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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

**SHIPPING AND PILOTAGE AMENDMENT ACT 2006**

No. 71 of 2006

PROCLAMATION

Western Australia

By His Excellency

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

[L.S.]

KENNETH COMNINOS MICHAEL  
Governor

I, the Governor, acting under the *Shipping and Pilotage Amendment Act 2006* 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 the provisions of that Act, other than sections 1, 2, 8 and 13(1)(b), come into operation.

Given under my hand and the Public Seal of the State on 1 June 2010.

By Command of the Governor,

SIMON O'BRIEN, Minister for Transport.

Note: Under the *Ports and Harbours Amendment Regulations 2010* regulation 2(b), the provisions of those regulations, other than regulations 1 and 2, come into operation on the day on which the *Shipping and Pilotage Amendment Act 2006* section 10 comes into operation.

AA102\*

**MARINE AND HARBOURS ACT 1981**

PROCLAMATION

Western Australia

By His Excellency

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

[L.S.]

KENNETH COMNINOS MICHAEL  
Governor

I, the Governor, acting under the *Marine and Harbours Act 1981* section 9 and with the advice and consent of the Executive Council—

- (a) cancel the proclamation made under that Act and published in the *Gazette* on 31 May 1991 p. 2645; and
- (b) withdraw from The Minister for Transport and revest in the Crown the land vested in The Minister for Transport by that proclamation; and
- (c) vest in The Minister for Transport, the body corporate established by section 8(1) of that Act, the property set out in Schedule 1.

Given under my hand and the Public Seal of the State on 18 May 2010.

By Command of the Governor,

SIMON O'BRIEN, Minister for Transport.

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**Schedule 1—Mangles Bay Marina**

Lot 4556 on Deposited Plan 220689, being the whole of the land in Qualified Certificate of Crown Land Title Volume LR3116 Folio 806 and being Reserve 50180.

AA103\*

**SHIPPING AND PILOTAGE ACT 1967**

## 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 *Shipping and Pilotage Act 1967* section 10(2) and with the advice and consent of the Executive Council—

- (a) vary the proclamation made under that Act and published in the *Gazette* on 28 June 1985 p. 2292 by deleting item 3 in Schedule 1; and
- (b) vary the proclamation made under that Act and published in the *Gazette* on 1 July 1997 p. 3249 by deleting the item in Schedule 1 that relates to Bandy Creek Boat Harbour Mooring Control Area; and
- (d) declare the place described in Schedule 1 as Bandy Creek Mooring Control Area to be a mooring control area for the purposes of that Act; and
- (e) specify the Department within the meaning given by section 3 of that Act as the controlling authority of the mooring control area.

Given under my hand and the Public Seal of the State on 1 June 2010.

By Command of the Governor,

SIMON O'BRIEN, Minister for Transport.

## Schedule 1

**Bandy Creek Mooring Control Area**

Lot 2193 on Deposited Plan 38819 held by the Western Australian Land Information Authority

AA104\*

**MARINE AND HARBOURS ACT 1981**

## 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 *Marine and Harbours Act 1981* section 9 and with the advice and consent of the Executive Council—

- (a) cancel the proclamation made under that Act and published in the *Government Gazette* on 26 April 1991 p. 1843; and
- (b) withdraw from The Minister for Transport and revert in the Crown the land vested in The Minister for Transport by that proclamation; and
- (c) vest in The Minister for Transport, the body corporate established by section 8(1) of that Act, the property set out in Schedule 1.

Given under my hand and the Public Seal of the State on 1 June 2010.

By Command of the Governor,

SIMON O'BRIEN, Minister for Transport.

## Schedule 1

**BANDY CREEK BOAT HARBOUR**

1. Lot 881 on Deposited Plan 217292 held by the Western Australian Land Information Authority; and
  2. Lot 2193 on Deposited Plan 38819 held by the Western Australian Land Information Authority,
- together being Reserve 39635 on Deposited Plan 64204 held by the Western Australian Land Information Authority.

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**MARINE/MARITIME**


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MX301\*

Shipping and Pilotage Act 1967

## Mooring Amendment Regulations 2010

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Mooring Amendment Regulations 2010*.

### 2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2010.

### 3. Regulations amended

These regulations amend the *Mooring Regulations 1998*.

### 4. Schedule 2 replaced

Delete Schedule 2 and insert:

#### Schedule 2 — Fees

[r. 9, 12, 13, 15, 16, 25, 27]

Item	Fee
1. Application for mooring licence (r. 9(1)(c))	\$76.70
2. Annual mooring licence fee (r. 12(1)(c), 13(1))	\$434.80
3. Late fee (r. 13(3))	\$76.70
4. Exchange of mooring licence (r. 15(2)(b))	\$76.70
5. Application for transfer of mooring licence (r. 16(2)(b))	\$76.70
6. Substitution of licensed vessel (r. 25(5)(b))	\$76.70
7. Application to register additional vessel (r. 27(e))	\$76.70

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

MX302\*

Western Australian Marine Act 1982

## **W.A. Marine (Load Lines) Amendment Regulations 2010**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *W.A. Marine (Load Lines) Amendment Regulations 2010*.

### **2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2010.

### **3. Regulations amended**

These regulations amend the *W.A. Marine (Load Lines) Regulations 1983*.

### **4. Regulation 6 amended**

- (1) In regulation 6(1) delete “\$26” and insert:

\$26.60

- (2) In regulation 6(2):

- (a) delete “\$55” (each occurrence) and insert:

\$56.20

- (b) delete “\$20” and insert:

\$20.50

- (3) In regulation 6(3) delete “\$20” and insert:

\$20.50

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

MX303\*

Port Authorities Act 1999

## Port Authorities Amendment Regulations 2010

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Port Authorities Amendment Regulations 2010*.

### 2. Commencement

These regulations come into operation as follows —

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

### 3. Regulations amended

These regulations amend the *Port Authorities Regulations 2001*.

### 4. Schedule 2 Division 5 amended

- (1) In Schedule 2 Division 5 item 1 delete “\$0.3373” and insert:

\$0.38609

- (2) In Schedule 2 Division 5 item 2 delete “\$0.03373” and insert:

\$0.038609

- (3) In Schedule 2 Division 5 item 3 delete “\$595.00” and insert:

\$676.30

- (4) After Schedule 2 Division 5 item 3 insert:

4. Cancellation of pilot ..... \$676.30

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

MX304\*

Port Authorities Act 1999

## Port Authorities Amendment Regulations (No. 2) 2010

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Port Authorities Amendment Regulations (No. 2) 2010*.

### 2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2010.

### 3. Regulations amended

These regulations amend the *Port Authorities Regulations 2001*.

### 4. Regulation 42 amended

After regulation 42(3) insert:

- (4) The charge set out in Schedule 2 Division 1 item 7 is payable if —
  - (a) the services of a pilot and a pilot vessel are arranged for a vessel; and
  - (b) the arrangement for the pilot vessel is cancelled (whether or not also for the pilot) with less than 2 hours notice being given.

### 5. Regulation 48 amended

After regulation 48(2) insert:

- (3) The charge set out in Schedule 2 Division 1 item 6A is payable if —
  - (a) the services of a pilot and a pilot vessel are arranged for a vessel and the pilot is for any



reason detained for a period greater than reasonably required to provide pilotage services for the vessel; and

- (b) as a consequence, the pilot vessel is —
- (i) detained for a period greater than reasonably required to assist the pilot to provide the pilotage services; or
  - (ii) required to make one or more additional journeys that were not arranged for prior to the pilot being detained.

**6. Schedule 2 amended**

- (1) In Schedule 2 Division 1 after item 5 insert:

6A. Detention of pilot vessel, per hour or part of an hour .... \$550.00

- (2) In Schedule 2 Division 1 after item 6 insert:

7. Cancellation of pilot vessel ..... \$825.00

- (3) Amend the provisions listed in the Table as set out in the Table.

