT 1986

BUNBURY CEMETERY BOARD

Scale of Fees and Charges 2012-2013

In pursuance of powers conferred upon it by section 53 of the Cemeteries Act, the Bunbury Cemetery Board hereby records having resolved on the 26 March 2012 that the following Bunbury Cemetery Board fees and charges shall apply from 1 July 2012.

SCHEDULE OF FEES AND CHARGES

ALL FEES AND CHARGES INCLUDE 10% GST

GENERAL CEMETERY

GE	NERAL CEMETERY
A:	IN PUBLIC GROUND
	Ordinary land for grave 2.44m x 1.22m where directed (GRANT)
	Interment in grave any depth to 2.13m including registration fee
	Interment of any stillborn child in ground set aside for that purpose
B:	IN PRIVATE GROUND (includes Natural Burial Area)
	Ordinary land for grave 2.44m x 2.44m where directed (GRANT)\$2178.00
	Ordinary land for path 2.44m x 0.30m where directed
	Interment in grave to any depth 2.13m including registration fee (Interment fee)
	Interment of a stillborn child
C:	EXTRA CHARGES
	Interment in open ground, without due notice
	Interment in private ground, without due notice
	Interment not in usual hours, as prescribed\$297.00
	Interment on a Saturday, Sunday or Public Holiday
	Interment of cremated remains \$88.00
	Fee of exhumation \$2310.00
	Re-interment in new grave or vault
	Plaque for stillborn grave
	Reservation of specific site
LA	WN CEMETERY
A:	IN PRIVATE GROUND
	Ordinary land for grave 2.44m x 1.22m (GRANT)
	Interment in grave any depth to 2.13m including registration fee
	Interment of a stillborn child

Interment of cremated ashes \$88.00

EXTRA CHARGES Interment without due notice	\$297.00
Interment not in usual hours as prescribed	\$297.00
<u>-</u>	
Interment on Saturday, Sunday or Public Holidays	
Fee of exhumation	
Re-interment in a new grave or vault	
Lawn trees	\$418.00
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<u>-</u>	
Interment on Saturday, Sunday or Public Holidays	\$495.00
USOLEUM Divine has acceptation from Color (Ero Colordale)	
Prices by quotation from Sales /Fee Schedule.	
SCELLANEOUS CHARGES	
** *	
Refund of an unexpired grant of right of burial not to exceed the amount originally	paid,
Attendance at placement of ashes in any grave: Monday to Friday 9.00am to 4.00pr	n,
* **	
	φ77.00
EMATORIUM	
	#0 F F 00
, , , ,	
· / •	·
	\$286.00

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Use of Projector and Screen in Chapel	\$27.50
DISPOSAL OF ASHES	
NICHE WALLS Placement in single niche including bronze plaque and inscription	\$451.00
- moomono in omgre mono morating oronzo piaque ana mooripuon	
Placement in double niche including bronze plaque and first inscription	\$638 00
Placement in double niche including bronze plaque and first inscription	
Placement in double niche including bronze plaque and first inscription	\$286.00
	Standard vault including reservation for two interments (including GRANT)

2:	GARDEN OF REMEMBRANCE	
	Interment including plaque and reservation for a second interment	\$429.00
	Second interment and plaque	\$429.00
3:	MEMORIAL GARDEN OF REMEMBRANCE	
	Interment including 143mm x 117mm bronze plaque and reservation for three ac	dditional
	Interments	
	Second, third and fourth interments and plaque (each)	\$451.00
4:	MEMORIAL GARDEN FAMILY ROSE OR SHRUB	
	Interment with family rose bush or shrub including 229mm x 184mm bronze pla	que and
	Reservation for one additional interment	
_		
5:	FAMILY ESTATES	
	Selected Shrub Interment to 1.2 sq metre including 229mm x 229mm bronze place. Reservation for three additional interments	que and \$3432.00
	Family Estates including 229mm x 229mm bronze plaque and interment	
	Round 2.2m diameter	\$4532.00
	Oval 1.5m x 2.4m	\$4422.00
	Large 2.4m x 3.5m	\$6732.00
	Family Tree Beds including 229mm x 229mm bronze plaque	
	Small Tree	'
	Medium Tree	·
	Large Tree	
	Additional plaque and Interments (each)	\$550.00
6:	MEMORIAL WALLS	
	7.1 Modular Niche Wall single position including bronze plaque and interment	
	7.2 Limestone Memorial Wall single position including standard bronze plaque	
	7.3 Limestone Memorial Wall single position with coloured plaque and sculpture Reservation for second position	
_	-	\$66.00
7:	NATURE SERIES GROUND NICHES	
	Interments in selected position including 229mm x 229mm bronze plaques and Reservation for one additional intermentBUSHLAND NICHE	00.202
	PARKLAND NICHE	
	STANDARD STREAMSIDE/LAKESIDE NICHE	·
	SPECIAL LAKESIDE NICHESFirst Interment	'
	Second Interment	
	Granite Niche Gardens	
8:	OTHER FEES	
	Ashes to Family Grave	\$99.00
	Scattering to the wind memorial plaque	
	Postage of ashes within Australia	
	Administration and registration fee for collection of ashes from crematorium	455 00
	For cremations prior to 30/06/2001	
	Transfer of ashes to a new position (plus cost of plaques if required)	
	Storage of cremated remains per month after six months	
	Garden position reservation—3 Years	
	Other Memorials and Special Areas.	
	Bronze and other urns	•
9:	OTHER FEES Continued	V
σ.	Single Permit / Licence to place memorial in garden (Plus costs by Quotation: Co include base, grant, plants maintenance, public liability insurance and registrati	
	Attendance at placement of ashes:	
	Monday to Friday, 9.00am to 4.00pm by appointment	\$44.00
	Weekends and Public Holidays	
	Genealogy Searches—First three free—thereafter each	
	Concrete Plaque Bases	
	Granite Bases	BY QUOTATION

