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CONTENTS

PART 1

	Page
Home Building Contracts Act 1991—Home Building Contracts (Home Indemnity Insurance Exemptions) Amendment Regulations 2012.....	2059
State Superannuation Act 2000—State Superannuation Amendment Regulations (No. 2) 2012.....	2063
Water Services Licensing Act 1995—Water Services Licensing (St Ives Gold Mining Company Pty Limited) Exemption Order 2012.....	2064

PART 2

Agriculture and Food.....	2066
Cemeteries.....	2068
Consumer Protection.....	2071
Deceased Estates.....	2085
Education.....	2071
Environment.....	2072
Fire and Emergency Services.....	2072
Fisheries.....	2072
Marine/Maritime.....	2073
Minerals and Petroleum.....	2076
Planning.....	2077
Salaries and Allowances Tribunal.....	2084

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— PART 1 —

COMMERCE

CM301*

Home Building Contracts Act 1991

Home Building Contracts (Home Indemnity Insurance Exemptions) Amendment Regulations 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Home Building Contracts (Home Indemnity Insurance Exemptions) 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 *Home Building Contracts (Home Indemnity Insurance Exemptions) Regulations 2002*.

4. Regulation 3 amended

- (1) In regulation 3(1) delete the definitions of:

Building Code of Australia
building licence

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

Building Code of Australia means the Building Code of Australia which is volumes 1 and 2, as amended from time to time, of the National Construction Code series published by, or on behalf of, the Australian Building Codes Board;

Housing Authority means the Housing Authority referred to in the *Housing Act 1980* section 6(4);

5. Regulation 4 amended

In regulation 4(1):

- (a) delete “licence is to be issued after these regulations commence” and insert:

permit is to be granted

- (b) in paragraph (a) delete “licence is to be issued; and” and insert:

permit is to be granted; and

Note: The heading to amended regulation 4 is to read:

Exemption from Part 3A of the Act — contracts entered into before building permit granted

6. Regulation 5 amended

In regulation 5:

- (a) delete “licence is to be issued after these regulations commence” and insert:

permit is to be granted

- (b) in paragraph (a) delete “licence is to be issued,” and insert:

permit is to be granted,

Note: The heading to amended regulation 5 is to read:

Exemption from Part 3A of the Act — no contracts entered into at the time building permit granted

7. Regulation 6 amended

- (1) Before regulation 6(1) insert:

- (1A) In this regulation —

commencement day means the day on which the *Building Act 2011* section 20 comes into operation;

former exemption means an exemption from Part 3A of the Act under regulation 4 or 5 as in force immediately before commencement day.

- (2) In regulation 6(1) delete “licence for the building work is issued,” and insert:

permit for the building work is granted,

- (3) After regulation 6(1) insert:

- (2A) A former exemption of particular residential building work ceases if, before entering into a building contract or sale contract in respect of the building work after a building licence for the building work was issued, the builder does not give a notice in the form set out in Schedule 1 Form 1 to the other party to the contract.

- (4) In regulation 6(2) after “subregulation (1)” (each occurrence) insert:

or (2A)

- (5) In regulation 6(4)(a) after “subregulation (1)” insert:

or (2A)

Note: The heading to amended regulation 6 is to read:

Exemption from Part 3A of the Act — contracts entered into after building licence issued or building permit granted

8. Regulation 7 amended

In regulation 7(1) delete “6(1)” and insert:

6(1), (2A)

9. Regulation 7A amended

In regulation 7A(1) delete “6(1)” and insert:

6(1), (2A)

10. Regulation 9 amended

- (1) In regulation 9(1)(b)(ii) delete “local government that is to issue the building licence.” and insert:

permit authority that is to grant the building permit.

- (2) In regulation 9(3) delete “local government” and insert:

permit authority

11. Regulation 10 amended

- (1) In regulation 10(1) after “regulation 9(1),” insert:

whether before or after the commencement day as defined in regulation 6(1A),

- (2) In regulation 10(2)(a) delete “a remedy under section 12A of the *Builders’ Registration Act 1939*” and insert:

a building remedy order as defined in the *Building Services (Complaint Resolution and Administration) Act 2011* section 3

12. Part 4 heading replaced

Delete the heading to Part 4 and insert:

Part 4 — Housing Authority

13. Regulation 11 amended

- (1) In regulation 11(1) delete “State Housing Commission” and insert:

Housing Authority

- (2) In regulation 11(2) delete “State Housing Commission” and insert:

Housing Authority

- (3) In regulation 11(3)(a) delete “a remedy under section 12A of the *Builders’ Registration Act 1939*” and insert:

a building remedy order as defined in the *Building Services (Complaint Resolution and Administration) Act 2011* section 3

- (4) Delete regulation 11(6).

Note: The heading to amended regulation 11 is to read:

Exemption — Housing Authority

14. Schedule 1 amended

In Schedule 1 Form 2 clause 8 delete “Department of Consumer and Employment Protection” and insert:

Department of Commerce

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

TREASURY AND FINANCE

TR301*

State Superannuation Act 2000

State Superannuation Amendment Regulations (No. 2) 2012

Made by the Governor in Executive Council.

1. Citation

These regulations are the *State Superannuation 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 *State Superannuation Regulations 2001*.

4. Schedule 1 amended

Delete Schedule 1 Division 2 item 5.

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

WATER/SEWERAGE

WA301*

Water Services Licensing Act 1995

Water Services Licensing (St Ives Gold Mining Company Pty Limited) Exemption Order 2012

Made by the Governor in Executive Council under section 19 of the Act.

1. Citation

This order is the *Water Services Licensing (St Ives Gold Mining Company Pty Limited) Exemption Order 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. Terms used

In this order —

ConsMin means Consolidated Nickel Kambalda Operations Pty Ltd (ACN 105 124 034);

Deed means the Beta/Hunt Water Supply Deed dated 9 September 2003 between SIGMC and ConsMin and includes the Deed as extended, varied or replaced from time to time;

Goldfields/South West Region Controlled Area means the Goldfields/South West Region Controlled Area (Water Supply

and Sewerage Services) constituted by the *Goldfields/South West Region Controlled Area (Water Supply and Sewerage Services) Order 1999*;

SIGMC means St Ives Gold Mining Company Pty Limited (ACN 098 386 273).

4. Exemption

SIGMC is exempt from the requirement in section 18 of the Act to hold an operating licence (water supply services) in respect of the supply of water to ConsMin in the Goldfields/South West Region Controlled Area pursuant to the Deed.

5. Expiry

This order expires on 30 June 2015.

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

— PART 2 —

AGRICULTURE AND FOOD

AG401*

SOIL AND LAND CONSERVATION ACT 1945

CARNARVON LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2012

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Carnarvon Land Conservation District (Appointment of Members) Instrument 2012*.

2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Carnarvon Land Conservation District) Order 1983**, the following members are appointed to the land conservation district committee for the Carnarvon Land Conservation District—

- (a) on the nomination of the Shire of Carnarvon: Charles Malcolm Brown of Carnarvon and William (Bill) Hopkinson of Hillspring Station; and
- (b) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Dave Bauer of Carnarvon
 - (ii) Anthony (Tony) Taffe of Carnarvon
 - (iii) Alexandra Harper of Carnarvon
 - (iv) Valerie Anne Shrubbs of Carnarvon
 - (v) Leslie Graham George of Carnarvon
 - (vi) Keith Herbert Collier of Carnarvon
 - (vii) Jean Stretch of Carnarvon
 - (viii) John Knowles Stretch of Carnarvon
 - (ix) Donna Louise Higgins of Carnarvon
 - (x) Ruth de Beer of Morgantown
 - (xi) Operations Manager, Department of Environment and Conservation, Carnarvon District
 - (xii) Manager, Department of Water, Gascoyne Region
 - (xiii) Environmental Officer, Department of Main Roads, Gascoyne Region

(*Published in the Gazette of 16 December 1983 at p. 4897 and amended in the Gazettes of 13 March 1987 at pp. 662-663, 10 June 1988 at pp. 1936-1937, 13 December 1991 at pp. 6150-6151, 25 August 1995 at p. 3845, 7 June 1996 at p. 2389 and an Amendment Order approved by Executive Council on 28 January 1998 (refer to Department of Agriculture reference: 881708V02P0Q)).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 31 March 2015.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this 16th day of April 2012.

AG402*

SOIL AND LAND CONSERVATION ACT 1945

KATANNING LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2012

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Katanning Land Conservation District (Appointment of Members) Instrument 2012*.

