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The Western Australian *Government Gazette* is published by the State Print for the State of Western Australia on Friday of each week unless disrupted by Public Holidays or unforeseen circumstances.

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## PUBLISHING DETAILS FOR CHRISTMAS AND NEW YEAR HOLIDAY PERIOD

For *Government Gazette* published 3.30 pm Friday 20 December 1991,  
closing time for copy is 3.00 pm Wednesday 18 December 1991.

For *Government Gazette* published 3.30 pm Tuesday 24 December 1991,  
closing time for copy is 3.00 pm Friday 20 December 1991.

For *Government Gazette* published 3.30 pm Friday 3 January 1992,  
closing time for copy is 12 noon Tuesday 31 December 1991.

## NOTICE

### *PAYMENT OF NOTICES PUBLISHED IN THE GOVERNMENT GAZETTE*

As of 7 November 1991, persons or organisations intending to place a notice in the Public Notices Section of the *Government Gazette* and who do not have an established account, must forward a cheque/credit card authorisation at the time of lodgement of the notice.

Confirmation of amounts payable for a notice may be obtained from the State Law Publisher's Office, telephone number 383 8852.

This takes effect for the *Gazette* published on 15 November 1991 and all issues thereafter.

G. L. DUFFIELD, Director.

**AGRICULTURE**

AG101

**CORRIGENDUM****MINYULO LAND CONSERVATION DISTRICT COMMITTEE**Department of Agriculture,  
South Perth WA, 25 November 1991.

Agric. 1766/88.

An error has been noted in the notice published in the *Government Gazette* of 1 November 1991, at pages 5592-93—

Clause 3 (4) (a) "Rupert James Roberts of Dandaragan" should read  
" Rupert Brian McConnell of Dandaragan ".

M. D. CARROLL, Director General of Agriculture.

AG102

**CORRIGENDUM****YORK LAND CONSERVATION DISTRICT COMMITTEE**Department of Agriculture,  
South Perth WA, 25 November 1991.

Agric. 1819/88.

An error has been noted in the notice published in the *Government Gazette* of 11 October 1991, at page 5193—

"for a term ceasing on August 2, 1991" should read  
" for a term ceasing on August 2, 1993. "

M. D. CARROLL, Director General of Agriculture.

AG301

**SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (BODDINGTON LAND CONSERVATION DISTRICT) ORDER 1991**

Made by His Excellency the Governor in Executive Council under sections 22 and 23 of the *Soil and Land Conservation Act 1945* and on the recommendation of the Minister for Agriculture.

**Citation**

1. This order may be cited as the *Soil and Land Conservation (Boddington Land Conservation District) Order 1991*.

**Interpretation**

2. In this order—

"appointed member" means a person appointed under clause 5 (1) (b), (c) or (d) to be a member of the committee;

"committee" means the Land Conservation District Committee for the Boddington Land Conservation District;

"member" means a member of the committee;

"the district" means the Boddington Land Conservation District constituted by clause 3;

"the producer organisations" means the bodies known respectively as the Western Australian Farmers Federation (Inc.) and the Pastoralists and Graziers Association of Western Australia.

**Boddington Land Conservation District**

3. The land described in the Schedule to this order is hereby constituted the Boddington Land Conservation District.

**Establishment of the committee**

4. Pursuant to section 23 (2) of the *Soil and Land Conservation Act 1945* there is hereby established for the district a land conservation district committee to be known as the Land Conservation District Committee for the Boddington Land Conservation District.

**Constitution of the committee**

5. (1) It is hereby determined, on the recommendation of the Minister, after consultation with the Shire of Boddington, that the committee shall comprise 14 members of whom—

- (a) one shall be the Commissioner of Soil and Land Conservation or his nominee;
- (b) 2 shall be appointed by the Minister on the nomination of the Shire of Boddington;
- (c) 3 shall be appointed in accordance with subclause (2); and
- (d) 8 shall be appointed by the Minister and shall be persons actively engaged in, or affected by or associated with, land use in the district.

(2) The Western Australian Farmers Federation (Inc.) shall submit to the Minister a panel containing the names of persons willing to be appointed as members of the committee and, where such a panel is submitted in accordance with this order, 3 persons whose names appear on the panel shall be appointed by the Minister.

(3) Subject to this clause, each appointed member shall hold office for such period not exceeding 3 years as is specified in the instrument of his appointment and is eligible for reappointment.

(4) The Minister may grant leave of absence to an appointed member on such terms and conditions as the Minister determines.

(5) The Minister may terminate the appointment of an appointed member for inability, inefficiency or misbehaviour.

(6) If an appointed member—

- (a) is or becomes an undischarged bankrupt or person whose property is subject to an order or arrangement under the laws relating to bankruptcy;
- (b) has his appointment terminated by the Minister, pursuant to subclause (5);
- (c) is absent, except on leave duly granted by the Minister, from 3 consecutive meetings of the committee of which he has had notice; or
- (d) resigns his office by written notice addressed to the Minister, the office of that appointed member becomes vacant.

**Proceedings of the committee**

6. (1) The committee shall hold its meetings at such place on such days and at such intervals as the committee shall from time to time determine.

(2) At any meeting of the committee—

- (a) a majority of the members constitute a quorum;
- (b) the Chairman shall preside and where he is absent from the meeting the members may appoint one of their number to preside at that meeting;
- (c) each member present is entitled to a deliberative vote; and
- (d) where the votes cast on any question are equally divided the Chairman, or the presiding member in terms of paragraph (b), shall have a casting vote.

(3) The committee shall cause accurate minutes to be kept of the proceedings at its meetings.

(4) To the extent that it is not prescribed, the committee may determine its own procedure.

**Schedule**

(Clause 3)

**Boddington Land Conservation District**

All that portion of land comprising the whole of the district of the municipality of the Shire of Boddington (formerly known as the Marrong Road District) and described in Schedule A to the Order in Council under the *Road Districts Act 1919* published in the *Government Gazette* dated 9 November 1956 at pp. 2632-3.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

AG302

**SOIL AND LAND CONSERVATION ACT 1945**  
**SOIL AND LAND CONSERVATION (MINGENEW LAND CONSERVATION**  
**DISTRICT) AMENDMENT ORDER 1991**

Made by His Excellency the Governor in Executive Council under section 23 (2d) of the *Soil and Land Conservation Act 1945* and on the recommendation of the Minister for Agriculture.

**Citation**

1. This order may be cited as the *Soil and Land Conservation (Mingenew Land Conservation District) Amendment Order 1991*.

**Principal Order**

2. In this order the *Soil and Land Conservation (Mingenew Land Conservation District) Order 1986\** is referred to as the principal order.

[\*Published in the Gazette on 5 September 1986 at pp. 3316-17 and amended in the Gazette of 19 October 1990 at pp. 5264-65.]

