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## **ADVERTISING RATES AND PAYMENTS**

EFFECTIVE FROM 1 JULY 2010 (Prices include GST).

Deceased Estate notices, (per estate)—\$27.15

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# — PART 1 —

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## ENERGY

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EN301\*

Electricity Industry Act 2004

### Electricity Industry (Ombudsman Scheme) Amendment Regulations 2011

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Electricity Industry (Ombudsman Scheme) Amendment Regulations 2011*.

**2. Commencement**

These regulations come into operation as follows —

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

**3. Regulations amended**

These regulations amend the *Electricity Industry (Ombudsman Scheme) Regulations 2005*.

**4. Regulation 9 amended**

Delete regulation 9(1) and insert:

- (1) The governing body of a scheme must review the scheme before 30 September 2013 and at least once in every 5 years thereafter.

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

EN302\*

Energy Coordination Act 1994

## Energy Coordination (Ombudsman Scheme) Amendment Regulations 2011

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Energy Coordination (Ombudsman Scheme) Amendment Regulations 2011*.

### 2. Commencement

These regulations come into operation as follows —

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

### 3. Regulations amended

These regulations amend the *Energy Coordination (Ombudsman Scheme) Regulations 2004*.

### 4. Regulation 8 amended

Delete regulation 8(1) and insert:

- (1) The governing body of a scheme must review the scheme before 30 September 2013 and at least once in every 5 years thereafter.

By Command of the Governor,

G. MOORE, Clerk of the Executive Council.

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## — PART 2 —

### CORRECTIVE SERVICES

CS401\*

#### COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

##### PERMIT DETAILS

Pursuant to the provisions of section 51 of the *Court Security and Custodial Services Act 1999*, the Commissioner of the Department of Corrective Services has issued the following persons with Permits to do High-Level Security Work—

Surname	First Name(s)	Permit Number	Date Permit Issued	Permit Commence Date	Permit Expiry Date
McLachlan	James Lachlan	CS11-672	24/01/2011	24/01/2011	30/07/2011

This notice is published under section 57(1) of the *Court Security and Custodial Services Act 1999*.

COLIN BRANDIS, Manager Court Security and Custodial Services Contract.

### MARINE/MARITIME

MA401\*

#### SHIPPING AND PILOTAGE (MOORING CONTROL AREAS) REGULATIONS 1983

##### ROCKINGHAM MANGLES BAY MOORING CONTROL AREA

##### Determination of Fees

Department of Transport,  
Fremantle WA, 08 February 2011.

Pursuant to the *Shipping and Pilotage (Mooring Control Area) Regulations 1983*, the Department of Transport hereby gives notice that, in respect to the Rockingham Mangles Bay Mooring Control Area, it has been determined that as of 8 February 2011 until further notice, the fee payable to register and hire a mooring site shall be the amount calculated in accordance with the schedule.

This notice replaces the Rockingham Mangles Bay Mooring Control Area Determination of Fees notice published in the *Government Gazette* on 1 October 2010.

##### Schedule

Fee Type	2010/11 Fee
Registration Fee	\$76.70
Inaugural Hiring Fee	\$84.80
Annual Hiring Fee	\$434.80

Dated 3 February 2011.

REECE WALDOCK, Director General, Department of Transport.

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**PLANNING**


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PL401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**

*City of Armadale*

Town Planning Scheme No. 4—Amendment No. 58

Ref: TPS/0328

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 Armadale local planning scheme amendment on 1 February 2011 for the purpose of—

1. Recoding Lot 9000 Hesketh Avenue, Seville Grove from 'R17.5/25' to 'R20' and 'R25'.
2. Amending the Scheme Maps accordingly.

L. REYNOLDS, Mayor.  
 R. S. TAME, Chief Executive Officer.

PL402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**

*Shire of Northam*

Town Planning Scheme No. 3—Amendment No. 20

Ref: 853/4/23/3 Pt 20

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 Northam local planning scheme amendment on 1 February 2011 for the purpose of—

1. Rezoning Loc (125) 4229 Tames Road, Bakers Hill from 'Agriculture—Local' to 'Rural Smallholdings'.
2. Amending Schedule 11 of the Scheme Text by including the following entry—

No.	Description of Land	Conditions
20	Loc 4229 (125) Tames Road, Bakers Hill	<ol style="list-style-type: none"> <li>1. Subdivision shall generally be in accordance with a Subdivision Guide Plan as adopted by the local government and endorsed by the Western Australian Planning Commission and any approved modifications thereto.</li> <li>2. Unless otherwise approved by the local government all buildings and on-site effluent disposal facilities are to be confined to the building envelopes as indicated on the endorsed Subdivision Guide Plan.</li> <li>3. No more than one horse may be permitted on any lot at any given time.</li> <li>4. All lots shall be provided with a reticulated water supply.</li> <li>5. As a condition of subdivision, the subdivider shall prepare and implement an Environmental Management Plan to the satisfaction and approval of the local government prior to the subdivision of the land. The plan shall include—               <ol style="list-style-type: none"> <li>(a) vegetation protection areas;</li> <li>(b) protection, revegetation and maintenance of landscape buffers along the seasonal watercourse and associated wetland;</li> <li>(c) drainage, nutrient and salinity management;</li> <li>(d) stock management plan;</li> <li>(e) ground, surface and scheme water management; and</li> <li>(f) location of building envelopes.</li> </ol> </li> <li>6. The areas identified in the Environmental Management Plan are to be maintained by landowners in accordance with the Environmental Management Plan.</li> </ol>

