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GARRY L. DUFFIELD,  
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**AGRICULTURE**

**SOIL AND LAND CONSERVATION ACT 1945**  
**CARLECATUP LAND CONSERVATION DISTRICT**  
**(APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT**  
**1990**

Made by the Minister for Agriculture.

**Citation**

1. This Instrument may be cited as the *Carlecatup Land Conservation District (Appointment of Members District Committee) Instrument 1990*.

**Interpretation**

2. In this Instrument

“Constitution order” means the *Soil and Land Conservation (Carlecatup Land Conservation District) Order 1990\**.

“Committee” means the District Committee established by Clause 5 of the Constitution Order.

[\*Published in the Gazette of 23 February 1990 at pp. 1149-1151.]

**Appointment of Members**

3. (1) Under Clause 5(1)(b) of the constitution order

Maurice Pell House of Kojonup

is appointed a member of the Committee on the Nomination of the Shire of Kojonup.

(2) Under Clause 5(1)(c) of the constitution order

David McFall of Katanning West

is appointed a member of the Committee on the Nomination of the Shire of Katanning.

(3) Under Clause 5(1)(d) of the constitution order

(a) Andrew Hammat of Kojonup

(b) Roger Bilney of Kojonup

(c) Robert O'Halloran of Kojonup

are appointed members of the Committee to represent the Western Australian Farmer's Federation.

(4) Under Clause 5(1)(e) of the constitution order

(a) Jenny Gardner of Kojonup

(b) Timothy Eyres of Kojonup

(c) Neil Young of Katanning West

(d) Mark Taylor of Kojonup

(e) District Manager, Department of Conservation and Land Management, Katanning

are appointed members of the Committee being persons actively engaged in or affected by, or associated with land use in the Carlecatup Land Conservation District.

**Term of Office**

4. The appointment is made under Clause 5(4) shall be for a term of three years commencing on the day that this instrument is published in the *Gazette*.

ERNIE BRIDGE, Minister for Agriculture.

**SOIL AND LAND CONSERVATION ACT 1945**  
**KALANNIE/GOODLANDS LAND CONSERVATION DISTRICT**  
**(APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT**  
**1990**

Made by the Minister for Agriculture.

**Citation**

1. This Instrument may be cited as the *Kalannie/Goodlands Land Conservation District (Appointment of Members District Committee) Instrument 1990*.

**Interpretation**

2. In this Instrument

“Constitution order” means the *Soil and Land Conservation (Kalannie/Goodlands Land Conservation District) Order 1990\**.

"Committee" means the District Committee established by Clause 5 of the Constitution Order.

[\*Published in the Gazette of 16 February 1990 at pp. 1014-1017.]

#### Appointment of Members

3. (1) Under Clause 5(1)(b) of the constitution order  
Ormond Victor Cail of Kalannie  
is appointed a member of the Committee on the Nomination of the Shire of Dalwallinu.
- (2) Under Clause 5(1)(c) of the constitution order  
Donald Edgar Stanley of Kalannie  
Graham Hartley Sanderson of Kalannie  
are appointed members of the Committee to represent the Western Australian Farmers Federation.
- (3) Under Clause 5(1)(d) of the constitution order  
Graeme Robert Hathway of Kalannie  
is appointed a member of the Committee to represent the Pastoralists and Graziers Association.
- (4) Under Clause 5(1)(e) of the constitution order
  - (a) Keith Leslie Carter of East Wubin
  - (b) Henry Maxwell Hudson of Goodlands
  - (c) Ronald Sawyer of Kalannie
  - (d) Rawley Jon Lang of Kalannie
  - (e) Gordon Kenneth Reynolds of Kalannie
  - (f) Murray Gordon Dodd of Kalannie
  - (g) John Battaglia of Kalannie
  - (h) Mervyn Bywaters of Kalannie
  - (i) Harry King of East Kalannie
  - (j) Richard Lee of Kalannie
  - (k) Lyndsey Campbell of Kalannie
  - (l) Geoffrey Leslie Angel of Kalannie
 are appointed members of the Committee being persons actively engaged in or affected by, or associated with land use in the Kalannie/Goodlands Land Conservation District.

#### Term of Office

4. The appointment is made under Clause 5(4) shall be for a term of three years commencing on the day that this instrument is published in the *Gazette*.

ERNIE BRIDGE, Minister for Agriculture.

### SOIL AND LAND CONSERVATION 1945

#### WILLIAMS LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 1990

Made by the Minister for Agriculture.

#### Citation

1. This Instrument may be cited as the *Williams Land Conservation District (Appointment of Members District Committee) Instrument 1990*.

#### Interpretation

2. In this Instrument

"Constitution order" means the *Soil and Land Conservation Land Conservation District) Order 1990\**.

"Committee" means the District Committee established by Clause 5 of the Constitution Order.

[\*Published in the Gazette of 16 February 1990 at pp. 1013-1014.]

#### Appointment of Members

3. (1) Under Clause 5(1)(b) of the constitution order  
John Gillett of Williams  
is appointed a member of the Committee on the Nomination of the Shire of Williams.

- (2) Under Clause 5(1)(c) of the constitution order
- (a) William Gillett of Williams
  - (b) Christopher Hogg of Williams
- are appointed members of the Committee to represent the Western Australian Farmers Federation.
- (3) Under Clause 5(1)(d) of the constitution order
- Andrew Highman of Williams
- is appointed a member of the Committee to represent the Pastoralists and Graziers Association.
- (4) Under Clause 5(1)(e) of the constitution order
- (a) Stuart Rintoul of Williams
  - (b) William White of Williams
  - (c) Roger McCallum of Williams
  - (d) Kevin Martin of Williams
  - (e) Kelly Newton-Wordsworth of Williams
  - (f) Wendy McDonald of Williams
  - (g) George Klug of Williams
- are appointed members of the Committee being persons actively engaged in or affected by, or associated with land use in the Williams Land Conservation District.

#### Term of Office

4. The appointment is made under Clause 5(4) shall be for a term of three years commencing on the day that this instrument is published in the *Gazette*.

ERNIE BRIDGE, Minister for Agriculture.

### SOIL AND LAND CONSERVATION ACT 1945 NOTICE OF APPOINTMENT

Under section 23 (2b) (d) of the Soil and Land Conservation Act 1945, Stephen Arthur Strange of Bruce Rock and Ian Stephen Dolton of Merredin are appointed members of the District Committee for the Bruce Rock Land Conservation District, being persons actively engaged in, or affected by, or associated with land use in the District, which Committee was established by an Order in Council, published in the *Government Gazette* of 25 May 1984 and amended by an Orders so published on 29 December 1989 and 16 February 1990 the appointments being for a period ceasing on 26 February 1991.

ERNIE BRIDGE, Minister for Agriculture.

## CROWN LAW

### SUPREME COURT ACT 1935 SUPREME COURT AMENDMENT RULES 1990

Made by the Judges of the Supreme Court.

#### Citation

1. These rules may be cited as the *Supreme Court Amendment Rules 1990*.

#### Commencement

2. These rules come into operation on the day of their publication in the *Government Gazette*.

#### Principal rules

3. In these rules, the *Rules of the Supreme Court 1971\** are referred to as the principal rules.

[\*Reprinted in the *Gazette* on 18 March 1986 at pp. 779-1100. For amendments to 1 March 1990 see pp. 373-374 of 1988 *Index to The Statutes of Western Australia and Gazettes of 15 December 1989 and 23 February 1990.*]

#### Order 64 amended

4. Order 64 of the principal rules is amended—

(a) in rule 1 after paragraph (c) by deleting the full stop, substituting a semi-colon and inserting the following paragraphs—

“ (d) “the Licensing Court” means the Liquor Licensing Court;

(e) “the Barristers’ Board” means the Barristers’ Board constituted under section 4 of the *Legal Practitioners Act 1893*. ”;

- (b) in rule 3 (1) by deleting "or from the Board" and substituting the following—  
 " , the Licensing Court, the Board or the Barristers' Board ";
- (c) by repealing rule 3 (2) and substituting the following—  
 " (2) An appeal to the Full Court from a court or board referred to in paragraph (1) shall be instituted by notice of motion which must be filed and served on—  
 (a) all parties directly affected by the appeal;  
 (b) in the case of an appeal from the Licensing Court, any person who appeared before or was heard by the Licensing Court on the hearing of the proceeding to which the appeal relates and on the Director of Liquor Licensing where the appeal relates to a decision made by him; and  
 (c) the registrar of the court or the secretary of the board from which the appeal is brought,  
 within 21 days from the date of the judgment, order or determination appealed from, or within such extended time as may be fixed by the Full Court, a Judge or a Master. ";
- (d) in rule 3 (3) by inserting after "court" the following—  
 " or board ";
- (e) in rule 3 (4)—  
 (i) by inserting after "of the court" the following—  
 " or the secretary of the board ";  
 and  
 (ii) in subparagraph (a) by inserting after "before the court" the following—  
 " or board ";  
 and
- (f) in rule 6 (1) by inserting after "court" the following—  
 " or the secretary of the board ".

#### Heading to Order 65 amended

5. The heading to Order 65 of the principal rules is amended by deleting "THE LICENSING COURT, AND".

#### Order 65 amended

6. Order 65 of the principal rules is amended—  
 (a) in rule 1 by deleting the definition of "Licensing Court";  
 (b) in rule 2 (1) by deleting subparagraph (a); and  
 (c) in rule 6 (2) by deleting "Except in the case of an appeal from a decision of the Licensing Court, a" and substituting the following—  
 " A ".

#### Order 84 amended

7. Order 84 of the principal rules is amended by inserting after rule 8 the following rule—

##### Proceedings under *Admiralty Act 1988* of the Commonwealth

- " 9. (1) In this rule, "Admiralty Rules" means the Admiralty Rules being Statutory Rules 1988 No. 269 of the Commonwealth.  
 (2) A Registrar may exercise the powers or functions or perform the duties of the Registrar under the Admiralty Rules.  
 (3) The sheriff or a deputy of the sheriff appointed pursuant to section 158 of the Supreme Court Act may exercise the powers or functions or perform the duties of the Marshal under the Admiralty Rules. "

Dated the 16th day of March 1990.

DAVID K. MALCOLM.  
 R. WALLACE.  
 P. F. BRINDEN.  
 W. R. PIDGEON.  
 B. ROWLAND.  
 PAUL SEAMAN.  
 R. D. NICHOLSON.  
 TERENCE A. WALSH.  
 D. A. IPP.  
 HENRY WALLWORK.  
 M. J. MURRAY.

## JUSTICES ACT 1902

It is hereby notified for public information that His Excellency the Hon. Sir Francis Burt, A.C., K.C.M.G., Q.C., Governor of Western Australia in Executive Council has—

Approved the following appointment to the Commission of the Peace for the State of Western Australia.

David Paxton Fischer  
of Western Australia House,  
115 Strand,  
London, WC2 ROAJ,  
United Kingdom.

D. G. DOIG, Under Secretary for Law.

## DAIRY INDUSTRY

## DAIRY INDUSTRY ACT 1973

### DIRECTIONS BY THE MINISTER TO THE DAIRY INDUSTRY AUTHORITY UNDER SECTION 30

I, Ernie Bridge, Minister for Agriculture, being the Minister for the time being administering the Dairy Industry Act 1973, as amended, acting under section 30 of that Act and after considering a statement submitted to me under subsection (1) of that section by the Dairy Industry Authority of Western Australia established under that Act (referred to in these directions as "the Authority") hereby direct the Authority that:

1. Where an application is made under paragraph (a) of subsection (4) of section 30 of the Act, the Authority shall refuse the application except where the application relates to:
  - (a) the sale of the whole of the dairy produce premises in respect of which market milk quota were granted together with the whole interest of the applicant in the quotas and the land which, in the opinion of the Authority, is associated with those premises  
unless—  
approval would result in the proposed transferee or the proposed transferee together with any person associated with the proposed transferee (as determined by the Authority in accordance with paragraph 2 below) being an existing quota holder holding a market milk quota or market milk quotas exceeding, in aggregate, 2 100 litres on a daily basis, or
  - (b) a family transfer (as determined by section 30A(2)(b)) where the application involves the whole or part of the interest of the applicant in the market milk quota  
provided—  
approval would not result in the proposed transferee or the proposed transferee together with any person associated with the proposed transferee (as determined by the Authority in accordance with paragraph 2 below) holding quotas exceeding, in aggregate, the maximum in 1(a) above  
unless—  
the circumstances are such that refusal of the application would, in the opinion of the Authority, cause undue hardship and the Authority is satisfied that approval of the application would not otherwise be inconsistent with these directions;
  - (c) a transfer through an exchange established by the Authority on terms, conditions and limitations approved by the Minister.
2. A person is associated with a proposed transferee if that person holds a market milk quota is—
  - (a) a spouse of the proposed transferee;
  - (b) a partner of the proposed transferee;
  - (c) a corporation of which the proposed transferee is an officer or director;
  - (d) where the proposed transferee is a corporation, an officer or director of the corporation;
  - (e) an officer or director of any corporation of which the proposed transferee is an officer or director;
  - (f) an employee or employer of the proposed transferee;
  - (g) an employee of a natural person of whom the proposed transferee is an employee;
  - (h) a corporation whose directors are accustomed or under an obligation whether formal or informal, to act in accordance with the directions, instructions or wishes of the proposed transferee or, where the person is a corporation, of the directors or management of that person;
  - (i) a corporation in accordance with the directions, instructions or wishes of which, or of the directors or management of which, the proposed transferee is accustomed or under an obligation, whether formal or informal, to act;
  - (j) a corporation in which the proposed transferee holds a substantial interest; or

(k) where that person is a corporation—a person who holds a substantial interest in the corporation

but persons shall not be regarded as associated if the Authority is satisfied on representations made by one or more of them and after its own enquiries (if any) that they are commercially independent in their respective enterprises.

3. Where an application is made under paragraph (b) of subsection (4) of section 30 of the Act, the Authority shall refuse the application if the proposed surrender is subject to payment by the Authority of an amount of compensation for market milk quota.
4. The bases and principles set out in the directions made under section 30 of the Act on 12 February 1988 and published in the *Government Gazette* on 12 February 1988 at page 449 shall be of no further effect after 1 January 1990 whereupon these directions come into effect.

Dated this 13th day of March 1990.

E. F. BRIDGE, Minister for Agriculture.

## EDUCATION

### EDUCATION ACT 1928

#### LOW INTEREST LOAN SCHEME AMENDMENT NOTICE 1990

Made by the Minister for Education under section 9A.

#### Citation

1. This notice may be cited as the *Low Interest Loan Scheme Amendment Notice 1990*.

#### Principal notice

2. In this notice the *Low Interest Loan Scheme Notice 1988\** is referred to as the principal notice.

[\*Published in the *Gazette* of 8 July 1988 at pp. 2422-4.]

#### Clause 16 amended

3. Clause 16 of the principal notice is amended by deleting "Loans" and substituting the following—

" Subject to clause 16A, loans "

#### Clause 16A inserted

4. After clause 16 of the principal notice the following clause is inserted—  
Assistance to non-prescribed scholars

"  
16A. Notwithstanding clause 16, where the Minister considers that exceptional circumstances justify assistance being given to a scholar attending an approved non-government school who is not a prescribed scholar the Minister may approve of a loan under this notice being applied in respect of the scholar, subject to such conditions, limitations or restrictions as the Minister thinks fit. "

G. I. GALLOP, Minister for Education.

### COLLEGES ACT 1978

It is hereby notified for general information that His Excellency the Lieutenant-Governor and Administrator in Executive Council acting under the provisions of section 13 (1) of the *Colleges Act 1978*, has approved the appointment of Dr Janette Kartz-Karp of 38 Ardross Crescent, Coolbinia as a member of the Hedland College Council for a term expiring on February 9, 1992.

GEOFF GALLOP, Minister for Education.

## ELECTORAL COMMISSION

### GRAIN MARKETING ACT 1975

#### THE GRAIN POOL OF WA (ELECTIONS) REGULATIONS, 1976 (REGULATIONS 6 AND 7)

#### Notice of Elections

Notice is hereby given that an election of one Director of The Grain Pool of WA from Electoral Zone 2 and election of one Director of The Grain Pool of WA from Electoral Zone 3 and an election of one Director of the Grain Pool of WA from Electoral Zone 4 under paragraph (a) of subsection (2) of section 9 of the *Grain Marketing Act 1975* will take place at the office of the Returning Officer, on the 14th day of June 1990, closing at 4 o'clock in the afternoon, on that day.

Nominations of candidates are required to be made in accordance with the abovementioned regulations and must be received by the Returning Officer at his office before twelve noon on the 8th day of May, 1990.

M. J. COLLEY, Returning Officer.

## FISHERIES

### FISHERIES ACT 1905

#### ABROLHOS ISLANDS AND MID WEST TRAWL LIMITED ENTRY FISHERY NOTICE 1990

Notice No. 440

FD 749/86.

MADE by the Minister under section 32.

#### Citation

1. This notice may be cited as the *Abrolhos Islands and Mid West Trawl Limited Entry Fishery Notice 1990*.

#### Interpretation

2. In this notice unless the contrary intention appears—

“Abrolhos Islands Limited Entry Otter Trawl Fishery” means the fishery declared by Fisheries Notice No. 222 published in the *Gazette* of 14 March 1986;

“chafer” means a piece of net attached to the exterior surface of the cod end to protect it from wear;

“cod end” means that part of a trawl net farthest to the rear when the net is being towed which forms a pocket and acts as a receptacle for fish taken by the net;

“Fishery” means the Abrolhos Islands and Mid West Trawl Limited Entry Fishery declared under clause 3;

“fishing power” means the relative efficiency of a trawler calculated by adding its underdeck tonnage to its installed engine power;

“headrope” means the rope onto which is attached the upper half of the mouth of the trawl net;

“headrope length” means the distance measured along the headrope from where the net attaches to one end of the headrope to where it attaches to the other end of the headrope;

“installed engine power” means the power of the boat's main engine measured in kilowatts as installed and certified by the supplier.

“liner” means a piece of net attached to the interior surface of the cod end to protect it from wear;

“otter board” means one of the boards used on a trawl net to keep the mouth of the net open while under tow;

“otter trawl net” means a fishing net designed or intended to be towed having its mouth or opening controlled by otter boards; and

“underdeck tonnage” means the tonnage of a boat calculated by the formula—

$$\frac{ML \times B \times D \times 0.6}{2.83}$$

2.83

where

ML is the measured length \* of the boat

B is the breadth \* of the boat

D is the depth \* of the boat

\* measured in accordance with the Uniform Shipping Laws Code published in the *Commonwealth of Australia Gazette* on 11 May 1981.

#### Declaration of limited entry fishery

3. It is hereby declared that the use of trawl nets to take fish in the waters described in the Schedule shall constitute a limited entry fishery to be called the *Abrolhos Islands and Mid West Trawl Limited Entry Fishery*.

#### Prohibition on taking fish

4. A person, other than a person to whom section 32 (5) of the Act applies, shall not take, or attempt to take, fish in the Fishery other than in accordance with this notice.

#### Prohibition on selling or dealing

5. A person shall not sell or deal, or attempt to sell or deal, in any way with fish taken in contravention of this notice.

**Criteria for entry**

6. The criteria that shall be applied to determine the boats which may operate in the Fishery are—

- (a) that immediately before the coming into operation of this notice the owner of a boat was the holder of a licence authorising the boat to be used to take fish by means of trawl nets in the Abrolhos Islands Limited Entry Otter Trawl Fishery from 1 July 1989 to 30 June 1990; or
- (b) that the boat replaces a boat to which paragraph (a) applied.

**Application for a licence**

7. The owner of a boat which fulfils the criteria in clause 6 (a) or (b) may apply in accordance with clause 15 for a licence authorising the boat to operate in the Fishery.

**Details on a licence**

8. A licence shall contain the following details—

- (a) the name and licensed fishing boat number of the boat in respect of which it is issued;
- (b) the name and address of the licensee of that boat;
- (c) the licence number;
- (d) the day of issue;
- (e) the period for which the licence is valid;
- (f) the number of trawl nets which may be used; and
- (g) any conditions imposed on the licence.

**Publication of details**

9. The Director may from time to time give notice of—

- (a) the names of licensees;
  - (b) the names of boats and registration numbers of those boats; and
  - (c) the number of trawl nets those boats may use
- by publishing that information in such manner as deemed appropriate.

**Permitted means of taking fish**

10. (1) Subject to subclause (2) a boat licensed to operate in the Fishery shall only take, or attempt to take, fish by means of—

- (a) two otter trawl nets, each with a headrope length not exceeding 12.8 metres; or
- (b) one otter trawl net with a headrope length not exceeding 18.3 metres.

(2) Where, immediately before the coming into operation of this notice, a boat was licensed to operate one otter trawl net, that boat shall not be used to operate two otter trawl nets unless the owner of the boat complies with Clause 14.

(3) Each net referred to in subclause (1)—

- (a) when used in the waters described in Item 1 of the Schedule, shall—
  - (i) have meshes throughout of not less than 100 millimetres; and
  - (ii) not have chafers or liners covering more than the bottom one half of the cod end;
- (b) when used in the waters described in Item 2 of the Schedule, shall have meshes of not less than 45 millimetres in the cod end and 51 millimetres in the remainder; and
- (c) may have attached to each end of the headrope a single otter board the measurements of which do not exceed 2.29 metres in length and 0.91 metres in breadth.

**Closure of fishery**

11. (1) No person shall take, or attempt to take, fish in the waters described in Item 1 of the Schedule—

- (a) from 0600 hours on 30 June in any year to 1800 hours on the first Tuesday in April next following; and
- (b) from 0600 hours to 1800 hours on each day during the period commencing at 1800 hours on the first Tuesday in April each year and ending at 0600 hours on 30 June next following.

(2) No person shall take or attempt to take fish in the waters described in Item 2 of the Schedule from 0600 hours on 1 November in any year to 1800 hours on 1 July next following.

**Transfer of licence**

12. With the prior written approval of the Director a licence granted under this notice may be transferred and the licence shall be endorsed accordingly.

**Boat replacement and modification**

13. (1) With prior written approval of the Director a boat licensed to operate in the Fishery may be replaced provided that—

- (a) a boat licensed to use one otter trawl net is replaced by a boat which shall use only one otter trawl net;
- (b) the fishing power of any replacement boat is similar to that of the replaced boat.

(2) The owner of a boat licensed to operate in the Fishery shall not, without the prior written approval of the Director—

- (a) modify the boat in any way which increases the underdeck tonnage of the boat;
- (b) replace the main engine of the boat with an engine having a greater power rating than the engine being replaced; or
- (c) modify the main engine of the boat such that the power rating of the engine is increased.

**Amalgamation of authorisations**

14. Where a person owns two boats licensed to operate in the Fishery with one otter trawl net each, that person may, with the prior written approval of the Director, amalgamate the two nets onto one of the two boats provided that—

- (a) the headrope length of the nets complies with Clause 10;
- (b) the boat from which the single net is removed does not operate in the Fishery unless it replaces a boat in accordance with Clause 13.

**Applications and fees**

15. Applications under clauses 7, 12, 13 and 14 shall be;

- (a) in the approved form;
- (b) lodged in accordance with the instructions if any; and
- (c) accompanied by the fee prescribed by regulation.

**Determination of position by reference to the Australian Geodetic Datum**

16. (1) Where, for the purpose of this notice it is necessary to determine a position on the surface of the Earth by geographical coordinates, that position shall be determined on the Australian Geodetic Datum which is defined by an ellipsoid having a semi-major axis (equatorial radius) of 6 378 160 metres and a flattening of 1/298.25 and fixed by the position of the origin being the Johnston Geodetic Station in the Northern Territory of Australia.

(2) The Johnston Geodetic Station referred to in subclause (1) shall be taken to be situated at 25°56'54.5515" south latitude and 133°12'30.0771" east longitude and to have a ground level elevation of 571.2 metres above the ellipsoid referred to in that subclause.

**Revocation**

17. The *Abrolhos Islands Limited Entry Otter Trawl Fishery Notice No. 222* published in the *Gazette* of 14 March 1986 is cancelled.

**Schedule**

1. The waters of the Indian Ocean bounded by a line starting at the intersection of longitude 113°46' east and latitude 27°51' south drawn southeasterly to the intersection of longitude 114°18' east and latitude 29°03' south; thence due west along latitude 29°03' south to where it intersects with the 200 metre isobath; thence generally north-westerly along the 200 metre isobath to where it intersects with latitude 27°51' south; thence due east along latitude 27°51' south to the starting point.
2. The waters of the Indian Ocean below high water mark bounded by a line starting at the intersection of latitude 27°51' south and the high water mark on the mainland of Western Australia and extending west along latitude 27°51' south to where it intersects with longitude 113°46' east; thence southeasterly to the intersection of latitude 28°20' south and longitude 113°59' east; thence due east along latitude 28°20' south to a point at high water mark on the mainland of Western Australia; thence along the high water mark to the starting point.

Dated this 23rd day of March 1990.

GORDON HILL, Minister for Fisheries.

## FISHERIES ACT 1905

## CLOSED WATERS NETTING (SWAN/CANNING RIVERS) NOTICE 1990

Notice No. 425

FD 365/66.

Made by the Minister under sections 9, 10 and 11.

**Citation**1. This notice may be cited as the *Closed Waters Netting (Swan/Canning Rivers) Notice 1990*.**Interpretation**

2. A reference to column 1, 2, 3, 4 or 5 is a reference to the respective column in the Schedule.

**Prohibition on Taking Fish by nets**

3. Subject to clause 4, the taking of fish by means of nets in the waters specified in column 1 is prohibited other than during the times specified in column 2 for set nets by licensed professional fishermen and column 3 for haul nets used by licensed professional fishermen.

**Time and Means of Taking Fish**

4. The fish listed in column 4 may be taken in the waters specified in column 1 at the times shown in column 4 by the means specified in column 5.

**Revocation**5. Notice No. 211 published in *Gazette* of 29 November 1985 is cancelled.

Column 1 Waters Where Netting Restrictions Apply	Column 2 Permitted Times for Set Nets	Column 3 Permitted Times for Haul Nets	Column 4 Permitted Species	Column 5 Permitted Means
Area 1. Swan River—Up-stream The waters of the Swan River and its affluents and tributaries upstream from a line drawn from a point on the Perth foreshore, being the intersection of the high water mark and the prolongation south westerly of the mid line of Plain St., passing through a point situated 100 metres west of the western extremity of Heirisson Island to the high water mark on the opposite river foreshore.	Nil	Nil	Prawns from 1 November in any year to 31 July next following. Crabs at all times Marron during the open season for marron fishing as defined in the Marron Fishing Restrictions Notice 1989.	(a) hand trawl nets; (b) hand scoop nets; and (c) dip nets (a) drop nets; and (b) hand scoop nets Marron fishing gear as defined in the Marron Fishing Restrictions Notice 1989
Area 2 Swan River—Down-stream The waters of the Swan River and of its affluents and tributaries from a line drawn from the south-western extremity of Point Resolution to the south-western extremity of the Point Walter Jetty downstream to a line drawn from the western extremity of the South Mole to the western extremity of the North Mole at Fremantle.	Nil	Nil	Prawns from 1 November in any year to 31 July next following. Crabs at all times	(a) hand trawl nets; (b) hand scoop nets; and (c) dip nets (a) drop nets; and (b) hand scoop nets
Area 3 Swan River—Perth Water All that portion of the Swan River except for those waters described in Area 4 bounded by lines starting from the south-eastern corner of Harper Square and extending west north westerly and north easterly along the boundaries of the square to the high water mark on the river foreshore thence generally westerly and south westerly along that high water mark to the eastern site of the Narrows Bridge thence southerly along that side to the high water mark on the South Perth foreshore thence southeasterly upstream along the high water mark to a point being the intersection of the high water mark to a point, being the intersection of the high water mark and the prolongation of the north western side of Darley Street and thence northerly in a straight line to the starting point.	Nil	Nil	Prawns from 1 November in any year to 31 July next following. Crabs at all times.	(a) hand trawl nets; (b) hand scoop nets; and (c) dip nets (a) drop nets; and (b) hand scoop nets

Column 1 Waters Where Netting Restrictions Apply	Column 2 Permitted Times for Set Nets	Column 3 Permitted Times for Haul Nets	Column 4 Permitted Species	Column 5 Permitted Means
<p>Area 4 Swan River—Perth Water All those waters of the Swan River bounded by lines commencing from a point being the intersection of the high water mark and the prolongation east-north easterly of a line drawn along the northernmost side of the street known as South Perth Esplanade; thence generally north easterly to the first starboard hand beacon located east of the Narrows Bridge thence generally south-easterly to the fourth navigational pile counted from the Mends St. Jetty located along the western side of the Mends St/Barrack St. ferry channel; thence southwesterly to a point on the foreshore being the intersection of the high water mark and the prolongation north easterly of a line drawn along the western side of Mends St. thence generally northerly along the high water mark to the starting point.</p>	Nil	From 00.00 hours to 08.00 hours on each weekday.	<p>Prawns from 1 November in any year to 31 July next following.</p> <p>Crabs at all times</p>	<p>(a) hand trawl nets; (b) Hand scoop nets; and (c) dip nets</p> <p>(a) drop nets; and (b) hand scoop nets.</p>
<p>Area 5 Swan River—Jetties The waters of the Swan River within 100 metres of the Mends Street, Coode Street, Como, Applecross, Point Walter and Nedlands Jetties.</p>	Nil	Nil	<p>Prawns from 1 November in any year to 31 July next following.</p> <p>Crabs at all times</p>	<p>(a) hand trawl nets; (b) hand scoop nets; and (c) dip nets</p> <p>(a) drop nets; and (b) hand scoop nets</p>
<p>Area 6 Canning River—Bridge All that portion of the Canning River within 100 metres of each side of the Canning Bridge.</p>	Nil	Nil	<p>Prawns from 1 November in any year to 31 July next following.</p> <p>Crabs at all times</p>	<p>(a) hand trawl nets (b) hand scoop nets; and (c) dip nets;</p> <p>(a) drop nets; and (b) hand scoop nets</p>
<p>Area 7 Canning River—Upstream The waters of the Canning River and its affluents and tributaries upstream to its source from a line drawn from the northern extremity of Second Avenue, Rossmoyne across the river to the southern extremity of Sulman Avenue</p>	Nil	Nil	<p>Prawns from 1 November in any year to 31 July next following.</p> <p>Crabs at all times</p> <p>Marron during the open season for marron fishing as defined in the Marron Fishing Restrictions Notice 1989.</p>	<p>(a) hand trawl nets; and (b) hand scoop nets; and (c) dip nets</p> <p>(a) drop nets; and (b) hand scoop nets</p> <p>Marron fishing gear as defined in the Marron Fishing Restrictions Notice 1989.</p>
<p>Area 8 Other Areas All waters of the Swan and Canning Rivers excepting the waters defined in Areas 1 to 7.</p>	From 1800 hours on each Sunday until 0800 hours on the following Saturday during the period commencing on 1 October in each year and ending on 31 March next following and from 1800 hours on each Sunday until 0900 hours on the following Saturday during the period commencing on 1 April in each year and ending on 30 September next following.	From 1800 hours on each Sunday until 0800 hours on the following Saturday during the period commencing on 1 October in each year and ending on 31 March next following and from 1800 hours on each Sunday until 0900 hours on the following Saturday during the period commencing on 1 April in each year and ending on 30 September next following.	<p>Prawns from 1 November in any year to 31 July next following</p> <p>Crabs at all times</p>	<p>(a) hand trawl nets (b) hand scoop nets; and (c) dip nets</p> <p>(a) drop nets; and (b) hand scoop nets</p>

Dated 26 February, 1990.

GORDON HILL, Minister for Fisheries.



Column 1 Waters Where Netting Restrictions Apply	Column 2 Permitted Times for Set Nets	Column 3 Permitted Times for Haul Nets	Column 4 Permitted Species	Column 5 Permitted Means
Island; thence generally northerly along that mark on the eastern shore of that island to its northernmost point; thence northerly to the high water mark at the southernmost point of Lancelin Island; thence generally northerly along that mark on the eastern shore of that island to its northernmost point; and thence northeasterly to the starting point. (Public Plans: 30/80, Lancelin).				
Area 3—Cervantes Town Beach All of the waters of the Indian Ocean within 400 metres of the high water mark between the intersection of the high water mark and the westerly prolongation of the northern side of Talavera Road, Cervantes and the intersection of the highwater mark and the north westerly prolongation of the south western side of Green Street, Cervantes.	The period commencing on 1 June in any year and ending on 30 November next following.		Crabs at all times	(a) drop nets; and (b) hand scoop nets
Area 4—Jurien All waters of the Indian Ocean and the Jurien Boat Harbour commencing at the intersection of the high water mark and the western extremity of Shingle Avenue and extending northerly along the high water mark to a point on the foreshore 400 metres north of the intersection of the northernmost groyne of the Jurien Boat Harbour and the high water mark with a width seawards of 400 metres from the high water mark.	Nil		Crabs at all times  Fish at all times	(a) drop nets; and (b) hand scoop nets (a) drop nets; and (b) hand scoop nets
Area 5—Port Denison Fishing Boat Harbour All waters of the Port Denison Fishing Boat Harbour inshore of a line drawn across the entrance to the harbour from the northernmost point of the western groyne to the westernmost point of the eastern groyne.	Nil		Crabs at all times	(a) drop nets; and (b) hand scoop nets
Area 6—Greenough River The whole of the waters of the Greenough River and its tributaries.	Nil		Prawns at all times  Crabs at all times	(a) hand trawl nets; (b) hand scoop nets; and (c) dip nets (a) drop nets; and (b) hand scoop nets
Area 7—Geraldton Harbour All the waters of Geraldton Harbour bounded by the high water mark of the mainland, the groyne known as the "breakwater" and lines from the northernmost end of the "breakwater" to the western end of the man made island breakwater known as the "viaduct" on the eastern side of the main shipping channel into the Harbour and from the eastern end of the "viaduct" to the northernmost point of the groyne known as the Francis Street Groyne.	Nil		Prawns at all times  Crabs at all times	(a) hand trawl nets; (b) Hand scoop nets; and (c) dip nets (a) drop nets; and (b) hand scoop nets
Area 8—Chapman River The whole of the waters of the Chapman River and its tributaries.	Nil		Prawns at all times  Crabs at all times	(a) hand trawl nets; (b) hand scoop nets; and (c) dip nets (a) drop nets; and (b) hand scoop nets
Area 9—Bowes River The whole of the waters of the Bowes River and its tributaries.	Nil		Prawns at all times  Crabs at all times	(a) hand trawl nets; (b) hand scoop nets; and (c) dip nets (a) drop nets; and (b) hand scoop nets

Column 1 Waters Where Netting Restrictions Apply	Column 2 Permitted Times for Set Nets	Column 3 Permitted Times for Haul Nets	Column 4 Permitted Species	Column 5 Permitted Means
<b>Area 10—Murchison River</b>				
(a) The whole of the waters of the Murchison River and its tributaries; and		Nil	Prawns at all times	(a) hand trawl nets; (b) hand scoop nets; and
(b) the waters of the Indian Ocean within an 800 metre radius of the northwesternmost point of the southern bank at the mouth of the Murchison River.			Crabs at all times	(c) dip nets (a) drop nets; and (b) hand scoop nets

Dated this 15th day of February 1990.

GORDON HILL, Minister for Fisheries.

**FISHERIES ACT 1905**  
**PART IIIB—PROCESSING LICENCE**

FD 11/90.

The public is hereby notified that I have issued a permit to Peter Soulos of Bunbury to establish a processing establishment to process fish in pursuance of the provisions of section 35C of the Fisheries Act 1905 at Lot 9 Austral Parade, Bunbury, subject to the following conditions—

That the processing establishment—

1. Shall comply with the requirements of the Fisheries Act 1905, and all Regulations, Orders in Councils, and Notices and Ministerial Directions issued thereunder.
2. Shall not be used for processing rock lobsters, prawns, abalone, tuna or salmon.
3. Shall comply with the requirements of the Health Act 1911 (amended).
4. Shall comply with the requirements of any town planning scheme or interim development order gazetted under the provisions of the Town Planning and Development Act 1928 (amended), or the Metropolitan Region Town Planning Scheme Act 1959 (amended).
5. Shall be registered as an export establishment pursuant to the provisions of the Parliament of the Commonwealth Export Control Act 1982, and Orders made thereunder, more specifically the Prescribed Goods (General) Orders and the Fish Orders, should it be used to process yabbies for export.
6. Shall not be used for the processing of marron (*Cherax tenuimanus*) unless a licence is held under section 39C of the Fisheries Act 1905.
7. Shall be used for the purpose of packing, freezing and holding fish only.

