



WESTERN
AUSTRALIAN
GOVERNMENT
Gazette

ISSN 1448-949X PRINT POST APPROVED PP665002/00041



PERTH, TUESDAY, 21 MAY 2013 No. 78

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 12.00 NOON

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The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 6552 6000 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 6552 6010.
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— PART 1 —

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

City of Vincent

LOCAL GOVERNMENT PROPERTY LOCAL LAW NO. 1, 2013

Under the powers conferred by the *Local Government Act 1995*, the *Property Local Law No. 1, 2013* and by all other powers enabling it, the Council of the City of Vincent resolved on 14 May 2013 to make the following local law.

1. Citation

This local law may be cited as the *City of Vincent Property Local Law No. 1, 2013*.

2. Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

3. Principal local law

In this local law the *City of Vincent Property Local Law No. 1, 2013* published in the *Government Gazette* on 7 October 2008 and amended as published in the *Government Gazette* 24 February 2012, is referred to as the principal local law. The principal local law is amended.

4. Clause 3.13 (2) amended

Clause 3.13 (2)—Permit required to camp outside a facility be deleted and the following be inserted in its place—

(2) A person shall not without a permit—

- (a) Camp on, lodge at or occupy any structure at night for the purpose of sleeping on local government property;
- (b) Erect any tent, camp, hut or similar structure on local government property other than a beach shade or windbreak erected for use during the hours of daylight and which is dismantled during those hours on the same day; or
- (c) Camp on or occupy any vehicle at night for the purpose of sleeping in a public place.

Dated: 15 May 2013.

The Common Seal of the City of Vincent was affixed by the authority of a resolution of the Council in the presence of—

Hon ALANNAH MacTIERNAN, Mayor.
JOHN GIORGI JP, Chief Executive Officer.

PLANNING

PL301*

Planning and Development Act 2005

Peel Region Scheme Amendment 2013

Prepared by the Western Australian Planning Commission and approved by the Minister under section 62 of the Act.

1. Citation

This is the *Peel Region Scheme Amendment 2013*.

2. Commencement

The commencement of this amendment is governed by section 62(3) of the Act.

3. Scheme amended

This region scheme amends the *Peel Region Scheme*.

4. Clause 1 amended

In clause 1 delete “town” and insert:

region

5. Clause 2 amended

(1) In clause 2(1):

(a) delete “have —” and insert:

have in the Act.

(b) delete paragraphs (a) and (b).

(2) In clause 2(2) delete the definitions of:

Commission Act

local government scheme

State Planning Framework

Town Planning Act

(3) In clause 2(2) insert in alphabetical order:

Department of Water means the department of the Public Service principally assisting in the administration of the *Water Agencies (Powers) Act 1984*;

SCA No. 2 means the Wastewater Treatment Plant Odour Buffers — Special Control Area shown on the Scheme Map;

State Planning Framework means the State planning policy of that title approved under section 29 of the Act;

Water Corporation means the Water Corporation established by the *Water Corporation Act 1995* section 4.

- (4) In clause 2(2) in the definition of **artificial waterway** delete “certified.” and insert:

so defined;

6. Clause 5 amended

In clause 5(a) delete “recreation and” and insert:

recreation, cultural and other

7. Clause 7 amended

In clause 7 delete “government” (each occurrence) and insert:

planning

Note: The heading to clause 7 is to read:

Scheme prevails over inconsistent local planning scheme

8. Clause 10 amended

In clause 10:

- (a) delete paragraph (a) and insert:

- (a) Regional Open Space — to protect the natural environment, provide recreational and cultural opportunities, safeguard important landscapes and sites of cultural or historical significance and provide for public access;

- (b) delete paragraph (e) and insert:

- (e) Waterways — to recognise coastal and inland waterways and lakes, provide for navigation in, and public access to, those waterways and lakes where appropriate and to protect environmental, landscape and cultural values;

9. Clause 12 amended

In clause 12(c) after “cultural,” insert:

residential,

10. Part 5 replaced

Delete Part 5 and insert:

Part 5 — Special control areas

Division 1 — Operation of special control areas

14. Operation of special control areas

- (1) The following special control areas are shown on the Scheme Map —
 - (a) Water Catchments — Special Control Area (SCA No. 1);
 - (b) Wastewater Treatment Plant Odour Buffers — Special Control Area (SCA No. 2).
- (2) The provisions of this Part applying to the special control areas apply in addition to the provisions of the Scheme applying to any underlying zone or reserve and any general provision of the Scheme.

Division 2 — Water Catchments

15. Purposes — SCA No. 1

The purposes of SCA No. 1 are —

- (a) to identify proclaimed surface water catchments within the Peel Region; and
- (b) to prevent land uses or development which would prejudice the quality or quantity of water supplies for public use.

16. Planning requirements — SCA No. 1

In considering an application for planning approval in respect of land in SCA No. 1 the Commission is to have regard to the following —

- (a) the impact of the proposal on the quality of any existing or future public drinking water supply source;
- (b) the extent to which the proposal achieves and adheres to best management practices for the storage of substances that could contaminate the public drinking water sources;

- (c) the adequacy of proposed measures to manage run off and drainage;
- (d) whether there is any loss of native vegetation that could be detrimental to maintaining water supply and quality;
- (e) the recommendations of the Department of Water;
- (f) any other matters that the Commission considers relevant.

17. Consultation

In considering an application for planning approval with respect to land wholly or partly within SCA No. 1 the Commission is to consult with the chief executive officer of the Department of Water.

