

# WESTERN AUSTRALIAN GOVERNMENT Gazette

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## GOVERNMENT GAZETTE

### PUBLISHING DETAILS FOR CHRISTMAS 2006 AND NEW YEAR HOLIDAY PERIOD 2007

*NOTE: Due to Tuesday 26th December being a public holiday there will not be a gazette published on that day*

#### **Publishing Dates and times**

Friday 29 December 2006 at 3.30 pm

Tuesday 2 January 2007 at 3.30 pm

#### **Closing Dates and Times for copy**

Wednesday 27 December 2006 at 12 noon

Friday 29 December 2006 at 12 noon



# — PART 1 —

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## HEALTH

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HE301\*

Hospitals and Health Services Act 1927

### Women's and Children's Hospitals Amendment By-laws 2006

Made by the Minister under section 22 in his capacity as the board of the Hospitals.

**1. Citation**

These by-laws are the *Women's and Children's Hospitals Amendment By-laws 2006*.

**2. The by-laws amended**

The amendments in these by-laws are to the *Women's and Children's Hospitals By-laws 2005\**.

[\* *Published in Gazette 28 January 2005, p. 481-504.*]

**3. By-law 2 amended**

By-law 2(1) is amended as follows:

- (a) by inserting in the appropriate alphabetical positions —

“

“**ticket vending machine**” means a machine situated in a parking facility which, when money is placed in the machine, issues a visitor's ticket;

“**visitor's ticket**” means a ticket containing the day, date and time the ticket was issued from a ticket vending machine and the time of the ticket's expiry.

”;

- (b) after the definition of “vehicle” by deleting the full stop and inserting a semicolon instead.

**4. By-law 15 amended**

- (1) By-law 15(1)(e) is amended by inserting after “vehicles that display a” —  
“ visitor’s ticket or a ”.
- (2) By-law 15(4) is repealed and the following sub-bylaws are inserted instead —  
“
- (4) Without limiting sub-bylaw (3), a person must not park a vehicle in a parking space, parking facility or part of a parking facility set aside for vehicles displaying either a visitor’s ticket or a specified permit unless the person is the holder of the specified permit that is current or the person —
- (a) has paid into a ticket vending machine the prescribed charge for parking the vehicle for the period of time during which the vehicle is parked; and
- (b) displays, in accordance with any direction in the sign, the visitor’s ticket for that period of parking issued from the ticket vending machine.
- (5) For the purposes of sub-bylaw (4), the prescribed charge is 60 cents for every hour or part of hour.

”

**5. By-law 16 amended**

By-law 16(2) is repealed and the following sub-bylaws are inserted instead —

“

- (2) An application under sub-bylaw (1) —
- (a) is to be in a form approved by the chief executive officer or an authorised person; and
- (b) is to be accompanied by payment of a fee of \$7.20 per week for the period for which the permit is sought.
- (2a) The chief executive officer may waive the fee under sub-bylaw (2)(b) in a case where the chief executive officer or authorised person believes that there are proper grounds for doing so.

”

**6. By-law 16A inserted**

After by-law 16 the following by-law is inserted —

“

**16A. Refund of permit fees**

- (1) A fee paid in advance for a permit may be refunded in the manner set out in sub-bylaw (2) to a person —
- (a) who no longer wishes to use the permit; or

- (b) whose employment at the Hospital ends; or
  - (c) who is granted absence on —
    - (i) long service leave; or
    - (ii) other leave from employment at the Hospital,for a period of at least 4 consecutive weeks.
- (2) The refund is to be —
- (a) in the case of a person to whom sub-bylaw (1)(a) or (b) applies, an amount in the same proportion to the amount of fees paid as is represented by the period of the permit that remains unexpired after the last day the person uses the permit or the last day of employment at the Hospital (as the case may be), in proportion to the period for which the permit was issued; or
  - (b) in the case of a person to whom sub-bylaw (1)(c) applies, an amount in the same proportion to the amount of fees paid as is represented by the period of leave in proportion to the period for which the permit was issued.

”.

J. A. McGINTY,  
Minister in his capacity as the board of  
the Hospitals

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## — PART 2 —

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### ARMADALE REDEVELOPMENT AUTHORITY

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AB401\*

**ARMADALE REDEVELOPMENT ACT 2001**

**ARMADALE REDEVELOPMENT SCHEME 2004**

Amendment No. 9

In accordance with section 35(3)(d) of the Act, it is hereby notified for public information that Amendment No. 9 to the Armadale Redevelopment Scheme 2004 has been approved by the Minister for Planning and Infrastructure under section 35(3)(a) of the Act.

