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# — PART 1 —

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## LOCAL GOVERNMENT

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LG301\*

### LOCAL GOVERNMENT ACT 1995

### DIVIDING FENCES ACT 1961

*Shire of Exmouth*

### FENCING LOCAL LAW 2015

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Exmouth resolved on 27 August 2015 to adopt the following local law.

### PART 1—PRELIMINARY

#### 1.1 Citation

This local law may be cited as the *Shire of Exmouth Fencing Local Law 2015*.

#### 1.2 Commencement

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

#### 1.3 Repeal

The *Shire of Exmouth Local Law Relating to Fencing* published in the *Government Gazette* on 23 October 1998 is repealed.

#### 1.4 Application

This local law applies throughout the district.

#### 1.5 Interpretation

In this local law, unless the context requires otherwise—

**Act** means the *Local Government Act 1995*;

**applicant** means a person who makes an application for approval under this local law;

**authorised person** means a person authorised by the local government under section 9.10 of the Act to perform any of the functions of an authorised person under this local law;

**boundary fence** has the meaning given under the *Dividing Fences Act 1961*;

**CEO** means the Chief Executive Officer of the local government;

**commercial lot** means a lot where a commercial use is or may be permitted under the local planning scheme, and is or will be the predominant use of the lot;

**dangerous** in relation to any fence means—

- (a) an electrified fence other than a fence approved by the local government under this local law;
- (b) a fence containing barbed wire other than a fence erected and maintained in accordance with this local law;
- (c) a fence containing exposed broken glass, asbestos fibre, razor wire or any other potentially harmful projection or material; or
- (d) a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, from any cause;

**dangerous material** means any material which results in a dangerous fence;

**district** means the district of the local government;

**dividing fence** has the meaning given under the *Dividing Fences Act 1961*;

**electrified fence** means a fence carrying or designed to carry an electric charge;

**fence** means any structure used or functioning as a barrier, irrespective of where it is located and includes any gate;

**front boundary** means the boundary line between a lot and the thoroughfare upon which that lot abuts, or in the case of a lot abutting on more than one thoroughfare the boundary line between the lot and the primary thoroughfare;

**height** in relation to a fence means the vertical distance between—

- (a) the top of the fence at any point; and
- (b) the ground level or, where the ground levels on each side of the fence are not the same, the higher ground level, immediately below that point;

**industry lot** means a lot where an industrial use is or may be permitted under the local planning scheme and is or will be the predominant use of the lot;

**local government** means the Shire of Exmouth;

**local planning scheme** means a local planning scheme of the local government made under the *Planning and Development Act 2005*;

**lot** has the meaning given to it in and for the purposes of the *Planning and Development Act 2005*;

**notice of breach** means a notice referred to in clause 5.1;

**occupier** has the meaning given to it in the Act;

**owner** has the meaning given to it in the Act;

**public access way** means a thoroughfare;

**residential lot** means a lot where a residential use is or may be permitted under the local planning scheme, and is or will be the predominant use of the lot;

**retaining wall** means any structure which prevents the movement of soil or retains soil or structures in order to allow ground levels of different elevations to exist adjacent to one another;

**right of way** means a thoroughfare;

**rural lot** means a lot where a rural use—

- (a) is or may be permitted under a local planning scheme; and
- (b) is or will be the predominant use of the lot;

**Schedule** means a schedule to this local law;

**sufficient fence** means a fence that satisfies clause 2.1 and includes a fence of the description and quality agreed upon by the owners of adjoining lots which does not fail to satisfy clause 2.1;

**thoroughfare** has the meaning given to it in the Act; and

**townsite** has the meaning given to it in the *Land Administration Act 1997*.

## 1.6 Fees and charges

All fees and charges applicable under this local law shall be determined by the local government from time to time under and in accordance with sections 6.16 to 6.19 of the Act.

## PART 2—FENCES

### *Division 1—Sufficient fences*

#### 2.1 Sufficient fences

(1) A person shall not erect a dividing fence or a boundary or dividing fence that is not a sufficient fence.

(2) Pursuant to section 24 of the *Dividing Fences Act 1961* and subject to subclauses

(3) and (4) of this local law, a sufficient fence—

- (a) on a residential lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 2;
- (b) on a commercial lot or industry lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of Schedule 3; and
- (c) on a rural lot is a dividing fence or a boundary fence constructed and maintained in accordance with the specifications and requirements of the Schedule 4.

(3) Where a fence is erected on or near the boundary between a residential lot and a commercial lot or industry lot, a sufficient fence is a dividing fence constructed and maintained in accordance with the specifications and requirements of Schedule 2.

(4) Where a fence is erected on a boundary line between lands in differing lots, neither of which is a residential lot, the local government shall determine which Schedule shall apply for the purposes of prescribing a sufficient fence.

(5) Notwithstanding any other provision in this local law, a dividing fence or boundary fence shall not exceed 1 800 millimetres in height unless the approval of the local government has been obtained to such a fence.

*Division 2—General***2.2 Gates in fences**

A person shall not erect a gate in a fence which does not—

- (a) open into the lot owned or occupied by the person; or
- (b) open by sliding parallel and on the inside of the fence, which it forms part of, when closed.

**2.3 Retaining Walls**

A person must not commence to erect or proceed with the erection of a retaining wall which is on the boundary line unless or until—

- (a) An application has been lodged with the local government including—
  - (i) two copies of a plan and specifications of the proposed retaining wall; and
  - (ii) in the case of a retaining wall exceeding 1 000mm in height and when required by the local government, engineering calculations in respect of the proposed retaining wall.
- (b) The local government has approved the application.

