

# 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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## AGRICULTURE

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AG301\*

Veterinary Surgeons Act 1960

### Veterinary Surgeons Amendment Regulations 2006

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Veterinary Surgeons Amendment Regulations 2006*.

**2. The regulations amended**

The amendments in these regulations are to the *Veterinary Surgeons Regulations 1979\**.

[\* *Reprint 2 as at 14 May 2004.*

*For amendments to 31 October 2006 see Western Australian Legislation Information Tables for 2005, Table 4.]*

**3. Regulation 80 amended**

- (1) Regulation 80(2) is repealed and the following subregulation is inserted instead —

“

- (2) The Board may reduce or waive payment of a fee specified in the Table in a particular case if it considers it appropriate to do so in the circumstances of the case.

”

- (2) The Table to regulation 80 is deleted and the following Table is inserted instead —

“

**Table**

	<b>Fee (\$)</b>
<b>Part A — Applications for registration etc.</b>	
1 Application for registration as a veterinary surgeon by a natural person (r. 15(1)) .....	105
1A New graduate registration (r. 15(1)) .....	105
1B Certificate of provisional registration as a veterinary surgeon (r. 15(1a)) (applicable to a maximum of 3 months under s. 20B) .....	35 per month
2 Application for registration as a veterinary surgeon by a body corporate (r. 15(3)) .....	105
3 Application to alter the Register in respect of a body corporate (r. 15(4)) .....	55
4 Application for registration as a specialist veterinary surgeon (r. 16B) .....	155
5 Application for registration as an honorary veterinary surgeon (r. 16C) .....	25
6 Application for insertion in the Register of additional qualification etc. (r. 20) .....	25
7 Application to have name restored to the Register (r. 22) .....	55
<b>Part B — Annual roll fees</b>	
8 Roll fee for a natural person, resident in the State, registered as a veterinary surgeon (r. 19(1)) .....	345
9 Roll fee for a natural person, resident outside the State, registered as a veterinary surgeon (r. 19(1)) .....	170
10 Roll fee for a body corporate registered as a veterinary surgeon (r. 19(1)) .....	345
11 Roll fee for a registered honorary veterinary surgeon (r. 19(1)) .....	40
12 Roll fee for a registered specialist veterinary surgeon (r. 19(1), (3)) .....	70
<b>Part C — Applications relating to premises</b>	
13 Application to have premises registered as a veterinary clinic (r. 34) .....	155
14 Application to have premises registered as a veterinary hospital (r. 34) .....	210
15 Application for transfer of registration of a veterinary clinic or veterinary hospital (r. 39) .....	55
16 Application for renewal of registration of a veterinary clinic (r. 39) .....	130
17 Application for renewal of registration of a veterinary hospital (r. 39) .....	250

	<b>Fee (\$)</b>
<b>Part D — Application and annual fee (veterinary nurse)</b>	
18 Application for approval as a veterinary nurse (r. 64)	20
19 Annual fee for a veterinary nurse (r. 66) .....	40
<b>Part E — Application for licence by animal welfare society</b>	
20 Application by animal welfare society for a licence to treat sick and injured animals (r. 74) .....	260
21 Application by animal welfare society to renew a licence to treat sick and injured animals (r. 77) .....	210

By Command of the Governor,

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

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## HEALTH

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HE301\*

Health Act 1911

### **Health (Section 112(2) Prohibition) Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Health (Section 112(2) Prohibition) Regulations 2006*.

**2. Regulations to operate as local laws**

These regulations apply to all districts as if they were local laws made under the Act.

**3. Prohibition on private rubbish collection**

- (1) A person must not undertake the execution of the regular removal of house and trade refuse or other rubbish from premises in a district except to the extent to which the local

government or a contractor of the local government does not execute that removal and is not prepared and willing to execute or continue the execution of that removal.

Penalty:

- (a) for a first offence — a fine of not more than \$1 000 and not less than \$100; and
  - (b) for a second offence — a fine of not more than \$1 000 and not less than \$200; and
  - (c) for a third or subsequent offence — a fine of not more than \$1 000 and not less than \$500; and
  - (d) if that offence is a continuing offence — a fine of not more than \$100 and not less than \$50 for each day or part of a day during which the offence continues.
- (2) This regulation does not apply to the local government or a contractor of the local government.

By Command of the Governor,

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

HE302\*

Health Act 1911

## **Health (Meat Hygiene) Amendment Regulations (No. 2) 2006**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Health (Meat Hygiene) Amendment Regulations (No. 2) 2006*.

### **2. The regulations amended**

The amendments in these regulations are to the *Health (Meat Hygiene) Regulations 2001*\*.

[\* Reprint 2 as at 1 April 2005.

For amendments to 6 November 2006 see *Western Australian Legislation Information Tables for 2005, Table 4.*]

**3. Schedule 2 amended**

Schedule 2 Part 1 item 2 is deleted and the following item is inserted instead —

“

2	Bunbury .....	2.25	0.70	3.25
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”

By Command of the Governor,

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

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## — PART 2 —

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### AGRICULTURE

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AG401\*

**AGRICULTURAL PRODUCE (CHEMICAL RESIDUES) ACT 1983  
VETERINARY CHEMICAL CONTROL AND ANIMAL FEEDING STUFFS ACT 1976**

APPOINTMENT

Department of Agriculture & Food,  
South Perth WA 6151.