The Armadale Redevelopment Authority advises that as a result of the Minister's approval, the amended redevelopment scheme comes into operation on 20 December 2006. The Amendment relates to Scheme Contribution Areas and proposes the introduction of new provisions at clause 8.9 of the Scheme that would permit alternative methods to be used for the calculation of owners' contribution area redevelopment costs contributions.

The purpose of the new provisions is to achieve greater equity in cost sharing amongst the various land owners. To that end it has been concluded that application of a differential costing formula is necessary, and while it is expected the formulas may vary in respect to the different precincts, there are two underlying principles that apply in all cases: limiting global costs to only those items that all lots within the contribution plan area will benefit and; ensuring that only those lots that benefit from specific cost items contribute to those items.

A copy of Amendment No. 9 is retained and may be inspected at the offices of the Armadale Redevelopment Authority at Unit 5, 210-220 Jull Street, Armadale.

JOHN ELLIS, Executive Director.

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AB402\*

**ARMADALE REDEVELOPMENT ACT 2001**

**ARMADALE REDEVELOPMENT SCHEME 2004**

Amendment No. 10

In accordance with section 35(3)(d) of the Act, it is hereby notified for public information that Amendment No. 10 to the Armadale Redevelopment Scheme 2004 has been approved by the Minister for Planning and Infrastructure under section 35(3)(a) of the Act.

The Armadale Redevelopment Authority advises that as a result of the Minister's approval, the amended redevelopment scheme comes into operation on 19 December 2006.

Amendment 10—

- Increases the Residential Design Coding (R-Code) density to R60 from R40 within the proposed 1.161ha 0.511ha lot of the Champion Lakes Residential Precinct;
- Increases the Residential Design Coding (R-Code) density to R100 from R40 within the proposed 3.1862ha lots currently straddling the Champion Lakes Residential and Recreation Precincts;
- Modifies the boundary between the Champion Residential and Recreation Precincts so as to accommodate the proposed 1.161ha and 3.1862ha lots and associated road reserve between the two lots, wholly within the Champion Lakes Residential Precinct;
- Allocates an R-Coding density R100 to the proposed Lots 9 and 10 within the Champion Lakes Recreation Precinct; and
- Increases the Residential Design Coding (R-Code) density to R80 from R60 within the City Centre West of Railway Precinct;

contained within the Armadale Redevelopment Scheme 2004.

A copy of Amendment No. 10 is retained and may be inspected at the offices of the Armadale Redevelopment Authority at Unit 5, 210-220 Jull Street, Armadale.

JOHN ELLIS, Executive Director.

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## CONSUMER AND EMPLOYMENT PROTECTION

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CE401

### COMPANIES (CO-OPERATIVE) ACT 1943 REGISTRATION OF A CO-OPERATIVE COMPANY

Notice is hereby given that, pursuant to Section 26(1) of the *Companies Co-operative Act (1943)*, a Certificate of Incorporation as a Limited Company, has this day been issued to—

East Kimberley Co-Operative Limited

Dated this 13th day of December 2006.

PATRICK WALKER, Registrar for Consumer Protection.

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## FIRE AND EMERGENCY SERVICES

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FE401\*

### FIRE BRIGADES ACT 1942 FORMATION OF BRIGADES

Fire and Emergency Services Authority of Western Australia.

Pursuant to the powers delegated and sub-delegated to the FESA Chief Executive Officer, I hereby declare under section 26(b) of the *Fire Brigades Act 1942* that the registration of the following fire brigade is cancelled—

Kalbarri Volunteer Fire and Rescue Services Brigade

JOSEPHINE HARRISON-WARD, FESA Chief Executive Officer,  
Fire and Emergency Services Authority of Western Australia.

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FE402\*

### FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998 APPROVAL OF FESA UNITS

Fire and Emergency Services Authority of Western Australia.

I, Josephine Harrison-Ward, the Fire and Emergency Services Authority of Western Australia Chief Executive Officer, hereby declare under section 18M(1) of the *Fire and Emergency Services Authority of Western Australia Act 1998* that the following Volunteer Fire Service Brigade is approved as a Volunteer Fire Service Brigade for the purposes of the Act—

Kalbarri Volunteer Fire Service Brigade

JOSEPHINE HARRISON-WARD, Chief Executive Officer,  
Fire and Emergency Services Authority of Western Australia.

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FE403\*

### FIRE AND EMERGENCY SERVICES AUTHORITY OF WESTERN AUSTRALIA ACT 1998 APPROVAL OF FESA UNITS

Fire and Emergency Services Authority of Western Australia.