**2.4 Maintenance of fences**

(1) An owner of a lot on which a fence is erected must reasonably maintain the fence in good condition so as to prevent it from becoming dangerous, dilapidated and unsightly to the amenity of the locality.

(2) Where in the opinion of the local government or an authorised person, a fence is in a state of disrepair or is dangerous or is otherwise in breach of a provision of this local law, the local government or an authorised person may give a notice of breach under clause 5.1 to the owner of the lot on which the fence is erected.

**2.5 Fences across rights-of-way, public access ways or thoroughfares**

A person must not, without the approval of the local government, erect or maintain a fence or obstruction of a temporary or permanent nature across any right-of-way, public access way or thoroughfare so as to impede or prevent use of those facilities in the manner for which they are intended and constructed.

**2.6 General discretion of the local government**

(1) Notwithstanding the provisions of clause 2.1, the local government may approve the erection or repair of a dividing fence which is not a sufficient fence where all of the owners of the lots to be separated by the dividing fence make an application for approval for that purpose.

(2) In determining whether to grant its approval under subclause (1), the local government may consider whether the erection or retention of the fence would have an adverse effect on—

- (a) the safe or convenient use of any land;
- (b) the safety or convenience of any person; or
- (c) the visual amenity of the locality.

*Division 3—Fencing materials***2.7 Prohibited materials**

A person must not erect a fence which is comprised, in whole or in part of—

- (a) second hand material within the townsite of Exmouth;
- (b) metal spikes, broken glass, razor wire, or any other dangerous material except to the extent provided for in Schedules 3 or 4.

**2.8 Pre-used fencing materials**

(1) Notwithstanding clause 2.1, a person shall not construct a fence on a residential lot, a commercial lot or an industrial lot from pre-used materials without the approval of the local government.

(2) Where the local government approves the use of pre-used materials in the construction of a fence under subclause (1) that approval shall be conditional on the applicant painting or treating the pre-used material as stated in or attached to the form of approval issued by the local government under clause 3.2.

**PART 3—APPROVALS****3.1 Application for approval**

(1) Where a person is required to obtain the approval of the local government under this local law, that person shall apply for approval in accordance with subclause (2).

(2) An application for approval under this local law shall—

- (a) be in the form determined by the local government;
- (b) be signed by the applicant and the owner of the lot;

- (c) provide the information required by the form; and
  - (d) be forwarded to the CEO together with any fee imposed and determined by the local government under and in accordance with sections 6.16 to 6.19 of the Act.
- (3) The local government may require an applicant to provide additional information reasonably related to an application before determining an application for approval.
- (4) The local government may refuse to consider an application for approval which is not in accordance with subclauses (2) and (3).

### **3.2 Decision on application for approval**

- (1) The local government may—
- (a) approve an application for approval unconditionally or subject to any conditions; or
  - (b) refuse to approve an application for approval.
- (2) If the local government approves an application for approval, it is to issue to the applicant an approval in the form determined by the local government.
- (3) If the local government refuses to approve an application for approval, it is to give written notice of that refusal to the applicant.
- (4) Where a clause of this local law refers to conditions which may be imposed on an approval or which are to be taken to be imposed on an approval, the clause does not limit the power of the local government to impose other conditions on the approval under subclause (1)(a).

### **3.3 Compliance with approval**

Where an application for approval has been approved, the applicant and the owner and occupier of the lot to which the approval relates, shall comply with the terms and any conditions of that approval.

### **3.4 Duration of approval**

Unless otherwise stated in the form of approval, an approval granted under this local law runs with the lot to which it relates and for the avoidance of doubt, it may be relied upon by any subsequent occupier or owner of the lot, and may be enforced against them by the local government.

## **PART 4—MISCELLANEOUS**

### **4.1 False or misleading statement**

A person shall not make a false or misleading statement in connection with any application, requirement or request under this local law.

## **PART 5—NOTICES OF BREACH**

### **5.1 Notices of breach**

- (1) Where a breach of any provision of this local law has occurred in relation to a fence on a lot, the local government may give a notice in writing to the owner of that lot (notice of breach).
- (2) A notice of breach shall—
- (a) specify the provision of this local law which has been breached;
  - (b) specify the particulars of the breach; and
  - (c) state that the owner is required to remedy the breach within the time specified in the notice.
- (3) An owner given a notice of breach shall comply with the terms of the notice and remedy the breach within the time specified in the notice.

## **PART 6—OFFENCES**

### **6.1 Offences and penalties**

- (1) A person who fails to comply with a notice of breach commits an offence and is liable upon conviction to a penalty of not less than \$250 and not exceeding \$5 000 and, if the offence is a continuing offence, to a maximum daily penalty of \$500.
- (2) A person who fails to comply with or who contravenes any provision of this local law commits an offence and is liable on conviction to a penalty of not less than \$250 and not exceeding \$5 000 and, if the offence is a continuing offence, to a maximum daily penalty of \$500.

### **6.2 Modified penalties**

- (1) An offence against any provision of this local law is a prescribed offence described for the purposes of section 9.16(1) of the Act.
- (2) The amount appearing in the final column of Schedule 1 directly opposite a prescribed offence in that Schedule is the modified penalty for that prescribed offence.

**6.3 Form of notices**

For the purposes of this local law—

- (1) the form of the infringement notice referred to in sections 9.16 and 9.17 of the Act is to be in the form of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and
- (2) the form of the withdrawal of infringement/notice referred to in section 9.20 of the Act is to be in the form of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

**PART 7—OBJECTIONS AND REVIEW****7.1 Objections and review**

When the local government makes a decision under clause 3.2, the provision of Part 9 Division 1 of the Act and regulation 33 of the *Local Government (Functions and General) Regulations 1996* apply to that decision.