**Clause 5 amended**

3. Clause 5 of the principal order is amended in subclause (1)—
- (a) by deleting "12" and substituting the following—  
" 13 "; and
  - (b) in paragraph (a) by deleting "of Soil" and substituting the following—  
" of Soil and Land "; and
  - (c) in paragraph (e) by deleting "6" and substituting the following—  
" 7 ".

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

AG303

**SOIL AND LAND CONSERVATION ACT 1945**  
**SOIL AND LAND CONSERVATION (WATHEROO-COOMBERDALE LAND**  
**CONSERVATION DISTRICT) AMENDMENT ORDER 1991**

Made by His Excellency the Governor in Executive Council under section 23 (2d) of the *Soil and Land Conservation Act 1945* and on the recommendation of the Minister for Agriculture.

**Citation**

1. This order may be cited as the *Soil and Land Conservation (Watheroo-Coomberdale Land Conservation District) Amendment Order 1991*.

**Principal Order**

2. In this order the *Soil and Land Conservation (Watheroo-Coomberdale Land Conservation District) Order 1986\** is referred to as the principal order.

[\*Published in the Gazette on 24 January 1986 at pp. 303-05 and amended in the Gazettes of 24 April 1987 at pp. 1448 and 18 May 1990 at pp. 2334-36.]

**Clause 5 amended**

3. Clause 5 of the principal order is amended in subclause (1)—
- (a) by deleting "11" and substituting the following—  
" 15 "; and
  - (b) in paragraph (a) by deleting "of Soil" and substituting the following—  
" of Soil and Land "; and
  - (c) in paragraph (g) by deleting "4" and substituting the following—  
" 8 ".

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

AG304

**SOIL AND LAND CONSERVATION ACT 1945**  
**SOIL AND LAND CONSERVATION AMENDMENT REGULATIONS**  
**(NO. 3) 1991**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Soil and Land Conservation Amendment Regulations (No. 3) 1991*.

**Regulation 4 amended**

2. Regulation 4 of the *Soil and Land Conservation Regulations 1984\** is amended by repealing subregulation (5) and substituting the following subregulation —

“ (5) Subregulation (4) does not apply to a notice given to the Commissioner before 29 November 1991. ”

[\* *Published in the Gazette of 15 June 1984 at p. 1651.*  
*For amendments to 15 November 1991 see 1990 Index to Legislation of Western Australia, p. 366 and Gazettes of 3 May 1991 and 4 October 1991.*]

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

AG401

**FRUIT GROWING INDUSTRY (TRUST FUND) ACT 1941**  
**NOTICE OF APPOINTMENT**

Department of Agriculture,  
South Perth, November 14, 1991.

Agric 298/90.

I, the undersigned Minister for Agriculture, hereby appoint pursuant to section 5 of the Fruit Growing Industry (Trust Fund) Act 1941 the following persons as members of the Fruit Growing Industry Trust Fund Committee for a term of office expiring on September 4, 1994.

Brian Anthony Stynes—Chairman.  
John Mansfield Lowe—Growers' Representative.  
Paul Renato Casotti—Growers' Representative.

ERNIE BRIDGE, Minister for Agriculture.

AG402

**SOIL AND LAND CONSERVATION ACT 1945**  
**NAPIER KING LAND CONSERVATION DISTRICT (APPOINTMENT OF**  
**MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 1991**

Made by the Minister for Agriculture.

**Citation**

1. This Instrument may be cited as the *Napier King Land Conservation District (Appointment of Members District Committee) Instrument 1991*.

**Interpretation**

## 2. In this Instrument—

“Constitution order” means the *Soil and Land Conservation (Napier King Land Conservation District) Order 1987\**.

“Committee” means the District Committee established by Clause 5(3) of the Constitution Order.

[\*Published in the *Gazette* of 22 May 1987 at pp. 2197-98 and amended in the *Gazettes* of 13 May 1988 at p. 1629, 12 July 1991 at pp. 3417-18 and 1 November, 1991 at pp. 5589-90.]

**Appointment of Members**

3. (1) Under Clause 5 (1) (b) of the constitution order Stanley Robert Negri of King River is appointed a member of the Committee on the nomination of the Shire of Albany.

(2) Under Clause 5 (1) (d) of the constitution order—

(a) Robert James Whittem of Napier

(b) Gregory Mark Woodward of Narrikup

are appointed members of the Committee to represent the Western Australian Farmers Federation.

(3) Under Clause 5 (1) (e) of the constitution order Graham Swain of Narrikup is appointed a member of the Committee to represent the Pastoralists and Graziers Association.

(4) Under Clause 5 (1) (f) of the constitution order—

(a) Thomas Charles Ferguson Paterson of Napier

(b) David Colin Mattison of Napier

(c) Dudley Herbert Wise of Narrikup

(d) William Aubrey Riggs of Albany

(e) Philip Michael Wishart of North Napier

(f) John Blythe of Narrikup

(g) Brett Andrew Smoker of Napier

(h) Gregory Carl Connell of East Porongorup

(i) Raymond William Chadwick of King River

(j) Regional Manager, Department of Conservation and Land Management, Albany

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

**Term of Office**

4. The appointment is made under Clause 5 (3) shall be for a term of three years commencing on the day that this instrument is published in the *Gazette*.

ERNIE BRIDGE, Minister for Agriculture.

AG403

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

Pursuant to section 23 (2b) (d) of the Soil and Land Conservation Act 1945, being persons actively engaged in, or affected by, or associated with land use in the District, the Environmental Officer, of the Department of Mines, Kalgoorlie is appointed a member of the District Committee for the North Eastern Goldfields Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of September 20, 1985 and amended in the *Gazettes* of June 28, 1991 and October 18, 1991, the appointment being for a term ceasing on September 5, 1994.

ERNIE BRIDGE, Minister for Agriculture.

## CONSERVATION AND LAND MANAGEMENT

CM401

### WILDLIFE CONSERVATION ACT 1950

Pursuant to the powers conferred by section 14 of the Wildlife Conservation Act 1950, I hereby declare an open season in respect of the fauna listed in the schedule hereto in all those parts of the State of Western Australia which lie within the municipal districts within the meaning of the Local Government Act 1960 specified in the schedule hereto, subject to the following conditions—

1. The fauna may be taken only when it is causing damage or may reasonably be expected to cause damage to fruit or flower production.
2. The fauna may be taken only by landholders and leaseholders (or their approved nominated agents) on land which they own or occupy and on which a commercial orchard or commercial flower plantation has been established and which lies within the municipal districts as specified in the schedule hereto.
3. A person shall not take or attempt to take the fauna by means other than a firearm licensed in accordance with the Firearms Act 1973, or by such other means as an authorised Wildlife Officer in a specific instance may authorise.
4. A Wildlife Officer may, if after an inspection of the property he considers it necessary, prohibit the taking of the fauna on that property until the landholder obtains a Damage Licence in accordance with the Wildlife Conservation Regulations and thereupon no persons shall take the fauna on that property except under authority of that licence.
5. The Notice relating to an open season in respect of the species of fauna specified in the schedule hereto published in the *Government Gazette* (No. 84) of 25 August 1989 is hereby cancelled.