Bunbury Cemetery Board

SCHEDULE OF PRE-NEED SERVICES 2011-2012

ALL FEES AND CHARGES INCLUDE 10% GST

ALL FEES AND CHARGES INCLUDE 10% GS1
GENERAL CEMETERY
Pre-need purchase of certificate for gravesite 2.44m x 1.22m
Reserved position
Pre-need purchase of certificate for interment\$1177.00
LAWN CEMETERY
Pre-need purchase of certificate for gravesite 2.44m x 1.22m\$1265.00
Pre-need purchase of certificate for interment\$1177.00
CREMATION
Pre-need purchase of certificate for cremation\$1023.00
Single niche position and plaque\$484.00
Double niche plaque and 1st inscription\$693.00
Double niche detachable plate 2nd inscription
Double niche plaque and two inscriptions \$1012.00
Garden of Remembrance with stainless steel plaque each\$495.00
Garden of Remembrance with bronze plaque each
Memorial Garden of Remembrance first interment and bronze plaque
Memorial Garden of Remembrance second interment including bronze plaque\$506.00
Memorial Garden Family Rose or Shrub first interment and bronze plaque\$924.00
Memorial Garden Family Rose or Shrub second interment including bronze plaque\$561.00
Selected Shrub first interment and bronze plaque (Standard Bed)
Selected Shrub each additional interment and bronze plaques\$605.00
Modular niche wall position with bronze plaque
Limestone memorial wall with standard bronze plaque including position reservation\$759.00
Limestone memorial wall with coloured plaque and sculptured border including
position reservation \$836.00
Bushland niche position with bronze plaque
Parkland niche position with bronze plaque \$902.00
Lakeside niche position with bronze plaque \$913.00
Granite Niche \$1045.00
Ashes to family grave
Scattering of ashes memorial \$264.00
Postage of ashes within Australia \$110.00
Refund of a pre-need certificate is not to exceed the amount originally paid, less an administration fee
If a specific position is selected, a reservation fee will apply.
n a specific position is selected, a reservation fee will apply.

WAYNE JENNINGS, Chairman. PIETER DEN BOER, Manager.

CONSUMER PROTECTION

CP401*

CO-OPERATIVES ACT 2009

ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION

Notice is hereby given that on 4 April 2012, pursuant to section 26(a) of the Act, a certificate of registration was issued to—

BUNBURY TAXIS CO-OPERATIVE LIMITED

CP402*

CO-OPERATIVES ACT 2009

ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION

Notice is hereby given that on 2 April 2012, pursuant to section 26(a) of the Act, a certificate of registration was issued to—

ENGINEERING AND MANUFACTURING INDUSTRY CO-OPERATIVE LIMITED

GREG GOAD, Acting Deputy Registrar of Co-operatives.

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—

Irene Maria Long of 11 Desert Pea Boulevard, Karratha

RAY WARNES, Executive Director, Court and Tribunal Services.

LOCAL GOVERNMENT

LG401*

TOWN OF PORT HEDLAND APPOINTMENTS

It is hereby notified for public information that the officer's in the position title of Airport Parking Officer are appointed as Authorised Officers in accordance with the various Acts, Regulations and Local Laws as detailed—

- Town of Port Hedland Local Laws Relating to Parking
- Litter Act 1979 and Regulations

PAUL MARTIN, Chief Executive Officer.

Dated: 16 April 2012.

LG501*

BUSH FIRES ACT 1954

FIRE BREAK NOTICE

 $Shire\ of\ Broome$

Pursuant to the powers contained in Section 33 of the above Act, you are hereby required to complete on or before 15 May 2012 and maintain up to and including 31 December 2012 all fire hazard reduction works as required in accordance with the following—

(1) Rural and Pastoral lands; (Refers to all land outside the townsite)

Trafficable firebreaks are required to be clear of all inflammable material.

- (a) Not less than three (3) metres wide inside, along and within ten (10) metres of all external boundaries and around all haystacks.
- (b) A twenty-metre "parkland cleared" low fuel buffer zone around all buildings, which shall be clear of all inflammable material.

(2) Townsite Land: (Refers to all land within the townsite of Broome)

(a) Where the area of land is 2,000 square metres or less, remove all inflammable materials from the whole of the land.

(b) Where the area of the land is greater than 2,000 square metres, trafficable firebreaks not less than three (3) metres wide inside and within two metres of the external boundaries of the land and a twenty-metre "parkland cleared" low fuel buffer zone around all buildings, which shall be clear of all inflammable material

(3) Rubbish Sites: (Being all rubbish sites for pastoral stations, townsite and community use)

Trafficable firebreaks to be installed not less than two metres wide and within three metres of the perimeter of the rubbish site.

(4) Fuel Dumps and Depots

Remove all inflammable material from within five (5) metres of all fuel drums and ramps, whether the drums contain fuel or not.

The works referred to in paragraphs 1, 2, 3, and 4 herein must be performed to the satisfaction of the duly authorised Fire Control Officer of the Shire of Broome.

These conditions are considered the minimum standard of fire protection required. The Shire of Broome reserves the right to place further conditions upon individual land as may be necessary to reduce fire risk.

If it is considered impracticable for any reason to clear firebreaks or to remove inflammable material from the land as required by this Notice, you may apply to the Shire of Broome Manager Emergency, Ranger and Beach Services not later than 10th May 2012 for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land.

Definitions

- "Inflammable material" is defined for the purpose of this notice to include long dry grass, leaves, bark, timber, boxes, cartons, paper and like inflammable materials, rubbish and also any combustible matter, but does not include living trees, shrubs, growing bushes and plants under cultivation.
- "Parkland cleared" is defined for the purpose of this notice as land that is maintained in a low fuel state. It may contain regularly maintained gardens, trees, shrubs and short grass. It shall be kept in such a state that fire cannot be sustained readily upon the land. For further information as to what would constitute "parkland cleared" please contact the Shire rangers on (08) 9191 3456

Garden Refuse and Rubbish

Burning of bush, grass or garden refuse throughout the Shire is not permitted unless a written permit has firstly been obtained from an appointed Bush Fire Control Officer.

'Burning off is not permitted within the townsite of Broome without approval'

The penalty for failing to comply with this Notice is a fine of \$5,000 or a modified penalty of \$250. Any person failing to comply with this Notice may also be liable whether prosecuted or not, to pay the cost of the Shire of Broome obtaining contractors to perform any fire hazard reduction works on your property.

KENN DONOHOE, Chief Executive Officer.

MARINE/MARITIME

MA401*

WESTERN AUSTRALIAN MARINE ACT 1982 NAVIGABLE WATERS REGULATIONS 1958

CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS

Avalon Bay City of Mandurah

Department of Transport, Fremantle WA, 20 April 2012.

Acting pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982, I hereby revoke Section (1) of Notice TR 401 as published in the Government Gazette on 18 August 1995 and hereby close the following area of water to motorised vessels until further notice—

Avalon Bay: All that area of water contained within an area commencing at a point of the foreshore 50 metres east of Avalon Point, extending northward along the foreshore to a point 100 metres south of the prolongation of Yeedong Road and extending offshore for 100 metres.

