

WESTERN
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GOVERNMENT

Gazette



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NOTICE TO ADVERTISERS

GOVERNMENT GAZETTE

Because of the Anzac Day holiday on Thursday 25th April 1991, the closing time for copy for the *Government Gazette* published on 26th April will be 3.00pm Tuesday 23rd April 1991.

G. L. DUFFIELD,
Government Printer.

IMPORTANT NOTICE GOVERNMENT DEPARTMENTS AND STATUTORY AUTHORITIES

As of 1 July 1990 all notices published in the *Government Gazette* will attract payment as indicated in the circular forwarded to all Chief Executive Officers in March 1990.

The Departmental Officer responsible for forwarding copy to State Print must ensure that it is accompanied by a completed "Authorization to Publish" form showing the authorizing officer and a telephone contact number to enable speedy resolution of any matters that may arise. These forms are available from State Print.

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G. L. DUFFIELD, Director.

PROCLAMATIONS

AA101

**CORRIGENDUM
EMPLOYMENT AGENTS AMENDMENT ACT 1990
PROCLAMATION**

The notice published under the above heading on page 1393 of the *Government Gazette* on 5 April 1991 is replaced by the following notice—

**EMPLOYMENT AGENTS AMENDMENT ACT 1990
PROCLAMATION**

| | | |
|-------------------|---|--|
| WESTERN AUSTRALIA | } | By His Excellency the Honourable Sir Francis Theodore Page Burt, Companion of the Order of Australia, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Queen's Counsel, Governor of the State of Western Australia. |
| FRANCIS BURT, | | |
| Governor. | | |
| [L.S.] | | |

I, the Governor, acting under section 2 of the Employment Agents Amendment Act 1990 and with the advice and consent of the Executive Council, fix the day on which this proclamation is published in the *Government Gazette* as the day on which that Act shall come into operation.

Given under my hand and the Public Seal of the State on 16 April 1991.

By His Excellency's Command,

YVONNE HENDERSON, Minister for Consumer Affairs.

GOD SAVE THE QUEEN !

AA102

**RIGHTS IN WATER AND IRRIGATION ACT 1914
PROCLAMATION**

| | | |
|-------------------|---|--|
| WESTERN AUSTRALIA | } | By His Excellency the Honourable Sir Francis Theodore Page Burt, Companion of the Order of Australia, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Queen's Counsel, Governor of the State of Western Australia. |
| FRANCIS BURT, | | |
| Governor. | | |
| [L.S.] | | |

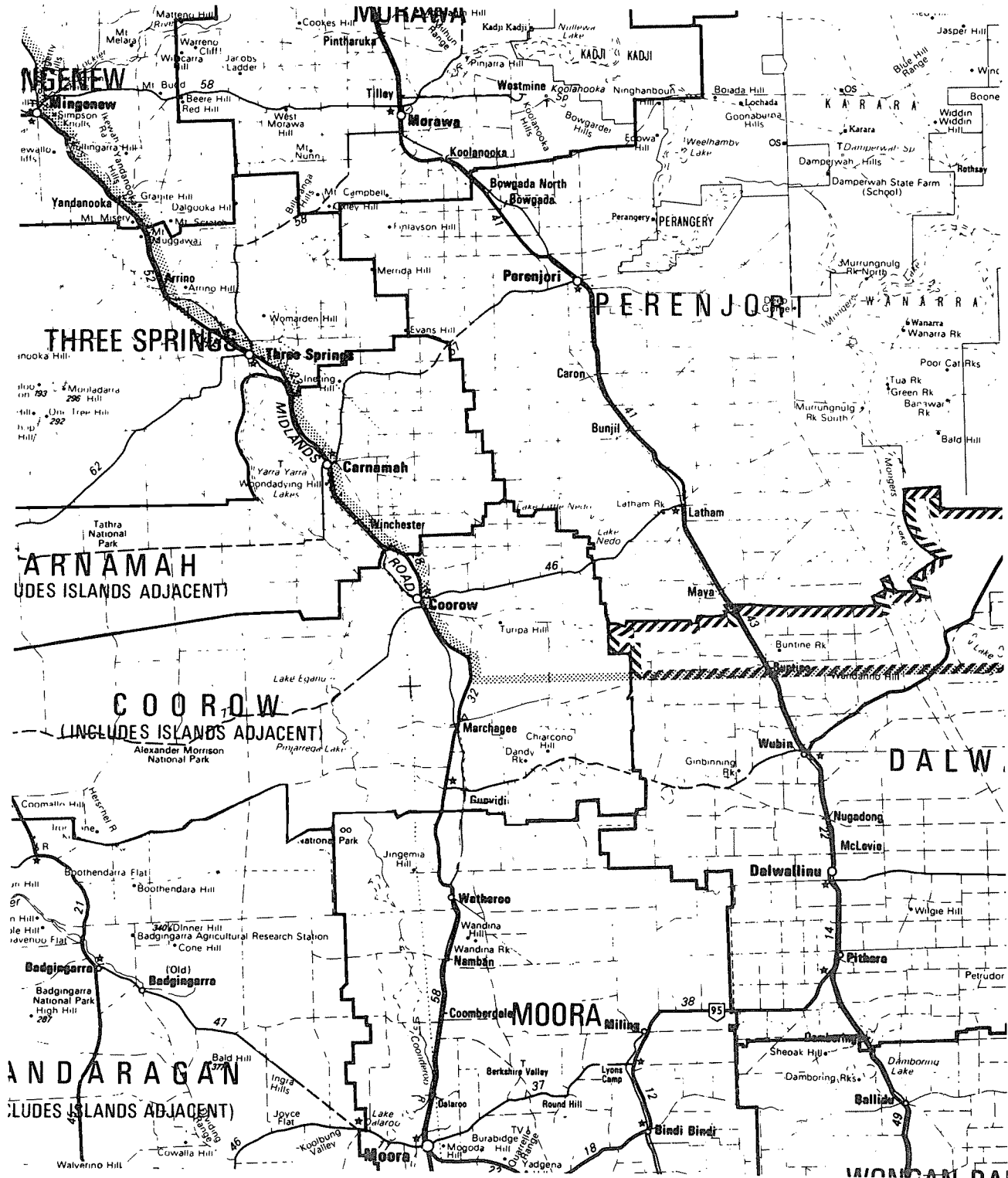
Under section 26B (1) of the Rights in Water and Irrigation Act 1914, I, the Governor, acting with the advice and consent of the Executive Council, do hereby vary the proclamation of the Gascoyne Groundwater Area as published in the *Government Gazette* on 16 April 1987 as varied by proclamation published in the *Government Gazette* on 21 December 1990 by the excision of all that portion of land delineated and shown with symbolized boundary *//////////* on Water Authority Plan BX 23, the original of which is held by the Water Authority of Western Australia.

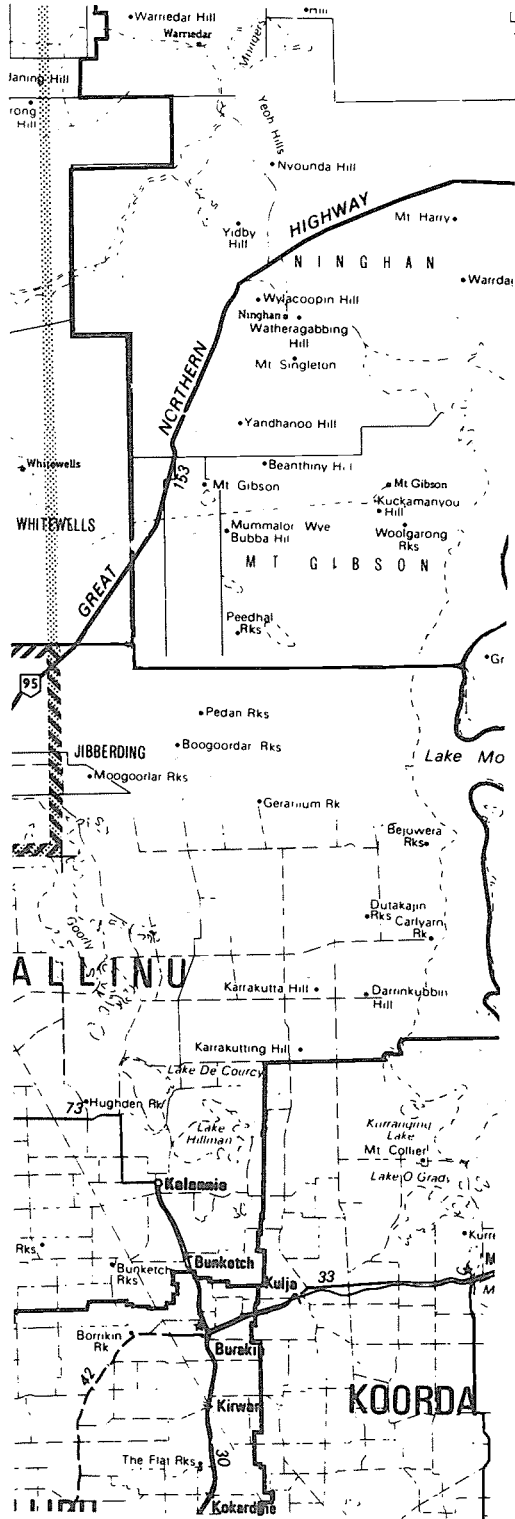
Given under my hand and the Public Seal of the State on 16 April 1991.

By His Excellency's Command,

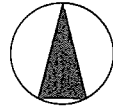
ERNIE BRIDGE, Minister for Water Resources.


GOD SAVE THE QUEEN!






NORTH POINT



 EXISTING BOUNDARY OF GASCOYNE GROUNDWATER AREA

 BOUNDARY OF AREA TO BE EXCISED FROM GASCOYNE GROUNDWATER AREA

CLERK OF THE EXECUTIVE COUNCIL

PLAN **BX23**

CONSUMER AFFAIRS

CN401

CONSUMER AFFAIRS ACT 1971

Order

I, Dr Martyn Forrest, Commissioner for Consumer Affairs, in and for the State of Western Australia being satisfied that a Consumer Affairs Authority, namely Brian William Mier, Minister of State for Consumer Affairs in and for the State of Victoria, has by notice dated 28 February 1991 published in the *Victoria Government Gazette* on 6 March 1991 prohibited the supply of goods described in the Schedule hereto. Now I, pursuant to the powers vested in me by Section 23R(4) of the Consumer Affairs Act prohibit the supply of goods described in the Schedule.

Dated this thirteenth day of April 1991.

MARTYN FORREST, Commissioner for Consumer Affairs.

Schedule

Gas masks which contain asbestos.

CN402

CONSUMER AFFAIRS ACT 1971

Order

I, Dr Martyn Forrest, Commissioner for Consumer Affairs, in and for the State of Western Australia being satisfied that a Consumer Affairs Authority, namely Gerald Beresford Ponsonby Peacocke, Minister for Business and Consumer Affairs in and for the State of New South Wales, has by notice dated 23 January 1991 published in the *New South Wales Government Gazette* of 8 February, 1991 restricted the supply of goods specified in the Schedule 1. Now I, pursuant to the powers vested in me by section 23R(4) of the Commissioner Affairs Act prohibit the supply of goods specified in Schedule 1 except where they comply with the conditions specified in Schedule 2.

Schedule 1

Goods being a flotation aid worn on the wrist and activated by the user pulling an inflation lever causing a carbon dioxide cylinder to inflate a plastic bag, including goods known as "Aqua Buoy" or "Aquabuoy."

Schedule 2

The goods shall have—

- (a) a warning label in block letters of not less than 5mm in height, on promotional material and packaging stating

WARNING
FLOTATION AID ONLY
DO NOT USE IN PLACE OF AN
APPROVED PERSONAL FLOTATION DEVICE

- (b) no reference to life saving capabilities on the goods promotional material and packaging.

Dated this thirteenth day of April 1991.

MARTYN FORREST, Commissioner for Consumer Affairs.

CROWN LAW

CW301

SUPREME COURT ACT 1935

SUPREME COURT AMENDMENT RULES (No. 2) 1991

Made by the Judges of the Supreme Court.

Citation

1. These rules may be cited as the *Supreme Court Amendment Rules (No. 2) 1991*.

Commencement

2. These rules come into operation on the day on which sections 15 to 20 of the *Justices Amendment Act 1989* come into operation.

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 25 February 1991 see pp. 358-359 of 1989 Index to The Statutes of Western Australia and Gazettes of 23 February, 30 March 1990, 17 August 1990, 24 August 1990 (erratum) and 9, 16 and 30 November 1990.]

Order 65A inserted

4. After Order 65 of the principal rules, the following Order is inserted—

“
ORDER 65A
APPEALS UNDER JUSTICES ACT 1902

Interpretation

1. (1) In this Order, unless the contrary intention appears—
 - (a) words used have the definitions assigned to them by sections 4 and 183 of the *Justices Act 1902*; and
 - (b) the following further definitions apply—

“party” includes a person to whom a Judge has directed under section 191 (b) of the Act that notice of an appeal be given; and

“the Act” means the *Justices Act 1902*.
- (2) Subject to the Act and this Order, the rules of Court apply to this Order.

Application for leave

2. An application for leave to appeal shall—
 - (a) be made in the form of Form 82A in the Second Schedule and shall state briefly but specifically the grounds relied upon;
 - (b) be made within 21 days after the day on which the decision to which the application relates was given; and
 - (c) be supported by an affidavit of the facts relied on.

Further evidence

3. (1) An application for leave to adduce further evidence under section 196 (1) (b) of the Act shall be made by notice of motion supported by an affidavit showing the nature of the evidence and the basis on which the court will be asked to receive it.
- (2) The notice of motion shall be served on every other party to the appeal.

Security for costs

4. Subject to section 219 of the Act, a Judge may, in special circumstances, order that security shall be given for the costs of an appeal as may be just, and may vary or revoke any such order.

Manner of giving notice to other parties etc.

5. Notice under section 191 of the Act shall be given—
 - (a) within 10 days after the day on which leave to appeal is granted or within such longer period as the Judge who grants leave may allow; and
 - (b) by serving on every party, a copy of the application for leave, the order granting leave and the affidavits and documents filed in support of the application.

Notice to clerk of petty sessions etc.

6. (1) The Registrar shall, as soon as is practicable after leave is granted, send to each of the following persons a memorandum as to the making of the order granting leave—
 - (a) the clerk of petty sessions, and attach a copy of the application for leave;
 - (b) any person having the appellant in custody; and
 - (c) the Commissioner of Police where the decision that is subject to appeal was made in, or in relation to, proceedings for a charge for an offence.
- (2) Where the appellant is in a prison, it is sufficient compliance with subparagraph (b) of paragraph (2) for notice under that subparagraph to be given to the chief executive officer of the Department, as defined in section 3 of the *Prisons Act 1981*.

Action to be taken by clerk

7. The clerk of petty sessions to whom notice is given under rule 6 (1) shall, as soon as is practicable—

- (a) give a copy of the application and order to the justices whose decision is subject to appeal; and
- (b) subject to section 206B (5) of the Act, transmit to the Registrar all documents constituting the record of the court of petty sessions in relation to the subject matter of the appeal including all exhibits and any note or transcript of evidence or of the reasons for decision.

Notice of Intention to be Heard

8. (1) A party who wishes to be heard on the hearing of the appeal shall file a notice of intention to be heard, and serve a copy of the notice on the other parties on the day on which it is filed or as soon as is practicable after that day.

(2) The notice shall be filed within 14 days of service on the party of notice under rule 5.

(3) This rule does not apply to a party who gives notice under rule 9.

(4) A party who has not given notice in accordance with this rule shall not be heard without the leave of the Court.

Orders 63 and 65 apply

9. Subject to the Act and this Order, the provisions of Order 63 and Order 65 apply with necessary modifications to appeals under this Order.

Notification of result of appeal by Registrar

10. (1) The Registrar shall, in addition to complying with section 202 of the Act, send a memorandum of the determination of the Court on an appeal or of the dismissal of an appeal under section 205 of the Act—

- (a) to the Commissioner of Police, where the decision that was subject to appeal was made in, or in relation to, proceedings for a charge for an offence;
- (b) to any other person having the appellant in custody;
- (c) where any party to the appeal is on bail pending the disposition of the appeal, to the chief executive officer of the Department as defined in section 3 of the *Prisons Act 1981*; and
- (d) to any party to the appeal who—
 - (i) was not present, or represented by a legal practitioner, at the hearing or was not an applicant under section 206B, as the case may be; and
 - (ii) has filed under rule 8 a notice of intention to be heard.

(2) Where the appellant is in a prison, it is sufficient compliance with subparagraph (b) of paragraph (1), for notice under that subparagraph to be given to the chief executive officer of the Department as defined in section 3 of the *Prisons Act 1981*.

Application for re-instatement of appeal

11. An application by an appellant under section 206 (1) of the Act shall be made—

- (a) in the form of form 82B in the Second Schedule;
- (b) within 21 days of service on the appellant of a memorandum under rule 10 as to the dismissal of the appeal under section 205 of the Act;
- (c) *ex parte* (unless the Judge orders that the application be served on any person) and supported by an affidavit of the facts relied on and stating the grounds of the application.

Appeal to Full Court

12. (1) An application under section 206A of the Act for leave to appeal to the Full Court from a decision of the Court constituted by one Judge shall be made within 21 days after the day on which that decision was given.

(2) Notice of the application shall be given by the applicant—

- (a) to the other party or parties to the appeal; or
- (b) where the application for leave relates to an application under section 206C to extend or shorten the time allowed under rule 2 (b), to the other party or parties to the decision of the justices,

within the period allowed under paragraph (1).

Orders for costs

13. (1) Where under Part VIII of the Act the Court may make an order as to costs, the Court may—

- (a) fix the sum to be paid;
- (b) order that the sum be determined by taxation; or
- (c) make an order providing partly for one of those methods and partly for the other.

(2) If the Court intends to make an order pursuant to section 5 of the *Official Prosecutions (Defendant Costs) Act 1973* it may, if it thinks fit, refer to a Registrar for inquiry and report the amount at which the costs shall be fixed.

(3) Upon such an inquiry the Registrar shall have power to require that the defendant furnish details of the costs, allowances and expenses claimed, and that such details be verified by affidavit.

Service

14. (1) Where any provision of Part VIII of the Act or of these rules authorizes or requires a document in any proceedings to be served on, or a notice to be given to, a person the service or the giving of notice may be effected—

- (a) by personal service on the person;
- (b) by properly addressing and posting (by pre-paid post) the document as a registered letter to the last-known place of residence or place of business of the person; or
- (c) by leaving the document at the place of residence of the person with a member of the person's family living with him or her and appearing to be of or over the age of 16 years; or
- (d) without limiting section 215 of the Act, by serving the document, in accordance with subparagraph (a) or (b), on a solicitor who is acting for the person in the proceedings.

(2) Personal service of a document is effected on a person for the purposes of paragraph (1) (a) by leaving a copy of the document with the person and if so requested by the person at the time when it is left showing him or her an office copy of the document.

(3) For the purposes of paragraph (1) (b) service or the giving of notice is deemed to be effected under that paragraph, unless the contrary is proved, at the time when the letter would have been delivered in the ordinary course of post.

Substituted service

15. (1) Where the Court is satisfied, upon application by a party sufficiently supported by affidavit evidence, that it is impracticable for a document to be served on, or a notice to be given to, a person in accordance with rule 14, it may order that service be effected or notice be given by the taking of such steps as the Court directs.

(2) Compliance with an order under paragraph (1) is to be taken to be personal service under rule 14 (1) (a). "

Order 83A amended

5. Order 83A of the principal rules is amended, in rule 1, by inserting after paragraph (4) the following paragraph—

" (5) No fees shall be charged in respect of proceedings under Part VIII of the *Justices Act 1902*. "

Order 84 amended

6. Order 84 of the principal rules is amended, in rule 8, by repealing paragraph (1) and substituting the following—

" (1) The Registrar shall, as soon as is practicable after he has sent a memorandum under section 202 of the *Justices Act 1902* to the clerk of petty sessions, send to that clerk a copy of any reasons given by the Court or the Full Court for its decision. "

Second Schedule amended

7. The Second Schedule to the principal rules is amended by inserting after Form 82 the following Forms—

“

No. 82A

APPLICATION FOR LEAVE TO APPEAL

O.65A, r. 2 (a)

No. of 19

In the Matter of the *Justices Act 1902*

and

In the Matter of the Complaint(s) No(s) of
19 [or as the case may be] in the Court of
Petty Sessions at between
..... and

BETWEEN

Applicant

and

Respondent

APPLICATION FOR LEAVE TO APPEAL

1. The applicant applies to the Judge in Chambers on
..... the day of
..... 19 at o'clock in the
..... noon for leave to appeal from [specify
part or the whole] of the decision(s) given on the
abovementioned complaint(s) on the day
of 19 upon the following grounds—

2. The applicant is not in custody (is in custody, held at Prison).
Dated the day of 19

(Signed, Solicitor or Applicant).

No. 82B

APPLICATION FOR RE-INSTATEMENT OF APPEAL

O.65A, r. 10 (a)

No. of 19

In the Matter of the *Justices Act 1902*

and

In the Matter of the Complaint(s) No(s) of
19 [or as the case may be] in the Court of
Petty Sessions at between
..... and

BETWEEN

Applicant

and

Respondent

APPLICATION FOR RE-INSTATEMENT OF APPEAL

1. The applicant applies pursuant to section 206 (1) of the *Justices Act 1902* to the Judge in chambers on the day of
..... 19 at o'clock in the
..... noon to re-instate this appeal.

2. The grounds of the application are

.....
.....
.....
.....

Dated the day of 19

.....
(Signed, Solicitor or Applicant).

Dated this 22nd day of March, 1991.

DAVID K. MALCOLM.
W. P. PIDGEON.
B. ROWLAND.
E. M. FRANKLYN.
PAUL SEAMAN.
R. D. NICHOLSON.
TERENCE A. WALSH.
D. A. IPP.
HENRY WALLWORK.
M. J. MURRAY.
R. J. OWEN.
K. WHITE.

CW401

THE BARRISTERS' BOARD OF WESTERN AUSTRALIA

It is hereby notified for general information in accordance with Rule 10 of the Rules of the Barristers' Board that, at a duly convened meeting of the Board held Wednesday, 10th April 1991 the following practitioners were declared to be duly elected members of the Barristers' Board—R. E. Birmingham, R. Chappell, D. R. Clyne, A. D. Fenbury, C. R. Humphry, L. E. James, T. L. McComish, F. Mallon and D. M. Watt.

Dated 11 April 1991.

D. HOWELL, Secretary to the Barristers' Board Perth.

CW402

JUSTICES ACT 1902

It is hereby notified for public information that His Excellency the Governor in Executive Council has—

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

Kenneth Lee Gallaher of 69 Arnold Road, Waggrakine.

Stanislaw Mensik of 7 Bathurst Street, Dianella and Curtin University, Kent Street, Bentley.

Approved of the following appointments to the Commission of the Peace for the Collier Magisterial District.

Graeme Stanley Coate of 15 Hawkes Place, Laverton and Windarra Nickel Project, Laverton.

Merrilyn Sylvia Thompson of 12 Cox Street, Laverton.

Accepted the resignation of Rodney Neville Fleeton of Pine Creek, Northern Territory (formerly of Laverton), from the Office of Justice of the Peace for the State of Western Australia.

D. G. DOIG, Under Secretary for Law.

CW403

EX OFFICIO JUSTICE OF THE PEACE

It is hereby notified for public information that William David Duffy of 100 Meadowlands Drive, Mariginiup, has been appointed under Section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Perth during his term of office as Mayor of the City of Wanneroo.

D. G. DOIG, Under Secretary for Law.

CW404

DECLARATIONS AND ATTESTATIONS ACT 1913

It is hereby notified for public information that the Hon. Attorney General has approved the appointment of the following persons as Commissioners for Declarations under the Declarations and Attestations Act 1913—

Bruce William Anderson of Palmyra
 Gary Charles Blades of City Beach
 Martin David Broad of Kelmscott
 William Gregory Campbell Meekatharra
 John Terence Craddock of Heathridge
 Carolyn Mary McNaught of Geraldton
 Kenneth Raymond Riches of Wongan Hills.

D. G. DOIG, Under Secretary for Law.

ELECTORAL COMMISSION

EL401

MARKETING OF MEAT ACT 1971
WESTERN AUSTRALIAN MEAT MARKETING CORPORATION (ELECTIONS)
REGULATIONS 1974

Notice of Election

Notice is hereby given that an election of one Producer Member of the Western Australian Meat Marketing Corporation under section 7 of the Marketing of Meat Act 1971 will take place at the office of the Returning Officer on Thursday, 20 June 1991 closing at 4 o'clock in the afternoon on that day.

Nominations of candidates are required to be made in accordance with the above regulations and must be received by the Returning Officer at his office before twelve noon (12 noon) on Friday, 17 May 1991.

Nomination forms are obtainable from the Returning Officer.

For the purpose of this election, the Western Australian Meat Marketing Corporation has determined under section 4 (2) of the Marketing of Meat Act 1971 that a candidate must be a lamb producer who has delivered to the Corporation in the period 1 July 1989 to 31 December 1990 at least 100 lambs for slaughter.

J. E. TONKIN, Returning Officer, Western Australian Electoral Commission,
 4th Floor, Fire Brigade Building, 480 Hay Street, Perth.

FISHERIES

FI301

FISHERIES ACT 1905
NICKOL BAY PRAWN LIMITED ENTRY FISHERY NOTICE 1991
 Arrangement

1. Citation
2. Interpretation
3. Declaration of limited entry Fishery
4. Prohibition on taking prawns
5. Prohibition on selling or dealing
6. Criteria to determine the boats which may operate in the Fishery
7. Application for a licence
8. Details on licence
9. Closure of the Fishery
10. Authorised means of operating in the Fishery

11. Transfer of licence
12. Boat replacement
13. Boat modification
14. Engine seals
15. Inspection of engine and seals
16. Application and fees
17. Determination of position by reference to the Australian Geodetic Datum
18. Revocation
Schedule (clauses 3, 4 and 9)

FISHERIES ACT 1905

NICKOL BAY A PRAWN LIMITED ENTRY FISHERY NOTICE 1991

Notice No. 488

FD 148/75 V8

Made by the Minister under section 32.

Citation

1. This notice may be cited as the *Nickol Bay Prawn Limited Entry Fishery Notice 1991*.

Interpretation

2. In this notice unless the contrary intention appears—
 - “approved form” means in a form approved by the Director;
 - “boat units” means boat units calculated in accordance with clause 12;
 - “Fishery” means the Nickol Bay Prawn Limited Entry Fishery declared under clause 3;
 - “headrope length” means the distance measured along the headrope from where the otter trawl net attaches to one end of the headrope to where it attaches to the other end of the headrope; and
 - “licence” means a licence authorising a boat to operate in the Fishery;
 - “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;
 - “prawns” means all species of decapod crustacea of the family *Penaeidae*.

Declaration of limited entry Fishery

3. It is hereby declared that prawns shall constitute a limited entry fishery in the waters described in item 1 of the Schedule to be called the *Nickol Bay Prawn Limited Entry Fishery*.

Prohibition on taking prawns

4. A person, other than a person to whom section 32 (5) of the Act applies, shall not take, or attempt to take, prawns by any means in the waters described in item 1 of the Schedule 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 prawns taken in contravention of this notice.

Criteria to determine the boats which may operate in the Fishery

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 or person in charge of a boat was the holder of a licence authorising the boat to be used to take prawns in the Nickol Bay Prawn Fishery from 1 January 1990 to 31 December 1990; or
 - (b) that the boat replaces a boat to which paragraph (a) applied.

Application for a licence

7. The licensee of a boat which fulfils the criteria in clause 6 (a) or (b) may apply in accordance with clause 16 for a licence authorising the boat to operate in the Fishery.

Details on licence

8. A licence shall contain the following details—
 - (a) the name and licensed fishing boat number in respect to 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; and
 - (f) any conditions imposed on the licence.

Closure of the fishery

9. (1) A person shall not take, or attempt to take prawns—
- during the period commencing on 1 January and ending at 0800 hours on a date to be determined and advised in writing by the Minister and commencing on 1 June and ending on 31 December in any year in the area of the Fishery described in 2 (a) of the Schedule;
 - during the period commencing on 1 January and ending at 0800 hours on a date to be determined and advised in writing by the Minister in any year and commencing on 15 November and ending on 31 December in any year in the area of the Fishery described in 2 (b) of the Schedule; and
 - during the period commencing on 1 January and ending on 31 March in any year and commencing on 15 November and ending on 31 December in any year in the area of the Fishery described in 2 (c) of the Schedule.
- (2) The Minister may specify in writing dates, times and areas other than those specified in subclause (1).

Authorised means of operating in the Fishery

10. A person shall not take, or attempt to take, prawns by any means from a licensed boat in the Fishery other than by otter trawl nets in any combination provided that the total headrope length does not exceed 29.27 metres.

Transfer of licence

11. 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

12. (1) For the purpose of this clause—
- “code” means the Uniform Shipping Laws Code Adopted by the Marine and Ports Council of Australia and published in the *Commonwealth of Australia Gazette* on 11 May 1981;
- “B” means “breadth” as defined in the Code;
- “D” means “depth” as defined in the Code;
- “IEP” means installed engine power in kilowatts of the boat’s engine as certified by the supplier;
- “ML” means “measured length” as defined in the Code measured in accordance with Appendix A to Section 1 of the Code.
- (2) Subject to the prior written approval of the Director a boat licensed to operate in the Fishery may be replaced by a boat provided that the replacement boat does not exceed 375 boat units calculated in accordance with the following formula—

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

Boat modification

13. The licensee of a boat licensed to operate in the Fishery shall not, without the prior written approval of the Director, repower the boat by—
- changing the configuration of the existing engine, gearbox, propeller, propeller shaft or other components; or
 - installing a new engine.

Engine seals

14. (1) The licensee of a boat licensed to operate in the Fishery shall—
- on the written instruction of the Director cause the suppliers of an engine for the boat to install a lead seal on the fuel pump of such engine; and
 - authorise the Director to install or permit the installation of any such further lead seals as the Director may require.
- (2) The licensee of the boat the engine of which has installed a seal in accordance with subclause (1) (a) or (b) shall—
- not permit the removal or allow any interference to such seal without the prior written approval of the Director; and
 - immediately report to the Director any interference to such seal caused by accident or mechanical requirements and as soon as practical thereafter arrange for recertification of the installed engine power by the supplier and the installation of a new seal.

Inspection of engine and seals

15. The licensee of a boat licensed to operate in the Fishery shall permit the inspection of the engine configuration and any seal by an officer of the Fisheries

Department and shall permit on board the boat any person such officer may require for such inspection.

Application and fees

16. Applications under clauses 7, 11 and 12 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

17. (1) Where, for the purposes 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 at 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

18. The following notices are cancelled—

- (a) The notice relating to the Nickol Bay Prawn Fishery published in the *Gazette* of 12 December 1980;
- (b) Notice Nos. 220 and 221 published in the *Gazette* of 4 April 1986; and
- (c) Notice No. 247 published in the *Gazette* of 20 March 1987.

Schedule

Item 1.

All waters of the Indian Ocean and Nickol Bay between 116°45' east longitude and 120° east longitude and on the landward side of the 200 metre isobath.

Item 2.

- (a) The area of the Fishery south of a line drawn from Sloping Point on Burrup Peninsula to the western extremity of Dixon Island.
- (b) The area of the Fishery inside of a line commencing at the intersection of the high water mark on the north west coast of the mainland of Western Australia and 117°44'20" east longitude; thence extending northerly to the southern most extremity of Depuch Island; thence along the eastern most shore of that Island to its northern most extremity; thence due west to its intersection with 117°33' east longitude; thence due south along 117°33' east longitude to its intersection with the highwater mark on the mainland of Western Australia and thence generally north to the commencing point.
- (c) That area of the Fishery—
 - (i) within a ten nautical mile radius from Larry Point; and
 - (ii) within a ten nautical mile radius from Spit Point.

Dated 9 April 1991.

GORDON HILL, Minister for Fisheries.

FI302

FISHERIES ACT 1905

SHARK BAY SCALLOP LIMITED ENTRY FISHERY AMENDMENT NOTICE
1991

Notice No. 487

FD 376/83.

Made by the Minister under section 32.

Citation

1. This notice may be cited as the *Shark Bay Scallop Limited Entry Fishery Amendment Notice 1991*.

Principal Notice

2. In this notice the *Shark Bay Scallop Limited Entry Fishery Notice No. 436** is referred to as the principal notice.

Clause 10 amended

3. Clause 10 of the principal notice is amended—

(a) In paragraph (a) by—

(i) deleting "15 May" and substituting " 20 April ";

and

(ii) deleting "2 November" and substituting " 23 October ";

(b) In paragraph (b) by—

(i) deleting "16 May" and substituting " 21 April "; and

(ii) deleting "1 November" and substituting " 22 October ";

(d) By adding the following subclause—

" (3) A class "B" boat shall not be used and a person shall not permit it to be used to take scallops during the full moon closure as advised in writing by the Minister. "

Clause 11 amended

4. Clause 11 of the principal notice is amended by—

(a) deleting "Director" and substituting " Minister ";

(b) adding the following subclause—

" (3) Unless authorised in writing by the Minister—

(a) a class "A" boat shall not have more than 13 persons on board at any one time; or

(b) a class "B" boat shall not have more than 6 persons on board at any one time. "

[*Published in the Gazette on 23 February 1990.]

Dated this 13th day of April 1991.

GORDON HILL, Minister for Fisheries.

FI303**FISHERIES ACT 1905****CLOSED WATERS NETTING (WEST OF ALBANY) AMENDMENT NOTICE 1991**

Notice No. 491

FD 552/75.

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

Citation

1. This notice may be cited as the *Closed Waters Netting (West of Albany) Amendment Notice 1991*.

Principal notice

2. In this notice the *Closed Waters Netting (West of Albany) Notice No. 421** is referred to as the principal notice.

Schedule amended

3. The schedule to the principal notice is amended in Area 4—Irvin Inlet by deleting the reference to permitted times for haul nets in Column 3 and substituting " From 1600 hours on 1 May in any year to 1200 hours on 31 October next following. "

[Published in the Gazette on 23 February 1990].

Dated this 11th day of April 1991.

GORDON HILL, Minister for Fisheries.

FI304**FISHERIES ACT 1905****KIMBERLEY PRAWN FISHERY AMENDMENT NOTICE 1991**

Notice No. 492

FD 496/84.

Made by the Minister under sections 9 and 11 of the Act.

Citation

1. This notice may be cited as the *Kimberley Prawn Fishery Amendment Notice 1991*.

Principal notice

2. In this notice the *Kimberley Prawn Fishery Notice No. 475** is referred to as the principal notice.

Clause 2 amended

3. Clause 2 of the principal notice is amended in subparagraph (a) (ii) by deleting "6" where it first occurs and substituting " 8 ".

[Published in the Gazette on 22 February 1991].

Dated this 11th day of April 1991.

GORDON HILL, Minister for Fisheries.

HEALTH

HE401

HOSPITALS ACT 1927

Health Department of WA,
Perth, 16 April 1991.

SG 1.9 ExCo No. 3473.

His Excellency the Governor in Executive Council has appointed under the provisions of the Hospitals Act 1927, Ms B. Spain and Mr R. Turner as members of the Sir Charles Gairdner Hospital Board for the period ending 31 December 1991, *vice* Ms P. Keeley and Mr E. Kelly resigned.

MICHAEL M. DAUBE, Acting Commissioner of Health.

HE402

HOSPITALS ACT 1927

Health Department of WA,
Perth, 16 April 1991.

902/89. ExCo 3474.

His Excellency the Governor in Executive Council has approved under Section 17 (2) of the Hospitals Act 1927, the transfer of land and property listed below, from the Lakes Hospital Board to Her Majesty Queen Elizabeth the Second.

Transfer is required for subdivision purposes under direction of the Asset Management Task Force and Agreement by the Lakes Hospital Board.

The land is to be subdivided for Health Department/Public Hospital and other Government requirements and also the establishment of a private hospital.

Property Details—

1. Reserve 36727: Location 2338, Certificate of Title Volume 1765 Folio 185 (formerly Crown Grant in Trust Vol. 1626, Folio 318).

MICHAEL M. DAUBE, Acting Commissioner of Health.

HE403

HOSPITALS ACT 1927

Health Department of WA,
Perth, 16 April 1991.

NS 1.9 ExCo No. 3472.

His Excellency the Governor in Executive Council has appointed under the provisions of the Hospitals Act 1927, Ms R. A. Paraha as a member of the Norseman District Hospital Board for the period ending 30 September 1992, *vice* Mr A. Boyes resigned.

MICHAEL M. DAUBE, Acting Commissioner of Health.

HE404

HOSPITALS ACT 1927

Health Department of WA,
Perth, 3 April 1991.

9270/89.

The appointment of Mr Craig Kimpton as a Health Surveyor to the City of Stirling effective from 27 February 1991 is approved.

WAYNE JOLLEY, Delegate of Acting Executive Director Public Health.

LAND ADMINISTRATION

LA201

**LAND ACT 1933
ORDERS IN COUNCIL
(Vesting of Reserves)**

By the direction of His Excellency the Governor under section 33 (2), the following reserves have been vested.

DOLA File 2813/983.

Reserve No. 39204 (Gregory Location 52) vested in the Shire of Ashburton for the designated purpose of "Recreation—Archery" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

DOLA File 3233/979.

Reserve No. 36933 (Onslow Lots 934 and 935) vested in the Government Employees Housing Authority for the designated purpose of "Housing".

DOLA File 2019/914.

Reserve No. 19566 (Nelson Location 10843 and Pemberton Lot 84) vested in the Minister for Works for the designated purpose of "Use and Requirements of the Minister for Works" with power, to lease the whole or any portion thereof for any term.

DOLA File 3408/990.

Reserve No. 41719 (Plantagenet Location 7677) vested in the Shire of Albany for the designated purpose of "Pedestrian Access Way".

DOLA File 274/961.

Reserve No. 26221 (Plantagenet Locations 6867 and 7678) vested in the Shire of Albany for the designated purpose of "Recreation (excluding use of the land for Public Camping and Caravan Park)".

DOLA File 191/960.

Reserve No. 25737 (Swan Locations 6981 and 7893) vested in the Authority for Intellectually Handicapped Persons for the designated purpose of "Housing".

L. M. AULD, Clerk of the Council.

LA202

**LAND ACT 1933
ORDERS IN COUNCIL
(Revocation of Vestings)**

By the direction of His Excellency the Governor under section 34B (1), the following Order in Council and Associated Vesting Orders are revoked.

DOLA File 1057/955.

Order in Council gazetted on 21 July 1989 vesting Reserve No. 24406 (Mount Barker Lots 494 to 496 inclusive) in the Chief Executive Officer of the Department of Agriculture for the designated purpose of "Office Site".

DOLA File 2813/983.

Order in Council gazetted on 20 September 1985 vesting Reserve No. 39204 (Gregory Location 52) in the Shire of West Pilbara for the designated purpose of "Pistol Club and Range".

DOLA File 274/961.

Order in Council gazetted on 15 April 1965 vesting Reserve No. 26221 (Plantagenet Location 6867) in the Shire of Albany for the designated purpose of "Recreation (excluding use of the land for Public Camping and Caravan Park)".

DOLA File 191/960.

Order in Council gazetted on 26 August 1960 vesting Reserve No. 25737 in the Perth Road Board for the designated purpose of "Drainage Sump".

DOLA File 1268/988.

Order in Council gazetted on 11 February 1966 vesting Reserve No. 27634 (Swan Location 7893) in the Shire of Perth for the designated purpose of "Drain".

L. M. AULD, Clerk of the Council.

LA401

LOCAL GOVERNMENT ACT 1960
DECLARATION OF PUBLIC STREETS
 Orders of the Minister for Lands
 Made Under Section 288

At the request of the Local Government nominated the land specified in the Notice is now declared to be absolutely dedicated as a public street.

