



Western
Australian
Government

Gazette

ISSN 2204-4264 (online)

2659

PERTH, TUESDAY, 12 NOVEMBER 2024 No. 137

PUBLISHED BY AUTHORITY GEOFF O. LAWN, GOVERNMENT PRINTER
© STATE OF WESTERN AUSTRALIA

CONTENTS

	Page
Consumer Protection	2661
Fisheries	2667
Public Notices.....	2668

IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Attorney General for Western Australia. Enquiries in the first instance should be directed to the Government Printer, Parliamentary Counsel's Office, publications@pco.wa.gov.au.

Note: A Creative Commons Attribution 4.0 International Licence (CC BY 4.0) applies with respect to material on the WA Legislation Website (with certain exceptions), and to copies of Acts, and reprints of Acts and subsidiary legislation, printed by the Government Printer. To view relevant information and for a link to a copy of the licence, visit www.legislation.wa.gov.au.

PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by the Government Printer 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.
- Copy must be lodged with the Publications Officer, Department of the Premier and Cabinet no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition)—

Email address:

gazette@dpc.wa.gov.au

- Enquiries regarding publication of notices can be directed to the Publications Officer on (08) 6552 6012.
- Enquiries regarding payment of notices can be directed to (08) 6552 6000 or sales@dpc.wa.gov.au
- **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.**

After lodging any notices, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 2024 (Prices include GST)

Public Notices Section—\$80.16 minimum charge (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices—

Per Column Centimetre—\$15.99

Bulk Notices—\$292.74 per page

Clients who **have** an account will only be invoiced for charges over \$100.

For charges under \$100, clients will need to supply credit card details at time of lodging notice (i.e. a notice under 7cm would not be invoiced).

Clients without an account will need to supply credit card details at the time of lodging the notice.

CONSUMER PROTECTION

CP401

BUILDING SERVICES (COMPLAINT RESOLUTION AND ADMINISTRATION) ACT 2011 (WA)

WESTERN AUSTRALIAN PLUMBING FAILURE POLICY (2024)

1. Purpose

- 1.1 This policy outlines how the Building Commissioner will deal with *building service complaints* made under the Act relating to Typlex Pipes.
- 1.2 Unless otherwise defined, words and expressions in this policy have the same meaning as given in the Act.
- 1.3 This policy is approved by the Building Commissioner under section 6A of the Act.
- 1.4 The State Administrative Tribunal will have regard to this policy where—
- (a) a *building service complaint* is referred to it under section 11(1)(d) of the Act; or
 - (b) where a person who is aggrieved by a *building remedy order* made by the Building Commissioner applies to the State Administrative Tribunal for review of the order, and this policy is relevant to the proceedings.

2. Commencement

- 2.1 This policy commences on the day after it is published in the *Government Gazette*.

3. Objective

- 3.1 The objective of this policy is to ensure that all *building remedy orders* issued by the Building Commissioner in respect of a *building service complaint* about Typlex Pipes provide Owners of an Eligible Home with a proportionate, effective and practically enforceable remedy that aligns with the Industry Response and the Agreed Work Programme, except where the circumstances of the *building service complaint* require the Building Commissioner to depart from them.
- 3.2 This policy is not intended to—
- (a) derogate from the duty of the Building Commissioner to—
 - (i) consider the circumstances of each *building service complaint*;
 - (ii) exercise discretion in a particular case; or
 - (b) preclude the Building Commissioner from taking into account any other relevant matters in dealing with a *building service complaint*.