MINERALS AND PETROLEUM

MP401*

MINING ACT 1978

INSTRUMENT OF EXEMPTION OF LAND

Extension of Period

The Minister for Mines and Petroleum pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby EXTENDS the term of the instrument of exemption of land that was initially declared on 26 March 2002 and *gazetted* on 5 April 2002 for a further 2 years from 26 March 2012 and expiring on 25 March 2014.

Description of Land

Land designated S19/169 in the geospatial description at page 121 of the Department of Mines and Petroleum file 1338-00 Vol 4.

Locality

Galena in the Northampton Mineral Field.

Dated at Perth this 4th day of April 2012.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

MP402*

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 25 May 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 15/1193	Tasman Aurora Pty Ltd	Coolgardie
E 20/731	Citic Nickel Australia Pty Ltd	Murchison
E 39/1447	Van Blitterswyk, Wayne Craig	Mt Margaret
E 53/1327	Echo Resources Ltd	East Murchison
E 53/1406	Bushwin Pty Ltd	East Murchison
E 70/3268	Geotech International Pty Ltd	South West
E 70/3407	Ord River Diamonds Pty Ltd	South West
	MINING LEASE	
M 09/101	Kapitany, Tamas	Gascoyne
M 29/322	Duffy, Michael	North Coolgardie
M 39/326	Van Blitterswyk, Wayne Craig	Mt Margaret
M 53/555	Echo Resources Ltd	East Murchison
M 57/245	Goldcrest Mines Pty Ltd	East Murchison
M 70/1028	Taylor Investments Pty Ltd Taylor, Godfrey Edward	South West

MP403*

MINING ACT 1978

INTENDED HEARING OF APPLICATION FOR FORFEITURE OF MINING TENEMENTS

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

The application for forfeiture is to be heard before the Warden in Open Court, Court Room 95, Level 9, Central Law Courts, 501 Hay Street, Perth at 9.30am on 15 June 2012

SOUTH WEST MINERAL FIELD

Prospecting Licence

P 70/1303 Westdeen Holdings Pty Ltd

WARBURTON MINERAL FIELD

Prospecting Licence

P 69/45 I Jessup, Adrian Martin Lambert

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION

Res 2012/01

Resolution made under clause 27 of the Greater Bunbury Region Scheme regarding development on zoned land requiring planning approval.

Unless exempted by clause 25 and 26, under clause 24 of the Greater Bunbury Region Scheme (GBRS), on *reserved* land, a person must not commence or carry out development unless that person has planning approval. Also under clause 24, on *zoned* land, a person must not commence or carry out development of a kind or class specified in a resolution made by the Western Australian Planning Commission (WAPC) under clause 27 unless that person has planning approval.

Under clause 27 of the GBRS, on *zoned* land, the WAPC may by resolution require specified development to have planning approval before it is commenced or carried on. By virtue of Section 5(2) of the *Planning and Development Act 2005*, this includes public works.

Resolution under clause 27 of the GBRS

On 16 March 2012, pursuant to clause 27 of the GBRS, the WAPC resolved—

- A To require any development which is on land zoned under the Greater Bunbury Region Scheme and which is of a kind or class set out in schedule 1 to have the planning approval of the WAPC;
- B To require local governments within the area covered by the Greater Bunbury Region Scheme following referrals and procedures as specified in schedule 2, either—
 - (i) to forward applications for approval to commence and carry out such development to the WAPC for determination, or
 - (ii) to assess and determine such applications where the WAPC, under section 16 of the Act, has delegated those functions to the local government;
- C To confirm that words used in the schedules have the meanings given to them in the Act and the Greater Bunbury Region Scheme and, unless the context otherwise requires, the meanings defined in schedule 3;
- D To revoke its resolution made under clause 27 of the Greater Bunbury Region Scheme as detailed in a notice published in the *Government Gazette* of 19 December 2008 (pages 5410-5414);
- E To declare that the resolution takes effect when notice of the resolution is published in the *Government Gazette*.

NEIL THOMPSON, A/Secretary, Western Australian Planning Commission.

Schedule 1—Development on zoned land requiring planning approval

1. Development of State or Regional Significance

Development in respect of which the WAPC, by notice in writing in each case, advises the local government that the development is of state or regional significance or that, in the public interest, the development should be the subject of an application determined by the WAPC.

2. Land abutting a Regional Open Space Reservation

All development on land abutting a regional open space reservation except—

- (a) Residential development of four or fewer dwellings that does not encroach onto the reservation.
- (b) Ancillary and incidental development that does not encroach onto the reservation and which in the opinion of the local government does not conflict with the purposes of the regional open space reservation stated in clause 10(a) of the GBRS.

(c) Development, other than intensive agriculture, associated with existing rural activities which in the opinion of the local government does not conflict with the purposes of the regional open space reservation stated in clause 10(a) of the GBRS.

3. Land abutting a Regional Road Reservation

Development of the following kinds on land abutting a regional road reservation—

- (a) Development including earthworks and drainage which encroaches upon the regional road reservation.
- (b) Development with direct access or existing vehicular access to a regional road reservation.
- (c) Development where access to a regional road reservation is proposed.
- (d) Development which in the opinion of the WAPC has the potential to significantly increase traffic and has access to a regional road reservation.
- (e) Development where existing access to a regional road reservation is to be retained but where alternative access is available.

Exceptions

- (i) Residential development of four or fewer dwellings that does not encroach onto the regional road reservation and where no additional, relocated or new access is proposed.
- (ii) Ancillary and incidental development that does not encroach onto the regional road reservation and where no additional, relocated or new access is proposed.

4. Land abutting other Reservations

All development on land abutting a port installations, public purposes, railways, state forests or waterways reservation.

5. Development in Special Control Areas

Development of the following kinds in special control areas—

- (a) Development on land in the water catchments special control area (SCA No. 1) which in the opinion of the WAPC or the local government may conflict with the purposes of SCA No. 1 stated in clause 15(c) of the GBRS.
- (b) Development on land in the Kemerton industrial zone buffer special control area (SCA No. 2) which in the opinion of the WAPC or the local government may conflict with the purposes of SCA No. 2 stated in clause 18(b) of the GBRS.
- (c) Development on land in the Glen Iris service corridor buffer special control area (SCA No. 3) which in the opinion of the WAPC or the local government may conflict with the purposes of SCA No. 3 stated in clause 21(b) of the GBRS.

6. Development in the Strategic Agricultural Resource Policy Area

Development in, adjacent to or in close proximity to the strategic agricultural resource policy area which, in the opinion of the WAPC or the local government, would potentially be incompatible with agricultural activities in the policy area or would be adversely affected by, or would adversely affect, those activities, including but not limited to bed and breakfast, caravan park, club premises, corrective institution, educational establishment, exhibition centre and park home park.

