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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) AMENDMENT ACT 2007

No. 11 of 2007

PROCLAMATION

Western Australia

By His Excellency

Doctor Kenneth Comminos Michael,  
Companion of the Order of Australia,  
Governor of the State of Western Australia

[L.S.]

KENNETH COMMINOS MICHAEL  
Governor

I, the Governor, acting under the *Local Government (Miscellaneous Provisions) Amendment Act 2007* section 2 and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which sections 3 and 4 of that Act come into operation.

Given under my hand and the Public Seal of the State on 14 August 2007.

By Command of the Governor,

M. ROBERTS, Minister for Housing and Works.

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## EDUCATION

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ED301\*

School Education Act 1999

### School Education Amendment Regulations 2007

Made by the Governor in Executive Council.

#### 1. Citation

These regulations are the *School Education Amendment Regulations 2007*.

## 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. The regulations amended

The amendments in these regulations are to the *School Education Regulations 2000*\*.

[\* *Reprint 1 as at 3 March 2006.*

*For amendments to 19 June 2007 see Western Australian Legislation Information Tables for 2006, Table 4.]*

## 4. Regulation 3 amended

Regulation 3(1) is amended by inserting in the appropriate alphabetical position —

“

“**member of staff**”, in relation to a government school, means a person —

- (a) employed in the department and referred to in section 235(1)(a), (b), (c) or (d); and
- (b) whose functions relate to the school;

”.

## 5. Part 3 Division 4 replaced

Part 3 Division 4 is repealed and the following Division is inserted instead —

“

### **Division 4 — Supervision of students, protection of persons and property**

#### **38. Supervision of students, restraint of persons: s. 119(2)(f), 123(1) and 244(1)**

A member of staff of a government school may, in the performance of the person’s functions, take such action, including physical contact with a student or a student’s property, as is reasonable —

- (a) to manage or care for a student; or
- (b) to maintain or re-establish order; or
- (c) to prevent or restrain a person from —
  - (i) placing at risk the safety of any person; or
  - (ii) damaging any property.

”.

**6. Regulation 147 amended**

Regulation 147(4) is amended by deleting “who is a ward for the purposes of the *Child Welfare Act 1947*, whether or not the child is under the guardianship of the Director-General as defined in that Act.” and inserting instead —

“

in respect of whom a protection order (time-limited) or a protection order (until 18), as those terms are defined in the *Children and Community Services Act 2004* section 3, is made.

”

By Command of the Governor,

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

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**JUSTICE**

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JU301\*

Warehousemen’s Liens Act 1952

## **Warehousemen’s Liens Amendment Regulations 2007**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Warehousemen’s Liens Amendment Regulations 2007*.

**2. The regulations amended**

The amendments in these regulations are to the *Warehousemen’s Liens Act Regulations and Rules of Court 1952\**.

[\* *Published in Gazette 20 February 1953, p. 368-71.*]

**3. Heading to Part I repealed**

The heading to Part I is repealed.

**4. Regulation 1 amended**

Regulation 1 is amended by deleting “Warehousemen’s Liens Act Regulations and Rules of Court 1952.” and inserting instead —

“ *Warehousemen’s Liens Regulations 1952.* ”.

**5. Regulation 2 repealed**

Regulation 2 is repealed.

**6. Heading to Part II repealed**

The heading to Part II is repealed.

**7. Regulation 3 amended**

Regulation 3 is amended by deleting “Form 1 in the Appendix to these regulations.” and inserting instead —

“ Schedule 1 Form 1. ”.

**8. Regulation 4 amended**

Regulation 4 is amended as follows:

(a) by deleting “three months” and inserting instead —

“ 3 months ”;

(b) by deleting “Form 2 in the Appendix to these regulations.” and inserting instead —

“ Schedule 1 Form 2. ”.

**9. Regulation 5 amended**

(1) Regulation 5(1) is amended by deleting “section six or seven” and inserting instead —

“ section 6 or 7 ”.

(2) Regulation 5(2) is amended as follows:

(a) by deleting “published —” and inserting instead —

“ published ”;

(b) by deleting “seven days,” and inserting instead —

“ 7 days ”.

**10. Regulation 6 amended**

Regulation 6(2) is amended as follows:

(a) by deleting “local Court” and “Local Court” and inserting instead —

“ Magistrates Court ”;

(b) by deleting “writing:—” and inserting instead —

“ writing — ”;

- (c) in paragraphs (a) and (b) by deleting “The” and inserting instead —  
“ the ”;
- (d) in paragraphs (c) and (d) by deleting “Full” and inserting instead —  
“ full ”;
- (e) in paragraph (d) by deleting “, as amended by subsequent Acts,”;
- (f) in paragraph (e) by deleting “Such” and inserting instead —  
“ such ”;
- (g) by deleting the full stop at the end of each of paragraphs (a) to (d) and inserting instead a semicolon.

**11. Regulation 7 replaced**

Regulation 7 is repealed and the following regulation is inserted instead —

“

**7. Offence**

A person who contravenes a provision of these regulations commits an offence.

Penalty: a fine of \$20.

”.

**12. Part III repealed**

Part III is repealed.

**13. Appendix amended**

The Appendix is amended as follows:

- (a) by deleting the heading and inserting instead —

“

**Schedule 1 — Forms**

[r. 3 and 4]

”.

- (b) by deleting forms 3, 4 and 5.

By Command of the Governor,

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

JU302\*

Magistrates Court Act 2004

## Magistrates Court (General) Amendment Rules 2007

Made by the Magistrates Court.

### 1. Citation

These rules are the *Magistrates Court (General) Amendment Rules 2007*.

### 2. Commencement

These rules come into operation as follows:

- (a) rules 1, 2 and 3 — on the day on which these rules are published in the *Gazette* (“**Gazettal day**”);
- (b) the rest of the rules — on the day after the Gazettal day.

### 3. The rules amended

The amendments in these rules are to the *Magistrates Court (General) Rules 2005*.

### 4. Rule 8 replaced by rules 8 and 8A

Rule 8 is repealed and the following rules are inserted instead —

“

### 8. Registry at which applications commencing a case must be lodged

Except as provided in —

- (a) Parts 6 to 9; and
- (b) the *Magistrates Court (Civil Proceedings) Rules 2005* rule 96; and
- (c) the *Magistrates Court (Minor Cases Procedure) Rules 2005* rule 46,

an application that is to commence a case may be lodged at any registry.



**8A. Registry at which documents must be lodged if a case has commenced**

- (1) Except as provided in subrule (2), a document that is to be lodged in respect of a case that has been commenced must be lodged at the registry at which the case is being conducted.
- (2) An application for an order under the CPA section 138 is to be lodged at the registry of the Perth Court.

”

**5. Rule 24 amended**

- (1) Rule 24 is amended by inserting before “In” the subrule designation “(1)”.
- (2) At the end of rule 24 the following subrule is inserted —  
“
  - (2) When a registrar exercises the conferred jurisdiction, the registrar can exercise any power of the Court that could be exercised if a magistrate were exercising that jurisdiction.”

”

**6. Part 3A inserted**

After regulation 28 the following Part is inserted —

“

**Part 3A — General matters**

**28A. Title and address**

In court and in relation to court proceedings, a magistrate is entitled —

- (a) to be addressed as “Your Honour”; and
- (b) to be referred to as “His Honour” or “Her Honour”.

”

**7. Rule 46A inserted**

After rule 46 the following rule is inserted into Part 6 —

“

**46A. Applications relating to disclosure requirements (CPA s. 138)**

An application for an order under the CPA section 138 must be heard by a magistrate sitting in chambers at the Perth Court.

”

**8. Rules 51A and 51B inserted**

After rule 51 the following rules are inserted —

“

**51A. Applications under RTA s. 103(6), how to be made**

- (1) An application under the RTA section 103(6) must be made by lodging a Form 9 and any affidavit that the applicant proposes to tender at the hearing of the application.
- (2) When a form and any affidavit is lodged under this rule, 2 copies must be also be lodged.

**51B. Registries where applications may be lodged**

An application referred to in rule 51 or 51A may be lodged at any registry of the Court, even if the only registrar is a Deputy Registrar appointed under the Act section 26(5).

”.

**9. Rule 52 amended**

- (1) Rule 52(1) is amended as follows:
  - (a) by inserting after “rule 51” —  
“ or 51A ”;
  - (b) by inserting after “section 76” —  
“ or 103(6), as the case requires ”.
- (2) Rule 52(2) is amended by deleting “or 6,” and inserting instead —  
“ , 6 or 9, ”.

**10. Rule 54 amended**

Rule 54 is amended as follows:

- (a) by deleting “or”;
- (b) by inserting after “section 76(7)(a)” —  
“ or 103(6) ”.

**11. Part 9 replaced**

Part 9 is repealed and the following Part is inserted instead —

“

**Part 9 — *Criminal Investigation Act 2006* rules****56. Applications under *Criminal Investigation Act 2006* s. 151, how to be made**

- (1) An application under the *Criminal Investigation Act 2006* section 151(4) must be made by lodging a Form 10 and every seized record relating to the application.

