



**WESTERN  
AUSTRALIAN  
GOVERNMENT  
Gazette**

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# — PART 1 —

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## PROCLAMATIONS

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AA101\*

**GRAIN MARKETING REPEAL ACT 2010**

No. 30 of 2010

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 *Grain Marketing Repeal Act 2010* section 2(b) 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 and 2, come into operation.

Given under my hand and the Public Seal of the State on 19 October 2010.

By Command of the Governor,

D. T. REDMAN, Minister for Agriculture and Food.

AA102\*

**HAIRDRESSERS REGISTRATION (AMENDMENT AND EXPIRY) ACT 2010**

No. 29 of 2010

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 *Hairdressers Registration (Amendment and Expiry) Act 2010* section 2(b) and with the advice and consent of the Executive Council, fix 1 November 2010 as the day on which the provisions of that Act, other than sections 1 and 2, come into operation.

Given under my hand and the Public Seal of the State on 19 October 2010.

By Command of the Governor,

W. R. MARMION, Minister for Commerce.

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**JUSTICE**

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JU301\*

Legal Profession Act 2008

**Legal Profession Amendment Rules 2010**

Made by the Legal Practice Board.

**1. Citation**

These rules are the *Legal Profession Amendment Rules 2010*.

**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*;
- (b) the rest of the rules — on the day after that day.

**3. Rules amended**

These rules amend the *Legal Profession Rules 2009*.

**4. Rule 14 amended**

In rule 14(1):

- (a) in paragraph (c) delete “Commission;” and insert:  
  
Commission.
- (b) delete paragraph (d).

Made by the Legal Practice Board under Part 17 of the Act.

ANNA MARIA LISCIA  
Member

PETER CHARLES SUPET VAN HATTEM, SC  
Member

GREGORY MALCOLM GRANT McINTYRE, SC  
Member

BRUNO FIANNACA, SC  
Member

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## LOCAL GOVERNMENT

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LG301\*

**HEALTH ACT 1911  
LOCAL GOVERNMENT ACT 1995**

*Shire of Koorda*

**HEALTH AMENDMENT LOCAL LAW 2010**

Under the powers conferred by section 342 of the *Health Act 1911*, subdivision 2 of Division 2 of Part 3 of the *Local Government Act 1995* and all other powers enabling it, the Council of the Shire of Koorda resolved on 15 September 2010 to make the following local law.

**1. Citation**

This local law is the *Shire of Koorda Health Amendment Local Law 2010*.

**2. Commencement**

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

**3. Principal local law**

In this local law the *Shire of Koorda Health Local Laws 2001* as published in the *Government Gazette* on 11 January 2002, is referred to as the principal local law. The principal local law is amended.

**4. Correction to terminology**

Except in the definition of “water” in section 1.3(1), throughout the whole local laws delete “Council” wherever it appears and insert “local government” or “the local government” as appropriate.

**5. Section 1.3 amended**

In section 1.3(1)—

- (a) Delete the definition “approved” and insert—  
“approved” means approved by the local government;
- (b) Delete the definition “AS/NZS 1276.1:1999” and insert—  
“AS/NZS ISO 717.1:2004” means the standard published by the Standards Association of Australia as AS/NZS ISO 717.1:2004 and called “Acoustic—Rating of sound insulation in buildings and of building elements—Airborne sound insulation”;
- (c) Delete the definition “AS1668.2—1991” and insert—  
“AS 1668.2—2002” means the standard published by the Standards Association of Australia as AS 1668.2—2002 and called “The use of ventilation and air-conditioning in buildings—Ventilation design for indoor-air contaminant control”;
- (d) Delete the definition “AS/NZS 3666.2:1995” and insert—  
“AS/NZS 3666.2:2002” means the standard published by the Standards Association of Australia as AS/NZS 3666.2:2002 and called “Air handling and water systems of buildings—Microbial Control—Operation and maintenance”;
- (e) Delete the definition “Council”;
- (f) In alphabetical order of the terms being defined, insert the definition—  
“local government” means the local government of the Shire of Koorda and includes the council of the local government;
- (g) Delete the definition “Principal Environmental Health Officer”; and
- (h) Delete the definition “water” and insert—  
“water” means drinking water within the meaning of the Australian Drinking Water Guidelines as published by the National Health and Medical Research Council in 2004 and as amended from time to time;  
and

**6. Section 2.1.4 amended**

In section 2.1.4—

- (a) In subsections (1)(c)(ii) and (1)(d)(ii) delete “wash hand basin” and insert “hand wash basin”; and
- (b) In subsection (3) delete “Principal” in the last line.

**7. Section 2.1.5 amended**

In section 2.1.5(a) delete “AS/NZS 1276.1:1999” and insert “AS/NZS ISO 717.1:2004; and”.

**8. Section 2.2.1 amended**

In section 2.2.1—

- (a) In subsection (1)(a) insert after the word ceiling “in accordance with the requirements of Part F2.4.1 of the Building Code”; and
- (b) In subsection (1)(c) delete “wash hand basin” and insert “hand wash basin”.

**9. Section 2.2.4 amended**

In section 2.2.4(4)(a) after the words “requirements of” insert “Energy Safety and”.