7. Development in the Strategic Minerals and Basic Raw Materials Resource Policy Area

Development in, adjacent to or in close proximity to the strategic minerals and basic raw materials resource policy area which, in the opinion of the WAPC or the local government, would potentially be incompatible with mining or materials extraction in the policy area or would be adversely affected by, or would adversely affect, those activities, including but not limited to agriculture—intensive, animal establishment, animal husbandry—intensive, caravan park, club premises, corrective institution, educational establishment, exhibition centre, fuel depot, industry—rural, park home park, place of worship, private recreation, rural pursuit, veterinary centre and winery.

8. Development in the Floodplain Management Policy Area

Development on land partly or wholly within the land subject to the floodplain management policy which, in the opinion of the WAPC or local government, would have the potential to increase the risk or impact from major river flooding, would be adversely affected by flooding, or would adversely affect the natural flood carrying capacity of floodplains or water quality of waterways as a natural resource.

9. Development in Activity Centres

Development in an activity centre relating to a building or extension/s to an existing building for shop-retail purposes where the development proposed is of $3{,}000\text{m}^2$ net lettable area (NLA) or greater.

10. Development in the rural zone

Development in the rural zone, other than for animal husbandry-intensive, which in the opinion of the WAPC or the local government may not be consistent with the purposes of the rural zone stated in clause 12(e) of the GBRS.

11. Animal Husbandry

Development for an animal husbandry-intensive premises, or for any extension or addition in excess of 100 m² to the improvements of an existing animal husbandry-intensive premises.

12. Development near the coast

Development of the following kinds near the coast—

- (a) Development for residential (including short-stay residential), car parking, retail, office or hotel purposes, or any combination of these uses, exceeding five storeys or 21 metres in height (or both) on land within 300 metres of the horizontal setback datum of the coast as defined in state planning policy 2.6 State coastal planning policy, or
- (b) Where a height of eight storeys or more is permissible under the local planning scheme, development for residential (including short-stay residential), car parking, retail, office or hotel purposes, or any combination of these uses, exceeding eight storeys or 32 metres in height (or both) on land within 300 metres of the horizontal setback datum of the coast as defined in state planning policy 2.6 State coastal planning policy.

13. Non-conforming use

Any extension and/or change to a non-conforming use.

Schedule 2—Requirements for referral to advice agencies and forwarding to the WAPC

- 1. Under clause 36 of the GBRS, an application for planning approval is to be submitted to the local government, where the local government will exercises the powers and follow the procedures provided by an instrument of delegation made by the WAPC under section 16 of the *Planning and Development Act 2005*. If the application is to be determined by the WAPC, the local government shall forward it to the WAPC within seven days and make recommendations to the WAPC within 42 days (or such longer period as the WAPC allows).
- 2. An application for development abutting regional open space reservations, shall be referred within seven days to the Department of Planning for advice and recommendation before being considered by the local government.
- 3. An application for development in or abutting a primary regional roads reservation shall be referred within seven days to Main Roads Western Australia for advice and recommendation before being considered by the local government.
- 4. An application for development in or abutting an other regional roads reservation shall be referred within seven days to the Department of Planning for advice and recommendation before being considered by the local government.
- 5. An application for development abutting reserved land, other than land reserved for regional open space or for regional roads, shall be referred within seven days to the public authority responsible for that reserved land.
- 6. An application for development in the water catchment special control area (SCA No. 1) shall be referred within seven days to the Department of Water and/or the Water Corporation for advice and recommendation before being considered by the local government.
- 7. An application for development in the Kemerton industrial zone buffer special control area (SCA No. 2) shall be referred within seven days to the Department of State Development and the Environmental Protection Authority for advice and recommendation before being considered by the local government.
- 8. An application for development in the Glen Iris service corridor buffer special control area (SCA No. 3) shall be referred within seven days to the Bunbury Port Authority, Department of State Development and the Environmental Protection Authority for advice and recommendation before being considered by the local government.
- 9. An application for development in, adjacent to or in close proximity to the strategic agricultural resource policy area shall be referred within seven days to the Department of Agriculture and Food for advice and recommendation before being considered by the local government.
- 10. An application for development in, adjacent to or in close proximity to the strategic minerals and basic raw materials resource policy area shall be referred within seven days to the Department of Mines and Petroleum for advice and recommendation before being considered by the local government.
- 11. An application for development partly or wholly within the floodplain management policy area shall be referred within seven days to the Department of Water for advice and recommendation before being considered by the local government.
- 12. An application for an animal husbandry-intensive premises requiring approval under the GBRS shall be referred to the Department of Planning, Department of Agriculture and Food, Department of Health, Department of Environment and Conservation and/or the Environment Protection Authority for advice and recommendation before being considered by the local government.
- 13. An application for any extension and/or change to a non-conforming use shall be referred within seven days to the Department of Planning for advice and recommendation before being considered by the local government.
- 14. Where an application is referred to an advice agency for advice and recommendation the agency is to be advised that if no advice or recommendation has been received within thirty days of receipt of the application by the advice agency the application may be determined on the available information; and the WAPC or delegate of, or a local government acting under delegated power, may determine the application on that basis.
- 15. Following referral for advice and recommendation, an application which is to be determined by the WAPC shall be forwarded as soon as practicable to the WAPC together with the advice and recommendations provided by all advice agencies consulted and the advice and recommendation of the local government.

16. Where the recommendation provided by an advice agency specified above is not acceptable to the local government, the application, together with the recommendations provided by all advice agencies consulted and the reasons why the recommendation is not acceptable to the local government, shall be forwarded immediately to the WAPC for determination.

Schedule 3—Definitions

In this notice of resolution, words have the meanings given to them in the Act and the GBRS. Unless the context otherwise requires—