I, the undersigned Minister for Agriculture and Food, being the Minister responsible for the administration of the *Agricultural Produce (Chemical Residues) Act 1983* and *Veterinary Chemical Control and Animal Feeding Stuffs Act 1976*, hereby appoint Trudy Velessa Clarke, Department of Agriculture officer as Authorised/Inspector pursuant to the following sections—

Section 6 of the *Agricultural Produce (Chemical Residues) Act 1983*;

Section 37 of the *Veterinary Chemical Control and Animal Feeding Stuffs Act 1976*.

KIM CHANCE MLC, Minister for Agriculture and Food.

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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—

INDIGENOUS HARVEST AUSTRALIA CO-OPERATIVE LIMITED

Dated this 6th day of December 2006.

PATRICK WALKER, Registrar for Consumer Protection.

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### ENERGY

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EN401\*

**ELECTRICITY ACT 1945**

**ELECTRICITY (ENERGY EFFICIENCY AND LABELLING) NOTICE 2006**

Made by the Director of Energy Safety under the *Electricity Regulations 1947*.

**1. Citation**

This notice may be cited as the *Electricity (Energy Efficiency and Labelling) Notice 2006*.

**2. Commencement**

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

**3. Meaning of “domestic”**

For the purpose of this notice an apparatus or installation is “domestic” if it is primarily intended for domestic use.



#### 4. Apparatus and installations which are subject to energy efficiency labelling regulations

The following apparatus and installations (and the applicable standards that specify energy efficiency performance requirements) are subject to Part II of the *Electricity Regulations 1947*—

Class of equipment	Applicable Standard
(a) domestic rotary clothes dryers;	AS/NZS 2442
(b) domestic clothes washing machines;	AS/NZS 2040
(c) domestic refrigerators;	AS/NZS 4474
(d) domestic dishwashers;	AS/NZS 2007
(e) domestic room air-conditioners that—	AS/NZS 3823
(i) are single phase, non ducted vapour compression type; or	
(ii) are single phase, ducted, vapour compression type that are not registered for 2006 MEPS requirements.	

#### 5. Apparatus and installations which are subject to minimum energy efficiency standards

The following apparatus and installations (and the applicable standards that contain the requirements) are subject to Part III of the *Electricity Regulations 1947*—

Class of equipment	Applicable Standard
(a) domestic refrigerators;	AS/NZS 4474
(b) domestic freezers;	AS/NZS 4474
(c) domestic refrigerators/freezers;	AS/NZS 4474
(d) domestic storage water heaters that are un-vented displacement storage systems;	AS1056&AS/NZS 4692
(e) three-phase air conditioners and heat pump systems that have a cooling capacity of up to 65kW;	AS/NZS 3823
(f) three-phase electric motors that are rated from 0.72kW to 185kW (both inclusive);	AS 1359.102
(g) air conditioner—refrigerative, being an electrical appliance that is a single phase, vapour compression type;	AS/NZS 3823
(h) refrigerated display cabinet, being an electrical device that—	AS 1731.14
(i) is a cabinet cooled by a refrigerating system; and	
(ii) is for use in the display or sale of foodstuffs; and	
(iii) enables chilled and frozen foodstuffs placed in the cabinet to be maintained within certain temperature limits; and	
(iv) is of the remote or self-contained type;	
(i) fluorescent lamp ballast, being an electrical device of ferromagnetic or electronic construction for controlling the magnitude of current flowing through the discharge path of a fluorescent lamp with a rated power of between 15W and 70W that—	AS/NZS 4783
(i) is of the independent or built-in type intended for use with luminaires (portable or fixed); or	
(ii) is of the adaptor type allowing the insertion of a fluorescent lamp into the ballast by the user,	
and includes any capacitor incorporated in or supplied with the ballast, but does not include an integral type ballast forming a non-replaceable part of a fluorescent lamp;	
(j) distribution transformer, being an electrical device that—	AS 2374
(i) has a power rating from 10kVA to 2,500kVA; and	
(ii) is intended for use on systems operating with a voltage of up to 33kV;	
(k) linear fluorescent lamp, being an electrical device that—	AS/NZS 4782
(i) is for general illumination; and	
(ii) is of the double-capped (FD or FDH) tubular type; and	
(iii) is of a nominal length of 550mm to 1,500mm; and	
(iv) has a nominal lamp wattage of 16W or more; and	
(v) is for use in luminaires with lamp ballasts connected to a 230V 50Hz single phase or similar mains supply or for use only with high frequency (electronic) ballasts.	

**6. Energy efficiency labelling laws**

The laws set out in the Table to this clause are specified for the purposes of regulation 4 of the *Electricity Regulations 1947*.