BOB PEARCE, Minister for the Environment.

#### Schedule

- (a) Red-capped (or Western King) Parrot *Purpureicephalus spurius*; and Ringnecked (or Twenty Eight or Port Lincoln) Parrot *Barnardius zonarius*—  
 City of Armadale and Shires of Bridgetown-Greenbushes, Capel, Chittering, Donnybrook-Balingup, Harvey, Kalamunda, Manjimup, Murray, Mundaring, Plantagenet, Serpentine-Jarrahdale and Swan.
- (b) Western Rosella *Platycercus icterotis*—  
 Shires of Bridgetown-Greenbushes, Capel, Donnybrook-Balingup, Manjimup, Plantagenet and Serpentine-Jarrahdale.

## CONSUMER AFFAIRS

CN301

### RETAIL TRADING HOURS ACT 1987

RETAIL TRADING HOURS (SHIRE OF COLLIE) AMENDMENT ORDER 1991  
 Made by the Minister for Consumer Affairs under section 13 of the Act.

#### Citation

1. This Order may be cited as the *Retail Trading Hours (Shire of Collie) Amendment Order 1991*.

#### Amendment

2. The *Retail Trading Hours (Shire of Collie) Order 1988* [Published in the *Gazette* of 2 September, 1988 at p. 3462] is amended by deleting—

“other than the Saturdays falling on 24 November, 1, 8, 15 and 22 December, 1990”

and inserting after “week” the following—

“ other than the Saturdays falling on 30 November, 7, 14, and 21 December, 1991 ”.

YVONNE HENDERSON, Minister for Consumer Affairs.

CN302

## RETAIL TRADING HOURS ACT 1987

## RETAIL TRADING HOURS EXEMPTION ORDER (No. 60) 1991

Made by the Minister for Consumer Affairs under section 5.

## Citation

1. This Order may be cited as the *Retail Trading Hours Exemption Order (No. 60) 1991*.

## Extended Trading Hours

2. Section 12 of the *Retail Trading Hours Act 1987* does not apply to the general retail shops specified in Column 1 of the Schedule during the periods specified opposite and corresponding to those general retail shops in Column 2 of the Schedule subject to entrance to the specified shops being restricted to disabled persons each accompanied by not more than one able bodied helper.

Column 1 General Retail Shops	Schedule	Column 2 Period
Warwick Grove Shopping Centre	Tuesday, 17th December, 1991 between the hours of 6.00 pm and 8.00 pm.	

YVONNE HENDERSON, Minister for Consumer Affairs.

CN401

## SUNDAY ENTERTAINMENTS ACT 1979

## NOTICE

I, Yvonne Henderson, Minister for Consumer Affairs, acting pursuant to section 3 (2) of the Sunday Entertainments Act 1979 do hereby declare that the provisions of section 3 (1) of the Act shall not apply to a race meeting to be conducted by the Geraldton Turf Club at Geraldton on Sunday, 15 December, 1991.

YVONNE HENDERSON, Minister for Consumer Affairs.

## CROWN LAW

CW401

## 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.

Christopher Wayne Casey of Kalumburu Aboriginal Corporation via Wyndham.

David Joseph Caudwell of Lot 139 Latham Street, Walpole and Department of Conservation and Land Management, South West Highway, Walpole.

Monica Joan Mullane of 27 Mary Street, Bremer Bay and Community Health Centre, John Street, Bremer Bay.

Elsie Joy Smith of 8 Caprigardi Court, Dunsborough

Hugh Russel Thomson of "Kunmallup", Robinson Road, Woodanilling.

Geoffrey Willis of Lot 177 Eckersley Road, Cookernup and Alcoa of Australia, Wagerup Refinery, Wagerup

Approved of the following appointment to the Commission of the Peace for the Geraldton Magisterial District.

Clive Anthony Beros of Lot 102 Gooch Street, Eneabba.

D. G. DOIG, Under Secretary for Law.

CW402

## EX OFFICIO JUSTICE OF THE PEACE

It is hereby notified for public information that Desmond Frank Shackley of "Whatanine", Cartmeticup Road, Woodanilling has been appointed under section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Stirling during his term of office as President of the Shire of Woodanilling.

D. G. DOIG, Under Secretary for Law.

CW403

**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—

Henry James Carroll of Albany  
Ronald Peter Drygan of Narrikup  
Julie Ann Dupe of Mt Barker  
Joy Anne Emerson of Kalgoorlie  
Ian Richard Evans of Albany  
Antonio Paulo Jardim of Hamilton Hill  
Keith Albert Ware of Shoalwater  
Barbara Withnall of Kelmscott

D. G. DOIG, Under Secretary for Law.

**EDUCATION**

ED401

**COLLEGES ACT 1978**

Office of the Minister for Education,  
Perth, 29 November 1991.

It is hereby notified for general information that His Excellency the Governor, in Executive Council acting in accordance with the provisions of section 13 (1) (a) and section 14 (2) of the Colleges Act 1978, has approved of the appointment of Professor David J. Spottiswood of 7 Bennetts Place, Kalgoorlie, Western Australia as a member of the Kalgoorlie College Council for a term expiring on 31 August 1992, and the re-appointments of Ms Jocelyn Clark of 38 Shaw Street, Kalgoorlie, Western Australia, and Mr Bill McKenzie of 48 Lewis Street, Kalgoorlie, Western Australia as members of the Kalgoorlie College Council for a term of three years expiring on 31 August 1994.

KAY HALLAHAN, Minister for Education.

**ENVIRONMENTAL PROTECTION**

EP401

**NOTICE OF THE REVISED DRAFT ENVIRONMENTAL PROTECTION (KWINANA) (ATMOSPHERIC WASTE) POLICY AND REGULATIONS 1991**

The Environmental Protection Authority has prepared a revised draft environmental protection policy and regulations to control atmospheric waste in the air environment around Kwinana.

The revised policy and regulations will achieve their objectives by applying conditions to operating licences of industries which emit atmospheric waste.

The revised draft environmental protection policy incorporates information supplied in submissions received by the EPA on the initial draft environmental protection policy for sulphur dioxide and dust in the Kwinana region, released for public comment in December 1989.

In accordance with section 28 (c) (ii) of the Environmental Protection Act the EPA has submitted the revised draft policy and regulations to the Minister for the Environment.