- 'Abutting' reserved land means the zoned land shares a common boundary with reserved land.
- 'Access' means entry or exit (or both) from either a road or abutting development by a vehicle.
- 'Activity centre' means the category of activity centres set out in Table 2 of the *Activity Centres for Greater Bunbury Policy*, namely—
 - City Centre
 - District Centres
 - Neighbourhood centres
 - Special Centres
 - Town Centres
- 'Advice agency' means a department, public authority or body which is requested to provide advice and recommendations on applications for planning approval under the GBRS as an agency responsible for reserved land or to which local governments refer applications under the terms of schedule 3.
- 'Animal husbandry-intensive' has the same meaning as in the Town Planning Regulations 1967.
- 'Forward to the WAPC' and similar expressions mean convey by mail, by hand or electronically to the Bunbury office of the Department of Planning.
- 'Net lettable area' means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas—
 - (a) all stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, tea rooms and plant rooms and other service areas:
 - (b) lobbies between lifts facing other lifts servicing the same floor
 - (c) areas set aside for the provision of facilities or services to the floor or building;
 - (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building.
- 'Non-conforming use' has the same meaning as it has in the *Planning and Development Act 2005* section 172.
- 'Not acceptable' means that the local government wishes the application to be determined in a manner that is inconsistent with the recommendation or advice received from the advice agency which the local government was required to consult.
- 'Planning approval' means the planning approval of the WAPC as required under the GBRS and this resolution, whether granted by the WAPC or by delegates of the WAPC including committees, officers, local governments and members and officers of local governments.
- 'Proximity' and 'in close proximity' mean that the development is, in the opinion of the WAPC or local government, sufficiently close to a policy area for the effects of activities in the policy area (such as noise, odour, spray drift or dust) to be likely to have an adverse effect on the proposed use, and/or for the effects of the development to be likely to have an adverse effect on uses in the policy area.
- 'Shop-retail' means the land use activities included in "Planning land use category 5: Shop/Retail" as defined by the Commission's South West Land Use and Employment Survey (as amended from time-to-time).

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PL402*

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2012/01

Delegation to local governments of certain powers and functions of the Western Australian Planning Commission relating to the Greater Bunbury Region Scheme.

Preamble

Under exempted by clause 25 and 26, under clause 24 of the Greater Bunbury Region Scheme (GBRS), on reserved land, a person must not commence or carry out development unless that person has planning approval. Development on zoned land requires planning approval if it is of a kind or class set out in a resolution of the Western Australian Planning Commission (WAPC) under clause 27 of the GBRS. Parts 7 and 8 of the GBRS sets out the requirements, procedures and functions of the WAPC in relation to the determination of applications for planning approval.

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a local government, a committee established under the *Local Government Act 1995* or an employee of a local government.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On 16 March 2012, pursuant to section 16 of the Act, the WAPC resolved—

- A To delegate to local governments, and to members and officers of those local governments, its functions in respect of the determination, in accordance with Parts 7 and 8 of the Greater Bunbury Region Scheme, of applications for approval to commence and carry out development as specified in schedules 1 and 2, within their respective districts, subject to the terms set out in schedule 3;
- B To revoke its delegation of powers and functions to local governments as detailed in a notice published in the *Government Gazette* of 19 December 2008 (pages 5452-5455).

NEIL THOMPSON, A/Secretary, Western Australian Planning Commission.

PLANNING AND DEVELOPMENT ACT 2005

Instrument of delegation

Schedule 1—Development on reserved land delegated to local governments

- 1. Development on land in a regional road reservation where the local government accepts the recommendation and any advice of the advice agency.
- 2. Development of private jetties and associated facilities located in an artificial waterway in the waterways reservation.
- 3. Development on reserved land, which requires planning approval under the GBRS and which is—
 - (a) Ancillary and incidental development that does not conflict with the purposes of the reservation; and
 - (b) Development where the local government accepts the recommendation and any advice of the public authority responsible for that reserved land.

Schedule 2—Development on zoned land delegated to local governments

Applications for development on zoned land, excluding public works undertaken by public authorities—

- 1. On land abutting regional open space reservations, development which requires planning approval under the GBRS and which is one or more of the following kinds—
 - (a) Development where the local government accepts the recommendation and any advice of the Department of Planning.
 - (b) Development for which the local government decides to refuse approval under the GBRS
- 2. On land abutting a primary regional roads reservation, development which requires planning approval under the GBRS and which is of one or more of the following kinds—
 - (a) Development where the local government accepts the recommendation and any advice of Main Roads Western Australia.
 - (b) Development for which the local government decides to refuse approval under the GBRS
- 3. On land abutting an other regional roads reservation, development which requires planning approval under the GBRS and which is of one or more of the following kinds—
 - (a) Development where the local government accepts the recommendation and any advice of the Department of Planning.
 - (b) Development which—
 - (i) complies with an approved access policy pertaining to other regional roads reservations submitted by the local government and endorsed by the WAPC, and
 - (ii) is approved subject to conditions requiring compliance with that policy.
 - (c) Development for which the local government decides to refuse approval under the GBRS .
- 4. On land abutting a port installations, public purposes, railways, state forests or waterways reservation, development of one or more of the following kinds—
 - (a) Development where the local government accepts the recommendation and any advice of the public authority responsible for that reserved land.
 - (b) Development for which the local government decides to refuse approval under the GBRS.
- 5. On land in the water catchments special control area (SCA No. 1), development which requires planning approval under the GBRS and which is of one or more of the following kinds—
 - (a) Development where the local government accepts the recommendation and any advice of the Department of Water and/or the Water Corporation, as the case may be.

- (b) Development for which the local government decides to refuse approval under the GBRS.
- 6. On land in the Kemerton industrial zone buffer special control area (SCA No. 2), development which requires planning approval under the GBRS and which is one or more of the following kinds—
 - (a) Development where the local government accepts the recommendation and any advice of the Department of State Development and the Environmental Protection Authority.
 - (b) Development for which the local government decides to refuse under approval under the GBRS.
- 7. On land in the Glen Iris service corridor buffer special control area (SCA No. 3) development which requires planning approval under the GBRS and which is one or more of the following kinds—
 - (a) Development where the local government accepts the recommendation and any advice of the Bunbury Port Authority, Department of State Development and the Environmental Protection Authority.
 - (b) Development for which the local government decides to refuse approval under the GBRS.
- 8. Development of one or more of the following kinds which is on land in, adjacent to or in close proximity to the strategic agricultural resource policy area and which requires planning approval under the GBRS—
 - (a) Development where the local government accepts the recommendation and any advice of the Department of Agriculture and Food.
 - (b) Development for which the local government decides to refuse approval under the GBRS
- 9. Development of one or more of the following kinds which is on land in, adjacent to or in close proximity to the strategic minerals and basic raw materials resource policy area and which requires planning approval under the GBRS—
 - (a) Development where the local government accepts the recommendation and any advice of the Department of Mines and Petroleum.
 - (b) Development for which the local government decides to refuse approval under the GBRS.
- 10. Development of one or more of the following kinds which is on land partly or wholly within the land subject to the floodplain management policy area and which requires planning approval under the GBRS—
 - (a) Development where the local government accepts the recommendation and any advice of the Department of Water;
 - (b) Development for which the local government decides to refuse approval under the GBRS.
- 11. Development in an activity centre which is for shop-retail purposes and which requires planning approval under the GBRS and for which the local government decides to refuse approval under the GBRS.
- 12. Development in the rural zone, other than for an animal husbandry-intensive, which requires planning approval under the GBRS and for which the local government decides to refuse approval under the GBRS.
- 13. Development for an animal husbandry-intensive premises, or for any extension or addition in excess of 100 m² to the improvements of an existing animal husbandry-intensive premises and which is one or more of the following kinds—
 - (a) Development where the local government accepts the recommendation and any advice of the Department of Planning, Department of Agriculture and Food, Department of Health, Department of Environment and Conservation and/or Environmental Protection Authority.
 - (b) Development for which the local government decides to refuse approval under the GBRS .
- 14. Any extension and/or change to a non-conforming use which requires planning approval under the GBRS and which is one or more of the following kinds—
 - (a) Development where the local government accepts the recommendation and any advice of the Department of Planning.
 - (b) Development for which the local government decides to refuse.

