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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2013 AND NEW YEAR HOLIDAY PERIOD 2014

Publishing Dates and times	Closing Dates and Times for copy
Friday, 20 December 2013 at 12 noon	Wednesday, 18 December 2013 at 12 noon
Friday, 27 December 2013 at 12 noon	Monday, 23 December 2013 at 12 noon
Tuesday, 31 December 2013 at 12 noon	Friday, 27 December 2013 at 12 noon
Friday, 3 January 2014 at 12 noon	Monday, 30 December 2013 at 12 noon



— PART 1 —

ENVIRONMENT

EV301*

Environmental Protection Act 1986
Environmental Protection (Noise) Regulations 1997

Environmental Protection (Wagerup Alumina Refinery Noise Emissions) Amendment Approval 2013

Made by the Minister under the *Environmental Protection (Noise) Regulations 1997* regulation 17 and the *Environmental Protection Act 1986* Part VII.

1. Citation

This approval is the *Environmental Protection (Wagerup Alumina Refinery Noise Emissions) Amendment Approval 2013*.

2. Commencement

This approval comes into operation on the day on which it is published in the *Gazette*.

3. Approval amended

This approval amends the *Environmental Protection (Wagerup Alumina Refinery Noise Emissions) Approval 2012* published in the *Gazette* on 29 June 2012 at p. 2939-44.

4. Clause 2 amended

- (1) In clause 2 delete the definition of *Director*.
- (2) In clause 2 insert in alphabetical order:

MGA94 coordinates means Map Grid of Australia 1994 (MGA94) coordinates in Zone 50 of the Universal Transverse Mercator Grid System based on the Geocentric Datum of Australia;

noise monitoring programme means the programme described in clause 8;

- (3) In clause 2 in the definition of *start day* delete “this approval” and insert:

the *Environmental Protection (Wagerup Alumina Refinery Noise Emissions) Amendment Approval 2013*

5. Clause 5 amended

In clause 5 delete “clause 6.” and insert:

clauses 6 to 11.

6. Clause 6 amended

In clause 6(1), (2)(c), (3) and (4) delete “Director” and insert:

CEO

7. Clauses 7 to 11 inserted

After clause 6 insert:

7. Noise consultant to be appointed

- (1) Alcoa must appoint a noise consultant within 3 months of the start day.
- (2) A person appointed by Alcoa as a noise consultant must be a person who —
 - (a) has the qualifications and skills necessary to competently undertake, and report on, the noise monitoring programme; and
 - (b) is a member of a professional body or association the objects of which are to promote and advance the practice of acoustics in Australia; and
 - (c) is not a related body corporate or a subsidiary (as those terms are defined in the *Corporations Act 2001* (Commonwealth) section 9) of Alcoa; and
 - (d) is not an employee of —
 - (i) Alcoa; or
 - (ii) any such related body corporate or subsidiary.
- (3) If a noise consultant appointed under this clause ceases undertaking the noise monitoring programme, for whatever reason, then Alcoa is to appoint another noise

consultant as soon as is practicable, but in any event within 3 months of that cessation.

- (4) Alcoa must inform the CEO, by notice in writing, within 2 months of the appointment of a noise consultant of the name and qualifications of the noise consultant.

8. Noise monitoring programme to be undertaken

- (1) Alcoa must ensure that a noise consultant appointed under clause 7 undertakes a noise monitoring programme that has the following objectives —
- (a) to provide a comparison of the noise emitted from the Wagerup Alumina Refinery between —
 - (i) the period during which this approval has effect; and
 - (ii) 2001, or if sufficient relevant data is not available for 2001, the year next after 2001 for which sufficient relevant data is available;
 - (b) to measure compliance with clause 3.
- (2) Monitoring of the noise emitted from the Wagerup Alumina Refinery required for subclause (1)(a)(i) must —
- (a) commence within 3 months of the start day; and
 - (b) be continuous, apart from any breaks referred to in subclause (3), for as long as this approval has effect; and
 - (c) comprise the taking of noise measurements, using equipment that does not require the constant presence of an operator, at, or near, the points fixed by —
 - (i) MGA94 coordinates 398512 East and 6359122 North; and
 - (ii) MGA94 coordinates 398065 East and 6356223 North;
- and
- (d) be carried out in a way that correspond as closely as possible to the way that the monitoring that produced the data referred to in subclause (1)(a)(ii) was carried out, including —
 - (i) the use of the same statistical noise parameters as were used to produce that data; and