**10. Section 3.1.1 amended**

In section 3.1.1(m) delete “the Office of Energy” and insert “Energy Safety”.

**11. Section 3.1.2 deleted**

Delete section 3.1.2 and insert—

**Maintenance of Guttering and Downpipes and Disposal of Rainwater**

3.1.2 The owner or occupier of a house shall maintain all guttering, downpipes and drains on the premises in a good state of repair, clean and free from obstruction.

**12. Section 3.2.4 amended**

In section 3.2.4—

- (a) In subsection (2) after “Building Code” insert “and with the *Sewerage (Lighting, Ventilation and Construction) Regulations 1971*;
- (b) In subsection (2)(b) delete “AS1668.2: 1991” and insert “AS 1668.2:-2002”;
- (c) In subsection (3)(a) delete “1995” and insert “2002”; and
- (d) In subsection (4), delete “The Principal” and insert “the”.

**13. Division 5 of Part 3 deleted**

Delete Division 5 of Part 3

**14. Section 4.1.1 amended**

In section 4.1.1, delete the definition “approved carrier”.

**15. Section 4.1.4 amended**

In section 4.1.4—

- (a) Delete subsection (a) and re-designate subsections “(b) and “(c)” as subsections “(a)” and “(b)”;
- (b) In subsection (b) delete “paragraph (b)” and insert “subsection (a)”.

**16. Section 4.1.5 deleted**

Delete Section 4.1.5.

**17. Section 4.1.6 deleted**

Delete Section 4.1.6.

**18. Part 4 amended**

In Part 4—

- (a) Delete “Division 2”;
- (b) Re-designate “Division 3” as “Division 2”; and
- (c) Re-designate “sections 4.3.1 to 4.3.3” as “sections 4.2.1 to 4.2.3”.

**19. Section 4.2.2 deleted**

Delete section 4.2.2 and re-designate “section 4.2.3” as “section 4.2.2”.

**20. Section 4.2.2 amended**

In section 4.2.2—

- (a) In subsection (1)(a)(i) delete “an approved,”;
- (b) In subsection (1)(a) (iv), delete “approved by the local government,”; and
- (c) Delete subsection (2) and re-designate “subsection (3)” as “subsection (2)”.

**21. Section 5.1.3 amended**

In section 5.1.3—

- (a) In subsection (1) delete “(1) Subject to subsection (2), an” and insert “An”; and
- (b) Delete subsection “(2)”.

**22. Section 5.1.6 amended**

In section 5.1.6(2) delete “therefrom” and insert “there from”.

**23. Section 5.1.7 amended**

In section 5.1.7 (a) delete “Principal”.

**24. Section 5.2.4 amended**

In section 5.2.4—

- (a) In subsection (1) delete “District” and insert “district”;
- (b) In subsection (7)(b), delete “Schedule 3” and insert “Schedule 1”; and
- (c) In subsection (8)(a) delete “Schedule 4” and insert “Schedule 2”.

**25. Section 5.2.6 amended**

In sections 5.2.6(2) and 5.2.6(3) delete “immediately” and insert “as soon as possible”.

**26. Section 5.4.5 correction**

In section 5.4.5(b), delete “(ii)” where it appears for the second time and insert “(iii)”.

**27. Section 7.1.4 deleted**

Delete section “7.1.4” and re-designate sections “7.1.5 to 7.1.9” as sections “7.1.4 to 7.1.8”.

**28. Section 7.1.5 amended**

In section 7.1.5(2), delete “Principal”.

**29. Section 8.1.1 adding a definition**

In section 8.1.1(1) in alphabetical order of the term being defined, insert the definition—

““Food Standards Code” means the Australian New Zealand Food Standards Code as defined in the *Commonwealth Food Standards Australia New Zealand Act 1991*;

**30. Section 8.1.3 amended**

In section 8.1.3(a) delete “Schedule 5” and insert “Schedule 3”.

**31. Section 8.1.4 amended**

In section 8.1.4, delete “Schedule 6” and insert “Schedule 4”.

**32. Section 8.1.6 amended**

In Section 8.1.6 delete “Schedule 7” and insert “Schedule 5”.

**33. Section 8.2.2 amended**

In section 8.2.2(b) delete “the requirements of the *Health (Food Hygiene) Regulations 1993*” and insert “any of the requirements of Standard 3.2.3 of the Food Standards Code”.

**34. Section 8.2.5 amended**

In section 8.2.5(1)(b), delete “hand basin” and insert “hand wash basin”.

**35. Section 8.3.2 amended**

In section 8.3.2(1), delete “Schedule 8” and insert “Schedule 6”.

**36. Section 8.3.3 amended**

In section 8.3.3 delete “Schedule 9” and insert “Schedule 7”.

**37. Section 8.3.4 amended**

In section 8.3.4(1) delete “Schedule 10” insert “Schedule 8”.

**38. Section 8.3.9 amended**

In section 8.3.9(b) delete “, obnoxious”.

**39. Section 9.1.2 amended**

In section 9.1.2 delete “Schedule 11” and insert “Schedule 9”.

