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# — PART 1 —

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## PROCLAMATIONS

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### AA101\*

#### APPROVALS AND RELATED REFORMS (No. 4) (PLANNING) ACT 2010

No. 28 of 2010

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 *Approvals and Related Reforms (No. 4) (Planning) Act 2010* section 2(b) and with the advice and consent of the Executive Council, fix 22 November 2010 as the day on which the provisions of that Act, other than sections 1 and 2 and Part 3, come into operation.

Given under my hand and the Public Seal of the State on 16 November 2010.

By Command of the Governor,

JOHN DAY, Minister for Planning.

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## HEALTH

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### HE301\*

Poisons Act 1964

### Poisons Amendment Regulations (No. 4) 2010

Made by the Governor in Executive Council.

#### 1. Citation

These regulations are the *Poisons 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 the day after that day.

**3. Regulations amended**

These regulations amend the *Poisons Regulations 1965*.

**4. Regulation 35A amended**

(1) Before regulation 35A(1) insert:

(1A) In this regulation —

**book** means —

- (a) in the case of pseudoephedrine, a recording system approved in writing by the CEO for the purposes of this regulation; and
- (b) for substances other than pseudoephedrine, the prescription book referred to in regulation 36(3)(c).

(2) In regulation 35A(1) after “or” insert:

an

(3) In regulation 35A(1c) delete “or by” and insert:

or an

(4) In regulation 35A(2)(a) delete “the prescription book referred to in regulation 36(3)(c)” and insert:

a book

(5) Delete regulation 35A(3) and insert:

- (3) A book must be available for inspection by an authorised officer at all reasonable times.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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HE302\*

Poisons Act 1964

## Poisons Amendment Regulations (No. 6) 2010

Made by the Governor in Executive Council.

### 1. Citation

These regulations are the *Poisons Amendment Regulations (No. 6) 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 *Poisons Regulations 1965*.

### 4. Regulation 2 amended

In regulation 2(1) insert in alphabetical order:

*endorsed optometrist* means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the optometry profession whose registration is endorsed under section 94 of that Law;

*optometrist* means a person registered under the *Health Practitioner Regulation National Law (Western Australia)* in the optometry profession;

### 5. Part 2A inserted

After regulation 2A insert:

## Part 2A — Endorsed health practitioners

### 3A. Optometrists

- (1) For the purpose of section 23(4B) of the Act, endorsed optometrist is prescribed as a class of endorsed health practitioner.

- (2) For the purpose of section 23(4B) of the Act, in relation to the class prescribed under subregulation (1), a medicine listed in the *Endorsement for Scheduled Medicines Registration Standard* for Optometrists Table 1 approved by the Australian Health Workforce Ministerial Council on 31 March 2010 is prescribed (a *prescribed medicine*).
- (3) Under section 23(4C)(a) of the Act, the authorisation given by section 23(4B) of the Act is restricted —
  - (a) in relation to a prescribed medicine, to possession, use, supply, sale or prescription in relation to topical use in the eye; and
  - (b) in relation to phenylephrine, to phenylephrine with a maximum concentration of 5%.

### **3B. Supply**

An endorsed optometrist is not to be taken to be supplying within the meaning of these regulations if the endorsed optometrist uses a medicine prescribed under regulation 3A(2) in the lawful practice of his or her profession.

## **6. Regulation 8A amended**

In regulation 8A(5):

- (a) in paragraph (d) delete “a pharmacist.” and insert:  
  
a pharmacist; or
- (b) after paragraph (d) insert:  
  
(e) an endorsed optometrist.
- (c) after each of paragraphs (a) and (b) insert:  
  
or

## **7. Regulation 21 amended**

In regulation 21(1)(b) delete “post or dentist,” and insert:

post, dentist or endorsed optometrist,

**8. Regulation 36 amended**

In regulation 36(1)(b) delete “dentist” and insert:

dentist, endorsed optometrist

**9. Regulation 36A amended**

(1) In regulation 36A(2):

(a) delete “dentist” and insert:

dentist, endorsed optometrist

(b) in paragraph (a) delete “dentist’s” and insert:

dentist’s, endorsed optometrist’s

(c) in paragraph (c) delete “dentist” and insert:

dentist, endorsed optometrist

(2) In regulation 36A(3):

(a) delete “dentist” and insert:

dentist, endorsed optometrist

(b) in paragraph (b) delete “dentist” and insert:

dentist, endorsed optometrist

(3) In regulation 36A(4) in the definition of *emergency supplies* paragraph (b):

(a) delete “dentist” and insert:

dentist, endorsed optometrist

(b) delete “dentists” and insert:

dentists, endorsed optometrists

**10. Regulation 36B amended**

In regulation 36B(1) delete “dentist” and insert:

dentist, optometrist

**11. Regulation 37 amended**

- (1) In regulation 37(1):
  - (a) after paragraph (c) insert:
    - (da) a prescription issued by an endorsed optometrist must include the words “For optometrical treatment only”;
  - (b) after paragraphs (a), (b) and (e) delete “and”.
- (2) In regulation 37(2) delete “dentist” and insert:

dentist, endorsed optometrist

**12. Regulation 38 amended**

In regulation 38:

- (a) delete “dentist” and insert:

dentist, endorsed optometrist
- (b) delete “or telegram” (first occurrence) and insert:

or other electronic means
- (c) delete “telephone or telegram,” and insert:

telephone or other electronic means,

**13. Regulation 38AA amended**

- (1) In regulation 38AA(1):
  - (a) delete “practitioner or a dentist,” and insert:

practitioner, dentist or endorsed optometrist,
  - (b) delete “practitioner or a dentist.” and insert:

practitioner, dentist or an endorsed optometrist.
- (2) In regulation 38AA(2) delete “practitioner or dentist” and insert:

practitioner, dentist or endorsed optometrist



**14. Regulation 40 amended**

After regulation 40(1)(c) insert:

- (da) an endorsed optometrist;

**15. Regulation 64 amended**

- (1) In regulation 64(2), (3) and (4) delete “practitioner or a dentist” and insert:

practitioner, dentist or an endorsed optometrist

- (2) In regulation 64(5) delete “practitioner or nurse practitioner” and insert:

practitioner, nurse practitioner or an endorsed optometrist

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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**LOCAL GOVERNMENT**

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**LG301\***

**DOG ACT 1976**  
**LOCAL GOVERNMENT ACT 1995**

*Town of Kwinana*

**DOGS LOCAL LAW 2010**

Under the powers conferred by the *Dog Act 1976*, the *Local Government Act 1995* and all other powers enabling it, the Council of the Town of Kwinana resolved on 10 November 2010 to adopt the following local law.

The *Town of Vincent Dogs Local Law 2007* as published in the *Government Gazette* on 21 November 2007 is adopted as a local law of the Town of Kwinana with the modifications as set out below.

**1. Preliminary**

Wherever the words “Town of Vincent” is mentioned in the local law substitute with the words “Town of Kwinana”.

**2. Part 1 amended**

- (a) Delete clause 1.1 and its heading and insert—

**1.1 Citation**

This local law may be cited as the *Town of Kwinana Dogs Local Law 2010*.

- (b) Delete clause 1.4 and its heading and insert—

**1.4 Repeal**

The *Town of Kwinana Dogs Local Law* published in the *Government Gazette* on 1 February 2002 is repealed.

**3. Part 5 amended**

- (a) Delete clause 5.1 and its heading and insert—

**5.1 Places where dogs are prohibited absolutely**

- (1) Subject to section 8 of the Act and section 66J of the *Equal Opportunities Act 1984*, dogs are prohibited absolutely from entering or being in any of the following places—
- (a) a public building, shop or business premises, with the exception of a shop or business premises where dogs are sold; unless permitted by a sign;
  - (b) a theatre or picture gardens;
  - (c) all premises or vehicles classified as food premises or food vehicles under the *Health (Food Hygiene) Regulations 1993*;
  - (d) a public swimming pool;
  - (e) a building site or premises where every part of the fence and every gate or door in the fence, is not of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through the fence, gate or door;
  - (f) land which has been set apart by the local government as a children's playground;
  - (g) Kwinana Golf Course—Reserve No. 25309; and
  - (h) all beaches within the local government
- (2) If a dog enters or is in a place specified in subclause (1), every person liable for the control of the dog at that time commits an offence.
- Penalty:** Where the dog is a dangerous dog, \$2,000; otherwise \$1,000.

- (b) Delete subclause 5.2(1) and insert—

- (1) Subject to clause 5.1 and subclause (2) of this clause, for the purposes of sections 31 and 32 of the Act the following are dog exercise areas,
- (a) the places set out in Schedule 4; and
  - (b) Chisham Oval, Parmelia—Reserve 365622—Bushland Only

**4. Part 6 amended**

- (a) Delete subclause 6.1(3) and insert—

- (3) The person liable for the control of the dog does not commit an offence against subclause (2) if—
- (a) the excrement is removed immediately by that person and disposed of on private land with the consent of the occupier or in such other manner as the local government may approve; or
  - (b) they dispose of the dog excrement into a receptacle or bin on a park, reserve or land, specifically provided for holding dog excrement by the local government.