Schedule 3—Terms of delegations to determine development on reserved and zoned land

- 1. Under clause 36 of the GBRS, an application for planning approval is to be submitted to the local government, which, if the application is to be determined by the WAPC, shall forward it to the WAPC in seven days and make recommendations to the WAPC within 42 days, or such longer period as the WAPC allows.
- 2. An application for development on reserved land, excluding regional open space, shall be referred within seven days to the public authority responsible for that reserved land for advice and recommendation before being considered by the local government.

- 3. An application for development on or abutting regional open space reservations, shall be referred within seven days to the Department of Planning for advice and recommendation before being considered by the local government.
- 4. An application for development in or abutting a primary regional roads reservation shall be referred within seven days to Main Roads Western Australia for advice and recommendation before being considered by the local government.
- 5. An application for development in or abutting an other regional roads reservation shall be referred within seven days to the Department of Planning for advice and recommendation before being considered by the local government.
- 6. An application for development abutting a port installations, public purposes, railways, state forests or waterways reservation shall be referred within seven days to the public authority responsible for that reserved land for advice and recommendation before being considered by the local government.
- 7. An application for development within the water catchments special control area (SCA No. 1) shall be referred within seven days to the Department of Water and/or the Water Corporation for advice and recommendation before being considered by the local government.
- 8. An application for development in the Kemerton industrial zone buffer special control area (SCA No. 2) shall be referred within seven days to the Department of State Development and the Environmental Protection Authority for advice and recommendation before being considered by the local government.
- 9. An application for development in the Glen Iris service corridor buffer special control area (SCA No. 3) shall be referred within seven days to the Bunbury Port Authority, Department of State Development and the Environmental Protection Authority for advice and recommendation before being considered by the local government.
- 10. An application for development within, adjacent to or in close proximity to the strategic agricultural resource policy area shall be referred within seven days to the Department of Agriculture and Food for advice and recommendation before being considered by the local government.
- 11. An application for development in, adjacent to or in close proximity to the strategic minerals and basic raw materials resource policy area shall be referred within seven days to the Department of Mines and Petroleum for advice and recommendation before being considered by the local government.
- 12. An application for development partly or wholly within the floodplain management policy area shall be referred within seven days to the Department of Water for advice and recommendation before being considered by the local government.
- 13. An application for an animal husbandry-intensive premises shall be referred to the Department of Planning, Department of Agriculture and Food, Department of Health and Department for Environment and Conservation and/or the Environmental Protection Authority for advice and recommendation before being considered by the local government.
- 14. An application for any extension and/or change to a non-conforming use shall be referred within seven days to the Department of Planning for advice and recommendation before being considered by the local government.
- 15. Where an application is referred to an advice agency for advice and recommendation the agency is to be advised that if no advice or recommendation has been received within thirty days of receipt of the application by the advice agency the application may be determined on the available information; and the WAPC, or delegate of, or a local government acting under delegated power, may determine the application on that basis.
- 16. Following referral for advice and recommendation, an application which is to be determined by the WAPC shall be forwarded as soon as practicable to the WAPC with the advice and recommendations provided by all the advice agencies consulted together with the advice and recommendation of the local government.
- 17. Where the recommendation provided by an advice agency specified above is not acceptable to the local government, the application, together with the recommendations provided by all advice agencies consulted and the reasons why the recommendation is not acceptable to the local government, shall be forwarded immediately to the WAPC for determination.
- 18. Each local government shall report to the WAPC, in the form and manner required by the WAPC, all decisions made under this instrument of delegation.
- 19. The powers delegated to members and officers of a local government may only be exercised by a member or officer who has been delegated power from the local government to consider and determine applications for approval to commence and carry out development in the local government district under the local planning scheme.

Schedule 4—Definitions

In this instrument of delegation, words have the meanings given to them in the Act and the GBRS. Unless the context otherwise requires—

- 'Abutting' reserved land means the zoned land shares a common boundary with reserved land.
- 'Access' means entry or exit (or both) from either a road or abutting development by a vehicle.
- 'Activity centre' means the category of activity centres set out in Table 2 of the *Activity Centres for Greater Bunbury Policy*, namely—
 - City Centre
 - District Centres

- Neighbourhood centres
- Special Centres
- Town Centres

'Advice agency' means a department, public authority or body which is requested to provide advice and recommendations on applications for planning approval under the GBRS as an agency responsible for reserved land or to which local governments refer applications under the terms of schedule 3.

'Animal husbandry-intensive' has the same meaning as in the Town Planning Regulations 1967.

'Forward to the WAPC' and similar expressions mean convey by mail, by hand or electronically to the Bunbury office of the Department of Planning.

'Net lettable area' means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas—

- (a) all stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, tea rooms and plant rooms and other service areas;
- (b) lobbies between lifts facing other lifts servicing the same floor
- (c) areas set aside for the provision of facilities or services to the floor or building;
- (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building.

'Non-conforming use' has the same meaning as it has in the *Planning and Development Act 2005* section 172.

'Not acceptable' means that the local government wishes the application to be determined in a manner that is inconsistent with the advice and/or recommendation received from the advice agency which the local government was required to consult.

'Planning approval' and 'planning approval under the GBRS' mean the planning approval of the WAPC as required under the GBRS and by resolution of the WAPC under clause 27 of the GBRS, whether granted by the WAPC or by delegates of the WAPC including committees, officers, local governments and members and officers of local governments.

'Proximity' and 'in close proximity' mean that the development is, in the opinion of the WAPC or local government, sufficiently close to a policy area for the effects of activities in the policy area (such as noise, odour, spray drift or dust) to be likely to have an adverse effect on the proposed use, and/or for the effects of the development to be likely to have an adverse effect on uses in the policy area.