- (ii) the use of the same values over the same time periods and duration as were used to produce that data; and
 - (iii) measuring noise emissions in the same way that noise emissions were measured to produce that data.
- (3) Breaks in the continuous monitoring referred to in subclause (2)(b) must be of the shortest possible duration and due only to —
 - (a) normal maintenance of the monitoring equipment; or
 - (b) unavoidable and unforeseeable failure of, or damage to, the monitoring equipment.
- (4) Monitoring of the noise emitted from the Wagerup Alumina Refinery required for subclause (1)(b) must —
 - (a) take place on —
 - (i) at least 3 occasions between 1 May and 30 September 2014; and
 - (ii) at least 3 occasions between 1 May and 1 July 2015;
 - and
 - (b) be carried out —
 - (i) at each of the 8 locations listed in clause 3; and
 - (ii) between 2200 hours on any day to 0700 hours the next day.

9. Report on noise monitoring

- (1) Alcoa must submit to the CEO a report prepared by a noise consultant appointed under clause 7 on the noise monitoring programme.
- (2) The report is to be submitted within 21 months of the start day.
- (3) In respect of the monitoring required for clause 8(1)(a) the report must —
 - (a) summarise at least the last 8 months of noise emissions data collected under the noise monitoring programme during the period that this approval has effect; and
 - (b) compare —
 - (i) that data; and
 - (ii) relevant and available noise emissions data collected for the Wagerup Alumina Refinery in 2001 or, if sufficient

relevant data is not available for 2001,
data for the year next after 2001 for
which sufficient relevant data is
available;

and

- (c) if the data used for comparison under paragraph (b)(ii) was not collected in 2001, explain why the data used for the comparison was chosen.
- (4) In respect of the monitoring required for clause 8(1)(b) the report must —
- (a) set out the data collected under clause 8(4); and
 - (b) use that data to describe the extent to which Alcoa has complied, or failed to comply, with clause 3; and
 - (c) if there has been any failure to comply with clause 3, describe the failure and provide an explanation as to why the failure occurred.
- (5) The report must also —
- (a) provide details of —
 - (i) the procedures used to measure noise emissions under the noise monitoring programme; and
 - (ii) the measurements resulting from those procedures;
- and
- (b) be organised and written in a manner and form that is likely to be easily understood by a person who does not have any special understanding of, or training in, acoustics, noise control or related areas.

10. Reports on land management

- (1) Alcoa must submit to the CEO within 3 months of the start day a report containing the information referred to in subclause (3) in respect of each of the 5 years immediately before the start day.
- (2) Alcoa must submit to the CEO within 21 months of the start day a report —
 - (a) containing the information referred to in subclause (3) in respect of each year (or part of a year) for the period commencing on the start day and ending as close to 21 months after the start day as is possible; and

- (b) containing an independent audit report of Alcoa's compliance with the land management plan referred to in clause 6(2)(b).
- (3) The reports to be submitted to the CEO under subclauses (1) and (2) must each contain the following information —
- (a) how many written offers to purchase noise affected-land have been made by Alcoa; and
 - (b) how many purchases of noise affected-land have been made by Alcoa.
- (4) The independent audit referred to in subclause (2)(b) must be conducted by a person appointed by Alcoa who —
- (a) has the qualifications and skills necessary to competently carry out the independent audit; and
 - (b) is a registered company auditor under the *Corporations Act 2001* (Commonwealth) section 9 or a member of any of the following bodies —
 - (i) CPA Australia (ACN 008 392 452);
 - (ii) the Association of Taxation and Management Accountants (ACN 002 876 208);
 - (iii) The Institute of Chartered Accountants in Australia (ARBN 084 642 571);
 - (iv) the Institute of Public Accountants (ACN 004 130 643);
 - (v) the National Tax & Accountants' Association Limited (ACN 057 551 854);and
 - (c) is not a related body corporate or a subsidiary (as those terms are defined in the *Corporations Act 2001* (Commonwealth) section 9) of Alcoa; and
 - (d) is not an employee of —
 - (i) Alcoa; or
 - (ii) any such related body corporate or subsidiary.