**5. Schedules 1—5 amended**

- (a) Delete Schedule 1 heading and insert—

## SCHEDULE 1

*Dog Act 1976**Local Government Act 1995*

Town of Kwinana Dogs Local Law 2010

**Application for a licence for an approved kennel establishment**

- (b) Delete Schedule 2 heading and insert—

## SCHEDULE 2

*Dog Act 1976**Local Government Act 1995*

Town of Kwinana Dogs Local Law 2010

**Conditions of a licence for an approved kennel establishment**

(c) Delete Schedule 3 and its heading and insert—

**SCHEDULE 3**

*Dog Act 1976*

*Local Government Act 1995*

Town of Kwinana Dogs Local Law 2010

**Offences in respect of which modified penalty applies**

<b>Offence</b>	<b>Nature of offence</b>	<b>Modified penalty \$</b>	<b>Dangerous Dog Modified Penalty \$</b>
2.4(a)	Attempting to or causing the unauthorised release of a dog from a pound	200	400
2.4(b)	Interfering with any pound or vehicle used for the purpose of catching, holding or conveying dogs	200	400
3.1(3)	Failing to provide means for effectively confining a dog	100	200
4.9	Failing to comply with the conditions of a licence	100	200
5.1(2)	Dog in place from which prohibited absolutely	100	200
6.1(2)	Dog excreting in a prohibited place	100	100
	All other offences not specified	100	200

(d) Delete Schedule 4 and its heading and insert—

**SCHEDULE 4**

*Dog Act 1976*

*Local Government Act 1995*

Town of Kwinana Dogs Local Law 2010

**Dog Exercise Areas—Unrestricted Time Limits**

<b>Item No.</b>	<b>Description of Public Place</b>
1.	Harry McGuigan Park, Medina—Reserve 24172
2.	Littlemore Park, Orelia—Reserve 30086
3.	Lot 268 Skottowe Parkway, Parmelia—Reserve 40922
4.	Lot 2 Postans Road, Hope Valley—Reserve 37356
5.	Lot 1333 Liddelow Road, Wandī—Reserve 36759
6.	Lot 1876 Wellard Road, Wellard Road, Sloans Reserve—Reserve 25132
7.	Lot E20 Parmelia Avenue, Peace Park, Parmelia—Reserve 33949
8.	Lot 4909 Westmoreland Cir, Bertram—Reserve 47331
9.	Daintree Loop, Bertram—Reserve 47259
10.	Harrison Way, Calista—Reserve 30326
11.	Whitebread Way, Leda—Reserve 43072
12.	Littlemore Park Reserve, Orelia—Reserve 30068
13.	Hennessy Park Reserve, Orelia—Reserve 30736
14.	Weaver Lane Public Recreation Reserve Wellard—Reserve 40218
15.	Lot 335 Wellard Road, Wellard Park, Wellard—Reserve 40218
16.	Lot 200 Seabrook Way, Medina—Reserve 33240

(e) Delete Schedule 5 and its heading.

Dated: 15 November 2010.

The common seal of the Town of Kwinana was affixed by the authority of a resolution of the Council in the presence of—

CAROL ADAMS, Mayor.  
NEIL HARTLEY, Chief Executive Officer.

LG302\*

**LOCAL GOVERNMENT ACT 1995***Shire of Nannup*

## STANDING ORDERS AMENDMENT LOCAL LAW 2010

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Nannup resolved on the 24 June 2010 to make the following local law.

**1. Citation**

This local law may be cited as the *Shire of Nannup Standing Orders Amendment Local Law 2010*.

**2. Principal local law**

In this local law, the *Shire of Nannup Standing Orders Local Law 2010* published in the *Government Gazette* on 4 May 2010 is referred to as the principal local law. The principal local law is amended.

**3. Subclause 7.12(3)**

Repeal subclause 7.12(3).

**4. Clause 8.4**

Delete the words "that meeting" after the words "part in" and insert the words "the debate of the item" in clause 8.4.

**5. Clause 15.7**

Delete the words "A person who breaches a provision of this local law commits an offence. Penalty: \$5,000, and a daily penalty of \$500", and insert the words "Any person guilty of any breach of the Standing Orders or any of the provisions thereof, shall be liable to a penalty not exceeding \$1,000."

Dated: 28 October 2010.

The Common Seal of the Shire of Nannup was affixed by authority of a resolution of the Council in the presence of—

B. DUNNET, Shire President.  
S. COLLIE, Chief Executive Officer.

LG303\*

**DIVIDING FENCES ACT 1961****LOCAL GOVERNMENT ACT 1995***City of Rockingham*

## FENCING AMENDMENT LOCAL LAW 2010

Under the powers conferred by the *Dividing Fences Act 1961*, the *Local Government Act 1995* and under all other powers, the Council of the City of Rockingham resolved on 28 September 2010 to make the following local law.

**1. Citation**

This local law may be cited as the *City of Rockingham Fencing Amendment Local Law 2010*.

**2. Commencement**

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

**3. Principal local law**

In this local law, the *City of Rockingham Fencing Local Law 2000* published in the *Government Gazette* on 21 March 2001 and the *Fencing Amendment Local Law 2002* published in the *Government Gazette* on 1 November 2002 are referred to as the principal local laws. The principal local laws are amended.

**4. Clause 4 amended**

4.1. In the definition "notice of breach" delete "15(1)" replace with "16(1)";

4.2. Insert "secondary setback area" means the land between a building situated on a lot and a secondary thoroughfare (as defined in the Residential Design Codes);

4.3. In the definition "town planning scheme" delete *Town Planning and Development Act 1928* and replace with *Planning and Development Act 2005*.

**5. Clause 6 amended**

5.1 Delete subclause (1) and insert—

- (3) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless all owners of land which adjoins the relevant boundary agree to erect a fence which though different does not fail to comply with the requirements of a sufficient fence.

5.2 In subclause (2), delete “and (4)”

**6. Clause 7 amended**

6.1 Delete heading and insert—

Fences Within Front and Secondary Setback Areas

6.2 After subclause (3), insert—

- (4) The provision of subclause (2) shall apply to a secondary setback area where a driveway in the secondary setback area is used as the primary driveway access”.

**7. Clause 10 amended**

In subclause (1) insert “and clause 7” after “clause 6”.

**8. Clause 12 amended**

In subclause (3), delete “1950mm” and insert “2000mm”.

**9. Clause 16 amended**

9.1 In subclauses (1) and (2) delete “or occupier”.

9.2 Delete clause 16(3) and insert—

- (3) Should the owners fail to comply with a notice of breach, the City of Rockingham may by its employees, agents or contractors enter upon the lot to which the notice relates and remedy the breach, only if the fence abuts a public thoroughfare, public place or property of the City of Rockingham, and may recover the shared expenses of doing so from the owner of the lot in a court of competent jurisdiction.

**10. Clause 18 amended**

In subclause (2), delete “\$100” and insert “\$125”.

Dated: 28 September 2010.

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

BARRY SAMMELS, Mayor.  
ANDREW HAMMOND, Chief Executive Officer.

**LG304\***

**CEMETERIES ACT 1986**  
**LOCAL GOVERNMENT ACT 1995**  
*City of Rockingham*

**CEMETERIES AMENDMENT LOCAL LAW 2010**

Under the powers conferred by the *Cemeteries Act 1986* and the *Local Government Act 1995* and under all other powers, the Council of the City of Rockingham resolved on 28 September 2010 to make the following local law.

**1. Citation**

This local law may be cited as the *City of Rockingham Cemeteries Amendment Local Law 2010*.

**2. Commencement**

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

**3. Principal local law**

In this local law, the *City of Rockingham Cemeteries Local Law 2000* published in the *Government Gazette* on 21 March 2001 is referred to as the principal local law. The principal local law is amended.

**4. Clause 1.3 amended**

- 4.1. In the definition “ashes” delete “a standard sized cremation urn” and insert “one or more a standard sized cremation urns”.
- 4.2. Insert “guide dog” has the same meaning as defined in the *Dog Act (WA) 1976*.
- 4.3. Insert “temporary marker” means for a period not longer than two years.

**5. Clause 3.4 amended**

Delete "twenty four hours" and insert "one business day".

**6. Clause 4.3 amended**

6.1 Insert the number (1) before the word "Every";

6.2 Insert new paragraph at end of clause "A director wishing to conduct a funeral under a single funeral permit must hold a current certificate of Public Liability Insurance to the value of \$5,000,000."

**7. Clause 5.9 amended**

Delete subclauses (b) and (e) and replace with—

- (b) use its absolute discretion in setting the fee for the conduct of any funeral;
- (e) conduct a funeral despite the failure of a person to make any application or to obtain any consent required under this local law. However, the actual burial cannot take place until all required paperwork has been received by the Board. It is the responsibility of the funeral director or arranger to inform the family where this situation occurs;

**8. Clause 7.19 amended**

Delete subclause (3)

**9. Clause 8.1 amended**

Delete clause 8.1 and insert—

- 8.1 Subject to clause 8.2, a person may bring animals into or permit an animal to enter the cemetery if on an appropriate leash at all times.

Dated: 28 September 2010.

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

BARRY SAMMELS, Mayor.  
ANDREW HAMMOND, Chief Executive Officer.

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## LOTTERIES

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LO301\*

Lotteries Commission Act 1990

### Lotteries Commission (Monday and Wednesday Lotto) Amendment Rules (No. 2) 2010

Made by the Lotteries Commission under section 28(1) of the Act.

**1. Citation**

These rules are the *Lotteries Commission (Monday and Wednesday Lotto) Amendment Rules (No. 2) 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 *Lotteries Commission (Monday and Wednesday Lotto) Rules 2006*.

**4. Rule 3 amended**

In rule 3(1) insert in alphabetical order:

*lotto draw* means Monday lotto draw or Wednesday lotto draw;

**5. Rule 5 amended**

In rule 5(1):

- (a) delete “lotto by —” and insert:

lotto —

- (b) in paragraph (a) before “filling” insert:

by

- (c) in paragraph (b) before “making” insert:

by

- (d) in paragraph (c) before “using” insert:

by

- (e) in paragraph (c) delete “8A,” and insert:

8A; or

- (f) after paragraph (c) insert:

(d) online in accordance with the *Lotteries Commission (Internet Entries) Rules 2010*,

**6. Rule 20 amended**

In rule 20:

- (a) after “receipted ticket” insert:

or the purchaser of an entry under the *Lotteries Commission (Internet Entries) Rules 2010*

- (b) after paragraph (d) delete “or”.

**7. Rule 21 amended**

## (1) In rule 21(1):

- (a) after “received ticket” insert:

or the purchaser of an entry under the *Lotteries Commission (Internet Entries) Rules 2010*

- (b) delete “that ticket.” and insert:

that ticket or entry.

## (2) In rule 21(2) delete “contains” and insert:

contains, or the purchaser of an entry under the *Lotteries Commission (Internet Entries) Rules 2010* which comprises,

**8. Rule 23 amended**

Delete rule 23(2).

**9. Rule 26 amended**

## (1) Before rule 26(1) insert:

- (1A) A division 1 prize in a lotto draw is to be paid in accordance with these rules and the
- Lotteries Commission (Internet Entries) Rules 2010*
- .

## (2) In rule 26(2):

- (a) delete “paid —” and insert:

paid to the holder of a winning receipted ticket —

- (b) after paragraph (a) insert:

and

**10. Rule 27 amended**

## (1) Before rule 27(1) insert:

- (1A) A division 2 prize in a lotto draw is to be paid in accordance with these rules and the
- Lotteries Commission (Internet Entries) Rules 2010*
- .



- (2) In rule 27(2):
- (a) delete “paid —” and insert:
- paid to the holder of a winning receipted ticket —
- (b) delete paragraph (c);
- (c) after each of paragraphs (a) and (b) insert:
- and

**11. Rule 28 amended**

Before rule 28(1) insert:

- (1A) A division 3, 4 or 5 prize in a lotto draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

The Common Seal of the                    )  
 Commission was affixed on the            )                    L.S.  
 16th day of November 2010,                )  
 by order and in the presence of —        )

JOHN ATKINS, Chairperson.