In accordance with the provisions of section 35K, any person aggrieved by this decision may, within fourteen days after publication of this Notice, appeal against the decision or order by serving on the Minister for Fisheries a statement in writing on the grounds of their appeal.

B. K. BOWEN, Executive Director of Fisheries.

**FISHERIES ACT 1905**  
**PART IIIB—PROCESSING LICENCE**

FD 12/90.

The public is hereby notified that I have issued a permit to N. E. and H. J. Soulos of Bunbury to establish a processing establishment to process fish in pursuance of the provisions of section 35C of the Fisheries Act 1905 at Lot 22 Austral Parade, Bunbury, subject to the following conditions—

That the processing establishment—

1. Shall comply with the requirements of the Fisheries Act 1905, and all Regulations, Orders in Councils, and Notices and Ministerial Directions issued thereunder.
2. Shall not be used for processing rock lobsters, prawns, abalone, tuna or salmon.
3. Shall comply with the requirements of the Health Act 1911 (amended).
4. Shall comply with the requirements of any town planning scheme or interim development order gazetted under the provisions of the Town Planning and Development Act 1928 (amended), or the Metropolitan Region Town Planning Scheme Act 1959 (amended).
5. Shall be registered as an export establishment pursuant to the provisions of the Parliament of the Commonwealth Export Control Act 1982, and Orders made thereunder, more specifically the Prescribed Goods (General) Orders and the Fish Orders, should it be used to process yabbies for export.
6. Shall not be used for the processing of marron (*Cherax tenuimanus*) unless a licence is held under section 39C of the Fisheries Act 1905.

7. Shall be used for the purpose of packing, freezing and holding fish only.

In accordance with the provisions of section 35K, any person aggrieved by this decision may, within fourteen days after publication of this Notice, appeal against the decision or order by serving on the Minister for Fisheries a statement in writing on the grounds of their appeal.

B. K. BOWEN, Executive Director of Fisheries.

#### FISHERIES ACT 1905

#### PERMIT TO ESTABLISH A PROCESSING ESTABLISHMENT

FD 13/90.

Michael Lucas of Bunbury is hereby authorised to establish a processing establishment to process fish in pursuance of the provisions of section 35C of the Fisheries Act 1905 at Lot 14 Austral Parade, Bunbury, subject to the following conditions—

That the processing establishment subject to this permit—

1. Shall comply with the requirements of the Fisheries Act 1905, and all Regulations, Orders in Councils, and Notices and Ministerial Directions issued thereunder.
2. Shall not be used for processing rock lobsters, prawns, abalone, tuna or salmon.
3. Shall comply with the requirements of the Health Act 1911 (amended).
4. Shall comply with the requirements of any town planning scheme or interim development order gazetted under the provisions of the Town Planning and Development Act 1928 (amended), or the Metropolitan Region Town Planning Scheme Act 1959 (amended).
5. Shall be registered as an export establishment pursuant to the provisions of the (Export Control Act 1982) of the Parliament of the Commonwealth and Orders made thereunder, more specifically the Prescribed Goods (General) Orders and the Fish Orders, should it be used to process yabbies for export.
6. Shall not be used for the processing of marron (*Cherax tenuimanus*) unless a licence is held under section 39C of the Fisheries Act 1905.
7. Shall be used for the purpose of packing, freezing and holding fish only.

B. K. BOWEN, Executive Director of Fisheries.

#### ERRATUM

#### FISHERIES ACT 1905

#### FISHERIES AMENDMENT REGULATIONS (No. 3) 1990

Whereas an error occurred in the notice published under the above heading on page 1470 of *Government Gazette* No. 26 dated 23 March 1990 it is corrected as follows.

In section 2 headed Regulation 12BB amended delete "is amended by inserting after subregulation (14) the following subregulation—" and insert "is amended—".

### LAND ADMINISTRATION

#### LOCAL GOVERNMENT ACT 1960

#### CLOSURE OF STREET

Whereas the City of Melville has requested the closure of the street hereunder described, viz: Case No. 053, Document No. D944336, Closure No. M1293.

Melville

All that portion of Blackwall Reach Parade (Road No. 3087) now comprising Swan Location 11245 shown bordered pink on Department of Land Administration Survey Diagram 89334.

(Public Plan: Perth 1:2 000 08.16)

And whereas the Minister has approved this request, it is hereby declared that the said street is closed.

N. J. SMYTH, Executive Director.

#### LOCAL GOVERNMENT ACT 1960

#### CLOSURE OF STREET

Whereas the City of Geraldton has requested the closure of the street hereunder described, viz: Case No. 142, Document No. E170609, Closure No. G763.

Geraldton

All those portions of Smith, Davis and Railway Streets shown bordered blue on Department of Land Administration Survey Diagram 89399.

(Public Plan: Geraldton 1:2 000 15.18)

And whereas the Minister has approved this request, it is hereby declared that the said street is closed.

N. J. SMYTH, Executive Director.

**LOCAL GOVERNMENT ACT 1960  
CLOSURE OF STREET**

Whereas the Shire of Cunderdin has requested the closure of the street hereunder described, viz: Case No. 017, Document No. D889206, Closure No. C1200.

Cunderdin

- (a) All those portions of McIntosh Street now comprised in Cunderdin Lots 410 and 411 shown bordered red on Department of Land Administration Survey Plan 17357.
- (b) All that portion of McIntosh Street shown bordered blue on Department of Land Administration Survey Plan 17357.

(Public Plan: Cunderdin 1:2 000 Pt. 14.18)

And whereas the Minister has approved this request, it is hereby declared that the said street is closed.

N. J. SMYTH, Executive Director.

**LOCAL GOVERNMENT ACT 1960  
CLOSURE OF STREET**

Whereas the Shire of Busselton has requested the closure of the street hereunder described, viz: Case No. 090, Document No. E036696, Closure No. B1275.

Busselton

All those portions of Dolphin Road shown bordered blue on Department of Land Administration Survey Diagram 89387.

(Public Plan: Busselton 1:2 000 22.34, 22.35)

And whereas the Minister has approved this request, it is hereby declared that the said street is closed.

N. J. SMYTH, Executive Director.

*CORRIGENDUM*

**LOCAL GOVERNMENT ACT 1960  
(CLOSURE OF STREET)**

Land Administration Case No. 123/E131764.

In the notice appearing in the *Government Gazette* dated 23 February 1990, page 1191, under the Heading Stirling, line 1, read "Molloy Street" in lieu of "Molley Street".

N. J. SMYTH, Executive Director.

*ERRATUM*

**AMENDMENT OF BOUNDARIES  
BALINGUP TOWNSITE**

File No. 1084/896.

Whereas an error occurred in the notice published under the above heading on page 1494 of *Government Gazette* No. 26 dated 23 March 1990 it is corrected as follows:

In the fifth line of the Schedule delete "left bank of the Balingup Townsite" and insert "left bank of the Balingup River".

**CHANGE OF NAME OF STREET  
*City of Geraldton***

File No. 1474/971.

It is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under section 10 of the "Land Act 1933" of the change of name of Willcock Drive to Hadda Way as shown coloured red on the print at page 94A of Land Administration File 1474/971.

Public Plan: Geraldton 1:2 000 15.13.

N. J. SMYTH, Executive Director.

## CHANGE OF NAME OF STREET

*City of Geraldton*

File No. 1474/971.

It is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under section 10 of the "Land Act 1933" of the change of name of Sewell Crescent to Nichols Street as shown coloured yellow on the print at page 93 of Land Administration File 1474/971.

Public Plan: Geraldton 1:2 000 15.18.

N. J. SMYTH, Executive Director.

## CHANGE OF NAME OF STREET

*City of Wanneroo*

File No. 1036-71 V2.

It is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under section 10 of the "Land Act 1933" of the change of name of Wrotham Street to Wrotham Place as shown coloured green on the print at page 300A of Land Administration File No. 1036-71 V2.

Public Plan: Perth 11.39 1:2 000.

N. J. SMYTH, Executive Director.

## CHANGE OF NAME OF STREET

*City of Wanneroo*

File No. 1036-71 V2.

It is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under section 10 of the "Land Act 1933" of the change of name of Clareville Crescent to Narrabeen Place as shown coloured green on the print at page 296A of Land Administration File No. 1036-71 V2.

Public Plan: Swan 6.03 1:2 000.

N. J. SMYTH, Executive Director.

## CHANGE OF NAME OF STREET

*City of Wanneroo*

File No. 1036-71 V2.

It is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under section 10 of the "Land Act 1933" of the change of name of Dymchurch Road to Wrotham Place as shown coloured red on the print at page 300A of Land Administration File No. 1036-71 V2.

Public Plan: Perth 11.39 1:2 000.

N. J. SMYTH, Executive Director.

## CHANGE OF NAME OF STREET

*Shire of Esperance*

File No. 2207/980.

It is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under section 10 of the "Land Act 1933" of the change of name of Baker Street to Sims Street as shown coloured green on the print at page 25A of Land Administration File No. 2207-980.

N. J. SMYTH, Executive Director.

## CHANGE OF NAME OF STREET

*Town of Mandurah*

File No. 3689/976.

It is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under section 10 of the "Land Act 1933" of the change of name of Gibla Street to Tindale Street as shown coloured red on the print at page 206A of Land Administration File 3689/976.

Public Plan: Mandurah 6.02 1:2 000.

N. J. SMYTH, Executive Director.

## CHANGE OF NAME OF STREET

*Town of Mandurah*

File No. 3689/976.

It is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under section 10 of the "Land Act 1933" of the change of name of Old Coast Road to Dunkeld Drive as shown coloured green on the print at page 205 of Land Administration File 3689/976.

Public Plan: Lake Clifton N.E. and part N.W. 1:25 000.

N. J. SMYTH, Executive Director.

## CHANGE OF NAME OF STREET

*Town of Mandurah*

File No. 3689/976.

It is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under section 10 of the "Land Act 1933" of the change of name of Gatsby Close to Hera Court as shown coloured red on the print at page 208A of Land Administration File 3689/976.

Public Plan: Mandurah 1:2 000 7.06.

N. J. SMYTH, Executive Director.

## CHANGE OF NAME OF STREET

*City of Bunbury*

File No. 2452/970.

It is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under section 10 of the "Land Act 1933" of the change of name of Pearce Street to Prestonwood Street as shown coloured red on the print at page 116A of Land Administration File 2452/970.

Public Plan: Bunbury &amp; Environs 1:2 000 3.30, 3.31.

N. J. SMYTH, Executive Director.

## NAMING AND CHANGE OF NAME OF STREETS

*Shire of Northampton*

File No. 1352/986.

It is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under section 10 of the Land Act 1933 of the naming and change of name of streets in the Shire of Northampton as set out in the Schedule hereunder.

## 1. The naming of:—

- (a) Browns Road being applied to the road as shown coloured red on the print at page 16A of Land Administration File 1352/986.
- (b) Thomas Road being applied to the road as shown coloured yellow on the print at page 16A on Land Administration File 1352/986.
- (c) Martin Road being applied to the road as shown coloured blue on the print at page 16A of Land Administration File 1352/986.
- (d) Rowlands Road being applied to the road as shown coloured green on the print at page 16A of Land Administration File 1352/986.

2. The change of name of North-West Coastal Highway to Old North-West Coastal Highway as shown coloured brown on the print at page 16A of Land Administration File 1352/986.

Public Plan: Hutt 1:25 000 NE, SE, NW.

N. J. SMYTH, Executive Director.

## PUBLIC WORKS ACT 1902

## SALE OF LAND

File No. 4045/989.

Notice is hereby given that His Excellency the Lieutenant-Governor and Administrator has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902 (as amended) the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

## Land

Portion of Swan Location 42 and being Lot 421 on plan 4852 and being the whole of the land contained in Certificate of Title Volume 1145 Folio 593 as is shown more particularly delineated and coloured green on plan L.A., W.A. 570.

Dated this 13th day of March 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902****SALE OF LAND**

File No. 683/990.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

## Land

Portion of Avon Location C and being Lot 19 on Diagram 24765 and being the whole of the land contained in Certificate of Title Volume 1230 Folio 711 as is shown more particularly delineated and coloured green on Plan L.A., W.A. 590.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902****SALE OF LAND**

File No. L & PB 1889/81.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

## Land

Albany Lot 1381 held as Reserve 33539 as is shown more particularly delineated and coloured green on Plan L.A., W.A. 569.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902****SALE OF LAND**

File No. PW 440/69.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereinafter described, such land being no longer required for the work for which it was acquired.

## Land

Portion of Swan Location 28 and being Lots 136-139 (inclusive) and 166-169 (inclusive) on Plan 1792 (Sheet 3) and being part of the land contained in Certificate of Title Volume 1820 Folio 663 as is shown more particularly delineated and coloured green on Plan LA; WA 593.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902****SALE OF LAND**

File No. 746/990.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

## Land

Portion of Kwinana Lot A398 and being Log 276 on Plan 9295 and being the whole of the land contained in Certificate of Title Volume 206 Folio 192A as is shown more particularly delineated and coloured green on plan L.A., W.A. 580.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. L & PB 1229/81V2.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Portion of Canning 31 and being Lot 8 on Plan 2037 (1) and being the whole of the land contained in Certificate of Title Volume 1646 Folio 879 and portion of Canning Location 31 and being Lot 30 on Plan 2037 (1) and being the whole of the land contained in Certificate of Title Volume 1332 Folio 623 as is shown more particularly delineated and coloured green on Plan L.A., W.A. 575.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. L & PB 825/82.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereinafter described, which was compulsorily taken or resumed under that Act for a public work, namely Armadale Police Station Extensions and has been used for that public work for a period of ten years or more and being no longer required for that work.

Land

Portion of Armadale Lot 9 held as part of Reserve 9334 as is shown more particularly delineated and coloured red on Plan L.A., W.A. 583.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. L & PB 825/82.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Portion of Armadale Lot 9 held as part of Reserve 9334 as is shown more particularly delineated and coloured green on Plan L.A., W.A. 583.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. PW 492/61.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

North Beach Lot 688 held as Reserve 28635 as is shown more particularly delineated and coloured green on plan L.A., W.A. 594.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. 2167/960.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereinafter described, which was compulsorily taken or resumed under that Act for a public work, namely Albany Highway, Drainage Sump at John Street, Welshpool and has been used for that public work for a period of ten years or more and being no longer required for that work.

Land

Portion of Canning Location 1776 held as part of Reserve 25834 formerly Lot 30 as is shown more particularly delineated and coloured red on Plan L.A., W.A. 591.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. 2167/960.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Portion of Canning Location 1776 held as part of Reserve 25834 formerly Lot 32 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 591.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. 3262/973.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Swan Location 8993 held as Reserve 33286 as is shown more particularly delineated and coloured green on L.A., W.A. 579.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. 837/990.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Portion of Swan Location 73 and being Lot 747 on Plan 6667 and being part of the land contained in Certificate of Title Volume 1246 Folio 821 as is shown more particularly delineated and coloured green on plan LA;WA 578.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. 748/990.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Portion of Kwinana Lot A749 and being Lot 39 on Plan 9636 and being the whole of the land in Certificate of Title Volume 348 Folio 45 as is shown more particularly delineated and coloured green on LA;WA 576.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. 747/990.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Portion of Kwinana Lot A748 and being Lot 731 on Plan 9480 and being the whole of the land contained in Certificate of Title Volume 298 Folio 177A as is shown more particularly delineated and coloured green on plan LA;WA 577.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. 5455/908.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereinafter described, such land being no longer required for the purpose for which it was acquired.

Land

Cottesloe Lot 330 held as Reserve 26295 as is shown more particularly delineated and coloured green on Plan LA;WA 592.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. 744/990.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Portion of Swan Location 15 and being Lot 319 on Plan 1236 (1) and being part of the land contained in Certificate of Title Volume 1246 Folio 812 as is shown more particularly delineated and coloured green on plan LA;WA 581.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

**PUBLIC WORKS ACT 1902**  
**SALE OF LAND**

File No. 973/989.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Kwinana Lot 288 held as Reserve 41331 as is shown more particularly delineated and coloured green on Plan L.A.,W.A. 587.

Dated 27 March, 1990.

N. J. SMYTH, Executive Director, Department of Land Administration.

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**PUBLIC WORKS ACT 1902**  
**LOCAL GOVERNMENT ACT 1960**

It is hereby declared that, pursuant to the resolution of the City of Wanneroo passed at a meeting of the Council held on or about 22 November 1989 the undermentioned lands have been set apart, taken, or resumed under section 17 of the Public Works Act 1902, for the purpose of a new road, that is to say—

Wanneroo

1109/985.

Road No. 18132 (Burragh Way). That portion of land situated southwestwards of the easternmost southwestern boundary of Swan Location 11268 and its prolongation southeastwards, being part of the land delineated and coloured dark brown on Land Administration Diagram 89282.

Road No. 18133 (Beddi Road). A strip of land varying in width commencing at the northeastern side of Road No. 18132 and extending as delineated northeastwards and being part of the land coloured dark brown on Land Administration Diagram 89282 to terminate as shown on the said Diagram. 7 613 square metres being resumed from Swan Location 10090.

(Public Plan: Perth 1:2 000 7.37)

And whereas His Excellency the Lieutenant-Governor and Administrator has declared that the said lands have been set apart, taken, or resumed for the purpose of the said roads, and that plans of the said lands might be inspected at the Department of Land Administration, Perth, it is hereby notified that the lands described above are now vested in Her Majesty for an estate in fee simple in possession for the public work herein expressed.

By Order of His Excellency.

Dated 15 February 1990.

E. K. HALLAHAN, Minister for Lands.

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Road Dedication

It is hereby notified that the Minister for Lands has approved, pursuant to section 288 of the Local Government Act, the dedication as public street the roads in the various Municipalities as described in the abovementioned resumption notices.

By Order of the Minister for Lands.

Dated 26 February 1990.

N. J. SMYTH, Executive Director.

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**LOCAL GOVERNMENT ACT 1960**

It is hereby declared that, pursuant to the resolution of the City of Armadale passed at a meeting of the Council held on or about 18 June 1987 the undermentioned lands have been set apart, taken, or resumed under section 17 of the Public Works Act 1902, for the purpose of a new road, that is to say—

Armadale

1890/985.

Road No. 1479 (Deviation and widening) Those portions of Canning Locations 1195 and 1262 (Portion Reserve No. 4127) as delineated and coloured dark brown on Land Administration Diagram 89141.

82 Square metres being resumed from Canning Location 1195.

Reserve No. 4127 is hereby reduced by 350 square metres.

(Public Plan: Perth 1:2 000 24.02 and 25.02; 341B/40 Chain).

And whereas His Excellency the Lieutenant-Governor and Administrator has declared that the said lands have been set apart, taken, or resumed for the purpose of the said roads, and that plans of the said lands might be inspected at the Department of Land Administration, Perth, it is hereby notified that the lands described above are now vested in Her Majesty for an estate in fee simple in possession for the public work herein expressed.

By Order of His Excellency,

E. K. HALLAHAN, Minister for Lands.

Dated 27 February 1990.

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Road Dedication

It is hereby notified that the Minister for Lands has approved, pursuant to section 288 of the Local Government Act, the dedication as public street the roads in the various Municipalities as described in the abovementioned resumption notices.

By Order of the Minister for Lands,

N. J. SMYTH, Executive Director.

Dated 19 March 1990.

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LAND ACT 1933

NOTICE OF INTENTION TO GRANT A SPECIAL LEASE UNDER SECTION 116

Corres 2363/974.

It is hereby notified that it is intended to grant a lease of King Location 437 to D.B and C.D Marra for a term of 21 years for the purpose of "Horticulture".

N. J. SMYTH, Executive Director.

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LAND ACT 1933

NOTICE OF INTENTION TO GRANT A SPECIAL LEASE UNDER SECTION 116

Corres: 1940/985

It is hereby notified that it is intended to grant a lease of Kent Location 2103 to the Cooperative Bulk Handling Limited for a term of twenty one years for the purpose of "Storage of Cereal Grain".

N. J. SMITH, Executive Director.

File No. 2538/1989.  
Ex. Co. No. 585.

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LOCAL GOVERNMENT ACT 1960

PUBLIC WORKS ACT 1902

LAND ACQUISITION

Drain—Shire of Swan

Notice is hereby given, and it is hereby declared, that the piece or parcel of land described in the Schedule hereto being all in the Swan District have, in pursuance of the written consent under the Local Government Act 1960, and approval under section 17 (1) of the Public Works Act 1902, of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 27th day of March 1990, been compulsorily taken and set apart for the purposes of the following public work, namely—Drain—Shire of Swan.

And further notice is hereby given that the said piece or parcel of land so taken and set apart are shown marked off on Plan L.A., W.A. 571 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

And it is hereby directed that the said lands shall vest in Shire of Swan for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interest, rights-of-way, or other easements whatsoever.

## Schedule

No. on Plan L.A., W.A. No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx)
571	Peter Wesley Videan	Peter Wesley Videan	Portion of Swan Location 5A and being Lot 11 the subject of Diagram 76100 being part of the land contained in Certificate of Title Volume 1657 Folio 235	1207 m <sup>2</sup>
	Faye Laraine Videan	Faye Laraine Videan		

Certified correct this 19th day of March 1990.

E. K. HALLAHAN, Minister for Lands.  
FRANCIS BURT, Governor in Executive Council.

Dated this 27th day of March 1990.

File No. 2539/989.  
Ex. Co. No. 582.

**LOCAL GOVERNMENT ACT 1960**  
**PUBLIC WORKS ACT 1902**  
**LAND ACQUISITION**  
Drain—Shire of Swan

Notice is hereby given, and it is hereby declared, that the piece or parcel of land described in the Schedule hereto being all in the Swan District have, in pursuance of the written consent under the Local Government Act 1960, and approval under section 17 (1) of the Public Works Act 1902, of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 27th day of March 1990, been compulsorily taken and set apart for the purposes of the following public work, namely—Drain—Shire of Swan.

And further notice is hereby given that the said piece or parcel of land so taken and set apart are shown marked off on Plan L.A., W.A. 566 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

And it is hereby directed that the said lands shall vest in Shire of Swan for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interest, rights-of-way, or other easements whatsoever.

## Schedule

No. on Plan L.A., W.A. No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx)
566	Graham John Alderton and Susan Mary Alderton	Graham John Alderton and Susan Mary Alderton	Portion of Swan Location 5A and being Lot 10 the subject of Diagram 76099 being part of the land contained in Certificate of Title Volume 1415 Folio 78	1006 m <sup>2</sup>

Certified correct this 19th day of March 1990.

E. K. HALLAHAN, Minister for Lands.  
FRANCIS BURT, Governor in Executive Council.

Dated this 27th day of March 1990.

## LOCAL GOVERNMENT

### LOCAL GOVERNMENT ACT 1960

#### LOCAL GOVERNMENT REGIONAL DISTRICT ORDER 1990

Made by His Excellency the Governor in Executive Council under section 697 of the Local Government Act.

#### Citation

1. This order may be cited on the "Local Government Regional District Order 1990".

#### Bunbury-Harvey Regional District Constituted

2. The Bunbury-Harvey Regional District proposed in the Regional Council Constitution Agreement entered into by the municipalities of the City of Bunbury and the Shire of Harvey and approved by the Minister for Local Government is hereby constituted.

By His Excellency's Command,

G. PEARCE, Clerk of the Council.

### LOCAL GOVERNMENT ACT 1960

#### *The Municipality of the Shire of Ashburton*

#### By-law relating to Standing Orders

IN pursuance of the powers conferred upon it the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on 18 September 1989, to adopt and submit for confirmation by the Governor, a By-law relating to Standing Orders.

By-laws relating to Standing Orders published in the *Government Gazette* of 7 February 1963 and 13 May 1964 for the Shire of Ashburton and Tableland respectively are hereby revoked.

By-law may be referred to as the Shire of Ashburton Standing Orders By-law.

#### Part I—Preliminary

The proceedings and business of the Council shall be conducted according to this By-law, the clauses of which shall be referred to as the "Standing Orders".

#### Interpretation

1. In this By-law unless the context otherwise requires—

"Act" means the Local Government Act, 1960.

"Clause" means a clause of this By-law.

"Clerk" means the Shire Clerk or Acting Shire Clerk.

"Committee" means any Standing or Occasional Committee appointed in accordance with the provisions of Section 179 of the Act.

"Member" means the President or a Councillor of the Council.

"President" includes, in the absence of the President, Deputy President or the member chosen to preside at any meeting of the Council.

#### Arrangement

2. The arrangement of this By-law is as follows:

#### Part I—Preliminary

Preliminary—Clauses 1 and 2

#### Part II—Meetings of Council

Meetings of Council—Clauses 3-19

Minutes Clauses 20-21

Questions—Clauses 22 and 23

Correspondence—Clauses 24-25

Notice of Motion—Clauses 26 and 27

Deputations and Petitions—Clauses 28-30

Reports of Committees—Clauses 31-33

Privilege—Clauses 34 and 35

#### Part III—Conduct of Meetings

Conduct of Meetings—Clauses 36 and 37

Rules of Debate and Method of Voting—Clauses 38-71

Order of Debate—Clauses 72-116

## Part IV—Committees

Committees—Clauses 117—130

Representation of Public Bodies, Electors and Ratepayers Meetings—  
Clauses 131-134

Enforcement—Clauses 135 and 136

## Part II—Meetings of Council

## President to Preside

3. The President, if present, shall preside at all meetings of the Council, and, in his absence, or if, after being present, he retires, the Deputy President shall preside, but if he is not present, or after being present retires, then one of the Councillors chosen by the Councillors then present, shall preside.

## Notice of Ordinary Meetings

4. Notice of all meetings of the Council other than those convened under Section 172 (2) or Section 172 (3) of the Act shall be given to members of the Council in writing and shall be signed by the President or the Clerk and shall state the place, date and hour of holding the meeting, and state the business to be transacted. The notice shall be served on each of the members of the Council at least 24 hours before the time of the commencement of the meeting.

## Notice of Adjourned Meeting

5. When a meeting of the Council is adjourned to a day and hour other than the next Ordinary meeting of the Council, notice of the adjourned meeting may, if time permits, be sent in the manner provided by Clause 4 of this By-law, to each member of the Council specifying the nature of the business to be transacted.

## Quorum

6. (1) At any meeting of the Council, a quorum shall consist of such number as conforms to the provisions of Section 173 of the Act.

(2) Subject to Clause 7, every meeting shall proceed to business so soon after the time stated in the summons as a quorum is constituted.

## Absence of Quorum

7. If at any meeting a quorum be not present within half an hour after the time appointed for that meeting, the President, or in his absence the majority of the Councillors present, or any one Councillor, if only one be present, or the Clerk if no Councillor be present, may adjourn the meeting to any date not later than seven days from the date of the adjournment.

## Meeting Counted Out

8. If at any time during any meeting of the Council a quorum is not present, the President shall thereupon suspend the proceedings of the meeting for a period of fifteen minutes, and if a quorum be not present at the expiration of that period, the meeting shall be deemed to have been counted out, and the President shall adjourn it to some future date.

## Debate May be Resumed on Motion

9. Where the debate on any motion, moved and seconded, is interrupted by the Council being counted out, that debate may be resumed at the next meeting, at the point where it was so interrupted.

## Names to be Recorded

10. At any meeting at which there is not a quorum of members present, or at which the Council is counted out for want of a quorum, the names of the members then present shall be recorded in the Minute Book.

## Open Doors—Except as Provided

11. (1) The business of the Council shall be conducted with open doors except upon such occasions as the Council may by resolution otherwise decide.

(2) Upon the carrying of such a resolution as is mentioned in sub-clause (1) of this clause, the President shall direct all persons other than Councillors and nominated servants of the Council to leave the Council Chambers and every person shall forthwith comply with such direction.

(3) Any person failing to comply with a direction made pursuant to sub-clause (2) of this clause may, by order of the President, be removed from the Council Chambers.

(4) After carrying of a resolution made under sub-clause (1) of this clause, the business at that meeting of the Council shall proceed behind closed doors until the Council by resolution, decides to proceed with open doors.

(5) Any resolution mentioned in this clause may be moved without notice.

## Disturbance By Strangers

12. (1) A person, not being a Councillor, shall not at any meeting of the Council interrupt the proceedings of the Council.

(2) Any person interrupting the proceedings of the Council shall, when so directed by the President, forthwith leave the Council Chambers.

(3) Any person who, being ordered to leave the Council Chambers, fails to do so may, by order of the President, be removed from the Council Chambers.

#### Two Kinds of Meetings

13. Meetings of the Council shall be of two kinds "ordinary" and "special". Ordinary meetings are those called at such places and such times as the Council from time to time appoints for the transaction of the ordinary business of the Council. Special meetings are those called to consider special business, the nature of which shall be notified on the notice paper summoning the meeting. No business shall be transacted at a special meeting other than that for which the special meeting was called.

#### Calling of Meetings

14. (1) The President may convene a meeting of the Council as often as he thinks fit by notice in writing signed by him or the Shire Clerk sent to each Councillor before the meeting.

(2) If the President fails to call a meeting after receiving a request for the purpose signed by at least three Councillors, those Councillors may call a meeting of the Council in accordance with the Act.

#### Business at Ordinary Meetings

15. No business shall be transacted at any meeting of the Council other than specified in the notice relating thereto, except—

- (a) Matters which the Act permits to be dealt with, without notice; and
- (b) Matters which these By-laws permit to be dealt with, without notice.

#### Objectionable Business

16. If the President at any meeting of the Council shall be of the opinion that any motion or business proposed to be made or transacted thereat is of an objectionable character, it shall be competent for him either before or after the same is brought forward, to declare that the same shall not be entertained. Provided always that it shall be competent for any member of the Council to move dissent from the declaration made from the Chair, and in the event of the same being carried by a majority of the members present the business referred to shall thereupon be entertained but not otherwise.

#### Order of Business At Ordinary Meeting

17. The order of business at an Ordinary meeting of the Council shall, unless for the greater convenience of the Council altered by resolution to that effect, be as nearly as practicable as follows, that is to say—

- (i) Confirmation of Minutes
- (ii) Apologies/Leave of Absence
- (iii) Councillors Declaration of Pecuniary Interest
- (iv) Reports of the President, Councillors and Shire Clerk
- (v) Questions of which due notice has been given—without discussion
- (vi) Petitions and Memorials
- (vii) Reports of Officers

#### Order of Business At Ordinary Meeting

- (viii) Reports of Committees
- (ix) Orders of the Day, including considering and ordering upon any business left over from the previous meeting and any business the President may think desirable to bring under the notice of Council and may have directed to be entered as an order of the day
- (x) Motions of which Previous Notice has been given
- (xi) Notice of Motion for consideration at the following meeting, if given during the meeting
- (xii) Motions without Notice by permission of the Council

#### Order of Business At Special Meetings

18. The order of business at any special meeting of the Council shall be the order in which that business stands in the notice of the meeting.

#### Order of Business At Adjourned Meetings

19. At an adjourned meeting of the Council, no business shall be transacted other than such as shall have been specified on the notice of the meeting of which it is an adjournment, and which remains undisposed of, save and except in the case of an adjournment to the next Committee Meeting of the Council, when the business undisposed of at the adjourned meeting shall have the precedence at such ordinary meetings of the Council.

## MINUTES

## Confirmation of Minutes

20. The Minutes of the preceding meeting, whether of an Ordinary or a Special Meeting, not previously confirmed, shall be submitted as the first business at a meeting of the Council in order to proceed to their confirmation, and discussion, other than discussion as to their accuracy as a record of the proceedings, shall not be permitted, and when confirmed the Minutes shall thereupon be signed by the President and he shall sign and date each page.

## Minute Book

21. (i) The pasting or otherwise permanent affixing of the Minutes to the leaves of a book shall be sufficient recording of the minutes in the Minute Book and the reading of the Minutes of the previous meeting at the next ordinary meeting may be dispensed with when members have been supplied with copies of those Minutes at least 3 days before that next meeting.

(ii) The minutes of any preceding meeting, whether of an ordinary or a special meeting, not previously confirmed, shall be submitted as the first business at a meeting of the Council in order to proceed to their confirmation, and discussion, other than discussion as to their accuracy as a record of the proceeding shall not be permitted, and when confirmed, the minutes shall thereupon be signed by the President in accordance with section 188 of the Act.

## QUESTIONS

## Notice of Questions To Be Given

22. Any Councillor desiring to ask a question at any meeting of the Council shall give notice thereof in writing to the Clerk at least 8 hours before the hour fixed for the commencement of the meeting.

## Questions And Answers To Be Brief

23. Every question and answer shall be submitted as briefly and concisely as possible, and no discussion shall be allowed thereon.

## CORRESPONDENCE

24. Correspondence to the Council shall be addressed to the Clerk and no correspondence addressed to the Council shall be presented or read by a Councillor at a meeting. Subject to Clause No. 25, the Clerk shall send each member a summary of the correspondence he considers necessary or desirable to submit to Council with an indication of the Officer responsible for a report on the matter to Council.

## Late Correspondence

25. In cases of extreme urgency or other special circumstances, correspondence additional to that set out in accordance with Clause No. 24 may, with the consent of the Council, be read and ordered upon.

## NOTICES OF MOTION

26. (1) A Councillor may bring forward at a meeting such business as he considers desirable or necessary, in the form of a motion, of which notice has been given in writing to the Clerk, either at the last previous meeting or at any time thereafter, being not less than three clear days before the meeting at which it is brought forward.

(2) Every notice of motion shall relate to some question affecting the constitution, administration, or condition of the Municipality or the Council.

(3) The President shall rule out of order any motion which does not comply with sub-clause (2) of this clause.

27. Every such motion as is mentioned in Clause 26 shall lapse, unless—

(a) The Councillor who gave notice thereof, or some other Councillor authorised by him in writing, is present to move the motion when called on; or

(b) The Council on a motion agrees to defer consideration of the motion to a later stage or date.

## PETITIONS

28. Every petition shall be respectful and temperate in its language and shall be presented to the Council by a Councillor only, and any Councillor presenting a petition to the Council shall affix his name to the beginning thereof, with the number of signatures; and any Councillor presenting a petition shall acquaint himself with the contents thereof and ascertain that it does not contain language disrespectful to the Council. The nature of prayer of every petition shall be stated to the Council by the Councillor presenting it.

## Deputations

29. (1) Any person or persons wishing to be received as a deputation by the Council shall, in the first instance, send to the Clerk a memorial, setting out in concise terms the subject matter to be raised by the deputation.

(2) Where the Clerk receives a memorial in terms of this clause, he shall lay the memorial—

- (a) before the Committee concerned; or
- (b) where there is no Committee concerned, before the President.

(3) The Committee or President receiving a memorial in terms of this clause may either receive the deputation or lay the memorial before the Council.

(4) Where a memorial is laid before the Council under sub-clause (3) of this clause, the Council may, if it so resolves, receive the deputation.

#### Size of Deputation

30. A deputation shall not exceed five in number and only two members thereof shall be at liberty to address the Council or a Committee of the Council, except in reply to questions from members of the Council or Committee and the matter shall not be further considered by the Council or the Committee, until the deputation has withdrawn.

### REPORTS OF COMMITTEES

31. All Minutes and Reports of Committees to be presented at any meeting of the Council shall be sent to each member of the Council at least three days before the commencement of the meeting at which they are presented. Provided always that it shall be competent for any member of the Council to move as a matter of urgency that Minutes and Reports of Committees, which have not been sent to each member of the Council as previously prescribed by this clause be entertained, and in the event of the same being carried by a majority of the members present the Minutes and Reports referred to shall thereupon be entertained but not otherwise.

#### Presentation of Reports

32. Reports of Committees shall be presented to the Council by the Chairman of each Committee concerned or in his absence, a member of the Committee, the form of a motion "That the recommendations of the Report be received and adopted". No objection to the reception of the reports of Committee or any part thereof, shall be raised when such reports are presented to the Council; except for reasons arising out of such reports.

#### Withdrawal or Amendment of Reports

33. The Chairman or other member of a Committee presenting a report may, with the consent of the Council, withdraw or amend such report or any recommendation thereof. Such consent may be given notwithstanding that a motion or amendment may then be before the Chair.