11. Reports to be publicly available

- (1) Alcoa must ensure that each report submitted to the CEO under clause 9(1) or 10(1) or (2) is, within one month of being so submitted, made publicly available —
 - (a) at Alcoa's Western Australian head office and at the offices of Alcoa at the Wagerup Alumina Refinery; and
 - (b) on a website maintained by Alcoa.
- (2) When a report is made publicly available under subclause (1), Alcoa must ensure that notice is given of the report's availability by publishing notice —
 - (a) in 2 issues of a newspaper circulating throughout the State; and
 - (b) in 2 issues of any local or regional newspaper circulating in the vicinity of the Wagerup Alumina Refinery.

A. JACOB, Minister for Environment.

— PART 2 —

LOCAL GOVERNMENT

LG401*

SHIRE OF DANDARAGAN
APPOINTMENT

The Shire of Dandaragan advises for public information that Terrance Sims has been appointed as an authorised officer and person to exercise powers on behalf of the Shire of Dandaragan pursuant to the following—

- Section 16 of the Dog Act 1976
- Section 48 (1) of the Cat Act 2011
- Section 17 (1) of the Caravan Parks and Camping Grounds Act 1995
- Section 5 (5) of the Control of Vehicles (Off Road Areas) Act 1978

The previous appointment of Christopher Carey is hereby cancelled.

ANTHONY NOTTLE, Chief Executive Officer.

LG402*

BUSH FIRES ACT 1954
Shire of Toodyay
APPOINTMENTS

It is hereby notified for public information that the undermentioned persons are appointed to their respective positions—

Chief Bush Fire Control Officer	Murray McBride
Deputy Chief Bush Fire Control Officer No. 1	Mick Rogers
Deputy Chief Bush Fire Control Officer No. 2	Mark Briggs
Deputy Chief Bush Fire Control Officer No. 3	Craig Stewart
Fire Control Officer Representative	Charles Wroth
Training Officer / Coordinator	Heather Wearmouth
Fire Weather Officer	Murray McBride
Community Emergency Services Manager	Corry Munson
Officers Authorised to Issue Permits to Burn for clover, refuse or proclaimed plants, and declared plants and refuse thereof	Murray McBride Chief Executive Officer

S. SCOTT, Chief Executive Officer.

LG403*

SHIRE OF TOODYAY
APPOINTMENT

It is hereby notified for public information that Mr John Mitchell has been appointed as an Authorised Officer for the purpose of enforcement of the following Acts—

- Local Government (Miscellaneous Provisions) Act 1960
- Local Government Act 1995 (and subsidiary Legislation)
- Building Act 2011 and Building Regulations 2012
- Planning and Development Act 2005 (and subsidiary Legislation)

S. SCOTT, Chief Executive Officer.

LG404**SHIRE OF TOODYAY*

APPOINTMENT

It is hereby notified for public information that Mrs Rose Jones has been appointed as an Authorised Officer for the purpose of enforcement of the following Acts—

Local Government (Miscellaneous Provisions) Act 1960

Local Government Act 1995 (and subsidiary Legislation)

S. SCOTT, Chief Executive Officer.

LG405***DOG ACT 1976***Shire of Toodyay*

APPOINTMENTS

It is hereby notified for public information that the undermentioned persons are appointed as Dog Registration Officers in accordance with the *Dog Act 1976*—

Kerry Wandless, Kristee Jolly, Michelina Sloper, Narelle Rodger, Tobie Prater, Corri Murcott, Rachel Byrne, Michelle McPhee, and Sharon Clayton.

All previous appointments are hereby cancelled.

S. SCOTT, Chief Executive Officer.

LG406***CAT ACT 2011***Shire of Toodyay*

APPOINTMENTS

It is hereby notified for public information that the undermentioned persons are appointed as Cat Registration Officers in accordance with the *Cat Act 2011*—

Kerry Wandless, Kristee Jolly, Michelina Sloper, Narelle Rodger, Tobie Prater, Corri Murcott, Rachel Byrne, Michelle McPhee, and Sharon Clayton.

