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# — PART 1 —

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## COMMERCE

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CM301\*

Building Act 2011

### Building Amendment Regulations 2015

Made by the Governor in Executive Council.

#### 1. Citation

These regulations are the *Building Amendment Regulations 2015*.

#### 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 1 October 2015.

#### 3. Regulations amended

These regulations amend the *Building Regulations 2012*.

#### 4. Regulation 10 amended

- (1) Before regulation 10(1) insert:

- (1A) In this regulation, each of these terms has the meaning given in the *Land Administration Act 1997* section 3(1) —  
*managed reserve*  
*management body*  
*road*

- (2) Delete regulation 10(2) and (3) and insert:

- (2) For the purposes of paragraph (a) of the definition of **owner** in relation to Crown land in section 5(1), the following persons are prescribed —
  - (a) in relation to a managed reserve — the management body of the reserve;

- (b) in relation to a road — whichever of the following persons who, under a written law, has the care, control and management of the road —
  - (i) the local government in whose district the road is situated;
  - (ii) the Commissioner of Main Roads;
  - (iii) the Minister as defined in the *Public Works Act 1902* section 2;
- (c) in relation to Crown land that is vested in a person or body under a written law other than the *Land Administration Act 1997* — that person or body;
- (d) in relation to Crown land that is subject to a lease, other than land referred to in paragraph (a), (b) or (c) — the Minister for Lands and the lessee;
- (e) in relation to any other Crown land — the Minister for Lands.

R. KENNEDY, Clerk of the Executive Council.

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## STATE TRADING

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SX301\*

State Trading Concerns Act 1916

### **State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2015**

Made by the Governor in Executive Council.

#### **1. Citation**

These regulations are the *State Trading Concerns (Authorisation) Amendment Regulations (No. 2) 2015*.

#### **2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

**3. Regulations amended**

These regulations amend the *State Trading Concerns (Authorisation) Regulations 1998*.

**4. Schedule 1 amended**

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

Department of the State Heritage Office

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

Department of the State Heritage Office

The provision by the Department of the State Heritage Office of —

- (a) goods, information or intellectual property; and
- (b) scientific, technical, educational, training, management or advisory services,

relating to Fremantle Prison.

R. KENNEDY, Clerk of the Executive Council.

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# — PART 2 —

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## MARINE/MARITIME

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MA401\*

**WESTERN AUSTRALIAN MARINE ACT 1982****NAVIGABLE WATERS REGULATIONS 1958**

## PROHIBITED SWIMMING AREA

*Shire of Broome*

Town Beach

Department of Transport  
Fremantle WA, 15 September 2015.

Acting pursuant to the powers conferred by Regulation 10A of the *Navigable Waters Regulations 1958*, I hereby declare the following area to be a swimming prohibited area for the times stated—

- 0800hrs to 1600hrs on Saturday 19 September 2015

**Broome Shire Town Beach:** All the waters contained within the following coordinates.

Position: 17°58'19.11 South, 122°14'7.46 East with a line drawn to

Position: 17°58'26.72 South, 122°14'9.99 East with a line drawn to

Position: 17°58'24.81 South, 122°14'18.95 East with a line drawn to

Position: 17°58'16.82 South, 122°14'17.13 East.

CHRISTOPHER MATHER, Director of Waterways Safety and  
Management, Marine Safety, Department of Transport.

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## PLANNING

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PL401\*

**PLANNING AND DEVELOPMENT ACT 2005**

## METROPOLITAN REGION SCHEME MAJOR AMENDMENT 1280/41

Mangles Bay Marina

*City of Rockingham*

Call for Public Submissions

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

The amendment seeks to rationalise various zones and reserves and Bush Forever Site 355 to facilitate the development of a tourist based marina.

**Display locations**

The plans showing the proposed change and the WAPC's amendment report which explains the proposal, will be available for public inspection, free of charge from Tuesday 11 August 2015 to Friday 13 November 2015 at—

- Western Australian Planning Commission, 140 William Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- City of Perth
- City of Fremantle
- City of Rockingham
- City of Cockburn

Documents are also available from the PlanningWA website [www.planning.wa.gov.au](http://www.planning.wa.gov.au).

**Submissions**

Any person who desires to make a submission to support, object or provide comment on any part of the proposed amendment should do so on a form 41. This submission form is available from the display locations, the amendment report and the internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, Locked Bag 2506, Perth WA 6001; on or before 5 pm Friday 13 November 2015.