Notice

1. City of Armadale (DOLA File 500/991)
 Road No. 18223 (Paterson Road). The whole of Paterson Road shown coloured brown on DOLA Office of Titles Plan 2137.
 (Public Plan: Perth 1:2000 23.05)

A. A. SKINNER, A/Executive Director,
 Department of Land Administration.

LA402

FORFEITURES

Department of Land Administration

The following Leases and Licences together with all Rights, Title and Interest therein have this day been forfeited to the Crown under the Land Act 1933 for the reasons stated.

Name; Lease or Licence; District; Reason; Corres. No.; Plan.

- Baqueta Pty Ltd; 345B/744 (CL 616/1989); Burracoppin Lot 60; Non-payment of Instalments; 1990/1986; Burracoppin Townsite 8:06.
- Black Range Holdings Pty Ltd; 345B/947 (CL 141/1990); Popanyinning Lot 317; Non-payment of Instalments; 3870/1989; Popanyinning Townsite.
- Black Range Holdings Pty Ltd; 345B/961 (CL 171/1990); Popanyinning Lot 166; Non-payment of Instalments; 422/1984; Popanyinning Townsite.
- Black Range Holdings Pty Ltd; 345B/954 (CL 160/1990); Popanyinning Lot 163; Non-payment of Instalments; 415/1984; Popanyinning Townsite.
- Black Range Holdings Pty Ltd; 345B/959 (CL 170/1990); Popanyinning Lot 162; Non-payment of Instalments; 414/1984; Popanyinning Townsite.
- Black Range Holdings Pty Ltd; 345B/960 (CL 307/1990); Popanyinning Lot 60; Non-payment of Instalments; 1845/1986; Popanyinning Townsite.
- Black Range Holdings Pty Ltd; 338/19526 (CL 749/1990); Boulder Lot 3967; Non-payment of Instalments; 695/1987; Kal/Boulder Townsite 30:34.
- C. K. de Burgh; 345B/821 (CL 852/1989); Condingup Lot 64; Non-payment of Instalments; 971/976; Condingup Townsite.
- Robert Ronald Gilpin; 345B/733 (CL 1486/1989); Sandstone Lot 236; Non-compliance with conditions; 3316/979; Sandstone Townsite.
- Stefan Olszewski; 3116/9625 (CL 90/1987); Wyndham Lot 1708; Non-compliance with conditions; 938/84; Mt Erskine NE 1:25 000.
- C. G. Petersen; 345B/739 (CL 313/1989); Dwellingup Lot 247; Non-compliance with conditions; 1793/969D; Dwellingup Townsite.
- United Goldfields Engineering Pty Ltd; 3116/10399 (CL 127/1990); Cue Lot 579; Non-payment of rent; 3997/989; Cue 15.07.
- Western United Mining Services Pty Ltd; 345B/502 (CL 1545/1989); Southern Cross Lot 881; Non-compliance with conditions; 4057/1980; Southern Cross South.
- E. and J. Mattson; 338/19423 (CL 378/1990); Greenbushes Lot 269; Non-payment of Instalments; 410/1914; Greenbushes Townsite 26:15.
- Murchison Region Aboriginal Corporation; 345B/652 (CL 1968/1989); Yalgoo Lot 51; Non-compliance with conditions; 1507/1988; Yalgoo Townsite Campbell Street.
- Murchison Region Aboriginal Corporation; 345B/653; Yalgoo Lot 50; Non-compliance with conditions; 1502/1988; Yalgoo Townsite Campbell Street.

A. A. SKINNER, Acting Executive Director.

LA701

LAND ACT 1933
RESERVATION NOTICES

Made by His Excellency the Governor under section 29.

The Crown Land described below have been set apart as public reserves.

DOLA File 846/991.

Reserve No. 41713 comprising Wiluna Lots 112 and 118 with an area of 2 024 square metres on Wiluna 149/1 for the designated purpose of "Use and Requirements of the Government Employees Housing Authority".

Public Plan: Wiluna Townsite Scotia Street.

DOLA File 14039/903V2.

Reserve No. 41720 comprising Geraldton Lots 2917, 2919 and 2920 with an area of 18.911 7 hectares on Land Administration Plan 17784 and Diagram 89925 for the designated purpose of "Use and Requirements of the Minister for Works".

Public Plan: Geraldton BE43 1:2 000 15.17, 15.18, 16.17, 16.18 Flores Road.

DOLA File 2609/989.

Reserve No. 5870 comprising Albany Lot 625 with an area of 3 909 square metres for the designated purpose of "Use and Requirements of the Minister for Works".

Public Plan: Albany 1:2 000 10.04 Castle Street.

DOLA File 3408/990.

Reserve No. 41719 comprising Plantagenet Location 7677 with an area of 86 square metres on Land Administration Diagram 89829 for the designated purpose of "Pedestrian Access Way".

Public Plan: Albany BK25 (2) 14.37 Saint Georges Crescent.

A. A. SKINNER, Acting Executive Director.

LA801

LAND ACT 1933
AMENDMENT OF RESERVES

Made by His Excellency the Governor under Section 37.

The following Reserves have been amended.

DOLA File: 1822/979.

Reserve No. 36484 (Swan District) "Drain" to comprise Swan Location 11356 as delineated on Land Administration Diagram 89794 in lieu of Location 10048 and of its area being reduced to 734 square metres accordingly.

Public Plan: Perth BG34 2 000 24.31 Luffe Court.

DOLA File: 2892/983.

Reserve No. 38743 (Avon Location 28789) "Water Supply" to exclude those portions the subject of Land Administration Diagram 89906 and of its area being reduced to 2.921 9 hectares accordingly.

Public Plan: Northam BH35 (2) 22.17 Roediger Drive.

DOLA File: 1057/955.

Reserve No. 24406 (at Mount Barker) "Office Site" to comprise Mount Barker Lot 613 in lieu of Lots 494 to 496 inclusive and of its area remaining unaltered.

Public Plan: Mount Barker 1:2 000 38.08 Thomas Street.

DOLA File: 3233/979.

Reserve No. 36933 (at Onslow) "Government Requirements (P.W.D.)" to comprise Onslow Lots 934 and 935 as surveyed on Land Administration Diagram 89873 in lieu of Lot 595 and of its area remaining unaltered.

Public Plan: Onslow 1:2 000 BE 63/38.07 First Street.

DOLA File: 14039/903V2.

Reserve No. 9055 (at Geraldton) "Railway" to comprise Geraldton Lot 811 as surveyed on Land Administration Diagram 89975 and of its area being reduced to 3.350 8 hectares accordingly.

Public Plan: Chapman BE43 (2) 15.18 North West Coastal Highway.

DOLA File: 7211/949.

Reserve No. 23056 (Tambellup Lots 252, 254, 258 to 262 inclusive and 268) "Railway Purposes" to exclude Tambellup Lot 261 and of its area being reduced to 7990 square metres accordingly.

Public Plan: Tambellup 1:2 000 37.33 and 37.34 Taylor Street.

DOLA File: 2349/970.

Reserve No. 30629 (at Gledhow) "Government Requirements" to comprise Gledhow Lot 126 (formerly Gledhow Suburban Lot 18) and of its area remaining unaltered.

Public Plan: Albany 1:2 000 8.06 Fleet Street.

DOLA File: 3327/989.

Reserve No. 8888 (Swan District) "Use and Requirements of the Minister for Works" to comprise Swan Location 11526 as surveyed on Land Administration Plan 17774 in lieu of Perth Suburban Lot 442 and of its area being reduced to 12.760 8 hectares accordingly.

Public Plan: Perth 1:2 000 11.25 and 11.26 Roydhouse Street.

DOLA File: 274/961.

Reserve No. 26221 (Plantagenet Location 6867) "Recreation (excluding use of the land for Public Camping and Caravan Park)" to include Plantagenet Location 7678 as surveyed on Land Administration Diagram 89829 and of its area being increased to 3.082 6 hectares accordingly.

Public Plan: Albany BK25 (2) 14.37 Off Saint Georges Crescent.

DOLA File: 191/960.

Reserve No. 25737 (Swan District) "Drainage Sump" to comprise Swan Locations 6981 and 7893 as surveyed on Lands Titles office Diagrams 24828 and 26262 respectively and of its area being increased to 1537 square metres accordingly.

Public Plan: Perth 1:2 000 14.30 Mileto Street.

A. A. SKINNER, Acting Executive Director.

LA901

LAND ACT 1933

CHANGE OF PURPOSES OF RESERVES

Made by His Excellency the Governor under Section 37.

The purpose of the following reserves have been changed.

DOLA File: 1057/955.

Reserve No. 24406 (Mount Barker Lot 613) being changed from "Office Site" to "Use and Requirements of the Minister for Works".

Public Plan: Mount Barker 1:2 000 38.08 Thomas Street.

DOLA File: 2813/983.

Reserve No. 39204 (Gregory Location 52) being changed from "Pistol Club and Range" to "Recreation—Archery".

Public Plan: Mount Lionel 1:100 000 near Rocklea—Tom Price.

DOLA File: 3233/979.

Reserve No. 36933 (Onslow Lots 934 and 935) being changed from "Government Requirements (P.W.D.)" to "Housing".

Public Plan: Onslow 1:2 000 BE 63/38.07 First Street.

DOLA File: 2349/970.

Reserve No. 30629 (Gledhow Lot 126) being changed from "Government Requirements" to "Use and Requirements of the Minister for Works".

Public Plan: Albany 1:2 000 8.06 Fleet Street.

DOLA File: 2019/914.

Reserve No. 19566 (Nelson Location 10843 and Pemberton Lot 84) being changed from "School Site" to "Use and Requirements of the Minister for Works".

Public Plan: Pemberton 1:2 000 25.28 Brockman Street.

DOLA File: 8431/910.

Reserve No. 16762 (Albany Lots 68, 69, 70 and 1276) being changed from "Government Requirements" to "Use and Requirements of the Minister for Works".

Public Plan: Albany 1:2 000 10.04 Festing Street.

DOLA File: 4084/912.

Reserve No. 18817 (Albany Lots 771 and 772) being changed from "Public Utility" to "Use and Requirements of the Minister for Works".

Public Plan: Albany 1:2 000 12.03 Jellicoe Street.

DOLA File: 4456/952.

Reserve No. 38065 (Albany lot 1351) being changed from "Government Requirements" to "Use and Requirements of the Minister for Works".

Public Plan: Albany 1:2 000 12.05 Wakefield Crescent.

DOLA File: 191/960.

Reserve No. 25737 (Swan Locations 6981 and 7893) being changed from "Drainage Sump" to "Housing".

Public Plan: Perth 1:2 000 14.30 Mileto Street.

A. A. SKINNER, Acting Executive Director.

LB201

LAND ACT 1933 CANCELLATION OF RESERVES

Made by His Excellency the Governor under section 37.

The following reserves have been cancelled.

DOLA File 1268/988.

Reserve No. 27634 (Swan Location 7893) "Drain".

Public Plan: Perth 1:2 000 14.30 Mileto Street.

DOLA File 3049/990.

Reserve No. 41531 (Wiluna Lots 31 and 32) "Use and Requirements of the Government Employees Housing Authority".

Public Plan: Wiluna Townsite Wotton Street.

A. A. SKINNER, Acting Executive Director.

LB301

PUBLIC WORKS ACT 1902 SALE OF LAND

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 the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

File No. 2609/989.

Albany Lot 625 held as Reserve 5870 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 737.

Land

File No. 4456/952.

Albany Lot 1351 held as Reserve 38065 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 736.

Land

File No. 8431/910.

Albany Lots 68, 69, 70 and 1276 held as Reserve 16762 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 733.

Land

File No. 4084/912.

Albany Lots 771 and 772 held as Reserve 18817 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 735.

Land

File No. 2349/970.

Glendhow Sub-lot 18 held as Reserve 30629 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 734.

Land

File No. 14039/903.

Geraldton Lots 2917, 2919 and 2920 held as Reserve 41720 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 739.

Land

File No. 879/991.

Portion of Geraldton Suburban Lot 173 and being Lot 115 on Plan 6146, being the whole of the land contained in Certificate of Title Volume 1153 Folio 281 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 732.

Land

File No. 756/991.

Portion of Bunbury Lot 438 and being Lot 87 on Diagram 38931 being the whole of the land contained in Certificate of Title Volume 371 Folio 181A as is shown more particularly delineated and coloured green on Plan L.A.W.A. 731.

Land

File No. 3780/990.

Portion of Swan Location K1 and being part of Lot 37 on Plan 2746 (1) being part of the land contained in Certificate of Title Volume 1813 Folio 371 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 730.

Dated this 16th day of April 1991.

A. A. SKINNER, Acting Executive Director,
Department of Land Administration.

LB302**PUBLIC WORKS ACT 1902****SALE OF LAND**

File No. 2480/1988.

Notice is hereby given that His Excellency the Governor has approved under Section 29B (1) (a) (i) of the Public Works Act 1902 of 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 South Suburban School 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 3390 now shown as portion of Canning Location 3647 held as Reserve 22151 as is shown more particularly delineated and coloured green on Plan L.A., W.A. 722.

File No. 2480/1988.

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 3390 now shown as portion of Canning Location 3647 held as Reserve 22151 as is shown more particularly delineated and coloured green on Plan L.A., W.A. 721.

File No. 2081/1990.

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

Toodyay Lot 178 being the whole of the land contained in Certificate of Title Volume 1421 Folio 332 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 720.

Portion of Toodyay Lot 177 being part of the land contained in Certificate of Title Volume 1421 Folio 331 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 720.

Dated this 16th day of April 1991.

A. A. SKINNER, Acting Executive Director.

CORRIGENDUM

File Ref: 1158/1985.

This gazettal supersedes gazettal 23.6.89 page 1817 and gazettal 14.9.90 page 4782.

Road No. 17985 (i) (Koombana Drive) a strip of land varying in width, commencing at a line joining the westernmost northwestern corner of Bunbury Lot 707 (Reserve 40834) with the western corner of Bunbury Lot 673 and extending generally northeasterly along the northwestern boundaries of Bunbury Lot 707 (Reserve 40834) to a line in prolongation northerly of the eastern boundary of the last mentioned lot.

(ii) (extension and widening) Those portions of Bunbury Lot 673, Bunbury Lot 707 (Reserve 40834) and vacant Crown Land as delineated and coloured dark brown on Land Administration Diagram 88772.

Reserve 40834 is hereby reduced by 158 m².

A. A. SKINNER, Acting Executive Director.

LB701**PUBLIC WORKS ACT 1902; LOCAL GOVERNMENT ACT 1960**

Department of Land Administration,
Perth,

It is hereby declared that, pursuant to the Resolution of the Town of Mosman Park passed at a meeting of the Council held on or about September 19 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:—

Mosman Park

1430/990.

Road No. 18166 (Singleton Place) the whole of Mosman Park Lot 555 and vacant Crown Land as delineated and coloured dark and mid-brown on Land Administration Diagram 89515.

632 square metres being the whole of Mosman Park Lot 555 is hereby resumed.

(Public Plan: Perth 07.18 1:2 000, F9-4).

And whereas His Excellency the Governor 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 this 11th day of September 1990.

KAY HALLAHAN, Minister for Lands.

File No. 669/1987.

Ex. Co. No. 3395.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902**LAND RESUMPTION**

Deviation of Station Street—Road No. 634—City of Perth

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the City of Subiaco passed at a meeting of the Council held on or about 18th May 1987 the several pieces or parcels of land described in the Schedule hereto, being all in the Perth District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 16th day of April 1991, have been set apart, taken or resumed for the purpose of the following public work, namely, Deviation of Station Street—Road No. 634—City of Perth.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 89901 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 Her Majesty for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

| Owner or Reputed Owner | Occupier or Reputed Occupier | Description | Area |
|------------------------|------------------------------|---|-------------------|
| Crown | Crown | Portion of Perth Sub Lot 442 being part of the land held as Reserve 8888. | 39 m ² |

Certified correct this 9th day of April 1991.

DAVID SMITH, Minister for Lands.

Dated this 16th day of April 1991.

FRANCIS BURT, Governor in Executive Council.

File No. MRD 42-32-E.
Ex. Co. No. 3260.

PUBLIC WORKS ACT 1902

LAND RESUMPTION

South Western Highway (114.45 SLK)

Notice is hereby given, and it is hereby declared, that the said piece or parcel of land described in the Schedule hereto being all in the Manjimup District has, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 19th day of March 1991, been set apart for the purposes of the following public work, namely:—Road Widening—South Western Highway—Shire of Manjimup.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed is marked off and more particularly described on the Plan specified in the Schedule, which may be inspected at the Main Roads Department, Waterloo Crescent East 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 Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way, or other easements whatsoever.

Schedule

| Plan MRD No. | Owner or Reputed Owner | Occupier or Reputed Occupier | Description | Area |
|--------------|--------------------------------|------------------------------|--|--------------------|
| 91-5 | Chris Stoiche and John Stoiche | C & J Stoiche | Portion of Nelson Location 1024 being part of Lot 11 on Diagram 16078 now contained in Diagram 78829 and being part of the land contained in Certificate of Title Volume 1718 Folio 497. | 901 m ² |

Certified correct this 25th day of February 1991.

PAM BEGGS, Minister for Transport.

Dated this 19th day of March 1991.

FRANCIS BURT, Governor in Executive Council.

File No. 1027/1987.
Ex. Co. No. 3320.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902

LAND RESUMPTION

Road No. 18232—Shire of Harvey

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Harvey passed at a meeting of the Council held on or about 31st March 1987 the said piece or parcel of land described in the Schedule hereto, being all in the Wellington District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 3rd day of April 1991, been set apart, taken or resumed for the purpose of the following public work, namely:—Road No. 18232—Shire of Harvey.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration

Diagram 89841 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 Her Majesty in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

| Owner or Reputed Owner | Occupier or Reputed Occupier | Description | Area |
|------------------------|------------------------------|--|-----------|
| Crown | Crown | Portion of Wellington Location 1187 held as State Forest 15. | 1.6988 ha |

Certified correct this 14th day of March 1991.

DAVID SMITH, Minister for Lands.

Dated this 3rd day of April 1991.

FRANCIS BURT, Governor in Executive Council.

File No. 3784/1989.

Ex. Co. No. 3324.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902

LAND RESUMPTION

Snelling Road—Road No. 18233—Shire of Dardanup

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Dardanup passed at a meeting of the Council held on or about 18th August 1989 the said piece or parcel of land described in the Schedule hereto, being all in the Wellington District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 3rd day of April 1991, have been set apart, taken or resumed for the purpose of the following public work, namely:—Snelling Road—Road No. 18233—Shire of Dardanup.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 89792 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 Her Majesty in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

| Owner or Reputed Owner | Occupier or Reputed Occupier | Description | Area |
|------------------------|------------------------------|---------------------------------|-----------|
| Crown | Crown | Portion of State Forest No. 25. | 1.0808 ha |

Certified correct this 14th day of March 1991.

DAVID SMITH, Minister for Lands.

Dated this 3rd day of April 1991.

FRANCIS BURT, Governor in Executive Council.

File No. 3632/1989.

Ex. Co. No. 3317.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902

LAND RESUMPTION

Road Deviation—Murphy Yetna Road—Road No. 1534—Shire of Chapman Valley

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Chapman Valley passed at a meeting of the Council held on or about 20th December 1988 the said piece or parcel of land described in the Schedule hereto, being all in the Victoria District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 3rd day of April 1991, have been set apart, taken or resumed for the purpose of the following public work, namely:—Road Deviation—Murphy Yetna Road—Road No. 1534—Shire of Chapman Valley.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 89659 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 Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

| Owner or Reputed Owner | Occupier or Reputed Occupier | Description | Area |
|--|--|---|---------------------|
| Wayne Kenneth Proudlove Jill Proudlove Albert John Pepperell Georgina Rosabel Pepperell | Wayne Kenneth Proudlove Jill Proudlove Albert John Pepperell Georgina Rosabel Pepperell | Portion of Victoria Location 2625 being part of the land contained in Certificate of Title Volume 9 Folio 182 "A" | 2985 m ² |

Certified correct this 26th day of March 1991.

DAVID SMITH, Minister for Lands.

Dated this 3rd day of April 1991.

FRANCIS BURT, Governor in Executive Council.

File No. 3058/1988.
Ex. Co. No. 3323.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902

LAND RESUMPTION

Road Widenings—Cliff Street, Sorrento—Road No. 10841—City of Wanneroo

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the City of Wanneroo passed at a meeting of the Council held on or about 16th December 1987 the several pieces or parcels of land described in the Schedule hereto, being all in the Swan District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 3rd day of April 1991, have been set apart, taken or resumed for the purpose of the following public work, namely:—Road Widenings—Cliff Street, Sorrento—Road No. 10841—City of Wanneroo.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 89920 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 Her Majesty for an estate fee in simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

| Owner or Reputed Owner | Occupier or Reputed Occupier | Description | Area |
|---|---|---|------------------|
| Tony Ashby Pty. Ltd. | Tony Ashby Pty. Ltd. | Portion of Swan Location 1472 and being part of Lot 287 on plan 2820 being part of the Land contained in Certificate of Title Volume 1218 Folio 745 | 18m ² |
| Colleen Mary Stuart | Colleen Mary Stuart | Portion of Swan Location 1472 and being part of Lot 384 on Plan 2820 being part of the Land contained in Certificate of Title Volume 62 Folio 2A | 18m ² |
| Arthur Thorndike Davies and Inez Theone Davies | Arthur Thorndike Davies and Inez Theone Davies | Portion of Swan Location 1472 and being part of Lot 383 on Plan 2820 being part of the Land contained in Certificate of Title Volume 33 Folio 258A | 12m ² |
| Alfred John Smallacombe and Hazel Alice Smallacombe | Alfred John Smallacombe and Hazel Alice Smallacombe | Portion of Swan Location 1472 and being part of Lot 288 on Plan 2820 being part of the Land contained in Certificate of Title Volume 1100 Folio 254 | 12m ² |

Schedule

| Owner or Reputed Owner | Occupier or Reputed Occupier | Description | Area |
|---|---|---|-----------------|
| Graham Desmond Nottle and Cheryl Joy Nottle | Graham Desmond Nottle and Cheryl Joy Nottle | Portion of Swan Location 1472 and being part of Lot 246 on Plan 2820 being part of the Land contained in Certificate of Title Volume 1177 Folio 303 | 5m ² |
| Anne Boyd Marsden | Anne Boyd Marsden | Portion of Swan Location 1472 and being Part of Lot 151 on Plan 2820 (Sheet 1) being part of the Land contained in Certificate of Title Volume 1592 Folio 380 | 5m ² |

Certified correct this 14th day of March 1991.

DAVID SMITH, Minister for Lands.

Dated this 3rd day of April 1991.

FRANCIS BURT, Governor in Executive Council.

File No. 2231/1989.
Ex. Co. No. 3319.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widening—Wambyn Road—Road No. 14253—Shire of York

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of York passed at a meeting of the Council held on or about 17th March 1989 the said piece or parcel of land described in the Schedule hereto, being all in the Avon District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 3rd day of April 1991, have been set apart, taken or resumed for the purpose of the following public work, namely:—Road Widening—Wambyn Road—Road No. 14253—Shire of York.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 89495 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 Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

| Owner or Reputed Owner | Occupier or Reputed Occupier | Description | Area |
|-------------------------------|-------------------------------|---|---------------------|
| Laurence David Chittleborough | Laurence David Chittleborough | Portion of Avon Location 27721 being part of the Land contained in Certificate of Title Volume 1811 Folio 184 | 2 563m ² |

Certified correct this 20th day of March 1991.

DAVID SMITH, Minister for Lands.

Dated this 3rd day of April 1991.

FRANCIS BURT, Governor in Executive Council.

File No. 2226/1989.
Ex. Co. No. 3327.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widening—Robinson Street—Road No. 18231—Town of Albany

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Town of Albany passed at a meeting of the Council held on or about 9th July 1987 the said piece or parcel of land described in the Schedule hereto, being all in the Albany District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive

Council, dated the 3rd day of April 1991, have been set apart, taken or resumed for the purpose of the following public work, namely:—Road Widening—Robinson Street—Road No. 18231—Town of Albany.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 89538 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 Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

| Owner or Reputed Owner | Occupier or Reputed Occupier | Description | Area |
|------------------------|------------------------------|--|------------------|
| John Bryan Negus | John Bryan Negus | Portion of Albany Lot 483 being part of the land contained in Certificate of Title Volume 1603 Folio 631 | 34m ² |

Certified correct this 14th day of March 1991.

DAVID SMITH, Minister for Lands.

Dated this 3rd day of April 1991.

FRANCIS BURT, Governor in Executive Council.

File No. 1715/1967.
Ex. Co. No. 3316.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902

LAND RESUMPTION

Road Widening—Gordon Road—Road No. 12300—Shire of Cranbrook

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Cranbrook passed at a meeting of the Council held on or about 10th March 1990 the said piece or parcel of land described in the Schedule hereto, being all in the Hay District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 3rd day of April 1991, have been set apart, taken or resumed for the purpose of the following public work, namely:—Road Widening—Gordon Road—Road No. 12300—Shire of Cranbrook.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 89813 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 Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

| Owner or Reputed Owner | Occupier or Reputed Occupier | Description | Area |
|------------------------|------------------------------|---|-------------------|
| Ronald John Lathwell | Ronald John Lathwell | Portion of Hay Locations 376 and being part of the land contained in Certificates of Title Volume 338 Folio 4A and Volume 338 Folio 3A. | 653m ² |

Certified correct this 26th day of March 1991.

DAVID SMITH, Minister for Lands.

Dated this 3rd day of April 1991.

FRANCIS BURT, Governor in Executive Council.

File No. 1052/1989.
Ex. Co. No. 3321.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widening—Carbunup Brook Road—Road No. 3012—Shire of Bridgetown-Greenbushes

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Bridgetown-Greenbushes passed at a meeting of the Council held on or about 1st March 1989 the said piece or parcel of land described in the Schedule hereto, being all in the Nelson District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 3rd day of April 1991, have been set apart, taken or resumed for the purpose of the following public work, namely:—Road Widening—Carbunup Brook Road—Road No. 3012—Shire of Bridgetown-Greenbushes.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 89889 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 Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

| Owner or Reputed Owner | Occupier or Reputed Occupier | Description | Area |
|-------------------------|------------------------------|---|-------------------|
| Gerald Leopold Wheatley | Gerald Leopold Wheatley | Portion of Nelson Location 626 being part of the Land Contained in Certificate of Title Volume 1300 Folio 670 | 733m ² |

Certified correct this 14th day of March 1991.

Dated this 3rd day of April 1991.

DAVID SMITH, Minister for Lands.

FRANCIS BURT, Governor in Executive Council.

File No. 4639/989.
Ex. Co. No. 3318.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widening—Stoneville Road—Road No. 1972—Shire of Mundaring

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Mundaring passed at a meeting of the Council held on or about 21st November 1990 the said piece or parcel of land described in the Schedule hereto, being all in the Swan District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 3rd day of April 1991, have been set apart, taken or resumed for the purpose of the following public work, namely:—Road Widening—Stoneville Road—Road No. 1972—Shire of Mundaring.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 89688 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 Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

| Owner or Reputed Owner | Occupier or Reputed Occupier | Description | Area |
|------------------------|------------------------------|---|-------------------|
| Glen Retreat Pty. Ltd. | Glen Retreat Pty. Ltd. | Portion of Swan Location 1699 being part of the Land contained in Certificate of Title Volume 1249 Folio 605. | 256m ² |

Certified correct this 20th day of March 1991.

Dated this 3rd day of April 1991.

DAVID SMITH, Minister for Lands.

FRANCIS BURT, Governor in Executive Council.

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 streets the roads in the various Municipalities as described in the abovementioned resumption notices.

By Order of the Minister for Lands.

Dated this 19th day of April 1991.

A. A. SKINNER, Acting Executive Director.

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1960*Municipality of the City of Belmont*

By-law Relating to Hawkers, Stallholders and Trading in Public Places

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 the sixteenth day of October 1989 to revoke the By-law to Regulate Hawkers published in the *Government Gazette* of 30 December, 1963 and to make and submit for confirmation by the Governor the following By-law:

Division 1—Preliminary

1.1 Citation

This by-law may be cited as "City of Belmont Hawkers, Stallholders and Trading in Public Places".

1.2 Application

This by-law shall apply and have force and effect throughout the whole of the district.

1.3 Interpretation

In this by-law unless the context otherwise requires:

1.3.1 "Act" means the Local Government Act 1960 and any regulations or by-law made thereunder;

"authorised person" means the Clerk of the Council or any Ranger, Health Surveyor or Building Surveyor employed by the Council or any other person appointed by the Council as an authorised person for the purposes of this by-law;

"community association" means an institution, association, club, society of body, whether incorporated or not, the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature and the members of which are not entitled or permitted to receive any pecuniary profit from the transactions thereof;

"Council" means the Council of the Municipality of the City of Belmont;

"district" means the municipal district of the City of Belmont;

"hawker" has the meaning given to it in s.217 of the Act.

"licence" means a licence issued under this By-law to hawk, conduct a stall, or carry out trading in a public place as the case may be;

"public place" includes a street, way and place which the public are allowed to use, whether the street, way or place is or is not on private property;

"street" includes a freeway, highway and thoroughfare which the public are allowed to use and includes every part of the freeway, highway or thoroughfare and other things including bridges and culverts appurtenant to it;

"stall" means a movable or temporarily fixed structure, stand or table and including but without limiting the generality of the foregoing a vehicle, on or from which goods, wares, merchandise or services are sold, hired or offered for sale or hire;

"stallholder" means a person in charge of a stall;

"trading" means selling or hiring of goods, wares, merchandise or services, or offering goods, wares, merchandise or services for sale or hire, in a street or other public place and includes displaying goods, wares or merchandise for the purpose of offering them for sale or hire, inviting offers for sale or hire, soliciting orders or carrying out any other transaction therein; but does not include the setting up of a stall, or the conducting of a business at a stall under the authority of a Stallholder's Licence issued under this by-law;

"vehicle" includes every conveyance, not being a train, boat, aircraft, or wheelchair and every object capable of being propelled or drawn on wheels or tracks by any means.

1.3.2 Unless otherwise defined herein, the terms and expressions used in this by-law shall have the meanings given to them in the Act.

1.3.3 In this by-law a reference to the Council having the power to do something in its discretion or a reference to the Council forming an opinion prior to the doing of anything shall be deemed to include a reference to any person, committee or body to whom the Council has delegated the power or the doing of the thing exercising such discretion or forming such opinion.

Division 2—Licences

2.1 Hawkers

2.1.1 A person shall not hawk any goods, wares or merchandise within the district unless that person holds a current Hawker's Licence issued pursuant to this by-law.

2.1.2 Applications (Hawkers)

Every application for a Hawker's Licence shall be in the form provided in Schedule 1 and shall specify:

- (a) the name and address of the applicant who seeks the licence;
- (b) the kind of goods, wares or merchandise which the applicant requires to hawk;
- (c) the type of vehicle, conveyance or means of carriage to be employed in hawking;
- (d) the period for which the licence is required;
- (e) where the licence is required for a part of the district, the part of the district to which it will apply;

2.1.3 Every application for a Hawker's Licence (other than a renewal) must be accompanied by a certificate signed by two Justices of the Peace certifying that the applicant is of good character and reputation, and is a fit person to exercise the trade of a hawker.

2.2 Stallholders

2.2.1 A person shall not conduct a stall for the sale of goods, wares or merchandise within the district unless that person holds a current Stallholder's Licence issued pursuant to this by-law.

2.2.2 Applications (Stallholders)

Every application for a Stallholder's Licence shall be in the form provided in Schedule 2 and shall specify:

- (a) the name and address of the applicant who seeks the licence;
- (b) the kinds of goods, wares or merchandise which the applicant desires to sell;
- (c) the location of the stall;
- (d) the period for which the licence is required.

2.3 Traders

2.3.1 A person shall not carry on trading in any street or public place within the district unless that person is the holder of a current Trader's Licence or is an assistant specified in a current Trader's Licence.

2.3.2 Applications (Traders)

Every application for a Trader's Licence shall be in the form provided in Schedule 3 and shall specify:

- (a) the full name and address of the applicant;
- (b) the proposed number and the names and addresses of assistants to be engaged by the applicant in trading pursuant to the licence;
- (c) specify the location for which the licence is sought;
- (d) be accompanied by an accurate plan and description of any proposed stand, table, structure or vehicle which may be used for trading;
- (e) specify the proposed days and hours of trading;
- (f) specify the proposed goods, wares, merchandise or services in respect of which trading will be carried on.

2.4 Selling of Newspapers

The requirement for a valid Trader's Licence to be held shall not apply to the selling or offering for sale of newspapers.

2.5 Discretion

2.5.1 The Council may in its discretion under this Division grant a licence or refuse to grant a licence or grant a licence subject to such conditions as it thinks fit and for a period of twelve (12) months or a lesser period as approved by Council.

2.5.2 The Council may refuse to issue a licence and may cancel a licence if the applicant or licensee has been twice convicted during the preceding five (5) years, or is twice convicted in the space of five (5) years of an offence against

2.5.3 The Council may refuse to issue a licence if:

- (a) in its opinion the needs of the district or the portion thereof for which the licence is sought are adequately catered for by established shops or by persons to whom licences have been issued;
- (b) the proposed activity or place of trading is in the opinion of Council undesirable;
- (c) the proposed stand, table, structure or vehicle is in the opinion of Council unsuitable in any respect to the location for which the licence is sought;
- (d) the gathering of customers would impede pedestrian or vehicle movements, or cause conflict with other activities;
- (e) the trading location is not provided with sufficient off-road parking so as to prevent a traffic hazard or danger to the public.

2.5.4 Notwithstanding the provisions of sub-clause 5.3; no licence shall be issued to trade in a public place that is located in any part of a controlled access highway, major highway or important regional road within the District as defined by the Metropolitan Region Scheme of the Metropolitan Region Town Planning Scheme Act 1959-1960 (as amended).

2.5.5 Where a licensee by reason of illness, accident or other cause is unable to comply with the By-law, Council may at the request of that licensee issue a permit in writing authorising a person named in the permit to be a nominee to occupy the period of the licensee's inability to comply with the licence or until the expiration of the term of the licence whichever is the earlier.

2.6 Conditions

Where a licence has been granted by the Council under this Division subject to conditions, the person to whom the licence has been granted shall ensure that the conditions are observed at all times. If any condition is not observed that person commits an offence against this by-law and the Council additionally or in the alternative to any Court action it undertakes in respect of such offence may exercise the power in clause 2.14 to cancel the licence.

2.7 Licence Certificate

The Council shall issue to every licensee a Licence Certificate in the form set out in Schedules 1, 2 or 3 respectively for which the licensee shall pay the sum set out in Schedule 4 which shall be displayed by the licensee hawking, conducting a stall or trading as the case may be and while that person is the holder of a hawker's, stallholder's or trader's licence under this by-law but not otherwise.

2.8 Transfer of Licence

Subject to subclause 2.5.5 a licence issued under this by-law shall not be transferable to another person.

2.9 Length of Licence

A licence under this by-law shall be valid until the 30th day of June next after it is granted or such lesser period as specified in the licence except where the licence is granted in the months of May or June when it shall extend to the 30th day of June in the year next following or such lesser period as specified.

2.10 Annual Renewal

Every application for the renewal of a licence for twelve (12) months shall be made annually during the month of June and every application for renewal of a licence for a period of less than twelve (12) months shall be made two weeks prior to the expiration date and shall be in writing accompanied by the licence then in force.

2.11 Fees

The fees and additional charges to be imposed for an application for registration and for every renewal thereof shall be those set out in Schedule 4. No licence is valid until the fees and charges have been paid.

2.12 Exemption from Fees and Charges

2.12.1 Notwithstanding clause 2.10 the Council may grant without fee or charge a licence to trade or conduct a stall in any street or way or on any land for any period specified in such licence if the stall is conducted by a community association within the meaning of s.242 of the Act.

2.13 Limitation of Licence

2.13.1 A licence granted to a hawker, trader or stallholder is valid for the hawking or trading of goods, wares, merchandise or services therein described only, and in the case of a licence limited to a part of the district, is valid for that part of the district only.

2.14 Cancellation

2.14.1 The Council may by written notice cancel any licence issued under this by-law for any of the reasons set out in subclause 2.5.2 or on the grounds—

- (a) that the licensee is not conducting the business the subject of the licence in a respectable or sober manner;
- (b) that the licensee has assigned the licence or no longer carries on the business the subject of the licence;
- (c) that the licensee is not regularly carrying on the business for which the licence was granted;
- (d) that the licensee has breached a condition of the licence.

2.14.2 Upon cancellation of a licence the holder thereof shall forthwith return the Licence Certificate issued pursuant to clause 2.7 to the Clerk and shall forfeit fees paid in respect of the licence.

Division 3—Conduct

3.1 A hawker while hawking, a stallholder while conducting a stall or a person carrying out trading shall—

- (a) display the Licence Certificate in a conspicuous place on the vehicle or temporary structure (in the case of a hawker or trader) or on the stall (in the case of a stallholder);
- (b) have the name of the trader (or his assistant where appropriate), hawker or stallholder displayed on the vehicle or stall;
- (c) when selling goods, wares or merchandise by weight, carry and use for that purpose, scales tested and certified in accordance with the provisions of the Weights and Measures Act, 1915.
- (d) in the case of a stallholder, maintain the stall in good order and condition.

3.2 A hawker, stallholder or trader shall not—

- (a) hawk, conduct a stall or carry on trading between the hours of sunset and sunrise the next day, or on any Sunday, Christmas Day or Good Friday without obtaining the written consent of Council;
- (b) attempt to conduct business within a distance of 200 metres of any shop or permanent place of business that is open for business and has for sale any goods, wares, merchandise or services of the kind being hawked or offered for sale by the stallholder or trader except by a community association stallholder within the meaning of s.242 of the Act.
- (c) call the licensee's wares or cause to make any outcry, noise or disturbance likely to be a nuisance or cause annoyance to any person in that vicinity;
- (d) deposit or store any box or basket containing goods, wares or merchandise under the vehicle of the licensee or upon the roadway or footpath;
- (e) obstruct the free passage of pedestrians or vehicles on any footpath or roadway;
- (f) act in an offensive manner;
- (g) in the case of a stallholder, conduct a stall on private property unless there is adequate provision on the private property adjacent to the stall for the parking of customer's vehicles.

3.3 A person shall not display a Licence Certificate without being the holder of a valid licence under this by-law.

Division 4—Offences and Penalties**4.1 Penalty Provisions**

4.1.1 Any person failing to do any act directed to be done, or doing any act forbidden to be done by this by-law, or any notice under this by-law commits an offence.

4.1.2 Where an offence is committed in respect of trading or a stall in a street or other public place, the maximum penalty shall be \$1,000 or imprisonment for 6 months.

4.1.3 Any person who commits an offence under this by-law, other than an offence dealt with in subclause 4.1.2, shall be liable to:

- (a) a maximum penalty of \$500; and;
- (b) a maximum penalty of \$50 per day for each day the offence continues.