2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Katanning Land Conservation District) Order 1990**, the following members are appointed to the land conservation district committee for the Katanning Land Conservation District—

- (a) on the nomination of the Shire of Katanning: Robert Victor Godfrey of Katanning; and
- (b) to represent the Western Australian Farmers Federation (Inc): Michael Quartermaine of Katanning;
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Malcolm Beeck of Carrolup
 - (ii) Beverley Lockley of North Ewlyamartup
 - (iii) Ernest Maples of Ewlyamartup
 - (iv) Sue Rocchi of Katanning
 - (v) David Garnett of Ewlyamartup
 - (vi) Colin Beeck of Katanning
 - (vii) Steve Blyth of Katanning
 - (viii) David Secomb of Katanning
 - (ix) Michael Hobley of Katanning
 - (x) Beverley Dianne Kowald of Carrolup
 - (xi) Alexander Murray Leach of Katanning
 - (xii) Lynette Joy Leach of Katanning
 - (xiii) Wayne LeQuaietermaine
 - (xiv) Adrian Haywood Richardson of Carrolup North
 - (xv) Conservation Officer, Department of Environment and Conservation, Great Southern District

(*Published in the Gazette of 6 July 1990 at pp. 3268-3269 and Amendment Orders approved by Executive Council on 11 March 1997 and 16 November 1999 {refer to Department of Agriculture reference: 881722V02P00}).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 30 April 2015.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this 3rd day of May 2012.

AG403*

SOIL AND LAND CONSERVATION ACT 1945

MORAWA LAND CONSERVATION DISTRICT

(APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2012

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Morawa Land Conservation District (Appointment of Members) Instrument 2012*.

2. Appointment of members

Under section 23(2b) of the Act and clause 6(1) of the *Soil and Land Conservation (Morawa Land Conservation District) Order 1985**, the following members are appointed to the land conservation district committee for the Morawa Land Conservation District—

- (a) on the nomination of the Shire of Morawa: Gavin Ross Treasure of Morawa;
- (b) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Wallace Joseph Barnes of Canna
 - (ii) Andrew John Moore of Morawa
 - (iii) Stuart James Agar of Merkanooka
 - (iv) John Adrian Pulbrook of Morawa
 - (v) Garry Peter Collins of Morawa
 - (vi) Michael Eric Sasse of Merkanooka
 - (vii) John Damian Ryan of Morawa
 - (viii) David James Coaker of Morawa

(*Published in the Gazette of 3 May 1985 at pp. 1588-89 and amended in the Gazettes of 26 May 1989 at pp. 1576-1577 and 11 September 1992 at p. 4597 and an Amendment Order approved by Executive Council on 2 December 1997 {refer to Department of Agriculture reference: 881737V05P0H}).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 30 April 2015.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this 3rd day of May 2012.

AG404***SOIL AND LAND CONSERVATION ACT 1945**

LAKE GRACE LAND CONSERVATION DISTRICT
(APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 2012

Made by the Commissioner of Soil and Land Conservation.

1. Citation

This Instrument may be cited as the *Lake Grace Land Conservation District (Appointment of Members) Instrument 2012*

2. Appointment of members

Under section 23(2b) of the Act and clause 5(1) of the *Soil and Land Conservation (Lake Grace Land Conservation District) Order 1996**, the following members are appointed to the land conservation district committee for the Lake Grace Land Conservation District—

- (a) on the nomination of the Shire of Lake Grace: Marcus Owen of Lake Grace;
- (b) to represent the Western Australian Farmers Federation (Inc): Mary Naisbitt of Lake Grace; and
- (c) as persons actively engaged in, or affected by or associated with, land use in the district—
 - (i) Bill Willcocks of South Lake Grace
 - (ii) Ian Geoffrey Duckworth of Lake Grace
 - (iii) Debrah Susan Clarke
 - (iv) Paula Marie Carruthers of Lake Grace
 - (v) Ron Lay of Lake Grace

(*Published in the Gazette of 2 February 1996 at pp. 407-408 and amended in the Gazettes of 29 March 1996 at p. 1496 and 27 February 2001 at pp. 1211-1213).

3. Term of office

Members appointed to the committee under this instrument will hold office for a term expiring on 30 April 2015.

ANDREW WATSON, Commissioner of Soil and Land Conservation

Dated this 4th day of May 2012.

AG405***SOIL AND LAND CONSERVATION ACT 1945**

APPOINTMENT

Pursuant to section 23 (2b)(d) of the *Soil and Land Conservation Act 1945*, being persons actively engaged in, or affected by, or associated with land use in the District, Colleen Anne Bandy of Boyanup is appointed a member of the Donnybrook Balingup Land Conservation District (*the Committee was established by an Order in Council, published in the Government Gazette of 2 May 1995 at pp. 1672-1673 and amended in the Gazette of 16 March 2004 at p. 793*). The appointment is for a term ending on 28 February 2013.

ANDREW WATSON, Commissioner of Soil and Land Conservation.

Dated this 3rd day of May 2012.

CEMETERIES

CE401***CEMETERIES ACT 1986**

ALBANY CEMETERY BOARD

Fees and Charges

In pursuance of the powers conferred upon it by section 53 of the *Cemeteries Act 1986*, the Albany Cemetery Board hereby records having resolved on the 28th day of May 2012 to set the following fees

and charges effective from 1st day of July 2012. The fees and charges shall be payable upon application for services detailed hereunder.

Schedule of Fees and Charges

All Fees and Charges are inclusive of 10% GST (except where shown exempt)

	\$
1. Grant of Right of Burial (25 year tenure period)	
Grave Site (2.4m x 1.2m).....	1,270.00
Renewal of Grant of Right of Burial.....	1,270.00
Pre-need purchase—land selected by applicant or land reserved in advance.....	1,500.00
Approval to any refund on an unexpired Grant of Right of Burial shall be at the absolute discretion of the Board and in any case, the approved refund shall not exceed the amount originally paid, less an Administration fee of	156.00
2. Burial Fees—	
(a) Adult Burial.....	1,040.00
(b) Child Burial (under 13 years).....	635.00
(c) Stillborn Burial in special ground set aside.....	254.00
(d) Stillborn plaque on kerbing	295.00
(e) Re-opening of occupied gravesite, and burial	1,040.00
3. Exhumation fee	1,720.00
Re-burial after exhumation	1,040.00
4. Annual Licence fees (GST exempt)	
Funeral Director.....	570.00
(a) Single Funeral Permit (Funeral Directors only).....	306.00
(b) Single Funeral Permit (other than Funeral Director).....	410.00
Monumental Mason.....	330.00
(a) Single Permit (Monumental Mason only)	330.00
(b) Single Permit (other than Monumental Mason).....	410.00
(c) Single Permit/Licence Memorial Gardens (for each Memorial).....	330.00
5. Monumental Work (GST exempt)	
Permit for each memorial—	
Marker Memorial Park Cemetery	145.00
Lawn Area type monument to By-laws	121.00
Charge for maintenance of ground surrounding headstone.....	351.00
Renovations and additions to any monument.....	98.00
Additional Inscription	86.50
6. Miscellaneous fees—	
(a) Copy of Grant of Right of Burial.....	156.00
(b) Extraordinary work required, per hour	156.00
(c) Use of chapel for burial/memorial service with sound system.....	300.00
(d) Transfer of Grant of Right of Burial.....	156.00
7. Extra to Scheduled Fees & Charges—	
(a) Interment or Cremation without due notice as per By-laws.....	525.00
(b) Late arrival/departure	156.00
(c) Interment of oblong or oversize casket.....	277.00
(d) Interment or Cremation on a Saturday	600.00
(e) Search fee—involving Board Staff (minimum)	29.00
8. Cremation fees—	
(a) Adult Cremation.....	1,200.00
(b) Child Cremation (under 13 years).....	605.00
(c) Stillborn Cremation (no service).....	155.00
(d) Pre-need Cremation Certificate.....	1,285.00
Approval to any refund on an unused Cremation Agreement shall be at the absolute discretion of the Board and in any case, the approved refund shall not exceed the amount originally paid, less an Administration fee of	156.00
9. Disposal of Ashes- The tenure on all Cremation Memorials shall be 25 years from date of receipt of Scheduled fee—	
(i) Gardens of Remembrance	
Shrubbery—	
(a) 114x76mm 6 line bronze plaque and reservation for second interment.....	412.00
Second interment and bronze plaque.....	337.00