- (2) The application must be lodged with —
  - (a) one or more affidavits that state the facts and circumstances on which it is based; and
  - (b) any records that are to be lodged with the application.
- (3) When a form and affidavits are lodged under this rule, 2 copies must be also be lodged.

**57. Registries where applications may be lodged**

- (1) In this rule —

“**non-police registry**” means a registry where there is at least one registrar who is not a Deputy Registrar appointed under the Act section 26(5).
- (2) An application under rule 56 may be lodged at the nearest non-police registry to the place where the records were seized.

**58. Registrar’s functions when application is made**

On accepting a Form 10, a registrar must —

- (a) list the application for hearing on the earliest convenient date; and
- (b) insert the hearing details on the form; and
- (c) return the 2 copies of the form and any affidavits to the applicant.

**59. Application must be served**

The applicant must serve a copy of the application and affidavits on every person entitled to possession of the records at least 5 clear days before the date listed for the hearing of the application.

”

## 12. Schedule 2 amended

After Schedule 2 Form 8 the following forms are inserted —

“

### 9. Application to set aside driving disqualification based on accumulation of points (r. 51A(1))

Road Traffic Act 1974 s. 103(6)		<b>Application to set aside driving disqualification based on accumulation of points</b>	
Magistrates Court at No:			
Applicant	Full name		
	Address		
	Date of birth		
Details of disqualification	Notice No.		
	Date served		
	Date of disqualification (s. 103(4))		
Application	Under the <i>Road Traffic Act 1974</i> s. 103(6) I apply for an order setting aside the disqualification.		
Grounds for this application <sup>1</sup>			
Signature of applicant		Date	
Hearing details	This application will be heard — on [date] at [time] or as soon after as possible, at [place]		

Note to Form 9 —

1. Specify any alleged error in the number of points, or in the computation of the number of points, recorded against you.

**10. Application for decision on whether information in seized record is privileged (r. 56)**

<i>Criminal Investigation Act 2006</i>		<b>Application for decision on whether information in seized record is privileged</b>	
Magistrates Court at No:			
Applicant	Full name		
	Address		
Person entitled to possession of the record	Full name		
	Address		
Application	The applicant applies for a decision on whether information in the seized record(s) set out below is privileged.		
Seized record(s) <sup>1</sup>			
Privilege claimed <sup>2</sup>			
Signature of applicant or lawyer	Applicant/Applicant's lawyer	Date	
Hearing details	This application will be heard — on <i>[date]</i> at <i>[time]</i> or as soon after as possible, at <i>[place]</i>		

Note to Form 10 —

1. Set out a description of the seized record or records.
2. Set out the basis or bases upon which the person entitled to possession of the record(s) claims that information in the record(s) is privileged and lodge the record(s) with this application.

”.

Dated: 23 July 2007.

STEVEN HEATH

Chief Magistrate

E. WOODS

Deputy Chief Magistrate

D. JONES

Magistrate

M. E. PONTIFEX

Magistrate

JU303\*

## Magistrates Court Act 2004

**Magistrates Court (Civil Proceedings)  
Amendment Rules 2007**

Made by the Magistrates Court.

**1. Citation**

These rules are the *Magistrates Court (Civil Proceedings) Amendment Rules 2007*.

**2. Commencement**

These rules come into operation as follows:

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

**3. The rules amended**

The amendments in these rules are to the *Magistrates Court (Civil Proceedings) Rules 2005*.

**4. Rule 4 amended**

- (1) Rule 4 is amended in the definition of “counterclaim” by deleting “, relating to the claim against the defendant,”.
- (2) Rule 4 is amended by inserting in the appropriate alphabetical position —

“

“**enforcement officer**” has the meaning given to that term in the *Civil Judgments Enforcement Act 2004* section 3;

”.

**5. Rule 85 amended**

Rule 85(a) is amended by deleting “bailiff” and inserting instead —

“ enforcement officer ”.

**6. Rule 96 replaced**

- (1) Rule 96 is repealed and the following rule is inserted instead —

“

**96. Registry at which documents must be lodged**

- (1) Except as provided in this rule, an originating claim or an application referred to in rule 124 may be lodged at any registry of the Court where there is at least one registrar who is not a Deputy Registrar appointed under the *Magistrates Court Act 2004* section 26(5).
- (2) An originating claim to recover possession of real property must be lodged at the registry of the Court referred to in subrule (1) that is nearest to the property.
- (3) An application under the *Restraining Orders Act 1997* may be lodged at any registry of the Court.
- (4) An application under the *Criminal Investigation Act 2006* section 49 or 147 must be lodged at the registry of the Court referred to in subrule (1) that is nearest to the relevant protected forensic area or the place where the relevant seized thing is secured, as the case requires.

”.

**7. Rule 103 amended**

- (1) Rule 103(1) is amended as follows:
  - (a) by deleting “a bailiff” and inserting instead —  
“ an enforcement officer ”;
  - (b) by deleting “the bailiff” and inserting instead —  
“ the enforcement officer ”.
- (2) Rule 103(3) is amended by deleting “bailiff.” and inserting instead —  
“ enforcement officer. ”.

**8. Rule 104 amended**

Rule 104(1) is amended by deleting “a bailiff,” and inserting instead —  
“ an enforcement officer, ”.

**9. Rule 124 amended**

- (1) Rule 124 is amended as follows:
  - (a) after each of paragraphs (a) to (e) by inserting —  
“ or ”;

- (b) by deleting the full stop at the end of paragraph (g) and inserting instead —

“

; or

- (h) the *Warehousemen's Liens Act 1952*.

”

- (2) After rule 124(a) the following paragraphs are inserted —

“

- (aa) the *Criminal and Found Property Disposal Act 2006*; or

- (ab) the *Criminal Investigation Act 2006* section 49(1) or 147(5); or

”

## 10. Rule 126 replaced

Rule 126 is repealed and the following rule is inserted instead —

“

### 126. Application must be served

Except as provided in the conferring Act or in rule 128B or 128C, a party making an application must serve a copy of the application and any supporting affidavit on every other party —

- (a) as soon as practicable, and in any event within one year, after it has been lodged; and
- (b) at least 5 clear days before the hearing of the application.

”

## 11. Rule 127 amended

Before rule 127(1) the following subrule is inserted —

“

- (1a) This rule does not apply in relation to an application under the *Criminal and Found Property Disposal Act 2006*, the *Criminal Investigation Act 2006* section 49(1) or 147(5) or the *Restraining Orders Act 1997*.

”

## 12. Rules 128A, 128B and 128C inserted

After rule 128 the following rules are inserted —

“

### 128A. Dealing with an application

Except as provided in the conferring Act and this Part, an application must be dealt with in the presence of the parties to the application.



**128B. *Criminal and Found Property Disposal Act 2006***

- (1) An application under the Criminal and Found Property Disposal Act 2006 must be lodged together with a supporting affidavit.
- (2) When the application and supporting affidavit are lodged, 2 copies must be also be lodged.
- (3) When the application and supporting affidavit are lodged, a Registrar must —
  - (a) list the application for hearing on the earliest convenient date; and
  - (b) insert the hearing details on the application; and
  - (c) return a copy of the application and supporting affidavit to the applicant and give a copy to every other party to the application at least 5 clear days before the date listed for the hearing of the application.

**128C. *Criminal Investigation Act 2006***

- (1) An application under the Criminal Investigation Act 2006 section 49(1) must be lodged together with a supporting affidavit and a map of the protected forensic area to which the application relates.
- (2) An application under the Criminal Investigation Act 2006 section 147(5) must be lodged together with a supporting affidavit and a map of the place where the seized thing to which the application relates has been secured.
- (3) When the application, supporting affidavit and map are lodged, 2 copies must be also be lodged.
- (4) When the application, supporting affidavit are lodged, a Registrar must —
  - (a) list the application for hearing on the earliest convenient date; and
  - (b) insert the hearing details on the application; and
  - (c) return a copy of the application, supporting affidavit and map to the applicant and give a copy to every other party to the application at least 5 clear days before the date listed for the hearing of the application.

**13. Rule 130 amended**

Rule 130(1) is repealed and the following subrule is inserted instead —

“

- (1) An application under the *Fines, Penalties and Infringement Notices Enforcement Act 1994* section 69(1) must be lodged together with a supporting affidavit.

”.

**14. Rule 135 amended**

Rule 135(2) is amended as follows:

- (a) by deleting “When” and inserting instead —  
“ Except as provided in the Act section 44, when ”;
- (b) by deleting “attend a conference or hearing,”;
- (c) in paragraph (b) by deleting “an officer of the corporation” and inserting instead —  
“ a person ”.

Dated: 23 July 2007.

