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— PART 1 —

CONSUMER PROTECTION

CP301*

RETAIL TRADING HOURS ACT 1987**RETAIL TRADING HOURS (SHIRE OF MANJIMUP) VARIATION ORDER
NO. 2 OF 2011**

Made by the Minister for Commerce under section 12E of the Act.

1. CitationThis order is the *Retail Trading Hours (Shire of Manjimup) Variation Order No. 2 of 2011*.**2. Commencement**

This order comes into operation as follows—

- (a) clauses 1 and 2 – on the day on which this order is published in the Gazette;
- (b) the rest of the order – on the day after that day.

3. Variation of retail trading hours: December 2011

General retail shops within the Shire of Manjimup, but excluding those within the town site of Pemberton, are authorised to be open at times when the shops would otherwise be required to be closed—

- (a) on a day specified in the Table; and
- (b) during the hours specified for that day in the Table.

Table

Sunday 18 December 2011	from 10.00am until 5.00pm
Monday 19 December 2011	from 6.00pm until 9.00pm
Tuesday 20 December 2011	from 6.00pm until 9.00pm
Wednesday 21 December 2011	from 6.00pm until 9.00pm
Friday 23 December 2011	from 6.00pm until 9.00pm
Saturday 24 December 2011	from 5.00pm until 9.00pm
Tuesday 27 December 2011	from 10.00am until 5.00pm

SIMON O'BRIEN, Minister for Commerce.

FISHERIES

FI301*

Fish Resources Management Act 1994

Fish Resources Management Amendment Regulations (No. 12) 2011

Made by the Governor in Executive Council.

1. CitationThese regulations are the *Fish Resources Management Amendment Regulations (No. 12) 2011*.

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 *Fish Resources Management Regulations 1995*.

4. Regulation 118A amended

In regulation 118A(1)(c) delete “63” and insert:

60

5. Schedule 2 amended

- (1) In Schedule 2 Part 1 after the item relating to Sharks and Rays insert:

Western rock lobster less than 77 mm in length.

- (2) In Schedule 2 Part 2 Division 5 in the item relating to Rock Lobster, Western delete “77” and insert:

76

By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

JUSTICE

JU301*

District Court of Western Australia Act 1969

District Court Amendment Rules (No. 3) 2011

Made by the Judges of the District Court.

1. Citation

These rules are the *District Court Amendment Rules (No. 3) 2011*.

2. Commencement

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette (gazettal day)*;
- (b) rules 6, 7, 8, 9(1) and (2), 10, 11, 12, 13(3), (4), (5), (6) and (7) — on the day on which the *Workers' Compensation and Injury Management Amendment Act 2011* section 13 comes into operation;
- (c) the rest of the rules — on the day after gazettal day.

3. Rules amended

These rules amend the *District Court Rules 2005*.

4. Rule 15 amended

In rule 15(4a) delete “party.” and insert:

party within 5 days after the date on which the party received that notice from the Court.

5. Rule 45E amended

After rule 45E(3) insert:

- (4A) If a party has filed an index under subrule (3) and —
 - (a) the party receives a written notification from an expert witness that the witness has changed his or her view expressed in a report included in the index; or

- (b) the party has changed his or her intention as to any report of an expert witness from that set out in the index,

the party must file and serve an amended index of the reports of any expert witness that the party intends to tender as evidence at trial and must do so —

- (c) in the case of a change of view, within 7 days of receiving the notification; or
- (d) in the case of a change of intention, immediately after the change of intention and in any event at least 14 days before the commencement of the trial.

6. Rule 49 amended

- (1) In rule 49 insert in alphabetical order:

WCIMA appeal means an appeal under the *Workers' Compensation and Injury Management Act 1981* section 247(1).

- (2) In rule 49 in the definition of *primary court* delete “decision.” and insert:

decision;

7. Rule 51 amended

- (1) In rule 51(1)(a) after “commence an appeal” insert:

(other than a WCIMA appeal)

- (2) After rule 51(3) insert:

(4A) To —

- (a) commence a WCIMA appeal to the Court against an appealable decision; and
- (b) make an application for leave under the *Workers' Compensation and Injury Management Act 1981* section 247(1),

the appellant must file a Form 8A (Appeal notice (WCIMA appeal)) that sets out the matters referred to in subrule (4B).

- (4B) In Form 8A the appellant must state —
- (a) the question of law the subject of the appeal;
and
 - (b) the error alleged to have been made by the arbitrator; and
 - (c) the decision that the appellant claims should be made in relation to that question of law.

- (3) In rule 51(4) after “An appeal notice” insert:

or an appeal notice (WCIMA appeal)

- (4) In rule 51(6) after “When an appeal notice” insert:

or an appeal notice (WCIMA appeal)

8. Rule 52 amended

- (1) In rule 52(2) after “after an appeal notice” insert:

or an appeal notice (WCIMA appeal)

- (2) In rule 52(3) delete “copy of the appeal notice,” and insert:

copy of the appeal notice or an appeal notice (WCIMA appeal),

9. Rule 53 amended

- (1) In rule 53(1) delete “appeal notice,” and insert:

appeal notice or an appeal notice (WCIMA appeal),

- (2) In rule 53(2) delete “the appeal notice.” and insert:

the appeal notice or an appeal notice (WCIMA appeal).