**Table of laws of other States and Territories**

<b>State or Territory</b>	<b>Laws</b>
New South Wales	<i>Electricity Safety Act 1945</i> <i>Electricity Safety (Equipment Efficiency) Regulations 1999</i>
Queensland	<i>Electricity Act 1994</i> <i>Electricity Regulations 1994</i>
Victoria	<i>Electricity Safety Act 1998</i> <i>Electricity Safety (Equipment Efficiency) Regulations 1999</i>
South Australia	<i>Electrical Products Act 2000</i> <i>Electrical Products Regulations 2001</i>

**7. Minimum energy efficiency laws**

The laws set out in the Table to this clause are specified for the purposes of regulation 10 of the *Electricity Regulations 1947*.

**Table of laws of other States and Territories**

<b>State or Territory</b>	<b>Laws</b>
New South Wales	<i>Electricity Safety Act 1945</i> <i>Electricity Safety (Equipment Efficiency) Regulations 1999</i>
Queensland	<i>Electricity Act 1994</i> <i>Electricity Regulations 1994</i>
Victoria	<i>Electricity Safety Act 1998</i> <i>Electricity Safety (Equipment Efficiency) Regulations 1999</i>
South Australia	<i>Electrical Products Act 2000</i> <i>Electrical Products Regulations 2001</i>

**8. Revocation**

The *Electricity (Energy Efficiency and Labelling) Notice 2004* is hereby revoked.

ALBERT KOENIG, Director of Energy Safety,  
Department of Consumer and Employment Protection.

**EN402\***

**ELECTRICITY INDUSTRY ACT 2004**  
**ELECTRICITY INDUSTRY (WHOLESALE ELECTRICITY**  
**MARKET) REGULATIONS 2004**

**WHOLESALE ELECTRICITY MARKET RULES**

Commencement of Provisions 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 2.11 and  
10.4 of the Market Rules

Provisions 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 2.11 and 10.4 of the Wholesale Electricity Market Rules made under regulation 6(2) of the *Electricity Industry (Wholesale Electricity Market) Regulations 2004*, are to commence at 8:00am (WST) on 15 December 2006.

Dated at Perth this 21st day of November 2006.

FRANCIS LOGAN MLA, Minister for Energy.

**EN403\***

**ELECTRICITY INDUSTRY ACT 2004**  
**ELECTRICITY INDUSTRY (WHOLESALE ELECTRICITY**  
**MARKET) REGULATIONS 2004**

**WHOLESALE ELECTRICITY MARKET RULES**

Amending Rules No. 2 (December 2006)

I, Francis Logan, Minister for Energy for the State of Western Australia, under regulation 6(2) of the *Electricity Industry (Wholesale Electricity Market) Regulations 2004* hereby make the amending rules contained in this document.

Amending Rule 1 is to commence at a date to be determined by the Minister, and published in the *Gazette*.

Amending Rules 2 to 8 (inclusive), are to commence at 8:00am (WST) on 15 December 2006.

FRANCIS LOGAN MLA, Minister for Energy.

Dated at Perth this 5th day of December 2006.

### 1. Market Rule 6.3B.1B added

A new Rule 6.3B.1B to be added as follows—

6.3B.1B If the Market Participant's Standing STEM Submission has not been successfully converted into a daily STEM Submission for the Trading Day in accordance with 6.3B.1A then the IMO must adjust the Standing STEM Submission to make it a valid STEM Submission with respect to the Trading Day. The adjustment will be made as follows—

- (a) if the cumulative MWh quantity over all Price-Quantity Pairs is greater than the Maximum Supply Capability as calculated under 6.3A.2(a), the Price-Quantity pairs will be adjusted downward so that the cumulative MWh quantity over all Price-Quantity Pairs equals the Maximum Supply Capability. This will be achieved by deleting successively or reducing the highest price Price-Quantity Pairs until the cumulative MWh quantity over all remaining Price-Quantity Pairs equals the maximum Supply Capability as calculated under 6.3A.2(a);
- (b) available dual fuel generators shall be declared to be using the same fuel as in the existing Standing STEM Submission;
- (c) any Ancillary Services shall be declared as using Non-Liquid Fuel; and
- (d) if the number of Price-Quantity pairs in the modified Portfolio Supply Curve is greater than that allowed by clause 6.6.4, this will be disregarded and the STEM Submission validated.

### 2. Market Rule 2.27.1A added

A new Rule 2.27.1A to be added as follows—

2.27.1A. A Market Participant may request, during the process of obtaining a relevant Arrangement for Access, that the relevant Network Operator determine and provide to the IMO, Loss Factors to apply to a facility or a Non-Dispatchable Load where there are no Loss Factors applying to the connection point at which the facility or the Non-Dispatchable Load will be connected.

### 3. Market Rule 2.27.2(c) amended

Deleting the existing clause 2.27.2(c), and replacing it with the following—

2.27.2(c). Loss Factors must be determined using—

- i. generation and load meter data from the preceding 12 months; or
- iA. for a new facility or a Non-Dispatchable Load, any other relevant data provided by the Market Participant and as agreed with the Network Operator and the IMO, and
- ii. an appropriate network load flow software package; and

### 4. Market Rule 10.5.1(f)ix added

A new Rule 10.5.1(f)ix to be added as follows—

10.5.1(f)ix The following annually calculated and monthly adjusted ratios—

1. NTDL\_Ratio as calculated in accordance with Appendix 5, STEP 8;
2. TDL\_Ratio as calculated in accordance with Appendix 5, STEP 8; and
3. Total\_Ratio as calculated in accordance with Appendix 5, STEP 10.