After receiving and considering the draft policy, the Minister will consult organisations and individuals he considers likely to be affected by the revised draft policy.

B. A. CARBON, Chief Executive Officer,  
Environmental Protection Authority.

**FISHERIES**

FI301

**FISHERIES ACT 1905****NOTICE No. 522**

Made by the Minister under section 25.

**Citation**

1. This notice may be cited as the *Fisheries Notice No. 522*.

**Commencement**

2. This notice shall come into operation on 1 December 1991.

**Second Schedule to the Act amended**

3. The Second Schedule to the *Fisheries Act 1905* is amended—
- (a) under the heading "(a) FISH, MARINE OR FLUVIO—MARINE SPECIES"—
    - (i) in the item commencing "Flounder" by deleting "23" and substituting the following—  
" 25 ";
    - (ii) in the item commencing "Mulloway" by deleting "33" and substituting the following—  
" 45 ";
    - (iii) in the item commencing "Red Emperor" by deleting "28" and substituting the following—  
" 41 ";
    - (iv) in the item commencing "Snapper" by deleting the entries in columns 3 and 4 and substituting the following entry in column 3—  
" 41 "; and
    - (v) by deleting the items commencing "Garfish", "Herring", "Mackerel Common", "Mullet, Sea", "Mullet, Yellow-eye", "Nannygai", "Sole", "Sweep", "Whiting, Transparent (or school whiting)" and "Whiting, Western sand or silver";
  - and
  - (b) under the heading "(c) CRUSTACEANS." by deleting the items commencing "Prawns, School" and "Prawns, Western King".

GORDON HILL, Minister for Fisheries.

FI302

**FISHERIES ACT 1905**  
**RECREATIONAL FISHING (PERMITTED FISHING METHODS)**  
**NOTICE 1991**  
 Notice No. 527

FD 589/91.

Made by the Minister under sections 9 and 10.

**Citation**

1. This notice may be cited as the *Recreational Fishing (Permitted Fishing Methods) Notice 1991*.

**Commencement**

2. This notice shall come into operation on December 1, 1991.

**Interpretation**

3. In this notice unless the contrary intention appears—

"any pointed instrument" includes a handspear, hawaiian sling, speargun, gidgie and all other similar pointed instruments either mechanically, gas or hand propelled.

**Exemption**

4. The provisions of this notice shall apply to all other persons other than—
- (a) the holder of a professional fisherman's licence when engaged in fishing from a boat licensed under regulation 2;
  - (b) a person who has been exempted in writing by the Director from any provision of this notice.

**Permitted fishing methods**

5. Subject to the provisions contained in this Act, regulations or any other notice, a person may, for the purpose of taking fish, or attempting to take fish, from all Western Australian Waters—

- (a) unless otherwise specified in this notice, use the methods described in schedule 1;
- (b) when fishing from a boat, use the methods described in schedule 2; or
- (c) when diving, use the methods described in schedule 3.

**Prohibition on the use of other methods**

6. All other methods of taking, or attempting to take fish, not described in this Act, regulations or notices are prohibited.

## Schedule 1

1. Not more than—
  - (a) two hand lines;
  - (b) two rod reel and lines; or
  - (c) combination of one hand and one rod fishing line with not more than three hooks or gangs of hooks on each line.
2. Any pointed instrument.
3. By hand.
4. Unbaited cobbler pots.

## Schedule 2

1. Hand line or rod, reel and line with not more than three hooks or gangs of hooks on each hand or rod fishing line. All lines must be attended or attached to the boat at all times.
2. Not more than one attached (to the boat) setline with not more than three hooks or gangs of hooks per line.
3. Unbaited cobbler pots.
4. Crab pots north of 26°30' south latitude.
5. Unbaited octopus pots.

## Schedule 3

1. Any pointed instrument.
  2. By hand.
  3. Hand operated noose.
- Dated this 26th day of November, 1991.

GORDON HILL, Minister for Fisheries.

FI303

## FISHERIES ACT 1905

## FISHERIES AMENDMENT REGULATIONS (NO. 9) 1991

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Fisheries Amendment Regulations (No. 9) 1991*.

**Commencement**

2. These regulations shall come into operation on 1 December 1991.

**Regulation 3AB amended**

3. Regulation 3AB of the *Fisheries Regulations 1938\** is amended —
  - (a) in subregulation (3) (b) by deleting “item 1” and substituting the following —

“ Division 4 ”;

- (b) in subregulation (4a) by deleting "item 2" and substituting the following —

" Division 3 "; and

- (c) by repealing the Schedule and substituting the following Schedule —

"

### SCHEDULE

#### AUTHORIZED BAG LIMITS FOR PERSONS WHO ARE NOT HOLDERS OF A PROFESSIONAL FISHERMAN'S LICENCE

#### PART A

Fish	Species bag limit for one day
Abalone whether Brownlip Abalone ( <i>Haliotis conicopora</i> ) or Greenlip Abalone ( <i>Haliotis laevigata</i> )	10
Abalone, Roe's ( <i>Haliotis roei</i> )	20
Blue Groper ( <i>Achoerodus gouldii</i> )	1
Blue Manna Crabs ( <i>Portunus pelagicus</i> )	24
Bream, black and yellowfin ( <i>Acanthopagrus butcheri</i> , <i>A. australis</i> )	20
Cherabin ( <i>Macrobrachium spp.</i> )	9 litres
Cobbler ( <i>Cnidoglanis macrocephalus</i> )	20
Flathead and flounder (combined) ( <i>Platycephalus spp.</i> , and <i>Pseudorhombus spp.</i> )	20
Leatherjackets ( <i>Monacanthidae</i> family)	20
Mangrove jack and fingermark bream (combined) ( <i>Lutjanus argentimaculatus</i> , and <i>L. russelli</i> )	20
Marron ( <i>Cherax tenuimanus</i> )	20
Mud crabs whether Brown ( <i>Scylla serrata</i> ) or Green ( <i>Scylla paramanosain</i> )	10
Mussels (Family <i>Mytilidae</i> )	9 litres
Pike and snook (combined) ( <i>Dinolestes lewini</i> , <i>Sphyræna novæhollandiæ</i> , <i>S. obtusata</i> )	20
Prawns (Family <i>Penaeidae</i> )	9 litres
Rock Lobster (All species)	8
Skipjack trevally ( <i>Pseudocaranx spp.</i> )	20
Tailor ( <i>Pomatomus saltatrix</i> )	20
Tarwhine ( <i>Rhabdosargus sarba</i> )	20
Threadfin salmon and bluenose salmon ( <i>Polydactylus spp.</i> )	20
Trout whether Brown Trout ( <i>Salmo trutta</i> ) or Rainbow Trout ( <i>Oncorhynchus mykiss</i> )	10
Whiting, King George ( <i>Sillaginodes punctatus</i> )	20