- (3) In rule 53(3) delete “Form 9” and insert:

Form 8

- (4) In rule 53(4) delete “The answer” and insert:

The Notice of respondent’s intention

10. Rule 55 amended

- (1) In rule 55(1) delete “appeal notice.” and insert:

appeal notice or an appeal notice (WCIMA appeal).

- (2) After rule 55(1) insert:

(2) At the directions hearing a legally qualified registrar may grant leave under the *Workers’ Compensation and Injury Management Act 1981* section 247(1).

- (3) Before rule 55(3)(a) insert:

(aa) granting leave under the *Workers’ Compensation and Injury Management Act 1981* section 247(6) or making an order under section 250(1) of that Act;

11. Rule 57 amended

- (1) In rule 57(2)(a) after “which an appeal” insert:

(other than a WCIMA appeal)

- (2) After rule 57(2) insert:

(3) Before or during the hearing of a WCIMA appeal, the Court may —

(a) grant leave under the *Workers’ Compensation and Injury Management Act 1981* section 247(1); or

(b) grant leave under section 247(6) or make an order under section 250(1) of that Act.

12. Rule 58A amended

(1) Delete rule 58A(1) and insert:

- (1) At any time before an appeal is concluded, a party to an appeal may apply for an order in the appeal or an order amending or cancelling an order in the appeal in —
- (a) a Form 8A (Appeal notice (WCIMA appeal));
 - or
 - (b) a Form 8 (Notice of respondent's intention); or
 - (c) a Form 9 (Application in an appeal).

(2) In rule 58A(2):

- (a) delete “To make such an application, the party must file, and serve on each other party, a Form 9 (Application in an appeal) with —” and insert:

A party making an application under subrule (1) must file, and serve on each other party, together with the form by which the application is made —

- (b) in paragraph (e) after “a judge” insert:

or legally qualified registrar

Note: The heading to amended rule 58A is to read:

Orders in appeals, applying for

13. Schedule 1 amended

- (1) In Schedule 1 Form 1 delete “• *the [party] has complied with the *District Court Rules 2005* rule 45E; and”.
- (2) In Schedule 1 Form 6 after the row relating to Last date for appealing insert:

Date of filing	
----------------	--

- (3) In Schedule 1 Form 7 delete “[date];” and insert:

[date]/appeal notice (WCIMA appeal) dated [date]²;

- (4) After note 1 of Note to Schedule 1 Form 7 insert:

2. Strike out whichever is inapplicable.

(5) After Schedule 1 Form 7 insert:

8A. Appeal notice (WCIMA appeal) (r. 51(4A))

District Court of Western Australia		Appeal No:
		Appeal notice (WCIMA appeal)
Parties	Appellant Respondent	
Primary court's decision		
Primary court	WorkCover WA Arbitration Service	
Case number		
Parties		
Date of decision		
Arbitrator		
Decision details ¹		
Appeal details		
Notice of appeal	The appellant applies for leave to appeal to the District Court against the above decision.	
Act that allows appeal	<i>Workers' Compensation and Injury Management Act 1981 (WCIMA)</i> section 247.	
Question of law ²		
Amount in issue ³		
Grounds of appeal ⁴	1.	
Decision sought ⁵	1.	
Leave	The appellant applies for leave to appeal under WCIMA section 247 on the ground that: ⁶	
Other orders	The appellant also seeks orders that: ⁷	
Notice to the respondent ⁸	If you want to take part in this appeal you must file a Form 8 (attached) under the <i>District Court Rules 2005</i> within 21 days after the date on which you are served with this notice and serve it on the appellant. If you file a Form 8 you must attend a directions hearing at the time and place stated below.	
Last date for appealing	Last date:	
Date of filing		
Directions hearing ⁹	Date:	Time:
	Place:	

Appellant's details for service ¹⁰			
Name			
Street address			
Telephone			Fax No.:
Email address			
Reference No.			
Signature of appellant or lawyer	Appellant/Appellant's lawyer	Date:	

Notes to Form 8A —

1. Examples:
 - Determination of liability in favour of the respondent.
 - Dismissal of application seeking determination of liability.
 - Orders for cessation/reduction of weekly payments.
 - Orders for recovery of payments made.
2. Specify question(s) of law the subject of the appeal.
3. This is the amount that will be used to determine whether leave is able to be granted under WCIMA section 247.
4. Set out the grounds in numbered paragraphs.
5. See rule 51(4B)(c).
6. Specify subsection(s) under which the application is made. The grounds for leave should be in numbered paragraphs.
7. For example, to adduce fresh or further evidence under WCIMA section 247(6) or a stay under section 250(1).
8. A copy of Form 8 (Notice of respondent's intention) must be attached to this form when it is served on the respondent.
9. The Court will complete this row when the appeal notice (WCIMA appeal) is filed.
10. If the appellant is represented by a lawyer, the appellant's details below must be the lawyer's. If the appellant is self-represented, the details must be the appellant's personal details.