No.	Description of Land	Conditions
		<p>7. All building envelopes shall be—</p> <ul style="list-style-type: none"> <li>(a) shown on the subdivision guide plan;</li> <li>(b) located to avoid any native vegetation or any area recognized for protection or rehabilitation identified on the subdivision guide plan or in the Environmental Management Plan; and</li> <li>(c) located to ensure on-site disposal meets the minimum setback requirements from watercourses and wetlands.</li> </ul> <p>8. A 30 metre buffer applies to the watercourse located on Loc 4229 Tames Road. The land located within the 30 metre buffer is to be vegetated with the planting of local endemic species and managed as part of the Environmental Management Plan.</p> <p>9. The areas of Landscaped Buffer as indicated on the endorsed Subdivision Guide Plan are to be protected from stock by fencing or other means to the satisfaction of the local government and the requirements thereof are to be detailed within the Environmental Management Plan.</p> <p>10. A Fire Management FESA Plan will be required to be prepared and implemented to the satisfaction of the local government and included in the Environmental Management Plan.</p> <p>11. Second hand transportable dwellings shall not be permitted.</p> <p>12. The permissibility of uses shall be in accordance with Table 1 of the Town Planning Scheme No. 3.</p> <p>13. Rural Pursuit applications will be conditional upon compliance with the Environmental Management Plan.</p> <p>14. A Local Water Management Strategy prepared in accordance with the requirements of Better Urban Water Management and to the satisfaction of the local government and the Department of Water will be required to be prepared prior to subdivision and included in the Environmental Management Plan.</p>

3. Amending Schedule 2 Additional Uses of the Scheme Text by including the following entry—

No.	Description of Land	Additional Use	Conditions
A4	Part of Loc 4229 (125) Tames Road, Bakers Hill with 135.9m frontage to Tames Road and 159m frontage to Berry Brow Road, Bakers Hill	Metal Fabrication	<p>1. The additional use is restricted to a floor space of 3373m<sup>2</sup> and all use and development shall be in accordance with a Development Plan which is required to be submitted and approved by the Local Government.</p> <p>2. The Development Plan is required to contain, but is not limited to, the following—</p> <ul style="list-style-type: none"> <li>(a) A detailed description of the land use.</li> <li>(b) A detailed description of existing building, structures and/or dwellings.</li> <li>(c) A scaled site plan showing all existing and any proposed development.</li> <li>(d) Demonstrated compliance with the requirements of Table 2.</li> <li>(e) A Management Plan to control such things as noise, dust, traffic, smell etc.</li> <li>(f) A Landscaping Plan including revegetation to provide screening and buffer areas.</li> </ul> <p>3. No alterations, extensions or redevelopment shall be undertaken without the prior approval of the Local Government.</p> <p>4. The use of the land shall not cause injury to or prejudicially affect the amenity of the immediate locality.</p>

No.	Description of Land	Additional Use	Conditions
A5	Part of Loc 4229 (125) Tames Road, Bakers Hill— 5.7384ha (4660m <sup>2</sup> reserve) with 389.8m frontage to Tames Road, Bakers Hill	Industry— Light	<ol style="list-style-type: none"> <li>1. Prior to the commencement of a proposed landuse, a Development Plan is required to be submitted and approved by the Local Government.</li> <li>2. The Development Plan is required to contain, but is not limited to, the following—               <ol style="list-style-type: none"> <li>(a) A detailed description of the proposed land use including scale.</li> <li>(b) A detailed description of proposed existing buildings, structures and/or dwellings.</li> <li>(c) A scaled site plan showing all proposed development.</li> <li>(d) Demonstrated compliance with the requirements of Table 2.</li> <li>(e) A Management Plan to control such things as noise, dust, traffic, smell etc.</li> <li>(f) A Landscaping Plan including revegetation to provide screening and buffer areas.</li> </ol> </li> <li>3. All use and development shall be in accordance with the approved Development Plan.</li> <li>4. No alterations or extensions to the land use shall be undertaken without the approval of the Local Government.</li> <li>5. The use of the land shall not cause injury to or prejudicially affect the amenity of the immediate locality.</li> <li>6. The establishment of an activity shall not impose an undue load on any existing or proposed service for the supply or provision of essential services.</li> <li>7. A retail shop front from which goods manufactured on the premises may be sold is permitted subject to compliance with the approved Development Plan.</li> <li>8. All development that includes uses incompatible with sensitive land uses will be located such that the buffer is fully accommodated within the boundaries of the portion of Lot 4229 zoned as 'Rural Smallholdings' with additional use 'A5'.</li> </ol>

4. Amending the Scheme Map accordingly.

5. Inserting structure plan provisions in Part 5 of the scheme as follows—

5.21 Structure Plans.

5.21.1 The Local government or the Western Australian Planning Commission may require the preparation of a structure plan prior to considering a subdivision or development proposal for any area or zone in the scheme.

5.21.2 Subdivision and development should generally be in accordance with an approved structure plan.

5.21.3 A departure from, or alteration to, a structure plan may be permitted if the local government and Western Australian Planning Commission considers the proposed departure or alteration to be minor in nature and it will not prejudice the future subdivision and development of the area.

