



**WESTERN
AUSTRALIAN
GOVERNMENT
Gazette**

ISSN 1448-949X

PRINT POST APPROVED PP665002/00041



PERTH, TUESDAY, 6 MAY 2014 No. 64

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 12.00 NOON

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CONTENTS

PART 1

	Page
Environmental Protection (Western Power Electrical Distribution Transformer Noise Emissions) Approval 2014.....	1377
Lotteries Commission (Saturday Lotto) Amendment Rules 2014	1386
Shire of Dardanup—	
Extractive Industries Amendment Local Law 2014	1382
Parking and Parking Facilities Amendment Local Law 2014	1383

PART 2

Consumer Protection	1391
Deceased Estates	1399
Marine/Maritime.....	1391
Planning	1392
Premier and Cabinet.....	1394
Racing, Gaming and Liquor.....	1394
Transport.....	1395
WorkCover.....	1399

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PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Delivery address:

State Law Publisher
Ground Floor,
10 William St. Perth, 6000
Telephone: 6552 6000 Fax: 9321 7536

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— PART 1 —

ENVIRONMENT

EV301*

Environmental Protection Act 1986
Environmental Protection (Noise) Regulations 1997

Environmental Protection (Western Power Electrical Distribution Transformer Noise Emissions) Approval 2014

Made by the Minister under the *Environmental Protection (Noise) Regulations 1997* regulation 18B.

1. Citation

This approval is the *Environmental Protection (Western Power Electrical Distribution Transformer Noise Emissions) Approval 2014*.

2. Commencement

This approval comes into operation on the day on which it is published in the *Gazette*.

3. Terms used

In this approval —

Australian Standard means the Australian Standard AS/NZS 60076.10:2009 Power transformers Part 10: Determination of sound levels;

boundary has the meaning given in regulation 19(1);

building has the meaning given in regulation 8(1);

compliance zone means any point in a plane outdoors that is 2 m from, and parallel to, the window or door of a habitable room;

Director means the person holding, or for the time being acting in, the office of Director, Environmental Regulation Division in the department of the Public Service principally assisting the Minister in the administration of the *Environmental Protection Act 1986*;

distribution transformer means a padmounted or pole-mounted transformer owned by Western Power and its associated integral enclosure;

habitable room means a room used for normal domestic activities but does not include the following —

- (a) a bathroom;
- (b) a laundry;
- (c) a water closet;
- (d) a food storage pantry;
- (e) a walk-in wardrobe;
- (f) a corridor;
- (g) a hallway;
- (h) a lobby;
- (i) a photographic darkroom;
- (j) a clothes drying room;
- (k) a verandah;
- (l) an unenclosed swimming pool or patio;
- (m) a room that is not occupied frequently or for extended periods of time;

influencing factor has the meaning given in regulation 8(1);

$L_{A\ Slow}$ has the meaning given in regulation 2(1);

$L_{A\ 10}$ **approved level** means a level specified in column 1 in the Table to clause 4(1) that, measured as a $L_{A\ Slow}$ value, must not be exceeded for more than 10% of the representative assessment period;

noise-affecting site means a distribution transformer site where the level of noise emitted from the distribution transformer exceeds the approved noise level specified in column 2 in the Table to clause 4(1);

noise sensitive premises has the meaning given in regulation 2(1);

register has the meaning given in clause 8(1)(a);

regulations means the *Environmental Protection (Noise) Regulations 1997*;

representative assessment period has the meaning given in regulation 2(1);

start day means the day on which notice of this approval is published in the *Gazette*;

Western Power means the Electricity Networks Corporation established by the *Electricity Corporations Act 2005* section 4(1)(b).

4. Approval

- (1) Approval is granted to Western Power to allow the level of noise emitted from a distribution transformer to exceed the standard prescribed under regulation 7(1)(a) if the level of noise emitted from the distribution transformer when received at a place of a type set out in column 1 of the Table to this subclause

does not exceed the $L_{A 10}$ approved level set out in column 2 of the Table in relation to the premises.

Table

Place	$L_{A 10}$ approved level (dB)
A place that is — (a) within the boundary of noise sensitive premises; and (b) within a compliance zone or a habitable room of a building.	35 + influencing factor
A place that is — (a) noise sensitive premises; and (b) not within a compliance zone or a habitable room of a building.	60

- (2) For the purposes of measuring outdoor noise at a place of a type set out in column 1 of the Table to subclause (1) —
- (a) regulation 20(3) is varied so that an outdoor noise measurement should be made with the measuring microphone located at least 2 m from any substantial sound reflecting surfaces (other than the ground plane); and
- (b) regulation 20(4) does not apply.
- (3) Nothing in this clause prevents the application of regulation 19(4) to a place referred to in the Table to subclause (1).

5. Duration of approval

- (1) This approval has effect for 10 years from —
- (a) the start day; or
- (b) a longer period that applies under subclause (2).
- (2) If Western Power applies for a further approval under regulation 17(1) in relation to noise emissions from a distribution transformer within the first 9 years in which this approval has effect, then this approval continues to operate until the Minister grants, or refuses to grant, the further approval.

6. Condition of approval

This approval is subject to a condition that Western Power complies with clauses 7 to 10.

7. Sound power level of transformers

The sound power level of a distribution transformer, when determined in accordance with the Australian Standard, must comply with the reduced sound power level limit of the Australian Standard if it is installed on or after the start day.