**SCHEDULE 1****Prescribed offences**

[clause 6.2(2)]

**OFFENCES AND MODIFIED PENALTIES**

Item No	Clause	Nature of Offence	Modified Penalty (\$)
1	2.1(1)	Erect a fence which is not a sufficient fence	250
2	2.2(a)	Erect a gate in a fence not opening into the lot	250
3	2.2(b)	Erect a gate in a fence not sliding parallel and inside of fence	250
4	2.4(1)	Failure to maintain a fence in good condition to prevent fence becoming dangerous, dilapidated or unsightly	250
5	2.5	Erect or maintain a fence or obstruction of a temporary or permanent nature across a right of way, public access way or thoroughfare without approval	250
6	2.7(a)	Construct a dividing fence within the townsite from secondhand materials	250
7	2.7(b)	Erect a fence using barbed wire, glass or material with spiked or jagged projections in fence, or razor wire in fence construction	250
8	2.8	Construct a dividing fence from secondhand materials on a residential lot, a commercial lot or industrial lot without approval	
9	3.3	Failure to comply with conditions of approval	250
10	5.1(3)	Failure to comply with notice of breach	250

**SCHEDULE 2****Residential lot**

[cl. 2.1(2)(a)]

**SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RESIDENTIAL LOT**

A sufficient fence is a fence which comprises—

- (a) link or chain mesh that is a minimum height of 1500mm;
- (b) a galvanised iron top and bottom rail; and
- (c) posts that are spaced 3 metres apart which are—
  - i. galvanised, 50mm in diameter and set in concrete that is 450mm deep and 250mm in diameter; or
  - ii. termite treated timber, 100mm in diameter and set in concrete that is 450mm deep and 300mm in diameter.



**SCHEDULE 3****Commercial lot or an Industrial lot**

[clause 2.1(2)(b)]

**SPECIFICATIONS FOR A SUFFICIENT FENCE ON A COMMERCIAL LOT  
OR AN INDUSTRY LOT**

A sufficient fence is a fence which comprises rail-less link or chain mesh that is a minimum height of 1800mm, and to upon which up to three strands of barbed wire carrying the fence to a height of 2100mm may be placed, supported by—

- i. galvanized iron posts 50mm in diameter, spaced at 3 metre centres sunk 600mm in the ground, set in a concrete footing 600mm deep and 250mm diameter; or
- ii. termite treated timber posts 100mm in diameter, spaced at 3 metre centres sunk 600mm in the ground, set in a concrete footing 600mm deep and 350mm diameter.

**SCHEDULE 4****Rural lot**

[clause 2.1(2)(c)]

**SPECIFICATIONS FOR A SUFFICIENT FENCE ON A RURAL LOT**

1. Lot boundary fencing shall be of post and rail or post and wire unless otherwise approved by the local government or as otherwise stated in the local planning scheme.
2. Fencing shall be erected and maintained so as to securely confine all animals and livestock owned by the owner or occupier within the boundaries of the property.
3. Barbed wire is permitted on fencing within this zone.

Dated: 27 August 2015.

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

Cr C. SHALES, President.  
A. W. PRICE, Chief Executive Officer.

**LG302\*****LOCAL GOVERNMENT ACT 1995***Shire of Exmouth***REPEAL LOCAL LAW 2015**

Under the powers conferred by the *Local Government Act 1995*, and all other powers enabling it, the Council of the Shire of Exmouth resolved on 27 August 2015 to make the following local law—

**1. Citation**

This local law is cited as the *Shire of Exmouth Repeal Local Law 2015*.

**2. Commencement**

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

**3. Repeal**

The *Shire of Exmouth Standing Orders Local Law 1999* published in the *Government Gazette* on 10 July 2000 is repealed.

Dated: 27 August 2015.

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

Cr C. SHALES, President.  
A. W. PRICE, Chief Executive Officer.



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## MINERALS AND PETROLEUM

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MP301\*

Mining Act 1978

### Mining Amendment Regulations (No. 4) 2015

Made by the Governor in Executive Council.

#### 1. Citation

These regulations are the *Mining Amendment Regulations (No. 4) 2015*.

#### 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 *Mining Regulations 1981*.

#### 4. Schedule 4 clause 2 amended

In Schedule 4 clause 2 delete the Table and insert:

**Table — Hourly and daily rates**

Fee earner		Maximum allowable hourly rates
Senior Lawyer	hourly rate	\$396
Junior Lawyer	hourly rate	\$297
Clerk/Paralegal	hourly rate	\$143
<b>Counsel fees charged as a disbursement to lawyers or charged by in-house Counsel:</b>		
Counsel (C)	hourly rate	\$319
	daily rate	\$3 190
Senior Counsel (SC)	hourly rate	\$528
	daily rate	\$5 280

#### 4. Schedule 4 clause 3 amended

In Schedule 4 clause 3 delete the Table and insert:

**Table — Scale of costs**

Item		Time	Fee earner	Maximum amount \$
1.	Commencing proceedings — (a) Application or objection, including instructions For each additional respondent (b) Particulars (including preparation and lodgment)	8 hour	SL	396 55 3 168
2.	Response — (a) Lodging a response (b) Particulars (including preparation and lodgment)	8 hours	SL	198 3 168
3.	Disclosure — Giving additional disclosure where ordered by the warden	3 hours	JL	891
4.	Inspection — Inspection and giving inspection	per hour	JL	297
5.	Interlocutory applications — Proceedings and/or responses to applications (including all documentation and preparation for hearing)  <i>Note: In relation to the above, if the proceedings do not commence and settle or adjourn on the day of the hearing then the Assessing Officer shall allow such amount as is reasonable in the circumstances.</i>	1 day preparation ½ day hearing	C	4 785
6.	Applications and attendances before the warden	1 hour	SL	396
7.	Offers of settlement, notices, practice directions, applications, declarations, memoranda, affidavits — (a) Offers of settlement (b) Acceptance of offer of settlement (c) Other notices referred to or required by regulations or practice directions not otherwise specified in this scale (d) Preparation lodging and service of affidavits and statutory declarations not otherwise provided for (e) Drawing and serving of interlocutory orders (where ordered or required)	2 hours 2 hours  per hour 2 hours	SL SL  SL JL	792 792  396 594
8.	Getting up — Preparation for hearing (includes work reasonably and necessarily undertaken prior to commencement of proceedings)	50 hours	SL	19 800

Item		Time	Fee earner	Maximum amount \$
9.	Hearing —			
	(a) Fee on brief for Counsel i.e. first day of hearing and preparation	2 days preparation 1st day of trial	C	7 975
	(b) Fee on brief for Senior Counsel i.e. first day of hearing and preparation (where 2 or more Counsel are certified for)	2 days preparation 1st day of trial	SC	13 200
	(c) Counsel fee for the second and each successive day of hearing		C	3 190
	(d) Counsel fee for Senior Counsel for second and each successive day of hearing (where 2 or more Counsel are certified for)		SC	5 280
	(e) Instructing lawyer attending hearing, where certified for	per hour	JL	297
	(f) Clerk attending hearing			
	<i>Note: In relation to paragraphs (a)-(f) if —</i> <i>(1) The hearing lasts less than 2 hours; or</i> <i>(2) The hearing does not commence and settles or adjourns on the day of the hearing,</i> <i>then the Assessing Officer shall allow such amount as is reasonable in the circumstances.</i>			
	(g) Attending on reserved determination	per hour	SL	396
10.	Mention hearings	per hour	SL	396
11.	Determinations —			
	(a) Settling and extracting determination —			
	(i) with appointment	1 hour	JL	297
	(ii) without appointment	0.5 hours	PL	198
	(b) Issue of certified copy of determination			143
12.	Enforcement —			
	Lodgment of an application to enforce a determination pursuant to <i>Civil Judgments Enforcement Act 2004</i>			198
13.	Registration of determinations —			
	Registration of determinations including those under <i>Service and Execution of Process Act 1992</i> (Commonwealth)			198
14.	Assessment of costs including drawing bill —			
	(a) Lodgment of bill of costs			55
	(b) Drawing bill of costs, copies and service		SL	Such amounts as are reasonable in the circumstances
	(c) Making an objection to a bill			
	(d) Assessment of costs (including the time spent in preparing for the assessment)			
15.	Copying —			
	Photocopies where necessary, including of documents for which allowance is otherwise made in this scale	per page		1.00

Item		Time	Fee earner	Maximum amount \$
16.	Review by warden of a decision of a mining registrar			Amount calculated in accordance with item 5
17.	Accounts and inquiries — Attending on taking accounts, inquiries		SL	Such amounts as are reasonable in the circumstances
18.	Other work — (a) Time reasonably spent by a lawyer on work requiring the skill of a lawyer (of the standing indicated) but not covered by any other item or (b) Time reasonably spent by a lawyer, or by a clerk or paralegal of a lawyer, on work not covered by any other item or by paragraph (a)	per hour  per hour	SC SL C JL  SC SL C JL PL	528 396 319 297  143
19.	Disbursements — In addition to the fees and charges allowed under this Schedule — (a) As between lawyer and client, a lawyer may charge and be allowed disbursements necessarily or reasonably incurred; and (b) As between party and party, a party may be allowed disbursements necessarily or reasonably incurred.			
20.	Allowances for witnesses — The amount of any costs to be paid in respect of work done by a lawyer in conducting any proceedings in a case may include a reasonable allowance for — (a) witnesses called because of their professional, scientific or other special skill or knowledge; and (b) witnesses called other than those covered in paragraph (a). In fixing an allowance for witnesses under paragraph (b) including the applicant and respondent, the Assessing Officer may have regard to the amount of salary, wages or income (if any) actually lost by the witness.			

R. KENNEDY, Clerk of the Executive Council.

## — PART 2 —

### EDUCATION

**ED401\*****SCHOOL EDUCATION ACT 1999****HIGHER SCHOOL LEAVING AGE OPTIONS ORDER (NO. 2) 2015**

Made by the Minister for Education under Section 11B (2) and (3) of the *School Education Act 1999*.

**1. Citation**

This is the *Higher School Leaving Age Options Order (No. 2) 2015*.

**2. Prescribed courses, providers and end dates**

(1) A course specified in column 1 of the table to this clause being a course that does not otherwise come within section 11B (1) of the *School Education Act 1999* is prescribed as a course for the purposes of that subsection.

(2) The person or body specified in column 2 of the table to this clause opposite and corresponding to a course referred to in column 1 of the table is specified as the provider for that course.

(3) The date specified in column 3 of the table to this clause opposite and corresponding to a course referred to in column 1 of the table is specified as the final date of approval for the course.

TABLE

<i>Column 1</i> Course	<i>Column 2</i> Provider	<i>Column 3</i> Final date
Education, Employment and Training Program	Parkerville Children and Youth Care (Inc.), Parkerville	31 December 2015
Learning Engagement and Participation (LEAP)	Geraldton Regional Community Education Centre Association Inc., Geraldton	31 December 2016
Anchorpoint	Youth Futures WA, Joondalup	31 December 2017

Dated this 27th day of August 2015.