I, Josephine Harrison-Ward, the Fire and Emergency Services Authority of Western Australia Chief Executive Officer, hereby declare under section 18M(1) of the *Fire and Emergency Services Authority of Western Australia Act 1998* that the following Volunteer Fire Service Brigade is approved as a Volunteer Fire Service Brigade for the purposes of the Act—

Northampton Volunteer Fire Service Brigade

JOSEPHINE HARRISON-WARD, Chief Executive Officer,  
Fire and Emergency Services Authority of Western Australia.

FE404\*

**FIRE BRIGADES ACT 1942**  
FORMATION OF BRIGADES

Fire and Emergency Services Authority of Western Australia.

Pursuant to the powers delegated and sub-delegated to the FESA Chief Executive Officer, I hereby declare under section 26(b) of the *Fire Brigades Act 1942* that the registration of the following fire brigade is cancelled—

Morawa Volunteer Fire and Rescue Services Brigade

JOSEPHINE HARRISON-WARD, FESA Chief Executive Officer,  
Fire and Emergency Services Authority of Western Australia.

## JUSTICE

JU401\*

**JUSTICES OF THE PEACE ACT 2004**  
APPOINTMENT

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

Terence Neil Jacobson of 18 Etelowie Street, Wagin

David Arthur Russell of 6 Burns Street, Narrogin

ROBERT M. CARTER, A/executive Director,  
Court and Tribunal Services.

JU402\*

**PRISONS ACT 1981**  
PERMIT DETAILS

Pursuant to the provisions of section 15P of the *Prisons Act 1981*, the Commissioner of the Department of Corrective Services has revoked the following Permits to do High-Level Security Work—

Surname	Other Names	Permit No.	Revocation Date
Wood	Barbara Ann	AP 0191	29/11/06
Popata-Sutherland	Sheena Lee	AP 0414	11/12/06
Argent	Mark Anthony	AP 0133	07/12/06

This notice is published under section 15P of the *Prisons Act 1981*.

Dated 14 December 2006.

BRIAN LAWRENCE, Manager, Acacia Prison Contract.

## LOCAL GOVERNMENT

LG401\*

**BUSH FIRES ACT 1954**  
*City of Mandurah*

APPOINTMENT OF AUTHORISED OFFICER

It is hereby notified for public information that Josephine Mary Tomlinson has been appointed as Fire Control Officer in accordance with Section 38 of the *Bush Fires Act 1954*.

MARK NEWMAN, Chief Executive Officer.



**LG402\*****LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***City of Mandurah*

## APPOINTMENT OF AUTHORISED OFFICER

It is hereby notified for public information that Josephine Mary Tomlinson has been appointed Ranger/Pound Attendant and Lisa Sarah Blundson has been appointed Pound Attendant under the provision of Part XX Section 449 of the *Local Government (Miscellaneous Provisions) Act 1960*.

MARK NEWMAN, Chief Executive Officer.

**LG403\*****SHIRE OF DUMBLEYUNG**

## AUTHORISED OFFICERS

It is hereby notified for public information that the following persons have been appointed Authorised Officers in accordance with the relevant Acts hereunder effective immediately—

1. Dog Act 1976 & Regulations, Litter Act 1979 & Regulations, Local Government Laws, Local Government Act 1995 (Sections 3.39, 9.10, 9.11, 9.15)—
  - Ian Vincent Craven
  - Paul Robert Godfrey
  - Keith Billington
  - John Bairstow
  - Gary Howell
  - Grant Cronin
  - Drew Richards
  - Judith Beecroft
- Dog Act 1976—Registration Officers Only—
  - Suzanne Cronin
  - Alexandra Marie Dangerfield
  - Mary-Ann Davidson
2. Section 449 of the Local Government (Miscellaneous Provisions) Act 1960—Ranger and Pound Keeper—
  - Gary Howell
  - Drew Richards
  - Judith Beecroft
  - Grant Cronin
3. Health Act 1911
  - Maurice Walsh
4. Certain Provisions About Land—Part 3—Division 3—Subdivision 2 Section 3.24 of the Local Government Act 1995—
  - Ian Vincent Craven
5. Powers of Entry—Part 3—Division 3 Section 3.28 & 3.29 of the Local Government Act—
  - Ian Vincent Craven
  - Paul Robert Godfrey
  - Keith Billington
  - Grant Cronin
  - Drew Richards
  - Judith Beecroft
6. Miscellaneous Provisions About Enforcement—Part 9—Division 2—Subdivision 1 Sections 9.13, 9.16 & 9.17 of the Local Government Act 1995
  - Ian Vincent Craven
  - Paul Robert Godfrey
  - Keith Billington
7. Miscellaneous Provisions About Enforcement—Part 9—Division 2—Subdivision 1 Section 9.19 of the Local Government Act 1995—
  - Ian Vincent Craven
  - Paul Robert Godfrey
8. Miscellaneous Provisions About Enforcement—Part 9—Division 2—Subdivision 1 Section 9.20 of the Local Government Act 1995—
  - Ian Vincent Craven
  - Paul Robert Godfrey

