



PERTH, TUESDAY, 7 NOVEMBER 2006 No. 187

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

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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: 9321 7688 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*



GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2006 AND NEW YEAR HOLIDAY PERIOD 2007

NOTE: *Due to Tuesday 26th December being a public holiday there will not be a gazette published on that day*

Publishing Dates and times

Friday 29 December 2006 at 3.30 pm

Tuesday 2 January 2007 at 3.30 pm

Closing Dates and Times for copy

Wednesday 27 December 2006 at 12 noon

Friday 29 December 2006 at 12 noon



— PART 1 —

CONSUMER AND EMPLOYMENT PROTECTION

CE301*

Construction Industry Portable Paid Long Service
Leave Act 1985

Construction Industry Portable Paid Long Service Leave Amendment Regulations 2006

Made by the Lieutenant-Governor and deputy of the Governor in
Executive Council.

1. Citation

These regulations are the *Construction Industry Portable Paid Long Service Leave Amendment Regulations 2006*.

2. Commencement

- (1) These regulations, other than regulation 4, come into operation on the day on which they are published in the *Gazette*.
- (2) Regulation 4 comes into operation on 1 January 2007.

3. The regulations amended

The amendments in these regulations are to the *Construction Industry Portable Paid Long Service Leave Regulations 1986**.

[* *Reprint 2 as at 3 January 2003*.

For amendments to 14 September 2006 see Western Australian Legislation Information Tables for 2005, Table 4, p. 66.]

4. Regulation 8 amended

Regulation 8 is amended by deleting “1%” and inserting instead —

“ 1.25% ”.

5. Schedule 1 amended

Schedule 1 item 1 is amended by inserting after “Awards” —

“ as at 26 March 2006 ”.

By Command of the Lieutenant-Governor and
deputy of the Governor,

G. M. PIKE, Clerk of the Executive Council.

LOCAL GOVERNMENT

LG301*

BUSH FIRES ACT 1954

Shire of Yalgoo

BUSH FIRE BRIGADES LOCAL LAW 2006

Under the powers conferred by the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the Shire of Yalgoo resolved on 19 October 2006 to make the following local law—

The Bush Fire Brigades Local Law of the Shire of Bridgetown-Greenbushes published in the *Government Gazette* of 20 October 2000, is adopted as a local law of the Shire of Yalgoo with the modifications which follow—

1. Preliminary

1.1 Wherever the ‘Shire of Bridgetown Greenbushes’ is mentioned in the local law substitute ‘Shire of Yalgoo’.

1.2 Where the title ‘Bush Fire Brigades Local Law’ appears in clause 1.1 add thereafter ‘2006’.

1.3 In clause 1.2 delete the definition of ‘Bush Fire Management Committee’.

1.4 Wherever ‘Bush Fire Management Committee’ or ‘Management Committee’ are mentioned in the local law substitute ‘Bush Fire Advisory Committee’ and ‘Advisory Committee’ respectively.

1.5 Wherever the term ‘bushfire’ appears in the local law substitute ‘bush fire’.

1.6 Wherever the term ‘Chief Fire Control Officer’ appears in the local law substitute ‘Chief Bush Fire Control Officer’.

2. Clause 1.3—Repeal

Delete clause 1.3 and substitute—“The By-laws of the Yalgoo Road Board relating to the Establishment, Maintenance and Equipment of Bush Fire Brigades for the Road District or any part of the Road District of Yalgoo, which were published in the *Government Gazette* on 2 March 1961 are repealed.”.

3. Clause 2.2—Name and Officers of bush fire brigade

In subclause (1), paragraph (c) delete subparagraph (ix) and “; and” at the end of subparagraph (viii), and substitute “.”.

4. Clause 2.5—Variation of Rules

Delete clause 2.5, and thereafter renumber clauses 2.6, 2.7 and 2.8 as 2.5, 2.6 and 2.7 respectively.

5. Clause 3.9—Minutes to be tabled before the Bush Fire Advisory Committee

In subclause (2) delete—

“The Chief Bush Fire Control Officer is to table the minutes of a bush fire brigade’s annual general meeting at the next meeting of the—”; and substitute—

“The Chief Bush Fire Control Officer is to arrange for the minutes of a bush fire brigade’s annual general meeting to be tabled at the next meeting of the—”.

6. Clause 6.3—Funding from local government budget

After the word “needs” in the second line insert the word “is”.

7. First Schedule—Rules Governing the Operation of Bush Fire Brigades**7.1 Clause 2.4—Applications for membership**

Delete “accompanied by a completed form in the form of that in Appendix 1” and substitute “and in the case of—

- (a) an application for fire fighting membership is to be accompanied by a completed form in the form of that in Appendix I.
- (b) an application for associate membership is to be accompanied by a completed form in the form of that in Appendix II.
- (c) an application for cadet membership is to be accompanied by a completed form in the form of that in Appendix III.”.

7.2 Clause 2.9—Existing liabilities to continue

In subclause (1) delete the subclause number ‘(1)’, delete ‘2.6’ where it appears and substitute ‘2.7’.

7.3 Clause 3.4—Treasurer

(1) After ‘;’ at the end of paragraph (d) delete “and”.

(2) Delete “.” at the end of paragraph (e) and substitute “; and”.

7.4 Clause 5.4—Quorum

In subclause (1) delete “(whether vacant or not)”.

7.5 Clause 6.2—Quorum

Delete “are” where it appears following “officers” in the second line and substitute “is”.

7.6 Appendices

Delete Appendices I and II and substitute Appendices I, II and III as set out hereafter—

APPENDIX I**APPLICATION FOR MEMBERSHIP—FIRE FIGHTING MEMBER**

I make application to be a fire fighting member of the Bush Fire Brigade.

Applicant’s Name

My private address is.....

.....

My business address is

.....

Usual Occupation.....

I can be contacted on—

Telephone No: (Home).....(Work).....Mobile

Fax No: (Home).....(Work).....

CB Radio.....Channel Call Sign.....