5.21.4 Structure plan form and content.

5.21.5 A Structure Plan is to contain such detail as, in the opinion of the local government and Western Australian Planning Commission, is required to satisfy the planning requirements for the structure plan area, and should include the following details—

- (a) a set of maps and a report describing the structure plan area and surrounding land uses;
- (b) maps are to be of a legible scale for the structure plan area;
- (c) key opportunities and constraints of the structure plan area including landform, topography, hydrology, landscape, vegetation, soils, conservation and heritage values, ownership, land use, roads and services;



- (d) conservation and environmental values including bushland, wetlands, streams and water courses, foreshore reserves and setbacks, environmental policy area and urban water management areas;
  - (e) sites and features of Aboriginal and European heritage value;
  - (f) transport routes, including highways, district and neighbourhood roads, public transport routes, cycle routes and railway stations;
  - (g) the planning context for the structure plan including the regional and neighbourhood structure, relevant strategies, Scheme provisions and policies and where appropriate, an indication of how the structure plan is to be integrated into the surrounding area;
  - (h) proposed major land uses, in particular, residential area, public open space, school sites, civic and community uses, commercial uses (including the location and hierarchy of commercial centres), mixed use, industrial and mixed uses;
  - (i) the proposed indicative lot pattern and general location of any major buildings;
  - (j) estimates of future lots, dwellings, population, commercial and industrial floor space;
  - (k) provision for major infrastructure, including main drainage, sewerage, water supply and other key infrastructure services;
  - (l) the proposed road network and hierarchy, public transport services, and bicycle and pedestrian networks;
  - (m) the timeframe and staging of subdivision and development, and the method of implementation, including any proposals for funding by development contributions; and
  - (n) such other information as may be required by the local government as a result of the site's characteristics.
- 5.21.6 Advertising and adoption of structure plans.
- 5.21.7 Upon receiving a structure plan, the local government is to either—
- (a) determine that the structure plan is satisfactory for advertising;
  - (b) determine that the structure plan is not to be advertised until further details have been provided or modifications undertaken; or
  - (c) determine that the structure plan is not satisfactory for advertising and give reasons for this to the proponent.
- 5.21.8 When the local government has determined the structure plan to be suitable for advertising, the structure plan should be advertised for a minimum period of 21 days.
- 5.21.9 The local government shall advise affected landowners and relevant agencies in writing that the structure plan is available for public advertising.
- 5.21.10 Following advertising, the local government shall consider the public submissions made in respect of the structure plan, and either uphold or dismiss the submissions made.
- 5.21.11 The local government may require modifications to the structure plan prior to adoption.
- 5.21.12 When the local government is satisfied with the structure plan, it is to adopt the structure plan and forward the Council's resolution, the adopted structure plan, and schedule of public submissions is to be forwarded to the Western Australian Planning Commission for final approval.
- 5.21.13 The Western Australian Planning Commission shall then either approve the structure plan, approve the structure plan with modifications or refuse the structure plan.
- 5.21.14 Operation of Structure Plan.
- 5.21.15 A structure plan commences operation when it is adopted by the local government and approved by the Western Australian Planning Commission.
- 5.21.16 If a structure plan imposes a classification on the land included in it by reference to reserves, zones, or Residential Design Codes then—
- (a) the provisions of the structure plan apply to the land as if its provisions were incorporated into the Scheme and it is binding and enforceable in the same way as corresponding provisions incorporated in the Scheme; and
  - (b) provisions in the Scheme applicable to land in those classifications under the Scheme apply to the structure plan area.
  - (c) where there is conflict between the provisions of a zone, reserve or provision in a structure plan or a scheme, the scheme shall prevail.
- 5.21.17 If the zones and reserves in a structure plan are inconsistent with the scheme, they must be incorporated into the scheme via an amendment or a scheme review.

- 5.21.18 Right of Review.
- 5.21.19 The proponent of a structure plan required by the Scheme may make application for review under part 14 of the *Planning and Development Act 2005* on the following grounds—
- (a) the failure of the local government to make a determination on the content and requirement of a structure plan (or an amendment to a structure plan) within 120 days of the structure plan being lodged;
  - (b) a decision by the local government not to endorse a structure plan (or an amendment to a structure plan); and
  - (c) conditions of approval of the structure plan (or an amendment to a structure plan).
- 5.21.20 In considering other procedural matters involved with structure plans, the local government and proponent will be guided by policies of the Western Australian Planning Commission.
6. Inserting development contribution provisions in Part 6 of the scheme as follows—
- 6.6 Development contributions.**
- 6.6.1 The *Planning and Development Act 2005* provides for local schemes to make agreements and recover expenses incurred in order to implement, enforce and give effect to the scheme.
- 6.6.2 Development contributions may be made for standard infrastructure such as roads, water, power, sewer and public open space through the subdivision process.
- 6.6.3 Community infrastructure includes, but is not limited to, public open space in rural areas, sporting and recreational facilities, community centres, child care centres, libraries and cultural facilities.
- 6.6.4 Development contributions for community infrastructure may only be levied in accordance with the requirements of *State Planning Policy 3.6—Development contributions for infrastructure*. Prior to seeking contributions for community infrastructure local governments need to prepare a—
- (a) community infrastructure plan for the area with demand analysis and service catchments;
  - (b) a capital expenditure plan;
  - (c) projected growth figures; and
  - (d) infrastructure costs, with no provision for cost escalation.
- 6.6.5 Development contributions can be calculated and applied as either standard conditions of subdivision, conditions of development or through voluntary legal agreements. Provisions in this scheme relate to development contributions prepared through a scheme amendment process, and do not cover voluntary legal agreements between local government and developers.
- 6.6.6 Development contributions for standard infrastructure can generally be summarised as—
- (a) land contributions—public open space, riverine setbacks, land for primary schools, roads and road widening and primary distributor roads where justified by the subdivision;
  - (b) infrastructure works—water, sewerage, drainage, electricity, roads and other traffic works, footpaths, pedestrian access ways and dual-use paths, road upgrades, construction and widening;
  - (c) standard water, sewerage and drainage headworks charges for off-site works, monetary contributions in lieu of land or works and to reimburse other owners where costs are shared;
  - (d) other contributions as provided for in WAPC policies.
- 6.6.7 Development contributions relate only to the provision of infrastructure and not the ongoing maintenance of said infrastructure.
- 6.6.8 For matters relating to the calculation and supporting information required to support a development contribution plan, the clauses of *State Planning Policy 3.6—Development contributions for infrastructure* shall apply as if they were part of this scheme.
- 6.6.9 Principles for requiring development contributions.**
- 6.6.10 In considering development contributions, it must be demonstrated that the proposed development—
- (a) generates a need for the infrastructure;
  - (b) the calculation and application of the contributions is clear and transparent;
  - (c) contributions are levied equitably across a development contribution area;
  - (d) all development contributions are identified and methods for dealing with escalation be agreed upon at the commencement of a contribution arrangement;