9. Impounding and Removing Goods Involved in Certain Contraventions Section 3.39 of the Local Government Act 1995—

Ian Vincent Craven  
Paul Robert Godfrey  
Keith Billington

All previous authorisations are hereby revoked.  
Updated 14th December 2006.

IAN V. CRAVEN, Chief Executive Officer.

## PLANNING AND INFRASTRUCTURE

PI401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Augusta-Margaret River*  
Town Planning Scheme No. 11—Amendment No. 158

Ref: 853/6/3/8 Pt 158

It is hereby notified for public information, in accordance with section 87 of the Planning and Development Act 2005 that the Minister for Planning and Infrastructure approved the Shire of Augusta-Margaret River local planning scheme amendment on 28 November 2006 for the purpose of—

1. Rezoning a portion of Sussex Location 4430 Brockman Road, Cowaramup from “Rural” to “Residential R5” as depicted on the Scheme Amendment Map.
2. Reserve a portion of Sussex Location 4430 Brockman Road, Cowaramup from “Rural” to “Parks and Recreation” as depicted on the Scheme Amendment Map.
3. Amending the Scheme Text by inserting in “Schedule V—Special Provisions Relating to Residential Areas” the following—

Specified Area of Locality (A)	Special Provisions to Refer to (A)
Portion of Sussex Location 4430 Brockman Road, Cowaramup	1. Residential Zone: Within this Zone— <ol style="list-style-type: none"> <li>(a) Subdivision shall be generally in accordance with the Subdivision Guide Plan dated 21/9/05 as contained in Amendment 158.</li> <li>(b) Prior to subdivision and determination of public open space the subdivider is to provide further calculations on stormwater storage and treatment volumes to determine what portion of the open space area is required for drainage.</li> <li>(c) At the time of subdivision, the Council may recommend that the WAPC impose a condition that uniform fencing be constructed along the boundaries of all lots abutting proposed public open space reserves.</li> <li>(d) At the time of subdivision, the Council may recommend that the WAPC impose a condition requiring the preparation and implementation of a landscape and revegetation plan for the Public Open Space area.</li> <li>(e) At the time of subdivision, the Council may recommend that the WAPC impose a condition that covenants or similar controls are implemented to prohibit the keeping of cats.</li> <li>(f) Only one single dwelling house is permitted on any lot exclude of any “additional accommodation” that the local government may approve in accordance with the provision of the Residential Design Codes.</li> <li>(g) Enclosed solid boundary fencing such as fibre cement or metal sheeting or timber lap is not permitted.</li> <li>(h) The keeping of stock, including horses, cattle and other livestock is prohibited.</li> </ol>

S. HARRISON, Shire President.  
J. TRAIL, Chief Executive Officer.

PI403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME**  
*City of Perth*  
 City Planning Scheme No. 2

Amendment No. 6

Resolved that the Council in pursuance of section 75 of the Planning and Development Act 2005 amend the City Planning Scheme as follows—

1 Amend clause 28 by inserting the following after 28(2)(c)—

“3) In cases where a building was constructed prior to the gazettal of City Planning Scheme No.2 or constructed after gazettal using an approval granted prior to gazettal, and subject to this clause and clauses 28(c) and 47, the Council may grant a minor plot ratio bonus in excess of 20% where—

(a) such bonus is sought as part of the refurbishment and/or upgrading of the existing building—

(i) with the landowner demonstrating that the existing building is either currently in excess of its maximum permitted plot ratio (inclusive of a 20% bonus available or awarded) and that such plot ratio has been subject to Council approval or that the refurbishment/upgrading proposed cannot be accommodated within the maximum plot ratio permitted by the Plot Ratio Plan and a 20% plot ratio bonus; and

(ii) the additional plot ratio does not result in an increase to the bulk, height or scale of the building;

(b) the development to be granted under the provisions of the additional plot ratio is expressed only at street level to include a community facility or use that promotes pedestrian interest and activity at the street level, and the additional plot ratio is not used for office purposes.

