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# — PART 1 —

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## HEALTH

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HE301\*

Psychologists Act 2005

### Psychologists Board Amendment Rules 2006

Made by The Psychologists Board of Western Australia with the approval of the Governor in Executive Council.

**1. Citation**

These rules are the *Psychologists Board Amendment Rules 2006*.

**2. The rules amended**

The amendments in these rules are to the *Psychologists Board Rules 1978\**.

[\* *Reprint 2 as at 12 December 2003.*

*For amendments to 4 April 2006 see Western Australian Legislation Information Tables for 2005, Table 4, p. 317.]*

**3. Rules 17 and 31 amended**

Rules 17(2)(f)(i) and (ii) and 31(a), (b) and (c) are amended by deleting “\$175” and inserting instead —

“ \$225 ”.

The Common Seal of )  
 The Psychologists Board of )  
 Western Australia was )  
 affixed in the presence of — )

L. HARRISON, Chairperson.

T. HODDY, Registrar.

Approved by the Governor,

G. M. PIKE, Clerk of the Executive Council.

HE302\*

Health Act 1911

## Health (Food Hygiene) Amendment Regulations 2006

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Health (Food Hygiene) Amendment Regulations 2006*.

**2. Commencement**

These regulations come into operation on 1 July 2006.

**3. The regulations amended**

The amendments in these regulations are to the *Health (Food Hygiene) Regulations 1993\**.

[\* Reprinted as at 12 April 2002.

For amendments to 6 April 2006 see *Western Australian Legislation Information Tables for 2005, Table 4, p. 179-80.*]

**4. Schedule 5 amended**

Schedule 5 is amended by deleting “46” in both places where it occurs and inserting instead —

“ 48 ”.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

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HE303\*

Health Act 1911

## Health (Food Standards) (Administration) Amendment Regulations 2006

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Health (Food Standards) (Administration) Amendment Regulations 2006*.

**2. Commencement**

These regulations come into operation on 1 July 2006.

**3. The regulations amended**

The amendments in these regulations are to the *Health (Food Standards) (Administration) Regulations 1986\**.

[\* *Reprint 1 as at 12 September 2003.*

*For amendments to 6 April 2006 see Western Australian Legislation Information Tables for 2005, Table 4, p. 180.]*

**4. Regulation 6 amended**

Regulation 6 is amended by deleting “\$36.” and inserting instead —

“ \$38. ”.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

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HE304\*

Health Act 1911

## Health (Pet Meat) Amendment Regulations 2006

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Health (Pet Meat) Amendment Regulations 2006*.

### 2. Commencement

These regulations come into operation on 1 July 2006.

### 3. The regulations amended

The amendments in these regulations are to the *Health (Pet Meat) Regulations 1990\**.

[\* Reprinted as at 7 December 2001.

For amendments to 6 April 2006 see *Western Australian Legislation Information Tables for 2005, Table 4, p. 184-5.*]

### 4. Schedule 4 replaced

Schedule 4 is repealed and the following Schedule is inserted instead —

“

#### Schedule 4 — Fees

[r. 10, 13, 18, 33, 50, 52]

Item	Regulation	Service	Fee (\$)
1.	10(2)	Registration of a knackery	356
2.	10(4)	Hire of a stamp for a knackery	55
3.	13(2)	Registration of a processing establishment	356
4.	18(2)	Hire of a brand for a processing establishment	55
5.	33(2)	Registration of a Class 1 pet meat shop	216
6.	33(2)	Registration of a Class 2 pet meat shop	119
7.	52(1)	Transfer of registration	119

”

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

HE305\*

Health Act 1911

## Health (Public Buildings) Amendment Regulations 2006

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Health (Public Buildings) Amendment Regulations 2006*.

**2. Commencement**

These regulations come into operation on 1 July 2006.

**3. The regulations amended**

The amendments in these regulations are to the *Health (Public Buildings) Regulations 1992\**.

[\* *Reprint 1 as at 1 August 2003.*

*For amendments to 6 April 2006 see Western Australian Legislation Information Tables for 2005, Table 4, p. 185, and Gazette 31 March 2006.]*

**4. Schedule 1 amended**

Schedule 1 is amended by deleting “\$677.” and inserting instead —

“ \$713. ”.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

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HE306\*

Health Act 1911

## Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Amendment Regulations 2006

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Amendment Regulations 2006*.

### 2. Commencement

These regulations come into operation on 1 July 2006.

### 3. The regulations amended

The amendments in these regulations are to the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974\**.

[\* Reprint 4 as at 7 October 2005.]

### 4. Schedule 1 replaced

Schedule 1 is repealed and the following Schedule is inserted instead —

“

#### Schedule 1 — Fees

[r. 4, 4A, 10]

Item	Description	Fee
		\$
1.	Application for the approval of an apparatus by local government under regulation 4 .....	97.00
2.	Application for the approval of an apparatus by the Executive Director, Public Health under regulation 4A —	
	(a) with a local government report .....	35.00
	(b) without a local government report (regulation 4A(4)) .....	110.00
3.	Fee for the grant of a permit to use an apparatus under regulation 10(2) .....	97.00

”

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.



HE307\*

Health Act 1911

## Offensive Trades (Fees) Amendment Regulations 2006

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Offensive Trades (Fees) Amendment Regulations 2006*.

### 2. Commencement

These regulations come into operation on 1 July 2006.

### 3. The regulations amended

The amendments in these regulations are to the *Offensive Trades (Fees) Regulations 1976\**.

[\* Reprinted as at 7 June 2002.