**Division 3 — Wastewater Treatment Plant
Odour Buffers**

18A. Purposes — SCA No. 2

The purposes of SCA No. 2 are —

- (a) to identify land likely to be subject to offsite odour impacts from wastewater treatment infrastructure; and
- (b) to ensure that the use and development of land is compatible with the ongoing operation and expansion of wastewater treatment infrastructure to the extent possible within identified odour buffers.

**18B. Planning for use and development of land in
SCA No. 2**

- (1) The Commission is to ensure that plans in respect of the future use and development of land within SCA No. 2 are prepared.
- (2) The Commission may approve plans prepared in respect of the future use and development of land within SCA No. 2 if the Commission is satisfied that the plans are consistent with the purposes of SCA No. 2.

18C. Planning requirements — SCA No. 2

In considering an application for planning approval in respect of land in SCA No. 2 the Commission is to have regard to the following —

- (a) the compatibility of the proposal with any existing or proposed future use or development of wastewater treatment infrastructure;

- (b) the extent to which the proposal is consistent with any plan approved by the Commission under clause 18B(2);
- (c) recommendations of the chief executive officer of the Water Corporation;
- (d) any other matters that the Commission considers relevant.

18D. Consultation

In considering an application for planning approval with respect to land wholly or partly within SCA No. 2 the Commission is to consult with the chief executive officer of the Water Corporation.

11. Clause 18 amended

Delete the note to clause 18 and insert:

Note: Planning approval for development in an area declared to be a planning control area under section 112 of the Act must be obtained under section 116 of the Act.

12. Clause 19 amended

In clause 19:

- (a) in paragraph (f) delete “of the Commission.” and insert:

of the Commission;
- (b) delete paragraph (g) and insert:

(g) the erection, construction, maintenance, improvement or alteration of a jetty or associated structure (including a boat lifting device or mooring pile) within an artificial waterway except where the jetty or associated structure —
 - (i) does not comply with a policy in regard to such structures that is adopted by the relevant local government; or
 - (ii) is situated within the Dawesville Channel or on a regionally significant waterway identified by resolution of the Commission for the purposes of this provision.

13. Clause 22 amended

In clause 22(1):

- (a) delete “government scheme” (each occurrence) and insert:

planning scheme

- (b) delete “government scheme,” and insert:

planning scheme,

14. Clause 23 amended

Delete clause 23(2) and insert:

- (2) In this clause —

non-conforming use has the meaning given in section 172 of the Act.

15. Clause 25 amended

Delete clause 25(2) and insert:

- (2) Subclause (1) does not affect the operation of clauses 18, 23 and 45 and Part 13 of the Act in respect of development commenced or carried out before planning approval has been granted.

16. Clause 27 amended

In clause 27(b) delete “government” and insert:

planning

17. Clause 34 amended

In clause 34:

- (a) in paragraph (a) delete “government” and insert:

planning

- (b) in paragraph (b) delete “government” and insert:

planning

- (c) delete paragraph (c) and insert:
 - (c) any State planning policy;
- (d) in paragraph (g) delete “government scheme” and insert:
planning scheme
- (e) in paragraph (i) delete “has been” and insert:
is
- (f) delete paragraph (i)(ii) and insert:
 - (ii) included in a Heritage List or a Heritage Area under a local planning scheme;

18. Clause 42 amended

In clause 42 delete “appeal under Part V of the *Town Planning and Development Act 1928*.” and insert:

apply to the State Administrative Tribunal for a review under Part 14 of the Act.

Note: The heading to amended clause 42 is to read:

Application for review

19. Clause 43 amended

- (1) In clause 43(1) delete “Part IIB of the Commission Act.” and insert:

Part 11 of the Act.

- (2) In clause 43(4) delete “section 12(2a)(b)(i) or (ii) of the Town Planning Act” and insert:

section 174(1) of the Act

20. Schedule 1 amended

In Schedule 1 Form 4 delete the notes under the Table headed “**Owner details***” and insert:

[*If the claim is made under section 177(1)(a) of the Act, the details are to be those of the owner of the land at the date of reservation or alteration of the reservation, as the case requires.

If the claim is made under section 177(1)(b) of the Act, the details are to be those of the owner of the land at the date of the application for approval to carry out development.]

JOHN DAY, Minister for Planning.

PL302*

Planning and Development Act 2005

Planning and Development Amendment Regulations 2013

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Planning and Development Amendment Regulations 2013*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2013.

3. Regulations amended

These regulations amend the *Planning and Development Regulations 2009*.

4. Regulation 48 amended

In regulation 48(5):

- (a) in paragraph (a) delete “\$83.00” and insert:

\$88.00

- (b) in paragraph (b) delete “\$63.00” and insert:

\$66.00

(c) in paragraph (c) delete “\$34.70” and insert:

\$36.86

(d) in paragraph (d) delete “\$28.40” and insert:

\$30.20

5. Schedule 2 replaced

Delete Schedule 2 and insert:

Schedule 2 — Maximum fees for certain planning services

[r. 47]

| Item | Planning service | Maximum fee |
|------|--|---|
| 1. | Determining a development application (other than for an extractive industry) where the development has not commenced or been carried out and the estimated cost of the development is — | |
| | (a) not more than \$50 000 | \$147 |
| | (b) more than \$50 000 but not more than \$500 000 | 0.32% of the estimated cost of development |
| | (c) more than \$500 000 but not more than \$2.5 million | \$1 700 + 0.257% for every \$1 in excess of \$500 000 |
| | (d) more than \$2.5 million but not more than \$5 million | \$7 161 + 0.206% for every \$1 in excess of \$2.5 million |
| | (e) more than \$5 million but not more than \$21.5 million | \$12 633 + 0.123% for every \$1 in excess of \$5 million |
| | (f) more than \$21.5 million | \$34 196 |
| 2. | Determining a development application (other than for an extractive industry) where the development has commenced or been carried out | The fee in item 1 plus, by way of penalty, twice that fee |
| 3. | Determining a development application for an extractive industry where the development has not commenced or been carried out | \$739 |

| Item | Planning service | Maximum fee |
|-------------|--|--|
| 4. | Determining a development application for an extractive industry where the development has commenced or been carried out | The fee in item 3 plus, by way of penalty, twice that fee |
| 5. | Providing a subdivision clearance for — | |
| | (a) not more than 5 lots | \$73 per lot |
| | (b) more than 5 lots but not more than 195 lots | \$73 per lot for the first 5 lots and then \$35 per lot |
| | (c) more than 195 lots | \$7 393 |
| 6. | Determining an initial application for approval of a home occupation where the home occupation has not commenced | \$222 |
| 7. | Determining an initial application for approval of a home occupation where the home occupation has commenced | The fee in item 6 plus, by way of penalty, twice that fee |
| 8. | Determining an application for the renewal of an approval of a home occupation where the application is made before the approval expires | \$73 |
| 9. | Determining an application for the renewal of an approval of home occupation where the application is made after the approval has expired | The fee in item 8 plus, by way of penalty, twice that fee |
| 10. | Determining an application for a change of use or for an alteration or extension or change of a non-conforming use to which item 1 does not apply, where the change or the alteration, extension or change has not commenced or been carried out | \$295 |
| 11. | Determining an application for a change of use or for an alteration or extension or change of a non-conforming use to which item 2 does not apply, where the change or the alteration, extension or change has commenced or been carried out | The fee in item 10 plus, by way of penalty, twice that fee |
| 12. | Providing a zoning certificate | \$73 |
| 13. | Replying to a property settlement questionnaire | \$73 |
| 14. | Providing written planning advice | \$73 |

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

RACING, GAMING AND LIQUOR

RA301*

Liquor Control Act 1988

**Liquor Control Amendment Regulations
(No. 2) 2013**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Liquor Control Amendment Regulations (No. 2) 2013*.

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 *Liquor Control Regulations 1989*.

4. Regulation 26 amended

Delete regulation 26(4) and (5).

By Command of the Governor,

N. HAGLEY, Clerk of the Executive Council.

— PART 2 —

CEMETERIES

CE401*

CEMETERIES ACT 1986

ALBANY CEMETERY BOARD

Schedule of Fees and Charges

In pursuance of the powers conferred upon it by section 53 of the *Cemeteries Act 1986*, the Albany Cemetery Board hereby records having resolved on the 24th day of April 2013 to set the following fees and charges effective from 1st day of July 2013. The fees and charges shall be payable upon application for services detailed hereunder.

All fees and charges are inclusive of 10% GST (except where shown exempt)

| | \$ |
|---|------------------------|
| 1. Grant of Right of Burial (25 year tenure period) | |
| Grave Site (2.4m x 1.2m) | 1,300.00 |
| Renewal of Grant of Right of Burial..... | 1,300.00 |
| Pre-need purchase—land selected by applicant or land reserved in advance..... | 1,530.00 |
| Approval to any refund on an unexpired Grant of Right of Burial shall beat the absolute discretion of the Board and in any case, the approved refund shall not exceed the amount originally paid, less an Administration fee of | 160.00 |
| 2. Burial Fees— | |
| (a) Adult Burial..... | 1,100.00 |
| (b) Child Burial (under 13 years)..... | 650.00 |
| (c) Stillborn Burial in special ground set aside..... | 260.00 |
| (d) Re-opening of occupied gravesite, and burial..... | 1,060.00 |
| 3. Exhumation fee | 1,750.00 |
| Re-burial after exhumation | 1,060.00 |
| 4. Annual Licence fees (GST exempt) | |
| Funeral Director..... | 580.00 |
| (a) Single Funeral Permit (Funeral Directors only)..... | 310.00 |
| (b) Single Funeral Permit (other than Funeral Director)..... | 420.00 |
| Monumental Mason | 335.00 |
| (a) Single Permit (Monumental Mason only) | 335.00 |
| (b) Single Permit (other than Monumental Mason)..... | 420.00 |
| (c) Single Permit/Licence Memorial Gardens (for each Memorial) | 335.00 |
| 5. Monumental Work (GST exempt) | |
| Permit for each memorial | |
| Marker Memorial Park Cemetery | 150.00 |
| Headstone..... | 350.00 |
| Renovations and additions to any monument | 100.00 |
| Additional Inscription..... | 100.00 |
| 6. Miscellaneous fees— | |
| (a) Copy of Grant of Right of Burial..... | 160.00 |
| (b) Extraordinary work required, per hour..... | 160.00 |
| (c) Use of chapel for burial/memorial service with sound system | 305.00 |
| (d) Transfer of Grant of Right of Burial..... | 160.00 |
| 7. Extra to Scheduled Fees and Charges— | |
| (a) Interment or Cremation without due notice as per By-laws..... | 535.00 |
| (b) Late arrival/departure | 160.00 |
| (c) Interment of oblong or oversize casket..... | 280.00 |
| (d) Interment or Cremation on a Saturday..... | 610.00 |
| (e) Service outside normal hours | (Price on Application) |

