



WESTERN AUSTRALIAN GOVERNMENT Gazette

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Nil

PART 2

Table with 2 columns: Topic and Page. Topics include Conservation, Deceased Estates, Education, Energy, Fire and Emergency Services, Minerals and Petroleum, Planning, and Racing, Gaming and Liquor.

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— PART 2 —

CONSERVATION

CO401*

CONSERVATION AND LAND MANAGEMENT ACT 1984**DRAFT MANAGEMENT PLAN****Barrow Group Nature Reserves**

The Conservation Commission of Western Australia advises that the *Barrow group nature reserves draft management plan 2011* is available for public comment.

The nature reserves are located 56 kilometres west of the mainland between Onslow and Dampier within the Shire of Ashburton.

The draft management plan makes recommendations about the management of the nature reserves for adoption in a final plan.

The plan can be viewed by the public at DEC's reception at Crawley and its Kensington and Atrium libraries.

The plan is also available to view and download from DEC's website at:

www.dec.wa.gov.au/haveyoursay and copies of the plan can be obtained from the following DEC offices—

- 17 Dick Perry Avenue, Technology Park, Western Precinct, KENSINGTON WA 6151
- Lot 3, Mardie and Anderson Roads, Karratha Light Industrial Area, KARRATHA WA 6714

Submissions should refer to the relevant sections or subsections of the management plan and they can be made by sending an email to planning@dec.wa.gov.au or in writing to—

The Director General
Attention: Planning Coordinator
Barrow group nature reserves draft management plan 2011
Department of Environment and Conservation
Locked Bag 104
Bentley Deliver Centre WA 6983

The closing date for submissions is 28 October 2011.

PARTICIA BARBLETT AM, Chair,
Conservation Commission of Western Australia.

KEIRAN MCNAMARA, Director General,
Department of Environment and Conservation.

EDUCATION

ED401*

EDITH COWAN UNIVERSITY ACT 1984**EDITH COWAN UNIVERSITY COUNCIL (APPOINTMENT OF MEMBER) INSTRUMENT (NO. 1) 2011**

Made by the Minister charged with the administration of the *School Education Act 1999* under section 9(1)(aa) of the *Edith Cowan University Act 1984*.

Citation

1. This is the *Edith Cowan University Council (Appointment of Member) Instrument (No. 1) 2011*.

Appointment of member

2. Dr Norman Ashton is appointed to be a member of the Council of Edith Cowan University for a third term of 3 years commencing on 30 August 2011 and expiring on 29 August 2014.

Dated this 6th day of July 2011.

Dr ELIZABETH CONSTABLE MLA, Minister for Education.

ENERGY

EN401*

ECONOMIC REGULATION AUTHORITY ACT 2003**ECONOMIC REGULATION AUTHORITY (SYNERGY OPERATING
EFFICIENCY REFERENCE) NOTICE 2011**

Published by the Economic Regulation Authority under the *Economic Regulation Authority Act 2003* section 34(1).

1. Citation

This notice is the *Economic Regulation Authority (Synergy Operating Efficiency Reference) Notice 2011*.

2. Reference on the Efficiency of Synergy's Costs and Electricity Tariffs

(1) Under the *Economic Regulation Authority Act 2003* section 32(1) the Minister has referred to the Economic Regulation Authority for inquiry into the matter of providing the Government with efficient cost-reflective tariffs for Synergy over the period 2012/13 to 2015/16.

(2) The Terms of Reference for the inquiry are set out in Schedule 1.

3. Period of inquiry

The period of the inquiry is from 11 July 2011 to 31 December 2011.

4. Public submissions

(1) Members of the public and other interested parties may make written submissions to the Economic Regulation Authority on any matter that—

- (a) is dealt with in the issues paper or draft report mentioned in the Terms of Reference; or
- (b) is otherwise relevant to the Terms of Reference.

(2) Submissions in response to the issues paper or draft report may be made within a minimum of four weeks after the release of the relevant document or any longer period allowed by the Economic Regulation Authority.