Hon PETER COLLIER MLC, Minister for Education.

### ENERGY

**EN401\*****ELECTRICITY INDUSTRY ACT 2004****NOTICE UNDER SECTION 23 (1) NOTICE OF DECISIONS**

Notice is given that the following Electricity Retail Licence has been amended—

Licensee:	Amanda Energy Pty Ltd ABN 45 163 376 163
Classification:	Electricity Retail Licence (ERL20, Version 3)
Date of Amendment:	2 September 2015
Term of Licence:	Up to and including 8 August 2028
Licence Area:	The licence area is the area as set out in plan ERA-EL-133 in the State of Western Australia
Amendment:	Amendment of licence to authorise supply of electricity to small use business customers
Inspection of Licence:	Economic Regulation Authority 4th Floor, Albert Facey House 469 Wellington Street PERTH WA 6000 <a href="http://www.erawa.com.au">http://www.erawa.com.au</a>

Dr STEPHEN KING, Chairman,  
Economic Regulation Authority.

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**HEALTH**

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**HE401\*****MENTAL HEALTH ACT 1996****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS)  
ORDER (NO. 1) 2015**

Made by the Chief Psychiatrist under section 20 of the *Mental Health Act 1996*.

**1. Citation**

This order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Order (No. 1) 2015*.

**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) clause 3—on the day after that day.

**3. Authorised Mental Health Practitioner**

The mental health practitioners specified in Schedule 1 to this order are designated as Authorised Mental Health Practitioners.

**SCHEDULE 1**

Brooker, Amanda	Registered Nurse
Brown, Michael MacKenzie	Registered Nurse
Dargatz, Annika	Registered Nurse
Doherty, Fiona Renee	Registered Nurse
Lee, Christine	Registered Nurse
Mittra, James	Psychologist
O'Brien, Thomas Gerard	Registered Nurse
Scott, Barbara Ann Dorothy	Registered Nurse
Smith, Kairon	Registered Nurse
Stephens, Pam Kaur	Registered Nurse
Strafehl, Angela Jane	Registered Nurse

Dr NATHAN GIBSON, Chief Psychiatrist.

Date: 4 September 2015.

**HE402\*****MENTAL HEALTH ACT 1996****MENTAL HEALTH (AUTHORISED MENTAL HEALTH PRACTITIONERS) REVOCATION  
ORDER (NO. 1) 2015**

Made by the Chief Psychiatrist under section 20.

**1. Citation**

This Order may be cited as the *Mental Health (Authorised Mental Health Practitioners) Revocation Order (No. 1) 2015*.

**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) clause 3—on the day after that day.

**3. Revocation of designation**

The designation, as an authorised mental health practitioner of the mental health practitioners specified in Schedule 1 to this order is revoked.

**SCHEDULE 1**

<b>Name</b>	<b>Profession</b>
Ash, Michael	Mental Health Nurse
Bartle, Fiona	Registered Mental Health Nurse
Booth, Kairon	Mental Health Nurse
Brearley, John	Social Worker

Name	Profession
Fraser, Julie	Social Worker
Gallaway, Peta	Mental Health Nurse
Hughes, Barry	Social Worker
Jones, Christine	Mental Health Nurse
Kaur, Pam	Mental Health Nurse
Lautrec, Jane	Mental Health Nurse
McCarthy, Angie	Mental Health Nurse
McGahern, Noel	Mental Health Nurse
Midani, Barbara	Registered Mental Health Nurse
Mittra, Jim	Psychologist
Modra, Margaret	Social Worker
Nunez, Monica	Occupational Therapist
Scott, Anika	Mental Health Nurse
Stok, Madeleine	Social Worker

Dr NATHAN GIBSON, Chief Psychiatrist.

Date: 4 September 2015.

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## HERITAGE

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HR401\*

### HERITAGE OF WESTERN AUSTRALIA ACT 1990

#### ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

#### PERMANENT REGISTRATION

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.

**Metropolitan Sewerage Vents** is a discontinuous group of six sewerage vents located within metropolitan Perth; Ptn of Cook St being pt of Lot 200 on DP 405288 as to the ptn labelled "M" on said plan; Ptn of Arthur St being pt of Lot 501 on DP 405291 as to the ptn labelled "M" on said plan; Ptn of Railway Reserve being pt of Lot 500 on DP 405291 as to the ptn labelled "M" on said plan; Ptn of Lot 55 on D 92488 being pt of the land contained in C/T V 2147 F 95 as to the ptns labelled "M" on DP 405289; Ptn of Lot 9 on D 93902 being pt of the land contained in C/T V 2135 F 317 as to the ptns labelled "M" on DP 405289; Ptn of Stuart St being pt of Lot 500 on DP 405286 as to the ptns labelled "M" on said plan; Ptn of Lot 637 on DP 106031 being pt of the land contained in C/T V 1452 F 383, as to the ptn labelled "M" on DP 405290; Ptn of Gray St being pt of Lot 400 on DP 405287 as to the ptns labelled "M" on said plan.

Dated: 11 September 2015.

GRAEME GAMMIE, Executive Director,  
Department of the State Heritage Office,  
Bairds Building, 491 Wellington Street,  
Perth WA 6000.

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## JUSTICE

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JU401\*

### JUSTICES OF THE PEACE ACT 2004

#### APPOINTMENT

It is hereby notified for public information that Her 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—

Karen June Gissing of 1 Lugo Pass, Port Kennedy

RAY WARNES, Executive Director,  
Court and Tribunal Services.