### 5. Appendix 5, STEP 8 amended

Deleting the existing Appendix 5, STEP 8 and replacing it with the following—

STEP 8: For each Market Customer, i, calculate—

$$\text{NTDLRCR}(i) = \text{Sum}(u, \text{NTDL}(u) \times d(u,i)) \times \text{NTDL\_Ratio}$$

$$\text{TDLRCR}(i) = (\text{Sum}(v, \text{MTDL}(v) \times d(v,i)) - \text{DSM}(i)) \times \text{TDL\_Ratio}$$

$$\text{ILRCR}(i) = \text{Sum}(w, \text{ILRCR}(w) \times d(w,i))$$

$$\text{NRR} = \text{RR} - \text{Sum}(i, \text{ILRCR}(i))$$

where—

- NTDL\_Ratio = NRR/FL
- TDL\_Ratio = (NRR - Sum(j, NTDLRCR(j))) / Sum(j, Sum(v, MTDL(v) × d(v,j)) - DSM(j))
- j indicates Market Customers.

- ILRCR(i) is the Intermittent Load Reserve Capacity Requirement for Market Customer i.
- $MTDL(v) = TDL(v)$  for all v except v\* and  $MTLD(v) = TDLn(V^*)$  for  $v=v^*$ .
- RR is the Reserve Capacity Requirement (potentially modified in accordance with clause 4.28.11A).
- FL is the peak demand associated with that Reserve Capacity Requirement as specified in clause 4.6.2 (potentially modified in accordance with clause 4.28.11A).
- DSM(i) is the MW quantity of additional Demand Side Management demonstrated and agreed by the IMO to be available by the next Hot Season.

### 6. Appendix 5, STEP 10 amended

Deleting the existing Appendix 5, STEP 10 and replacing it with the following—

STEP 10: The Individual Reserve Capacity Requirement of Market Customer i for Trading Month n of a Capacity Year equals  $(X(i) \times \text{Total Ratio})$  where—

- Total Ratio =  $RR/Y$ .
- $Y = \text{Sum}(i, X(i))$ .
- RR is the Reserve Capacity Requirement (as modified in accordance with clause 4.28.11A).

### 7. Market Rule 3.19.2(b)iii amended

Deleting the existing clause 3.19.2(b)iii, and replacing it with the following—

3.19.2(b)iii the outage may be for any duration and must end before the end of the Trading Day;

### 8. Market Rule 7.1.3 added

A new Rule 7.1.3 to be added as follows—

7.1.3 System Management may, but is not required to, revise its earlier Dispatch Instructions when advised of Forced Outages during the Trading Day.

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## HEALTH

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HE401\*

### HEALTH ACT 1911

#### ANAESTHETIC MORTALITY COMMITTEE (APPOINTMENT OF MEMBERS) INSTRUMENT (3) 2006

Made by the Minister for Health under sections 340BB and 340BC of the Act.

#### 1. Citation

This instrument may be cited as the *Anaesthetic Mortality Committee (Appointment of Members) Instrument (3) 2006*.

#### 2. Interpretation

In this instrument—

“table” means a table in the schedule to this instrument; and

“the Act” means the *Health Act 1911* (WA); and

“the Committee” means the Anaesthetic Mortality Committee constituted under section 340BB(1) of the Act.

#### 3. Appointment of Permanent Member

Dr Kenneth Allen Williams is appointed as permanent member to the Committee pursuant to section 340BB(3)(e) of the *Health Act 1911* commencing on the day specified in the notice of the appointment published in the *Government Gazette* as the commencement date of that term for the period of three years from the date of appointment.

Dated: 15 November 2006.

JIM MCGINTY MLA, Minister for Health.

## JUSTICE

JU401\*

### 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 Director General of the Department of the Attorney General 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
Hollands	Christy	Narelle	CS7-037	4/12/2006	24/11/2006	30/07/2008
Quinn	Michelle	Gae	CS7-038	4/12/2006	8/12/2006	30/07/2008
Chahal	Deepak		CS7-039	8/12/2006	8/12/2006	30/07/2008
Chilcott	Bradley	Thomas	CS7-040	8/12/2006	8/12/2006	30/07/2008
Creighton	Kenneth		CS7-041	8/12/2006	8/12/2006	30/07/2008
Griffiths	Jeffrey	Stewart	CS7-042	8/12/2006	8/12/2006	30/07/2008
Hannah	Andrew	Darren	CS7-043	8/12/2006	8/12/2006	30/07/2008
Hofmeier	Shane	Robert	CS7-044	8/12/2006	8/12/2006	30/07/2008
Jones	Courtney	Jade	CS7-045	8/12/2006	8/12/2006	30/07/2008
Kelly	Raymond	Michael	CS7-046	8/12/2006	8/12/2006	30/07/2008
Larritt	Christopher	Charles	CS7-047	8/12/2006	8/12/2006	30/07/2008
Lay	Jade	Andrew	CS7-048	8/12/2006	8/12/2006	30/07/2008
Masempela	George		CS7-049	8/12/2006	8/12/2006	30/07/2008
Morley	John		CS7-050	8/12/2006	8/12/2006	30/07/2008
Newby	James	Robert	CS7-051	8/12/2006	8/12/2006	30/07/2008
Van Gemmert	Arnold		CS7-052	8/12/2006	8/12/2006	30/07/2008
Vincent	David	James	CS7-053	8/12/2006	8/12/2006	30/07/2008
Brown	Stephen	Ednan	CS7-054	4/12/2006	29/11/2006	30/07/2008
Ladiges	Dean	William	CS7-055	8/12/2006	1/12/2006	30/07/2008
Bourke	Brandi-Renea		CS7-056	4/12/2006	1/12/2006	30/07/2008