Late submissions will not be considered.

TIM HILLYARD, Secretary,  
Western Australian Planning Commission.

**PL402\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED DISTRICT PLANNING SCHEME AMENDMENT  
*City of Wanneroo*  
District Planning Scheme No. 2—Amendment No. 138

Ref: TPS/1508

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 Wanneroo local planning scheme amendment on 2 September 2015 for the purpose of—

- (a) Amending Schedule 2—Section 1 (Clause 3.20)—Additional Uses to insert the following—

No.	Street/Locality	Particulars of Land	Additional Use and Conditions (Where Applicable)
1-36	869 Connolly Drive, Merriwa	Lot 908	Place of Assembly <u>Condition:</u> Development Application for 'Place of Assembly' to be subject to advertising, in accordance with DPS No. 2 requirements

and

- (b) Modify the Scheme Map accordingly.

T. ROBERTS JP, Mayor.  
D. SIMMS, Chief Executive Officer.

**PL403\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED TOWN PLANNING SCHEME AMENDMENT  
*Shire of Harvey*  
Town Planning Scheme No. 1—Amendment No. 112

Ref: TPS/1545

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Harvey local planning scheme amendment on 2 September 2015 for the purpose of—

- Designating Lot 39 Peterson Road, Warawarrup as 'Additional Use—Transport Depot' Area and inserting the symbol 'A14' as depicted on the scheme amendment map; and
- Modifying Schedule 7 'Schedule of Additional Uses' of District Planning Scheme No. 1 to insert as follows—

		Street Locality	Particulars of Land	Only Use Permitted
A14	14	Peterson Road, Warawarrup	Lot 39	Transport Depot and incidental uses as permitted by the Shire of Harvey.

P. BEECH, A/President.  
M. A. PARKER, Chief Executive Officer.

## PL404\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*City of Rockingham*  
 Town Planning Scheme No. 2—Amendment No. 127

Ref: TPS/1427

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 Rockingham local planning scheme amendment on 2 September 2015 for the purpose of—

1. Modifying the Scheme Text Schedule No. 3 Special Use Zone as follows—

No.	Site Description	Use	Special Conditions
9	Portion of Lot 9045 Secret Harbour Boulevard, Secret Harbour	(1) Golf Course and Ancillary Uses (2) Reception Centre.	1. The use of 'Reception Centre' is restricted to a building approved and developed for the use of a golf clubhouse, with the exception of activities incidental to a reception that may take place on land surrounding the golf clubhouse. 2. The use of 'Reception Centre' shall not be permitted unless the land subject to Special Use Zone 9 is being used for the purpose of a golf course. 3. Any development application which seeks approval of a 'Reception Centre' land use, or which seeks to amend or expand an approved 'Reception Centre' land use must be accompanied by an acoustic assessment and noise management plan to be approved by Council. 4. The conditions which apply to the use of 'Reception Centre' in this zone are not standards or requirements capable of being varied pursuant to clause 4.20.1.

B. W. SAMMELS, Mayor.  
 A. HAMMOND, Chief Executive Officer.

## PL405\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*City of Rockingham*  
 Town Planning Scheme No. 2—Amendment No. 140

Ref: TPS/1326

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 Rockingham local planning scheme amendment on 2 September 2015 for the purpose of—

1. Clause 3.1.1 is amended by inserting the following words immediately after the words "Primary Centre City Living"—  
 "Primary Centre Campus".
2. Table No. 1—Zoning Table is amended by—
  - (a) Inserting the following column for the "Primary Centre Campus" as a new zone and inserting Use Class Classifications in that column for this Zone.

USE CLASS	ZONING	Primary Centre Campus
<b>RESIDENTIAL USES</b>		
Ancillary Accommodation		X
Bed and Breakfast		X
Camping Area		X