(3) Submissions may be sent—

- (a) by post to the Economic Regulation Authority, PO Box 8469, Perth Business Centre WA 6849; or
- (b) by email to the address set out on the Economic Regulation Authority's website at <http://www.erawa.com.au>.

5. Further information

Further information about matters relating to the inquiry is available at the Economic Regulation Authority's website at <http://www.erawa.com.au>.

Schedule 1—Terms of Reference**INQUIRY INTO THE EFFICIENCY OF SYNERGY'S COSTS AND
ELECTRICITY TARIFFS
TERMS OF REFERENCE**

I, C. Christian Porter, Treasurer, pursuant to section 32(1) of the *Economic Regulation Authority Act 2003*, request that the Economic Regulation Authority (ERA) undertake an inquiry into the operating efficiency of the Electricity Retail Corporation (Synergy) and the electricity tariffs regulated under the *Energy Operators (Electricity Retail Corporation) (Charges) By-Laws 2006* (the By-Laws).

The Authority is to—

- (1) consider and develop findings on the—
 - (a) efficiency of Synergy's operating and capital expenditure;
 - (b) efficiency of Synergy's procurement of wholesale electricity; and
 - (c) efficiency of Synergy's procurement of renewable energy certificates—
- (2) determine the efficient cost-reflective level for each regulated tariff under the By-Laws over the period 2012/13 to 2015/16, including—
 - (a) developing recommendations regarding the number of regulated electricity tariffs, and whether any tariffs should be amalgamated;
 - (b) taking into account the competitive markets within which Synergy operates and the current operating subsidy arrangements when considering the cost-reflective level of each tariff;
- (3) develop a methodology to regularly re-determine the efficient cost-reflective level for each tariff and recommend a period for the review of the efficient cost-reflective level of tariffs;
- (4) consider whether regulated tariffs for contestable large business customers should be phased out, with reference to the competitive nature of this segment of the electricity market; and
- (5) if regulated, large contestable tariffs are to be phased out, provide recommendations on which tariffs should be phased out and over what timeframe.

GENERAL

The Authority is to—

- (1) prepare and release an Issues Paper as soon as possible after receiving the reference. The paper is to facilitate public consultation on the basis of invitations for written submissions from industry, government and all other stakeholder groups, including the general community;
- (2) prepare and release a draft report for public consultation; and
- (3) complete a Final Report on the findings no later than 31 December 2011.

C. CHRISTIAN PORTER MLA, Treasurer; Attorney General.

LYNDON ROWE, Chairman,
Economic Regulation Authority.

FIRE AND EMERGENCY SERVICES

FE401*

BUSH FIRES ACT 1954
RESTRICTED BURNING PERIOD

Fire and Emergency Services Authority,
Perth.

Correspondence No. 00111

It is hereby notified that pursuant to the powers contained in Section 18(2) of the *Bush Fires Act 1954* the Fire and Emergency Services Authority of Western Australia has declared that it shall be unlawful to set fire to the bush in the Local Government district of the Shire of Trayning during the period indicated in the schedule below, except in accordance with a permit obtained under section 18 of the Act. The declaration made under Section 18(2) of the Act, as published in the *Government Gazette* of 27 October 1995, is hereby revoked.

Schedule

Local Government	Restricted Burning Period
Shire of Trayning	19 September-31 March

JO HARRISON-WARD, Chief Executive Officer.

MINERALS AND PETROLEUM

MP401*

PETROLEUM AND GEOTHERMAL ENERGY RESOURCES ACT 1967

DECLARATION OF LOCATION

I, William Lee Tinapple, Executive Director, Petroleum Division of the Department of Mines and Petroleum, the delegate of the Minister of Mines and Petroleum for the State of Western Australia, declare the blocks hereunder to be a location for the purpose of the Act.