If needed, I can provide my own transport to the scene of any outbreak.
(This line to be struck out if not applicable)

I hold a current driver’s licence No Classes

I declare that I am at least 16 years of age and in good health with no known medical conditions which might limit my capacity to fight fires.

I give these undertakings—

- (1) to promote the objects of the bush fire brigade as far as is in my power;
- (2) to be governed by the provisions of the *Bush Fires Act 1954* and the Regulations made under that Act, and the local law and

policies of the *[insert name of local government]* relevant to fire control and bush fire brigades;

- (3) to use my best endeavours to give assistance in fire fighting measures when called upon and on such occasions to obey all orders and instructions issued by duly authorized officers of the bush fire brigade or the local government;

- (4) to comply with the Rules of the bush fire brigade.

Date
Applicant's signature

Please list here any fire fighting equipment owned by you.

1.
2.
3.

BUSH FIRE BRIGADE USE ONLY:

APPROVED / DECLINED

Signed:
Brigade Captain

APPENDIX II

APPLICATION FOR MEMBERSHIP—ASSOCIATE MEMBER

I make application to be an associate member of the Bush Fire Brigade.

- (a) I am prepared to offer to transport fire fighting members and/or equipment to the scene of any outbreak when called upon. I have a motor vehicle of the following type available for such purpose.

MDL No: Classes:

- (b) I am prepared to offer my services in the following capacity:—

.....
.....

(paragraph (a) or (b) above may be struck out if not applicable)

Applicant's Name

My private address is

My business address is

Usual Occupation

I can be contacted on—

Telephone No: (Home) (Work) Mobile

Fax No: (Home) (Work)

CB Radio Channel Call Sign

I give these undertakings—

- (1) to promote the objects of the bush fire brigade as far as is in my power;
- (2) to be governed by the provisions of the *Bush Fires Act 1954* and any Regulations made under the Act and the local law and policies of the *[insert name of local government]* relevant to fire control and bush fire brigades;
- (3) to use my best endeavours to assist in normal bush fire brigade activities as an associate member when called upon;
- (4) to comply with the Rules of the bush fire brigade.

Date
Applicant's signature

BUSH FIRE BRIGADE USE ONLY:

APPROVED / DECLINED

Signed:

APPENDIX III**APPLICATION FOR MEMBERSHIP—CADET MEMBER**

I make application to be a cadet member of the Bush Fire Brigade.

Applicant's Name

My private address is.....

I can be contacted on—

Telephone No: (Home).....(Work).....

Fax No: (Home)(Work).....

CB Radio:..... Channel..... Call Sign.....

I declare that I am years of age and in good health.

Date of Birth:.....

I give these undertakings—

- (1) to promote the objects of the bush fire brigade as far as is in my power;
- (2) to be governed by the provisions of the *Bush Fires Act 1954* and the Regulations made under that Act, and the local law and policies of the *[insert name of local government]* relevant to the activities of cadet members;
- (3) to obey all orders and instructions issued by duly authorized officers of the bush fire brigade or the local government;
- (4) to comply with the Rules of the bush fire brigade.

Date

Applicant's signature

Parent / Guardian Consent—

I being the parent/guardian of the above applicant, consent to him/her being a cadet member of the Bush Fire Brigade, in accordance with the rules applicable to cadet membership.

Signed:

BUSH FIRE BRIGADE USE ONLY:

APPROVED / DECLINED

Signed:

Brigade Captain

Dated this 19th day of October 2006.

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

D. E. ANDERSON, President Chief.
L. HILLS, Executive Officer.

LG302*

CEMETERIES ACT 1986*Shire of Yalgoo***CEMETERY LOCAL LAW 2006**

Under the powers conferred by the Cemeteries Act 1986, and all other powers enabling it, the Council of the Shire of Yalgoo resolved on the *19 October 2006* to adopt the Model Local Law (Cemeteries) 1998 published in the *Government Gazette* on 12 May 1998 in relation to the Yalgoo Public Cemetery, with such modifications as are here set out.

1. Preliminary

1.1 Wherever the name of the Local Government is to be inserted, insert “Shire of Yalgoo”.

1.2 Wherever the name of the Local Law is to be inserted, insert “Shire of Yalgoo Cemetery Local Law, 2006”.

1.3 Wherever the street address of the Local Government is to be inserted, insert “Gibbons Street, YALGOO”, and wherever the postal address of the Local Government is to be inserted, insert “Gibbons Street, YALGOO WA 6635”.

2. PART 1—PRELIMINARY

2.1 Renumber clauses 1.2 and 1.3 as 1.3 and 1.4 respectively.

2.2 Insert the following new clause—

“1.2 Application

This Local Law applies to the Yalgoo Public Cemetery located on Reserve 3452, off Geraldton Mount Magnet Road, Yalgoo.”.

2.3 Delete clause **1.4 Repeal**, formerly 1.3, and substitute the following new clause—

“1.4 Repeal

The By-laws relating to Public Cemetery, Yalgoo published in the *Government Gazette* on 20th January, 1911, and amended in the *Government Gazette* on 8th July 1970, are repealed.”.

3. PART 3—APPLICATION FOR FUNERALS

3.1 Delete clause 3.2 entirely.

3.2 Renumber clauses 3.3 to 3.5 inclusive as 3.2 to 3.4 respectively.

3.3 In clause 3.2, formerly 3.3 delete “and 3.2” and “3.4” where they appear.

3.4 In sub clause (1) of clause 3.3, formerly 3.4, delete “or crematorium within the cemetery,”.

3.5 In clause 3.4, formerly 3.5 delete “twenty four” where it appears and substitute “forty eight”.

4. PART 4—FUNERAL DIRECTORS

4.1 In clause 4.2, delete “, or crematorium”.

4.2 In clause 4.3, delete “or crematorium,”.

5. PART 5—FUNERALS

5. In clause 5.1, paragraph (a), delete “or cremation”.

5.2 In clause 5.2, delete “or cremation” and “or clause 3.2”.

5.3 In clause 5.6 delete the entire paragraph (d), renumber paragraph (e) and (f) as (d) and (e) respectively, and insert new paragraph (f)—

“(f) bury that dead body;”

5.4 Delete the whole of Division 2—Cremation.

5.5 In Division 3—Placement of Ashes—

(a) renumber Division 3 as Division 2;

(b) renumber clause 5.12 as 5.7;

(c) in subclause (1) of clause 5.7 formerly 5.12, delete—

“Niche Wall

Memorial Walk

Garden of Remembrance

Ground Niche

Memorial Rose, Tree or Shrub

Family Shrub

Memorial Desk

Granite Seat

Book of Remembrance

Memorial Gardens”; and

(d) delete clauses 5. 13 and 5.14.