COLIN CAMPBELL-FRASER, Member.

SHEILA HOOD, Member.

**LO302\***

Lotteries Commission Act 1990

## **Lotteries Commission (Oz Lotto) Amendment Rules (No. 2) 2010**

Made by the Lotteries Commission under section 28(1) of the Act.

**1. Citation**

These rules are the *Lotteries Commission (Oz Lotto) Amendment Rules (No. 2) 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 *Lotteries Commission (Oz Lotto) Rules 1995*.

**4. Rule 5 amended**

In rule 5(1):

- (a) in paragraph (c) delete “6A,” and insert:

6A; or

- (b) after paragraph (c) insert:

(d) online in accordance with the *Lotteries Commission (Internet Entries) Rules 2010*,

- (c) after paragraph (a) insert:

or

**5. Rule 11 amended**

In rule 11(1) delete “subrule (1A),” and insert:

subrule (2),

**6. Rule 17 amended**

In rule 17:

- (a) after “receipted ticket” insert:

or the purchaser of an entry under the *Lotteries Commission (Internet Entries) Rules 2010*

- (b) after paragraph (f) delete “and”.

**7. Rule 18 amended**

In rule 18(1) and (2) after “received ticket” insert:

or the purchaser of an entry under the *Lotteries Commission (Internet Entries) Rules 2010*

**8. Rule 25 amended**

(1) Before rule 25(1) insert:

(1A) A division 1 prize in an Oz lotto draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

(2) In rule 25(2):

(a) delete “paid —” and insert:

paid to the holder of a winning receipted ticket —

(b) after paragraph (a) insert:

and

**9. Rule 26 amended**

(1) Before rule 26(1) insert:

(1A) A division 2 prize in an Oz lotto draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

(2) In rule 26(2):

(a) delete “paid —” and insert:

paid to the holder of a winning receipted ticket —

(b) delete paragraph (c);

(c) after each of paragraphs (a) and (b) insert:

and

**10. Rule 27 amended**

Before rule 27(1) insert:

- (1A) A division 3, 4, 5, 6 or 7 prize in an Oz lotto draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

The Common Seal of the )  
 Commission was affixed on the ) L.S.  
 16th day of November 2010, )  
 by order and in the presence of — )

JOHN ATKINS, Chairperson.

COLIN CAMPBELL-FRASER, Member.

SHEILA HOOD, Member.

**L0303\***

Lotteries Commission Act 1990

## **Lotteries Commission (Powerball) Amendment Rules 2010**

Made by the Lotteries Commission under section 28(1) of the Act.

**1. Citation**

These rules are the *Lotteries Commission (Powerball) 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 *Lotteries Commission (Powerball) Rules 1996*.

**4. Rule 5 amended**

In rule 5(1):

- (a) delete “powerball by —” and insert:

powerball —

- (b) in paragraph (a) before “filling” insert:

by

- (c) in paragraph (b) before “making” insert:

by

- (d) in paragraph (c) before “using” insert:

by

- (e) in paragraph (c) delete “8A,” and insert:

8A; or

- (f) after paragraph (c) insert:

(d) online in accordance with the *Lotteries Commission (Internet Entries) Rules 2010*,

**5. Rule 20 amended**

In rule 20(1):

- (a) after “receipted ticket” insert:

or the purchaser of an entry under the *Lotteries Commission (Internet Entries) Rules 2010*

- (b) after paragraph (f) delete “or”.

**6. Rule 21 amended**

(1) In rule 21(1):

- (a) after “receipted ticket” insert:

or the purchaser of an entry under the *Lotteries Commission (Internet Entries) Rules 2010*

- (b) delete “that ticket.” and insert:

that ticket or entry.

- (2) In rule 21(2) delete “contains” and insert:

contains, or the purchaser of an entry under the  
*Lotteries Commission (Internet Entries) Rules 2010*  
which comprises,

**7. Rule 26 amended**

- (1) Before rule 26(1) insert:

(1A) A division 1 prize in a powerball draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

- (2) In rule 26(2):

- (a) delete “paid —” and insert:

paid to the holder of a winning receipted ticket —

- (b) after each of paragraphs (a) and (b) insert:

and

**8. Rule 27 amended**

- (1) Before rule 27(1) insert:

(1A) A division 2 prize in a powerball draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

- (2) In rule 27(2):

- (a) delete “paid —” and insert:

paid to the holder of a winning receipted ticket —

- (b) delete paragraph (c);

- (c) after each of paragraphs (a) and (b) insert:

and

**9. Rule 28 amended**

Before rule 28(1) insert:

- (1A) A division 3, 4, 5, 6 and 7 prize in a powerball draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

The Common Seal of the )  
 Commission was affixed on the ) L.S.  
 16th day of November 2010, )  
 by order and in the presence of — )

JOHN ATKINS, Chairperson.

COLIN CAMPBELL-FRASER, Member.

SHEILA HOOD, Member.

**LO304\***

Lotteries Commission Act 1990

## **Lotteries Commission (Saturday Lotto) Amendment Rules (No. 2) 2010**

Made by the Lotteries Commission under section 28(1) of the Act.

**1. Citation**

These rules are the *Lotteries Commission (Saturday Lotto) Amendment Rules (No. 2) 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 *Lotteries Commission (Saturday Lotto) Rules 1996*.

**4. Rule 5 amended**

In rule 5(1):

- (a) delete “lotto by —” and insert:

lotto —

- (b) in paragraph (a) before “filling” insert:

by

- (c) in paragraph (b) before “making” insert:

by

- (d) in paragraph (c) before “using” insert:

by

- (e) in paragraph (c) delete “8A,” and insert:

8A; or

- (f) after paragraph (c) insert:

(d) online in accordance with the *Lotteries Commission (Internet Entries) Rules 2010*,

**5. Rule 20 amended**

In rule 20:

- (a) after “receipted ticket” insert:

or the purchaser of an entry under the *Lotteries Commission (Internet Entries) Rules 2010*

- (b) after paragraph (d) delete “or”.

**6. Rule 21 amended**

- (1) In rule 21(1):

- (a) after “receipted ticket” insert:

or the purchaser of an entry under the *Lotteries Commission (Internet Entries) Rules 2010*



- (b) delete “that ticket.” and insert:

that ticket or entry.

- (2) In rule 21(2) delete “contains” and insert:

contains, or the purchaser of an entry under the  
*Lotteries Commission (Internet Entries) Rules 2010*  
which comprises,

**7. Rule 26 amended**

- (1) Before rule 26(1) insert:

- (1A) A division 1 prize in a Saturday lotto draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

- (2) In rule 26(2):

- (a) delete “paid —” and insert:

paid to the holder of a winning receipted ticket —

- (b) after paragraph (a) insert:

and

**8. Rule 27 amended**

- (1) Before rule 27(1) insert:

- (1A) A division 2 prize in a Saturday lotto draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

- (2) In rule 27(2):

- (a) delete “paid —” and insert:

paid to the holder of a winning receipted ticket —

- (b) delete paragraph (c);

- (c) after each of paragraphs (a) and (b) insert:

and

**9. Rule 28 amended**

Before rule 28(1) insert:

- (1A) A division 3, 4 or 5 prize in a Saturday lotto draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

The Common Seal of the )  
 Commission was affixed on the ) L.S.  
 16th day of November 2010, )  
 by order and in the presence of — )

JOHN ATKINS, Chairperson.

COLIN CAMPBELL-FRASER, Member.

SHEILA HOOD, Member.

**LO305\***

Lotteries Commission Act 1990

## **Lotteries Commission (Super 66) Amendment Rules 2010**

Made by the Lotteries Commission under section 28(1) of the Act.

**1. Citation**

These rules are the *Lotteries Commission (Super 66) 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 *Lotteries Commission (Super 66) Rules 1996*.

**4. Rule 15 amended**

In rule 15(1) after “received ticket” insert:

or the purchaser of an entry under the *Lotteries Commission (Internet Entries) Rules 2010*

**5. Rule 19 amended**

(1) Before rule 19(1) insert:

(1A) A division 1 prize in a super 66 draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

(2) In rule 19(2):

(a) delete “paid —” and insert:

paid to the holder of a winning receipted ticket —

(b) after paragraph (a) insert:

and

**6. Rule 20 amended**

(1) Before rule 20(1) insert:

(1A) A division 2 prize in a super 66 draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

(2) In rule 20(2):

(a) delete “paid —” and insert:

paid to the holder of a winning receipted ticket —

(b) delete paragraph (c);

(c) after each of paragraphs (a) and (b) insert:

and

**7. Rule 21 amended**

Before rule 21(1) insert:

- (1A) A division 3, 4 or 5 prize in a super 66 draw is to be paid in accordance with these rules and the *Lotteries Commission (Internet Entries) Rules 2010*.

The Common Seal of the )  
 Commission was affixed on the ) L.S.  
 16th day of November 2010, )  
 by order and in the presence of — )

JOHN ATKINS, Chairperson.

COLIN CAMPBELL-FRASER, Member.

SHEILA HOOD, Member.

**LO306\***

Lotteries Commission Act 1990

## **Lotteries Commission (Soccer Pools) Amendment Rules (No. 2) 2010**

Made by the Lotteries Commission under section 28(1) of the Act.

**1. Citation**

These rules are the *Lotteries Commission (Soccer Pools) Amendment Rules (No. 2) 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 *Lotteries Commission (Soccer Pools) Rules 1996*.

**4. Rule 10 amended**

In rule 10(1):

- (a) delete “Pools by —” and insert:

Pools —

- (b) in paragraph (a) before “filling” insert:

by

- (c) in paragraph (b) before “making” insert:

by

- (d) in paragraph (c) before “using” insert:

by

- (e) in paragraph (c) delete “13A,” and insert:

13A; or

- (f) after paragraph (c) insert:

(d) online in accordance with the *Lotteries Commission (Internet Entries) Rules 2010*,

**5. Rule 24 amended**

In rule 24:

- (a) after “receipted ticket” insert:

or the purchaser of an entry under the *Lotteries Commission (Internet Entries) Rules 2010*

- (b) after paragraph (d) delete “and”.

**6. Rule 25 amended**

- (1) In rule 25(1):

- (a) after “receipted ticket” insert:

or the purchaser of an entry under the *Lotteries Commission (Internet Entries) Rules 2010*



LO307\*

Lotteries Commission Act 1990

## Lotteries Commission (Cash 3) Amendment Rules 2010

Made by the Lotteries Commission under section 28(1) of the Act.