| | \$ |
|--|----------|
| 8. Cremation fees— | |
| (a) (i) Adult Cremation | 1,230.00 |
| (ii) Adult Cremation—direct delivery to crematorium (no chapel use)..... | 925.00 |
| (b) Child Cremation (under 13 years) | 615.00 |
| (c) Stillborn Cremation (no service) | 160.00 |
| (d) Pre-need Cremation Certificate | 1,310.00 |
| Approval to any refund on an unused Cremation Agreement shall be at the absolute discretion of the Board and in any case, the approved refund shall not exceed the amount originally paid, less an Administration fee of | 160.00 |
| 9. Disposal of Ashes—The tenure on all Cremation Memorials shall be 25 years from date of receipt of Scheduled fee— | |
| (i) Gardens of Remembrance | |
| Pre-need site reservation for all Gardens and Walls (plaque not included) (non-refundable fee)..... | 210.00 |
| Shrubbery— | |
| (a) 114 x 76mm 6 line bronze plaque | 390.00 |
| (b) 143 x 117mm 8 line bronze plaque | 770.00 |
| (c) 229 x 229mm 10-line bronze plaque | 1,040.00 |
| (d) 229 x 229mm 6 line bronze plaque with recessed vase..... | 1,150.00 |
| Rose Garden— | |
| (e) 143 x 117mm 8 line bronze plaque | 910.00 |
| (f) 143 x 117mm sculpted 8 line bronze plaque | 980.00 |
| (g) 184 x 229mm 8 line bronze plaque | 1,170.00 |
| (h) 184 x 229mm sculpted 8 line bronze plaque | 1,250.00 |
| (i) 229 x 229mm 10 line bronze plaque | 1,270.00 |
| (j) 229 x 229mm sculpted 10 line bronze plaque | 1,360.00 |
| (ii) Memorial Niche Walls— | |
| (a) Single niche with 8 line bronze plaque | 590.00 |
| (b) Double niche with 3 line bronze backing plate and 5 line first detachable plate | 1,120.00 |
| Second inscription..... | 390.00 |
| (iii) Compartment CZ Memorial Gardens— | |
| (a) Sculpted Border 381 x 279mm 8 line bronze plaque single site only | 1,650.00 |
| (b) Sculpted Border double 381 x 279mm with 1st detachable plate..... | 1,820.00 |
| Second detachable plate | 370.00 |
| (iv) Des Hancox Garden— | |
| (a) 229 x 229mm 10 line bronze plaque..... | 1,350.00 |
| (v) Stillborn Plaques— | |
| (a) Driveway—076 x 063mm 5 line chrome plated plaque..... | 250.00 |
| (b) Old Entrance—143 x 117mm 8 line bronze plaque | 350.00 |
| (v) Non-Standard Memorials | |
| Seats, Rock placements and all other plaques by quotation. | |
| (vi) Plaque Additions | |
| Items like Emblems, Photographs, Colour, Extra lines etc. on any Memorials by quotation and extra to plaque fee. | |
| 10. Other Fees | |
| Marker for Memorial Park Cemetery unmarked grave (no tenure, plus permit fee) | 1,240.00 |
| Interment of Ashes in family Grave | 190.00 |
| Attendance at Gravesite/Memorial Gardens for placement of Ashes (15 minutes) | 100.00 |
| Attendance at Gravesite/Memorial Gardens for placement of Ashes Saturday (15 minutes) .. | 200.00 |
| Postage of Ashes within Australia..... | 200.00 |
| Postage of Ashes Overseas (by quotation) and including an administration fee of | 160.00 |
| Scattering of Ashes to the winds | 160.00 |
| Transfer of Ashes to new position (plaque extra if required) | 160.00 |
| Granite Base Upgrade (143 x 117mm)..... | 225.00 |
| Granite Base Upgrade (229 x 229mm)..... | 245.00 |
| Acceptance and registration of Ashes from other Crematoria | 160.00 |
| Ashes Container | 35.00 |
| Audio Recording of Chapel Service on DVD..... | 30.00 |
| Presentation Urns and Keepsakes by quotation | |

ALAN HORTIN, Chairman.
PETER M. TOMLINSON, Administrator.

CORRECTIVE SERVICES

CS401*

COURT SECURITY AND CUSTODIAL SERVICES ACT 1999

PERMIT DETAILS

Pursuant to the provisions of section 56 of the *Court Security and Custodial Services Act 1999*, the Commissioner of the Department of Corrective Services has revoked the following Permits to do High-Level Security Work—

| Surname | First Name(s) | Permit Number | Date Permit Revoked |
|-----------|----------------|---------------|---------------------|
| Grewal | Rituraj | 12-0079 | 10/05/2013 |
| Gray | Jill | 12-0355 | 10/05/2013 |
| O'Donnell | Timothy | 12-0354 | 10/05/2013 |
| Connick | Katie | 12-0298 | 10/05/2013 |
| Thomas | Arthur Bernard | 12-0218 | 10/05/2013 |

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

SUE HOLT, Manager Court Security and
Custodial Services Contract.

FIRE AND EMERGENCY SERVICES

FE401*

BUSH FIRES ACT 1954

Shire of Wagin

RESTRICTED BURNING PERIOD

Department of Fire and Emergency Services,
Perth.