6. PART 6—BURIALS

6.1 In clause 6.2, delete sub clauses (1) to (5) inclusive, and substitute the following—

“A brick grave, crypt, vault or mausoleum shall not be constructed within the Yalgoo Public Cemetery.”.

7. PART 7—MEMORIALS AND OTHER WORK

7.1 In clause 7.3, delete the words “the same” and substitute “those works”.

7.2 In clause 7.12, delete all words after the heading and substitute—

“A person shall not place glass domes, vases or other grave ornaments outside the perimeter of a grave in the cemetery as defined in the plans kept and maintained under section 40 (2) of the Act.”.

7.3 Delete the whole of Division 2—Lawn Section.

7.4 Delete the whole of Division 3—Memorial Plaque Section.

7.5 In Division 4—Licensing of Monumental Masons—

- (a) renumber Division 4 as Division 2;
- (b) renumber clauses 7.16 to 7.20 inclusive as 7.13 to 7.17 respectively;
- (c) in clause 7.14 formerly 7.17 paragraph (a), delete “7.20” and substitute “7.17”;
- (d) in paragraph (a) of clause 7.15 formerly 7.18, delete “7.16” and substitute “7.13”.

8. Second Schedule

In the Second Schedule—

- (a) delete the prefix “19” where it is used as part of the date an alleged offence occurred and substitute “20”; and
- (b) delete “(Authorised Person)” where it appears and substitute “(Authorised Officer)”.

9. Third Schedule

In the Third Schedule delete “(Authorised Person)” where it appears and substitute “(Authorised Officer)”.

Dated this 19th day of October 2006.

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

D. E. ANDERSON, President Chief.
L. HILLS, Executive Officer.

LG303*

DOG ACT 1976

Shire of Yalgoo

DOGS LOCAL LAW 2006

Under the powers conferred by the Dog Act 1976 and under all other powers enabling it, the Council of the Shire of Yalgoo resolved on 19 October 2006 to make the following local law—

The Shire of Moora Dogs Local Law as published in the *Government Gazette* on 29 November 1999, is adopted as a local law of the Shire of Yalgoo with the modifications which follow—

1. Preliminary

1.1 Wherever the “Shire of Moora” is mentioned substitute “Shire of Yalgoo”.

1.2 Where the title “Dogs Local Law” appears in clause 1.1 add thereafter “2006”.

2. Clause 1.2—Repeal

Delete clause 1.2 and substitute—

“The By-laws Relating to Dogs published in the *Government Gazette* on 9 December 1994, are repealed.”.

3. Clause 3.2—Limitation on the number of dogs

Delete clause 3.2 and substitute—

- “3.2 (1) This clause does not apply to premises which have been granted an exemption under section 26(3) of the Act.
- (2) The limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act 2 dogs over the age of 3 months and the young of those dogs under that age.”.

4. Part 4—Approved Kennel Establishments

Delete all of Part 4 relating to Approved Kennel Establishments.

5. Clause 5.1—Places where dogs are prohibited absolutely

In subclause (1)—

- (a) delete paragraph (a) and substitute—“(a) a public building unless permitted by a sign;”;
- (b) renumber paragraphs (b) and (c) to (c) and (d) respectively; and
- (c) insert the following paragraph—“(b) a theatre or picture gardens;”.

6. Clause 5.2—Places which are dog exercise areas

Delete subclauses (1) and (2) and substitute—

“Subject to clause 5.1 for the purposes of sections 31 and 32 the following public places are specified as dog exercise areas—

- (a) Yalgoo Sporting Complex Reserve 39961.

7. Schedules

7.1 Delete Schedules 1 and 2.

7.2 In Schedule 3—

- (1) In the Offence column delete the clause reference “2.4(b)&(c)” where it appears and substitute “2.4(b)”.
- (2) Delete the whole line for the offence relating to clause 4.9.

Dated 19th of October 2006.

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

D. E. ANDERSON, President Chief.
L. HILLS, Executive Officer.

LG304*

LOCAL GOVERNMENT ACT 1995

Shire of Yalgoo

FENCING LOCAL LAW 2006

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Yalgoo resolved on 19 October 2006 to make the following local laws.

The Shire of Dandaragan Local Laws Relating to Fencing as published in the *Government Gazette* on 9 May 2001 are adopted as local laws of the Shire of Yalgoo, with the modifications which follow:—

1. Preliminary

Wherever “Shire of Dandaragan” appears in the local laws substitute the “Shire of Yalgoo”.

2. Clause 1—Citation

Delete the whole of clause 1 and substitute—

- “1. These local laws may be cited as the Shire of Yalgoo Fencing Local Law 2006.”.

3. Clause 2—Repeal

Delete the whole of clause 2 and substitute—

- “2. The Shire of Yalgoo By-laws Relating to Fencing published in the *Government Gazette* on 28 October 1994 are repealed.”.

4. Clause 3—Application of local laws

Delete the whole of clause 3 and substitute—

- “3. These local laws apply within the townsite of Yalgoo.”.

5. Clause 4—Interpretation

In the definition of “notice of breach”, delete “15(1)” and insert “16(1)”.

6. Clause 5—Licence fees and charges

In the title delete “&” and insert “and”.