- (6) In Schedule 1 Form 8 after the row relating to Cross-appeal insert:

Other orders	The respondent also seeks orders that: ^{4A}
--------------	--

(7) After note 3 of Notes to Schedule 1 Form 8 insert:

4A. For possible orders see rule 57(2).

Date: 10 November 2011.

Judges' signatures:

Chief Judge P. D. MARTINO.	Judge M. J. BOWDEN.
Senior Judge A. D. FENBURY.	Judge C. P. STEVENSON.
Judge H. J. WISBEY.	Judge F. C. E. DAVIS.
Judge S. M. DEANE (QC).	Judge P. B. O'NEAL.
Judge P. R. EATON.	Judge S. E. STONE.
Judge P. P. McCANN.	Judge J. G. STAUDE.
Judge A. S. STAVRIANOU.	Judge R. E. BIRMINGHAM (QC).
Judge T. D. SWEENEY (SC).	Judge A. S. DERRICK (SC).
Judge B. J. H. GOETZE.	Judge J. C. CURTHOYS.
Judge R. E. KEEN.	

WATER/SEWERAGE

WA301*

Water Agencies (Powers) Act 1984

Water Agencies (Water Use) Amendment By-laws (No. 2) 2011

Made by the Minister for Water under the *Water Agencies (Powers) Act 1984* section 34.

1. Citation

These by-laws are the *Water Agencies (Water Use) Amendment By-laws (No. 2) 2011*.

2. Commencement

These by-laws come into operation as follows —

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

3. By-laws amended

These by-laws amend the *Water Agencies (Water Use) By-laws 2010*.

4. By-law 10AA amended

- (1) In by-law 10AA(1) in the definition of *commencement day* delete “*Water Agencies (Water Use) Amendment By-laws 2011*,” and insert:

*Water Agencies (Water Use) Amendment By-laws
(No. 2) 2011,*

- (2) In by-law 10AA(2) delete “2011.” and insert:

2012.

Note: The heading to amended by-law 10AA is to read:

Use of scheme water in Area 2 to 31 October 2012

BILL MARMION, Minister for Water.

WORKCOVER

WC301*

Workers' Compensation and Injury Management Act 1981

Workers' Compensation and Injury Management Amendment Regulations 2011

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Workers' Compensation and Injury Management Amendment Regulations 2011*.

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 on which the *Workers' Compensation and Injury Management Amendment Act 2011* section 6 comes into operation.

3. Regulations amended

These regulations amend the *Workers' Compensation and Injury Management Regulations 1982*.

4. Regulation 6A amended

In regulation 6A(1):

- (a) delete “57A(1)(b)(i),” and insert:

57A(1)(b)(i) and

- (b) delete “and 231(1)(b)(i)”.

5. Regulation 7 amended

At the end of regulation 7 insert:

- (3) The period commencing on the making of an application for conciliation of a dispute about the intention of an employer to discontinue or reduce weekly payments to a worker and ending when a certificate under section 182H or 182O is issued in respect of the dispute is to be disregarded for the following purposes —
 - (a) calculating the period of notice of the intention of the employer under section 61(1);
 - (b) calculating the time within which the worker may apply for an order of an arbitrator under section 61(3).

Note: The heading to amended regulation 7 is to read:

Discontinuance or reduction of weekly payments

6. Regulation 10 amended

Delete regulation 10(2) and insert:

- (2) Where an employer, or an employer's insurer, disputes the identity or entitlement, or both, of a worker, the employer or insurer —
 - (a) may apply under section 182E of the Act for resolution of the dispute by conciliation; and

- (b) if the dispute is not resolved by conciliation, may apply under section 182ZT for determination of the dispute by arbitration.

7. Regulation 10A deleted

Delete regulation 10A.

8. Regulation 12 amended

In regulation 12(1) delete “the DRD” and insert:

WorkCover WA

9. Regulation 17AB amended

In regulation 17AB(2) delete “information to the arbitrator in writing —” and insert:

evidence in writing of the exceptional circumstances —

10. Regulation 17B amended

In regulation 17B delete “a dispute resolution authority” and insert:

the Registrar or an arbitrator

11. Regulation 18B amended

- (1) In regulation 18B delete the definition of *taxing officer*.
- (2) In regulation 18B insert in alphabetical order:

commencement day means the day of the coming into operation of the *Workers’ Compensation and Injury Management Amendment Act 2011* section 6;

dispute resolution authority, in relation to the period commencing on 14 November 2005 and ending on the day before commencement day, has the meaning given in section 5 of the former provisions;

former provisions means the Act as enacted before the commencement day;

taxing officer means the Director, the Registrar, a conciliation officer or an arbitrator.