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 2 Div. 1 it. 1	\$3 800.00	\$5 366.91
Sch. 2 Div. 1 it. 2	\$6 300.00	\$8 116.90
Sch. 2 Div. 1 it. 3	\$6 900.00	\$8 776.90
Sch. 2 Div. 1 it. 4	\$1 535.00	\$2 679.00
Sch. 2 Div. 1 it. 5	\$750.00	\$825.00

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

MX305\*

Port Authorities Act 1999

## Port Authorities Amendment Regulations (No. 4) 2010

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Port Authorities Amendment Regulations (No. 4) 2010*.

### 2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2010.

### 3. Regulations amended

These regulations amend the *Port Authorities Regulations 2001*.

### 4. Schedule 2 amended

Delete Schedule 2 Division 6 and insert:

#### Division 6 — Port of Port Hedland

	To or from Nelson Point or PHPA Berth Nos. 1, 2 or 3	To or from Finucane Island or Anderson Point
1. Pilotage of a vessel of not more than 20 000 gross registered tonnes into or out of the port —		
(a) for each gross registered tonne of vessel .....	\$0.392	\$0.451
(b) minimum charge .....	\$4 243.91	\$4 883.20
2. Pilotage of a vessel of more than 20 000 but not more than 40 000 gross registered tonnes into or out of the port .....	\$7 853.04	\$8 492.33
3. Pilotage of a vessel of more than 40 000 but not more than 60 000 gross registered tonnes into or out of the port .....	\$9 341.34	\$9 980.63

	<b>To or from Nelson Point or PHPA Berth Nos. 1, 2 or 3</b>	<b>To or from Finucane Island or Anderson Point</b>
4. Pilotage of a vessel of more than 60 000 but not more than 80 000 gross registered tonnes into or out of the port .....	\$10 401.19	\$11 040.48
5. Pilotage of a vessel of more than 80 000 gross registered tonnes into or out of the port .....	\$11 035.97	\$11 675.26
6. Additional charge for pilotage of a vessel into the port from the designated pilotage area or out of the port to the designated pilotage area .....	\$2 302.36	
7. Pilotage of a vessel from a place in the port to another place in the port —		
(a) for a vessel of not more than 1 000 gross registered tonnes .....	\$1 060.98	
(b) for a vessel of more than 1 000 gross registered tonnes .....	\$1 484.92	
8. Cancellation of pilot .....	\$399.14	

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

MX306\*

Port Authorities Act 1999

## **Port Authorities Amendment Regulations (No. 3) 2010**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Port Authorities Amendment Regulations (No. 3) 2010*.

## 2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2010.

## 3. Regulations amended

These regulations amend the *Port Authorities Regulations 2001*.

## 4. Schedule 1 Division 5 Subdivision 1 amended

- (1) In Schedule 1 Division 5 Subdivision 1 clause 66 delete “Division —” and insert:

Division and in Schedule 2 Division 4 —

- (2) In Schedule 1 Division 5 Subdivision 1 clause 66 delete the definition of *Inner Harbour*.
- (3) In Schedule 1 Division 5 Subdivision 1 clause 66 insert in alphabetical order:

*Inner Harbour* means the area of the port the boundaries of which are delineated on Plan 19473, deposited with the Western Australian Land Information Authority established by the *Land Information Authority Act 2006* section 5;

*Outer Harbour* means the area of the port described in clause 72(4).

## 5. Schedule 2 Division 4 replaced

Delete Schedule 2 Division 4 and insert:

### Division 4 — Port of Fremantle

Item	Service	On and from 1 July 2010
1.	Pilotage of a vessel of not more than 1 000 gross registered tonnes between Gage Roads and the Inner Harbour .....	\$768.45
2.	Pilotage of a vessel of more than 1 000 gross registered tonnes —	
	(a) between the sea pilot boarding ground and Gage Roads .....	\$2 514.93
	(b) between Gage Roads and Cockburn Sound ....	\$1 746.47
	(c) between Gage Roads and the Inner Harbour ...	\$1 536.92
	(d) between the Inner Harbour and the Outer Harbour .....	\$2 647.32

<b>Item</b>	<b>Service</b>	<b>On and from 1 July 2010</b>
(e)	between the sea pilot boarding ground and the Inner Harbour .....	\$3 073.82
(f)	between the sea pilot boarding ground and Cockburn Sound .....	\$3 353.24
3.	Pilotage of a vessel from a place in Cockburn Sound to another place in Cockburn Sound .....	\$768.45
4.	Pilotage of a vessel from a place in the Inner Harbour to another place in the Inner Harbour .....	\$349.28
5.	Any other pilotage service, per hour or part of an hour .....	\$209.58
6.	Detention of pilot, per hour or part of an hour .....	\$349.28
7.	Cancellation of pilot .....	\$391.20

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

MX307\*

Port Authorities Act 1999

## **Port Authorities Amendment Regulations (No. 5) 2010**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Port Authorities Amendment Regulations (No. 5) 2010*.

### **2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2010.

**3. Regulations amended**

These regulations amend the *Port Authorities Regulations 2001*.

**4. Regulation 50 amended**

In regulation 50(a)(i) delete “\$810.98; and” and insert:

\$880.00; and

**5. Schedule 2 Division 2 replaced**

Delete Schedule 2 Division 2 and insert:

**Division 2 — Port of Bunbury**

1.	Pilotage of a vessel into and out of the port .....	\$5 355.90
2.	Pilotage of a vessel from a place in the port to another place in the port .....	\$2 677.95
3.	Detention of pilot, for each hour or part of an hour .....	\$1 338.98
4.	Cancellation of pilot .....	\$1 338.98
5.	Cancellation of pilot boat crew only .....	\$1 338.98

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

MX308\*

Port Authorities Act 1999

## **Port Authorities (Description of Port of Esperance) Order 2010**

Made by the Governor in Executive Council under section 24(1) of the Act.

**1. Citation**

This order is the *Port Authorities (Description of Port of Esperance) Order 2010*.

**2. Port of Esperance described**

The Port of Esperance consists of the area of water within a radius of 10 nautical miles of the western entrance point of Bandy Creek, other than the area of water comprised within Lot 2193 on Deposited Plan 38819 held by the Western Australian Land Information Authority.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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**RACING, GAMING AND LIQUOR**

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RG301\*

Casino Control Act 1984

**Casino Control Amendment Regulations 2010**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Casino Control Amendment Regulations 2010*.

**2. Commencement**

These regulations come into operation as follows —

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

**3. Regulations amended**

These regulations amend the *Casino Control Regulations 1999*.

**4. Regulation 2 amended**

In regulation 2(1) delete the definitions of:

*applicant*  
*approval*

*junket*  
*junket operator*  
*junket operator's representative*

**5. Part 3 deleted**

Delete Part 3.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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**TRANSPORT**

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TR301\*

Road Traffic Act 1974

**Road Traffic (Charges and Fees) Amendment  
Regulations (No. 3) 2010**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Road Traffic (Charges and Fees) Amendment Regulations (No. 3) 2010*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2010.

**3. Regulations amended**

These regulations amend the *Road Traffic (Charges and Fees) Regulations 2006*.



**4. Regulation 56 amended**

In regulation 56(1) delete the Table and insert:

<b>Table</b>	
	<b>\$</b>
category 1 event	158.00
category 2 event	95.00
category 3 event	64.00
category 4 event	64.00

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

TR302\*

Motor Vehicle Drivers Instructors Act 1963

## **Motor Vehicle Drivers Instructors Amendment Regulations 2010**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Motor Vehicle Drivers Instructors Amendment Regulations 2010*.

**2. Commencement**

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2010.

**3. Regulations amended**

These regulations amend the *Motor Vehicle Drivers Instructors Regulations 1964*.

**4. Regulation 13 amended**

Amend regulation 13 as set out in the Table.