4. Background

- 4.1 The State Government is aware of Plumbing Failures having occurred in Homes in Western Australia in which Typlex Pipes have been installed. The Building and Energy Division of the Department of Energy, Mines, Industry Regulation and Safety (Building and Energy) conducted an investigation into the Plumbing Failures. The investigation found most Plumbing Failures occurred in Typlex Pipes manufactured between mid-2017 and mid-2022.
- 4.2 Typlex Pipes are believed to have been installed in thousands of Homes in Western Australia. It is anticipated that within five years, many of these Homes will experience one or more Plumbing Failures.
- 4.3 Immediate replacement—
- (a) of all Typlex Pipes is not a proportionate response to the Plumbing Failures as not all—
 - (i) Typlex Pipes will give rise to Plumbing Failures; and
 - (ii) Plumbing Failures will have the same consequence.
 - (b) is considered impracticable in circumstances where the Western Australian building industry is already under significant financial and workload pressure (having regard to the availability and cost of labour and materials). Builders are also likely to be, now or in the future, remedying Plumbing Failures in Eligible Homes (whether under the Industry Response, the Act or otherwise) reducing overall market capacity to implement immediate replacement of all Typlex Pipes.
- 4.4 The State Government, Iplex and Builders have developed an Industry Response to address the consequences of the Plumbing Failures, including any perceived safety issues, in a responsible, measured and planned way.

5. The Industry Response

- 5.1 The intention of the Industry Response is to ensure that the largest number of Owners of Eligible Homes are able to access an appropriate, timely, proportionate and effective response to Plumbing Failures.

5.2 To that end, while it is in operation, the Industry Response—

- (a) preserves the relationship between a Participating Builder and the Owner of an Eligible Home so that the Participating Builder who installed the Typlex Pipes in the Eligible Home will perform work to rectify Plumbing Failures in accordance with an Agreed Work Programme;
- (b) contains an Agreed Work Programme, which provides a tiered rectification program, ensuring Owners of Eligible Homes will receive a response which is proportionate to the Plumbing Failure experienced in the context of the issues identified at sections 4.2 and 4.3 of this policy; and
- (c) ensures that the rectification of all Plumbing Failures in accordance with the Agreed Work Programme is sustainable, given—
 - (i) costs involved in rectifying Plumbing Failures (and that these costs should not be borne by Owners); and
 - (ii) the risk that without the Industry Response and this policy, Owners of Eligible Homes could be left without a remedy for a Plumbing Failure.

6. Scope

6.1 This policy—

- (a) applies to any *building service complaint* made by the Owner of an Eligible Home, under the Act, regarding a Plumbing Failure irrespective of whether it was made before or after the commencement of the policy; and
- (b) does not apply to a *complaint* made by a person who is not the Owner of the Eligible Home (e.g. a neighbour).

6.2 *Building remedy orders* may be made by the Building Commissioner where the Building Commissioner is satisfied that the *regulated building service* the subject of a *building service complaint* has not been carried out in a proper and proficient manner or is faulty or unsatisfactory.

6.3 The availability of *building remedy orders* in relation to Plumbing Failures will be determined on a case-by-case basis by considering the circumstances of each *building service complaint*. A *regulated building service* that has resulted in a Plumbing Failure will, on the face of it, be considered to have produced a faulty or unsatisfactory result.

6.4 The Building Commissioner considers that the Agreed Work Programme, which is described below—

- (a) is an appropriate, reasonable and proportionate response to Plumbing Failures; and
- (b) is the most likely way that Owners of Eligible Homes will obtain a satisfactory response to Plumbing Failures.

7 Agreed Work Programme

7.1 The Agreed Work Programme as described in the Industry Response is set out below:

Plumbing Failure	How the Plumbing Failure and any associated damage will be addressed
1	<ul style="list-style-type: none"> a. Builder will fix Plumbing Failure by removing and replacing the length of pipework where the Plumbing Failure occurred, if practicable, from the point where it enters the ceiling of the affected room to termination at the plumbing fixture. b. Builder will repair property damage directly caused to the Eligible Home and its contents by the Plumbing Failure. c. Builder will replace Typlex Pipes in the ceiling of the top floor of the Eligible Home.
2	<ul style="list-style-type: none"> a. If the Builder has not already done so, the Builder will replace Typlex Pipes in the ceiling of the top floor of the Eligible Home. b. Builder— <ul style="list-style-type: none"> i. will fix Plumbing Failure by removing and replacing the length of pipework where the Plumbing Failure occurred, if practicable, from the point where it enters the ceiling of the affected room to termination at the plumbing fixture; or ii. if the Plumbing Failure is in the wall, may offer a room re-pipe (zone re-pipe) to the Owner of the Eligible Home; and c. Following completion of the work referred to above, Builder will make good surfaces and repair any damage to the Eligible Home and its contents as a direct result of the Plumbing Failure.