PERTH MAP SHEET

Block	Field	Location No.
7758 and 7759	Gingin West	STP-LNA-0001

The blocks are the subject of Petroleum Exploration Permit No. EP 389 held by—

Empire Oil Company (WA) Limited
ERM Gas Pty Ltd
Sunset Power Holdings Pty Ltd
Wharf Resources PLC

Dated this 12th day of July 2011.

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

Pursuant to the Instrument of Delegation dated 31 March 2011.

MP402*

Commonwealth of Australia

OFFSHORE PETROLEUM AND GREENHOUSE GAS STORAGE ACT 2006

Grant of Petroleum Exploration Permit WA-367-P (R1)

Petroleum Exploration Permit No. WA-367-P (R1) has been granted to Chevron Australia (WA-367-P) Pty Ltd and Shell Development (Australia) Proprietary Limited to have effect for a period of five (5) years from and including 10 August 2011.

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

PLANNING

PL401*

PLANNING AND DEVELOPMENT ACT 2005

APPROVED LOCAL PLANNING SCHEME AMENDMENT

City of Albany

Town Planning Scheme No. 3—Amendment No. 287

Ref: TPS/0204

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 Albany local planning scheme amendment on 25 July 2011 for the purpose of—

1. Rezoning Lots 50, 51, 52, 53, 54, 17 and 18 Home Road, Robinson from the Rural Zone to the Special Rural Zone.
2. Rezoning Lot 16 Bramwell Road, Robinson from the Residential Development and Rural Zones to the Special Rural Zone.
3. Amending the Scheme Maps accordingly.
4. Incorporating Special Rural Zone No. 39 within Schedule 1 of the Scheme as follows—

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
39. Lots 50-54 Home Road Lots 17 and 18 Home Road Lot 16 Bramwell Road, Robinson	<p>AREA NO. 39</p> <p>1.0 PLAN OF SUBDIVISION</p> <p>1.1 Subdivision of the subject land shall generally be in accordance with the Subdivision Guide Plan endorsed by the Chief executive Officer.</p> <p>1.2 Minor variations to the subdivisional design if approved by the Western Australian Planning Commission may be acceptable.</p> <p>1.3 The minimum lot size shall be 1ha in accordance with the Subdivision Guide Plan.</p> <p>2.0 OBJECTIVE OF ZONE</p> <p>2.1 Within the Special Rural Zone Area No. 39 the objective is to provide for low density rural retreats whilst retaining the parkland setting and being sensitive to the area's landform, vegetation and location within the South Coast Water reserve Public Drinking Water Source Area.</p> <p>3.0 LAND USE</p> <p>3.1 Within Special Rural Zone Area No. 39 the following uses are permitted.</p> <ul style="list-style-type: none"> – Single House <p>3.2 The following uses may be permitted subject to the special approval of Council.</p> <ul style="list-style-type: none"> – Livestock Grazing (Note Provision 4.0) – Home Occupation – Stable (Note Provision 4.0) – Public Utility – Cottage Industry – Other incidental or non defined activities considered appropriate by Council which are consistent with the objective of the zone.