#### Privilege

34. Notwithstanding anything contained in this By-law, it shall be competent for any member of the Council, feeling himself aggrieved by anything which may have transpired between the termination of one meeting of the Council and the commencement of another, to raise the question of privilege; provided always that it shall not be competent for any member to raise any question of privilege without first obtaining the consent and approval of the President thereto.

#### Procedure of Privilege

35. In the event of a question of privilege being raised by a memo of the Council, such question shall thereupon take precedence over all other business before the Council and be raised immediately after the Confirmation of the Minutes of the preceding meeting or meetings.

### PART III—CONDUCT OF MEETINGS

#### Councillors to Address President

36. Any Councillor moving a motion or amendment or taking part in the discussion thereon, shall address the President.

37. After a meeting of the Council has been formally constituted and the business thereof commenced, a member of the Council shall not enter, leave or withdraw from such meeting without first paying due respect to the Chair by referring to the President.

### RULES OF DEBATE

#### Point of Order

38. (1) A Councillor who is addressing the President shall not be interrupted except upon a point of order, whereupon the Councillor so interrupted may, if permitted, proceed.

(2) A Councillor expressing a difference of opinion with, or to contradict, a speaker shall not be recognised as raising a point of order.

(3) A violation of any provision of these Standing Orders is a breach of order.

## Substance of Motion to be Stated

39. Councillor desirous of proposing an original motion or amendment shall state its substance before he addresses the Council thereon, and if so required by the President, shall put the motion or amendment in writing.

## Motions and Amendments to be Seconded

40. (1) A motion or amendment shall not be discussed or put to the vote of the Council unless seconded, but a Councillor may require the enforcement of any Standing Order of the Council by directing the President's attention to the infraction thereof.

(2) A nomination to the position of President or Deputy President is not required to be seconded.

## Titles to be Used

41. A speaker in referring to any other present, shall designate him by the title of President or Councillor, as the case may be.

## Priority of Speaking

42. Where two or more Councillors indicates an intention to speak at the same time, the President shall decide who of them is entitled to priority.

## President to be Heard

43. Whenever the President indicates an intention to speak during a debate any Councillor then speaking or offering to speak shall be silent so that the President may be heard without interruption.

## President to Take Part In Debates

44. Subject to the provisions of this By-law it shall be competent for the President to take part in a discussion upon any question before the Council. Provided that he shall address the Council before the right of reply is exercised.

## Speaking Twice

45. Except where this clause is suspended under Clause 46, a Councillor shall not speak twice on the same question except—

- (a) in reply, upon an original motion of which he was the mover;
- (b) in reply, upon an amendment last debated of which he was the mover;
- or
- (c) by way of personal explanation.

46. The Council may, by resolution moved without notice, suspend the operation of Clause 45 hereof and thereupon such clause shall be suspended until such time as the Council shall, by similar resolution, otherwise decide.

## Personal Explanation

47. A Councillor making a personal explanation shall confine it to a succinct explanation of a material part of his former speech which may have been misunderstood, and to the explanation itself, and shall not advert to matters not strictly necessary for that purpose nor seeking to strengthen his former argument by new matter or by replying to other Councillors.

## Calling To Order For Speaking Twice

48. The President shall forthwith call to order any Councillor committing a breach of Clause 45.

## No Speech After Certain Events

49. No Councillor shall speak on any motion or amendment—

- (a) After the mover has replied, or
- (b) After the question has been put.

50. A Councillor moving or seconding a motion or amendment is deemed to have spoken thereon, but the seconder may reserve his speech to later in the debate provided he so indicates when formally seconding the motion or amendment.

## Limit of Speeches

51. (1) A Councillor shall not speak upon any motion or amendment or in reply for a longer period than ten minutes without the consent of the Council, which shall be signified without debate.

(2) An extension shall not be permitted under this clause beyond a total of ten minutes.

## Speaking in Reply

52. A Councillor speaking in reply shall not introduce any new matter but shall strictly confine himself to answering previous speakers.

## Division of Motions

53. The President may, at his discretion, or the Council may, by motion without debate, order a complicated motion to be divided and put in the form of two or more motions.

#### Withdrawal of Motions

54. A motion or amendment may be withdrawn by the mover, with the consent of the Council, which shall be signified without debate; and it shall not be competent for any Councillor to speak upon the motion or amendment after the mover has asked permission for its withdrawal unless that permission is refused.

#### Production of Documents

55. (1) Any member may of right, require the production of any of the documents of the Council relating to the question or matter under discussion.

(2) On giving to the Clerk not less than eight working hours' notice, a member of the Council shall be entitled to have laid on the Council table, for the duration of a meeting, any document or record of the Council, and the Clerk, on receiving that notice, shall lay the document on the Council table at the commencement of the meeting.

#### No Digression

56. A Councillor shall not speak otherwise than upon, or digress from, the question then before the Council, except to make a personal explanation.

#### No Adverse Reflection On Council

57. A Councillor shall not reflect adversely upon a resolution of the Council, except on a motion that the resolution be rescinded.

#### No Adverse Reflection on Councillor

58. A Councillor shall not reflect adversely upon the character or actions of another member nor impute any motive to a member, unless the Council resolves, without debate, that the question then before the Council cannot otherwise be adequately considered.

59. Any member may require the Clerk to take down any particular words used by a member immediately upon their being used.

#### Demand For Withdrawal

60. If any Councillor commits a breach of Clause 57 or 58, the President may require him unreservedly to withdraw any offending comment and to make a satisfactory apology; and, if the Councillor declines or neglects to do so, the President may direct such Councillor to cease speaking and resume his seat and may call on the next speaker.

#### Disturbance by Councillors

61. A Councillor shall not make any noise or disturbance or, except to raise a point of order, converse aloud, while any other person is addressing the Council.

#### Continued Irrelevance Etc.

62. The President may call the attention of the Council to continued irrelevance, tedious repetition, unbecoming language, or any breach of order or decorum on the part of a Councillor and may direct that Councillor, if speaking, to discontinue his speech, and thereupon the Councillor shall cease speaking.

#### Crossing Council Chamber

63. When the President is putting any question, a Councillor shall not leave or cross the Chamber; and shall not, whilst any other Councillor is speaking, pass between the speaker and the chair.

#### President May Call to Order

64. President shall preserve order, and may call any Councillor to order, whenever, in his opinion, there is cause for so doing.

#### Infraction of Standing Order

65. Every Councillor shall be entitled to direct the attention of the President to any infraction of the Standing Orders by any other Councillor; or to draw the attention of the President to any matter of which the latter may take notice under Clause 62.

#### Rulings By President

66. The President, when deciding a point of order or practice, shall give his decision and argument or comment shall not be permitted thereon and his decision shall be final, in that particular case, unless a majority of Councillors then present shall, upon motion made forthwith without discussion, dissent therefrom.

67. Whenever the President has decided that any motion, amendment or other matter before the Council is out of order, it shall be rejected; and whenever anything said or done in the Council, by any Councillor, is similarly decided to be out of order, that Councillor shall be called upon by the President to make such explanation, retraction or apology, as the case may require.

## Continued Breach of Order

68. Where a Councillor persists in any conduct which the President decides is out of order, or refuses to make any explanation, retraction or apology required by the President under Clause 66, the President may direct that Councillor to refrain from taking any further part in the then meeting of Council, other than by recording his vote; and the Councillor shall comply with such direction.

## Serious Disorder

69. (1) If at a meeting of the Council the President is of opinion that by reason of disorder or otherwise the business of the Council cannot effectually be continued, he may adjourn the meeting for a period of fifteen minutes, whereafter the Council shall reassemble and decide whether business is to be proceeded with and that question shall be decided forthwith and without debate.

(2) Where after any proceeding under sub-clause (1) of this clause, the President is again of opinion that the business of the Council cannot effectually be continued, he may close the meeting.

## All Councillors to Vote

70. At every meeting of the Council, except where prohibited from voting by the Act, every Councillor present shall vote, and if any Councillor who is entitled to vote fails to vote, the President shall call upon him to vote.

## Method of Taking Vote

71. The President shall, in taking the vote on any motion or amendment, put the question, first in the affirmative, and then in the negative, and he may do so as often as is necessary to enable him to form and declare his opinion as to whether the affirmative or the negative has the majority on the voices or by a show of hands except where a Councillor is prevented from doing so by sickness or physical impairment.

72. (1) The Council shall vote by a show of hands or on the voice, except where a Councillor is prevented from doing so by sickness or physical impairment, as may be decided by the President, but any Councillor may call for a show of hands and upon a vote on the voice or on a show of hands being taken, a Councillor may call for a division.

(2) Upon a division being called for, the President may, if he thinks fit, order that the division bell be rung, and after the lapse of one half of a minute from the bell ceasing to ring a Councillor shall not be permitted to enter or leave the Chamber, until after the division has been taken.

(3) The division shall thereupon be taken by those voting in the affirmative passing to the right of the Chair and those voting in the negative to the left of the Chair.

(4) The names of the members of the Council who vote on the question on which there is the division shall be recorded by the Shire Clerk in respect of every division together with details of whether they voted in affirmative or negative together with the names of those members who were prohibited from voting by the Act.

## ORDER OF DEBATE

## Permissible Motions During Debate

73. Subject to sub-clause (2) of this clause, when a motion is under debate, no further motion shall be moved except a motion—

- (a) that the motion be amended (Debate of this motion is permitted)
- (b) that the Council do adjourn (Debate of this motion is permitted)
- (c) that the debate be adjourned (Debate of this motion is permitted)
- (d) that the question be now put (Debate of this motion is not permitted)
- (e) that the question be not now put (Debate of this motion is not permitted)
- (f) that the question lie on the table (Debate of this motion is permitted)

## Permissible Motions During Debate

- (g) that the Council do proceed with the next business (Debate of this motion is permitted)
- (h) that the Council do sit behind closed doors (Debate of this motion is permitted); or
- (i) that the meeting be now closed (Debate of this motion is permitted)

(2) Where the question before the Council is a recommendation from a Committee of the Council, a Councillor may, at the conclusion of the speech of any other Councillor, move without notice that the question be referred back to the Committee; and on any such motion, the mover may speak for not more than five minutes, the seconder shall not speak, other than formally to second

and the Chairman of the Committee concerned, or in his absence a member thereof, may speak for not more than five minutes, but no other debate shall be allowed.

#### Amendment To Relate To Motion

74. Every amendment shall be relevant to the motion on which it is moved and shall be read or stated before being moved.

#### One Amendment At A Time

75. (1) Only one amendment shall be discussed at a time, but as often as an amendment is lost, another amendment may be moved before the original motion is put to the vote, except that where an amendment is carried, one further amendment to the original motion, as amended, and no more, may be moved.

(2) In speaking to an amendment, a Councillor may give notice of his intention to move a further amendment.

#### Amended Original Motion—Treated As Original Motion

76. Where an amendment is carried, the original motion as amended shall for all purposes of subsequent debate and subject only to Clause 75, be treated as an original motion.

#### “That Council Adjourn”

77. (1) A Councillor may, at the conclusion of the speech of any other Councillor or on the conclusion of any business, move without notice that the Council do now adjourn and that motion shall state the time and date to which the adjournment is to be made.

(2) On a motion to adjourn, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second, and the mover of the motion (if any) which was then under debate may speak for not more than five minutes, but no other debate shall be allowed.

78. Where a motion for the adjournment of the Council is negatived, no similar motion shall be moved until after the question then under discussion or the next on the notice paper or any other which may be allowed precedence shall have been disposed of.

79. (1) A Councillor who has spoken on the question then before the Council shall not move the adjournment of the Council.

(2) A Councillor shall not at the same sitting of the Council, move or second more than one motion for the adjournment of the Council.

80. On a motion for the adjournment of the Council being carried, the debate on the question (if any) under debate when that motion was moved shall be continued immediately upon the Council resuming after the adjournment.

81. On a motion for the adjournment of the Council being carried, a record shall be taken of all those who have spoken on the subject under consideration at the time of the adjournment and they shall not be permitted to speak on any subsequent consideration of the same subject, but this clause does not deprive a mover of the right of reply.

82. The President shall then adjourn the Council to such time and date as the motion specifies, or where no time and date is specified to such time and date as he shall then declare.

#### Adjournment of Meetings for Meals

83. In the event of a meeting of the Council or of a Committee of the Council not having been completed prior to any usual meal hour, the meeting (unless adjourned to another day) shall be adjourned for a reasonable meal period after which the meeting shall be resumed. A meal shall be provided by the Council for the Councillors present at the meeting.

#### “That Debate Be Adjourned”

84. (1) A Councillor may at the conclusion of the speech of any other Councillor move, without notice, that the debate be adjourned to a later hour of the same meeting or to a subsequent meeting of the Council.

(2) On a motion that the debate be adjourned, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second, and no other debate shall be allowed; but if the question then before the Council is a recommendation from a Committee, the Chairman of the Committee concerned, or in his absence, a member thereof may speak for not more than five minutes.

85. (1) A Councillor who has spoken on the question then under debate shall not move the adjournment of the debate.

(2) A Councillor shall not, at the sitting of the Council, move or second more than one motion for the adjournment of the same debate.

86. On resuming an adjourned debate the Councillor who moved its adjournment shall be entitled to speak first.

87. On a motion for the adjourned of a debate being carried, a record shall be taken of all those who have spoken on the subject under debate and they shall not be permitted to speak on any resumption of the debate on that subject, but this clause does not deprive a mover of the right of reply.

88. Where the debate on any motion, moved and seconded, is interrupted by the Council being counted out, that debate may, on motion without notice, be resumed at the next meeting, at the point where it was interrupted.

"That The Question Be Now Put"

89. A Councillor may, at the conclusion of the speech of any other Councillor move, without notice and without comment, that the question under consideration be now put, and upon that motion being formally seconded, the same shall immediately be put, without debate.

90. A motion that the question under consideration be put shall not be moved by a Councillor who has already spoken on the question, and that motion shall not be carried without the consent of a two-thirds majority of the Councillors then present.

91. When it is decided by the Council that the question under consideration be put, the mover of the question under consideration shall, if debate has ensued and if otherwise entitled to do so, be permitted to speak in reply for not more than five minutes before the question is put, but subject thereto, the question shall at once be put.

92. Whenever it is decided by the Council that the question be put, the question to be so put includes the main question as well as any amendment thereto.

"That the Question Be Not Now Put"

93. This motion may be moved to avoid a decision upon the substantive motion. However, it cannot be moved while an amendment to the substantive motion is before the meeting.

94. A Councillor who has moved, seconded or spoken to the substantive motion, or any amendment to it, shall not move this motion.

95. This motion shall not be moved during the election of a Chairman for a meeting.

96. If this motion is carried, the substantive motion in respect of which it has been moved cannot again be brought forward at that meeting or any adjournment of it.

97. If this motion is not carried, the substantive motion shall be put to the vote immediately without further discussion or amendment.

"That the Question Lie on the Table"

98. If moved in respect of a motion or an amendment to a motion, this motion takes the form 'That the Question Lie on the Table'.

99. If moved in respect of a letter, report or other document, its form is 'That the Communication Lie on the Table'

100. This motion may be moved by a Councillor to achieve an adjournment of the debate if it is considered further information is required from Council records, or that Council does not propose to take action upon a particular matter but wishes to avoid passing a motion to that effect.

101. A Councillor moving this motion must not have moved, seconded or spoken to the matter then before the meeting.

102. This motion shall not be amended and the mover shall have no right of reply.

103. If this motion is carried, in respect of a document or a motion, further debate on the matter is adjourned until such time as the Council resolves to take the question from the table.

104. If this motion is passed in respect of an amendment, both the amendment and the substantive motion to which it relates are similarly adjourned.

"That Council Proceed with Next Business"

105. A Councillor may at the conclusion of the speech of any other Councillor move, without notice and without comment, that the Council do proceed with the next business and, upon that motion being formally seconded, it shall be immediately put without debate.

106. Where the Council decides to proceed with the next business, the question which was then under discussion shall be considered as dropped.

107. During the same debate on any question, a motion that the Council do proceed with the next business shall not be moved within one hour after a similar motion has been negatived.

"That Meeting be Closed"

108. (1) A Councillor may, at the conclusion of the speech of any other Councillor or on the conclusion of business, move, without notice, that the meeting of the Council be now closed.

(2) On a motion that the Council be closed, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second and the mover of the motion (if any) then under debate may speak for not more than five minutes, but no other debate shall be allowed.

109. If a motion that the meeting of the Council be closed is negatived, a similar motion shall not be moved until after the question then under discussion or the next on the motion paper or any other which may be allowed precedence has been disposed of.

110. (1) A Councillor who has spoken on the question then before the Council shall not move that the meeting be closed.

(2) A Councillor shall not at the same meeting of the Council, move or second more than one motion that the meeting be closed.

111. On a motion that the meeting be closed being carried, the debate on the question (if any) under debate when that motion was moved shall stand adjourned to its place on the notice paper for the next meeting of the Council.

112. On a motion that the meeting be closed being carried, a record shall be taken of all those who have spoken on the subject under consideration up to the closing of the meeting and they shall not be permitted to speak on any subsequent consideration of the same subject; but this clause does not deprive a mover of the right of reply.

Confidential Business

113. Every matter dealt with by, or brought before the Council sitting otherwise than with open doors, or any Committee of the Council, shall be treated as strictly confidential, and shall not without the authority of the Council or of the Committee, as the case may be, be disclosed to any person other than the President, Councillors or servants of the Council, and in the case of servants only so far as may be necessary for the performance of their duties, prior to the discussion of that matter at a meeting of the Council held with open doors.

Motions Affecting Expenditure

114. Where a motion or amendment would have the effect of incurring expenditure not provided for in the estimates, that motion or amendment shall not be moved other than in the form of a reference of the question to the Finance Committee.

Rescission of Resolution

115. (1) The Council may at the same meeting at which it is passed, rescind or alter a resolution if all members of the Council who were present in the Council Chamber at the time the resolution was passed were also present in the Council Chamber at the time the rescission or alteration is proposed.

(2) The Council may, at a meeting after that at which it was passed, rescind or alter a resolution—

- (a) where the notice to rescind or alter is not given, if a motion to that effect is carried by an absolute majority of the members of the Council; or
- (b) where the member intending to propose the rescission or alteration has, through the Clerk, given written notice of his intention to each of the other members of the Council at least seven days before the meeting, if a motion to that effect is carried by the majority of the members voting on the proposal at the meeting; but not otherwise.

Negatived Motions

116. A motion to the same effect as any motion which has been negatived by the Council except those motions provided for in Clause 73 (1) or where otherwise provided within the By-laws, shall not again be entertained within a period of three months, except with the consent of an absolute majority of the Council.

"Suspension of Standing Orders"

117. In cases of urgent necessity, or whilst the Council is sitting behind closed doors, any Standing Order of the Council may be suspended on a motion duly made and seconded, but that motion shall not be declared carried, unless an absolute majority of the Council, or a two-thirds majority of those present and voting on the question, whichever is the lesser number, have voted in favour of the motion.

## PART IV—COMMITTEES

## Standing Committees

118. In addition to such Occasional Committees as may from time to time be appointed, there shall be Standing Committees of the Council, namely, for—

- (a) Finance
- (b) General Purposes

119. Each Standing Committee shall comprise such number of the Council, being less, inclusive of the ex-officio member, than one half of the total number of the members of the Council.

## Election of Committees

120. (a) The election of the members of a Standing or Occasional Committee shall be in accordance with Clause 72. In the event of an equality of votes the nominations shall lapse and new nominations called for.

(b) The Council may similarly elect a deputy or deputies for members of Committees, one of whom may take the place of a member unable to attend a meeting of the Committee.

121. Subject to Clause 122, the members of each Standing Committee shall be appointed for each year, at the first meeting of the Council held after the annual election and shall hold office until the day next following the annual election then next ensuing.

122. The Council may, by resolution carried pursuant to a notice of motion, by a simple majority, or on a motion moved without notice, by an absolute majority, change the membership of any Committee.

123. Subject to any resolution of the Council, passed after the coming into operation of the Standing Orders, the duties of Standing Committees shall be—

- (a) Finance
  - (i) the finances of Council, including all items of revenue and expenditure;
  - (ii) the Council's official Staff; and
  - (iii) to enquire into and report upon such matters as may be referred to it by Council for investigation and report.

## Election of Committees

- (b) General Purposes

- (i) to enquire into and report upon any matters as referred to it by Council for investigation and report.

124. Any Standing Committee may make a recommendation to the Finance Committee concerning an appointment to the official Staff of an applicant whose principal duties pertain to matters, the oversight of which has been entrusted by the Council to the former Standing Committee, and where the Finance Committee does not accept that recommendation, it may be made to the Council.

## Occasional Committees

125. (1) The Council may appoint Occasional Committees to perform any duty which may be lawfully entrusted by it to a Committee.

(2) An Occasional Committee may comprise any number of members being less than one-half of the total number of members of the Council.

(3) A Standing Committee shall not interfere in any matter which has for the time being been entrusted to an Occasional Committee.

(4) An Occasional Committee shall not be appointed except on a motion setting out:

- (a) the duties proposed to be entrusted to such Committee; and
- (b) either—
  - (i) the names of the Councillors of whom it is intended to constitute the Committee;
  - (ii) the number of Councillors intended to constitute the Committee and a provision that they be elected by a separate motion.

## Calling Committee Meetings

126. The Clerk shall call a meeting of any Committee when requested so to do by the President or the Chairman or any two members of that Committee.

127. Except in so far as they limit the number of times a member may speak or require meetings to be conducted with open doors, these Standing Orders shall be observed at meetings of Committees; but the Chairman of a Committee may have and exercise both a deliberative and, in the case of equality of votes, a casting vote.

#### Quorum of Committees

128. (1) At any meeting of a Committee, a quorum shall consist of not less than two members and a Chairman.

#### Drum of Committees

(2) Every meeting shall proceed to business so soon after the time stated in the summons as a quorum is constituted; but if a quorum is lacking, fifteen minutes after the appointed time of the meeting, the meeting shall lapse.

#### Voting by Committees

129. The decision of a Committee on a question is that decided by a majority of the members present, including the Chairman who has a deliberative vote, and who in the case of an equal division of votes has a casting vote.

#### Minutes of Committees—Standing and Occasional

130. (1) Each Committee shall cause to be kept a minute book in which shall be entered minutes of all its proceedings and transactions.

(2) The minutes of each meeting shall be confirmed at the next meeting of the Committee and shall be signed by the Chairman thereof.

131. No Committee shall make any commitment with any person or authority without first having the express authorization of the Council to do so and then only through the Clerk as the Officer duly authorised for the purpose.

132. Whenever it becomes necessary to appoint a Councillor to represent the Council on a public body or a State instrumentality, notice of the necessity to make that appointment shall be given at the meeting of the Council immediately preceding the meeting at which it is intended to make the appointment.

#### Meetings of Electors

133. (1) The Standing Orders apply, so far as is practicable, to any meetings of electors.

(2) A person who is not an elector is not entitled to vote at a meeting of electors, and he may not take any part in any discussion at that meeting, unless the meeting, by a motion, request him to do so.

#### Meetings of Ratepayers

134. The Standing Orders, apply, so far as is practicable, to any meeting of ratepayers.

135. A person who is not a ratepayer is not entitled to vote at a meeting of ratepayers and he may not take part in any discussion at that meeting unless the meeting, by a motion, requests him to do so.

#### Penalty

136. Any person committing a breach of these Standing Orders is liable to a penalty not exceeding one hundred dollars.

#### Enforcement

137. The President is authorised to enforce the Standing Orders and to prosecute for any breach thereof.

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Dated 20 November 1989.

The Common Seal of the Shire of Ashburton  
was hereto affixed in the presence of—

T. BAKER, Shire President.  
L. A. VICARY, Shire Clerk.

Recommended—

GORDON HILL, Minister for Local Government.

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Approved by His Excellency the Governor in Executive Council this 27th day of March 1990.

G. PEARCE, Clerk of the Council.

## LOCAL GOVERNMENT ACT 1960

*Municipality of the Shire of Wagin*By-law relating to—Verandahs (Removal of)  
Wagin Memorial Swimming Pool  
To Regulate Hawkers and Stalls

In pursuance of the powers confirmed upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on the 17th day of October 1989 to make and submit by-laws for confirmation by His Excellency the Governor as follows—

“Verandahs (Removal of)” published in the *Government Gazette* on 21 February 1963;

“Wagin Memorial Swimming Pool” published in the *Government Gazette* on 1 June 1967 and amended on 25 October 1967, 24 February 1970, 21 February 1975 and 24 October 1980;

“To Regulate Hawkers and Stalls” published on 15 August 1958.

(a) By-law No. 2 Verandahs (Removal of).

The By-law is repealed.

(b) By-laws relating to the Wagin Memorial Swimming Centre.

By-law 31 is amended by deleting the word—

“premises” in line three and adding “premises, with the exception of a *bona fide* guide dog accompanying blind or partially blind persons or *bona fide* hearing dogs accompanying deaf or partially deaf persons”.

(c) By-law to Regulate Hawkers and Stalls.

The By-law is amended by—

(i) The title is amended by deleting “Wagin Road Board” and substituting “The Municipality of the Shire of Wagin”.

(ii) Clause 1 is amended by deleting the definitions of “Board”, “District” and “Secretary” and inserting the following—

“Council” means the Council of the Municipality of the Shire of Wagin.

“District” means the District of the Municipality of the Shire of Wagin.

“Shire Clerk” means the Shire Clerk of the Shire of Wagin.

Clause 3 is amended by deleting the word “Board” in line two and substituting the word “Council”.

Clause 4 (1) and (2) are amended by deleting the word—

“Secretary” in lines two and seven and substituting the words “Shire Clerk”.

Clause 5 is amended by deleting the word “Board” in line three and substituting the word “Council”.

Clause 6 (1) is amended by deleting the word “Board” in lines one and two and substituting the word “Council” in both instances.

Clause 6 (2) is amended by deleting the word “Secretary” in line two and substituting the words “Shire Clerk”.

Clause 7 (1) is amended by deleting the word “Board” and substituting the word “Council”.

Clause 9 is amended by deleting the word “Board” in line three and substituting the word “Council”.

Clause 11 is amended by deleting all words after the word “Liable” and substituting the following—

“upon conviction;

(a) in respect to a hawking offence to a maximum penalty as prescribed in section 190 (7) (d) (i) of the Act, and

(b) in respect to a stall offence to a maximum penalty or term of imprisonment as prescribed in section 242 (4) of the Act.”

Schedule A of the By-laws is amended by—

(i) deleting the words “Road Board” and “Road District” where they appear and substituting the words “Shire Council”.

(ii) deleting the words “Secretary” where they appear and substituting the words “Shire Clerk”.

Schedule C of the By-laws is deleted and substituted with the following—

## Schedule C

## Fees for Hawkers Licence

The annual fee shall be forty dollars.

## Fee for Stall Holders

Five dollars per week or two hundred dollars per year.

Dated this 8th day of February 1990.

H. L. PEDERICK, Shire President.  
GARY P. BRENNAN, Shire Clerk.

Recommended—

G. HILL, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 27th day of March 1990.

G. PEARCE, Clerk of the Council.

## CEMETERIES ACT 1986

*Municipality of the Shire of Ashburton*

In pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on 20 June, 1989 to make and submit for confirmation by the Governor the following amendments to its Cemetery By-laws published in the *Government Gazette* of 28 February, 1975.

1. Delete all reference to the "Shire of West Pilbara" and substitute the "Shire of Ashburton".
2. Delete By-law 19 and substitute the following:  
"19 Every funeral shall enter by the principal entrance, and no vehicle except the hearse, mourning coaches, wheelchairs or motorised wheelchairs, shall be permitted to enter the cemetery, or stand opposite the entrance gates."
3. Delete By-law 23 and substitute the following:  
"23 No dogs shall be admitted into the cemetery, with the exception of guide dogs accompanying blind or partially blind people, "hearing" dogs accompanying deaf or partially deaf people; or trainers of guide or "hearing" dogs accompanied by such dogs. Any other dog found in the cemetery shall be liable to be destroyed."
4. Delete By-law 42 and substitute the following:  
"42 Notwithstanding anything contained in these by-laws to the contrary, permission may be granted to the Defence Department of the Commonwealth to erect headstones on the graves of deceased servicemen and women without the payment of any fees."
5. Delete By-law 43 and substitute the following:  
"43 Free ground may be granted if it is proved to the satisfaction of the Council:—  
(a) that the deceased was a member of the armed services, and that he or she had died as a result of injuries received in war;  
(b) that the relatives of the deceased are in necessitous circumstances.  
Provided that such grant shall be made subject to the condition that only the remains of the deceased servicemen or women shall be interred in the grave."
6. Delete items 8 and 14 of Schedule B and substitute the following:  
"8. Religious affiliation (if any)....."  
"14. Name of Minister or person to officiate at the grave....."
7. Delete "denomination" from Schedule C and substitute "religious affiliation".

Dated 20 June 1989.

The Common Seal of the Shire of Ashburton was hereto affixed in the presence of:

T. BAKER, Shire President.  
L. A. VICARY, Shire Clerk.

Recommended—

GORDON HILL, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council 27 March, 1990.

G. PEARCE, Clerk of the Council.

**LOCAL GOVERNMENT ACT 1960***Municipality of the Shire of Mundaring***By-laws Relating to Depositing and Removal of Refuse, Rubbish, Litter and Disused Materials**

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 20 December, 1988 to make and submit for confirmation by the Governor, the following amendment to its By-laws published in the *Government Gazette* on 21st May, 1968 and amended by notice published on 6th February, 1976.

1. In By-law 2—
  - 1.1 delete the word "him" where it appears in line ten and substitute the words "that person".
  - 1.2 after the word "undergrowth" in line eleven add the words "or rubbish".
2. In By-law 4—
  - 2.1 after the word "undergrowth" in line two add the words "or rubbish".
3. Delete By-law 5 and substitute the following—
 

"5. Any person who commits an offence under By-law 3 is liable upon conviction to a penalty not exceeding five hundred dollars (\$500)."
4. Add a new By-law 6 as follows—
 

"6. Any person who continues to fail to comply with the notice served under By-law 2 after conviction of an offence under By-law 3 in respect of the failure to comply with that notice, commits a further offence and is liable to a daily penalty not exceeding fifty dollars (\$50) for every day or part of a day during which the offence continues."

Dated 7 September, 1989.

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

R. F. WAUGH, Shire President.  
M. N. WILLIAMS, Shire Clerk.

Recommended—

GORDON HILL, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council 27 March 1990.

G. PEARCE, Clerk of the Council.

**CEMETERIES ACT 1986****By-laws Relating to Wagin Public Cemetery**

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Wagin Shire Council as trustees, hereby record having resolved on 17 October 1989 to make and submit for confirmation by the Lieutenant-Governor and Administrator:

The By-laws as published in the *Government Gazette* on 11 January 1907 and amended on 8 December 1950, 20 April 1955, 25 October 1967, 21 January 1977, 1 March 1985 and 6 June 1986 are further amended by:

By-law 15 is repealed and substituted with the following:

"15 That every funeral shall enter by the principal entrance and then follow the Sexton to the grave. No vehicle except hearses, mourning vehicles, wheelchairs and motorised wheelchairs shall be permitted to pass the said entrance."

"25 That no animals except bona fide guide dogs accompanying blind or partially blind persons or bona fide hearing dogs accompanying deaf or partially deaf persons shall be permitted to enter the cemetery."

By-law 32 is amended by adding the words:

"or person" after the word "minister" in line one.

By-law 33 is repealed and substituted with:

"33 Any person committing a breach of any of the foregoing By-laws shall be liable on conviction to a penalty up to the maximum penalty as prescribed by section 55 (1) (p) of the Cemeteries Act 1986.

Dated this 8th day of February 1989.

H. L. PEDERICK, President.  
GARY P. BRENNAN, Shire Clerk.

Recommended—

GORDON HILL, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council 27 March 1990.

G. PEARCE, Clerk of the Council.

#### LOCAL GOVERNMENT ACT 1960

##### *Municipality of the Shire of Chapman Valley*

##### By-law Relating to Prevention of Damage to Streets

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 20 June 1989 to adopt the Local Government Model By-law published in the *Government Gazette* on 18 February 1965 with such alteration as is set out below.

Local Government Model By-law (Prevention of Damage to Streets) No. 15. In the last line of clause 6 delete the words "fifty pounds" and substitute "five hundred dollars".

Dated this 10th day of January 1990.

The Common Seal of the Municipality of the Shire of Chapman Valley was hereto affixed in the presence of—

L. P. COOPER, President.  
R. A. SCOTT, Shire Clerk.

Recommended—

G. L. HILL, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 27th day of March 1990.

G. PEARCE, Clerk of the Council.

#### LOCAL GOVERNMENT ACT 1960

##### *Municipality of the City of Armadale*

##### By-law Relating to Parking Region

In pursuance of the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 5 February 1990 to make and submit for confirmation by the Governor the following Parking Region By-law:

"For the purposes of the Local Government Uniform General (Parking for Disabled Persons) By-laws the whole of the district of the City of Armadale is a Parking Region."

Dated this 13th day of February 1990.

The Common Seal of the City of Armadale was hereunto affixed in the presence of—

I. K. BLACKBURN, Mayor.  
J. W. FLATOW, City Manager/Town Clerk.

Recommended—

GORDON HILL, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on 27 March 1990.

G. PEARCE, Clerk of the Council.

**LOCAL GOVERNMENT ACT 1960**

*Municipality of the City of Fremantle*

By-law Relating to Parking Facilities

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 18 September, 1989 to make and submit for confirmation by the Governor the following amendments to the abovementioned By-law as published in the *Government Gazette* on 7 August, 1981 as amended.

1. Part 2—Metered Zones is amended by:—

Deleting By-law 14—

“Where a parking stall is marked with symbol “M/C” such stall is reserved for the parking of motor cycles and bicycles and no person shall stand in any part of that stall any vehicle other than a motor cycle to which no side-car or side-box is attached or a bicycle but such motor cycle or bicycle may be parked in such stall without payment of a fee.”

and substituting—

“Where a parking stall is marked with symbol “M/C” such stall is reserved for the parking of motorcycles and bicycles and no person shall stand in any part of that stall any vehicle other than a motorcycle to which no side-car or side-box is attached or a bicycle. Fees payable for such stalls in metered spaces are set out in Schedule 2—Part 2.”

2. The Second Schedule—Metered Zones is deleted and substituted by the following:—

“Second Schedule

**Metered Zones—Periods and Fees**

Hours of Operation Relating to Part 1 and Part 2

9:00 a.m. to 5:00 p.m.—Monday to Friday inclusive.

9:00 a.m. to 12 noon—Saturday

**Part 1—Fees for Vehicles (Excluding Motorcycles)**

Item No.	Period	Fee
1	15 Minute Meter	15 cents
2	30 Minute Meter	30 cents
3	1 Hour Meter	30 cents per half hour
4	2 Hour Meter	20 cents per half hour
5	3 Hour Meter	15 cents per half hour

**Part 2—Fees for Motorcycles**

Item No.	Period	Fee
1	30 Minute Meter	15 cents
2	1 Hour Meter	15 cents per half hour
4	2 Hour Meter	10 cents per half hour

**Part 3—Hooded Meter**

Reserved Parking Fee—Hooded Meter—\$4.00 per half day  
—\$8.00 per full day.”

Dated 30 November 1989.

The Common Seal of the City of Fremantle was hereunto affixed in the presence of:

JOHN A. CATTALINI, Mayor.  
M. J. CAROSELLA, Town Clerk.

Recommended—

GORDON HILL, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 27th day of March, 1990.

G. PEARCE, Clerk of the Council.

**BUSH FIRES ACT 1954***Shire of Merredin*

Fire Control Officers 1989-90

It is hereby notified that the following persons have been appointed Fire Control Officers for the Shire of Merredin in respect of the 1989-90 fire season.

R. G. Harling	C. R. Water House
B. R. Kilminster	R. D. English
M. G. Lane	F. C. deLacy
D. R. Pitt	G. C. Coumbe
J. A. Della Bosca	

R. LITTLE, Shire Clerk.

**LOCAL GOVERNMENT ACT 1960***City of Perth*

SENIORS CARD

City of Perth Golf Complex and Aquatic Centres

It is hereby notified for public information that the Council of the City of Perth resolved, at its meeting held on 19 February and 19 March 1990, that—

- (i) a twenty-five per cent discount (rounded to the nearest five cents) be given to Seniors Card holders at the City of Perth Golf Complex on weekdays between the hours of 9.00 am to 11.30 am and 2.00 pm to 3.30 pm, except public holidays;
- (ii) the admission charge to the Council's Aquatic Centres for Seniors Card holders be set at \$1.00.