Schedule 1
 LOCAL GOVERNMENT ACT 1960
The Municipality of the City of Belmont
 BY-LAWS RELATING TO HAWKERS, STALLHOLDERS AND TRADING IN
 PUBLIC PLACES
 APPLICATION FOR HAWKER'S LICENCE

1. Full name and address of applicant:

 2. Kind of goods, wares or merchandise which the applicant requires to hawk:

 3. Type of vehicle, conveyance or means of carriage to be employed in hawking:

 4. Proposed days and hours of trade:

 5. Certificate signed by two Justices of the Peace

-
 Signature of Applicant

Schedule 1
 LOCAL GOVERNMENT ACT 1960
The Municipality of the City of Belmont
 BY-LAWS RELATING TO HAWKERS, STALLHOLDERS AND TRADING IN
 PUBLIC PLACES
 LICENCE FOR HAWKERS

1. Full name and address of Licensee:

 2. Date of issue of Licence:

 3. Date of expiration of Licence:

 4. Requirements, Terms and Conditions—
 - (a) Place to which Licence applies:
 - (b) Description of stand, structure or vehicle to be used by the Licensee:

 - (c) Particulars of the goods, wares, merchandise or services in respect of
 which hawking may be carried on:.....
 - (d) The permitted days and hours when trading may be carried on:

 - (e) Other Requirements, Terms or Conditions applicable to this Licence:

-
 Town Clerk

Schedule 2

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Belmont

BY-LAWS RELATING TO HAWKERS, STALLHOLDERS AND TRADING IN PUBLIC PLACES

APPLICATION FOR STALLHOLDER'S LICENCE

1. Full name and address of applicant:

.....
.....

Community Association under Section 242 of the Local Government Act Fee exemption: Yes No.....

2. Location of proposed site for which Licence is sought:

.....

To be accompanied by an accurate plan and description of any proposed stand, table, structure or vehicle which may be used.

3. Proposed days and hours of trade:

.....

4. Nature of proposed goods, wares or merchandise to be sold:

.....
.....

.....
Signature of Applicant

Schedule 2

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Belmont

BY-LAWS RELATING TO HAWKERS, STALLHOLDERS AND TRADING IN PUBLIC PLACES

LICENCE FOR STALL

1. Full name and address of Licensee:

.....

2. Date of issue of Licence:

.....

3. Date of expiration of Licence:

.....

4. Requirements, Terms and Conditions—

(a) Place to which Licence applies:

(b) Description of stand, structure or vehicle to be used by the Licensee:

.....

(c) Particulars of the goods, wares, merchandise or services in respect of which trading may be carried on:

.....

(d) Community Association under Section 242 of the Local Government Act: Yes No

(e) The permitted days and hours when trading may be carried on:

.....

(f) Other Requirements, Terms or Conditions applicable to this Licence:

.....

.....
Town Clerk

Schedule 3

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Belmont

BY-LAWS RELATING TO HAWKERS, STALLHOLDERS AND TRADING IN PUBLIC PLACES

APPLICATION FOR TRADING IN PUBLIC PLACES

- 1. Full name and address of applicant:
- 2. Proposed number, names and addresses of assistants:
- 3. Location of proposed site for which Licence is sought:
- To be accompanied by an accurate plan and description of any proposed stand, table, structure or vehicle which may be used for trading.
- 4. Proposed days and hours of trade:
- 5. Nature of proposed goods, wares or merchandise to be sold:

Signature of Applicant

Schedule 3

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Belmont

BY-LAWS RELATING TO HAWKERS, STALLHOLDERS AND TRADING IN PUBLIC PLACES

LICENCE FOR TRADING IN PUBLIC PLACES

- 1. Full name and address of Licensee:
- 2. Date of issue of Licence:
- 3. Date of expiration of Licence:
- 4. Requirements, Terms and Conditions—
 - (a) Place to which Licence applies:
 - (b) Description on stand, structure or vehicle to be used by the Licensee:
 - (c) Particulars of the goods, wares, merchandise or services in respect of which trading may be carried on:
 - (d) Full name/s and address/es of assistant/s who may be engaged at any one time in trading:
 - (e) The permitted days and hours when trading may be carried on:
 - (f) Other Requirements, Terms or Conditions applicable to this Licence:

Town Clerk

Schedule 4

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Belmont

BY-LAWS RELATING TO HAWKERS, STALLHOLDERS AND TRADING IN PUBLIC PLACES

FEES AND CHARGES

Fees and additional charges will be assessed in accordance with the table below:

1. HAWKERS

Licence Fee \$40 per annum on initial issue and renewal.

2. STALLHOLDERS

Licence Fee \$40 on initial issue and renewal.

Additional charge on initial issue and renewal—

| Per Day | Per Week | Per Month | Per Annum |
|---------|----------|-----------|------------|
| \$10.00 | \$50.00 | \$100.00 | \$1,000.00 |

3. TRADERS

Licence Fee \$40 on initial issue and renewal—

Additional charge on initial issue and renewal—

| Per Day | Per Week | Per Month | Per Annum |
|---------|----------|-----------|------------|
| \$10.00 | \$50.00 | \$100.00 | \$1,000.00 |

4. TRANSFER OF LICENCE

Administration Fee \$10.00

Dated the 23rd day of October 1990.

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

P. P. PARKIN, Mayor.
B. R. GENONI, Town Clerk.

Recommended—

GORDON HILL, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 16th day of April 1991.

L. M. AULD, Clerk of the Council.

LG302**LOCAL GOVERNMENT ACT 1960**

Municipality of the City of Nedlands

By-law Relating to Signs, Hoardings and Bill Posting

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 6th December 1990 to revoke By-law No. 9 Relating to Signs, Blinds, Awnings, Advertisements, Hoarding and Bill Posting published in the *Government Gazette* on 11 December 1959 and subsequently amended and to make and submit for confirmation by the Governor the following by-law.

1. Citation

This by-law may be cited as "City of Nedlands Signs, Hoarding and Bill Posting By-law", or as "City of Nedlands Signs By-law".

2. Interpretation

2.1 In this by-law, unless the context otherwise requires—

"Act" means the Local Government Act 1960 (as amended);

"advertising device" means any object or structure on which any word, letter, number, symbol, figure, drawing, image or other representation whatsoever is written, placed, affixed, attached, painted, projected or otherwise displayed for the purpose of giving any message or direction or promoting or publicising any business, project, enterprise, or undertaking, or any function or event, or any person, body or group, or any product or article, or other thing whatsoever, and includes an airborne device anchored to any land, building or thing, and also includes any vehicle or trailer or other similar object placed or located so as to serve the purpose hereinbefore referred to.

"bill" means any written printed or illustrated message or matter on paper, plastic or similar material;

"bill posting" means the attaching, sticking, painting, or stencilling of any bill, poster, placard, advertisement on any building, wall, hoarding or structure whether erected upon private property or upon a public place and to "post a bill" has a corresponding meaning;

"City" means the City of Nedlands;

- “council” means the council of the City;
- “district” means the municipal district of the City;
- “election sign” means a bill, poster, placard or advertisement relating to any election, attached to or pasted, painted, or stencilled, on any hoarding, wall, building, or structure whether erected upon private property or upon a public place, but does not include a sign erected by the Council for the purpose of public information;
- “fly posting” without limiting the generality of the provisions in these by-laws relating to bill posting means advertising by means of more than one bill, poster, or placard attached, applied, painted stencilled or affixed on fences, walls, buildings, structures, trees, rocks and any like places, or thing without authority, and “fly post” has a like meaning;
- “hoarding” means a detached or detachable structure including wall panel or an illuminated panel other than a pylon sign that is erected for the sole purpose of displaying one or more signs or advertising devices but excluding hoardings referred to in section 377 of the Act and poster panels referred to in clause 5.21 of this By-law;
- “horizontal sign” means a sign affixed or attached with its largest dimension horizontal to the wall of a building or a structure to which it is attached;
- “illuminated sign” means a sign that is so arranged as to be capable of being lighted either from within or from without the sign by artificial light provided, or mainly provided, for that purpose;
- “information panel” means a panel used for displaying Government and local Authority notices, functional and dated announcements of a religious, educational, cultural, recreational or similar character, general information for the benefit of the public and travellers and general commercial advertising;
- “institutional sign” means a sign erected or placed on any private property, public place or building used for or in connection with a medical or dental surgery, clinic, hospital, rest home, home for the aged, or other institution or place of a similar nature;
- “licensee” means the holder of a licence issued by the Council pursuant to these by-laws;
- “light industrial area” means an area classified as a light industry zone under the Town Planning Scheme;
- “low level sign” means a sign complying with the standards and requirements of clause 5.13 hereof;
- “non site specific advertising” means any advertising which is not site specific advertising;
- “planning approval” means approval by the responsible authority under any town planning scheme controlling land development and use within the district;
- “portable sign” means a sign not permanently attached to the ground or to a structure, wall, fence or building and including but not limited to a sandwich board sign consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means;
- “pylon sign” means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported on one or more piers to which infill may be added;
- “residential area” means an area classified as a residential zone by Part 3 of the Town Planning Scheme;
- “roof sign” means a sign erected on the roof of a building;
- “sale sign” means a sign indicating that the property or premises whereon the sign is affixed, are for sale, for letting or to be auctioned;
- “semaphore sign” means a sign attached or affixed to a structure or building which sign is affixed and supported at, or by, one of its ends only;
- “service station sign” means a sign used solely for the purpose of advertising the price of petrol, diesel or other products sold from land used as a motor vehicle service station;
- “sign” includes a signboard or any message, direction or representation whatsoever displayed on a building or structure, a bunting sign, a clock other than a clock which is built into a wall and does not project beyond the face of the wall, or flags, and bunting, whether they contain a written message or not, and every other type or style of sign defined or referred to in this by-law.

"site specific advertising" means any advertising of a message or thing which only identifies the name and/or principal business and/or a thing or service, produced, stored, displayed, sold or supplied in the principal business of an occupier of the land or building on which the advertising appears or is proposed to appear;

"Surveyor" means the council's Building Surveyor appointed pursuant to the Act;

"Town Planning Scheme" means the City of Nedlands Town Planning Scheme No. 2 (District Zoning Scheme) published in the *Government Gazette* of 18 April 1985 as amended from time to time or any zoning scheme replacing it for the time being in force within the district;

"tower sign" means a sign affixed to or placed on a chimney stack or an open structural mast or tower;

"verandah" for the purpose of these by-laws, includes cantilever awnings, cantilever verandahs and balconies whether in, or above a street, way, footpath, public place or private property;

"vertical sign" means a sign affixed or attached to the wall of a building or a structure, of which the vertical dimension of the sign exceeds the horizontal dimension of the sign exclusive of the back projection of the sign;

"wall panel" means a panel used for displaying a bill poster or painted advertisement which panel is attached or affixed to the wall of a business premises or which panel erected in or about the forecourt of such business premises.

Where applicable any word or expression in this by-law and not defined in clause 2.1 has the same meaning as is given to it in the Act.

3. Licences

3.1 Signs requiring planning approval

3.1.1 Where under any written law operating within the district a sign or advertising device requires planning approval, the requirement of planning approval shall be additional to the requirement of a licence under this by-law.

3.1.2 In respect of the following signs and advertising devices, an application for a licence under this by-law shall not be determined unless and until planning approval has been given in respect of:

- (a) a roof sign;
- (b) any sign or advertising device displaying non-site specific advertising which sign or advertising device is not exempted by clause 3.3 from the requirement to obtain a licence under this by-law;
- (c) any sign or advertising device which does not comply with the provisions of this by-law;
- (d) any sign or advertising device not exempted by clause 3.3 on land zoned residential under a town planning scheme of the City.

3.1.3 Where a sign or advertising device has displayed a message which was site specific advertising and for that reason did not require planning approval under the preceding subclause, the message shall not be changed to non site specific advertising, until any planning approval required under a written law operating with the district has been given in respect of the non site specific advertising whether or not any other change is made to the sign or advertising device necessitating the issue of a licence under this by-law.

3.2 Licence Application

A person shall not erect, attach, affix or maintain a sign or advertising device and the owner or the occupier of premises shall not suffer or permit a sign or advertising device to be erected, attached, affixed or maintained in, on or above such premises within 100 metres of a street, way, footpath or other public place, except pursuant to a licence issued under these by-laws.

3.3 Exemptions

The following signs and things are exempt from the requirement to obtain a licence under this by-law:

- (a) a sign erected or maintained pursuant to any Statute having operation within the State other than the Act;
- (b) a sale sign not exceeding 1 m² in area;
- (c) a plate not exceeding 0.2 m² in area erected or affixed on the street alignment of a building or between that alignment and the building line to indicate the name and occupation or profession of an occupier of a building on the land;

- (d) an advertisement affixed to or painted on a shop window by or on behalf of the occupier thereof and relating to the business carried on therein provided that not more than 25 per cent of the area of the window is so used;
- (e) a sign within a building;
- (f) a sign not larger than 0.7 m x 0.9 m on an advertising pillar or panel approved by or with the consent of the Council for the purpose of displaying public notices for information;
- (g) a building name sign on residential flats or home units when such sign is of a single line of letters not exceeding 300 mm in height, fixed to the facade of the building;
- (h) a sign for use solely for the direction and/or control of people, animals and/or vehicles or to indicate the name, and/or street number of a premises, provided that the area of the sign does not exceed 0.2 m² and the sign is located wholly within the boundaries of a private property or premises owned or occupied by a person who erected or who has maintained the sign or proposes to do so;
- (i) a sign that is required by the Builders Registration Board or other Government body or authority to be displayed on a building site, provided that:
 - the area of the sign does not exceed 1.5 m²; and
 - no part of the sign's structure is more than 20 m above the ground directly below it.Any such sign shall be removed within seven days of completion of the building works on the building site;
- (j) a sign erected by the council on land under the care, control and management of the council.

3.4 Notwithstanding the provisions of clause 3.2 and any other provision of this by-law the following signs are not required to have a licence issued under this by-law, but are nevertheless to be erected and maintained so as to comply with the requirements of this by-law and with any written law governing or administered by the Main Roads Department:

- (a) a portable sign;
- (b) a service station Roster sign;
- (c) a "home open for inspection" sign.

3.5 Every licence that is granted pursuant to this by-law shall exist subject only to the provisions of this by-law.

3.6 Notwithstanding that a sign complies with the provisions of this by-law the council may refuse a licence if such a sign would, in its opinion, be injurious to the amenity or natural beauty or safety of the locality.

3.7 Revocation of Licences

Where anything purporting to be done pursuant to a licence issued under this by-law is not done in conformity with the licence or the conditions thereon or with this by-law or where the licensee is convicted of an offence against this by-law the council may without derogating from any penalty to which that person may be liable, by notice in writing revoke the licence.

3.8 Inspection of Licences

3.8.1 A licensee shall, when required by the Surveyor, produce for inspection any licence issued by the council pursuant to this by-law.

3.8.2 Every sign or advertising device subject of a licence issued by the council pursuant to this by-law shall bear on its face (bottom left hand corner as viewed) in clearly legible figures (minimum 25 mm high) the number of the licence applicable to the sign or advertising device as provided by the council.

3.9 Application for Licences

3.9.1 An application to the council for a licence pursuant to this by-law shall be made in the form of an application set out in the First Schedule hereto.

3.9.2 An application for the first issue of a licence in respect of a sign or advertising device shall be accompanied by duplicate plans, drawn to a scale of not less than 1 to 50 showing the size, position, design and inscriptions to appear thereon, the method of construction and fixing of the sign or advertising device to a building or structure, setbacks of the sign or advertising device from a street, way, footpath, other public place or lot boundaries where applicable together with such further information as council requires generally or in any particular case.

3.9.3 An application for the first issue of a licence, in respect of a roof sign, shall be accompanied by a certificate from a structural engineer certifying that the building and roof thereof upon which it is proposed to erect the roof sign is in all respects, of sufficient strength to support the roof sign, under all conditions, and that the roof sign is itself of structurally sound design.

3.9.4 If so required by the council an applicant for a licence in respect of an illuminated sign shall produce to the council a written consent to the erection of the sign, signed by or on behalf of the Main Roads Department.

3.9.5 Subject to clause 3.7 and except where otherwise provided in this by-law a licence issued pursuant to this by-law remains valid until an alteration is proposed to be made to the structure, area or message of the sign or advertising device in respect of which the licence was issued and in such event the licensee or persons proposing to make the alteration shall apply for a new licence.

3.9.6 The council may impose conditions on a licence issued pursuant to this by-law.

3.10 Licence Fees

A licence pursuant to this by-law shall only be issued and valid upon payment of the appropriate fee, as set out in the Second Schedule but the payment of a licence fee pursuant to any by-laws that were in operation prior to the coming into operation of this by-law shall be deemed to be a payment for the purpose of this by-law.

3.11 Application and Licence Forms

Every application for the issue of a licence shall be in the form of application set out in the First Schedule. A licence issued by the Council shall be in the form set out in the Third Schedule.

4. General

4.1 Restrictions

A sign or advertising device shall not be erected or maintained—

- (a) which in the opinion of council may obstruct or impede all or part of the view which may be enjoyed from a street, way, footpath, public place or private property of a river, the sea or any other place or feature of natural beauty;
- (b) so as to obstruct or impede the sight-lines required for the free and safe movement of traffic into or from any street, way, footpath, public place or private property;
- (c) on or attached to any building or structure the stability of which building or structure is, in the opinion of the Surveyor, likely to be detrimentally affected by the sign or advertising device;
- (d) on a road reserve unless it is a sign permitted under clause 3.4 but such a sign shall not be erected or maintained on or over a carriageway;
- (e) so as to have all or part thereof projected, flashing, animated, moving or rotating, except as follows:
 - (i) on any commercial site abutting Stirling Highway where the sign has first received an approval from the Main Roads Department;
 - (ii) as or on any pylon sign the face of which rotates; or
 - (iii) as or on any roof sign known as a tri vision sign or similar;
- (f) as an election sign.

4.2 Existing Signs

4.2.1 Subject to the provisions of this clause a sign or advertising device which was erected and maintained lawfully under a previous by-law of the City shall not become unlawful merely by reason of the revocation of that by-law. Any existing sign or advertising device shall within a period of two years from the date of gazettal of this by-law comply with the standards and requirements of this by-law.

4.2.2 Any sign or advertising device in respect of which a licence or permit was issued under a previous by-law of the City for a limited period of time shall, upon the expiration of that time, be made to comply with the provisions of this by-law.

4.2.3 If a licence or permit for a sign or advertising device was issued under a previous by-law of the City without limitation as to time and the sign or advertising device does not comply with the provisions of this by-law, if any alteration is proposed to be made to the structure, area or message of it, the sign or advertising device shall be made to comply with the provisions of this by-law.

4.2.4 A licence shall not be issued under this by-law in respect of a sign or advertising device which is required under subclause 4.2.2 or 4.2.3 to comply with this by-law, unless the application for a new or renewed licence proposes changes which would make the sign or advertising device comply with this by-law.

4.2.5.1 If it appears to the Council that in respect of any sign or advertising device:

- (a) that it is not the subject of a valid licence or permit; or
- (b) that a licence or permit issued in respect of it has expired; or
- (c) that it has been altered as to its structure, area or message without a licence or permit having been issued by the Council

the Council may give notice in writing to the owner of the land on which it is erected and the Licensee (if any)—

- (i) requiring application to be made to the council for a licence within a stipulated period of time where the sign or advertising device complies or can be made to comply with this by-law; or
- (ii) requiring the sign or advertising device to be removed within a stipulated period of time where it cannot be made to comply with this by-law.

4.2.5.2 An owner or licensee who receives a notice referred to in subclause 4.2.5.1 shall comply with the requirement of the notice within the period of time stipulated therein.

4.2.5.3 In the case of a sign in respect of which a notice is issued under item (a) of subclause 4.2.5.1: if a licence for the sign or advertising device is refused by the Council; and the time for appealing against the refusal has expired; or an appeal made against the refusal is dismissed, then the sign or advertising device shall be removed forthwith.

4.2.6 A sign or advertising device referred to in subclause 4.2.3 shall not be altered as to its structural area or message unless a licence for the sign or advertising device as altered has first been issued under this by-law.

4.3 Fixing of Signs

Every sign or advertising device shall be securely fixed to the structure by which it is supported, to the satisfaction of the Surveyor, and the structure and the method of securing shall be maintained in good order and repair to the satisfaction of the Surveyor.

4.4 Glass in Signs

Glass shall not be used in any sign unless it is part of an illuminating globe or tube.

4.5 Readily Combustible Material

Except in the case of posters securely affixed to a signboard or other structure, readily combustible materials including but not limited to paper, cardboard or cloth shall not form part of or be attached to any sign or advertising device.

4.6 Signs to be kept clean

Every sign shall be kept clean and free from unsightly matter and shall be maintained by the licensee or owner in good order and repair to the satisfaction of the Surveyor.

4.7 Bill Posting

A person shall not bill post within the district of the City of Nedlands.

4.8 Fly Posting

A person shall not fly post within the district of the City of Nedlands.

4.9 Design Principles

Any sign or advertising device erected and maintained or proposed to be erected in accordance with this by-law shall:

- (a) in design, colour and location be sympathetic and harmonious with the surrounding street, way, footpath, public place or private property and environment and the building or structure to which it is attached or affixed;
- (b) be designed placed and constructed so as not to endanger public safety;
- (c) have all signwriting, design work, lettering and colouring thereto carried out in a competent and professional manner.

5. Requirements for Particular Signs

5.1 Illuminated Signs

Every illuminated sign shall:

- (a) have any boxing or casing in which it is enclosed constructed of non-combustible material;

- (b) have its electrical installation constructed and maintained to the satisfaction of the State Energy Commission or the appropriate electricity supply authority and in accordance with the S.A.A. Code 3000-1986;
- (c) be maintained to operate as an illuminated sign; and
- (d) not have or produce light of such intensity or colour as to cause annoyance to the public and not interfere with traffic control lights.

5.2 Clocks

A clock shall:

- (a) if suspended under a verandah or in an arcade, have its centre coinciding with the centre line of the footway, access way or footpath thereunder;
- (b) not exceed 500 mm measured in any direction across the face unless otherwise approved by Council;
- (c) be affixed or attached either parallel or at right angles to the wall to which it is affixed or attached;
- (d) not project from the wall to which it is affixed or attached:
 - (i) if parallel to the wall, more than 300 mm; or
 - (ii) if at right angles to the wall, more than 1 m;
- (e) afford a minimum headway of 2.7 m;
- (f) be maintained so as to show the correct time;
- (g) be illuminated from sunset to midnight; and
- (h) if fitted with chimes, not be permitted to strike between 10.00 p.m. and 7.00 a.m.

5.3 Direction Signs on Street Poles

5.3.1 Approval is required for the erection of any direction sign on a street pole and such approval shall only be granted by the resolution of the council and where approval has been so granted any direction sign on a street pole shall:

- (a) afford a minimum headway of 2.7 m;
- (b) not exceed 150 mm in depth or 1 200 mm in length;
- (c) be securely affixed to and supported by one or more columns of steel of sufficient size and strength to support the sign under all conditions;
- (d) be erected and maintained so as not to cause interference or hazard to vehicular traffic or cause any interference or hazard to or impede pedestrians.

5.3.2 Council may at any time revoke any approval for a sign under subclause 5.3.

5.4 Display Centre Direction Signs

A display centre may have a maximum of four direction signs on street verges at any one time, and any such sign shall:

- (a) only be displayed during the times the display centre to which the signs are directed is open to the public;
- (b) be sited so as not to create a hazard to vehicular or pedestrian traffic;
- (c) not have dimensions exceeding 600 mm x 450 mm and not have a height exceeding 600 mm.

5.5 Display Home Signs

Display home signs:

- (a) may be provided in a ratio not exceeding 2 m² per home in a centre, with no individual sign exceeding 4 m², the overall height of sign shall not exceed 4 m;
- (b) shall not be illuminated after 9.00 p.m.; and
- (c) shall not be approved for a period exceeding twelve months at any one time.

5.6 Hoarding

A hoarding shall not be erected within the district.

5.7 Horizontal Signs

5.7.1 A horizontal sign shall:

- (a) afford a minimum headway of 2.7 m;
- (b) be affixed or attached parallel to the wall of the building or structure to which it is affixed or attached;

(c) conform as to depth to the following table:

| Minimum Distance of bottom of sign to adjacent street level | Maximum Depth of Sign |
|---|--------------------------|
| Less than 4.5 m | 600 mm |
| 4.5 m to 7.5 m | 750 mm |
| 7.5 m to 10 m | 1 m |

(d) not project more than 600 mm from the wall to which it is affixed or attached; and

(e) not be within 600 mm of either end of the wall to which it is attached, unless the end of the sign abuts against a brick, stone or cement corbel, pier or pilaster which is at least 25 mm in front of and 75 mm above and below the sign.

5.7.2 Notwithstanding the provisions of paragraph (c) of subclause 5.7.1, the council may permit an increase of not more than 50 per cent of the depth therein mentioned in any part or parts of a sign to permit the inclusion therein of a motif or capital letter.

5.7.3 There shall be not more than one line of horizontal signs facing any one street, way, footpath, public place or private property on any building or structure.

5.7.4 The name of the building or structure, owner or occupier may be shown on the facade of a building or structure however:

- (a) unless otherwise approved by the council, only one such name shall be placed on any facade;
- (b) the letters of the name shall not exceed 1.0 m in height;
- (c) the letters shall be of metal or other non-combustible material; and
- (d) the letters shall not be lit or illuminated unless approved by the Council.

5.8 Information Panels

The Council may provide information panels or bays of varying sizes.

5.9 Institutional Signs

Institutional signs shall not exceed 0.5 m² in area except with the approval of the Council but in any case no such sign shall exceed 2 m² in area.

5.10 Portable Signs

5.10.1 A portable sign shall:

- (a) not exceed 1 m in height;
- (b) not exceed 0.8 m² total area including all faces;
- (c) not indicate or display any matter other than the name of the owner or occupier of the premises to which it relates and the nature of the business carried on therein;
- (d) not contain any letter of a size less than 120 mm;
- (e) be used to indicate that premises are open and to that end shall contain the word "open" on its face;
- (f) be placed so as not to cause interference or be hazardous to vehicular traffic or cause any interference or hazard to or impede pedestrians;
- (g) be of sound construction, maintained in good condition, neatly sign written and fixed in position to the satisfaction of the Surveyor;

5.10.2 A person shall not erect a portable sign in any position other than adjacent to the building to which the sign relates.

5.10.3 A person shall not erect more than one portable sign in relation to a shop or business unit or premises.

5.10.4 A person who erects a portable sign shall remove the same at the close of business each day and shall not erect the same again until the commencement of business on the following or a subsequent trading day.

5.11 Pylon Signs

5.11.1 A pylon sign:

- (a) shall not have any part thereof less than 2.7 m or more than 6 m above the level of the ground immediately below it;
- (b) shall not exceed 2.6 m measured in any direction across the face of the sign or have a greater superficial area than 4 m²;
- (c) shall not project more than 900 mm over any adjacent street;

- (d) shall be supported on one or more piers or columns of brick, stone, concrete or steel of sufficient size, strength and construction to support the sign under all conditions;
- (e) where supported by two or more piers or columns, the space between the piers or columns must not be wholly or partly filled in with any advertising material below 2.7 m above ground level;
- (f) shall not, as to any Part thereof, project over any adjacent street at a height of less than 2.7 m;
- (g) shall not be within 5 m of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right of way, in which case the Council may authorise the erection of a sign at a lesser distance than 5 m;
- (h) shall not have any part thereof less than 10 m from any part of another pylon sign erected on the same lot.

5.11.2 Where more than one pylon sign is proposed to be erected on a lot on which unit factories, offices, showrooms or small shops are erected or are to be erected Council may require all the pylon signs to be incorporated into one sign in which event—

- (a) initial approval shall be given to the pylon sign framework together with one or more sign infills;
- (b) an application is to be submitted and approval obtained for each additional infill;
- (c) all infills are to be an equal size, and space is to be provided to the sign for one infill for each shop or unit on the lot;
- (d) the total area of the infill signs specified under subclause 5.11.1(b) may be increased by up to 50 per cent (i.e. to a maximum of 6 m²).

5.11.3 Notwithstanding the provisions of subclauses 5.11.1 and 5.11.2, approval for the erection of a pylon sign that does not meet the requirements of these by-laws may only be granted by the resolution of the Council.

5.12 Roof Signs

5.12.1 Approval for the erection of a sign on a roof of a building shall only be granted when planning approval has been granted and where approval has been so granted a roof sign shall:

- (a) not at any point be within 4 m of the ground;
- (b) not extend laterally beyond the external walls of the building;
- (c) comply as regards height above ground and height of sign with the following table—

| Height of Main Building above Ground Level at Point where Sign is to be fixed | Maximum Height of Sign |
|---|---------------------------|
| 4 m and under 5 m | 900 mm |
| 5 m and under 7.5 m | 1 000 mm |

5.12.2 When ascertaining the height of the main building above ground level for the purpose of this by-law, any part of the roof at the point where the sign is to be erected that is provided solely for the purpose of architectural decoration shall be disregarded.

5.13 Low Level Sign

5.13.1 A low level sign:

- (a) may be erected on one or more piers or columns;
- (b) shall not have a dimension of more than 2 m in any direction across its face;
- (c) shall not have any part of its structure more than 2.5 m above the level of the adjacent pavement or the level of the ground on which it is constructed at any point;
- (d) shall not project into or over a street in any manner;
- (e) shall display only messages which relate to the business and/or name of any occupier of premises on the lot on which it is erected;
- (f) shall contain only messages in panels not greater than 400 mm in depth, the panels being separated by a space of not less than 50 mm;
- (g) may have no more than four panels each of 400 mm in depth and in any event shall have no more than six panels of any lesser depth.

5.13.2 The Council shall not permit both a low level sign and a pylon sign on any lot.

5.14 Sale Signs

5.14.1 Any sale sign of any description shall be erected on the land to which it relates and not elsewhere.

5.14.2 A land sale sign advertising for sale lots created by a subdivision shall:

- (a) not exceed 2 m² in area;
- (b) not be erected or maintained for a period exceeding six months without the approval of the council;
- (c) not be erected until—
 - (i) the plan of subdivision has been approved by the Department of Planning and Urban Development;
 - (ii) the land has been zoned for the appropriate use.

5.14.3 A sale sign advertising an auction shall:

- (a) not exceed 2 m² in area;
- (b) not be erected more than 28 days before the proposed date of the auction;
- (c) be removed no later than 48 hours after the auction has been held;
- (d) where such a sign is erected on land having a frontage to a road that is a main road within the meaning of the Main Roads Act 1982, consist of letters not less than 150 mm in size;
- (e) not be erected or placed outside the boundaries of the lot.

5.14.4 A sale sign advertising that flats and dwelling units in a building erected or to be erected are or will be available for letting or for purchase shall:

- (a) not exceed 1 m² in area;
- (b) not be erected before the issue of a building licence for any such building;
- (c) not be erected or maintained for a period exceeding three months following completion of any such building, without the approval of the Council.

5.14.5 Development signs shall:

- (a) only be erected where more than ten subdivisional lots are to be created in the development of the stage of development being advertised;
- (b) only be erected in the ratio of 1 m² of area per hectare of the total land to be subdivided, up to a maximum aggregate area of all development signs of 50 m² with no individual sign exceeding 22 m² in area;
- (c) be removed from the site within two years of the granting of a licence for the same or when 80 per cent of the lots by number in the subdivision or stage being advertised have been sold, whichever is the sooner.

5.15 Semaphore Signs

5.15.1 A semaphore sign shall:

- (a) afford a minimum headway of 2.7 m;
- (b) be affixed at right angles to the wall to which it is affixed or attached;
- (c) not project more than 1 m horizontally from the point of attachment nor be of greater height at any point than 1 m from the bottom and the top of the sign;
- (d) be fixed over or adjacent to the entrance of a building; and
- (e) not be erected under or over any verandah.

5.15.2 Not more than one semaphore sign shall be fixed over or adjacent to any one entrance to a building.

5.16 Service Station Signs

5.16.1 A maximum of two service station signs are permitted on service station sites. In addition to the aforementioned, a service station sign shall:

- (a) not exceed 0.8 m² total area including all faces;
- (b) be located wholly within the boundaries of the site used as a service station;
- (c) be located so as not to cause a traffic or safety hazard.

5.16.2 For each service station on roster a maximum of four roster signs may be erected or placed on the road verge at any one time, and any such sign shall:

- (a) only be displayed during the times the service station to which they are directed is open on roster to the public;
- (b) be sited as not to create a hazard to vehicular or pedestrian traffic;
- (c) not have dimensions exceeding 600 mm x 450 mm and not have a height exceeding 600 mm.

5.17 Signs on Fences

A person shall not erect, attach, affix, paint or maintain a sign or advertising device on or as part of a fence on any part of a lot and the owner or occupier shall not permit or suffer a sign or advertising device to be erected, affixed, painted or maintained on any fence or any part of a lot.

5.18 Tower Signs

A tower sign shall not be erected within the District of the City of Nedlands.

5.19 Verandah Signs

5.19.1 Signs above Verandah Fascias.

Signs comprising free standing letters only may be erected above the outer fascia of a verandah parallel to the kerb, if the lettering does not exceed 400 mm in height and is mounted on a base of at least 75 mm in width.

5.19.2 Signs on Verandah Fascias.

A sign fixed to the outer or return fascia of a verandah—

- (a) shall not exceed 600 mm in depth;
- (b) shall not project beyond the outer metal frame or surround of the fascia; and
- (c) if an illuminated sign may be of changing colours but shall not emit a flashing light.

5.19.3 Signs Under Verandahs.

A sign under a verandah shall:

- (a) afford a headway of at least 2.4 m;
- (b) not exceed 2.4 m in length or 500 mm in depth;
- (c) not weigh more than 50 kg;
- (d) not, if it exceeds 300 mm in width, be within 1.4 m (or where it does not exceed 300 mm in width be within 1 m) of the side wall of the building to which the said sign is affixed or attached, measured along the front of the building in respect to which it is erected;
- (e) not, if it exceeds 300 mm in width, be within 2.76 m (or where it does not exceed 300 mm in width be within 1.75 m) of another sign under that same verandah;
- (f) be fixed at right angles to the front wall of the building to which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle with the walls so as to be visible from both streets;
- (g) not be so placed unless the centre of its base longitudinally is equidistant from the outer edge of the verandah and the vertical plane of the shop from directly opposite the end of such sign;
- (h) not be constructed of shatterable material.

5.20 Vertical Signs

5.20.1 A vertical sign shall:

- (a) afford a minimum headway of 2.7 m;
- (b) not project more than 1 m from the face of the building to which it is affixed or attached;
- (c) subject to subclause 5.20.2, not be within 1.8 m of either end of the wall to which it is affixed or attached;
- (d) be of a height of at least twice its width;
- (e) not project more than 1 m above the top of the wall to which it is attached and be not more than 1 m back from the face of that wall;
- (f) not be within 10 m of another vertical sign on the same building;
- (g) not be placed on a corner of a building, except at a street intersection where the sign may be placed at an angle with the walls so as to be visible from both streets; and
- (h) except with approval of the Council, not exceed 1 m in width exclusive of the back projection.

5.20.2 Where a building to which a vertical sign is affixed or attached is set back from the boundary or abuts intersecting streets or a right of way the Council may approve the affixing of a vertical sign at a lesser distance from the end of the wall than that prescribed by paragraph (c) of subclause 5.20.1.

5.21 Poster panels

5.21.1 A poster panel shall:

- (i) (a) not exceed 6 m x 3 m (24 sheet);
(b) be fixed to the face of a wall of a building;
(c) be not less than 3 m or more than 7 m above the ground immediately thereunder; or
- (ii) (a) not exceed 3 m x 1.5 m (6 sheet);
(b) be fixed to the face of the building;
(c) be located not less than 1.5 m above the ground immediately thereunder;
- (iii) not project beyond the boundaries of the lot;
- (iv) if illuminated not to have the illumination located more than:
 - (a) 500 mm from the face of the sign where it is over a street;
 - (b) 1200 mm from the face of the sign where the illumination is wholly within the property where the sign is affixed.

5.21.2 Only one poster panel may be affixed to a face of a building.

6. Offences

6.1 Any person who erects or maintains or authorises or permits to be erected or maintained a sign or an advertising device in a manner contrary to the provisions of this by-law commits an offence.

6.2 Any person who does anything prohibited under this by-law or fails to do anything required of the person by this by-law commits an offence.

6.3 Where by this by-law it is required that a person obtain a licence to erect or maintain a sign or advertising device, every person who erects or maintains a sign or advertising device without a licence or in respect of which the licence has expired or been cancelled commits an offence.

6.4 Neither the owner nor the occupier of any land or premises shall permit a sign or advertising device to remain thereon unless such sign or advertising device complies with this by-law.

6.5 Without prejudice to the preceding provisions of this by-law the Council may serve on the owner or occupier of any premises on which any sign or advertising device is erected, affixed or maintained, contrary to this by-law, notice to remove the sign within such time as may be specified in the notice, and a person neglecting or failing to comply with the terms of a notice served on him pursuant to this clause commits an offence.

7. Removal and Disposal of Signs Unlawfully Displayed

7.1 The Council may remove to a place appointed by the Council any sign, advertisement, advertising device, hoarding or signboard placed on or erected on any street, way, footpath or other public place under the care and control of Council unless so placed or erected pursuant to this by-law. The Council may without incurring any liability therefor dispose of any sign, advertisement, advertising device, hoarding or signboard so removed, and reinstate the street, way, footpath or public place under the care and control of Council at the expense of the person or persons responsible for the placing or erecting of the same thereon or the injury thereto and recover the expense of the removal from him in a Court of competent jurisdiction.

7.2 Where a hoarding is erected on private property or where any bill, placard or advertisement is attached to, or posted, or painted or stencilled on such a hoarding and the same in the opinion of the Council is dangerous or objectionable, the Council or a person acting under the authority of the Council may remove the same without incurring any liability therefor and may recover the expense of removal from the owner of the property in a Court of competent jurisdiction.

8. Penalties

Any person convicted of an offence against this by-law is liable to:

- (a) a penalty not exceeding FIVE HUNDRED DOLLARS (\$500); and
- (b) a further penalty not exceeding FIFTY DOLLARS (\$50) for every day during which the offence continues after conviction for the same.

First Schedule
APPLICATIONS FOR LICENCE

(Clause 3.11)

(a) SIGNS

City of Nedlands

Application No: Date: 19.....

I hereby apply for a licence for a sign to be erected on the premises known as No. for the period ending on the 31st October, next subject to the by-laws of the City of Nedlands.

Full name and address of applicant:

.....
.....

Exact position of sign:

.....

Dimensions of sign

Materials and construction of sign and supports

.....

Inscription of device on sign

Name or Type of Sign BY-LAW.....

.....
Signature of Applicant.

Second Schedule

FEEES

(Clause 3.10)

- 1. A pylon sign—\$25.00.
- 2. An illuminated sign—\$20.00.
- 3. Any other sign—\$15.00.

Third Schedule

LICENCE

(Clause 3.11)

City of Nedlands

No. BY-LAW Date.....

This licence is granted to
of

on the premises known as No.
in accordance with Application No: and subject to the by-laws of the City of Nedlands.

This licence expires on the 31st October 19.....

.....
Building Surveyor.

The common seal of City of Nedlands was hereunto affixed by Authority of the Council in the presence of—

D. C. CRUICKSHANK, Mayor.
N. G. LEACH, Town Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 16th day of April 1991.

L. M. AULD, Clerk of the Council.

LG304

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Wanneroo

Amendment to By-laws Relating to Standing Orders

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 the twenty-eighth day of November 1990, to make and submit for confirmation by the Governor the following amendment to its By-laws Relating to Standing Orders, as published in the *Government Gazette* on 26th June 1987, 19 August 1988 and 15 December 1989—

By-law 53 is amended by deleting "by an absolute majority" and substituting the following—"by a majority".

Dated this fourth day of February 1991.

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

W. W. BRADSHAW, Mayor.
R. F. COFFEY, Town Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Dated 28 March 1991.

Approved by His Excellency the Governor in Executive Council the 16th day of April 1991.

L. M. AULD, Clerk of the Council.

LG305

LOCAL GOVERNMENT ACT 1960

Municipality of the Shire of Ashburton

Adoption of Draft Model By-laws (Holiday Accommodation) No. 18

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 the 20th day of November, 1990, to adopt the Draft Model by-laws (Holiday Accommodation) No. 18 published in the *Government Gazette* of the 22nd February, 1974 with such alterations as are set out hereunder.