Plumbing Failure	How the Plumbing Failure and any associated damage will be addressed
3+	<ul style="list-style-type: none"> a. If the Builder has not already done so, the Builder will replace Typlex Pipes in the ceiling of the top floor of the Eligible Home. b. <ul style="list-style-type: none"> i. Builder will fix Plumbing Failure by removing and replacing the length of pipework where the Plumbing Failure occurred, if practicable, from the point where it enters the ceiling of the affected room to termination at the plumbing fixture; or ii. If the Plumbing Failure is in the wall, the Owner of the Eligible Home may select, in consultation with the Builder— <ul style="list-style-type: none"> A. room re-pipe (zone re-pipe); or B. full home re-pipe of the Typlex Pipes in wall; c. Occupant of the Eligible Home is offered accommodation outside their home during the full re-pipe, if needed; and d. Following completion of the work referred to above, Builder will make good surfaces and repair any damage arising to the Eligible Home and its contents as a direct result of the Plumbing Failure.
7.2	Plumbing Failures relate to the unintended escape of water from Typlex Pipes inside an Eligible Home. Pipes outside the structure of Eligible Homes will be repaired, but not fully replaced.
7.3	<p>The Agreed Work Programme was developed taking into account—</p> <ul style="list-style-type: none"> (a) the number of Homes anticipated to be impacted by Plumbing Failures; (b) the practical impossibility of immediately replacing all Typlex Pipes in Western Australia; and (c) the desire that the greatest number of Owners of Eligible Homes have access to a remedy that is proportionate to the Plumbing Failure their Homes have experienced.
	<p>8. What Owners of Eligible Homes should do in response to Plumbing Failures</p>
8.1	Owners of Eligible Homes who experience a Plumbing Failure, should contact the Builder of their Home to enquire if the Builder is a Participating Builder. A Participating Builder will perform work in accordance with the Agreed Work Programme at no cost to the Owner of an Eligible Home.
8.2	More information about the Industry Response and the Agreed Work Programme can be found at perthpbresponse.com.au
8.3	If Owners of Eligible Homes affected by Plumbing Failures are unable to obtain a satisfactory response from their Builder, they may lodge a <i>building service complaint</i> with the Building Commissioner under the Act.
8.4	As referred to in paragraph 3.1, any <i>building remedy order</i> made in response to a <i>building service complaint</i> will align with the Industry Response and the Agreed Work Programme, except where the circumstances of the <i>building service complaint</i> require the Building Commissioner to depart from the Industry Response and the Agreed Work Programme.
	<p>9. Building Service Complaint Process in relation to Plumbing Failures</p>
	<p><i>Preliminary action by Owners of Eligible Homes</i></p>
9.1	An Owner of an Eligible Home that has experienced a Plumbing Failure must give notice of their <i>building service complaint</i> to the Builder at least 14 days prior to making their <i>building service complaint</i> to the Building Commissioner in the usual way.
9.2	A template Notice of Proposed Complaint is available on the Building and Energy website.
	<p><i>Making a Complaint</i></p>
9.3	<p>If the Owner of an Eligible Home does not receive a satisfactory response to the Notice of Proposed Complaint from the Builder within 14 days, the Owner—</p> <ul style="list-style-type: none"> (a) may lodge a <i>building services complaint</i> with the Building Commissioner using the Building Services Complaint Form available from the Building and Energy website; and (b) must pay a fee to lodge a <i>building service complaint</i> with the Building Commissioner.
9.4	Fees are available in the fee schedule on the Building and Energy website.
	<p><i>Mixed complaints</i></p>
9.5	Generally, where an Owner of an Eligible Home has a ‘mixed <i>complaint</i> ’ relating to both a Plumbing Failure and other aspects of a <i>regulated building service</i> , the Building Commissioner may ask the complainant to make a separate <i>complaint</i> in relation to the other aspects of the <i>regulated building service</i> . This is to ensure <i>complaints</i> relating to Plumbing Failures are dealt with consistently and as efficiently and effectively as possible.
9.6	However, the Building Commissioner may determine on a case by case basis that it is more convenient to deal with mixed <i>complaints</i> together (for example where remedial works are best achieved under a single <i>building remedy order</i>).