8. Procedure for noise-affecting sites

- (1) Western Power must —
 - (a) maintain a register of distribution transformer sites that are reasonably likely to be noise-affecting sites (the *register*);
 - (b) record a distribution transformer site on the register as soon as practicable after receiving one of the following—
 - (i) a complaint, from an owner or an occupier of noise sensitive premises, that identifies a noise emission from a distribution transformer, made through Western Power's complaint system;
 - (ii) a response, from an owner or an occupier of noise sensitive premises to a community survey conducted in accordance with a noise management plan made under clause 9, that identifies a noise emission from a distribution transformer;
 - (c) conduct an investigation into a noise emission as soon as practicable after a distribution transformer site is placed on the register to determine —
 - (i) if this approval applies to the noise emission; and
 - (ii) if this approval applies, whether the site is a noise-affecting site;
 - (d) if the investigation conducted under paragraph (c) determines that the distribution transformer site is a noise-affecting site, implement at least one of the following as soon as reasonably practicable —
 - (i) measures to reduce noise emissions from the distribution transformer that are sufficient to ensure that the site is no longer a noise-affecting site;
 - (ii) measures that are sufficient to satisfy the owner or the occupier who made the complaint or gave the response under paragraph (b) that the complaint has been remedied.
- (2) A distribution transformer site may be removed from the register if an investigation determines that —
 - (a) this approval does not apply to the noise emission from a distribution transformer site; or
 - (b) the site is not a noise-affecting site; or

- (c) the owner or the occupier provides a written statement that the measures implemented under subclause (1)(d)(ii) are satisfactory in reducing the noise emissions.
- (3) Western Power must make the register available to the Director on request.

9. Noise management plan

- (1) Western Power must submit a noise management plan to the Director within 3 months of the start day.
- (2) The noise management plan must include the following —
- (a) procedures for Western Power to procure distribution transformers that comply with the reduced sound power level detailed in the Australian Standard;
 - (b) guidelines for developers regarding the siting and installation of distribution transformers;
 - (c) guidelines for the provision of advice to landowners;
 - (d) procedures for the conduct of community surveys or consultations that enable owners or occupiers of noise sensitive premises to raise issues of noise from distribution transformers;
 - (e) procedures for responding to complaints about noise emissions from distribution transformers;
 - (f) procedures for investigating distribution transformer sites that are on the register;
 - (g) a description of, and procedures for implementing, remedial actions in respect of noise-affecting sites;
 - (h) procedures for the resolution of any disputes;
 - (i) any other matter that the Director may require.
- (3) After receiving a noise management plan the Director may, by notice in writing, require Western Power to provide a revised noise management plan including details of any matter specified in the notice.
- (4) A revised noise management plan required under subclause (3) must be provided within 14 days from the date of the notice or by such other time as the Director specifies in the notice.

10. Annual report

- (1) Western Power must prepare a written report —
- (a) for the year beginning on the start day; and
 - (b) for each year that begins on the anniversary of that day.
- (2) The report for a year must provide —
- (a) a summary of the actions taken in relation to the register; and

- (b) a summary of the progress of the implementation of the noise management plan required under clause 9.
- (3) Western Power must give the report for a year to the Director within one month after the end of the year, or by such other time as the Director approves in writing.
- (4) On the request of the Director, Western Power is to give the Director any translation or other information necessary to enable the report to be understood by members of the public.

A. JACOB, Minister for Environment.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995

Shire of Dardanup

EXTRACTIVE INDUSTRIES AMENDMENT LOCAL LAW 2014

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dardanup resolved on 30 April 2014 to make the following local law.

1. Citation

This Local Law shall be cited as the *Shire of Dardanup Extractive Industries Amendment Local Law 2014*.

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 *Shire of Dardanup Extractive Industries Local Law* as published in the *Government Gazette* on 15 October 1996 and as amended and published in the *Government Gazette* on 17 April 1998 and 8 April 2008 is referred to as the principal local law. The principal local law is amended as follows.

4. Clause 7 amended

Clause 7(1) is amended as follows—

- (a) in paragraph (a)(viii) insert the words 'wetlands' between the words 'watercourses' and 'drains';
- (b) in paragraph (b)(ix) insert the word 'secured' before the words 'water supply';
- (c) in paragraph (b)(xiv) delete the word 'and' following the word 'vegetation';
- (d) in paragraph (b)(xv) insert the words '; and' following the word 'areas'; and
- (e) after paragraph (b)(xv) insert—
 - (b) (xvi) If dewatering is proposed and if a licence is needed, evidence of approval or exemption to be provided by the Department of Water.

5. Clause 8 amended

Clause 8 is amended as follows—

- (a) in subclause (4)(a) delete the words 'calculated in accordance with Schedule 5' and replace with 'as determined by Council from time to time';
- (b) in subclause (5)(p) delete the word 'and' following the word 'Law';
- (c) in subclause (5)(q) insert the word '; and' following the word 'industry';
- (d) after subclause (5)(q) insert—
 - (r) The applicant to provide information on the maximum recorded 'end of winter' groundwater level, to ensure that following excavation that the site does not become inundated and groundwater is not exposed.

6. Clause 9 amended

Clause 9 is amended by deleting the words 'calculated in accordance with Schedule 5' and replace with 'as determined by Council from time to time'.

7. Clause 10 amended

Clause 10(1)(f) is amended by deleting the words 'fee set out in Schedule 5' and replace with 'transfer of licence fee as determined by Council from time to time'.

8. Clause 12 amended

Clause 12(1)(a) is amended by deleting the words 'a fee prescribed in Schedule 5' and replace with 'renewal of licence fee as determined by Council from time to time'.

9. Clause 13 amended

Clause 13(1)(b) is amended by deleting the words 'in accordance with Schedule 5' and replace with 'from time to time'.

10. Clause 24 amended

Clause 24 is amended by deleting subclause (2) and inserting the following—

- (2) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in Schedule 5.

18. Schedule 5 deleted

Schedule 5 is deleted.

19. Schedule 6 amended

Schedule 6 is renumbered as Schedule 5.

Dated 30/04/2014.

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

Cr. MICHAEL T. BENNETT, President.
Mr MARK L. CHESTER, Chief Executive Officer.