Alterations to Draft Model By-law

These By-laws shall consist of the whole of the Draft Model By-laws (Holiday Accommodation) No. 18 published in the *Government Gazette* of the 22nd February, 1974 with the following alterations—

- a. By-law 1. is amended by deleting the entire By-law and substituting the following—
 - " 1. These By-laws may be cited as the Shire of Ashburton By-laws Relating to Holiday Accommodation ";
- b. By-law 2. is amended in the definition of "Council" by deleting the words "executive body of the municipality of" and substituting " Ashburton Shire Council. ";
- c. By-law 3.(2) is amended by deleting the amounts "\$2.00" and "\$20.00" and substituting therefor the amounts " \$20 " and " \$100 " respectively;

- d. By-law 6. is amended by deleting the words "and the Metropolitan Region Town Planning Scheme Act, 1959";
- e. By-law 14.(2)(b) is amended by deleting "A155 or 1221" and "C.A.18" and substituting therefor " 1221-1989 " and " 1851-1975 " respectively;
- f. By-law 14.(3) is amended by deleting "A31" and substituting therefor " 1840 ";
- g. By-law 15.(1) is amended by deleting "S.A.A. L.P. Gas Code CB 20" and substituting therefor " Australian Standard 1596 ";
- h. By-law 15.(2) is amended by deleting "Australian Standard Code C.B.5", "Australian Standards A137" and "Australian Standards A163" and substituting therefor " Australian Standard 1692 ", " Australian Standard 1846 " and " Australian Standard 1848 " respectively;
- i. By-law 16. is amended by deleting "C.A.18" and substituting therefor " 1851 ";
- j. By-law 20. is amended by deleting the amounts "\$100" and "\$10" and substituting therefor the amounts " \$500 " and " \$50 " respectively;
- k. Schedule—Form 2 is amended by deleting "Local Government Model By-laws (Holiday Accommodation) No. 18" and substituting therefor " Shire of Ashburton By-laws Relating to Holiday Accommodation. "

Dated this twentieth day of November, 1990.

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

E. ROBBINS, Shire President.
L. A. VICARY, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 16th day of April 1991.

L. M. AULD, Clerk of the Council.

LG303

LOCAL GOVERNMENT ACT 1960

Municipality of the City of Armadale

By-law Relating to the Conduct of Proceedings and Business of Council

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 5th November 1990 to make and submit for confirmation of the Governor the following amendment to the By-law published in the *Government Gazette* on 3rd August 1973 and amended on 21st April 1978, 24th December 1980, 26th June 1981, 10th June 1983, 22nd June 1984, 10th July 1987, 20th October 1989 and 16th March 1990.

Delete Clause 55 (1) and replace with the following—

1. " 55 (1) A Councillor moving a motion or amendment shall speak to that motion or amendment immediately. If a motion or amendment is opposed a seconder must be immediately sought after which, the Councillor opposing the motion or amendment shall then speak. Immediately after the initial opposer has spoken the seconder shall exercise the right to speak at that time of forfeit the right to so do. If there is no seconder then the Mayor shall declare the motion or amendment lapsed for want of a seconder."

2. (2) i) Remove heading "Mover or Seconder to be held to have Spoken" immediately prior to Clause 62.
ii) Deleted Clause 62
3. Renumber Clause "61" as Clause "62"
4. Renumber Clause "63" as Clause "61"

Dated this 28th day of December 1990.

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

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

Recommended—

DAVID SMITH, Minister for Local Government.

Dated 9 April 1991.

Approved by His Excellency the Governor in Executive Council the 16th day of April 1991.

L. M. AULD, Clerk of the Council.

LG308

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Denmark

By-law Relating to Reserves and Foreshores

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 27 February 1990, to make and submit for confirmation by the Governor the following by-law:

1. In this by-law the context otherwise requires:—
 - "Act" means the Local Government Act 1960 (as amended) or re-enacted;
 - "authorised officer" means an Officer of the Council who is authorised by the Council to serve notices under section 669C and 669D of the Local Government Act 1960 (as amended);
 - "Council" means the Council of the Municipality of the Shire of Denmark;
 - "foreshore" means all the land in the Shire of Denmark which lies between the low water mark and the high water mark of the Southern Ocean;
 - "function" means and includes any show, exhibition, gymkhana, sport, match or test between opposing teams in any game;
 - "owner" in relation to a vehicle means the person who is the holder of the requisite vehicle licence under the Road Traffic Act 1974 in respect of that vehicle, or, if the vehicle is not licensed under that Act, the person who owns the vehicle or is entitled to its possession;
 - "Reserve" means a Public Reserve vested in or under the care, control or management of the Shire of Denmark but does not include a Road Reserve;
 - "vehicle" has the same meaning as is given to that word in the Road Traffic Act as amended from time to time but includes trail bikes, beach buggies and other recreational vehicles whether licensed or unlicensed, but excludes a wheelchair used by a physically impaired person.
2. On a Reserve or a foreshore a person shall not:—
 - (a) throw or discharge any stone, arrow, bullet or other missile;
 - (b) commit or cause a nuisance;
 - (c) be in a state of intoxication;
 - (d) behave in a disorderly manner, create or take part in a disturbance, use foul or indecent language or commit any act of indecency;
 - (e) bet, gamble, or call-the-odds, or offer to bet or gamble;
 - (f) climb over or upon a fence or gate;
 - (g) unlock or fasten a gate, unless authorised by the Council to do so;

- (h) enter any dressing or training room, or use any locker therein unless authorised by the Council to do so;
 - (i) destroy, damage, injure or cause harm to any bird or animal;
 - (j) damage or injure any plant, lawn, flower, shrub or tree;
 - (k) cut or damage any soil or turf;
 - (l) climb any tree;
 - (m) deposit or leave any rubbish, refuse, offal, paper, bottles, broken glass, china or litter any of kind whatsoever except in a receptacle provided for the purpose;
 - (n) cut up, damage, destroy, disfigure, or interfere with any road, fence, building, water pipe or fitting, sign or other improvement.
3. A person shall not without the consent of the Council:—
- (a) drive or ride or bring any vehicle onto a Reserve or foreshore or permit any person to drive or ride or bring any vehicle onto a Reserve or foreshore except on or over such parts of the Reserve or foreshore as are set aside as roads or driveways or vehicle parking areas;
 - (b) park or stand any vehicle on a Reserve except in an area set aside for that purpose;
 - (c) park or stand a vehicle on a foreshore except in the course of launching or recovering a boat on a boat ramp set aside by the Council for the launching of boats.
4. On a Reserve a person shall not without the consent of the Council:—
- (a) play or practice at golf or strike a golf ball except on any area set aside for that purpose;
 - (b) take part in a procession or demonstration;
 - (c) organise, address or participate in a political meeting or rally;
 - (d) use or install a loud speaker or amplifier;
 - (e) distribute or exhibit any printed or written pamphlet, handbill, placard or notice in any manner whatsoever;
 - (f) stamp, pencil, affix, construct or erect or cause to be stamped, stencilled, affixed, constructed or erected any signboard, hoarding, placard, handbill, notice, advertisement or document whatsoever;
 - (g) light a fire other than in a fire place provided for the purpose;
 - (h) camp, lodge or tarry overnight or frequent for the purpose of camping, lodging or tarrying overnight;
 - (i) erect a tent or any other temporary cover for the purpose of entertainment or for the display of any merchandise.
5. On a Reserve a person shall not practice or play in or at any game in such a way as to cause inconvenience or annoyance to any other person.
6. (1) No person shall organise, arrange or take part in any Function on a Reserve unless a permit to hold or organise that Function has been granted by the Council.
- (2) The Council may grant a permit to a person to hold or organise a Function on a Reserve. The person to whom a permit is granted shall, as a condition of hiring, comply with any terms imposed.
- (3) The Shire Clerk of the Council or his deputy is authorised to grant a Function permit subject to conditions to any person or persons making application to hold a Function upon a Reserve.
- (4) A permit to hold a function on a Reserve shall specify:
- (a) The purpose for which such permit is granted.
 - (b) The dates and times during which the Function may be held.
 - (c) The portions of the Reserve allocated to the permit holder.
 - (d) The conditions and terms imposed, if any, which have been authorised by the Council.
- (5) The permit shall not be granted for a continuous period in excess of fourteen days.
- (6) Any person who has been granted a permit in accordance with this by-law and who does not comply with the terms of such permit commits an offence.
- (7) No person or body of persons issued with a permit to hold a Function shall be authorised to use any building or structure except those open for public use on any Reserve unless such permission is expressly granted and stated under the conditions of the permit.
- (8) Subject to this clause no person to whom a permit has been granted shall exclude any member of the general public from attending a Function, which is open to the public, if such person requests admission.

7. (1) In this by-law reference to an "animal" does not include a dog.

(2) The Council may set aside a Reserve or foreshore or portion of a Reserve or foreshore as an area upon which a person may ride or drive an animal or onto which a person may bring an animal.

(3) A person shall not ride or drive or bring an animal onto any Reserve or foreshore or any part thereof that has not been set aside for that purpose pursuant to subclause (1) of this clause.

(4) A person shall not ride, drive, exercise, train or race any animal on any part of a Reserve or foreshore set aside under subclause (1) of this clause in a manner so as to create or become a nuisance.

8. (1) The Council may set aside a Reserve or portion of a Reserve as an area on which persons may fly mechanically operated Model aeroplanes and the Council may define or limit the hours and days during which such model aeroplanes may be flown.

(2) A person shall not fly a mechanically operated model aeroplane on a Reserve or portion of a Reserve that has not been set aside pursuant to subclause (1) of this clause or at a time or on a day other than a time or day defined or limited by the Council under subclause (1) of this clause.

9. (1) The Council may set aside a Reserve or portion of a Reserve as a children's playground.

(2) The Council may limit the ages of persons who are permitted to use a playground set aside under subclause (1) of this clause and may erect a notice to that effect on the playground.

(3) A person over the age specified in a notice erected on a playground set aside under subclause (1) of this clause, other than a person having the charge of a child or children in that playground, shall not enter or use that playground or interfere with the use of it by a child or children.

10. A person found in a state of intoxication on a Reserve, or behaving in a disorderly manner, or creating or taking part in a disturbance, or using foul or indecent language, or committing an act of indecency thereon may be forthwith removed from the Reserve by a member of the police force.

11. A person found betting, gambling or calling-the-odds or offering to bet or gamble within a Reserve may be forthwith removed from the Reserve by any member of the police force.

12. A person who does not do a thing which by or under these by-laws he is required or directed to do and a person who does a thing which by or under this by-law he is prohibited from doing, commits an offence and is liable on conviction to a maximum penalty of \$500.

13. The modified penalty for an offence against Clause 3 (a) of this by-law, for an offence against Clause 3 (b) and for an offence against Clause 3 (c) of this by-law, if dealt with under section 669D of the Act, is \$30.

14. (1) A notice served under subsection (2) of section 669C of the Act in respect of an offence against this by-law shall be in or to the effect of Form 1 of the Schedule to this by-law.

(2) An infringement notice served under section 669D of the Act in respect of an offence against this by-law shall be in or to the effect of Form 2 of the Schedule to this by-law.

(3) A notice sent under subsection (5) of section 669D of the Act withdrawing an infringement notice served under that section in respect of an offence against this by-law shall be in or to the effect of Form 3 of the Schedule to this by-law.

Schedule

Form 1

Reserves and Foreshore By-law

NOTICE REQUIRING OWNER OF VEHICLE TO IDENTIFY DRIVER

| | |
|-----------------------------|-----------|
| TO | Brief No. |
| The owner of a vehicle MAKE | Date |
| Plate No. | TYPE |

You are hereby notified that it is alleged that on the _____ day of _____ 19____ at about _____ am/pm the driver or person in charge of the above vehicle did on (description of place of offence including Reserve No. if any) in contravention of the provisions of Clause 3 (a)/Clause 3 (b)/Clause 3 (c) of the Shire of Denmark By-law relating to Reserves and Foreshores.

You are hereby required to identify the person who was the driver or person in charge of the above vehicle at the time when the above offence is alleged to have been committed.

Unless within twenty-one days after the date of the service of this notice you:—

(a) inform the Shire Clerk of the Shire of Denmark or (designation(s) of authorised Officer(s)) as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time of the above offence;

or

(b) satisfy the Shire Clerk that the vehicle has been stolen or unlawfully taken, or was being unlawfully used at the time of the above offence;

you will, in the absence of proof to the contrary, be deemed to have committed the above offence and Court proceedings may be instituted against you.

Signature of Authorised Officer:

Designation:

Form 2

Reserves and Foreshore By-law

INFRINGEMENT NOTICE

TO

Brief No.

Date

You are hereby notified that it is alleged that on the _____ day of _____ 19____ at about _____ am/pm you did on (description of place of offence including Reserve No. if any) in contravention of the provisions of Clause 3 (a)/Clause 3 (b)/Clause 3 (c) of the Shire of Denmark By-law relating to Reserves and Foreshores.

The modified penalty prescribed for this offence is \$30. If you do not wish to have a complaint of the above offence heard and determined by a Court you may pay the modified penalty within twenty-one days after the date of the service of this notice.

Unless payment is made within twenty-one days of the date of the service of this notice, Court proceedings may be instituted against you.

Payment may be made either by posting this form together with the amount of \$30 mentioned above, to the Shire Clerk of the Shire of Denmark or by delivering this form and paying that amount at the Council Offices at Denmark between the hours of 9.00 am and 4.00 pm on Mondays to Fridays.

Signature of Authorised Officer:

Designation:

Form 3

Reserves and Foreshore By-law

WITHDRAWAL OF INFRINGEMENT NOTICE

TO:

Date

Infringement Notice No.

for the alleged offence of

Modified penalty \$30 is hereby withdrawn.

Signature of Authorised Officer:

Designation:

The Common Seal of the Municipality of the Shire of Denmark was hereunto affixed this 5th day of July 1990 in the presence of—

D. J. MORRELL, Shire President.

P. DURTANOVICH, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 16th day of April, 1991.

L. M. AULD, Clerk of the Council.

LG307

LOCAL GOVERNMENT ACT 1960

Municipality of the Shire of Denmark

By-laws Relating to Holiday Accommodation

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 the 27 March, 1990, to make and submit for confirmation by the Governor, the following By-laws.

By-laws of the Shire of Denmark published in the *Government Gazette* on the 13th January, 1971, are hereby amended in the following manner:

1. In By-law 2 in the interpretation of:—
 - (a) "Council" insert the words "Shire of Denmark," after the words "municipality of";
 - (b) "holiday accommodation" delete all the words after the word "proprietor" and add the words "and which comprises not less than two units;";
 - (c) "unit" delete the words "a cabin" and insert the word "an".
2. In sub-by-law 3 (2) delete the amounts "\$2.00" and "\$20.00" and respectively substitute "\$15.00" and "\$70.00".
3. In sub-by-law 12 (a) delete "4 000 m²" and insert "5 000 square metres where the land is zoned Residential or Tourist, or 5 ha where the land is zoned Rural".
4. In By-law 13:
 - (a) delete the whole of paragraph (a);
 - (b) delete the balance of the words after "including" in paragraph (b) and add "cooking facilities with or without toilet and ablution facilities and having a minimum floor area of 20 square metres." and substitute "(a)" for "(b)";
 - (c) delete the words "or without" in paragraph (c), insert the word "and" after the word "facilities" in the second line, and substitute "(b)" for "(c)";
 - (d) substitute "(c)" for "(d)";
 - (e) substitute "(d)" for "(e)".

Dated this 19th day of February, 1991.

The Common Seal of Denmark was hereunto affixed in the presence of:—

D. J. MORRELL, President.
P. DURTANOVICH, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on this 16th day of April, 1991.

L. M. AULD, Clerk of the Council.

LG309

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Morawa

By-law Relating to Street Trading

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 the Twenty First day of December 1989 to make and submit for confirmation by the Governor the following—

By-law Relating to Street Trading

Interpretation

1. In this by-law, unless the context otherwise requires—
 - "Authorised Officer" includes any Ranger or Health Surveyor employed by the Council and the Shire Clerk or any other officer appointed by the Council as an authorised officer for the purposes of this by-law;
 - "Public Place" includes a street, way and place which the public are allowed to use, whether the street, way or place is or is not on private property;

"Trading" means selling or hiring of goods, wares, merchandise or services, or offering goods, wares, merchandise or services for sale or hire, in a street or other public place and includes displaying goods, wares or merchandise for the purpose of offering them for sale or hire, inviting offers for sale or hire.

"licence" means a licence issued under this by-law;

"street" includes a highway and a thoroughfare which the public are allowed to use and includes every part of the highway or thoroughfare, and other things including bridges and culverts appurtenant to it.

2. This by-law shall not apply to the selling or offering for sale of newspapers.
3. No person shall carry on trading in any street or public place unless that person—
 - (a) is acting in compliance with the requirements, terms and conditions of a current licence and for which all fees and charges have been paid; and
 - (b) is the holder of a valid licence or is an assistant specified in a valid licence.
4. An application for a licence shall be in writing and shall—
 - (a) include the full name and address of the applicant;
 - (b) specify the proposed number and the names and addresses of assistants to be engaged by the applicant in trading pursuant to the licence;
 - (c) specify the location for which the licence is sought;
 - (d) be accompanied by an accurate plan and description of any proposed stand, table, structure or vehicle which may be used for trading;
 - (e) specify the proposed days and hours of trading;
 - (f) specify the proposed goods, wares, merchandise or services in respect of which trading will be carried on.
5. The Council may refuse to issue a licence if—
 - (a) the applicant has committed a breach of clause 3, 8, 9 or 10 of this by-law;
 - (b) the proposed activity or place of trading is in the opinion of Council undesirable;
 - (c) the proposed stand, table, structure or vehicle is in the opinion of Council unsuitable in any respect to the location for which the licence is sought;
 - (d) the needs of the district or the portion thereof for which the licence is sought are in the opinion of Council adequately catered for.
6. A licence shall be in the form of the First Schedule and shall specify—
 - (a) the full name and address of the licensee;
 - (b) the dates of issue and expiration of the licence;
 - (c) the place to which the licence applies;
 - (d) the number, type, form and construction as the case may be of any stand, table, structure or vehicle which may be used for trading;
 - (e) the particulars of the goods, wares, merchandise or services in respect of which trading may be carried on;
 - (f) the number and the full names and addresses of assistants (if any) who may be engaged at any one time in trading pursuant to the licence;
 - (g) the days and hours when trading may be carried on;
 - (h) any other requirements, terms or conditions that the Council may see fit to impose.
7.
 - (a) the fee payable for the issue of a licence is \$20.00;
 - (b) in addition to the licence fee payable under paragraph (a) of this clause a licensee shall before the issue of a licence pay the Council the charge specified in the Second Schedule hereto.
8. No licensee or assistant specified in a licence shall—
 - (a) engage in or permit any trading in any goods, wares, merchandise or services other than those specified in the licence;
 - (b) cause or permit or suffer any nuisance to exist, arise or continue on or from the permitted place specified in the licence;
 - (c) deposit, place or store any goods, wares or merchandise on any street or other public place other than on the place to which the licence applies;
 - (d) create any noise or disturbance to the annoyance of nearby occupants or passers-by;
 - (e) obstruct the free passage of pedestrians on any footpath or roadway.

- 9. A licensee shall not—
 - (a) in trading use or employ or permit to be used or employed at any one time more than the maximum number of assistants specified in the licence; or
 - (b) transfer, assign or otherwise dispose of his licence.
- 10. A licensee shall—
 - (a) personally attend at the place specified in his licence at all times when trading is conducted on or from that place;
 - (b) keep the place and any stand, table, structure or vehicle specified in his licence in a clean and safe condition and in good repair;
 - (c) keep the place and any stand, table, structure or vehicle specified in his licence free from trade refuse and other refuse and rubbish;
 - (d) on demand produce his licence to any authorised officer of the Council or any police officer;
 - (e) remove his stand, table, structure or vehicle and all of his goods, wares, merchandise and signs from the place to which the licence applies and leave that place clean and vacant in all respects—
 - (i) at the conclusion of the permitted hours of operation specified in his licence;
 - (ii) whenever not trading on the place to which the licence applies.
- 11. A licence is valid for the period between the date of issue and the 30th day of June next or until its revocation pursuant to this by-law whichever is the earlier.
- 12. The Council may revoke a licence if—
 - (a) the licensee or assistant specified in a licence commits an offence against clauses 3, 8, 9 or 10 of this by-law; or
 - (b) the Council or a Crown agency, instrumentality or department requires access to the place to which a licence applies for the purpose of carrying out works on, over or under that place.
- 13. Where a licence is revoked the Council shall if requested provide the licensee with written reasons for the revocation.
- 14. (a) Where a licence is revoked under clause 12(a) of this by-law the licensee shall not be entitled to any refund of any fee or charge paid to the Council in respect thereof;
- (b) where a licence is revoked under clause 12 (b) of this by-law the Council shall refund the charge paid in respect thereof having first deducted the charge applicable to the period from the date of issue of the licence to the date of revocation.
- 15. Any person who contravenes or fails to comply with any provision of clauses 3, 8, 9 or 10 of this by-law commits an offence and is liable on conviction to—
 - (a) a maximum penalty of \$1,000.00 or imprisonment for six (6) months;
 - (b) a maximum daily penalty during the breach of \$50.00 per day.

First Schedule
LOCAL GOVERNMENT ACT

The Municipality of the Shire of Morawa By-Law Relating to Trading in Streets and Public Places.

LICENCE

- 1. Full name and address of licensee
-
-
- 2. Date of issue of licence
- 3. Date of expiration of licence
- 4. Requirements, Terms and Conditions
 - (a) Place to which licence applies
 - (b) Description of stand structure or vehicle to be used by the licensee ..
 -
 - (c) Particulars of the goods, wares, merchandise or services in respect of which trading may be carried on
 -

- (d) Full name and address of assistants who may be engaged at any one time in trading
-
-
- (e) The permitted days and hours when trading may be carried on
-
-
- (f) Other requirements terms or conditions applicable to this licence
-
-
-

SHIRE CLERK

Second Schedule
Charges

Charges will be assessed in accordance with the table below—

| | |
|---------|-----------|
| Per Day | Per Annum |
| \$10.00 | \$60.00 |

Dated 1 November 1990.

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

N. M. CARSLAKE, President.
B. WALKER, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in the Executive Council this 16th day of April 1991.

L. M. AULD, Clerk of the Council.

LG310

CEMETERIES ACT 1986

Municipality of the Shire of West Arthur

Darkan and Arthur River Cemeteries (Reserves 11741 and Portion Williams Location 21) By-laws.

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 18th May 1989, to make and submit to the Governor the following by-law amendments to the by-laws as published in the *Government Gazette* on 5 July 1967 and amended from time to time thereafter.

1. By adding the following to By-law 18 after the word "cemetery" in line eight.
" Notwithstanding that, this by-law shall not apply to wheelchairs, including motorised wheelchairs, being used by physically impaired people ."
2. Delete By-law 22.
3. By substituting the word "soldiers" in By-law 42 with the words " members of the armed forces ".
4. By substituting the word "soldier" in By-law 43 with the words " member of the armed forces ".
5. By substituting the word "denomination" wherever it may appear in Schedule "D", with the words " religious affiliation ".
6. By substituting the word "denominational" in Schedule "B" with the words " religious affiliation ".

7. By substituting the word "church" in Schedule "C" with the word " religion ".
8. By deleting references to "eight" and "feet" in Schedule C and substituting " 2.4 " and " metres " respectively.

The Common Seal of the Shire of West Arthur was hereunder affixed in the presence of—

K. M. McINERNEY, President.
G. S. WILKS, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by his Excellency the Governor in Executive Council this 16th day of April 1991.

L. M. AULD, Clerk of the Council.

LG306

LOCAL GOVERNMENT ACT 1960

Shire of Denmark

By-laws Relating to Signs, Billposting and Hoardings

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 24 July 1990, to make and submit for confirmation by the Governor the following by-law—

1. Signs, Hoardings and Billposting By-laws gazetted on 30 December, 1963 and all amendments thereto are hereby repealed.
2. Interpretation in these by-laws, unless the context otherwise requires, the following terms shall have the meanings set against them hereunder—

"Act" means the Local Government Act 1960 as amended;

"advertising device" means any object on which words or numbers or figures are written, placed, affixed or painted for the purpose of advertising any business, function, operation or other and includes any vehicle or trailer or other similar stationary object placed or located so as to serve the purpose of advertising any business, function, event, product or undertaking;

"bill posting" means the sticking of any bill or painting, stencilling or affixing any advertisement on any building, structure, fence, wall hoarding, signpost, pole, blind or awning, so as to be visible to any person in a street, public place, reserve or other land;

"Council" means the Council of the Shire of Denmark;

"development sign" means a sign erected on an area of land which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no building development has taken place at the time of approval of the sign(s);

"direction sign" means a sign erected in a street or public place to indicate the direction to another place but does not include any such sign erected or affixed by the Council or the Commissioner of Main Roads or a road direction sign erected or affixed by a duly incorporated association or union of motorists authorised in that regard by the Minister for the time being administering the Road Traffic Act 1974;

"electoral sign" means a sign containing an electoral advertisement relating to an election or a prospective or forthcoming election of the Parliament of the Commonwealth or the State of either house thereof respectively, to a municipal election and to a referendum;

"fly posting" means advertising by means of posters placed on fences, walls, trees, etc without authority;

"hoarding" means a detached or detachable structure other than a pylon sign that is erected for the sole purpose of displaying a sign or signs and includes a poster panel or an illuminated panel; but does not mean a hoarding within the meaning of section 377 of the Act;

- "horizontal sign" means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimensions horizontal;
- "illuminated sign" means a sign that is so arranged as to be capable of being lighted either from within or without the sign by artificial light provided, or mainly provided for that purpose; and will not emit a flashing light;
- "institutional sign" means a sign erected or placed on any land or building used for or in connection with a surgery, clinic, hospital, rest home, home for the aged, or other institution or place of a similar nature;
- "offices" means a building or part of a building used for the conduct of administration, the practise of a profession, the carrying on of agencies, banks, typist and secretarial services, and services of a similar nature;
- "projection sign" means a sign that is made by the projection of light on a wall or similar structure;
- "pylon sign" means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported by one or more piers to which sign infills may be added;
- "roof sign" means a sign erected on the roof of a building;
- "residential area" means an area that has been so designated under the current Town Planning Scheme of the Shire of Denmark;
- "rural producer sign" means a sign erected on land zoned rural or where a non conforming use right for rural land exists;
- "sale sign" means a sign indicating that the premises whereon it is affixed are for sale, for letting or to be auctioned;
- "semaphore sign" means a sign affixed and supported at, or by, one of its ends only;
- "shop" means any building wherein goods are kept, exposed or offered for sale by retail, and includes a receiving depot, but does not include a bank, fuel depot, a market, service station, milk depot, marine store, timber yard, or land and buildings used for the sale of motor and other vehicles or for any purpose falling within the definition of industry;
- "sign" includes a signboard, a portable sign or a bunting sign and a clock other than a clock which is built into a wall and does not project beyond the face of the wall, or flags and bunting which carry no written message;
- "sign infill" means a panel which can be fitted into a pylon sign framework;
- "surveyor" means the Council's Building Surveyor appointed pursuant to the Act;
- "tower sign" means a sign affixed to or placed on a chimney stack or an open structural mast or tower;
- "Town Planning Scheme" means the current Town Planning Scheme of the Shire of Denmark and amended from time to time or other Town Planning Scheme By-laws for the time being in force whereby the Shire of Denmark or any part thereof is classified or zoned; and Works and expressions used have the same respective meanings as are given them in and for the purposes of the Act;
- "verandah" includes cantilever verandahs and balconies whether over public streets and ways or over private land;
- "verandah sign" includes a sign on, above or below a verandah fascia and a vertical dimension exceeds the horizontal dimension exclusive of the back projection;
- "wall panel" means a panel used for displaying a posted or painted advertisement; which is affixed to or adjoining the wall of business premises or erected on the forecourt of such business premises.

Licence Required

3. (1) A person shall not erect or maintain a sign, and the owner or occupier of premises shall not suffer or permit a sign to remain on those premises, so as to be visible from a street, reserve or other public place, except pursuant to a licence issued under these by-laws, unless the sign is exempt under By-law 8.

(2) A licence issued under these by-laws remains valid until an alteration is made to the sign in respect of which it is issued, and in that event the licensee shall apply for a new licence.

(3) A licence shall be in the form set out in the First Schedule to these by-laws.

(4) Notwithstanding that a sign does not conform with these by-laws, Council may by absolute majority at an Ordinary Meeting, resolve to approve such a sign.

Applications for Licences

4. (1) An application for a licence under these by-laws shall be made in the form of application set out in the First Schedule hereto.

(2) An application for a licence in respect of a sign shall be accompanied by a plan drawn to scale of not less than 1:50 showing the position, design, method of construction, colours to be used in painting and the method of illumination of the sign for which the licence is sought.

(3) An applicant for a licence shall furnish, in writing, any further particulars required by the Surveyor.

(4) The Council may impose any conditions it thinks fit upon the issue of a licence.

Licence Fees

5. The fee payable for the issue of a licence is that specified in the Second Schedule.

Licence Numbers

6. The person to whom a licence is issued in respect of an advertising sign shall cause to be painted or stencilled on the face of the sign in figures of at least 25 mm in height the appropriate licence number.

Licence to be Produced

7. The owner or occupier of premises on which a sign is erected shall, on demand by the Surveyor, produce the licence for inspection.

Revocation of Licence

8. Where anything purporting to be done pursuant to a licence issued under these by-laws is not done in conformity with the licence or with these by-laws or where the licensee is guilty of an offence against these laws the Council may, without derogation of any penalty to which that person may be liable, by notice in writing revoke the licence.

Exempt Signs

9. (1) Nothing in these by-laws relates to a sign erected or maintained pursuant to an Act or to a sign that is—

- (a) a sale sign not exceeding 0.7sqm. in area;
- (b) a plate, not exceeding 0.2sqm. in area, erected, or affixed on the street alignment, or between that alignment and the building line, indicating the name and occupation or profession of the occupier of the premises, subject to By-law 13 (g);
- (c) a sign not exceeding 0.4sqm. in area affixed to a building or erected, or affixed, behind the building line, to indicate the name of the occupier and his trade or occupation, subject to By-law 13 (g);
- (d) a direction sign erected or affixed by Council in a street or public place to indicate the direction to another place but does not include any such sign erected or affixed by the Council or the Commissioner of Main Roads or a road direction sign erected or affixed by a duly incorporated association or union of motorists authorised in that regard by the Minister for the time being administering the Road Traffic Act 1974;
- (e) signs of use solely for the direction and control of people, animals and vehicles or to indicate the name and street number of a premises or any of those things, providing the area of any such sign does not exceed 0.2sqm;
- (f) The name and occupation of any occupier of business premises painted on a window of those premises;
- (g) signs within a building;
- (h) building name signs on residential flats or home units where they are of a single line of letters not exceeding 300mm in height, fixed to the facade of the building;
- (i) advertisements affixed to or painted on a shop window by the occupier thereof and relating to the business carried on therein;
- (j) newspaper posters;
- (k) a sign erected on land zoned rural with the property name and/or owners name thereon, subject to:
 - (a) overall height not to exceed 2 metres;
 - (b) overall length of sign not to exceed 3 metres;
 - (c) the area of the sign not to exceed 1.2sqm.

(2) Notwithstanding that a sign or hoarding would otherwise comply with the provisions of these by-laws the Council may refuse a licence if the sign or hoarding would, in its opinion, increase the number of variety of signs so as to become too numerous or various to be acceptable to residents in the area or be injurious to the amenity or natural beauty of safety of the area.

Fixing of Signs

10. Every sign shall be securely fixed to the structure by which it is supported, to the satisfaction of the Surveyor, and shall be maintained in a safe condition.

Glass in Signs

11. Glass shall not be used in any sign, other than in an illuminated sign.

Sign Designs

12. (1) All signs shall be designed to be compatible with their surroundings, including buildings, landscaping and other signs. Signs attached to buildings shall be incorporated into the architectural features of the building in placement, style, proportions, materials and finish. All permanent signs shall be professionally designed, constructed, finished, installed and maintained.

(2) Notwithstanding that a sign would otherwise comply with the provisions of these by-laws, the Council may refuse a licence therefor, if the sign, in its opinion, would be injurious to the amenity or natural beauty of the area.

Obstruction by signs

13. A person shall not erect a sign so as to obstruct access to or from a door, fire escape or window, other than a window designed for the display of goods.

Prohibited or Restricted Signs

14. A person shall not erect or maintain a sign—

- (a) so as to obstruct the view from a street or public place of traffic in the same or any other street or public place;
- (b) so as to be likely to be confused with, or mistaken for, an official traffic light or sign, or so as to contravene the Road Traffic Act 1974, or Regulations made thereunder;
- (c) on a tower, mast, chimneystack, spire, dome or similar architectural feature or on a lift machinery room, bulk-head over stairs or other superstructure over the main roof of a building without Council approval;
- (d) painted directly on awnings or banners;
- (e) on a building where the stability of the building is, in the opinion of the Surveyor, likely to be affected by the sign;
- (f) in a position where it obstructs or obscures a person's view from a dwelling or a river, the sea or any other natural feature of beauty;
- (g) on land other than that on which is conducted a business or profession approved by Council and to which the sign relates;
- (h) on a light or power pole without the approval of the relevant authority responsible for the erection of that pole;
- (i) as a sign above a verandah;
- (j) on any land that is classified in a Town Planning Scheme or Zoning By-laws as Residential or for flats or a site of lawful non-conforming use unless specifically permitted in these by-laws;
- (k) attached to a vehicle parked in or on a street, way, footpath or public place but does not include a sign painted on that vehicle.

Readily Combustible Material

15. Except in the case of posters securely affixed to a sign board, paper, cardboard, cloth or other readily combustible material shall not form part of, or be attached to a sign.

Signs to be Maintained

16. (1) The holder of a licence in respect of a sign shall keep the sign clean and free from unsightly matter.

(2) Where any person fails to comply with the requirements of sub-by-law (1) of this by-law, the Council may order the sign or any part of the sign, removed.

Bill Posting

17. (1) Subject to sub-by-law (2) of this by-law, a person shall not post a bill or paint, stencil, place or affix an advertisement on a street or on a building, structure, fence, wall, sign, post, blind or awning.

(2) This by-law does not apply to—

- (a) advertisements affixed to, or painted on, a shop window by the occupier thereof and relating to the business carried on therein;
- (b) signs within a building.

Information on Signs

18. A sign shall contain the following information only—

- (a) the name of the occupier, or occupiers;
- (b) the business or business carried on in the premises;
- (c) the occupier's telephone number;

- (d) a description of the goods sold or offered for sale in the premises to which the sign is affixed or to which it relates;
- (e) any other matter specifically approved by Council.

Existing Signs

19. Where existing approved signs fail to conform to the requirements of these by-laws, they shall be removed immediately upon receipt of a direction from the Building Surveyor. A person receiving such a direction may within 14 days of his receipt thereof appeal to the Council.

Headroom

20. Unless otherwise specified in these By-laws, every sign shall be so fixed as provide a clear headway thereunder of not less than 2.4 metres.

Business Direction Signs

21. Where a business or businesses, is deemed by Council to be of sufficient interest and importance to the travelling public then Council may erect business direction signs which indicate the nature of the business that may be located by following the direction indicated by the sign. Such signs shall be 200mm wide, maximum length of one (1) metre, with 160mm letters, white on blue background. Individual business nametags may also be permitted and shall be 150mm wide, maximum length of one (1) metre, with 100mm letters, white on blue background.

22. All business direction signs on streets must conform with Main Roads Department standards.

23. With the exception off Townsite, Main Roads Department approval is required prior to the erection of signs on South Coast Highway.

Special Permits for Signs in the Public Trust

24. (1) Notwithstanding anything contained in these by-laws, the Council may, by permit under the hand of an Officer of Council, allow the display of advertisements of meetings, charitable functions, art or cultural activities (other than those conducted by a person for the purpose of commercial gain), or other events of public interest or the display of advertisements at theatres and other places of public entertainment.

(2) A person shall not erect or maintain a sign more than two weeks before the meeting, function, event or activity to which it relates and the person by whom it was erected shall cause it to be removed not later than 48 hours after the conclusion of the meeting, function, event or activity.

(3) Notwithstanding anything contained in this by-law a person shall not nail a sign to a street tree.

(4) The Council may revoke any such permit at any time without assigning any reason for such action.

(5) Upon the expiration or revocation of a permit issued under this by-law the person to whom it was issued shall forthwith remove the advertisement to which it relates and failure so to remove the advertisement is an offence.

Fly Posting

25. (a) No person shall fly post at any place or location within the boundaries of the Shire of Denmark.

(b) Where a person is alleged to have committed an offence against these by-laws in respect of fly posting, the person authorising the advertisement shall be deemed to be the person who committed the offence.

Development Signs

26. (a) Development signs shall only be erected where the area of residential land being subdivided exceeds five hectares.

(b) Development signs shall be removed from the site within two (2) years or when 80 per cent of the lots in the subdivision have been sold, whichever is the sooner.

Direction Signs

27. A directional sign indicating the location of an amenity which in the opinion of the Council is beneficial to the Public shall only be erected by authority of Council and be subject to—

- (a) payment of appropriate licence fee;
- (b) sign to be maintained in good order and condition by the applicant;
- (c) unless specifically exempted by Council, shall not exceed 150mm in depth or 750mm in length with a headroom of 2.4 metres.

Hoardings

28. (1) Hoardings shall not—

- (a) be erected in a residential area;
- (b) except with the specific approval of Council, be erected within 15m of any street or other public place and in any case not closer than its own height to a street or public place;

- (c) be of greater area than 22sqm;
- (d) subject to the Act, the Council may in its absolute discretion grant or refuse a licence for a hoarding;

(2) The licence fee for a hoarding is an annual licence fee and is payable annually so long as the hoarding is maintained.

Horizontal Signs

29. A horizontal sign shall—

- (a) afford a minimum headway of 2.4m;
- (b) be fixed parallel to the wall of the building to which it is attached;
- (c) conform as to depth to the following table—

| Minimum Distance of Sign above Street | Maximum Depth of Sign |
|---------------------------------------|-----------------------|
| Less than 7.5m | 600mm |
| 7.5m to 9m | 750mm |
| 9m to 12m | 1m |

- (d) not project more than 150mm from the wall to which it is attached; and
- (e) not be within 600mm of either end of the wall to which it is attached unless the end of the sign abuts against a brick, stone or cement corbel, pier or pilaster which is at least 225mm wide and projects at least 25mm in front of and 75mm above and below the sign.
- (f) There shall be not more than one line of horizontal signs on any elevation.

Illuminated Signs

30. Every illuminated sign shall—

- (a) have any boxing or casting in which it is enclosed constructed of incombustible material;
- (b) where comprising glass (other than fluorescent tubing) have the glass so protected as to prevent its falling into a public place in the event of breakage;
- (c) have its electrical installation constructed and maintained to the satisfaction of the State Energy Commission or the appropriate electric supply authority and in accordance with the S.A.A. 3000 1976 part 1 "Wiring Methods";
- (d) be maintained to operate as an illuminated sign;
- (e) not have a light of such intensity as to cause annoyance to the public or be a traffic hazard; and
- (f) not emit a flashing light.

Information Panels

31. The Council may provide information panels or bays of varying sizes and charge fees for the inclusion of advertisements in such panels or bays.

Institutional Signs

32. Institutional signs shall not exceed 0.5sqm in area except with the approval of the Council but in any case shall not exceed 2sqm.