Correspondence No. 00111

It is hereby notified that pursuant to the powers contained in Section 18(2) of the *Bush Fires Act 1954* I have declared that it shall be unlawful to set fire to the bush in the Local Government district of the Shire of Wagin during the period indicated in the schedule below, except in accordance with a permit obtained under section 18 of the Act. The declaration made under Section 18(2) of the Act, as published in the *Government Gazette* of 3rd February 2012, is hereby revoked.

Schedule

| Local Government | Restricted Burning Period |
|------------------|---------------------------|
| Shire of Wagin | 1 October-30 April |

WAYNE GREGSON APM, FES Commissioner.

HOUSING

HW401*

COUNTRY HOUSING ACT 1998

STANDARD RATE OF INTEREST

Notice is hereby given, in accordance with Section 40 of the *Country Housing Act 1998* that the standard rate of interest to apply for assistance provided under this Act is now 5.34% pa for existing loans prior to the 20th of December 2009 and 6.12% pa for loans after the 20th of December 2009. This change in rates follows a decrease in Keystart's variable interest rate. The decrease is effective from the 13th May 2013 with changes to repayments commencing on or after the 13th June 2013.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004 APPOINTMENTS

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

Georgia Cutting of 4 Trembath Street, Port Hedland

Kym Jennifer Bonney of 1/52 Morgans Street, Port Hedland

RAY WARNES, Executive Director,
Court and Tribunal Services.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005 PEEL REGION SCHEME MINOR AMENDMENT 034/57 AND AMENDMENT OF SHIRE OF MURRAY TOWN PLANNING SCHEME NO. 4 Furnissdale (West) Urban Expansion

Amendment 034/57

File No. RLS/0284

The Minister for Planning has approved Amendment 034/57—Furnissdale (West) Urban Expansion—to the Peel Region Scheme. This amendment is shown on Western Australian Planning Commission (WAPC) Plan 3.2486/1.

Pursuant to section 126(3) of the *Planning and Development Act 2005*, the Shire of Murray Town Planning Scheme No. 4 is also amended, to include the land subject of Amendment 034/57 within the Residential Development zone.

The amendments to the Peel Region Scheme and the Shire of Murray Town Planning Scheme No. 4 are effective from the date of publication of this notice in the *Government Gazette*.

The plan of the Peel Region Scheme amendment will be available for public inspection at the following locations—

- the offices of the Western Australian Planning Commission (140 William Street, Perth);
- the Department of Planning's Peel region office (11-13 Pinjarra Road, Mandurah);
- the Shire of Murray's municipal offices (1915 Pinjarra Road, Pinjarra); and
- the J. S. Battye Library (Level 3 Alexander Library Building, Perth Cultural Centre).

Documents are also available from the PlanningWA website: www.planning.wa.gov.au.

NEIL THOMSON, Secretary,
Western Australian Planning Commission.

PL402*

PLANNING AND DEVELOPMENT ACT 2005 APPROVED LOCAL PLANNING SCHEME AMENDMENT *City of Bunbury* Town Planning Scheme No. 7—Amendment No. 63

Ref: TPS/0982

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 Bunbury local planning scheme amendment on DATE for the purpose of—

1. Inserting within the Scheme Text a new clause as 6.1.3 that reads as follows—
 - 6.1.3 The local government may require a Structure Plan to be prepared for any land not within a Structure Plan Area where it can be demonstrated that the land requires substantial pre-planning before decisions are made with respect to its use, subdivision or development, and the provisions of the following clauses shall apply as relevant to the preparation of any such plan.

2. Modifying Scheme Text heading 6.2 such that it reads as follows—
- 6.2 DEVELOPMENT INVESTIGATION POLICY AREAS AND STRUCTURE PLAN AREAS**
3. Inserting the following land use definitions to Schedule 1—Dictionary of Defined Words and Expressions—
- “Residential Building—Short stay”** means a building or portion of a building, together with rooms and outbuildings separate from such a building, but incidental thereto, which is used or intended, adapted or designed to be used for the purpose of human habitation temporarily by two or more persons, but does not include a hospital or special care facility, a prison, a hotel, a motel, or a residential school.
- “Residential Building—Permanent”** means a building or portion of a building, together with rooms and outbuildings separate from such a building, but incidental thereto, which is used or intended, adapted or designed to be used for the purpose of human habitation permanently by seven or more persons who do not comprise a single family, but does not include a hospital or special care facility, a prison, a hotel, a motel, or a residential school.
4. Amending the table to Schedule 2—Special Use Zones of the Scheme by inserting additional text as detailed on the following pages—