LG302*

LOCAL GOVERNMENT ACT 1995*Shire of Dardanup***PARKING AND PARKING FACILITIES AMENDMENT LOCAL LAW 2014**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Dardanup resolved on 30 April 2014 to make the following local law

1. Citation

This Local Law shall be cited as the *Shire of Dardanup Parking and Parking Facilities Amendment Local Law 2014*.

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 *Shire of Dardanup Parking and Parking Facilities Local Law 2009* as published in the *Government Gazette* on 23 November 2009 is referred to as the principal local law. The principal local law is amended as follows.

4. Clause 1.3 amended

In clause 1.3 delete "*Road Traffic Code 1977*" and replace with "*Road Traffic Code 2000*".

5. Schedule 2 amended

Delete Schedule 2 and substitute the following—

Schedule 2—Prescribed Offences

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
1	2.2	Failure to park wholly within parking stall	55
2	2.2(4)	Failure to park wholly within parking area	55

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
3	2.3(1)(a)	Causing obstruction in parking station	55
4	2.3(1)(b)	Parking contrary to sign in parking station	55
5	2.3(1)(c)	Parking contrary to directions of Authorised Person	55
6	2.3(1)(d)	Parking or attempting to park a vehicle in a parking stall occupied by another vehicle	55
7	3.1(1)(a)	Parking wrong class of vehicle	55
8	3.1(1)(b)	Parking by persons of a different class	55
9	3.1(1)(c)	Parking during prohibited period	55
10	3.1(3)(a)	Parking in no parking area	55
11	3.1(3)(b)	Parking contrary to signs or limitations	55
12	3.1(3)(c)	Parking vehicle in motor cycle only area	55
13	3.1(4)	Parking motor cycle in stall not marked 'M/C'	55
14	3.1(5)	Parking without permission in an area designated for 'Authorised Vehicles Only'	55
15	3.2(1)(a)	Failure to park on the left of two-way carriageway	55
16	3.2(1)(b)	Failure to park on boundary of one-way carriageway	55
17	3.2(1)(a) or 3.2(1)(b)	Parking against the flow of traffic	55
18	3.2(1)(c)	Parking when distance from farther boundary less than 3 metres	55
19	3.2(1)(d)	Parking closer than 1 metre from another vehicle	55
20	3.2(1)(e)	Causing obstruction	55
21	3.3(b)	Failure to park at approximate right angle	55
22	3.4(2)	Failure to park at an appropriate angle	55
23	3.5(2)(a) and 6.2	Double parking	55
24	3.5(2)(b)	Parking on or adjacent to a median strip	55
25	3.5(2)(c)	Denying access to private drive or right of way	55
26	3.5(2)(d)	Parking beside excavation or obstruction so as to obstruct traffic	55
27	3.5(2)(e)	Parking within 10 metres of traffic island	55
28	3.5(2)(f)	Parking on footpath/pedestrian crossing	55
29	3.5(2)(g)	Parking contrary to continuous line markings	55
30	3.5(2)(h)	Parking on intersection	55
31	3.5(2)(i)	Parking within 1 metre of fire hydrant or fire plug	55
32	3.5(2)(j)	Parking within 3 metres of public letter box	55
33	3.5(2)(k)	Parking within 10 metres of intersection	55
34	3.5(3)(a) or (b)	Parking vehicle within 10 metres of departure side of bus stop, children's crossing or pedestrian crossing	55

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
35	3.5(4)(a) or (b)	Parking vehicle within 20 metres of approach side of bus stop, children's crossing or pedestrian crossing	55
36	3.5(5)	Parking vehicle within 20 metres of approach side or departure side of railway level crossing	55
37	3.6	Parking contrary to direction of Authorised Person	55
38	3.7(2)	Removing mark of Authorised Person	55
39	3.8	Moving vehicle to avoid time limitation	55
40	3.9(a)	Parking in thoroughfare for purpose of sale	55
41	3.9(b)	Parking unlicensed vehicle in thoroughfare	55
42	3.9(c)	Parking a trailer/caravan on a thoroughfare	55
43	3.9(d)	Parking in thoroughfare for purpose of repairs	55
44	3.10(1) or (2)	Parking on land that is not a parking facility without consent	55
45	3.10(3)	Parking on land not in accordance with consent	55
46	3.11	Driving or parking on reserve	55
47	4.1(1)	Stopping contrary to a 'no stopping' sign	55
48	4.1(2)	Parking contrary to a 'no parking' sign	55
49	4.1(3)	Stopping within continuous yellow lines	55
50	5.1	Stopping unlawfully in a loading zone	55
51	5.2	Stopping unlawfully in a taxi zone or bus zone	55
52	5.3	Stopping unlawfully in a mail zone	55
53	5.4	Stopping in a zone contrary to a sign	55
54	6.1	Stopping in a shared zone	55
55	6.3	Stopping near an obstruction	55
56	6.4	Stopping on a bridge or tunnel	55
57	6.5	Stopping on crests/curves etc	55
58	6.6	Stopping near fire hydrant	55
59	6.7	Stopping near bus stop	55
60	6.8	Stopping on path, median strip or traffic island	55
61	6.9	Stopping on verge	55
62	6.10	Obstructing path, a driveway etc	55
63	6.11	Stopping near letter box	55
64	6.12	Stopping heavy or long vehicles on carriageway	55
65	6.13	Stopping in bicycle parking area	55
66	6.14	Stopping in motorcycle parking area	55
67	6.15	Stopping in disabled parking area	55
68	7.6	Leaving vehicle so as to obstruct a public place	55

Item No.	Clause No.	Nature of Offence	Modified Penalty \$
69		All other offences not specified	55

Dated 30/04/2014.

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

Cr. MICHAEL T. BENNETT, President.
Mr MARK L. CHESTER, Chief Executive Officer.

LOTTERIES

LO301*

Lotteries Commission Act 1990

Lotteries Commission (Saturday Lotto) Amendment Rules 2014

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

1. Citation

These rules are the *Lotteries Commission (Saturday Lotto) Amendment Rules 2014*.