For amendments to 6 April 2006 see *Western Australian Legislation Information Tables for 2005, Table 4, p. 192.*]

### 4. Regulation 1 replaced

Regulation 1 is repealed and the following regulation is inserted instead —

“

#### 1. Citation

These regulations are the *Health (Offensive Trades Fees) Regulations 1976*.

”

### 5. Regulation 3 amended

Regulation 3 is amended by deleting the Table to the regulation and inserting instead —

“

**Table**

Offensive Trade	Fee (\$)
Slaughterhouses .....	243
Piggeries .....	243
Artificial manure depots .....	173

<b>Offensive Trade</b>	<b>Fee (\$)</b>
Bone mills .....	140
Places for storing, drying or preserving bones .....	140
Fat melting, fat extracting or tallow melting establishments —	
(a) Butcher shops and similar .....	140
(b) Larger establishments .....	243
Blood drying .....	140
Gut scraping, preparation of sausage skins .....	140
Fellmongeries .....	140
Manure works .....	173
Fish curing establishments .....	173
Laundries, drycleaning establishments .....	119
Bone merchant premises .....	140
Flock factories .....	140
Knackeries .....	243
Poultry processing establishments .....	243
Poultry farming .....	243
Rabbit farming .....	243
Fish processing establishments in which whole fish are cleaned and prepared .....	243
Shellfish and crustacean processing establishments .....	243
Any other offensive trade not specified .....	243

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

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## **JUSTICE**

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JU301\*

Legal Practice Act 2003

## **Legal Practice Board Amendment Rules 2006**

Made by the Legal Practice Board under the Act section 252.

### **1. Citation**

These rules are the *Legal Practice Board Amendment Rules 2006*.

## 2. The rules amended

The amendments in these rules are to the *Legal Practice Board Rules 2004\**.

[\* *Published in Gazette 14 May 2004, p. 1473-557.*

*For amendments to 19 April 2006 see Western Australian Legislation Information Tables for 2005, Table 4, p. 226.]*

## 3. Rule 44 amended

- (1) Rule 44(1) is repealed and the following subrules are inserted instead —

“

- (1) For the purposes of section 37(2)(b) the following information must be included in, or accompany, an application for a practice certificate —

- (a) the applicant's full name and residential contact details;
- (b) the name and contact details of the applicant's practice or place of employment;
- (c) the capacity in which the applicant practices;
- (d) a statement to the effect that the applicant is not a disqualified person, is not an insolvent practitioner and is not in prison;
- (e) a statement as to whether, in the course of the applicant's practice, the applicant will accept trust moneys;
- (f) if the applicant will accept trust moneys —
  - (i) the following information in relation to the applicant's trust account —
    - (I) the name of the account;
    - (II) the name of the bank;
    - (III) the BSB and account number;
    - (IV) the date the account was opened;

and

- (ii) the name and contact details of the auditor of the trust account.

- (1a) In subrule (1) —

“**contact details**” means —

- (a) street address; and
- (b) postal address, if different from street address; and
- (c) telephone number; and
- (d) facsimile number (if any); and
- (f) email address (if any).

”.

- (2) Rule 44(3)(a) and (b) are amended by deleting “lodged with” and inserting instead —  
“ received by ”.
- (3) Rule 44(4) is amended as follows:
- (a) by deleting “lodged with” and inserting instead —  
“ received by ”;
- (b) in paragraphs (a), (b) and (c), by deleting “lodged” and inserting instead —  
“ received ”.
- 4. Schedule 1 amended**
- Schedule 1 is amended by deleting Form 17.

Made by the Legal Practice Board under section 252

ROBERT COCK QC, Member.

IAN WELDON, Member.

STEVEN PENGLIS, Member.

GREG CALCUTT AMSC, Member.

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## **RACING, GAMING AND LIQUOR**

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RG301\*

Casino Control Act 1984

### **Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations 2006*.

## 2. The regulations amended

The amendments in these regulations are to the *Casino Control (Burswood Island) (Licensing of Employees) Regulations 1985\**.

[\* Reprinted as at 2 January 2001.

For amendments to 2 March 2006 see *Western Australian Legislation Information Tables for 2004, Table 4, p. 42, and Gazette 24 June and 14 October 2005.*]

## 3. Regulation 19 amended

Regulation 19(1) is amended as follows:

- (a) by deleting “Pending the decision of the Commission in respect of” and inserting instead —  
“ If ”;
- (b) by inserting after “an application” —  
“ is made under regulation 4 ”;
- (c) in paragraph (a) by deleting “he” and inserting instead —  
“ the Chief Casino Officer ”;
- (d) in paragraph (a) by deleting “making a decision” and inserting instead —  
“  
the making of a recommendation under regulation 7(1)(c) or a decision under regulation 8  
”;
- (e) after paragraph (b) by deleting “and” and inserting —  
“  
(ba) unless a report has been received under regulation 5(3), the applicant has provided to the Chief Casino Officer a certificate from the Commissioner of Police, given not more than one month before the application was lodged, setting out details of any offences committed by the applicant against the law of any State or a Territory or of the Commonwealth; and  
”.

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

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**TREASURY AND FINANCE**

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TF301\*

Stamp Act 1921

**Stamp Act section 112IC Order 2006**

Made by the Minister under section 112IC of the Act.

**1. Citation**

This order is the *Stamp Act section 112IC Order 2006*.

**2. Exempt body under section 112IC**

For the purposes of section 112IC(1) of the Act, the Public Transport Authority of Western Australia established by the *Public Transport Authority Act 2003* section 5 is an exempt body with effect on and from the day on which this order is published in the *Gazette*.

ERIC RIPPER, Treasurer.

Date:20/4/06

TF302\*

Stamp Act 1921

**Stamp Act section 119 Notice 2006**

Made by the Minister under section 119 of the Act.