USE CLASS	ZONING	Primary Centre Campus
Caravan Park		X
Caretaker's Dwelling		IP
Display Home Centre		X
Hotel		X
Lodging House		X
Motel		X
Nursing Home		X
Residential—		
(a) Single House		X
(b) Grouped Dwelling		X
(c) Multiple Dwelling		X
Residential Building		X
Short Stay Accommodation		X
<b>COMMERCIAL USES</b>		
Amusement Parlour		X
Betting Agency		X
Car Wash		X
Child Care Premises		IP
Cinema/Theatre		X
Club Premises		X
Convenience Store		D
Consulting Rooms		IP
Dry Cleaning Premises		X
Fast Food Outlet		X
Funeral Parlour		X
Health Studio		IP
Home Business		X
Home Occupation		X
Homestore		X
Industry : Cottage		X
Laundromat		X
Lunch Bar		IP
Market		X
Medical Centre		X
Night Club		X
Office		IP
Plant Nursery		X
Private Recreation		X
Public Amusement		X
Reception Centre		X
Restaurant		X
Restricted Premises		X
Service Station		X
Shop		IP
Showroom		X
Small Bar		IP
Tavern		IP
Veterinary Clinic		X
Warehouse		X

USE CLASS	ZONING	Primary Centre Campus
<b>INDUSTRIAL USES</b>		
Contractor's Yard		X
Fuel Depot		X
Industry : General		X
Industry : General (Licensed)		X
Industry : Hazardous		X
Industry : Light		X
Industry : Noxious		X
Industry : Service		X
Landscape Supply Yard		X
Motor Vehicle and Marine Sales Premises		X
Motor Vehicle Repair Station		X
Motor Vehicle Wrecking Premises		X
Open Air Display		X
Salvage Yard		X
Sawmill		X
Trade Display		X
Transport Depot		X
Veterinary Hospital		X
<b>RURAL USES</b>		
Abattoir		X
Agriculture—Extensive		X
Agriculture—Intensive		X
Cattery		X
Dog Kennels		X
Industry : Extractive		X
Industry : Rural		X
Livestock Holding Facility		X
Piggery		X
Poultry Farm		X
Produce Store		X
Rural Pursuit		X
Stockyards		X
Wildlife Park		X
<b>UTILITIES/COMMUNITY</b>		
Carpark		D
Communications Antennae—Commercial		D
Communications Antennae—Domestic		P
Community Use		IP
Corrective Institution		X
Educational Establishment		P
Exhibition Centre		IP
Hospital		X
Hospital : Special Purposes		X
Public Utility		D
Public Worship : Place of		IP
Telecommunications Infrastructure		D

3. Clause 4.3.1 (a) is amended by—
  - (a) deleting the word “and” after the semi-colon in sub paragraph (iii);
  - (b) deleting the full stop at the end of sub-paragraph (iv) and inserting a semi-colon and the word “; and”;
  - (c) inserting the following new sub-clause after sub-clause (iv)—

“(v) the Primary Centre Campus Zone.”
4. Clause 4.3.3 is amended by—
  - (a) deleting the word “and” after the semi-colon in sub-paragraph (g);
  - (b) adding the following new sub-paragraph after sub-paragraph (g) as follows—

“(h) in the case of the Primary Centre Campus Zone—the provisions of the Development Policy Plan (Campus Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Campus Zone; and”;
  - (c) renumbering the existing sub paragraph (h) to (i).
5. Clause 4.3.4 is amended by—
  - (a) deleting the word “and” after the semi-colon in sub-paragraph (g);
  - (b) adding the following a new sub-paragraph after sub-paragraph (g) as follows—

“(h) in the case of the Primary Centre Campus Zone—the provisions of the Development Policy Plan (Campus Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Campus Zone; and”;
  - (c) renumbering the existing sub paragraph (h) to (i).
6. A new clause 4.3E is inserted immediately after clause 4.3D as follows—

**“4.3E Primary Centre Campus Zone**

4.3E.1 Objectives of the Zone

The objectives of the Primary Centre Campus Zone are to—

  - (a) contribute to and encourage the development of high quality educational facilities and allied land use activities, generally in accordance with the requirements of the Development Policy Plan for the Campus Sector;
  - (b) promote educational and education related commerce and research support activities within the Campus Sector to service the growing demands of the Strategic Metropolitan Centre catchment;
  - (c) encourage the orderly development of the education campuses to optimise shared resources, present a generally integrated townscape character and deliver appropriate built form outcomes;
  - (d) provide for a high amenity, street based bus transit route through the Campus Sector in accordance with the alignment shown in the Development Policy Plan;
  - (e) create a permeable, well connected network of public streets and spaces that provides legible and high amenity linkages;
  - (f) provide for high quality public spaces which encourages a range of formal and informal social activities; and
  - (g) encourage complimentary landscaping treatments within the Campus Sector, with particular emphasis along Ennis Avenue, Dixon Road and Simpson Avenue to convey a clear sense of arrival at the edge of the Strategic Metropolitan Centre.”
7. Sub clause 4.15.1.1 is to be replaced with the following text—