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. Schedule 1 replaced

Delete Schedule 1 and insert:

Schedule 1 — Calculating the total cost of entry — Saturday lotto draw

[r. 5(1)]

Part 1 — Formula applicable up to and including draw 3441 on 12 July 2014

The unit cost of entering a Saturday lotto draw is made up of a subscription of 60 cents per game and an agent's component.

The agent's component is calculated as 9% of the total subscription amount for a particular week's entry, rounded* (where necessary) to the nearest 5 cent multiple.

$$((G \times \$0.60) \times .09 \rightarrow \text{rounded}) \times W = T$$

where —

G = No. of games entered in a draw

W = No. of weeks the entry spans

T = Total agent's component cost payable by the subscriber

Examples:

The total cost of entry for a Slikpik 25 entry for a single Saturday lotto draw is calculated as follows —

Subscription for one week

[25 games @ \$0.60 each] = \$15.00

9% of subscription [.09 x \$15.00] = \$1.35

Total cost of entry = \$16.35

The total cost of entry for a System 8 entry for a single Saturday lotto draw is calculated as follows —

Subscription for one week

[28 games @ \$0.60 each] = \$16.80

9% of subscription [.09 x \$16.80] = \$1.512

Rounded using "bankers rounding" = \$1.50

Total cost of entry = \$18.30

The total cost of entry for a 6 game board System 9 entry for a single Saturday lotto draw is calculated as follows —

Subscription for one week

[6 x 84 games @ \$0.60 each] = \$302.40

9% of subscription [.09 x \$302.40] = \$27.216

Rounded using "bankers rounding" = \$27.20

Total cost of entry = \$329.60

The total cost of entry for a Slikpik 25 entry spanning 10 weeks of Saturday lotto is calculated as follows —

Subscription for one week

[25 games @ \$0.60 each] = \$15.00

9% of subscription [.09 x \$15.00] = \$1.35

Total cost of entry for one week = \$16.35

Total cost of entry for 10 weeks = \$163.50

* Rounding is calculated using the method known as "bankers rounding" or "round-to-even" rounding.

**Part 2 — Formula applicable to draw 3443 on 19 July 2014
and subsequent draws**

The unit cost of entering a Saturday lotto draw is made up of a subscription of 65 cents per game and an agent's component.

The agent's component is calculated as 9% of the total subscription amount for a particular week's entry, rounded* (where necessary) to the nearest 5 cent multiple.

$$((G \times \$0.65) \times .09 \rightarrow \text{rounded}) \times W = T$$

where —

G = No. of games entered in a draw

W = No. of weeks the entry spans

T = Total agent's component cost payable by the subscriber

Examples:

The total cost of entry for a Slikpik 25 entry for a single Saturday lotto draw is calculated as follows —

Subscription for one week

[25 games @ \$0.65 each] = \$16.25

9% of subscription [.09 x \$16.25] = \$1.462

Rounded using "bankers rounding" = \$1.50

Total cost of entry = \$17.75

The total cost of entry for a System 8 entry for a single Saturday lotto draw is calculated as follows —

Subscription for one week

[28 games @ \$0.65 each] = \$18.20

9% of subscription [.09 x \$18.20] = \$1.638

Rounded using "bankers rounding" = \$1.65

Total cost of entry = \$19.85

The total cost of entry for a 6 game board System 9 entry for a single Saturday lotto draw is calculated as follows —

Subscription for one week

[6 x 84 games @ \$0.65 each] = \$327.60

9% of subscription [.09 x \$327.60] = \$29.484

Rounded using "bankers rounding" = \$29.50

Total cost of entry = \$357.10

The total cost of entry for a Slikpik 25 entry spanning 10 weeks of Saturday lotto is calculated as follows —

Subscription for one week

[25 games @ \$0.65 each] = \$16.25

9% of subscription [.09 x \$16.25]	=	\$1.462
Rounded using “bankers rounding”	=	\$1.50
Total cost of entry for one week	=	\$17.75
Total cost of entry for 10 weeks	=	\$177.50

* Rounding is calculated using the method known as “bankers rounding” or “round-to-even” rounding.

5. Schedule 3 amended

(1) Delete Schedule 3 Part 1 and insert:

Part 1 — Up to and including draw 3441 on 12 July 2014

Unit cost for a Saturday lotto draw	\$0.60 (+ a 9% agent’s component)
Prize fund — % of subscriptions	60.0%
Prize pool — % of subscriptions	no less than 55%
Prize reserve fund — % of subscriptions	balance of prize fund after prize pool (up to 5.0%)
Number of divisions	6
Winning numbers drawn	6
Supplementary numbers drawn	2
Forecast range	1 to 45 inclusive
Odds of winning —	
division 1	1 in 8 145 060
division 2	1 in 678 755
division 3	1 in 36 690
division 4	1 in 733
division 5	1 in 298
division 6	1 in 144
Systems range	4-5/7-20 inclusive
Multiweek options (<i>if available</i>)	2, 5 or 10 weeks
Advance sales (maximum) (<i>if available</i>)	10 weeks
Games per playslip (minimum)	4
Systems entries per playslip (maximum)	18 (subject to maximum aggregate entry cost)
Games per playslip (maximum)	18
Games per oral request (default)	12, 18, 25, 30 or 50
Games per oral request (<i>if available</i>)	4 to 50
Syndicate entries may be purchased (<i>if available</i>)	(see Part 2A)

Systems entries per oral request	1
Slikpik entries per oral request	1
Prize payout period	12 months
Maximum aggregate entry cost	\$100 000

- (2) In the heading to Schedule 3 Part 2 delete “**3081 on 29 January 2011**” and insert:

3443 on 19 July 2014

- (3) In Schedule 3 Part 2 delete “\$0.60” and insert:

\$0.65

The Common Seal of the)
Commission was affixed on the)
20th day of March 2014,)
by order and in the presence of —)

JOHN ATKINS, Chairperson.