Evidence supporting the building service complaint

- 9.7 A *building service complaint* made to the Building Commissioner in respect of a Plumbing Failure must be accompanied by evidence that Typlex Pipes have been installed and that there has been a Plumbing Failure. Relevant evidence may include the contract with the Builder and photographs of the Plumbing Failures.
- 9.8 The Building Commissioner may request additional evidence when dealing with the *building service complaint*, including as to whether the complainant or (to the knowledge of the complainant) a predecessor in title to the Home has already received a remedy in relation to the Plumbing Failures or the Typlex Pipes, including through the Industry Response, an insurance claim or the Determination of a Claim.
- 9.9 Plumbing Failures which occurred prior to the introduction of this policy will be considered under this policy when determining the total number of Plumbing Failures that are subject of a *building service complaint*.
- 9.10 Building and Energy's *Guide to the Provision of Evidence to Support a Building Work Complaint* provides further guidance [here](#).

Preliminary decision by the Building Commissioner

- 9.11 After receiving the *building service complaint*, the Building Commissioner will make a decision to refuse or accept the *building service complaint*.
- 9.12 In determining whether to refuse to accept a *building service complaint* relating to Typlex Pipes, the Building Commissioner will have regard to whether—
- there is evidence that a Plumbing Failure has occurred;
 - any of the circumstances described in section 7(3) of the Act apply, including whether an arbitrator or other person or a court or other body has made an order, judgment or other finding about the matter complained about; and
 - the Owner of the Eligible Home (or any predecessor in title) is able to receive or has already received a remedy in relation to the matter complained about, including through the Industry Response, an insurance claim, or through the Determination of a Claim.
- 9.13 The Building Commissioner's decision to refuse or accept the *building service complaint* will be communicated to the parties.

Investigation by Authorised Person

- 9.14 The *authorised person* that carries out an investigation of the *building service complaint* and who prepares a report for the Building Commissioner must have regard to this policy in making any recommendations in their report.
- 9.15 As part of the investigation the *authorised person* may provide a proposed *building remedy order* to the parties to the *building service complaint*.

Conciliation of the Complaint

- 9.16 *Building service complaints* which fall within the scope of this policy and which are not dismissed will generally be referred to conciliation by the Building Commissioner if either of the parties does not agree with a proposed *building remedy order*.
- 9.17 The role of the conciliator is to encourage the resolution of the *building service complaint*.
- 9.18 In giving advice and making any recommendations to the parties to the conciliation, the conciliator must have regard to this policy.

10. Principles to be applied when making Building Remedy Orders with respect to Plumbing Failures

10.1 A *building remedy order* in respect to a Plumbing Failure may be—

- an order that the *respondent* Builder remedy the Typlex Pipes as specified in the order (section 10.8 of this Policy sets out standard remedies which the Building Commissioner will apply in the circumstances specified in that section);
- in circumstances where the Building Commissioner considers that the standard remedies are inadequate because the facts related to the Plumbing Failure relevant to the *building service complaint* differ so significantly from those that apply in respect of most Plumbing Failures such that divergence from the standard remedies is justified—
 - an order the *respondent* Builder pay to the *complainant* Owner such costs of remedying the Typlex Pipes as the Building Commissioner considers reasonable and specifies in the order;
 - an order that the *respondent* Builder pay to the *complainant* Owner a sum of money specified in the order to compensate the Owner.

Example: Where the complainant Owner approached the Builder for rectification in accordance with the Agreed Work Programme and this policy and the Builder refused to carry out some or all of the works and the complainant owner then replaced some or all Typlex Pipes at their own cost, the respondent Builder will be ordered to pay a sum of money to compensate the complainant Owner for some or all of those costs.

10.2 In determining any compensation amount the subject of a *building service complaint* (in the circumstances referred to in paragraph 10.1(b)), the Building Commissioner will take into account the work that would have been performed in response to the Plumbing Failure in accordance with the Agreed Work Programme.