**Table**

<b>Delete</b>	<b>Insert</b>
85.50	87.30
4.80 (each occurrence)	4.90
147.20	150.30
7.10	7.30

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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## — PART 2 —

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### AGRICULTURE AND FOOD

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AG401\*

**PLANT DISEASES ACT 1914**  
APPOINTMENT

Department of Agriculture and Food,  
South Perth WA 6151.

I, the undersigned Minister for Agriculture and Food, being the Minister responsible for the administration of the *Plant Diseases Act 1914* hereby appoint the following person as an authorised inspector under section 7A of the *Plant Diseases Act 1914* to carry out all the functions that may be performed by an inspector under that Act—

Mark Robert Hillbrick

TERRY REDMAN MLA, Minister for Agriculture and Food.

AG402\*

**WESTERN AUSTRALIAN MEAT INDUSTRY AUTHORITY ACT 1976**  
APPOINTMENTS

Western Australian Meat Industry Authority,  
Midland.

I, Terry Redman MLA, Minister for Agriculture and Food, hereby appoint the following people as inspectors pursuant to Section 24G of the *Western Australian Meat Industry Authority Act 1976*.

Trevor Sims  
David Storer

TERRY REDMAN MLA, Minister for Agriculture and Food.

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### COAL INDUSTRY SUPERANNUATION BOARD

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CZ401\*

**COAL INDUSTRY SUPERANNUATION ACT 1989**  
APPOINTMENTS

Perth, June 2010.

Under the provisions of Section 8 of the *Coal Industry Superannuation Act 1989*, the following employee elected members are appointed as constituted under the said Act, from the 1st day of July 2010.

Gary Wood	(2) two years	
Greg Della	Alternate Member	(1) one year

B. E. WHITTLE, Chairperson.

CZ402\*

**COAL INDUSTRY SUPERANNUATION ACT 1989**  
APPOINTMENTS

Perth, June 2010.

Under the provisions of Section 8 of the *Coal Industry Superannuation Act 1989*, the following employer nominated members are appointed as constituted under the said Act, from the 1st day of July 2010.

Steve Reynolds	(2) two years	
Ian Stewart	Alternate Member	(1) one year

B. E. WHITTLE, Chairperson.

CZ403\*

**COAL INDUSTRY SUPERANNUATION ACT 1989**  
APPOINTMENTS

Perth, June 2010.

Under the provisions of Section 8 of the Coal Industry Superannuation Act 1989, the following employer nominated members are appointed as constituted under the said Act, from the 6th day of May 2010.

Russell Conley                      14 months to 30 June 2011

B. E. WHITTLE, Chairperson.

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## CONSUMER PROTECTION

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CE401\*

**ASSOCIATIONS INCORPORATION ACT 1987**  
CANCELLED ASSOCIATION

The Newman Turf Club Incorporated

Notice is hereby given that pursuant to Section 35 of the *Associations Incorporation Act 1987*, the incorporation of the above-named association has been cancelled as from the date of this notice.

Dated: 20 May 2010.

SUSAN NULSEN, Director, Business Services  
for Commissioner of Consumer Protection.

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## ENERGY

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EN401\*

**ECONOMIC REGULATION AUTHORITY ACT 2003**  
ECONOMIC REGULATION AUTHORITY (HORIZON POWER FUNDING  
ARRANGEMENTS REFERENCE 2010)

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

### 1. Citation

This notice is the *Economic Regulation Authority (Horizon Power Funding Arrangements Reference 2010) Notice*.

### 2. Reference on the Funding Arrangements of Horizon Power

(1) Under the *Economic Regulation Authority Act 2003* section 32(1) the Minister has referred to the Economic Regulation Authority for inquiry into the matter of providing the Government with cost reflective tariffs for the areas of operation of Horizon Power to inform the setting of the Tariff Equalisation Contribution (TEC).

(2) The Terms of Reference for the inquiry are set out in Schedule 1.

### 3. Period of inquiry

The period of the inquiry is from 17 May 2010 to 18 March 2011.

### 4. Public submissions

(1) Members of the public and other interested parties may make written submissions to the Economic Regulation Authority on any matter that—

- (a) is dealt with in the issues paper or draft report mentioned in the Terms of Reference; or
- (b) is otherwise relevant to the Terms of Reference.

(2) Submissions in response to the issues paper or draft report may be made within a minimum of four weeks after the release of the relevant document or any longer period allowed by the Economic Regulation Authority.

(3) Submissions may be sent—

- (a) by post to the Economic Regulation Authority, PO Box 8469, Perth Business Centre WA 6849; or

(b) by email to the address set out on the Economic Regulation Authority's web site at <http://www.erawa.com.au>.

#### 5. Further information

Further information about matters relating to the inquiry is available at the Economic Regulation Authority's website at <http://www.erawa.com.au>.

### Schedule 1

## INQUIRY INTO THE FUNDING ARRANGEMENTS OF HORIZON POWER

### TERMS OF REFERENCE

I, Colin Barnett, Treasurer, pursuant to section 32(1) of the *Economic Regulation Authority Act 2003*, and in accordance with section 129E(1) of the *Electricity Industry Act 2004*, request that the Economic Regulation Authority (ERA) undertake an inquiry into the funding arrangements, and operating and capital expenditure programmes of the Regional Power Corporation (Horizon Power).

In doing so, the Authority is expected to consider and develop findings on—

- The cost reflective retail tariffs that would apply in the areas of operation of Horizon Power, for the purpose of determining the efficient expenditure required to supply customers on regulated retail tariffs located in these areas. This will inform the setting of the amount of the Tariff Equalisation Contribution (TEC), which will be determined by Government.
- The cost reflective retail tariffs should be determined for the period 2009/10 to 2013/14.
- A cost reflective tariff should be determined for each of the retail tariffs currently provided by Horizon Power, being the A2, K2, L2, L4, M2, N2, W2 and Streetlight tariffs (as detailed in the *Energy Operators (Regional Power Corporation) (Charges) By-laws 2006*).
- The Authority is to determine whether the area that Horizon Power operates in should be separated into sub-areas, given the different cost structures of the systems that Horizon Power operates, for the purpose of determining cost reflective retail tariffs. If this is the case, the Authority is to—
  - define the sub-areas (minimising the number of sub-areas as much as possible); and
  - determine a different cost reflective retail tariff (for each tariff class) for each sub-area.
- The Authority is also to take into account the following costs when determining the retail tariffs, but is not limited to considering only these costs—
  - The efficient generation costs applicable in the area Horizon Power operates in or each sub-area, if applicable, taking into account the current and committed stock of generation;
  - The efficient network costs applicable in the area Horizon Power operates in or each sub-area, if applicable, taking into account the current network infrastructure;
  - the efficient level of retail costs that would be applicable in the area that Horizon Power services (both operating and capital costs);
  - the efficient net retail margin that would apply;
  - the efficient costs related to the national Mandatory Renewable Energy Target (MRET), including the expanded MRET if applicable; and
  - the efficient costs related to the proposed Carbon Pollution Reduction Scheme (CPRS), including the carbon intensity that should be applied in determining CPRS costs that would be incorporated into the cost reflective retail tariffs.
- The Authority is also to consider and incorporate incentives for Horizon Power to develop and implement efficiency measures, such as gain sharing mechanisms between customers and Horizon Power, in determining cost reflective retail tariffs if the Authority considers this would minimise costs within the area that Horizon Power operates in.
- The efficiency of Horizon Power's procurement processes.
- The efficiency of Horizon Power's operating and capital expenditure programmes, including opportunities for alternative arrangements for service delivery in remote regions.