### 1. Citation

These rules are the *Lotteries Commission (Cash 3) 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 *Lotteries Commission (Cash 3) Rules 1998*.

### 4. Rule 5 amended

In rule 5(1):

- (a) delete “Cash 3 by —” and insert:

Cash 3 —

- (b) in paragraph (a) before “filling” insert:

by

- (c) in paragraph (b) before “making” insert:

by

- (d) in paragraph (c) before “using” insert:

by





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## RACING, GAMING AND LIQUOR

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RG301\*

Betting Control Act 1954

### Betting Control Amendment Regulations (No. 3) 2010

Made by the Governor in Executive Council.

#### 1. Citation

These regulations are the *Betting Control 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 January 2011.

#### 3. Regulations amended

These regulations amend the *Betting Control Regulations 1978*.

#### 4. Regulation 17 amended

In regulation 17(1) amend the provisions listed in the Table as set out in the Table.

**Table**

Provision	Delete	Insert
r. 17(1)(aa)	\$40	\$45
r. 17(1)(ac)	\$310	\$315
r. 17(1)(ad)	\$65	\$70
r. 17(1)(a)	\$620	\$635
r. 17(1)(bb)	\$80	\$85
r. 17(1)(d)	\$4	\$4.50
r. 17(1)(f)	\$575	\$590

**5. Regulation 17A amended**

In regulation 17A(1) amend the provisions listed in the Table as set out in the Table.

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
r. 17A(1)(a)(i)	\$340	\$345
r. 17A(1)(a)(ii)	\$685	\$700
r. 17A(1)(a)(iii)	\$1 030	\$1 050

**6. Regulation 17B amended**

Delete regulation 17B(1)(a)(i) to (iii) and insert:

- (i) on total turnover not exceeding \$10 000 — no fee;
- (ii) on total turnover greater than \$10 000 but not exceeding \$150 000 — \$45;
- (iii) on total turnover greater than \$150 000 — 0.03% of the turnover,

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

**RG302\***

Racing and Wagering Western Australia Act 2003

## **Racing and Wagering Western Australia Amendment Regulations 2010**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Racing and Wagering Western Australia 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 January 2011.

**3. Regulations amended**

These regulations amend the *Racing and Wagering Western Australia Regulations 2003*.

**4. Schedule 1 amended**

In Schedule 1 item 1 delete “400” and insert:

405

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

**RG303\***

Casino Control Act 1984

## **Casino Control (Burswood Island) (Licensing of Employees) Amendment Regulations (No. 2) 2010**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Casino Control (Burswood Island) (Licensing of Employees) 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 January 2011.

**3. Regulations amended**

These regulations amend the *Casino Control (Burswood Island) (Licensing of Employees) Regulations 1985*.

**4. Regulation 6 amended**

- (1) In regulation 6(1):
  - (a) in paragraph (a) delete “\$400; and” and insert:  
\$405; and
  - (b) in paragraph (b) delete “\$250.” and insert:  
\$255.
- (2) In regulation 6(2):
  - (a) in paragraph (a) delete “\$290;” and insert:  
\$295; or
  - (b) in paragraph (c) delete “\$40.” and insert:  
\$50.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

**RG304\***

Racing Penalties (Appeals) Act 1990

## **Racing Penalties (Appeals) Amendment Regulations 2010**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Racing Penalties (Appeals) 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 January 2011.

**3. Regulations amended**

These regulations amend the *Racing Penalties (Appeals) Regulations 1991*.

**4. Regulation 4 amended**

- (1) In regulation 4(1)(b) delete “\$320.” and insert:

\$330.

- (2) In regulation 4(2):

- (a) in paragraph (a)(ii) delete “\$320;” and insert:

\$330;

- (b) delete “\$65.” and insert:

\$70.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

**RG305\***

Liquor Control Act 1988

## **Liquor Control Amendment Regulations (No. 10) 2010**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Liquor Control Amendment Regulations (No. 10) 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 January 2011.

**3. Regulations amended**

These regulations amend the *Liquor Control Regulations 1989*.

**4. Regulation 26 amended**

In regulation 26(1aa):

- (a) in paragraph (a) delete “\$200; or” and insert:

\$205; or

- (b) in paragraph (b) delete “\$400.” and insert:

\$410.

**5. Schedule 3 replaced**

Delete Schedule 3 and insert:

**Schedule 3 — Fees**

[r. 11, 18B and 26]

Item	Description	Fee \$	Electronic lodgment fee \$
1.	Application for the grant or removal of a hotel licence, nightclub licence, casino liquor licence, special facility licence or liquor store licence .....	2 810	2 529
2.	Application for the grant or removal of a club licence, restaurant licence, producer’s licence or wholesaler’s licence .....	765	688.50
3.	Application for the transfer of a licence .....	765	
4.	Licence fee for any licence other than a club restricted licence .....	510	
5.	Licence fee for a club restricted licence .....	255	
6.	Application for an occasional licence if the anticipated number of patrons is —		
	(a) up to 250 .....	50	
	(b) between 251 and 500 .....	100	
	(c) between 501 and 1 000 .....	205	
	(d) between 1 001 and 5 000 .....	1 020	
	(e) between 5 001 and 10 000 .....	2 040	
	(f) over 10 000 .....	4 085	

Item	Description	Fee \$	Electronic lodgment fee \$
7.	Application for extended trading permit for a period of over 21 days — (a) issued for a purpose referred to in section 60(4)(ca) ..... (b) issued for a purpose referred to in section 60(4)(h) ..... (c) issued for any other purpose .....	410 305 1 020	369 274.50 918
8.	Application for extended trading permit for a period of 21 days or less — (a) for each day ..... (b) for each occasion within that period that includes times extending beyond 12 midnight on a Saturday or beyond 10 p.m. on a Sunday (in addition to the fee calculated under paragraph (a)) .....	100 (up to a max. of 1 000)  100	
9.	Application for approval of manager after licence is granted — (a) under licence other than club licence or club restricted licence ..... (b) under club licence ..... (c) under club restricted licence .....	140 95 30	
10.	Application for approval of person in position of authority — (a) under licence other than club licence or club restricted licence ..... (b) under club licence or club restricted licence .....	140 95	
11.	Application for approval for alteration or redefinition of licensed premises .....	330	297
12.	Application for a protection order under section 87(1) .....	205	
13.	Application for duplicate licence .....	35	
14.	Application for approval of change of name of licensed premises .....	70	

Item	Description	Fee \$	Electronic lodgment fee \$
15.	Application to add, vary or cancel condition of licence or permit (other than club restricted licence) — (a) for a period of over 21 days ..... (b) for a period of 21 days or less — for each day .....	205  100 (up to a max. of 1 000)	184.50
16.	Application to add, vary or cancel condition of club restricted licence .....	40	
17.	Application under section 62(6) to vary any plans or specifications the subject of a condition .....	245	220.50
18.	Application for approval of agreement or arrangement ..... and for each person who is a party to the agreement or arrangement and in relation to whom a background check is sought from the Police Service .....	205  140	
19.	Application under section 126A for approval of entertainment for juveniles on licensed premises .....	60	
20.	Application for Proof of Age Card .....	25	
21.	Supply of a list of licensed premises or a list of owners of licensed premises .....	85	
22.	Supply of a list of licensed premises on computer disk .....	55	
23.	Supply of address labels for licensed premises .....	135	
24.	Supply of approved heading for advertising an application .....	25	
25.	Supply of copy of plan — for each sheet ....	25 (up to a max. of 200)	
26.	Supply of certified copy of plan defining licensed premises .....	35	
27.	Supply of copy of a licence, a permit or a decision of the Commission (or the former Liquor Licensing Court) or the Director .....	25	



Item	Description	Fee \$	Electronic lodgment fee \$
28.	For the certification of a copy of a licence, a permit or a decision of the Commission (or the former Liquor Licensing Court) or the Director ..... [In addition to the fee under item 26]	25	
29.	Supply of copy of documentation, other than that already prescribed, per page .....	5	
30.	Issue of a summons to a witness .....	20	
31.	For a search of the database of records of licences — per licence .....	35	
32.	For a full search of a licence record .....	50	
33.	For a search of postcodes — (a) 1 to 10 postcodes ..... (b) more than 10 postcodes .....	35 75	

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

**RG306\***

Gaming and Wagering Commission Act 1987

## **Gaming and Wagering Commission Amendment Regulations 2010**

Made by the Governor in Executive Council.

### **1. Citation**

These regulations are the *Gaming and Wagering Commission 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 January 2011.

**3. Regulations amended**

These regulations amend the *Gaming and Wagering Commission Regulations 1988*.

**4. Schedule 1 amended**

Amend the provisions listed in the Table as set out in the Table.

**Table**

<b>Provision</b>	<b>Delete</b>	<b>Insert</b>
Sch. 1 it. 1	7.50	8
Sch. 1 it. 4(b)	55	60
Sch. 1 it. 5(f)(i)	195	200
Sch. 1 it. 5(f)(ii)	320	330
Sch. 1 it. 5(f)(iii)	390	400
Sch. 1 it. 5(g)(ii)	195	200
Sch. 1 it. 6(d)(iii)	190	195
Sch. 1 it. 6(d)(iv)	390	400
Sch. 1 it. 6(d)(v)	650	665
Sch. 1 it. 6(f)(ii)	290	295
Sch. 1 it. 6(f)(iii)	355	365
Sch. 1 it. 11	260	265

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 Code Amendment Regulations  
(No. 3) 2010**

Made by the Governor in Executive Council.

**1. Citation**

These regulations are the *Road Traffic Code 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) regulations 22 and 23 — on 1 March 2011;
- (c) the rest of the regulations — on the day after the day on which these regulations are published in the *Gazette*.

**3. Regulations amended**

These regulations amend the *Road Traffic Code 2000*.

**4. Regulation 3 amended**

In regulation 3(1) delete the definition of *shared zone* and the diagrams and notes following that definition and insert:

*shared zone* means —

- (a) a length of road with —
  - (i) both a “shared zone” sign and an “end shared zone” sign; and
  - (ii) no intersection between the signs;or
- (b) a length of road with —
  - (i) a “shared zone” sign; and
  - (ii) a dead end; and
  - (iii) no intersection between the sign and the dead end;

or

- (c) the network of roads in an area with —
- (i) a “shared zone” sign on each road into the area, indicating the same number; and
  - (ii) an “end shared zone” sign on each road out of the area;

Shared zone sign

End shared zone sign

*(circle in red)*



Note: There are a number of other permitted versions of each of these signs.