	\$
(b) 143x117mm 8 line bronze plaque and reservation for second interment.....	795.00
Second interment with second inscription	720.00
(c) 229x229mm 10-line bronze plaque and reservation for second interment.	1,073.00
Second interment with second inscription	998.00
(d) 229x229 6 line bronze plaque with recessed vase and reservation for two further interments	1,195.00
Second or third interment with new inscription.....	1,120.00
Rose Garden—	
(e) 143x117mm 8 line bronze plaque and reservation for second interment.....	929.00
Second interment with second inscription	854.00
(f) 143x117mm sculpted 8 line bronze plaque and reservation for second interment.....	995.00
Second interment with second inscription	920.00
(g) 184x229mm 8 line bronze plaque and reservation for second interment...	1,190.00
Second interment with second inscription	1,115.00
(h) 184x229mm sculpted 8 line bronze plaque and reservation for second interment.....	1,298.00
Second interment with second inscription	1,223.00
(i) 229x229mm 10 line bronze plaque and reservation for second interment.	1,283.00
Second interment with second inscription	1,208.00
(j) 229x229mm sculpted 10 line bronze plaque and reservation for second interment.....	1,375.00
Second interment with second inscription	1,300.00
(ii) Memorial Niche Walls—	
No. 1	
Double niche with 5 line bronze plaque	778.00
Second inscription	300.00
Single niche with 5 line bronze plaque.....	509.00
No. 2 and No. 3	
Double niche with 3 line bronze backing plate and 5 line first detachable plate.	1,098.00
Second inscription	386.00
Single niche with 8 line bronze plaque.....	580.00
(iii) Memorial Wall—	
6 line bronze plaque with reservation for second interment.....	836.00
Second interment with inscription	761.00
(iv) Compartment CZ Memorial Gardens—	
(a) Sculpted Border 381x279mm 8 line bronze plaque single site only.....	1,615.00
(b) Sculpted Border & Sculpted Design 381x279mm 8 line bronze plaque single site only.....	1,688.00
(c) Sculpted Border double 381x279mm with 1st detachable plate	1,792.00
Second detachable plate.....	362.00
(d) Sculpted Border & Sculpted Design double 381x279mm with 1 st detachable plate	1,874.00
Second detachable plate.....	362.00
(e) Modular 381x279mm 8 line bronze plaque single site only	1,666.00
(v) Pre-need site reservation for all Gardens & Walls (plaque not included) (non refundable fee).....	205.00
(vi) Non standard memorials (seats and rock placements) by quotation	
(vii) Emblems, Photographs, Colour, Extra lines on any Memorials by quotation & extra plaque fee	
(viii) Grant Fees by quotation dependant on memorial site chosen	
10. Other Fees—	
Marker for Memorial Park Cemetery unmarked grave (no tenure, plus permit fee)	1,211.00
Interment of Ashes in family Grave.....	185.00
Attendance at Gravesite/Memorial Gardens for placement of Ashes(15 minutes)....	100.00
Attendance at Gravesite/Memorial Gardens for placement of Ashes Saturday (15 minutes)	200.00
Collection of Ashes (service pre 01.07.2004) from Cemetery Office (24 hours notice required)	115.00

	\$
Postage of Ashes within Australia.....	196.00
Postage of Ashes Overseas (by quotation) and including an administration fee of.....	156.00
Scattering of Ashes to the winds.....	156.00
Storage in safe custody (after six months) per month	23.00
Transfer of Ashes to new position (plaque extra if required)	156.00
Granite Base Upgrade (143x117).....	219.00
Granite Base Upgrade (229x229).....	237.00
Acceptance and registration of Ashes from other Crematoria	156.00
Ashes Container	40.00
Presentation Urns and Keepsakes by quotation.	

WILLEM ROTH, Chairman.
PETER M. TOMLINSON, Administrator.

CONSUMER PROTECTION

CP401*

CO-OPERATIVES ACT 2009

ISSUE OF CERTIFICATE OF REGISTRATION TO A CORPORATION

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

ORGANIC AND BIODYNAMIC MEATS WESTERN AUSTRALIA CO-OPERATIVE LIMITED

WILL MORGAN, Deputy Registrar of Co-operatives.

CP402*

ASSOCIATIONS INCORPORATION ACT 1987

REINSTATED ASSOCIATION

Wavewalkers Longboard Club (Inc.)—A1008527F

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

Dated: 3 May 2012.

DAVID HILLYARD, Director, Retail and Services for
Commissioner of Consumer Protection.

EDUCATION

ED401*

SCHOOL EDUCATION ACT 1999

HIGHER SCHOOL LEAVING AGE OPTIONS AMENDMENT 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 Amendment Order (No. 2) 2012*

2. Amendments

The Table to the *Higher School Leaving Age Options Order 2008* published in the *Government Gazette* on 13 May 2008 is amended by deleting—

Column 1 Course	Column 2 Provider	Location
Central Area Region Training Scheme Inc, trading as Directions	Fresh Learning for Youth (FLY)	Midland/Norham

Dated this 28th day of April 2012.

Dr ELIZABETH CONSTABLE MLA, Minister for Education.

ENVIRONMENT

EV401*

CONSERVATION AND LAND MANAGEMENT ACT 1984 MANAGEMENT PLAN

Shark Bay Terrestrial Reserves and Proposed Reserve Additions

The Conservation Commission of Western Australia advises that the Shark Bay Terrestrial Reserves and Proposed Reserve Additions Management Plan 2012 is available.

The management plan covers Francois Peron National Park; Dirk Hartog Island National Park; Bernier and Dorre Islands Nature Reserve; other island nature reserves; Shell Beach Conservation Park and Zuytdorp Nature Reserve.

The management plan was prepared in accordance with sections 53 to 60 of the *Conservation and Land Management Act 1984* (the Act), and was approved by the Minister for Environment on 20 February 2012. No modifications were made to the management plan in accordance with section 60(2) of the Act. The management plan comes into operation with this *Government Gazette* notice.

The management plan and analysis of public submissions can be viewed and downloaded from the Department of Environment and Conservation's (DEC) website at—

www.dec.wa.gov.au/landmanagementplanning

Printed copies of the management plan can be obtained from the following DEC offices—

- State Operational Headquarters, 17 Dick Perry Avenue, Technology Park, Western Precinct, Kensington WA 6151.
- The Atrium, Level 4, 168 St Georges Terrace, Perth WA 6000.
- Midwest Region Office, 201 Foreshore Drive Geraldton WA 6531.
- Shark Bay District Office, 89 Knight Terrace Denham WA 6537.

BRIAN EASTON, Chairman,
Conservation Commission of Western Australia.
KEIRAN McNAMARA, Director General,
Department of Environment and Conservation.

FIRE AND EMERGENCY SERVICES

FE401*

BUSH FIRES ACT 1954

Shire of Dandaragan

APPOINTMENTS

Fire and Emergency Services Authority,
Perth.

Correspondence No. 06870

The following persons have been appointed as Fire Weather Officers for the Shire of Dandaragan in accordance with the *Bush Fires Act 1954*—

Richard Allen—Fire Weather Officer
Aubrey Panizza—Deputy Fire Weather Officer
John Auld—Deputy Fire Weather Officer
Richard Brown—Deputy Fire Weather Officer

WAYNE GREGSON APM, Chief Executive Officer.

FISHERIES

FI401*

PEARLING ACT 1990 GRANT OF PEARLING LEASE

FD 62/11

I, Lindsay Joll, the Director Aquatic Management as delegate for the Chief Executive Officer of the Department of Fisheries, Western Australia, pursuant to Section 23 of the *Pearling Act 1990* ("the *Pearling Act*") grant a pearl oyster farm lease under exceptional emergency circumstances as applied for by BR & LM Brown, in respect of an area of water located at Shenton Bluff, valid until 12 January 2013.

The coordinates of the lease are as follows—

Boundary Corner Coordinates: Datum GDA94

Pnt	Latitude	Longitude
A	16°29.700 S	123°5.000 E
B	16°29.700 S	123°6.000 E
C	16°30.700 S	123°6.000 E
D	16°30.700 S	123°5.000 E

Pursuant to Section 33(1) of the *Pearling Act 1990* a person aggrieved by my decision may apply to the State Administrative Tribunal (SAT) for a review of this decision. Application forms can be obtained from the SAT located at Ground Level, 12 St Georges Terrace, Perth WA, or from the SAT's website at www.sat.justice.wa.gov.au. The application together with any supporting documents should be lodged with the SAT within 28 days of publication of the Notice. When an application is accepted by the Chief Executive Officer of the SAT, the applicant is to give a copy of the application to the Chief Executive Officer, Department of Fisheries, Level 3, 168 St Georges Terrace, Perth, WA.