The Authority should note the following—

- The TEC refers to the amount payable by the Electricity Networks Corporation (Western Power) to the Tariff Equalisation Account to contribute towards maintaining the financial viability of Horizon Power, as set out in part 9A of the *Electricity Industry Act 2004*.
- The Department of Treasury and Finance and the Office of Energy are currently in the process of developing a revised framework for determining the TEC amount, including a post adjustment mechanism to vary the TEC ser for 2009/10 to 2011/12.
- The Authority will release an issues paper as soon as possible after receiving the reference. The paper is to facilitate public consultation on the basis of invitations for written submissions from industry, government and all other stakeholder groups, including the general community.

A draft report is also to be available for public consultation.

The Authority will complete a Final Report in the findings of the inquiry by no later than 18 March 2011.

COLIN BARNETT MLA, Premier; Treasurer.  
LYNDON ROWE, Chairman,  
Economic Regulation Authority.

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**HEALTH**

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HE401\*

**HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994****HEALTH SERVICES (QUALITY IMPROVEMENT) (APPROVED COMMITTEE)  
REPEAL ORDER (NO. 1) 2010**

Made by the Director, Office of Safety and Quality (as delegate of the Minister for Health) pursuant to section 7(1) of the *Health Services (Quality Improvement) Act 1994*.

**Citation**

1. This order may be cited as the *Health Services (Quality Improvement) (Approved Committee) Repeal Order (No. 1) 2010*.

**Commencement**

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

**Order Repealed**

3. The *Health Services (Quality Improvement) (Approved Committee) Order (No. 6) 2007* is repealed.

Dated this 28th day of May 2010.

LYN DAVID, A/Director,  
Office of Safety and Quality in Healthcare  
Performance Activity and Quality Division.

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**HERITAGE**

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HR401\*

**HERITAGE OF WESTERN AUSTRALIA ACT 1990****DELEGATION OF FUNCTIONS**

Take notice that on 14 May 2010 the Heritage Council of Western Australia resolved as follows—

The Heritage Council of Western Australia (“the Council”) resolves pursuant to Section 22(1) of the Heritage of *Western Australia Act 1990* (“the Act”) to delegate and hereby does delegate to the Executive Director of the Office of Heritage the power to sign on behalf of the Council any correspondence, report, agreement or other document or legal instrument requiring the signature of the Council that does not require execution by affixing the common seal.

Dated the 14th day of May 2010.

GRAEME GAMMIE, Executive Director,  
Office of Heritage,  
Heritage Council of Western Australia.

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**JUSTICE**

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JU401\*

**CHARITABLE TRUSTS ACT 1962****VARIATION OF SCHEME APPROVED**

The scheme approved by the Attorney General on 4 January 2008 in relation to the charitable trust established by the Declaration of Trust made in 1963 between Marie Louise Wordsworth, Nanette Hildelith Campbell, Bertha Frances Luita Cockburn Johnston and the Shire of Wickepin is varied as follows—

- A. Clause 2(a)(i) of the Declaration of Trust is amended by deleting the following words—  
“and who meet the eligibility criteria set by the Government of Western Australia for public rental housing”.

Approved—

CHRISTIAN PORTER MLA, Attorney General.

Date: 19 May 2010.

JU402

**JUSTICES OF THE PEACE ACT 2004**

## APPOINTMENT

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

Samuel Akin Bada of 33 Marsala Way, Ellenbrook

RAY WARNES, Executive Director,  
Court and Tribunal Services.

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**LOCAL GOVERNMENT**


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LG401\*

**LOCAL GOVERNMENT ACT 1995***City of Armadale*

(BASIS OF RATES)

Department of Local Government.

DLG: AK5-4#07

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, 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 1 July 2010.

BRAD JOLLY, Executive Director Governance and Legislation.

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**Schedule**
**ADDITIONS TO GROSS RENTAL VALUE AREA***CITY OF ARMADALE*

All those portions of land comprised in the schedules below—

**SCHEDULE “A”**

All those portions of land being Lot 107 as shown on Plan 694; Lot 7 and Lot 8 as shown on Plan 16906; Lot 14 as shown on Plan 17804 and Lot 5050 as shown on Deposited Plan 29950.

**SCHEDULE “B”**

All those portions of land being Lots 1 as shown on Diagram 2645; Lot 18 as shown on Diagram 4227; Lot 123 as shown on Diagram 4526; Lot 9 as shown on Diagram 27193; Lot 31 as shown on Diagram 33793; Lot 55 as shown on Diagram 52728; Lot 10 as shown on Diagram 68165; Lot 6 as shown on Diagram 76136; Lot 31 as shown on Diagram 91250; Lot 30 as shown on Diagram 91251 and Lot 341 as shown on Diagram 98050.

LG402\*

**LOCAL GOVERNMENT ACT 1995***City of Armadale*

(BASIS OF RATES)

Department of Local Government.

DLG: AK5-4#07

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, 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 unimproved value for the purposes of rating with effect from 1 July 2010.

BRAD JOLLY, Executive Director Governance and Legislation.

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**Schedule**
**ADDITIONS TO UNIMPROVED VALUE AREA***CITY OF ARMADALE*

All that portion of land being Lot 6 as shown on Diagram 74357.

LG403\*

**LOCAL GOVERNMENT ACT 1995**

*Shire of Capel*  
(BASIS OF RATES)

Department of Local Government.

DLG: CP5-4#07

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, the Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, 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 30 April 2010.

BRAD JOLLY, Executive Director Governance and Legislation.

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**Schedule****ADDITIONS TO GROSS RENTAL VALUE AREA***SHIRE OF CAPEL*

All those portions of land being Lots 29 to 45 inclusive, Lots 47 to 51 inclusive, Lots 57 to 70 inclusive, Lots 72 to 86 inclusive, Lots 94 to 140 and Lot 253 as shown on Deposited Plan 61606.

LG404\*

**LOCAL GOVERNMENT ACT 1995**

*City of Cockburn*  
(BASIS OF RATES)

Department of Local Government.

DLGRD: CC5-4#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 Executive Director Governance and Legislation of the Department of Local Government, under delegation from the Hon John Castrilli MLA, Minister for Local Government, 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 changed back to unimproved value for the purposes of rating with effect from 24 May 2010.

BRAD JOLLY, Executive Director Governance and Legislation.

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**Schedule****ADDITIONS TO UNIMPROVED VALUE AREA***CITY OF COCKBURN*

All that portion of land being Lots 41, 42, 43, 49 and 50 as shown on Plan 7767 and Lots 38, 39 and 40 as shown on Plan 8286.

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**MARINE/MARITIME**

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MX401\*

**WESTERN AUSTRALIAN MARINE ACT 1982****NAVIGABLE WATERS REGULATIONS 1958****WATER SKI AREA AND SPEED BOAT AREA**

Koombana Bay  
*City of Bunbury*

Department of Transport,  
Fremantle WA, 4 June 2010.

Acting pursuant to the powers conferred by Regulation 48A of the *Navigable Waters Regulations 1958*, the Department of Transport hereby revokes Notice TR416 as published in the *Government Gazette* on 27 November 1998, Notice TR 401 as published in the *Government Gazette* on 7 December 2001 and Notice TR401 as published in the *Government Gazette* 18 June 1999. These notices relate to the Koombana Bay and Ocean Cut (Power House) water ski areas and Point Hamilla speed boat area. These revocations will remain in place until further notice.

DAVID HARROD FNI, General Manager, Marine Safety,  
Department of Transport.



MX402\*

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**RESTRICTED SPEED AREA—ALL VESSELS**  
 Koombana Bay  
*City of Bunbury*

Department of Transport,  
 Fremantle WA, 4 June 2010.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, the Department of Transport by this notice temporarily restricts the speed of all vessels to 8 knots commencing from Friday 4 June 2010 until further notice to all waters.

All waters inshore of Koombana Bay bounded by lines commencing at the Breakwater Navigational Light on McKenna Point (33° 18.082'S and 115° 38.765'E), through to the starboard lateral marker number five (5) (33° 18.065'S and 115° 39.077'E), through to port lateral marker number four (4) (33° 18.051'S and 115° 39.185'E), through to the navigational light at the seaward end of the northern break water of The Cut (33° 18.227'S and 115° 40.189'E) excluding all existing Navigable Waters current gazetted areas.