**1. Citation**

This notice is the *Stamp Act section 119 Notice 2006*.

**2. Exempt body under section 119**

For the purposes of section 119 of the Act, the Community Development Ministerial Body established by the *Children and Community Services Act 2004* section 18 is declared to be an exempt body with effect on and from the day on which this notice is published in the *Gazette*.

**3. Repeal of notice**

The notice made under section 119 of the Act and published in the *Gazette* on 7 December 2004 at page 5785 is repealed.

ERIC RIPPER, Treasurer.

Date: 20/4/06

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TF303\*

Pay-roll Tax Assessment Act 2002

## **Pay-roll Tax Assessment Amendment Regulations (No. 2) 2006**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Pay-roll Tax Assessment Amendment Regulations (No. 2) 2006*.

**2. The regulations amended**

The amendments in these regulations are to the *Pay-roll Tax Assessment Regulations 2003\**.

[\* *Published in Gazette 27 June 2003, p. 2341-80.*  
*For amendments to 30 March 2006 see Western Australian Legislation Information Tables for 2004, Table 4, p. 278, and Gazette 19 April 2005.*]

**3. Schedule 1 amended**

Schedule 1 is amended as follows:

- (a) by deleting “The Department of Justice”;

(b) by inserting in the appropriate alphabetical positions —

“

The Department of the Attorney General

The Department of Corrective Services

The Department of Water

The Water and Rivers Commission

”

By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

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TF304\*

Pay-roll Tax Assessment Act 2002

## **Pay-roll Tax Assessment Amendment Regulations 2006**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Pay-roll Tax Assessment Amendment Regulations 2006*.

### **2. Commencement**

These regulations come into operation on 1 July 2006.

### **3. The regulations amended**

The amendment in these regulations is to the *Pay-roll Tax Assessment Regulations 2003*\*.

[\* *Published in Gazette 27 June 2003, p. 2341-80.*

*For amendments to 29 March 2006 see Western Australian Legislation Information Tables for 2005, Table 4, p. 285.]*



**4. Part 6 inserted**

After regulation 46 the following Part is inserted —

“

**Part 6 — Returns****47. Manner of lodging and paying in certain circumstances**

- (1) For the purposes of section 28A(1) of the Act —
  - (a) the manner of lodging a return is by using the electronic online system provided for that purpose by the Commissioner; and
  - (b) the manner of paying any pay-roll tax that is due is by using the electronic online system provided for that purpose by the Commissioner or any other approved method of electronic funds transfer.
- (2) The Commissioner may, in writing, approve of a particular employer not complying with subregulation (1) if satisfied that it is impracticable for the employer to do so.
- (3) An approval under subregulation (2) remains in force until the end of the first 30 June following the day on which the approval was given.
- (4) If the Commissioner approves of an employer not complying with subregulation (1), the following apply for the purposes of section 28A(1) of the Act —
  - (a) the manner of lodging a return is by delivering it in person, or posting it, to the Commissioner or faxing a copy of it to an appropriate fax number;
  - (b) the manner of paying any pay-roll tax that is due is by cheque or money order or, if the Commissioner approves, a method referred to in subregulation (1)(b).

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By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

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**WATER/SEWERAGE**

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WA301\*

Economic Regulation Authority Act 2003

**Economic Regulation Authority (Country Water  
and Wastewater Pricing Reference) Notice 2006**

Given by the Economic Regulation Authority under the *Economic Regulation Authority Act 2003* section 34(1).

**1. Citation**

This notice is the *Economic Regulation Authority (Country Water and Wastewater Pricing Reference) Notice 2006*.

**2. Reference amended**

- (1) Under the *Economic Regulation Authority Act 2003* section 33 the Treasurer has amended the reference for the inquiry into the country potable water and wastewater prices of the Water Corporation.
- (2) The particulars of the amendment are set out in Schedule 1.

**Schedule 1 — Particulars of amendment**

[cl. 2(2)]

**NOTICE OF AMENDMENT TO REFERENCE FOR INQUIRY INTO  
COUNTRY POTABLE WATER AND WASTEWATER PRICING**

I, Eric Ripper, under the *Economic Regulation Authority Act 2003* section 33, amend the reference for the inquiry into the country potable water and wastewater prices of the Water Corporation\* so that the final report is to be completed by no later than 26 May 2006 instead of 28 April 2006.

[\* *Notice of the reference was published in Gazette 4 November 2005 at p. 5322-3.*]

Eric Ripper MLA  
Treasurer

Lyndon Rowe  
Chairman  
Economic Regulation Authority

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## — PART 2 —

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### AGRICULTURE

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AG401\*

**STOCK DISEASES (REGULATIONS) ACT 1968**  
**STOCK (IDENTIFICATION AND MOVEMENT) ACT 1970**

Appointment

Department of Agriculture and Food,  
SOUTH PERTH WA 6151.

The Governor is pleased to appoint the following as an Inspector pursuant to the following Acts—

Section 8 (1) of the *Stock Diseases (Regulations) Act 1968* and  
Section 37 of the *Stock (Identification and Movement) Act 1970*

Sarah Elaine Whyatt

KIM CHANCE MLC, Minister for Agriculture and Food.

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### HEALTH

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HE401

**MEDICAL ACT 1894****MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 9) 2006**

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

**Citation**

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 9) 2006*.

**Commencement**

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

**Unmet area of need**

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

**Expiry of determination**

4. This determination expires 2 years after its commencement.

**SCHEDULE**

GENERAL MEDICAL SERVICES in the SUBURB OF OCEAN REEF in the CITY OF JOONDALUP

Dated this 25th day of April 2006.