12. Regulation 18C amended

(1) In regulation 18C:

(a) delete “A person” and insert:

(1) A person

(b) delete “may apply under the *Workers’ Compensation (DRD) Rules 2005*” and insert:

before commencement day may apply under the
*Workers’ Compensation and Injury Management
Arbitration Rules 2011*

(2) At the end of regulation 18C insert:

(2) A person who has paid or is liable to pay, or who is entitled to receive or has received, costs as a result of an order for the payment of an unspecified amount of costs made by a dispute resolution authority on or after commencement day may apply under the *Workers’ Compensation and Injury Management Conciliation Rules 2011* or the *Workers’ Compensation and Injury Management Arbitration Rules 2011*, as relevant, for an assessment of the whole of, or any part of, those costs by a taxing officer.

13. Regulation 18D amended

In regulation 18D(2) delete “*Workers’ Compensation (DRD) Rules 2005* Part 3.” and insert:

*Workers’ Compensation and Injury Management
Conciliation Rules 2011* or the *Workers’ Compensation
and Injury Management Arbitration Rules 2011* as
relevant.

14. Regulation 18LA inserted

At the end of Part 2A insert:

18LA. Transitional provision

(1) In this regulation —

pending application means an application for the assessment of costs by a taxing officer —

(a) made under the *Workers’ Compensation (DRD) Rules 2005* before commencement day; and

- (b) which has not been determined by a taxing officer before commencement day.
- (2) A pending application is to be dealt with and determined under this Part as if it were an application made under the *Workers' Compensation and Injury Management Arbitration Rules 2011*.
- 15. Regulation 19L amended**
- Delete regulation 19L(1)(a) and insert:
- (a) a dispute that arises under section 93D(8) of the Act; or
- 16. Regulation 19O amended**
- In regulation 19O delete "*Workers' Compensation (DRD) Rules 2005*" and insert:
- Workers' Compensation and Injury Management Conciliation Rules 2011* or the *Workers' Compensation and Injury Management Arbitration Rules 2011*, as relevant,
- 17. Regulation 27A amended**
- In regulation 27A(c) delete "Dispute Resolution Directorate." and insert:
- Conciliation Service or the Arbitration Service.
- 18. Regulation 43 deleted**
- Delete regulation 43.
- 19. Regulation 46 deleted**
- Delete regulation 46.
- 20. Appendix I amended**
- (1) In Appendix I Form 2 delete "(iii) lung cancer," and insert:
- (iii) lung cancer;
- (iv) diffuse pleural fibrosis,

- (2) In Appendix I at the beginning of the form between Form 2 and Form 2C, immediately before the words “**Workers Compensation Claim Form**”, insert:

Form 2B

[r. 6AA]

Workers’ Compensation and Injury Management Act 1981

(Section 178(1)(b))

- (3) In Appendix I Form 2C under “WORKERS DECLARATION” delete “Dispute Resolution Directorate,”.
- (4) In Appendix I Form 3 in the heading delete “57B(1)(b), 61(1) and 231(1)(b)” and insert:
- 57B(1)(b) and 61(1))
- (5) In Appendix I Form 3B delete the second and third dot points of the Note and insert:
- seek advice in relation to the dispute from WorkCover WA;
 - if reasonable attempts have been made to resolve the dispute by negotiation with the employer and the insurer, apply to the Director under section 182E of the Act for resolution of a dispute by conciliation;
- (6) In Appendix I Form 3C:
- (a) delete “Dispute Resolution” (first occurrence);
- (b) delete the second and third dot points of the Note and insert:
- seek advice in relation to the dispute from WorkCover WA;
 - if reasonable attempts have been made to resolve the dispute by negotiation with the employer and the insurer, apply to the Director under section 182E of the Act for resolution of a dispute by conciliation;
- (7) In Appendix I Form 3D delete the second and third dot points of the Note and insert:
- seek advice in relation to the dispute from WorkCover WA;
 - if reasonable attempts have been made to resolve the dispute by negotiation with the employer, apply to the Director under section 182E of the Act for resolution of a dispute by conciliation;
- (8) In Appendix I Form 3E:
- (a) delete “Dispute Resolution” (first occurrence);

(b) delete the first and second dot points of the Note and insert:

- seek advice in relation to the dispute from WorkCover WA;
- if reasonable attempts have been made to resolve the dispute by negotiation with the employer, apply to the Director under section 182E of the Act for resolution of a dispute by conciliation;

(9) Delete Appendix I Form 7.

(10) In Appendix I Form 15F:

(a) delete “Commissioner.” and insert:

Registrar.

(b) delete “Dispute Resolution”.

(11) In Appendix I Form 29 delete “Dispute Resolution Directorate”.