| No. | Description of Land | Special Uses | Conditions |
|-----|-------------------------|--|---|
| 57 | Koombana North Precinct | <p>Discretionary Uses (‘A’ uses) All floors—</p> <ul style="list-style-type: none"> (a) Amusement Parlour (b) Car Park (c) Child Care Premises (d) Cinema / Theatre (e) Civic Use (f) Club premises (g) Community Purpose (h) Consulting Rooms (i) Educational Establishment (j) Exhibition Centre (k) Fast Food Outlet (l) Hotel (m) Lunch Bar (n) Market (o) Medical Centre (p) Motel (q) Office (r) Reception Centre (s) Residential Building – Short stay (e.g. backpackers) (t) Restaurant (u) Shop (v) Tavern <p>All Floors except ground floor—</p> <ul style="list-style-type: none"> (w) Home Occupation (x) Short Stay Multiple Unit (y) Unrestricted Residential Accommodation (URA) <p>The ‘Discretionary Uses’ above are ‘Permitted Uses’ (‘P’ Uses) when specifically identified on the endorsed Structure Plan.</p> <p>Permitted Uses (‘P’ uses) All floors, except ground floor—</p> <ul style="list-style-type: none"> (z) Multiple Dwelling (RAC0) <p>Residential uses are not permitted on the ground floor of buildings.</p> | <p>The following provisions apply to any subdivision and/or development undertaken on the subject land and where relevant, are to be incorporated into any structure plan prepared for the site.</p> <p>1. Structure Plan</p> <p>1.1 Prior to any subdivision or development, the Local Government shall require the preparation and endorsement of a Structure Plan for the subject land in accordance with clause 6.2.</p> <p>1.2 In addition to the structure planning requirements of the scheme, the following matters are to be addressed to the satisfaction of the local government and, where applicable, are to be consistent with the guidelines set by the ‘Bunbury Waterfront Project Taskforce Report (October 2009)’, in particular policy statement Appendix 6.</p> <p><u>General Matters</u></p> <ul style="list-style-type: none"> i. standards and requirements for development site planning and building design and residential density; ii. lot layout of subdivision design; iii. building envelopes addressing footprint, height and bulk; iv. finished ground and floor levels at sufficient detail to demonstrate these satisfactorily integrate with levels required by the future rail service platform; v. development setbacks from boundaries and between buildings; |

| No. | Description of Land | Special Uses | Conditions |
|-----|---------------------|--------------|--|
| | | | <p>vi. layout, extent and arrangement of proposed land uses;</p> <p>vii. pedestrian access and movement including pedestrian linkages through the site;</p> <p>viii. traffic management including access ways, internal circulation and arrangements for service / emergency vehicles and the loading and unloading of goods;</p> <p>ix. vehicle parking and circulation;</p> <p>x. public open space;</p> <p>xi. location and extent of hard and soft landscaped areas within the public realm;</p> <p>xii. interface treatment along the southern boundary of the site adjacent to the proposed rail platform;</p> <p>xiii. sea defence measures including details of any infrastructure requirements within the foreshore reserve; and</p> <p>xiv. passive surveillance and application of Crime Prevention Through Environmental Design (CPTED) principles.</p> <p><u>Site Conditions and Environment Assessments</u></p> <p>xv. A Site Investigation Assessment of the site conditions and surrounding environment and shall include an assessment of—</p> <ul style="list-style-type: none"> • landform and soils; • groundwater and surface water; • the impact of coastal processes and future sea level rise; and • heritage issues. <p><u>Noise Mitigation Assessment</u></p> <p>xvi. A Noise Mitigation Assessment prepared in accordance with the WAPC 'State Planning Policy 5.4—Road and Rail Transport Noise and Freight Considerations in Land Use Planning' to address the potential noise impacts from—</p> <ul style="list-style-type: none"> • traffic using Koombana Drive; and • the future rail platform and rail services. |

| No. | Description of Land | Special Uses | Conditions |
|-----|---------------------|--------------|--|
| | | | <p><i>Transport Assessment</i></p> <p>xvii. A Transport Assessment prepared in accordance with the WAPC's 'Transport Assessment Guidelines for Developments Volume 3—Subdivision', as amended.</p> <p><i>Landscape Master Plan</i></p> <p>xviii. A Landscape Master Plan addressing the landscape principles relating to the foreshore, public open space, road reserve, dual use path network within, and adjacent to, the subject land to the satisfaction of the local government.</p> <p>2. Development Standards</p> <p>2.1 Where development standards are not prescribed below or in the Structure Plan, the general development standards of the Scheme shall prevail.</p> <p>2.2 The location, built form, building bulk and the relationship of buildings to each other shall be generally in accordance with the 'Bunbury Waterfront Project Taskforce Report (October 2009)', in particular policy statement Appendix 6.</p> <p>2.3 The maximum number of storeys for each building shall be consistent with the "Bunbury Waterfront Project Taskforce Report (October 2009)" and provide for a transition of building heights from east to west. Maximum heights (in metres) for each individual building envelope shall be established in accordance with clause 1.2 (iii) and shall fall within the following parameters—</p> <ul style="list-style-type: none"> • 4 storeys (up to a maximum height of 20.5m) from natural ground level; • 5 storeys (up to a maximum height of 23.5m) from natural ground level; • 6 storeys (up to a maximum height of 27m) from natural ground level. <p>2.4 Buildings are to provide for an activated ground floor frontage to the Koombana Bay foreshore and to Koombana Drive.</p> |

| No. | Description of Land | Special Uses | Conditions |
|-----|---------------------|--------------|---|
| | | | <p>2.5 Development on the subject land is to—</p> <ul style="list-style-type: none"> • provide for a variety of architectural expression; • achieve quality contemporary building design; • incorporate sustainable building principles; and • incorporate design elements, details and finishes which articulate the building facades and provide interest. In particular, architectural landmark elements will be required to be incorporated into building elevations adjacent to the eastern boundary of the site. <p>2.6 Noise attenuation measures shall be provided between residential and non-residential uses to the satisfaction of the local government and in accordance with the requirements of an endorsed Noise Mitigation Assessment.</p> <p>2.7 Vehicle access will be via Holman Street and there will be no direct vehicular access onto, or from, Koombana Drive.</p> <p>2.8 The subdivider shall be responsible for the implementation of—</p> <ul style="list-style-type: none"> • drainage and storm water management; • extension of Holman Street and associated works; • modifications and extensions to Holman Street car park; • public vehicle parking within the road reserve(s); • pedestrian and bicycle pathways (and public bike racks); • works to address storm surge and sea level rise; • foreshore improvements; • public open space development; and • infrastructure remediation works (roads and pathways), <p>within the agreed structure plan area, and to</p> |

| No. | Description of Land | Special Uses | Conditions |
|-----|---------------------|--------------|--|
| | | | <p>associated infrastructure connections adjacent to the subject land to the satisfaction of the local government and prior to the creation of titles.</p> <p>2.9 The preparation and implementation of an Acid Sulphate Soil Management Plan, where necessitated by the proposed subdivision and/or development, to the satisfaction of the Department of Environment and Conservation.</p> |