Note: A “shared zone” sign may also have a different number on the sign.

## 5. Regulation 7 amended

- (1) In regulation 7 delete “Where any” and insert:
  - (1) Where any
- (2) At the end of regulation 7 insert:
  - (2) Where any of these regulations require a driver who is turning from a carriageway at an intersection to give way to a pedestrian who is crossing the carriageway that the driver is entering, the requirement applies if and only if the pedestrian’s line of travel in crossing the carriageway is essentially perpendicular to the edges of the carriageway the driver is entering.

## 6. Regulation 45 amended

In regulation 45(3) delete “on” and insert:

who are crossing

## 7. Regulation 47 amended

In regulation 47(b) delete “on” and insert:

crossing

**8. Regulation 50 amended**

In regulation 50(4) delete “on” and insert:

who is crossing

**9. Regulation 52 amended**

In regulation 52(2) delete “on” and insert:

who is crossing

**10. Regulation 55 amended**

(1) In regulation 55(3)(b) delete “on” and insert:

who is crossing

(2) In regulation 55(6)(c) delete “on” and insert:

who is crossing

**11. Regulation 56 amended**

(1) In regulation 56(2)(b) delete “on” and insert:

who is crossing

(2) In regulation 56(4) delete “on” and insert:

who is crossing

(3) In regulation 56(6)(b) delete “on” and insert:

who is crossing

**12. Regulation 93 amended**

In regulation 93(2)(a) delete “entering” and insert:

approaching

**13. Regulation 94 amended**

In regulation 94(2)(a) delete “entering” and insert:

approaching

**14. Regulation 123 amended**

After regulation 123(1) insert:

(2A) A driver shall not drive past, or overtake, to the left of a vehicle or combination displaying a “do not overtake turning vehicle” sign in any circumstance other than the one referred to in subregulation (1) unless —

- (a) the driver is driving on a carriageway that has 2 or more marked lanes available exclusively for vehicles travelling in the same direction, the driver overtakes the vehicle or combination in a marked lane to the left of the vehicle or combination, and it is safe to do so; or
- (b) the vehicle is turning right or making a U turn from the centre of the road and giving a right turn signal, and it is safe to overtake to the left of the vehicle or combination; or
- (c) the vehicle is stationary and it is safe to overtake to the left of the vehicle or combination.

Points: 2

Modified penalty: 2 PU

**15. Regulation 137 amended**

In regulation 137(1):

- (a) in paragraph (b) delete “lane.” and insert:

lane; or

- (b) after paragraph (b) insert:

- (c) intending to turn off the carriageway or to make a U turn, and in order to do so safely without disrupting other vehicles on the carriageway it is necessary to position the vehicle in another lane before starting the turn, or to make the turn.

**16. Regulation 230 amended**

- (1) In regulation 230 delete the definition of *small charter vehicle*.

- (2) In regulation 230 insert in alphabetical order:

*omnibus* has the meaning given in the *Transport Co-ordination Act 1966* section 4(1);

**17. Regulation 231 amended**

Delete regulation 231(1) and insert:

- (1) A medical certificate referred to in this Part must —
- (a) be signed by a medical practitioner; and
  - (b) certify the relevant matter referred to in subsection (2A); and
  - (c) be current at the time of the alleged offence.
- (2A) The medical certificate must certify that —
- (a) while driving or travelling in a motor vehicle —
    - (i) the person is unable for medical reasons to wear a seat belt; or
    - (ii) because of the person’s size, build or other characteristic, it would be unreasonable to require the person to wear a seat belt;
  - or
  - (b) while driving or travelling in a motor vehicle that has 2 or more rows of seats, the person is unable for medical reasons to sit anywhere except in the front row.

**18. Regulation 233 amended**

In regulation 233(3) delete “small charter vehicle” and insert:

omnibus

**19. Regulation 234 amended**

- (1) In the provisions listed in the Table delete “approved”.

**Table**

r. 234(2)	r. 234(3)(a)
r. 234(3)(b)	r. 234(4)(a)
r. 234(4)(b)	r. 234(7)(a)
r. 234(13)(a)	

- (2) In regulation 234(12) delete “an approved” and insert:
- a
- (3) In regulation 234(13) delete “small charter vehicle” (each occurrence) and insert:
- omnibus
- (4) In regulation 234(14) delete “an approved” (each occurrence) and insert:

a

**20. Regulation 235 amended**

- (1) In regulation 235(2) delete “an approved” and insert:
- a
- (2) In regulation 235(4) delete “(5)” and insert:
- (3)
- (3) Delete regulation 235(7) and insert:
- (7) A person in or on a motor vehicle has a defence to a charge under this Division relating to —
- (a) the wearing of a seatbelt; or
- (b) the use of a child restraint or booster seat,
- if the person who is not wearing the seatbelt or using the child restraint or booster seat has a medical certificate certifying a matter referred to in regulation 231(2A)(a) and, if required to do so, the person or driver produces the medical certificate.
- (8A) The driver of a motor vehicle has a defence to a charge under regulation 234(6) if —
- (a) the passenger referred to in the regulation has a medical certificate certifying the matter referred to in regulation 231(2A)(b); and
- (b) if required to do so, the passenger or driver produces the medical certificate.



- (4) After regulation 235(9) insert:
- (10A) A person is exempt from using a child restraint or booster seat if he or she is receiving medical treatment of an urgent and necessary nature while in or on a vehicle.
- (5) In regulation 235(12):
- (a) delete “approved” (first occurrence);
- (b) delete “an approved” (each occurrence) and insert:
- a

**21. Regulation 264A amended**

- (1) In regulation 264A(1) delete “handlebars.” and insert:
- handlebars, or in another position that interferes with the rider’s ability to control the motor cycle or to have a clear view of the carriageway.
- (2) In regulation 264A(2) delete “a motor cycle” and insert:
- the part of the motor cycle between the rider and the handlebars

**22. Regulation 264 amended**

- (1) Delete regulation 264(2)(b) and insert:
- (b) the visual display unit is, or is part of, a driver’s aid and either —
- (i) is an integrated part of the vehicle design; or
- (ii) is secured in a mounting affixed to the vehicle while being used;
- or
- (2) After regulation 264(2) insert:
- (3) For the purposes of subregulation (2)(b)(ii), a visual display unit is secured in a mounting affixed to the vehicle if, and only if —
- (a) the mounting is commercially designed and manufactured for that purpose; and

- (b) the unit is secured in the mounting, and the mounting is affixed to the vehicle, in the manner intended by the manufacturer.

**23. Regulation 265 replaced**

Delete regulation 265 and insert:

**265. Use of mobile phones**

- (1) In this regulation —

*body*, in relation to a mobile phone, means the part of the phone that contains the majority of the phone's mechanisms;

*held* includes held by, or resting on, any part of the driver's body, but does not include held in a pocket of the driver's clothing or in a pouch worn by the driver;

*mobile phone* does not include a CB radio or any other two-way radio;

*use*, in relation to a mobile phone, includes any of the following actions by the driver of a vehicle —

- (a) hold the phone;
  - (b) enter or place anything into the phone, or send or look at anything that is in the phone;
  - (c) turn the phone on or off;
  - (d) operate any other function of the phone.
- (2) A driver of a vehicle must not use a mobile phone while the vehicle is moving, or is stationary but not parked, unless —
    - (a) the phone is being used to make or receive a phone call, other than a text message, video message, email or similar communication, and the body of the phone —
      - (i) is secured in a mounting affixed to the vehicle while being so used; or
      - (ii) is not secured in a mounting affixed to the vehicle and is not being held by the driver, and the use of the phone does not require the driver, at any time while using it, to press any thing on the body of the phone or otherwise to manipulate any part of the body of the phone;
    - or
    - (b) the visual display of the phone is being used as a driver's aid in accordance with regulation 264 and the use of the phone does not require the driver, at any time while using it, to press any

thing on the body of the phone or otherwise to manipulate any part of the body of the phone.

Points: 3

Modified penalty: 5 PU

- (3) For the purposes of this regulation, a driver does not use a mobile phone if —
- (a) a text message, video message, email or similar communication is received automatically by the phone; and
  - (b) on and after the receipt, the communication itself, rather than any indication that the communication has been received, does not become automatically visible on the screen of the phone.

**24. Regulation 284 amended**

In regulation 284(4) delete “Regulations 234 and 239 do” and insert:

Regulation 234 does

**25. Regulation 306 inserted**

After regulation 305 insert:

**306. References to pedestrians crossing a carriageway**

In these regulations, a reference to a pedestrian crossing a carriageway includes a reference to a person who is crossing only part of a carriageway.

*Example*

A person walking to a median strip or to the middle of a carriageway to display a hand-held stop sign is to be taken to be crossing the carriageway for the purposes of these regulations.

By Command of the Governor,

PETER CONRAN, Clerk of the Executive Council.

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## — PART 2 —

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### AGRICULTURE

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**AG401\***

**PLANT DISEASES ACT 1914**  
APPOINTMENTS

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 officers as authorised inspectors 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—

Andrew Richard Norton  
John Scott Gobbels  
Jay Leeder  
Russell Chamberlain  
Erin Yench  
Matthew Robinson

TERRY REDMAN MLA, Minister for Agriculture and Food.

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**AG402\***

**BEEKEEPERS ACT 1963**  
APPOINTMENT

Department of Agriculture and Food,  
South Perth WA 6151.

The Governor is pleased to appoint the following officer as Inspector pursuant to Section 5 of the *Beekeepers Act 1963*—

Lee Elen Pusey.

TERRY REDMAN MLC, Minister for Agriculture and Food.

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### FISHERIES

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**FI401\***

**FISH RESOURCES MANAGEMENT ACT 1994**  
PILBARA TRAP MANAGED FISHERY MANAGEMENT PLAN 1992  
Determination of the Capacity of the Pilbara Trap Managed Fishery  
for the 2011 Licensing Period

I, Stuart Smith, Chief Executive Officer of the Department of Fisheries, in accordance with clause 14 (1) of the *Pilbara Trap Managed Fishery Management Plan 1992*, having taken into account advice from the Director of Research and consulted with all Pilbara Trap Managed Fishery licence holders, consider it appropriate to do so and do hereby determine the capacity of the Pilbara Trap Managed Fishery shall be limited to 5456 trap days for the period commencing 1 January 2011 and ending 31 December 2011.

STUART SMITH, Chief Executive Officer.

Dated this 11th day of November 2010.