**40. Section 9.1.4 amended**

In section 9.1.4—

- (a) In subsection (a) delete “Schedule 12” and insert “Schedule 10”; and
- (b) In subsection (b) delete “*Offensive Trades (Fees) Regulations 1976*” and insert “*Health (Offensive Trade Fees) Regulations 1976*”.

**41. Section 9.1.5 amended**

In section 9.1.5 delete “Schedule 13” and insert “Schedule 11”.

**42. Section 9.1.8 deleted**

Delete section 9.1.8.

**43. Section 9.2.4 amended**

In section 9.2.4—

- (a) In the title delete “Wash Basins” and insert “Hand Wash Basins”; and
- (b) Delete “wash hand basins” and insert “hand wash basins”.

**44. Section 9.2.9 deleted**

Delete section 9.2.9 and re-designate “sections 9.2.10 and 9.2.11” as “sections 9.2.9 and 9.2.10”.

**45. Part 9 deletion of Divisions**

In Part 9—

- (a) Delete “Division 3”; and
- (b) Delete “Division 4”.

**46. Part 11 re-designated**

- (a) Re-designate Part 11 as Part 10
- (b) Redesignate section “11.1.1” as section “10.1.1”.

**47. Part 12 re-designated**

Re-designate Part 12 as Part 11.

**48. Part 11 deletion of Schedules**

In Part 11—

- (a) Delete “Schedule 1”;
- (b) Delete “Schedule 2”; and
- (c) Re-designate “Schedules 3 to 13” as “Schedules 1 to 11”.

**49. Schedule 3 amended**

In Schedule 3 of Part 11, delete “Wash hand basins” the two times it appears and insert “Hand wash basins”.

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Passed at an ordinary meeting of the Council of the Shire of Koorda held on the 15th day of September, 2010.

The Common Seal of the Shire of Koorda was placed here in the presence of—

J. P. BROOKS, President.  
G. J. McDONALD, Chief Executive Officer.

On this 28th day of September 2010.

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Consented to—

Dr TARUN WEERAMANTHRI, Executive Director,  
Public Health.

Dated this 8th day of October 2010.

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**PLANNING**

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PI301\*

Armadale Redevelopment Act 2001

**Armadale Redevelopment Amendment  
Regulations 2010**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Armadale Redevelopment 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 *Armadale Redevelopment Regulations 2003*.

**4. Regulation 4 amended**

- (1) In regulation 4 delete “The” and insert:

- (1) The

- (2) At the end of regulation 4 insert:

- (2) The Authority may waive, in whole or in part, the payment of a fee under subregulation (1).

**5. Schedule 2 replaced**

Delete Schedule 2 and insert:

**Schedule 2 — Fee for application**

[r. 4]

<b>Estimated value of proposed development</b>	<b>Fee</b>
Up to \$50 000	\$132
\$50 001 to \$500 000	0.3% of the estimated value of the development
\$500 001 to \$2 500 000	\$1 500 plus 0.24% of the amount by which the estimated value of the proposed development exceeds \$500 000
\$2 500 001 to \$5 000 000	\$6 300 plus 0.20% of the amount by which the estimated value of the proposed development exceeds \$2 500 000
\$5 000 001 to \$21 500 000	\$11 300 plus 0.12% of the amount by which the estimated value of the proposed development exceeds \$5 000 000
Greater than \$21 500 000	\$31 100

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\*

**RACING AND WAGERING WESTERN AUSTRALIA ACT 2003**  
**RACING AND WAGERING WESTERN AUSTRALIA (PLAYER FOB RULES)**  
**NOTICE (NO. 1) 2010**

Made by Racing and Wagering Western Australia under section 61 of the Act.

**1. Citation**This notice is the *Racing and Wagering Western Australia (Player FOB Rules Notice 2010)*.

**2. Commencement**

These rules came into operation on 19 May 2009.

**3. Interpretation**

In this notice—

“**the Act**” means the *Racing and Wagering Western Australia Act 2003*;

“**the Rules**” means the rules described in clause 4, adopted by Racing and Wagering Western Australia.

**4. Rules adopted under section 61 of the Act**

(1) In a meeting held on 14 May 2009, Racing and Wagering Western Australia resolved—

(a) to adopt and operate under rules relating to a jointly operated fixed odds wagering system in accordance with section 61(2) and (4) of the Act.

(2) A copy of the rules adopted was published for public information in the *Gazette* of 19 May 2009 at pp. 1665-1673.

**5. Changes to Rules published for public information (section 61(6)(c) of the Act)**

(1) Further amendments to the Rules were adopted by resolution of the Board dated 19 October 2010.

(2) Those further amendments to the Rules are published in the Schedule to this notice for public information, as required by section 61(6)(c) of the Act.

**Schedule 1—Amendments to Adopted Rules**

1. Rule 4.2.1 is amended by inserting after the word ‘placings’ the following—

Refer market rules for exact place betting terms

Note: Late Scratchings

In the event that a Late Scratching reduces the field to 5, 6 or 7 runners Fixed Odds will pay 1st and 2nd

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**TRANSPORT**

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TR301\*

Rail Safety Act 1998

**Rail Safety Amendment Regulations  
(No. 2) 2010**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Rail Safety 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 the day after that day.