“Where land is proposed to be developed in the Primary Centre City Centre Zone, the Primary Centre Urban Village Zone, the Primary Centre City Living Zone, Primary Centre Campus Zone or the District Town Centre Zone for a purpose specified in Table No. 3, the minimum number of car parking bays required, and the maximum number of car parking bays allowable, for the proposed development is to be determined in accordance with Table No. 3.”
8. Sub clause 4.15.1.3 is to be replaced with the following text—

“Where land is proposed to be developed in any zones other than the Primary Centre City Centre Zone, the Primary Centre Waterfront Village Zone, the Primary Centre Urban Village Zone, the Primary Centre City Living Zone, the Primary Centre Campus Zone or the District Town Centre Zone for a purpose specified in Table No. 2, the minimum number of car parking bays required for the development is to be determined in accordance with Table No. 2.”
9. Sub clause 4.15.1.4 (a) is to be replaced with the following text—

“In any zone other than the Primary Centre City Centre Zone, the Primary Centre Waterfront Village Zone, the Primary Centre Urban Village Zone, the Primary Centre City Living Zone, the Primary Centre Campus Zone or the District Town Centre Zone for a purpose which is not specified in Table No. 2;”
10. Sub clause 4.15.1.4 (b) is to be replaced with the following text—

“In the Primary Centre City Centre Zone, the Primary Centre Urban Village Zone, the Primary Centre City Living Zone, the Primary Centre Campus Zone or the District Town Centre Zone for a purpose which is not specified in Table No. 3; or”

11. Table No. 3 heading is amended to read as follows—  
“MINIMUM REQUIREMENTS AND MAXIMUM ALLOWANCES—PRIMARY CENTRE CITY CENTRE ZONE, PRIMARY CENTRE URBAN VILLAGE ZONE, PRIMARY CENTRE CITY LIVING ZONE, PRIMARY CENTRE CAMPUS ZONE & DISTRICT TOWN CENTRE ZONE”
12. Schedules, ‘Schedule No. 1—Interpretations’ is amended by inserting a new definition after the definition of Development Policy Plan (City Centre Sector) and before the definition of Development Policy Plan (Northern Waterfront Sector), as follows—  
“Development Policy Plan (Campus Sector): means the Policy entitled ‘Development Policy Plan (Campus Sector)’ as amended from time to time”;
13. Paragraph 1, Row 6, Column 2 of Schedule No. 6—Exempted Advertisements is amended to read—  
“All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5m from the ground floor level of the building subject to compliance with the requirements of the Signs, Hoarding and Bill Posting By-Laws, except in respect of development within the Primary Centre City Centre, Primary Centre Urban Village, Primary Centre Waterfront Village, Primary Centre City Living, Primary Centre Campus and District Town Centre zones.”
14. Modify Part 4 of the Contents page to include “4.3E—Primary Centre Campus Zone”.
15. Modify the page numbers of the Contents section in response to modification No. 14.
16. The Scheme Map is amended by—
  - (a) rezoning land generally bounded by Dixon Road, Ennis Avenue, Simpson Avenue and Dowling Street from ‘Community Purposes—University, High School and Technical School’ to “Primary Centre Campus” Zone, as shown on the Scheme Amendment Map;
  - (b) amending the broken black line around the ‘Primary Centre’ in accordance with the Scheme Amendment Map;
  - (c) modifying the Legend to the Scheme Amendment Map accordingly.

B. W. SAMMELS, Mayor.  
A. HAMMOND, Chief Executive Officer.

PL406\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED TOWN PLANNING SCHEME AMENDMENT  
*City of Rockingham*  
Town Planning Scheme No. 2—Amendment No. 147

Ref: TPS/1395

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 Rockingham local planning scheme amendment on 2 September 2015 for the purpose of—

Inserting the following Clause immediately after Clause 4.2.11, as follows—

**4.2A Proposed Structure Plans for land being rezoned to the Development Zone**

4.2A.1 Definitions

In this clause 4.2A

“Proposed Scheme Amendment” means a proposed Town Planning Scheme Amendment to this Scheme which—

- (a) will, if it comes into force and effect, rezone land to the Development Zone, show the land as a Development Area on the Scheme Map and include the land, with a number, in Schedule No. 9; and
- (b) is initiated and advertised in accordance with the Regulations.