Fish	Species bag limit for one day
All other Western Australian species of fish not specifically covered in this Schedule except for bait fish of the family <i>Clupeidae</i> and <i>Engraulididae</i> (anchovies, pilchards (mulies), sandy sprat (whitebait), blue sprat, scaly mackerel, maray)	40
Cod ( <i>Epinephelus spp.</i> , up to and including a maximum weight of 30 kg)	1
Cod ( <i>Epinephelus spp.</i> , in excess of 30 kg weight)	0

## PART B

Fish	Species bag limit for one day	Grouped bag limit for one day
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## Division 1

Barramundi ( <i>Lates calcarifer</i> )	4	} 8
Cobia ( <i>Rachycentron canadus</i> )	4	
Cods ( <i>Serranidae</i> family)	4	
Coral trout ( <i>Plectropomus spp.</i> )	4	
Dolphinfish (mahi mahi) ( <i>Coryphaena hippurus</i> )	4	
Jewfish, Westralian ( <i>Glaucosoma hebraicum</i> )	4	
Mackerel, Spanish ( <i>Scomberomorus spp.</i> )	4	
Mackerel, wahoo and shark ( <i>Acanthocybium solandri</i> , <i>Grammatorcynus bicarinatus</i> )	4	
Mulloway ( <i>Argyrosomus hololepidotus</i> ) and black jewfish (northern mulloway — <i>Protonibea diacanthus</i> )		
(a) between 45 cm and 70 cm length	3	
(b) over 70 cm length	1	
Queenfish ( <i>Scomberoides commersonnianus</i> )	4	
Salmon, Australian ( <i>Arripis truttaceus</i> )	4	
Samson fish ( <i>Seriola hippos</i> )	4	
Sharks (All <i>spp.</i> )	4	
Tuna, Southern bluefin ( <i>Thunnus maccoyii</i> )	4	
Yellowtail kingfish ( <i>Seriola lalandi</i> )	4	

Fish	Species bag limit for one day	Grouped bag limit for one day
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**Division 2**

Emperor, red ( <i>Lutjanus sebae</i> )	8	} 8
Groper, baldchin ( <i>Choerodon spp.</i> )	8	
Snapper, pink ( <i>Chrysophrys auratus</i> )	8	
Snapper, north west ( <i>Lethrinus spp.</i> )	8	
Snapper, queen (Blue morwong — <i>Nemadactylus valenciennesi</i> )	8	
Snapper, red ( <i>Centroberyx gerrardi</i> )	8	

**Division 3**

Cuttlefish, Octopus and Squid (all species of <i>Cephalopods</i> of the sub class <i>Coleoidea</i> )	—	15
Cockle (Ark shell) ( <i>Anadara trapezia</i> )	—	} 2 Litres
Venus clams (all species of the genus <i>Katelysia</i> )	—	
All other species of edible molluscs not specifically mentioned in this Schedule	—	

**Division 4**

Abalone, Brownlip ( <i>Haliotis conicopora</i> )
Abalone, Greenlip ( <i>Haliotis laevigata</i> )
Abalone, Roe's ( <i>Haliotis roei</i> )
Baldchin Groper ( <i>Choerodon spp.</i> )
Blue Groper ( <i>Achoerodus gouldii</i> )
Blue Manna crabs ( <i>Portunus pelagicus</i> )
Coral Trout ( <i>Plectropomus spp.</i> )
North West Snapper ( <i>Lethrinus spp.</i> )
Queen Snapper (or Blue Morwong) ( <i>Nemadactylus valenciennesi</i> )
Red Emperor ( <i>Lutjanus sebae</i> )
Salmon, Australian ( <i>Arripis truttaceus</i> )
Samson Fish (or Sea Kingfish) ( <i>Seriola hippos</i> )
Snapper ( <i>Chrysophrys spp.</i> )

[\* Reprinted as at 15 September 1988.  
For amendments to 7 November 1991 see 1990 Index to  
Legislation of Western Australia, pp.239-40 and Gazettes of  
28 March, 17 May, 28 June and 25 October 1991.]

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

FI304

**FISHERIES ACT 1905**  
**PROHIBITION ON TAKING LEAFY SEADRAGONS NOTICE 1991**  
Notice No. 524

FD 268/88.

Made by the Minister under section 9.

**Citation**

1. This notice may be cited as the *Prohibition on Taking Leafy Seadragons Notice 1991*.

**Prohibition on taking leafy seadragons**

2. Unless otherwise authorised in writing by the Director all persons are prohibited from taking Leafy Seadragons *Phycodurus eques*, from all waters of the Southern and Indian Oceans.

Dated this seventh day of November, 1991.

GORDON HILL, Minister for Fisheries.

FI305

**FISHERIES ACT 1905**  
**ONSLOW PRAWN LIMITED ENTRY FISHERY AMENDMENT NOTICE 1991**  
Notice No. 519

FD 134/75.

Made by the Minister under section 32.

**Citation**

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

**Principal notice**

2. In this notice the *Onslow Prawn Limited Entry Fishery Notice 1991 No. 477\** is referred to as the principal notice.

**Clause 13 repealed and substituted**

3. Clause 13 of the principal notice is repealed and the following clause substituted—

**Transfer of Licence**

“ 13. (1) With the prior written approval of the Director of an “A” Class licence may be transferred and the licence endorsed accordingly.

(2) “B”, “C” and “D” Class licences are not transferable and lapse on transfer of the fishing boat licence. ”.

[\*Published in the Gazette of 22 March 1991 pp. 1217-21.]

Dated this 22nd day of November 1991.

GORDON HILL, Minister for Fisheries.

**HEALTH**

HE301

**RADIATION SAFETY ACT 1975**  
**RADIATION SAFETY (GENERAL) AMENDMENT**  
**REGULATIONS (NO. 2) 1991**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Radiation Safety (General) Amendment Regulations (No. 2) 1991*.

**Commencement**

2. These regulations shall come into operation on 1 January 1992.

**Principal regulations**

3. In these regulations the *Radiation Safety (General) Regulations 1983\** are referred to as the principal regulations.

[\* *Published in the Gazette of 21 February 1983 at pp.555-636.*  
*For amendments to 28 October 1991 see p.344 of 1990 Index to*  
*Legislation of Western Australia and Gazettes of 15 March, 28*  
*June and 6 September 1991.]*

**Regulation 3 amended**

4. Regulation 3 of the principal regulations is amended by inserting in the appropriate alphabetical positions the following definitions —

- “ **“industrial radiographer”** means a licensee who holds a licence which specifies that the purpose of the licence is industrial radiography; ”;
- “ **“licence card”** means a card issued in the form set out in Form RS16 of Schedule II; ”.