STEVEN HEATH

Chief Magistrate

E. WOODS

Deputy Chief Magistrate

D. JONES

Magistrate

M. E. PONTIFEX

Magistrate

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JU304\*

## Magistrates Court Act 2004

**Magistrates Court (Minor Cases Procedure)  
Amendment Rules 2007**

Made by Magistrates Court.

**1. Citation**

These rules are the *Magistrates Court (Minor Cases Procedure) Amendment Rules 2007*.

**2. Commencement**

These rules come into operation as follows:

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

**3. The rules amended**

The amendments in these rules are to the *Magistrates Court (Minor Cases Procedure) Rules 2005*.

**4. Rule 4 amended**

Rule 4 is amended by inserting in the appropriate alphabetical positions —

“

“**enforcement officer**” has the meaning given to that term in the *Civil Judgments Enforcement Act 2004* section 3;

“**order**” includes a direction;

”

**5. Rule 46 replaced**

Rule 46 is repealed and the following rule is inserted instead —

“

**46. Where you may lodge a claim that starts a case**

You may lodge a claim that starts a case at any registry of the Court except a registry of the Court where the only registrar is a member of the Police Force who has been appointed a Deputy Registrar under the *Magistrates Court Act 2004* section 26(5).

”

**6. Rule 52 amended**

- (1) Rule 52(1) is amended by deleting “a bailiff” in both places where it occurs and inserting instead —

“ an enforcement officer ”.

- (2) Rule 52(3) is amended by deleting “bailiff.” and inserting instead —

“ enforcement officer. ”.

**7. Rule 53 amended**

Rule 53(1) is amended by deleting “a bailiff” and inserting instead —

“ an enforcement officer ”.

**8. Rule 79 amended**

Rule 79(1) is amended as follows:

- (a) by deleting “When” and inserting instead —  
“ Except as provided in the Act section 30, when ”;
- (b) by deleting “attend a conference or hearing,”;
- (c) in paragraph (b) by deleting “an officer of the corporation” and inserting instead —  
“ a person ”.

Dated: 23 July 2007.

STEVEN HEATH

Chief Magistrate

E. WOODS

Deputy Chief Magistrate

D. JONES

Magistrate

M. E. PONTIFEX

Magistrate

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## — PART 2 —

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### CONSUMER AND EMPLOYMENT PROTECTION

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CE401

**COMPANIES (CO-OPERATIVE) ACT 1943**  
COMPANY STRUCK OFF THE REGISTER

Notice is hereby given that the following company has been struck off the register in accordance with s.296(5) of the Act and is hereby dissolved—

Bindoon Chittering Growers Co-operative Ltd

Dated this 16th day of August 2007.

WILL MORGAN, (for the Registrar for Consumer Protection).

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### EDUCATION

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ED401\*

**UNIVERSITY OF WESTERN AUSTRALIA ACT 1911**  
AMENDING STATUTE

It is hereby notified that the Lieutenant-Governor and deputy of the Governor in Executive Council, acting under the provisions of Section 33 of the *University of Western Australia Act 1911*, has approved Amending Statute No. 1 of 2007 as set out in the attached schedule.

MARK McGOWAN MLA, Minister for Education and Training.

**UNIVERSITY OF WESTERN AUSTRALIA ACT 1911**  
AMENDING STATUTE

Office of the Minister for Education,  
Perth 2007.

His Excellency the Governor in Executive Council, acting pursuant to the provisions of Section 33 of the *University of Western Australia Act 1911*, has been pleased to approve the Statute made by the Senate of The University of Western Australia which is set out in the schedule hereunder.

MARK McGOWAN MLA, Minister for Education and Training.

*Schedule*

AMENDING STATUTE NO.1 OF 2007

**1. STATUTE 1—THE SENATE**

Existing clauses 1 to 7 are amended to read as follows—

1. (1) The Senate must schedule at least six ordinary meetings each year, the dates for which must be determined in the previous year.
- (2) The Senate has power to adjourn a meeting to a date that is before the next scheduled meeting date.
- (3) If the Chancellor is satisfied that there is insufficient business for an ordinary meeting of the Senate, the meeting may be cancelled.
- (4) At least five days' notice of cancellation of a meeting must be given.
2. The Chancellor or, in the absence of the Chancellor, the Pro-Chancellor, has power to call a special meeting of the Senate to consider business which either may wish to submit.
3. If four or more members of the Senate submit a written request for a meeting of the Senate, including information about the proposed purpose of the meeting, the Chancellor or Pro-Chancellor, or, in their absence, the Registrar, must convene a special meeting of the Senate within 14 days after the receipt of the request.

4. (1) The Registrar must provide each member of the Senate with a notice of all matters to be considered at the next meeting, whether ordinary or special.
- (2) The notice must be delivered or transmitted at least five days before the day of the meeting, except in a case of special urgency, when two days' notice is sufficient.
5. If a quorum of the Senate is not present within 15 minutes after the time appointed for a meeting, whether ordinary or special, all business which should have been transacted at the meeting must be either deferred until the next ordinary meeting, at which it must take precedence, or be dealt with by circulation in accordance with the Standing Orders of the Senate.
6. The proceedings of all Senate meetings must be minuted and the minutes retained.
7. The minutes of each meeting of the Senate must be circulated to members within a reasonable period following the meeting and confirmed or amended by resolution of the Senate at the following meeting.

## 2. STATUTE 12—METHOD OF ELECTION BY CONVOCATION OF PERSONS TO BE MEMBERS OF THE SENATE

Existing clause 1 to 24 are amended to read as follows—

1. In this Statute—

‘Warden’ means the Warden of Convocation or, in his or her absence, the Deputy Warden or, in the absence of the Deputy Warden, a person appointed by the Chancellor;

‘Convocation Officer’ means the Convocation Officer or, in his or her absence, a Returning Officer appointed by the Warden.

2. In every year in which a vacancy occurs, other than a vacancy referred to in Clause 3, the election of members of the Senate must be held on the second Tuesday of March or on such later date in that month as the Senate may appoint.
3. In the event of the office of a member of the Senate elected by Convocation becoming vacant by death or resignation or otherwise before the expiration of the full term, the Senate, at its first meeting after the vacancy occurs, must fix a day for the election of a successor.
4. At least 60 days' notice of any election must be given by advertisement in the University's internal newspaper and in at least one daily or weekly newspaper published in Perth.
5. (1) Nominations of candidates must reach the Warden no later than 42 days before the date fixed for the election.
- (2) Each nomination must be in writing signed by the nominee and two persons eligible to vote in the election as proposer and seconder.
6. Persons are not eligible for election who—
  - (a) are not of the full age of 21 years;
  - (b) are undischarged bankrupts;
  - (c) are insolvents under administration;
  - (d) have been convicted of an offence and sentenced to imprisonment, unless they have received a free pardon or have undergone the sentence passed upon them;
  - (e) are of unsound mind or are persons whose person or estate is liable to be dealt with in any way under the law relating to mental health;
  - (f) are not members of Convocation;
  - (g) have an ongoing or fixed term appointment as a staff member of the University; or
  - (h) are enrolled in an award course of the University.
7. On the expiration of the time for receiving nominations, the Warden must arrange for the names of the nominees and the fact of their candidature to be advertised in the University's internal newspaper and in at least one daily or weekly newspaper in Perth.
8. (1) If the number of candidates is equal to the number of vacancies, the Warden must report the fact to the Chancellor, who then declares the candidate or candidates duly elected.
- (2) If there are more candidates than vacancies, the election must be by ballot of the members of Convocation.
9. (1) If a ballot is necessary for the election of members of the Senate, the Convocation Officer must, not later than 28 days after the latest day for receiving nominations, post with the notice of the First Ordinary Meeting of Convocation, sent in accordance with the provisions of sub-clause 18(2) of Statute No. 9—
  - (a) a voting paper;
  - (b) an envelope that is marked ‘Voting Paper—Election of Senate Member’; and
  - (c) a reply paid envelope on which is written or printed the address of the Convocation Officer and the words ‘Convocation—Election of Senate Member’ and on the back of which is printed a form of declaration as set out below.

I declare I am a member of the Convocation of The University of Western Australia and that I have not previously voted at this election.

Signature .....

Full name (Block letters) .....

(2) In the event that the office of a member of the Senate elected by Convocation becomes vacant from any cause whatsoever except termination of office by effluxion of time and a ballot is necessary, the Convocation Officer must, not later than 28 days after the latest day for receiving nominations, post to each member of Convocation whose name and address is entered in the Postal List in accordance with the provisions of sub-clause 6(1) of Statute No. 9—

- (a) a voting paper;
- (b) an envelope that is marked 'Voting Paper—Election of Senate Member'; and
- (c) a reply paid envelope on the back of which is printed a form of declaration as set out in sub-clause (1)(c) and on which is written or printed the address of the Convocation Officer and the words 'Convocation—Election of Senate Member'.

10. The ballot must be taken on the day appointed for the election at the University or such other place as the Senate may determine, of which due notice must have been given, and must close at 5 p.m. on the day appointed.