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**LOCAL GOVERNMENT**

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LG501\*

**BUSH FIRES ACT 1954***City of Mandurah***FIRE BREAK AND FUEL HAZARD REDUCTION NOTICE 2015/2016**

Notice to All Landowners

**Important Information Relating to Your Responsibility As a Land Owner in the City of Mandurah.**

Pursuant to the powers contained in Section 33 of the *Bush Fires Act 1954* you are required to carry out fire prevention work on land owned or owned and occupied by you in accordance with the provisions of this Notice, to the satisfaction of Council or its duly authorised officers.

This work must be carried out by 17 November 2015 OR WITHIN 14 DAYS OF BECOMING THE OWNER OR OWNER OCCUPIER, SHOULD THIS BE AFTER THAT DATE and kept maintained throughout the summer months until 31 May 2016.

**Persons who fail to comply with the requirements of this notice may be issued with an infringement notice or prosecuted. Where the owner fails to comply with the requisitions of the notice, Council or its duly authorised officers or contractors will carry out the required work at the cost of the owner or owner occupier.**

In addition, you may be required to carry out further works which may be deemed necessary and specified by way of a separate written notice forwarded to the address shown on the City of Mandurah rate records for that land.

If it is considered for any reason impractical to clear firebreaks as required by this Notice, or if natural features render firebreaks unnecessary, you may apply in writing to the City of Mandurah or its duly authorised officers, not later than 1 November 2015, for alternative positions, or other methods of fire prevention on your land. If permission is not granted, you must comply with the requirements of the Notice.

**What You Are Required to Do****Occupied or Unoccupied Land Less than 2023m<sup>2</sup>**

Where the area of the land is less than 2023m<sup>2</sup> remove all flammable material on the land except living standing trees and shrubs from the whole of the land. If mowing or slashing is carried out, then the height of the vegetation must not exceed, as far as reasonably practicable, 40mm over the entire area of land. **A 4 metre firebreak is not acceptable.**

**Occupied or Unoccupied Land 2023m<sup>2</sup> and Over**

When the area of land is 2023m<sup>2</sup> and over, provide a trafficable mineral earth firebreak at least 4 metres wide, with a vertical height clearance of 4.2 metres;

- Immediately inside all external boundaries of the said land.
- Immediately surrounding all outbuildings erected on the said land.

**Building Protection Zones (BPZ)**

Properties zoned rural residential under the City of Mandurah Town Planning Scheme No. 3, and on all land 4000 square metres and greater, south of the eastern and western prolongation of the northern boundary of reserve number R33139 located on William Street, Melros are required to—

- Maintain a minimum 2 metre gap between trees, shrubs and any building or infrastructure
- Ensure that no trees overhang any building or infrastructure.

Property owners are encouraged to contact the City to discuss installing a BPZ.

**Important Information to Remember**

**Note:** Only those properties zoned rural residential or greater throughout the district or are 4,000 sqm or greater and located south of the east and west prolongation of William Street, Dawesville will be able to obtain permits to burn.

RESTRICTED PERIOD	PROHIBITED BURNING	RESTRICTED PERIOD
PERMIT REQUIRED		PERMIT REQUIRED
1/4/2015-30/11/2015	1/12/2015-31/3/2016	1/4/2016-30/11/2016

By Order of the Council,

MARK R. NEWMAN, Chief Executive Officer.

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**MARINE/MARITIME**

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MA401\*

**WESTERN AUSTRALIAN MARINE ACT 1982  
NAVIGABLE WATERS REGULATIONS 1958****PROHIBITED SWIMMING AREA**

Pyrotechnic Display

*Mosman Bay, Swan River*Department of Transport,  
Fremantle WA, 11 September 2015.

ACTING pursuant to the powers conferred by Regulation 10A (b) of the *Navigable Waters Regulations 1958*, I hereby close all of the following waters to swimming, between the hours of 7:45m and 8:30pm Sunday, 13 September 2015—

**Mosman's Restaurant, Mosman Bay, Swan River**

Area of Closure—All the waters within a 150 metre radius of the firing barge located at approximately 32° 00 25.91S, 115°45 25.28E.

This area is set aside for safety measures during the set up and display of pyrotechnics. Mariners are advised to navigate with caution.

CHRISTOPHER MATHER, Director of Waterways Safety Management,  
Department of Transport.

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**MINERALS AND PETROLEUM**

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MP401\*

**MINING ACT 1978****INSTRUMENT OF EXEMPTION OF LAND**

The Minister for Mines and Petroleum, pursuant to the powers conferred on him by Section 19 of the *Mining Act 1978*, hereby declares the land described hereunder (not being private land or land that is the subject of a mining tenement or an application for a mining tenement) exempt from Divisions 1 to 5 of Part IV of the *Mining Act 1978*.

**Locality—**

Coolgardie—Coolgardie Mineral Field

**Area—**

158.6888 hectares

**Description of Land—**

Land designated S19/364 in the Tengraph electronic plan of the Department of Mines and Petroleum. A geospatial description is filed on Department of Mines and Petroleum File No. A2233/201001, Document No 3771014.

Dated at Perth this 3rd day of September 2015.

Hon BILL MARMION MLA, Minister for Finance;  
Mines and Petroleum.

MP402\*

**MINING ACT 1978****APPLICATION FOR AN ORDER FOR FORFEITURE**Department of Mines and Petroleum,  
Norseman WA 6443.

In accordance with Regulation 49(2)(c) of the *Mining Regulations 1981*, notice is hereby given that the following licences are liable to forfeiture under the provision of Section 96(1)(a) of the *Mining*

*Act 1978* for breach of covenant, being failure to comply with the prescribed expenditure conditions and/or non-compliance with the reporting provisions.

N. LEMMON, Warden.

To be heard by the Warden at Norseman on 5 November 2015.