2 Amend the Use Group Tables in Schedule 3 for Precincts 3, 6, 7, 13 and 14 in the following manner—

2.1 inserting the symbol ‘(2)’ next to the symbol ‘P’ for the Use Group ‘Office’ in Precincts 3 and 6;

2.2 inserting at the bottom of the Use Group Table for Precincts 3 and 6 the following words—

“(2) Means use cannot be located in floor space provided at street level, created through clause 28(3)”

2.3 inserting the symbol (3) next to the symbol ‘P’ for the Use Group ‘Office’ in Precincts 7, 13 and 14;

2.4 inserting at the bottom of the Use Group Table for Precincts 7, 13 and 14 the following words:—

“(3) Means use cannot be located in floor space provided at street level, created through clause 28(3)

Dr. P. R. NATTRASS, Lord Mayor  
 G. DUNNE, A/Chief Executive Officer

PI402\*

**PLANNING AND DEVELOPMENT ACT 2005**

AMENDMENT TO STATE PLANNING POLICY 2.6: STATE COASTAL PLANNING POLICY

Made by the Governor in Executive Council.

Under section 5 “Policy Measures”, insert a new sub-section 5.3 as follows—

*“5.3 Building Height Limits*

*The provisions of this part of this policy apply to all urban development, including residential, hotel, short-stay accommodation, car-parking, retail and office development, or any combination of those uses, but does not apply to industrial or resource development, transport, telecommunications and engineering infrastructure, and Port Works and Facilities (as defined by the Port Authorities Act 1999) within 300 metres of the horizontal setback datum. A varied distance from the horizontal setback datum may be approved as part of controls set out in a local planning scheme, on the basis of appropriate analysis with reference to built form, amenity, landscape and topography and having regard to cadastral boundaries.*

*The height of buildings should be limited to a maximum of five storeys (and not exceeding 21 metres) in height. Local planning schemes may specify lower maximum height limits in particular localities in order to achieve outcomes which respond to the desired character, built form and amenity of the locality.*

*Higher structures up to a maximum of eight storeys (and not exceeding 32 metres) in height may be permitted where:—*

*(a) there is broad community support for the higher buildings following a process of full consultation;*

- (b) *the proposed development(s) is suitable for the location taking into account the built form, topography and landscape character of the surrounding area;*
- (c) *the location is part of a major tourist or activity node;*
- (d) *the amenity of the coastal foreshore is not detrimentally affected by any significant overshadowing of the foreshore;*  
*and*
- (e) *there is visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces."*

Under section 7 "Definitions", insert the following additional definitions—

*"height", has the same meaning as in the Town Planning Regulations 1967, Appendix B—Model Scheme Text;*

*"storey" when used in relation to a development that is for residential purposes has the same meaning as in the Residential Design Codes, when used in relation to other development means a space within a building which is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but not—*

- (a) *a space that contains only—*
  - (i) *a lift shaft, stairway or meter room; or*
  - (ii) *a bathroom, shower room, laundry, water closet, or other sanitary compartment;*  
*or*
  - (iii) *accommodation intended for not more than 3 vehicles; or*
  - (iv) *a combination of the above; or*
- (b) *a mezzanine.*

By command of the Governor

M. C. WAUCHOPE, Clerk of the Executive Council.

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## DECEASED ESTATES

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ZX401

### TRUSTEES ACT 1962

#### DECEASED ESTATES

##### Notice to Creditors and Claimants

Silvio Cecil Marchioro late of 28 Alyth Road, Floreat, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustee's Act, 1962, relates) in respect of the estate of the deceased who died on 24 February 2005 are required by the personal representatives to send particulars of their claims to them care of Talbot Olivier, Lawyers, Level 8 Wesfarmers House, 40 The Esplanade, Perth by 29 January 2007, after which date the personal representatives may convey or distribute the assets having regard to the claims of which they then have notice.

TALBOT OLIVIER as lawyers for the personal representative.

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## PUBLIC NOTICES

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ZZ401

### DISPOSAL OF UNCOLLECTED GOODS ACT 1970

#### NOTICE UNDER PART VI OF INTENTION TO APPLY TO COURT FOR AN ORDER TO SELL OR OTHERWISE DISPOSE OF GOODS VALUED IN EXCESS OF \$300.00

To Ms Nicola Atkins of is Deyfken Way, bailor. You were given notice on the 4th May 2006 that the Holden Barina Registration Number 1CAP 678 situated at Mandurah Auto Electrics were ready for redelivery.

Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods by paying account and all other cost incurred, or give directions for their redelivery. Mr Leon Dille, Managing Director of Mandurah Auto Electrics, bailee, intends making an application to the court for an order to sell or otherwise dispose of them in accordance with the Act.

Date: 14th December, 2006.

(Signed.)