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**LOCAL GOVERNMENT**

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**LG401\****SHIRE OF MURRAY*

## APPOINTMENTS

It is hereby notified for public information that effective from November 11, 2010 Rebecca Magee is appointed as a Ranger for the district of the Shire of Murray to exercise powers under the following Acts and associated subsidiary legislation—

Part XX of the Local Government (Miscellaneous Provisions) Act 1960; Section 449 of the Local Government Act (Miscellaneous Provisions) Act 1960 as a Pound Keeper and Ranger;

Local Government Act, 1995 pursuant to Sections 9.10, 3.24 and 3.39 as an Authorised Person;

And as an Authorised Person/Officer pursuant to the following—

Dog Act 1976 (as amended) and Regulations;

Control of Vehicles (Off Road Areas) Act 1978-1985 (as amended) and Regulations;

Litter Act 1979 (as amended) and Regulations;

Bush Fires Act 1954 (as amended) and Regulations, as a Fire Control Officer;

Caravan Parks and Camping Grounds Act 1995 (as amended) and Regulations;

All Shire of Murray Local Laws.

DEAN UNSWORTH, Chief Executive Officer.

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**MARINE/MARITIME**

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**MX401\*****WESTERN AUSTRALIAN MARINE ACT 1982****NAVIGABLE WATERS REGULATIONS 1958**

## PROHIBITED SWIMMING AREA

Ocean Reef Boat Harbour

Ocean Reef

Department of Transport,  
Fremantle WA, 19 November 2010.

Acting pursuant to the powers conferred by Regulation 10A of the *Navigable Waters Regulations 1958*, the Department of Transport hereby declares the following area swimming prohibited area—

OCEAN REEF BOAT HARBOUR: All the waters within a 100 meter radius of the firing point located centrally on the western end of the main groyne are closed to swimming between 7:30pm and 8:30pm on Tuesday 23 November 2010.

RAYMOND BUCHHOLZ, A/General Manager,  
Marine Safety, Department of Transport.

**MX402\*****WESTERN AUSTRALIAN MARINE ACT 1982****NAVIGABLE WATERS REGULATIONS 1958**

## PROHIBITED SWIMMING AREA

Success Boat Harbour

City of Fremantle

Department of Transport,  
Fremantle WA, 19 November 2010.

Acting pursuant to the powers conferred by Regulation 10A of the *Navigable Waters Regulations 1958*, the Department of Transport hereby declares the following area swimming prohibited area—

SUCCESS BOAT HARBOUR: All the waters within a 200 meter radius around the firing point, located on the Southern Breakwater Groyne, Success Boat Harbour Fremantle, approximately 32o 03'55.18S, 115o 44'34.78E, are closed to swimming between 6.45pm and 7:45pm on Sunday 21 November 2010.

RAYMOND BUCHHOLZ, A/General Manager,  
Marine Safety, Department of Transport.

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## MINERALS AND PETROLEUM

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**MP401\***

Commonwealth of Australia

**OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006**

## GRANT OF PETROLEUM EXPLORATION PERMIT WA-451-P

Petroleum Exploration Permit No. WA-451-P has been granted to Woodside Energy Ltd to have effect for a period of six (6) years from and including 11 November 2010.

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

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**MP402\***

Commonwealth of Australia

**OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006**

## CANCELLATION OF PETROLEUM EXPLORATION PERMIT WA-332-P

I, William Lee Tinapple, the delegate of the Designated Authority in respect of the offshore area of the State of Western Australia and on behalf of the Commonwealth—Western Australia Offshore Petroleum Joint Authority, hereby cancel Petroleum Exploration Permit WA-332-P in respect of the blocks described in the schedule below, of which Browse Petroleum Pty Ltd, Braveheart Resources Pty Ltd, Braveheart Energy Pty Ltd, Braveheart Oil & Gas Pty Ltd and Braveheart Petroleum Pty Ltd are the registered holders, on the grounds of—

Non compliance with Condition 1 of (work commitments) of Petroleum Exploration Permit No. WA-332-P

**SCHEDULE**

## DESCRIPTION OF BLOCKS

(The references hereunder are to the names of map sheets of the 1:1 000 000 series published by the Designated Authority and to the numbers of graticular sections shown thereon).

## BRUNSWICK BAY—SD51 MAP SHEET

Block No.	Block No.	Block No.	Block No.	Block No.	Block No.
1488	1489	1559	1560	1561	1631
1632	1633	1701	1702	1703	1704
1705	1773	1774	1775	1776	1777
1845	1846	1847	1848	1849	1917
1918	1919	1920	1921	1989	1990
1991	1992	1993	2061	2062	2063
2064	2065				

Assessed to contain 38 blocks.

Dated at Perth this 12th day of November 2010.

Made under the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*  
of the Commonwealth of Australia.

W. L. TINAPPLE, Delegate of the Designated Authority.

Pursuant to the Instrument of Delegation dated 9th February 2010.

For and on behalf of the Commonwealth—

Western Australia Offshore Petroleum Joint Authority.

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**MP403\*****MINING ACT 1978**

## INSTRUMENT OF EXEMPTION OF LAND—EXTENSION OF PERIOD

The Minister for Mines and Petroleum pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby extends the exemption granted on 12 December 2008 and published in the *Government Gazette* dated 30 December 2008, of the area described hereunder (not being private land or land that is the subject of a mining tenement or an application therefor) from Divisions 1 to 5 of Part IV of the *Mining Act 1978*, for a further period of two years expiring on 11 December 2012.

**Description of Land**

At Cape Preston commencing at a point—

20 48' 55.2214    116 16' 04.7964 coincident with the NE corner of E08/636 thence south to a point

20 54' 55.2265	116 16' 04.7887 coincident with an east boundary corner of E08/636 thence west to a point
20 54' 55.2269	116 15' 04.7910 coincident with an east boundary corner of E08/636 thence south to a point
20 56' 19.3861	116 15' 04.7908 coincident with the east boundary of E08/636 thence west to a point
20 56' 19.3861	116 14' 29.7035 thence north to a point
20 55' 40.6931	116 14' 29.4968 thence west to a point
20 55' 40.8740	116 13' 39.9549 coincident with the west boundary of G08/74 thence generally northerly to a point
20 51' 40.3292	116 13' 29.8024 thence west to a point
20 51' 40.2357	116 13' 17.7789 thence generally northerly to a point
20 48' 55.2242	116 13' 13.6628 coincident with the north boundary of E08/636 thence east to the commencement point,

being former portions of E08/636, G08/52 and application for G08/74 as shown on Plan 5 Sheet 1 referred to in the 2008 Agreement Variation to the *Iron Ore Processing (Mineralogy Pty Ltd) Agreement Act 2002*, now depicted as section 19/315 in the DMP Tengraph system.

**Area of Land**

approximately 558.0946 ha

Dated at Perth this 4th day of November 2010.

NORMAN MOORE MLC, Minister for Mines and Petroleum.

**MP404\***

**MINING ACT 1978**

INTENTION TO FORFEIT

Department of Mines and Petroleum,  
Perth WA 6000.

In accordance with Regulation 50(b) of the *Mining Regulations 1981*, notice is hereby given that unless the rent due on the under mentioned mining tenements are paid on or before 20 December 2010 it is the intention of the Minister for Mines and Petroleum under the provisions of sections 96A(1) and 97(1) of the *Mining Act 1978* to forfeit such for breach of covenant, being non-payment of rent.

DIRECTOR GENERAL.

Number	Holder	Mineral Field
EXPLORATION LICENCE		
E 08/1690	Askins, Paul Winston	Ashburton
E 08/1705	Sinclair, Keith	Ashburton
E 09/1441	Holocene Pty Ltd	Gascoyne
E 09/1442	Holocene Pty Ltd	Gascoyne
E 37/884	Sudholz, Tabatha	Mt Margaret
E 37/885	Sudholz, Tabatha	Mt Margaret
E 39/711	Williams, Thomas Geoffrey	Mt Margaret
E 77/1116	Avko Mining Pty Ltd	Yilgarn
MINING LEASE		
M 39/397	Aumex Mining Pty Ltd	Mt Margaret
M 74/147	Bauer, Arthur Alexander	Phillips River

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**PLANNING**

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PI401\*

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

Town Planning Scheme No. 3—Amendment No. 121

Ref: TPS/0248

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 Denmark local planning scheme amendment on 28 October 2010 for the purpose of—

1. Amending Appendix No XIII—Schedule of Tourist Zones, area T10, to include the following additional uses;
    - Caravan Park
    - Private Recreation
    - Reception Centre
    - Gallery/Restaurant
    - Office and Shop (maximum 150m<sup>2</sup>)
  2. Amending Appendix No XIII—Schedule of Tourist Zones, area T10, Column 3 by replacing existing conditions (i), (iv), (vii), (ix), (x) and (xi) with the following—
    - (i) Development shall generally be in accordance with the Tourist Development Plan Ref 1513, or any minor variation to that plan approved by Council.
    - (iv) A person is not to occupy and chalet, camping or caravan site for longer than three (3) months in any twelve (12) month period.
    - (vii) Clearing of vegetation shall only be permitted pursuant to the *Environmental Protection Act 1986* and the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* for development in accordance with the concept plan, low fuel areas, access and to remove dead or dying trees.
    - (ix) An appropriate separation distance being maintained between all sensitive development on the site and any potential pasture spraying as a condition of planning approval and having regard for advice from the Department of Agriculture and Food.
    - (x) To protect ongoing agricultural uses on surrounding land, the owner(s)/manager(s) shall develop and implement a management plan to the satisfaction of Council to ensure that—
      - (a) all patrons are advised that agricultural activities may impact on the amenity of the tourist site; and
      - (b) actions of patrons and activities on the tourist site do not negatively impact on or conflict with the use of the surrounding land for agricultural purposes.
    - (xi) Vehicular access to be restricted to the existing track in the South Coast Highway road reserve, which joins Tindale Road with Tourist Zone T10, until such time as access is upgraded to permit the access of caravans and/or the development of the reception centre.
- and;
- by inserting the following new provisions—
- (xix) Provision of any caravan hardstands and camping sites will require compliance with the *Caravan and Camping Act (1995)* and the relevant provisions of the *Caravan and Camping Ground Regulations (1997)* or as amended from time to time.
  - (xx) The specific purpose of this development is for the accommodation and entertainment of tourists. There shall be no provisions for park homes or permanent residency at this site regardless of any provisions of the Caravan and Camping Act or Scheme definition of the land use 'Caravan Park'.
  - (xxi) Prior to Caravans being permitted to utilise the site or the development of a reception centre, vehicular access to Tindale Road is to be upgraded in accordance with MRWA requirements and specifications.
  - (xxii) Any development for a Reception Centre will require the upgrading of internal roads and the provision of appropriate number of parking bays.
3. Rezoning Portion Lot 14 Tindale Road to 'Tourist' zone.
  4. Amending the Scheme Maps accordingly.