5. Modifying the Scheme Map by rezoning—

- (i) Lot 723 (DP 189594), Railway Reserve (DP 177132), Closed Roads (DP 209432) and parcels of Unallocated Crown Land from “No Zone” to “Special Use Zone No. 57”;
- (ii) Railway Reserve (DP 177132), portions of Unallocated Crown Land and Closed Roads (DP 209432) from “No Zone” to “Special Use Zone No. 57”;
- (iii) Lot 628 (DP 214890), portions of Koombana Drive Road Reserve (DP 188772 & DP 217371) and portions of Unallocated Crown Land from “No Zone” to “Special Use Zone No. 57”; and
- (iv) portions of Koombana Drive Road Reserve (DP 188772 & DP 217371) from “Other Regional Roads Reserve” to “Special Use Zone No. 57”, as depicted on the scheme (amendment) maps.

D. L. SMITH, Mayor.
A. BRIEN, Chief Executive Officer.

POLICE

PO401*

ROAD TRAFFIC ACT 1974
ROAD TRAFFIC CODE 2000
APPOINTMENTS

Accredited Pilots as Authorised Persons

I hereby declare that each person who is an accredited pilot pursuant to Regulation 3 of the *Road Traffic Code 2000* named in the attached lists are ‘authorised persons’ within the meaning of and in accordance with Regulation 271 of the Road Traffic Code 2000 for the purposes of regulations 272(1)(a), 272(1)(d), 282(2) and 286 of the *Road Traffic Code 2000*—whilst performing their functions in the facilitating the safe movement of an oversize vehicle escorted by an accredited pilot.

Dated this 15th day of May 2013.

KARL J. O’CALLAGHAN APM, Commissioner of Police.

| Surname | First Name | Street | Suburb | State | Post Code | Accredited Number | Provider |
|------------|------------|--------------------|------------------|-------|-----------|-------------------|----------|
| Allen | Barry | 28 Belinda Loop | Dawesville | WA | 6211 | 03745 | WARTA |
| Anderson | Mark | 10 Wheatley Court | Regency Downs | QLD | 4341 | KB1473 | Keenbros |
| Baker | Helen | 107 Fielding Road | Vernor | QLD | 4306 | WA-1-64509 | WARTA |
| Barbaresco | Donna | 6 Norbury Way | Langford | WA | 6147 | CMT2698 | CMT |
| Barnes | Gary | 85 Hereford Way | Lower Chittering | WA | 6084 | 05960 | WARTA |
| Brew | Symon | Po Box 5726 | Broome | WA | 6725 | 05957 | WARTA |
| Clark | Julieanne | 61b Stanley Street | South Hedland | WA | 6722 | 06172 | WARTA |