Dated this 8th day of May 2012.

L. JOLL, Director Aquatic Management
as delegate of the Chief Executive Officer,
Department of Fisheries.

MARINE/MARITIME

MA401*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
DECLARATION AND EXEMPTION OF EMERGENCY VESSELS
Western Australian Government Agencies

(NWR—2012—007791)

I, David Harrod, Marine Safety General Manager in the Department of Transport and delegate of the chief executive officer, acting pursuant to regulation 19H(3) of the *Navigable Waters Regulations 1958* (“the Regulations”), do hereby revoke the declaration NWR—2011—00773 published by notice in the Gazette on 20 January 2012, page 520, and hereby vary the declaration NWR—2011—00770 published by notice in the Gazette of 10 January 2012, page 417, by substituting Schedule 1 published in that notice with Schedule 1 below, thus declaring each of the vessels listed in Schedule 1 to this notice to be an emergency vessel subject to the specifications and exemptions set out in Schedule 2 to the notice of 10 January 2012.

This instrument is to be known as NWR—2012—00791.

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

Signed this 23rd day of April 2012.

(NWR-2012-00791
Schedule 1

Agency	Vessel Name	Vessel No.
Department of Transport, Marine Safety	PV5	MH6096
Department of Transport, Marine Safety	PV6	MH6683
Department of Transport, Marine Safety	PV7	MH6355
Department of Transport, Marine Safety	PV9	MH6241
Department of Transport, Marine Safety	PV10	MH5107
Department of Transport, Marine Safety	PV11	MH5421
Department of Transport, Marine Safety	PV12	MH5262
Department of Transport, Marine Safety	PV14	MH6826
Department of Transport, Marine Safety	PV15	MH3982
Department of Transport, Marine Safety	PV16	C660
Department of Transport, Marine Safety	PV18	C1225
Department of Transport, Marine Safety	“Scorpion”	C1393
Department of Fisheries	“Walcott”	MH4752
Department of Fisheries	FD5	MH6499

Agency	Vessel Name	Vessel No.
Department of Fisheries	FD7	MH6184
Department of Fisheries	FD9	MH5632
Department of Fisheries	FD12	MH6602
Department of Fisheries	FD23	C819
Department of Fisheries	FD26	MH6498
Department of Fisheries	FD41	MH5665
Department of Fisheries	FD50	MH6385
Rottneest Island Authority	Ranger 1	MH6501
Rottneest Island Authority	Marine II	MH6183
Department of Environment and Conservation	"Pseudorca III"	MH6412
Department of Environment and Conservation	"Lakela"	MH6414
Department of Environment and Conservation	"Sousa"	MH6525
Department of Environment and Conservation	"DECV09"	MH6598
Department of Environment and Conservation	"Hgaiup Spirit"	MH6332
Police Department	"Delphinus" TW150	MH3621
Police Department	Aux to "Delphinus" TW155	MH6455
Police Department	"Falcon" TW160	MH5202
Police Department	TW151	MH6353
Police Department	TW152	MH6443
Police Department	TW153	C1487
Police Department	TW154	MH6255
Police Department	TW170	MH6296
Police Department	TW171	C1337
Police Department TRG	QO390	MH6654
Police Department TRG	QO391	MH6254
Swan River Trust	"Wilma Vincent"	C893
Swan River Trust	SRT 1	MH6827

MA402*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958
 DECLARATION AND EXEMPTION OF EMERGENCY VESSELS
 VARIATION OF EXEMPTION
 Volunteer Organisations

(NWR- 2012-00790)

I David Harrod, Marine Safety General Manager in the Department of Transport and delegate of the chief executive officer, acting pursuant to regulation 19H(3) of the *Navigable Waters Regulations 1958* ("the Regulations"), do hereby vary the declaration NWR-2011-00771 published by notice in the Gazette of 10 January 2012, page 415 by substituting Schedule 1 published in the aforementioned notice with Schedule 1 below, thus declaring each of the vessels listed in Schedule 1 to this notice to be an emergency vessel subject to the specifications and exemptions set out in Schedule 2 to the notice of 10 January 2012.

This instrument is to be known as NWR—2012—00790.

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

Signed this 23rd day of April 2012.

(NWR-2012-00790)
 Schedule 1

Rescue Group/Authority	Name of Vessel	Vessel Registration Number
Albany Sea Rescue Squad	Rescue 1	BZ650
Albany Sea Rescue Squad	Rescue 2	EK539

Rescue Group/Authority	Name of Vessel	Vessel Registration Number
Albany Sea Rescue Squad	Rescue 3	DL247
Augusta Volunteer Sea Rescue Group	R.V. Ryal	EA706
Bremer Bay Volunteer Marine Rescue	Rescue 1	DH984
Broome Volunteer Sea Rescue Group	Redbill II	DD045
Busselton Volunteer Marine Rescue Group	BJ Lucy	DM596
Busselton Volunteer Marine Rescue Group	Cheryll K	EG846
Bunbury Sea Rescue	VMR2	DY683
Bunbury Sea Rescue	VMR3	DU913
Carnarvon Volunteer Sea Rescue Group	Rescue 1	BR197
Carnarvon Volunteer Sea Rescue Group	Lady Daph	EI963
Cockburn Sea Rescue	Avail 4	EC 126
Cockburn Sea Rescue	Woodmans 01	BR296
Coral Bay Sea Rescue Group	Pilbara Seeker II	BC571
Denmark Sea Rescue Group		ED105
Derby Volunteer Marine Rescue Group	RV Volunteer	DC686
Esperance Sea Search & Rescue Group	Volunteer II	BH200
Esperance Sea Search & Rescue Group	Volunteer III	EI935
Exmouth Volunteer Sea Rescue Group	Ningaloo Endeavour	DP287
Fremantle Sea Rescue	R 100	DE424
Fremantle Sea Rescue	Reliant	BD067
Fremantle Sea Rescue	Mariner	DI444
Fremantle Sea Rescue	Vigilant	DS661
Fremantle Sea Rescue	Gemini 1	EF505
Geraldton Volunteer Sea Rescue Group	Nashira	EI466
Geraldton Volunteer Sea Rescue Group	Delron	DA130
Hopetoun Volunteer Sea Rescue Group	Mary Ann	DO962
Jurien Bay Volunteer Sea Rescue Group	Crikey	DN449
Kalbarri Water Rescue Group	Stephanie B	DA442
Lancelin Sea Search & Rescue Group	Volunteer Spirit	EE773
Leeman Volunteer Sea Rescue Group	Abe-Lee	EJ540
Mandurah Water Rescue Group	The Duck	AM555
Mandurah Water Rescue Group	Ruby A II	AG600
Mandurah Water Rescue Group	Charles B	EC910
Mandurah Water Rescue Group	Spirit of Mandurah	DG969
Margaret River Volunteer Sea Rescue Group	RV Brems	DF998
Naturaliste Volunteer Sea Rescue Group	Rescue 2	DC073
Naturaliste Volunteer Sea Rescue Group	Valarie June	DW292
Onslow Volunteer Marine Rescue Group		EH252
Peaceful Bay Sea Rescue Group	Peaceful Bay	BR683
Peaceful Bay Sea Rescue Group	Irwin	EA164
Port Denison Volunteer Sea Rescue Group	Rescue 1	DM262
Port Walcott Sea Search and Rescue Group	Pilbara Seeker III	EC796
Port Hedland Sea Rescue	Rescue 1	BP034
Rockingham Volunteer Sea Rescue Group	Jaimee lee	EB365
Rockingham Volunteer Sea Rescue Group	Bravo One	DM270
Two Rocks Volunteer Sea Rescue Group	Guardian I	EJ566
Two Rocks Volunteer Sea Rescue Group	Sea Guardian II	BS425
Shark Bay Volunteer Marine Rescue	Tamala Rose	EF122
Shark Bay Volunteer Marine Rescue	Rescue 3	DX210
Walpole Sea Search and Rescue Group	Harlequin	DH983
West Pilbara Volunteer Sea Search and Rescue Group	North West Shelf Venturer	DH685
Whitfords Sea Rescue	Stacey Hall	DG188
Whitfords Sea Rescue	City of Joondalup	EG421
Windy Harbour Volunteer Marine Rescue	Aurora	EE772
Wyndham Sea Rescue	Veronica Ryan	DW344

MA403*

WESTERN AUSTRALIAN MARINE ACT 1982
NAVIGABLE WATERS REGULATIONS 1958

Shire of Woodanilling

WATER SKI AREA

Queerearrup Lake

Department of Transport,
Fremantle WA, 11 May 2012.

Acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, I hereby revoke section (1) (b) (24) (ii) of Notice MH404 as published in the *Government Gazette* on 25 October 1991 and by this notice define and set aside the following area of Navigable Waters for the purpose of water skiing—

Queerearrup Lake: All the waters of the Queerearrup Lake with the exception of an area of closed waters to motorised vessels as defined below.

The area of water within the Queerearrup Lake enclosed by lines extending from a point 117°13.723'E, 33°30.937'S (on the foreshore east of the picnic area); thence due north to 117°13.723'E, 33°30.888'S (approximately 70 metres into the lake); thence to 117°13.489'E, 33°30.888'S (approximately 360 metres westerly), thence to 117°13.467'E, 33°30.911'S (approximately 60 metres south westerly up onto the foreshore). All coordinates based on GDA 94.

All water skiing within this area shall be in an anti-clockwise direction and no person shall engage in water skiing except between the hours of Sunrise and Sunset.

RAY BUCHHOLZ, Marine Safety Operations Director,
Department of Transport.

MA404*

WESTERN AUSTRALIAN MARINE ACT 1982

Shire of Woodanilling

CLOSURE OF NAVIGABLE WATERS—MOTORISED VESSELS

Queerearrup Lake

Department of Transport,
Fremantle WA, 11 May 2012.

Acting pursuant to the powers conferred by Section 66 of the *Western Australian Marine Act 1982*, I hereby revoke Section (a)(33) of Notice TR 402 as published in the *Government Gazette* on 27 January 1995 and hereby close the following area of water to motorised vessels until further notice—

Queerearrup Lake: All the waters of Queerearrup Lake enclosed by lines extending from a point 117°13.723'E, 33°30.937'S (on the foreshore east of the picnic area); thence due north to 117°13.723'E, 33°30.888'S approximately 70 metres into the lake); thence to 117°13.489'E, 33°30.888'S (approximately 360 metres westerly), thence to 117°13.467'E, 33°30.911'S (approximately 60 metres south westerly up onto the foreshore). All coordinates based on GDA 94.

RAY BUCHHOLZ, Marine Safety Operations Director,
Department of Transport.

MINERALS AND PETROLEUM

MP401*

PETROLEUM PIPELINES ACT 1969

GRANT OF PIPELINE LICENCE PL 94

Petroleum Pipeline Licence PL 94 was granted to DBNGP (WA) Nominees Pty Limited to have effect from and including 7 May 2012.

W. L. TINAPPLE, Executive Director, Petroleum Division.

MP402*

MINING ACT 1978
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,
Leonora WA 6438.

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

F. ZEMPILAS, Warden.

To be heard by the Warden at Leonora on 7 June 2012.

MT MARGARET MINERAL FIELD
Prospecting Licence

P 37//7704 Navigator Mining Pty Ltd

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005
METROPOLITAN REGION SCHEME MINOR AMENDMENT 1213/57
Eastern Districts Omnibus 8
Approved Amendment

File: 833-2-1-43

The Minister for Planning has approved, with modification, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission (WAPC) plan numbers 1.7125/1, 1.7126, 1.7127/1 and 1.7128 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 Shire of Mundaring and the City of Bayswater Local Planning Schemes are amended to give effect to the reservation(s) included in MRS Amendment 1213/57.

Pursuant to section 126(3) of the *Planning and Development Act 2005*, the City of Swan requested that the WAPC amend their Town Planning Scheme for the urban zoned land included in the proposals as follows—

Proposal 1—be concurrently amended to a “Industrial Development” zone under the City of Swan Local Planning Scheme No. 17.

Proposal 4—be concurrently amended to a “Residential Development” zone under the City of Swan Local Planning Scheme No. 17.

These requests were agreed to by the WAPC and are effective from the date of publication of this notice in the *Government Gazette*.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Friday 11 May 2012 to Friday 16 June 2012 at—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Swan
- City of Bayswater
- Shire of Mundaring
- Shire of Kalamunda
- Town of Bassendean

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 South Perth
 Town Planning Scheme No. 6—Amendment No. 29

Ref: TPS/0656

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 South Perth local planning scheme amendment on 24 April 2012 for the purpose of—

1. Modifying Clause 6.7 by—
 - (i) Changing the title of the clause to ‘Fences’.
 - (ii) Inserting the following, as sub-clause (1)—
 - (1) Any proposed fence, greater than 1.2m in height, which is to be located—
 - (a) on the primary street boundary of a lot or within the primary street setback area of a lot; or
 - (b) on or within 3 metres of a secondary street boundary;
 requires the prior planning approval of Council.
 - (iii) Deleting the existing wording of Clause 6.7 and inserting the following, as sub-clause (2)—
 - (2) Any proposed fence which does not require planning approval under clause 6.7(1) but exceeds 1.8 metres in height requires the prior written consent of Council. The Council shall not give its consent unless it is satisfied that the fence will not adversely affect the amenity of any property in the locality and will not clash with the exterior design of buildings in the locality. The fence height at any point shall be measured from the level of the ground immediately adjacent to the fence. Where the level of the ground at any point along the length of the fence is higher on one side of the fence than the level on the other side, the fence height at that point shall be measured from the higher side.
 - (iv) Inserting the following, as sub-clause (3)—
 - (3) A request for the written consent of Council required by sub-clause (2) shall be made in the form of a letter to Council signed by the owner of the lot on which it is proposed to erect the fence. The request must be accompanied by a scaled site plan and elevation drawings and any other information or drawings required by a planning policy of the Council.
 - (v) Inserting the following, as sub-clause (4)—
 - (4) Having considered a request made under sub-clause (3), the Council may refuse its written consent or give its written consent with or without conditions. Council’s written consent shall be issued in the form of a letter addressed to the owner of the lot on which it is proposed to erect the fence.
2. Modifying the definition of ‘planning approval’ within Schedule 1 to read as follows—

‘planning approval’: means a planning approval granted pursuant to the provision of this Scheme in the form prescribed in Schedule 8.

S. DOHERTY, Mayor.
 A. C. FREWING, Chief Executive Officer.

PL403*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of South Perth
 Town Planning Scheme No. 6—Amendment No. 31

Ref: TPS/0720

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 South Perth local planning scheme amendment on 24 April 2012 for the purpose of—

1. Rezoning a portion of Lot 36 (No. 47) Tate Street, South Perth from “Residential” to “Local Commercial” to the extent shown on the ‘Proposed Zoning’ map for Amendment No. 31, and increasing the density coding of the whole site from R15 to R40.
2. Amending the Scheme Zoning Map for Precinct 5 ‘Arlington’ accordingly.

S. DOHERTY, Mayor.
 A. C. FREWING, Chief Executive Officer.

PL404*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Albany

Town Planning Scheme No. 3—Amendment No. 275

Ref: TPS/0487

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Albany local planning scheme amendment on 26 April 2012 for the purpose of—