- (e) contributions should be justified on a whole of life capital cost basis and prevent over-recovery of costs;
  - (f) landowners and developers are consulted on the manner of determining contributions and have the opportunity to seek review by an independent third party; and
  - (g) development contribution must be determined and expended in an accountable manner.
- 6.6.11 Development contribution areas and development contribution plans.**
- 6.6.12 Development contribution areas are shown on the scheme map and included in schedule 12 of the scheme.
- 6.6.13 In respect of a development contribution area shown on a scheme map, the provisions applying to the area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the scheme.
- 6.6.14 The purpose of having development contribution areas is to—
- (a) provide for the equitable sharing of the costs of infrastructure and administrative costs between owners;
  - (b) ensure that cost contributions are reasonably required as a result of the subdivision and development of land in the development contribution area; and
  - (c) coordinate the timely provision of infrastructure.
- 6.6.15 Development contribution areas must be supported by a development contribution plan, which is then referenced in schedule 12 of the scheme.
- 6.6.16 Development contribution areas must be supported by a development contribution plan is outlined in *State Planning Policy 3.6—Development contributions for infrastructure*. For matters of process, valuations, arbitration or conflict resolution, the clauses of *State Planning Policy 3.6—Development contributions for infrastructure* shall apply as if they were part of this scheme.
- 6.6.17 Development contribution plans may involve administrative costs involved in the preparation and implementation of the plan, including the legal, accounting, planning, engineering and other professional advice.
- 6.6.18 Costs not identified in a development contribution plan may not be apportioned or levied at a later date.
- 6.6.19 A development contribution plan is only enforceable once it is incorporated into the scheme. This enacts the advertising and other provisions under the *Town Planning Regulations 1967* applicable to the making of schemes and amendments.
- 6.6.20 Any amendment to a development contribution plan will require a scheme amendment in order to become enforceable.
- 6.6.21 Payment of cost contributions**
- 6.6.22 As a general principle, the local government incurs costs associated with a development contribution plan up-front, and then recoups costs from landowners. This may be varied by agreement between the parties.
- 6.6.23 The Landowners liability to pay the owner's cost contribution to the local government arises when—
- (a) the Western Australian Planning Commission endorses the deposited plan or survey strata plan of the subdivision of the owner's land within the development contribution area;
  - (b) the commencement of any development on the owner's land within the development contribution area;
  - (c) the approval of any strata plan by the local government or Western Australian Planning Commission on the owner's land within the development contribution area; or
  - (d) the approval of a change or extension of use by the local government on the owner's land within the development contribution area.
- 6.6.24 The liability arises only once upon the earliest of the above listed events.
- 6.6.25 Interaction between structure plans and development contribution plans.**
- 6.6.26 A development contribution plan will generally be supported by a structure plan prepared under clause 12 of the scheme.
- 6.6.27 In order to effect a development contribution plan, it is necessary to—
- (a) prepare a structure plan to identify the land uses and development in the development contribution area;
  - (b) establish a development contribution area based on the structure plan area;
  - (c) prepare a development contribution plan;
  - (d) amend the scheme to appropriately zone land in the development contribution area; and

- (e) amend the scheme to introduce the development contribution area to the scheme map and reference the development contribution plan in schedule 12.
- 6.6.28 The development contribution area may encompass multiple structure plan areas.
- 6.6.29 It is possible to conduct all five steps concurrently, the local government may elect to prepare a structure plan and development contribution plan as a first stage. This provides for effective risk management and gives the local government the opportunity to—
- (a) consult with landowners, community groups and agencies in the preparation of the structure plan to address major issues prior to a scheme amendment;
  - (b) use the structure planning process to inform the eventual zones in the scheme and provide a basis for the development contribution area;
  - (c) use the structure planning process to clarify and refine the administrative costs required in the development contribution plan; and
  - (d) determine whether the scheme amendment should be proceeded with prior to investing in the preparation of a development contribution plan.
7. Creating a new schedule 12 as follows—

SCHEDULE 12

COMMUNITY INFRASTRUCTURE DEVELOPMENT CONTRIBUTION PLANS FOR DEVELOPMENT CONTRIBUTION AREAS

*The first amendment for a development contribution plan will create a table that accords with State Planning Policy 3.6—Development contributions for infrastructure.*

S. B. POLLARD, Shire President.  
N. A. HALE, Chief Executive Officer.

**PL403\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Wanneroo*  
District Planning Scheme No. 2—Amendment No. 110

Ref: TPS/0308

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 1 February 2011 for the purpose of rezoning Reserve 38075 (16) Harford Way, Girrawheen from Local Reserve—Public use (Primary School) to Urban Development Zone.