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

GREGORY RICKIE, A/CSCS Contract Manager.

## LOCAL GOVERNMENT

LG401\*

### DOG ACT 1976

*Shire of Dardanup*

#### DOG REGISTRATION OFFICER

It is hereby notified for public information that the following Officers has been appointed by Council as Authorised Dog Registration Officers under the Dog Act 1976, effective immediately, until further notice.

Appointments—

Brigette Panetta

Suzette Sutton

Dated: 6 December 2006.

M. L. CHESTER, Chief Executive Officer.

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**MARINE/MARITIME**

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MX401\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**NAVIGABLE WATERS REGULATIONS**  
Prohibited Swimming Area  
Mandurah Estuary

Department for Planning and Infrastructure,  
Fremantle WA, 12 December 2006.

Acting pursuant to the powers conferred by Regulation 10A(b) of the Navigable Waters Regulations, I hereby close all of the following waters to swimming, between 10.30 PM and 11.30 PM on Tuesday 26 December 2006—

**MANDURAH ESTUARY**

All the waters within an 80 metre radius of the firing point, located on the southern foreshore (adjacent to the War Memorial), at the entrance to Mandurah Canals.

This area is set aside for safety measures during the set up and display of pyrotechnics.

DAVID HARROD, General Manager,  
Marine Safety, Department for Planning  
and Infrastructure.

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**PLANNING AND INFRASTRUCTURE**

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PI401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Armadale*  
Town Planning Scheme No. 4—Amendment No. 8

Ref: 853/2/22/7 Pt 8

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 City of Armadale local planning scheme amendment on 21 November 2006 for the purpose of—

1. Recoding the western portion of Lot 186 Onyx Road, Mt Richon from “Residential R5” to “Residential R15”.
2. Amending the Town Planning Scheme No 4 zoning map accordingly.

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

PI402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Denmark*  
Town Planning Scheme No. 3—Amendment No. 92

Ref: 853/5/7/3 Pt 92

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 Denmark local planning scheme amendment on 7 November 2006 for the purpose of rezoning Lot 2 Smith Street, Denmark from “Residential R10/20”, “Road Reserve”, and “Parks and Recreation Reserve” zones to “Residential R20” zone; and amending the Scheme Map accordingly.

J. K. BARROW, Shire President.  
P. DURTANOVICH, Chief Executive Officer.

PI403\*

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

*Shire of Denmark*

Town Planning Scheme No. 3—Amendment No. 80

Ref: 853/5/7/3 Pt 80

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 Denmark local planning scheme amendment on 15 November 2006 for the purpose of—

1. Rezone Lot 369 Kearsley Road, Denmark from 'Rural' to 'Special Residential Zone'.
2. Introduce Special Provisions to Appendix 14—Special Residential Zones for Special Residential Zone No. 9—

Particulars of the Land	Proposed Uses	Special Provisions
Lot 369 Kearsley Street, Denmark	Permitted Use (P)— Single House Permitted at Council's Discretion (AA): Home Occupation Livestock Grazing <i>see clause (viii)a)</i>	<ul style="list-style-type: none"> <li>(i) Lot Sizes               <ul style="list-style-type: none"> <li>(a) The minimum lot size should be no less than 2000m<sup>2</sup> and the average lot size no less than 3000m<sup>2</sup>.</li> <li>(b) Subdivision shall generally be in accordance with the Subdivision Guide Plan. The Western Australian Planning Commission may consider minor variations to the Subdivision Guide Plan, however the further breakdown of lots will be contrary to the Scheme.</li> </ul> </li> <li>(ii) Boundary Setback Distances               <ul style="list-style-type: none"> <li>(a) All buildings shall be set back a minimum of—                   <ul style="list-style-type: none"> <li>- 10 m from the front boundary</li> <li>- 10 m from the rear boundary</li> <li>- 8 m from all other boundaries</li> </ul> </li> <li>(b) Notwithstanding (a) above, Council may approve a reduction to the nominated 'rear boundary' and 'all other boundaries' setback, to a minimum of 5 m each, where it is of the opinion that the topography or shape of the lot, or remnant vegetation on it, makes it desirable to alter the setback and that the location of the building will not detract from the amenity of the area of existing or future dwellings on surrounding lots.</li> <li>(c) On the lots allocated 'Development Envelopes' (1000 m<sup>2</sup>) on the Subdivision Guide Plan, dwellings shall be confined to the Development Envelopes unless otherwise approved by Council. Such approvals may require additional siteworks to be performed at the landowner's expense.</li> </ul> </li> <li>(iii) Bush Fire Management               <ul style="list-style-type: none"> <li>(a) Council may request the Commission to impose a condition at the time of subdivision for the provision of Strategic Fire Breaks and other fire safety facilities. Such facilities shall be provided to the satisfaction of Council and the Fire &amp; Emergency Services Authority and in accordance with the Fire Management Plan.</li> <li>(b) Council shall require that individual landowners are responsible for the maintenance of any strategic firebreaks crossing individual lots.</li> <li>(c) The clearing of firebreaks other than for strategic firebreak purposes will not be permitted unless for safety reasons to comply with Council and Fire &amp; Emergency Services Authority requirements.</li> <li>(d) Low Fuel Areas a minimum of 30 m wide shall be provided and maintained around all buildings.</li> <li>(e) The subdivider shall make arrangements to the satisfaction of Council to ensure prospective purchasers, in the transfer of lots, are aware of</li> </ul> </li> </ul>