**3. Regulations amended**

These regulations amend the *Rail Safety Regulations 1999*.

**4. Regulation 5 amended**

(1) In regulation 5(1):

(a) in paragraph (c) delete “amusement;” and insert:

amusement.

(b) delete paragraphs (d) and (e).

(2) Delete regulation 5(2).

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

  

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## — PART 2 —

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### ENERGY

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EN401\*

**ELECTRICITY INDUSTRY ACT 2004**

## NOTICE UNDER SECTION 23 (1) NOTICE OF DECISIONS

Notice is given that the following Retail licence has been granted—

Licensee:	ERM Power Retail Pty Ltd
Issue Date:	15 October 2010
Address of Licensee:	Level 5, Riverside Centre 123 Eagle Street BRISBANE QLD 4000
Classification:	Retail Licence (ERL15)
Term of Licence:	Up to and including 14 October 2025
Area Covered:	Area within the boundaries set out in ERA-EL-122.
Inspection of Licence:	Economic Regulation Authority 6th Floor 197 St Georges Terrace Perth WA 6000 <a href="http://www.era.wa.gov.au">http://www.era.wa.gov.au</a>

LYNDON G. ROWE, Chairman,  
Economic Regulation Authority.

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### LOCAL GOVERNMENT

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LG401\*

*TOWN OF BASSENDEAN*

## APPOINTMENT OF CASUAL RANGER

It is hereby notified for public information that Ronan White has been appointed as a Casual Ranger, effective from Thursday, 21 October 2010. He is an authorised officer under the following Acts and is required to enforce the—

- i. Dog Act 1976 and Regulations
- ii. Litter Act 1979
- iii. Local Government Act 1995
- iv. Council Local Laws
- v. Control of Vehicles (Off-road areas) Act 1978
- vi. Bush Fires Act 1954

R. C. JARVIS, Chief Executive Officer.

Dated: 21 October 2010.

**LG402\*****LOCAL GOVERNMENT ACT 1995**

*City of Swan*  
(BASIS OF RATES)

Department of Local Government.

DLG: SW5-4#05

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 November 2010.

BRAD JOLLY, Executive Director,  
Governance and Legislation.

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SCHEDULE  
**ADDITIONS TO GROSS RENTAL VALUE AREA**  
CITY OF SWAN

All that portion of land being Lot 52 as shown on Certificate of Title Volume 2141 Folio 447.

**LG403\*****LOCAL GOVERNMENT ACT 1995**

*City of Swan*  
(BASIS OF RATES)

Department of Local Government.

DLG: SW5-4#05

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 November 2010.

BRAD JOLLY, Executive Director,  
Governance and Legislation.

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SCHEDULE  
**ADDITIONS TO UNIMPROVED VALUE AREA**  
CITY OF SWAN

All that portion of land being Lot 24 as shown on Diagram 82744.

**LG501\*****BUSH FIRES ACT 1954**

*Shire of Toodyay*  
FIREBREAK ORDER 2010-2011

Pursuant to Section 33 of the *Bush Fires Act 1954*, all residents and ratepayers within the Shire of Toodyay are required to clear a fire break of all inflammable material on their land as set out below.

Due Date: 1 November in each year. Maintained Until: 30 April in the following year.

NB: If you purchase land during this period you have 14 days from purchase to comply with the requirements of this order.

**1. Special Rural and Rural Land**

*Is all land outside the Gazetted Toodyay Townsite.*

- 1.1 Land up to and including 200 hectares in size requires a minimum of a 3 metre wide and high fire break within 10 metres of the external boundary.
- 1.2 Land exceeding 200 hectares in size requires a minimum of a 3 metre wide and high fire break to divide the property into 200 hectare parcels of land.

- 1.3 A fire break a minimum of 3 metres wide shall be cleared and maintained within 7 metres around all buildings, haystacks and fuel storage areas. In addition to this, a 15 metre wide low fuel area with a maximum vegetation height of 75 mm is to be maintained. NB: It is not a requirement to remove live trees or shrubs except for *Dryandra*.
- 1.4 A fire break a minimum of a 3 metre wide shall be cleared and maintained around a stationary motor.
- 1.5 A firebreak a minimum of a 20 metre wide shall be cleared and maintained inside the boundary of all land that has been cleared by whatever means and has piles of vegetation (whether for burning or removal) NB: If clearing is completed after 1 November, the fire break is to be installed within 28 days.
- 1.6 On all land situated within the Majestic Heights, Majestic Waters and Vernon Hills subdivisions a Building Protection Zone 25 metres wide shall be established and maintained around all buildings with a further 25 metres of a Hazard Separation Zone.
- 1.7 All lots within the Donegan Views, Gidgegannup Springs and Regal Hills, Subdivisions shall comply with clause 1.1 of this order except for that portion of the lots adjacent to the external boundary of the subdivision. The fire break on the external boundary of the subdivision is to be 6 metres wide, clear of inflammable material with 4 metres trafficable.
- Within;
- Moodyne Park, (Lots 601, 112, 114, 117, 125, 126, 128, 132, 133 and 134) Majestic Waters, (Lots 5-10 & 13-17) and Park Views (Lots 650, 671-680, 685 & 686) Subdivisions shall comply with clause 1.1 of this order except for that portion of the lots adjacent to the external boundary of the subdivision. The fire break on the external boundary of the subdivision is to be 6 metres wide, clear of inflammable material with 4 metres trafficable.