GARRY TRINDER, Member.

MARIA HARRIES, Member.

— PART 2 —

CONSUMER PROTECTION

CP401*

ASSOCIATIONS INCORPORATION ACT 1987

REINSTATED ASSOCIATION

WIDOWS & WIDOWERS ASSOCIATION OF ROCKINGHAM INCORPORATED (A1005955K)

Notice is hereby given that the incorporation of the above-named association has been re-instated pursuant to Section 35(4) of the *Associations Incorporation Act 1987*.

Dated: 24 April 2014.

WILL MORGAN, Manager,
Associations and Charities
for Commissioner of Consumer Protection.

MARINE/MARITIME

MA401*

WESTERN AUSTRALIAN MARINE ACT 1982

EXEMPTION FOR INFLATABLES FROM COMPLIANCE WITH PART II OF THE WESTERN AUSTRALIAN MARINE ACT 1982

(WAMA 2014-00949)

I, Ray Buchholz, General Manager Marine Safety, Department of Transport, delegate of the Chief Executive Officer, acting pursuant to section 115A of the *Western Australian Marine Act 1982* ('Act') hereby exempt all unpowered inflatables that meet the definition of 'commercial vessel' under the Act from Part II of the Act; 'Survey, Manning and Operation of Commercial Vessels'.

In this exemption—

- the definitions of 'owner' and 'hirer' have the same meanings as defined in s. 53 of the Act; and
- 'white water' is defined as a waterway where current tidal movement is sufficient to create micro flows producing features such as eddys, waves, drops and whirlpools.

This exemption is subject to the following conditions—

1. the craft must comply with all laws applicable to *pleasure vessels*, as defined in section 98(1) of the Act. This includes the recreational vessel equipment requirements under the Act and the *Navigable Waters Regulations 1958* NWR;
2. the craft operate in accordance with a safety management plan, which must adhere to the requirements of the National Standard for Commercial Vessels Part F Section 2 'Leisure Craft';
3. the craft operate only between sunrise and sunset;
4. owners of craft hired without a person acting as a guide on board must ensure each hirer is issued clear instructions on the correct and safe operation and navigation of the vessel, use of the safety equipment, and limit on the time of operation;
5. if operating on white water, a lifejacket Level 100, 50 or 50S or equivalent as set out in regulation 46A NWR must be worn by each person on board and be appropriate in terms of the buoyancy and size to the body mass of every such person; and
6. if operating on white water, a helmet must be worn by each person on board.

This exemption will expire on 25 April 2016 unless earlier revoked.

RAY BUCHHOLZ, General Manager, Marine Safety.

Dated: 2 May 2014.

MA402*

WESTERN AUSTRALIAN MARINE ACT 1982
EXEMPTION FOR SURFSKIS FROM COMPLIANCE WITH PART II
OF THE WESTERN AUSTRALIAN MARINE ACT 1982

(WAMA—2014—00950)

I, Ray Buchholz, General Manager Marine Safety, Department of Transport, delegate of the Chief Executive Officer, acting pursuant to section 115A of the *Western Australian Marine Act 1982* ('Act') hereby exempt all surfskis, including craft known as sit-on-top kayaks, that meet the definition of 'commercial vessel' under the Act from Part II of the Act; 'Survey, Manning and Operation of Commercial Vessels'.

This exemption is subject to the following conditions—

1. craft must comply with all laws applicable to *pleasure vessels*, as defined in section 98(1) of the Act. This includes the recreational paddle craft requirements of the Act and *Navigable Waters Regulations 1958*, including carriage of safety equipment; and
2. craft must be operated in accordance with a safety management plan. The Department of Transport recommends the plan be based on the Operations guidance in Part F2 (Leisure Craft) of the National Standard for Commercial Vessels relevant to the type of vessel.

This exemption will expire on 25 April 2016 unless earlier revoked.

RAY BUCHHOLZ, General Manager, Marine Safety.

Dated: 2 May 2014.

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005
APPROVED LOCAL PLANNING SCHEME AMENDMENT
City of Cockburn
 Town Planning Scheme No. 3—Amendment No. 93

Ref: TPS/1157

It is hereby notified for public information, in accordance with section 87 of the *Planning and Development Act 2005* that the Minister for Planning approved the City of Cockburn local planning scheme amendment on 16 April 2014 for the purpose of—

1. Rezoning Lot 9015 Wentworth Parade and Pt Lot 9014 Bartram Road, Success, from Residential R20 to Development Zone, and placing this within a new Development Area 36.
2. Modifying Schedule 11—Development Areas of the Scheme Text to include a new DA 36—Bartram Road as follows—

SCHEDULE 11**DEVELOPMENT AREAS**

Ref. No.	Area	Provisions
DA36	Bartram Road (Development Zone)	1. Structure Plan/s adopted and endorsed in accordance with clause 6.2 of the Scheme to guide subdivision, land use and development. 2. To provide for residential development and associated protection and enhancement of the Conservation Category Wetland and associated natural environment on the subject land. 3. In addition to the minimum requirement of 10% Public Open Space, any proposed Structure Plan shall include the provision of an additional 7240m ² of Public Open Space which represents the balance of Public Open Space required for the Thomsons Lake residential development. The 7240m ² balance of additional POS comprises the following sites which were previously not included in the calculation of the gross subdivisible area for the Thomsons Lake residential development— <ul style="list-style-type: none"> • Lot 858 Bannigan Avenue, Success which was originally zoned Local Centre and comprised a 2000m² area of open space, which was to be dedicated free of cost as a community purposes site to coexist with the local shopping centre. In 2005, the site was rezoned from Local Centre to Residential R40 subject to the provision of the previously deducted Public