(12) In Appendix I Form 31 under “**How to lodge this form**” delete “Director, Dispute Resolution Directorate” and insert:

Director

(13) In Appendix I in the Forms listed in the Table delete “Director Dispute Resolution” (each occurrence) and insert:

Director

Table

Form 15A	Form 15B
Form 15C	Form 22
Form 22A	Form 22B
Form 23	Form 23A
Form 23B	Form 26
Form 27	Form 28
Form 35	Form 36
Form 39	

21. Appendix IV clause 5 amended

- (1) In Appendix IV clause 5(2) delete “the Commissioner, an officer of the DRD” and insert:

the Director, the Registrar, an officer of the Conciliation Service or the Arbitration Service

- (2) In Appendix IV clause 5(3):

- (a) in paragraph (a) delete “the Commissioner, officers of the DRD” and insert:

the Director, the Registrar, officers of the Conciliation Service and the Arbitration Service

- (b) in paragraph (c), (d) and (e) after “Director” insert:

or Registrar

22. Appendix V amended

- (1) Before Appendix V item 1 insert:

1A.	57A(2A)	Failing to claim under policy of insurance.....	\$200.00
-----	---------	---	----------

- (2) After Appendix V item 2 insert:

3A.	57A(8A)	Failing to make weekly payment	\$400.00
3B.	57A(8)	Failing to make weekly payment having received payment from insurer	\$400.00

- (3) After Appendix V item 5 insert:

6A.	57B(8)	Failing to make weekly payment	\$400.00
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By Command of the Governor,

R. KENNEDY, Clerk of the Executive Council.

— PART 2 —

CONSERVATION

CO401*

WILDLIFE CONSERVATION ACT 1950

WILDLIFE CONSERVATION (RESTRICTED OPEN SEASON FOR WILD DUCKS CAUSING DAMAGE) NOTICE 2011

Made by the Minister under section 14.

Citation

1. This notice may be cited as the *Wildlife Conservation (Restricted Open Season for Wild Ducks Causing Damage) Notice 2011*.

Interpretation

2. In this notice—

“managed farmland” means land wholly or principally used for agriculture, horticulture, grazing, dairying, viticulture, or other similar farming purposes;

“local government” has the same meaning as in the *Local Government Act 1995*;

“Perth Metropolitan Region” means the metropolitan region as defined in section 6 of the *Metropolitan Region Town Planning Scheme Act 1959* and the local government of the City of Mandurah;

“South-west Division” and “Eucla Division” means those areas of the State defined in section 6 (Schedule 1) of the *Land Administration Act 1997*.

“restricted open season area” means the South-west Division and the Eucla Division, excluding the local governments within the Perth Metropolitan Region;

“wild duck” means fauna listed in Schedule 1.

Declaration of an restricted open season

3. Subject to clauses 4, 5 and 6 an open season is declared in respect of the fauna listed in Schedule 1 in the restricted open season area for the periods—

1 January 2012 to 30 June 2012;

1 January 2013 to 30 June 2013;

1 January 2014 to 30 June 2014;

1 January 2015 to 30 June 2015; and

1 January 2016 to 30 June 2016.

Restrictions on taking wild ducks

4. (1) Wild ducks may be taken only—

(a) by a person (or person’s nominated agent or nominated shooter) on managed farmland or other damaged land that the person owns or occupies;

(b) in the case of managed farmland, when the wild ducks are causing damage, or when reasonably expected to cause damage, to that land;

(c) in the case of other damaged land, when authorized by a wildlife officer;

(d) by means of a 12 gauge shotgun in respect of which the person holds a licence or permit under the *Firearms Act 1973*; and

(e) between the hours of sunrise and sunset.

(2) In subclause (1)—

“other managed land” means land which a wildlife officer has inspected and considers to be significantly damaged by wild ducks;

“nominated agent” means a person who is the owner or occupier of land adjacent to the land on which the wild ducks are to be taken, who has the verbal approval of the owner of that land to take wild ducks;

“nominated shooter” means one of up to 3 persons who is—

(a) nominated in writing for a specified period by the owner or occupier of the managed farmland or other damaged land; and

(b) approved by a wildlife officer.

(3) A nominated shooter shall carry evidence of his nomination by the owner or occupier at all times when on the land for the purpose of taking wild ducks or when transporting wild ducks taken.

Further restrictions on taking wild ducks

5. (1) A person shall not take or attempt to take a wild duck unless it can be positively identified as a species of wild duck listed in Schedule 1.

(2) A person shall not take or attempt to take a fledgling or an egg of a species of wild duck listed in Schedule 1.

(3) A person shall not—

(a) shoot over or from—

(i) any land or waters outside the restricted open season area; or

(ii) any Crown land or waters vested in the Crown; or

(b) flush, drive or otherwise induce wild ducks from—

(i) any land or waters outside the restricted open season area; or

(ii) any Crown land or waters vested in the Crown,

in order to take or attempt to take wild ducks in accordance with this notice.

(4) A person shall not take a wild duck for the purpose of sale, aviculture or keeping in captivity.

(5) A person shall not possess or transport a wild duck unless at least one fully feathered wing is attached to the wild duck.

Damage licence may be required to take wild ducks on certain land

6. (1) After inspecting any land, a wildlife officer may prohibit the taking of wild ducks on that land.

(2) If the taking of wild ducks on land is prohibited under subclause (1), a person may only take wild ducks on that land under the authority of a damage licence issued under the *Wildlife Conservation Regulations 1970*.

Repeal of notices

7. The notice made by the Minister under section 14 of the Act and published in the *Government Gazette* on 22 June 2004, at p. 2140-2142, is repealed.