JIM McGINTY MLA, Minister for Health.

HE402

**MEDICAL ACT 1894****MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 10) 2006**

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

**Citation**

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 10) 2006*.

**Commencement**

2. This determination comes into operation on the day on which it is published in the *Government Gazette*.

**Unmet area of need**

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

**Expiry of determination**

4. This determination expires 2 years after its commencement.

## SCHEDULE

## OCCUPATIONAL MEDICINE PHYSICIAN—PRIME HEALTH GROUP

- OSBORNE PARK
- PERTH
- NAVAL BASE
- CANNING VALE

Dated this 25th day of April 2006.

JIM MCGINTY MLA, Minister for Health.

**HE403\*****POISONS ACT 1964****POISONS (AUTHORIZED POSSESSION OF SUBSTANCES) ORDER 2006**

Made by the Governor in Executive Council under section 41 of the Act.

**Citation**

1. This order may be cited as the *Poisons (Authorized Possession of Substances) Order 2006*.

**Commencement**

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

**Interpretation**

3. In this order—

“**personal supervision**” has the same meaning as it has in the *Poisons Regulations 1965*;

“**specified places**” means—

- (a) the Biomedical and Chemical Sciences Building of the University of Western Australia, Stirling Highway, Crawley, and
- (b) the Pharmacology Unit M510, School of Medicine and Pharmacology of the University of Western Australia, Stirling Highway, Crawley;

“**specified substance**” means the amount of the substance included in Schedule 9 to the Act, possession and use of which is authorized under clause 4.

**Preparation, possession and use of certain substance authorized**

4. Subject to clause 5, the people listed in the table to this clause are authorized to prepare, possess and use at the specified places, for research purposes, not more than 20g (in total) of 3,4-Methylenedioxy-N,a-Dimethylphenylethylamine \*(MDMA) including any of the structurally related analogues of MDMA.

## Table

Dr Matthew Piggott:	Lecturer, School of Biomedical and Chemical Sciences of the University of Western Australia.
Michael Neil Gandy:	Student, School of Biomedical and Chemical Sciences of the University of Western Australia.
Katie David Lewis:	Student, School of Biomedical and Chemical Sciences of the University of Western Australia.
Matthew James McIlldowie:	Student, School of Biomedical and Chemical Sciences of the University of Western Australia.
Associate Professor Mathew Martin-Iverson:	Head of Pharmacology Unit, School of Medicine and Pharmacology of the University of Western Australia.
David Tindinglia:	Research Assistant, School of Medicine and Pharmacology of the University of Western Australia.
Pham The Hung Nguyen:	Research Assistant, School of Medicine and Pharmacology of the University of Western Australia.

**Conditions of authorized preparation, possession and use**

5. The preparation, possession and use authorized under clause 4 is subject to the conditions that—
- (a) Michael Neil Gandy and Katie David Lewis only prepare, possess and use the specified substance whilst working under the personal supervision of Dr Matthew Piggott;
  - (b) Pham The Hung Nguyen and David Tindinglia only prepare, possess and use the specified substance whilst working under the personal supervision of Associate Professor Mathew Martin-Iverson;
  - (c) the specified substance, when not required for the purposes referred to in clause 4, is stored at the specified places in a secure manner, as directed by the Commissioner of Health;
  - (d) written records relating to the specified substance are maintained—
    - (i) by Dr Matthew Piggott at the School of Biomedical and Chemical Sciences of the University of Western Australia, and
    - (ii) by Associate Professor Mathew Martin-Iverson at the School of Medicine and Pharmacology of the University of Western Australia, as directed by the Commissioner of Health; and
  - (e) that, if requested by the Commissioner of Health, any oral information or written report relating to the specified substances is given by Dr Matthew Piggott to the Commissioner.

**Revocation**

6. The *Poisons (Authorized Possession of Substances) Order (No. 2) 2005\** is revoked.  
 [ \*Published in Gazette 15 April 2005, p. 1209 and amended in the Gazette 18 October 2005, p. 4624 ]  
 By Command of the Governor,

G. M. PIKE, Clerk of the Executive Council.

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## JUSTICE

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JU401\*

### JUSTICES OF THE PEACE ACT 2004

#### RESIGNATIONS

It is hereby notified for public information that the Minister has accepted the resignations of—

Mr Linton Alexander George Smith of 37 Forward Street, Goomalling  
 Mr Merridoo Walbidi of Bidyadanga Community, Lagrange  
 Mrs Maud Marie O'Dea of 75 Yewers Avenue, Morawa

from the Office of Justice of the Peace for the State of Western Australia.

RAY WARNES, A/Executive Director,  
 Court Services.

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## LOCAL GOVERNMENT

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LG401

### CITY OF KALGOORLIE-BOULDER

#### Appointment

The City of Kalgoorlie-Boulder wishes to advise for public information the appointment of Deonne Lewis as an authorised officer to operate within the City of Kalgoorlie-Boulder to enforce the following Acts, Regulations and Local Laws effective immediately—

- Dog Act 1976—For the purpose of Dog Registration Officer, issuing of Dog Infringement Notices, Dog Warning Notices and Notices to Register Dog (Admin)
- Litter Act 1976—For the purpose of issuing Litter Infringements (Admin)
- City of Kalgoorlie-Boulder Parking and Parking Facilities Local Law

The City of Kalgoorlie-Boulder also wishes to advise for public information the appointment of Leanne O'Neill as an authorised officer appointed as a registration officer under the provisions of the Dog Act 1976.

D. S. BURNETT, Chief Executive Officer.

**LG402****LOCAL GOVERNMENT ACT 1995***District of the Town of East Fremantle***(ALTERATION OF WARD BOUNDARIES) ORDER 2006**

Made by the Governor in Executive Council.