J. KELLY, Mayor.  
D. SIMMS, Chief Executive Officer.

**PL404\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of York*  
Town Planning Scheme No. 2—Amendment No. 22

Ref: 853/4/34/2 Pt 22

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 York local planning scheme amendment on 1 February 2011 for the purpose of modifying SCHEDULE 6—RURAL RESIDENTIAL ZONES by adding the area 'North West Precinct' as follows—

**NORTH WEST PRECINCT**

Lots 2 and 3 on Plan 45837 (Bland Road); Lots 34, S38, 39, 43, 46, 55, 56, 64 and 65 on Plan 223259 (Bland Road); Lots 57, 73, 79 and 80 on Plan 223250 (Bland Road); Lot 301 on Plan 37649 (Bland Road); Lots 37 and 40 on Plan 223259 (Eleventh Road); Lot 31 on Plan 190795 (Osnaburg Road); Lots 35, 36, 41 and 42 on Plan 223259 (Osnaburg Road); Lot 340 on Diagram 70792 (Osnaburg Road); Lot 4 on Diagram 70895 (Carter Road); Lots 53, 54, and 63 on Plan 223259 (Carter Road); Lots 58, 71 74 and 78 on Plan 223250 (Carter Road); Lot 32 on Plan 190795 (Tenth Road); Lots S33 and 66 on Plan 223259 (Tenth

1. The minimum lot size shall be no less than 1.0 hectare.

Road); Lot 510 on Plan 25667 (Tenth Road); Lot 81 on Plan 223261 (Ninth Road); Lot 45 on Plan 223259 (Ulster Road) and Lot 341 on Diagram 70792 (Ulster Road), York.

P. HOOPER, Shire President.  
R. P. HOOPER, Chief Executive Officer.

PL405\*

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Cunderdin*  
Local Planning Scheme No. 3—Amendment No. 1

Ref: TPS/0131

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 Cunderdin local planning scheme amendment on 1 February 2011 for the purpose of—

1. Rezoning Lot 1 and Pt Loc 2195 Coronation Street, Cunderdin from “General Agriculture” to “Rural Residential”.
2. Inserting Schedule 13—“Rural Residential Zone—provisions relating to specified areas”.
3. Inserting the following text into Schedule 13—Rural Residential Zone—provisions relating to specified areas—

**SCHEDULE 13—RURAL RESIDENTIAL ZONE**

Provisions relating to specified areas

No	Description of Land	Provisions
RR1	Lot 1 and Part Location 2195 Coronation Street, Cunderdin	<ol style="list-style-type: none"> <li>1. Development of the site is to be carried out in accordance with the Subdivision Guide Plan as adopted by the Local Government and endorsed by the Western Australian Planning Commission and any approved modifications thereto.</li> <li>2. Minimum lot sizes shall be 1.0ha.</li> <li>3. Unless otherwise approved by the Local Government, all dwellings and on-site effluent disposal systems are to be confined to the Building Envelopes as designated on the Subdivision Guide Plan. There is to be no clearing outside the designated building envelopes unless approved by the Local Government.</li> <li>4. The subdivider shall prepare and implement a Fire Management Plan to the specifications of the Local Government prior to any subdivision of the land.</li> <li>5. The subdivider shall prepare and implement a Strategic Revegetation Plan to the specifications of the Local Government prior to subdivision. All landowners are required to maintain vegetation, to ensure the 20m vegetation buffer and creek vegetation buffer (as depicted on the subdivision guide plan) are maintained at all times. Revegetation should occur with local, salt tolerant species.</li> <li>6. As a condition of subdivision, the un-constructed portion of Coronation Street is to be developed by the subdivider, to the satisfaction of the Local Government.</li> <li>7. Shared crossings of the watercourse are to be designed and constructed to accommodate a 100 year flood event and to ensure drainage flows are not restricted. The location of the crossings are to be situated away from creek bends, and should be determined in consultation with the Department of Water. The crossings are to be developed in accordance with the Department of Water’s “<i>Crossing Creeks—Stream crossings on farms</i>” document.</li> <li>8. No direct access onto Great Eastern Highway shall be permitted.</li> <li>9. The keeping of stock is not permitted on any of the lots.</li> <li>10. Effluent disposal is to be through the use of Local Government approved Alternative Treatment Units.</li> </ol>

No	Description of Land	Provisions
		<p>11. Notifications on Titles are required, as a component of subdivision, informing potential purchasers that the area may be subject to chemical spray drift, dust, noise and odour from nearby rural activities.</p> <p>12. A geotechnical report shall be required as a condition of subdivision approval, certifying that the land is physically capable for rural residential development and Alternative Treatment Units for effluent disposal.</p>

4. Amending the Scheme Maps accordingly.

R. L. CARTER, Shire President.  
G. M. TUFFIN, Chief Executive Officer.

**PL406\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Derby-West Kimberley*  
Town Planning Scheme No. 5—Amendment No. 15

Ref: TPS/0297

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 Derby-West Kimberley local planning scheme amendment on 1 February 2011 for the purpose of—

1. Rezoning Lot 398 and 399 (112—116) Clarendon Street and Lot 400 (92) Loch Street from 'Residential R12.5/30' to 'Town Centre', and amending the scheme map accordingly.
2. Amending the scheme map to introduce an 'Additional Use' applicable to Lot 399 (116) Clarendon Street.
3. Amending Appendix 2 of the Shire of Derby/West Kimberley Town Planning Scheme No. 5 to introduce an 'Additional Use' as follows—

Additional Use	Lot No.	Street	Current Uses	Permitted Additional Uses	Date
A4	399	Clarendon	Residential	Nursery	AMD 2

E. M. ARCHER, Shire President.  
S. P. BURGE, Chief Executive Officer.

**PL407\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Town of Port Hedland*  
Town Planning Scheme No. 5—Amendment No. 24