Dated this 21st day of March 1990.

R. F. DAWSON, Chief Executive/Town Clerk.

**DOG ACT 1976***Shire of Corrigin*

It is hereby notified for public information that the following persons have been appointed as authorised officers under the provisions of the Dog Act 1976, for the Shire of Corrigin.

Ian Gordon Davies	Mervyn Shaw
Mark Kenneth Holt	Tina Hewett
Gordon Hastie	Kylie Ward

All previous appointments are hereby cancelled.

Dated this 19th day of March 1990.

I. G. DAVIES, Shire Clerk.

**LOCAL GOVERNMENT ACT 1960***Shire of Albany*

Appointment of Poundkeeper and Ranger

It is hereby notified for public information that Mr Garry Phillip Turner has been appointed—

- (1) As Poundkeeper and Ranger under section 449 of the Local Government Act.
- (2) As an Authorised Officer for the control and supervision of relevant Council By-laws.
- (3) As an Authorised Officer for the following purposes—
  - (a) Dog Control in accordance with the provisions of the Dog Act 1976.
  - (b) Litter control in accordance with the provisions of the Litter Act 1979.
  - (c) Exercise all other relevant powers under the provisions of the Local Government Act 1960.
  - (d) Exercise the power under section 59 of the Bush Fires Act 1954.
  - (e) Health Act 1911.

The appointment of Evan Samiotis is hereby cancelled.

D. J. CUNNINGHAM, Shire Clerk.

**HEALTH ACT 1911  
DOG CONTROL ACT  
Shire of Manjimup  
APPOINTMENT OF RANGER**

**Appointment of Dog Registration Officers**

It is hereby notified for public information that Colin Graham has been appointed an Honorary Ranger for the Shire of Manjimup effective from 8th March, 1990 and as authorised officer for the following purpose—

Regulation 5 of the Health Act 1911, (Caravan Parks and Camping Grounds) Regulations 1974, within the townsite of Pemberton.

Further that Sharyn Kaye Brown and Christopher Gerald Jackson are hereby appointed as Dog Registration Officers in accordance with the Dog Control Act.

M. D. RIGOLL, Shire Clerk.

**LOCAL GOVERNMENT ACT 1960  
City of Perth  
CLOSURE OF PRIVATE STREET**

LG: P 4-12 Z1.

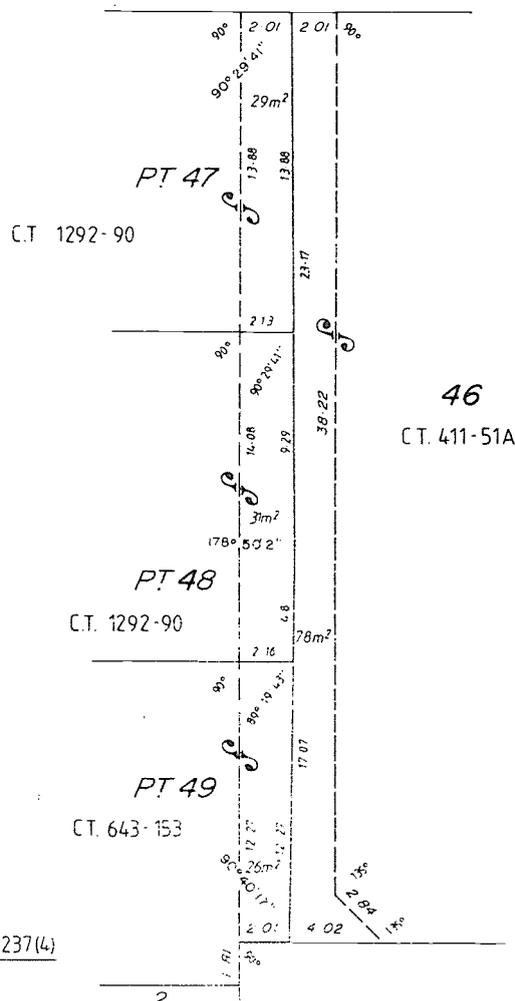
It is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the City of Perth that portion of the private street which is described as being portion of Swan Location 816, being portion of the land coloured brown on Plan 1237(4) and being part of the land contained in Certificate of Title Volume 194, Folio 99 be closed, and the land contained therein be amalgamated with adjoining Lots 46, Pt 47, Pt 48 and Pt 49 Alma Road, Mount Lawley, as shown in the Schedule hereunder.

M. WOOD, Secretary for Local Government.

**Schedule**

Diagram No. 77650

ALMA ROAD



COMPILED FROM PLAN 1237(4)

**LOCAL GOVERNMENT ACT 1960**

*Shire of Mundaring*

**APPOINTMENT OF AN AUTHORISED OFFICER**

It is hereby notified for public information that Council has appointed Geoffrey Malcolm Keeler as an Authorised Officer for the purposes of the following legislation—

The Local Government Act 1960 (as amended), Dog Act 1976 (as amended), Control of Vehicles (Off-road areas) Act 1978 (as amended), Litter Act 1979 (as amended), Local Government Model By-laws (Caravan Parks and Camping Grounds), By-laws relating to depositing and removal of refuse, rubbish, litter and disused materials, By-laws relating to Dogs, By-laws relating to the management and use of the Mundaring and Wooroloo Cemeteries, By-laws relating to the management and use of the Mundaring Hall, By-laws relating to Vehicles on reserves, By-laws relating to removal and disposal of obstructing animals or vehicles, Local Government Model By-laws (street lawns and gardens), By-laws relating to the parking of vehicles on street verge, as Assistant Pound Keeper and Ranger for the purposes of the Local Government Act 1960 (as amended) and Dog Act 1976 (as amended), Bush Fires Act 1954 (as amended).

M. N. WILLAMS, General Manager.

**LOCAL GOVERNMENT ACT 1960**

*Shire of Swan*

**CLOSURE OF PRIVATE STREET**

LG: SW 4-13.

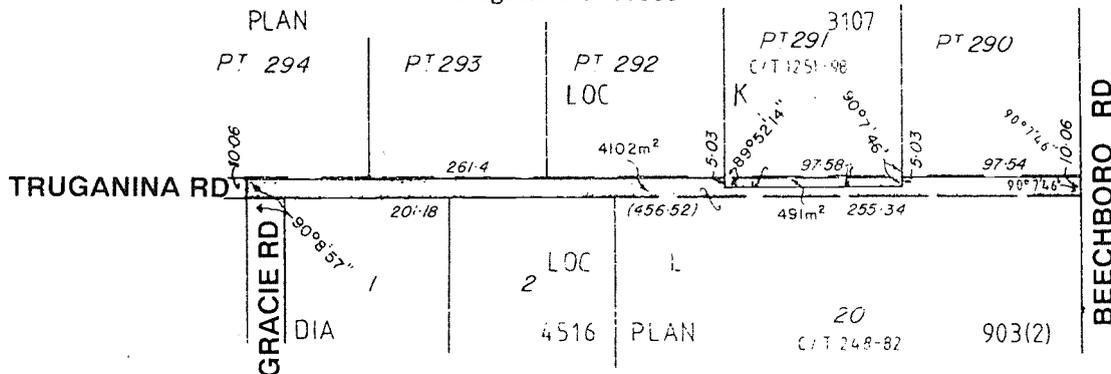
It is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the Shire of Swan that the private street known as Truganina Road, which is described as being portion of Swan Location L, being portion of the land coloured brown on Plan 903(2) and being part of the land contained in Certificate of Title Volume 61 Folio 107 be closed, and the land contained therein be amalgamated with adjoining Lots 20 and 291 as shown in the Schedule hereunder.

Dated 15 March 1990.

M. C. WOOD, Secretary for Local Government.

Schedule

Diagram No. 77588



Compiled from Plans 903(2),  
E. Dia 4516 & FB 58298

**DIAGRAM No. 77588**

**OMISSION**

**LOCAL GOVERNMENT ACT 1960**

*City of Belmont*

**CLOSURE OF PRIVATE STREET**

LG: BL 4-13.

An omission was made in the notice published in the *Government Gazette* of 9 March 1990 on Page 1317, relating to the closure of a private street in the City of Belmont.

The following words should be included above the diagram immediately below the word Schedule:

“Diagram No. 77587”

Dated 23 March 1990.

M. C. WOOD, Director, Local Government Services.

*CORRIGENDUM*  
**LOCAL GOVERNMENT ACT 1960**  
*Town of Cottesloe*  
**CLOSURE OF PRIVATE STREET**

LG: CT 4-12 A.

An error was made in the notice published in the *Government Gazette* of 2 March 1990, on page 1324 relating to the closure of a private street in the Town of Cottesloe.

The error should be corrected by deleting the words "plan 3701 (2)" where they appear and replacing them with "plan 2701 (2)".

Dated 27 March 1990.

M. C. WOOD, Acting Director, Local Government Services.

**LOCAL GOVERNMENT GRANTS ACT**  
**APPOINTMENT OF MEMBERS**  
 Department of Local Government

LG: 62/76 V3.

It is hereby notified for public information that His Excellency the Governor has under the provisions of section 5 of the Local Government Grants Act, appointed to the Western Australian Local Government Grants Commission established under that Act—

- (a) on the nomination of the Secretary for Local Government, Stephen Michael Cole as Deputy Chairman and Member;
- (b) on the nomination of the Secretary for Local Government, Michael Cunningham Wood to be deputy to Stephen Michael Cole;

for a period expiring on 31 October 1990.

Dated 28 March 1990.

M. C. WOOD, Secretary for Local Government.

*Shire of Tammin*  
**EXTRAORDINARY ELECTION**  
 9th June 1990

Notification of Vacancies and Elections

Notice is hereby given that an extraordinary election will be held on Saturday, 9th June 1990 to fill one (1) vacancy for the office of Councillor in the Council of the Shire of Tammin.

The Nomination Day appointed is Thursday 10th May 1990. The nomination place for the election is the office of the Council.

Nominations must be—

1. Submitted on the prescribed form which may be obtained from the office of the Council.
2. Signed by the candidate or his agent authorised to sign on his behalf and witnessed by a person who has attained the age of 18 years.
3. If signed by an agent, accompanied by the written authorisation of the candidate to sign.
4. Accompanied by a deposit of \$40.00 in legal tender or by a cheque, bank draft or postal money order.

Nominations must be delivered to the Returning Officer at the nomination place not earlier than the 26th April 1990 and not later than 4.00 pm on Nomination Day (10th May 1990).

I. B. FITZGERALD, Shire Clerk.

**LOCAL GOVERNMENT ACT 1960**  
**NOTICE OF INTENTION TO BORROW**  
*Shire of Broome*

Proposed Loan (No. 145) of \$100 000.00

Pursuant to section 610 of the Local Government Act 1960, the Shire of Broome hereby gives notice that it proposes to borrow money by the sale of debentures on the following terms and for the following purpose.

\$100 000.00 for a period of ten (10) years repayable at the office of council by twenty (20) half yearly instalments of principal and interest. The loan is to be renegotiated at the expiration of the initial four (4) year period at the interest rate then applicable.

Purpose: Drainage Headworks.

Plans, specifications and estimates of costs as required by section 609 of the Act are available for inspection at the office of the council for thirty-five (35) days following publication of this notice.

Dated this 23rd day of March 1990.

K. A. S. MALE, Shire President.  
D. L. HAYNES, Shire Clerk.

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**LOCAL GOVERNMENT ACT 1960**  
**NOTICE OF INTENTION TO BORROW**  
*City of Rockingham*

Proposed Loan Number 184

Pursuant to section 610 of the Local Government Act 1960, the Council of the City of Rockingham hereby gives notice that it proposes to borrow money by the sale of debentures on the following terms and for the following purpose.

Two Hundred and Sixty Thousand dollars for a period of fifteen years at ruling interest rates with four yearly interest rate revisions, repayable at the office of the Council, Rockingham by half yearly instalments of principal and interest.

Purpose: Depot Construction.

Plans, specifications and estimates required by section 609 are open for the inspection of ratepayers at the offices of the Council during business hours, for thirty-five days from the publication of this notice.

R. R. SMITH, Mayor.  
G. G. HOLLAND, Town Clerk.

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**LOCAL GOVERNMENT ACT 1960**  
**NOTICE OF INTENTION TO BORROW**  
*City of Rockingham*

Proposed Loan Number 185

Pursuant to section 610 of the Local Government Act 1960, the City of Rockingham hereby gives notice that it proposes to borrow money by the sale of debentures on the following terms and for the following purpose.

One Hundred and Forty Thousand dollars for a period of fifteen years at ruling interest rates with four yearly interest rate revisions, repayable at the office of the Council, Rockingham by half yearly instalments of principal and interest.

Purpose: Depot Administration Building Construction.

Plans, specifications and estimates required by section 609 are open for the inspection of ratepayers at the offices of the Council during business hours, for thirty-five days from publication of this notice.

R. R. SMITH, Mayor.  
G. G. HOLLAND, Town Clerk.

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**LOCAL GOVERNMENT ACT 1960**  
*Shire of Dandaragan*  
**NOTICE OF INTENTION TO BORROW**

Proposed Loan (No. 95) of \$82 000

Pursuant to section 610 of the Local Government Act 1960, the Dandaragan Shire Council, hereby gives notice that it proposes to borrow money for the following purpose: \$82 000 for a period of ten (10) years, repayable at the Office of the Council, Dandaragan, by twenty (20) equal half yearly instalments of principal and interest. Purpose of Loan—refinancing of Loan No. 87 on behalf of the Cervantes Community Club.

Ratepayers Note: Repayments of this Loan will be met by the Cervantes Community Club and there will be no charge against any rates.

Plans, specifications and estimates of cost as required by section 609 of the Act, are open for inspection at the Office of the Council for 35 days after publication of this notice.

GARY SNOOK, Shire President.  
BARRY GOLDING, Shire Clerk.

**CORRIGENDUM**  
**LOCAL GOVERNMENT ACT 1960**

*City of Canning*

Proposed Loans (No. 219) of \$500 000; (No. 220) of \$50 000 and (No. 221) of \$200 000:  
Total \$750 000

The previous Notice appearing on page 2871 of the *Government Gazette* dated 25 August, 1989 is amended by:

Deleting after "City of Canning, 1317 Albany Highway, Cannington,"

The following "By Half-Yearly Payments of Principal and Interest for the undermentioned purposes,"

And Inserting "On the Following Terms and Conditions."

Deleting after "Loan No. 219 of \$500 000,"

The following "For a Term of 10 years repayable by 20 equal Half-Yearly Instalments of Principal and Interest,"

And Inserting "Repayable by Quarterly Instalments of Principal and Interest."

Inserting after "Loan 220 of \$50 000 for a term of 5 years repayable by 10 equal Half-Yearly Instalments of Principal and Interest,"

The following "(The Interest Rate to be reviewed at Four-Yearly Intervals).

Deleting after "Loan No. 221 of \$20 000,"

The following "For a Term of 5 years repayable by 10 equal Half-Yearly Instalments of Principal and Interest,"

And Inserting "Repayable by Quarterly Instalments of Principal and Interest."

Dated 27 March, 1990.

S. W. CLARKE, Mayor.  
I. F. KINNER, Town Clerk.

**LOCAL GOVERNMENT ACT 1960**

*Shire of Swan*

**NOTICE OF INTENTION TO BORROW**

Proposed Loan (No. 131) of \$90 000

Pursuant to Section 610 of the Local Government Act 1960, the Shire of Swan hereby gives notice that it proposes to borrow money by the sale of Debentures on the following terms and for the following purposes: ninety thousand dollars for a period of 10 years repayable at the office of the Council at Middle Swan by equal half yearly instalments of principal and interest. Interest rates to be reviewed after 5 years. Purpose: Theatre Construction—Calisthenics Association.

Plans, specifications and estimates of costs, as required by the Council at Middle Swan during office hours for 35 days after publication of this notice.

Note: The Calisthenics Association is responsible for the repayment of all principal and interest of this loan.

Dated this twenty eighth day of March 1990.

C. M. GREGORINI, Shire President.  
E. W. T. LUMSDEN, Chief Executive Officer/Shire Clerk.

**LOCAL GOVERNMENT ACT 1960**

*Shire of Tammin*

**PROPOSED LOAN (No. 62) of \$15 000**

Pursuant to section 610 of the Local Government Act, the Shire of Tammin hereby gives notice that it proposes to borrow by sale of debentures on the following terms and conditions:

Term—Loan to be for a term of four years, with interest at ruling Treasury rates, repayable at the Office of Council in eight half yearly instalments of principal and interest.

Purpose—Computerisation.

Specifications and estimates of costs thereof and statement as required under section 609 of the Act are open for inspection at the Office of the Council, for a period of thirty five days after publication of this notice.

K. G. UPPILL, Shire President.  
I. B. FITZGERALD, Shire Clerk.

**MAIN ROADS****MAIN ROADS ACT 1930; PUBLIC WORKS ACT 1902****NOTICE OF INTENTION TO TAKE OR RESUME LAND**

The Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902 that it is intended to take or resume under section 17 (1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in the Kalgoorlie/Boulder District, for the purpose of the following public works namely, construction of the Kalgoorlie-Boulder Eastern Bypass and that the said pieces or parcels of land are marked off on Plan MRD WA 8925-20-3 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

## Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx)
1.	Phillip William Carter	Phillip William Carter	Whole of Kalgoorlie Town Lots 1774 and 1775 being all of the land contained in Certificate of Title Volume 1575 Folio 491.	2024 m <sup>2</sup>

Dated 28 March, 1990.

J. F. ROSE, Acting Director Administration and Finance, Main Roads Department.

**MAIN ROADS ACT 1930; PUBLIC WORKS ACT 1902****NOTICE OF INTENTION TO TAKE OR RESUME LAND**

The Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902 that it is intended to take or resume under section 17 (1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in the Manjimup District, for the purpose of the following public works namely, widening and realignment of the South West Highway (SLK Section 114.30-114.60) and that the said pieces or parcels of land are marked off on Plan MRD WA 9002-008 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

## Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx)
1.	Chris Stoiche & John Stoiche	C & J Stoiche	Portion of Nelson Location 1024 and being part of Lot 11 on Diagram 16078 and being part of the land contained in Certificate of Title Volume 1718 Folio 497.	760 m <sup>2</sup>

Dated 28 March, 1990.

J. F. ROSE, Acting Director Administration and Finance, Main Roads Department.

**MINES****PETROLEUM ACT 1967****EXPIRY OF EXPLORATION PERMIT No. EP 314**

Notice is hereby given that Exploration Permit EP 314 held by Kufpec Australia Pty Ltd, Whitestone Petroleum Australia Ltd, Australian Consolidated Minerals Ltd, Canning Basin Petroleum Pty Ltd, Yom Oil Limited, Ampol Exploration Limited, and Murchison Zinc Company Pty Ltd expired on 18 March 1990.

Dated 30 March 1990.

IAN FRASER, Director Petroleum Division.

## MINING ACT 1978

## NOTICE FOR APPLICATION FOR AN ORDER FOR FORFEITURE

In accordance with Regulation 49 (2) (c) of the Mining Act 1978, notice is hereby given that the licences are liable to forfeiture under the provisions of section 96 (1) (a) for breach of covenant, viz. non payment of rent.

B. A. LANE, Warden.

To be heard in the Warden's Court Coolgardie on the 2nd day of May 1990.

## COOLGARDIE MINERAL FIELD

*Coolgardie District*

## Prospecting Licences

- 15/1697—Lotus Mining NL
- 15/1797—Holden, Fred; Kean, Steven Lionel
- 15/2316—Ledden, Peter Robert Varville
- 15/2473—Babilla Pty Ltd
- 15/2480—Danher Resources Pty Ltd
- 15/2481—Danher Resources Pty Ltd
- 15/2482—Danher Resources Pty Ltd
- 15/2489—Tezlyn Mining NL
- 15/2496—Mitchell, Cecil Edwin Douglas
- 15/2497—Vinci and Sons Pty Ltd
- 15/2498—Hawkins, Carmela Maria

*Kunanalling District*

## Miscellaneous Licences

- 16/13—Grill, Stefan James; Stockwell, Allan Brian

## Prospecting Licence

- 16/721—Lubbock Nominees Pty Ltd

## MINING ACT 1978

## Notice of Application for an Order for Forfeiture

In accordance with Regulation 49 (2) (c) of the Mining Act 1978, notice is hereby given that the Prospecting Licences are liable to forfeiture under the provisions of section 96 (1) (a) for breach of covenant, viz. non payment of rent.

C. D. ROBERTS, Warden.

To be heard in the Warden's Court, Kalgoorlie on 4 May, 1990.

## BROAD ARROW MINERAL FIELD

- 24/1253—Brinico Holdings Pty Ltd
- 24/1255—Brinico Holdings Pty Ltd
- 24/2210—Saggers David Malcolm

## EAST COOLGARDIE MINERAL FIELD

*Bulong District*

- 25/879—Capella Holdings Pty Ltd; East Coolgardie District
- 26/1237—Nugold Hill Mines NL
- 26/1238—Nugold Hill Mines NL
- 26/1567—Fox, Keith
- 26/1568—Fox, Keith

## NORTH EAST COOLGARDIE MINERAL FIELD

*Kurnalpi District*

- 28/482—Sierra Gold Pty Ltd
- 28/486—Lee, Nigel Wickham; Ritchie, Terence Edward

## NORTH COOLGARDIE MINERAL FIELD

*Menzies District*

- 29/763—Brewer, Gerard Victor
- 29/813—Cock, Frederick John
- 29/1134—Ashmist Pty Ltd
- 29/1135—Capella Holdings Pty Ltd
- 29/1136—Golden Deeps Ltd

*Yerilla District*

- 31/785—King Mining Corporation Ltd
- 31/786—King Mining Corporation Ltd
- 31/793—Consolidated Mining and Finance Ltd
- 31/794—Consolidated Mining and Finance Ltd
- 31/795—Consolidated Mining and Finance Ltd

31/796—Consolidated Mining and Finance Ltd  
 31/797—MacDonald, Stanley Allan; Stockwork Gold NL  
 31/798—MacDonald, Stanley Allan; Stockwork Gold NL  
 31/804—Baroni, Nikola; Claussen, Allan Frank  
 31/805—Baroni, Nikola; Claussen, Allan Frank  
 31/808—Harris, Kim James; Young Raymond

#### MINING ACT 1978

##### Notice of Application for an Order for Forfeiture

In accordance with Regulation 49 (2) (c) of the Mining Act 1978, notice is hereby given that the licences are liable to forfeiture under the provisions of Section 96 (1) (a) for breach of covenant, *viz.* non payment of rent

Warden

To be heard in the Warden's Court, Kununurra on the 26th April, 1990.

#### KIMBERLEY MINERAL FIELD

P80/597—Kilmorna (Operations) PL  
 P80/1020—Mount Clifford Resources NL  
 P80/1021—Mount Clifford Resources NL  
 P80/1053—Peter John Masniew  
 P80/1054—Peter John Masniew  
 P80/1072—Meil Pty Ltd  
 P80/1073—Meil Pty Ltd  
 P80/1074—Meil Pty Ltd  
 P80/1075—Meil Pty Ltd  
 P80/1076—Meil Pty Ltd  
 P80/1077—Meil Pty Ltd  
 P80/1078—Meil Pty Ltd  
 P80/1079—Meil Pty Ltd  
 P80/1080—Meil Pty Ltd  
 P80/1081—Meil Pty Ltd  
 P80/1082—Meil Pty Ltd  
 P80/1083—Meil Pty Ltd

### PLANNING AND URBAN DEVELOPMENT

#### TOWN PLANNING AND DEVELOPMENT ACT 1928 APPROVED TOWN PLANNING SCHEME AMENDMENT

##### *Town of Narrogin*

##### Town Planning Scheme No. 1A—Amendment No. 10

Ref: 853/4/2/9, Pt. 10.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the Town of Narrogin Town Planning Scheme Amendment on March 19, 1990 for the purpose of:—

1. Amending the Scheme Text by—

- (i) The introduction of a new interpretation heading and clause to be inserted after the definition of restoration as follows:—

“Restricted Premises” means any premises, part or parts thereof, used or designed to be used primarily for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of:

- (a) publications that are classified as restricted publications pursuant to the Indecent Publications and Articles Act 1902 (as amended);

or

- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity.

- (ii) By amending the definition of “shop” in the interpretation clauses of the Scheme Text by adding after the word industry in the last line of the definition—the following words “or any restricted premises”.

2. By amending the development table relating to the zone “other Commercial” by the addition of a new Use as follows:

ZONE OTHER COMMERCIAL (Cont'd)

POLICY STATEMENT Primarily for showrooms and warehouse uses. Where such uses do not involve direct sales to the public e.g., uses other than car, boat and caravan sales, carpets, bulky furniture and the like, the parking standard may be reduced at the discretion of the Council.

EXPLANATION OF SYMBOLS

See Clause 2.2.

P = Use permitted subject to compliance with Development Standards.

PS = Use not permitted unless special approval given by Council and conditions complied with.

AP = Not permitted unless special approval given by Council after advertising.

IP = Use not permitted unless it is incidental to a predominant use as determined by Council.

PERMITTED USES	DEVELOPMENT STANDARDS							OTHER REQUIREMENTS	
	MINIMUM LOT AREA	MINIMUM EFFECTIVE FRONTAGE	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES		MINIMUM LANDSCAPING
				FRONT	REAR	SIDES			
17 Restricted Premises	1,000m <sup>2</sup>	20m	0.5	11m	7.5m	5m one side	1 per 45m <sup>2</sup> gross floor area or display area	20% of site	1. See Clause 3.2. 2. The Council may relax the parking standard for uses which do not involve retail sales to not less than 1 per 100m <sup>2</sup> gross floor area.
	NOTE - UNLESS OTHERWISE SPECIFIED AGAINST A PARTICULAR USE BELOW, THE STANDARDS ABOVE WILL APPLY TO THIS ZONE.								
									The Council shall have regard to the proximity of the site to schools, aged persons accommodation or other similar establishments which may not be consistent with the proposed use.

JOHN PERRY, Director.  
P. J. WALKER, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENTS AVAILABLE FOR INSPECTION**

*Shire of Katanning*

Town Planning Scheme No. 3—Amendment No. 2

Ref: 853/5/10/3, Pt. 2.

Notice is hereby given that the Shire of Katanning has prepared the abovementioned scheme amendments for the purpose of rezoning Recreation Reserve 27669 from Parks and Recreation to Private Clubs and Institutions, and rezoning the adjoining land, portion of Kojonup Location 256 and being Lots 1, 2 and 3 from Residential to Private Clubs and Institutions.

Plans and documents setting out and explaining the scheme amendments have been deposited at Council Offices, 16-24 Austral Terrace, Katanning and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including May 11, 1990.

Submissions on the scheme amendments should be made in writing on Form No. 4 and lodged with the undersigned on or before May 11, 1990.

These amendments are available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

T. S. RULAND, Shire Clerk.

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**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*Shire of Kellerberrin*

Town Planning Scheme No. 1—Amendment No. 3

Ref: 853/4/13/1, Pt. 3.

Notice is hereby given that the Shire of Kellerberrin has prepared the abovementioned scheme amendment for the purpose of introducing into the Scheme Text provisions for the Control of Advertising.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 110 Massingham Street, Kellerberrin and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including May 11, 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 11, 1990.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

T. R. BUNNEY, Shire Clerk.

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**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*City of Canning*

Town Planning Scheme No. 21—Amendment No. 15

Ref: 853/2/16/22, Pt. 15.

Notice is hereby given that the City of Canning has prepared the abovementioned scheme amendment for the purpose of amending the Scheme Map by designating a 2.8 ha area on the corner of Centre Street and Woodrow Street as "Residential" (currently designated "Local Open Space"); and amending the Development Guide Map accordingly to reflect the residential subdivision pattern as outlined on the applicant's subdivisional sketch (Option 2).

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 11 May 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 11 May 1990.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

I. F. KINNER, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928  
SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*Shire of Manjimup*

Town Planning Scheme No. 2—Amendment No. 19

Ref: 853/6/14/2, Pt. 19.

Notice is hereby given that the Shire of Manjimup has prepared the abovementioned scheme amendment for the purpose of—

1. Rezoning portion of Location 11988 Cutting Road, Manjimup from "Short Stay Residential" Zone to "Rural" Zone.
2. Rezoning portion of Location 3628 Cutting Road, Manjimup from "Rural" Zone to "Short Stay Residential" Zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 37-39 Rose Street, Manjimup and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 27 April 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 27 April 1990.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

M. D. RIGOLL, Shire Clerk.

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**TOWN PLANNING AND DEVELOPMENT ACT 1928  
SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*City of Belmont*

Town Planning Scheme No. 11—Amendment No. 20

Ref: 853/2/15/10, Pt. 20.

Notice is hereby given that the City of Belmont has prepared the abovementioned scheme amendment for the purpose of modifying the map within Clause 3 of Schedule II to include Lot 16 Fulham Street, Lot 36 Wright Street and Lot 54 Abernethy Road, Cloverdale in order that Council may approve the additional uses of office and veterinary consulting rooms.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 215 Wright Street, Cloverdale and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 11 May 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 11 May 1990.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

BRUCE GENONI, Town Clerk.

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**TOWN PLANNING AND DEVELOPMENT ACT 1928  
SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*Shire of Augusta-Margaret River*

Town Planning Scheme No. 11—Amendment No. 37

Ref: 853/6/3/8, Pt. 37.

Notice is hereby given that the Shire of Augusta-Margaret River has prepared the abovementioned scheme amendment for the purpose of rezoning Portion Sussex Location 265 Caves Road, Margaret River from "Rural" to "Special Rural".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Town View Terrace, Margaret River and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 11 May 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 11 May 1990.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

L. J. CALNEGGIA, Shire Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928  
SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*Town of Albany*

Town Planning Scheme No. 1A—Amendment No. 53

Ref: 853/5/2/15, Pt. 53.

Notice is hereby given that the Town of Albany has prepared the abovementioned scheme amendment for the purpose of amending the Schedule of Special Sites in Appendix II of the Scheme Text to include Professional Office and Medical Clinic as additional uses permitted within Special Site No. 2, together with appropriate development conditions.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 221 York Street, Albany and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 11 May 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 11 May 1990.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

M. A. JORGENSEN, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928  
SCHEME AMENDMENTS AVAILABLE FOR INSPECTION**

*City of Melville*

Town Planning Scheme No. 3—Amendment Nos. 75 and 78

Ref: 853/2/17/10, Pts. 75 and 78.

Notice is hereby given that the City of Melville has prepared the abovementioned scheme amendments for the purpose of—

Amendment No. 75—Rezoning Lot 26 North Lake Road (corner Leach Highway) from Public Use Reserve to Residential B.

Amendment No. 78—Adding a new serial number to Appendix 5—"Schedule of Special Uses and Conditions" to permit a variation to a standard front setback requirement for a church.

Plans and documents setting out and explaining the scheme amendments have been deposited at Council Offices, Almondbury Road, Ardross and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 11 May 1990.

Submissions on the scheme amendments should be made in writing on Form No. 4 and lodged with the undersigned on or before 11 May 1990.

This amendments is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

GARRY HUNT, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928  
SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*City of Bunbury*

Town Planning Scheme No. 6—Amendment No. 89

Ref: 853/6/2/9, Pt. 89.

Notice is hereby given that the City of Bunbury has prepared the abovementioned scheme amendment for the purpose of—

1. Deleting the requirements for road reserve widening in the Commercial "C" area with the exception of Stuart Street.
2. Including an appropriate widening of Strickland Street at the Junction of Blair Street and at Forrest Avenue to accommodate the introduction of traffic signals at these intersections.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 4 Stephen Street, Bunbury and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 11 May 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 11 May 1990.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

V. S. SPALDING, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENTS AVAILABLE FOR INSPECTION**

*Shire of Busselton*

Town Planning Scheme No. 5—Amendment Nos. 161 and 163

Ref: 853/6/6/6, Pts. 161 and 163.

Notice is hereby given that the Shire of Busselton has prepared the abovementioned scheme amendments for the purpose of—

Amendment No. 161—Introducing into the Scheme Text provisions to control development of a Second Dwelling on a rural lot in the Shire.

Amendment No. 163—Introducing into the Scheme Text provisions to control the development of Multiple Rural Housing in the Shire.

Plans and documents setting out and explaining the scheme amendments have been deposited at Council Offices, Southern Drive, Busselton and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 11 May 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 11 May 1990.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

K. A. WHITE, Acting Shire Clerk

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*City of Rockingham*

Town Planning Scheme No. 1—Amendment No. 209

Ref: 853/2/28/1, Pt. 209.

Notice is hereby given that the City of Rockingham has prepared the abovementioned scheme amendment for the purpose of amending Clause 2.2.1 of Table IV of the Scheme Text, Special Rural Zones—Provisions Relating to Specified Areas—Amendment 132 Area, by deleting the words “one building” and replacing these with the words “one dwelling”.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Council Avenue, Rockingham and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 27 April 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 27 April 1990.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

G. G. HOLLAND, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*City of Cockburn*

Town Planning Scheme No. 1—Amendment No. 248

Ref: 853/2/23/5, Pt. 248.

Notice is hereby given that the City of Cockburn has prepared the abovementioned scheme amendment for the purpose of—

- (a) Rezoning portion of Jandakot Agricultural Area Lot 155 Prinsep Road, portion of Lot 544 Semple Road, Jandakot, from “Rural” to “Other Commercial”, “Showroom/Warehouse” and “Service Station”; and
- (b) Rezoning parts of Semple and Jandakot Roads from “Local Road” to “Showroom/Warehouse”.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 9 Coleville Crescent, Spearwood and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 11 May 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 11 May 1990.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

A. J. ARMAREGO, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Bayswater*

Town Planning Scheme No. 21—Amendment No. 8

Ref: 853/2/14/25, Pt. 8.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Bayswater Town Planning Scheme Amendment on 19 March 1990 for the purpose of rezoning Lots 565 and 566, No. 33-35 Avenell Road, Bayswater from Residential R17.5 to Medium Density Residential R40.

J. B. D'ORAZIO, Mayor.  
K. B. LANG, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*Town of Narrogin*

Town Planning Scheme No. 1A—Amendment No. 16

Ref: 853/4/2/9, Pt. 16.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Town of Narrogin Town Planning Scheme Amendment on 23 March 1990 for the purpose of rezoning Narrogin Town Lot 47 Corner Fortune Street and William Kennedy Way, from its existing use "Community" to "Shops".

JOHN PERRY, Mayor.  
P. J. WALKER, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Nedlands*

Town Planning Scheme No. 2—Amendment No. 17

Ref: 853/2/8/4, Pt. 17.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Nedlands Town Planning Scheme Amendment on 19 March 1990 for the purpose of rezoning Lots 45, 46 and 47 Carrington Street, Loch Street and Government Road from "Residential R15" to "Light Industry".

Development is to accord with an approved plan of development.

D. C. CRUICKSHANK, Mayor.  
C. G. ELLIS, Acting Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENTS**

*Shire of Wyndham-East Kimberley*

Town Planning Scheme No. 4—Amendment No. 18

Town Planning Scheme No. 5—Amendment No. 7

Ref: 853/7/5/6, Pt. 18; 853/7/5/7, Pt. 7.

It is hereby notified for public inspection, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning has approved the Shire of Wyndham-East Kimberley Town Planning Scheme Amendments on March 19, 1990 for the purpose of:

Town Planning Scheme No. 4—Amendment No. 18

1. including in Table 1 a new Use Class—Restricted Premises and applying the "AA" category in the Town Centre Zone and Light Industry Zone and "X" in all other zones.
2. including in Appendix No. 3—Interpretations a definition of Restricted Premises;
 

"Restricted Premises—means any premises, part or parts thereof, used or designed to be used for the sale by retail or wholesale, or the offer for hire, loan or exchange or the exhibition, display or delivery of:

  - (a) publications that are classified as restricted publications pursuant to the Indecent Publications and Articles Act 1902 (as amended), or
  - (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity."