10.3 In deciding whether to make a *building remedy order* and what remedies should be ordered, the Building Commissioner will have regard to the following matters—

- (a) that remedies should be proportionate to the Plumbing Failure(s) experienced in the relevant Home;
- (b) the parties should be afforded procedural fairness, which includes generally giving the Builder the first opportunity to remedy the Plumbing Failure(s);
- (c) any preference of the Owner where the Industry Response and Agreed Work Programme contemplate taking into account the Owner's preference;
- (d) whether the Owner of the Eligible Home (or any predecessor in title) is able to receive or has already received a remedy in relation to the Plumbing Failures or the Typlex Pipes, including through the Industry Response, an insurance claim or the Determination of a Claim; and
- (e) that *building remedy orders* should be meaningful and capable of compliance.

Building remedy orders must be capable of compliance

10.4 Failure to comply with *building remedy orders* attracts significant penalties under the Act.

10.5 In making a *building remedy order*, the Building Commissioner will consider the circumstances referred to in sections 4.3 and 7.2 and that for Owners to achieve a meaningful remedy, any *building remedy orders* made in respect of the Typlex Pipes must be capable of compliance by the *respondent* Builder.

10.6 In assessing a Builder's ability to comply with a *building remedy order* the Building Commissioner will balance the Owner's interests against—

- (a) the extent of the remedial work required;
- (b) the Builder's capacity to comply with the workload and timelines set out in the order (which may include consideration of whether any other *building remedy orders* in relation to Eligible Homes have been issued to the Builder);
- (c) the cost and availability of labour and materials in the market at the time of issuing any such order.

10.7 The Builder's ability to comply with the *building remedy order* will be assessed by the Building Commissioner as part of considering any submissions received from the parties in response to the proposed *building remedy order* (as contemplated in paragraph 9.15 above).

Standard Orders

10.8 Generally, a *building remedy order* made with respect to a *building service complaint* related to Typlex Pipes will align with the Agreed Work Programme.

10.9 A form of remedies which will be adopted by the Building Commissioner in the absence of circumstances which justify divergence (as referred to in paragraph 10.1(b)) is provided below.

10.10 The specified period for complying with each of the standard remedies below is to be determined on a case-by-case basis having regard to the considerations referred to in paragraph 10.5.

10.11 Where the remedy ordered involves the payment of compensation by the Builder, the specified period should be 28 days from the date of the order unless there are cogent reasons for specifying another period.

10.12 Where an Owner provides an estimate of reasonable alternative accommodation costs in the *building service complaint*, such reasonable costs may be included in the *building remedy order*.

Plumbing Failure	Standard Orders
-------------------------	------------------------

- | | |
|---|---|
| 1 | <ol style="list-style-type: none"> 1. Pursuant to s 36(1)(a) of the <i>Building Services (Complaint Resolution and Administration) Act 2011</i> (WA), the respondent is to remedy the water supply pipework to ensure it is of an acceptable quality and that it is safe, durable and free from defects. 2. To remedy the items referred to in order 1, the respondent is required to— <ol style="list-style-type: none"> a. within a specified period— <ol style="list-style-type: none"> i. remove and replace the length of pipework where the Plumbing Failure occurred (if practicable) from the point where it enters the ceiling of the affected room to termination at a plumbing fixture*; and ii. replace the ceiling pipes of the top floor of the home. b. within a specified period following the completion of the items referred to in order 2(a)— <ol style="list-style-type: none"> i. make good all surfaces and the remedial area in a proper and proficient manner; and ii. remedy all damage caused by the Plumbing Failure to the home and its contents. |
|---|---|
-