Pylon Signs

33. (1) A pylon sign shall—

- (a) not have any part thereof less than 2.4m or more than 6m above the level of the ground immediately below it;
- (b) not exceed 2.6m measured in any direction across the face of the sign or have a greater superficial area in than 4sqm;
- (c) be supported on one or more piers or columns of brick stone concrete or steel of sufficient size and strength to support the sign under all conditions;
- (d) not be within 2m of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right-of-way, when the Council may authorise the erection of the sign at a lesser distance than 2m;
- (e) not have any part thereof less than 6m from any part of another sign erected on the same lot;
- (f) if oversize, comply with the following and be subject to approval by the Council—
 - (i) be the motif or emblem of the development;
 - (ii) there be no more than one such sign on any lot;

- (iii) not exceed 20m in height;
- (iv) not exceed 10sqm on any face;
- (v) not be erected so that it projects over any pedestrian access way or street.

(2) Where pylon signs are to be erected on a lot on which a factory tenement building or small shops are erected or are to be erected Council may require all the pylon signs to be incorporated into one sign complying with the following—

- (a) initial approval is to be given too the pylon sign framework together with one or more sign infill;
- (b) an application is to be submitted and approval given for each additional infill;
- (c) all infills are to be of an equal size, and space is to be provided for one infill for each shop or unit on the lot.

Roof Signs

34. (1) Approval for the erection of a sign on a roof of a building shall be at the discretion of Council, and where approval has been granted a roof sign shall—

- (a) not at any point be within 4m of the ground;
- (b) not extend laterally beyond the external walls of the building;
- (c) comply as regards height above ground and height of sign with the following table—

| Height of Main Building above Ground level at Point where Sign is to be fixed | Maximum Height of Sign |
|---|------------------------|
| 4m and under 5m | 1.25m |
| 5m and under 6m | 1.8m |
| 6m and under 12m | 3m |
| 12m and under 18m | 5m |
| 18m + | 6m |

(2) When ascertaining the height of the main building above ground level for the purpose of this by-law, any part of the roof at the point where the sign is to be erected that is provided solely for the purpose of architectural decoration shall be disregarded.

Rural Producer Signs

35. A rural producer sign shall—

- (a) not indicate or display any matter otherwise than for the purpose of advertising the sale of produce grown on the land on which the sign is erected;
- (b) be erected within the boundaries of the land on which the produce offered for sale was grown, and
- (c) not exceed 1.2sqm in area;
- (d) not be of a height of more than 3 metres from the natural ground level unless approved by Council.

Rural Business Signs

36. Where a business direction sign has been erected in accordance with By-law 20, a person, conducting the approved business to which the business direction sign relates, may erect a sign which shall—

- (a) be erected within the boundaries of the land on which the business is conducted;
- (b) not exceed 2sqm in area;
- (c) not be of a height of more than 3m from the natural ground level unless approved by Council.

Sale Signs

37. A person shall not erect or maintain a sale sign—

- (a) exceeding 4sqm in area;
- (b) in respect of an auction sale more than 28 days before the date on which the auction sale is to be held or after the expiration of 48 hours after the sale;
- (c) in respect of the sale of subdivisional land under five hectares in area for a period exceeding six months without the approval of the Council;
- (d) advertising that flats and dwelling units in a building erected or to be erected on the land on which the sign is situated are or will be available for letting or for purchase before the date of issue of the building licence in respect of the building or after three months following the completion of the building.

Sandwich Board Signs

38. (1) A sandwich board sign shall—

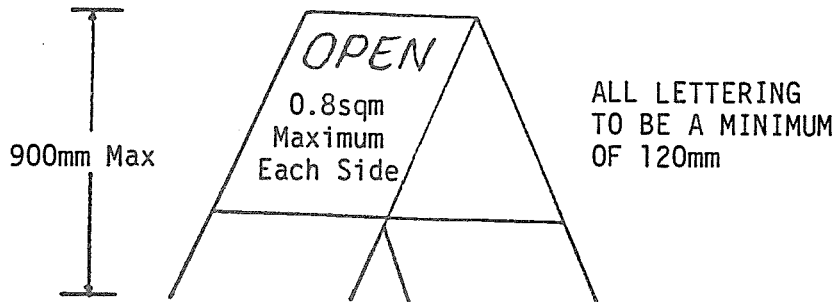
- (a) not exceed 900mm in height;
- (b) not exceed 0.8sqm on each side;
- (c) not indicate or display any matter other than the name of the owner or occupier of the premises to which it relates and the nature of the business carried on therein;
- (d) contain the word "open";
- (e) not contain any letter of a size less than 120mm.

(2) A person shall not erect a sandwich board sign in any position other than adjacent to the building to which the sign relates.

(3) A person shall not erect more than one (1) sandwich board sign in relation to one (1) business premises and a sandwich board sign or signs must be contained wholly within that lot and not in or on an area within that lot defined and used for vehicular parking or vehicular pedestrian access.

(4) A person who erects a sandwich board sign shall remove it at the close of business each day and shall not erect it again until the commencement of business on the following or subsequent day.

(5) This diagram shows the maximum and minimum requirements for a sandwich board sign—

**Semaphore Signs**

39. A semaphore sign shall—

- (a) afford a minimum headway of 2.4 m;
- (b) be fixed at right angles to the wall to which it is attached;
- (c) not project more than 1 m from the point of attachment nor be of greater height at any point than 1 m;
- (d) not be fixed under or over any verandah unless specific approval granted by Council;
- (e) not more than one semaphore sign shall be fixed on any one shop/office.

Tourist & Service Facility Signs

40. Where a directional symbolic sign has been erected the person(s) operating the tourist or service facility business to which the directional sign relates, may erect a sign which shall—

- (a) be erected within the boundaries of the land on which the business is operated;
- (b) not exceed 2 sqm in area;
- (c) not be of a height of more than 3 m from the natural ground level unless approved of by the Council.

Verandah Signs

41. (1) Signs on Verandah Fascias: A sign fixed to the outer or return fascia of a verandah—

- (a) shall not exceed 600 mm in depth;
- (b) shall not project beyond the outer metal frame or surround of the fascia.

- (2) Signs under Verandahs: A sign under a verandah shall—
- (a) afford a headway of at least 2.4 m;
 - (b) not exceed 2.5 m in length or 400 mm in depth, 1 sqm in area;
 - (c) not weigh more than 55 kg;
 - (d) not be within 3 m of another sign under that verandah or within 1.5 m of the side wall of the shop/office;
 - (e) be fixed at right angles to the front wall of the building before which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle with the wall so as to be visible from both streets;
 - (f) be so placed that the centre of its base longitudinally is equidistant from the outer edge of the verandah and the vertical plane of the shop front directly opposite the end of such sign.

Vertical Signs

42. A vertical sign shall—

- (a) afford a minimum headway of 2.4 m;
- (b) not project more than 50 mm from the face of the building to which it is attached;
- (c) not be within 600 mm of either end of the wall to which it is attached;
- (d) be of a height of at least twice its width;
- (f) not be placed on a corner of a building, except at a street intersection where it may be placed at an angle with the walls so as to be visible from both streets; and
- (g) except with the approval of the Council not exceed 750 mm in width exclusive of the back projection;
- (h) not exceed 2 sqm in total area on a shop/office.

Offences

43. (a) Every person who erects a sign or a hoarding which does not comply with, or erects a sign or a hoarding in a manner contrary to the provisions so of these by-laws, commits an offence.

(b) Where by these by-laws it is required that a person obtain a licence to erect or maintain a sign or hoarding, every person who maintains a sign or a hoarding without a licence or in respect of which the licence has expired or been cancelled commits an offence.

(c) Neither the owner nor the occupier of any land or premises shall permit a sign or hoarding to remain therein unless such signs or hoarding complies with these by-laws.

(d) Without prejudice to the preceding provisions of these by-laws the Council may serve on the owner or occupier of any premises on which any sign is erected, affixed or maintained, contrary to these by-laws, notice to remove the sign within such time as may be specified in the notice; and a person neglecting or failing to comply with the terms of a notice served on him pursuant to this by-law commits an offence.

(e) An Officer authorised by the Council may remove to a place appointed by the Council any sign, advertisement, advertising device, hoarding or signboard placed on or erected on any street, way or place vested in, or under the Care or Control of the Council unless so placed or erected pursuant to these by-laws. The Council may without being liable in damages or otherwise dispose of any of the things mentioned above and reinstate the street, way, or place at the expense of the person or persons responsible for the deposit thereon or the injury thereto and recover the amount of the expense from him in a Court of Competent Jurisdiction.

(f) The Council, or any person acting under the authority of the Council, may remove from private property any hoarding or any bill, placard or advertisement which is attached to, or pasted, or painted, or stencilled on a hoarding, and which in the opinion of the Council is dangerous or objectionable and the Council may recover the expenses of the removal from the owner of the property in a Court of Competent Jurisdiction.

Penalties

44. Any person who is convicted of an offence against these by-laws is liable to—

- (a) a penalty not exceeding \$500;
- (b) a daily penalty, during the breach, of up to \$50.

FIRST SCHEDULE

Form 1

Shire of Denmark

BY-LAWS RELATING TO SIGNS & BILL POSTING
APPLICATION FOR LICENCE

Full Name of Applicant
 Address Phone
 Type of Sign
 Premises on which Sign is to be Erected

 Exact Position of Sign
 Dimensions of Sign
 (Plans to be Submitted)
 Materials & Construction of Sign

 Inscription or Device on Sign

 The applicant named above hereby applies for the issue of a licence in respect
 of the abovementioned sign.
 Dated thisday of 19

 Applicant.

FIRST SCHEDULE

Form 2

Shire of Denmark

BY-LAWS RELATING TO SIGNS & BILL POSTING
LICENCE

..... of
 is hereby licensed to erect and maintain a sign on the premises specified
 hereunder subject to the abovementioned by-laws from time to time in force.
 Type of Sign
 Premises on which Erected
 Exact Position of Sign
 Dimensions of Sign
 Conditions of Licence

 Dated thisday of 19

 Shire Clerk.

This licence remains valid until any alteration is made to the sign, in which
case the licensee must apply for a new licence.

SECOND SCHEDULE

Shire of Denmark

BY-LAWS RELATING TO SIGNS & BILL POSTING
FEES

- | | |
|----------------------------------|---------|
| 1. A Pylon Sign | \$40.00 |
| 2. An Illuminated Sign | \$25.00 |
| 3. Business Direction Sign | \$10.00 |
| 4. Rural Producer Sign | \$10.00 |
| 5. Rural Business Sign | \$10.00 |

| | |
|--|----------|
| 6. Tourist and Service Facility Sign | Nil |
| 7. Institutional Sign | Nil |
| 8. Hoarding | \$100.00 |
| 9. Any Other Sign | \$20.00 |

Dated this 17th day of December 1990.

The Common Seal of the Shire of Denmark was hereunto affixed in the presence of—

D. J. MORRELL, President.
P. DURTANOVICH, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 16th day of April 1991.

L. M. AULD, Clerk of the Council.

LG401

LOCAL GOVERNMENT ACT 1960

Shire of York

Appointment of Authorised Officers

It is hereby notified for public information that the following officers—

John Phillip Steven Lommers (Shire Ranger)
Barry Alan Randell
Ivan Thomas Ashworth
George Edward Douglas
Robert John Stewart
Laurence John Tilbrook
Annette June Hunt

have been appointed as authorised officers in accordance with the various Acts, regulations and by-laws as listed hereunder.

Local Government Act 1960
Dog Act 1976
Litter Act 1979
Bush Fires Act 1954
Council By-laws and Regulations as prescribed.

R. J. STEWART, Shire Clerk.

LG402

Shire of Busselton

Restricted Burning Period

It is hereby notified for public information that the restricted burning period has been extended to April 26, 1991.

I. W. STUBBS, Shire Clerk.

LG403

Shire of Busselton

Fire Control Officer Appointments

It is hereby notified for public information that the following bushfire officer appointments have been approved by the Shire of Busselton.

Chief Fire Control Officer, Mr Basil James Walters
Deputy Chief Fire Control Officer, Mr Clive Thomas Howes
Fire Control Officer for the Eagle Bay Brigade area—Mr Rodney Walter Baker.

I. W. STUBBS, Shire Clerk.

LG404

Shire of Busselton

Appointment of Honorary Litter Inspectors

It is hereby notified for public information that the Messrs Neil Alexander Johnson and William James Hanson have been appointed Honorary Litter Inspectors for the Shire of Busselton, effective from March 27, 1991.

I. W. STUBBS, Shire Clerk.

LG405

DOG ACT 1976*Shire of Corrigin*

It is hereby notified for public information that Warren Davies has been appointed as an authorised officer under the provisions of the Dog Act 1976, for the Shire of Corrigin.

IAN DAVIES, Shire Clerk.

LG406

Shire of Boddington

The Shire of Boddington hereby advises that Mr P. L. Fitzgerald has been appointed Fire Control Officer effective 1 January 1991, in accordance with section 38 (1) of the Bush Fires Act 1954.

F. G. STEVENS, President.
P. L. FITZGERALD, Shire Clerk.

LG407

TOWN PLANNING AND DEVELOPMENT ACT 1928**ADVERTISEMENT OF RESOLUTION DECIDING TO PREPARE A TOWN PLANNING SCHEME**

Shire of Wandering Town Planning Scheme No. 2

Notice is hereby given that the Shire Council of Wandering on September 20th 1990, passed the following Resolution: Resolved that the Council, in pursuance of section 7 of the Town Planning and Development Act 1928 (as amended), prepare the above Town Planning Scheme with reference to an area situate wholly within the Shire of Wandering and enclosed within the inner edge of a broken black border on a plan now produced to the Council and marked and certified by the Shire Clerk under his hand dated the 20th September 1990, as "Scheme Area Map".

Dated 20 September 1990.

G. N. EVANS, Shire Clerk.

LG408

Shire of Williams

It is hereby notified for public information that Mr Dennis Alexander Black has been appointed as Acting Shire Clerk from 8th April, 1991. The previous appointment of Mr Brian Leslie Spragg as Shire Clerk was terminated on 5th April, 1991.

D. A. BLACK, Shire Clerk.

LG409

LOCAL GOVERNMENT ACT 1960*Shire of Northam*

(Valuation and Rating) Order No. 1 1991

Made by His Excellency the Governor under the provisions of section 533 (17) of the Local Government Act 1960.

Citation

1. This Order may be cited as the "Shire of Northam (Valuation and Rating) Order No. 1 1991".

Commencement

2. This Order shall take effect on and from July 1, 1991.

Authorisation of use of Gross Rental Values

3. The Council of the Shire of Northam is authorised to use valuations on gross rental value of rateable property as designated and described in the Schedule to this Order.

Schedule**Gross Rental Value Area for the Shire of Northam****Part A**

All that portion of land being Lots 1 to 3 (inclusive) of Avon Location 27073 as surveyed and shown on Office of Titles Diagram 72040.

Part B

All that portion of land bounded by lines starting from the intersection of a northwestern side of Werribee Road with a southeastern side of McMullen Road and extending northeasterly, generally northerly and generally northeasterly along sides of that last mentioned road to the southwestern side of Wandoo Parade; thence southeasterly along that side to the southwestern corner of Avon Location 312 (Reserve 27917); thence southeasterly and northeasterly along boundaries of that location to a southwestern boundary of Location 311; thence southeasterly and northeasterly along boundaries of that location to a southern side of Hawkes Avenue; thence easterly and generally southeasterly along sides of that Avenue to a northwestern side of Werribee Road and thence generally southwesterly, northerly, southwesterly, again northerly and again generally southwesterly along sides of that road to the starting point.

Department of Land Administration Public Plans: Avon 2000 04.06. Avon 10 000 1.1 and 1.2.

Dated 16th April, 1991.

L. M. AULD, Clerk of the Council.

LG410

*City of Belmont***PRIVATE SWIMMING POOL INSPECTION FEE**

Council by resolution at its meeting of 15 April 1991, pursuant to Building Regulation 38A of the Building Amendment Regulations 1991 and the Local Government Act, section 245A subsection (8) has resolved to impose an inspection fee of \$40.00 (forty dollars) for the 1991/1992 financial year.

The fee as set will be charged to the owner in accordance with one of the following.

1. As a levy on the rate notice of properties with a private swimming pool.
2. On any subsequent private swimming pool installed after the rate notice is issued, in addition to the normal fees payable under the building regulations for the issue of a building licence.

B. R. GENONI, Town Clerk.

LG411

CITY OF SOUTH PERTH

It is notified for public information that Mr Antony Heppener has been appointed from 28 March 1991 as an authorised officer pursuant to the following—

1. Dog Act 1976
2. Litter Act 1979;
3. Bush Fires Act 1954; and
4. Ranger/Poundkeeper under the provisions of Part XX of the Local Government Act 1960 (as amended).

The appointment of Mr Gordon Reginald Hartley is cancelled from 28 February 1991.

L. E. MANN, Acting Town Clerk.

LG901

LOCAL GOVERNMENT ACT 1960*Town of Port Hedland*

Notice of Intention to Borrow

Proposed Loan No. 101 of \$450 000

Pursuant to section 610 of the Local Government Act 1960, the Town of Port Hedland hereby gives notice that it proposes to borrow money by the issue of debentures for—

\$450 000 for a period of four (4) years at the ruling rate of interest repayable at the Office of the Council by equal half yearly instalments of principal and interest. The purpose of the loan is for the termination of a leasing arrangement for vehicles and plant in order to achieve a financial saving for Council.

Estimates of costs and statements as required by section 609 of the Act are available for inspection by electors and ratepayers at the office of the Council during normal office hours for 35 days after publication of this notice.

K. M. MERRIN, Mayor.
G. P. BRENNAN, Town Clerk.

LG902

LOCAL GOVERNMENT ACT 1960*Shire of Koorda*

Proposed Loan (No. 132) of \$20 000

Pursuant to section 610 of the Local Government Act 1960, the Koorda Shire Council hereby gives notice that it proposed to borrow money by sale of debentures on the following terms and for the following purposes—

\$20 000 for a period of five years repayable to the Rural & Industries Bank of Western Australia, St George's Terrace, Perth by ten instalments of Principal and Interest. Purpose: Loan No. 132 Construction of 3 x 2 Bedroom Units.

Plans and specifications and estimates of costs as required by section 609 are open for inspection at the office of the Council during business hours for 35 days after publication of the Notice.

Dated this 4th day of April 1991.

D. J. INMAN, President.
R. E. TURNER, Shire Clerk.

LG903

LOCAL GOVERNMENT ACT 1960*Shire of Murray*

Notice of Intention to Borrow

Proposed Loan No. 135 of \$50 000

Pursuant to Section 610 of the Local Government Act 1960, the Council of the Shire of Murray hereby gives notice that it proposes to borrow money by the sale of a debenture on the following terms and for the following purpose—

\$50 000 for a 10 year term at the current rate of interest, repayable at the office of the Council, Pinjarra by 20 half yearly installments of principal and interest, such interest rate to be renegotiated after 4 years.

Purpose: construction of roads as specified in Council Works Programme and budget allocations for the 1990/91 financial year.

Specifications as required by Section 609 of the Act are available for inspection at the office of the Council during normal office hours for a period of thirty-five (35) days after publication of this notice.

M. J. GREENUP, Shire President.
D. A. McCLEMENTS, Shire Clerk.

LG904

LOCAL GOVERNMENT ACT
NOTICE OF INTENTION TO BORROW
Shire of Augusta-Margaret River
Proposed Loan (Number 115) of \$25 000

Pursuant to Section 610 of the Local Government Act 1960, the Council of the Shire of Augusta-Margaret River, hereby gives notice of its intention to borrow money by sale of debentures on the following items and for the following purpose:

\$25 000 for period of five (5) years, repayable in 10 equal half yearly instalments of Principal and Interest; However, the ruling Treasury rate of interest will be reviewed each two years, during the term of the loan.

Purpose: Contribution towards construction of a Frail Aged Lodge in Margaret River.

Estimate of Costs, plans and specifications as requested by Section 609 of the Act, are open for inspection at the Office of Council during Office hours for a period of 35 days after publication of this notice.

Dated 18 April 1991.

K. P. THOMSON, Shire President.
A. G. M. BROWN, Acting Shire Clerk.

LG905

LOCAL GOVERNMENT ACT
NOTICE OF INTENTION TO BORROW
Shire of Augusta-Margaret River
Proposed Loan (Number 116) of \$100 000.00

Pursuant to section 610 of the Local Government Act 1960, the Council of the Shire of Augusta-Margaret River, hereby gives notice of its intention to borrow money by sale of debentures on the following terms and for the following purpose, \$100 000 for period of two (2) years repayable at the office of the Shire of Augusta-Margaret River by 4 equal half yearly installments, of Principal and Interest.

Purpose: Augusta Hall/Community Centre.

Estimate of costs, plans and specifications as requested by section 609 of the Act, are open for inspection at the office of Council during Office hours, for a period of 35 days after publication of this notice.

Dated 18 April 1991.

K. P. THOMSON, Shire President.
A. G. M. BROWN, Acting Shire Clerk.

LG906

LOCAL GOVERNMENT ACT 1960
Shire of Augusta-Margaret River
NOTICE OF INTENTION TO BORROW
Proposed Loan (No. 117) of \$100 000.00

Pursuant to section 610 of the Local Government Act 1960, the Council of the Shire of Augusta-Margaret River, hereby gives notice of its intention to borrow money by sale of debentures on the following terms and for the following purpose: \$100 000 for period of two (2) years repayable at the office of the Shire of Augusta-Margaret River by 4 equal half yearly instalments, of Principal and Interest.

Purpose: Augusta Hall/Community Centre.

Estimate of costs, plans and specifications as requested by section 609 of the Act, are open for inspection at the office of Council during Office hours, for a period of 35 days after publication of this notice.

Dated 18 April 1991.

K. P. THOMSON, President.
A. G. M. BROWN, Acting Shire Clerk.

LG907

LOCAL GOVERNMENT ACT
NOTICE OF INTENTION TO BORROW

Shire of Augusta-Margaret River

Proposed Loan (Number 118) of \$75 000.00

Pursuant to Section 610 of the Local Government Act 1960, the Council of the Shire of Augusta-Margaret River, hereby gives notice of its intention to borrow money by sale of debentures on the following terms and for the following purpose, \$75 000 for period of two (2) years repayable at the office of the Shire of Augusta-Margaret River by 4 equal half yearly installments, of Principal and Interest.

Purpose: Augusta Hall/Community Centre.

Estimate of costs, plans and specifications as requested by Section 609 of the Act, are open for inspection at the office of Council during Office hours, for a period of 35 days after publication of this notice.

Dated 18 April 1991.

K. P. THOMSON, Shire President.
A. G. M. BROWN, Acting Shire Clerk.

LG908

LOCAL GOVERNMENT ACT
NOTICE OF INTENTION TO BORROW

Shire of Augusta-Margaret River

Proposed Loan (Number 119) of \$76 000

Pursuant to section 610 of the Local Government Act 1960, the Council of the Shire of Augusta-Margaret River, hereby gives notice of its intention to borrow money by the sale of debentures on the following terms and for the following purposes—

\$76 000 for period of ten (10) years repayable at the office of the Shire of Augusta-Margaret River by twenty (20) half yearly installments of Principal and Interest. However, the ruling Treasury rate of interest will be reviewed each two (2) years during the term of the Loan.

Purpose: To finance the construction of extensions to the Indoor Sporting Complex at Gloucester Park, Margaret River for Indoor Basketball and Netball.

Note: Prepayments on the above loan will be refunded to Council by the Margaret River Basketball/Netball Association.

Estimate of costs, plans and specifications as requested by section 609 of the Act, are open for inspection at the Office of Council during Office hours, for a period of 35 days after publication of this notice.

Dated 18 April 1991.

K. P. THOMSON, Shire President.
A. G. M. BROWN, Acting Shire Clerk.

LG909

LOCAL GOVERNMENT ACT 1960

Notice of Intention to Borrow

Proposed Loan No. 74 of \$140 000

Pursuant of section 610 of the Local Government Act 1960, the Shire of Irwin hereby gives notice of its intention to borrow money by the sale of debenture on the following terms and for the following purpose—

\$140 000 repayable over a period of seven (7) years at the office of the Shire of Irwin, Dongara in equal half yearly instalments of principal and interest, with interest to be renegotiated after four (4) years during the term of the Loan. Purpose: Purchase of Plant—Motor Grader.

Plans, specifications and estimates as required by section 609 are available for inspection at the office of the Council during business hours for thirty-five (35) days after publication of this notice.

Dated this 17th day of April 1991.

G. C. BASS, President.
J. PICKERING, Shire Clerk.

LOTTERIES

LO301

LOTTERIES COMMISSION ACT 1990

INSTANT LOTTERY (TELESPIN) AMENDMENT RULES 1991

Made by the Lotteries Commission under section 28 (1) (c).

Citation

1. These rules may be cited as the *Instant Lottery (Telespin) Amendment Rules 1991*.

Commencement

2. These rules shall come into operation on the day on which the *Lotteries Commission Amendment Regulations 1991* come into operation.

Principal rules

3. In these rules the *Instant Lottery (Telespin) Rules 1991** are referred to as the principal rules.

[*Published in the Gazette of 27 March 1991 at pp. 1305-1316.]

Rule 14 amended

4. Rule 14 of the principal rules is amended in subrule (2) in the item headed "Jackpot" by deleting "rule 1" and substituting the following—

" rule 17 ".

Part 4 repealed

5. Part 4 of the principal rules is repealed.

The Common Seal of the Lotteries Commission was affixed on 15th day of April 1991 by order and in the presence of—

W. SILVER, Chairman.
W. WARNOCK, Member.
M. SARGANT, Secretary.

LO302

LOTTERIES COMMISSION ACT 1990

LOTTERIES COMMISSION AMENDMENT REGULATIONS 1991

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Lotteries Commission Amendment Regulations 1991*.

Principal regulations

2. In these regulations the *Lotteries Commission Regulations 1991** are referred to as the principal regulations.

[*Published in the Gazette of 12 April 1991.]

Regulation 2 repealed and regulation 2 and 3 substituted

3. Regulation 2 of the principal regulations is repealed and the following regulations are substituted—

Prescribed particulars for Telespin instant lottery

- " 2. (1) For the purposes of section 10 (2) (a) (iv) of the Act an application for a permit to conduct a Telespin instant lottery shall state—
- (a) in relation to Game 2, the delivery day; and
 - (b) in relation to the Game Show Draw and Game Show—
 - (i) where non-monetary prizes are to be offered for the Game Show Draw;
 - (ii) where non-monetary prizes are to be offered, the retail value of each prize;
 - (iii) if moneys from unclaimed prizes are to be included in the prizes and, if so, the amounts and stage or stages at which those moneys will be distributed;
 - (iv) the calculation of the Jackpot prize;
 - (v) the minimum amount of the Jackpot prize; and
 - (vi) the amount, if any, to be transferred from the prize reserve fund.

(2) In this regulation "Telespin instant lottery" means an instant lottery to which the *Instant Lottery (Telespin) Rules 1991* apply.

Prescribed particulars for an instant lottery

3. For the purposes of section 10 (2) (a) (iv) of the Act, the following particulars are prescribed as particulars that are required to be stated in an application for a permit to conduct an instant lottery, other than an instant lottery referred to in regulation 2,—

- (a) the procedure in accordance with which each stage of the instant lottery is to be conducted;
- (b) how prizes are won in each stage of the instant lottery. "

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

MARINE AND HARBOURS

MH401

SHIPPING AND PILOTAGE ACT 1967

Department of Marine and Harbours

It is hereby notified that His Excellency the Governor in Executive Council has approved in accordance with Section 4 of the Shipping and Pilotage Act 1967, the appointment of Patrick John Markham Eveleigh as the Harbour Master for the Ports of Varanus Island and Barrow Island.

J. M. JENKIN, Executive Director.

MINES

MN401

PETROLEUM ACT 1967

INVITATION FOR APPLICATIONS FOR THE GRANT OF EXPLORATION PERMITS AND DRILLING RESERVATIONS UNDER SECTION 30(1) AND 43A OF THE ACT.

Applications are invited for the grant of exploration permits and drilling reservations within Western Australia's onshore sedimentary basins and will be received up until 4.00 p.m. on 19 July 1991.

Any areas not taken up from this invitation will be re-gazetted at the end of June with a late September closing date.

Each application for an exploration permit should comprise a single area of contiguous blocks of the applicant's choice. While the Act allows that a maximum of 200 blocks may be applied for in a single application, only applications that propose work programs relative to the whole of the area applied for, shall be considered.

Each application for a drilling reservation shall comprise a block or a contiguous group of blocks containing potential sites of petroleum deposits. A drilling reservation carries a minimum commitment to drill a well on each potential site of a petroleum deposit within 12 months of being granted.

Not included in this invitation are blocks which, at the time of this notice being published:

- are the subject of exploration permits, production licences or applications therefor;
- are capable of being the subject of an invitation under Section 33 of the Act (surrendered etc. licence and location blocks); or
- cover offshore islands.

Applications for exploration permits are to be made in accordance with Section 31 of the Act, submitted in duplicate and be accompanied by—

(a) Details of—

- (i) the blocks comprising the application by reference to the numbers of the blocks as shown on the Department's 1:1 000 000 series map sheets and by a plan delineating those blocks;
- (ii) the applicant's assessment of the petroleum potential of the area, including a geological and geophysical review and technical assessment of the area, and the concepts underlying the proposed exploration programme;
- (iii) the minimum work programme proposed for each of the five years, specifying the number of wells to be drilled, the line kilometres of seismic survey to be carried out and the estimated expenditure;
- (iv) wells referred to in the work programme should not include development wells (the AAPG well classification scheme will be the basis of identification).

- (b) Particulars of—
- (i) the technical qualifications of the applicant and of its employees;
 - (ii) the technical advice available to the applicant;
 - (iii) the financial resources available to the applicant, including evidence of the applicant's ability to fund the work programme proposed, and a copy of the latest annual report for each applicant company;
 - (iv) where relevant, the viability of the consortium lodging the application, including evidence that a satisfactory settlement has been, or can be, reached on a Joint Operating Agreement (a copy of a Heads of Agreement dealing will generally suffice);
 - (v) the percentage participating interest of each party to the application; and
 - (vi) a single address for service of notices in respect of the application.
- (c) A fee of \$3 000, made payable to the Department of Mines through an Australian bank or by bank cheque (application fees are not refundable).
- (d) such other information as the applicant wishes to be taken into account in consideration of the application.

Consideration of an application for a permit shall take into account the adequacy of the work programme for the first two years of the permit term and the applicants technical and financial ability to undertake the work. The prior purchase of any speculative or contractor seismic data (such as Western Geophysical's onshore Southern Carnarvon Basin Speculative Seismic Survey) relevant to the area applied for will be taken into favourable account when considering the adequacy of the work program.

The successful applicant will be required to fulfill the minimum commitment for each of those years without variation. This is known as the firm commitment phase, however, the balance of the programme can be re-negotiated based on or taking into consideration the results of prior exploration.

Applications for drilling reservations are to be made in accordance with Section 43B of the Act and shall be submitted in duplicate and be accompanied by—

- (a) Details of—
- (i) the block(s) comprising the application by reference to the number(s) of the block(s) as shown on the Department's 1:1 000 000 series map sheets and by a plan delineating the block(s);
 - (ii) the applicants proposal for the drilling of a well or wells and other work in respect of the block(s) in the application;
 - (iii) a statement as to size and configuration of the potential petroleum deposit(s) and a geological prognosis of the well(s);
 - (iv) a statement as to an approximate time for the completion of the well(s).
- (b) Particulars of—
- (i) the technical qualifications of the applicant and of its employees;
 - (ii) the technical advice available to the applicant;
 - (iii) the financial resources available to the applicant, including evidence of the applicant's ability to fund the work programme proposed, and a copy of the latest annual report for each applicant company;
 - (iv) where relevant, the viability of the consortium lodging the application, including evidence that a satisfactory settlement has been, or can be, reached on a Joint Operating Agreement (a copy of a Heads of Agreement dealing will generally suffice);
 - (v) the percentage participating interest of each party to the application; and
 - (vi) a single address for service of notices in respect of the application.
- (c) A fee of \$3 000, made payable to the Department of Mines through an Australian bank or by bank cheque (application fees are not refundable).
- (d) such other information as the applicant wishes to be taken into account in consideration of the application.

Consideration of an application shall take into account the adequacy of the applicant's assessment of the potential petroleum deposit, the well prognosis and its ability both technically and financially to undertake the work.

In situations where a drilling reservation application may be within an area also the subject of an exploration permit application the award will be on the basis of which application offers the most definitive assessment of a petroleum resource. Should such a decision result in a drilling reservation being awarded, the balance of the area (the blocks not the subject of the drilling reservation) may be offered to the applicant for the exploration permit.

When selecting an area of interest in preparation for an application, consideration should be given to the likelihood of other land uses within that area, particularly land the subject of nature reserves or other areas of conservation value. While the occurrence of such land does not necessarily preclude the grant of a title or petroleum operations being conducted, environmental assessment will be necessary.

Applications made on the approved form are to be addressed to—

The Director
Petroleum Division
Department of Mines
Mineral House, 100 Plain Street
East Perth W.A. 6004
Tel: (09) 222 3165
Fax: (09) 222 3515.

Enquiries concerning the availability of the relevant basic exploration data should be addressed as follows—

(a) For microfilm data information to—

The Librarian
Geological Survey Division
Department of Mines
Mineral House, 100 Plain Street
East Perth W.A. 6004
Tel: (09) 222 3165
Fax: (09) 222 3633.

(b) For full scale data to—

Petroleum Information Energy Services
180 Stirling Highway
Claremont W.A. 6010
Tel: (09) 389 8499
Fax: (09) 389 8243.

(c) For speculative seismic data—

Western Geophysical Co.
447 Belmont Ave.
Kewdale W.A. 6105
Tel: (09) 353 1999
Fax: (09) 353 3963.

MN402

MINING ACT 1978
INSTRUMENT OF EXEMPTION OF CROWN LAND
Notice of Cancellation

Pursuant to section 19 (1) (b) of the Mining Act 1978, I hereby cancel the Instrument of Exemption dated October 9, 1989 published in the *Government Gazette* of November 3, 1989. The area affected is described hereunder and is situated within the West Kimberley Mineral Field, such land is now subject to Divisions 1 to 5 of Part IV of the Mining Act 1978.

Description:

Starting Point located 3766.25m @ 26°44' from SSM Noon 12
Thence 974.20 m @ 84°31'
Thence 400.24 m @ 352°45'
Thence 941.14 m @ 262°01'
Thence 359.71 m @ 177°58'
back to Starting Point.

Public Plan: Fitzroy Crossing: 100,000.

Dated this 10th day of April 1991.

GORDON HILL, Minister for Mines.

MN403

PETROLEUM ACT 1967
EXPIRY OF EXPLORATION PERMIT No. EP 231

Department of Mines,
Perth, 5th April 1991.

Notice is hereby given that Exploration Permit EP231 held by Nomeco-Command NL, Phoenix Oil and Gas NL, Oil Company of Australia NL, Winton Oil NL, East Hampstead Pty Ltd and Meridian Oil NL expired on 28th March 1991.

IAN FRASER, Director Petroleum Division.

MN404

MINING ACT 1978

Notice of Intention to Forfeit

Department of Mines,
Perth WA 6000.

In accordance with Regulation 50 (b) of the Mining Act 1978, notice is hereby given that unless the rent due on the undermentioned leases and licences is paid on or before 3 May 1991 it is the intention of the Hon. Minister for Mines under provisions of sections 97 (1) and 96A (1) of the Mining Act 1978 to forfeit such for breach of covenant, *viz*, non-payment of rent.

EXPLORATION LICENCES

| Number | Holder | Mineral Field |
|--------|--|-----------------------|
| 04/435 | Interstone Pty Ltd | West Kimberley |
| 04/568 | Brown, Anthony Phillip; McCorry, Robert Edward | West Kimberley |
| 08/290 | Risinger, John Ernest | Ashburton |
| 28/281 | Growth Resources NL | North East Coolgardie |
| 45/845 | Siddall, George Bernard; Sloan, Graeme John; Williams, James Kenneth | Pilbara |
| 63/221 | Golden Plateau NL | Dundas |
| 70/573 | Domican Nominees Pty Ltd; Elsbury, Charles Michael; Vost, Collin | South West |

MINING LEASES

| Number | Holder | Mineral Field |
|--------|--|-----------------------|
| 15/228 | Ball, Raymond Reginald; Searle, Brian Roderick | Coolgardie |
| 15/279 | Regional Resources NL | Coolgardie |
| 15/334 | Butler, Anne-Marie Therese | Coolgardie |
| 15/376 | Central Kalgoorlie Gold Mines NL; Francis, Raymond John; Newmont Australia Ltd; Silvadust Pty Ltd; Valley Gold Pty Ltd | Coolgardie |
| 15/468 | Doutch, John William | Coolgardie |
| 15/477 | Livingstone, James Allan | Coolgardie |
| 15/483 | Martin, Lyn; Schulbergs, John | Coolgardie |
| 16/96 | Argus, Stephen George | Coolgardie |
| 24/44 | McLennan, George Charles | Broad Arrow |
| 24/263 | Kookynie Resources NL | Broad Arrow |
| 26/130 | Hicks, Dennis William; Hicks, Noel Crandon | East Coolgardie |
| 27/138 | Julitz, Frank | North East Coolgardie |
| 29/75 | Bell, Louis Alexander; Bierberg, William Gene | North Coolgardie |
| 30/43 | Cock, Frederick John | North Coolgardie |
| 31/100 | Ivanac, Barry Nicholas | North Coolgardie |
| 38/69 | Hill, Patrick John; Rhodes, Hans John | Mt Margaret |
| 40/25 | Coleman, Susan Frances | North Coolgardie |
| 45/444 | Greenbushes Ltd | Pilbara |
| 45/452 | Nosmada Gold and Minerals Pty Ltd | Pilbara |
| 45/445 | Blunt, Kevin James | Pilbara |
| 26/28 | Simba Holdings Pty Ltd | Pilbara |
| 47/15 | Futuris Corporation Ltd | West Pilbara |
| 47/170 | Zymron Pty Ltd | West Pilbara |
| 52/32 | Fling, Warwick John; Renes, Neeltje Elizabeth | Peak Hill |
| 20/20 | Standard Gold Mines of Australia NL | Murchison |
| 21/37 | Ramsgate Resources NL | Murchison |
| 70/385 | McAndrew, Robert William | South West |
| 70/421 | Shire of Nannup | South West |
| 74/29 | Norseman Gold Mines NL | Phillips River |
| 74/30 | Norseman Gold Mines NL | Phillips River |
| 74/31 | Norseman Gold Mines NL | Phillips River |
| 74/54 | Walker, Harry Dennis; Walker, Robert Dennis | Phillips River |
| 74/56 | Norseman Gold Mines NL | Phillips River |
| 77/54 | Pietsch, Michael | Yilgarn |
| 77/241 | Brown, Ronald William | Yilgarn |
| 77/290 | Ascot Holdings Pty Ltd; New Australian Resources NL | Yilgarn |
| 77/293 | Ascot Holdings Pty Ltd; New Australian Resources NL | Yilgarn |

D. R. KELLY, Director General of Mines.

MN405

MINING ACT 1978

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines,
Coolgardie, 10 April 1991.

In accordance with Regulation 49 (2) (c) of the Mining Act 1978, notice is hereby given that the licences are liable for 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 Coolgardie on the 17th day of June 1991.

COOLGARDIE MINERAL FIELD

Coolgardie District

Prospecting Licences

15/1895—The Shell Co. of Australia Ltd.
15/1896—The Shell Co. of Australia Ltd.
15/1897—The Shell Co. of Australia Ltd.
15/1898—The Shell Co. of Australia Ltd.
15/1899—The Shell Co. of Australia Ltd.
15/2664—Day Trevor Dacre.

Kunanalling District

Miscellaneous Licence

16/14—Golden Deeps Ltd.

MN406

MINING ACT 1978

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines,
Kalgoorlie.

In accordance with Regulation 49 (2) (c) of the Mining Act 1978, notice is hereby given that the Miscellaneous Licences are liable for 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 the 17th May 1991.