## Town Planning Scheme No. 5—Amendment No. 7

1. including in Table 1 a new Use Class—Restricted Premises and applying the “AA” category in the Town Centre Zone and Light Industry Zone and “X” in all other zones.
2. including in Appendix No. 3—Interpretations a definition of Restricted Premises;
 

“Restricted Premises—means any premises, part or parts thereof, used or designed to be used for the sale by retail or wholesale, or the offer for hire, loan or exchange or the exhibition, display or delivery of:

  - (a) publications that are classified as restricted publications pursuant to the Indecent Publications and Articles Act 1902 (as amended), or
  - (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity.

S. G. BRADLEY, President.  
I. W. STUBBS, Shire Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*City of Geraldton*

## Town Planning Scheme No. 1—Amendment No. 42

Ref: 853/3/2/1, Pt. 42.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 that the Hon. Minister for Planning approved the City of Geraldton Town Planning Scheme Amendment on March 19, 1990 for the purpose of including Lot 85 Willcock Drive, Tarcoola Beach (as shown on the approved subdivision plan Ref: 78005) in an Area 2—Residential zone as shown on the plan.

FAYE SIMPSON, Mayor.  
G. K. SIMPSON, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*Town of Albany*

## Town Planning Scheme No. 1A—Amendment No. 49

Ref: 853/5/2/15, Pt. 49.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the Town of Albany Town Planning Scheme Amendment on March 19, 1990 for the purpose of amending the Schedule of Special Sites in Appendix II of the Scheme Text by deleting the permitted additional use for Special Site No. 10 and replacing it with the following additional use:

Retailing of food with a maximum retail floorspace of 850 square metres.

A. G. KNIGHT, Mayor.  
M. A. JORGENSEN, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*City of Kalgoorlie-Boulder*

## Joint Town Planning Scheme—Amendment No. 68

Ref: 853/11/3/2, Pt. 68.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the City of Kalgoorlie-Boulder Town Planning Scheme Amendment on March 19, 1990 for the purpose of:

adding Part Lot 32 Piesse Street, Boulder to the schedule of additional uses at Appendix III with an additional use of Shop as follows:

## Appendix III—Schedule of Additional Uses

No.	Land Particulars	Base Zone	Additional Use	Development Standards—Conditions
2	Pt. Lot 32 Piesse Street, Boulder	Residential B	Shop	As determined by Council

M. R. FINLAYSON, Mayor.  
L. P. STRUGNELL, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENTS**

*City of Canning*

Town Planning Scheme No. 16—Amendment Nos. 535 and 546.

Ref: 853/2/16/18, Pts. 535 and 546.

It is hereby notified for public inspection, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning has approved the City of Canning Town Planning Scheme Amendments on 19 March 1990, for the purpose of—

Amendment No. 535: adding the following Serial 86 to Appendix 2 (Schedule of Special Zones):

Serial No.	Lot No.	Location	Address	Additional Purpose for which the premises may be Used.
86	228	Can. 25	179 High Road, Willetton.	Bank Premises.

Amendment No. 546: altering Clause 18 Zoning Table to allow "Public Worship" as an "AA" use in the "Private Clubs and Institutions" zone.

S. W. CLARKE, Mayor.  
I. F. KINNER, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENTS**

*Shire of Broome*

Town Planning Scheme No. 2—Amendment Nos. 74 and 75.

Ref: 853/7/2/3, Pts. 74 and 75.

It is hereby notified for public inspection, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning has approved the Shire of Broome Town Planning Scheme Amendments on 19 March 1990, for the purpose of—

Amendment No. 74—

1. Rezoning Lot 994 Millington Road from "Special Rural" to "Special Site—Tourist Development".
2. Adding to Schedule B—Special Sites, the following—  
Special Sites

Site	Permitted Use	Development Conditions
Lot 994 Millington Road	Tourist Development	As determined by Council

Amendment No. 75—

1. Adding a new clause 6.12 to read—

6.12 "Power to make Policies

In order to achieve the objectives of the scheme, Council may make town planning scheme policies relating to parts or all of the scheme area and relating to one or more of the aspects of the control of development and land use.

6.12.1

A town planning scheme policy shall become operative only after the following procedures have been completed—

- (a) The Council having resolved to adopt a draft town planning scheme policy, shall advertise a summary of the draft policy one a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.
- (b) The Council shall review its draft town planning scheme policy in the light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.
- (c) Following final adoption of a town planning scheme policy, details thereof shall be advertised publicly and a copy kept with the scheme documents for inspection during normal office hours.

## 6.12.2

A town planning scheme policy may only be altered or rescinded by—

- (a) Preparation and final adoption of a new policy pursuant to this clause, specifically worded to supersede an existing policy.
- (b) Publication of a formal notice of rescission by the Council twice in a newspaper circulating in the area.

## 6.12.3

A town planning scheme policy shall not bind the Council in respect of any application for planning consent but the Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve before making its decision.

## 2. Adding a new clause 4.1.5 to read—

- 4.1.5 In determining an application for Planning Consent, Council shall have regard to any Planning Policy adopted under the powers of this Scheme, and may impose conditions of consent in conformity with the requirements of that Policy.

R. J. JOHNSTON, Acting President.

D. L. HAYNES, Shire Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Wanneroo*

Town Planning Scheme No. 1—Amendment No. 458

Ref: 853/2/30/1, Pt. 458.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on March 19, 1990 for the purpose of:

1. rezoning Portion Lot 2 Burns Beach Road, Burns Beach, east of the centre line of the Marmion Avenue alignment and west of the centre line of the Connolly Drive alignment from "Rural" to "Residential Development R20 and Commercial";
2. amending the Residential Density Code Map to code the land R20;
3. specifying a maximum gross leasable area of 1000 m<sup>2</sup> for the proposed shopping centre in Schedule 5 of the Scheme Text.

B. A. COOPER, Mayor.

R. F. COFFEY, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Bunbury*

Town Planning Scheme No. 6—Amendment No. 80

Ref: 853/6/2/9, Pt. 80.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the City of Bunbury Town Planning Scheme Amendment on March 19, 1990 for the purpose of rezoning Lots 27 and 28 Forrest Avenue from "Residential R15" to "Residential R40".

A. G. BRICKNELL, Acting Mayor.

V. S. SPALDING, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*Shire of Albany*

Town Planning Scheme No. 3—Amendment No. 89

Ref: 853/5/4/5, Pt. 89.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the Shire of Albany Town Planning Scheme Amendment on March 19, 1990 for the purpose of amending the scheme text by—

1. introducing the following new term and definition into Part 1.6 following the Rural Residential Dwelling definition "Rural Storage Yard: means land used for the storage of materials and tools of trade, and garaging of vehicles, ordinarily connected with small scale enterprises involved in building, earthmoving or transportation activities in rural areas."

2. amending the Use Class-Zoning Table (Table 1) by inserting the new use class "Rural Storage Yard" after "Rural Residential Lots" and classifying it as an "IP" use in the "Rural Zone; a "A" use in the "Light", "General", "Noxious" and "Special Industry" Zones, and an "X" use in all other zones.

H. RIGGS, President.  
D. J. CUNNINGHAM, Shire Clerk.

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**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*Shire of Busselton*

Town Planning Scheme No. 5—Amendment No. 148

Ref: 853/6/6/6, Pt. 148.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on 19 March 1990, for the purpose of rezoning Portion of Busselton Town Lot 139 Kent Street, Busselton from "Single Residential" to "Office".—

E. J. SMITH, President.  
B. N. CAMERON, Shire Clerk.

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**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Rockingham*

Town Planning Scheme No. 1—Amendment No. 201

Ref: 853/2/28/1, Pt. 201.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the City of Rockingham Town Planning Scheme Amendment on 19 March 1990, for the purpose of adding to the Scheme Text after Clause 5.20 (xxv) the following—

"5.20 (xxvi) Lot 47 Corner Safety Bay Road and Penguin Road, Safety Bay, for any purpose other than Marine Maintenance and Repair, or for uses permitted in a Business Local Zone under the Scheme."

R. R. SMITH, Mayor.  
G. G. HOLLAND, Town Clerk.

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**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Cockburn*

Town Planning Scheme No. 1—Amendment No. 206

Ref: 853/2/23/5, Pt. 206.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the City of Cockburn Town Planning Scheme Amendment on 19 March 1990, for the purpose of—

- (1) rezoning portion of Jandakot Agricultural Area Lot 251 Yangebup Road, Yangebup, from Rural to Residential, Local Shopping, Special Business and Place of Public Assembly (Place of Public Worship) as depicted on Composite Amending Plan No. 12.188;
- (2) including the following paragraph after 48B. in the Scheme Text—

"48C. Purchasers of all lots created from Jandakot Agricultural Area Lot 251 Yangebup are to receive approval from the Health Department of Western Australia and the Water Authority of Western Australia for the installation of a water bore."

and the Scheme Map and Scheme Text is hereby amended accordingly.

D. F. MIGUEL, Mayor.  
A. J. ARMAREGO, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**TOWN PLANNING SCHEME AVAILABLE FOR INSPECTION**  
*Shire of Esperance*

Town Planning Scheme No. 22

Ref: 853/11/6/21.

Notice is hereby given that the Shire of Esperance has prepared the abovementioned town planning scheme for the purpose of—

1. The General Objectives—
  - (a) to provide for the control over land uses and development within the Scheme Area.
  - (b) to allocate reserves for all land used and/or required for a Public Purpose.
  - (c) to prescribe performance standards for land use and development within the Scheme Area.
  - (d) to divide the Scheme Area into Zones for the purpose described in the Scheme.
  - (e) to provide for the orderly development of the Scheme Area.
  - (f) to make provisions as to the nature and location of buildings and the size of lots.
  - (g) to make provisions for other matters necessary or incidental to town planning, housing and preservation of amenity of the area.
  - (h) to encourage flexibility of planning control. The law is constantly having to try to achieve a balance between certainty and adaptability to the changing conditions, circumstances and needs of the community. Town planning with its necessary interrelationship with those changing conditions, circumstances and needs, has at least as great a need for adaptability.
  
2. The Particular Objectives—
  - (a) to provide for and control development in all townsites within the Shire of Esperance and all development unrelated to farming activities within the rural districts within the Scheme Area.
  - (b) to provide for and control the development of low density residential and special rural areas.
  - (c) to protect primary and rural industry.
  - (d) to protect and encourage industry generally.
  - (e) to protect the visual amenity of the road system within the district.
  - (f) to control the ecology and amenity of the coastline and to encourage good coastal management.
  - (g) to protect all wetlands within the District.

Plans and documents setting out and explaining the town planning scheme have been deposited at Council Offices, Windich Street, Esperance and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 2 July 1990.

Submissions on the town planning scheme should be made in writing on Form No. 4 and lodged with the undersigned on or before 2 July 1990.

R. T. SCOBLE, Shire Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
*Shire of Lake Grace*

TOWN PLANNING SCHEME No. 3

**ADVERTISEMENT OF RESOLUTION DECIDING TO PREPARE A TOWN PLANNING SCHEME**

Notice is hereby given that the Shire Council of Lake Grace on 22 November 1989 passed the following Resolution:

Resolved that the Council, in pursuance of section 7 of the Town Planning and Development Act 1928 prepare the above Town Planning Scheme with reference to an area situate wholly within the Shire of Lake Grace and enclosed within the inner edge of the broken black border on a plan now produced to the Council and marked and certified by the Shire Clerk under his hand dated 22nd November 1989 as "Scheme Area Map".

G. H. McCUTCHEON, Acting Shire Clerk.

**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959**  
**METROPOLITAN REGION SCHEME—S.33A AMENDMENT**  
**PROPOSED AMENDMENT FOR EXHIBITION AND COMMENT**  
 Land between Maida Vale Road and Hawtin Road, Maida Vale

No. 814/33A.

File: 833-2-24-42.

**Proposal**

To provide additional urban land within the foothills locality.

**Description**

The effect of the proposed amendment on the Metropolitan Region Scheme is to exclude portions of land between Maida Vale Road and Hawtin Road, Maida Vale from the Rural Zone and include them in the Urban Zone as shown on Plan No. 4.1123.

**Certificate**

The State Planning Commission has certified that, in its opinion, the proposed amendment does not constitute a substantial alteration to the Metropolitan Region Scheme.

**Exhibition**

The proposed amendment will be exhibited for public comment during normal office hours at—

1. The Office of the Department of Planning and Urban Development  
 Albert Facey House  
 469-489 Wellington Street  
 Perth WA 6000
2. J. S. Battye Library  
 Alexander Library Building  
 Cultural Centre  
 Francis Street  
 Northbridge WA 6000
3. The Office of the Municipality of the Shire of Kalamunda  
 2 Railway Road  
 Kalamunda WA 6076

**Submissions**

Submissions on the proposal are invited and may be made (in duplicate) on submission forms available at the offices listed above and lodged at—

The Town Planning Appeal Committee  
 Hyatt Centre  
 87 Adelaide Terrace  
 Perth WA 6000

Submissions must be lodged by 4.00 pm Friday 1 June 1990.

GORDON G. SMITH, Secretary.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME**  
*City of Canning*  
 Town Planning Scheme No. 38  
 Cecil Avenue East Guided Development Scheme

Ref: 853/2/16/42.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the City of Canning, Town Planning Scheme No. 38—Cecil Avenue East Guided Development Scheme on March 9, 1990—the Scheme Text of which is published as a Schedule annexed hereto.

S. W. CLARKE, Mayor.  
 I. F. KINNER, Town Clerk.

**CITY OF CANNING TOWN PLANNING SCHEME No. 38**  
**CECIL AVENUE EAST GUIDED DEVELOPMENT SCHEME**

The City of Canning under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928 (as amended), and all other powers enabling it hereby makes the following Town Planning Scheme.

**SCHEME TEXT**  
**PART I—PRELIMINARY**

**1.1 CITATION**

This Town Planning Scheme may be cited as "City of Canning Town Planning Scheme No. 38, Cecil Avenue East Guided Development Scheme"; or "Town Planning Scheme No.38"; (in this Text referred to as "the Scheme").

## 1.2 ARRANGEMENT OF SCHEME TEXT

The Scheme Text is divided into Parts as follows—

- PART I—PRELIMINARY
- PART II—OBJECTS
- PART III—SUBDIVISION AND DEVELOPMENT
- PART IV—COUNCIL DEVELOPMENT AREA
- PART V—PRIVATE DEVELOPMENT AREA
- PART VI—SCHEME COSTS
- PART VII—GENERAL

## 1.3 RESPONSIBLE AUTHORITY

The Authority responsible for enforcing the observance of this Scheme is the City of Canning (hereinafter referred to as “the Council”).

## 1.4 MAPS

The following map is attached to and forms part of the Scheme but is not published in the *Government Gazette* with the Scheme Text—

SCHEME MAP.

## 1.5 SCHEME AREA

The Scheme shall apply to the whole of the land contained within the inner edge of the broken black line on the Scheme Map (hereinafter referred to as “the Scheme Area”).

## 1.6 INTERPRETATION

Unless the context otherwise requires the terms and expressions used in this Scheme shall have the meanings assigned to them in and for the purpose of the City of Canning Town Planning Scheme No. 16 Zoning Scheme and additionally the following terms and expressions shall have the meanings assigned to them hereunder—

- (a) “Act”—means the Town Planning and Development Act 1928.
- (b) “Canning Regional Centre”—means a commercial and civic precinct incorporating amongst other areas the Carousel Shopping Centre and the Scheme Area functioning as a Regional Centre as that term is used by the Commission in 1989.
- (c) “Cannington Interchange”—means the proposed Cannington Road/Rail Interchange located in the vicinity of Sevenoaks Street where it passes the Scheme Area.
- (d) “Central Area uses”—means uses appropriate in the business core of a Regional Centre or City Centre.
- (e) “Cockram Street Main Drain”—means the drain passing through the Scheme Area between Cecil Avenue and Sutton Street.
- (f) “Commission”—means the State Planning Commission of Western Australia or such other body as from time to time is responsible under the Act for approving the subdivision of land within the municipal district of the Council.
- (g) “development”—has the meaning given to that term in Section 2 of the Act.
- (h) “District Planning Scheme”—means the City of Canning Town Planning Scheme No.16—Zoning Scheme or such other planning instrument as from time to time deals with the classification and control of development of land in the municipal district of the Council.
- (i) “Headworks”—means the cost of works provided by a servicing authority which have general community benefit extending beyond the Scheme Area but in respect of which the servicing authority in accordance with the law and its usual practice seeks a contribution from the owners of land within the Scheme Area.
- (j) “Outline Development Plan”—means a plan complying with the provisions of subclause 3.2.3 and which has been prepared by or approved by the Council and approved by the Commission.
- (k) “Proponent”—means a person proposing to carry out development within the Scheme Area.
- (l) “Scheme Costs”—means the cost of works within the Scheme Area or other costs incurred in preparation of the Scheme or involved in or incidental to the implementation of the Scheme and which produce some benefit for all land within the Scheme Area.
- (m) “SECWA”—means the State Energy Commission of Western Australia or such other body or authority responsible for the supply of energy in Western Australia standing in its place.
- (n) “Transmission Lines”—means the 132 kilo volt SECWA transmission lines which pass through the Scheme Area in or in the vicinity of the road reserve of Sutton Street.
- (o) “WAWA”—means the Water Authority of Western Australia or such other body or authority responsible for main drainage in Western Australia standing in its place.

## 1.7 SCHEDULES AND APPENDICES

Any Schedule or Appendix hereto forms part of the Scheme.

## 1.8 HEADINGS

The headings of Parts form part of the Scheme, but the Table of Contents and any headings of clauses, subclauses, or paragraphs are intended for reference only and do not form part of or affect the construction of the Scheme.

### 1.9 RELATIONSHIP OF SCHEME BY-LAWS

The provisions of the Scheme shall have effect notwithstanding any by-law or regulation other than the Town Planning Regulations 1967 and the State Planning Commission Regulations for the time being in force in the municipal district of the City of Canning; and where the provisions of the Scheme are inconsistent with the provisions of any by-law or regulation other than the Town Planning Regulations 1967 and the State Planning Commission Regulations, the provisions of the Scheme shall prevail.

### PART II—OBJECTS

2.1 The general objects of the Scheme are:—

- (a) The improvement and development of land in the Scheme Area generally;
- (b) The integrated development of the Council Development Area and Private Development Area;
- (c) To accommodate the establishment and integration within the Scheme Area of a range of Central Area uses;
- (d) The integration of development and uses within the Scheme Area with development and uses within other parts of the Canning Regional Centre;
- (e) The provision of road, sewerage, drainage and water supply services to the Scheme Area in a manner conducive to the orderly planning and development of the Scheme Area, the Canning Regional Centre and the locality generally;
- (f) To accommodate within the Scheme Area or relocate the Cockram Street Main drain and the Transmission Lines in Sutton Street.
- (g) To facilitate an orderly relationship between the Canning Regional Centre and the Cannington Interchange;
- (h) To allow for amalgamation and subdivision of lots in the Scheme Area;
- (i) To allow for the construction of roads and ways within the Scheme Area and to ensure the proper drainage of all roads and other parts of the Scheme Area which require drainage;
- (j) To make provision for the creation of sewerage and drainage reserves and easements within the Scheme Area;
- (k) To make provision for the connection of the Scheme Area to a reticulated supply of water and all works and matters incidental thereto within the Scheme Area;
- (l) To make provision for reticulated deep sewerage and other works and matters incidental thereto within the Scheme Area;
- (m) To allow for landscaping and beautification of land within the Scheme Area;
- (n) To allow for the subdivision and development of land by owners privately according to Outline Development Plans and provision for contribution for shared works and facilities;
- (o) To allow for the carrying out of works, the acquisition of land and the expenditure of funds outside the Scheme Area for the purpose of enabling and facilitating the carrying out of works within the Scheme Area.
- (p) To make provision within the Scheme Area for such of those matters set out in the First Schedule of the Town Planning and Development Act 1928 as are necessary or incidental to the good and effective planning and development of a commercial centre; and
- (q) To improve and secure the amenity, health and convenience of the Scheme Area and to make provision for works calculated to achieve those ends.

### PART III—SUBDIVISION AND DEVELOPMENT

#### 3.1 SUBDIVISION AND AMALGAMATION

##### 3.1.1 Re-arrangement of Cadastral Boundaries

As the Objects of the Scheme contemplate the development of land within the Scheme Area to accommodate a range of Central Area uses, it is consistent with those Objects that the existing lots within the Scheme Area may need to be amalgamated and re-subdivided to produce lots of a size and configuration suitable to that form of development.

##### 3.1.2 Provision in Outline Development Plan

Where any development proposed within the Scheme Area, or the accommodation or relocation of any services within the Scheme Area will necessitate or be facilitated by amalgamation or subdivision of lots, the pattern of any proposed amalgamation and/or subdivision shall be shown in the Outline Development Plan submitted to the Council for the proposed development.

#### 3.2 DEVELOPMENT

##### 3.2.1 Outline Development Plan

It is intended that development of land within the Scheme Area should take place only after comprehensive planning has ensured that the Scheme Area and the Canning Regional Centre will derive the maximum possible benefit from—

- (a) the location or relocation of services;
- (b) the location and design of buildings;
- (c) the distribution of land uses; and
- (d) arrangements for vehicular and pedestrian movement.

Having regard to that intention the Council before supporting or approving any proposal for development of land within the Scheme Area shall require the preparation of an Outline Development Plan for the land within the Scheme Area and such other land outside the Scheme Area as the Council considers may be affected by the development.

### 3.2.2 Planning Approval and Development Standards

3.2.2.1 Without affecting the generality of the provisions in the preceding subclause, the Council may approve any development of land within the Scheme Area in accordance with the development control provisions of the District Planning Scheme without requiring the preparation of an Outline Development Plan in respect of that development provided that the Council is satisfied that the problems associated with the planning and servicing of the Scheme Area have been adequately dealt with by an Outline Development Plan previously prepared and approved and provided that the subsequent development proposal under consideration is consistent with that previously prepared Outline Development Plan.

3.2.2.2 The Council may in its discretion in dealing with an application for planning consent for any development proposal within the Scheme Area or in its approval or adoption of an Outline Development Plan permit a variation or departure from any standard or requirement relating to development of land contained in the District Planning Scheme if in the opinion of the Council the variation or departure is consistent with the Objects of the Scheme and will not detract from the amenity of land within the Scheme Area.

### 3.2.3 Requirements of Outline Development Plan

3.2.3.1 Any Outline Development Plan prepared in accordance with the provisions of this clause shall comply with the following provisions—

- (a) The Plan shall be prepared to a scale of not less than 1:2000;
- (b) The Plan shall be accompanied by a comprehensive Report;
- (c) The Plan and accompanying Report shall provide such information as is reasonably necessary to satisfy the Council that the Objects of the Scheme can be achieved if any development proposed in the Outline Development Plan takes place;
- (d) If it is intended that a development will be considered by the Council for planning approval, it shall be accompanied by such other documents and things as are required for planning approval under the provisions of the City of Canning District Planning Scheme and the Metropolitan Region Scheme; and
- (e) Such other information plan or thing as the Council requires.

3.2.3.2 An Outline Development Plan shall deal with all such matters as are necessary to ensure the orderly and proper planning and enhancement of the amenity of land within the Scheme Area, and without limiting the generality of the foregoing shall in the Plan and accompanying Report address the following matters—

1. the achievement of the Objects of the Scheme;
2. any proposal for subdivision and/or amalgamation of lots;
3. the matters referred to in subclause 3.2.1; and
4. the planning for and accommodation of the major development constraints within the Scheme Area as follows—
  - (a) the establishment and maintenance of vehicular access (between the Cannington Interchange and the Canning Regional Centre);
  - (b) demonstrating in a comprehensive way how the main drain is to be accommodated or relocated and evidencing the acceptability to the WAWA of any such proposal;
  - (c) demonstrating in a comprehensive way how the Transmission Lines are to be accommodated or relocated and demonstrating the acceptability to the SECWA of any such proposal;
  - (d) making provision acceptable to the Council and the WAWA for connection to the WAWA sewers of each lot within the Scheme Area as subdivided or resubdivided.

3.2.4 All documents required in connection with an Outline Development Plan other than documents which are submitted only in accordance with the provisions of the City of Canning District Planning Scheme and/or the Metropolitan Region Scheme for the purpose of obtaining planning approval for a proposed development, shall be submitted to the Council in quadruplicate to permit copies to be sent to other owners of land within the Scheme Area.

3.2.5 The Council may adopt an Outline Development Plan with or without modification as the basis for the preparation of a comprehensive plan for development of the Scheme Area or for supporting the subdivision resubdivision or development of land comprehended by the Outline Development Plan.

3.2.6 If the Council adopts an Outline Development Plan in accordance with the provisions of the preceding subclause, the following provisions shall apply—

- (a) the Council shall notify in writing each owner of land affected by the Plan of the existence of the Plan and invite each owner to make a submission to the Council regarding any aspect of the Plan of interest to or affecting that owner;
- (b) the Council shall specify a time within which submissions will be received, but that time shall not be less than 28 days from the date of the notification referred to in (a) above;

- (c) the Council shall consider any submission made under (a) and (b) hereof and may amend the Outline Development Plan after consideration of such submissions;
- (d) the Council following the procedures hereinbefore contained shall forward the Outline Development Plan to the Commission together with a precis of, and the Council's decision in relation to, each submission received in respect of the Plan, and shall request the Commission to approve the Plan submitted as the basis for approval of subdivision applications within the area covered by the Plan;
- (e) the Council having adopted an Outline Development Plan shall itself apply the provisions of the Plan when making any planning decision concerning land comprehended by the Plan;
- (f) any departure from or alteration to the Outline Development Plan, subject to the approval of the Council and the Commission if a proposal for subdivision is involved, be permitted if the Council considers that the proposed departure or alterations will not prejudice the progressive development of the Scheme Area, or the portion of the Scheme Area the subject of the Plan.

3.2.7 In the event that the Council elects to carry out development of land within the Council Development Area, the Council shall prepare an Outline Development Plan in respect thereof, and the Outline Development Plan in that case shall inform owners affected by it of the following matters—

- (a) the powers proposed to be exercised by the Council;
- (b) the works the Council proposes to carry out;
- (c) the costs in respect of which the Council will seek contribution from other owners;
- (d) the method of calculating the contribution of owners to costs; and
- (e) the date and manner in which contributions by owners to costs are to be made.

#### PART IV—COUNCIL DEVELOPMENT AREA

##### 4.1 DEVELOPMENT BY COUNCIL

###### 4.1.1 Election to Develop

4.1.1.1 The Council may in its discretion elect to carry out development of the whole or any part of the land in the Council Development Area.

4.1.1.2 In the event that the Council elects to carry out development in any part of the Council Development Area, the Council shall be the Proponent in respect of that development and shall comply with the provisions of the Scheme relating to Proponents.

4.1.1.3 In the event that the Council elects to carry out development of land in the Council Development Area of which it is not the registered proprietor it shall give notice of the election within 21 days to every owner of that land.

4.1.1.4 Any owner whose land is the subject of an election by the Council under paragraph 4.1.1.1 if the owner is aggrieved by the election may appeal against it within 28 days of receiving the notice referred to in paragraph 4.1.1.3 to the Minister for Planning or the Town Planning Appeal Tribunal under the provisions in Part V of the Act and the Council shall not proceed with the development of that owner's land until the appeal has been determined.

4.1.1.5 The Council may decide at any time not to proceed with the development of any land the subject of an election under paragraph 4.1.1.1 but in that event shall notify the owner of the land within 21 days of its decision and there shall be no right of appeal or reference to arbitration against that decision.

4.1.1.6 The Council shall not without the consent of the owner make an election to carry out development of any land for which a proposal for development has already been received by the Council and which land is included in an Outline Development Plan which the Council has approved.

###### 4.2.1 Inclusion of Other Land

4.2.1.1 The Council may by agreement with an owner of land in the Private Development Area undertake the development of the whole or any part of that owner's land as if it was included in the Council Development Area.

4.2.1.2 Where the Council agrees to carry out the development of other land under the power in paragraph 4.2.1.1 the provisions of this Scheme applicable to development of the Council Development Area and the development of land by the Council shall apply to that land *mutatis mutandis* as if it was included in the Council Development Area and shown as such on the Scheme Map and to the extent necessary to give effect thereto the provisions of this Scheme relating to the private Development Area shall not apply to that land.

###### 4.3.1 Council Adoption of Outline Development Plan

4.3.1.1 Where the Council is the Proponent for the development of any land within the Scheme Area it shall prepare an Outline Development Plan in respect of the land within the Scheme Area and such other land outside the Scheme Area as the Council considers may be affected by the development and that Outline Development Plan shall be dealt with in accordance with the provisions of this Scheme as if it had been prepared by a private owner.

4.3.1.2 The Council may adopt as its own in respect of development of the whole or any part of the land in the Council Development Area an Outline Development Plan prepared by another person.

#### 4.4.1 Council Development to Comply with Outline Development Plan

The Council when carrying out development of any land shall comply with the terms of any Outline Development Plan which it has adopted.

#### 4.5.1 Excluding Land from Council Development

4.5.1.1 The Council may agree at the request of an owner to the exclusion of that owner's land from the Council Development Area and for its development as if it was included in the Private Development Area and shown as such in the Scheme Map.

4.5.1.2 The Council may agree to exclusion of land from the Council Development Area at any time whether or not an Outline Development Plan has been prepared or adopted by the Council.

4.5.1.3 Where the Council agrees to the exclusion of land from the Council Development Area the provisions of this Scheme applicable to development of the Private Development Area shall apply to that land *mutatis mutandis* as if it was included in the Private Development Area and shown as such on the Scheme Map and to the extent necessary to give effect thereto the provisions of this Scheme relating to the Council Development Area shall not apply to that land.

4.5.1.4 There shall be no right of appeal or reference to arbitration against a refusal of the Council to agree to the exclusion of land from the Council Development Area.

#### 4.6.1 Sharing of Council Development Area Costs

4.6.1.1 The following costs may be recovered by the Council as Council Development Area Costs in the event that the Council carries out development within the Council Development Area—

- (1) The costs of and incidental to the subdivision or resubdivision of land within the Council Development Area;
- (2) The cost of prefunding work for which owners of land outside the Council Development Area are liable to contribute;
- (3) The cost of constructing and draining any roads within the Council Development Area for which no other provision for contribution or sharing of costs is made by this Scheme;
- (4) The cost of providing reticulated water connections to all lots within the Council Development Area; and
- (5) The cost of providing reticulated sewer connections to all lots within the Council Development Area.

4.6.1.2 Any Council Development Area Costs, shall be shared by the owners whose land is developed.

4.6.1.3 The amount of such costs borne by each owner shall bear the same proportion to the total of the Council Development Area Costs as the area of that owner's land included in the Council Development Area bears to the total area of the Council Development Area.

4.6.1.4 Contributions to Council Development Area Costs shall be paid within 30 days of demand being made for the same by the Council and contributions shall bear interest from the date of demand at a rate 2% above the rate applicable from time to time on the Council's overdraft or borrowings for the Council Development Area Costs. Any interest accrued on any payment shall be paid at the same time as the owner pays the owner's contribution to the Council Development Area Costs.

#### 4.7.1 Prefunding by Council

The Council for the purpose of developing the Council Development Area may prefund any works within or outside the Council Development Area. The Council may recover moneys expended in prefunding from other owners of land within the Council Development Area as a Council Development Area Cost and in that event the owners contributing shall be entitled to reimbursement *pro-rata* in proportion to their contributions when moneys are recovered from other owners.

### PART V—PRIVATE DEVELOPMENT AREA

#### 5.1 DEVELOPMENT BY OWNERS

##### 5.1.1 Outline Development Plan

5.1.1.1 It is intended that development of land within the Private Development Area will be carried out by the owners thereof.

5.1.1.2 Notwithstanding any provision to the contrary in TPS.16, the Council shall not give planning approval for the commencement or carrying out of any development of land within the Scheme Area unless an Outline Development Plan for the Scheme Area has first been prepared and approved in accordance with the provisions of this Scheme.

##### 5.1.2 Compliance with Outline Development Plan

If any land in the Scheme Area is included in an Outline Development Plan approved in accordance with the provisions of this Scheme then no development of that land shall be commenced or carried out unless—

it complies with the provisions of the Outline Development Plan; or the Council and the Commission have given prior approval in writing to an appropriate variation of the Outline Development Plan.

## 5.2 CONTRIBUTION TO COSTS

If an Outline Development Plan for land in the Private Development Area necessitates the joint development of the land of more than one owner the Council shall not approve it unless the Proponent satisfies the Council that all such owners are in agreement on the Outline Development Plan and that satisfactory arrangements have been made for joint works and sharing of joint costs.

## PART VI—SCHEME COSTS

### 6.1 PROVISIONS FOR CONTRIBUTIONS TO SCHEME COSTS

The costs or estimated costs of the following items comprise the Scheme Costs and shall be paid by the owners of land within the Scheme Area in accordance with the provisions for contributions set out in this clause.

- (a) The administration costs of the Scheme including an amount to reimburse the Council for such overhead supervision and management costs as may be incurred in the implementation of the Scheme. The term "administration costs" shall, in addition, include all legal costs, planning costs, payment to professional consultants, survey and valuation costs in each case whether incurred before or after the coming into operation of the Scheme.
- (b) The carrying out of any works within or outside the Scheme Area necessary to provide adequate drainage of the land within the Scheme Area with the exception of the cost of accommodation or relocation of the Cockram Street Main Drain for which other provision is made in this part.
- (c) The costs necessarily involved in providing a connection of the land within the Scheme Area to the WAWA sewers but excluding Headworks charges unless they are charged to the Scheme Area or a prefunding owner.
- (d) The costs of carrying out any works within or outside the Scheme Area including the costs involved in acquiring compulsorily or otherwise any land required, where that work is necessary or desirable for the development of the Scheme Area or any part thereof, and for which no other provision for contribution to cost is made by the Scheme.

### 6.2 DRAINAGE

6.2.1 All costs associated with the accommodation or relocation of the Cockram Street Main Drain which the WAWA is not bound by law to pay or otherwise is not prepared and cannot be compelled to pay shall be shared between all owners of land in the Scheme Area whose land abuts the Cockram Street Main Drain.

6.2.2 The contribution of each owner of land to the cost referred to in the preceding subclause shall be the same proportion of the total cost as the total area of that owner's land within the Scheme Area bears to the total area of the land of all owners required to contribute to that cost within the Scheme Area, unless the owners required to contribute agree to some other method of contribution.

### 6.3 TRANSMISSION LINES

6.3.1 All costs associated with the accommodation or relocation of the Transmission Lines which the SECWA is not bound by law to pay or otherwise is not prepared and cannot be compelled to pay shall be shared between all owners of land in the Scheme Area through which the Transmission Lines pass or which abuts a road reserve or other reserve over which the Transmission Lines pass.

6.3.2 The contribution of each owner of land in the Scheme Area to the cost referred to in the preceding subclause shall be the same proportion of the total cost as the total area of that owner's land within the Scheme Area bears to the total area of all land within the Scheme Area owned by the owners required to contribute unless the owners required to contribute agree to some other method of contribution.

### 6.4 LAKE STREET WIDENING

6.4.1 The part of Lake Street within the Scheme Area which has a road reserve less than 20 metres wide shall be widened to 20 metres and the owners of the land abutting that portion of Lake Street shall contribute land equally, or shall contribute the value of land equally in proportion to the frontage which land owned by them has to the underwidth portion of Lake Street.

6.4.2 The owners of land abutting Lake Street shall contribute to the cost of constructing and draining Lake Street. The contribution of each owner to that cost shall be a sum which bears the same proportion to the total cost as the length of the frontage of that owner's land to Lake Street bears to the total length of all frontages to that street within the Scheme Area.

6.4.3 If in any Outline Development Plan approved by the Council and the Commission Lake Street is required to be deviated to join Grose Street then the costs associated with the provision of land for and the construction of the deviation section of the road shall be a Scheme Cost and shall be borne by all owners of land within the Scheme Area in accordance with the provisions herein for contribution to Scheme Costs.

### 6.5 PAYMENT OF CONTRIBUTIONS TO SCHEME COSTS

The contribution of each owner of land in the Scheme Area to Scheme Costs shall be the same proportion of the total of the Scheme Costs as the total area of that owner's land within the Scheme Area bears to the total area of all land within the Scheme Area, unless all owners within the Scheme Area agree to some other method of contribution.