R. THORNTON, Shire President.  
D. STEWART, Chief Executive Officer.



PI402\*

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

Local Planning Scheme No. 5—Amendment No. 1

Ref: TPS/0111

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 Collie local planning scheme amendment on 20 October 2010 for the purpose of—

1. Rezoning Lots 557-563 (inclusive) DP 67882 Premier Road; Shotts from State Forest, Major Road, Public Purposes Local Reserves and Rural 2 Zone to—
  - Special Use Zone No 11 -Shotts Industrial Park; and
  - Structure Plan Area—SPA No 1.
 as shown on the scheme amendment map
2. Including land as shown on the scheme amendment map in Special Control Area—Shotts Industrial Park Buffer.
3. Adding the following into Schedule 4 Special Uses.

No	Description of Land	Only Use(s) Permitted	Conditions
11	Lots 557—563 (inclusive) DP 67882 Premier Road; Shotts	Uses permitted in this zone in accordance with Clause 4.3.2— <ul style="list-style-type: none"> <li>• Industry—rural ('D' use)</li> <li>• Industry—general ('D' use)</li> <li>• Industry—extractive ('D' use)</li> <li>• Industry—light ('D' use)</li> <li>• Industry—noxious ('A' use)</li> <li>• Telecommunications infrastructure ('D' use)</li> </ul>	<p><u>1 Objective</u></p> <p>The objective of the zone is to allow for the development of industry associated with the coal resource and other support or related industries.</p> <p><u>2 Structure Plan</u></p> <p>(a) Land use and development within the Special Use Zone No 11 shall comply with a Structure Plan adopted by the local government and approved by the Commission in accordance with the Scheme or any subsequent Structure Plan adopted by the local government and approved by the Commission.</p> <p>(b) Where a structure plan has been advertised and approved in conjunction with an Amendment to the Scheme it shall be deemed to have complied with the requirements of Clause 6.3.5 of the Scheme.</p> <p><u>3 EPA Approval</u></p> <p>All applications for planning approval within the Special Use Zone No 11 shall be referred to the EPA for assessment unless—</p> <p>(a) The EPA has agreed that a specific class of industry will not have any additional environmental impacts in the area; or</p> <p>(b) The application is for a minor or ancillary development with no significant environmental impacts.</p>

## 4. Adding in Schedule 14 Structure Plan Areas, the following—

Area No. (SPA)	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plans (in addition to clause 6.3.4.4)	Associated Provisions
SPA 1	Lots 557—563 (inclusive) DP 67882 Premier Road; Shotts	<ul style="list-style-type: none"> <li>• Industrial uses;</li> <li>• Char Plant;</li> <li>• Urea Plant;</li> <li>• Power Generation; and</li> <li>• Support Industries.</li> </ul>	<ul style="list-style-type: none"> <li>• Land tenure;</li> <li>• Protection of existing mining and power generation infrastructure;</li> <li>• Protection of water resources;</li> <li>• Vegetation protection and management;</li> <li>• Fauna protection and management;</li> <li>• Wastewater management;</li> <li>• General waste management;</li> <li>• Air quality including odour control and criteria to be met at the boundary of the SCA.</li> <li>• Noise management and criteria to be met at the boundary of the SCA.</li> <li>• Public safety;</li> <li>• Hazard management;</li> <li>• Bush fire control;</li> <li>• Traffic management and site access;</li> <li>• Utility Service provision; and</li> <li>• Other matters as required by Council.</li> </ul>	See Structure plan map.

5. In 'Table of Contents' insert '6.2.4 Shotts Industrial Park Buffer'.

6. Insert Clause 6.2 Special Control area provisions the following:-

**6.2.4 Shotts Industrial Park Buffer**

- (a) The Special Control Area—Shotts Industrial Park Buffer (SIPB) is shown on the Scheme Map.
- (b) The objective of the SIPB is to ensure that only 'compatible land uses' can occur within the buffer.
- (c) All development and use within SIPB requires the approval of the local government. Notwithstanding any other provision of the Scheme no 'sensitive land uses' are permitted within the SIPB.
- (d) In considering whether a proposed use or development is a 'compatible land use' the Council may refer the application to the EPA.

7. Insert in Schedule 1—General Definitions

**"compatible land use"** is a use that when located in a buffer will tolerate exposure to off-site emissions without impairment to its own operation.

**"sensitive land uses"** means land uses which are sensitive to emissions from industry and infrastructure and include, but are not limited to—

- residential development;
- hotels, motels, hostels and caravan parks;
- hospitals and nursing homes;
- schools and other educational establishments;
- childcare facilities;
- shopping centres;
- sporting facilities;
- restaurants;
- tourist facilities;
- cinemas and theatres;
- community and cultural centres;

- churches and other places of worship;
- indoor sporting venues or constructed playing arenas;
- outdoor and bulky goods showrooms;
- some public buildings; or
- any use which in the opinion of the local government is a sensitive land use.

W. R. SANFORD, Shire President.  
J. B. WHITEAKER, Chief Executive Officer.

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**PI403\***

**PLANNING AND DEVELOPMENT ACT 2005**  
APPROVED LOCAL PLANNING SCHEME AMENDMENT  
*Shire of Kellerberrin*  
Town Planning Scheme No. 2—Amendment No. 3

Ref: TPS/0168

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 Kellerberrin local planning scheme amendment on 21 July 2010 for the purpose of—

1. Rezoning portion Lot 103 Humpleby Road, portion of Lot 7 Mather Road, Lot 66 and portion of Lot 105 Bedford Street, Kellerberrin, from 'Farming' zone to 'Industrial' zone.
  2. Rezoning Lot 104 Bedford Street, Kellerberrin, from 'Residential—R2' and 'Farming' zone to 'Industrial'.
  3. Rezoning Lot 112 Mather Road, Kellerberrin, from 'Farming' zone to 'Industrial' zone.
- as more clearly shown on the Scheme Amendment Map.

S. M. MCDONNELL, Shire President.  
D. A. FRIEND, Chief Executive Officer.

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**PI404\***

**PLANNING AND DEVELOPMENT ACT 2005**  
IMPROVEMENT PLAN NO. 35  
Perth Waterfront

It is hereby notified for public information that the Western Australian Planning Commission (WAPC) acting pursuant to Part 8 of the *Planning and Development Act 2005* has certified and recommended that for the purpose of advancing the planning, development and use of the land described below, that the land should be made the subject of an improvement plan.

The land comprises terrestrial and Swan River aquatic areas within the vicinity of Mounts Bay, Perth, with the subject area depicted on WAPC Plan No. 3.2339.

The purpose of this improvement plan is to establish the strategic planning and development intent for Perth Waterfront, outline the procedural steps and program for obtaining statutory approvals, provide guidance to the preparation and consideration of statutory plans, statutory referral documentation and policy instruments and provide for a strategic planning framework endorsed by the WAPC, Minister for Planning and the Governor.

The recommendation has been accepted by the Minister for Planning and His Excellency the Governor, and will be known as Improvement Plan No 35—Perth Waterfront. Improvement plan number 35 is effective on and from 19 November 2010.

A copy of Improvement Plan No 35 can be viewed at—

1. The Western Australian Planning Commission, 469 Wellington Street, Perth;
2. The municipal office of the City of Perth; and
3. JS Battye Library, Alexander Library Building, Francis Street, Northbridge.

TONY EVANS, Secretary,  
Western Australian Planning Commission.

## PREMIER AND CABINET

### PC401\*

#### APPOINTMENT OF DEPUTY OF THE GOVERNOR

It is hereby notified for public information that the Governor, under clause XVI of the *Letters Patent* relating to the Office of Governor of the State of Western Australia, dated 14 February 1986, has appointed the Lieutenant-Governor, the Honourable Wayne Stewart Martin, to be the deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor for the period 29 November to 1 December 2010, both dates inclusive.

P. CONRAN, Clerk of the Executive Council.

### PC402\*

#### INTERPRETATION ACT 1984

#### MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that the Governor, in accordance with Section 52(1)(b) of the *Interpretation Act 1984*, has approved the following temporary appointments to the office of Minister for Sport and Recreation; Racing and Gaming; Minister Assisting the Minister for Health, in the absence of the Hon T K Waldron MLA—

- Hon D T Redman MLA, from 20 December 2010 to 7 January 2011 (both dates inclusive)
- Hon B J Grylls MLA, from 8 to 11 January 2011 (both dates inclusive).

This notice supersedes acting arrangements relating to the above office that were published in *Government Gazette* No. 172 dated 10 September 2010.

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

## TRAINING

### TA401\*

#### VOCATIONAL EDUCATION AND TRAINING ACT 1996

#### CLASSIFICATION OF PRESCRIBED VOCATIONAL EDUCATION AND TRAINING QUALIFICATIONS

#### Amendment to Western Australian *Government Gazette* 2009/225

Under the *Vocational Education and Training Act 1996* section 60C, the Minister for Training and Workforce Development classifies the following—

#### Class A qualifications

No.	Qualification	Conditions	Training contract requirements				
			Title of apprentice under training contract	Nominal period (months) full time	Part time	School based	Other requirements
572.1	Certificate III in Business Equipment (UEE30107)		Apprentice	48	Y	Y	
573.1	Certificate III in Custom Electronics (UEE30307)		Apprentice	48	Y	Y	
574.1	Certificate III in Appliance Servicing (UEE30507)		Apprentice	48	Y	Y	
575.1	Certificate III in Electrical Machine Repair (UEE30607)		Apprentice	48	Y	Y	
576.1	Certificate III in Switchgear and Control Gear (UEE30707)		Apprentice	48	Y	Y	
577.1	Certificate III in Fire Protection Control (UEE31007)		Apprentice	48	Y	Y	
578.1	Certificate III in Gaming Electronics (UEE31107)		Apprentice	48	Y	Y	