| Surname | First Name | Street | Suburb | State | Post Code | Accredited Number | Provider |
|------------|------------|--------------------------|---------------|-------|-----------|-------------------|----------|
| Coe-Rutley | Julie | Po Box 96 | Thornlie | WA | 6988 | KB1478 | Keenbros |
| Coleman | Anthony | 8 Bretton Court | Swanview | WA | 6056 | KB1237 | Keenbros |
| Combe | Peter | 3 Gypsum Cove | Port Kennedy | WA | 6172 | WA-1-41886 | WARTA |
| Craddock | Kayne | 11/225 Marchalmeiy Place | Carlisle | WA | 6101 | 04008 | WARTA |
| Daniels | Martin | 69 Bayport Circuit | Mindarie | WA | 6030 | WA-1-66843 | WARTA |
| Duricic | Stasha | 2 Wilgerup Place | Hillman | WA | 6168 | 05963 | WARTA |
| Elliott | Colin | Po Box 158 | Forrest Field | WA | 6058 | 06109 | WARTA |
| Fallows | Mark | 226 Exmouth Avenue | Paraburdoo | WA | 6754 | WA-1-73087 | WARTA |
| Gibbons | Alan | 64 Holmes Road | Munster | WA | 6166 | KB1064 | Keenbros |
| Gould | John | Po Box 105 | Cuballing | WA | 6311 | KB1477 | Keenbros |
| Green | John | 23 Kyabram Road | Armadale | WA | 6112 | 06062 | WARTA |
| Greenwood | Robert | 62 Almond Parkway | Busselton | WA | 6280 | KB1475 | Keenbros |
| Guthridge | Brendan | 14 Walker Street | Esperance | WA | 6450 | KB1469 | Keenbros |
| Hansen | Joseph | 8 Francis Louisa Street | Busselton | WA | 6280 | KB1471 | Keenbros |
| Harris | Vernon | 107 Feilding Road | Vernor | QLD | 4306 | WA-1-65827 | WARTA |
| Henderson | Katrina | 55 Ballantine Road | Warwick | WA | 6024 | KB1255 | Keenbros |
| Henley | Stacy | 81 Forrest Street | Northampton | WA | 6535 | 06006 | WARTA |
| Higgs | Gordon | 69 Dore Street | Katanning | WA | 6317 | 04671 | WARTA |
| Horrie | Alan | 84-88 Maranoa Drive | Logan Village | QLD | 4207 | WA-1-58119 | WARTA |
| Houldcroft | Ronald | 352 Paschendale Avenue | Merbein West | VIC | 3505 | WA-1-70765 | WARTA |
| Ifould | Scott | 61b Stanley Street | South Hedland | WA | 6722 | 06170 | WARTA |
| Kelly | Lance | 80b Layman Road | Busselton | WA | 6280 | KB1470 | Keenbros |
| Landless | David | Po Box 548 | Northampton | WA | 6535 | 06005 | WARTA |
| Manfield | Gary | 42 Kooyaburra Cres | High Wycombe | WA | 6059 | KB1472 | Keenbros |
| Moir | Shirley | 7 Oxley Road | Katanning | WA | 6317 | KB0158 | Keenbros |
| Morris | Chelsea | 8 Hamilton Street | Newman | WA | 6753 | 05917 | WARTA |
| Moses | Samuel | 18 Burgoyne Street | Northam | WA | 6401 | 06060 | WARTA |
| Pattison | Jenny | Po Box 1046 | Humpty Doo | NT | 0836 | 06236 | WARTA |
| Purves | Kerry | 15 Capri Leone Way | Sinagra | WA | 6065 | KB1062 | Keenbros |
| Purves | George | 15 Capri Leone Way | Sinagra | WA | 6065 | 03906 | WARTA |
| Reynolds | Kim | 6 Aitken Place | Busselton | WA | 6280 | KB1040 | Keenbros |
| Robert | Cameron | 63 Mitchell Street | Merredin | WA | 6415 | WA-1-62489 | WARTA |
| Rosenalier | Alfred | 105 Boronia Road | Banjup | WA | 6164 | TL131210 | WARTA |
| Rothwell | Rodney | 11 Carwoola Circle | Carramar | WA | 6031 | KB1480 | Keenbros |
| Russell | Trvor | 23 Teddington Loop | High Wycombe | WA | 6057 | 06343 | WARTA |
| Sams | Andrew | 55 Lockyer Ave | Northam | WA | 6401 | 06233 | WARTA |
| Sarich | Roy | 2180 Steven Street | Sawyer Valley | WA | 6074 | 06239 | WARTA |
| Sayer | Glenn | 11 Gardenia Circuit | Heathwood | QLD | 4110 | KB1474 | Keenbros |
| Selsmark | Noel | Po Box 2305 | High Wycombe | WA | 6057 | WA-1-63664 | WARTA |
| Stace | Ricky | 12 Madeline Close | Huntingdale | WA | 6110 | KB1479 | Keenbros |
| Stirling | Lisa | 15 Guilford Street | Blyth | SA | 5462 | 06237 | WARTA |
| Viney | Shane | 8 Brougham Crescent | Orelia | WA | 6167 | KB1468 | Keenbros |
| Wairua | Aperahama | 3 Loton Avenue | Midland | WA | 6056 | KB0051 | Keenbros |
| Westerfeld | Daniel | 16/65 Little John Road | Armadale | WA | 6112 | 06227 | WARTA |
| White | Graham | 64 Holmes Road | Munster | WA | 6166 | KB0665 | Keenbros |
| White | Trevor | 185 Boomerang Road | Oldbury | WA | 6121 | KB0265 | Keenbros |
| Williams | Dave | 37 Railway Parade | Bruce Road | WA | 6418 | 05912 | WARTA |
| Wittorff | Colin | 22 Little Howard Street | Fremantle | WA | 6160 | KB1310 | Keenbros |
| Wright | George | 35 Dryandra Road | Morangup | WA | 6083 | KB1476 | Keenbros |
| Wright | Shane | 14 Repton Road | Repton | NSW | 2454 | 06120 | WARTA |

PREMIER AND CABINET

PR401***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 J. H. D. Day MLA to act temporarily in the office of Minister for Education; Aboriginal Affairs; Electoral Affairs in the absence of the Hon P. C. Collier MLC for the period 11 to 21 July 2013 (both dates inclusive).

PETER CONRAN, Director General,
Department of the Premier and Cabinet.

PR402***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 D. T. Redman MLA to act temporarily in the office of Minister for Sport and Recreation; Racing and Gaming in the absence of the Hon T. K. Waldron MLA for the period 5 to 13 October 2013 (both dates inclusive).

PETER CONRAN, Director General,
Department of the Premier and Cabinet.

DECEASED ESTATES

ZX401**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Nola Joyce Foster, late of 7 Chester Street, Subiaco, 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 19 June 2012, are required to send particulars of their claims to the Administrator by 21 June 2013, after which date he may convey or distribute the assets to the persons entitled thereto having regard only to the claims of which he then has notice.

Administrator: Philip Gordon Caldwell, 66 Guildford Road, Mt Lawley WA 6050.

ZX402***TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

In the matter of the Estate of Richard Francis Baillieu, late of 2C Sasakawa Close, Broome, in the State of Western Australia, Pearl Diver and Tour Operator, 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 19 July 2012 at 2C Sasakawa Close, Broome, are requested to send particulars of their claims to the Executors, Eleni Baillieu and Benjamin Coppin c/- Jarman McKenna Lawyers, GPO Box 2525, Perth WA 6849 by 19 June 2013, after which date the Executors may convey or distribute the assets having regard only to the claims of which the Executors then have notice.

Dated this 16th day of May 2013.

BENJAMIN COPPIN, Jarman McKenna Barrister & Solicitors.

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