Ref. No.	Area	Provisions
		<p>Open Space contributions of 10% of the subject site being 1240m² and 2000m² for the area no longer provided for community purposes.</p> <ul style="list-style-type: none"> • Lot 810 Wentworth Parade, Success which was 4000m² of land originally ceded for a police station to which a public open space credit was received. The site is no longer required for a police station and in accordance with a Deed of Covenant between the Western Australian Planning Commission, GSC Gold Pty Ltd, Gold Estates of Australia (1903) Ltd and Minister for Lands Gold Estates will provide 4000m² of Public Open Space within DA36. <p>4. Any Proposed Structure Plan shall include a Wetland Management and Rehabilitation Plan covering the Conservation Category Wetland and portions of the adjoining transmission line area to the satisfaction of the City of Cockburn. The Wetland Management and Rehabilitation Plan shall address the following requirements—</p> <ul style="list-style-type: none"> • Delineation of management plan boundaries; • Description of existing environment and the environmental values of the management areas; • Description of proposed land ownership and management arrangements; • Description of management recommendations for the management areas such as: fencing, access, signage, fire management, weed control, revegetation and rehabilitation; • Suitable pedestrian linkage to the western adjacent active open space; and • Description of an implementation schedule detailing, timing, responsibilities, funding arrangements, for recommended actions. <p>5. Any Proposed Structure Plan shall include a Bushfire Management Plan detailing appropriate Bushfire mitigation measures and design responses in respect of the Proposed Structure Plan.</p> <p>6. Any Proposed Structure Plan shall include a Mosquito and Midge Management Plan.</p> <p>7. Any Proposed Structure Plan shall include a Local Water Management Strategy detailing appropriate urban water management and water sensitive urban design measures in respect of the Proposed Structure Plan.</p>

3. Modifying the Scheme Map accordingly.
4. Rezoning of the western portion of Lot 9014 Bartram Road where it exists between existing Reserve 45917 and the north south orientated Western Powerline Easement from 'Residential R20' to 'Parks and Recreation' Local Reserve.

L. HOWLETT, JP , Mayor.
S. G. CAIN, Chief Executive Officer.

PL402*

PLANNING AND DEVELOPMENT ACT 2005
AMENDMENT TO THE INSTRUMENT OF DELEGATION DEL 2009/02
Powers of Officers (Department of Finance)

Preamble

Under section 16 of the *Planning and Development Act 2005* (the Act), the Western Australian Planning Commission (WAPC) may, by resolution published in the *Government Gazette*, delegate any function to a member, committee or officer of the WAPC or to a public authority or to a member or officer of a public authority.

In accordance with section 16 (4) of the Act, a reference in this instrument to a function or power of the WAPC includes and extends to, without limitation or restriction, any of the powers, privileges, authorities, discretions, duties and responsibilities vested in or conferred on the WAPC by the Act or any other written law as the case requires.

Resolution under section 16 of the Act (delegation)

On (date), pursuant to section 16 of the Act, the WAPC resolved—

- A. To delegate the powers and functions set out in column 1 of Schedule 1 to this instrument, to the person or persons from time to time holding or acting in the office in the Department of Finance as specified in column 2 of that Schedule, subject to the conditions set out in Schedule 2.
- B. To amend the Instrument of Delegation DEL 2009/02 published in the *Government Gazette* on 24 April 2009 at page 1395 to give effect to this delegation, as set out below.

TIM HILLYARD, Secretary,
Western Australian Planning Commission.

PLANNING AND DEVELOPMENT ACT 2005

Instrument of Delegation

Schedule 1

Column 1 (Powers and Functions)	Column 2 (Office)
<ul style="list-style-type: none"> • Power to determine applications made pursuant to the provisions of the Metropolitan Region Scheme for approval to commence and carry out development on zoned land used for Primary schools, where such development is a public work undertaken by a public authority 	<ul style="list-style-type: none"> • Deputy Director General, Building Management and Works, Department of Finance

Schedule 2

1. The officer performing the powers and functions of the WAPC specified in Schedule 1 shall provide quarterly reports to the WAPC, in the format prescribed by the WAPC;
2. The reports provided under (1) shall detail the number of applications received in that period, the type of development applied for and the decision made on each application; and
3. The first reporting period shall commence on the date of gazettal of this instrument, with the first report being required within the first 3 months from the date of gazettal.

PREMIER AND CABINET

PR401

RETENTION OF THE TITLE 'HONOURABLE'

It is hereby notified for public information that the Governor, on behalf of Her Majesty the Queen, has approved the retention of the title "Honourable" by the Hon Christopher Pullin, who retired as a Judge of the Supreme Court of Western Australia on 1 May 2014.

P. CONRAN, Director General.

RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

The following applications received under the *Liquor Control Act 1988 (the Act)* are required to be advertised.

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

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
14981	Jaycem Pty Ltd & Elizabeth Alice Mair	Application for the grant of a Producers licence in respect of premises situated in Gracetown and known as Grace Farm	28/05/2014

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE— <i>continued</i>			
15012	Woolworths Limited	Application for the grant of a Liquor Store licence in respect of premises situated in Atwell and known as BWS—Beer Wine Spirits Harvest Lakes	4/06/2014
15024	South West Property Holdings Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Guildford and known as Little Guildford	28/05/2014
15032	Bitter Youth Brewing Company Pty Ltd	Application for the grant of a Wholesalers licence in respect of premises situated in Yangebup and known as Bitter Youth Brewing Company Pty Ltd	19/05/2014
15031	JRCS Australia Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Perth and known as Edosei	28/05/2014
15030	Northbridge Z Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Northbridge and known as Zambrero	28/05/2014
15033	Cocktail Gastronomy Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Northbridge and known as Lucky Chan's Laundry and Noodle Bar	25/05/2014
15038	Sans Pants Pty Ltd	Application for the grant of a Tavern Restricted licence in respect of premises situated in Scarborough and known as El Grotto Bar & Taqueria	5/06/2014
15036	Cocktail Gastronomy Pty Ltd	Application for the grant of a Special Facility—Caterers licence in respect of premises situated in Woodlands and known as Cocktail Gastronomy	15/05/2014

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

B. A. SARGEANT, Director of Liquor Licensing.

Dated: 2 May 2014.