## 6.6 PREFUNDING

6.6.1 The Council or any other owner who contributes in advance more than his proper contribution to the costs, or the cost of works, referred to in Clauses 6.1, 6.2, 6.3 and 6.4 shall be referred to as a "Prefunding Owner".

6.6.2 The contribution of each owner to the costs referred to in the preceding subclause shall be made at a time according to whichever of the following occurs first—

- (a) if the works have been carried out or the costs incurred, the contribution shall be made before the owner subdivides or commences any development on that owner's land; or
- (b) if the works have been carried out or the costs incurred and a Prefunding Owner elects that notice be given, within 60 days of notice being given by the Council stating the amount prefunded and the contribution payable by the owner to whom the notice is directed.

6.6.3 Any owner making a contribution to costs in accordance with the provisions of this clause shall pay to the Prefunding Owner interest on the amount of that owner's contribution at the rate applicable from time to time on Local Government borrowings on overdraft from the Commonwealth Trading Bank and the interest shall accrue due from the date that the contribution by the owner becomes payable in accordance with the provisions of the preceding subclause. Any such interest shall be paid to the Prefunding Owner at the time of payment of the relevant contribution to costs.

## 6.7 ADVANCE CONTRIBUTION TO COSTS

6.7.1 Where neither the Council nor any other owner contributes in advance to the cost referred to in the preceding clause, or where part but not all of any such cost is paid by a Prefunding Owner, then the owners of land within the Scheme Area shall contribute to those costs in accordance with the provisions of this clause.

6.7.2 If an owner desires to commence or carry out any development in the Scheme Area, which, in accordance with the provisions of this Scheme or in accordance with the provisions of any condition of subdivision or development approval necessitates the carrying out of any of the works or the incurring of the costs referred to in Clause 6.6, that owner may call upon all other owners of land within the Scheme Area required to contribute to those costs to pay their contributions.

6.7.3 An owner wishing to call upon other owners to pay a contribution to the costs referred to in Clause 6.6 shall give notice to owners required to contribute which notice shall include or contain the following—

- (a) in the case of administrative costs, a statement of the costs incurred;
- (b) a full statement of the extent of the work which the notifying owner proposes to carry out;
- (c) sufficient engineering detail to enable the owner receiving the notice to ascertain precisely how and where the work would be done;
- (d) sufficient detail of costing to enable the owner receiving the notice to ascertain the complete cost at a particular time of the carrying out of the work;
- (e) the method of apportioning the cost between the owners required to contribute thereto; and
- (f) the contribution of each owner required to contribute ascertained as at the date of the notice.

6.7.4 The details referred to in the preceding subclause may be provided in or with an Outline Development Plan.

## 6.8 DISPUTING COSTS

Any owner who wishes to dispute a contribution claimed from him by a Prefunding Owner or a contribution claimed by way of advance payment pursuant to the preceding clause may, if the matter cannot be resolved by negotiation and agreement, refer the difference to arbitration in accordance with the provision for arbitration in Part VII of this Scheme.

## PART VII—GENERAL

### 7.1 CLOSURE OF ROADS

7.1.1 If an approved Outline Development Plan requires the closure of a road within the Scheme Area, the Council shall undertake at the appropriate time the closure of that road in accordance with the provisions for road closure in the Local Government Act 1960.

7.1.2 If an owner of land within the Scheme Area free of charge and without compensation provides any part of the land required for a new road within the Scheme Area which in the opinion of the Council could fairly be regarded as replacing a closed road, that owner shall be entitled to acquire the corresponding area of land in the closed road or shall be entitled to receive the value of that land from another owner acquiring the same.

7.1.3 The Council shall determine the area of land in any closed road to which any owner is entitled but if the Council is one of the owners entitled under the provisions of this clause to acquire land in a closed road, the apportionment of the land in the closed road between the owners land in the closed road between the owners entitled to the same shall be determined by agreement and if the owners cannot agree shall be determined by arbitration in accordance with the provision for arbitration in this Part.

7.1.4 If in the opinion of the Council no owner of land in the Scheme Area is entitled to acquire the land in a closed road by reason of the provision of a new road, then the owners of land abutting the closed road shall be entitled to acquire the land in the closed road in proportion to the length of the frontages of their lands to the reserve of the closed road.

## 7.2 GENERAL POWERS AND AUTHORITIES

In carrying out the provisions of the Scheme, the Council in addition to other powers and authorities conferred on it herein shall have the following powers and authorities—

- (a) to enter and inspect any land within the Scheme Area;
- (b) to enter into agreements with the owners of any land within the Scheme Area or with persons outside the Scheme Area for the purpose of realizing the Objects of the Scheme and carrying out any works which the Council elects to carry out;
- (c) to enter into agreements with any person, and without limiting the generality of the foregoing with the Crown or any Government Instrumentality for the purpose of carrying out any of the works which the Council elects to carry out;
- (d) to exercise any rights and powers vested in the Council to borrow money for the purpose of the Scheme;
- (e) to advance moneys to the Scheme from the Municipal Fund and to charge interest thereon at the rate payable on Municipal overdrafts from time to time while moneys remain outstanding;
- (f) to postpone the carrying out of any works which under the Scheme the Council elects to carry out, for such period as it thinks fit;
- (g) to resume any land or interest in land within the Scheme Area for public or local authority purposes, or in order to make it available for any of the works which the Council elects to carry out where the owners of that land will not agree to make the land available for the purpose in accordance with the provisions of the Scheme or to advance the Objects of the Scheme;
- (h) to dispose of any land to which it becomes entitled pursuant to the Scheme whether under any of the provisions of this subclause or otherwise upon such terms and conditions as it may think fit and without limiting the generality of the foregoing, the Council may sell the land in the form it was acquired or in lots after subdivision and may carry out improvements before sale;
- (i) to transfer any land owned by it or acquired by it pursuant to the Scheme as compensation or part compensation and to enter into agreements relating to the determination and settling of compensation.

7.2.2 The Council may at any time exercise the powers conferred by section 13 and section 14 of the Act.

## 7.3 CHARGE

The contribution of an owner of land within the Council Development Area to costs incurred by the Council in connection with works which the Council elects to carry out or any other contribution which an owner of land within the Scheme Area may be liable under the provisions of the Scheme to make to the Council, shall be a charge upon the land of that owner within the Scheme Area and the Council may lodge a Caveat in respect of that Charge against the owner's title as from the time the contribution becomes payable.

## 7.4 CLAIMS FOR COMPENSATION

The time limit for making of claims for compensation pursuant to section 11 of the Act is six months after the date when notice of the approval of the Scheme is published in the manner prescribed by the Regulations made under the Act.

## 7.5 SECTION 10 NOTICE

Twenty eight days written notice is hereby prescribed as the period of notice to be given pursuant to section 10 of the Act. Any expenses incurred by the Council under the said section may be recovered from the person in default as a simple contract debt in such court of civil jurisdiction as is competent to deal with the amount of the claim.

## 7.6 ARBITRATION

In the event that any difference arises between any person and the Council, or between owners of land within the Scheme Area, if no other provision has been made by the Scheme for the resolution of the difference, and if the difference is not a matter which is capable of being dealt with by appeal under the provisions of this Scheme, or if the parties to the dispute agree upon arbitration then the difference may be determined by arbitration in the manner provided by the Commercial Arbitration Act 1985 or any statutory modification thereof for the time being in force, or by such other means as the parties agree upon.

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Adopted for Final Approval by Resolution of the City of Canning at the Ordinary Meeting of the Council held on the 18th Day of December 1989, and the Seal of the Municipality was, pursuant to that Resolution, hereunto affixed in the presence of—

S. W. CLARKE, Mayor.  
I. F. KINNER, Town Clerk.

Recommended/Submitted for Final Approval.

JOHN F. FORBES,  
For Chairman, State Planning Commission.

Dated 27th February 1990.

Final Approval Granted

E. K. HALLAHAN,  
Hon Minister for Planning

Dated 9th March 1990.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
APPROVED TOWN PLANNING SCHEME

*City of Perth*

Town Planning Scheme No. 18

Ref: 853/2/10/24.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the City of Perth, Town Planning Scheme No. 18 on January 11, 1990—the Scheme Text of which is published as a Schedule annexed hereto.

CHARLES HOPKINS, Lord Mayor.  
R. F. DAWSON, Town Clerk.

CITY OF PERTH

TOWN PLANNING SCHEME No. 18

The City of Perth under and by virtue of the powers conferred upon it by the Town Planning and Development Act 1928 as amended hereby makes the following Town Planning Scheme.

**Citation**

1. This Town Planning Scheme may be cited as the City of Perth Town Planning Scheme No. 18 ("this Scheme").

**Operation**

2. This Scheme shall come into operation on the publication of notice of the Minister's final approval thereof in the *Government Gazette*.

**Scheme Area**

3. This Scheme shall apply to the land shown on the Scheme Map ("the Scheme Area"). The Scheme Map forms part of this Scheme.

**General Objects**

4. The general objects of this scheme are:

- (a) the development of the Scheme Area as a whole in a co-ordinated manner;
- (b) the provision of efficient vehicular access to the Scheme Area solely by means of:
  - (i) an accessway having its entrance and its exit at Mounts Bay Road and a further exit via Mercantile Lane to Mounts Bay Road for general use; and
  - (ii) an accessway having its entrance and exit at St George's Terrace for use only by persons delivering goods to or collecting goods from or providing services to the buildings listed in the Schedule to this Scheme;
- (c) with respect to the buildings listed in the Schedule of this Scheme:
  - (i) the restoration and maintenance of the buildings in a good condition;
  - (ii) the use of each of the buildings for a purpose appropriate to the heritage status and the location of the building and to the general object referred to in paragraph (c)(iii); and
  - (iii) the accessibility to the public of appropriate areas within the buildings;
- (d) the adequate provision of landscaped areas accessible to the public within the Scheme Area;
- (e) the provision of efficient vehicular access and movement through the Scheme Area to land on the northern side of St George's Terrace (on which land there is proposed to be located a public car park) by means of:
  - (i) an accessway having its entrance at Mounts Bay Road and being as direct across the Scheme Area as practically possible; and
  - (ii) a vehicular tunnel beneath St George's Terrace;
- (f) the provision of pedestrian accessways to enable pedestrian movement throughout the Scheme Area;
- (g) the provision of a pedestrian tunnel beneath St George's Terrace from the Scheme Area to the northern side of St George's Terrace;

- (h) the provision of an upper level pedestrian walkway on the Scheme Area at the Mounts Bay Road boundary which connects with existing upper level walkways or which can be connected to future upper level walkways on land to the east and west of the Scheme Area; and
- (i) the provision of a pedestrian overpass from the Scheme Area to land on the southern side of Mounts Bay Road.

#### **Metropolitan Region Scheme**

5. This Scheme is complementary to and is not a substitute for the Metropolitan Region Scheme and the provisions of the Metropolitan Region Scheme shall continue to have effect.

#### **City Planning Scheme**

6. This Scheme is complementary to and is not a substitute for the City of Perth City Planning Scheme ("the City Planning Scheme").

7. To the extent of any inconsistency between provisions of this Scheme and the City Planning Scheme, the provisions of this Scheme shall prevail.

8. (1) A reference in Clause 48 of the City Planning Scheme to "a standard or requirement prescribed by the Scheme" shall include a standard or requirement prescribed by this Scheme.
- (2) A reference in Clause 160(d) of the City Planning Scheme to "all standards laid down and all requirements prescribed by the Scheme" shall include all standards laid down and all requirements prescribed by this Scheme.

#### **By-laws**

9. The provisions of this Scheme have effect notwithstanding any by-law for the time being in force in the Scheme Area and where the provisions of this Scheme are inconsistent with the provisions of any such by-law the provisions of this Scheme prevail.

#### **Responsible Authority**

10. The responsible authority for carrying out this Scheme is the Council of the City of Perth ("the Council").

#### **Plot Ratio and Car Parking**

11. For the purpose of:

- (a) determining plot ratio; and
- (b) ascertaining car parking requirements,

pursuant to the City Planning Scheme with respect to land within the Scheme Area, the Scheme Area shall be treated as one site.

#### **Vehicular Access**

12. No vehicular access shall be provided to the Scheme Area other than by means of:

- (a) an accessway having its entrance and its exit at Mounts Bay Road and a further exit via Mercantile Lane to Mounts Bay Road for general use; and
- (b) an accessway having its entrance and exit at St George's Terrace for use only by persons;
  - (i) delivering goods to or collecting goods from or providing services to the buildings listed in the Schedule to this Scheme; or
  - (ii) occupying residential premises on the Scheme Area.

#### **Listed Buildings**

13. The buildings listed in the Schedule of this Scheme shall be restored and maintained in accordance with the town planning approval and the approved plan relating thereto.

#### **Landscaped Area**

14. Landscaped areas shall be provided and maintained where required by the Council and in accordance with the town planning approval and the approved plan relating thereto.

#### **Application for Town Planning Approval**

15. (1) Notwithstanding the provisions of the City Planning Scheme an application for town planning approval shall be signed by every owner of land comprising the Scheme Area.
- (2) An agent authorised in writing for that purpose by an owner of land within the Scheme Area may sign an application for town planning approval on behalf of the owner.
- (3) In addition to any plans and information required by the City Planning Scheme or by the Council pursuant to the City Planning Scheme, where a proposed development may affect parts of the Scheme Area other than the land the subject of the application, the Council may require an application for town planning approval to be accompanied by such plans and information with respect to those parts of the Scheme Area as will enable the Council to determine the application.

#### **Determination of Applications for Town Planning Approval**

16. (1) When considering an application for town planning approval, the Council may, in addition to any other matter or thing which it may consider, have regard to the general objects of this Scheme.

(2) If the Council grants town planning approval then the Council may do so subject to conditions:

- (a) which the Council considers necessary or convenient for the implementation of the general objects of this Scheme;
- (b) which require an owner of land in the Scheme Area to enter into an agreement with the Council or other owners of land, whether or not within the Scheme Area, with respect to the general objects of this Scheme.

**Agreements**

17. The Council may enter into any agreement with any owner of land within the Scheme Area which the Council considers necessary or convenient for the implementation of the general objects of this Scheme.

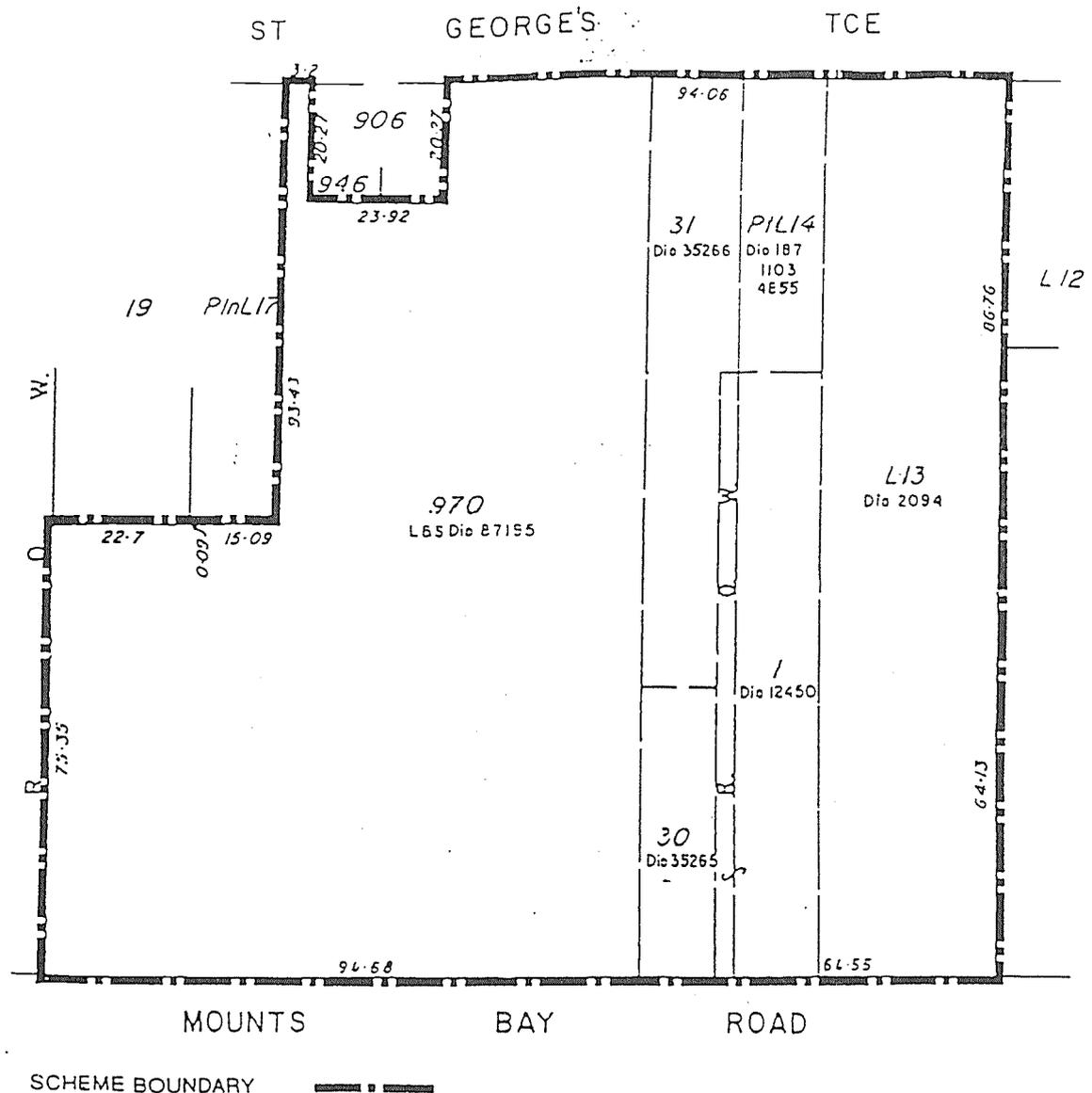
**Existing Town Planning Approvals**

18. No provision of this Scheme, other than clauses 12, 13 and 14 shall:

- (a) apply to any town planning approval granted prior to this Scheme coming into operation; or
- (b) affect, limit or restrict the carrying out of any development in respect of which town planning approval has been granted prior to this Scheme coming into operation.

**THE SCHEDULE  
LIST OF BUILDINGS**

1. Newspaper House
2. Royal Insurance Building
3. W.A. Trust Executor & Agency Building
4. Former Perth Technical College



CITY OF PERTH  
TOWN PLANNING SCHEME  
No. 18  
FINAL APPROVAL

Adopted for final approval by resolution of the Council of the City of Perth at the Ordinary Meeting of the Council held on the Eleventh day of December 1989 and the seal of the Municipality was, pursuant to that resolution, hereunto affixed in the presence of:

CHARLES HOPKINS, Lord Mayor.  
R. F. DAWSON, Chief Executive/Town Clerk.

Recommended—

JOHN F. FORBES, for Chairman of the State Planning Commission.

Date: 11 January 1990

Approved—

PAM BEGGS, Hon. Minister for Planning.

Date: 11 January 1990

**POLICE**

**POLICE ACT 1892**  
**POLICE FORCE AMENDMENT REGULATIONS (No. 2) 1990**  
Arrangement

Reg

1. Citation
2. Principal regulations
3. Regulation 201 amended
4. Regulation 702 amended
5. Regulation 706 amended
6. Part VIIA inserted—

PART VIIA—VACANCIES AND PROMOTIONS

*Division 1—Preliminary*

- 7A01. Interpretation of Part
- 7A02. Application of Part
- 7A03. System for filling vacancies
- 7A04. Criteria for appointments

*Division 2—Constitution and functions of selection panels, the Promotions Board and the Promotions Appeal Tribunal*

- 7A05. Constitution of selection panels
- 7A06. Function of panel
- 7A07. Constitution of Promotions Board
- 7A08. Function of Board
- 7A09. Constitution of Promotions Appeal Tribunal
- 7A10. Pools of elective members
- 7A11. Fifth Schedule
- 7A12. Function of Tribunal

*Division 3—Advertising of and applications for vacancies*

- 7A13. Vacancies to be advertised
- 7A14. Time for applications
- 7A15. Eligibility for consideration

*Division 4—Work of selection panel*

- 7A16. Selection criteria
- 7A17. Applications to be referred to panel
- 7A18. Interviews
- 7A19. Recommendation to be in writing
- 7A20. Time for completion of action

*Division 5—Work of Promotions Board*

- 7A21. Conditions for endorsement of recommendation of panel
- 7A22. Medical examination of recommended applicant
- 7A23. Rejection of recommendation of panel
- 7A24. Where appointment criteria not observed

*Division 6—Role of the Commissioner*

- 7A25. Acceptance or rejection of recommendation
- 7A26. Notice in *Police Gazette*
- 7A27. Re-advertising of vacancy
- 7A28. Appointment of recommended applicant or successful appellant

*Division 7—Appeals*

- 7A29. Definition
- 7A30. Appeals co-ordinator
- 7A31. Ground for an appeal
- 7A32. Notification where no appeal
- 7A33. Notice of appeal
- 7A34. Notification as to hearing
- 7A35. Resumes of evidence
- 7A36. Commencement of hearing
- 7A37. Where appeal not contested
- 7A38. Hearing and determination of appeals
- 7A39. Joint hearing
- 7A40. Direction to give evidence
- 7A41. Attendance of member of panel
- 7A42. No right of representation
- 7A43. Union representative may observe
- 7A44. Quorum
- 7A45. Where appellant does not appear
- 7A46. Selection as between successful appellants
- 7A47. Medical fitness and personal integrity of successful appellant to be established
- 7A48. Notification of Commissioner
- 7A49. Where successful appellant declines appointment
- 7A50. Statement of reasons
- 7A51. Procedure generally
- 7A52. General power of chairman

*Division 8—Special promotions by Commissioner*

- 7A53. Power of Commissioner
- 7. Heading to Part VIII amended
- 8. Regulation 801 amended
- 9. Regulation 807 amended
- 10. Regulation 808 amended
- 11. Regulation 808B amended
- 12. Regulation 808C amended
- 13. Regulation 810 amended
- 14. Regulation 812 amended
- 15. Regulation 812A inserted
- 16. Regulations 813 to 826 repealed
- 17. First Schedule amended
  - Form 2—Nomination of Member of the Force for Election to the Promotions Appeal Tribunal
  - Form 3—Ballot Paper
  - Form 4—Ballot Paper
- 18. Fifth Schedule added—

## PROMOTIONS APPEAL TRIBUNAL

## PART 1—MEMBERS

- 1. Definition
- 2. Term of office
- 3. Remuneration
- 4. Vacation of office

## PART 2—ELECTION OF ELECTIVE MEMBERS

- 5. Returning officer
- 6. Nomination of candidates
- 7. Automatic election
- 8. Polling date
- 9. Ballot papers
- 10. Eligibility to vote
- 11. Preferential voting
- 12. Manner of voting
- 13. Scrutiny and count of votes

**POLICE ACT 1892****POLICE FORCE AMENDMENT REGULATIONS (NO. 2) 1990**

Made by the Commissioner of Police under section 9 with the approval of the Minister for Police and Emergency Services.

**Citation**

1. These regulations may be cited as the *Police Force Amendment Regulations (No. 2) 1990*.

**Principal regulations**

2. In these regulations the *Police Force Regulations 1979\** are referred to as the principal regulations.

[\*Reprinted in the Gazette of 24 September 1986 at pp. 3463-3517. For amendments to 16 March 1990 see p. 338 of 1988 Index to the Statutes of Western Australia and Gazettes of 17 March, 9 June, 6 and 27 October, 17 November, 1 and 8 December 1989 and 2 February 1990.]

**Regulation 201 amended**

3. Regulation 201 of the principal regulations is amended in subregulation (1) by deleting paragraph (d) and substituting the following paragraph—

- “ (d) Aboriginal aides being—
- (i) senior aboriginal aides;
  - (ii) aboriginal aides first class;
  - (iii) aboriginal aides. ”.

**Regulation 702 amended**

4. Regulation 702 of the principal regulations is amended in subregulation (2) (c) by deleting “Defaulter’s Sheet” and substituting the following—

- “ disciplinary charge sheet ”.

**Regulation 706 amended**

5. Regulation 706 of the principal regulations is amended by deleting “because of exceptional merit and ability”.

**Part VIIA inserted**

6. After Part VII of the principal regulations, the following Part is inserted—

“

**PART VIIA—VACANCIES AND PROMOTIONS***Division 1—Preliminary***Interpretation of Part**

7A01. In this Part, unless the contrary intention appears—

- “Board” means the Promotions Board constituted under regulation 7A07;
- “elective member” means a member of the Tribunal elected in accordance with Part 2 of the Fifth Schedule;
- “office” includes offices in lower ranks where the duties of those offices are expressed in general terms only;
- “panel” means a selection panel constituted under regulation 7A05;
- “rank pool” means a pool of elective members referred to in regulation 7A10;
- “recommended applicant” means the applicant for a vacancy who is recommended for appointment by a selection panel;
- “suitability” in relation to an applicant for a vacancy means, in relation to the duties of the vacancy—
- (a) ability and skills which are relevant;
  - (b) relevant knowledge;
  - (c) work experience inside and outside the Force;
  - (d) qualifications and training which are relevant;
- “Tribunal” means the Promotions Appeal Tribunal constituted under regulation 7A09;
- “union” means the Police Union of Workers of Western Australia;
- “vacancy” means a present office in the Force which is vacant or a new office in the Force which is to be filled.

**Application of Part**

7A02. (1) This Part applies to and in relation to the filling of vacancies with commissioned officer rank or non-commissioned officer rank which the Commissioner has decided not to fill by the transfer of a member of the same rank as the rank which attaches to the vacancy.

(2) Such decision of the Commissioner reflects an intention that members in at least one lower rank are to be given the opportunity to seek appointment to the vacancy.

(3) Nothing in subregulation (1) or (2) affects the right of a member of a rank as referred to in subregulation (1) to be considered for appointment to a vacancy where he is eligible under regulation 7A15 to be considered for appointment.

**System for filling vacancies**

7A03. Subject to this Part, a vacancy must be filled by the following steps—

- (a) advertising of the vacancy in the *Police Gazette*;
- (b) assessment of applicants by a panel and a recommendation by it to the Board;
- (c) rejection by the Board of the recommended applicant or recommendation of his appointment to the Commissioner;
- (d) acceptance or rejection of the recommended applicant by the Commissioner;
- (e) in the case of acceptance, publication of the name of the recommended applicant in the *Police Gazette*;
- (f) a period for appeals by unsuccessful applicants;
- (g) determination of any appeals by the Tribunal;
- (h) appointment of the recommended applicant or a successful appellant.

**Criteria for appointments**

7A04. Subject to this Part, the member appointed to a vacancy must be—

- (a) in the case of a vacancy with commissioned officer rank, the applicant with the greatest suitability;
- (b) in the case of a vacancy with non-commissioned officer rank, the most senior applicant with acceptable suitability.

*Division 2—Constitution and functions of selection panels, the Promotions Board and the Promotions Appeal Tribunal*

**Constitution of selection panels**

7A05. (1) A selection panel is to be constituted separately in respect of each vacancy occurring in a portfolio, branch or other unit of the Force and is to comprise—

- (a) as chairman, the head of the unit in which the vacancy has occurred; and
  - (b) one or 2 members of the Force appointed by the Commissioner,
- and so that—
- (c) at least one member has a sound knowledge of the duties of the vacancy; and
  - (d) where practicable, each member has had training in personnel selection.

(2) Where 2 or more vacancies with equivalent duties are to be filled collectively, one selection panel may be constituted in respect of all such vacancies.

(3) A member of the Board or the Tribunal is ineligible to be a member of a panel.

**Function of panel**

7A06. It is the function of the panel to assess the claims of applicants for appointment to a vacancy and to recommend the appointment of the applicant who it considers is entitled to appointment under regulation 7A04.

**Constitution of Promotions Board**

7A07. There is to be a Promotions Board comprising—

- (a) as chairman, the Deputy Commissioner (Operations); and
- (b) two officers appointed by the Commissioner.

**Function of Board**

7A08. The function of the Board is to consider each recommendation made by a panel and—

- (a) where so required by regulation 7A21 or 7A24 (3), to forward the recommendation to the Commissioner; or
- (b) where so required by regulation 7A23 (1) or 7A24 (4) to reject the recommendation.

**Constitution of Promotions Appeal Tribunal**

7A09. (1) There is to be a Promotions Appeal Tribunal comprising—

- (a) as chairman, a person appointed by the Minister after agreement with the Commissioner and the union secretary;

- (b) a member of the Force appointed by the Commissioner; and
- (c) one member of the Force, to be chosen provisionally by the union secretary to act for the purposes of the particular appeal, selected from the applicable rank pool and being a member of a rank which is equal to or higher than the rank of the appellant.

(2) A member for the Board is ineligible to be a member of the Tribunal.

#### **Pools of elective members**

7A10. For the purposes of regulation 7A09 (1) (c), there are to be 24 members of the Tribunal elected in accordance with Part 2 of the Fifth Schedule divided into 2 pools comprising—

- (a) to act in relation to a vacancy with the rank of Senior Sergeant, Inspector, Chief Inspector or Superintendent, 3 elective members from each of those ranks (the senior rank pool); and
- (b) to act in relation to a vacancy with the rank of Sergeant or Sergeant First Class, 3 elective members from each of those ranks and the ranks of Senior Constable and Senior Sergeant (the junior rank pool).

#### **Fifth Schedule**

7A11. The Fifth Schedule applies concerning—

- (a) the members of the Tribunal; and
- (b) the election of members of the Tribunal.

#### **Function of Tribunal**

7A12. The function of the Tribunal is to hear and determine appeals against decisions of the Commissioner to accept a recommendation for the appointment of a recommended applicant.

#### *Division 3—Advertising of and applications for vacancies*

#### **Vacancies to be advertised**

7A13. Subject to regulation 7A53, the Commissioner shall—

- (a) cause each vacancy to be advertised in the *Police Gazette*; and
- (b) specify in the advertisement the ranks from which applications will be accepted.

#### **Time for applications**

7A14. Applications for appointment to a vacancy must be submitted to and received by the Commissioner not later than 3 weeks after the date of publication of the advertisement and an application received after 4 pm on the closing date is invalid.

#### **Eligibility for consideration**

7A15. (1) An applicant for appointment to a vacancy is not eligible for consideration for appointment unless—

- (a) his application is received by the closing time;
  - (b) he has expressed in his application a willingness to serve anywhere in the State in the office for which he is applying; and
  - (c) he is an eligible applicant.
- (2) In subregulation (1), “eligible applicant” means a member who is—
- (a) of a rank from which applications have been invited in the advertisement as to the vacancy; and
  - (b) where applicable, qualified under Part VIII for promotion to the rank concerned.

#### *Division 4—Work of selection panel*

#### **Selection criteria**

7A16. (1) The panel shall—

- (a) in writing—
- (b) by reference to the official position description applicable to the vacancy; and
- (c) before the vacancy is advertised,

draw up selection criteria to apply in respect of the filling of the vacancy.

(2) Where 2 or more vacancies with equivalent duties are to be filled collectively, one set of selection criteria may be used.

#### **Applications to be referred to panel**

7A17. Before making any decision as to the filling of an advertised vacancy, the Commissioner shall refer the applications received to the chairman of the panel.

#### **Interviews**

7A18. The panel shall select applicants for interview based on their apparent comparative claims for appointment in relation to the provisions of regulation 7A04.

**Recommendation to in writing**

7A19. After the panel has decided which applicant to recommend for appointment, its chairman shall submit the recommendation to the Board in writing.

**Time for completion of action**

7A20. The chairman of the panel shall ensure that, so far as is practicable, the panel completes its assessment and a recommendation is made to the Board within 3 weeks of the receipt by the chairman of the applications.

*Division 5—Work of Promotions Board***Conditions for endorsement of recommendation of panel**

7A21. The Board shall forward the recommendation of a panel to the Commissioner if it is satisfied as to the recommended applicant that—

- (a) he has been assessed by the panel on the basis of the applicable criterion for appointment specified in regulation 7A04;
- (b) his integrity is not in doubt; and
- (c) he is medically fit to perform the duties of the vacancy,

and the Board shall take this action within one week of becoming so satisfied.

**Medical examination of recommended applicant**

7A22. (1) Before forwarding the recommendation of a panel, the Board shall direct the recommended applicant to submit himself for examination by one or more medical practitioners nominated by the Board and the recommended applicant shall obey the direction.

(2) The cost of a medical examination is to be met by the Commissioner.

**Rejection of recommendation of panel**

7A23. (1) Where the Board is not satisfied as to the condition in relation to the recommended applicant specified in regulation 7A21 (b) or (c), it shall reject the recommendation of the panel and notify in writing—

- (a) the recommended applicant;
- (b) the panel; and
- (c) the Commissioner,

of—

- (d) the rejection,

and except in the case of the panel—

- (e) the condition or conditions as to which it was not satisfied; and
- (f) the reasons.

(2) Where the panel receives notice that the Board was not satisfied as to a condition specified in either regulation 7A21 (b) or (c), it shall recommend to the Board the appointment of the applicant who had been assessed as being next entitled to appointment in accordance with regulation 7A04.

**Where appointment criteria not observed**

7A24. (1) Where the Board is not satisfied as to the condition in relation to the recommended applicant specified in 7A21 (a), it shall direct the panel to assess the recommended applicant on the basis of the applicable criterion for appointment specified in regulation 7A04.

(2) The panel shall comply with the direction and confirm or withdraw its recommendation.

(3) Where the panel confirms its recommendation and the Board is then satisfied as to all of the conditions in relation to the recommended applicant specified in regulation 7A21, the Board shall forward the recommendation of the panel to the Commissioner within one week of becoming so satisfied.

(4) Where the panel confirms its recommendation and the Board is still not satisfied as to the condition in relation to the recommended applicant specified in regulation 7A21 (a), the Board shall reject the recommendation of the panel and notify the recommended applicant, the panel and the Commissioner in writing of this fact and the reasons for its opinion.

*Division 6—Role of the Commissioner***Acceptance or rejection of recommendation**

7A25. The Commissioner may accept or reject a recommendation forwarded to him under regulation 7A21 or 7A24 (3).

**Notice in Police Gazette**

7A26. Where the Commissioner accepts a recommendation, he shall cause the name of the recommended applicant to be published in the *Police Gazette*.

**Re-advertising of vacancy**

7A27. A vacancy must be re-advertised where—

- (a) the Commissioner does not accept a recommendation;
- (b) a panel withdraws a recommendation under regulation 7A24 (2);
- (c) the Commissioner is notified that the Board was not satisfied as to the condition in relation to the recommended applicant specified in regulation 7A21 (a); or
- (d) a recommended applicant notifies the Commissioner in writing that he declines to accept appointment to the vacancy.

**Appointment of recommended applicant or successful appellant**

7A28. (1) Where there is no appeal in relation to the proposed appointment of a recommended applicant or where all prescribed action in relation to an appeal has been completed, the Commissioner shall—

- (a) if the vacancy has the rank of commissioned officer, submit a recommendation to the Governor for appointment of the recommended applicant or the successful appellant; or
  - (b) if the vacancy has the rank of non-commissioned officer, appoint the recommended applicant or the successful appellant, subject to the approval of the Governor.
- (2) The Commissioner shall in writing notify a recommended applicant or a successful appellant of his appointment.

*Division 7—Appeals***Definition**

7A29. In this Division, "chairman" means chairman of the Tribunal.

**Appeals co-ordinator**

7A30. The Commissioner shall appoint an officer of the Department as appeals co-ordinator to act as secretary of the Tribunal and to carry out such other duties as are prescribed or are required by the Commissioner.

**Ground for an appeal**

7A31. An unsuccessful applicant for appointment to a vacancy with any rank from Sergeant to Superintendent may appeal against the appointment of the recommended applicant on the ground of—

- (a) in the case of a vacancy with commissioned officer rank, greater suitability;
- (b) in the case of a vacancy with non-commissioned officer rank, greater seniority and acceptable suitability.

**Notification where no appeal**

7A32. Where no appeal is lodged within the time prescribed by regulation 7A33 (1) (a), the appeals co-ordinator shall notify in writing—

- (a) the recommended applicant;
- (b) the Commissioner; and
- (c) the Board.