1. Rezoning Lot 600 Pine Rise, Kalgan from the ‘Special Use’ and ‘Rural’ zone to the ‘Special Rural’ zone and amending the Scheme Maps accordingly.
2. Removing ‘Special Use Zone No. 14’ from Schedule III of the Scheme Text.
3. Amending Schedule 1 “Special Rural Zones” of the Scheme Text to—
 - (a) Include Lot 600 Pine Rise, Kalgan in Column (a) for Special Rural Area No. 6.
 - (b) Modify Clause 5.4 in Column (b) for Special Rural Area No. 6 to read as follows—
 - 5.4 Part of Lot 22, Lot 23 and Lot 600—Pt Loc 1569
 All buildings on part of Lot 22, Lot 23 and Lot 600—Pt Loc 1569 are to be located wholly within building envelopes of up to 2000m² that are shown on the Subdivision Guide Plan. Where lots do not have building envelopes shown on the Subdivision Guide Plan they are to be selected and delineated on-site by the landowner, and approved by the Council.
 - (c) Insert an additional provision (7.10) in Schedule 1—Special Rural Zones, Special Rural Area No. 6, to read as follows—
 - 7.10 Council may request the Commission to impose a condition at the time of subdivision requiring the provision of a Weed Management Plan and Implementation Programme.
 - (d) Insert an additional provision (9.6) in Schedule 1—Special Rural Zones, Special Rural Area No. 6, to read as follows—
 - 9.6 The effluent disposal system for proposed Lot A of Lot 600 Pine Rise, Kalgan, shall be located in the area indicated on the Subdivision Guide Plan. Alternative locations for the effluent disposal system can be supported, if additional late winter testing is provided, proving that the land is capable of supporting the effluent disposal system to the satisfaction of Council and the Department of Health.
 - (e) Amend provision 10.4 to read as follows—
 - 10.4 Building Protection zones, at least 20 metres wide, and additional Hazard Separation zones shall be maintained around all buildings to the specifications and satisfaction of Council.
 - (f) Insert Clause 10.8 in Column (b) for Special Rural Area No. 6 to read as follows—
 - 10.8 Any new buildings constructed on (proposed Lot A) Lot 600 Pine Rise, shall be constructed to AS 3959 BAL-29 or greater.
 - (g) Insert Clause 12.3 in Column (b) for Special Rural Area No. 6 to read as follows—
 - A Section 70A notification is to be placed on the title of proposed Lot A of Lot 600 Pine Rise, Kalgan at the time of subdivision to advise potential purchasers that they may be affected by emissions associated with the rural activity occurring on Lot 21 Davies Road, Kalgan.

D. WELLINGTON, Mayor.
 F. JAMES, Chief Executive Officer.

PL405*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Albany

Town Planning Scheme No. 3—Amendment No. 297

Ref: TPS/0300

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Albany local planning scheme amendment on 26 April 2012 for the purpose of—

1. Rezoning Lot 2 Rocky Crossing Road, Warrenup from the “Rural” zone to “Special Residential” zone and “Parks and Recreation” reserve.

2. Incorporating Lot 2 Rocky Crossing Road within Area 12 of “Schedule IV—Special Residential Zones—Provisions Relating to Specified Areas” by including the property details under the column heading “Lot(s)” and—
 - Inserting the following additional provision 7.6—
 - 7.6 Council may request the Commission to impose a condition at the time of subdivision for the provision of a fauna underpass adjoining the “Parks and Recreation” reserve to the specifications of the Department of Environment and Conservation.
 - Modifying provision 10.10, introduced by Amendment 294, to include after the text “Lot 14 Rocky Crossing Road” the words—

“and lots indicated on the Subdivision Guide Plan for Lot 2 Rocky Crossing Road”
 - Modifying provision 12.0 by deleting the lot number and brackets at the end of the provision heading.
3. Amending the Scheme Maps accordingly.

D. WELLINGTON, Mayor.
F. JAMES, Chief Executive Officer.

PL406*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Albany
Town Planning Scheme No. 3—Amendment No. 302

Ref: TPS/0378

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Albany local planning scheme amendment on 17 April 2012 for the purpose of changing the Subdivision Guide Plan for Special Rural Zone No. 10 by removing the portion of the Development Exclusion Area (designated as Ridgeline Protection Area) on Lot 202 Rowney Road, Robinson (shown as Lot 25 on the Subdivision Guide Plan).

D. WELLINGTON, Mayor.
F. JAMES, Chief Executive Officer.

PL501*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
Shire of Moora
Local Planning Scheme No. 4—Amendment No. 10

Ref: TPS/0723

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 Moora local planning scheme amendment on 24 April 2012 for the purpose of—

1. Deleting existing Clause 4.11 ‘Flood Control Area’ including sub clause 4.11.1 to 4.11.4 which currently states—

4.11 FLOOD CONTROL AREA

4.11.1 Purpose

- (a) To avoid inappropriate development of land subject to flooding during an event of similar magnitude to the March 1999 events.
- (b) To protect the free passage of floodwater in floodways by avoiding inappropriate development.
- (c) To ensure proposed development has adequate flood protection.

4.11.2 Application requirements

Except where in the opinion of the local government the proposed development is for a minor outbuilding or improvement to an existing building, planning approval is required for all development, including a single house on land that is subject flooding (located in the floodway or flood fringe) as outlined on the Flood Zone Classifications Map contained in Schedule 12 of the Scheme.

4.11.3 Relevant considerations

- (a) The local government in considering applications for planning approval is to have due regard to the recommendations of the Moora Floodplain Definition Study and any local planning policy.

- (b) Development which involves the construction of a building or structure which may obstruct the free passage of floodwater will not be permitted on land defined as a floodway on the Flood Zone Classifications Map contained in Schedule 12 of the Scheme unless the building or structure replaces an existing approved building or structure, and subject to building conditions to ensure the proposed development is consistent with clause 4.11.1 (a) and the flooding risk is not increased.
- (c) On-site effluent treatment or disposal will not be permitted on land defined as a flood way on the Flood Zone Classifications Map contained in Schedule 12 of the Scheme unless it is a replacement of an approved on-site effluent treatment or disposal system and the flooding, environmental and health risks are not increased.
- (d) A habitable building is to have a finished floor level not less than 300mm above the March 1999 flood level as defined in the Moora Floodplain Definition Study unless the local government considers the proposed development to be a minor extension to an existing approved building or structure.
- (e) The local government will set the minimum floor level for non-habitable buildings and structures based on matters, including size, location, use, existing nearby development and flood risk.
- (f) The local government has the discretion to approve a minimum floor level of 0.15m above the March 1999 flood level as defined in the Moora Floodplain Definition Study for non-habitable buildings such as outbuildings, industrial, commercial and non residential uses subject to flood proofing conditions and having regard for the recommendations of the Moora Floodplain Definition Study.
- (g) When determining applications for planning approval the local government may impose conditions relating to—
 - (i) flood proofing for new industrial development;
 - (ii) best practice agricultural and soil conservation methods to mitigate flood risk; and
 - (iii) any other conditions designed to reduce flood risk.

4.11.4 Referral of Applications

All applications for planning approval are to be referred by the local government to the Department of Water and the local government is to have due regard to recommendations/advice from the Department of Water when determining applications.

2. Inserting a new Clause 4.11 'Special Control Area' to state as follows—

4.11 SPECIAL CONTROL AREAS

4.11.1 OPERATION OF SPECIAL CONTROL AREAS

4. 11.1.1 The following Special Control Areas are shown on the Scheme Map—

- Special Control Area 1: Land subject to Flooding

4.11.1.2 In respect of a Special Control Area shown on a Scheme Map, the provisions applying to the Special Control Area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.

4.11.1.3 Where conflict exists between any general provisions of the Scheme and Section 4.11, the provisions of the Special Control Areas will prevail.

4.11.2 PURPOSE OF SPECIAL CONTROL AREAS

The purpose of Special Control Area 1 is—

- (a) To avoid inappropriate development or subdivision of land subject to flooding during an event of similar magnitude to the March 1999 events.
- (b) To protect the free passage of floodwater in areas subject to flooding by avoiding inappropriate development.
- (c) To ensure proposed development has adequate flood protection.
- (d) To ensure new development will not detrimentally impact, alter or modify the existing flooding regime (as defined in the Moora Floodplain Definition Study).

4.11.3 APPLICATION AND REFERRAL REQUIREMENTS

4.11.3.1 Planning approval is required for all use or development of any land within or partially within Special Control Area No. 1 including fill, excavation, a single house and ancillary development.

4.11.3.2 All applications for planning approval in Special Control Area No. 1 are to be referred by the local government to the Department of Water, and the local government is to have due regard to recommendations/advice from the Department of Water when determining applications.

4.11.3.3 The local government, on the recommendation of the Department of Water, may require an applicant proposing development in Special Control Area No. 1 to undertake assessments and/or hydraulic modelling to demonstrate that the proposed development is consistent with the floodplain management principles outlined in the Moora Floodplain Definition Study

and Clause 4.11.2. Assessments and/or hydraulic modelling need to be to the satisfaction of the Department of Water and local government, and demonstrate that the proposed development does not detrimentally affect the existing flooding regime.