SCHEDULE 1

WILD DUCKS TO WHICH THE RESTRICTED OPEN SEASON APPLIES

Australian Shelduck (Mountain Duck) (*Tadorna tadornoides*)

Maned Duck (Maned Goose or Wood Duck) (*Chenonetta jubata*)

BILL MARMION, Minister for Environment; Water.

FISHERIES

FI401*

FISH RESOURCES MANAGEMENT ACT 1994

PROHIBITION ON FISHING (TROUT) REVOCATION ORDER 2011

Order No. 7 of 2011

FD 1620/98 [1055]

Made by the Minister under section 43.

1. Citation

This order is the *Prohibition on Fishing (Trout) Revocation Order 2011*.

2. Commencement

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

3. Order revoked

The *Prohibition on Fishing (Trout) Order 1999* published in the *Gazette* of 16 July 1999 is revoked.

Dated this 10th day of November 2011.

NORMAN MOORE, Minister for Fisheries.

HERITAGE

HR401*

HERITAGE OF WESTERN AUSTRALIA ACT 1990 ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

PERMANENT REGISTRATIONS

Notice is hereby given in accordance with section 51(2) of the *Heritage of Western Australia Act 1990* that, pursuant to a direction from the Minister for Heritage, the place described below has been entered in the Register of Heritage Places on a permanent basis with effect from today.

Balcatta Senior High School at 31 Poincaire Street, Balcatta; Res 28571 being Lot 8184 on DP 27092 and being the whole of the land contained in CLT V 3121 F 557.

PROPOSED PERMANENT REGISTRATIONS (PRIVATE)

Notice is hereby given in accordance with Section 49(1) of the *Heritage of Western Australia Act 1990* that, pursuant to a direction from the Minister for Heritage, it is proposed that the places described below be entered in the Register of Heritage Places on a permanent basis. The Heritage Council invites submissions on the proposal, which must be in writing and should be forwarded to the address below not later than 30 December 2011. The places will be entered in the Register on an interim basis with effect from today in accordance with section 50(1) of the *Heritage of Western Australia Act 1990*.

Palace Hotel, Southern Cross at 6 Orion Street, Southern Cross; Lot 501 on D 94411 being the whole of the land contained in C/T V 2131 F 246.

PROPOSED PERMANENT REGISTRATIONS (CROWN AND PRIVATE)

Notice is hereby given in accordance with section 47(5) of the *Heritage of Western Australia Act 1990*, the Heritage Council hereby gives notice that it has advised the Minister for Heritage regarding registration of crown property that it has resolved that—

1. the place listed below is of cultural heritage significance, and is of value for the present community and future generations;
2. the protection afforded by the *Heritage of Western Australia Act 1990* is appropriate; and
3. the place should be entered in the Register of Heritage Places on a permanent basis.

Notice is hereby given that the place will be entered in the Register of Heritage Places on an interim basis with effect from today in accordance with section 50(1)(b) of the *Heritage of Western Australia Act 1990*. The place listed below is wholly or partly vested in the Crown, or in a person on behalf of the Crown, in right of the State.

Notice is hereby given in accordance with Section 49(1) of the *Heritage of Western Australia Act 1990* that, pursuant to a direction from the Minister for Heritage, it is proposed that the place described below be entered in the Register of Heritage Places on an interim basis. The Heritage Council invites submissions on the proposal, which must be in writing and should be forwarded to the address below not later than 30 December 2011.

Marvel Bar Hotel (fmr), Coolgardie at 33 and 33A Bayley Street, Coolgardie; Pt of Res 50071 being Lot 2050 on DP 222288 and being the whole of the land contained in CLT V 3153 F 982; Lot 223 on DP 41415 being the whole of the land contained in C/T V 2214 F 494; Ptn of Bayley Street road reserve; Together as shown on HCWA Survey Drawing 562.

GRAEME GAMMIE, Executive Director, Office of Heritage,
108 Adelaide Terrace, East Perth WA 6004.

18 November 2011.

JUSTICE

JU401*

JUSTICES OF THE PEACE ACT 2004 APPOINTMENTS

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

Julia Elizabeth Sherburn of 326 Eddystone Avenue, Heathridge
Julie Marie Nash of 8 Knightsbridge Crescent, Mullaloo
Robert William Norman of 4 Conrad Way, Currabmine
David Peter Harding of 53 Via Vista Drive, Mariginiup
Geoffrey Gordon McNeill of 50 Hanson Street, Albany

RAY WARNES, Executive Director,
Court and Tribunal Services.

LOCAL GOVERNMENT

LG401*

LOCAL GOVERNMENT ACT 1995*Shire of Wongan-Ballidu*

APPOINTMENT

It is hereby notified for public information that the following person—

Wayne Smith

be an authorised officer in accordance with the following legislation—*Control of Vehicles (Off-road Areas) Act 1978*.