11. (1) The ballot is conducted by the Convocation Officer assisted by scrutineers appointed by the Warden.

(2) Each candidate is entitled to nominate one scrutineer to be present at the ballot.

12. (1) Each voting paper must list the names of all candidates who have been duly nominated, the order in which the names appear on the voting paper having been determined by the Warden by lot, and no voting paper or declaration other than that officially issued as specified above is accepted.

(2) Upon being satisfied that a voting paper or either or both envelopes have been accidentally lost or destroyed, the Convocation Officer must, on application being made, supply another voting paper or envelope, or both, as applicable.

13. (1) A voter must indicate on the voting paper the order of his or her preference by placing numbers consecutively, starting with the number '1' opposite the name of his or her first preference and may continue numbering second and later preferences.

(2) A voting paper will be considered valid up to the point where a sequential numeral is omitted or duplicated.

(3) A voting paper is considered invalid if—

- (a) when it is received by the Convocation Officer it is not contained in sealed envelopes with a signed declaration in the form specified in Clause 9; or
- (b) it bears the signature of any person or any other mark which identifies the voter.

14. (1) Each voter must—

- (a) place his or her voting paper without any other matter in the envelope provided for that purpose by the Convocation Officer;
- (b) seal the envelope and place it in the envelope addressed to the Convocation Officer;
- (c) sign the declaration on the envelope addressed to the Convocation Officer; and
- (d) post or deliver the envelope to the Convocation Officer.

(2) All voting papers received by the Convocation Officer by 5 p.m. on the day of the election must, if otherwise valid, be counted at the scrutiny.

15. Except as provided in Clause 14, a member of Convocation must not, before or after marking the voting paper, transfer or part with it or with the envelope on which the declaration is endorsed to, or permit it to be used by, any other person.

16. (1) The Convocation Officer must, at a time or times determined by the Convocation Officer—

- (a) open or cause to be opened each envelope in respect of which the declaration has been signed;
- (b) check or cause to be checked the names appearing on the declarations with the Postal List of members of Convocation;
- (c) open each envelope marked 'Voting Paper—Election of Senate Member' and place it or cause it to be placed in a sealed ballot box;

provided that, if there is any dispute as to the genuineness of any signature, the Warden must examine the disputed signature and determine conclusively whether or not it is genuine.

(2) At the expiration of the time allotted for the ballot, the Convocation Officer and the scrutineers proceed to the examination of the voting papers.

17. If, on the report of the Convocation Officer or of a scrutineer, the Warden is of the opinion that any voting paper is substantially defective, it must not be used in the election.

18. The distribution of votes cast in the ballot must be carried out by the method described in the appendix to Statute 25.

19. The Warden, subject to the provisions of this Statute, determines conclusively all questions of detail concerning the election.

20. The Warden must report the result of the election to the Chancellor, who then declares the candidate or candidates who have been found to be preferred by the electors, duly elected a member or members of the Senate.

21. When the count of the votes has been completed the Convocation Officer must immediately place them in a sealed container and hold them for 14 days at the expiration of which time the Convocation Officer must destroy them unless otherwise directed by the Chancellor.

22. The Convocation Officer must prepare a list of all persons entitled to vote completed to the last day for receiving nominations for any election.

23. All voting papers and envelopes relating to the election by members of Convocation of members of the Senate that are addressed to members at places that do not have a regular surface mail which would normally be received by the addressee within 14 days of posting must, if there is an airmail service available, be forwarded to the addressee by airmail.

24. (1) A person seeking election may deliver, with the nomination referred to in Clause 5, a biography not exceeding 250 words in length, containing all or any of the following particulars of that person—

- (a) degree or degrees, date of graduation and other professional qualifications;
- (b) profession or position;
- (c) details of work on bodies connected or associated with the University;
- (d) prizes won, publications issued and research done;
- (e) service whether in war or peace to the community or any section of it and positions held in connection with that service;
- (f) such other particulars as the candidate may consider appropriate.

(2) If an election is required, the biography of each candidate for election must be submitted to the Vice-Chancellor and the Warden (unless the Warden is seeking election), who may delete any matter which they or he or she (as the case may be) consider to be offensive or untrue.

(3) Before exercising the power to delete any matter from a biography the Vice-Chancellor or Warden must, if possible, consult the candidate concerned.

(4) A copy of the approved biography of each person seeking election showing his or her name and address and the names of the proposer and seconder referred to in Clause 5(2) must be posted with the ballot papers.

## 2. STATUTE 14—GRANTING AND CONFERRING OF DEGREES AND DIPLOMAS

The title of the Statute is amended to “Granting and Conferring of Degrees, Diplomas and Certificates”.

Existing clauses 1 to 8 are amended to read as follows—

1. The degrees, diplomas and certificates of the University may be conferred at a University ceremony or at a meeting of the Senate or in such other ways as the Senate determines.

2. (1) The Chancellor may confer degrees, diplomas and certificates on behalf of the Senate.

(2) In the absence of the Chancellor, degrees, diplomas and certificates may be conferred by the Pro-Chancellor and, in the absence of both the Chancellor and Pro-Chancellor, by the Vice-Chancellor.

3. The procedure for the presentation of candidates and for the conferring of degrees, diplomas and certificates is as prescribed by the Senate.

4. (1) Subject to (2) and (3), before a degree, diploma or certificate is conferred, the candidate must sign the following declaration—

I hereby promise that I will maintain the rights and privileges of The University of Western Australia, and that I will endeavour at all times to uphold its dignity.

(2) A degree may be conferred posthumously.

(3) Recipients of honorary degrees are exempt from the requirement in (1).

5. (1) A Register of Graduates, containing the name and address of every person to whom a degree, diploma or certificate has been granted and particulars of each such degree, diploma or certificate, must be maintained by the Registrar.

(2) The Register must not be altered or amended unless—

(a) the degree, diploma or certificate has been revoked in accordance with Clause 6; or

(b) the Senate directs that—

(i) some further qualification be added to the particulars of a pass degree upgrading it to an honours degree; or

(ii) some manifest error or omission be corrected.

(3) No person is considered to hold a degree, diploma or certificate of the University unless their name and the degree, diploma or certificate are recorded in the Register.

6. (1) The Senate may revoke a degree, diploma or certificate which has been granted to a person if the person is convicted of a serious offence in any part of the world, or the name of the person has, in any part of the world, been removed by a properly constituted authority from an official register or roll of members of the profession to which he or she belongs.

(2) When a degree, diploma or certificate of the University is revoked in accordance with (1), the name of the person must be removed from the Register of Graduates.

(3) The Senate may, at a later time, if good cause is shown, restore to a person a degree, diploma or certificate which has been revoked, and, in such cases, the person's name must be restored to the Register of Graduates.

7. (1) The Senate, on the recommendation of the Honorary Degrees Committee, may confer an honorary degree on any person for distinguished service or attainments.

(2) The Honorary Degrees Committee is a standing committee of the Senate and comprises—

(a) the Chancellor;

(b) the Pro-Chancellor;



- (c) the Vice-Chancellor,
- (d) the Chair of the Academic Board;
- (e) two other members of the Senate; and
- (f) two members nominated by the Academic Board.

(3) The committee must act in accordance with the procedure set out in Clause 8.

8. (1) A nomination of a candidate for the award of an honorary degree may be made by any member of the Senate or the Academic Board.

(2) Only nominations submitted in writing to the Registrar and stating the grounds on which the candidate is nominated are considered.

(3) Unless the committee otherwise determines, nominations must be submitted by the first Monday in October each year.

(4) A member of the committee who has nominated a candidate for the award of an honorary degree must not take part in the deliberations or in the decision of the committee on that candidate.

(5) When the grounds of nomination of a candidate include the person's academic eminence, the dean of the appropriate faculty must be consulted prior to the committee's recommendation being considered by the Senate.

(6) A person nominated for the award of an honorary degree must not be consulted beforehand and any resolution of the committee recommending the award is in the form of an offer of the award.

(7) When the committee recommends that a person be offered the award of an honorary degree, the Chancellor must make a report to that effect to the Senate and move the adoption of the recommendation from the Chair, no reference being made to those who are not so recommended.

(8) Unless the Senate otherwise determines, honorary degrees are conferred only at graduation ceremonies.

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The Common Seal of The University of Western Australia was hereto affixed by authority of the Senate.

Attested by—

ALAN ROBSON, Vice-Chancellor.

By Command of the Lieutenant-Governor and deputy of the Governor,

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

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## ELECTORAL COMMISSION

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EC401\*

**MARKETING OF POTATOES ACT 1946**  
ELECTION OF OFFICERS PURSUANT TO SECTION 8  
Election Notice

Potato Marketing Corporation of Western Australia.

Nominations are called from eligible candidates for the election of—

Elective Member (1)

Nominations will be accepted from Friday 31 August 2007.

Nomination forms are to be completed in accordance with the *Marketing of Potatoes Regulations 1987* and must reach me no later than 12.00 noon on Friday 14 September 2007. Should an election be necessary, voting will close at 4.00 pm on Friday 26 October 2007.