DAVID HARROD FNI, General Manager, Marine Safety,  
 Department of Transport.

MX403\*

**SHIPPING AND PILOTAGE ACT 1967**  
**APPOINTMENT**

Office of the Minister for Transport.

It is hereby notified for general information that the Governor, in Executive Council, has approved in accordance with Section 4 of the *Shipping and Pilotage Act 1967*, the appointment of—

- Captain Marcus Barrett as a Pilot at Port of Walcott
- Captain Milan Mall as a Pilot at the Port of Carnarvon (Useless Loop)
- Captain Andrew Muir as a Pilot at the Port of Barrow Island Wapet Landing Landback Wharf ONLY
- Captain Julian Charles Thomas as a Pilot at the Port of Carnarvon (Useless Loop)

SIMON O'BRIEN MLC, Minister for Transport.

## MINERALS AND PETROLEUM

MP401\*

**PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967**  
**GRANT FOR RENEWAL OF PETROLEUM RETENTION LEASE**

Renewal of Petroleum Retention Lease No. WA-1-R (4) has been granted to Esso Australia Resources Pty Ltd and BHP Billiton Petroleum (North West Shelf) Pty Ltd to have effect for a period of five years from 26 May 2010.

W. L. TINAPPLE, Executive Director,  
 Petroleum Division.

MP402\*

**PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967**  
**PARTIAL SURRENDER OF EXPLORATION PERMIT EP 428**

The partial surrender of Exploration Permit EP 428 in respect to Broome Blocks 6045, 6046, 6047, 6117, 6118, 6119, 6189, 6190, 6191, 6192, 6261, 6262, 6263, 6264 and 6265 has been registered and will take effect on the date this Notice appears in the *Government Gazette*.

W. L. TINAPPLE, Executive Director,  
 Petroleum Division.

**MP403\***

**MINING ACT 1978**  
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines  
and Petroleum, Leonora.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provisions of Section 96(1)(a) of the *Mining Act 1978* for non-payment of rent.

F. ZEMPILAS, Warden.

To be heard by the Warden in Leonora on 14 July 2010.

EAST MURCHISON MINERAL FIELD

*Lawlers District*

Prospecting Licences

P36/1539 Camel Toe Exploration Pty Ltd

MOUNT MARGARET MINERAL FIELD

*Mount Morgans District*

Prospecting Licences

P39/4578 Hooper: Stuart Leslie  
Lindsay: Roger Michael

P39/4604 McKnight: Russell Geoffrey  
Dixon: Trevor John

P39/4605 McKnight: Russell Geoffrey  
Dixon: Trevor John

P39/4606 McKnight: Russell Geoffrey  
Dixon: Trevor John

P39/4607 McKnight: Russell Geoffrey  
Dixon: Trevor John

P39/4608 McKnight: Russell Geoffrey  
Dixon: Trevor John

P39/4609 McKnight: Russell Geoffrey  
Dixon: Trevor John

P39/4889 Vincent: Karyn June

NORTH COOLGARDIE MINERAL FIELD

*Niagara District*

Prospecting Licences

P40/1156 Kookynie Resources Pty Ltd  
FMR Investments Pty Limited

P40/1157 Kookynie Resources Pty Ltd  
FMR Investments Pty Limited

**MP404\***

**MINING ACT 1978**  
APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and  
Petroleum, Leonora.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provisions of Section 96(1)(a) of the *Mining Act 1978* for failure to lodge a report within the prescribed period.

F. ZEMPILAS, Warden.

To be heard by the Warden at Leonora on 14 July 2010.

EAST MURCHISON MINERAL FIELD

*Lawlers District*

Prospecting Licence

P36/1695 Braemore Nickel Pty Ltd  
P36/1696 Braemore Nickel Pty Ltd

## MOUNT MARGARET MINERAL FIELD

*Mount Malcolm District*

Prospecting Licence

P37/7559 Pacrim Energy Ltd

## MOUNT MARGARET MINERAL FIELD

*Mount Morgans District*

Prospecting Licence

P39/4684 Grill: Stefan James

P39/4685 Grill: Stefan James

Woodiwiss: David

P39/4902 Smith: Peter James

P39/4903 Smith: Peter James

P39/4904 Smith: Peter James

P39/4905 Smith: Peter James

P39/4906 Smith: Peter James

P39/4907 Smith: Peter James

P39/4908 Smith: Peter James

**MP405\*****MINING ACT 1978**

## APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and  
Petroleum, Leonora.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provisions of Section 96(1)(a) of the *Mining Act 1978* for failure to comply with the prescribed expenditure conditions.

F. ZEMPILAS, Warden.

To be heard by the Warden at Leonora on 14 July 2010.

## NORTH COOLGARDIE MINERAL FIELD

*Niagara District*

Prospecting Licence

P40/1217 Hawthorn Resources Limited

P40/1218 Hawthorn Resources Limited

P40/1219 Hawthorn Resources Limited

P40/1220 Hawthorn Resources Limited

P40/1221 Hawthorn Resources Limited

P40/1222 Hawthorn Resources Limited

P40/1223 Hawthorn Resources Limited

P40/1224 Hawthorn Resources Limited

P40/1225 Hawthorn Resources Limited

P40/1226 Hawthorn Resources Limited

P40/1227 Hawthorn Resources Limited

P40/1228 Hawthorn Resources Limited

P40/1229 Hawthorn Resources Limited

**PLANNING****PI401\*****PLANNING AND DEVELOPMENT ACT 2005**

## APPROVED LOCAL PLANNING SCHEME AMENDMENT

*Shire of Augusta-Margaret River*

Town Planning Scheme No. 11—Amendment No. 196

Ref: 853/6/3/8 Pt 196

It is hereby notified for public information, in accordance with Section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Augusta-Margaret River local planning scheme amendment on 20 May 2010 for the purpose of—

1. Amending the Scheme Map by rezoning Lot 10, Location 3604 and Location 3777 Rosa Brook Road, Rosa Brook from "Rural" to "Special Use" (Various).

2. Including reference to Lot 10, Location 3604 and Location 3777 Rosa Brook Road, Rosa Brook within Schedule III—Special Use Zone (relevant to Clause 4.8) and including the following special provisions—

Lot and Location	Permitted Uses (See Clause 4.8)
Lot 10, Location 3604 and Location 3777 Rosa Brook Road, Rosa Brook	<p>1. SUBDIVISION AND DEVELOPMENT GUIDE PLAN</p> <p>(a) Development shall be generally in accordance with the related Development Guide Plan, forming part of this scheme (Amendment No. 196).</p> <p>(b) Council may approve development of the land that includes minor variations to a Development Guide Plan provided that such variation does not alter the intent of the Development Guide Plan and may not reasonably be considered to be a modification requiring a new Development Guide Plan.</p> <p>2. PERMISSIBLE LAND USES</p> <p>(a) The following classes of development may be permitted, subject to the requirement to obtain Planning Consent under the Scheme—</p> <ul style="list-style-type: none"> <li>• 36 Chalets/Villas</li> <li>• Resort (SA use)</li> <li>• 2 Single Dwellings</li> <li>• Shop</li> <li>• Restaurant</li> <li>• Uses ancillary and incidental to the above, including Interpretive Centre and Private Recreation.</li> <li>• Rural Workers accommodation</li> <li>• Rural Industry</li> <li>• Intensive Agriculture</li> </ul> <p>(b) Prior to development approval, an approved effluent disposal management plan must be submitted to the satisfaction of the Shire and DoW. This plan shall describe the proposed wastewater disposal system and a proposed method of greywater reuse for the development. The effluent disposal management plan shall demonstrate that there will be no export of pollutants or nutrients from the land with specific regard to the location of the land within the catchment of the Ten Mile Brook dam. This plan must be consistent with the endorsed Local Water Management Strategy.</p> <p>(c) Any application for planning consent for the short stay component shall be accompanied by a detailed proposal for potable water supply, and where applicable (i.e. if other development the subject of the application require water supply), the relationship of this supply to the total water budget. These plans must be consistent with the endorsed Local Water Management Strategy.</p> <p>3. DEVELOPMENT AND/OR SUBDIVISION REQUIREMENTS</p> <p>(a) Development shall occur in accordance with the Department Guide Plan and an approved Local Water Management Strategy (November 2009) and associated supporting information.</p> <p>MANAGEMENT</p> <p>(b) A notification in the form of a Section 70A Notification, pursuant to the Transfer of Land Act 1893 (as amended) shall be placed on the Certificate(s) of Title of the proposed Lot(s) advising purchasers, that the subject land is located adjacent to rural land and rural activity may have a nuisance effect on amenity.</p> <p>(c) Any future strata title subdivision of the tourism component shall include a Strata Management Statement to the satisfaction of the Shire, WAPC and Tourism WA including statements to the effect of—</p> <ul style="list-style-type: none"> <li>• The chalets are for short stay tourism use only.</li> </ul>