S. SCOTT, Chief Executive Officer.

LG407**SHIRE OF TOODYAY*

APPOINTMENT

The Shire of Toodyay advises that Mr Alan Knapp and Ms Debbie Papps have been appointed as Authorised Officers (Rangers) for the purposes of enforcement of the following Acts—

Local Government Act 1995 and Regulations;

Local Government (Miscellaneous Provisions) Act 1960;

Bush Fires Act 1954, Bush Fires (Infringement) Regulations 1978 and Bush Fires Regulations 1954;

Dog Act 1976 and Dog (Restricted Breeds) Regulations (No. 2) 2002 and Dog Regulations 1976;

Litter Act 1979 and Litter Regulations 1981;

Shire of Toodyay Local Laws;

Control of Vehicles (Off Road Areas) Act 1978 and Control of Vehicles (Off Road Areas) Regulations 1979;

Caravan Parks and Camping Act 1995 and Regulations

Cat Act 2011 and Cat Regulations 2012; and

Animal Welfare Act 2002 (s.64(3)).

All previous appointments are hereby cancelled.

S. SCOTT, Chief Executive Officer.

LG408*

FREEDOM OF INFORMATION ACT 1992*Shire of Toodyay*

APPOINTMENT

The Shire of Toodyay advises that Corri Murcott and Narelle Rodger have been appointed as Accredited FOI Officers in accordance with the *Freedom of Information Act 1992*.

S. SCOTT, Chief Executive Officer.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

Town of Claremont

Town Planning Scheme No. 3—Amendment No. 124

Ref: TPS/1026

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 Claremont local planning scheme amendment on 12 November 2013 for the purpose of—

1. Rezoning Lot 300 (No. 23) Victoria Avenue, Claremont from “Special Zone—Restricted Use” (Restaurant) to “Residential” with a density coding of “R25”.
2. Deleting entry No. 1 in Appendix VII—Location Particulars which states—

Location	Particulars of Land	Permitted Use	Standards/Conditions
No. 23 Victoria Avenue	Portion of Melville Suburban Lot 77 being the whole of land comprised in Certificate of Title 1249, Folio 203	Restaurant	Not providing or suffering to be provided seating for more than eighty persons.

3. Amending the Scheme map accordingly.

J. BARKER, Mayor.
S. GOODE, Chief Executive Officer.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Armadale

Town Planning Scheme No. 4—Amendment No. 62

Ref: TPS/0935

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 18th November 2013 for the purpose of—

1. Rezoning Lots 4 and 6 Bay Court, Lots 5 and 10 Lake Road and Lot 9 McNeill Road Champion Lakes from “Rural Living 2” to “Urban Development Zone”;
2. Including Lots 4 and 6 Bay Court, Lots 5 and 10 Lake Road and Lot 9 McNeill Road Champion Lakes within Special Control Area Map 3 with the designation “Development Area (Structure Plan) (Schedule 12)” as a new entry in appropriate numerical order;
3. Amending the Scheme Maps accordingly; and
4. Amending Schedule 12—“Development Areas”—to include the following new entry in appropriate numerical order—

No.	Description of Land	Additional provisions applicable to subdivision and development
45.	Lots 4 and 6 Bay Court, Lots 5 and 10 Lake Road and	45.1 Comprehensive planning for the area shall be undertaken by preparation of a Structure Plan to guide subdivision and development.