**1. Citation**

This Order may be cited as the *District of the Town of East Fremantle (Alteration of Ward Boundaries) Order 2006*.

**2. Alteration of Ward Boundaries (s. 2.2 (1) (c) of the Act)**

On the first ordinary elections day after the commencement of this Order, the boundaries of the Woodside and Plympton Wards in the district of the Town of East Fremantle shall be altered by transferring the land described in the Schedule to this Order from the Woodside Ward to the Plympton Ward.

**3. Transitional directions (s. 9.62 of the Act)**

Part 4 of the Act, with any necessary changes, applies to preparing for and conducting the next ordinary elections as if the changes effected by clause 2 had taken effect on the day this Order commenced.

**SCHEDULE****TRANSFER OF TERRITORY FROM WOODSIDE WARD TO PLYMPTON WARD**

All that portion of land bounded by lines starting from the intersection of the centreline of Silas Street with the centreline of George Street, a point on a present western boundary of the Woodside Ward of the Town of East Fremantle, and extending easterly along the centreline of George Street and onwards to the centreline of Moss Street; thence northerly along that centreline and onwards to the centreline of Canning Highway, a point on a present northern boundary of the Woodside Ward and thence generally westerly, southerly, easterly, again southerly, again easterly, again southerly, again easterly, again southerly, westerly, again southerly, again easterly and again southerly along boundaries of that ward to the starting point.

Area: Approx. 12.2 hectares.

I recommend that the orders in clauses 1 and 2 be made as recommended by the Local Government Advisory Board.

Hon. JON FORD, JP MLC, Minister for Local Government and Regional  
Development; Fisheries;  
The Kimberley, Pilbara and Gascoyne.

By Command of the Governor

G. M. PIKE, Clerk of the Executive Council.

**LG403\*****PLANNING AND DEVELOPMENT ACT 2005****APPROVED LOCAL PLANNING SCHEME AMENDMENT***Shire of Denmark*

Town Planning Scheme No. 3—Amendment No. 77

Ref: 853/5/7/3 Pt 77

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 19 April 2006 for the purpose of—

1. Rezoning Lot 2 Peace Street, West Denmark from the Rural zone to Landscape Protection zone.
2. Incorporating definition for “Community Purpose” in Appendix 1 of the Scheme Text.  
“Community Purpose” means the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.
3. Amending the Scheme Maps accordingly.
4. Amending “Appendix 16—Landscape Protection zone Provisions Relating to Specified Areas” by incorporating the following provisions—
  3. Peace Street Landscape Protection Zone
    - (a) Lot 2 Peace Street, West Denmark

- (b) Rural Residential
- Permitted Use (P): - Single House
- Permitted at Council's Discretion (AA): - Aquaculture  
- Community Purpose  
- Home Occupation  
- Cottage Industry  
- Rural Industry  
- Rural Pursuit
- (c) (i) Subdivision of Landscape Protection Zone Area No. 3 shall generally be in accordance with the Subdivision Guide Plan. The dwelling density shall not exceed one dwelling per hectare.
- (ii) Council may recommend minor variations to the Subdivision Guide Plan to the Western Australian Planning Commission but will not recommend the further breakdown of the lots created.
- (iii) The objective of Landscape Protection Zone Area No. 3 is to develop an eco village based on permaculture design and sustainable living systems where—
- remnant vegetation is protected;
  - limited timber and wildflower harvesting is permitted in accordance with an approved management plan;
  - residential housing and associated uses are integrated into the landscape in harmony with surrounding landuse;
  - organic gardening, use of solar power, alternative on site effluent treatment systems such as composting toilets and recycling of wastewater are promoted;
  - water sensitive design principles ensure there are no off site impacts in terms of drainage, erosion and export of nutrients.
- (iv) Applications for planning consent shall be accompanied by complete details of colours, finishes, materials and detailed Strata Lot site improvement and building plans and elevations from at least the front and largest side view.
- (v) (a) No development other than essential services such as underground power, telecommunications, water supply and strategic firebreaks shall be permitted within the Vegetation Protection Area as shown on the Subdivision Guide Plan.
- (b) All development such as dwellings, sheds, water tanks and approved landuse shall be located within the strata lots and common property as shown on the Subdivision Guide Plan.
- (vi) (a) Organic gardens and stock shall be restricted to existing cleared land and in the case of stock, fenced areas of the site.
- (b) With the exception of cats, the keeping of domestic pets, may be permitted subject to—
- measures being implemented to confine the pets to a strata lot at all times unless accompanied by an adult landowner and
  - the pet not creating a nuisance within the zone.
- (c) Where nuisance is found to be caused, Council may require that the pet be removed from the zone.
- (d) If the keeping of stock or a particular domestic pet is posing an identifiable nuisance or hazard to residents, wildlife, flora and/or landform, Council may take such measures as deemed necessary to eliminate adverse effect with all costs being borne by the subject Strata Lot owner.
- (vii) (a) Dwelling houses and all outbuildings shall not exceed 6 metres in height which is measured vertically from the natural ground level.
- (b) Cut and fill of the site shall be kept to a minimum with preference given to split level development, the breaking up of building mass and minimal site disturbance through earthworks. Council shall require the stockpiling and replacement of topsoil to disturbed areas after construction.
- (c) The use of pale, white/off white or reflective materials and finishes such as unpainted zincalume will not be permitted. Council shall require the use of tonings that blend into the landscape, vegetation and/or the structure's backdrop. Council shall prefer the use of natural materials such as stone, brick, rammed earth and/or timber and advocate green to brown tonings/natural hues.