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
	<p>4.0 KEEPING OF LIVESTOCK/ANIMALS</p> <p>4.1 Intensive agricultural pursuits such as piggeries and horticultural operations are not permitted.</p> <p>4.2 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval (planning scheme consent) of the Council and shall not exceed a maximum stocking rate of 10 DSE/ha (equivalent to 1 horse/ha).</p> <p>Grazing animals shall be restricted to cleared, fenced areas of the lot to the satisfaction of Council. The Owner/Tenant shall be responsible for the installation and maintenance of stock proof fencing to protect remnant vegetation and revegetation areas. The keeping of animals shall not result in the removal or damage of significant vegetation and trees or result in soil degradation or dust pollution.</p> <p>Where, in the opinion of Council, the continued presence of animals on any portion of land is likely to contribute, or is contributing to dust pollution, soil degradation, water pollution or the removal of significant vegetation, notice may be served on the owner of the said land, requiring immediate removal of those animals specified in the notice.</p> <p>When the notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within three (3) months of serving the notice.</p> <p>In the event that such action is not undertaken, Council may carry out such works as are deemed necessary, with all costs being borne by the landowner.</p> <p>5.0 LOCATION OF BUILDINGS AND STRUCTURES</p> <p>5.1 All buildings and structures shall be setback a minimum of 15 metres from road boundaries and 10m from other boundaries.</p> <p>5.2 All buildings and structures shall be located within the designated building envelope. However, Council may consider variations to the designated location where all of the following are achieved—</p> <ul style="list-style-type: none"> (a) a detailed geotechnical report determines the alternative envelope is suitable for effluent disposal; (b) setbacks to surface water and drainage lines and depth to groundwater meet the requirements of the Department of Health and Water for Public Drinking Water Source Areas; (c) minimum setbacks are in accordance with 5.1, above; and (d) no clearing of remnant vegetation is required to accommodate the envelope or achieve hazard separation zones required in accordance with <i>Planning for Bush Fire Protection</i> or subsequent fire management policy. <p>6.0 BUILDING DESIGN, MATERIALS AND COLOUR</p> <p>6.1 Dwellings and outbuildings shall be designed and constructed of materials which allow them to blend into the landscape of the site. Council shall refuse to approve walls and roofs constructed of reflective materials such as unpainted 'zincalume' and 'off-white' colours. Council will be supportive of walls and roofs with green, brown or red tonings in keeping with amenity of the area.</p> <p>6.2 Dwelling houses and all outbuildings shall not exceed 7.5 metres in height which is measured vertically from the natural ground level.</p> <p>6.3 No boundary fencing shall be constructed of fibre cement, metal sheeting or wooden picket. If boundary fencing is utilised, it should be of rural- construction such as post and strand (or similar) to the satisfaction of Council.</p> <p>6.4 Any water tanks shall be painted or coloured an appropriate shade to blend with the landscape or suitably screened with vegetation to the satisfaction of Council.</p>

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
	<p>7.0 VEGETATION PROTECTION AND REPLANTING</p> <p>7.1 No clearing of vegetation shall occur except for—</p> <ul style="list-style-type: none"> (a) clearing to comply with the requirements of the <i>Bush Fires Act 1954</i> (as amended); (b) clearing as may reasonably be required to construct an approved building and curtilage outside designated areas of significant vegetation; (c) trees that present an imminent danger to human health; (d) clearing to gain vehicular access to an approved dwelling; or (e) removal of Declared Plants. <p>7.2 Council may impose a condition on the grant of Planning Scheme Consent requiring the protection by stock proof fencing of significant remnant vegetation.</p> <p>7.3 Tree/shrub planting may be required as a condition of development approval.</p> <p>8.0 WATER SUPPLY</p> <p>8.1 Lots shall be connected to a reticulated potable water supply to an appropriate standard as determined by the licence holder.</p> <p>9.0 EFFLUENT DISPOSAL</p> <p>9.1 On-site effluent disposal shall be the responsibility of the individual landowner</p> <p>9.2 The disposal of liquid and/or solid wastes shall be carried out with an effluent disposal system approved by Council, the Health Department of WA and the Department of Environment. Systems shall be designed and located to minimise nutrient export and/or release into any groundwater resource.</p> <p>9.3 Council shall require the use of high performance alternative effluent disposal systems, such as amended soil or aerobic systems.</p> <p>9.4 No more than one effluent disposal system will be permitted per lot.</p> <p>10.0 BUSH FIRE MANAGEMENT AND CONTROL</p> <p>10.1 A Fire Management Plan in accordance with <i>Planning for Bush Fire Protection</i> guidelines or subsequent fire protection policy document shall be prepared to the satisfaction of the local government or responsible fire authority prior to subdivision of the land. The local government may request implementation of the relevant requirements of the plan as condition(s) of subdivision and development.</p> <p>10.2 Building Protection/Hazard Separation zones shall be established and maintained around each habitable building in accordance with the recommendations of the Fire Management Plan and <i>Planning for Bush Fire Protection</i> guidelines.</p> <p>10.3 The subdivider shall make arrangements to the satisfaction of Council to ensure prospective purchasers, in the transfer of lots, are aware of the landowner's obligations in the fire management plan, the fire management guidelines of the Homeowners Bushfire Survival manual and the Australian Standards 3959 'Construction of Buildings in Bushfire Prone Areas'.</p> <p>10.4 Firebreaks shall be designed and constructed so as to avoid erosion impacts. Landowners are to apply for an exemption for those areas which may be subject to erosion.</p> <p>11.0 SITE CONTAMINATION</p> <p>11.1 Prior to subdivision of the potentially affected area, investigation for soil and groundwater contamination shall be carried out in accordance with the <i>Contaminated Sites Management Series</i> guidelines or subsequent publication by the relevant environmental agency.</p> <p>11.2 Remediation, including validation of remediation, of any contamination identified shall be completed prior to the issue of titles.</p>