**Notice of appeal**

7A33. (1) An appeal is instituted by a notice of appeal which must—

- (a) be lodged with the appeals co-ordinator not later than 2 weeks after the date of publication of the name of the recommended applicant in the *Police Gazette* (which lodgement is to be treated as service on the Commissioner);
  - (b) be in a form approved by the chairman;
  - (c) state, clearly and precisely, the ground for the appeal and outline the supporting arguments;
  - (d) be signed by the appellant or, where the appellant is through illness or other cause unable to sign, his agent;
  - (e) state the names of the persons, if any, that the appellant intends to call to give evidence or produce documents.
- (2) The appeals co-ordinator shall serve a copy of the notice of appeal on the recommended applicant.

**Notification as to hearing**

7A34. The appeals co-ordinator shall give written notice of the date, time and place for the hearing of an appeal to—

- (a) each party an appellant and the recommended applicant) to the appeal;
- (b) the Commissioner; and
- (c) the union secretary,

at least 10 days before the hearing or within such shorter time as the chairman may allow.

**Resumes of evidence**

7A35. (1) At least 5 working days before the hearing of an appeal, an appellant shall lodge with the appeals co-ordinator a resume of the evidence he intends to adduce at the hearing and where an appellant does not comply with this requirement, his right of appeal lapses.

(2) After being served with a copy of a notice of appeal and at least 5 working days before the hearing of an appeal, the recommended applicant shall lodge with the appeals co-ordinator a resume of the evidence he intends to adduce at the hearing.

(3) At least 3 working days before the hearing of an appeal, the appeals coordinator shall serve a copy of each resume of evidence received under subregulation (1) or (2) on—

- (a) each other party to the appeal; and
- (b) the Tribunal.

**Commencement of hearing**

7A36. The Tribunal shall, so far as is practicable, commence the hearing of an appeal not later than 30 days after the date of publication of the name of the recommended applicant in the Police Gazette.

**Where appeal not contested**

7A37. Where a recommended applicant does not contest an appeal, the Tribunal shall determine the appeal in his absence unless he is compelled to give evidence under regulation 7A40.

**Hearing and determination of appeals**

7A38. (1) Subject to this Division, the Tribunal shall—

- (a) hear an appeal in private;
- (b) make full enquiry into the respective claims for appointment to the vacancy of the recommended applicant and the appellant;
- (c) act according to equity, good conscience and the substantial merits of the case without regard to technicalities or legal forms;
- (d) determine the appeal on the applicable ground of appeal under regulation 7A31 in respect of the period up to the date of the advertising of the vacancy; and
- (e) make a determination in writing.

(2) The Tribunal is not bound by the rules of evidence and may inform itself as it considers appropriate.

**Joint hearing**

7A39. Where appeals are lodged by 2 or more unsuccessful applicants, the Tribunal shall hear and determine the appeals together.

**Direction to give evidence**

7A40. The chairman or the appeals coordinator may in writing direct a member or an aboriginal aide to give evidence or to produce documents in his possession or under his control and a member or an aboriginal aide who is given such a direction shall obey it, unless he satisfies the chairman or the appeals co-ordinator, as the case may be, that he has adequate reason for being excused from obeying the direction.

**Attendance of member of panel**

7A41. A member of the panel concerned nominated by the appeals co-ordinator shall attend before the Tribunal to explain the view which the panel had taken of the claims for appointment to the vacancy of each party to the appeal.

**No right of representation**

7A42. A party to an appeal is not entitled to be represented before the Tribunal.

**Union representative may observe**

7A43. A representative of the union may be present at the hearing of an appeal as an observer.

**Quorum**

7A44. (1) In hearing and determining an appeal, the Tribunal must be constituted by all members, except that where another member is unable to attend, the chairman may adjourn the hearing for not longer than one hour to enable the appointment of a temporary member and if a temporary member is not appointed within that time, the 2 other members are a quorum.

(2) A determination of 2 members of the Tribunal is a determination of the Tribunal.

**Where appellant does not appear**

7A45. Where an appellant does not appear before the Tribunal as required, the Tribunal may, if it is not satisfied with the reasons, if any, given by—the appellant for his failure to appear, strike out the appeal and, where this occurs, the right of appeal of the appellant is extinguished.

**Selection as between successful appellants**

7A46. Where more than one appeal in relation to a proposed appointment to a vacancy is allowed, the Tribunal shall decide, in accordance with regulation 7A04, which of the successful appellants should be appointed to the vacancy.

**Medical fitness and personal integrity of successful appellant to be established**

7A47. (1) Where an appeal is allowed, the appeals co-ordinator shall give written notice to the Board, which shall consider whether it is satisfied as to the successful appellant that—

- (a) his integrity is not in doubt; and
- (b) he is medically fit to perform the duties of the vacancy, and for the latter purpose—
- (c) the Board shall direct the successful appellant to submit himself for examination by one or more medical practitioners nominated by the Board;
- (d) the successful appellant shall obey that direction; and
- (e) the cost of a medical examination is to be met by the Commissioner.

(2) The Board shall notify the appeals co-ordinator in writing of its findings.

(3) Where the Board is not satisfied as to the matters specified in subregulation (1) (a) and (b), the successful appellant is not entitled to be appointed to the vacancy and the Tribunal shall select for appointment to the vacancy—

- (a) the recommended applicant; or
- (b) if more than one appeal was allowed, the other successful appellant or, where applicable, the successful appellant who is entitled to appointment in accordance with regulation 7A04.

(4) Where a successful appellant becomes disentitled to appointment under subregulation (3), the Board shall notify him in writing of its findings.

(5) In this regulation and regulation 7A48 (b) (i), "findings" includes, where applicable, the reasons why the Board was not satisfied as to either or both the conditions specified in subregulation (1) (a) and (b).

**Notification of Commissioner**

7A48. The chairman shall notify the Commissioner in writing of—

- (a) the result of an appeal; and
- (b) where an appeal is allowed—
  - (i) the findings of the Board under regulation 7A47 (1); and
  - (ii) where applicable, the person selected by the Tribunal under regulation 7A47 (3).

**Where successful appellant declines appointment**

7A49. Where a successful appellant notifies the Tribunal or the Commissioner in writing that he declines to accept appointment to the vacancy, the Tribunal shall select for appointment to the vacancy—

- (a) the recommended applicant; or
- (b) if more than one appeal was allowed, the other successful appellant or, where applicable, the successful appellant who is entitled to appointment in accordance with regulation 7A04.

**Statement of reasons**

7A50. The tribunal shall prepare a reasonably particularized statement of its reasons for determining an appeal as it did and supply a copy to—

- (a) each party to the appeal;
- (b) the Commissioner;
- (c) the Board; and
- (d) the panel concerned.

**Procedure generally**

7A51. The Tribunal shall determine its procedure to the extent to which its procedure is not prescribed by this Division.

**General power of chairman**

7A52. The chairman is empowered to and shall give such directions and take such other action as he considers necessary to give effect to this Division.

*Division 8—Special promotions by Commissioner***Power of commissioner**

7A53. The Commissioner may—

- (a) recommend to the Governor the appointment of a member to a vacancy with the rank of commissioned officer; or
- (b) appoint, subject to the approval of the Governor, a member to a vacancy with the rank of non-commissioned officer, without the other Divisions having been complied with where he considers that such recommendation or appointment is warranted because of the special skills or qualifications of the member. "

**Heading to Part VIII amended**

7. The heading to Part VIII of the principal regulations is amended by deleting "Examinations and Promotions" and substituting the following—

" and Examinations ".

**Regulation 801 amended**

8. Regulation 801 of the principal regulations is amended by deleting the definitions of "Promotions Appeal Board", "Promotional assessment Course" and "Selection Board".

**Regulation 807 amended**

9. Regulation 807 of the principal regulations is amended—

- (a) by repealing subregulations (3) and (4); and
- (b) in subregulation (6) by deleting "or a Promotional Assessment Course".

**Regulation 808 amended**

10. Regulation 808 of the principal regulations is amended

- (a) by inserting after Subregulation (2b) the following subregulation—
  - " (2c) Commissioner may prescribe courses to be undertaken by members as a qualification for promotion to Sergeant or Senior Sergeant. ";
- (b) in subregulation (3) by deleting "attained that rank and achieved a pass in a Promotional assessment Course" and substituting the following—
  - " passed a course, if any, prescribed under subregulation (2c) for promotion to Sergeant ";
- (c) in subregulations (3a), (5) (b), (5c) and (6) (c) by deleting "Promotional Assessment Course" and substituting the following—
  - " course, if any, prescribed under subregulation (2c) ";
- (d) in subregulation (7) by deleting paragraph (b); and
- (e) by repealing subregulation (7c) and substituting the following subregulation -
  - " (7c) The Commissioner may require a member who has been promoted to Commissioned Rank to attend a post promotion course.

**Regulation 808B amended**

11. Regulation 808B of the principal regulations is amended in subregulation (1) by deleting "promotional assessment Course" and substituting the following—

" course, if any, prescribed under regulation 808 (2c)

**Regulation 808C amended**

12. Regulation 808C of the principal regulations is amended by deleting "Promotional Assessment Course" and substituting the following—

" course, if any, prescribed under regulation 808 (2c) "

**Regulation 810 amended**

13. Regulation 810 of the principal regulations is amended—

(a) by deleting "mark allotted to Recruit Training Courses, Correspondence Courses for Promotion and Promotional Assessment Courses are as follows" and substituting the following—

" marks for Recruit Training Courses and correspondence Courses for Promotion are"; and

(b) by deleting paragraph (j).

**Regulation 812 amended**

14. Regulation 812 of the principal regulations is amended in paragraph (o) by deleting "and Promotional Assessment Courses for promotion".

**Regulation 812A inserted**

15. After regulation 812 of the principal regulations, the following regulation is inserted—

**Reimbursement of educational expenses**

" 812A. A member, cadet or aboriginal aide who intends to undertake a course of study at a public educational institution in the State and to seek reimbursement of the enrolment, faculty or examination fees must apply in writing to the Commissioner for his consent to pay such fees in respect of that course of study, and where the Commissioner gives his consent, the member, cadet or aboriginal aide is, on passing each examination, entitled to reimbursement of such fees paid by him in relation to that stage of the course of study, on production of the receipt for the payment of those fees.

**Regulations 813 to 826 repealed**

16. Regulations 813 to 826 of the principal regulations are repealed.

**First Schedule amended**

17. The First Schedule to the principal regulations is amended by inserting after the present form the following forms—

FORM 2

(Reg. 7A11 and cl. 6 (2)  
Fifth Schedule)

Western Australia

Police Force

**NOMINATION OF MEMBER OF THE FORCE  
FOR ELECTION TO THE PROMOTION APPEAL TRIBUNAL**

I, the undersigned member of the Force, nominate

.....  
(insert rank) (insert name)  
of .....  
as a candidate for election to the senior rank pool/junior rank pool of  
(delete whichever is inapplicable)  
members of the Promotions Appeal Tribunal.

Signature of member .....  
Name and signature of .....  
witness to member signing .....

I am the member of the Force nominated above and I declare my willingness to serve on the Promotions Appeal Tribunal if elected.

Signed .....

Date / /

FORM 3

(Reg. 7All and cl. 9  
Fifth Schedule)

Western Australia  
Police Force

Returning  
Officer's Initials

BALLOT PAPER

Election of 12 members of the Force to the senior rank pool of members of the Promotions Appeal Tribunal.

Candidates: (Rank of Senior Sergeant)

- ..... [ ]
- ..... [ ]
- ..... [ ]
- ..... [ ]

Candidates: (Rank of Inspector)

- ..... [ ]
- ..... [ ]
- ..... [ ]
- ..... [ ]

Candidates: (Rank of Chief Inspector)

- ..... [ ]
- ..... [ ]
- ..... [ ]
- ..... [ ]

Candidates: (Rank of Superintendent)

- ..... [ ]
- ..... [ ]
- ..... [ ]
- ..... [ ]

COUNTERFOIL

Signature of Member:  
Rank:

No.:  
location:

FORM 4

(Reg. 7-1 and cl. 9  
Fifth Schedule)

Western Australia  
Police Force

Returning  
Officer's Initials

BALLOT PAPER

Election of 12 members of the Force to the junior rank pool of members of the Promotions Appeal Tribunal.

Candidates: (Rank of Senior Constable)

- ..... [ ]
- ..... [ ]
- ..... [ ]
- ..... [ ]

Candidates: (Rank of Sergeant)	[ ]
.....	[ ]
.....	[ ]
.....	[ ]
Candidates: (Rank of Sergeant First Class)	[ ]
.....	[ ]
.....	[ ]
.....	[ ]
Candidates: (Rank of Senior Sergeant)	[ ]
.....	[ ]
.....	[ ]
.....	[ ]

COUNTERFOIL

Signature of Member:                      No.:    Location: "

Rank:    Location: "

**Fifth Schedule added**

18. After the Fourth Schedule to the principal regulations, the following Schedule is added—

"    FIFTH SCHEDULE    (Reg. 7A11)  
 PROMOTIONS APPEAL TRIBUNAL  
 PART 1—MEMBERS

**Definition**

1. In this Part, "member" means member of the Tribunal.

**Term of office**

2. Subject to clause 4 (1), the term of office of a member expires on 30 June in the second year after the year in which the member was appointed or elected and, subject to regulation 7A10, he is eligible for re-appointment or re-election from time to time.

**Remuneration**

3. (1) The chairman of the Tribunal is entitled to such salary, allowances and other benefits as the Minister may determine.

(2) Other members are entitled to such allowances as the Minister may determine.

**Vacation of office**

4. (1) The office of a member becomes vacant if the member—

- (a) resigns;
- (b) becomes incapable of continuing as a member;
- (c) is guilty of misconduct inside or outside the Force;
- (d) being an elective member, is promoted or demoted to a rank which under regulation 7A10 makes him ineligible to be an elective member of the rank pool concerned; or
- (e) being a member of the Force, is required to perform duties of a nature or at a location which, in the opinion of the Commissioner, makes it undesirable or inconvenient for him to continue in office.

(2) Where the office of a member other than an elective member becomes vacant, a successor is to be appointed in the manner corresponding to the manner of appointment of that member for the balance of the term of that member.

(3) Where the office of an elective member becomes vacant, the successor to that member is—

- (a) if he is willing and able to act, the member of the Force who received the fourth highest number of votes in respect of the rank concerned at the last election for elective members; or
- (b) where no successor is available under paragraph (a), a member of the Force appointed by the union secretary,

and a person who gains office under this subclause is to be taken to be an elective member for the balance of the term of office of the member whose office was vacated.

#### PART 2—ELECTION OF ELECTIVE MEMBERS

##### Returning officer

5. The union secretary is the returning officer for an election.

##### Nomination of candidates

6. (1) The returning officer shall fix a closing date for the receipt of nominations of candidates for election as members of the Tribunal by members of the Force and cause notice of that date to be published in the Police Gazette at least 2 weeks before the date occurs.

(2) A nomination must be—

- (a) in accordance with Form 2 in the First Schedule;
- (b) signed by a member of the Force and endorsed with the name and signature of a person who witnessed the member signing; and
- (c) endorsed with the consent of the nominee to serve as a member of the Tribunal, if elected.

##### Automatic election

7. (1) Where there are fewer than 4 candidates in respect of a rank, the returning officer shall declare each candidate elected.

(2) Where the number of candidates elected under subclause (1) is less than 3, the union secretary shall nominate such number of members of the Force as corresponds to the deficit to be elective members of the Tribunal and—

- (a) the members of the Force so nominated are to be taken to have been nominated under clause 6; and
- (b) the returning officer shall declare them elected.

##### Polling date

8. The returning officer shall fix a day and time for the closing of the poll for an election and the day must be at least 2 weeks after but not more than 3 weeks after the closing date for the receipt of nominations of candidates.

##### Ballot papers

9. The returning officer shall—

- (a) cause ballot papers in accordance with forms 3 and 4 in the First Schedule to be printed, subject to any necessary modification where candidates in respect of a rank have been elected under clause 7;
- (b) send a ballot paper which is a facsimile of form 3 and has attached a counterfoil initialled by the returning officer to every member of the Force of the rank of Senior Sergeant, Inspector, Chief Inspector or Superintendent; and
- (c) send a ballot paper which is a facsimile of form 4 and has attached a counter foil initialled by the returning officer to every member of the Force up to the rank of Sergeant First Class.

##### Eligibility to vote

10. (1) Members of the Force of the rank of Senior Sergeant, Inspector, Chief Inspector or Superintendent may vote for the election of members of the senior rank pool of elective members.

(2) Members of the Force up to the rank of Sergeant First Class may vote for the election of members of the junior rank pool of elective members.

##### Preferential voting

11. Voting is by the preferential system.

##### Manner of voting

12. A person voting shall—

- (a) record his vote on the ballot paper by placing the numeral 1 opposite the name of the candidate who has his first preference and place the numerals 2, 3 etc. opposite the names of other candidates in the order of his preference;
- (b) detach the counterfoil from the ballot paper and complete and sign the counterfoil;
- (c) enclose the ballot paper in an envelope marked "ballot paper" and seal the envelope;

- (d) forward the counterfoil and the sealed envelope to the returning officer to be received by the day and time of the close of the poll.

#### Scrutiny and count of votes

13. (1) A ballot paper received by the returning officer after the close of the poll is invalid.

(2) Each candidate may appoint a person residing in the metropolitan area as a scrutineer to represent him at the scrutiny and count of the votes.

(3) The scrutiny and count of votes are to be conducted by the returning officer and the scrutineers appointed under subclause (2).

(4) The 3 candidates for election in respect of each rank with the highest number of votes as to that rank are to be declared elected.

(5) Where the votes for candidates are equal, the successful candidate is to be determined by lot.

(6) Any question as to the validity of a vote is to be determined by the returning officer and his decision is final.

(7) Except as otherwise provided by this Part, the scrutiny and count of votes are to be conducted in accordance with the provisions of Division 4a of Part IV of the Electoral Act 1907 and such provisions apply, subject to any necessary modifications, in the same way as they apply to and in relation to the election of members of the Legislative Assembly. "

B. BULL, Commissioner of Police.

Dated 19 February 1990.

Approved

G. EDWARDS, Minister for Police  
and Emergency Services.

Dated 20 March 1990.

### ROAD TRAFFIC ACT 1974

#### ROAD TRAFFIC (DRIVERS' LICENCES) AMENDMENT REGULATIONS (No. 2) 1990

Made by His Excellency the Governor in Executive Council.

#### Citation

1. These regulations may be cited as the *Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1990*.

#### Principal regulations

2. In these regulations the *Road Traffic (Drivers' Licences) Regulations 1975\** are referred to as the principal regulations.

[\*Reprinted in the Gazette of 2 July 1986 at pp. 2263-75. For amendments to 9 February 1990 see p. 349 of 1988 Index to Legislation of Western Australia and Gazette of 8 September 1989.]

#### Regulation 3 amended

3. Regulation 3 of the principal regulations is amended in item A in sub-item (ii) by deleting "4 350 kg" and substituting the following—

" 4 500 kg "

#### Regulation 4 amended

4. Regulation 4 of the principal regulations is amended in subregulation (1) in paragraph (b) by deleting "4 350 kg" and substituting the following—

" 4 500 kg "

By His Excellency's Command,

G. PEARCE, Clerk of the Council.

### ROAD TRAFFIC ACT 1974

#### VEHICLE STANDARDS AMENDMENT REGULATIONS (No. 2) 1990

Made by His Excellency the Governor in Executive Council.

#### Citation

1. These regulations may be cited as the *Vehicle Standards Amendment Regulations (No. 2) 1990*.

#### Commencement

2. These regulations shall come into operation on 1 April 1990.

**Regulation 105 amended**

3. Regulation 105 of the *Vehicle Standards Regulations 1977\** is amended—

(a) in subregulation (2) (a) by deleting “\$500” and substituting the following—  
“ \$600 ”;

(b) in subregulation (2) (b) by deleting “\$1000” and substituting the following—  
“ \$1200 ”;

(c) in subregulation (2) (b) by deleting “\$3000” and substituting the following—  
“ \$3600 ”;

(d) in subregulation (4) by deleting the Table and substituting the following Table—

Table

Column 1 Percentage Excess Mass on Tyre or Axle	Column 2 Minimum Penalty \$	Column 3 Maximum Penalty \$
Not more than 5%	25	44
More than 5% but not more than 10%	40	138
More than 10% but not more than 11%	48	156
More than 11% but not more than 12%	58	175
More than 12% but not more than 13%	68	194
More than 13% but not more than 14%	78	213
More than 14% but not more than 15%	90	231
More than 15% but not more than 16%	98	250
More than 16% but not more than 17%	108	269
More than 17% but not more than 18%	118	288
More than 18% but not more than 19%	128	306
More than 19% but not more than 20%	140	325
More than 20% but not more than 21%	148	344
More than 21% but not more than 22%	158	363
More than 22% but not more than 23%	167	382
More than 23% but not more than 24%	178	401
More than 24% but not more than 25%	188	420
More than 25% but not more than 26%	198	439
More than 26% but not more than 27%	208	458
More than 27% but not more than 28%	218	477
More than 28% but not more than 29%	228	496
More than 29% but not more than 30%	238	515
Exceeding 30%—		
for the first 30%	238	515
and for each additional 1%	10	19

(e) in subregulation (5) by deleting the Table and substituting the following Table—

Table

Column 1 Percentage Excess Mass on Axle Group	Column 2 Minimum Penalty \$	Column 3 Maximum Penalty \$
Not more than 5%	25	94
More than 5% but not more than 10%	57	281
More than 10% but not more than 11%	77	319
More than 11% but not more than 12%	97	356
More than 12% but not more than 13%	117	394
More than 13% but not more than 14%	137	431
More than 14% but not more than 15%	157	469
More than 15% but not more than 16%	177	506
More than 16% but not more than 17%	197	544
More than 17% but not more than 18%	217	581
More than 18% but not more than 19%	237	619
More than 19% but not more than 20%	256	656
Exceeding 20%—		
for the first 20%	256	656
and for each additional 1%	20	30 ”; and

(f) in subregulation (6) by deleting the Table and substituting the following Table—  
Table

Column 1 Percentage Excess Mass on Vehicle	Column 2 Minimum Penalty \$	Column 3 Maximum Penalty \$
Not more than 5%	13	94
More than 5% but not more than 10%	25	188
More than 10% but not more than 12%	55	283
More than 12% but not more than 14%	85	378
More than 14% but not more than 16%	115	472
More than 16% but not more than 18%	145	568
More than 18% but not more than 20%	175	663
More than 20% but not more than 21%	190	710
More than 21% but not more than 22%	205	756
More than 22% but not more than 23%	220	805
More than 23% but not more than 24%	235	853
More than 24% but not more than 25%	250	900
More than 25% but not more than 26%	265	948
More than 26% but not more than 27%	280	994
More than 27% but not more than 28%	295	1043
More than 28% but not more than 29%	310	1090
More than 29% but not more than 30%	325	1138
Exceeding 30%—		
for the first 30%	325	1138
and for each additional 1%	30	75 "

[\*Reprinted in the Gazette of 18 August 1982 at pp. 3177-3247. For amendments to 20 February 1990 see pp. 351-52 of 1988 Index to Legislation of Western Australia and Gazettes of 27 January, 3 February, 5 May, 18 August, 1 and 8 September, 22 and 29 December 1989 and 12 January 1990.]

By His Excellency's Command,

G. PEARCE, Clerk of the Council.

#### ROAD TRAFFIC ACT 1974

#### ROAD TRAFFIC (INFRINGEMENTS) AMENDMENT REGULATIONS 1990

Made by His Excellency the Governor in Executive Council.

#### Citation

1. These regulations may be cited as the *Road Traffic (Infringements) Amendment Regulations 1990*.

#### Commencement

2. These regulations shall come into operation on 1 April 1990.

#### First Schedule amended

3. The First Schedule to the *Road Traffic (Infringements) Regulations 1975\** is amended—

(a) in item 66 by deleting "More than 30%...248" and substituting the following—

"More than 30% but not more than 31%	248
More than 31% but not more than 32%	258
More than 32% but not more than 33%	268
More than 33% but not more than 34%	278
More than 34% but not more than 35%	288
More than 35% but not more than 36%	298
More than 36% but not more than 37%	308
More than 37% but not more than 38%	318
More than 38% but not more than 39%	328
More than 39% but not more than 40%	338
More than 40% but not more than 41%	348
More than 41% but not more than 42%	358
More than 42% but not more than 43%	368
More than 43% but not more than 44%	378
More than 44% but not more than 45%	388
More than 45% but not more than 46%	398
More than 46% but not more than 47%	408
More than 47% but not more than 48%	418
More than 48% but not more than 49%	428
More than 49% but not more than 50%	438
More than 50%	448"

(b) in item 67 by deleting "More than 18%...237" and substituting the following—

"More than 18% but not more than 19%	237
More than 19% but not more than 20%	257
More than 20% but not more than 21%	277
More than 21% but not more than 22%	297
More than 22% but not more than 23%	317
More than 23% but not more than 24%	337
More than 24% but not more than 25%	357
More than 25% but not more than 26%	377
More than 26% but not more than 27%	397
More than 27% but not more than 28%	407
More than 28% but not more than 29%	427
More than 29% but not more than 30%	447
More than 30%	467"; and

(c) in item 68 by deleting "More than 24%...250" and substituting the following—

"More than 24% but not more than 25%	250
More than 25% but not more than 26%	265
More than 26% but not more than 27%	280
More than 27% but not more than 28%	295
More than 28% but not more than 29%	310
More than 30% but not more than 31%	340
More than 31% but not more than 32%	355
More than 32% but not more than 33%	370
More than 33% but not more than 34%	385
More than 34% but not more than 35%	400
More than 35% but not more than 36%	415
More than 36% but not more than 37%	430
More than 37% but not more than 38%	445
More than 38% but not more than 39%	460
More than 39% but not more than 40%	475
More than 40%	490 "

[\*Reprinted in the Gazette of 11 February 1981 at pp. 589-604. For amendments to 20 February 1990 see pp. 349-50 of 1988 Index to Legislation of Western Australia and Gazettes of 13 January and 21 and 28 July 1989.]

By His Excellency's Command,

G. PEARCE, Clerk of the Council.

#### ROAD TRAFFIC ACT 1974

I, Graham John Edwards, being the Minister for the Crown for the time being administering the Road Traffic Act 1974, acting pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the Local Authority/Authorities having been obtained and nominated for the purpose of Cycle Races by Members/Entrants of the Peel District Cycling Club on April 1 & 8 between the hours of 8am-12 noon do hereby approve the temporary suspension of regulations made under such Act on the carriageways mentioned hereunder.

Racing to be confined to the Left Hand Side of the Carriageway on Carcoola Avenue, Wisteria Drive, Wandoo Drive—Carcoola.

Dated at Perth 20 March, 1990.

GRAHAM EDWARDS, Minister for Police.

#### ROAD TRAFFIC ACT 1974

I, Graham John Edwards, being the Minister for the Crown for the time being administering the Road Traffic Act 1974, acting pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the Local Authority/Authorities having been obtained and nominated for the purpose of a Triathlon by Members/Entrants of St. Norbert College on Sunday April 1, 1990 between the hours of 9am-11am do hereby approve the temporary suspension of regulations made under such Act on the carriageways mentioned hereunder.

Racing to be strictly confined to—

- (a) The Left Hand Side of Carriageway only on Centre Street, Cross Street, Donaldson Street, McIntosh Street, George Street, Cross Street, Treasure Road, George Street for the Cycle Leg; and
- (b) Treasure Road Dual Use Path, Railway Parade Footway, Centre Street, Cross Street, Treasure Road Dual Use Path for the Run Leg.

Dated at Perth 20 March, 1990.

GRAHAM EDWARDS, Minister for Police.

**ROAD TRAFFIC ACT 1974**

I, Graham John Edwards, being the Minister for the Crown for the time being administering the Road Traffic Act 1974, acting pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the Local Authority/Authorities having been obtained and nominated for the purpose of the Medibank Bridges Fun Run by Members/Entrants of the W.A. Marathon Club on Sunday, April 8, 1990 between the hours of 8.30 am-12.00 noon do hereby approve the temporary suspension of Regulations made under such Act on the Carriageways mentioned hereunder.

Racing to be strictly confined to the Extreme Left Hand Side of Carriageway only on Taylor Street, Canning Highway, Extreme Left Hand Side of West Bound Carriageway across the Causeway and along Riverside Drive to Victoria Avenue, Dual Use Footway along Riverside Drive, Narrows Bridge, the South Perth Esplanade, Mends Street, Mill Point Road, Ellam Street.

Dated at Perth 20 March, 1990.

GRAHAM EDWARDS, Minister for Police.

**ROAD TRAFFIC ACT 1974**

I, Graham John Edwards, being the Minister for the Crown for the time being administering the Road Traffic Act 1974, acting pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the Local Authority/Authorities having been obtained and nominated for the purpose of the Darlington 1/2 Marathon + 8 Kilometres Road Races by Members/Entrants of Western Australian Marathon Club on Sunday, April 1 between the hours of 8 am-10.30 am do hereby approve the temporary suspension of regulations made under such Act on the carriageways mentioned hereunder.

Racing to be confined to Brook Road, Mofflin Avenue, Ryecroft Road, Burkinshaw Drive, Tillbrook Street, Burkinshaw Road, Railway Parade, Hardey Road, Thomas Road, Phillips Road and return to start.

Dated at Perth 20 March, 1990.

GRAHAM EDWARDS, Minister for Police.

**ROAD TRAFFIC ACT 1974**

I, Graham John Edwards, being the Minister for the Crown for the time being administering the Road Traffic Act 1974, acting pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the Local Authority/Authorities having been obtained and nominated for the purpose of a Triathlon by Members/Entrants of the Goldfields Harriers Club (Inc) on April 8, 1990 between the hours of 7.30am-11.30am do hereby approve the temporary suspension of regulations made under such Act on the Carriageways mentioned herreunder.

Racing to be confined to:

1. McDonald Street, Lane Street, Hannan Street, Great Eastern Highway for 15 km and return to start for the Cycle event.
2. McDonald Street, Cassidy Street, Hannan Street, Lionel Street, Johnson Street, Federal Road, Boulder Road, McDonald Street for the Run Leg—Kalgoorlie.

Dated at Perth 20 March, 1990.

GRAHAM EDWARDS, Minister for Police.

## RACING AND GAMING

**CASINO CONTROL ACT 1984****CASINO CONTROL AMENDMENT NOTICE 1990**

Given by the Gaming Commission of Western Australia under section 22 (1).

**Citation**

1. This notice may be cited as the *Casino Control Amendment Notice 1990*.

**Principal notice amended**

2. The notice given under section 22 (1) of the *Casino Control Act 1984* and published in the *Government Gazette* on 20 December 1985\* is amended by inserting in the list of authorized games, in the appropriate alphabetical position, the following game—

“ Video Blackjack (Surrender) ”.

[\*For amendments to 31 January 1990 see p. 195 of 1988 Index to Legislation of Western Australia and Gazettes of 15 September, 13 October and 17 November 1989.]

Dated 16 March 1990.

For the Gaming Commission of Western Australia.

M. J. EGAN, Chief Casino Officer.

## SUMMARY OF LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Liquor Licensing Division, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth (telephone: 425 1888), or consult a solicitor or relevant industry organisation.

App No.	Applicant	Nature of Application	Last Day For Objections
243	Norland P/L	Transfer of Hotel Licence known as the Premier Hotel, Pinjarra from Kevin Francis Sherrington	2/4/90
244	Ambin P/L	Transfer of Cabaret Licence known as Hannibals situated at Northbridge from CHB Charters Pty Ltd	1/4/90
245	Michael William & Helen Anne Grant, Phillip Donnell & Bernadette Theresa Knowles	Transfer of Liquor Store Licence known as Cottesloe Cellars from Michael William Grant	2/4/90
246	Oribend P/L	Transfer of Hotel Licence known as Wedgetail Inn situate at Cocklebiddy from Westgate Management Pty Ltd	6/4/90
247	Oribend P/L	Transfer of Hotel Licence known as Balladonia Hotel, situate at Balladonia (via Norseman) from Westgate Management Pty Ltd	6/4/90
<b>ALTERATION TO PREMISES</b>			
342/89	Port Hedland Golf Club Inc	Variation of conditions relating to the Port Hedland Golf Club Inc, South Hedland to include change of trading hours on Monday 12 noon to 6.00 pm, Wednesday 11.00 am to 11.00 pm, Friday 4.00 pm to 11.00 pm, Saturday 11.00 am to 11.00 pm and Sunday 2.00 pm to 8.00 pm.	N/A
343/89	Towns Football Club Inc	Variation of conditions relating to the Towns Football Club Inc, Narrogin to include change of trading hours on Wednesday 5.00 pm to 8.00 pm, Friday 5.00 pm to 11.00 pm, Saturday 3.00 pm to 7.00 pm and Sunday 11.00 am to 9.00 pm.	N/A
344/89	Vermouth Nominees P/L	Application for the redefinition of a cabaret licence in respect of Gobbles, Perth to include a minor addition to licensed floor area	N/A
345/89	Bedford Bowling Club Inc	Application for the redefinition of a club licence in respect of Bedford Bowling Club Inc, Bedford to include widening the bar area, extending the west side for more toilet and locker room and enlarging the kitchen area	N/A
346/89	Cracovia Club Inc	Variation of conditions relating to the Cracovia Club Inc, Beechboro to include change of trading hours on Saturday to 1.00 pm to 11.00 pm and Wednesday 7.00 pm to 10.00 pm	N/A
347/89	Munginup Golf Club Inc	Variation of conditions relating to the Munginup Golf Club Inc, Munginup to allow a change of liquor supplier	N/A
348/89	Fawn Holdings P/L	Variation of conditions relating to Gloucester Park Trotting complex, East Perth to grant an indefinite extended trading permit for the following premises, East Fremantle Football Club, West Perth Football Club, Claremont Football Club, Wanneroo Car Racing Circuit, Richmond Raceway and Ravenswood Drags	N/A
349/89	Hensman Park Tennis Club Inc	Variation of conditions relating to Hensman Park Tennis Club, South Perth to include trading on Wednesdays from 12.00 midday to 10.00 pm	N/A
350/89	Canwell P/L	Variation of conditions relating to Fast Eddy's Cafe, Perth to grant an indefinite extended trading permit to include the footpath and road reserve adjacent to licensed premises	N/A
351/89	Brocklebank P/L	Application for the redefinition of a hotel licence in respect of the Kwinana Lodge Hotel, Kwinana to include the construction of a female toilet to the public bar	N/A

App No.	Applicant	Nature of Application	Last Day For Objections
352/89	Alpine Valley P/L	Variation of conditions relating to the Glen Forrest Liquor Store Glen Forrest to include a wine tasting condition	N/A
353/89	Pharoh Investments P/L	Variation of conditions relating to the Karratha International Hotel, Karratha to allow an indefinite extended trading permit to allow catering at the Cadjebut Canteen	N/A
354/89	G. D. & J. White	Variation of conditions relating to the Mogumber Tavern, Mogumber to allow opening of premises before completion of proposed kitchen and to be good quality washable vinyl paint on toilet walls instead of tiles	N/A
<b>NEW LICENCES</b>			
73A	Kapanelli Enterprises P/L	Special Facility Licence Trafalgars Hotel, 36 Victoria St, Bunbury	20/4/90
76A	Black Swan Corp P/L	Conditional Liquor Store Vintage Cellars Hilton, Shop 1+4 Hilton Square Shopping Centre, 308 South St, Hilton	19/4/90
77A	Parkridge P/L	Hotel Licence, Parkridge Hotel Lot 202 Old Coast Rd, Parkridge	27/3/90
94B	Subiaco Hockey Club	Club Restricted Licence Subiaco Hockey Club, J. C. Smith Pavilion, Melvista Ave, Nedlands	23/4/90
95B	Collins Foods International P/L	Conditional Restaurant Licence for Sizzler Steak Seafood Salad Riverton Forum, High Road, Riverton	23/4/90
96B	Auspac Marketing P/L	Wholesalers Licence for Auspac Marketing, Suite 1, 59 Walters Road, Osborne Park	19/4/90
97B	Aust Game Meat Enterprises P/L	Wholesalers Licence for AGME Food Services, Cnr Port Drv and Archer St, Broome	21/4/90

This notice is published under section 67 (5) of the Liquor Licensing Act 1988.