STUART TAYLOR, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

GRANT OF PETROLEUM EXPLORATION PERMIT WA-467-P

Petroleum Exploration Permit No. WA-467-P has been granted to Woodside Energy Ltd to have effect for a period of six (6) years from and including 8 November 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP402*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

GRANT OF PETROLEUM EXPLORATION PERMIT WA-466-P

Petroleum Exploration Permit No. WA-466-P has been granted to Woodside Energy Ltd and Shell Development (Australia) Proprietary Limited to have effect for a period of six (6) years from and including 8 November 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP403*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

GRANT OF PETROLEUM EXPLORATION PERMIT WA-465-P

Petroleum Exploration Permit No. WA-465-P has been granted to Woodside Energy Ltd to have effect for a period of six (6) years from and including 8 November 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP404*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

GRANT OF PETROLEUM EXPLORATION PERMIT WA-464-P

Petroleum Exploration Permit No. WA-464-P has been granted to Woodside Energy Ltd and Shell Development (Australia) Proprietary Limited to have effect for a period of six (6) years from and including 8 November 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP405*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

GRANT OF PETROLEUM EXPLORATION PERMIT WA-463-P

Petroleum Exploration Permit No. WA-463-P has been granted to Woodside Energy Ltd and Mitsui E&P Australia Pty Limited to have effect for a period of six (6) years from and including 8 November 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP406*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

GRANT OF PETROLEUM EXPLORATION PERMIT WA-462-P

Petroleum Exploration Permit No. WA-462-P has been granted to Woodside Energy Ltd and Shell Development (Australia) Proprietary Limited to have effect for a period of six (6) years from and including 8 November 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP407*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

GRANT OF PETROLEUM EXPLORATION PERMIT WA-461-P

Petroleum Exploration Permit No. WA-461-P has been granted to Woodside Energy Ltd and Mitsui E&P Australia Pty Limited to have effect for a period of six (6) years from and including 8 November 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP408*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

GRANT OF PETROLEUM EXPLORATION PERMIT WA-460-P

Petroleum Exploration Permit No. WA-460-P has been granted to Cottesloe Oil and Gas Pty Ltd, Strike Energy Limited and WHL Energy Limited to have effect for a period of six (6) years from and including 8 November 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP409*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

GRANT OF PETROLEUM EXPLORATION PERMIT WA-459-P

Petroleum Exploration Permit No. WA-459-P has been granted to Santos Offshore Pty Ltd to have effect for a period of six (6) years from and including 8 November 2011.

W. L. TINAPPLE, Executive Director Petroleum Division.

MP410*

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 21 December 2011 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 28/1797	Chitty, Charles George	N. E. Coolgardie
E 37/888	Picadilly Resources Pty Ltd	Mt Margaret
E 39/1196	Regal Resources Ltd	Mt Margaret
E 39/1197	Regal Resources Ltd	Mt Margaret
E 39/1441	King Eagle Resources Pty Ltd	Mt Margaret
E 45/1941	Kallenia Mines Pty Ltd	Pilbara
E 77/1720	Parry, Brenton Anthony	Yilgarn
MINING LEASE		
M 15/1791	Chitty, Charles George	Coolgardie
M 53/1085	Glintan Pty Ltd	East Murchison
M 70/1048	Sachse, Paul Anthony Jones, Robert Joseph Couper, Barry James	South West
M 77/1053	Brown, Ronald William	Yilgarn

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA
ROYAL ASSENT TO BILLS

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

Title of Act	Date of Assent	Act No.
Electoral and Constitution Amendment Act 2011	11 November 2011	49 of 2011
Petroleum and Geothermal Energy Safety Levies Act 2011	11 November 2011	50 of 2011
Petroleum and Geothermal Energy Safety Levies Amendment Act 2011	11 November 2011	51 of 2011
Inspector of Custodial Services Amendment Act 2011	11 November 2011	52 of 2011
Industrial Legislation Amendment Act 2011	11 November 2011	53 of 2011

MALCOLM PEACOCK, Clerk of the Parliaments.

Date: 15 November 2011.

PLANNING

PL401*

ARMADALE REDEVELOPMENT ACT 2001**ARMADALE REDEVELOPMENT SCHEME 2004—AMENDMENT 27**

Notice is hereby given that, in accordance with the consent of the Minister for Planning, Culture and the Arts; Science and Innovation to its public notification, the proposed Amendment 27 to the Armadale Redevelopment Scheme 2004 (the Scheme) has been prepared by the Armadale Redevelopment Authority (ARA).

The proposed Amendment seeks to insert a general 'Contribution Area Redevelopment Works' into Schedule 3 of the Scheme for the Forrestdale (West) Special Development Precinct, in order to facilitate the preparation of a Developer Contributions Scheme (DCS). The insertion of these general works will define the boundaries as to what can be included as part of the DCS cost sharing arrangements.

A document setting out the proposed Amendment is available for inspection at the offices of the ARA, at Unit 5, 210-220 Jull Street Mall, Armadale, 8.30 am and 5.00 pm, Monday to Friday, from Tuesday 22 November 2011 until Wednesday 4 January 2012. The document can also be viewed at the ARA's website at www.ara.wa.gov.au.