(a) SPECIFIED AREA OF LOCALITY	(b) SPECIAL PROVISIONS TO REFER TO (a)
	<p>12.0 ACCESS</p> <p>12.1 Council may request the Commission to impose a condition at the subdivision stage requiring that battleaxe legs be constructed to the requirements and specification of Council.</p> <p>12.2 Council may request the Commission to impose a condition at the subdivision stage requiring the application of reciprocal rights arrangements to adjoining battleaxe legs on the parent lot.</p> <p>13.0 APPLICATIONS FOR DEVELOPMENT APPROVAL</p> <p>13.1 Within Special Residential Zone No. 39 the construction of buildings including associated works such as filling, excavation, construction of retaining walls, the removal of vegetation in accordance with Special Provision 7.0, as well as the keeping of stock in accord with Provision 4.2, shall require Planning Scheme Consent.</p> <p>13.2 Application for Planning Consent shall require the submission of—</p> <ul style="list-style-type: none"> (i) a completed “Application for Grant of Planning Consent” form; (ii) three copies of a Plan showing the precise location and size of all the buildings proposed and the parkland clearing, fencing and fire protection measures to be adopted; (iii) three scaled elevation plans showing the elevation of the buildings proposed and the materials and colour to be used.

M. J. EVANS, Mayor.
F. JAMES, Chief Executive Officer.

RACING, GAMING AND LIQUOR

RA401*

LIQUOR CONTROL ACT 1988

LIQUOR APPLICATIONS

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

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

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
14050	Zing Cafe Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Hillarys and known as Zing Cafe & Restaurant	5/09/2011
14108	Jacs Applecross Pty Ltd	Application for the grant of a Small Bar licence in respect of premises situated in Applecross and known as Jacs Applecross	8/09/2011
14106	Castelli Estate Pty Ltd	Application for the grant of a Wholesalers licence in respect of premises situated in Myaree and known as Castelli Wholesalers	12/09/2011

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

Dated: 12 August 2011.

B. A. SARGEANT, Director of Liquor Licensing.

DECEASED ESTATES

ZX401

**TRUSTEES ACT 1962
DECEASED ESTATES**

Notice to Creditors and Claimants

Peter John James Jenvey, late of Room 10, Ray Village, 20 Ray Avenue, Busselton in the State of Western Australia, Retired Farmer, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Peter John James Jenvey, deceased who died on the 6th day of April 2011 at Busselton, in the said State are required by the personal representative David Malcolm Moss of 45 Duke Street, Albany, Western Australia and Nadine Leanne Carter of 14 Toddy Place, Dunsborough, Western Australia to send particulars of their claims to David Moss & Co of PO Box 5744, Albany W.A. 6332 by the date one month following the publication of this notice after which date the personal representative may convey or distribute the assets having regard only to the claim for which he has then had notice.

WESTERN AUSTRALIA

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WESTERN AUSTRALIA

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