Lot and Location	Permitted Uses (See Clause 4.8)
	<ul style="list-style-type: none"> <li>• Design guidance for the built form of chalets must be adhered to.</li> <li>• The agricultural area within the strata plan may only be used for agriculture.</li> <li>• Agricultural practices within the property have priority.</li> <li>• Prospective owners of tourism strata lots should be made aware that spraying and the spreading manure occurs and that work outside normal hours may occur.</li> </ul> <p>ROAD ACCESS</p> <p>(d) Vehicular access shall be to the satisfaction of the Shire and Main Roads WA for the care and control of the primary access road at the time of development. This access shall be in accordance with the recommendations of a Traffic Management Plan that is required to accompany any application for the tourist accommodation (Chalets and Villas) component of this proposal.</p> <p>LANDSCAPING AND VISUAL IMPACT</p> <p>(e) Built form design guidelines for the proposed strata chalets shall be approved prior to the approval of any development. These guidelines shall encourage a level of consistent and be in accordance with the Visual Impact Assessment (see below).</p> <p>(f) Development of the land shall ensure that the rural character of the locality is maintained and shall be in accordance with the outcome of a Visual Impact Assessment that shall be submitted with any development application, to the satisfaction of the Shire, in accordance with the Shire Visual Management Policy.</p> <p>(g) A Landscaping and Rehabilitation Management plan shall be prepared prior to development to the satisfaction of the shire in accordance with the Visual Impact Assessment and Agricultural Impact Statement and Management Plan. This plan shall address buffers to agricultural areas, management, maintenance and the rehabilitation of landscape areas shown on the DGP. The plan shall also include the retention of existing native vegetation on site.</p> <p>FIRE MANAGEMENT</p> <p>(h) The preparation and implementation of a Fire Management Plan (FMP) shall be in accordance with the approved Fire Management Plan (July 2009), with a particular emphasis on emergency access from the property to the satisfaction of the Shire and FESA.</p> <p>WATER MANAGEMENT</p> <p>(i) An Urban Water Management Plan shall be prepared prior to Council supporting any subdivision and/or development application. The Plan should build on and provide further details on all aspects of the endorsed Local Water Management Strategy in particular the following—</p> <ul style="list-style-type: none"> <li>• Wastewater management system treatment techniques, disposal strategy and final quality. It is also to include any relevant management of strata title issues.</li> <li>• Appropriate monitoring regime to determine water quality on site and leaving the site in surface and groundwater.</li> <li>• Appropriate waterway setbacks and filter zones within buffers.</li> </ul>

Lot and Location	Permitted Uses (See Clause 4.8)
	<ul style="list-style-type: none"> <li>• Industry best practice viticulture practices including minimal ground disturbing activities as well as chemical, irrigation and fertiliser regimes.</li> <li>• Construction practices to minimise sediment movement off site.</li> <li>• Contaminated spill response strategy.</li> <li>• Rainwater harvesting, storage and supply for drinking water.</li> <li>• Drainage management strategy including 1:1, 1:5 and 1:100 ARI with associated water balances for pre and post development scenarios.</li> <li>• Dam construction and water capture.</li> <li>• Landscaping strategy identifying plan types, sediment control mechanisms and fertiliser regimes.</li> <li>• Water quality modelling using MUSIC to determine nutrient and sediment loads and concentrations.</li> <li>• Nutrient and Irrigation Management Plan.</li> <li>• Water sensitive design for internal roads, carparks and hardstand areas including appropriate treatment of runoff.</li> <li>• Recycled water quality management plan.</li> <li>• A recycled water reuse scheme must be approved by the Department of Health for all water reuse activities.</li> <li>• Strategies for educating staff on site specific water management procedures.</li> <li>• Education material and program for guests on sustainable water management.</li> <li>• Water Management Strategies for construction workers/companies to adhere to.</li> </ul> <p>4. DEVELOPMENT CONTROL</p> <p>(a) All sensitive land uses shall be located a minimum of 100m from surrounding "rural" zoned areas and shall have appropriate vegetated buffers in place prior to operation. These buffers shall be in accordance with the Visual Impact Assessment (see above).</p> <p>(b) Development shall incorporate sustainable planning principles including the provision of water conservation initiatives such as rooftop water harvesting and provision of rainwater storage tanks, integration of grey water systems, appropriate solar orientation of structures for passive heating and cooling, use of solar for power production and water heating and appropriate forms of materials of construction.</p> <p>5. OTHER REQUIREMENTS</p> <p>(a) Prior to the issue of a Building License or Strata Titles for tourism development, the land shall be amalgamated into one title.</p> <p>(b) Prior to the issue of a Building License or Strata Title for tourism development, the Local Government shall be satisfied that substantial agricultural development has or will be undertaken.</p>

PI402\*

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

*Shire of Capel*

Town Planning Scheme No. 7—Amendment No. 47

Ref: TPS/0063

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Capel local planning scheme amendment on 18 May 2010 for the purpose of—

1. Rezoning Part Lot 90 (Plan 232810) Vickery Road, Elgin from “Rural” to “Special Use” and amending the Scheme Map accordingly.
2. Amending the Scheme Text by inserting in Appendix 4—”Special Use” the following—

Appendix No. 4

**Special Use Zone**

<b>Land Particulars</b>	<b>Permitted Uses</b>	<b>Development Standards/Conditions</b>
Portion of Lot 90 Vickery Road, Elgin	<p>The objective of the zone is to allow for the land to be used for “Recreation Private”.</p> <p>(1) The following uses are permitted (P)—</p> <ul style="list-style-type: none"> <li>- Model Aircraft Field and Club;</li> <li>- Uses reasonably ancillary to the above as determined by Council; and</li> <li>- Rural Pursuits.</li> </ul> <p>(2) A Single House is expressly not permitted (X).</p>	<p>1. Subdivision is to be generally in accordance with the Subdivision Guide Plan dated 14 April 2009 for the site adopted by Council as part of the Scheme Amendment report.</p> <p>2. Where an application is made for planning consent to commence or carry out any activity which in the opinion of Council has the potential to impact on the amenity of the surrounding land uses it shall be described as an “SA” use.</p> <p>Council shall not consider granting consent to that application unless notice of the application is first given in accordance with the provisions of Clause 8.2.</p> <p>3. Council may request the Western Australian Planning Commission to impose a condition on the subdivision requiring the subdividing landowner to place a Section 70A notification on the title of proposed lot 1 not permitting the construction of a single dwelling lot.</p>