**Regulation 10 (1) amended**

5. Regulation 10 (1) of the principal regulations is amended —

- (a) by deleting “and” after paragraph (b);
- (b) by deleting the full stop after paragraph (c) and substituting the following —
- “ ; and ” ; and
- (c) by inserting the following paragraph after paragraph (c) —
- “ (d) where the applicant seeks approval to carry out industrial radiography, deliver with the application 2 passport sized colour photographs of the head and shoulders of the applicant, dated and signed on the back by the applicant. ”.

**Regulation 10A inserted**

6. After regulation 10 of the principal regulations the following regulation is inserted —

**Industrial radiographers to carry and produce licence cards**

- “ **10A.** (1) An industrial radiographer shall carry a licence card while carrying out any work with irradiating apparatus or radioactive substances.

(2) An industrial radiographer shall, on the request of an authorized officer, produce a valid licence card issued to the industrial radiographer for inspection by the authorized officer.

(3) A licence card is valid at any time before the expiry date set out on the card..

(4) This regulation applies in respect of each individual radiographer only after a licence card has been furnished to that radiographer under regulation 59(16). ”

**Regulation 59 amended**

7. Regulation 59 of the principal regulations is amended by inserting after subregulation (15) the following subregulation —

“ (16) The Council shall, on granting a licence or renewal of licence in respect of radioactive substances or irradiating apparatus to a person who is or who is applying to be an industrial radiographer, furnish that person with a licence card on Form RS16. ”

**Schedule II amended**

8. After Form RS15 in Schedule II to the principal regulations the following Form is inserted —

“

## Form RS16

RADIATION SAFETY ACT 1975	
_____	holds a licence under the Act for the use of
	RADIOACTIVE SUBSTANCES (LS / )
	IRRADIATING APPARATUS (LX / )
	(Delete whichever is not applicable)
	for the purpose of INDUSTRIAL RADIOGRAPHY
_____	
Licences held under the <i>Radiation Safety Act 1975</i> are subject to all applicable regulations under the Act and to any conditions, restrictions or limitations imposed when the licence was issued.	Activity Limits
	Expiry date
.....	Chairman, Radiological Council. (not valid until signed)

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

HE302

POISONS ACT 1964

**POISONS (SCHEDULED SUBSTANCES) AMENDMENT ORDER  
(NO. 6) 1991**

Made by His Excellency the Governor in Executive Council under section 21.

**Citation**

1. This Order may be cited as the *Poisons (Scheduled Substances) Amendment Order (No. 6) 1991*.

## Appendix A amended

2. Appendix A to the *Poisons Act 1964\** is amended in the Second Schedule by deleting the item commencing "IODINE" and substituting the following item —

## " IODINE —

- (a) in preparations for human internal therapeutic use containing 300 micrograms or more of iodine per recommended daily dose except when labelled —

"CAUTION — Total iodine intake may exceed recommended level when taking this preparation" and "WARNING — Contains iodine — do not take when pregnant except on physician's advice", written in letters not less than 1.5 mm in height; or

- (b) in preparations for human external therapeutic use containing more than 2.5 per cent of available iodine (excluding salts, derivatives and iodophors). "

[\* Reprinted as at 18 November 1986.

For amendments to 29 October 1991 see 1990 Index to Legislation of Western Australia, pp. 122-23 and Gazettes of 5 April, 12 July and 18 October 1991.]

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

## HE303

## HEALTH ACT 1911

*Shire of Upper Gascoyne*

Offences and Penalties

Model By-Laws Series "A"

Pursuant to the provision of the Health Act 1911 the Shire of Upper Gascoyne being a local authority within the meaning of the Health Act 1911, having adopted the Model Health By-laws described as Series "A" made under the Health Act 1911 and as reprinted pursuant in the *Government Gazette* of 4th December, 1944 and as amended from time to time, hereby records having resolved and determined that the adopted by-laws be amended as follows—

1. The Penalties Provisions of the Model Health By-laws Series "A" as adopted by Council on the 2nd day of July, 1948 be repealed.
2. After Part IX add a new Part X to read as follows—

## Part X—Penalties

1. (1) A person who is required by a provision of Part IV and Part VII to do anything or refrain from doing anything and who fails to comply with that provision commits an offence and is liable to—

- (a) A fine that is not more than \$2 500 and not less than—

(i) in the case of a first offence \$250;

(ii) in the case of a second offence \$500;

(iii) in the case of a third or subsequent offence \$1 250;

and

- (b) if that offence is a continuing offence, a daily penalty which is not more than \$250 and not less than \$125.

(2) A person who is required by any provision of these by-laws, other than a provision of Part IV or Part VII, to do anything or refrain from doing anything and who fails to comply with that provision commits an offence and is liable to—

- (a) A fine that is not more than \$1 000 and not less than—

(i) in the case of a first offence \$100;

(ii) in the case of a second offence \$200;

(iii) in the case of a third or subsequent offence \$500; and

- (b) If the offence is a continuing offence, a daily penalty which is not more than \$100 and not less than \$50.

2. Any expense incurred by the Local Authority in consequence of a breach or non observance of these by-laws or in the execution of work directed to be executed by a person and not executed by him shall be paid by the person committing the breach or non observance of failing to execute the work.

Dated this 13th day of March 1991.

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

R. M. COLLINS, President.  
A. E. FISHER, Shire Clerk.

Confirmed—

P. PSAILA-SAVONA, Executive Director, Public Health.

Approved by His Excellency the Governor in Executive Council this 26th day of November 1991.

L. M. AULD, Clerk of the Council.

HE304

### HEALTH ACT 1991

#### *Town of Kwinana*

#### Model Health By-Laws Series "A"

The Town of Kwinana being a Local Authority under the provisions and having adopted the Model By-law Series "A" made under the Act. In pursuance of the powers conferred upon it by the Act and all other powers enabling it hereby makes and publishes the following By-law—

1. In these By-laws the Model By-laws Series "A" as amended from time to time adopted by the Town of Kwinana by resolution published in the *Government Gazette* on 28 February 1964 and amended from time to time are referred to as "The Principal By-laws".
2. The Principal By-laws are amended in Part I relating to General Sanitary Provisions by deleting By-law 19 Subsection 3 and 4 and inserting a new By-law 19 Subsection 3 and 4 to read as follows:
3. The driver of a vehicle upon entering land set aside by Council for the purpose of depositing garbage, refuse, rubbish and other disused material shall be subject to the payment of a fee as follows—