No.	Qualification	Conditions	Training contract requirements				
			Title of apprentice under training contract	Nominal period (months) full time	Part time	School based	Other requirements
579.1	Certificate III in Refrigeration and Air Conditioning (UEE31307)		Apprentice	48	Y	Y	
580.1	Certificate III in Security Equipment (UEE31407)		Apprentice	48	Y	Y	
581.1	Certificate III in Rail—Communications and Networks (UEE31507)		Apprentice	48	Y	Y	
582.1	Certificate III in Hazardous areas—Electrician (UEE31707)		Apprentice	48	Y	N	
583.1	Certificate III in Hazardous areas—Instrumentation (UEE31807)		Apprentice	48	Y	N	
584.1	Certificate III in Explosion—protected equipment overhaul (UEE31907)		Apprentice	48	Y	N	
<b>Class B qualifications</b>							
585.1	Certificate III in Computer Systems Equipment (UEE30207)	This qualification can only be obtained by fulfilling the obligations of an apprentice under a training contract except— (a) a person who is Temporarily living in Australia on a student visa issued by the Department of Immigration and Citizenship may obtain the qualification through a registered training provider approved to deliver a course for the qualification; or (b) a person seeking recognition of prior learning under s60I of the VET Act.	Apprentice	48	Y	Y	
586.1	Certificate III in Instrumentation and Control (UEE31207)	This qualification can only be obtained by fulfilling the obligations of an apprentice under a training contract except— (a) a person who is Temporarily living in Australia on a student visa issued by the Department of Immigration and Citizenship may obtain the qualification through a registered training provider approved to deliver a course for the qualification; or (b) a person seeking recognition of prior learning under s60I of the VET Act.	Apprentice	48	Y	Y	

No.	Qualification	Conditions	Training contract requirements				
			Title of apprentice under training contract	Nominal period (months) full time	Part time	School based	Other requirements
587.1	Certificate III in Renewable Energy ELV (UEE32007)	This qualification can only be obtained by fulfilling the obligations of an apprentice under a training contract except— (a) a person who is Temporarily living in Australia on a student visa issued by the Department of Immigration and Citizenship may obtain the qualification through a registered training provider approved to deliver a course for the qualification; or (b) a person seeking recognition of prior learning under s60I of the VET Act.	Apprentice	48	Y	Y	
<b>Variation from Class B to Class A</b>							
180.2	Certificate III in Data and Voice Communications (UEE30407)		Apprentice	48	Y	Y	

## DECEASED ESTATES

**ZX401\***

### TRUSTEES ACT 1962

#### DECEASED ESTATES

#### Notice to Creditors and Claimants

Pauline Edna Flynn late of Stirling Aged Care 32 Spencer Avenue, Yokine, in the State of Western Australia, home duties, deceased.

Creditors and other persons having claims (to which section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the abovementioned deceased person, are required by the Executor (Trustee), Gilbert Flynn, of Messrs Hotchkin Hanly Lawyers, Level 1, BGC Centre, 28 The Esplanade, Perth, WA 6000, to send particulars of such claims to him within one month of the date of the publication of this notice. After such date, the Executor may convey or distribute the assets of the abovementioned estate, having regard only to the claims of which the Executor then has notice.

**ZX403**

### TRUSTEES ACT 1962

#### DECEASED ESTATES

#### Notice to Creditors and Claimants

Bruce Shirley late of 29 Hassell Street, Elleker, Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 23 January 2010, are required by the trustee of the late Bruce Shirley of C/- Haynes Robinson Solicitors of PO Box 485, Albany, Western Australia 6331 to send particulars of their claims to them within one (1) month from the date of publication of this notice, after which date the trustee may convey or distribute the assets, having regard only to the claims of which it then has notice.

Dated this 16th day of November 2010.

HAYNES ROBINSON.

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

## Notice to Creditors and Claimants

Estate of the late Henry William Ward formerly of 169 Urch Road Yetna in the State of Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the above-named deceased who died on 25 August 2010 are required to send particulars of their claims to the Executor, care of RSM Bird Cameron (see address below) within one (1) month of the date of publication of this notice after which date the Executor may convey or distribute the assets having regard only to claims of which notice has been given.

C/- RSM Bird Cameron Chartered Accountants,  
GPO Box R1253,  
Perth WA 6844.  
Telephone: 08 9261 9100.  
REF: R Bennett.

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

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the *Trustees Act*, relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me, on or before the 19th December 2010, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bird, Edward William Joseph, late of c./Rowethorpe Bentley Hilltop Lodge Hayman Road, Victoria Park, died 12.09.2010 (DE33035908 EM36)

Castle, Guildford Ernest, late of Barridale Lodge 89 Barridale Drive, Kingsley, formerly of 237/177 Dampier Avenue, Kallaroo, died 17.10.2010 (DE19590568 EM23)

Collard, Andrew Richard, late of 6/37 Old Balcatta Road, Carine, died 4.07.2010 (DE33084617 EM36)

Cresswell, Mary Davidson, late of Hilton Park Aged Care 19 Laidlaw Street, Hilton, formerly of 92 Houghton Drive, Carramar, died 15.09.2010 (DE19783604 EM37)

Culbertson, John Henry, late of St, George's Home, 15 / 2 Essex Street, Bayswater, died 17.10.2010 (DE19811169 EM15)

Gill, John Frederick, late of 1 Leeds Street, Dianella, died 16.10.2010 (DE19740657 EM22)

Ginn, Michael Edward, late of 6/63 Street, Bentley, died 2.10.2009 (DE33073326 EM13)

Hughes, Elfreda Catrina, late of Carinya of Bicton 220 Preston Point Road, Bicton, formerly of unit 5/287 Preston Point Road, Bicton, died 17.10.2010 (DE19832602 EM37)

Italiano, Rita, late of Kimberley Nursing Home, 78 Kimberley Street, West Leederville, died 23.09.2010 (DE19760852 EM26)

Latimer, Friedel, late of c./Tandara Nursing Home, Jarrah Road, Bentley, died 28.08.2009 (DE33079339 EM32)

Lilley, Robert, late of Amberley Aged Care 30 Mell Road, Spearwood, formerly of 36 Lyndale Avenue, Parkwood, died 18.10.2010 (DE19950703 EM38)

Memkus, Helen, also known as Helena Memkus, late of 19 Laidlow Street, Hilton, died 9.10.2010 (DE33067482 EM26)

Mossley, Thomas, late of 7b Keenan Street, Hamilton Hill, died 6.03.2009 (DE30291949 EM26)

Richardson, Ellen Isabella, late of 31 Sulman Road, Wembley Downs, died 26.08.2010 (DE19712142 EM38)

Ritchie, John Robertson, late of Walridge Country Estate Unit 174/45a Berkshire Road, Forrestfield, died 5.10.2010 (DE19822949 EM16)

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

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**PUBLIC NOTICES**

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**ZZ401****PARTNERSHIP ACT 1895**  
**DISSOLUTION OF PARTNERSHIP**

Take notice that as from 8th October 2010, the partnership of John Brideson of 1 Elmhurst Way, Greenwood and Peter Miskelly of 42 Narrien Loop, Hocking, trading as Spaman in the State of Western Australia was dissolved.

Peter Miskelly will continue to operate under the name of Spaman and shall be responsible for all debts and liabilities thereof.

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**ZZ402****DISPOSAL OF UNCOLLECTED GOODS ACT 1970**  
**NOTICE UNDER PART VI OF INTENTION TO SELL OR OTHERWISE DISPOSE OF**  
**GOODS VALUED IN EXCESS OF \$300**

To Christopher E. Barraud of PO Box 7841, Cloister Square, Perth WA 6850, bailor.

1. You were given notice on 12th of May 2010 that the following goods: Blue, Daewoo Lanos VIN: KLATF08YEXB419259, registration: 1BYD833, situated at 2 Eyre Street, Rivervale WA, 6103 were ready for redelivery.
2. Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, Catts Self Storage of 2 Eyre Street, Rivervale WA, bailee, intends making an application to the Court for an order to sell or otherwise dispose of them in accordance with the Act.

Date: 16th November 2010.

MICHELLE JOHNS, Catts Self Storage (Bailee).

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**ZZ403****DISPOSAL OF UNCOLLECTED GOODS ACT 1970**  
**PART VI OF INTENTION TO APPLY TO COURT FOR AN ORDER TO SELL OR**  
**OTHERWISE DISPOSE OF GOODS VALUED IN EXCESS OF \$300**

To Natasha Webster of 14 Beefwood Street Kununurra, Bailor.

You were given notice on 21 of May 2010 that the following goods: GM VT Berlina, Blue, Rego: 1CGL961 situated at 231 Bloodwood Drive Kununurra were ready for redelivery.

Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, Jason Watts of Argyle Motors, bailee, intends making an application to the Court for an order to sell or otherwise dispose of them in accordance with the act.

Date 17 November 2010.

JASON WATTS, Argyle Motors.  
(08) 9168 22 36.

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**ZZ404****DISPOSAL OF UNCOLLECTED GOODS ACT 1970**  
**PART VI OF INTENTION TO APPLY TO COURT FOR AN ORDER TO SELL OR**  
**OTHERWISE DISPOSE OF GOODS VALUED IN EXCESS OF \$300**

To Shane Crocker of C/ Post Office Kununurra, Bailor.

You were given notice on 20 of May 2010 that the following goods: Toyota Camry Executive, Rego: 1AXT689 situated at 231 Bloodwood Drive Kununurra were ready for redelivery.

Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, Jason Watts of Argyle Motors, bailee, intends making an application to the Court for an order to sell or otherwise dispose of them in accordance with the act.

Date 17 November 2010.

JASON WATTS, Argyle Motors.  
(08) 9168 22 36.



ZZ405

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

To Harold Bidwee of 22 McDonald Street Kununurra, Bailor.

You were given notice on 20 of May 2010 that the following goods: GM Commodore 97, Blue, Rego: WY12395 situated at 231 Bloodwood Drive Kununurra were ready for redelivery.

Unless not more than one month after the date of the giving of this notice you either take redelivery of the goods or give directions for their redelivery, Jason Watts of Argyle Motors, bailee, intends making an application to the Court for an order to sell or otherwise dispose of them in accordance with the act.

Date 17 November 2010.

JASON WATTS, Argyle Motors.  
(08) 9168 22 36.

WESTERN AUSTRALIA

**RETIREMENT VILLAGES ACT 1992**

**Price: \$21.85 plus postage**

—————

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WESTERN AUSTRALIA

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—————

**YOUNG OFFENDERS REGULATIONS 1995**

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**Price: \$30.40 plus postage**

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**Price: \$36.10 plus postage**

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**Price: \$19.00 plus postage**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

**PAWNBROKERS AND SECONDHAND  
DEALERS ACT 1994**

**Price: \$27.55 plus postage**

\*Prices subject to change on addition of amendments.

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[www.commerce.wa.gov.au](http://www.commerce.wa.gov.au)

The WorkSafe website is user friendly and packed with valuable information to assist employers, employees, and all those involved in work to meet their obligations under the *Occupational Safety and Health Act 1984*.

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