Plumbing Failure Standard Orders

- | | |
|----|--|
| 2 | <ol style="list-style-type: none"> 1. Pursuant to s 36(1)(a) of the <i>Building Services (Complaint Resolution and Administration) Act 2011</i> (WA), the respondent is to remedy the water supply pipework to ensure it is of an acceptable quality and that it is safe, durable and free from defects. 2. To remedy the items referred to in order 1, the respondent is required to— <ol style="list-style-type: none"> a. within a specified period— <ol style="list-style-type: none"> i. if it has not already done so, replace the ceiling pipes of the top floor of the home; and ii. remove and replace the length of pipework where the leak occurred (if practicable) from the point where it enters the ceiling of the affected room to termination at a plumbing fixture*; b. [as appropriate]: within a specified period of the completion of the item referred to in order 2(a)— <ol style="list-style-type: none"> i. conduct a room re-pipe; ii. make good all surfaces and remedial areas in a proper and proficient manner; and iii. remedy all damage caused by the Plumbing Failure to the home and its contents. |
| 3+ | <ol style="list-style-type: none"> 1. Pursuant to s 36(1)(a) of the <i>Building Services (Complaint Resolution and Administration) Act 2011</i> (WA), the respondent is to remedy the water supply pipework to ensure it is of an acceptable quality and that it is safe, durable and free from defects. 2. To remedy the items referred to in order 1, the respondent is required to— <ol style="list-style-type: none"> a. within a specified period— <ol style="list-style-type: none"> i. if it has not already done so, replace the ceiling pipes of the top floor of the home; and ii. remove and replace the length of pipework where the Plumbing Failures (if practicable) occurred from the point where it enters the ceiling of the affected room to termination at a plumbing fixture; iii. [as appropriate]: within a specified period of the completion of the item referred to in order 2(a)— <ol style="list-style-type: none"> A. conduct [a room re-pipe or full home re-pipe]*; B. make good all surfaces and remedial areas in a proper and proficient manner; and C. remedy all damage caused by the Plumbing Failure to the home and its contents. 3. [As appropriate]: Within 28 days of this order, pursuant to s 36(1)(c) of the <i>Building Services (Complaint Resolution and Administration) Act 2011</i> (WA), the respondent is to pay the applicant the amount of \$[insert] as compensation for the cost of alternative accommodation while the full home re-pipe is undertaken. |
-

11. Future complaints

11.1 Any *complaints* under the Act relating to a Plumbing Failure that has not been the subject of a previous *complaint* may be made to the Building Commissioner by way of new *building service complaint*.

12. Definitions

12.1 *Act* means the *Building Services (Complaint Resolution and Administration) Act 2011* (WA).

12.2 *Agreed Work Programme* mean the activities and services described in section 7.

12.3 *Builder* means the person responsible for the installation of the Typlex Pipes, and includes a licensed plumber.

12.4 *Building Commissioner* means the officer referred to in section 85 of the Act and, for the purposes of this Policy, includes his/her delegate from time to time.

12.5 *Claim* means legal proceedings commenced by any person in which that person seeks any form of recovery or recourse in connection with the Plumbing Failures against—

- (a) Iplex;
- (b) a Builder; or
- (c) Iplex and a Builder,

(including by way of cross claim, Claim, joinder or separate claim seeking a remedy based on or referable to the outcome of the original proceedings).

12.6 *Determination* means the outcome of a Claim involving either—

- (a) an order, judgment or decree (but not an interim or interlocutory order); or
- (b) a settlement of the Claim by agreement among the parties to the Claim.