“Regulations” means *Town Planning Regulations 1967*.

4.2A.2 Land to which this clause applies

This clause 4.2A applies to land which is the subject of a Proposed Scheme Amendment.

4.2A.3 Application of certain provisions of clause 4.2

Notwithstanding that the land is not in the Development Zone and is not a Development Area—

- (a) clauses 4.2.4 and 4.2.5;
- (b) clauses 4.2.6.1 to 4.2.6.6 inclusive; and
- (c) clause 4.2.10, but only in relation to a determination or decision of the Commission under a clause specified in paragraph (a) or (b),

are to apply to land to which this clause applies.

4.2A.4 Delayed application of certain provisions of clause 4.2

For the avoidance of doubt, clauses 4.2.6.7 to 4.2.6.16 inclusive and clause 4.2.7, 4.2.9, 4.2.10 and 4.2.11, do not apply to land to which this clause applies unless and until—

- (a) the Proposed Scheme Amendment applicable to the land comes into force and effect under the Act; and
- (b) the land is part of the Development Zone and is shown on the Scheme Map as a Development Area.

B. W. SAMMELS, Mayor.  
A. HAMMOND, Chief Executive Officer.

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## DECEASED ESTATES

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ZX401

**TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

Creditors and other persons having claims in respect of the Estate of the late Wan Tsun Lau, late of Annesley House, 145 Hillview Terrace, Bentley in the State of Western Australia, who died on 26 May 2015 are required to send particulars of their claims to the Executor of the Estate, Christopher Sin Po Yu, care of Tang Legal, Suite 2/191 James Street, Northbridge in the State of Western Australia on or before 15 October 2015, after which he will proceed to distribute the assets of the Estate, having regard only to the claims of which he then has notice.

ZX402\*

**TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

Lilian Blanch Wilson o/w Lilian Blanche Wilson, late of 386 Chapman Road, Geraldton, Western Australia, Home Duties, 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 24 August 2015, are required by the Executor, Timothy Michael Hayter, Director of Mid West Lawyers, Suite 1, Wiebbe Hayes House, 7 Wiebbe Hayes Lane, Geraldton, Western Australia, 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 they then have notice.

MID WEST LAWYERS.

ZX403

**TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

Re Estate of Corey Daniel Caudwell, late of 47 Meadowview Drive, Ballajura.

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 14 September 2014, are required by the trustee of the deceased's estate, being Margaret Jennifer Caudwell, care of Summers Legal, 104 Colin Street, West Perth WA 6005, to send particulars of their claims to her by the 20th day of October 2015, after which date the trustee may convey or distribute the assets, having regard only to the claims of which she has notice.

**ZX404****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Alfred Augustus Adams, late of 57 Parade Street, Albany, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on either 23 April 2015 or 24 April 2015, are required by the trustee of the late Alfred Augustus Adams of care of Philip Wyatt Lawyer, PO Box 1026, Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 1st day of September, 2015.

PHILIP WYATT LAWYER.

**ZX405****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Estate of the late Dawn Yvonne Vicich, late of 25 Warrenup Place, Albany, Western Australia, Drycleaner, deceased.

Creditors and other persons having claims to which section 63 of the *Trustees Act 1962* as amended in respect of the estate of the deceased, who died on 26/4/15 are required by the Executor Kenneth Gilchrist, care of Seymour Legal PO Box 5897, Albany, WA, 6332 to send particulars of their claims to the address stated herein within 30 days of this notice, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

**ZX406\*****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Christopher Tolcon (also known as Christopher Tolcan) late of 495 Marmion Street, Booragoon who died on 3 July 2015.

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 3 July 2015, are required by the Executor of the estate, Susan Jane Halliday of care of Elizabeth Wiese & Associates, 5 Ellen Street, Fremantle, to send particulars of their claims to her by 19 February 2016 after which date the Executor may convey or distribute the assets, having regard only to the claims of which she then has notice.

WESTERN AUSTRALIA

**BUILDING ACT 2011**

**Price: \$24.85 plus postage**

**BUILDING REGULATIONS 2012**

**Price: \$19.15 plus postage**

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WESTERN AUSTRALIA

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WESTERN AUSTRALIA

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WESTERN AUSTRALIA

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WESTERN AUSTRALIA

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