7. Clause 6—Sufficient fences

7.1 Delete subclause (1) entirely and substitute—

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

7.2 In subclause (2)—

(a) in paragraph (a), delete “.” at the end of the paragraph and substitute “;”;
and

(b) in paragraph (c), delete “,” at the end of the paragraph and substitute “.”.

8. Clause 7—Fences within front setback areas

8.1 In subclause (1), delete “1200mm” where it appears and substitute “750mm”.

8.2 In subclause (2)—

(a) delete “1200mm” where it appears and substitute “750mm, but not exceeding 1200mm.”; and

(b) delete, “only if the fence on each side of the driveway into the lot across the front boundary is to be angled into the lot for a distance of not less than 1500mm along the frontage to a distance of not less than 1500mm from the frontage in order to provide appropriate splayed lines of vision for a motorist using the driveway for access to a thoroughfare”.

8.3 Delete subclause (3) entirely.

9. Clause 12—Barbed wire and broken glass fences

Delete subclause (5), and substitute—

“(5) An owner or occupier of a lot shall not affix or allow to remain any broken glass on that lot as part of any internal or external fence or wall.”.

10. FIRST SCHEDULE

10.1 Delete Items ‘A’, ‘C’ and ‘D’ which describe ‘sufficient fence’ options.

10.2 In the description of a ‘sufficient fence’ in Item ‘B’—

(a) delete the prefix “B” and substitute the prefix “A”; and

(b) in the preamble and in paragraph (b), delete the words “or steel” where they appear.

10.3 Insert a new description of a ‘sufficient fence’—

“B. Colorbond metal fencing systems erected in accordance with the manufacturer’s specifications and instructions. The height of the fence to be 1800mm except within the front setback area for which there is no minimum height but which is subject to clause 7.”.

11. SECOND SCHEDULE

11.1 In the description of a ‘sufficient fence’ in Item ‘A’ of the Schedule, in paragraph (a) delete the word “normal” and substitute “nominal”.

11.2 In the description of a ‘sufficient fence’ in Item ‘B’, delete the words “or steel” where they appear.

11.3 In the description of a ‘sufficient fence’ in Item ‘C’, add after the words “A fence constructed of” the words “painted or galvanised steel or”.

11.4 Delete the description of a ‘sufficient fence’ in Item ‘D’.

Dated this 19th day of October 2006.

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

D. E. ANDERSON, President Chief.
L. HILLS, Executive Officer.

LG305*

LOCAL GOVERNMENT ACT 1995*Shire of Yalgoo***LOCAL GOVERNMENT PROPERTY LOCAL LAW 2006**

Under the powers conferred by the *Local Government Act 1995*, and under all other powers enabling it, the Council of the Shire of Yalgoo resolved on 19 October 2006 to make the following local law—

The Shire of Exmouth Local Government Property Local Law as published in the *Government Gazette* of 10 July 2000, is adopted as a local law of the Shire of Yalgoo with the modifications that follow—

1. Preliminary

1.1 Wherever the “Shire of Exmouth” is mentioned substitute “Shire of Yalgoo”.

2. Clause 1.1—Citation

2.1 Wherever the local law title “Local Government Property Local Law” is mentioned, add “2006” thereafter.

3. Clause 1.2—Definitions

3.1 Delete the definition of “boat”.

3.2 In the definition of “building”—

- (1) after “,” in paragraph (a) add “and”;
- (2) in paragraph (b) delete “and” where it appears after “,”; and
- (3) delete paragraph (c).

3.3 In the definition of “Manager”, delete the words “pool area or other”.

3.4 Delete the definition of “pool area”.

3.5 In the definition of “vehicle”—

- (1) after “,” in paragraph (c) add “and”;
- (2) in paragraph (d) delete “; and”; and
- (3) delete paragraph (e).

4. Clause 1.4—Application

4.1 In subclause 1.4 (1), delete “and in the sea adjoining the district for a distance of 200 metres seawards from the low water mark at ordinary spring tides”.

5. Clause 1.5—Repeal

5.1 Delete subclause 1.5 (1) and substitute—

“1.5 (1) The following local laws are repealed—

By-laws for Yalgoo Common (Reserve 6936) published in the *Government Gazette* on 8 June 1961.”.

6. Clause 2.7—Activities which may be pursued on specified local government property

6.1 In subclause 2.7 (1)—

- (1) delete paragraphs (e) and (f); and
- (2) renumber paragraphs (g) to (j) inclusive as (e) to (h) respectively.

6.2 In paragraph (d) subclause 2.7 (2), delete “boats” in the two places in which it occurs.

7. Clause 2.8—Activities which may be prohibited on specified local government property

7.1 In subclause 2.8 (1)—

- (1) delete paragraph (e); and
- (2) renumber paragraphs (f) to (h) inclusive as (e) to (g) respectively.

7.2 In paragraph (c) subclause 2.8 (2), delete “boats” in the two places in which it occurs.

8. Clause 3.13—Activities needing a permit

8.1 In subclause 3.13 (1)—

- (a) in paragraph (g) subparagraph (ii), delete “stand” and substitute “stop”;
- (b) in paragraph (n), after “,” delete “or”;
- (c) in paragraph (o), delete “.” and substitute “; or”; and
- (d) insert the paragraph—

“(p) conduct or take part in any gambling game or contest or bet, or offer to bet, publicly.”.