- (d) Water tanks shall be painted or coloured an appropriate shade of brown or green and shall be located within designated strata lots/common property, to the satisfaction of Council.
- (e) Strata Lot access ways and other earthworks shall be designed to minimise visual impact and erosion potential by being aligned where possible with the contours of the site. Stormwater and drainage using water sensitive design principles to Council and Department of Environment requirements. A nutrient stripping/sediment retention drainage management plan will be required as a condition of subdivision approval. Comprehensive subsoil interceptor drains shall be constructed up hill from both clusters of strata lots.
- (viii) (a) No clearing of endemic vegetation shall be permitted, except for—
- Clearing within the prescribed Strata Lots as may reasonably be required to construct an approved dwelling and associated structures and facilities.
  - Trees that are dead, diseased or dangerous.
  - Clearing to gain vehicular access to an approved Strata Lot.
  - Selective clearing of vegetation required within the building protection and hazard reduction zones as defined in the Fire Management Plan.
  - Limited timber harvesting providing it is in accordance with a management plan prepared by the Living Water Permaculture Foundation and approved by Council as part of the strata management statement prior to any harvesting.
- (b) Additional tree planting and revegetation may be required as a condition of planning consent.
- (c) Council shall show its preference for domestic gardens utilising indigenous native species.
- (d) Landowners and the Strata Company shall be responsible for the maintenance of tree cover and the eradication of invasive weeds on individual and common property lots as part of the strata management statement.
- (e) In the event of non compliance with (vii) (d) above, Council may serve notice on the landowner/Strata Company requiring the compliance with clause (vii) (d) above, within 3 months of the serving of the said notice. In the event the required action is not undertaken, Council may carry out such works as are deemed necessary to eliminate adverse effect with all costs being borne by the landowner.
- (f) With the intention of minimising the risk of dieback spread, cut and fill is to be minimised and any imported topsoil, fill and other soil aggregates shall be obtained from certified dieback free sources.
- (ix) (a) Each single house or ancillary dwelling is to be provided with a potable water supply to Council and Health Department satisfaction.
- (b) Telstra and Western Power services shall be located in a single underground trench and follow the alignment of access ways from where Parent Lot hookup is made to Strata Lots.
- (c) The Strata Company shall be responsible for collecting and disposing of all solid waste generated to Council's satisfaction.
- (x) (a) On site effluent disposal shall be the responsibility of individual landowners.
- (b) On site effluent disposal shall be by way of composting toilets designed to Health Department of WA requirements. Disposal of greywater shall be located on common property and not on the individual lots. Areas nominated for effluent disposal shall be demonstrated to be suitable for effluent disposal.
- (c) Notwithstanding (b) above, other alternative treatment systems designed to suit site conditions may be used subject to Council and Health Department of WA approval.
- (xi) (a) Council may request the Commission to impose a condition at the time of subdivision requiring the construction of strategic fire breaks/emergency access as shown on the Fire Management Plan along with variations thereto to meet the specifications of Council and FESA.
- (b) The clearing of fire breaks other than for the abovementioned strategic firebreak purposes is not permitted.
- (c) Building protection, hazard reduction zones and strategic fire breaks on common property, as shown on the Fire Management Plan, shall be maintained by the Strata Company.



- (d) It shall be the responsibility of individual Strata Lot owners to maintain the building protection zone on individual Strata Lots.
- (e) A designated water supply for fire fighting purposes as shown on the Fire Management Plan shall be provided in accordance with Council and Fire & Emergency Services Authority specifications.
- (f) Houses within the northern portion of the property shall be designed in accordance with Australian Standard 3959, Construction of Buildings in Bushfire Prone Areas.
- (g) The subdivider shall make arrangements to the satisfaction of Council to ensure prospective purchasers are aware of the fire management guidelines of the Homeowners Bushfire Survival Manual and Australian Standard 3959.
- (h) Development shall comply with the fire management plan.
- (i) The Strata Management Statement shall clearly identify the individual landowner and strata company responsibilities in relation to the implementation and ongoing management of the fire management plan.
- (j) Council may request the Commission impose a condition requiring a contribution towards fire fighting facilities and equipment at the subdivision stage of development.
- (xii) (a) Fencing shall be designed and constructed so as to minimise site disturbance.
- (b) Where it is not proposed to fence individual Strata Lots, Strata Lot boundaries shall be suitably defined by pegs and/or cairns.
- (xiii) Provision shall be made to Council's satisfaction to ensure prospective purchasers of land are given a copy of these Provisions prior to entering into an agreement to acquire any property.
- (xiv) (a) The construction of buildings including associated site works and removal of vegetation, shall require Planning Consent.
- (b) All applications for Planning Consent shall be accompanied by complete details of building materials and colours.
- (c) Provision shall be made to Council's satisfaction to ensure the Strata Management Statement reflects and does not conflict with the provisions and objectives of Landscape Protection Zone Area No. 3.
- (xv) No vehicular access is permitted to Warham Road except for emergency vehicles as detailed in the Fire Management Plan.

J. K. BARROW, Shire President.

P. DURTANOVICH, Chief Executive Officer.

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## PARLIAMENT

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PA401

PARLIAMENT OF WESTERN AUSTRALIA  
ROYAL ASSENT TO BILLS

It is hereby notified for public information that the Lieutenant-Governor and Administrator has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Bills passed by the Legislative Council and the Legislative Assembly during the First Session of the Thirty-Seventh Parliament.

Short Title of Bill	Date of Assent	Act No.
Tobacco Products Control Bill 2005	12 April 2006	5 of 2006
Agriculture and Related Resources Protection Amendment Bill 2005	12 April 2006	6 of 2006
Swan Valley Planning Legislation Amendment Bill 2005	19 April 2006	7 of 2006

MIA BETJEMAN, Clerk of the Parliaments.