4.11.4 RELEVANT CONSIDERATIONS

4.11.4.1 Special Control Area 1

- (a) The local government in considering applications for planning approval is to have due regard to—
- (i) the recommendations of the Moora Floodplain Definition Study; and
 - (ii) the hazard category defined in the Moora Floodplain Definition Study and the appropriateness of the landuse having regard for the nature of the proposed use, extent of public access and building location; and
 - (iii) the size and location of buildings, structures, fill and use of external areas; and
 - (iv) relationship to existing and nearby development; and
 - (v) flood risk and need to maintain the existing flood regime; and
 - (vi) any relevant local planning policy; and
 - (vii) any other matter considered relevant by the local government.
- (b) Any development or landuse including but not limited to construction of a new building, structure, fill, excavation, external storage, trade display, stockpiling of materials or any other development and/or use of the land shall not be permitted in Special Control Area 1 unless—
- (i) The local government considers the proposed development to be a minor extension to an existing building or structure already approved and constructed; or
 - (ii) The building or structure is non habitable and replacing an existing building or structure already approved and constructed, and is of a similar floor area, size and location as the building or structure being replaced; or
 - (iii) The development is a single house within a Residential zone or Rural Residential zone with a finished floor level not less than 300mm above the March 1999 flood level as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme); or
 - (iv) The applicant demonstrates a building, structure, development and/or landuse is wholly located outside of both the High Flood Hazard area and the Floodplain area as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme); or
 - (v) The development is of a commercial or industrial nature with a finished floor level not less than 300mm above the March 1999 flood level as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme) unless Council has exercised discretion in accordance with Clause 4.11.4.1 (e); or
 - (vi) The development will not detrimentally obstruct the free passage of floodwater to the satisfaction of the Department of Water and the local government; and
 - (vii) The applicant demonstrates that the design of any new development and/or nature of the landuse will not detrimentally impact, alter or modify the extent of flood impact and existing flooding regime (as defined in the Moora Floodplain Definition Study) to the satisfaction of the Department of Water and the local government.
- (c) Any development or use of land and building envelopes shall be located to—
- (i) Maximise use of areas available on a lot that are located outside of the High Flood Hazard Area and/or Floodplain Area as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme); or
 - (ii) Maximise use of the lowest flood hazard area where a lot has no available area outside of, or is traversed by both, the High Flood Hazard area and Floodplain area as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme).
- (d) Any building and/or structure on a lot in Special Control Area 1, (inclusive of development located outside of the High Flood Hazard Area and/or Floodplain Area as outlined on the Flood Zone Classifications map), shall have a finished floor level not less than 300mm above the March 1999 flood level as shown on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme) unless Council has exercised discretion in accordance with Clause 4.11.4.1 (e).

- (e) Council has discretion to consider a minimum finished floor level less than 300mm above the March 1999 flood levels where the local government determines that—
- (i) The non habitable buildings and structures are infill development in the Town Centre zone (with a minimum FFL of 0.15 metres above the March 1999 flood levels); or
 - (ii) The proposed development is a minor extension to an existing building or structure already approved and constructed; or
 - (iii) The non habitable building or structure is ancillary development to a dwelling on the same lot inclusive of a carport, garage, patio, pergola, gazebo, and outbuilding; and
 - (iv) The local government considers fill is impractical and/or will have a negative impact on an established streetscape.
 - (f) The minimum finished floor levels outlined in Clause 4.11.4.1 (d) and Clause 4.11.4.1 (e) are not a standard or requirement for the purpose of Clause 4.4.2.
- 4.11.4.2 Council may refuse an application for any development or use of land within the High Flood Hazard Area and Floodplain Area as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme) where, in the opinion of the Department of Water and local government, it has potential to detrimentally impact on the existing flooding regime during an event similar in magnitude to the March 1999 event (as defined in the Moora Floodplain Definition Study).
- 4.11.4.3 All applications will be considered having regard for other relevant planning matters in accordance with Clause 7.5.
- 4.11.4.4 On-site effluent disposal treatment or disposal will not be permitted on land within the High Flood Hazard area and/or Floodplain area as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme) unless the development cannot be connected to reticulated sewer and—
- (a) It is a replacement of an approved on site effluent treatment or disposal system; and/or
 - (b) It has been approved in liaison with the Department of Health WA; or
 - (c) The flooding, environmental and health risks are not detrimentally increased.

4.11.5 PLANNING CONDITIONS

- 4.11.5.1 When determining applications for planning approval in Special Control Area 1 the local government may impose conditions relating to—
- (a) flood protection measures for new development;
 - (b) minimum finished floor levels;
 - (c) best practice agricultural and soil conservation methods to mitigate flood risk;
 - (d) limitations on fill, external storage, trade display, stockpiling of materials;
 - (e) limiting the size and location of buildings and structures;
 - (f) locating buildings, structure and/or development in the lowest hazard category designated in the Moora Floodplain Definition Study;
 - (g) A Notification to be placed on the Certificate of Title at the proponents cost to alert prospective purchasers of the Flood Hazard Area (High)/or Floodplain and Moora Floodplain Definition Study;
 - (h) any other conditions designed to reduce flood risk or recommended by the Department of Water.

4.11.6 SUBDIVISION

- 4.11.6.1 The local government shall not recommend approval of any subdivision with potential to create additional lots in the High Flood Hazard Area as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme) unless the new lot(s) are for flood mitigation purposes with no development potential and is proposed to be purchased, or ceded free of cost, for management, care and control by the Shire of Moora, the Crown or other relevant government body. Notifications or restrictive covenants registered on the Certificate of Title may be utilised to ensure no development occurs on lots created for flood mitigation.
- 4.11.6.2 The local government shall assess any subdivision application within the Floodplain as outlined on the Flood Zone Classifications map (contained in Schedule 12 of the Scheme) having regard to—
- (a) The recommendations of the Moora Floodplain Definition Study; and
 - (b) The need to locate building envelopes outside of the Floodplain; and

- (c) The need to consider regional impacts on flooding due to potential development; and
 - (d) Potential obstructive or detrimental impact on flooding; and
 - (e) The need to maintain the existing flood regime; and
 - (f) Potential isolation and flood emergency response implications such as difficulties of emergency egress and evacuation; and
 - (g) Potential flood risk and damage; and
 - (h) In accordance with the relevant zone and other applicable Scheme requirements; and
 - (i) any relevant local planning policy; and
 - (j) any other matter considered relevant by the local government.
3. Modifying Clause 7.1.2(b)(iv) under 'Development of Land' of 'PART V—PLANNING APPROVAL' which outlines exceptions and requirements to obtain planning approval which currently states—
- (iv) is located on land that is subject to flooding as outlined on the Flood Zone Classifications Map contained in Schedule 12 of the Scheme.
- To state—
- (iv) is located on land that is subject to flooding in Special Control Area 1 as designated on the Scheme Map and/or on land that is subject to flooding as outlined on the Flood Zone Classifications Map contained in Schedule 12 of the Scheme.
4. Modifying 'Clause 4.2 SPECIAL APPLICATION OF THE RESIDENTIAL DESIGN CODES' which currently states—
- Within areas with split coding the local government may permit development above the lower code (R12.5) to the higher code (R25) specified on the Scheme map, provided that the development is consistent with the Scheme and complies with the following requirements—
- (a) the development is not located in the floodway as defined on the Flood Zone Classifications Map contained in Schedule 12 of the Scheme; and
 - (b) it can be connected to reticulated sewerage.
- To state—
- Within areas with split coding the local government may permit development above the lower code (R12.5) to a maximum density of the higher code (R25) specified on the Scheme map, provided that the development is consistent with the Scheme, the Residential Design Codes and it can be connected to reticulated sewerage.
5. Replacing the existing Flood Zone Classifications Map in Schedule 12 with a new Flood Classifications Map that includes levels, replaces the terminology of 'Floodway' with 'High Flood Hazard' and replaces the terminology of 'Flood Fringe' with 'Floodplain'.
6. Deleting Point '2.' applicable to Rural Residential 7—'Lot 16 Ferguson Road, Moora' under 'Schedule 10—Rural Residential Zones' which states as follows—
- Despite Clause 3.13.2, no residential development shall be permitted to occur within the flood fringe as defined on the Flood Zone Classifications Map contained in Schedule 12 of the Scheme.
- And renumbering remaining Points 3—9 accordingly as applicable to Rural Residential 7—'Lot 16 Ferguson Road, Moora' under 'Schedule 10—Rural Residential Zones'.
7. Amending the Shire of Moora Scheme Map by—
- (a) In the Legend on the Scheme Map including "Special Control Area" in the list of 'OTHER'.
 - (b) Introducing a Special Control Area over land subject to flooding as depicted on the Scheme Amendment map.
 - (c) Replacing the dual density code R12.5/25 with R12.5 wherever it occurs on land subject to flooding as depicted on the Scheme Amendment map.