Tipping Fees		\$
1. Per car, utility, van or single axle trailer using entitlement card as per Item 34 .....		Nil
2. Cars, utilities, vans and trailers not exceeding 1.8 x 1.2m x 0.61m .....		10.00
3. Trailers exceeding 1.8m x 1.2m x 0.61m .....		25.00
4. Tandem axle trailers exceeding 1.8m x 1.2m x 0.61m including those used for commercial collection .....		50.00
5. Trucks not exceeding 2 tonnes aggregate weight		30.00
6. Trucks not exceeding 4 tonnes aggregate weight		60.00
7. Trucks not exceeding 6 tonnes aggregate weight		90.00
8. Trucks not exceeding 8 tonnes aggregate weight		120.00
9. Trucks exceeding 8 tonnes aggregate weight single axle .....		150.00
10. Trucks not exceeding 10 tonnes aggregate weight with dual axle .....		160.00
11. Trucks not exceeding 15 tonnes aggregate weight with dual axle .....		225.00
12. Trucks exceeding 15 tonnes aggregate weight with dual axle .....		300.00
13. Articulated vehicles .....		300.00
14. Compactor vehicles—Load capacity not exceeding 3 cubic metres .....		120.00

	\$
15. Compactor Vehicles—load capacity 3 cubic metres—10 cubic metres .....	135.00
16. Compactor vehicles—load capacity 10 cubic metres—15 cubic metres .....	165.00
17. Compactor vehicles—load capacity 15 cubic metres to 20 cubic metres .....	215.00
18. Compactor vehicles—load capacity 20 cubic metres to 30 cubic metres .....	280.00
19. Compactor vehicles—load capacity 30 cubic metres to 40 cubic metres .....	330.00
20. Compactor vehicles—load capacity exceeding 40 cubic metres .....	360.00
21. Bulk bins not exceeding 3 cubic metres .....	45.00
22. Bulk bins exceeding 3 cubic metres but not exceeding 6 cubic metres .....	70.00
23. Bulk bins exceeding 6 cubic metres but not exceeding 10 cubic metres .....	105.00
24. Bulk bins exceeding 10 cubic metres but not exceeding 20 cubic metres .....	180.00
25. Bulk bins exceeding 20 cubic metres but not exceeding 30 cubic metres .....	240.00
26. Bulk bins exceeding 30 cubic metres .....	300.00
27. Car bodies—	
(i) from any premises when a free recycling service is provided to Council for disposal of the car bodies .....	Nil
(ii) from any premises when there is no free of charge recycling service provided to Council .....	60.00
28. Truck bodies—	
(i) from within the Town of Kwinana cut in 3 or 4 pieces .....	75.00
(ii) from within the Town of Kwinana uncut ...	120.00
29. Car tyres per tyre unshredded .....	5.00
30. Truck tyres (road vehicles) per tyre unshredded .....	20.00
31. Special Burials: In addition to charges set above the following charges apply for special burials:	
31a. Hazardous wastes and other special burials per 5 cubic metres or part thereof .....	130.00
31b. Tyres (each) range from tractor to heavy earth moving .....	25-100
31c. Tree stumps: Surcharge depending on size of load range .....	25-100
31d. Concrete blocks: Surcharge depending on size of load range .....	25-100
31e. Animal carcasses—	
small domestic animals each .....	5.00
large animals, sheep, cattle pigs, etc .....	10.00
31f. Sharpsafe containers	
less than 7 litres .....	10.00
over 7 litres .....	10.00
plus per litre .....	1.00
32. Materials for deposit which require special disposal procedures will be subject to extra above load fee which will be determined by the Principal Environmental Health Officer of the Town of Kwinana.	
33. Where the material being deposited is in the opinion of the Principal Environmental Health Officer of the Town of Kwinana suitable for operation of the tip the fee listed may be waived.	
34. Council may permit owner/occupiers or occupiers of residential premises including Rural or Special Rural premises within the Town of Kwinana to deposit domestic waste from a car, utility, van or single axle trailer not exceeding 1.8m x 1.2m	

x 0.61 free of charge on not more than 6 occasions in each financial year, subject to the production of their current identification card issued by the Town of Kwinana.

35. Council may permit owners/occupiers or occupiers of residential premises including rural or special rural premises within the Town of Kwinana to deposit commercial or domestic waste suitable for recycling from a car, utility, van or single axle trailer not exceeding 1.8m x 1.2m x 0.61m free of charge at Council's recycling depot located at the Thomas Road Refuse Disposal Site.

36. Where in the opinion of the Principal Health Surveyor the waste material taken to the recycling depot is unsuitable for recycling then the Principal Health Surveyor may direct that the waste be deposited at the Thomas Road Refuse Disposal Site and the appropriate tipping fees be paid or the use of free entry into the site as per Item 34 of this By-law shall apply.

4. Any person loitering on the tip site at any time trespassing on the tip site outside normal operating hours or when visiting the tip site fails to comply with any instruction given by a Health Surveyor or any other Authorised Officer of Council commits an offence.

Passed at a meeting of the Kwinana Town Council on 24th day of July 1991.

Dated this 8th day of August 1991.

The Common Seal of the Town Kwinana was affixed hereto in the presence of—

D. NELSON, Mayor.  
R. K. SMILLIE, Town Clerk.

Confirmed—

P. PSAILA-SAVONA, Executive Director, Public Health.

Approved by His Excellency the Governor in Executive Council.

Dated the 26th day of November 1991.

L. M. AULD, Clerk of the Council.

## HE305

### HEALTH ACT 1911

#### *City of Gosnells*

#### Kelvin Road Refuse Site—Scale of Charges

Whereas under the provisions of the *Health Act 1911* authority may make or adopt by-laws and may alter, amend or repeal any by-laws so made or adopted; now, therefore, the City of Gosnells being a local authority within the meaning of the Act and having adopted the model by-laws described as Series "A" as reprinted pursuant to the Reprinting of Regulations Act 1954, in the *Government Gazette* on 17th July 1963, doth hereby resolve and determine that the said adopted by-laws shall be amended as follows.

Part 1—General Sanitary Provisions: By-law 19 is amended by substituting for sub-by-law (6) as follows:—

"(6) the driver of a vehicle upon entry on land set aside by Council for the purpose of depositing refuse or liquid wastes, shall make payment of a fee as follows unless otherwise determined by Council.