Particulars of the Land	Proposed Uses	Special Provisions
		<p>the fire management guidelines of the Homeowners Bushfire Survival manual, the Fire Management Plan and Australian Standard 3959 "Construction of Buildings in Bushfire Prone Areas".</p> <p>(f) In cases where only part of the zone is developed, an interim firebreak system shall be prepared and put in place to the satisfaction of Council and the Fire &amp; Emergency Services Authority.</p> <p>(g) Council may request the Commission to impose a condition at the time of subdivision for the provision of fire hydrants at intervals of 200 metres along subdivisional water mains.</p> <p>(iv) Vegetation Protection and Control</p> <p>(a) No clearing of remnant vegetation shall occur except for—</p> <ul style="list-style-type: none"> <li>- clearing to comply with the requirements of the Bush Fires Act (as amended)</li> <li>- clearing may reasonably be required to construct an approved building and curtilage;</li> <li>- trees that are diseased or dangerous;</li> <li>- clearing required to establish a low fuel buffer;</li> <li>- clearing to gain vehicular access to an approved dwelling or any other clearing which may be approved by the Council.</li> </ul> <p>(b) It shall be the responsibility of the landowner to preclude the establishment of invasive weed species on the individual allotments.</p> <p>(c) Where, in the opinion of Council, invasive weed species have invaded any land within the zone, notice may be served on the owner of the land requiring immediate eradication of those weed species specified in the notice.</p> <p>(d) Where notice has been served on a landowner, Council may also require the land to be stabilised or replanted to its satisfaction within three months of servicing the notice.</p> <p>(e) In the event that such action is not undertaken, Council may carry out such works as are deemed necessary, with all costs being borne by the landowner.</p> <p>(f) Council may request the Commission to impose a condition at the time of the subdivision for the preparation and implementation of a public open space and tree planting strategy. Such strategy shall use local native tree and shrub species. Trees only should be used in road reserves.</p> <p>(v) Building Materials, Colours and Heights</p> <p>(a) All buildings constructed within the zone shall be sympathetic to existing landscape elements (landform and vegetation) in terms of their location, scale, height, materials and colour.</p> <p>(b) Buildings shall be constructed with roof and external wall materials and colours comprising natural earth or olive green colours. Reflective colours and materials such as zincalume, white and off-white tones will not be permitted. Other roof and external wall materials which would, in the opinion of Council, prejudice the landscape amenity of the area, will not be permitted.</p> <p>(c) All buildings shall be sited to maximise the natural screening effect of vegetation and topography.</p> <p>(d) All buildings shall be single storey except where it can be proven to Council that a variation to</p>



Particulars of the Land	Proposed Uses	Special Provisions
		<p>the height restriction would not adversely affect the visual amenity of surrounding lots, as well as the locality.</p> <p>(e) Proposals to vary the height restrictions pursuant to (d) above, shall be accompanied by such plans, elevations and sketches as is determined by Council to assess the effect on visual amenity and the natural screening properties of vegetation and topography.</p> <p>(vi) Potable Water</p> <p>(a) Council may request the Commission to impose a condition at the time of subdivision for the provision of reticulated water to the lots.</p> <p>(b) Any water tanks shall be coloured an appropriate natural shade of brown or green and shall be suitably screened with vegetation in keeping with the amenity of the area to the satisfaction of Council.</p> <p>(vii) Fencing</p> <p>(a) No boundary fencing shall be constructed of fibre cement or metal sheeting. If boundary fencing is utilised, it shall be of rural construction such as pine posts/steel posts and 7 strand ringlock to the satisfaction of Council.</p> <p>(viii) Land Use</p> <p>(a) Intensive horticulture is not permitted.</p> <p>(ix) On-site Effluent Disposal</p> <p>(a) On-site effluent disposal shall be the responsibility of the individual landowner and shall involve the use of on-site disposal systems approved by Council in accordance with Health Department of WA and Department for Environmental Protection guidelines.</p> <p>(x) Drainage &amp; Nutrient Management Plan</p> <p>(a) Council may request the Commission to impose a condition at the time of subdivision for the preparation and implementation of a nutrient stripping and sediment retention Stormwater Management Plan compliant with the Water and Rivers Commission Manual for Managing Urban Stormwater Quality in Western Australia to the satisfaction of Council and the Department of Environment.</p> <p>(xi) Provision shall be made to Council's satisfaction to ensure prospective purchasers of land within Special Residential Zone Area No. 9 and acknowledge and accept these Special Provisional prior to entering into an agreement to acquire any property.</p>