26 April 2006.

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**PLANNING AND INFRASTRUCTURE**

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PI401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
METROPOLITAN REGION SCHEME AMENDMENT NO. 1071/33  
FREMANTLE-ROCKINGHAM HIGHWAY, SOUTH OF RUSSELL ROAD

Outcome of Amendment

It is hereby notified for public information that the Fremantle-Rockingham Highway, South of Russell Road Amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament in accordance with the provisions of section 41 of the *Planning and Development Act 2005*.

This amendment, as depicted on Western Australian Planning Commission plan number 1.5212/1, is effective in the Metropolitan Region Scheme on and from 22 March 2006.

LINDSAY PREECE, Acting Secretary,  
Western Australian Planning Commission.

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PI402\*

**PLANNING AND DEVELOPMENT ACT 2005**  
METROPOLITAN REGION SCHEME AMENDMENT NO. 1081/33  
LOTS 1608 AND 1609 LAKEY STREET, SOUTHERN RIVER

Outcome of Amendment

It is hereby notified for public information that the Lots 1608 and 1609 Lakey Street, Southern River Amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament in accordance with the provisions of section 41 of the *Planning and Development Act 2005*.

This amendment, as depicted on Western Australian Planning Commission plan number 3.1723, is effective in the Metropolitan Region Scheme on and from 22 March 2006.

LINDSAY PREECE, Acting Secretary,  
Western Australian Planning Commission.

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PI403\*

**PLANNING AND DEVELOPMENT ACT 2005**  
METROPOLITAN REGION SCHEME AMENDMENT NO. 1089/33  
EAST LANDSDALE PRECINCT 64

Outcome of Amendment

It is hereby notified for public information that the East Landsdale Precinct 64 Amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament in accordance with the provisions of section 41 of the *Planning and Development Act 2005*.

This amendment, as depicted on Western Australian Planning Commission plan number 3.1764, is effective in the Metropolitan Region Scheme on and from 5 April 2006.

LINDSAY PREECE, Acting Secretary,  
Western Australian Planning Commission.

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PI404\*

**PLANNING AND DEVELOPMENT ACT 2005**  
METROPOLITAN REGION SCHEME  
NOTICE OF RESOLUTION—CLAUSE 27  
Lot 800 and Portion of Lot 40 Tea Tree Close, Jandakot  
City of Cockburn

Amendment No.1119/27

File No.: 812-2-23-29

Notice is hereby given that in accordance with Clause 27 of the Metropolitan Region Scheme, the Western Australian Planning Commission and acting under delegated powers, resolved on 11 April 2006 to transfer land from the Urban Deferred zone to the Urban zone, as shown on plan number 4.1520.

This amendment is effective from the date of publication of this notice in the *Government Gazette*.

The plan may be viewed at the offices of—

- Department for Planning and Infrastructure, Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Municipal office of the City of Cockburn

LINDSAY PREECE, Acting Secretary,  
Western Australian Planning Commission.

**PI405\***

**DAMPIER TO BUNBURY PIPELINE ACT 1997**

DESIGNATED LAND

I, David Templeman, DBNGP Land Access Minister, give notice in accordance with Section 33(1) of the *Dampier to Bunbury Pipeline Act 1997* that the land the subject of the LAND DESCRIPTION described below is designated, at the beginning of the day this notice is published in the *Government Gazette*, as additional land in the DBNGP corridor.

**LAND DESCRIPTION**

1. Portion of Lot 102 on Diagram 79042 shown as DBNGP corridor marked X & Y on the Deposited Plan 39103 being part of the land comprised in Certificate of Title Volume 2125 Folio 554.
2. Portion of Lot 552 on Deposited Plan 202744 shown as DBNGP corridor marked X and Y on the Deposited Plan 39105 being part of the land comprised in Certificate of Title Volume 1699 Folio 824.
3. Portion of Lot 1215 on Deposited Plan 149840 shown as DBNGP corridor marked Y on the Deposited Plan 39116 being part of the land comprised in Certificate of Title Volume 1659 Folio 794.

The Plans may be inspected at the Department of Land Information, Midland Square, Midland.

DAVID TEMPLEMAN MLA, DBNGP Land Access Minister.

**PI501\***

**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959**

METROPOLITAN REGION SCHEME AMENDMENT NO. 1099/33

South West Districts Omnibus (No. 6)

Call For Public Submissions

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme (MRS) for land in the local governments of Fremantle, Cockburn, Rockingham and Kwinana and is seeking public comment.

The purpose of the amendment is to update Metropolitan Region Scheme (MRS) zones and reservations in the South West corridor of the metropolitan region located in McCabe Street, North Fremantle; Henderson and Lorimer Roads, Munster; Gilmore Road reserve in Kwinana; and the rezoning of rural land in Baldivis. This amendment contains 4 separate proposals.

The plans showing the proposed changes and the Commission's *Amendment Report* which explains the proposals, will be available for public inspection from Tuesday 4 April 2006 to Friday 7 July 2006 at each of the following places—

- |  |                          |
|--|--------------------------|
| • Department for Planning and Infrastructure<br>Wellington Street, Perth             | • City of Perth          |
| • J S Battye Library<br>Level 3, Alexander Library Building<br>Perth Cultural Centre | • City of Fremantle      |
|  | • City of Cockburn       |
|  | • City of Melville       |
|  | • City of Rockingham     |
|  | • Town of Kwinana        |
|  | • Town of East Fremantle |

Documents are also available from the Commission's internet site [www.wapc.wa.gov.au](http://www.wapc.wa.gov.au).