9. Clause 3.14—Permit required to camp outside a facility

9.1 In paragraph (b) subclause 3.14 (3), delete “beach” where it occurs.

10. PART 5—MATTERS RELATING TO PARTICULAR LOCAL GOVERNMENT PROPERTY

10.1 Delete Division 1—Swimming pool areas.

10.2 Delete Division 2—Beaches

10.3 Renumber Division 3 as Division 1, and Division 4 as Division 2.

10.4 Delete Division 5—Aerodrome (airport).

10.5 Delete Division 6—Golf course.

10.6 Renumber clause 5.2 and 5.3 as 5.1 and 5.2 respectively.

11. PART 7—JETTIES AND BRIDGES

11.1 Delete Part 7—Jetties and Bridges.

12. PART 8—SALEYARDS

12.1 Delete Part 8—Saleyards.

13. PART 9—OBJECTIONS AND APPEALS

13.1 Renumber Part 9 as Part 7.

13.2 Renumber clause 9.1 as 7.1.

14. PART 10—MISCELLANEOUS

14.1 Renumber Part 10 as Part 8.

14.2 Renumber clauses 10.1 to 10.4 inclusive as 8.1 to 8.4 respectively.

15. PART 11—ENFORCEMENT

15.1 Renumber Part 11 as Part 9.

15.2 Renumber clauses 11.1 to 11.6 inclusive as 9.1 to 9.6 respectively.

15.3 In clause 11.2, renumbered as clause 9.2, delete “11.1” where it appears and substitute “9.1”.

16. SCHEDULE 1—PRESCRIBED OFFENCES

16.1 Delete the following references in the “CLAUSE”, column of Schedule 1 and those references in the “DESCRIPTION” and “MODIFIED PENALTY \$” columns which relate to those clause references—

“5.5”, “5.8(1)”, “5.8(2)”, “5.8(3)”, “5.10”, “7.3”, “7.4”, “7.5”, “7.6”, “7.7”, “7.8”, “7.9”, “7.10”, “7.11”, “7.12”, “7.14”, “8.2”, “8.8”, “8.10”, “8.11”, “8.12”, and “8.13”.

16.2 Under the heading “CLAUSE” delete the clause designations “5.6”, “5.7” and “11.1”, and substitute “5.1”, “5.2” and “9.1” respectively.

17. SCHEDULE 3—GOLF COURSE RESERVE

17.1 Delete Schedule 3—Golf Course Reserve.

Dated this 19th of October 2006.

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

D. E. ANDERSON, President Chief.
L. HILLS, Executive Officer.

— PART 2 —

CONSUMER AND EMPLOYMENT PROTECTION

CE401*

ASSOCIATIONS INCORPORATION ACT 1987

Section 35

VICTORIA PARK JOBMATE INC.—A0824558D

Notice is hereby given that the incorporation of the above-named association has been cancelled as from the date of this notice.

Dated the 31st day of October 2006.

ANNE DRISCOLL, Director, Business Services
for Commissioner for Consumer Protection.

ENERGY

EN401*

ELECTRICITY INDUSTRY ACT 2004**ELECTRICITY INDUSTRY (WHOLESALE ELECTRICITY MARKET)
REGULATIONS 2004**

NOTIFICATION OF THE “APPOINTED DAY”

I, Francis Logan, Minister for Energy for the State of Western Australia, under regulation 19(3) of the *Electricity Industry (Wholesale Electricity Market) Regulations 2004* hereby order the “appointed day” to be the 10 November 2006.

Dated at Perth this 2nd day of November 2006.

FRANCIS LOGAN MLA, Minister for Energy.

HEALTH

HE401

MEDICAL ACT 1894**MEDICAL (UNMET AREA OF NEED) DETERMINATION (NO. 26) 2006**

Made by the Minister for Health pursuant to section 11AF of the *Medical Act 1894*.

Citation

1. This determination may be cited as the *Medical (Unmet Area of Need) Determination (No. 26) 2006*.

Commencement

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

Unmet Area of need

3. The area of need specified in the Schedule is determined to be an unmet area of need for the purposes of section 11AF(1)D of the Act.

Expiry of determination

4. This determination expires 5 years after its commencement.

Schedule

Consultant Radiology Services in the suburb of Gosnells within the City of Gosnells.

Dated this 26th day of October 2006.

JIM MCGINTY, MLA, Minister for Health.

LOCAL GOVERNMENT

LG401*

BUSHFIRES ACT 1954 AUTHORISED FIRE CONTROL OFFICERS

Chief Bushfire Control Officer	Max Connor	Whole of Shire of Manjimup
1st Deputy Chief Bushfire Control Officer	Remo Pessotto	Whole of Shire of Manjimup
2nd Deputy Chief Bushfire Control Officer	Paul Owens	Whole of Shire of Manjimup
Training Officer	Remo Pessotto	Whole of Shire of Manjimup
Shire Ranger	Stephen Croft	Whole of Shire of Manjimup
Shire Senior Ranger	Todd Ridley	Whole of Shire of Manjimup

FIRE CONTROL OFFICERS

Balbarrup / Wilgarup	John Ryan
Browns Road	Stephen Croft Todd Ridley
Dingup	Bob Morgan Robert Marshall
Dunreath	Tom Muir
Eastbrook	Kerry Littlefair
Glenoran	David Bailey
Jardee	Michael Terrigno
Linfarne	Frank Shaw
Manjimup & Pemberton Towns	Todd Ridley Stephen Croft
Middlesex	John Mitchell Don Kammann
Mordalup	Mark Muir
Northcliffe	Paul Owens Rod Parkes Peter Russell
Northcliffe Central No 2	Robert Daubney
Northcliffe East	Alan Daubney
Northcliffe Town	Paul Owens
Pemberton North	Hugh Jackson
Pemberton West	Tom Backhouse Todd Ridley Stephen Croft
Perup	Eric Ipsen
Quinninup	Tony Ryan
Quinninup Town	Greg Montgomery Michael Eastwood
Ringbarkers	Todd Ridley Stephen Croft
Seven Day Road / Appadene	Alan Blakers
Smithbrook	Bill Rice
Springall	Alan Blakers Todd Ridley Stephen Croft
Springfield	Tom Backhouse Keith Jackson
Upper Warren	Robert Kammann
Walpole	Glen Burton Keith O'Brien Mike Bedford
Yanmah	Brad Wren
Windy Harbour	Warrick Hatch

LG402***BUSH FIRES ACT 1954***Shire of Murray***APPOINTMENTS**

In accordance with the provisions of the Bush Fires Act 1954, the following persons have been appointed by the Shire of Murray as Fire Control Officers/Fire Weather Officers in the Shire of Murray.