3. Amending the Scheme Maps accordingly.

K. RICHARDSON-NEWTON, Acting Shire President.  
P. DURTANOVICH, Chief Executive Officer.

PI404\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Mundaring*  
Town Planning Scheme No.3—Amendment No.59

Ref: 853/2/27/3 Pt 59

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 Mundaring local planning scheme amendment on 28 November 2006 for the purpose of modifying the

“Prescribed Use/Progress” and “Permissibility of Uses and Special Conditions” corresponding to the Special Purpose Zoning of 5235-5255 (Lot 101) Great Eastern Highway, Mundaring in Schedule 1 of the Scheme, to read as follows—

PRESCRIBED USE/PURPOSE	LAND PARTICULARS	PERMISSIBILITY OF USES AND SPECIAL CONDITIONS
LOCALITY— MUNDARING		
6. Shop/Caravan Park/ Catering Business	Lot 101 (HN 5235 & 5255) Great Eastern Highway, Mundaring	SA = Caravan Park 28 bays, Ablution Block, Dwelling, Office (caravan park), Shop (GLA 200m <sup>2</sup> max), Catering Business, associated parking bays, and incidental uses as approved by Council.  (a) car parking bays are to be provided in accordance with Table 3 of the Shire’s Town Planning Scheme No. 3.

J. THROSSELL, Chief Executive Officer.  
T. PASHLEY, Authorised Officer.

#### PI405\*

### PLANNING AND DEVELOPMENT ACT 2005

#### INSTRUMENT OF DELEGATION TO COMMITTEES AND OFFICERS OF CERTAIN FUNCTIONS OF THE WAPC RELATING TO THE PEEL REGION SCHEME

File: 970-1-1-3

Notice is hereby given that the Western Australian Planning Commission (WAPC) by resolution made on 28 November 2006, acting pursuant to the provisions of section 16 of *the Planning and Development Act 2005* (the Act), does hereby—

- (a) Revoke its delegation of powers and functions to various eligible persons and bodies as detailed in a notice published in the *Government Gazette* of 28 March 2003 (pages 992 and 993).
- and
- (b) DELEGATES ITS FUNCTIONS as set out in schedule 1, to those eligible persons and bodies set out in schedule 2

In accordance with section 16(4) of the Act, a reference in this instrument to a function or a power of the WAPC includes and extends, without limitation or restriction, to any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or imposed on the WAPC by the Act or any other written law as the case requires.

#### SCHEDULE 1—FUNCTIONS DELEGATED

1.1 The functions of the WAPC set out in—

- (i) section 14 (f), (h) and (i); and
- (ii) the Peel Region Scheme, but not including clauses 19(f), 43 and 44(1).

1.2. Power to do all things that are necessary for the purpose of carrying out Part 6 Division 1 and Part 6 Division 3 insofar as Division 3 relates to regional interim development orders; and Part 7 of the Act.

1.3. Power to determine applications for approval to commence and carry out development lodged with or referred to the WAPC pursuant to the provisions of the Peel Region Scheme but only where those determinations are not inconsistent with the predetermined policies (if any) of the WAPC and will not be significantly at variance with the recommendations made by the relevant local government authority or where no response has been received from the local government within the period prescribed in clause 30 (3) of the Scheme.

1.4. Power to issue Clause 47 Certificates pursuant to the provisions of the Peel Region Scheme.

1.5. All functions of the WAPC as set out in Section 126 of the Planning and Development Act 2005.

1.6. All functions of the WAPC as set out in Sections 214, 215, 216 and 217 of the Planning and Development Act 2005.

1.7. Power to advise the Minister for Planning and Infrastructure on any application or matter arising there from pursuant to Part 14 of the Planning and Development Act 2005.

1.8. Power to defend and otherwise deal with applications lodged with the State Administrative Tribunal.

1.9. Power to defend, respond, appeal and otherwise deal with legal proceedings.

## SCHEDULE 2—APPLICATION OF DELEGATION

2.1 Paragraphs 1.1, 1.2, 1.4, 1.5, 1.6, 1.7, 1.8 and 1.9 of Schedule 1 apply to the Peel Region Planning Committee being a committee of that name established by the WAPC under section 19 of the Act.

2.2 Paragraphs 1.3, 1.6 and 1.8 of Schedule 1 apply to the Statutory Planning Committee being a committee of that name established by the WAPC under Schedule 2 of the Act.