### Strategic Fire Breaks

All "strategic fire breaks" within the Shire of Toodyay have now been deemed as fire access roads and will be maintained and upgraded by the Shire of Toodyay at the Shire's expense

All landowners who previously contributed to the strategic firebreaks within the Shire of Toodyay are no longer required to do so but are required to comply with this order.

### 2. Townsite Land

*Is all land within the Gazetted Toodyay Townsite.*

- 2.1 All Townsite Lots with an area less than 1 hectare (2.47 acres) are required to be fire hazard reduced by—
- Removal of all inflammable material **or**
  - Reduction of the vegetation fire hazard to a maximum height of 75 mm.
  - Removal of all slashed material.
- 2.2 All Townsite Lots with an area greater than or equal to 1 hectare (2.47 acres) shall comply with either clause 2.1 above **or** clauses 1.1 and 1.3 of this Order.

### Fire Break Variation

If for any reason it is considered impracticable to clear fire breaks on any land as required by this Order a Fire Break Variation can be applied for.

All requests for variations must be received at the Shire Office by 1 October in any year. The request must be in writing and provide a sketch of the property with existing fire breaks and the proposed alternative. If permission is granted, it will be in writing and shall remain valid until revoked.

### Burning Garden Refuse, Campfires and Cooking Fires During the Restricted Burning Period.

The burning of garden refuse and the lighting of camping or cooking fires is prohibited during the Restricted Burning Period unless a valid permit to burn has been obtained from a Fire Control Officer.

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## PLANNING

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PI401\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**METROPOLITAN REGION SCHEME MINOR AMENDMENT 1187/57**  
**HIGH WYCOMBE URBAN PRECINCT**

Approved Amendment

File: 833-2-24-56

The Minister for Planning has approved, as advertised, the abovementioned amendment to the Metropolitan Region Scheme. The amendment is shown on Western Australian Planning Commission

(WAPC) plan number 3.2322 and is effective from the date of publication of this notice in the *Government Gazette*.

Pursuant to section 126(3) of the *Planning and Development Act 2005*, the Shire of Kalamunda requested that the WAPC amend its Local Planning Scheme (LPS) No. 3 for the urban zoned land included in the proposal. This was agreed to by the WAPC and the land generally bound by Kalamunda Road, Stirling Crescent, Adelaide Street and Commonwealth Government Land (Perth Airport) will be transferred to the urban development zone in LPS No. 3. This amendment to LPS No. 3 is effective from the date of publication of this notice in the *Government Gazette*.

Copies of the amendment and the accompanying report on submissions are available for public inspection from Tuesday, 26 October 2010 to Friday, 3 December 2010 at—

- Western Australian Planning Commission, Wellington Street, Perth
- J S Battye Library, Level 3 Alexander Library Building, Perth Cultural Centre
- Shire of Kalamunda

Documents are also available from the PlanningWA website [www.planning.wa.gov.au](http://www.planning.wa.gov.au).

TONY EVANS, Secretary,  
Western Australian Planning Commission.

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**PI402\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Canning*  
Town Planning Scheme No. 21—Amendment No. 27

Ref: TS/1/21/27

It is hereby notified for public information, in accordance with Section 75 of the *Planning and Development Act 2005* (as amended) that the Hon Minister for Planning approved City of Canning Town Planning Scheme No. 21 Amendment No. 27 on 5 October 2010.

The City of Canning undertook a review of Town Planning Scheme 21 (Queens Park/East Cannington Guided Development Scheme) and the amendment resulting from that review has now been adopted.

GIUSEPPE DELLE DONNE, JP, Mayor.  
M. DACOMBE, Chief Executive Officer.

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**PI403\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*City of Perth*  
City Planning Scheme No. 2—Amendment No. 18

Ref: TPS/0225

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 Perth local planning scheme amendment on 23 September 2010 for the purpose of—

1. Renumbering clause 37(a) to clause 37(1) (a)
2. Renumbering clause 37(b) to clause 37(1) (b)
3. Renumbering clause 37(c) to clause 37(1) (c)
4. Deleting clause 37(d)
5. Inserting new clause 37(1) (d)—
  - (d) Minor Development listed in Schedule 8 is exempt from the requirement to obtain planning approval, subject to the prerequisites and standards identified in Schedule 8.
6. Inserting new clause 37(2)—
  - (2) If the Council considers that a development existing or operating using clause 37(1) (d) is outside the scope of the prerequisites and standards identified in Schedule 8, then the Council shall provide written notice to the owner advising that planning approval is required.
7. Deleting from Schedule 8 the following—
 

‘A sign that complies with the By-law relating to signs (Local Law No. 40)’.



8. Inserting into Schedule 8 the following details—

## SCHEDULE 8

### MINOR DEVELOPMENT EXEMPT FROM PLANNING APPROVAL

#### Permitted Development

Pursuant to section 37 (1) (d), the development listed below is exempt from the need to obtain town planning approval from the Council.