Note: Nomination forms shall be signed by the candidate, a proposer and seconder, all of whom shall be persons enrolled on the Potato Marketing Corporation of Western Australia electoral roll.

**How to lodge nominations**

- By Hand: Western Australian Electoral Commission  
Level 2, 111 St Georges Terrace  
PERTH WA 6000
- By Post: GPO Box F316  
PERTH WA 6841
- By Fax: 9226 0577

Nomination forms are available either from the Potato Marketing Corporation of Western Australia office or from me at the Western Australian Electoral Commission. Originals of faxed nominations must be mailed or hand-delivered to the Returning Officer.

ALL MEMBERS! Have you changed your address?

If so, please advise the Potato Marketing Corporation of Western Australia of your new address.

CATHY KING, Returning Officer.

Phone: 13 63 06

Email: [waec@waec.wa.gov.au](mailto:waec@waec.wa.gov.au)

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## HERITAGE

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HR401\*

### HERITAGE OF WESTERN AUSTRALIA ACT 1990

#### PROPOSED CONSERVATION ORDER

The Heritage Council of Western Australia gives notice that it is proposed that a Conservation Order be made in relation to the place known as the South Fremantle Power Station located on Robb Street, Coogee, pursuant to section 59(1) of the *Heritage of Western Australia Act 1990*.

A copy of a drawing indicating the area of land of interest to the Heritage Council is available by calling the Council on (08) 9221 4177 during normal business hours.

Submissions in relation to the proposed Conservation Order, the substantial terms of which are set out in Schedule 1, are invited from persons generally. Submissions must be in writing and must be forwarded to the following address—

The Director, Heritage Council of Western Australia  
108 Adelaide Terrace, East Perth, WA 6004.

Submissions must be received by 4.00 pm on Monday 3 September 2007.

IAN BAXTER, Director,  
Heritage Council of Western Australia.

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#### Schedule 1—PROPOSED CONSERVATION ORDER

### HERITAGE OF WESTERN AUSTRALIA ACT 1990

#### Part 6—Enforcement

#### Section 59

#### CONSERVATION ORDER

South Fremantle Power Station  
Robb Street, Coogee

Whereas in my opinion it is necessary and desirable to provide special protection in respect of that parcel of land comprising a portion of Lot 1 on Plan 17373 being part of the land contained in Certificate of Title Volume 1878 Folio 135; Lot 2 on Diagram 17373 being the whole of the land contained in Certificate of Title Volume 1878 Folio 136 and Lot 3 on Diagram 17373 being the whole of the land contained in Certificate of Title Volume 1878 Folio 137; portion of Lot 2161 on Deposited Plan 35641 and being part of the land contained in Crown Lease J012739 and part of the land contained in Crown Land Title Volume 3130 Folio 821; and Lot 2167 on Deposited Plan 37890 being Reserve 43701 and the whole of the land contained in Crown Land Title Volume 3131 Folio 896; together as comprised in Heritage Council of Western Australia Survey Drawing No. 3381 prepared by Whelans Town Planning Consultants, and being more particularly the land and building situated on Robb Street, Coogee, and known specifically as the South Fremantle Power Station (“the place”) and by reason of the likelihood of imminent damage to the place a specific prohibition is urgently necessary now pursuant to section 59(1) of the *Heritage of Western Australia Act 1990*, I, The Hon. Michelle Roberts, MLA, Minister for Employment Protection; Housing and Works; Indigenous Affairs; Heritage; Land Information, administering the *Heritage of Western Australia Act 1990*, hereby prohibit, except with my authority—

- (a) the demolition, damage or alteration of the place or any portion of the place, or any building or structure on the place; and
- (b) the carrying out of any activity that may detrimentally affect the cultural heritage characteristics of the place.

MICHELLE ROBERTS MLA, Minister for Employment Protection;  
Housing and Works; Indigenous Affairs;  
Heritage; Land Information.

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**JUSTICE**


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JU401

**SUPREME COURT ACT 1935****RULE OF COURT 2008****Sittings and Winter Vacation for 2008**

Pursuant to the powers conferred by the Supreme Court Act 1935, and all other powers hereunto enabling, the Judges of the Supreme Court hereby order as follows—

**PERTH CIVIL SITTINGS**

1. Civil sittings of the Supreme Court at Perth for the trial of causes and issues of fact during the year 2008 shall commence on Tuesday 15 January and shall continue, except for the Easter and Winter Vacations and for Public holidays, until Wednesday 24 December.

**PERTH CRIMINAL SITTINGS**

2. Criminal sittings of the Supreme Court to be held at Perth during the year 2008 shall commence on the following days—

Tuesday	15 January
Friday	1 February
Tuesday	4 March
Tuesday	1 April
Thursday	1 May
Tuesday	3 June
Monday	21 July
Friday	1 August
Monday	1 September
Wednesday	1 October
Monday	3 November
Monday	1 December

**WINTER VACATION**

3. The winter vacation for 2008 shall commence on Monday 7 July and shall terminate on Sunday 20 July.

Dated the 2nd day of August 2007.

W. S. MARTIN.  
 M. J. MURRAY.  
 C. D. STEYTLER.  
 A. J. TEMPLEMAN.  
 C. WHEELER.  
 G. MILLER.  
 JOHN McKECHNIE.  
 C. J. McCLURE.  
 C. PULLIN.  
 ERIC M. HEENAN.  
 N. JOHNSON.  
 R. LE MIERE.  
 CAROLYN JENKINS.  
 RALPH SIMMONDS.  
 P. D. BLAXELL.  
 MICHAEL J. BUSS.  
 ANDREW BEECH.  
 D. NEWNES.

**CIRCUIT SITTINGS FOR 2008**

Pursuant to section 46 of the Supreme Court Act 1935, I hereby appoint the following sittings of the Supreme Court at circuit towns for the year 2008.

CIRCUIT TOWN	DATE OF COMMENCEMENT
Albany	4 February
	5 May
	4 August
	17 November
Bunbury	4 February
	7 April
	21 July
	3 November

Busselton	11 February 12 May 11 August 10 November
Esperance	11 February 12 May 18 August 3 November
Fremantle	4 February 19 May 25 August 10 November
Kalgoorlie	10 March 5 May 4 August 27 October 15 December
Rockingham	10 March 12 May 11 August 3 November
Carnarvon )	4 February
Geraldton )	7 April
Karratha )	9 June
South Hedland)	4 August
Broome )	6 October
Derby )	1 December
Kununurra )	

Dated the 18th day of July 2007.

W. S. MARTIN, Chief Justice of Western Australia.

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## LOCAL GOVERNMENT

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LG401\*

*CITY OF BELMONT*

APPOINTMENT OF AUTHORISED PERSON

It is hereby notified for public information that Matthew Robinson and Craig Bell have been appointed Authorised Officers for the City of Belmont, effective from 1 January 2007, and are officers authorised to exercise the powers in accordance with the following Acts, Regulations and Local Laws—

- Local Government Act 1995
- Control of Vehicles (Off Road Areas) Act 1978 and Regulations
- Litter Act 1979 and Regulations
- Dog Act 1976 (as amended) and Regulations
- Local Government “Parking for Disabled Persons” Regulations 1996
- City of Belmont Local Laws Relating to Parking Facilities
- City of Belmont Local Laws Relating to Dogs
- All other Council Local Laws or Regulations administered or enforced by the City of Belmont

The following appointment is hereby cancelled—

- Graham Wilson

SHAYNE SILCOX, Chief Executive Officer.

LG402\*

**BUSH FIRES ACT 1954***City of Belmont*

## APPOINTMENTS

It is hereby notified for public information that in accordance with Section 38 of the Act, the Council of the City of Belmont have appointed the following Officers—

Chief Fire Control Officer	Alexander Butcher
Deputy Chief Fire Control Officer	Jozef Zygadlo
Fire Control Officers	Mark Stolp
	Matthew Robinson
Fire Weather Officer	Alexander Butcher

All previous appointments are hereby cancelled.

SHAYNE SILCOX, Chief Executive Officer.

LG403\*

*SHIRE OF MURRAY*

## APPOINTMENT OF RANGER

It is hereby notified for public information that effective from August 20, 2007 Sheryl Ann Thomason has been appointed to the position of Ranger for the Shire of Murray and is authorised to enforce and administer the following Acts and any Local Laws that operate with the district, as a authorised person or authorised officer—

- Part XX of the Local Government (Miscellaneous Provisions) Act 1960;
- Section 449 of the Local Government (Miscellaneous Provisions) Act, as Pound Keeper and Ranger;
- Part 9 Division 2 of the Local Government Act 1995;
- Section 9.13, 9.15 of the Local Government Act 1995;
- Part 3 Subdivision 4 of the Local Government Act 1995;
- Section 3.39 of the Local Government Act 1995;
- Dog Act 1976 for the purposes of registering, seizing, impounding, detaining and destroying dogs;
- Section 33E(1) Dog Act;
- Caravan Parks and Camping Grounds Act 1995;
- Litter Act 1979; and
- as a Fire Control Officer under Section 38 of the Bush Fires Act, 1954

The appointment of Rodney de San Miguel as a Ranger/Fire Control Officer for the Shire of Murray is hereby cancelled.