Written submissions on proposed Scheme Amendment 27 should be addressed to—

Chief Executive Officer
 Armadale Redevelopment Authority
 PO Box 816
 Armadale WA 6992

Submissions may also be hand delivered to the ARA's office and the closing date for all submissions is 5.00pm, Wednesday 4 January 2012.

JOHN ELLIS, Chief Executive Officer,
 Armadale Redevelopment Authority.

TRANSPORT

TN401

RAIL FREIGHT SYSTEM ACT 2000**RAIL FREIGHT SYSTEM (S. 40 CORRIDOR LAND) ORDER NO. 2/2011**

Made under Section 40 by the Minister for Transport.

1. Citation

This order may be cited as the *Rail Freight System (S. 40 Corridor Land) Order No. 2/2011*.

2. Effective Date of Cancellation of Corridor Land

The cancellation of corridor land identified in *Rail Freight System (S.37 Corridor Land) Order No. 11/2010*, being the land described in the schedule below, takes effect upon publication of this order in the *Government Gazette*.

Schedule—Land to be cancelled

Designation Identification	Railway Line Identification	Railway Line Identification Plan Number	Land Description
9.3.0km	Forrestfield to Kewdale	Plan 1 - 01	Identified as 'X' on Deposited Plan 67759 having a total area of 2.6535ha.

T. BUSWELL MLA, Minister for Transport.

Dated this 8th day of November 2011.

DECEASED ESTATES

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

Notice to Creditors and Claimants

Marjorie Doris Baker, late of RSL Menora Gardens, 51 Alexander Drive, Menora, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect to the estate of the above deceased, who died on 28 June 2011, are required by the deceased's personal representative to send particulars of their claims to her solicitor K Stewart, Maxim Litigation Consultants, GPO Box A12, Perth WA 6837 within one month of the date of this publication, after which date the personal representative may convey or distribute the assets having regard only to the claims of which he then has notice.

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

Notice to Creditors and Claimants

In the matter of the Estate of Jacob Lerner, also known as Jack Lerner, late of 119 Cresswell Road, Dianella in the State of Western Australia, Retired Wool Buyer, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the deceased, who died on 16 August 2011, are required by the Executors of care of Talbot Olivier, Level 8, Wesfarmers House, 40 The Esplanade, Perth in the said State to send the particulars of their claims to Talbot Olivier by 25 December 2011, after which date the Executors may convey or distribute the assets, having regard only to the claims of which the Executors then have notice.

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

Notice to Creditors and Claimants

In the Estate of Julia Lynne King, late of 69A Evandale Street, Floreat in the State of Western Australia, Solicitor, 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, who died on 11 October 2011, are required by the personal representatives, Emily Nixon and Fiona Hudgson, of care of 1340 High Street, Malvern, Victoria 3144, to send particulars of their claims to them by 23 December 2011, after which date the personal representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

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 1962* relates) in respect of the estate of Muriel Frances Jane Sawyer late of 48 Balgore Way Carey Park in the State of Western Australia who died on the 4th day of October 2011 are required by the personal representative to send particulars of their claims addressed to the Executors of the Estate of Muriel Frances Jane Sawyer of 48 Balgore Way Carey Park in the said State deceased care of Ms June Marie Sawyer 48 Balgore Way Carey Park in the said State by the 21st day of December 2011 after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

ZX405*

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 18 December 2011 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Alec, Charlie late of Karlarra House, 200 Forrest Circle, South Hedland 6722 died 9 September 2011 (DE 33047505 EM16)

Bresnahan, Ivy Angeline Elizabeth late of Craigville Nursing Home, 1 French Road, Melville 6156 died 25 November 2009 (DE 33092825 EM113)

Craig, Norma Joy late of Waminda Hostel, 1 Adie Court, Bentley 6102 died 23 October 2011 (DE 19822667 EM36)

Dodd, Edna May late of 18 St, Albans Road, Nollamara 6061 died 20 September 2011 (DE 19880334 EM110)

Fullerton, Betty late of 2/26 Barnfield Road, Claremont 6010 died 14 October 2011 (DE 19784217 EM23)

Hobby, Cyril Lionel late of Jermanus Kent Nursing Home, 24 Dova Street, Broome 6725 died 17 May 2011 (DE 33092576 EM32)

Ingram, Audrey Evelyn late of RAAFA Estate Bull Creek, Bull Creek 6149 died 21 August 2011 (DE 19712813 EM17)

Ogborne, Donald Castle late of 5/10 Heath Road, Kalamunda 6076 died 12 September 2011 (DE 19990378 EM38)

Reeves, Monica late of Strathglen Nursing Home, 2 Chardonnay Drive, Berriedale 7011 died 16 September 2011 (DE 31054421 EM16)

Sarmbinas, Fortis also known as Frank Sambros late of Windsor Park Aged Care, 110 Star Street, Carlisle 6101 died 7 October 2011 (DE 30310039 EM24)

Scott, David Richard late of Bethanie Fields Nursing Home, 111 Eaton Drive, Eaton 6232 died 12 October 2011 (DE 19672772 EM35)

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

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