Chief Fire Control Officer Jim Camplin

Deputy Chief Fire Control Officer Jim Newman

Fire Control Officers

Timothy Birmingham

Kenneth Dempsey

Rodney de San Miguel

Peter Thurkle

Kevin Jones

Robert Wilson

Doug Van Bavel

Fire Control Officers (Permit Issuing Only)

Christine ThompsonDouglas

McLarty

Dave Turner

Fire Weather Officer

James Camplin

Deputy Fire Weather Officer

Cr Chris Thompson

All previous appointments are cancelled.

N. G. LEACH, Chief Executive Officer.

LG403***BUSH FIRES ACT 1954***City of Albany***FIRE CONTROL OFFICERS—2006/2007**

The following persons have been appointed to the designated positions for the City of Albany in accordance with the Bush Fires act 1954. All other appointments are hereby cancelled.

Chief Bush Fire Control Officer—Charlie Butcher

Deputy Chief Bush Fire Control Officer (North East)—John Hood

Deputy Chief Bush Fire Control Officer (South West)—Ken Johnson

Chief Fire Weather Officer—Charlie Butcher

Deputy Fire Weather Officers—

John Hood

Ken Johnson

Kevin Martin

Chris Gilmour

Bush Fire Control Officers—

Stephen Gray

Chris Norton

Lance Flett

Garry Turner

Martin Vandongen

Graham Brigg

Phil Dunkley

John Bocian

Derek Jones

Gerry Monkhurst

Deborah Walker

John Powis

Colin Daubert

Paul Wolfe

Brian Davis

Graeme Pyle

Gerry Gregson

Alan Hawley

Steve Fullarton

Dale Ferguson

Terry Bradshaw

Andrew Marshall

Karen Wellstead

Tony Slattery

Phillip Marshall

Peter Moir

Alan Marsh

Chris Gilmour

Morgan Souness

Alan Lubke

Rob Fenwick

Ian Smith

Tom Collins

Kevin Martin

Ken Tagliaferri

Brett Smoker

Kirk Bourne

Graeme bride

Robert Fenn

Clover Burning Officers—

Charlie Butcher

John Hood

Ken Johnson

Chris Gilmour

Kevin Martin

ANDREW HAMMOND, Chief Executive Officer.

LG501*

BUSH FIRES ACT 1954*Shire of Manjimup***FIREBREAK NOTICE 2006/2007 (SECTION 33)**

Notice to all Land Owners and Occupiers

Pursuant to the powers contained in Section 33 of the above Act, you are hereby required on or before the 11th December 2006 (Zone 8) and 18th December 2006 (Zone 6) to plough, scarify, cultivate, or otherwise clear and thereafter maintain free from all flammable material and in accordance with the following —

1. TOWN SITES**Fuel Hazard Reductions**

- (a) Remove all flammable material from the whole of the property.
Or
- (b) All flammable material mowed and maintained at a level not exceeding 100mm throughout the season.

NOTE: Please refer to notes at bottom of page for definition of “flammable material”

FUEL STORAGE/HAY SHEDS

Clear the whole of the land of any inflammable material.

2. PLANTATIONS**Firebreaks**

- (a) Construct a trafficable firebreak no less than 10 metres wide around and inside the boundaries of all plantations: AND
- (b) Construct a trafficable firebreak not less than 6 metres wide within the plantation so as to divide the plantation into compartments not exceeding 28 hectares each: AND
- (c) Maintain all firebreaks in a trafficable condition and trees on both sides of the firebreaks are to be pruned to a minimum height of 5 metres to allow for unrestricted access to all maintenance and fire fighting vehicles so as to maintain an effective width of firebreak.

Dwellings and Outbuildings

Construct a 3 metre firebreak within 20 metres of any dwelling and/or outbuilding.

Fuel Storage/Haysheds

Construct a 6 metre firebreak immediately adjacent to any fuel storage and/or haysheds.

3. RURAL**Firebreaks**

- (a) **ABUTTING A RESIDENTIAL ZONE**
Where rural land, whether bushland or pastured, abuts a residential zone boundary, then a 3 metre firebreak shall be constructed along the common boundary of the residential zone.
- (b) **BUSHLAND**
Where bushland exceeds more than 1 hectare and abuts a boundary a trafficable firebreak not less than 3 metres must be constructed along the boundary and within 15 metres of that boundary.

COURSE GRAIN CROPS

- (i) Shall have a 3 metre firebreak around the perimeter of the crop and are to remain in place until the crop is harvested: AND
- (ii) During the harvesting of the crop, shall have an operational fire-fighting unit of not less than 600 litres located within the paddock being harvested.

Dwellings and Outbuildings

Construct a 3 metre firebreak within 20 metres of any dwelling and or/out building.

Fuel Storage/Haysheds

Construct a 6 metre firebreak immediately adjacent to any fuel storage and/or haysheds.

4. SPECIAL RURAL BUSHLAND**Firebreaks**

Trafficable firebreaks clear of all inflammable material and not less than 3 metres wide shall be constructed immediately inside the external boundary of all land and maintained throughout the season.

Fuel Hazard Reductions

Litter on your property must not exceed the depths as shown below. Depths are averaged over entire forested area.

(Karri) Litter depths not to exceed 30mm.

(Jarrah) Litter depth not to exceed 20mm.

(Jarrah, Marri and Karri) Litter depth not to exceed 30mm.

(Litter sampling and fuel calculation should be as approved by FESA procedures).

Dwellings/Outbuildings

Removal of all flammable material within 20 metres of any dwelling and/or out building.

Fuel Storage Haysheds

Construct a 6 metre firebreak immediately adjacent to any fuel storage and/or haysheds.

5. SPECIAL RURAL/PASTURED/GRASSED**Fuel Hazard Reductions**

All flammable material mowed and maintained at a level not exceeding 100mm throughout the season.

Dwelling/Outbuildings

Removal of all flammable material within 20 metres of any dwelling and/or outbuilding.

Fuel Storage/Haysheds

Construct a 6 metre firebreak immediately adjacent to any fuel storage and/or haysheds.