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DUNDAS MINERAL FIELD

*Prospecting Licences*

P 63/1897	Pascoe, David Rodney
P 63/1898	Pascoe, David Rodney
P 63/1899	Pascoe, David Rodney

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MP403\*

MINING ACT 1978

APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines and Petroleum,  
Coolgardie WA 6429.

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

N. LEMMON, Warden.

To be heard by the Warden at Kalgoorlie on 6 November 2015.

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COOLGARDIE MINERAL FIELD

*Prospecting Licence*

P 15/5744-S	Dalglish, Owen James
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## PLANNING

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PL401\*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED DISTRICT PLANNING SCHEME AMENDMENT

*City of Wanneroo*

District Planning Scheme No. 2—Amendment No. 128

Ref: TPS/1109

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 Wanneroo local planning scheme amendment on 2 September 2015 for the purpose of—

1. Rezoning Lot 5 (33) Prindiville Drive and Lot 897 (6) and Lot 898 (4) Irwin Road, Wangara from 'Business' to 'Special Use';
2. Rezoning Lot 4 (35) Prindiville Drive, Wangara from 'Commercial' to 'Special Use';
3. Rezoning Lot 888 (39) Prindiville Drive, Wangara from 'Commercial' and 'Business' to 'Special Use';
4. Modifying Schedule 2—Section 1 by deleting Additional Use No. 1-17 relating to Lot 5 and eastern portion of Lot 888 Prindiville Drive for Market use;
5. Modifying Schedule 3 by deleting the entry relating to Lot 4 (35) Prindiville Drive, Wangara;

## 6. Modifying Schedule 2—Section 3—Special Use Zones, by including the following—

No.	STREET/ LOCALITY	PARTICULARS OF LAND	SPECIAL USE AND CONDITIONS (WHERE APPLICABLE)										
2-4	33-39 Prindiville Drive, 4-6 Irwin Road, Wangara.	Lots 4, 5, 888, 897 and 898	<p>Land use as per Commercial Zone with the following exceptions—</p> <p><u>P' Uses</u> Bakery, Market (Retail), Warehouse.</p> <p><u>D' Uses</u> Education Establishment, Hardware Store, Industry—Light, Mast or Antenna, Office, Open Air Display, Plant Nursery.</p> <p><u>X' Uses</u> Aged or Dependent Persons' Dwelling, Ancillary Accommodation, Bed and Breakfast, Caretaker's Dwelling, Cinema, Cinema Complex, Civic Building, Club (Non—Residential), Corner Store, Department Store, Display Home Centre, Grouped Dwelling, Hall, Home Business—Cat 1, Home Business—Cat 2, Home Business—Cat 3, Hospital, Hotel, Kindergarten, Motel, Multiple Dwelling, Night Club, Nursing Home, Place of Assembly, Place of Worship, Private Recreation, Public Exhibition Facility, Reception Centre, Recreation Centre, Residential Building, Retirement Village, Road House, Service Station, Single House, Stall—General, Theatre, Vehicle Sales/Hire Premises, Veterinary Consulting Rooms, Veterinary Hospital.</p> <p><u>Conditions</u></p> <p>1. The Retail Net Lettable Area (NLA) shall be limited to the following—</p> <table><tr><th>Land Description</th><th>NLA (m<sup>2</sup>)</th></tr><tr><td>Lot 4 (35) Prindiville Drive, Wangara</td><td>500</td></tr><tr><td>Lot 888 (39) Prindiville Drive, Wangara</td><td>2,500</td></tr></table> <p>The Market (Retail) Net Lettable Area (NLA) shall be limited to the following—</p> <table><tr><th>Land Description</th><th>NLA (m<sup>2</sup>)</th></tr><tr><td>Lot 5 (33) Prindiville Drive, Wangara</td><td>4,200</td></tr></table> <p>2. A detailed area plan is to be approved by the City prior to any further development to be in accordance with the endorsed Detailed Area Plan. The Detailed Area Plan shall address the following—</p> <ul style="list-style-type: none"><li>– Parking and access;</li><li>– Loading and unloading;</li><li>– Urban design principles including Interface with Prindiville Drive.</li></ul>	Land Description	NLA (m <sup>2</sup> )	Lot 4 (35) Prindiville Drive, Wangara	500	Lot 888 (39) Prindiville Drive, Wangara	2,500	Land Description	NLA (m <sup>2</sup> )	Lot 5 (33) Prindiville Drive, Wangara	4,200
Land Description	NLA (m <sup>2</sup> )												
Lot 4 (35) Prindiville Drive, Wangara	500												
Lot 888 (39) Prindiville Drive, Wangara	2,500												
Land Description	NLA (m <sup>2</sup> )												
Lot 5 (33) Prindiville Drive, Wangara	4,200												

## 7. Amend Scheme map accordingly.

T. ROBERTS JP, Mayor.  
D. SIMMS, Chief Executive Officer.

## 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
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
183596	WA Steamship Company Pty Ltd	Application for the grant of a Special Facility licence in respect of premises situated in South Perth and known as Paddle Steamer Decoy	4/10/2015
183623	Woolworths Limited	Application for the grant of a Liquor Store licence in respect of premises situated in Harrisdale and known as BWS—Beer Wine Spirits Harrisdale	5/10/2015
185027	Highvale Orchard Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Pickering Brook and known as Core Cider	5/10/2015
185285	Stocco Holdings (WA) Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Fremantle and known as La Sosta	6/10/2015

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

B. A. SARGEANT, Director of Liquor Licensing.

Dated: 8 September 2015.

## 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 18 August 2015, 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 the organisations set out in the Table below 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.