Ref: TPS/0183

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 Town of Port Hedland local planning scheme amendment on 1 February 2011 for the purpose of—

1. Amending the Scheme Map by—
  - (i) Rezoning Lots 300, 301, 5871 and 5872 Schillaman Street currently zoned "Transient Workforce Accommodation R20" and Lot 5858 Schillaman Street reserved "Parks and Recreation" to "Industry" zone as depicted on the amendment map.
  - (ii) Rezoning the land generally bound by Great Northern Highway, Pinga Street and the boundary of the Port Hedland Port Authority land currently reserved for "Other Purpose—Infrastructure", "Parks and Recreation" and "Local Road" and "State and Regional Road" and "Transient Workforce Accommodation R20" to "Transport Development" zone as depicted on the amendment map.
  - (iii) Rezoning the land generally bound by Wallwork Road, The Port Hedland—Goldworthy Railway, Cajarina Road and Great Northern Highway currently reserved for "Other Purpose—Infrastructure" and "State and Regional Road" to "Light Industry" zone as depicted on the amendment map.
  - (iv) Amending the Wedgefield Special Control Area boundary to exclude Lots 5873, 5874, 5858 and 5859 Schillaman Street, and portions of the Schillaman Street and Moorambine Street road reserves, as depicted on the amendment map.

2. Amending the Scheme text by—
- (i) Inserting clause “3.1 (c) iv. Transport Development”
  - (ii) Inserting clause “3.1 (c) v. Light Industry”
  - (iii) Amending subclause 3.2.3 to read “Notwithstanding the provisions of 3.2.2, development may only be permitted within the Urban Development, Industrial Development or Transport Development zones where—
    - (a) A Development Plan has been adopted for the subject land and the development is in accordance with the plan: or
    - (b) Council has resolved that a Development Plan is not required.”
  - (iv) Inserting subclause “5.2.1 (g) Transport Development zone”
  - (v) Inserting subclause “5.2.1 (h) Light Industry zone”
  - (vi) Amending subclause 6.7.1 to read “In determining applications for planning approval within the Strategic Industry, Industry, Industrial Development, Transport Development and Light Industry zones, Council shall have regard to any relevant Council Policy Statement adopted under Part V of the Scheme.”
  - (vii) Amending subclause 6.7.2 to read “In considering planning applications within the Strategic Industry, Industry, Industrial Development, Transport Development and Light Industry zones, Council shall have regard for the—
    - (a) compatibility of uses,
    - (b) potential impact of the proposal on the efficient and effective operations of the existing and planning industry, infrastructure or public purpose, and
    - (c) risks, hazards, health and amenity associated with the proposed use being located in proximity to existing and planned industry, infrastructure or public purpose or any other use.”
  - (viii) Amending subclause 6.7.8 to read “When considering applications for planning approval in the Industry, Industrial Development, Transport Development and Light Industry zones Council shall require any buildings to—
    - (a) Be set back a minimum of six metres from the front boundary,
    - (b) Cover no more than fifty percent of the lot,
    - (c) Include building facades comprised of materials to Council’s satisfaction,
    - (d) Include on-site car parking, wholly or partly within the setback area, with a minimum of one car parking bay for each person employed or normally engaged on the site plus three visitor bays, unless otherwise stipulated in Appendix 7 or clause 6.13,
    - (e) Provide for the storage of materials not within the front setback unless for a temporary period as determined by Council, and
    - (f) Have regard for any other development standard contained in the Policy Manual.”
  - (ix) Inserting the following text into clause 6.7—

**Transport Development Zone**

- 6.7.15 The purpose of the Transport Development zone is to accommodate the operation of over-sized equipment and services supporting the transport industry.
- 6.7.16 When considering applications within the Transport Development zone, in addition to the requirements of clause 4.5, Council must have regard to the following—
- (a) the purpose of the zone;
  - (b) consideration to the size of vehicles, with a preference for larger vehicles;
  - (c) preference to industries supporting the transport and heavy vehicle industry.
- 6.7.17 All development requirements related to the Industry zone also apply to the Transport Development zone.
- 6.7.18 Council may prepare, or require to be prepared, a Development Plan for land within the Transport Development zone. The provisions of subclauses 5.2.2 to 5.2.11 of the Scheme shall apply in relation to the adoption, approval, modification and implementation of any such plan. Although subdivision and development may take place prior to the Scheme maps being amended to reflect the details of Development Plans; the Scheme maps should be amended as soon as practicable following the creation of lots and Crown reserves.
- 6.7.19 The Development Plan shall address the matters outlined in Appendix 6.

**Light Industry Zone**

- 6.7.20 The purpose of the Light Industry zone is to accommodate for a range of generally small scale industrial development, which exhibit a relatively high standard of design and environmental performance in terms of amenity, noise, emissions and generation of vehicular traffic.
- 6.7.21 All development requirements related to the Industry zone also apply to the Light Industry zone.
- 6.7.22 Council may prepare, or require to be prepared, a Development Plan for land within the Light Industry zone. The provisions of subclauses 5.2.2 to 5.2.11 of the

Scheme shall apply in relation to the adoption, approval, modification and implementation of any such plan.