2.3 Paragraphs 1.3, 1.5, 1.8 and 1.9 of Schedule 1 apply to the officers of the Department for Planning and Infrastructure for the time being exercising the duties of the offices designated below—

- (i) Executive Director, Statutory Planning Division
- (ii) Director, Planning Reform
- (iii) Director, Metropolitan Planning Program
- (iv) Team Leader, Peel Region
- (v) Senior Project Planner, Peel Region Scheme
- (vi) Director, Urban Development Coordination

2.4 Paragraph 1.4 of Schedule 1 applies to the officers of the Department for Planning and Infrastructure for the time being exercising the duties of the offices of designated below—

- (i) Director, Planning Reform
- (ii) Manager, Mapping and Geospatial Data
- (iii) Coordinator, Statutory Mapping, Mapping and Geospatial Data
- (iv) Team Leader, Peel Region
- (v) Senior Project Planner, Peel Region Scheme.

MOSHE GILOVITZ, Secretary, Western Australian Planning Commission.

## PI406\*

**PLANNING AND DEVELOPMENT ACT 2005**  
 APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Bayswater*  
 Town Planning Scheme No. 24—Amendment No. 14

Ref: 853/2/14/29 Pt 14

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 City of Bayswater local planning scheme amendment on 28 November 2006 for the purpose of changing the minimum parking requirements for 'Factory / Factory Units' and 'Warehouse' contained in Table No. 2—Development Standards Table as follows—

1. For the following 'Nature of use of purpose' as stipulated in column 1 the 'Parking (Min requirement)' as stipulated in column 5 of Table No. 2—Development Standards Table for Factory / Factory Units be amended to—  
 2 spaces / 100sqm of GLA.
2. For the following 'Nature of use of purpose' as stipulated in column 1 the 'Parking (Min requirement)' as stipulated in column 5 of Table No. 2—Development Standards Table for Warehouse be amended to—  
 2 spaces / 100sqm of GLA.

T. G. KENYON, Mayor.  
 M. J. CARSELLA, Chief Executive Officer.

## PI407\*

**PLANNING AND DEVELOPMENT ACT 2005**  
 APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Greenough*  
 Town Planning Scheme No.4—Amendment No.112

Ref: 853/3/7/6 Pt112

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

- 1 Rezoning Lots 12, 722-732, and 819 Evana Terrace, Wandina WAPC Ref:115025 from Low Density Residential R5 to Single Residential R15; &
- 2 Amending the Scheme Map accordingly.

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## PREMIER AND CABINET

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PC401\*

**INTERPRETATION ACT 1984**  
**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984* has approved the following temporary appointment—

Hon A. D. McRae MLA to act temporarily in the office of Minister for Planning and Infrastructure in the absence of the Hon A. MacTiernan MLA for the period 6 to 13 January 2007 (both dates inclusive).

M. C. WAUCHOPE, Director General,  
Department of the Premier and Cabinet.

PC402\*

**INTERPRETATION ACT 1984**  
**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Governor in accordance with Section 52(1)(b) of the *Interpretation Act 1984*, has approved the following temporary appointment—

Hon M. McGowan MLA to act temporarily in the office of Minister for Indigenous Affairs; Tourism; Culture and the Arts in the absence of the Hon S. M. McHale MLA for the period 15 January to 4 February 2007 (both dates inclusive).

M. C. WAUCHOPE, Director General,  
Department of the Premier and Cabinet.

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## DECEASED ESTATES

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ZX401

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

Notice to Creditors and Claimants

Eileen Mary Green, late of, 132B Renou Street, Cannington, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased, who died on the 10th day of October 2006, are required by the Executor, being Colin Richard Green, of care of Mort & Associates, P.O. Box 20, Cannington W.A. 6987, to send particulars of their claims to Mort and Associates, P.O. Box 20, Cannington W.A. 6987, within one (1) month of the date of publication of this notice, after which date the Executor may convey or distribute the assets, having regard only to claims of which he then has notice.

MORT & ASSOCIATES, as Solicitors for the Executor.

ZX402

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

Notice to Creditors and Claimants

John Clausen Murray, late of 19 Pandora Drive, City Beach, Western Australia, Company Director, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) against the Estate of the deceased who died on 16 November 2003 are required by the Executor to send particulars of their claims to the Executor, Deryck Marshall Schreuder c/- Schreuder Partners Lawyers, Suite 402, Level 4, 5 Hunter Street, Sydney NSW 2000, telephone: (02) 9261 1799, facsimile: (02) 9261 1033 by 15 January 2007, after which date the Executor may convey or distribute the assets having regard only to claims of which the Executor then has notice.

ZX403

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

## Notice to Creditors and Claimants

Elizabeth Jean Hobson, formerly of 6A Lagavas Court, Halls Head in the State of Western Australia, late of Meath Mews, 11/10 Williamson Way, Trigg in the said State, Shorthand Typist (in the will Widow), 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 10th October 2006 are required by the personal representatives, John Sydney Robinson and Donna Robinson, to send particulars of their claims to them care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by the 31st January 2006 after which date the personal representatives may convey or distribute the assets having regard to the claims of which they then have notice.

CLEMENT & CO, as Solicitors for the personal representative.

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