6. SPECIAL RESIDENTIAL BUSHLAND**Firebreaks**

Where strategic firebreaks are located on your land, they must be maintained in accordance with this notice.

Fuel Hazard Reductions

- (a) In accordance with any conditions relating to "Special Residential" within the current Town Planning Scheme, for the Shire of Manjimup and any amendments.
- OR
- (b) If no conditions are listed in the Town Planning Scheme, then the provisions for categories 4 (Special Rural Bushland) and 5 (Special Rural/Pastured Grassed) apply.

Dwellings/Outbuildings

Removal of all flammable material within 20 metres of any dwelling and/or outbuilding.

Fuel Storage/Haysheds

Construct a 6 metre firebreak immediately adjacent to any fuel storage and/or haysheds.

For the purpose of this notice FLAMMABLE MATERIAL does not include live standing trees, or shrubs and cultivated plants located in gardens, but does include bracken fern.

DEFINITIONS

For the purpose of this notice the following definitions apply—

PLANTATIONS—Land upon which any pine or eucalypt species of tree is planted on an area exceeding 8 hectares.

PLANTATION BOUNDARY—Shall mean parcels of land under separate ownership, lease or any form of contractual or financial arrangements whatsoever.

RURAL LAND—Unless otherwise referred to, Rural Land shall mean all land located outside the Town Sites.

SPECIAL RURAL & SPECIAL RESIDENTIAL LAND—Means all land contained in a SPECIAL RURAL or SPECIAL RESIDENTIAL zone within the current Shire of Manjimup Town Planning Scheme and any amendments.

TOWN SITE LANDS—All land located within the gazetted Town Site boundary.

EXTERNAL BOUNDARY—Means the external perimeter boundary of land contained within the same ownership, irrespective of whether it contains one or more allotments.

BUSH LAND—Land other than pastured or grassed land including plantations of less than 8 hectares.

GRASSED LAND—Land used for the purpose of grazing or cropping.

FIRE BREAK—Means a portion of land being of the prescribed distance and clear of all flammable material and litter.

LITTER—Means leaves, small sticks, twigs and branches immediately above the soil surface.

TRAFFICABLE—Means a track or road free from overhanging trees or limbs to a vertical height of 5 metres, accessible by 4 (four) wheel drive vehicles.

FLAMMABLE MATERIAL—For the purpose of this notice Flammable Material does not include live standing trees, or shrubs and cultivated plants located in gardens, but does include bracken fern.

VERN McKAY, Chief Executive Officer.

LG502*

BUSH FIRES ACT 1954*Shire of Murray***FIREBREAK NOTICE**

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, notice is hereby given to all owners and/or occupiers of land within the Shire of Murray that Council has adopted the following requirements to prevent the outbreak or spread of a bush fire within the Shire.

All owners and/or the occupiers of land in the Shire are required to carry out fire prevention work in accordance with this notice by November 30 each calendar year or within fourteen days of the date of becoming the owner or occupier of the land, should this be after November 30. All work required by this Notice shall be maintained until April 30 in the following calendar year.

DEFINITIONS

For the purpose of this Notice the following definitions apply—

“Firebreak” means an area of ground, of a specified width that is kept and maintained totally clear of all material (living or dead) by scarifying, cultivating, ploughing or other means, and includes the pruning and removal of any living or dead trees, scrub or other material that overhang the cleared firebreak area to a vertical height of 4.5 metres from the ground.

“Fuel Depot” means an area of land, a building or structure where fuel, i.e. (petrol, diesel, kerosene, liquid gas or any other fossil fuel) is kept in any container or manner.

“Urban Land” means Residential, Commercial or Industrial land within a townsite or within any area subdivided for any purpose. The following areas are townsites—Pinjarra, Dwellingup, Furnissdale, Coolup, North Dandalup, Barragup, South Yunderup, North Yunderup, Ravenswood and Murray Bend.

“Flammable Material” means material that can be easily ignited, i.e.—dead or dry grass, leaves, timber, paper, plastic and other material or thing deemed by an authorised officer to be capable of combustion.

“Hills Landscape Protection Land” means land zoned or defined in the Shire of Murray Town Planning Scheme as Hills Landscape Protection Land.

“Plantation” means any area of planted pines, eucalypt, hardwood or softwood trees exceeding (3) hectares in area.

FIRE PREVENTION REQUIREMENTS**1 RURAL LAND**

- (a) **Firebreaks** of at least three (3) metres wide are to be constructed within fifty (50) metres of the boundaries of the land, where the land abuts—gazetted roads, railway reserves, CALM controlled land or a Plantation.
- (b) If the land abuts “*Special Rural*”, “*Special Use*”, “*Special Residential*”, “*Hills Landscape Protection Land*” or “*Urban*” or “*Farmlet Land*” a **Firebreak** of at least three (3) metres wide shall be constructed along that portion of the Rural Land that abuts the *abovementioned land*. The **Firebreak** is to be located immediately inside the boundary of the rural land where it abuts the abovementioned land.
- (c) **Firebreaks** of at least two (2) metres shall be constructed to surround all buildings, sheds, haystacks and fuel depots/storage areas on the land. The inner perimeter of the **Firebreak** is to be within twenty (20) metres of all buildings, sheds, haystacks and fuel depots/storage areas.

2. SPECIAL RURAL, SPECIAL RESIDENTIAL, SPECIAL USE OR FARMLET LAND.

(Other than Rural Land previously described)

- (a) Where the area of land is less than 20000 sqm (two 2 Hectares) in size, all flammable material on the entire property (*except living standing trees*) shall be reduced and maintained to a height of less than 5 centimetres by slashing, mowing, rotary hoeing or by other means. Alternatively a firebreak can be installed in accordance with the following subclause. (A combination of fuel reduction work and the installation of a firebreak will not be acceptable on this sized lot, unless a variation is approved).
- (b) Where the area of land is more than 20000 sqm (two 2 Hectares) in size a **Firebreak** of at least three (3) metres wide shall be installed or constructed immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land. Where several adjoining lots are held or used by the owner/occupier the **Firebreak** may be constructed inside and along all the external boundaries of the group of lots.