'Shop-retail' means the land use activities included in "Planning land use category 5: Shop/Retail" as defined by the Commission's South West Land Use and Employment Survey (as amended from time-to-time).

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Matter referred to	Where referred to			
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PL403*

PLANNING AND DEVELOPMENT ACT 2005

INSTRUMENT OF DELEGATION

Del 2010/02

Notice of amendment to the Instrument of Delegation to Officers of certain powers and functions of the Western Australian Planning Commission, as gazetted on 31 August 2010.

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act) the Western Australian Planning Commission (the WAPC) may, by resolution in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or a member or officer of a public authority.

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred upon the WAPC by the Act or any other written law as the case requires.

Resolution under s 16 of the Act (delegation)

On 16 March 2012, pursuant to section 16 of the Act, the WAPC resolved—

- A To delegate its powers and functions as set out in column 1 of the attached schedule, to the officers specified in column 2 of the attached schedule.
- B To amend the Instrument of Delegation DEL 2010/02 Powers of Officers Schedule 9—Powers under the Greater Bunbury Region Scheme at Clause 9.1 published in the *Government Gazette* on 31 August 2010 (pages 4197-4216) to give effect to this delegation, as set out in the attached Schedule.

PLANNING AND DEVELOPMENT ACT 2005

Instrument of Delegation

Schedule

Schedule 9 of the instrument of delegation DEL 2010/02 Powers of Officers is amended by omitting item 9.1 and inserting instead—

Column 1	Column 2
 9.1 Power to determine applications for approval to commence and carry out development submitted or referred to the WAPC pursuant to the provisions of the Greater Bunbury Region Scheme but only where— (a) the determinations is not significantly at variance with the recommendations made by the local government; (b) no response has been received from the local government within the period prescribed in clause 36(3) of the Greater Bunbury Region Scheme; (c) the application is refused; or (d) the determination is at variance to the recommendations made by local government but only where approval of the development would not be inconsistent with WAPC policy. 	 Executive Director, Regional Planning and Strategy Division, 15196.1 Planning Director, South West Regions, 15415.1 Planning Manager, Statutory Planning, 15235.1 Planning Manager Greater Bunbury Region Scheme, 15214.1

PL404*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Joondalup

District Planning Scheme No. 2—Amendment No. 54

Ref: TPS/0591

It is hereby notified for public information, in accordance with section 87 of the $Planning\ and\ Development\ Act\ 2005$ that the Minister for Planning approved the City of Joondalup local planning scheme amendment on 11 April 2012 for the purpose of—

- 1. Removing the 'Public Use' reservation from Lot 613 (11) Pacific Way, Beldon.
- 2. Zoning Lot 613 (11) Pacific Way, Beldon to 'Residential'.

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

PL405*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

Shire of Boddington

Local Planning Scheme No. 2—Amendment No. 16

Ref: TPS/0238

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 Boddington local planning scheme amendment on 22 March 2012 for the purpose of—

- 1. Rezoning Lots 1, 2 and 3 Crossman Road, Ranford from Rural to Special Use, Parks and Recreation Reserve and Public Purposes—Community.
- 2. Amending Appendix 4—Special Use Zone to insert the following provisions relating specifically to Lots 1, 2 and 3 Crossman Road—

No.	Land Particulars	Permitted Uses	Development Standards/Conditions
4.	Lots 1, 2, & 3 Crossman Road, Ranford	As per Rural Residential zone and as per approved Subdivision Guide Plan.	 Subdivision shall generally be in accordance with the endorsed Subdivision Guide Plan or any variation approved by the Western Australian Planning Commission. Connection to reticulated water for all dwellings will be provided at subdivision stage of development.

No.	Land Particulars	Permitted Uses	Development Standards/Conditions
			3. No more than one single dwelling will be permitted on each lot.
			4. No dwelling shall be constructed with an internal floor area of less than 60m ² .
			5. Where depicted on the Subdivision Guide Plan, all buildings are to be located outside of the designated building exclusion areas and not within 10m of any lot boundary.
			6. In the interest of landscape and soil preservation, no trees or substantial vegetation shall be removed or felled except where— • Trees are dead, diseased or dangerous;
			 Access to a building site or for bush fire management is required and approved; Erection of a building or outbuilding;
			 An area up to one metre in width for the purpose of erecting and maintaining a fence line.
			The removal of trees or substantial vegetation for any purpose other than the above exceptions shall require the consent of Council. As a condition of granting consent, Council may require tree planting in locations approved by Council.
			7. The 10m wide Landscape Buffer strip nominated along Crossman Road as show on the Subdivision Guide Plan is to be planted with locally indigenous vegetation species by the developer and maintained by individual landowners as a condition of subdivision approval.
			8. Trees with hollows shall be annotated on the Subdivision Guide Plan, marked on site for retention prior to commencement of subdivision works, and retained in accordance with a Trees with Hollows Management Plan.
			9. A Trees with Hollows Management Plan shall be prepared and implemented as a condition of subdivision approval to the satisfaction of the Department of Environment and Conservation.
			10. A Fire Management Plan is to be implemented as a condition of subdivision to a standard approved by Council and the Fire and Emergency Services Authority.
			11. No dwelling shall be constructed or approved for construction unless an approved method of effluent disposal has been incorporated into the approved plans. Conventional (septic and leach drain) effluent disposal systems are acceptable providing a 100m horizontal separation is achieved between the effluent disposal system and the Hotham River or other watercourse. If this separation can not be achieved, an alternative treatment unit approved by the Department of Health shall be required.
			12. A Local Water Management Strategy is to be prepared to the satisfaction of the Department of Water prior to any subdivision approval of the subject land.
			13. No building shall be constructed of material or colours which in the opinion of Council are undesirable for the locality.
			14. All fencing within the Special Use zone shall retain the rural character of the area and the use of asbestos, metal sheeting or wooden pickets shall be prohibited. Council may impose

No.	Land Particulars	Permitted Uses	Development Standards/Conditions
			fencing requirements as a condition of its approval to protect substantial vegetation or the river environs.
			15. With the intention of preventing overstocking, erosion or other practices detrimental to the amenity of the Special Use zone, intensive agricultural pursuits and the breeding or keeping of animals for commercial gain shall not be permitted. Stocking rates will be in line with those recommended by the Department of Agriculture and Food. Provision of an adequate water supply to the stock may also be required as a condition of approval.
			16. A Foreshore Management Plan addressing, but not restricted to, weed control, revegetation, fencing, stock control, pedestrian access and restrictions on vehicular access shall be prepared and implemented as a condition of subdivision approval.
			17. Prior to issue of titles, the subdivider shall provide a dual use path between River Road and the subject land, generally in the location depicted on the Subdivision Guide Plan, to the satisfaction of Council.
			18. Building and landscaping design guidelines shall be prepared by the developer in consultation with Council as a condition of subdivision approval to address, but not be restricted to, provisions 7, 13 and 14 and the objective of achieving a quality Special Use estate. These guidelines shall be distributed to potential purchasers by the developer and be made available at the Shire of Boddington for implementing at the subdivision construction and development stages.