C. E. GARDINER, Shire President.
A. J. LEESON, Chief Executive Officer.

SALARIES AND ALLOWANCES TRIBUNAL

SA401*

SALARIES AND ALLOWANCES ACT 1975 DETERMINATION VARIATION

PREAMBLE

The Salaries and Allowances Tribunal has issued a determination to correct an earlier determination in respect of the holders of the office of Consultant State Prosecutor, Office of the Director of Public Prosecutions.

DETERMINATION

The determination of the Salaries and Allowances Tribunal made on 22 February 2012 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

This variation is effective from 30 April 2012.

Remove from Part 1 of the Second Schedule the following—

Office	Department or Agency	Band	Office Holder	Salary
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	C. Barbagallo	\$253,780

Include in Part 1 of the Second Schedule the following—

Office	Department or Agency	Band	Office Holder	Salary
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	C. Barbagallo	\$304,536
Consultant State Prosecutor	Office of the Director of Public Prosecutions	3	J. Scholz	\$304,536

Dated at Perth this 7th day of May 2012.

W. S. COLEMAN AM,
Chairman.

C. A. BROADBENT,
Member.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal.

SA402*

SALARIES AND ALLOWANCES ACT 1975
DETERMINATION VARIATION

PREAMBLE

The Salaries and Allowances Tribunal has issued a determination in respect of the holder of the office of Deputy Director General, Schools, Department of Education.

DETERMINATION

The determination of the Salaries and Allowances Tribunal made on 22 February 2012 under sections 6(1)(c), (d) and (e) of the *Salaries and Allowances Act 1975*, as amended from time to time, is hereby varied by a further determination set out below.

This variation is effective from the date of appointment.

Remove from Part 1 of the First Schedule the following—

Office	Department or Agency	Band	Office Holder	Salary
Deputy Director General, Schools	Department of Education	3	Vacant	\$ -

Include in Part 1 of the First Schedule the following—

Office	Department or Agency	Band	Office Holder	Salary
Deputy Director General, Schools	Department of Education	3	D. Axworthy	\$224,040

Dated at Perth this 7th day of May 2012.

W. S. COLEMAN AM,
Chairman.

C. A. BROADBENT,
Member.

B. J. MOORE,
Member.

Salaries and Allowances Tribunal.

DECEASED ESTATES

ZX401*

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Hilda Maud Muschamp, late of Moonya Nursing Home, 59 Ipsen Street, Manjimup in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 27 February 2011 at Manjimup in the said State, are required by the Executors Stephen Leslie de Munck and Yvonne Joy Mazzini of PO Box 763, Manjimup WA 6258, to send particulars of their claims to them by 11 June 2012, after which date the Executors may convey or distribute the assets having regard only to the claims of which they then have notice.

ZX402

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Leon Jacobus Naude, late of 19 Miami Beach Promenade, Iluka, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect to the estate of the above deceased, who died between 29 September 2011 and 30 September 2011, are required by the deceased's personal representative to send particulars of their claims to solicitor R H George, George Lawyers PO Box 929, Balcatta WA 6914 within one month of the date of this publication, after which date the personal representative may convey or distribute the assets having regard only to the claims of which she then has notice.

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*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before 11 June 2012 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bosnich, Anna late of Southern Cross Care, 138 Lewis Road, Forrestfield 6058 died 6 March 2012 (DE 33096942 EM36)

Burchell, Joan Mary late of Unit 27, 5 Sticks Boulevard, Erskine WA 6210 died 23 March 2012 (DE 19812937 EM37)

Carrington, Margaret Mary late of 6 Jetty Place, Heathridge 6027 died 9 April 2012 (DE 20000646 EM22)

Gurney, Hazel Irene late of 117 Peters Way, Oakford 6121 died 27 March 2012 (DE 19803264 EM26)

Gerli, Frank formerly of Bethanie Peel, 2 MacLaggan Turn, Mandurah 6210 late of Bethanie Waters, 18 Olivenza Crescent, Port Kennedy 6172 died 15 April 2012 (DE 33094958 EM37)

Holman, Rosemary Ann formerly of 8 George Way, Broadwater WA 6280 late of Annesley House Hillview Terrace 4-10 Hayman Road, Bentley 6102 died 10 April 2012 (DE 19890170 EM 110)

Jones, Edith Alice formerly of Morrison Lodge Hostel, 1A North Street, Midland 6056 late of Kimberley Nursing Home, 76-78 Kimberley Street, Leederville 6007 died 9 March 2012 (DE 19754751 EM37)

Lukehurst, Leslie Victor late of 170 Roberts Road, Rivervale 6103 died 17 March 2012 (DE 19935559 EM26)

Marrocco, Jean late of Unit 6/8 Caprice Place, Willetton 6155 died 26 February 2012 (DE 19893180 EM37)

McGrath, Harold Hugh late of Peter Arney Aged Care, 1 Gentilli Way, Salter Point 6152 died 4 March 2012 (DE 19621115 EM38)

Minkley, Constance Marjorie also known as Marjorie Constance Minkley late of Woodlake Aged Care, 40 Woodlake Retreat, Kingsley died 13 April 2012 (DE 19801096 EM15)

Neal, Walter Douglas late of 5 Allen Court, Bentley 6102 died 12 February 2012 (DE 1991883 EM13)

Robertson, Geoffrey Hugh late of 101/70 Goderich Street, East Perth 6004 died 21 January 2012 (DE 33095579 EM16)

Ruzicka, Miroslav formerly of 24/173 Lesmurdie Road, Lesmurdie late of Myvista Aged Care, 11 Nugent Street, Balcatta died 22 April 2012 (DE 19960091 EM15)

- Ryder, Stephen Douglas late of 4 Aberfoyle Place, Hamersley 6022 died 9 April 2012 (DE 19920432 EM23)
- Seddon, Gladys Hilda late of Unit 108 Waminda Care Centre, Adie Court, Bentley 6102 died 4 April 2012 (DE 19723936 EM37)
- Siggs, Heather Mary Grace late of 7 Mellar Court, Midland 6056 died 16 April 2012 (DE 19752242 EM32)
- Stevens, Roma Doreen late of 10/4 Minchinson Street, Safety Bay 6169 died 10 April 2012 (DE 19692505 EM32)
- Swan, Jack Raymond late of Rowethorpe Village, 155 The Boulevard, Bentley 6102 died 29 February 2012 (DE 19863209 EM36)
- Thompson, Annie Patty late of Unit 1, 88 The Ramble, Booragoon 6154 died 2 April 2012 (DE 1992806 EM37)
- Van Keule, Willemina late of Fairhaven Hostel, 15 Pinetree Close, Armadale 6112 died 1 April 2012 (DE 19681361 EM17)
- Wasser, Endel formerly of 73 Bunya Street, Noranda 6062 late of Kimberley Nursing Home, 78 Kimberley Street, West Leederville 6007 died 28 February 2012 (DE 19983360 EM35)
- Wylde, Robert William formerly of 10 Karri Way, Ferndale 6148 late of Amaroo Nursing Home, 74 Lissiman Street, Gosnells 6110 died 16 March 2012 (DE 33077635 EM24)

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

ZX404*

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 person.

Dated at Perth the 11th day of May 2012.

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

Name of Deceased	Address	Date of Death	Date Election Filed
Henry Muldown (DE 19850403 EM35)	26F/49 Herdsman Parade, Wembley	31 January 2012	1 May 2012

ZX405

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Bernice Elwyn Fiddes, late of Rowethorpe Nursing Centre, Bentley, Western Australia, Retired Florist, 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 8 November 2009, are required by the Executors, Donna Elizabeth Van Trier, Jennifer Adele Cornish, Susan Joy Kirk, Alexander John Harry and Martin Andrew Kirkness, care of Allion Legal, Level 2, 50 Kings Park Road, West Perth, Western Australia to send particulars of their claims to them within one (1) month of the date of publication of this notice, after which date the Executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

ALLION LEGAL.

ZX406

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Raymond John Parsons, late of Banksia Lodge, Unit 10 Langton Road, Mount Barker, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased who died on the 15th December 2011 at Mount Barker in the said State are required by the personal representatives Robert Henry Parsons of RMB 592, Mount Barker, Western Australia and Frederick Neville Parsons of 27 Archers Road, Tenterden, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany WA 6332 by the date one month following the publication of this notice after which date the personal representatives may convey or distribute the assets having regard only to the claim for which they have then had notice.

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