6.7.23 The Development Plan shall address the matters outlined in Appendix 6.

- (x) Amending subclause 6.14.5 to read “Within the Industry, Industrial Development, Transport Development and Light Industry zones, any outside area which Council considers may become untidy or is currently untidy when visible from the street shall be screened by a wall, fence or planting, including gates where access is required, to the satisfaction of Council.”
- (xi) Renumbering the subsequent clauses accordingly;
- (xii) Inserting the following rows and columns in the Zoning Table and renumbering the Use Classes accordingly—

<b>ZONING TABLE</b>		Transport Development	Light Industry
<b>Residential</b>			
1	Aged or Dependent Persons Dwelling	~	~
2	Ancillary Accommodation	~	~
3	Caretaker's Dwelling	~	~
4	Grouped Dwelling	~	~
5	Holiday Accommodation	~	~
6	Home Occupation	~	~
7	Hotel	~	~
8	Motel	~	~
9	Movable Dwelling	~	~
10	Multiple Dwelling	~	~
11	Residential Building	~	~
12	Rural Settlement	~	~
13	Single House	~	~
14	Transient Workforce Accommodation	~	~
<b>Industry</b>			
15	Abattoir	~	~
16	Agriculture	~	~
17	Arts and Crafts Centre	~	~
18	Intensive Agriculture	~	~
19	Fuel Depot	AA	~
20	Harbour Installation	AA	~
21	Hire Service (Industrial)	P	AA
22	Industry—Cottage	~	P
23	Industry—Extractive	~	~
24	Industry—General	~	~
25	Industry—Light	~	P
26	Industry—Noxious	~	~
27	Industry—Rural	SA	~
28	Industry—Service	~	AA
29	Industry—Resource Processing	~	~
30	Industry -Transport	AA	~
31	Infrastructure	AA	AA
32	Stockyard	~	~
33	Storage Facility/Depot/Laydown Area	SA	~
34	Container Park	P	~
35	Distribution Centre	P	AA
36	Transport Depot	P	~
37	Truck Stop	SA	~
<b>Commerce</b>			
38	Aerodrome	~	~
39	Display Home Centre	~	AA
40	Dry Cleaning	~	P



<b>ZONING TABLE</b>		Transport Development	Light Industry
41	Market	~	AA
42	Motor Vehicle and/or Marine Repair	AA	AA
43	Motor Vehicle and/or Marine Sales or Hire	SA	AA
44	Motor Vehicle and/or Marine Service Station	AA	SA
45	Motor Vehicle and/or Marine Wrecking	~	~
46	Motor Vehicle Wash	AA	AA
47	Office	IP	IP
48	On-site Canteen	IP	IP
49	Outdoor Display	IP	IP
50	Reception Centre	~	~
51	Restaurant (includes café)	~	~
52	Restricted Premises	~	AA
53	Shop	~	~
54	Showroom	~	AA
55	Take-away Food Outlet	~	SA
56	Warehouse	AA	P
<b>Heath Welfare &amp; Community Services</b>			
57	Carpark	P	AA
58	Child Care Service	~	~
59	Community Use	~	~
60	Consulting Rooms	~	~
61	Education Establishment	~	AA
62	Emergency Services	~	AA
63	Funeral Parlour	~	AA
64	Hospital	~	~
65	Juvenile Detention Centre	~	~
66	Medical Centre	~	~
67	Nursing Home	~	~
68	Place of Animal Care	~	SA
69	Place of Public Meeting, Assembly or Worship	~	~
70	Prison	~	~
71	Public Mall	~	~
72	Public Utility	P	P
<b>Entertainment, Recreation &amp; Culture</b>			
73	Equestrian Centre	~	~
74	Entertainment Venue	~	SA
75	Private Recreation	~	AA
76	Public Recreation	~	AA

The symbols used in the zoning table have the following meanings—

P The development is permitted by the Scheme

AA The development is not permitted unless the Council has granted planning approval

SA The development is not permitted unless the Council has granted planning approval after giving notice in accordance with clause 4.3

IP The development is not permitted unless the use to which it is put is incidental to the predominant use as decided by Council

~ A development that is not permitted by the Scheme

(xiii) Inserting the following definitions in Appendix I—Definitions

**“container park”** means land, including outbuildings, used for the receiving, interim storage and forwarding of containers used for the transporting of equipment, goods and products, materials or similar either by sea, road or rail transport.

**“distribution centre”** means regional premises, building and land, used for the receipt and wholesale distribution of retail goods and products by air, sea, road or rail to retail, showroom and warehouse outlets.

“**fuel depot**” means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include a service station and specifically excludes the sale by retail.

“**industry—transport**” means an industry which involves road, rail, air or sea freight transportation and includes supporting transport related industries providing services including fabrication and/or engineering of parts and components to the transport industry.

“**transport depot**” means land and buildings used or intended to be used for the transfer of goods or persons from one motor vehicle to another motor vehicle for hire or reward, or for the storage of goods delivered by road transport, and includes the maintenance, repair, garaging, parking or storage of such vehicles.

“**truck stop**” means land used for the parking of motor vehicles used for carrying goods, and may include facilities for ancillary accommodation of drivers and the retail sale of petroleum products and convenience goods, but excludes the garaging, management, and repair of any motor vehicle.

- (xiv) Amending the “**storage facility/depot/laydown area**” definition in Appendix I—Definitions to read—

“**storage facility/depot/laydown area**”—any land, buildings or other structures used for the storage and transfer of goods including salvaged items, the assembling of prefabricated components of products and includes milk depots, earthworks contracting yards and salvage yards.

- (xv) Amending Appendix 5—Development Plan Areas to show the “Wedgefield Industrial Estate” as per the modified Appendix 5—Development Plan Areas plan.
- (xvi) Amending the Appendix 6 subheading “Industrial Development Zone”, to read “Industrial Development, Transport Development and Light Industry zones”.