BROAD ARROW MINERAL FIELD

24/116—Consolidated Exploration Ltd.
24/117—Consolidated Exploration Ltd.
24/118—Consolidated Exploration Ltd.

EAST COOLGARDIE MINERAL FIELD

East Coolgardie District

26/92—Sandhurst Mining NL; Ladyman Ian McKenzie; Townsend Philip George.
26/136—Sandhurst Mining NL; Ladyman Ian McKenzie; Townsend Philip George.

NORTH COOLGARDIE MINERAL FIELD

30/13—Clogau (Australia) Ltd.; Lubbock Nominees Pty Ltd.
30/14—Clogau (Australia) Ltd.; Lubbock Nominees Pty Ltd.
30/21—Consolidated Exploration Ltd.; Shell Co. of Australia Ltd.

MN407

MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Mines
Kalgoorlie WA 6430

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 the 29th May, 1991.

BROAD ARROW MINERAL FIELD

24/2292 Wilks, Christopher David
 24/2293 Wilks, Christopher David
 24/2331 French, Andrea Irene
 24/2333 Wilks, Christopher David
 24/2334 Robertson, Ronald James
 24/2335 Robertson, Ronald James
 24/2336 Robertson, Ronald James
 24/2338 Trythall, William Thomas
 24/2366 Optimum Resources Pty Ltd
 24/2367 Robertson, Ronald James
 24/2368 Robertson, Ronald James
 24/2369 Robertson, Ronald James
 24/2370 Robertson, Ronald James

EAST COOLGARDIE MINERAL FIELD

East Coolgardie District

26/1515 Kalbara Mining NL
 26/1759 Mistral Mines NL
 26/1797 McColl, Alan Neville

NORTH EAST COOLGARDIE MINERAL FIELD

Kanowna District

27/715 Aur Operations Pty Ltd

Kurnalpi District

28/691 Hansen, Ronald Gustav
 28/695 Charley, Stephen
 Siewert, Gustav
 Harrison, Ronald
 28/700 Thomas, Rhys Henry

NORTH COOLGARDIE MINERAL FIELD

Ularring District

30/820 MMC Australia Pty Ltd

Yerilla District

31/1353 Stillman, William James
 Stockwell, Allan Brian
 Stone Palace Pty Ltd
 31/1365 Wilson, Scott Walter

MN408

MINING ACT 1978

INSTRUMENT OF EXEMPTION OF CROWN LAND

The Minister for Mines pursuant to the powers conferred on him by section 19 of the Mining Act 1978, hereby gives notice that the area of Crown Land described hereunder (not being Crown Land that is the subject of a mining tenement or an application therefor) is exempt from Divisions 1-5 of Part IV of the Mining Act 1978.

Schedule

Area 1—(Dowd's Hill)

The starting point is situated 5 300 metres at bearing 322°30' from Koolyanobbing Trig Station MY 1 and being a point on the northernmost western boundary of ML 2SA Section 1.

thence 1 260 metres at Bg 322°54' along that boundary; thence 1 240 metres at Bg 57°; thence 1 250 metres at Bg 146° and thence 1 160 metres at Bg 236° back to the starting point, as shown coloured pink on the plan at page 239 of Mines File 700/83.

Area: 150.43 ha.

Mines Public Plan: Seabrook 1:100 000.

Area 2—(Deposit "A")

The starting point is situated 1 380 metres at bearing 287°30' from Koolyanobbing Trig Station MY 1;

thence 850 metres at Bg 311°30'; thence 680 metres at Bg 41°30'; thence 850 metres at Bg 131°30'; and thence 680 metres at Bg 221°30' back to the starting point as shown coloured pink on the plan at page 239 of Mines File 700/83.

Area: 57.80 ha.

Mines Public Plan: Seabrook 1:100 000.

Area 3—(Deposit "D")

The starting point is situated 520 metres at Bg 77° from Koolyanobbing Trig Station MY 1;

thence 520 metres at Bg 117°; thence 420 metres at Bg 207°; thence 520 metres at Bg 297° and thence 420 metres at Bg 27° back to the starting point as shown coloured pink on the plan at page 239 of Mines File 700/83.

Area: 21.84 ha.

Mines Public Plan: Seabrook 1:100 000.

Dated this 9th day of April 1991.

GORDON HILL, Minister for Mines.

MN409

Commonwealth of Australia
PETROLEUM (SUBMERGED LANDS) ACT 1967
 Notice of Grant of Production Licence WA-9-L

Department of Mines,
Perth, 19 April 1991.

Production Licence WA-9-L has been granted to:

WOODSIDE OFFSHORE PETROLEUM PTY LTD
of 1 Adelaide Terrace
Perth WA 6000;

WOODSIDE PETROLEUM DEVELOPMENT PTY LTD
of Level 40, 385 Bourke Street
Melbourne Vic 3000;

WOODSIDE OIL LIMITED
of Level 40, 385 Bourke Street
Melbourne Vic 3000;

MID-EASTERN OIL LTD
of Level 40, 385 Bourke Street
Melbourne Vic 3000;

SHELL DEVELOPMENT (AUSTRALIA) PTY LTD
of 1 Spring Street
Melbourne Vic 3000;

BHP PETROLEUM (NORTH WEST SHELF) PTY LTD
of Collins Tower
35 Collins Street
Melbourne Vic 3000;

BP DEVELOPMENTS AUSTRALIA LTD
of BP House
1 Albert Road
Melbourne Vic 3000;

CHEVRON ASIATIC LIMITED
of 24th Floor, St Martins Tower
44 St George's Terrace
Perth WA 6000;

JAPAN AUSTRALIAN LNG (MIMI) PTY LTD
of Level 33, 385 Bourke Street
Melbourne Vic 3000,

to have effect for a period of 21 years from 12 April 1991.

IAN FRASER, Director Petroleum Division.

PLANNING AND URBAN DEVELOPMENT

PD401

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

City of Bayswater

Town Planning Scheme No. 21—Amendment No. 17

Ref: 853/2/14/25, Pt. 17.

Notice is hereby given that the City of Bayswater has prepared the abovementioned scheme amendment for the purpose of rezoning the northern portion of Lot 344 (proposed lot 4 on Department of Planning and Urban Development subdivision reference 83520) from "Light Industry" to "Residential" coded R17.5.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 61 Broun Avenue, Morley, 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 31, 1991.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 31, 1991.

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. B. LANG, Town Clerk.

PD402

**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME—SECTION 33 AMENDMENT**

Proposed Major Amendment for Exhibition and Comment

City of Wanneroo

Neerabup Urban Rezoning

No. 840/33.

File: 809-2-30-5.

Proposal

The Perth regional planning scheme, the Metropolitan Region Scheme, is proposed to be amended to provide land in the Neerabup area (east of Wanneroo Road) suitable for future urban development. The proposal includes provision for important Regional Road reservations for future district distributor roads.

The draft North-West Corridor Structure Plan provides the criteria under which the area has been identified for future use. A copy of the structure plan will be on exhibition with the amending documents.

Description

The effect of the proposed amendment on the Metropolitan Region Scheme is to exclude Lot 1, 2 and Swan Location 2579 generally bounded by Flynn Drive/Pinjar Road/Clarkson Avenue and Wanneroo Road, Neerabup from the Rural Zone and include them in the Urban Zone and the Important Regional Road Reservation as shown on State Planning Commission Plan No. 3.0630 and in more detail on Supporting Plans numbered 1.2636 and 1.2637.

Exhibition

- (a) Department of Planning and Urban Development, 469 Wellington Street, Perth WA 6000.
- (b) Offices of the Municipalities of the:
 - (i) City of Perth, 27 St George's Terrace, Perth WA 6000.
 - (ii) City of Fremantle, corner William and Newman Streets, Fremantle WA 6160.
 - (iii) City of Wanneroo, Boas Avenue, Joondalup WA 6065.
 - (iv) City of Stirling, Civic Place, Stirling WA 6021.
- (c) J. S. Battye Library, Alexander Library Building, Perth Cultural Centre, Francis Street, Perth WA 6000.

Submissions

Submissions either supporting or objecting to any provisions of the proposed amendment are invited and may be made on submission 6A forms available at the offices listed above and lodged with:

The Secretary
State Planning Commission
C/- Department of Planning and Urban Development
469 Wellington Street
Perth WA 6000

Submissions must be lodged by 4.30 pm Monday 20 May, 1991.

GORDON G. SMITH, Secretary.

PD403

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

City of Bayswater

Town Planning Scheme No. 21—Amendment No. 20

Ref: 853/2/14/25, Pt. 20.

Notice is hereby given that the City of Bayswater has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 520 No. 533-535 Walter Road, from "Light Industry" to "Showroom/Warehouse".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 61 Broun Avenue, Morley, 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 31, 1991.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 31, 1991.

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. B. LANG, Town Clerk.

PD404

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

City of Bunbury

Town Planning Scheme No. 6—Amendment No. 111

Ref: 853/6/2/9, Pt 111.

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 April 9, 1991 for the purpose of—

Modifying the Zoning Table 1, Item 55, noxious industry by deleting the "X" use in the "General Industry/Port Industry" zone and inserting a "SA" use in its place.

and

Modifying the Scheme Text by inserting a new clause in Division 4—

4.13 Industrial Zones—

Any noxious industry proposed for "General Industry" or "Port Industry" zoned land is to be referred to both the Health Department and the Environmental Protection Authority. Approval is to be given by both these Authorities prior to Council issuing an approval.

E. C. MANEA, Mayor.

V. S. SPALDING, Town Clerk.

PD405

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

City of Gosnells

Town Planning Scheme No. 1—Amendment No. 355

Ref: 853/2/25/1, Pt. 355.

Notice is hereby given that the City of Gosnells has prepared the abovementioned scheme amendment for the purpose of adding to Clause 5 and introducing a new Clause 270 to the Scheme Text.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2120 Albany Highway, Gosnells 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 31, 1991.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 31, 1991.

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.

D. PARKER, Acting Town Clerk.

PD406

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION
City of Gosnells

Town Planning Scheme No. 1—Amendment No. 356

Ref: 853/2/25/1, Pt. 356.

Notice is hereby given that the City of Gosnells has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 48 and Part Lot 35 Brixton Street, Kenwick, from "Rural" zone to "Residential A", "Residential B" and "Shops and Local Business" zones and "Parks and Recreation" reserve.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2120 Albany Highway, Gosnells 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 31, 1991.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 31, 1991.

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. WHITELEY, Town Clerk.

PD407

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Ashburton

Town Planning Scheme No. 3—Amendment No. 6

Ref: 853/10/3/3, Pt. 6.

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 Ashburton Town Planning Scheme Amendment on April 10, 1991 for the purpose of—

- (a) rezoning Lot 318, being part of Lot 26, Killawarra Drive from Parks and Recreation Reserve to Special Site (Church).
- (b) by adding to Appendix 2—Special Site Schedule—

| Lot No. | Road | Purpose |
|---------|------------------|---------|
| 318 | Killawarra Drive | Church |

E. ROBBINS, President.

L. A. VICARY, Shire Clerk.

PD408

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION
Shire of Broome

Town Planning Scheme No. 2—Amendment No. 87

Ref: 853/7/2/3, Pt. 87.

Notice is hereby given that the Shire of Broome has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 103, MacPherson Road, from 'Residential' to 'Commercial'.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Weld Street, Broome 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 31, 1991.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 31, 1991.

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.

D. L. HAYNES, Shire Clerk.

PD409

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Busselton

Town Planning Scheme No. 5—Amendment No. 158

Ref: 853/6/6/6, Pt. 158.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on April 10, 1991 for the purpose of—

1. Rezoning portion of Sussex Location 5 and being Lot 17 on Plan 1717 in Certificate of Title Volume 1082, Folio 916 from "General Farming" to "Restricted Use Zone—Residential R20, Single Residential, Group Residential and Recreation and Drainage".
2. Inserting in Appendix V of the Scheme Text the following:

| | | |
|---------------|--|---|
| " West Street | Portion Sussex Location 5 being Lot 17 on Plan 1717 Certificate of Title, Volume 1082, Folio 916 | Residential R20, Group Residential, Single Residential and Recreation and Drainage wherein: 1. Development on lots less than 600 sq.m in area shall be subject to the provisions of paragraph 4.8 of the Scheme. " |
|---------------|--|---|

3. Inserting in Part IV of the Scheme the following:

" 4.8 SPECIAL PROVISIONS—RESTRICTED USE ZONES RESIDENTIAL R20

4.8.1 Interpretation:

- 4.8.1.1 Terms and expressions used in paragraph 4.8 and the term "R20" shall have the meanings given to them in and for the purposes of Appendix 3 to the "Statement of Planning Policy No 1—Residential Planning Codes" gazetted on January 30, 1985 (as amended and hereunder called the "R-Codes").
- 4.8.1.2 The term "Restricted Use Zone—Residential R20" means land zoned "Restricted Use" under the Scheme and within which, under the provisions of paragraph 3.3.6, the use or purpose "Residential R20" is included as a permitted use in the uses or purposes set against such land in Appendix V of the Scheme.
- 4.8.1.3 The term "Performance Standards" means design criteria to be established in relation to:
 - (a) building envelopes, building design, construction materials and colours.
 - (b) landscaping and streetscape.
 - (c) design and treatment of driveways, fencing and other fixtures or structures on the land.

4.8.2 Application

- 4.8.2.1 Except with the consent of the Council, the use and development of land within a "Restricted Use Zone—Residential R20" shall be in accordance with the provisions of paragraph 4.8.
- 4.8.2.2 The provisions of the Scheme shall apply to all land within a "Restricted Use Zone—Residential R20" except where the provisions of the Scheme are inconsistent with paragraph 4.8 in which case the provisions of paragraph 4.8 shall prevail.
- 4.8.2.3 For the purposes of Appendix 1—Zoning Table of the Scheme, lots within a "Restricted Use Zone—Residential R20" and having an area of:
 - (a) Less than 1,200 sq.m shall be regarded as though they were zoned Single Residential; and
 - (b) 1,200 sq.m or greater shall be regarded as though they were zoned Group Residential.

4.8.3 Intent of Zone and Subdivision

- 4.8.3.1 The intent of the "Restricted Use Zone—Residential R20" is to permit the subdivision of compact residential lots and the development of dwelling houses thereon.
- 4.8.3.2 Subdivision of land within an area zoned "Restricted Use Zone—Residential R20" shall be generally in accordance with a Development Guide Plan adopted for the land.
- 4.8.3.3 The Council may on the application of the owner and in the exercise of its discretion adopt a Development Guide Plan with reference to any land zoned "Restricted Use Zone—Residential R20" and may in its discretion agree to the amendment of or substitute a new Development Guide Plan for one previously adopted.

- 4.8.3.4 In Council agreeing to initiate a rezoning of land to "Restricted Use R20", it shall be on the basis that the future lot owners of the subdivided small lots shall carry out developments of housing and associated facilities upon the lots created in accordance with the approved subdivision plan and performance standards.
- 4.8.3.5 The Development Guide Plan shall have regard to the following requirements to the satisfaction of Council:
- (a) The need to protect existing vegetation.
 - (b) The provision of underground power.
 - (c) The need to link the land with adjoining reserves for recreation.
 - (d) Where the use of private roads, being a number of adjoining battleaxe legs is intended, the road shall be constructed of brick paving to the satisfaction of Council.
 - (e) With regard to paragraph 4.8.3.5(d), a covenant shall be required between the owners of the battleaxe lots in respect to maintenance and reciprocal rights of access, to the satisfaction of Council.
- 4.8.3.6 Notwithstanding any provision of the Scheme or Policy of the Council to the contrary, the minimum lot area for a dwelling house within a "Restricted Use Zone—Residential R20" shall be 450 sq.m.

4.8.4 Application of Provisions

The provisions of sub-paragraphs 4.8.5 to 4.8.12 inclusive shall apply only in the case of dwelling houses on lots of less than 600 sq.m in area.

4.8.5 Performance Standards

- 4.8.5.1 A Performance Standards report and Development Guide Plan shall be prepared by the applicant to the satisfaction of Council and will have regard to the following matters:
- (a) The siting of a building envelope for each lot.
 - (b) Buildings shall be designed and constructed on a basis that will ensure compatibility and harmony in materials, colour and appearance, developing possibly a theme, if necessary providing design options, in order to establish the character and identity of the project.
 - (c) All two storey buildings shall have regard to lighting and amenity in terms of impact on adjoining properties in accordance with the relevant provisions of the Residential Planning Codes.
 - (d) Detailed specifications on landscaping for all front setback areas and road verges.
 - (e) The front setback area of a dwelling house and the adjoining verge shall be the subject of a detailed landscaping plan to the satisfaction of Council, prior to the issue of a building licence.
 - (f) Driveways of dwelling houses on the lots shall be constructed of similar materials and if appropriate, that of the adjoining road or private accessway.
 - (g) Visitor parking, if considered appropriate or necessary by Council may be required to be incorporated into the road design.
 - (h) Vehicle access to the rear of the lots to be provided to ensure provision for additional parking and/or storage of vehicles at the rear of the dwelling house.
 - (i) Details on fencing design and materials are to be agreed to the satisfaction of Council.
 - (j) Notwithstanding paragraph 4.8.12 of the Scheme, no fencing shall be permitted forward of the front setback.
 - (k) Details of proposed street name signage, street lighting and any other street furniture applicable to the development to be agreed to the satisfaction of Council.
- 4.8.5.2 The performance standards relating to the private owners shall also be enforced by covenants on the subdivided lots imposed by the subdividing landowner.
- 4.8.5.3 Council's final approval of the zoning amendment document shall be conditional to Council's endorsement of a Performance Standards report in accordance with paragraph 4.8.5.1.

4.8.6 Street and Rear Setbacks

- 4.8.6.1 The minimum setback of a single storey building to a street lot boundary shall be 6 metres and to a rear lot boundary shall be 8 metres.
- 4.8.6.2 The setback of a building from the street or rear boundary may be reduced by up to 50 per cent, provided that the area contained between that boundary and the building projected onto that boundary is not less than would be the case were the setbacks set out in sub paragraph 4.8.6.1 complied with.
- 4.8.6.3 Where a lot has boundaries to two or more streets, the setback from the less important street or streets may be reduced to not less than 3.0m provided that adequate provision is made for traffic sight lines. The provisions of sub-paragraph 4.8.6.2 shall not apply in such cases.

4.8.7 Side Setbacks

- 4.8.7.1 For the purpose of determining length of a wall, the provisions of Clause 11.2 of the R-Codes shall apply.
- 4.8.7.2 The minimum setback of a single storey building to a side boundary shall be:
- (a) 1 metre for walls less than or equal to 9m in length containing no major openings to habitable rooms; or
 - (b) 1.5 metres for walls greater than 9m in length or containing major openings to habitable rooms; provided that no portion of the eaves overhang of a roof is closer than 750mm to the boundary.
- 4.8.7.3 The terms "side setback" and "rear setback" shall be interpreted so that either side and the rear setback may be interchanged.

4.8.8 Walls on Boundaries

- 4.8.8.1 Notwithstanding the provisions of sub paragraph 4.8.7 a side wall of a single storey dwelling may be built up to a side boundary provided that such a wall does not exceed the following length:
- (a) for walls not exceeding 2m in height, no limit;
 - (b) for walls not exceeding 2.5m average height and a maximum height of 3.5m at any point, 2/3 of the boundary length; or
 - (c) for walls not exceeding 3m average height and a maximum of 4m at any point, 1/2 of the boundary length.
- 4.8.8.2 No wall built up to a side boundary shall contain windows or any other opening to that boundary.

4.8.9 Two Storey Dwellings

- 4.8.9.1 The height of a dwelling house including the roof shall not exceed 9 metres above mean site level.
- 4.8.9.2 A side wall of a secondary storey of a dwelling house shall not contain openings having a sill height of less than 1.6m to habitable rooms and shall be set back from the side boundary as follows:
- (a) Walls less than or equal to 9m in length—1.5m; or
 - (b) Walls greater than 9m in length—3m.

4.8.10 Parking

- 4.8.10.1 Provision shall be made on each lot for the parking of two cars, one parking space of which is to be covered. Parking spaces may be located such that one is behind the other.
- 4.8.10.2 Space shall be set aside on each lot of dimensions 6m x 2.5m behind the required street setback and in such a manner as to not be readily visible from the street for the parking of a recreational vehicle.

4.8.11 On-Site Open Space

- 4.8.11.1 Not less than 50% of each lot shall be set aside as open space.
- 4.8.11.2 For the purpose of sub-paragraph 4.8.11.1, open space shall not include access driveways or land set aside under sub paragraph 4.8.10.2.

4.8.12 Fences

- 4.8.12.1 A fence constructed forward of a dwelling house so as to be visible from a street or public place shall:
- (a) not exceed 1.8m in height,

- (b) be constructed of decorative material approved by the Council;
 - (c) not be constructed in whole or in part of corrugated reinforced cement sheeting or corrugated iron sheeting; and
 - (d) not enclose an area greater than the equivalent of 50% of that portion of the lot between the dwelling house and the street alignment.
- 4.8.12.2 Common boundary fences in front setback areas shall have regard to setbacks of established dwellings or structures and shall endeavour to ensure that the fence does not have an undesirable impact on the streetscape by intrusion into the front setback area.
- 4.8.13 Streetscape
- 4.8.13.1 Preference shall be given to non-standard bituminous seal roads. Preferred road pavement materials are:
- (a) Brickpaving
 - (b) Bituminous-concrete with 1.5 metre width brick paved shoulders
 - (c) Coloured bituminous concrete.
- 4.8.13.2 Where there are long straight road reserves incorporated in the subdivision, a meandering road pavement or landscaped islands should be utilised.
- 4.8.13.3 Proposed landscaping should be used to provide:
- (a) Visual relief, softening of built form, shade and screening.
 - (b) Small well designed planting areas incorporated into the development and located at strategic points.
 - (c) Tree planting utilised to enhance the streetscape and located at strategic points in relation to road pavement designs.
 - (d) Aesthetic enhancement of Public Open Space areas.
- 4.8.13.4 Consideration shall be given to the design of:
- (a) Street lighting poles.
 - (b) Street name signs.
 - (c) Other street furniture.

Regard shall be had to the establishment of a theme in the design and construction and use of materials in the provision of public utilities of this nature.

J. R. COOPER, President.

I. STUBBS, Shire Clerk.

PD411

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION
Shire of Carnarvon

Town Planning Scheme No. 10—Amendment No. 4

Ref: 853/10/2/12 Pt. 4.

Notice is hereby given that the Shire of Carnarvon has prepared the abovementioned scheme amendment for the purpose of rezoning portion of Carnarvon Town Lot 43 Robinson Street from "Special Rural" to "Light Industrial".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Francis Street, Carnarvon and at the Department of Planning and Urban Development, Albert House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including May 31, 1991.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 31, 1991.

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.

P. J. BLACK, Shire Clerk.

PD410

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Busselton

Town Planning Scheme No. 5—Amendment No. 175

Ref: 853/6/6/6, Pt. 175.

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 April 11, 1991 for the purpose of—

1. Rezoning Dunsborough Suburban Pt Lot 50 and lots 51, 52, 53, 54, 55 and 56 Naturaliste Terrace and the abutting unconstructed road reserves of Chapman, James and Forrest Streets, Dunsborough as depicted on the Scheme Amendment Map, from 'General Farming' to 'Restricted Use', and
2. Amending the Scheme Text by adding to Appendix V—Restricted Use Zones, the following—

| Street | Particulars of Land | Only Use Permitted |
|--|---|---|
| | | LAND USE |
| Naturaliste Terrace | Pt Lot 50 | 1. Residential Development (R5), (R10), (R12.5), (R15), (R17.5), (R20) and (R30) as may be permitted by the Residential Planning Codes and any specific provisions of the Scheme. For the purpose of Scheme development requirements "Residential Planning Codes" means the Residential Planning Codes set out in Appendix 3 to the Statement of Planning Policy No. 1, together with any amendments thereto. |
| Naturaliste Terrace and Chapman Street | Lots 51, 52, 53, 54, 55 and 56 | |
| James Street | Road reserve between Naturaliste Terrace and Chapman Street | |
| Chapman Street | Road Reserve abutting Lots 51 and 56 inclusive | 2. Recreation and Drainage. |
| Forrest Street | Road reserve abutting northern boundary of lot 56 | SUBDIVISION |
| | | 3. Subdivision and Development of the lots shall be generally in accordance with a Policy Plan and Policy Statement adopted by Council and the Department of Planning and Urban Development. |
| | | 4. An application to subdivide and develop the lots shall not be approved until the following matters have been resolved— |
| | | (a) The implementation of a traffic study and adoption of a Traffic Management Plan for the Dunsborough Townsite. (Townsite Boundaries are as defined under the Land Act, excluding Reserve 21629). |
| | | (b) The implementation of a Comprehensive Drainage Study and adoption of a Master Drainage Plan for the Dunsborough Townsite. (Townsite Boundaries are as defined under the Land Act, excluding Reserve 21629). |
| | | (c) The Policy Plan and Policy statement have been adopted by Council and the Department of Planning and Urban Development. |
| | | 5. Subdividing landowners shall be required to contribute to the funding of the Traffic Management and Drainage Studies to the satisfaction of Council. |
| | | 6. Subdivision proposals shall have regard to the following requirements to the satisfaction of Council— |
| | | (a) Open Space areas shall be provided along creek lines. Included within these areas shall be the provision of dual use paths which provide links to community facilities and attractions. |

| Street | Particulars of Land | Only Use Permitted |
|--------|---------------------|---|
| | | <p>(b) Vegetation protection areas shall be provided adjoining Naturaliste Terrace and Chapman Street and enforced by covenants imposed by the subdividing landowner in addition to the provisions of the Scheme.</p> <p>(c) A range of residential lot sizes shall be provided to cater for and allow housing choice.</p> <p>(d) The provision of underground power.</p> <p>(e) Due consideration shall be given to the integration of the subdivision with surrounding lots.</p> <p>DEVELOPMENT</p> <p>7. Buildings shall be of character and constructed of materials which allow it to blend into the landscape of the locality. Guidelines for the character, colours and materials of buildings shall be prepared by the subdividing landowner to the satisfaction of Council and enforced by covenants.</p> <p>8. No building shall exceed nine metres in height above the mean site level.</p> <p>9. Fencing design and materials shall be to the satisfaction of Council.</p> <p>10. No trees or substantial vegetation shall be felled or removed from the land except where—</p> <p>(i) it is required for approved development works;</p> <p>(ii) trees are dead, diseased or dangerous.</p> <p>Notwithstanding the above, the Council's written approval shall be obtained for the removal of all trees and substantial vegetation, including works associated with the subdivision of the land.</p> <p>MANAGEMENT</p> <p>11. Prior to subdivision works commencing, the subdivider is required to erect a sign stating that the site is a 'Restricted Use' zone and all proposed development is subject to the conditions of this amendment.</p> <p>12. The developer is to make satisfactory arrangements with the Local Authority to ensure prospective purchasers are advised of the special provisions which apply to the amendment area.</p> |

J. R. COOPER, President.

I. STUBBS, Shire Clerk.

PD412

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Donnybrook-Balingup

Town Planning Scheme No. 3—Amendment No. 14

Ref: 853/6/4/3 Pt. 14.

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 Donnybrook-Balingup Town Planning Scheme Amendment on April 10, 1991 for the purpose of:

1. Rezoning Portion of Lot 1 of Wellington Location 1244 from "Special Rural" to "Special Use—Extractive Industry".

2. Inserting with Appendix 2 of the Scheme Text the following:

Appendix 2

Column (a)

Area Five—Sheet—Lot 1 of Wellington Location 1244, Irishtown Road.

Column (b)

(a) Extractive Industry—Donnybrook Stone, under which the following conditions of extraction shall apply:

- Hours of operations: shall commence no earlier than 0700 hours and shall finish no later than 1700 hours on the days Monday to Friday.
- Noise levels are not to exceed the levels specified under section 65 of the Environmental Protection Act of Western Australia 1986.
- The land which has been excavated is to be recontoured as near as possible to its original condition.
- All vegetation that is removed is to be replaced with similar species of vegetation.
- The developers are required to contribute towards the cost of sealing all unsealed sections of Meotti Road from Irishtown Road to the northern boundary of Lot 1, prior to operation commencing, and to maintain road thereafter to the specification and satisfaction of Council.
- The development of the quarry is subject to a licence firstly being obtained under Council's Extractive Industry By-laws.
- Screen planting along the southern boundary of Lot 1, where it adjoins Lot 2, is to be undertaken to Council specifications.
- No drainage waters or dust are to be exported off the site.

W. B. HEARMAN, President.

J. R. ATTWOOD, Shire Clerk.

PD413

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Manjimup

Town Planning Scheme No. 2—Amendment No. 6

Ref: 853/6/14/20, Pt. 6.

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 Manjimup Town Planning Scheme Amendment on April 10, 1991 for the purpose of—

1. Introducing the following interpretation into Part I, Clause 1.6 Interpretation of the Scheme Text—

'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.
2. Amending Table No. 1 appended to Clause 3.3 by—
 - (a) Introducing a new Use Class—"Restricted Premises" in the appropriate place.
 - (b) Inserting the symbol "X" opposite the new Use Class—"Restricted Premises" to apply to the following zones listed in Table No. 1: Private Clubs and Institutions and Places of Public Assembly, Residential, Special Residential, Short Stay Residential, Rural, General Industry and Special Rural.
 - (c) Inserting the symbol "AA" opposite the new Use Class "Restricted Premises" to apply to the following zones listed in Table No. 1: Service Industry, Commercial.

M. E. DAUBNEY, President.

M. D. RIGOLL, Shire Clerk.

PD414

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Shark Bay

Town Planning Scheme No. 2—Amendment No. 27

Ref: 853/10/5/3, Pt. 27.

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 Shark Bay Town Planning Scheme Amendment on April 10, 1991 for the purpose of—

- (i) adding to the Scheme Text Part VII

PART VII—CONTROL OF ADVERTISEMENTS

7.1 Power to Control Advertisements

7.1.1 For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior approval of the Council. Such Planning Consent is required in addition to any licence pursuant to Council's Signs and Hoarding and Bill Posting Bylaws.

7.1.2 Applications for Council's Consent to this Part shall be submitted in accordance with the provisions of Part II of the Scheme and shall be accompanied by a completed Additional Information Sheet in the form set out at Appendix 1 giving details of the advertisement(s) to be erected, placed or displayed on the land.

7.2 Existing Advertisements

Advertisements which:

- (a) were lawfully erected, placed or displayed prior to the approval of this Scheme,
or
(b) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the approval of this Scheme, hereinafter in this Part referred to as 'existing advertisements', may, except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.

7.3 Consideration of Application

Without limiting the generality of the matters which may be taken into account when making a decision upon an Application for Planning Consent to erect, place or display an advertisement, Council shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed including its historic or landscape significance and traffic safety, and the amenity of adjacent areas which may be affected.

7.4 Exemptions from the Requirement to Obtain Consent

Subject to the provisions of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of Clause 7.1.1, the Council's prior consent is not required in respect of those advertisements listed in Table 3 which for the purpose of this Part are referred to as 'exempted advertisements'. The exemptions listed in Table 3 do not apply to buildings, conservation areas or landscape protection ones which are either:

- (i) listed by the National Trust;
(ii) listed on the register of the National Estate;
(iii) included in local authority town planning scheme because of their heritage or landscape value.

7.5 Discontinuance

Notwithstanding the Scheme objectives and Clause 7.4, where the Council can demonstrate exceptional circumstances which cause an exempted or existing advertisement to seriously conflict with the objectives of this Part, it may by notice in writing (giving clear reasons) require the advertiser to remove, relocate, adapt or otherwise modify the advertisement within a period of time specified in the notice.

7.6 Derelict or Poorly Maintained Signs

Where, in the opinion of the Council, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed. Council may by notice in writing require the advertiser to:

- (a) repair, repaint or otherwise restore the advertisement to a standard specified by Council in the notice, or
(b) remove the advertisement.

7.7 Notices

7.7.1 'The advertiser' shall be interpreted as any one or any group comprised of the owner, occupier, licensee.

7.7.2 Any notice served in exceptional circumstances pursuant to Clause 7.5 or pursuant to Clause 7.6 shall be served upon the advertiser and shall specify:

- (i) the advertisement(s) the subject of the notice.
- (ii) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice,
- (iii) the period, not being less than 60 days, within which the action specified shall be completed by the advertiser.

7.7.3 Any person upon whom a notice is served pursuant to this Part may, within a period of 60 days from the date of the notice, appeal to the Hon. Minister for Planning or the Town Planning Appeal Tribunal in accordance with Part V of the Act, and where any such appeal is lodged the effect of the notice shall be suspended until the decision to uphold, quash or vary the notice is known and shall thereafter have effect according to that decision.

7.8 Scheme to Prevail

Where the provisions of this Part are found to be at variance with the provisions of the Council's Signs, Hoarding and Bill Posting Bylaws, the provisions of the Scheme shall prevail.

7.9 Enforcement and Penalties

The offences and penalties provisions specified in Clause 6.3 of the Scheme apply to the advertiser in this part.

- (ii) adding to this Part—Table 3—Exempted Advertisements Pursuant to Clause 7.4;
- (iii) adding to the Appendices, "Appendix No 6—Control Of Advertising—Additional Information Sheet for Advertisement Approval"

Table 3

EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 8.4

| Land Use and/or Development Requiring Advertisement | Exempted Sign Type and Number (Includes the change of posters on poster signs and applies non-illuminated unless otherwise stated) | Maximum Area of Exempted Sign |
|---|---|--|
| Dwellings | One professional name-plate as appropriate. | 0.2 m ² |
| Home Occupation | One advertisement describing the nature of the home occupation. | 0.2 m ² |
| Places of Worship, Meeting Halls and Places of Public Assembly. | One advertisement detailing the function and/or the activities of the institution concerned. | 0.2 m ² |
| Cinemas, Theatres and Drive-in Theatres | Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed. | Each advertisement sign not to exceed 5 m ² . |
| Shops, Showrooms and other uses appropriate to a Shopping Area. | All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to a compliance with the requirements of the Signs, Hoarding and Bill Posting By-laws. | Not Applicable |
| Industrial and Warehouse Premises. | A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building whether or not those signs are connected to a pole, wall or other building. A maximum of two free-standing advertisement Signs not exceeding 5 m in height above ground level. | Total area of any such advertisements shall not exceed 15 m ² Maximum permissible total area shall not exceed 10 m ² and individual advertisement signs shall not exceed 6 m ² . |

| Land Use and/or Development Requiring Advertisement | Exempted Sign Type and Number (Includes the change of posters on poster signs and applies non-illuminated unless otherwise stated) | Maximum Area of Exempted Sign |
|---|--|--|
| Showroom, race courses, major racing tracks, sports stadia, major sporting grounds and complexes. | All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned, either from other private land or from public places and streets. | N/A |
| Public Places and Reserves | (a) Advertisement signs (illuminated and non-illuminated) relating to the functions of Government, a public authority or council of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and (b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the council of a municipality, and (c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein. | N/A N/A N/A |
| Advertisements within Buildings. | All advertisements placed or displayed within building which cannot ordinarily be seen by a person outside of those buildings. | N/A |
| All classes of buildings other than single family dwellings. | One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof. | 0.2 m ² |
| Temporary Signs | Exempted Sign Type and Number (All non-illuminated unless otherwise stated.) | Maximum Area of Exempted Sign |
| Building Construction Sites advertisement signs displayed only for the duration of the construction as follows: | (i) Dwellings (ii) Multiple Dwellings, Shops Commercial & Industrial projects. (iii) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height. 5 m ² | 2 m ² 5 m ² 5 m ² |
| One additional sign showing the name of the project builder. | | 5 m ² |

| Temporary Signs | Exempted Sign Type and Number (All non-illuminated unless otherwise stated.) | Maximum Area of Exempted Sign |
|--|---|---|
| Sales of Goods or Live-stock. | One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose. | 2 m ² |
| Property Transactions. Advertisement signs displayed for the duration of a period over which property transactions are offered and negotiated as follows: | | |
| (a) Dwellings | One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed. | Each sign shall not exceed an area of 2 m ² . |
| (b) Multiple Dwellings, Shops Commercial & Industrial Properties. | One sign as for (a) above. | Each sign shall not exceed an area of 5 m ² . |
| (c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5 ha. | One sign as for (a) above. | Each sign shall not exceed an area of 10 m ² . |
| Display Homes. | | |
| Advertisement signs displayed for the period over which homes are on display for public inspection. | (i) One sign for each dwelling on display. | 2 m ² |
| | (ii) In addition to (i) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display. | 5 m ² |

Appendix No. 6

TOWN PLANNING AND DEVELOPMENT ACT 1928
SHIRE OF SHARK BAY
TOWN PLANING SCHEME No. 2

NOTICE OF PUBLIC ADVERTISEMENT OF DEVELOPMENT PROPOSAL

It is HEREBY NOTIFIED for public information and comment that the Council has received an application to develop land for the purpose described hereunder:

LAND DESCRIPTION

LOT No. STREET

PROPOSAL

Details of the proposal are available for inspection at the Council Office.

Comments on the proposal may be submitted to the Council in writing on or before the day of 19.....

SHIRE CLERK

DATE

J. SELLENGER, President.
R. N. SCANTLEBURY, Shire Clerk.

PD415

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
PLANNING CONTROL AREA—NOTICE OF REVOCATION
 Clarkson Road, Maylands—PCA No. 13

File No. 835-2-20-2.

The State Planning Commission, acting in accord with section 35C of the Metropolitan Region Town Planning Scheme Act, has resolved to revoke its declaration for a Planning Control Area No. 13 for land in Clarkson Road, Maylands, City of Stirling. The Hon Minister for Planning has granted approval to the revocation of the Planning Control Area.

Declaration of the Planning Control Area No. 13 was published in the *Government Gazette* on January 12, 1990.

Revocation of Planning Control Area No. 13 shall have effect from the date of publication of this notice in the *Government Gazette*.

GORDON G. SMITH, Secretary State Planning Commission.

PD416

STATE PLANNING COMMISSION ACT 1985
METROPOLITAN PLANNING COUNCIL
APPOINTMENT OF MEMBERS AND DEPUTY MEMBERS

File: 806-2-1-182 V3.

The Minister for Planning, in accordance with provisions contained in sections 25 and 30 of the State Planning Commission Act, has appointed the following persons as Members and Deputy Members on the Metropolitan Planning Council, for the term February 18, 1991 to December 31, 1991.