This does not exempt development from the need to obtain all other necessary approvals relating to, but not limited to—

- Building Licence
- Sign Licence
- Alfresco Dining Licence
- Events Licence
- Hoarding Licence
- Extended Trading Permit
- Any By-Laws or Local Laws
- Strata Approval as per the *Strata Titles Act 1985* (where appropriate)
- All State Government Approvals (where appropriate)

#### Prerequisites—

The following matters are to be satisfied prior to the carrying out of any exempted development listed below.

- Owner's consent has been secured for the use of land, including the consent of the City of Perth, if the land is owned or under the care, control and management of the City.
- No variation of any development standard in the City Planning Scheme No. 2 (as amended) and where appropriate, any special control areas or local planning scheme is proposed.
- No variation of any 'Acceptable Development' provisions of the Residential Design Codes (as amended) is proposed.
- Conditions of a current planning approval for the site will not be contravened.
- The building or structure is not—
  - (i) located or proposed to be in or on a place that has been entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*;
  - (ii) the subject of an Order under Part 6 of the *Heritage of Western Australia Act 1990*;
  - (iii) listed, or is proposed to be located in or on a place listed within the City's Register of Places of Cultural Heritage Significance; or
  - (iv) located within an existing or proposed heritage precinct, or conservation area designated on the City's Register of Places of Cultural Heritage Significance;
- The proposed development or use is not located within the Metropolitan Region Scheme Clause 32 Area—Parliament House Precinct Policy Area.
- The proposed development or use is not on a lot within or abutting the Swan River Management Area or abuts or is likely to affect waters which are in the Management Area.
- The proposed development or use is not on a reservation under the Metropolitan Region Scheme.
- Universal access is integrated into any proposed reconfiguration of internal floor space of buildings that the public are entitled or allowed to enter or use (including the foyer/lobby for residential buildings).
- The land is not known to be or found to be contaminated.
- Vehicular or pedestrian access to or from the site will not be obstructed by the proposed works.
- The development or use has the necessary clearances from relevant infrastructure and/or utility authorities.
- The development or use will not impact on public or private safety.
- The development or use will not result in the direct or indirect loss of amenity.
- A street tree or tree listed within the City's Register of Places of Cultural Heritage Significance will not be affected in any way or removed.
- All stormwater will be contained on site.
- Any proposed replacement of existing air conditioning units which do not meet the conditions applying to exempted development will require a separate application for planning approval.
- Any proposed apparatus will be installed in accordance with the manufacturer's specifications.
- The proposed works will not adversely impact on fire safety and existing fire measures installed in the existing building.

**Exempted development—**

<b>Development type</b>	<b>Conditions applying to the exempted development</b>
Air Conditioning Units	<ul style="list-style-type: none"> <li>• Only applicable where all equipment and any discharge is wholly contained within the property's boundaries and does not encroach over the road reserve.</li> <li>• Designed to meet the <i>Environmental Protection (Noise) Regulations 1997</i>.</li> <li>• If located on the roof of a building, to be integrated into a screened rooftop so that the air conditioning unit is not visible from nearby buildings or the street (preferred option for commercial premises). Otherwise to be located towards the rear of the building and screened from the primary street.</li> <li>• Is not proposed to be located on a balcony.</li> <li>• Located so as not to adversely impact on active or habitable spaces of adjoining properties.</li> <li>• All servicing lines including electrical, plumbing and duct work to be concealed.</li> <li>• Does not discharge air or condensate onto the street.</li> <li>• Complies with the provisions of the Air Conditioning Units Local Law 2004.</li> </ul>
End of trip facilities for commercial premises (secure showers, bike racks, change rooms and lockers)	<ul style="list-style-type: none"> <li>• Accommodated within an existing building.</li> <li>• No external alterations are proposed.</li> <li>• Does not encroach on the existing parking layout.</li> <li>• Facilities are provided in accordance with City Planning Scheme No. 2 Policy 5.4—Bicycle Parking and End of Journey Facilities.</li> </ul>
Excavation/fill and retaining walls	<ul style="list-style-type: none"> <li>• Excavation limited to a maximum of 500mm below natural ground level situated within setback areas.</li> <li>• Fill and/or retaining wall height to a maximum of 500mm in height above natural ground level within setback areas. Any proposed fill to be situated against an adequate retaining wall.</li> <li>• Note the creation of landscaped 'terraces' within the front setback area is not permitted without formal approval.</li> </ul>
Façade Repair	<ul style="list-style-type: none"> <li>• Non structural works only.</li> <li>• There is no change to the external appearance of the building, including building materials, finishes or glazing.</li> <li>• No new fittings or attachments to the façade of the building are permitted. However the replacement of like materials/fittings for like with regard to minor façade repairs is acceptable.</li> </ul>
Flag Poles	<ul style="list-style-type: none"> <li>• The structure is wholly contained within the property's boundaries and free standing with a minimum head clearance of 2.75 metres from the existing ground level.</li> <li>• A maximum of 6m in height and 200mm diameter.</li> <li>• Only one flag pole per premises.</li> <li>• Does not promote advertising or offensive material.</li> <li>• Is structurally stable with adequate footings where required.</li> </ul>
Home Occupation	<ul style="list-style-type: none"> <li>• The proposed use is identified in the appropriate Use Group Table as a Preferred Use 'P', with no restrictions applying.</li> <li>• Where a home occupation complies with the Scheme definition of a Home Occupation and the provisions of Policy 3.4 of the City Planning Scheme No. 2 (as amended).</li> </ul>
Internal alterations	<p>Building or other work for the maintenance, improvement or other alteration of any building where those works affect only its interior and does not—</p> <ul style="list-style-type: none"> <li>• materially affect its external appearance;</li> <li>• increase the existing plot ratio floor area of the building; and/or</li> <li>• change the approved use of the building.</li> </ul>