DEAN UNSWORTH, Chief Executive Officer.

LG404\*

**LOCAL GOVERNMENT ACT 1995***Shire of Mundaring*

(BASIS OF RATES)

Department of Local Government  
and Regional Development.

DLGRD: MG5-4#03

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Director General of the Department of Local Government and Regional Development under delegation from the Hon Jon Ford MLC, the then Minister for Local Government and Regional Development being charged for the time being, with the administration of the *Local Government Act 1995*, has determined that the method of valuing the land described in the schedule hereunder shall be gross rental value for the purposes of rating with effect from 18 May 2006.

CHERYL GWILLIAM, Director General.

SCHEDULE  
ADDITIONS TO GROSS RENTAL VALUE AREA  
SHIRE OF MUNDARING

All those portions of land being Lots 1 to 5 inclusive as shown on Deposited Plan 51317; Lots 6 to 12 inclusive and Lots 16 to 28 inclusive as shown on Deposited Plan 52767 and Lots 13 to 15 inclusive and Lots 29 to 35 inclusive as shown on Deposited Plan 52770.

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## MINERALS AND PETROLEUM

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**MP101\***

*CORRECTION*  
**PETROLEUM (SUBMERGED LANDS) ACT 1967**  
INVITATION FOR APPLICATION FOR EXPLORATION PERMITS  
(2007 Offshore Acreage Release—West Australian Adjacent Areas)

The notice at pages 4085 to 4087 published in the *Government Gazette*, WA, 10 August 2007, is corrected as follows—

Applications for Areas **W06-19** and **W06-20** will be received up until 4:00 pm on Thursday, 18 October 2007.

W. L. TINAPPLE, Director Petroleum Division.

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**MP401\***

**PETROLEUM PIPELINES ACT 1969**  
VARIATION OF PIPELINE LICENCE

Pipeline Licence PL 24 held by, Alinta DEWAP Pty Ltd, Southern Cross Pipelines Australia Pty Limited and Southern Cross Pipelines (NPL) Australia Pty Limited has been varied by instrument of Variation 5P/06-76, to design, construction and operation of 2 offtake facilities for the Cosmos and Jaguar Mines.

Date: 17 August 2007.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

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**MP402\***

**PETROLEUM PIPELINES ACT 1969**  
VARIATION OF PIPELINE LICENCE

Pipeline Licence PL 40 held by, DBNGP (WA) Nominees Pty Ltd has been varied by instrument of Variation 1P/07-8, to authorise the Licensee to design, construct, and operate an additional aftercooler and associated infrastructure within the Dampier facility compound.

Date: 16 August 2007.

W. L. TINAPPLE, Director Petroleum and Royalties Division.

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**MP403\***

**MINING ACT 1978**  
INTENTION TO FORFEIT

Department of Industry and Resources,  
PERTH WA 6000.

In accordance with Regulation 50(b) of the Mining Regulations 1981, notice is hereby given that unless the royalties due on the under mentioned lease is paid on or before 19 September 2007 it is the intention of the Minister for Resources pursuant to the provisions of section 97(1) of the *Mining Act 1978* to forfeit such for breach covenant, viz, non-payment of royalties.

JIM LIMERICK, Director General.

Number	Holder	Mining Lease	Mineral Field
70/741	ADE Environmental Pty Ltd		South West

**MP404\***

**MINING ACT 1978  
FORFEITURE**

Department of Industry and Resources,  
PERTH WA 6000.

I hereby declare in accordance with the provisions of section 96A(1) of the *Mining Act 1978* that the undermentioned mining tenements are forfeited for breach of covenant viz; non payment of rent.

FRANCIS LOGAN MLA, Minister for Resources.

Number	Holder	Exploration Licence	Mineral Field
04/1447	Ascidian Prospecting Pty Ltd		West Kimberley

**MP405\***

**MINING ACT 1978  
FORFEITURE**

Department of Industry and Resources,  
PERTH WA 6000.

I hereby declare in accordance with the provisions of section 96A(1) of the *Mining Act 1978* that the undermentioned mining tenement is forfeited for breach of covenant viz; non payment of rent.

FRANCIS LOGAN MLA, Minister for Resources.

Number	Holder	Exploration Licence	Mineral Field
70/2536	Fieldpark Corporation Pty Ltd		South West

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## **PLANNING AND INFRASTRUCTURE**

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**PI401\***

**PLANNING AND DEVELOPMENT ACT 2005  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Carnarvon*  
Town Planning Scheme No. 10—Amendment No. 45**

Ref: 853/10/2/12 Pt 45

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 Carnarvon local planning scheme amendment on 22 May 2007 for the purpose of—

1. Rezoning that portion of Carnarvon Lot 1236 David Brand Drive, Brockman to be excavated for a new waterway and supporting waterfront lots from 'Residential' Zone coded R20 to 'Fascine Waterway Development' Zone.
2. Rezoning portion of Carnarvon Lot 1236 David Brand Drive, Brockman from 'Fascine Waterway Development' Zone to 'Residential' Zone coded R20 as depicted on the Amendment Map.

3. Recoding portion of the Residential Zone from 'R20' to 'R40' to reflect the location and boundaries of the newly created R40 housing sites comprising portion of Lot 1236 and portion of Lot 2 David Brand Drive, Brockman, as depicted on the Amendment Map.

D. J. MASLEN, Shire President.  
G. WILKS, Chief Executive Officer.

**PI402\***

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

*Town of Kwinana*

Town Planning Scheme No.2—Amendment No.92

Ref 853/2/26/3 Pt 92

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005*, that the Minister for Planning and Infrastructure approved the Town of Kwinana local planning scheme amendment on 26 July 2007 for the purpose of—

1. Rezoning Lot M555 Gilmore Avenue, Medina from "Special Use—School" to "Residential".
2. Rezoning Lot M554 Gilmore Avenue, Medina from "Special Use—Pre-Primary" to "Residential R30".
3. Deleting Lots 554 & 555 Gilmore Avenue, Medina from the Special Uses Table in the Third Schedule of the Scheme;
4. Amending the Scheme Map to amend the zoning and mark the boundaries of Development Area No.3—Lot 555 Gilmore Avenue, Medina as "DA3";
5. Modifying the Fourth Schedule of the Scheme Text to add 'Development Area No. 3' and associated Special Provisions as follows—

Area, Number & Locality	Special Provisions
3. Lot 555 Gilmore Avenue, Medina	<ol style="list-style-type: none"> <li>1. The Council, in considering any application for development or making recommendations to the Commission on applications for the subdivision of land, shall have regard to a Local Structure Plan which has been prepared and adopted in accordance with the provisions of Clause 4.18.2.4 &amp; Clause 4.18.2.5 of the Scheme.</li> <li>2. The Structure Plan shall conform with Network City and Liveable Neighbourhoods Design Code requirements, and a maximum residential density of R40.</li> <li>3. Prior to subdivision and/or development, Council shall require the preparation of a Detailed Area Plan (DAP) by the developers in accordance with Clause 4.18.2.7 of the Scheme.</li> <li>4. Subdivision and/or development is to ensure advanced landscaping/vegetation is installed on site to conform with the surrounding streetscape.</li> <li>5. Council may vary the provisions of the Residential Design Codes and any other Scheme provisions, where in the opinion of Council, the variation promotes Liveable Neighbourhood design and is in accordance with the approved DAP.</li> </ol>

C. E. ADAMS, Mayor.  
N. P. HARTLEY, Chief Executive Officer.

**PI403\***

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

*City of Albany*

Town Planning Scheme No. 3—Amendment No. 256

Ref: 853/5/4/5 Pt 256

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning and Infrastructure approved the City of Albany local planning scheme amendment on 26 July 2007 for the purpose of amending Table II—Shopping



Centre within Clause 5.26(b) for the Oyster Harbour II Centre from 600m<sup>2</sup> to 4,385m<sup>2</sup> as shown below—

Centre Name	Description of Land	Zone	Maximum Net Lettable Area
Oyster Harbour II	Lot 508, Bayonet Head Road, Bayonet Head	Local Shopping	4,385m <sup>2</sup>

A. E. GOODE, Mayor.  
A. C. HAMMOND, Chief Executive Officer.

**PI404\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Busselton*  
Town Planning Scheme No. 20—Amendment No. 98

Ref: 853/6/621 Pt 98

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 Busselton local planning scheme amendment on 31 July 2007 for the purpose of—

1. Deleting the “Additional Use (No 7)” provision over portion of portion of Portion Lot 15 Quedjinup Drive/Bronzewing Road, Quedjinup as shown on the Scheme Maps.
2. Amending Schedule 4 in respect to Additional Use (No 7) as follows—

No.	Particulars of Land	Land Use Permitted/Specified	Conditions
7	Portion Lot 15 Quedjinup Drive, (being proposed Lots 4, 5, 6 and 7 on DGP 0506.026 Rev 4, dated 1 May 2007), Lots 108, 109, 110 and 111 Bina Place and Lot 66 Buckingham Road, Quedjinup.	Tourist Development The Additional Uses permitted on the specified land are— 1. Chalet & Holiday Cabins 2. Guesthouse 3. Restaurant 4. Public Amusement 5. Private Recreation 6. Art & Craft Studio 7. Workshop & Sales 8. Boutique Brewery 9. Winery 10. Museum 11. Club	1. The additional uses specified shall be deemed to be “AA” uses for the purpose of Clause 21 of the Scheme. 2. Chalet Development within Proposed Lot 6 is to be limited to a maximum of 10. 3. Chalet Development within Proposed Lots 5 and 7 is limited to a maximum of 4 per lot. 4. Chalet Development within Proposed Lot 4 is not permitted. 5. Development, other than a single dwelling and ancillary development within Proposed Lots 4, 5, and 7 is limited to only one of the permitted/specified landuses. 6. Boutique Brewery and Winery are not permitted from within Proposed lots 4, 5, 6 and 7.