As Appointed Member—

In accordance with section 25 (1) (b)—

David Edwin Hatt of 5 Brechin Court, Duncraig, WA 6023

Joseph Michael Ratcliffe of 129 Forrest Street, Peppermint Grove, WA 6011

Leslie Anne McComish of 102 Glengariff Drive, Floreat Park, WA 6014

In accordance with section 25 (1) (c)—

Charles Francis Hopkins of 50 Browne Avenue, Dalkeith, WA 6009, Rt Hon The Lord Mayor, City of Perth

In accordance with section 25 (1) (d)—

George Humphrey Park, Councillor of the Shire of Swan, of "Yarrimbah", Lage Road, East Bullsbrook, WA 6084, as nominee of the Eastern District Planning Committee

Roger Charles Stubbs, Councillor of the City of Armadale, of 10 Raeburn Road, Roleystone, WA 6111, as nominee of the South East District Planning Committee

Domenico Antonio Cosimo Vallelonga, Councillor of the City of Stirling, of 8 Udall Place, Gwelup, WA 6018, as nominee of the North West District Planning Committee

Ronald Francis Hoffman, Councillor of the City of Melville, of 3 Garland Court, Kardinya, WA 6163, as nominee of the South West District Planning Committee

Graham Roy Emery, Councillor of the Town of Mosman Park, of 5 Hope Street, Mosman Park, WA 6012, as nominee of the Western Suburbs District Planning Committee

In accordance with section 25 (1) (e)—

Stuart Keith Hicks, Director General of Transport, Department of Transport, Stirling Highway, Nedlands, WA 6009

Robert Allen Sippe, Director, Evaluations, Environmental Protection Authority, 1 Mount Street, Perth, WA 6000

Commissioner of the Main Roads Department, Waterloo Crescent, East Perth WA 6000

As Deputy to Appointed Members—

David Francis Miguel, of 8 Strode Avenue, Hamilton Hill, WA 6163, as Deputy to Councillor Ronald Hoffman

John Biase D'Orazio, of 137 Leake Street, Bayswater, WA 6062, as Deputy to Councillor Humphrey Park

Charles Rich, of 15 Morgan Road, Redcliffe, WA 6014, as Deputy to Councillor Roger Stubbs

Arnold Victor Dammers, of 36 Bernborough Place, Wanneroo, WA 6065, as Deputy to Councillor Tony Vallelonga

Director of Policy, Department of Transport, Stirling Highway, Nedlands, WA 6009, as Deputy to Mr Stuart Hicks

Manager, Environmental Assessment Branch, Environmental Protection Authority, 1 Mount Street, Perth, WA 6000, as Deputy to Mr Robert Sippe

John George Osmond Hackett, of 29 John Street, Gooseberry Hill, WA 6076, as Deputy to the Commissioner of the Main Roads Department

Maria Teresa Torre, of 47 Lake Monger Drive, Wembley, WA 6014, as Deputy to Lord Mayor Charles Hopkins

David John Caddy, of 1 Napier Street, Nedlands, WA 6009, as Deputy to Councillor Graham Emery

Please note that the deputy of an appointed member has at any meeting of the Metropolitan Planning Council at which the member is not present, all of the functions and entitlements of that member.

GORDON G. SMITH, Secretary.

PD417

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME—SECTION 33A AMENDMENT
APPROVED AMENDMENT

Eddystone Avenue between Joondalup Drive and the Mitchell Freeway

City of Wanneroo

No. 833/33A

File No. 833-2-30-89

The Hon Minister for Planning has approved, without modification, the abovementioned amendment to the Metropolitan Region Scheme.

The amendment as shown on Plan No. 4.1147, shall have effect as from the date of publication of this notice in the *Gazette*.

The Plan as approved can be viewed at:

1. Department of Planning and Urban Development, 469 Wellington Street, Perth WA 6000.
2. J. S. Battye Library, Alexander Library Building, Cultural Centre, Francis Street, Northbridge WA 6000.
3. Office of the Municipality of the City of Wanneroo, Boas Avenue, Joondalup WA 6065.

GORDON G. SMITH, Secretary.

POLICE

PE401

LIST OF MARINE COLLECTORS' LICENCES

Issued During the Period 1/1/91 to 31/3/91

Name; Address; Date Issued; Lic. No.

- Abbott, Stephen Wayne; 8 Nakina Street, Albany; 18/2/91; 607.
 Ackermans, Johannes; 27 Day Street, Kulin, 18/1/91; 451.
 Agostino, Cosimo, Lot 1 Marlboro Crescent, Swan View; 14/3/91; 463.
 Alford, Henry Patrick; 45 Smith Street, Koorda; 21/1/91; 230.
 Allsopp, Reginald C.; 20 Cottrell Street, Dowerin; 9/1/91; 237.
 Auslender, Michael; 24 Howes Crescent, Dianella; 8/1/91; 219.
 Bain, Evan Neil; 35 Quinlan Street, Wongan Hills; 3/1/90; 171.
 Barrett, Kingsley; Perenjori; 16/1/91; 574.
 Bayens, George Jacob; 34 Dorcas Way, Coolbellup; 15/1/91; 120.
 Bergin, Rex Patrick; Lot 1856 Kirk Rock Road, Wickepin; 15/1/91; 317.
 Billingham, Keith; 48 Naughton Street, Hyden; 16/1/91; 259.
 Boladeras, Richard Clive; c/- Avondale Research Station, Beverley; 3/1/90; 205.
 Bosbenberg, Mervyn; 16 Emily Street, Esperance; 23/1/91; 576.
 Boys, Wayne Alfred; Lot 2054 Archer Street, Broome; 7/1/91; 528.
 Bradley, Trevor John; 9 Grant Street, Dalwallinu; 5/4/91; 256.
 Brown, Kevin Walter; 5 Piccadilly Way, Dianella; 28/2/91; 284.
 Burton, Rodney; Hazelvale Road, Walpole; 19/3/91; 109.
 Chapman, John Meldrum, Lot 299 Lion Road, Mt. Helena; 24/1/91; 226.
 Chapman, Stanley R.; 100 Rankin Street, Kondinin; 11/1/91; 124.
 Clough, William McRae; 10/152 Marine Parade, Cottesloe; 23/1/91; 604.
 Dattilo, Eugene Mark; 136 Balga Avenue, Balga; 7/2/91; 445.
 Day, Philip Clarence; 6 Cleaver Street, Carnarvon; 22/2/91; 169.
 Donkin, Thomas F.; 2 Nanba Street, Newman; 7/1/91; 600.
 Evdokimoff, Bill John; 27 South West Highway, Dardanup; 8/3/91; 174.

Fassbender, Herman; 9 Stronds Way, South Hedland; 23/1/91; 277.
 Flintoff, Bevis John; 51 Leeuwin Road, Augusta; 20/2/91; 233.
 Foster, Murray Reginald; 8 Bagley Road, Warwick; 17/1/91; 182.
 Gnos, Bruno; 21 Hovea Crescent, City Beach; 23/1/91; 204.
 Goldsworthy, Douglas W.; 2 Slater Street, Goomalling; 3/1/91; 482.
 Gooch, Anthony, David; RMB 460 Bremer Bay; 9/1/90; 473.
 Grover, Anthony, 99 Hardy Road, Nedlands; 3/1/91; 172.
 Gunnell, Ron; 2 Goyder Street, Corrigin; 19/3/91; 483.
 Hawthorne, Michael; 19 Morgo Crescent, Cloverdale; 3/1/90; 172.
 Hick, David Mark; RMB 418 Bremer Bay; 15/1/91; 265.
 Hulland, Julianne M.; 53 Gratham Street, Cranbrook; 2/1/91; 286.
 Kay, Julia Hermina; 44 Grange Road, Nannup; 7/1/91; 388.
 Kempen, Cornelius; 159 Seventh Avenue, Inglewood; 22/1/91; 501.
 Kordic, Mark Andrew; Perup Road, Manjimup; 9/1/91; 605.
 Law, Neil; Lot 866, Tower Street, Leonora; 9/1/91; 481.
 Lewis, Trevor Raymond; Lot 28 Plackett Way, Busselton; 1/3/91; 584.
 Lloyd, Rodney John; 7 Kathleen Close, Mandurah; 9/3/91; 363.
 Lloyd, William George; Lloyd Road, Pithara; 5/2/91; 251.
 Lowe, Ronald Thomas; 26 Cruickshank Street, Mukinbudin; 7/1/91; 331.
 Luk, Corrie John; 10 Lindfield Street, Balga; 9/1/91; 60.
 Moore, Edwin; 22 Richter Avenue, Morawa; 15/1/91; 298.
 Morton, James Henry; Lt 34 Crossman Road, Boddington; 3/12/90; 377.
 Muir, Darryl Keith; 80 Collingwood Street, Osborne Park; 6/2/91; 76.
 Muir, John Charles; 80 Collingwood Street, Osborne Park; 6/2/91; 75.
 Murdock, Ian Trevor; 133 Spencer Street, Ravensthorpe; 3/12/91; 490.
 McInnes, Hayden; Dalmore Farm, Kulin; 18/1/91; 224.
 Nelson, John Murray; 16 Gee Street, Lancelin; 18/1/91; 319.
 Pacino, Luigi; 25 Barlee Street, Mt. Lawley; 7/1/91; 318.
 Panelli, Angelo; 29 Kennedy Street, Morley; 25/1/91; 279.
 Papanoum, Steven; 25 Farina Drive, Yokine; 23/1/91; 232.
 Parker, Melvyn John; 16 Bignell Drive, Busselton; 7/1/91; 601.
 Paternity, Vincenzo; 41 Helena Street, Guildford; 6/2/91; 157.
 Pawley, David; 9 Mega Street, Wanneroo; 6/2/91; 606.
 Pursell, Anthony James; 3 Jeffers Court, Busselton; 9/1/91; 492.
 Radford, Reg; 35 Joffres Avenue, Paraburdo; 13/2/91; 353.
 Robertson, Reginald A.; 44 Whitfield Street, Jurien Bay; 15/1/91; 602.
 Robinson, David Alexander; Hall Road, Serpentine; 7/1/91; 504.
 Scott, Neville Longmore; 9 Ridley Street, South Hedland; 20/2/91; 479.
 Spanswick, Frederick; 28 Herald Street, Narrogin; 15/1/91; 322.
 Sudlow-Haylett, Robert; 204 Culeenup Road, North Yunderup; 15/2/91; 564.
 Swartz, Morris; 137 Burton Street, Mt. Hawthorn; 7/1/91; 24.
 Taylor, Tanya Lee; 9 Lenane Street, Moora; 18/3/91; 608.
 Trestrail, Mervyn John; South Karlgarin Road, Karlgarin; 14/2/91; 200.
 Valentine, Melvyn James, 216 Minninup Road, Bunbury; 15/1/91; 603.
 Vernon, John Anthony; 5 Rossccommon Place, Bunbury; 8/1/91; 572.
 Wachmer, Alan Reginald; 16/269 Main Street, Osborne Park; 17/1/91; 341.
 Walton, William Alexander; York Street, Watheroo; 12/3/91; 134.
 Ward, Maxwell; Byrns Road, Wyalkatchem; 9/1/91; 413.
 White, Barry William; 110 Thelma Street, Como; 7/1/91; 45.
 White, Noreen, 110 Thelma Street, Como; 7/1/91; 46.
 Whyte, Alan Rodger; 36 Richardson Street, Brookton; 9/1/91; 522.
 Williams, Anthony John; 2 Kellerman Way, Gosnells; 9/1/91; 513.
 Willis, James Ardagh; 41A Goldsmith Street, Bunbury; 15/2/91; 354.
 Wilson, Kenneth Graham, Box 39320 Winnellie, Darwin; 24/1/91; 544.
 Wolfenden, William Arthur; 4 Albert Street, Northam; 7/1/91; 162.
 Wren, Fred; Lot 37 Harris Road, Dardanup; 29/1/91; 354.
 Young, Clive Douglas; 91 Lowwood Road, Mt. Barker; 15/1/91; 152.

PE402

POLICE AUCTION

Under the provisions of the Police Act 1891-1983, unclaimed, stolen bicycles will be sold by public auction at the Automotive Services Branch, Summers Street, East Perth, on Tuesday, May 21, 1991 at 9.00 a.m. Auction to be conducted by Mr K. Treloar, Government Auctioneer.

B. BULL, Commissioner of Police.

PREMIER AND CABINET**PR401**

It is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolios during the absence of the Hon. G. L. Hill, MLA, for the period 14-28 April 1991 inclusive.

Acting Minister for Mines; Fisheries; Mid-West; Minister assisting the Minister for State Development—Hon G. I. Gallop, MLA.

M. C. WAUCHOPE, Acting Chief Executive.

PR402

It is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolios during the absence of the Hon. I. F. Taylor, MLA, for the period 20-28 April 1991 inclusive.

Acting Minister for State Development; Goldfields—Hon D. L. Smith, MLA.

M. C. WAUCHOPE, Acting Chief Executive.

PR403

It is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolios during the absence of the Hon K. J. Wilson, MLA for the period 12-25 April 1991 inclusive.

Acting Minister for Health—Hon R. J. Pearce, MLA.

M. C. WAUCHOPE, Acting Chief Executive.

RACING AND GAMING**RA301****THE WESTERN AUSTRALIAN TURF CLUB
AMENDMENTS TO BY-LAWS OF THE CLUB**

In pursuance of the powers conferred on it by The Western Australian Turf Club Act 1892, The Western Australian Turf Club hereby gives notice that on 28 February 1991 the following amendments to the By-laws of the Club was submitted to the Minister for Racing and Gaming. The amendments to the By-laws have not been disallowed and will come into operation upon publication in this *Gazette*.

1. By-law 2(a) be amended by deleting "Provisional Members" from (iii).
2. By-law 2(b) be deleted.
3. By-law 2(c) be amended by deleting "Provisional Members" and re-numbering to 2(b).
4. By-law 2(d) be amended by being re-numbered to (c).
5. By-law 2(e) be deleted.
6. By-law 3(a) be deleted and replaced with:
 - " (a) Subject to the provisions of these By-laws any person may make application in the prescribed form to become an Ordinary Member of the Club and shall be nominated by one Ordinary Member and seconded by another in writing. The nominator and seconder shall each have been a member for 18 months.
 - (a) (i) Notwithstanding the requirements of By-law 3(a) a person who does not have a nominator or seconder, may be considered by the Committee as a candidate for membership of the Club.
 - (a) (ii) Every application pursuant to By-law 3(a) shall be determined by the Committee by way of ballot. "

7. By-law 3(c) be amended by deleting "a Lady Member or".
8. By-law 3(d) be deleted.
9. By-law 3(e) be deleted.
10. By-law 3(f) be deleted.
11. By-law 3(fa) be deleted.
12. By-law 3(g) be re-numbered to 3(d).
13. By-law 3(h) be deleted and insert

" (e) Any application pursuant to By-law 3(d) shall be determined by the Committee by way of ballot. "
14. By-law 3(i) be amended by deleting "Provisional Members," and re-numbering to (f).
15. By-law 3 insert after clause (f):

" (g) Any person who was a Provisional Member when this By-law 3(g) came into effect shall automatically become an Ordinary Member. "
16. By-law 4 be deleted and be replaced with:

" No ballot for election of Ordinary Members shall be held unless at least two days' written notice thereof shall have been previously sent to each Member of the Committee. Such notice shall contain the names and occupations of the candidates and the names of their respective nominators and seconders, if any. "
17. By-law 5 be amended by inserting after 5: "(a)" and inserting a new clause (b) as follows:

" (b) Within one month after his election, a candidate must pay his entrance fee and subscription for the current year, failing which his election will be invalidated, unless he can satisfactorily justify the delay to the Committee. "
18. By-law 6 be deleted and replaced with:

" 6. (a) Any Member who has rendered valuable service to the Club may be admitted as a Life Member.
(b) In order to be considered for Life Membership, a Member must be recommended to the Committee by the Members at a General or Special General Meeting.
(c) Life Members will be entitled to the same rights and privileges and be subject to the same obligations as other Ordinary Members but shall not be liable to the payment of any entrance fees or annual subscription. "
19. By-law 7 be deleted and replaced with:

" 7. The Governor of Western Australia shall be an Honorary Member of the Club. "
20. By-law 8 be deleted and replaced with:

" 8. Any person may be admitted by the Committee as an Honorary Member at any of the Club's race meetings without payment of entry. "
21. By-law 9 to be amended by inserting after "General" "or Special General" and deleting "member" and replacing it with "Member" in the second last line.
22. By-law 12(b) be deleted and replaced with:

" (b) the Subscription payable by Members of the Club shall be such sum as the Committee may from time to time determine. "
23. By-law 12(c) be amended by deleting "member" with "Member".
24. By-law 13 be deleted and replaced with:

" 13. (a) The fiscal year of the Club commencing 1 May 1990 shall be of 15 months duration ending on 31 July 1991.
(b) Members of the Club shall pay such subscription as the Committee may determine for the additional 3 month period of the fiscal year referred to in By-law 13(a). If any Member shall neglect to pay his transitional subscription before 1 November 1991 he shall cease to be a Member.
(c) The fiscal year of the Club shall thereafter commence on the first day of August in each year and annual subscriptions shall be due and payable in advance of that date. "
25. By-law 14 be deleted.
26. By-law 15 be deleted and replaced with:

" 14. Any Member who intends to be absent from the State during at least six months of the current year, may make written application to the Committee to place his name on the "Absent Members List". "

27. By-law 16 be deleted and replaced with:

" 15. The Committee may grant such application and if such Member continues to be absent from the State for more than one year, may on written application keep the name of such Member on the "Absent Members List" for such further period during his absence as the Committee may in its absolute discretion from time to time determine. "

28. By-law 17 be deleted and replaced with:

" 16. Any Member whose name is on the "Absent Members List" shall not be entitled to any of the privileges of a Member and so long as his name shall be included therein he shall in lieu of the annual subscription for the time being payable under By-law 12 pay annually such lesser sum as the Committee may from time to time determine PROVIDED ALWAYS that any such Member may at any time on his return to the State pay that amount of the annual subscription for the current year that is determined by the Committee from time to time and his name shall be removed from the "Absent Members List" and his Membership Privileges restored. "

29. By-law 18 be deleted and replaced with:

" 17. (a) If any Member shall:

(i) Resign from the Club; or

(ii) Neglect to pay his subscription before the first day of November next following the same becoming due and payable,

he shall cease to be a Member of the Club and his name shall be erased from the list of Members.

(b) Upon the application at any time of any former Member who may have resigned from the Club or whose name may have been erased from the list of Members as aforesaid, the Committee may in its absolute discretion re-admit such Member to Membership of the Club either with or without payment in whole or in part of any unpaid subscription or of any further entrance fee as the Committee may in the circumstances of the case think fit. "

30. By-law 19 be re-numbered to "18".

31. By-law 20 be deleted and replaced with:

" 19. No person shall be eligible to nominate for the Committee unless he is:

(a) under the age of 70 years on the day that the nominations close; and either

(b) a Life Member; or

(c) an Ordinary Member who has been a Member for at least 18 months, including any period on the absent list, immediately prior to the General Meeting at which the election is to take place. "

32. Insert new By-law 20 as follows:

" 20. No person shall be eligible to nominate for election to the Committee or to hold office on the Committee if he be a Steward or Committee Member of any other race club, trotting club, greyhound racing club or Tattersall's Club. "

33. By-law 26(b) be deleted and replaced with:

" (b) the Committee shall as soon as practicable extend the respective times fixed by the By-laws for closing the nominations and for the commencement and closing of the ballot, but so that the ballot shall remain open for at least twenty-one days, and in such case of business of electing Members of the Committee shall not be proceeded with at the ordinary General Meeting, but the Committee shall convene a Special General Meeting for the next working day immediately following the day fixed by them for the closing of the ballot at which meeting the result of the ballot shall be declared; "

34. By-law 26(e) be amended by substituting "Members" for "members" where it appears.

35. By-law 34 be amended by:

(i) substituting "Member" for "member" where it appears;

(ii) deleting 3(d);

(iii) re-numbering "3(e)" to "3(d)";

(iv) deleting 3(f);

(v) re-numbering "3(g)" to "3(e)".

36. By-law 46 be amended by deleting or no quorum of Stipendiary Stewards of the Club”.

37. By-law 51 be deleted and replaced within:

“ 51. (a) There shall be an Auditor of the Club and save that any person, firm or organisation nominated for the position of auditor need not be a Member of the Club the Auditor shall be nominated and elected in accordance with the By-laws relating to nomination and election of Members of Committee and shall be elected at the Annual General Meeting for a period of one year and shall be eligible for re-election.

(b) It shall be the Auditor's duty to carefully audit the books of the Club, and the accounts prepared by the Secretary for submission at the General Meetings, and to certify to the correctness thereof. Should any vacancy occur after any General Meeting, the Committee shall have the power to fill up such vacancy until the next General Meeting. ”

38. By-law 52 be deleted and replaced with:

“ 52. There shall be a General Meeting of Ordinary Members of the Club within ninety days after the beginning of the fiscal year of the Club in each year on a date to be determined by the Committee, for the purpose of electing Members of the Committee, discussing the general business of the Club and receiving from the Committee an abstract of the state of the accounts of the receipts and expenditure with a report of the general concerns of the Club. At such meeting the accounts shall exhibit a true statement of the total receipts and expenditure of the Club during the fiscal year immediately preceeding the first of August, with a statement of the balance of such account. Notice of the date determined by the Committee for the holding of the General Meeting shall not less than thirty days prior to the date so determined be published in a daily newspaper circulating in Perth. ”

Dated the 10th day of April 1991.

ROBERT JOHN PETERS, Chairman.

RA401

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. |
|----------------------------|---|---|--------------------------|
| TRANSFER OF LICENCE | | | |
| 208 | Zhen Kai Wu and Ying Yu Wu Chinese P/L | Application for transfer of a restaurant licence from premises known as Garden Palace Chinese Restaurant situated in Australind from Hazbout P/L. | 5/4/91 |
| 209 | Alexandra Holdings P/L | Application for transfer of a tavern licence for premises known as Odin Tavern situated in Balcatta from Eder P/L. | 27/3/91 |
| 210 | Glenoak Nominees P/L as the QF Unit Trust | Application for transfer of a tavern licence for premises known as Hilton Park Tavern from Lovebird Holdings P/L. | 5/4/91 |
| 211 | D. M. Packer Nominees P/L | Application for transfer of a restaurant licence for premises known as Travellers Haven situated in Albany from N. M. Ashton and J. I. Arndell (S87). | 5/4/91 |
| 212 | Carobost P/L A/T/F | Application for transfer of a conditional liquor store situated in Leeming from Eldorado P/L. | 10/4/91 |
| 213 | T & T Management Services P/L | Application for transfer of a restaurant licence for premises known as Fat Franks situated in Perth from Eastridge Holdings P/L. | 12/4/91 |

| App. No. | Applicant | Nature of Application | Last Day for Objections. |
|----------|--|---|--------------------------|
| 215 | Sentis P/L | Application for transfer of a hotel from Faveo P/L (S87). | 10/4/91 |
| 216 | Lachlan Robert | Application for transfer of a tavern licence for premises known as Hines Hill Tavern from John Ramon Presland. | 18/4/91 |
| 217 | Canerise P/L | Application for a transfer of liquor store licence for premises known as Fieldgate Liquor Store situated in Balga from Mazz Nominees P/L. | 18/4/91 |
| 218 | Tinge P/L | Application for transfer of a hotel licence for premises known as White Star Hotel situated in Albany from Sebastiano. | 26/4/91 |
| 171B/90 | Carlton Special Beverages Company | Application for a wholesale licence in respect of Carlton Special Beverages Company, 108 Radium Street, Welshpool. | 22/4/91 |
| 172B/90 | Pillar P/L T/A Thai Village Restaurant | Application for a restaurant licence in respect of Thai Village Restaurant, 22 Bannister Street, Fremantle. | 23/4/91 |
| 173B/90 | East Perth District Basketball Assoc | Application for a club restricted licence in respect of East Perth District Basketball Association Victoria Road, Malaga. | 3/5/91 |
| 56A/90 | Northbank Holdings P/L | Application for a cabaret licence in respect of City Heat Nightclub, corner Hay and Mill Streets, Perth. | 23/4/91 |

This notice is published under section 67 (5) of the Liquor Licensing Act 1988.

G. B. AVES, Director of Liquor Licensing.

RA402

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 |
|----------------------------|--|---|-------------------------|
| TRANSFER OF LICENCE | | | |
| 219 | Aglet P/L | Application for transfer of a liquor store licence for premises known as Al's Liquor Store situated in Carnarvon from J. J. & S. L. Samson, Laurinana Pastoral Co (Esperance P/L and Aglet P/L.) | 20/4/91 |
| 220 | Purdal P/L A/T/F A. & J. King Family Trust | Application for transfer of a tavern licence for premises known as Wanneroo Villa Tavern from Extos P/L | 23/4/91 |
| 221 | Westearl P/L | Application for transfer of a restaurant licence for premises known as Ziegfelds Cafe situated in Subiaco from Harleigh P/L. | 23/4/91 |
| 222 | Michael Wolfgang Junghans | Application for transfer off a restaurant licence for premises known as JJ's Coffee Shop and Bistro situated in Mandurah from Savoy Estates P/L A/T/F Savoy Trust, J. L. Wilson Nominees P/L A/T/F John Leslie Wilson Family Trust. | 15/4/91 |

This notice is published under section 67 (5) of the Liquor Licensing Act 1988.

G. B. AVES, Director of Liquor Licensing.

TRANSPORT**TR301****TRANSPORT CO-ORDINATION ACT 1966****COUNTRY TAXI-CARS (FARES AND CHARGES) REGULATIONS 1991**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Country Taxi-cars (Fares and Charges) Regulations 1991*.

Commencement

2. These regulations shall come into operation on the day on which they are published in the *Government Gazette*.

Fares or charges

3. (1) Subject to this regulation where a taxi-car is hired in a portion of the State specified in the Schedule the fares and charges to be taken or made for the hire of the taxi-car shall be those set out in the Schedule in respect of that portion of the State and no greater or lesser fare or charge shall be taken or made unless special fares or charges, or both, are approved for particular local conditions or unless contract rates are approved by the Director General.

(2) This regulation does not apply to a taxi-car, which under the conditions attached to its licence may be operated as a private taxi-car

(3) The Off Meter rates specified in the Schedule—

(a) shall apply to a journey which at any time is outside a 30 km radius; and

(b) shall apply to the distances travelled by the taxi-car—

(i) where the point of engagement is within a 30 km radius—from the point of engagement to the destination and for the return journey by the nearest practicable route; and

(ii) where the point of engagement is outside a 30 km radius—to the point of engagement, from the point of engagement to the destination and for the return journey by the nearest practicable route,

whether or not the taxi-car is occupied by a passenger during the whole of that journey.

(4) In subregulation (3) "a 30 km radius" means a 30 km radius of the post office designated in the relevant taxi-car licence.

(5) The hirer of a taxi-car shall pay any tolls and parking fees incurred during the hiring at the hirer's request.

Evasion of fares and charges

4. (1) A person shall not evade or attempt to evade the payment of fares or charges for the hire of a taxi-car.

(2) A taxi-car driver shall report any evasion or attempted evasion of the payment of or charge for a hiring of the taxi-car to the Director General of Transport as soon as is practicable.

Separate fares

5. (1) An operator of a taxi-car shall not directly or indirectly tender for or enter into any arrangement for the carrying of passengers for separate fares unless required or authorized to do so by an authorized officer.

(2) When the number of persons requiring the use of a taxi-car at any location exceeds the number of taxi-cars available, or in any other circumstances in which service to the public so warrants, an authorized officer may require or authorize the operator of any taxi-car to carry passengers at separate fares on the conditions that, in respect of any journey—

(a) the original hirer has no objection to the operator of the taxi-car accepting in respect of that journey other passengers by way of separate hirings; and

(b) the hirers are travelling to destinations that are in the same locality or in the same direction.

(3) When passengers are carried in a taxi-car for separate fares each separate hirer may, at his destination, be charged 75 per centum of the amount of the fare then recorded on the taximeter, or if the taxi-car is not fitted with a taximeter, 75 per centum of the amount of the fare that would be payable at that time if the taxi-car were being used for the carriage of a hirer or hirers for a single fare.

Fare schedule card

6. (1) The owner of a taxi-car shall have in the vehicle a schedule issued by the Director General detailing the rates and charges to be paid by the hirer and the driver shall make the schedule available to the hirer at his request.

(2) A person shall not drive a taxi-car in which the Schedule referred to in subregulation (1) is not carried.

Offences

7. A person who contravenes or fails to comply with any of these regulations commits an offence and is liable to a penalty—

- (a) for a first offence, to a fine not exceeding \$100; and
- (b) for a second or subsequent offence, to a fine not exceeding \$200.

Repeal

8. Part VI of the *Transport (Country Taxi-car) Regulations 1982** is repealed.

[*Published in the *Government Gazette of 23 July 1982 at pp. 2853-61. For amendments to 30 January 1991 see 1989 Index to Legislation of Western Australia at pp. 366-367 and Government Gazettes of 2 March 1990, p. 1351-52, 20 July 1990, pp. 3544-45 and 30 November 1990, p. 5941.]*

Schedule

PART 1—Metered and Off Meter Rates

AREA 1—Outside the area to which the Taxi-car Control Act 1985 applies but in the South West Land Division, and in the Shires of Leonora, Coolgardie and Yilgarn—

(a) Metered rates—

- (i) to apply between the hours of 6am to 6pm Monday to Friday—

| | |
|---|---------|
| Flag fall | \$ 1.80 |
| Distance rate— | |
| per kilometre | 0.95 |
| for each 105m or part thereof | 0.10 |
| Detention charge— | |
| for each 16 seconds or part thereof | 0.10 |
| Minimum charge | 1.80 |
- (ii) to apply between the hours of 6pm to 6am Monday to Friday, 6pm Friday to 6am Monday and all day on public holidays—

| | |
|---|------|
| Flag fall | 2.40 |
| Distance rate— | |
| per kilometre | 0.95 |
| for each 105m or part thereof | 0.10 |
| Detention charge— | |
| for each 16 seconds or part thereof | 0.10 |
| Minimum charge | 2.40 |

(b) Off Meter rates—

- Distance rate—
- during hiring—for each kilometre or part thereof 0.50
- for forward or return journey by nearest practicable route—for each kilometre or part thereof 0.50
- Detention charge—
- for each 16 seconds or part thereof 0.10

AREA 2—Shire of Northampton—

(a) Metered rates—

- (i) to apply between the hours of 6am to 6pm Monday to Friday—

| | |
|---|---------|
| Flag fall | \$ 1.70 |
| Distance rate— | |
| per kilometre | 0.85 |
| for each 118m or part thereof | 0.10 |
| Detention charge— | |
| for each 20 seconds or part thereof | 0.10 |
| Minimum charge | 1.70 |
- (ii) to apply between the hours of 6pm to 6am Monday to Friday, 6pm Friday to 6am Monday and all day on public holidays—

| | |
|---|------|
| Flag fall | 2.30 |
| Distance rate— | |
| per kilometre | 0.85 |
| for each 118m or part thereof | 0.10 |
| Detention charge— | |
| for each 20 seconds or part thereof | 0.10 |
| Minimum charge | 2.30 |

| | |
|--|------|
| (b) Off Meter rates— | \$ |
| Distance rate— | |
| during hiring—for each kilometre or part thereof | 0.45 |
| for forward or return journey by nearest practicable route—for each kilometre or part thereof | 0.45 |
| Detention charge— | |
| for each 20 seconds or part thereof | 0.10 |
| AREA 3—Shires of Exmouth, Port Hedland, East Pilbara, Meekatharra and Ashburton— | |
| (a) Metered rates— | \$ |
| Flag fall | 2.00 |
| Distance rate— | |
| per kilometre | 1.00 |
| for each 100m or part thereof | 0.10 |
| Detention charge—for each 25.7 seconds or part thereof | 0.10 |
| Minimum charge | 2.00 |
| (b) Off Meter rates— | |
| Distance rate—for each kilometre | 0.60 |
| Detention charge—for each 25.7 seconds or part thereof . | 0.10 |
| AREA 4—Shires of Broome, Derby/West Kimberley, Wyndham/East Kimberley and Halls Creek— | |
| (a) Metered rates— | \$ |
| Flag fall | 2.00 |
| Distance rate— | |
| per kilometre | 1.10 |
| for each 91m or part thereof | 0.10 |
| Detention charge—for each 25.7 seconds or part thereof | 0.10 |
| Minimum charge | 2.00 |
| (b) Off Meter rates— | |
| Distance rate—per kilometre or part thereof | 0.60 |
| Detention charge—for each 25.7 seconds or part thereof | 0.10 |
| AREA 5—Shires of Carnarvon, Dundas, Esperance and Shark Bay— | |
| (a) Metered rates— | \$ |
| Flag fall | 2.00 |
| Distance rate— | |
| per kilometre | 0.90 |
| for each 111m or part thereof | 0.10 |
| Detention charge—for each 22.5 seconds or part thereof | 0.10 |
| Minimum charge | 2.00 |
| (b) Off Meter rates— | |
| Distance rate—per kilometre or part thereof | 0.50 |
| Detention charge—for each 22.5 seconds or part thereof | 0.10 |
| AREA 6—Town of Geraldton and environs and the Shire of Irwin— | |
| (a) Metered rates— | |
| (i) to apply between the hours of 6am to 6pm Monday to Friday— | \$ |
| Flag fall | 1.70 |
| Distance rate— | |
| per kilometre | 0.85 |
| for each 118m or part thereof | 0.10 |
| Detention charge— | |
| for each 22.5 seconds or part thereof | 0.10 |
| Minimum charge | 1.70 |
| (ii) to apply between the hours of 6pm to 6am Monday to Friday, 6pm Friday to 6am Monday and all day on public holidays— | |
| Flag fall | 2.30 |
| Distance rate— | |
| per kilometre | 0.85 |
| for each 118m or part thereof | 0.10 |
| Detention charge— | |
| for each 22.5 seconds or part thereof | 0.10 |
| Minimum charge | 2.30 |
| (b) Off Meter rates— | |
| Distance rate— | |
| during hiring—for each kilometre or part thereof | 0.45 |
| for forward or return journey by the nearest practicable route—for each kilometre or part thereof | 0.45 |
| Detention charge— | |
| for each 22.5 seconds or part thereof | 0.10 |

AREA 7—City of Kalgoorlie/Boulder—

| | | |
|--|------|----|
| (a) Metered rates— | | \$ |
| (i) to apply between the hours of 6am to 6pm Monday to Friday— | | |
| Flag fall | 1.80 | |
| Distance rate— | | |
| per kilometre | 0.90 | |
| for each 111m or part thereof | 0.10 | |
| Detention charge— | | |
| for each 20 seconds or part thereof | 0.10 | |
| Minimum charge | 1.80 | |
| (ii) to apply between the hours of 6pm to 6am Monday to Friday, 6pm Friday to 6am Monday and all day on public holidays— | | |
| Flag fall | 2.70 | |
| Distance rate— | | |
| per kilometre | 0.90 | |
| for each 111m or part thereof | 0.10 | |
| Detention charge— | | |
| for each 20 seconds or part thereof | 0.10 | |
| Minimum charge | 2.70 | |
| (b) Off Meter rates— | | |
| Distance rate— | | |
| during hiring—for each kilometre or part thereof | 0.50 | |
| for forward or return journey by the nearest practicable route—for each kilometre or part thereof | 0.50 | |
| Detention charge— | | |
| for each 20 seconds or part thereof | 0.10 | |

AREA 8—Town of Albany—

| | | |
|---|------|----|
| (a) Metered rates— | | \$ |
| (i) to apply between the hours of 6am to 6pm Monday to Friday and 6am to 1pm on Saturday— | | |
| Flag fall | 1.90 | |
| Distance rate— | | |
| per kilometre | 0.90 | |
| for each 111m or part thereof | 0.10 | |
| Detention charge— | | |
| for each 20 seconds or part thereof | 0.10 | |
| Minimum charge | 1.90 | |
| (ii) to apply between the hours of 6pm to 6am Monday to Friday and 6pm Friday to 6am Monday, and at any time on a public holiday, including Christmas Day and New Year's Day— | | |
| Flag fall | 2.50 | |
| Distance rate— | | |
| per kilometre | 0.90 | |
| for each 111m or part thereof | 0.10 | |
| Detention charge— | | |
| for each 20 seconds or part thereof | 0.10 | |
| Minimum charge | 2.50 | |
| (b) Off Meter rates— | | |
| Distance rate— | | |
| during hiring—for each kilometre or part thereof | 0.45 | |
| for the forward or return journey by the nearest practicable route—for each kilometre or part thereof | 0.45 | |
| Detention charge— | | |
| for each 20 seconds or part thereof | 0.10 | |

AREA 9—Shire of Laverton—

| | | |
|--|------|----|
| (a) Metered rates— | | \$ |
| Flag fall | 2.00 | |
| Distance rate— | | |
| per kilometre | 1.00 | |
| for each 100m or part thereof | 0.10 | |
| Detention charge—for each 25.7 seconds or part thereof | 0.10 | |
| Minimum charge | 2.00 | |
| (b) Off Meter rates— | | |
| Distance rate—for each kilometre | 0.60 | |
| Detention charge—for each 25.7 seconds or part thereof | 0.10 | |

AREA 10—Shire of Roebourne—

| | |
|--|------|
| (a) Metered rates— | \$ |
| Flag fall | 2.20 |
| Distance rate— | |
| per kilometre | 1.10 |
| for each 91m or part thereof | 0.10 |
| Detention charge—for each 22.5 seconds or part thereof | 0.10 |
| Minimum charge | 2.20 |
| (b) Off Meter rates— | |
| Distance rate—per kilometre or part thereof | 0.70 |
| Detention charge—for each 22.5 seconds or part thereof | 0.10 |

PART 2—Surcharges, Special Hirings, Cleaning and Luggage Rates

| Item | Rate |
|--|-------|
| 1. SURCHARGES | \$ |
| (a) Areas 1, 2 and 6 | |
| Christmas Day and New Year's Day | 1.00 |
| (b) Area 4 | |
| To apply to metered hirings— | |
| (i) between the hours of— | |
| 6pm to 6am Monday to Friday | 0.40 |
| 1pm Saturday to 6am Monday | 0.40 |
| (ii) at any time on a Public Holiday other than | |
| Christmas Day and New Year's Day | 0.40 |
| (iii) Christmas Day and New Year's Day | 1.00 |
| (c) Area 5 | |
| To apply to metered hirings— | |
| (i) between the hours of— | |
| 6pm to 6am Monday to Friday | 0.60 |
| 1pm Saturday to 6am Monday | 0.60 |
| (ii) at any time on a Public Holiday other than | |
| Christmas Day and New Year's Day | 0.60 |
| (iii) Christmas Day and New Year's Day | 2.00 |
| (d) Area 7 | |
| Christmas Day and New Year's Day | 2.00 |
| (e) Areas 3, 8, 9 and 10—No Surcharge | |
| 2. SPECIAL HIRINGS | |
| (a) Areas 1 and 2 | |
| (i) Tours | |
| Rates for hiring arranged on a time basis where the | |
| hirer visits a number of places of interest— | |
| first hour | 25.00 |
| thereafter, each quarter hour or part thereof | 5.00 |
| (ii) Weddings | |
| first 2 hours or part thereof | 59.00 |
| thereafter, each quarter hour or part thereof | 5.00 |
| for every kilometre or part thereof over 16 kilometres | 0.85 |
| (iii) Funerals | |
| first hour or part thereof | 24.00 |
| thereafter each quarter hour or part thereof | 3.50 |
| for every kilometre or part thereof over 16 kilometres | 0.85 |
| (iv) Booking fee | 2.00 |
| (v) Air-conditioned taxi (where requested) | 2.00 |
| (b) Area 4 | |
| (i) Tours | |
| Rates for hiring arranged on a time basis where the | |
| hirer visits a number of places of interest— | |
| first hour | 15.00 |
| thereafter, each quarter hour or part thereof | 3.75 |
| (ii) Weddings | |
| first 2 hours or part thereof | 40.00 |
| thereafter, each quarter hour or part thereof | 3.00 |
| for every kilometre or part thereof over 16 kilometres | 0.75 |
| (iii) Funerals | |
| first hour or part thereof | 20.00 |
| thereafter each quarter hour or part thereof | 3.00 |
| for every kilometre or part thereof over 16 kilometres | 0.75 |
| (iv) Booking fee | 2.00 |
| (v) Air-conditioned taxi (where requested) | 2.00 |

| | |
|--|-------|
| (c) Areas 3,6,8, 9 and 10 | \$ |
| (i) Tours | |
| Rates for hiring arranged on a time basis where the hirer visits a number of places of interest— | |
| first hour | 20.00 |
| thereafter, each quarter hour or part thereof | 5.00 |
| (ii) Weddings | |
| first 2 hours or part thereof | 48.00 |
| thereafter, each quarter hour or part thereof | 3.50 |
| for every kilometre or part thereof over 16 kilometres | 0.80 |
| (iii) Funerals | |
| first hour or part thereof | 24.00 |
| thereafter each quarter hour or part thereof | 3.50 |
| for every kilometre or part thereof over 16 kilometres | 0.80 |
| (iv) Booking fee | 2.00 |
| (v) Air-conditioned taxi (where requested) | 2.00 |
| (d) Area 5 | |
| (i) Tours | |
| Rates for hiring arranged on a time basis where the hirer visits a number of places of interest— | |
| first hour | 16.00 |
| thereafter, each quarter hour or part thereof | 4.00 |
| (ii) Weddings | |
| first 2 hours or part thereof | 40.00 |
| thereafter, each quarter hour or part thereof | 3.00 |
| for every kilometre or part thereof over 16 kilometres | 0.75 |
| (iii) Funerals | |
| first hour or part thereof | 20.00 |
| thereafter each quarter hour or part thereof | 3.00 |
| for every kilometre or part thereof over 16 kilometres | 0.75 |
| (iv) Booking fee | 2.00 |
| (v) Air-conditioned taxi (where requested) | 2.00 |
| (e) Area 7 | |
| (i) Tours | |
| Rates for hiring arranged on a time basis where the hirer visits a number of places of interest— | |
| first hour | 16.00 |
| thereafter, each quarter hour or part thereof | 4.00 |
| (ii) Weddings | |
| first 2 hours or part thereof | 60.00 |
| thereafter, each quarter hour or part thereof | 3.00 |
| for each kilometre or part thereof over 16 kilometres | 0.75 |
| (iii) Funerals | |
| first hour or part thereof | 20.00 |
| thereafter each quarter hour or part thereof | 3.00 |
| for every kilometre or part thereof over 16 kilometres | 0.75 |
| (iv) Booking fee | 2.00 |
| (v) Air-conditioned taxi (where requested) | 2.00 |
| 3. CLEANING | |
| (a) Area 1 | |
| Where soiled or befouled during hiring per hour | 22.00 |
| (b) Area 2 | |
| Where soiled or befouled during hiring per hour | 18.00 |
| (c) Areas 4 and 5 | |
| Where soiled or befouled during hiring— | |
| requiring more than 15 minutes and less than 30 minutes cleaning time | 3.00 |
| requiring more than 30 minutes cleaning time | 8.00 |
| (d) Areas 3,8,9 and 10 | |
| Where soiled or befouled during hiring—per hour | 14.00 |
| (e) Area 6 | |
| Where soiled or befouled during hiring—per hour | 16.00 |
| (f) Area 7 | |
| Where soiled or befouled during hiring— | |
| requiring more than 15 minutes and less than 30 minutes cleaning time | 6.00 |
| requiring more than 30 minutes cleaning time | 12.00 |
| 4. LUGGAGE | |
| (a) Areas 4,5,6,7,8 and 9 | |
| For luggage carried in the boot of a taxi other than one suitcase and a brief case, a baby carriage, walking frame or wheelchair | 0.20 |
| (b) Areas 1, 2, 3 & 10—No Charge | |

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

WATER AUTHORITY

WA401

**Water Authority of Western Australia
RIGHTS IN WATER AND IRRIGATION ACT 1914**

Notice Under Section 13 of the Act

(Regulation 14 (1))

The applications in the following schedule have been received for a licence to divert, take and use water from the Warren-Donnelly Rivers System.