Development type	Conditions applying to the exempted development
Pergolas, patios, vergolas and shade sails.	<ul style="list-style-type: none"> <li>• These structures are to be contained wholly within the property's boundaries.</li> <li>• Not visible from the primary street, or located within the front, side/rear setback areas.</li> <li>• A maximum of 2.8 metres in height from natural ground level.</li> <li>• Compliant with the setback and open space requirements of the 'Acceptable Standards' of the Residential Design Codes (2008) and the provisions of the City Planning Scheme No. 2 (as amended).</li> <li>• The proposed materials, finishes and design are complementary to the existing building.</li> <li>• Does not encroach on the existing parking layout.</li> </ul>
Pools (in-ground) and spas	<ul style="list-style-type: none"> <li>• Not visible from the primary street, or located within the front setback area.</li> <li>• Located to avoid where possible adjoining active living areas or habitable rooms.</li> <li>• Pool pump to be enclosed, screened and designed to meet the <i>Environmental Protection (Noise) Regulations 1997</i>.</li> <li>• Installed with specified safety fencing as required under the <i>Building Code of Australia Act 2004</i> (as amended).</li> <li>• Any discharge of water associated with the pool or spa to be contained on site.</li> <li>• The proposed pool/spa to be only for non commercial purposes.</li> </ul>
Satellite dishes	<p><u>General standards</u></p> <ul style="list-style-type: none"> <li>• The structure is to be contained wholly within the property's boundaries.</li> <li>• The structure is not to be located on the building frontage but located towards the rear of the building and screened from the primary street.</li> <li>• Not located within the front, side/rear setback areas.</li> <li>• Only one dish per dwelling or premises may be permitted.</li> <li>• Does not affect the structural integrity of the building.</li> <li>• In accordance with the installation of low impact facilities as defined under Part 3 of the <i>Telecommunications (Low Impact Facilities) Determination Act 1997</i>.</li> </ul> <p><u>Roof Mounted dishes</u></p> <ul style="list-style-type: none"> <li>• A maximum of 1.2 metres in diameter for dwellings.</li> <li>• A maximum of 2 metres in diameter for commercial premises and integrated into the design of the building.</li> <li>• Of non—reflective finish and in a colour compatible with the roof.</li> <li>• Dish installation not to be located on the ridge line, and the overall height of the structure not to project above the ridge line of the building.</li> </ul> <p><u>Ground mounted dishes</u></p> <ul style="list-style-type: none"> <li>• The diameter is not more than 1.5 metres and height is not more than 3 metres above the natural ground level.</li> </ul> <p><u>Wall mounted</u></p> <ul style="list-style-type: none"> <li>• Non commercial—the diameter is no more than 1.2 metres.</li> <li>• Commercial—the diameter is no more than 1.5 metres.</li> </ul>
Signage	<ul style="list-style-type: none"> <li>• Exemptions in accordance with City Planning Scheme No. 2 Policy 4.7—Signs.</li> <li>• Note a sign licence is still required (refer to Signs Local Law 2005).</li> </ul>
Solar panels (photovoltaic cells) systems	<ul style="list-style-type: none"> <li>• Panels to be mounted flush to the roof.</li> <li>• The size and location of the panels should not have an adverse impact on adjoining properties.</li> </ul>

Development type	Conditions applying to the exempted development
TV Antennae	<ul style="list-style-type: none"> <li>No more than 1 aerial/antennae per development/single dwelling.</li> <li>For grouped, multiple dwellings or special dwellings, one antennae should service all dwellings.</li> <li>Built inside the roof space—otherwise to be located towards the rear of the building away from the primary street.</li> <li>In accordance with the installation of low impact facilities as defined under Part 3 of the Telecommunications (Low Impact Facilities) Determination Act 1997.</li> </ul>
Water Tanks	<ul style="list-style-type: none"> <li>The structure is to be located towards the rear of the building and not be visible from the primary street.</li> <li>Not to be situated within the front, side/rear setback areas.</li> <li>A maximum height of 2.4 metres from the natural ground level.</li> <li>A capacity of not more than 4500 litres.</li> </ul>

L. M. SCAFFIDI, Lord Mayor.  
F. R. EDWARDS, Chief Executive Officer.

PI405\*

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

*Shire of Broome*

Town Planning Scheme No. 4—Amendment No. 56

Ref: 853/7/2/4 Pt 56

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 Broome Local Planning Scheme Amendment 56 on 14 September 2010 for the purpose of—