BEV CLARKE, Shire President.  
ANDREW MACNISH, Chief Executive Officer.

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## RACING, GAMING AND LIQUOR

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**RG401\***

**LIQUOR CONTROL ACT 1988**  
LIQUOR APPLICATIONS

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

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

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
12022	Morris Corporation (WA) Pty Ltd	Application for the grant of a Special Facility—Canteen licence in respect of premises situated in Pilbara and known as Rail Line Camp LC25	26/08/2007
11778	Cityteam Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Floreat and known as Shimuzu Grand	25/09/2007
12008	Perth Institute Western Australia Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in East Perth and known as East End Cafe	20/09/2007
<b>APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
30565	Jebeca Pty Ltd and Ernston Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Perth and known as the Forrest Centre Tavern and Reception Centre	04/09/2007

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

B. A. SARGEANT, Director of Liquor Licensing.

22 August 2007.

## WATER/SEWERAGE

WA401\*

### WATER BOARDS ACT 1904

#### BUNBURY WATER BOARD

#### Memorandum of Imposing Rates

At the Special Meeting of the Bunbury Water Board held on June 22, 2007 it was resolved that the following Rates and Charges should be imposed on all rateable properties within the District of the Bunbury Water Board in accordance with the *Water Boards Act 1904* for the 2007/2008 financial year.

#### 1. Residential Properties

- (a) An annual Supply Fee of \$97.00 will apply to all residential properties.
- (b) The charge (per kl) for water consumed at residential zoned properties to be—
 

First 150 kl	\$0.41
Next 200 kl	\$0.74
Next 150 kl	\$1.07
Next 200 kl	\$1.41
Next 300 kl	\$1.69
Over 1,000 kl	\$2.47
- (c) Registered pensioners to receive 50% rebate of the total amount of water rates payable and 50% rebate of the amount payable for water consumption up to 350 kl.
- (d) Registered Seniors who also hold the Commonwealth Seniors Health card to receive 50% rates rebate and 50% rebate of the amount payable for water consumption up to 150kl.
- (e) Registered seniors to receive 25% rates rebate and 50% rebate of the amount payable for water consumption up to 150 kl.

#### 2. Non Residential Properties

- (a) RATES IN THE DOLLAR

Property Category	Rate on Gross Rental Value Column (A)	Rates on Gross Rental Value Discounted to 40% Column (B)
Industrial Properties	2.62 cents in the dollar	1.05 cents in the dollar
Rural Properties	3.45 cents in the dollar	1.38 cents in the dollar
Commercial Properties	2.52 cents in the dollar	1.01 cents in the dollar
Residential Vacant Land	3.98 cents in the dollar	1.58 cents in the dollar
Public Facility Property	2.09 cents in the dollar	0.84 cents in the dollar

**NOTE:** Due to phased implementation of the Non Residential Charging Regime which commenced on 01 July 2005, the rate in column (A) is discounted to sixty percent (40%) in the dollar for the relevant property category within the boundaries of Aqwest—Bunbury Water Board for the year ending 30 June 2008.

(b) METER SUPPLY CHARGE

Meter Size (mm)	Meter Size Index	Charge Column (C)	Charge Column (D) 60%
20	1.00	\$362.00	\$217.20
25	1.56	\$564.72	\$338.80
40	4.00	\$1,448.00	\$868.80
50	6.25	\$2,262.50	\$1,357.50
80	16.00	\$5,792.00	\$3,475.20
100	25.00	\$9,050.00	\$5,430.00
150	56.25	\$20,362.50	\$12,217.50

**NOTE:** The rate in column (D) is sixty percent (60%) of column (C) and is applicable for the relevant property category within the boundaries of Aqwest—Bunbury Water Board for the year ending 30 June 2008.

(c) NON RATEABLE PROPERTIES

(i) The following meter supply charges are levied on all non rateable properties under Section 57 of the *Water Boards Act 1904*.

Meter Size (mm)	Meter Size Index	Charge Column (E)	Charge Column (F) at 60%
20	1.00	\$362.00	\$217.20
25	1.56	\$564.72	\$338.80
40	4.00	\$1,448.00	\$868.80
50	6.25	\$2,262.50	\$1,357.50
80	16.00	\$5,792.00	\$3,475.20
100	25.00	\$9,050.00	\$5,430.00
150	56.25	\$20,362.50	\$12,217.50

**NOTE:** The rate in column (F) is sixty percent (60%) of column (E) and is applicable to non rateable properties within the boundaries of Aqwest—Bunbury Water Board for the year ending 30 June 2008.

(ii) In addition to (i) non rateable properties to be levied 40% of the non rateable fixed supply charge of \$362.00, i.e.  $40\% \times \$345.00 = \$144.80$  for the year ending 30 June 2008.

(d) RESIDENTIAL VACANT LAND

(i) In addition to the discounted rate in the dollar shown at 2(a) for residential vacant land properties, these properties to be levied 60% of the residential vacant land charge of \$97.00, i.e.  $60\% \times \$97.00 = \$58.20$  for the year ending 30 June 2008.

(ii) Residential vacant land created from and including 01 July 2005 will be levied an annual supply charge of \$97.00 for the year ending 30 June 2008.

**3. Consumption Charges (Non Residential)**

(i) The charge for water consumed at non residential properties for the year ending 30 June 2008 be as follows—

Consumption Kilotres			Rate Per kl	
First	1000kl	(0-1000)	@	\$0.77
Over	1000kl	(1000+)	@	\$1.14

(ii) Due to the phased implementation of the Non Residential Charging Regime which commenced on 01 July 2005, the above consumption charges are discounted for all non residential properties within the Aqwest—Bunbury Water Board area for the year ending 30 June 2008 as follows—

Consumption Kilotres			Rate Per kl/75%	
First	1000kl	(0-1000)	@	\$0.58
Over	1000kl	(1000+)	@	\$0.85

**PENALTY FOR OVERDUE RATES AND CHARGES**

A penalty charge equal to 10% per annum will accrue on a daily basis on all Rates and Charges which are overdue for payment.

**GENERAL CHARGES 2007/2008****Disconnection**

20mm Service	\$212.00
25mm Service	\$325.00
40mm Service	\$352.00
50mm Service	\$352.00

**Repair of Damaged Meters**

Business hours—No new meter	\$61.00
Business hours—New meter	\$110.00
Other hours—No new meter	\$182.00
Other hours—New meter (20mm)	\$230.00
Additional fee where the meter damage caused by Contractor	\$126.00

**Statements**

Meter Test (20mm)	\$26.00
Re-Connection	Nil
Headworks (01/07/07 to 30/06/08)	\$2,441.00
Tenant Advice	\$20.00
Change of ownership Read and Statement	\$41.00

**Application for Fire Service**

25mm	\$595.00
40mm	\$1163.00
50mm	\$1289.00
100mm	Quote
150mm	Quote

**Fire Service Charge**

(Annual Charge Based on Size)

20mm	\$50.00
25mm	\$62.00
40mm	\$100.00
50mm	\$125.00
100mm	\$251.00
150mm	\$377.00

**Application for Water Service**

20mm	\$514.00
25mm	\$778.00
40mm	\$1,574.00
50mm	\$2,173.00
80mm	Quote
100mm	Quote
150mm	Quote

**Application for Standpipe**

\$48.00

**Application for Hydrant Point**

\$48.00

Daily Fee—Standpipe and Hydrant

\$17.00

Consumption

(\$1.21 per kilolitre)