3. Amending the Scheme Map accordingly.

J. R. ALLERT, Shire President. G. A. SHERRY, Chief Executive Officer.

PL406*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Fremantle

Local Planning Scheme No. 4—Amendment No. 41

Ref: TPS/0485

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 Fremantle local planning scheme amendment on 11 April 2012 for the purpose of—

- 1. Amending the Scheme map for Number 125 (Lot 602) South Terrace, South Fremantle from a zoning of Residential to Mixed Use.
- 2. Amending the Scheme map for Number 147 (Lot 904) South Terrace, South Fremantle from a zoning of Residential to Mixed Use.
- 3. Amending the Scheme map for Number 149 (Lot 9) South Terrace, South Fremantle from a zoning of Residential to Mixed Use.
- 4. Amending the Scheme map for Number 177 (Lot 700) South Terrace, South Fremantle from a zoning of Residential to Mixed Use.

Dr B. PETTITT, Mayor. G. MacKENZIE, Chief Executive Officer.

WATER/SEWERAGE

WA401*

WATER AGENCIES (POWERS) ACT 1984

Shire of Roebourne

TEMPORARY WASTEWATER TREATMENT PLANT AT KARRATHA NO. 2 WASTEWATER TREATMENT PLANT

Authorisation Document

In accordance with the provisions of the Water Agencies (Powers) Act 1984, the Water Corporation is authorised to construct a temporary wastewater treatment plant at Karratha No. 2 wastewater treatment plant, located near Gap Ridge, comprising of installation of a packaged wastewater treatment plant and irrigation system to temporarily expand the capacity of the current Karratha No. 2 wastewater treatment plant to treat an additional 0.9 million litres of inflow per day.

The works will cater for increased flows until an upgrade of the Karratha No 1 wastewater treatment plant, located near the Light Industrial Estate, is completed in 2014. When completed, the works will allow for growth and development in Karratha.

This project is jointly funded by the Water Corporation capital works program and the Royalties for Regions allocation to the Pilbara Cities Office within the Department of Regional Development and Lands.

The Notice of Proposal to construct the works and the above plan, 51127-0-2, was advertised in The Pilbara News on Wednesday, 30 November 2011 and The Pilbara Echo on Saturday, 3 December 2011

This Authorisation shall take effect from 25 March 2012 and construction will begin after this date.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the will of Phillip Herbert Renkin, late of 4 Daines Street, Two Rocks in the State of Western Australia, retired RAF Group Captain, deceased.

Notice is hereby given that all persons having claims or demands against the estate of the above-named deceased Phillip Herbert Renkin are requested to send particulars thereof in writing to the executor, Margaret Riddle of 8 Crowlin Gardens, Seville Grove in the said state, within one month and one day from the date of publication here in after which date the executor will proceed to distribute the assets of the deceased among the persons entitled thereto having regard only to the claims and demands of which she shall then have notice.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Klementine Maria Bracic, late of Glenn-Craig Nursing Home, Beaufort Road, Albany, 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 21 December 2011, are required by the Executor of the Will of the late Klementine Maria Bracic of c/- Latro Lawyers of PO Box 5994, Albany, Western Australia 6332 to send particulars of their claims to them within one (1) month from 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 it then has notice.

Dated this 20th day of April 2012.

ZX403*

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estates of the undermentioned deceased persons, are required to send particulars of their claim to Plan B Trustees Limited of Level 28, 152-158 St George's Terrace Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice—

Willoughby William Frederick of 154 Duke Street, Busselton, Retired Plant Operator died on

17 February 2012.

Neill Eva Nellie of Bethavon, 107 Duke Street, Northam, Widow died on 23 February 2012.

Constantine Michael Barry of 22 Windmill Drive, Bibra Lake, Boilermaker died on 9 January 2012.

Spence Herbert Ivan of 8 Marra Way, South Lake, Retired Pharmacist died on 15 February 2012.

Lessels Margaret Hilda of St George's Home, 2 Essex Street, Bayswater, Widow died on

23 February 2012.

Diver Kenneth of Unit 3 Elizabeth Gardens, 212 Spencer Street, Bunbury, Retired Stock

Inspector died on 24 March 2012.

Dated: 18 April 2012.

MICHAEL SATIE, Manager Estate and Trust Administration.

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

Clement, Muriel Fanny late of 58 Canna Drive, Canning Vale 6155 died 15 March 2012 (DE 33054437 EM26)

Farmer, Marion Rondah late of 70-74 Fourth Avenue, Shoalwater 6169 died 12 March 2012 (DE 19702090 EM13)

Finch, William Henry late of Dale Cottages 16 Deerness Way, Armadale 6112 died 13 March 2012 (DE 19953166 EM15)

Grixti, Roseanne Angela also known as Rosanna Grixti late of Embleton Care Facility, 46 Broun Avenue, Embleton 6062 died 21 March 2012 (DE 19980168 EM36)

Grech, Joseph Rosario Xavier Francis Dominic late of Bentley Park, Unit 16 Bollig Gardens, Bentley 6102 died 30 March 2012 (DE 19980167 EM36)

Jones, Vera Aegis Low Care 340 Anchorage Drive, Mindarie WA 6030 died 22 March 2012 (DE 19970045 EM110)

Wood, Jean Mariam formerly of 29 Piercy Way, Kardinya late of J E Murray Home, 16 Deerness Way, Armadale 6112 died 13 March 2012 (DE 19862969 EM24)

BRIAN ROCHE, Public Trustee, Public Trust Office, 553 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 20th day of April 2012.

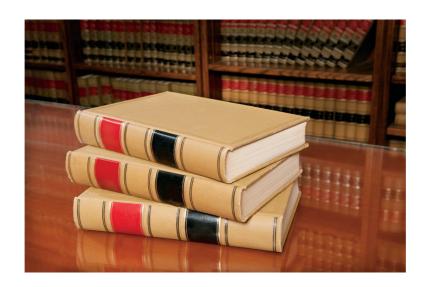
BRIAN ROCHE, Public Trustee, 553 Hay Street, Perth WA 6000.

Name of DeceasedAddressDate of DeathDate Election FiledRonald James Fiegert61 Harborne Street, Wembley26 November 201111 April 2012

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