- Including in Schedule 2—Additional Uses 'Camping and Caravan Park' and 'Lodging House' for Lot 3000 Broome Road, Skuthorpe as follows—

**Schedule 2—Additional Uses**

Amendment Number	Description of Land	Additional Use	Conditions
56	Lot 3000 Broome Road Skuthorpe	Additional Use No. 15 Camping and Caravan Park, Lodging House	<ol style="list-style-type: none"> <li>The predominant use of the site is to be for agricultural purposes, in line with the objectives and requirements of the Rural Agriculture Zone.</li> <li>The use is to be limited to short stay accommodation by any person for no longer than three months in any twelve month period.</li> <li>An application for planning approval is to adequately address the potential for land use conflict, including adequate separation distance from nearby agricultural land uses, restricting the movement of dogs, and retaining mature trees on site, to the satisfaction of the Shire of Broome.</li> <li>An application for planning approval is to provide proof of adequate water supply and should include proposals on how waste water will be treated in keeping with the Caravan Parks and Camping Regulations 1997, to the satisfaction of the Department of Health and the Shire of Broome.</li> </ol>

- Amending the Scheme Map by delineating Lot 3000 Broome Road with the red dashed line, which depicts the 'Additional Uses' notation of the Scheme Map Legend and allocating the symbol 'A 15' over Lot 3000

K. R. DONOHOE, Chief Executive Officer.

PI404\*

**PLANNING AND DEVELOPMENT ACT 2005**  
**APPROVED LOCAL PLANNING SCHEME AMENDMENT**  
*Shire of Northampton*  
 Town Planning Scheme No. 9—Amendment No. 8

Ref: 853/3/14/11 Pt 8

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the Shire of Northampton local planning scheme amendment on 5 October 2010 for the purpose of—

1. Amending the zone of Lot 825 and PT Lot 500 Ajana-Kalbarri Road, Kalbarri from Tourist Development to Residential;
2. Including Lot 825 and PT Lot 500 Ajana-Kalbarri Road, Kalbarri in a Development Area on the Scheme Map and annotating the Scheme Map to identify the Development Area as SCA 2;
3. Inserting the following into Appendix 11—Development Areas—

Area No	Provisions
SCA2	(1) Subdivision and development shall generally accord with a Structure Plan that is in accordance with Clause 5.28 of TPS 9.

4. Amending the scheme maps accordingly.

G. D. WILSON, Shire President.  
 G. L. KEEFFE, 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 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>			
13695	Leeming Rugby Union Football Club Inc	Application for the grant of a Club Restricted licence in respect of premises situated in Success and known as Leeming Rugby Union Football Club Inc t/a "Southern Lions".	15/11/2010
13715	Delisio Pty Ltd	Application for the grant of a Special Facility—Foodhall licence in respect of premises situated in Perth and known as Delisio.	22/11/2010
13721	Liquor City (Kalgoorlie) Pty Ltd	Application for the grant of a Wholesaler's licence in respect of premises situated in Broadwood and known as Liquor City (Kalgoorlie) Pty Ltd.	10/11/2010
13727	Henchlo Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Rockingham and known as Outback Jacks (Rockingham).	22/11/2010
13731	Cater Care Services Pty Ltd	Application for the grant of a Special Facility—Canteen licence in respect of premises situated in Ravensthorpe and known as Ravensthorpe Project Wet Mess.	05/11/2010
13735	Terrence Michael McDonald	Application for the grant of a Hotel Restricted licence in respect of premises situated in Green Head and known as Centre Break Beach Stay.	29/11/2010

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE—<i>continued</i></b>			
13737	Peaberry's Café Lounges Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Joondalup and known as Peaberry's Coffee Lounge.	22/11/2010
13739	Stelor Constructions Pty Ltd	Application for the grant of a Liquor Store licence in respect of premises situated in Byford and known as Byford IGA Plus Liquor.	21/11/2010
13741	Gareth Hancox and Joanna MacLeod	Application for the grant of a Tavern licence in respect of premises situated in Fremantle and known as Soho Bar and Kitchen.	22/11/2010
13747	Zen Wood Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Midland and known as Hayashi Japanese Restaurant—Midland.	26/11/2010

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

Dated: 22 October 2010.

B. A. SARGEANT, Director of Liquor Licensing.

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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 1962*, relates) in respect of the estate of Shirley Mavis Hotham, late of 25 Deakin Street, Collie who died on 15 June 2010, are required by the personal representative to send particulars of their claims addressed to the Executor of the Will of Shirley Mavis Hotham deceased care of Young & Young, 5 Spencer Street, Bunbury by the 24th day of November 2010, after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

**ZX402**

**TRUSTEES ACT 1962**

DECEASED ESTATES

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Nona Butcher, late of Valleyview Residence, 3-5 Vernon Street, Collie who died on 25 May 2010, are required by the personal representative to send particulars of their claims addressed to the Executor of the Will of Nona Butcher deceased care of Young & Young, 5 Spencer Street, Bunbury by the 24th day of November 2010, after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

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