- 12.7 **Eligible Home** means a home located in Western Australia in which Typlex Pipes were installed whether as part of the original construction of the Home, or as part of a subsequent renovation of the Home, and which has experienced at least one Plumbing Failure.
- 12.8 **Home** includes single and double storey attached/detached houses, triplex, townhouses, units and apartments.
- 12.9 **Industry Response** means the industry response constituted by the following documents (and the documents referred to in any of them)—
- Common Terms Statement;
 - Iplex Deed Poll;
 - Funding Deed;
 - Fletcher Guarantee; and
 - each Participation Agreement.
- 12.10 **Iplex** means Iplex Pipelines Australia Pty Ltd (ACN 079 613 308)
- 12.11 **Owner** means the registered proprietor(s) of a Home from time to time.
- 12.12 **Participating Builder** means a Builder who has agreed to participate in the Industry Response as a “Participating Builder”.
- 12.13 **Plumbing Failure** means the unintended escape of water from a Typlex Pipe inside a Home through a crack in the wall of the Typlex Pipe, but excludes—
- the normal passage of water through or from the Typlex Pipe;
 - a leak in any connector unit that has been used to join two pieces of Typlex Pipe or to join a Typlex Pipe with any other pipe or attachment;
 - a leak resulting from the absence of, or failure in, any adhesive used to join a Typlex Pipe to a connector unit or to join a Typlex Pipe to any other pipe or attachment;
 - a leak caused by a rodent (or similar);
 - a leaky faucet, washer or appliance failure;
 - a leak through a hole, crack, cut or fracture in the Typlex Pipe caused by an act (deliberate or otherwise) of any person with the intention or effect of causing that hole, crack or fracture in the Typlex Pipe; and
 - a leak accepted by Iplex as having been caused by a manufacturing defect and covered by an Iplex warranty.
- 12.14 **Typlex Pipe** means a polybutylene pipe manufactured with Typlex-1050 resin by Fletcher Building Limited ARBN 096 046 936, or a related body corporate of Fletcher Building Limited (including a former related body corporate).

Approved by the Building Commissioner under section 6A(1) of the Act on **Thursday, 7 November 2024**.

SAJ ABDOOLAKHAN, Building Commissioner.

FISHERIES

FI401

PEARLING ACT 1990

PEARLING (ANNUAL FEES) NOTICE 2025

A34776

Made by the Minister under section 27.

1. Citation

This notice is the *Pearling (Annual Fees) Notice 2025*.

2. Interpretation

In this notice—

quota unit means the number of units specified on—

- a pearling (wildstock) licence, in respect of a Zone or Zones; or
- a pearling (seeding) licence;

3. Annual fees for farm leases and licences

For the purposes of section 27(1)(a) of the Act, the annual fee for the year ending on 31 December 2025, in respect of an item specified in column A in the Table in Schedule 1, is the fee specified adjacent to that item in column B in the Table.

4. Payment by instalments

- (1) For the purposes of regulation 9A, the annual fee for a farm lease, pearling (wildstock) licence, pearling (seeding) licence, or hatchery licence may be paid by instalments as specified in Schedule 2 to this notice if—
- an election to pay by instalments is made by the holder of the lease or licence in accordance with subclause (2); and
 - no other fee, charge or levy in respect of the relevant lease or licence is payable at the time the election is received.
- (2) An election made for the purposes of subclause (1) must be—
- in writing;
 - received at the head office of the Department prior to the commencement of the period to which the election relates; and
 - accompanied by the first instalment and the surcharge.
- (3) For the purposes of regulation 9A(2), the surcharge is 3.13% of the annual fee.

Schedule 1—Table of fees payable

Item	Column A—lease or licence	Column B—fee payable
1	Farm lease	\$3,796.75 per square nautical mile
2	Zone 1 pearling (wildstock) licence	\$271.47 per quota unit
3	Zone 2 and Zone 3 pearling (wildstock) licence	\$945.08 per quota unit
4	Zone 3 pearling (wildstock) licence	\$539.75 per quota unit
5	Pearling (seeding) licence	\$118.78 per quota unit
6	Hatchery licence	\$316.00
7	Pearling permit	\$76.00
8	Hatchery permit	\$76.00

Schedule 2—Payment by instalments

- The first instalment is 10% of the relevant annual fee and is due for payment on or before 1 January of the year for which the lease or licence is issued or renewed.
- The second instalment is 35% of the annual fee and is due for payment on or before 1 April immediately following the period specified in paragraph (a).
- The third instalment is 55% of the annual fee and is due for payment on or before 1 July immediately following the period specified in paragraph (a).

Dated 6th of November 2024.

Hon. DON PUNCH, MLA, Minister for Fisheries.

PUBLIC NOTICES

ZZ401

TRUSTEES ACT 1962

DECEASED ESTATES

Notice to Creditors and Claimants

Janet Lesley Venus, late of 2 Logan Court, Seville Grove, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the Deceased, who died on 27 October 2022, are required by the administrator of the estate, Marilyn Kaye Kench, to send particulars of their claim to JK Legal, PO Box 670, Armadale, WA, 6992 within one month of the publication date of this notice, after which date the Trustee may convey or distribute the assets having regard only to claims of which it then has notice.