TRANSPORT

TN401*

ROAD TRAFFIC ACT 1974 ROAD TRAFFIC (VEHICLE STANDARDS) REGULATIONS 2002 REGULATION 24

Restricted Access Vehicle (Agricultural Machine) Exemption Notice

1. Exemption

I, Nina Lyhne, the Acting Commissioner of Main Roads, acting pursuant to regulation 24 of the *Road Traffic (Vehicle Standards) Regulations 2002* ("the Regulations") hereby exempt the vehicles to which this Notice applies being those set out in clause 3 below from the provisions of the Regulations set out in clause 1.1 below and the *Road Traffic (Vehicle Standards) Rules 2002* (The Rules) set out in clause 1.2 below, subject to compliance with the conditions set out in clause 4 of this Notice—

1.1 The Regulations—

- (a) Schedule 1, Division 1, Clause 2(3)—regarding the mass limits on an axle group or single axle; and
- (b) Schedule 1, Division 1, Clause 2(6)(c)—regarding the sum of the mass on axle groups or single axles; and
- (c) Schedule 1, Division 1, Clauses 3(3) and 3(4)—regarding the total mass of a vehicle in relation to axle spacing.

1.2 The Rules

- (d) Clause 60—regarding vehicle width; and
- (e) Clause 64(4)—regarding vehicle rear overhang; and
- (f) Clause 66(1)—regarding vehicle height.

2. Interpretation

In this notice—

“**Accredited Pilot**” has the same meaning as in the *Road Traffic Code 2000*.

“**Authorised Person**” has the same meaning as in the *Road Traffic Code 2000*.

“**Axle Spacing**” has the same meaning as in Schedule 1 Division 1 Clause 3(2) of the Regulations.

“**Cable Operators**” means the utility responsible for the overhead cable concerned. This includes, but is not limited to, Western Power, Horizon Power and Telstra.

“**Class 1 Vehicle**” has the same meaning as used in the Regulations.

“**Curfew**” means a period when the movement of an Agricultural Machine is not permitted.

“**Day-time Hours**” means those hours between sunrise and sunset.

“**Night-time Hours**” means those hours between sunset and sunrise.

“**Posted Speed Limit**” means the speed limit indicated on the speed limit sign or in the absence of a speed limit sign in a built-up area, 50 kilometres per hour.

“**RAV**” means Restricted Access Vehicle

“**RAV Network 2**” means the Restricted Access Vehicle Network 2 of Permitted Roads, published electronically on Main Roads website www.mainroads.wa.gov.au or available from Main Roads Heavy Vehicle Operations division.

“**Regulations**” means *Road Traffic (Vehicle Standards) Regulations 2002*.

“**Retro-reflective Material**” means a material that conforms with Class 1 or Class 2 specifications in the Australian Standard AS/NZS 1906.1:2007—Retro-reflective Materials and Devices for Road Traffic Control Purposes.

“**Rules**” means *Road Traffic (Vehicle Standards) Rules 2002*.

3. Vehicles to which this Notice applies

This Notice applies only to a Class 1 Vehicle that—

- (a) is an Agricultural Machine; and
- (b) has only a single axle to the front and a single axle to the rear of the vehicle; and
- (c) has axle spacings between 1.83 metres and 10.00 metres; and
- (d) has a mass limit for a single axle with 2 tyres no greater than 9 tonnes; and
- (e) has a mass limit for a single axle with 4 or more tyres no greater than 12 tonnes; and
- (f) is operating within Western Australia.

4. Conditions

A vehicle to which this Notice applies shall comply with the provisions of Schedule 2 of the Regulations that are relevant to an Agricultural Machine, together with the following additional conditions—

- (a) An Agricultural Machine must display striping made from a retro-reflective material, coloured red and white, or red and yellow, along both sides of any rigid projection that extends more than 1.2 metres in front of the vehicle's body.
- (b) An Agricultural Machine travelling during night-time hours must display on both sides of a projection that is extending more than 1.2 metres in front of the vehicle's body—
 - (1) Yellow lights fitted as far forward as possible and shielded from the driver's view, being visible to traffic approaching from the front and at least one light must be visible to traffic approaching from either side; and
 - (2) Despite Schedule 2, Division 1, Clause 6(a), side marker lights along both sides of the front projection, no more than 1.5 metres apart.
- (c) An Agricultural Machine must only travel within the Local Government boundaries listed in APPENDIX 1. For the purposes of this Notice, as per Schedule 2, Division 4, Clause 25 (5) of the Regulations, all defined areas shall be Category 3;
- (d) Operators and drivers are required to ensure Agricultural Machines must not be driven on a bridge that is currently listed in the Main Roads document entitled “Agricultural Machines Restricted Bridges” which is available from Main Roads WA website www.mainroads.wa.gov.au; or Main Roads WA Heavy Vehicle Operations Office and is subject to periodic amendments, including the addition or removal of bridges. **Any amendments to the “Agricultural Machines Restricted Bridges” document are made and published before close of business on Wednesday and take effect from midnight.**
- (e) An Agricultural Machine exceeding 3.5 metres in width must not be driven at a speed that exceeds the lesser of—
 - (1) The maximum vehicle speed defined as part of the vehicle licencing conditions; or
 - (2) 80 km/h; or
 - (3) The posted speed limit.
- (f) An Agricultural Machine exceeding 4.3 metres in height must not be driven on a road without current written approval from all the relevant Cable Operators, unless the height is less than 4.6 metres and the vehicle is being driven on a road that is listed in RAV Network 2. Any

written approval, obtained in accordance with this clause, and any conditions imposed as part of the written approval form part of the conditions of this Notice.