K. HOWLETT, Mayor.  
C. ADAMS, Chief Executive Officer.

#### PL408\*

### PLANNING AND DEVELOPMENT ACT 2005 APPROVED LOCAL PLANNING SCHEME AMENDMENT

*Town of Port Hedland*

Town Planning Scheme No. 5—Amendment No. 25

Ref: TPS/0287

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 Town of Port Hedland local planning scheme amendment on 1 February 2011 for the purpose of—

1. Rezoning Lots 2115, 2116 and 2117 North Circular Road, South Hedland from ‘Community’ zone to ‘Tourism’ zone.
2. Rezoning Lot 1693 Parker Street, South Hedland and 2119 Stanley Street, South Hedland from ‘Community’ zone to ‘Urban Development’.
3. Amending the Scheme Maps accordingly.

K. HOWLETT, Mayor.  
C. ADAMS, Chief Executive Officer.

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## RACING, GAMING AND LIQUOR

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#### RA401\*

### LIQUOR CONTROL ACT 1988 LIQUOR APPLICATIONS

The following is a summary of applications received under the *Liquor Control Act 1988 (the Act)* and required to be advertised.

Any person wishing to obtain more details about any application, or about the objection process, should contact the Department of Racing, Gaming and Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
13899	Grey-Smith Holdings Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in South Fremantle and known as The Crowded House	28/02/2011

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE— <i>continued</i>			
13881	West Valley 2000 Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Perth and known as Vintage Wine Sales	15/03/2011
13863	Touchdown Holdings Pty Ltd, Hamlet Holdings Pty Ltd, Howard Cearns Pty Ltd	Application for the grant of a Producers licence in respect of premises situated in Wilyabrup and known as Stormflower Vineyard	08/03/2011
APPLICATIONS TO ADD, VARY OR CANCEL A CONDITION OF LICENCE			
369839	Mark Harrington and Esther Harrington	Application to add, vary or cancel a condition of the Liquor Store licence in respect of premises situated in Rockingham and known as Rockingham IGA X-Press Plus	22/02/2011

This notice is published under section 67(5) of the Act.

Dated: 4 February 2011.

B. A. SARGEANT, Director of Liquor Licensing.

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## WORKCOVER

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WC401\*

### WORKERS' COMPENSATION AND INJURY MANAGEMENT ACT 1981

#### APPROVED MEDICAL SPECIALISTS ORDER (NO. 2) 2011

Made by WorkCover WA under section 146F(1) of the Act.

#### 1. Citation

This order is the *Approved Medical Specialists Order (No. 2) 2011*.

#### 2. Approved medical specialists

The following medical practitioner is designated as an approved medical specialist under section 146F(1) of the Act—

Dr Phillip Meyerkort

MICHELLE REYNOLDS, Chief Executive Officer,  
WorkCover WA.

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## DECEASED ESTATES

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ZX401

### TRUSTEES ACT 1962

#### DECEASED ESTATES

#### Notice to Creditors and Claimants

Neville Andrew Francis, late of 20 Anglesey Drive, Kardinya in Western Australia, Diesel Mechanic. 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 September 2010 at Fremantle Hospital, Fremantle in Western Australia, are required by the personal representative, being Thomas Brian Lawrence to send particulars of their claims to c/- McDonald Pynt Lawyers, PO Box 697, Fremantle WA 6959 within 30 days of publication of this notice after which date the personal representative may convey or distribute the assets, having regard only to the claims of which she then has notice.

**ZX402****TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

Estate of the late Eric William Wilson of 78B Moolanda Boulevard, Mindarie Western Australia.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962*, as amended relates) in respect of the estate of the deceased, who died on 19 November 2010, are required by the Executors Messrs Peter Wilson and Kelvin Wilson C/- 32 Limetree Circuit, Mindarie WA 6030 to send particulars of their claims to them by 7 March 2011, after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Dated the 8th day of February 2011.

**ZX403****TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

Wolfgang Paul Knoll, late of 660 Pinjarra Road, Barragup 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 January 2004 are required by the personal representative to send particulars of their claims to him/her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by the 11 March 2011 after which date the personal representative may convey or distribute the assets having regard to the claims of which he/she then has notice.

CLEMENT & CO as solicitors for the personal representative.

**ZX404****TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

In the matter of the estate of Cynthia Doreen Bertha Elston, late of Sherwin Lodge Aged Hostel, 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 abovenamed deceased who died on 6 December, 2010, are required by the executor Warrick Ross Long care of PO Box 134, Gosnells, Western Australia to send particulars of their claims to him within one (1) month from the date of publication of this notice, after which time he may convey or distribute the assets having regard only to the claims of which he has then had notice.

(Sgd.) for WARRICK LONG.

**ZX405****TRUSTEES ACT 1962**

## DECEASED ESTATES

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962* relates) in respect of the estates set out below are required by the executor of care of Nicholson Clement, Lawyers, 4 Sutton Street, Mandurah 6210 to send particulars of their claim to the executor 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 he then has notice.

Richard Christian Goerling, late of 3 Pitt Street, Hamel who died on 22 October 2010.

Patrick Charles Hogan, late of Unit 2, 1 Shannon Road, Mandurah who died on 27 November 2010.

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**PUBLIC NOTICES**

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**ZZ401****DISPOSAL OF UNCOLLECTED GOODS ACT 1970**

## DISPOSAL OF UNCOLLECTED GOODS

Regarding disposal of uncollected goods being Toyota Rav 4 Reg. No. 1CVB007 registered in the name of Courtney Michelle Ovens. Be advised that unless the owner or any party who may have an interest in the above vehicle contacts Colin of Caltex Starshop Osborne Park, 8 Main St, Osborne Park on (08) 9444 1392 or 0403 045 873 within 30 days the vehicle will be disposed of to recover cost of repairs carried out in January 2010 and also storage since February 2010.