G. B. AVES, Acting Director of Liquor Licensing.

## REGISTRAR GENERAL

### APPOINTMENT

Under section 6 of the Registration of Births, Deaths and Marriages Act, 1961-1979

It is hereby notified, for general information, that Ms Ingrid Ladewig has been appointed as Deputy District Registrar of Births, Deaths and Marriages for the East Coolgardie Registry District during the absence of Mr O. D. Deas.

This appointment dated from 19th March 1990.

Dated 21 March 1990.

P. R. MANNING, Acting Registrar General.

## TREASURY

### FINANCIAL ADMINISTRATION AND AUDIT ACT 1985

#### FINANCIAL ADMINISTRATION AND AUDIT (DESIGNATION OF STATUTORY AUTHORITIES) REGULATIONS 1990

Made by His Excellency the Lieutenant-Governor and Administrator in Executive Council under section 4.

#### Citation

1. These regulations may be cited as the *Financial Administration and Audit (Designation of Statutory Authorities) Regulations 1990*.

#### Schedule 1 to the Act amended

2. Schedule 1 to the *Financial Administration and Audit Act 1985* is amended—

(a) by deleting "Fremantle Cemeteries Board" and substituting the following—

" Fremantle Cemetery Board "; and

(b) by deleting "Trustees of the Pinnaroo Valley Memorial Park Cemetery".

By His Excellency's Command,

G. PEARCE, Clerk of the Council.

**TENDERS****BUILDING MANAGEMENT AUTHORITY**

Tenders, closing at West Perth, at 2.30 pm on the dates mentioned hereunder, are invited for the following projects.

Tenders are to be addressed to:—

The Minister for Works,  
c/o Contract Office,  
Dumas House,  
2 Havelock Street,  
West Perth, Western Australia 6005

and are to be endorsed as being a tender for the relevant project.  
The highest, lowest, or any tender will not necessarily be accepted.

Tender No.	Project	Closing Date	Tender Documents now available from:
24862....	Kalamunda Hospital—Essential Power Supply—Electrical Services	4/4/90	BMA West Perth
24858....	Charthouse (Waikiki) Primary School—Erection. Builders Categorisation Category B. Selected Tenderers Only. Deposit on Documents: \$300	11/4/90	BMA West Perth
24861....	North Ocean Reef Primary School—Construction. Builders Categorisation Category B. Selected Tenderers Only. Deposit on Documents: \$300	11/4/90	BMA West Perth
24865....	Denham (Shark Bay) Police Station and Quarters—Erection 1990. Builders Categorisation Category D	18/4/90	BMA West Perth BMA Geraldton BMA Carnarvon
24866....	Quinns Rock Primary School—Additions and Alterations. Builders Categorisation Category D.	18/4/90	BMA West Perth
24868....	Princess Margaret Hospital—Child Care Centre—Erection. Builders Categorisation Category D.	24/4/90	BMA West Perth
24867....	Pemberton District High School—Construction. Builders Categorisation Category C. Deposit on Documents: \$300. Documents available Wednesday, April 4.	2/5/90	BMA West Perth BMA Bunbury

C. BURTON, Executive Director,  
Building Management Authority.

*Acceptance of Tenders*

Tender No.	Project	Contractor	Amount
24852....	Royal Perth Hospital—South Campus Redevelopment Stage 1—Fire Protection Services	B & E Fire Protection Pty Ltd	\$ 275 240.00
24846....	Meekatharra Police Station—Cell Block—Alterations and Additions	P. S. Chester & Son.....	491 465.00

**MAIN ROADS DEPARTMENT***Tenders*

Tenders are invited for the following projects.

Tender documents are available from the Contracts Clerk, Ground Floor, Main Roads Department, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date
		1990
164/89...	Laboratory testing of soil and crushed rock for six month period ending October 31 1990.....	11 April
4/89.....	Road construction Gt Northern Highway, Bow River to Victoria Highway.....	27 April
154/89...	Construction of road and bridges, Reid Highway, Mirrabooka Avenue to Beechboro Road and Tonkin Highway, Reid Highway to Benara Road.....	15 May

MAIN ROADS DEPARTMENT—*continued*  
*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount
146/89...	Construction of 2 brick veneer houses at Floreat Street and Parry Court Narrogin	P M & E A Kulker.....	\$ 169 816.00
84/89.....	Australind Bypass Construction of Bridge No. 1344 over railway	Bocol Construction.....	469 574.20

D. R. WARNER, Director,  
 Administration and Finance.

STATE TENDER BOARD OF WESTERN AUSTRALIA  
*Tenders Invited*

Date of Advertising	Schedule No.	Description	Date of Closing
1990			1990
March 16	387A1990	One (1) to seven (7) only Skid Steer 4WD Loaders for the Main Roads Department—Group Class No. 3805.....	April 5
March 16	396A1990	One (1) to two (2) only 4.5 m <sup>3</sup> Crew Cab Tip Trucks in accordance with Specification P480 for the Main Roads Department—Group Class No. 2320.....	April 5
March 16	391A1990	One (1), Two (2), Three (3) or Four (4) New, Single Engined, High Wing, Two Seat, Light Aircraft for the Department of Conservation and Land Management—Group Class No. 1510.....	April 5
March 16	393A1990	One (1) only 6 to 7 metre Aluminium Patrol Vessel for the Department of Marine and Harbours—Group Class No. 1940.....	April 12
March 16	35A1990	Supply and delivery of Paints (various Government Departments) Group Class No. 8010.....	April 12
March 23	400A1990	Supply, Delivery, Installation and Commissioning of Physiological Recording Equipment for the Cardiac Catheter Laboratory at the Fremantle Hospital—Group Class No. 6515.....	April 12
March 30	407A1990	Supply, Delivery, Installation and Commissioning of a Diagnostic Ultrasound Scanner for the Radiology Department, Fremantle Hospital—Group Class No. 6515.....	April 26
March 30	408A1990	Supply, Delivery, Installation and Commissioning of a Mobile Surgical "C" Arm for the Radiology Department, Fremantle Hospital—Group Class No. 6515.....	April 26
<i>For Service</i>			
February 16	191A1990	State Government Courier Service—(1 year period)—Group Class No. 9999 .....	April 12
March 16	163A1990	Contract Cleaning Duncraig Senior High School Ministry of Education—One Year Period—Group Class No. 9999.....	April 12
March 16	164A1990	Contract Cleaning Kalamunda Senior High School Ministry of Education—One Year Period—Group Class No. 9999.....	April 12
March 16	166A1990	Contract Cleaning Gosnells Senior High School Ministry of Education—One Year Period—Group Class No. 9999.....	April 12
March 16	204A1990	Contract Cleaning Como Senior High School Ministry of Education—One Year Period—Group Class No. 9999.....	April 12
March 16	205A1990	Contract Cleaning John Curtin Senior High School Ministry of Education—One Year Period—Group Class No. 9999.....	April 12

STATE TENDER BOARD OF WESTERN AUSTRALIA—*continued*  
Tenders Invited—*continued*

Date of Advertising	Schedule No.	Description	Date of Closing
1990		<i>For service—continued</i>	1990
March 16	206A1990	Contract Cleaning Ocean Reef Senior High School Ministry of Education—One Year Period—Group Class No. 9999.....	April 12
March 16	207A1990	Contract Cleaning Wanneroo Senior High School Ministry of Education—One Year Period—Group Class No. 9999.....	April 12
March 16	208A1990	Contract Cleaning Thornlie College of TAFE Ministry of Education—One Year Period—Group Class No. 9999.....	April 12
March 23	209A1990	Contract Cleaning—Hedland Senior High School Ministry for Education—Group Class No. 9999..	April 26

*For Sale by Tender*

Date of Advertising	Schedule No.	For Sale	Date of Closing
1990			1990
March 16	388A1990	1977 Ford 500 Tractor Loader (XQC 141) for the Department of Conservation and Land Management—Esperance.....	April 5
March 16	389A1990	1985 Nissan Patrol 4x4 Station Wagon (6QF 091), 1984 Nissan Patrol 4x4 Tray Back (XQY 557), 1986 Holden Jackaroo 4x4 Station Wagon (6QF 683), 1987 Nissan 4x2 King Cab Utility (6QK 952) and 1988 VL Commodore Station Wagon (6QL 322) for the Department of Conservation and Land Management—Mundaring.....	April 5
March 16	390A1990	1978 Massey Ferguson 185 Tractor (XQE 810) for the Department of Conservation and Land Management—Manjimup.....	April 5
March 16	392A1990	1989 VN Holden Commodore Station Wagon (MRD A165) for the Main Roads Department—Geraldton.....	April 5
March 16	394A1990	1988 Holden Commodore Sedan (6QS 061) for the Geraldton Midwest Development Authority.....	April 5
March 23	397A1990	1985 Nissan Patrol Long Wheel Base 4WD Station Wagon (unlicensed) for the Department of Employment and Training—Geraldton.....	April 12
March 23	398A1990	Secondhand IBM 3274 C61 Control Unit Serial No. TBA and Remington NBI 400 Word Processor Ricoh Daisy Wheel printer, Software and Manuals for the Western Australian Tourism Commission—Perth.....	April 12
March 23	399A1990	1986 Ford Trader Fitted with Van Body (MRD 8842) Recall for the Main Roads Department—Welshpool.....	April 12
March 23	401A1990	Five (5) only Secondhand Domestic Caravans (MRD 0032), (MRD 0038), (MRD 0044), (MRD 0047) and (MRD 0052) for Main Roads Department—Bunbury.....	April 12
March 30	395A1990	Surplus Stocks of Insecticides and Herbicides located at Bushmead for the Agriculture Protection Board.....	April 26
March 30	402A1990	1987 Ford Falcon Sedan (6QM 658) for the Department for Community Services—Derby.....	April 26
March 30	403A1990	1988 Ford Falcon Utility (MRD A287); 1987 Nissan Pintara GX Sedan (MRD 2251) and 1987 Nissan Pintara GX Sedan (MRD 2248); 1987 Ford Falcon Panel Van XF (MRD 9719) for the Main Roads Department—Welshpool.....	April 26

STATE TENDER BOARD OF WESTERN AUSTRALIA—*continued*  
*For Sale by Tender—continued*

Date of Advertising	Schedule No.	For Sale	Date of Closing
1990			1990
March 30	404A1990	1985 Toyota Hilux 4x4 (6QG 202) and 1987 Mazda B2000 Pickup Tray Back (6QN 213) for the Department of Agriculture—Kununurra.....	April 26
March 30	405A1990	1986 Toyota Landcruiser Sleeper Cab (6QK 672) and 1985 Nissan Patrol 4WD Station Wagon (6QG 141) for the Department of Agriculture—Kununurra.....	April 26
March 30	406A1990	1988 Holden Commodore Sedan VL (6QO 769) for the Department of Occupational Health, Safety & Welfare—Karratha.....	April 26

Tenders, addressed to the Chairman, State Tender Board, 815 Hay Street, Perth 6000 will be received for the abovementioned tenders until 10.00 am on the date of closing.

Tenders must be properly endorsed on envelopes otherwise they are liable to rejection. No tender necessarily accepted.

L. W. GRAHAM, Chairman, State Tender Board.

*Accepted Tenders*

Schedule No.	Particulars	Contractor	Rate
<i>Supply and Delivery</i>			
307A1990	Two (2) only Medium Duty Graders Group Class No. 3805 for the Main Roads Department	CJD Equipment P/L.....	\$124 718.00 Each
313A1990	One (1) only Street Sweeper Group Class No: 3825 for the Main Roads Department	MacDonald Johnston Engineering Co Pty Ltd	\$155 030.00
<i>Service</i>			
335A1990	Galvanising and Transporting of Fence Panels Group Class No: 9999 for the Department of Corrective Services	Western Galvanisers.....	Item 1 \$187 000.00 Item 2 \$22 000.00
<i>Purchase and Removal</i>			
338A1990	One (1) Only Secondhand Chamberlain John Deere Front End Loader with Backblade (MRD 4769)—Welshpool	Mr Paul Nield.....	\$7 351
364A1990	1968 Shower Caravan (MRD 0690)	Mr Joseph Graham.....	Item 1 \$255
	1968 Shower Caravan (MRD 0706)	Mr Joseph Graham.....	Item 2 \$275
	1966 Office Sleeper Caravan (MRD 1748)	Mr Joseph Graham.....	Item 3 \$355
	1969 Office Sleeper Caravan (MRD 1853)—Albany (Recall)	Mr Joseph Graham.....	Item 4 \$475
365A1990	One (1) only Secondhand Chamberlain Rubber Tyred Tractor (MRD 3636)—Welshpool	Tractor Wreckers of Kulin...	\$5 950
366A1990	1987 Ford Falcon Panel Van (6QI 475)—Wyndham	William Wood Motors.....	\$8 061
367A1990	One (1) only Secondhand Bolton 3 Berth & Kitchen Caravan (MRD 0523)—Welshpool	C. D. Hall.....	\$1 500
369A1990	1986 Toyota 4x4 Landcruiser Tray Back (6QJ 873)—Derby	Julian Car Co.....	\$10 001

STATE TENDER BOARD OF WESTERN AUSTRALIA—*continued**Accepted Tenders—continued*

Schedule No.	Particulars	Contractor	Rate
<i>Decline of Tenders</i>			
325A1990	1974 3 Berth and Kitchen Caravan (MRD 0925)—Albany	All Tenders Declined	
342A1990	1987 Ford Falcon Station Wagon (6QL 850) 1987 Toyota 4x4 Landcruiser Tray Back (6QK 921) 1987 Toyota 4x4 Landcruiser Tray Back (6QK 920)—Albany	All Tenders Declined	

## WATER AUTHORITY OF WESTERN AUSTRALIA

*Tenders*

Tenders are invited for the projects listed below and will be accepted up to 2.30 pm on the closing date specified.

Tender documents are available from the Supply Services Branch, Level 2, Entry 4, John Tonkin Water Centre, 629 Newcastle Street, Leederville, WA 6007.

Tender documents must be completed in full, sealed in the envelope provided and placed in the Tender Box located at the above Leederville address.

The lowest or any tender may not necessarily be accepted.

Contract No.	Description	Closing Date
		1990
OM900610...	Construction of Reinforced Concrete Walls and Flooring Beam for a 10 000 M3 Reinforced Concrete Tank at Buckleys Road, Broome, Western Australia.....	3 April
AP902011....	Supply of Burnt Clay Bricks for a Twelve Month Period.....	24 April
AP902012....	Supply of Class 12 Polyethylene Pressure Pipe for a Twelve Month Period.....	24 April
AP902013....	Supply of Distribution Transformers 1990/92.....	3 April

*Accepted Tenders*

Contract	Particulars	Contractor	Price
AV903308.....	Supply of One (1) only 4WD Loader	Blackwood Hodge (Australia) Pty Ltd	\$72 400
Q1/90.....	Supply of Pale Blue UPVC Pipe for a Two Month Period	Hardie Iplex Pipeline Systems	Schedule of Prices
NM900603.....	The Construction of 200 M3 Roofed Steel Water Tank on 15m stand and pipework for Condingup Town Water Supply	Allied Steel Engineering Service	\$104 730
AP92053.....	Supply of Alloy, UPVC and Stainless Steel Valves for a Twelve Month Period	Braeco Sales Tubemakers Metal Centre Wesflo Valves BEP Engineering Products J. Blackwood & Son Austral Engineering Supplies	Schedule of Prices
TM901010.....	Supply and Delivery of 200 mm NS White UPVC Pipe Class 12 RRJ in 6 metre lengths to AS1477	Vinidex Tubemakers Pty Ltd	\$60 463

W. COX, Managing Director.

## PUBLIC NOTICES

### TRUSTEES ACT 1962

#### NOTICE TO CREDITORS AND CLAIMANTS

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 30th day of April 1990, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Atkins, Lilly, late of Unit 266 Wyvern, 31 Williams Road, Nedlands, died 16/3/90.  
 Coffey, Rose, late of 118 Main Street, Osborne Park, died 16/2/90.  
 Donegan, Norah Georgina, late of Unit 3, 18 Flora Terrace, Waterman, died 12/3/90.  
 Donnelly, Florence Natalie, late of 47 Clivedon Street, North Perth, died 13/2/90.  
 Doughty, Millicent Florence, late of Unit 2, 19 Byron Road, Kalamunda, died 18/3/90.  
 Eatt, Joseph, late of Lemnos Hospital, Stubbs Terrace, Shenton Park, died 7/11/88.  
 Finch, John Frederick, formerly of Unit 1, Hacienda Gardens, Milner Street, Nollamara, late of 3/342 Mill Point Road, South Perth, died 6/3/90.  
 Fox, Horace William, late of 22 Luffingham Street, Melville, died 28/2/90.  
 Fraser, Madeline Grace, late of Concorde Nursing Home, Anstey Street, South Perth, died 27/7/89.  
 Gibson, Robert, late of 271 South Terrace, South Fremantle, died 23/2/90.  
 Graham, Iris Ethel, late of Craigville Nursing Home, 1 French Road, Melville, died 18/2/90.  
 Growden, Noel Clifford, late of 46A Reserve Street, Wembley, died 28/2/90.  
 Herbert, Beryl De Souza, formerly of Cottage Hospice, 11 Bedbrook Road, Shenton Park, late of Unit 7/173 Lesmurdie Road, Lesmurdie, died 16/2/90.  
 Howard, Stephen Francis, formerly of 32 Moore Street, Moora, late of Lady Brand Lodge for Frail Aged (Inc) Carter Street, Three Springs, died 8/3/90.  
 Lupton-Laver, Elizabeth Ann, late of 94/4 Bulwer Street, Perth, died 17/3/90.  
 Major, Horace Walter Harris, late of St David's Retirement Hostel, 14-19 Lawley Crescent, Mount Lawley, died 1/3/90.  
 Mews, William Cedric, late of Unit 11, 13 Milton Place, Orelia, died 11/3/90.  
 Matthews, Anna (also known as Anna Muir), late of 45 Rutherford Street, Manjimup, died 1/1/90.  
 Murphy, Peter Matthew, late of 68 Davy Street, Booragoon, died 3/9/84.  
 Powell, William Charles, late of 26 Gillett Street, Quairading, died 6/2/90.  
 Randell, Raymond George, late of 28 Troy Street, Applecross, died 16/2/90.  
 Read, Patricia, late of Pilgrim House, 22 Wolsley Street, East Fremantle, died 26/2/90.  
 Rowe, Margaret Martin, late of 46 Drummond Street, Bedford, died 16/2/90.  
 Ryan, Frederick Vincent, late of 14 Adelphi Street, Bayswater, died 7/7/88.  
 Sayer, Mary Ann, late of 4/324 Streich Avenue, Armadale, died 8/3/90.  
 Smith, Dennis, late of Wilson's Patch, Leonora, died 15/2/90.  
 Steele, Thomas, late of Unit 22, 13 Elvire Street, Midland, died 11/2/90.  
 Stephens, Cicely Elizabeth, late of Salvation Army Village, 31 Williams Road, Nedlands, died 31/12/89.  
 Stone, Martin, late of 65 Twickenham Drive, Kingsley, died 27/1/90.  
 Tulip, Florence Ellen, late of Bassendean Nursing Home, Hamilton Street, Bassendean, died 7/3/90.  
 Waddilove, Joseph Robert, late of 14 Temple Street, Victoria Park, died 27/1/90.  
 Welby, Charles Gerald Kenrick, late of Challenger Lodge, Read Street, Rockingham, died 4/3/90.  
 Wren, Annie Ruth, late of Braemar Lodge, 51 Point Walter Road, Bicton, died 3/3/90.

Dated this 26th day of March 1990.

K. E. BRADLEY, Public Trustee,  
Public Trust Office 565 Hay Street, Perth WA 6000.

### TRUSTEES ACT 1962

In the estate of Rita Mary Gardiner late of "Caroline" Lot 381 West Swan Road, West Swan in the State of Western Australia Retired School Teacher deceased.

Creditors and other persons having claim (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the abovenamed deceased who died on the 22nd day of January, 1990 are required by the personal representative Mrs. Rosemary Verna Wheatley c/- Wheatley & Sons, Solicitors, 45 St. George's Terrace, Perth in the said State to send particulars of their claims to her by the 30th day of April, 1990 after which date the personal representative may convey or distribute the assets having regard only to the claims of which she than has notice.

### TRUSTEES ACT 1962

Creditors and other persons having claims in respect of the estate of Ernest Arthur Godfrey Blake late of 15 Carpenter Terrace, Australind in the State of Western Australia to which section 63 of the Trustees Act 1962 as amended applies are required to send particulars of their claims to the Executrix Grace Louisa Blake of 15 Carpenter Terrace, Australind W.A. care of Young & Young, 5 Spencer Street, Bunbury by the 3rd day of May, 1990 after which date the said Executors may convey or distribute the assets having regard only to the claims of which they have notice and the said Executors shall not be liable to any person of whose claim they have had no notice at any time of administration or distribution.

Dated 22 March, 1990.

YOUNG & YOUNG, for the Executors.

**TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Ltd. of 89 St. George's Terrace, Perth, to send particulars of their claims to the Company, by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Arnold, Leslie Kitchner, late of 1073 Albany Highway, Bentley, Retired Welder, died 21/11/89.

Downer, Winifred Martha, late of 15 Rothesay Road, Perenjori, Widow, died 22/5/89.

Kay, Jane, also known as Jean Kay, late of Home of Peace, Walter Road, Inglewood, Widow, died 20/2/90.

O'Meara, Marion, late of 4 Broome Street, Nedlands, Widow, died 19/2/90.

Nicholson, John Oliver, late of 62 Armvtag Way, Hillarys, died 17/2/90.

Stevens, Alice Norevil, late of 17 Wilber Street, Rossmoyne, Widow, died 5/3/90.

Whitehurst, Harry Smith, late of 5 Priess Street, Albany, Retired Carpenter, died 23/11/89.

Dated this 26th day of March, 1990.

Perpetual Trustees WA Ltd

J. KMIECIK, Manager Trusts and Estates Administration.

**TRUSTEES ACT 1962**

Creditors and other persons having claims in respect of the estate of James William Eaton Payne, late of "Long Acre" Norman Road, Boyanup in the State of Western Australia to which section 63 of the Trustees Act 1962 applies are required to send particulars of their claims to the Executors, Beverley Grace Payne of "Long Acre" Norman Road, Boyanup, care of Young & Young, 5 Spencer Street, Bunbury, by the 4th day of May 1990 after which date the said Executors may convey or distribute the assets having regard only to the claims of which they have notice and the said Executors shall not be liable to any person of whose claim they have had no notice at any time of administration or distribution.

YOUNG & YOUNG, for the Executors.

Dated 26 March 1990.

**TRUSTEES ACT 1962**

Creditors and other persons having claims in respect of the estate of Albert Rosslyn Attwell, late of Attwell Road, Cuthbert, in the State of Western Australia, Potato Farmer, deceased, to which section 63 of the Trustees Act 1962 applies are required to send particulars of their claims to the Executors, Brian George Bradley and Coral Dawn White, care of Haynes Robinson, Solicitors, 70 Frederick Street, Albany, by the 26th day of April 1990 after which date the said Executors may convey or distribute the assets having regard only to the claims of which they have notice and the said Executors shall not be liable to any person of whose claim they have had no notice at the time of administration or distribution.

HAYNES ROBINSON, for the Executors.

Dated 21 March 1990.

**TRUSTEES ACT 1962**

Leonard Barnes Melhuish late of 54 Sydenham Street, Beckenham in the State of Western Australia formerly Farmer late Bookmaker 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 the 23rd day of September 1987 are required by the personal representatives of care of Northmore Hale Davy & Leake of Allendale Square, 77 St. George's Terrace, Perth to send particulars of their claims to them by the 11th May 1990 after which date the executor may convey or distribute the assets having regard only to the claims of which he then has notice.

**GARRET FARMING COMPANY PTY LTD**

Notice is hereby given that, at a duly convened general meeting of the company held on 20 March 1990, the following Special Resolution was passed:

"That the Company be voluntarily wound up and that George Ernest Austin be appointed liquidator".

IAN ROBERTS, Director.

**COMPANIES FORM 78****NOTICE OF APPOINTMENT OF RECEIVER AND MANAGER OF FARRIX PTY LIMITED**

Challenge Bank Limited of 95 William Street Perth in the State of Western Australia gives notice that—

On the 9th day of August 1989 it appointed Geoffrey Frank Totterdell of care of Messrs Price Waterhouse Chartered Accountants 200 St. George's Terrace Perth in the State of Western Australia as Receiver and Manager of property of the company being the property specified in the Schedule under the powers contained in an instrument dated 24th day of April 1989 being a Mortgage made pursuant to the Transfer of Land Act 1893 as amended registered at the Office of Titles Perth on the 26th day of April 1989 and allocated number E086099.

**Schedule**

Portion of Perth Town Lot L8 and being Lot 104 on Diagram 75154 being the whole of the land in Certificate of Title Volume 1838 Folio 563.

Dated 20 March, 1990.

TREVOR MARK WATTS,  
Partner McAlwey and Hyland Solicitors and  
Agents for Challenge Bank Limited.

**"CALABRIA FISHERIES PTY LTD (In Voluntary Liquidation)**

Notice is hereby given that at an extraordinary General Meeting of the Company held at 26 Blackwall Reach Parade, Bicton on the 23rd March, 1990 it was resolved that the Company be voluntarily wound-up in accordance with the provisions of the Companies Code and that Giuseppe Rotondella of 26 Blackwall Reach Parade, Bicton, Western Australia be appointed Liquidator. Any claims against the Company may be forwarded to Mr G. Rotondella."

G. ROTONDELLA, Liquidator.

**COMPANIES (NSW) CODE****LEYODI PTY LIMITED**

Notice is hereby given that a meeting of creditors of the above company will be held on 30 March 1990 at 10 o'clock in the forenoon at Level 7, 55 York Street, Sydney for the purpose of nominating a Liquidator and appointing a Committee of Inspection if desired.

A Statement of Affairs will be laid before the meeting and a director shall disclose to the meeting the company's affairs and the circumstances leading to the proposed winding up.

The company has convened a meeting of its members to be held on the same day at which it is intended to propose the resolution "That the company be wound up voluntarily" as a Special Resolution, so as to place the company into Voluntary Liquidation and an Ordinary Resolution to nominate a person to be Liquidator.

Particulars of the claims of all creditors, accompanied in the case of a secured creditor (unless he surrenders his security) with a Statement giving the particulars of his security, the date when it was given, and the value at which he assesses it, should also for voting purposes be lodged with the company care of the offices of Ferrier Hodgson & Co. Chartered Accountants, Level 5, 55 York Street, Sydney before the meeting.

Dated 9 March, 1990.

By order of the Board.

Debra Newman under Power of Attorney.

Dated 5 March 1990.

for ARIANNE ST. CLAIR, Director.

**UNCLAIMED MONEYS ACT 1912****KAMBALDA NICKEL OPERATIONS**

Name and Address; Description; Total.

Barlow, W. M.; Wages; 125.00.

Gray, D. A.; Wages; 63.00.

Green, W.; Wages; 13.00.

**WINDARRA NICKEL PROJECT**

Cakan, M., c/- Post Office, Laverton; Termination Pay Adjustment; 132.00

Miller, I., 79 Chesley Street, Linwood Christchurch N.Z.; Travelling Expense Refund; 117.95

Monteith, D., c/- Post Office, Laverton; Wages; 152.00.

Monteith, D., C/- Post Office, Laverton; Termination Pay Adjustment; 82.00.

Martin, A., 214 Beechboro Road, Bayswater; Travelling Expense Refund; 124.00.

Martin, A., 214 Beechboro Road, Bayswater; Travelling Expense Refund; 52.00.

## UNCLAIMED MONEYS ACT 1912

## KALGOORLIE LAKE VIEW

Kay, M.; Wages; 36.52.	Verweeggen, L.; Wages; 24.24.
Johnston, R. R.; Wages; 239.09.	Rowe, J.; Wages; 63.21.
Smith, I. (Dec'd); Wages; 417.01.	Lubbock, R.; Wages; 50.34.
McCarter, H.; Wages; 69.91.	Evans, A.; Wages; 123.76.
Norton, G.; Wages; 44.49.	Murphy, J.; Wages; 76.73.
O'Kelly, S. P.; Wages; 30.76.	Reddie, D.; Wages; 42.57.
Scattini, B.; Wages; 44.49.	Rowe, J. A.; Wages; 81.40.
Richardson, R. I.; Wages; 74.71.	Furge, R. L.; Wages; 71.24.
Jelic, G.; Wages; 69.29.	Gower, R. D.; Wages; 39.23.
Thorneson, J. R.; Wages; 71.54.	Koushappis, C.; Wages; 65.43.
Brown, J. G.; Wages; 126.34.	Evans, A.; Wages; 112.14.
Pritchard, T.; Wages; 12.64.	Giri, T.; Wages; 53.80.
Butler, K.; Wages; 114.26.	Hall, A. G.; Wages; 110.58.
Carrroll, S.; Wages; 304.25.	Hutton, R. D.; Wages; 84.03.
Devine, D.; Wages; 101.40.	Jones, G. D.; Wages; 40.64.
Murphy, D.; Wages; 32.48.	Brant, B. J.; Wages; 182.91.
Carr, W. R.; Wages; 25.03.	

## UNCLAIMED MONEYS ACT 1912

## MOBIL OIL AUSTRALIA LTD

Name and Address; Amount; Description; Date.

Pep Couriers, 191 St. George's Tce, Perth 6000; \$11.35; Unpresented Cheque; May 81.  
 Bullfinch Farming, Bullfinch 6484; \$191.07; Credit Bal Refund; May 81.  
 Stopgap, 304 Churchill Avenue, Subiaco 6008; \$85.71; Unclaimed Money; Feb 83.  
 Scotts Motors, 3 1-7 Nash Street, Perth; \$285.00; Rebanked Cheque; Oct 83.  
 C. V. Turnow, Tapleys Hill Motors, South Road, Darlington 5047; \$94.00; Credit Balance Refund; Mar 84.

DARYL LEE, Head Clerk General and Oil Exchange Ledgers (Acting).

## INQUIRY AGENTS LICENSING ACT 1954

## APPLICATION FOR LICENSE IN THE FIRST INSTANCE

To the Court of Petty Sessions at Bunbury WA

I, Arthur Richard Dall, of 39 Jules Road, Gelorup WA 6230, Company Director having attained the age of twenty-one years, hereby apply on my own behalf for a license under the abovementioned Act. The principal place of business will be Suite 6/101 Spencer Street, Bunbury WA 6230.

Dated 2 March, 1990.

A. R. DALL.

Appointment of Hearing

I, hereby appoint 4 May, 1990 at 10 o'clock in the forenoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Bunbury.

Dated 16 March, 1990.

R. N. JOHNSON, Clerk of Petty Sessions.

## INQUIRY AGENTS LICENSING ACT 1954

## APPLICATION FOR LICENSE IN THE FIRST INSTANCE

To the Court of Petty Sessions at Armadale

I, James Sparrow of Unit 11/2 Attfield Street, Maddington 6109, Process Server having attained the age of twenty-one years, hereby apply on my own behalf for a license under the abovementioned Act. The principal place of business will be at 11/2 Attfield Street, Maddington 6109.

Dated 21 March, 1990.

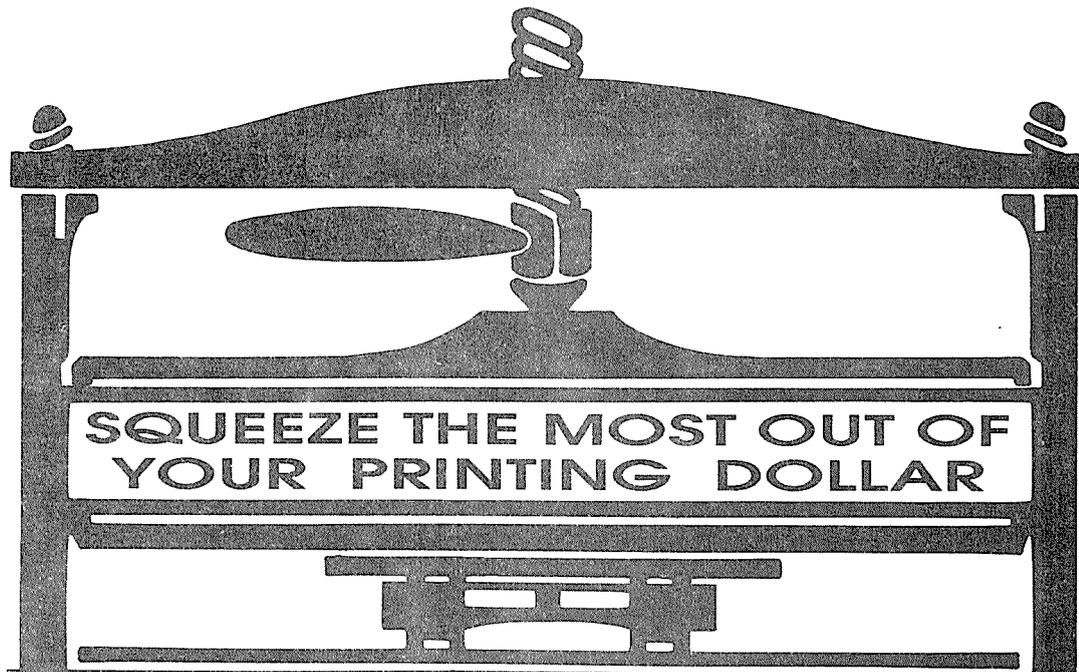
J. S. SPARROW.

Appointment of Hearing

I, hereby appoint 30 April, 1990 at 10 o'clock in the forenoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Armadale.

Dated 21 March, 1990.

B. BATTILANA, Clerk of Petty Sessions.



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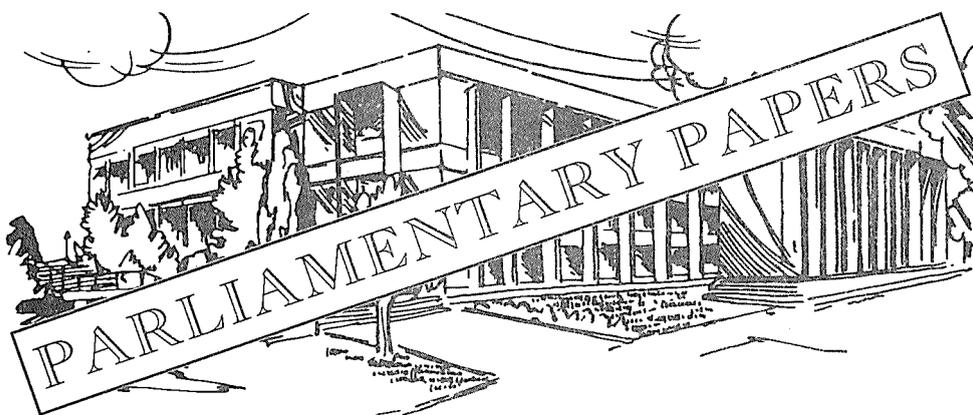
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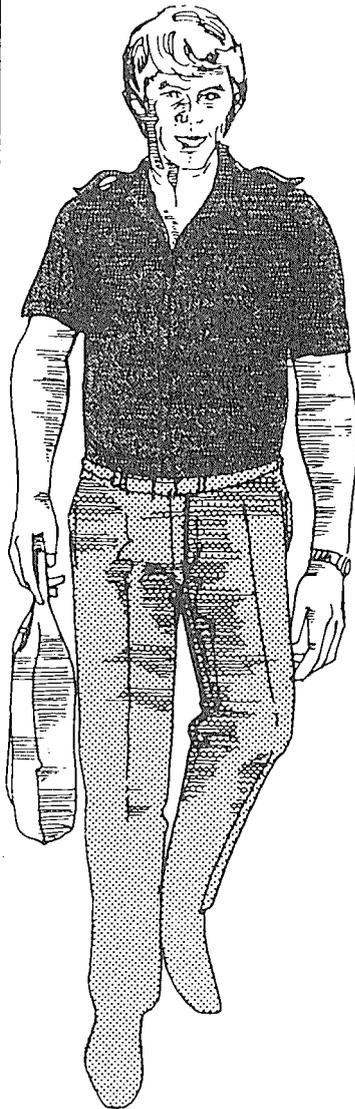
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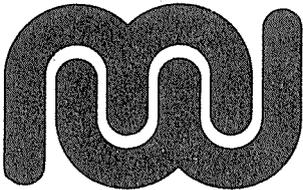
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