- (g) The driver of an Agricultural Machine must maintain a distance of at least 200 metres from any other RAV travelling in front of it, unless it is stopped, or coming to a stop for the purpose of complying with a provision of any law or avoiding conflict with other traffic. Despite this, an Agricultural Machine that is travelling over a bridge must always maintain a distance of at least 200 metres from any other RAV travelling in front of it.
- (h) Where a pilot vehicle accompanies an Agricultural Machine and is required to direct traffic, the pilot vehicle must only be driven by an “Accredited Pilot” who is an “Authorised Person”.
- (i) A maximum of two Agricultural Machines may travel in convoy with one another when accompanied by pilot vehicles. The pilot vehicle requirements and any other conditions that are applicable to the larger of the two Machines, apply to both Machines and the pilot vehicles must accompany both Machines as though they were one single Machine.
- (j) An Agricultural Machine in excess of the specified dimension limit must not operate during the “Public Holiday Curfew Period” on any of the prohibited roads detailed in Table 1 in APPENDIX 2.
- (k) An Agricultural Machine must not tow a trailer or any other vehicle.
- (l) An Agricultural Machine must not carry a load, unless the load is operating equipment that is specific to the operation of the Machine.
- (m) Approval to operate an Agricultural Machine under this Notice may be suspended when road and/or traffic conditions are considered unsuitable. Main Roads WA personnel, Main Roads Traffic Escort Wardens or Police Officers may make verbal notification of such suspension.

5. Exemption from Requirement to carry a copy of the Notice

Pursuant to regulation 22(3) of the Regulations, regulation 22(1) does not apply. Therefore a copy of this Notice does not have to be carried in the vehicle nor produced on request.

6. Commencement

This Notice has effect on the day after the day of publication of this Notice in the *Government Gazette*.
Dated the 30th day of April 2014.

NINA LYHNE, Acting Commissioner of Main Roads.

This instrument is to be known as RTVSR-2014-00123

APPENDIX 1—Approved Areas of Travel

Travel is approved within the following Local Government boundaries:

Goldfields—Esperance Region	Great Southern Region	Mid-West Region
Dundas	Albany city	Carnamah
Esperance	Broomehill- Tambellup	Chapman Valley
Kalgoorlie—Boulder city	Cranbrook	Coorow
Laverton	Denmark	Cue
Leonora	Gnowangerup	Greater Geraldton City
Menzies	Jerramungup	Irwin
Ngaanyatjarraku	Katanning	Meekatharra
Wiluna	Kent	Mingenew
	Kojonup	Morawa
	Plantagenet	Mount Magnet
	Ravensthorpe	Murchison
	Woodanilling	Northampton
		Perenjori
		Sandstone
		Three Springs
		Yalgoo
South West Region	Wheatbelt North Region	Wheatbelt South Region
Boyup Brook	Chittering	Beverley
	Cunderdin	Brookton
	Dalwallinu	Bruce Rock

South West Region	Wheatbelt North Region	Wheatbelt South Region
	Dandaragan	Corrigin
	Dowerin	Cuballing
	Gingin	Dumbleyung
	Goomalling	Kondinin
	Kellerberrin	Kulin
	Koorda	Lake Grace
	Merredin	Narembeen
	Moora	Narrogin
	Mount Marshall	Narrogin Town
	Mukinbudin	Pingelly
	Northam	Quairading
	Nungarin	Wagin
	Tammin	Wandering
	Toodyay	West Arthur
	Trayning	Wickepin
	Victoria Plains	Williams
	Westonia	
	Wongan—Ballidu	
	Wyalkatchem	
	Yilgarn	
	York	

APPENDIX 2—Public Holiday Curfew

Table 1:

An Agricultural Machine in excess of the width limit specified in the following table must not operate during the “Public Holiday Curfew Period” on any of the prohibited roads specified—

Width	Public Holiday Curfew Period	Prohibited Roads
Exceeding 4.5 metres	From— Sunset on the Wednesday prior to Good Friday Until— Sunrise on the Tuesday after Easter Monday (over the Easter Long Weekend).	All roads within Western Australia
	From— Sunset on 23rd December Until— Sunrise on 4th January of the following year (over the Christmas/New Year Period).	<ul style="list-style-type: none"> • Albany Hwy (Bedforddale Road Train Assembly Area to Albany) • Brand Hwy • Eyre Hwy • Great Eastern Hwy • South Western Hwy (Armadale to Bunbury) • Great Northern Hwy (Roe Hwy to Mt Magnet)

If a public holiday falls on a Tuesday consecutive to a Monday Long Weekend, the curfew period specified in the above table is extended until sunrise on the following Wednesday.

WORKCOVER

WC401*

WORKERS' COMPENSATION AND INJURY MANAGEMENT ACT 1981
EXEMPTION NOTICE

Given by the Board for the purposes of section 164 of the *Workers' Compensation and Injury Management Act 1981*.

Notice of Exemption

Notice is given that on 29 April 2014, the Governor, acting under section 164 of the *Workers' Compensation and Injury Management Act 1981* and with the advice and consent of Executive Council, exempted Tasman Sinkware Pty Ltd from the obligation to insure pursuant to that Act, except for the obligation to insure against liability to pay compensation under that Act for any industrial disease of the kinds referred to in section 151(a)(iii) of the Act.

GREG JOYCE, Chairman of the Board.

DECEASED ESTATES

ZX401

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Jeanne Hipsley late of Wearne House, 7 Leslie Street, Mandurah in the State of Western Australia, 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 22 April 2014 are required by the personal representative to send particulars of their claims to her care of Clement & Co, Lawyers, Unit 2, 12 Sutton Street, Mandurah by 3 June 2014 after which date the personal representative may convey or distribute the assets having regard to the claims of which she then has notice.

Clement & Co as solicitors for the personal representative.

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