**Submissions**

Any person who desires to make a submission to support, object or provide comment on any part of the proposed Amendment should do so on a Form 6A. This submission form is available from the display locations, the *Amendment Report* and the Internet.

Submissions must be lodged with the: Secretary, Western Australian Planning Commission, 469 Wellington Street, PERTH WA 6000; on or before 5.00pm Friday, 7 JULY 2006.

Late submissions will not be considered.

LINDSAY PREECE, Acting Secretary,  
Western Australian Planning Commission.

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## PREMIER AND CABINET

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PC401\*

### APPOINTMENT OF DEPUTY OF THE GOVERNOR

It is hereby notified for public information that the Governor, under clause XVI of the *Letters Patent relating to the Office of Governor of the State of Western Australia* dated 14 February 1986, has appointed the Lieutenant-Governor the Honourable David Kingsley Malcolm AC, QC, to be deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor during the following period—

1 to 7 May 2006 (both dates inclusive).

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

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## WORKSAFE

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WS401\*

### OCCUPATIONAL SAFETY AND HEALTH ACT 1984 OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1996 EXEMPTION CERTIFICATE PURSUANT TO REGULATION 2.13 (No. 11 of 2006)

I, Nina Lyhne, WorkSafe Western Australia Commissioner, hereby grant an exemption to Coogee Chemicals Pty Ltd from the requirements of Regulation 4.43(1)(a) of the Occupational Safety and Health Regulations 1996 in relation to the water tube boiler, registration number NT20435 and Department of Consumer and Employment Protection WorkSafe Division internal registration number WP50386, located at the Coogee Chemicals Pty Ltd workplace on the corner of Patterson and Kwinana Beach Roads, Kwinana insofar that they require an annual internal inspection of the water tube boiler in accordance with Table 4.1, Item 1.3 of Australian New Zealand Standard AS/NZS 3788:2001 Pressure Equipment—In-Service Inspection.

This exemption is subject to the following conditions—

- The boiler shell temperatures are constantly monitored.
- The boiler is removed from service if a significant increase in the monitored temperatures occurs.

This exemption is valid until 5.00pm on 30 June 2006.

Dated this 27th day of April 2006.

NINA LYHNE, WorkSafe Western Australia Commissioner.

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## DECEASED ESTATES

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ZX401

### TRUSTEES ACT 1962 DECEASED ESTATES

#### Notice to Creditors and Claimants

Elsie Florence Plaisted, late of Glenn-Craig Nursing Home, Beaufort Road, Albany in the State of Western Australia, Widow, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of Elsie Florence Plaisted deceased, who died on the 29th day of November 2005 at Albany in the State of Western Australia are required by the personal representative David Malcolm Moss of 45 Duke Street, Albany, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany WA 6332 by the 31st day of May 2006 after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

**ZX402****TRUSTEES ACT 1962  
DECEASED ESTATES**

## Notice to Creditors and Claimants

Sylvia Robinson, late of 52 Hudson Road, Albany, in the State of Western Australia, Home Duties, deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of Sylvia Robinson deceased, who died on the 11th day of December 2005 at Albany in the State of Western Australia are required by the personal representative Leslie Adams of 3D Valencia Close, Orana, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany WA 6332 by the 31st day of May 2006 after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

**ZX403****TRUSTEES ACT 1962  
DECEASED ESTATES**

## Notice to Creditors and Claimants

Claims against the estate of Ulva Enid Ford, late of 9 Gairdner Road, Albany, Western Australia should be lodged with the Executors, c/- Haynes Robinson, PO Box 485, Albany, Western Australia before 2 June 2006 after which date the assets will be distributed having regard only to the claims received.

HAYNES ROBINSON.

**ZX404****TRUSTEES ACT 1962  
DECEASED ESTATES**

## Notice to Creditors and Claimants

In the matter of the Estate of Angus Hilton Rufus, late of 24 Clifton Gardens, Kallaroo, in the State of Western Australia, Senior Consultant, 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 30th June 2005, are required by the Executor, Deborah Ann Weir, to send the particulars of their claim to Messrs Taylor Smart Solicitors of Level 8, 50 St Georges Terrace, Perth in the State of Western Australia, by the 26th day of May 2006, after which date the said Executor may convey or distribute the assets having regard only to the claims of which she then has had notice.

Dated the 26th day of April 2006.

GLEN B. GILES, Taylor Smart.

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**PUBLIC NOTICES**

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**ZZ401****DISPOSAL OF UNCOLLECTED GOODS ACT 1970****NOTICE UNDER PART VI OF INTENTION TO APPLY TO COURT FOR AN ORDER TO SELL OR OTHERWISE DISPOSE OF GOODS VALUED IN EXCESS OF \$300**

To Jadwiga Grief of 32 Kingsfield Ave, Swanview.

- (1) You were given notice on 18th January 2006 that the following goods—
  - 1 x Hoover Twin Tub Washing Machine
  - 1 x Kleenmaid Washing Machine
  - 1 x Hitachi Fridge Freezer
  - 1 x Westinghouse Fridge Freezerwere ready for pickup or redelivery
- (2) Unless not more than one month after the date of the giving of this notice you either take redelivery of these goods from Whitegood Traders of 2/16 Edison Circuit East Rockingham 6168 or we intend making an application to the Court for an order to sell or otherwise dispose of them in accordance with the Act.

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## CLAIMS FOR MISSING ISSUES

(SUBSCRIPTION ITEMS)

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this date will attract payment in full.

### STATE LAW PUBLISHER

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All subscriptions are for the period from 1 January to 31 December 2006. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include GST where applicable and postage by surface mail unless stated otherwise.

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