No.	Description of Land	Additional provisions applicable to subdivision and development
	Lot 9 McNeill Road, Champion Lakes (Lake Road Structure Plan Area).	<p>45.2 As part of subdivision and/or development of the land Conservation Category Wetlands shall be retained, rehabilitated, managed and protected at the expense of the owner, subdivider and/or developer to the City's satisfaction.</p> <p>45.3 As part of subdivisions or development of the land existing trees and vegetation considered worthy of retention by the City shall be retained and protected at the expense of the subdivider or developer to the City's satisfaction.</p> <p>45.4 Prior to subdivision or development of the land, a Landscaping and Streetscape Plan for Public Open Space, drainage features and Road Reserves shall be prepared and implemented by a suitably qualified person at the expense of the subdivider or developer to the requirements and satisfaction of the City. The Landscaping Plan and Streetscape Plan shall address the following matters to the City's satisfaction—</p> <ol style="list-style-type: none"> a. An existing vegetation and tree condition assessment and tree survey shall be provided; b. The design and construction of Public Open Space and Road Reserves shall make provision for the retention of existing trees and vegetation considered worthy of retention by the City; c. The design and construction of drainage features within Public Open Space and Road Reserves shall be integrated with the overall landscaping design; d. Public Open Space shall be revegetated with local native species as required and approved by the City; e. Public Open Space shall include grassed areas as required and approved by the City; f. The provision of street trees using local native species as required and approved by the City; g. Reticulation of the Public Open Space and Street Trees shall be provided as required by the City and approved by the City; h. On street car parking bays adjacent to Public Open Space shall be provided; and i. A connected pedestrian footpath network shall be provided and constructed as follows— <ol style="list-style-type: none"> i. On at least one side of every street; ii. Within the centre corridor of public open space from Lake Road to the River; iii. Adjacent to Bay Court and McNeill Road Reserves from Lake Road to the River; iv. Adjacent to Lake Road Reserve; and v. The paths required under the points i to iv above shall be connected. <p>45.5 Prior to subdivision or development of the land, a Foreshore Management and Improvement Plan shall be prepared and implemented by a suitably qualified person at the expense of the subdivider or developer to the requirements and satisfaction of the City.</p> <p>45.6 Public Open Space shall be implemented by the subdivider or developer in accordance with the Landscaping and Streetscape Plan and Foreshore Management and Improvement Plan prior to subdivision or development.</p> <p>45.7 The purchasers of all lots shall be advised by the subdivider or developer of the provisions of the Scheme, Structure Plans and Detailed Area Plans applying to the site as part of future sale contracts to the satisfaction of the City.</p> <p>45.8 As part of structure planning, subdivision or development a Local Water Management Strategy and Urban Water Management Plan shall be prepared and implemented by a suitably qualified person at the expense of the subdivider or developer to the requirements and satisfaction of the City.</p>

RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

The following applications received under the *Liquor Control Act 1988 (the Act)* are 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			
14759	Clint Michael Swallow	Application for the grant of a Club Restricted licence in respect of premises situated in Collie and known as Collie Cricket Club	06/01/2014
14885	Seoul Mart City Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Perth and known as Seoul Mart City Pty Ltd (Perth)	31/12/2013

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

B. A. SARGEANT, Director of Liquor Licensing.

Dated: 6 December 2013.

TRAINING

TA401*

VOCATIONAL EDUCATION AND TRAINING ACT 1996

STATE TRAINING BOARD (APPOINTMENT OF MEMBERS) (NO. 3) INSTRUMENT 2013

Made by the Minister for Training and Workforce Development under section 19(1)(a) of the *Vocational Education and Training Act 1996*.

Citation

1. This instrument may be cited as the *State Training Board (Appointment of Members) (No. 3) Instrument 2013*.

Appointment

2. The person whose name is listed below, namely—

- Mr Keith William Spence,

is reappointed member and chairperson of the Western Australian State Training Board for a period commencing 1 December 2013 to 30 November 2014.

3. The person whose name is listed below, namely—

- Mr Michael Edward Deeks

is reappointed member of the Western Australian State Training Board for a period commencing 1 January 2014 to 31 December 2015 under section 19(2) of the *Vocational Education and Training Act 1996* being a Board nominated position.

4. The person whose name is listed below, namely—

- Mr James Allan Walker

is appointed member of the Western Australian State Training Board for a period commencing 1 January 2014 to 30 November 2014, replacing Ms Jane Coole.

Dated this 29th day of November 2013.

Hon. TERRY REDMAN MLA, Minister for Training and Workforce Development.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962**DECEASED ESTATES**

Notice to Creditors and Claimants

Bruce James Conomy, late of 34 Mahogany Drive, Halls Head 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 Bruce James Conomy, deceased, who died between 16 May 2013 and 17 May 2013 at Halls Head in the said State, are required by the personal representative Natalie Anne Drake-Brockman of 3 Darley Grove, Halls Head, Western Australia to send particulars of their claims to Peel Legal Barristers & Solicitors of PO Box 1995, Mandurah WA 6210 by the date one month following the publication of this notice, after which date the personal representative may convey or distribute the assets having regard only to the claims of which he has then had notice.

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