3. URBAN LAND (Excluding canal system locations)

- (a) Where the area of land is 4000 sqm or less, all flammable material on the entire property (*except living standing trees*) shall be reduced and maintained to a height of less than 5 centimetres by slashing, mowing, rotary hoeing or chemical spraying.
- (b) Where the area of land is more than 4000 sqm a **Firebreak** of at least three (3) metres wide shall be installed or constructed immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land.

4. CANAL SYSTEM LOCATIONS

All owners of property that abut a canal shall undertake fire prevention work in accordance with Clause 3 (a) and (b) of this Notice, depending on the total square metre area their land. The owners of undeveloped Lots i.e.- (*Vacant Land*) of LESS than 4000 sqm in size shall remove all flammable material from the land by slashing or mowing all material to a height of less than 5 centimetres or by or burning only. (Bush Fire permits may be required if burning is undertaken, consult your Fire Control Officer).

5. CULEENUP, BALLEE AND YUNDERUP ISLANDS

All owners of land on the abovementioned islands shall undertake fire prevention work in accordance with Clause 3 (a) or 3 (b) of this Notice depending on the total square metre area of their land.

6. HILLS LANDSCAPE PROTECTION LAND

Each owner of land zoned "*Hills Landscape Protection*" shall undertake fire prevention work in accordance with Clause 2 (a) and 2 (b) of this Order, depending on the total square metre area of their land. All work required by this Order, shall be in addition to any work required by the Fire Management Plan that exists for each lot zoned Hills Landscape Protection Land.

7. PLANTATIONS

All plantations established after the 30 November 1984 that exceed 3 hectares in total area shall have a twenty (20) metres wide **firebreak** completely surrounding the perimeter of planted trees. A plantation that abuts a used road shall have a 10 metres wide **firebreak** along that portion of the plantation that abuts the road.

Each compartment of a plantation is limited to area of less than 30 hectares in size, each 30 hectare area shall have a 10 metres wide **firebreak** surrounding the perimeter of planted trees. This will permit unrestricted access to each compartment of planted trees by fire fighting equipment.

8. VARIATIONS

If you consider it to be impractical to comply with the provisions of this Notice on your land, you may apply for a variation by contacting Council's Ranger Service on 9531 7777 prior to November 21 each year to arrange for an onsite inspection to discuss the alternate positions of the firebreaks or other methods of fire prevention work you propose to undertake on your land.

Variations can be approved for a 1 or 3 year period, subject to the owner/occupier of the land remaining the same. If the request to vary this Notice is not approved, you will be required to comply with the requirements of this Notice by November 30 each year.

DATES TO REMEMBER

RESTRICTED BURNING TIME

1st November to 14th December each year (inclusive)

15th March to 30th April each year (inclusive)

Permits to burn will not be issued to burn on a Public Holiday

PROHIBITED BURNING TIME

15th December to 14th March (inclusive)

The above dates are subject to variation. Alterations will be published in a local newspaper circulating the district.

ADDITIONAL REQUIREMENTS

CAMPING OR COOKING FIRES

Pursuant to Section 25 (1a) of the Bush Fires Act, 1954 Council hereby advises that the lighting of a fire for the purpose of camping or cooking is prohibited throughout the district during the Prohibited Burning Time.

The requirements of this notice remain in force until amended or revoked by Council and the details of any alterations or amendments will be published in the *Government Gazette*.

N. G. LEACH, Chief Executive Officer.

MARINE/MARITIME

MX401*

WESTERN AUSTRALIAN MARINE ACT 1982

NAVIGABLE WATERS REGULATIONS

LIFTING OF SPEED LIMITS

Perth Waters

Department for Planning and Infrastructure,
Fremantle WA, 11 November 2006.

Acting pursuant to the powers conferred by Section 67 of the *Western Australian Marine Act 1982*, the department by this notice revokes Notice TR403 as published in the *Government Gazette* on 8 May

1998, relating to the 8 knot speed limit on Perth Water. Providing that this revocation will only apply at the times listed hereunder, and will only apply to bone fide vessels associated with the Red Bull Air Race 2006 and as approved by Marine Safety Control.

Thursday	16 November 2006	10am to 1pm
Friday	17 November 2006	10am to 4pm
Saturday	18 November 2006	10am to 4pm
Sunday	19 November 2006	9am to 4pm

DAVID HARROD, General Manager, Marine Safety,
Department for Planning and Infrastructure.

PLANNING AND INFRASTRUCTURE

PI401*

CORRECTION

PLANNING AND DEVELOPMENT ACT 2005

METROPOLITAN REGION SCHEME

Notice of Resolution

Clause 32 (No. 63)

Coastal Buildings Above Specified Heights

It is hereby notified for public information that the notice under the above Clause 32, which was published on page 4670 of the *Government Gazette* No. 186 dated 3 November 2006, contained an error. This is now corrected by replacing the following File Number: 810-2-1-11 with File Number: 810-2-1-12 and the word REOLUTION in the heading with RESOLUTION.

MOSHE GILOVITZ, Secretary
Western Australian Planning Commission.

PI402*

CORRECTION

PLANNING AND DEVELOPMENT ACT 2005

PEEL REGION SCHEME

Notice of Resolution

Clause 21 (No. 3)

Coastal Buildings Above Specified Heights

It is hereby notified for public information that the notice under the above Clause 21, which was published on page 4670 of the *Government Gazette* No.186 dated 3 November 2006, contained an error. This is now corrected by replacing the following File Number: 810-6-1-2 with File Number: 810-6-1-3 and the word REOLUTION in the heading with RESOLUTION.

MOSHE GILOVITZ, Secretary
Western Australian Planning Commission.

WESTERN AUSTRALIA

FAIR TRADING (RETIREMENT VILLAGES CODE) REGULATIONS 2006

***Price: \$9.05 counter sales
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