\$1.21

**Deferral of Headworks**

Per lot

\$62.20

**Administration Fee**

Register manual memorial

\$42.60

Per document

**Service call fee to attend to mains damaged by third party**

Total fee to be \$246.40 plus actual cost of repairs

\$258.20

**Hydrant Repairs**

(a) Raise/lower box	\$163.00
(b) Replace lid	\$142.00
(c) Replace lid/box	\$294.00
(d) Replace hydrant (part)	\$751.00
(e) Raise/lower hydrant	\$776.00

**Relocating Water Meters**

Service Relocation Less Than One (1)  
Metre from Existing Position

20mm	\$212.00
25mm	\$325.00
40mm	\$352.00
50mm	\$352.00

Service Relocations Greater than One (1)  
Metre from Existing Position

20mm	\$727.00
25mm	\$1104.00
40mm	\$1926.00
50mm	Quote

D. PHILLIPS, Board Chairman.  
B. G. BEVIS, Chief Executive Officer.

**WA402\*****WATER AGENCIES (POWERS) ACT 1984****WASTEWATER SCHEME: HOPETOUN***Shire of Ravensthorpe*

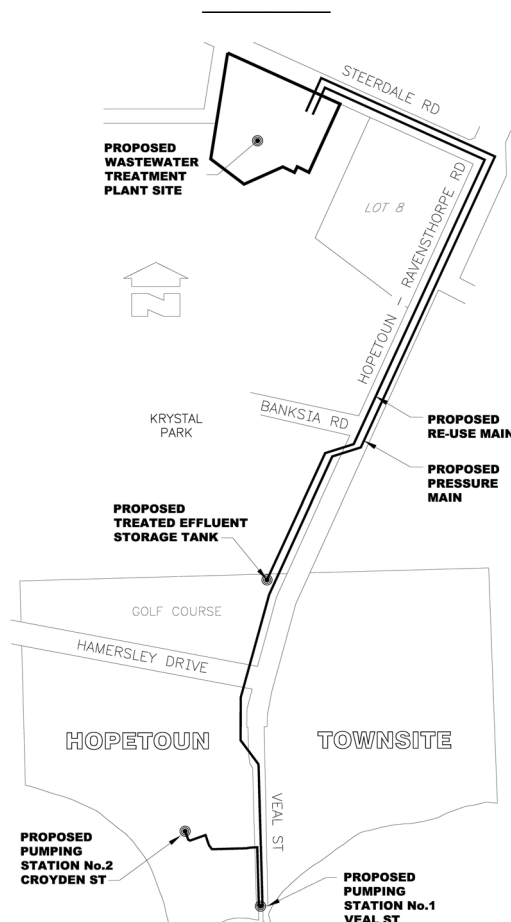
**PROPOSAL TO CONSTRUCT RETICULATION AREA HOPETOUN 1A, PUMPING STATIONS  
NO.1 & NO.2, PRESSURE MAINS, WASTEWATER TREATMENT PLANT & GOLF COURSE  
RETICULATION.**

To dispose of wastewater from the town of Hopetoun, the Water Corporation proposes to construct a Wastewater Treatment Plant, gravity sewers, two below ground pumping stations complete with ancillary items and golf course reticulation.

The proposed works are scheduled to commence in November 2007 and will continue for approximately twelve months.

If you would like further information on this essential wastewater disposal project, please phone Mr T.P. Ranasinghe on (08) 9420 3572 during office hours.

Objections to the proposed works will be considered if lodged in writing to the Project Manager, Mr. T.P. Ranasinghe, Water Corporation, PO Box 100, Leederville WA 6902 by close of business on the 21st September, 2007.



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**DECEASED ESTATES**

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**ZX401****TRUSTEES ACT 1962****DECEASED ESTATES**

## Notice to Creditors and Claimants

Notice to Creditors and Claimants of Daisy Jean Dahlenburg late of 60 Westfield Road, Kelmscott, Western Australia, Retired 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 the deceased who died on 10 July 2007 are required by the Trustee ANZ Trustees Limited ACN 006 132 332 of Level 4, 100 Queen Street, Melbourne, VIC 3000 to send particulars of their claim to them by 5 October 2007, after which date the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

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

## Notice to Creditors and Claimants

Charles James Rowling, late of 42 Kaninyup Road, Trigg, Western Australia.

Creditors and other persons having claim (to which section 63 *Trustees Act* (WA) 1962-68 relates) in respect of the deceased who died on 13 May 2007 are required to send particulars of their claims to the Executor, care of Butlers, Banisters & Solicitors, 83-85 Stirling Highway, Nedlands, Western Australia by Friday, 21 September 2007 after which date the Trustees may convey or distribute the assets having regard only to the claims of which notice has been given.

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

## Notice to Creditors and Claimants

Raema Joy West, late of 12/163 Scarborough Beach Road, Scarborough WA 6019, Home Duties.

Creditors and other persons having claims (to which section 63 of the Trustee's Act 1962 relates) for the deceased's estate who died on 24th day of January 2007 are required by me the trustee, Brett Kenneth Davies, c/- Brett Davies Lawyers, 201 Adelaide Terrace Perth WA 6000 to send particulars of your claims to me by 16 September 2007, after which date I will convey or distribute the assets having regard only to the claims of which I have notice.

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

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 24th September 2007 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bullard, Kathleen Phyllis, late of Brightwater Care Group 41 Renegade Way Kingsley, died 1.08.2007 (DE19680800EM36)

Easton, Frank Reginald, late of 13 Mornington Boulevard Waikiki, died 2607.2007 (DE33009892EM36)

Edge, John, late of 50 Glenelg Street Applecross, died 27.07.2007 (DE19893373EM38)

Dennis, Susan Kennedy Lawson, late of Braemer Nursing Home 214 Canning Highway East Fremantle, died 11.06.2007 (DE19700532EM38)

Gasmier, Dorothy Lillan, late of Ningana Care Centre 26 Plantation Drive Bentley, died 25.07.2007 (DE19692865EM27)

Holmes, Mary Kathleen Marjorie, late of 19 Lady Brand Drive Greenfields, died 18.07.2007 (DE19980952EM37)

- Hough, Mavis Alice, late of Unit 187 31 Williams Road Nedlands, died 29.07.2007 (DE19700984EM27)
- Hyde, William Thomas, late of Kensington Park Nursing Home  
62 Gwenyfred Road Kensington, died 19.07.2007 (DE33041214EM13)
- Kennedy, Inez Valda, late of Swancare Group Wamina Care Centre Adie, died 8.06.2007 (DE19580160EM37)
- Laughlin, Aileen Patricia, late of Kingsley Nursing Home 41 Renegade Way Kingsley, died 5.06.2007 (DE33017620EM26)
- Leaver, Gail, late of 21 Angelo Street Armadale, died 17.06.2007 (DE33034942EM26)
- Mills, Flora, late of 47 York Street Beaconsfield, died 05.07.2007 (DE19863437EM35)
- Morgan, Ina Patricia, late of 110 Star Street Carlisle, died 23.04.2007 (DE30335101EM110)
- Porter, Rosalie Jean, late of Mandurah Care Facility 1 Hungerford Avenue Halls Head, died 7.08.2007 (DE19752879EM38)
- Pix, Edith Johanna, late Braemar Lodge 51 Point Walter Road Bicton, died 1.08.2007 (DE33023902EM13)
- Robinson, Harriet Alice, late of RSL Aged Care 16 Freedman Road Menora, died 17.07.2007 (DE19691749EM35)
- Stacey, James, late of Brightwater Edgewater Care Facility 19 Pioneer Drive Edgewater, died 22.06.2007 (DE19853309EM23)
- Thomas, Kathleen Mary, late of St Andrew's Aged Care, 20 Burwood Road Balcatta, died 28.06.2007 (DE19953833EM26)
- West, Annie, late of Little Sisters Of the Poor 2 Rawlins Street Glendalough, died 06.08.2007 (DE33032908EM15)
- Vodopivec, Jack, late of Tate Street Lodge 8 Tate Street Bentley, died 16.04.2007 (DE33057146EM113)
- Zyla, Rena McAullay, late of 22 Mort Street Riverdale, died 25.07.2007 (DE19902582EM12)

JOHN SKINNER, Public Trustee  
Public Trust Office  
565 Hay Street  
Perth WA 6000.  
Telephone: 9222 6777.

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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 Mr Dinis Stefan of 13A Mint Street, Victoria Park WA 6100, bailor.

You were given notice on 13<sup>th</sup> of October 2006, that the following goods—

Mercedes-Benz C240 D.O.D. 26/8/1999 Smoked Silver, Chassis No. WDB 202026 2F 897020, Engine No. 11291030531080, situated at 159 Burswood Road, Burswood WA 6100 were ready for redelivery.

A dispute relating to the goods was determined on 5 July in the following manner—

Not willing to pay for repairs.

Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, Stuttgart Autos, of 159 Burswood Road, Burswood WA 6100, bailee, intends making an application to the Court for an order to sell or otherwise dispose of them in accordance with the act.

Date 18/7/2007.

MARY EDLINGER, Bailee.

## STATE LAW PUBLISHER

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