M. T. SCOTT, Shire President.  
P. F. SHEEDY, Chief Executive Officer.

PI403\*

**PLANNING AND DEVELOPMENT ACT 2005**

*Shire of Jerramungup*

Local Planning Scheme No. 2—Amendment No. 4

It is hereby noted for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Jerramungup Local Planning Scheme Amendment on 29 April 2010 for the purpose of—

1. Rezoning Lot 89 Point Henry Road, Bremer Bay from the ‘Rural’ zone to the ‘Rural Residential’ zone.
2. Amending the Scheme Maps accordingly.
3. Amending the Scheme Text by inserting in “Schedule 11—Rural Residential Zone” the following—

<b>No.</b>	<b>Particulars of Land</b>	<b>Requirements</b>
RRes 5	Lot 89 Point Henry Road, Bremer Bay	<p><b>1. Objective of Zone</b></p> <p>The objective is to facilitate the creation of a clustered rural—residential retreat with an emphasis on the maintenance, protection and conservation of natural vegetation in keeping with the natural and visual attributes of the site and area in general.</p>

No.	Particulars of Land	Requirements
		<p><b>2. Plan of Subdivision</b></p> <p>(a) Subdivision is to be generally in accordance with a Subdivision Guide Plan endorsed by the Chief Executive Officer.</p> <p>(b) No further breakdown of lots shall be supported by the local government.</p> <p>(c) Minimum setbacks for building envelopes are to be 20 metres from the road frontage and 15 metres from all other lot boundaries.</p> <p>(d) All buildings shall be located within the building envelopes shown on the Subdivision Guide Plan.</p> <p>(e) Despite (c) above and Clause 5.25.3(f)(ii) of the Scheme building envelopes for proposed Lots 1 to 21 are not to exceed 2,000 m<sup>2</sup> generally in accordance with the Subdivision Guide Plan.</p> <p>(f) Provided the subdivision design is compatible with the findings of the flora survey required by provision 3(c), subdivision is to be in accordance with the Subdivision Guide Plan contained in the amendment documents. Alternatively, subdivision is to be in accordance with a Subdivision Guide Plan designed to respond to the flora survey to the satisfaction of the WAPC and also submitted with the subdivision application.</p> <p>(g) Written approval of the local government is required for any effluent disposal system proposed to be located outside of the building envelope shown on the Subdivision Guide Plan. The local government has the discretion to permit effluent disposal systems to be located outside the designated building envelope only where—</p> <ul style="list-style-type: none"> <li>(i) the applicant has demonstrated it is necessary due to soil conditions; and</li> <li>(ii) it does not conflict with the Fire Management Plan; and</li> <li>(iii) the objectives of vegetation protection are maintained.</li> </ul> <p><b>3. Vegetation Protection</b></p> <p>(a) No trees or substantial native vegetation shall be felled or removed without the prior written approval of the local government or where—</p> <ul style="list-style-type: none"> <li>(i) required for approved development or subdivision works;</li> <li>(ii) required to fulfil the provisions or requirements of an approved Bush Fire Management Plan;</li> <li>(iii) required by a Council Firebreak Order; or</li> <li>(iv) trees are declared to be dead, diseased or dangerous.</li> </ul> <p>(b) At the time of subdivision, subject to the agreement from the relevant agency, the WAPC may impose a condition requiring a conservation covenant to protect the vegetation in perpetuity and/or a section 70A Notification on all titles to alert first and subsequent purchasers of the rural residential lots that vegetation outside of the designated building envelope is to be maintained and protected for its conservation values in accordance with the objectives of the zone.</p> <p>(c) Prior to consideration of subdivision by the WAPC and prior to any site disturbance, a spring flora survey is to be prepared in accordance with EPA Guidelines. The flora survey is to accompany the subdivision application for the land.</p> <p>(d) At the time of subdivision, subject to the agreement from the relevant agency, the WAPC may impose a condition requiring the preparation and implementation of a Weed Management Plan in consultation with that agency.</p>



No.	Particulars of Land	Requirements
		<p><b>4. Bushfire Management Control</b></p> <p>(a) The local government may request the Commission to require all subdividing landowners to contribute to a fund administered by the local government and used solely for fire fighting facilities or equipment provided as a condition of subdivision.</p> <p>(b) The local government will require all owners to contribute annually to the special fund to be administered by the local government and used solely for the maintenance of fire fighting facilities or equipment.</p> <p>(c) Where the local government requires an owner of land to contribute to a special fund administered by local government, the owner must pay the contribution to the local government within 28 days of the requisition being made.</p> <p>(d) Where an owner does not pay a contribution required by the local government within 28 days of the requisition being made, the local government may recover it as well as the costs of the proceedings for that recovery in a court of competent jurisdiction.</p> <p>(e) Development shall comply with the Fire Management Plan endorsed by FESA and the Shire of Jerramungup.</p>

4. Amending the Scheme Text by amending Clause 5.25(l) to state “A dwelling is not to be occupied unless water storage tank(s) of minimum total capacity of 92 kilolitres, with adequate roof catchment, and an approved method of effluent disposal have been installed and are operating. If necessary, the local government may require the use of grey water recycling systems.”

B. TREVASKIS, Shire President.  
W. PARKER, Chief Executive Officer.

PI404\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*City of Swan*  
Local Planning Scheme No. 17—Amendment No. 27

Ref: TPS038

It is hereby notified for public information, in accordance with Section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Swan Local Planning Scheme Amendment on 13 May 2010 for the purpose of—

1. Amending Item 75 of Schedule 2—Additional Uses to read as follows—

No.	Description of Land	Additional Use	Conditions
75	Lot 198 Midland Road, Hazelmere and Lot 97 Adelaide Street, Hazelmere and Part of Part Lot 6 Adelaide Street, Hazelmere	“P”—Caravan Park	<p>1. In accordance with planning approval.</p> <p>2. All new park homes, caravans and ablution facilities being connected to deep sewer prior to the Caravan Park development being occupied.</p> <p>3. Access to Pt Lot 6 (the subject of this amendment) to Midland Road shall be constructed to Council’s satisfaction as part of the caravan park extension.</p> <p>4. The portion of Part Lot 6, the subject of this application being amalgamated with Lot 97 (399) Adelaide Street Hazelmere prior to the Caravan Park development being occupied.</p>

2. Amending the Local Planning Scheme Map accordingly.

C. ZANNINO, Mayor.  
M. J. FOLEY, Chief Executive Officer.

PI405\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Waroona*

Town Planning Scheme No. 7—Amendment No. 25

Ref: 853/6/10/10 Pt 25

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Waroona local planning scheme amendment on 20 May 2010 for the purpose of—

1. Rezoning Lot 1 Weller Road, Waroona from 'Rural 4—Hills Face' zoning to 'Rural 6—Rural Residential'.
2. Inserting wording into the Schedule 11 'Rural Resident Codes—Zone Descriptions', subject of clause 4.15 'Rural 6—Rural Residential Zone' as follows—