#### Table

Integrated Safety Training Pty Ltd  
Greencap—NAA Pty Ltd

This exemption ensures the above employers are included as part of Wesfarmers Limited's exempt employer approval.

GREG JOYCE, Chairman of the Board.

## DECEASED ESTATES

ZX401

### TRUSTEES ACT 1962

#### DECEASED ESTATES

#### Notice to Creditors and Claimants

Raymond George Borrow, late of 2 Candeloro Place, Harvey, 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 above named deceased, who died on 1 September 2014, are required by the

Executrix, Sharon Lee Borrow, c/- M 6:8 Legal, Suite 6, 890 Canning Highway, Applecross WA 6153 to send particulars of their claims within one (1) month of the date of publication of this notice, after which date the Executrix may convey or distribute the assets, having regard only to claims of which she then has notice.

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**ZX402\***

**TRUSTEES ACT 1962**

**DECEASED ESTATES**

**Notice to Creditors and Claimants**

Estate of the late Harry Leaver of Moora Aged Care Facility, Moora, in the State of Western Australia.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of the above-named deceased, who died on 25 May 2015, are required to send particulars of their claims to the Executors, care of RSM Bird Cameron (see address below) within one (1) month of the date of publication of this notice, after which date the Executor may convey or distribute the assets having regard only to claims of which notice has been given.

RSM Bird Cameron Chartered Accountants,  
GPO Box R1253, Perth WA 6844,  
Telephone: (08) 9261 9393,  
Contact Andrew Marshall.

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**ZX403\***

**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 Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 11 October 2015, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bowley, Mary Elizabeth, Also Known As Mary Elizabeth Frampton, late of Osboine Aged Care, 39 Newton Street, Bayswater, died 23 May 2015 (DE19764648 EM17)

Cox, Pamela Emma, late of Waratah Lodge, 6 Arnott Street, Wagin, formerly of Waminda Care Facility, Unit 318, 1 Adie Court, Bentley, died 10 July 2015 (DE19860335 EM17)

Gladstone, Elizabeth Mary, late of U 108 289 Sydney Road, Gnangara, died 31 July 2015 (DE19983188 EM13)

Gordon, John Johnston, late of 48 Coleman Crescent, Melville, died 21 July 2015 (DE19830357 EM22)

Hunt, Alison, late of Private Mailbag 71 Walburton, Alice Springs, died 25 July 2014 (DE33125504 EM16)

Nassibian, Armenag Garabed, late of 5 Brahea Place, Mount Claremont, died 29 April 2015 (DE19932029 EM32)

Patrick, David John, late of 14 Ridge Road, Glen Forrest, died 30 July 2015 (DE19783094 EM36)

Pavlovich, Mary, late of Midland Nursing Home, 44 John Street, Midland, formerly of Donovan Village, 65/138 Lewis Road, Forrestfield, died 17 August 2015 (DE19892864 EM38)

Roney, Albertha, late of 45 Chilcott Street, Calista, died 23 July 2015 (DE19862958 EM16)

Stone, Margaret Jane, late of 15 Crabtree Way, Medina, died 23 July 2015 (DE20011313 EM35)

Tyrrell, Kathleen Veronica, late of Melville Aged Care, 1 French Road, Melville, formerly of 52 East Street, East Freemantle, died 30 August 2015 (DE33068482 EM15)

Van Dan Berg, Josephine Maude, late of 21-23 Johnson Street, Redcliffe, died 15 August 2015 (DE33095519 EM24).

BRIAN ROCHE, Public Trustee.  
553 Hay Street, Perth WA 6000.  
Telephone: 1300 746 212

ZX404\*

**PUBLIC TRUSTEE ACT 1941****ADMINISTERING OF ESTATES**

Notice is hereby given that pursuant to Section 14 of the *Public Trustee Act 1941* and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 11th day of September 2015.

BRIAN ROCHE, Public Trustee.  
553 Hay Street, Perth WA 6000.  
Telephone: 1300 746 212.

Name of Deceased	Address	Date of Death	Date Election Filed
Nicol, Jean Mary DE33060662	Opal Aged Care, Applecross	14 October 2014	31 August 2015

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**PUBLIC NOTICES**

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ZZ401\*

**DISPOSAL OF UNCOLLECTED GOODS ACT 1970****ATTENTION PETER TRAVAL**

Under the *Disposal of Uncollected Goods Act 1970*, I am going to be disposing of your goods. Contact West Horizon Motorcycles on 9250 5567.

WESTERN AUSTRALIA

**ENDURING POWER OF ATTORNEY KIT****Price: \$2.00 plus postage**

Information booklet about planning for your future financial affairs

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

**ENDURING POWER OF GUARDIANSHIP GUIDE****Price: \$1.75 plus postage****Information booklet about planning for your future lifestyle**

Includes 5-page tear out form at back of guide  
(extra forms can be obtained by purchasing the EPG kit for \$1.00)



WESTERN AUSTRALIA

## **BUILDING ACT 2011**

**Price: \$24.85 plus postage**

## **BUILDING REGULATIONS 2012**

**Price: \$19.15 plus postage**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

## **BUILDING SERVICES (COMPLAINT RESOLUTION AND ADMINISTRATION) ACT 2011**

**Price: \$31.35 plus postage**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

## **CAT ACT 2011**

**Price: \$11.80 plus postage**

## **CAT REGULATIONS 2012**

**Price: \$9.35 plus postage**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

## **CRIMINAL PROPERTY CONFISCATION ACT 2000**

**Price: \$37.85 plus postage**

\*Prices subject to change on addition of amendments.

## STATE LAW PUBLISHER

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