Any owner or occupier of land within 4.8 kilometres of the applicant's land and contiguous to the watercourse may object to that application.

Objections should be sent to reach me at the:

Water Authority of WA
PO Box 305
Bunbury WA 6230

prior to the 3rd of May, 1991 by certified mail.

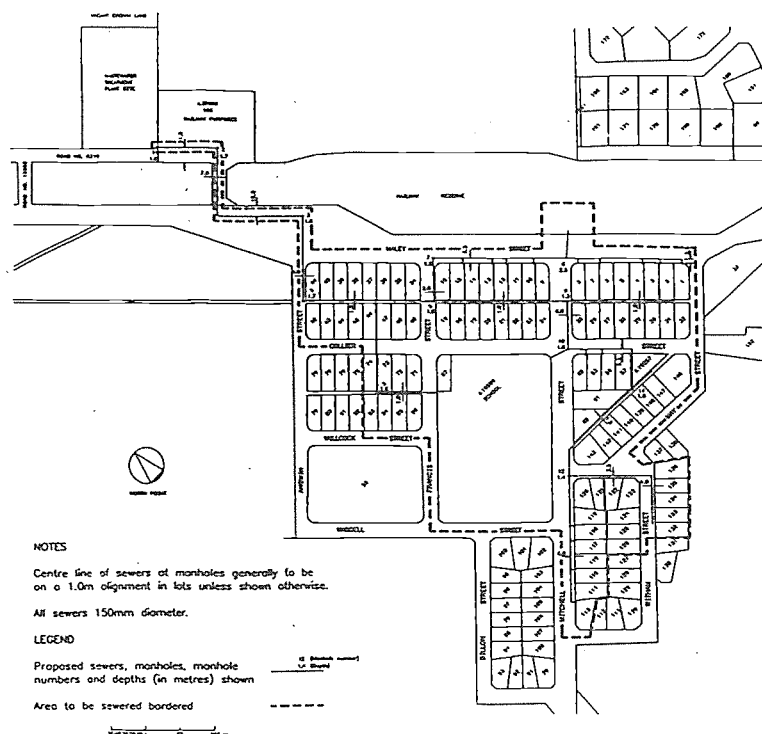
C. ELLIOTT,
Regional Manager, South West Region,
Water Authority of WA.

Schedule

Occupier; Postal Address; Description of Land.

- K. Skipworth; PO Box 331, Nedlands WA 6009; Nelson Loc. 9162, (Lot 3) Pemberton.
- S. G. Hooper; 30 Drake St., Osborne Park WA 6017; Nelson Loc. 12096, Muirs Highway.

WA402



SEWERAGE SCHEME

SHIRE OF LAKE GRACE
NEWDEGATE

NOTICE OF AUTHORISATION
TO

CONSTRUCT RETICULATION AREA
NEWDEGATE 1A AND
A WASTEWATER TREATMENT PLANT

In accordance with the provisions of the Water Authority Act 1984 the Water Authority of Western Australia is Authorised to construct:-

- Below ground sewers of up to 150mm diameter
- A wastewater treatment plant

The location of the proposed works are as shown on Water Authority plan No. CD31-0-1 and notice of the intention to construct the works was advertised on Friday 8th February, 1991.

When completed the works will provide wastewater collection, treatment, and disposal facilities in Newdegate.

This Authorisation shall take effect from April 12th, 1991, and construction will commence after this date.

[Signature]
MINISTER FOR WATER RESOURCES
Date: 16. 4. 91.

TENDERS

ZT101

BUILDING MANAGEMENT AUTHORITY

Acceptance of Tenders

| Tender No. | Project | Contractor | Amount |
|------------|---|---------------------------------|-----------|
| | | | \$ |
| 24929.... | Newborough Primary School—Alterations and Extensions | P. R. Paul & Co | 234 000 |
| 24933 ... | Narembeen District High School—Alterations and Extensions | M. & O. Building Co. | 257 350 |
| 24934 ... | Broome High School—Alterations and Additions | Magee Construction N.W. Pty Ltd | 1 653 340 |

C. BURTON, Executive Director,
Building Management Authority.

ZT201

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 |
|------------|--|---------------------------|
| 216/90 .. | Supply and delivery of one (1) to two (2) four wheel drive loaders. ... | Monday May 6, 1991 |
| 217/90 .. | Supply and delivery of two skid mounted transportable three (3) berth accommodation. | Monday May 6, 1991 |
| 218/90 .. | Supply and delivery of one skid mounted transportable four (4) berth accommodation. | Monday May 6, 1991 |
| 203/90 .. | Laboratory testing of soil and crushed rock for a six month period ending 31/10/91 | Tuesday April 30, 1991 |
| 204/90 .. | Supply and installation of carpet and underlay to Main Office, MRD Kalgoorlie. | Wednesday May 8, 1991 |
| 186/90 .. | Internal/external painting to two departmental houses, Kalgoorlie. | Wednesday May 8, 1991 |
| 194/90 .. | Internal/external painting to office, store and laboratory, MRD Kalgoorlie. | Wednesday May 8, 1991 |

ZT202

Acceptance of Tenders

| Contract No. | Description | Successful Tenderer | Amount |
|--------------|---|-----------------------------|----------|
| | | | \$ |
| 90Q19 .. | Supply and delivery of one mechanics van body | Federal Sheet Metal Pty Ltd | 2 666.00 |

D. R. WARNER, Director, Administration and Finance.

ZT301

STATE TENDER BOARD OF WESTERN AUSTRALIA

Tenders Invited

Tender forms and full particulars of the Schedule hereunder may be obtained on application at the State Tender Board, 815 Hay Street, Perth, 6000.

TELEPHONE No. 222 8491 or 222 8241

FACSIMILE No. 321 7918

| Date of Advertising | | Description | Date of Closing |
|---------------------|-----------|---|-------------------|
| March 15 | 364A1991 | Supply, delivery and commissioning of an Endoscopic Ultrasound Unit for the Department of Radiology for the Royal Perth Hospital—Group Class No. 6525 | May 2 |
| April 5 | 32A1991 | Icecream for various Government Departments for a one year period with an option to extend for a further one year period—Group Class No. 8910 . | May 2 |
| April 5 | 99A1991 | Supply and Delivery of Sterile Fluids Large Volume to meet a Whole of Health requirement, for a one (1) year period with an option of a further one (1) year period—Group Class No. 6505 | May 2 |
| March 1 | 112A1991 | Supply of Diesel Fuel, Bulk and Drum requirements for various Government Departments—Group Class No. 9140 | Extended to May 2 |
| April 12 | 383A1991 | One (1) to Five (5) only Back Hoe Loaders in accordance with specification P115-7 for the Main Roads Department—Group No. 3815 | May 9 |
| April 12 | 384A1991 | One (1) to Three (3) only 20 tonne Multi-tyred Self Propelled Rollers in accordance with specification P144-7 for the Main Roads Department—Group Class No. 3895 | May 9 |
| April 12 | 385A1991 | One (1) to Five (5) Four Wheel Drive Tractors for the 1990/91 Major Plant Upgrade in accordance with specification P213-7 for the Main Roads Department—Group Class No. 2420 | May 9 |
| April 19 | 39A1991 | Supply and delivery of Electrodes, Electrocardiograph to meet a Whole of Health Requirement for a 12 month period with an option of a further 12 months—Group Class: 6515 | May 9 |
| April 19 | 108A1991 | Supply and delivery of Microfilm Supplies for Various Government Departments for a one (1) year period with the option to extend for a further 12 months—Group Class: 6750 | May 9 |
| April 19 | 396A1991 | One (1) only Crawler Dozer Class 150C in accordance with Specification P191-4 for the Main Roads Dept—Group Class No. 3830 | May 9 |
| | | <i>Invitation to Register Interest</i> | |
| April 12 | ITRI 2/91 | The Register Programme (the Register of Women in non-traditional occupations)—Department of Employment and Training | May 2 |
| | | <i>For Service</i> | |
| March 28 | 376A1991 | Provision of a Consultancy Service to review the Operations of the Royal Flying Doctor Service in Western Australia for the Health Department WA—SECWA Code: ADZZ | May 2 |
| April 19 | 209A1991 | Cleaning of Hedland Senior High—Ministry of Education for a one (1) year period—SECWA Code: ABAA | May 2 |
| | | <i>For Sale</i> | |
| April 5 | 377A1991 | 1987 Nissan Patrol 4x4 Tray Back (6QJ 722) for Conservation & Land Management—Mundaring. | May 2 |
| April 5 | 378A1991 | 1988 Toyota Hilux Crew Cab Ute (MRD 2477), 1989 Holden Jackaroo Station Wagon (MRD A345), 1989 Nissan Pintara Station Wagon (MRD A905), 1990 Ford Falcon Ute (MRD B406) for Main Roads Department—Welshpool | May 2 |

STATE TENDER BOARD OF WESTERN AUSTRALIA—*continued**For Sale*

| Date of Advertising | | Description | Date of Closing |
|---------------------|----------|--|-----------------|
| April 5 | 379A1991 | 1989 Mitsubishi Express Combi (MRD A335), 1989 Toyota Hilux Crew Cab Ute (MRD A551), 1990 Mitsubishi Triton Ute (MRD A899), 1989 Mitsubishi Triton Crew Cab Ute (MRD A912) for the Main Roads Department—Welshpool | May 2 |
| April 5 | 380A1991 | 1990 Mitsubishi Triton Ute (MRD A977), 1989 Ford Falcon Ute (MRD B132), 1990 Ford Falcon Ute (MRD B285), 1990 Ford Falcon Panel Van (MRD B316), 1988 Toyota Hilux Crew Cab Ute (MRD 2511) for the Main Roads Department—Welshpool | May 2 |
| April 5 | 381A1991 | Surplus Miscellaneous Equipment for the Department of Agriculture—Derby | May 2 |
| April 12 | 382A1991 | Plexiglas GS222 Acrylic on behalf of the Western Australian Development Corporation | May 9 |
| April 12 | 386A1991 | Bosich Tri-Axle Low Loader (MRD 0589)—Recall for the Main Roads Department—Welshpool | May 9 |
| April 12 | 387A1991 | 1980 Toyota DA115 Tip Truck (MRD 5139), 1982 Toyota DA115 Tip Truck (MRD 6486)—Recall for Main Roads Department—Welshpool | May 9 |
| April 12 | 388A1991 | 1962 Stores Caravan (MRD 1530) for the Main Roads Department—Albany | May 9 |
| April 12 | 389A1991 | Domestic Caravan (MRD 0031), Domestic Caravan (MRD 0058), Domestic Caravan (MRD 0060), Stores Caravan (MRD 1531) for the Main Roads Department—Bunbury | May 9 |
| April 12 | 390A1991 | 1987 Toyota Dyna Crew Cab Tip Truck (MRD 9977) for the Main Roads Department—Welshpool | May 9 |
| April 12 | 391A1991 | 1978 Hino 49 Seater Bus (XQF 515) for the Ministry of Education—South Hedland | May 9 |
| April 19 | 392A1991 | 1988 Ford Econovan (6QR 406) for the Department of Agriculture—Kununurra | May 9 |
| April 19 | 393A1991 | MWM Diesels Trailer Mounted Generator Set 4kw (MRD 4792), MWM Diesels Trailer Mounted Generator Set 4kw (MRD 4793), Lister Trailer Mounted Generator Set 4kw (MRD 6295) & Lister Trailer Mounted Generator Set 4kw (MRD 6297) for the Main Roads Dept—Albany | May 9 |
| April 19 | 394A1991 | Surplus Miscellaneous Equipment for the Dept of Conservation and Land Management—Collie | May 9 |
| April 19 | 395A1991 | Chainsaws and Brushcutters for the Dept of Conservation and Land Management—Jarrahdale | May 9 |

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.

PUBLIC NOTICES

ZZ202

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 estate of Barry Richard Wasley late of 13 Raglan Road, Mount Lawley, School Teacher, who died on 1st January 1991 at Shenton Park, are required to send particulars of their claims to Challenge Trustees Limited of 95 William Street, Perth WA 6000, by the 19th May 1991, after which date the said Company may convey or distribute the assets having regard only to the claims of which it then has notice.

Dated this 19th day of April 1991.

ZZ201

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 20th May 1991, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Anderson, John Wilfred, late of 55A Gascoyne Crescent, Dampier, died 17/2/91.

Beaton, Julia Elizabeth, late of Little Sisters of the Poor, Rawlins Street, Glendalough, died 19/3/91.

Bond, Eva May Cordelia, late of Gracewood Nursing Home, 20 Roebuck Drive, Manning, died 15/3/91.

Boyer, Pierre Jean-Louis, late of 144 Harborne Street, Wembley, died 27/3/91.

Boyer, Zoe Christine, late of 144 Harborne Street, Wembley, died 26/3/91.

Clarkson, John George, late of 135 Hillsborough Drive, Nollamara, died 3/3/91.

Comley, Allan Victor, late of 36 Walmsley Street, Esperance, died 27/2/91.

Fellows, Douglas Raymond, late of 64 Girrawheen Avenue, Girrawheen, died 5/3/91.

Golobicic, Antoni, late of Salisbury Rest Home, 19-21 James Street, Guildford, died 26/3/91.

Grant, Charles Thomas, late of Midland Nursing Home, John Street, Midland, died 25/3/91.

Hartley, Donald Hector, formerly of Corrigin and Whitby Falls Hostel, Mundijong, late of Narrogin Nursing Home, Narrogin, died 14/3/91.

Hopkins, Olive Adelaide, late of Gracewood Nursing Home, 20 Roebuck Drive, Manning, died 11/3/91.

Instone, Graham Brodrick, late of 59 Karunjie Road, Golden Bay, died 6/3/91.

Ismail, George, late of 19 Foy Street, Esperance, died 8/3/91.

Killinger, Florrie, late of 8/165 Tyler Street, Tuart Hill, died 14/3/91.

Mader, George Henry, formerly of 7 Davis Street, Boulder, late of Little Sisters of the Poor Nursing Home, Kalgoorlie, died 19/2/91.

Miller, Stanley John, late of 10/93 Forrest Street, East Fremantle, died 6/3/91.

O'Loughlen, Edna Claire, late of Kalgoorlie Nursing Home, Dugan Street, Kalgoorlie, died 1/3/91.

Rees, John Maxwell, late of 27 Pollard Street, Glendalough, died 8/3/91.

Sommerville, James, late of 58 Bedford Road, Ardross, died 24/2/91.

Sunderland, Winifred Rose, late of Mt Henry Hospital, Cloisters Avenue, Como, died 31/3/91.

Taylor, John William, late of Flat 156 Hollywood Village, 31 Williams Road, Nedlands, died 28/3/91.

Wallace, Gladys Cecilia Emily, formerly of 30 Thomson Road, Claremont, late of Kimberley Nursing Home, Kimberley Street, Leederville, died 26/3/91.

Winsor, Julie Diana, late of 44 Recreation Road, Kalamunda, died 10/3/91.

Dated this 15th day of April 1991.

K. E. BRADLEY, Public Trustee,
Public Trust Office, 565 Hay Street, Perth.

ZZ401

CHARITABLE TRUSTS ACT 1962

In the Supreme Court of Western Australia

In the matter of Part III of the Charitable Trusts Act 1962 and in the matter of an application by the City of Perth as Trustee of the East Victoria Park Infant Health Centre Trust.

Notice is hereby given that the Scheme proposed pursuant to Part III of the Charitable Trusts Act 1962 by the City of Perth as Trustee of the East Victoria Park Infant Health Centre Trust whereby the land held on trust by the City of Perth known as the East Victoria Park Infant Health Centre is to be sold and the proceeds applied for the purpose of the promotion of infant and preschool health care, education and recreation within the area of Victoria Park was approved by the Supreme Court of Western Australia on the 15th day of January 1991.

Principal Registrar, Supreme Court.

ZZ402

NOTICE OF DISSOLUTION OF PARTNERSHIP

Take notice that the partnership between Robert Alan Pittard, George Everard Melville and Zelyko Ceray, carrying on business under the style or firm name of "AUSCHAR" was dissolved as and from the 8th day of April 1991.

PULLINGER SANDERSON & WORKMAN,
1320 Hay Street, West Perth WA
Solicitors & Agents for Robert Alan Pittard.

ZZ403

CORPORATIONS LAW
NOTICE OF MEETING OF MEMBERS
PURSUANT TO SECTION 509

In the Matter of
Infopac Australia Limited (in Liquidation)

Notice is hereby given that pursuant to Section 509 of the Corporations Law the final Meeting of Members of the abovenamed company will be held at the offices of M. F. Bizzaca & Co., 2nd Floor, 20 Kings Park Road, West Perth on the 27th day of May 1991, at 4.00 p.m., for the purpose of laying before the meeting the liquidator's final account and report giving any explanation thereof.

Dated this 19th day of April 1991.

M. F. BIZZACA, Liquidator.

M. F. BIZZACA & Co., Chartered Accountant,
2nd Floor, 20 Kings Park Road, West Perth W.A. 6005.

ZZ404

DISSOLUTION OF PARTNERSHIP

I, Soheil Mozhdehinia give notice of the dissolution of the partnership between myself and Vincenzo Sabastiano Galati trading as Tip Top Fruit and Vegetable, 141 Oxford Street, Leederville as of 8th April 1991. As of that date I will not be liable for any debts incurred by the partnership.

ZZ405

LAND ACT 1933

Notice Requiring the Removal of an Unauthorised Structure from Public Lands (Section 164A)

To—

Jeff Anderton of 172 Whatley Crescent, Maylands being the person in occupation or control of the beach shack described below ("the beach shack").

At—

The beach shack situated North of Harrop Inlet on Reserve 22521 to which beach shack is attached a blue disc with the inscription "1" appearing thereon and which beach shack bears the number "1" on a Plan prepared by the Shire of Coorow and displayed on its official notice board at the Shire's offices ("the Plan").

Whereas—

- A. Reserve 22521 ("the Reserve") is vested in the Shire of Coorow ("the Shire") for the purposes of "Parkland, Recreation and the letting of Cottages existing thereon on the 20th day of March, 1988".
- B. Pursuant to section 164B of the Land Act 1933 ("the Act") the Minister for Lands has delegated the powers vested in him under section 164A of the Act to the Shire with respect to the Reserve.
- C. The beach shack is a structure which is on public lands without lawful authority.

Now take notice that—

1. Pursuant to sections 164A and 164B of the Act the Shire hereby directs you to forthwith remove the beach shack together with the contents thereof from the Reserve.
2. You are required to forthwith clean the land upon which the beach shack is situated to the satisfaction of the Shire and to remove all rubbish therefrom.
3. If you fail to comply with this Notice within three (3) months after service of it on you, the Shire may, on complaint to a Court of Petty Sessions, seek an order authorising it to cause or authorise the beach shack together with the contents thereof to be removed and will also seek an order that you pay all costs of and incidental to the proceedings relating to the order.

S. HAZELDINE, Shire Clerk of the Shire of Coorow.

LAND ACT 1933

Notice Requiring the Removal of an Unauthorised Structure from Public Lands (Section 164A)

To—

To: David Schildkraut of 218 Bulwer Street, East Perth being the person in occupation or control of the beach shack described below ("the beach shack").

At—

The beach shack situated North of Harrop Inlet on Reserve 22521 to which beach shack is attached a blue disc with the inscription "3" appearing thereon and which beach shack bears the number "3" on a Plan prepared by the Shire of Coorow and displayed on its official notice board at the Shire's offices ("the Plan").

Whereas—

- A. Reserve 22521 ("the Reserve") is vested in the Shire of Coorow ("the Shire") for the purposes of "Parkland, Recreation and the letting of Cottages existing thereon on the 20th day of March, 1988".
- B. Pursuant to section 164B of the Land Act 1933 ("the Act") the Minister for Lands has delegated the powers vested in him under section 164A of the Act to the Shire with respect to the Reserve.
- C. The beach shack is a structure which is on public lands without lawful authority.

Now take notice that—

1. Pursuant to sections 164A and 164B of the Act the Shire hereby directs you to forthwith remove the beach shack together with the contents thereof from the Reserve.
2. You are required to forthwith clean the land upon which the beach shack is situated to the satisfaction of the Shire and to remove all rubbish therefrom.
3. If you fail to comply with this Notice within three (3) months after service of it on you, the Shire may, on complaint to a Court of Petty Sessions, seek an order authorising it to cause or authorise the beach shack together with the contents thereof to be removed and will also seek an order that you pay all costs of and incidental to the proceedings relating to the order.

S. HAZELDINE, Shire Clerk of the Shire of Coorow.

LAND ACT 1933

Notice Requiring the Removal of an Unauthorised Structure from Public Lands (Section 164A)

To—

Christopher Joseph Smith of 22 Howes Street, Dianella being the person in occupation or control of the beach shack described below ("the beach shack").

At—

The beach shack situated South of Milligan Island and adjacent to Billygoat Bay on Reserve 22521 to which beach shack is attached a blue disc with the inscription "17" appearing thereon and which beach shack bears the number "17" on a Plan prepared by the Shire of Coorow and displayed on its official notice board at the Shire's offices ("the Plan").

Whereas—

- A. Reserve 22521 ("the Reserve") is vested in the Shire of Coorow ("the Shire") for the purposes of "Parkland, Recreation and the letting of Cottages existing thereon on the 20th day of March, 1988".
- B. Pursuant to section 164B of the Land Act 1933 ("the Act") the Minister for Lands has delegated the powers vested in him under section 164A of the Act to the Shire with respect to the Reserve.
- C. The beach shack is a structure which is on public lands without lawful authority.

Now take notice that—

1. Pursuant to sections 164A and 164B of the Act the Shire hereby directs you to forthwith remove the beach shack together with the contents thereof from the Reserve.
2. You are required to forthwith clean the land upon which the beach shack is situated to the satisfaction of the Shire and to remove all rubbish therefrom.
3. If you fail to comply with this Notice within three (3) months after service of it on you, the Shire may, on complaint to a Court of Petty Sessions, seek an order authorising it to cause or authorise the beach shack together with the contents thereof to be removed and will also seek an order that you pay all costs of and incidental to the proceedings relating to the order.

S. HAZELDINE, Shire Clerk of the Shire of Coorow.

LAND ACT 1933

Notice Requiring the Removal of an Unauthorised Structure from Public Lands (Section 164A)

To—

James Walter Guy of 28 Brighton Street, West Leederville being the person in occupation or control of the beach shack described below ("the beach shack").

At—

The beach shack situated adjacent to South of Milligan Island and adjacent to Billygoat Bay on Reserve 22521 to which beach shack is attached a blue disc with the inscription "24" appearing thereon and which beach shack bears the number "24" on a Plan prepared by the Shire of Coorow and displayed on its official notice board at the Shire's offices ("the Plan").

Whereas—

- A. Reserve 22521 ("the Reserve") is vested in the Shire of Coorow ("the Shire") for the purposes of "Parkland, Recreation and the letting of Cottages existing thereon on the 20th day of March, 1988".
- B. Pursuant to section 164B of the Land Act 1933 ("the Act") the Minister for Lands has delegated the powers vested in him under section 164A of the Act to the Shire with respect to the Reserve.
- C. The beach shack is a structure which is on public lands without lawful authority.

Now take notice that—

1. Pursuant to sections 164A and 164B of the Act the Shire hereby directs you to forthwith remove the beach shack together with the contents thereof from the Reserve.
2. You are required to forthwith clean the land upon which the beach shack is situated to the satisfaction of the Shire and to remove all rubbish therefrom.
3. If you fail to comply with this Notice within three (3) months after service of it on you, the Shire may, on complaint to a Court of Petty Sessions, seek an order authorising it to cause or authorise the beach shack together with the contents thereof to be removed and will also seek an order that you pay all costs of and incidental to the proceedings relating to the order.

S. HAZELDINE, Shire Clerk of the Shire of Coorow.

LAND ACT 1933

Notice Requiring the Removal of an Unauthorised Structure from Public Lands (Section 164A)

To—

G. T. Street of 8 Streatham Street, Beckenham being the person in occupation or control of the beach shack described below ("the beach shack").

At—

The beach shack situated North of Milligan Island and adjacent to Billygoat Bay on Reserve 22521 to which beach shack is attached a blue disc with the inscription "48" appearing thereon and which beach shack bears the number "48" on a Plan prepared by the Shire of Coorow and displayed on its official notice board at the Shire's offices ("the Plan").

Whereas—

- A. Reserve 22521 ("the Reserve") is vested in the Shire of Coorow ("the Shire") for the purposes of "Parkland, Recreation and the letting of Cottages existing thereon on the 20th day of March, 1988".
- B. Pursuant to section 164B of the Land Act 1933 ("the Act") the Minister for Lands has delegated the powers vested in him under section 164A of the Act to the Shire with respect to the Reserve.
- C. The beach shack is a structure which is on public lands without lawful authority.

Now take notice that—

1. Pursuant to sections 164A and 164B of the Act the Shire hereby directs you to forthwith remove the beach shack together with the contents thereof from the Reserve.
2. You are required to forthwith clean the land upon which the beach shack is situated to the satisfaction of the Shire and to remove all rubbish therefrom.
3. If you fail to comply with this Notice within three (3) months after service of it on you, the Shire may, on complaint to a Court of Petty Sessions, seek an order authorising it to cause or authorise the beach shack together with the contents thereof to be removed and will also seek an order that you pay all costs of and incidental to the proceedings relating to the order.

S. HAZELDINE, Shire Clerk of the Shire of Coorow.

LAND ACT 1933

Notice Requiring the Removal of an Unauthorised Structure from Public Lands (Section 164A)

To—

Albert Fairclough of "Little Anchorage" in the Shire of Coorow being the person in occupation or control of the beach shack described below ("the beach shack").

At—

The beach shack situated adjacent to "Little Anchorage" on Reserve 22521 to which beach shack is attached a blue disc with the inscription "94" appearing thereon and which beach shack bears the number "94" on a Plan prepared by the Shire of Coorow and displayed on its official notice board at the Shire's offices ("the Plan").

Whereas—

- A. Reserve 22521 ("the Reserve") is vested in the Shire of Coorow ("the Shire") for the purposes of "Parkland, Recreation and the letting of Cottages existing thereon on the 20th day of March, 1988".
- B. Pursuant to section 164B of the Land Act 1933 ("the Act") the Minister for Lands has delegated the powers vested in him under section 164A of the Act to the Shire with respect to the Reserve.
- C. The beach shack is a structure which is on public lands without lawful authority.

Now take notice that—

1. Pursuant to sections 164A and 164B of the Act the Shire hereby directs you to forthwith remove the beach shack together with the contents thereof from the Reserve.
2. You are required to forthwith clean the land upon which the beach shack is situated to the satisfaction of the Shire and to remove all rubbish therefrom.
3. If you fail to comply with this Notice within three (3) months after service of it on you, the Shire may, on complaint to a Court of Petty Sessions, seek an order authorising it to cause or authorise the beach shack together with the contents thereof to be removed and will also seek an order that you pay all costs of and incidental to the proceedings relating to the order.

S. HAZELDINE, Shire Clerk of the Shire of Coorow.

LAND ACT 1933

Notice Requiring the Removal of an Unauthorised Structure from Public Lands (Section 164A)

To—

Albert Fairclough of "Little Anchorage" in the Shire of Coorow being the person in occupation or control of the beach shack described below ("the beach shack").

At—

The beach shack situated adjacent to "Little Anchorage" on Reserve 22521 to which beach shack is attached a blue disc with the inscription "97" appearing thereon and which beach shack bears the number "97" on a Plan prepared by the Shire of Coorow and displayed on its official notice board at the Shire's offices ("the Plan").

Whereas—

- A. Reserve 22521 ("the Reserve") is vested in the Shire of Coorow ("the Shire") for the purposes of "Parkland, Recreation and the letting of Cottages existing thereon on the 20th day of March, 1988".
- B. Pursuant to section 164B of the Land Act 1933 ("the Act") the Minister for Lands has delegated the powers vested in him under section 164A of the Act to the Shire with respect to the Reserve.
- C. The beach shack is a structure which is on public lands without lawful authority.

Now take notice that—

1. Pursuant to sections 164A and 164B of the Act the Shire hereby directs you to forthwith remove the beach shack together with the contents thereof from the Reserve.
2. You are required to forthwith clean the land upon which the beach shack is situated to the satisfaction of the Shire and to remove all rubbish therefrom.
3. If you fail to comply with this Notice within three (3) months after service of it on you, the Shire may, on complaint to a Court of Petty Sessions, seek an order authorising it to cause or authorise the beach shack together with the contents thereof to be removed and will also seek an order that you pay all costs of and incidental to the proceedings relating to the order.

S. HAZELDINE, Shire Clerk of the Shire of Coorow.

LAND ACT 1933

Notice Requiring the Removal of an Unauthorised Structure from Public Lands (Section 164A)

To—

Lionel Brockman of "Little Anchorage" in the Shire of Coorow being the person in occupation or control of the beach shack described below ("the beach shack").

At—

The beach shack situated adjacent to "Little Anchorage" on Reserve 22521 to which beach shack is attached a blue disc with the inscription "103" appearing thereon and which beach shack bears the number "103" on a Plan prepared by the Shire of Coorow and displayed on its official notice board at the Shire's offices ("the Plan").

Whereas—

- A. Reserve 22521 ("the Reserve") is vested in the Shire of Coorow ("the Shire") for the purposes of "Parkland, Recreation and the letting of Cottages existing thereon on the 20th day of March, 1988".
- B. Pursuant to section 164B of the Land Act 1933 ("the Act") the Minister for Lands has delegated the powers vested in him under section 164A of the Act to the Shire with respect to the Reserve.
- C. The beach shack is a structure which is on public lands without lawful authority.

Now take notice that—

1. Pursuant to sections 164A and 164B of the Act the Shire hereby directs you to forthwith remove the beach shack together with the contents thereof from the Reserve.
2. You are required to forthwith clean the land upon which the beach shack is situated to the satisfaction of the Shire and to remove all rubbish therefrom.
3. If you fail to comply with this Notice within three (3) months after service of it on you, the Shire may, on complaint to a Court of Petty Sessions, seek an order authorising it to cause or authorise the beach shack together with the contents thereof to be removed and will also seek an order that you pay all costs of and incidental to the proceedings relating to the order.

S. HAZELDINE, Shire Clerk of the Shire of Coorow.

LAND ACT 1933

Notice Requiring the Removal of an Unauthorised Structure from Public Lands (Section 164A)

To—

Raymon Purdy and Another of Willimson Street, Three Springs being the persons in occupation or control of the beach shack described below ("the beach shack").

At—

The beach shack situated adjacent to "Little Anchorage" on Reserve 22521 to which beach shack is attached a blue disc with the inscription "117" appearing thereon and which beach shack bears the number "117" on a Plan prepared by the Shire of Coorow and displayed on its official notice board at the Shire's offices ("the Plan").

Whereas—

- A. Reserve 22521 ("the Reserve") is vested in the Shire of Coorow ("the Shire") for the purposes of "Parkland, Recreation and the letting of Cottages existing thereon on the 20th day of March, 1988".
- B. Pursuant to section 164B of the Land Act 1933 ("the Act") the Minister for Lands has delegated the powers vested in him under section 164A of the Act to the Shire with respect to the Reserve.
- C. The beach shack is a structure which is on public lands without lawful authority.

Now take notice that—

1. Pursuant to sections 164A and 164B of the Act the Shire hereby directs you to forthwith remove the beach shack together with the contents thereof from the Reserve.
2. You are required to forthwith clean the land upon which the beach shack is situated to the satisfaction of the Shire and to remove all rubbish therefrom.
3. If you fail to comply with this Notice within three (3) months after service of it on you, the Shire may, on complaint to a Court of Petty Sessions, seek an order authorising it to cause or authorise the beach shack together with the contents thereof to be removed and will also seek an order that you pay all costs of and incidental to the proceedings relating to the order.

S. HAZELDINE, Shire Clerk of the Shire of Coorow.

LAND ACT 1933

Notice Requiring the Removal of an Unauthorised Structure from Public Lands (Section 164A)

To—

Ralph William Clohessy and another of 2 Gobba Court, Bayswater being the persons in occupation or control of the beach shack described below ("the beach shack").

At—

The beach shack situated North of Lipfert Island on Reserve 22521 to which beach shack is attached a blue disc with the inscription "136" appearing thereon and which beach shack bears the number "136" on a Plan prepared by the Shire of Coorow and displayed on its official notice board at the Shire's offices ("the Plan").

Whereas—

- A. Reserve 22521 ("the Reserve") is vested in the Shire of Coorow ("the Shire") for the purposes of "Parkland, Recreation and the letting of Cottages existing thereon on the 20th day of March, 1988".
- B. Pursuant to section 164B of the Land Act 1933 ("the Act") the Minister for Lands has delegated the powers vested in him under section 164A of the Act to the Shire with respect to the Reserve.
- C. The beach shack is a structure which is on public lands without lawful authority.

Now take notice that—

1. Pursuant to sections 164A and 164B of the Act the Shire hereby directs you to forthwith remove the beach shack together with the contents thereof from the Reserve.
2. You are required to forthwith clean the land upon which the beach shack is situated to the satisfaction of the Shire and to remove all rubbish therefrom.
3. If you fail to comply with this Notice within three (3) months after service of it on you, the Shire may, on complaint to a Court of Petty Sessions, seek an order authorising it to cause or authorise the beach shack together with the contents thereof to be removed and will also seek an order that you pay all costs of and incidental to the proceedings relating to the order.

S. HAZELDINE, Shire Clerk of the Shire of Coorow.

ZZ406

PETITION FOR WINDING-UP OF COMPANY

In the Matter of Steam and Mechanical Engineering Pty Ltd

Notice is hereby given that an Application for the winding up of Steam and Mechanical Engineering Pty Ltd by Companies Action No. 82 of 1991 in the Supreme Court of Western Australia was on the 19th March 1991 presented by Austimer Pty Ltd as Trustee for the B G & C J Sinnott Family Trust Trading as Speciality Metals and that Application is directed to be heard before the Supreme Court sitting at Perth on the 5th day of June 1991 at the hour of 10.30 o'clock in the forenoon or so soon thereafter as Counsel can be heard and any Creditor or contributory of the said company desiring to support or oppose the making of an Order on that Application may appear at the time of hearing by himself or his Counsel for that purpose; and a copy of the Petition will be furnished to any Creditor or Contributory of that company requiring the same by the undersigned on payment of fifty (50) cents per page.

The Petitioner's address is 34 Division Street, Welshpool, Western Australia.

The Petitioner's Solicitors are Mullers of 7 Ellen Street, Subiaco 6008 Western Australia Ref: John Muller.

(Signed) MULLERS.

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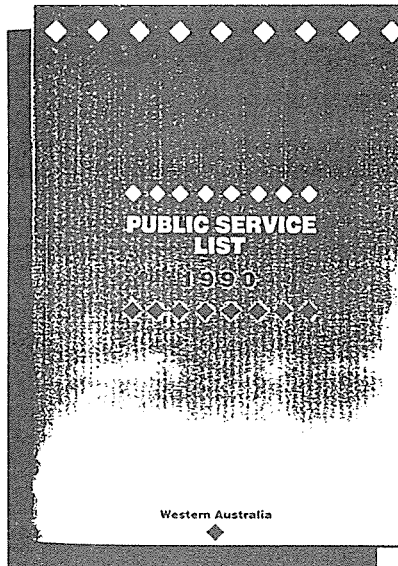
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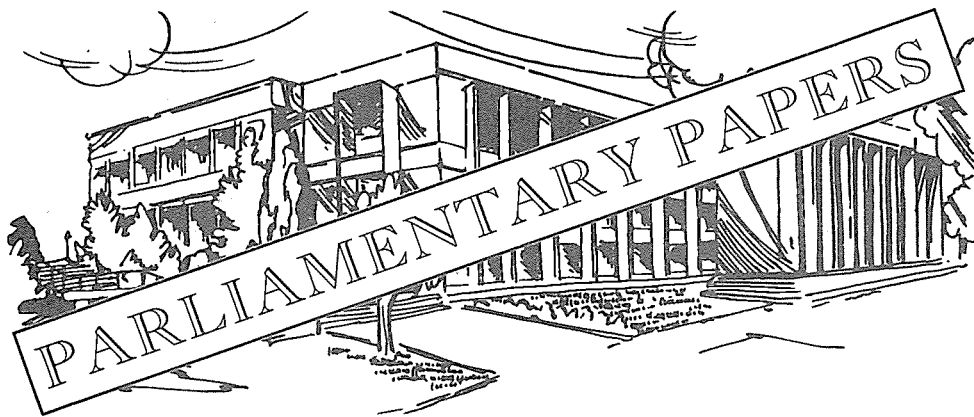
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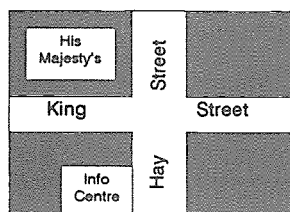
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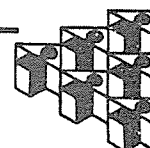
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