(a) Locality of Zone		(b) Permitted Use & Zone Control Provisions
<i>R Res 12</i>	Lot 1 Weller Road, Waroona	<ul style="list-style-type: none"> <li>(i) Subdivision shall generally be in accordance with the subdivision guide plan adopted by Council. The minimum lot size shall not be less than 4.0 hectares.</li> <li>(ii) Buildings are to be constructed in accordance with Australian Standard AS3959-2009: Construction of Buildings in Bushfire Prone Areas (as amended) or subsequent editions (as amended).</li> <li>(iii) No galvanised iron, Zinalume or white Colorbond may be used as exterior roofing, cladding or fencing material.</li> <li>(iv) Stock shall only be allowed as an occasional fire control measure and only within the cleared sections of the site or building envelope.</li> <li>(v) Lots 12 and 13, as shown on the approved subdivision guide plan shall not be stocked with livestock. Where permitted on lots 1 through 11, inclusive, the number of livestock shall be consistent with Department of Agriculture and Food Western Australia guidelines on the area of cleared land, not the total lot size. Stocking rates shall be set at those for dry pasture, with no importation of feed permitted.</li> <li>(vi) To retain the rural landscape value landowners will retain, as far as practical, existing vegetation.</li> <li>(vii) Prior to the grazing of stock all remnant vegetation shall be protected by adequate fencing.</li> <li>(viii) Private driveway access from proposed public road to proposed building envelopes for each allotment must be approved by Council in terms of both location and construction. In this regard, it is anticipated driveways having gradient slopes of greater than 5% will be required to be constructed of sealed or there suitable hard pavement surface. Construction of such driveways will also be required to address stormwater runoff such that no drainage or scouring will occur to the proposed public road.</li> <li>(ix) Fire Management is to be in accordance with the approved Fire Management Plan for the site. Any further development of the site is to comply with the requirements of the Fire and Emergency Services of Western Australia and Western Australia Planning Commission publication Planning for Bush Fire Protection.</li> <li>(x) Notwithstanding Clause 4.15.2(c), a minimum of 120,000 litres of water storage is required for each lot to assist in fire protection.</li> </ul>
<i>R Res 3 (x)</i> <i>R Res 7 (xi)</i> <i>Res 9 (iv)</i> <i>Res 10 (ii)</i> <i>Res 11 (iv)</i>	Various	Existing provisions being modified to read as follows— <i>Buildings are to be constructed in accordance with Australian Standards AS3959-2009: Construction of Buildings in Bushfire Prone Area (as amended) or subsequent editions (as amended).</i>

3. Amending the Scheme Maps accordingly

M. WALMSLEY, Shire President.  
I. N. CURLEY, Chief Executive Officer.

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## PREMIER AND CABINET

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PC401\*

### INTERPRETATION ACT 1984 MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor, in accordance with Section 52(1)(b) of the *Interpretation Act 1984*, has approved the Hon T. K. Waldron MLA to act temporarily in the office of Minister for Agriculture and Food; Forestry; Minister Assisting the Minister for Education, in the absence of the Hon D. T. Redman MLA for the period 26 June to 4 July 2010 (both dates inclusive).

This notice supersedes acting arrangements relating to the above office that were published in *Government Gazette* No. 63 dated 23 April 2010.

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

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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 and Liquor, 1st Floor, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
13313	JM Tran Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Mindarie and known as Han's Café Mindarie	2/07/2010
13333	Halls Creek Golf Club Inc	Application for the grant of a Club Restricted licence in respect of premises situated in Halls Creek and known as Halls Creek Golf Club Inc	15/06/2010
13451	Debkot Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Sorrento and known as Zeno's Cafe	29/06/2010
13457	Naad's Pty Ltd	Application for the grant of a Producer's licence in respect of premises situated in Naturaliste and known as Eagle Bay Brewing Co	28/06/2010
13467	Ventureque Lty Ltd and Dessie Litis Pty Ltd	Application for the grant of a Tavern licence in respect of premises situated in Perth and known as Venn Building	29/06/2010
13471	Richmont Investments Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Toodyay and known as Toodyay IGA Plus Liquor	4/07/2010
13473	Dean Peter Oorschot and Tammi Dacre Oorschot	Application for the grant of a Restaurant licence in respect of premises situated in Albany and known as Rustlers Steakhouse and Grill	5/07/2010
13475	Liquorland (Australia) Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Brookdale and known as Liquorland Brookdale	5/07/2010
13481	Cater Care Services Pty Ltd	Application for the grant of a Special Facility—Canteen licence in respect of premises situated in Kununarra and known as Garrjang	21/06/10

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
36480	Christopher Nicholas Bayly and (Anors)	Application for Ongoing Extended Hours permit in respects of premises situated in Pinjarra and known as Pinjarra Junction Liquor Store	21/06/2010
36500	The Camel Bar Pty Ltd	Application for Ongoing Extended Hours permit in respects of premises situated in Geraldton and known as The Camel Bar	23/06/2010
<b>APPLICATION FOR APPROVAL TO ALTER/DEFINE THE LICENSED PREMISES</b>			
289084	Australian Leisure and Hospitality Group Limited	Application for approval to alter/redefine the Tavern in respect of premises situated in Bullcreek and known as Bullcreek Tavern	25/06/2010

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

Dated: 2 June 2010

B. A. SARGEANT, Director of Liquor Licensing.

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## TOURISM

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TX401\*

### WESTERN AUSTRALIAN TOURISM COMMISSION ACT 1983

#### APPOINTMENT

It is hereby notified for general information that the Governor in Executive Council has, in accordance with Section 5 of the *Western Australian Tourism Commission Act 1983*, approved the following appointment to the Western Australian Tourism Commission (trading as Tourism Western Australia) Board of Commissioners—

Mr Stephen Wicks for a term of office commencing on 18 May 2010 and expiring on 18 May 2012.

Dr ELIZABETH CONSTABLE MLA, Minister for Tourism.

PETER CONRAN, Clerk of the Executive Council.

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## DECEASED ESTATES

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ZX401\*

### 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 4 July 2010 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Andreas, Adrian Howden Ernest, late of 23 Neil Street, Rossmoyne died 12 May 2010 (DE19570687 EM113)

Brewster, Walter Law also known as Alias, late of Care of Gracewood Hostel, 18 Roebuck Drive, Salter Point died 7 May 2010 (DE30330248 EM17)

Dodd, June, late of Anchorage Aged Care, Anchorage Drive, Mindarie died 18 April 2010 (DE33050140 EM35)

Dicks, Edward Victor, late of 8 John Street, Armadale died 22 April 2010 (DE19913873 EM13)

Howie, Clive Ulverstone, late of Rowethorpe Trinity Hostel, 4 Hayman Road, Bentley died 27 April 2010 (DE19893808 EM35)

Leslie, Violet Beryl, late of cnr Stock and French Road, Melville died 16 April 2010 (DE19751357 EM17)

- Marshall, Isabella Jean, late of 10b Stamos Court, Kardinya died 25 February 2010 (DE33079450 EM213)
- Marshall, Robert Booth, late of 10b Stamos Court, Kardinya died 25 February 2010 (DE33079452 EM213)
- Morgan, Ronald George, late of Cygnet Hostel, Hillview Terrace, Bentley died 17 August 2009 (PM33052255 TM62)
- Ralph, Joan Edith, late of Applecross Nursing Home, River Way, Applecross died 19 April 2010 (DE33067631 EM23)
- Rangi, Mei Te Roto, late of 48 Moran Street, Boulder died 7 May 2010 (DE33079163 EM32)
- Robinson, Dorothy Phylis, late of City of Bayswater Hostel, 21 Embleton Avenue, Embleton died 12 May 2010 (DE19851035 EM15)
- Smith, Madge Josephine also known as Doe Doe, late of 23 Wyperfeld Gardens, Ballajura died 9 April 2010 (DE33080512 EM26)
- Taylor, Ronald James formerly of 135 Delpark Road, North Dandalup, late of 38 Tasman Loop, Dudley Park died 21 April 2010 (DE20000723 EM37)
- Valentine, Phyllis Josephine formerly of 8/7 Clarence Street, Tuart Hill, late of Bethanie Beachside 629 Two Rocks Yanchep died 5 May 2010 (DE19711244 EM38)
- West, Iris Lorraine, late of 49b Oswald Street, Innaloo died 25 April 2010 (DE19743332 EM24)

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

WESTERN AUSTRALIA  
**LOCAL GOVERNMENT ACT 1995**

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- Electoral Act 1907**—Reprint No. 5 (26 Feb. 1962);
- Government Railways Act 1904**—Reprint No. 1 (21 Feb. 1949);
- Health Act 1911**—Reprint No. 4 (including 21 of 1944);
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- Motor Vehicle (Third Party) Act 1943**—Reprint No. 1;
- Motor Vehicle (Third Party) Act 1943**—Reprint No. 3 (23 Aug. 1954);
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