ZZ402**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Janine Carol Doornbusch, late of 264 Reserve Road, Gidgegannup, 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 said deceased person who died on 24 April 2024 are required by the Administrator of the deceased's estate being Callan Carel Doornbusch, care of Bechelet & Co, 1/34 The Crescent, Midland, Western Australia, to send particulars of their claims to him within one month of publication of this advertisement, after which date the Administrator may convey or distribute the assets having regard only to the claims of which he then has notice.

ZZ403**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Christopher Woodruff (also known as Christopher Brian Woodruff) late of 1 Nicholson Mews Sturges Road Wokingham, Berkshire, RG40 2HD in the United Kingdom, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 9 March 2023, are required by the executors of the estate, to send particulars of their claims to them, care of HWL Ebsworth Lawyers Level 20, 240 St. Georges Terrace, Perth WA 6000, within one month of the date of publication hereof after which date the executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZZ404**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Estate of the late Neil Edward McCreery, of 6 French Street, Capel, in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the above-mentioned deceased who died on 5th February 2024 are required to send particulars of their claims to the Executor, care of Melissa McCreery, 9/24 Hawksburn Road, South Yarra, Victoria 3141, 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.

ZZ405**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* as amended relates in respect of the estate of Dawn Marlene Merryfull late of Unit 21, 11 Mangles Street South Bunbury who died on 11 May 2024 are required by the personal representative to send particulars of their claims addressed to the Executors of the Estate of Dawn Marlene Merryfull deceased care of Young & Young 5 Spencer Street Bunbury within one (1) month of the date of publication of this notice after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

ZZ406**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Barbara May Watson, late of 78 Kimberley Street, West Leederville, Western Australia and prior to that of 314 Dalgety Road, Middle Swan, Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962* relates) in respect of the estate of the deceased, who died on 12 April 2024, are required by the Executors, Deborah Kaye Dicks and Ashley Stephen Watson, to send the particulars of their claims to Deborah Kaye Dicks, 10 Hibiscus Drive, Kununurra, Western Australia, 6743 within one (1) month of the date of publication of this notice after which date the Executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZZ407**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Rudy Sylvanus Hanadi, late of 47 Batavia Avenue, Wannanup in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Rudy Sylvanus Hanadi, deceased, who died on the 15th day of March 2024 at Rockingham General Hospital, Cooloongup in the said State are required by the executor Matthew Jaime Bassett-Scarfe to send particulars of their claims to Peel Legal Barristers & Solicitors of PO Box 1995, Mandurah, WA 6210 by the date one month following the publication of this notice after which date the executor may convey or distribute the assets having regard only to the claims of which he has then had notice.

ZZ408**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Lisa Gorden (also known as Evelyn Crosthwaite), late of 3 Dalkeith Rise, Ravenswood in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Lisa Gorden (also known as Evelyn Crosthwaite), deceased, who died on the 12th day of March 2024 at 3 Dalkeith Rise, Ravenswood in the said State are required by the Executor Danielle Crosthwaite to send particulars of their claims to Peel Legal Barristers & Solicitors of PO Box 1995, Mandurah, WA 6210 by the date one month following the publication of this notice after which date the executor may convey or distribute the assets having regard only to the claims of which she has then had notice.

ZZ409**TRUSTEES ACT 1962**
DECEASED ESTATES

Notice to Creditors and Claimants

Innes Alexander Bessant, late of 69 Bulong Avenue, Ascot in the State of Western Australia, deceased.

Creditors and other persons having claims (to which Section 63 of the *Trustees Act 1962*, relates) in respect of the estate of Innes Alexander Bessant, deceased, who died on the 21st day of March 2023 at Royal Perth Hospital, Perth in the said State are required by the Administrator Morag Islay Sewell to send particulars of their claims to Peel Legal Barristers & Solicitors of PO Box 1995, Mandurah, WA 6210 by the date one month following the publication of this notice after which date the executor may convey or distribute the assets having regard only to the claims of which they then had notice.