\$

(a) Cars, utilities, vans and trailers not exceeding 1.8m x 1.2m x 0.6m, or quantities less than 1.0cu.m .....	3.00
(b) Trailers exceeding 1.8m x 1.2m x 0.6m but not exceeding 2.5m. x 1.5m x 0.6m .....	7.00
(c) Trailers exceeding 2.5m x 1.5m x 0.6m .....	13.00

(d) Commercial collection of bagged refuse .....	Listed charge for vehicle plus \$1.00 per bag, maximum charge \$33
(e) Trucks below 4 tonne aggregate weight .....	22.00
(f) Trucks 4-6 tonne aggregate weight .....	31.00
(g) Trucks 6-8 tonne aggregate weight .....	40.00
(h) Trucks over 8 tonne aggregate weight with single axle .	50.00
(i) Trucks over 8 tonne aggregate weight with dual rear axle .....	60.00
(j) Trucks over 8 tonne aggregate weight with dual front & rear axles .....	77.00
(k) Articulated vehicles .....	94.00
(l) Compactor vehicles—load capacity not exceeding 3cu.m .	33.00
(m) Compactor vehicles—load capacity 3cu.m-10cu.m .....	86.00
(n) Compactor vehicles—load capacity 10cu.m-15cu.m .....	108.00
(o) Compactor vehicles—load capacity 15cu.m-20cu.m .....	130.00
(p) Compactor vehicles—load capacity 20cu.m-30cu.m .....	161.00
(q) Compactor vehicles—load capacity 30cu.m-40cu.m .....	178.00
(r) Compactor vehicles—load capacity over 40cu.m .....	203.00
(s) Bulk bins not exceeding 3cu.m .....	22.00
(t) Bulk bins 3cu.m-6cu.m .....	31.00
(u) Bulk bins 6cu.m-10cu.m .....	55.00
(v) Bulk bins 10cu.m-20cu.m .....	74.00
(w) Bulk bins 20cu.m-30cu.m .....	86.00
(x) Bulk bins exceeding 30cu.m .....	105.00
(y) Vehicle Bodies—	
(i) Car bodies—Domestic .....	5.00
(ii) Car bodies—Commercial .....	33.00
(iii) Truck bodies .....	55.00
(z) Car tyres will only be accepted in small quantities from residents of the City of Gosnells .....	Listed charge for vehicle plus 100% surcharge
(aa) Animal carcasses .....	Listed charge for vehicle plus 100% surcharge
(ab) Stormwater and similar liquids will only be accepted if non-hazardous and suitable for unrestricted disposal to landfill .....	5.00 per kilolitre of tanker capacity
(ac) Large consignments .....	Price on application
(ad) Special Burials:—	
(i) Quantity for burial up to 5cu.m .....	Listed charge for vehicle plus 75.00
(ii) For quantities for burial over 5cu.m .....	Price on application

These by-laws will come into force on the date of gazettal.

Passed by resolution at a meeting of the Gosnells City Council held on 22nd of October 1991.

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

P. M. MORRIS, Mayor.  
G. WHITELEY, Town Clerk.

Confirmed—

P. PSAILA-SAVONA, Executive Director, Public Health.

Approved by His Excellency the Governor in Executive Council this 26th day of November 1991.

L. M. AULD, Clerk of the Council.

**HE401****MENTAL HEALTH ACT 1962**Health Department of WA,  
Perth 29 November 1991.

974/89

I, Keith James Wilson, being the Minister administering the Mental Health Act 1962, appoint under the provisions of section 26H (2) of the Act, Mr B. O. Richardson as a member of the Board of Visitors to Approved Psychiatric Hospitals Group 2, for the period 1 January 1992 to 31 December 1993.

KEITH WILSON, Minister for Health.

**HE402****HOSPITAL ACT 1927**Health Department of WA,  
Perth 12 November 1991.

WD 1.9 ExCo No. 5019.

His Excellency the Governor in Executive Council has appointed under the provisions of the Hospitals Act 1927, Mrs C McKennay as a member of the Warren District Hospital Board for the period ending 30 September 1992 vice Mrs Terpou resigned.

PETER J. BRENNAN, Commissioner of Health.

**HE403****HEALTH ACT 1911**Health Department of WA,  
Perth 12 November 1991.

600/83

The appointment of Mr John Hewson as a Health Surveyor to the City of Bunbury effective from 18 November 1991 is approved.

BRIAN DEVINE, delegate of Executive Director,  
Public Health.**HE404****CREMATION ACT 1929**Health Department of WA,  
Perth, 26 November 1991.

1040/89 ExCo No. 5105.

His Excellency the Governor in Executive Council has appointed under the provisions of section 8 (1) (a) of the Cremation Act 1929, Dr Charles Rupert Russell-Smith as a medical referee.

PETER J. BRENNAN, Commissioner of Health.

**HE405****HEALTH ACT 1911**Health Department of WA,  
Perth, 25 November 1991.

7634/89.

The cancellation of the appointment of Mr Nigel Patrick Norman Hume as a Health Surveyor to the City of Armadale effective from 28 September 1991 is hereby notified.

The appointment of Mr Dominic Peter Meyrick as a Health Surveyor to the City of Armadale effective from 18 November 1991 is approved.

BRIAN DEVINE,  
delegate of Executive Director, Public Health.

**HE406****HEALTH ACT 1911**Health Department of WA,  
Perth, 25 November 1991.

168/84.

The cancellation of the appointment of Mr Graham Blackmore as a Health Surveyor to the Shire of Denmark effective from 27 September 1991 is hereby notified.

The appointment of Mr Terrence Mayor as a Health Surveyor to the Shire of Denmark effective from 28 October 1991 is approved.

BRIAN DEVINE,  
delegate of Executive Director, Public Health.

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**HE407****HEALTH ACT 1911**Health Department of WA,  
Perth, 21 November 1991.

8275/88.

The appointment of Dr W. D. Roberts as a Medical Officer of Health to the Shire of Quairading effective from 2 August 1990 is approved.

P. PSAILA-SAVONA, Executive Director, Public Health.

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**HE408****HEALTH ACT 1911**Health Department of WA,  
Perth, 20 November 1991.

8698/88.

The cancellation of the appointment of Mr John Manni as a Health Surveyor to the City of Bayswater effective from 5 November 1991 is hereby notified.

The appointment of Mr Kevin Bartley as a Health Surveyor to the City of Bayswater effective from 5 November 1991 is approved.

BRIAN DEVINE,  
delegate of Executive Director, Public Health.

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**HE409****HEALTH ACT 1911**Health Department of WA,  
Perth, 20 November 1991.

8479/88.

The appointment of Mr R. Nutt as a Health Surveyor to the City of Rockingham for the period effective from 2 December 1991 to 16 April 1992 is approved.

BRIAN DEVINE,  
delegate of Executive Director, Public Health.

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**HE410****HEALTH ACT 1911**Health Department of WA,  
Perth, 20 November 1991.

8681/89.

The appointment of Mr John Murray as a Health Surveyor (Meat) to the Shire of Goomalling effective from 18 November 1991 is approved.

BRIAN DEVINE,  
delegate of Executive Director, Public Health.

**LAND ADMINISTRATION****LA401****LOCAL GOVERNMENT ACT 1960  
DECLARATION OF CLOSURE OF STREETS**

Made by the Minister for Lands under Section 288A.

At the request of the local governments nominated, the streets described in the Schedule are now declared to be closed.

*Schedule**City of Geraldton*

DOLA File: 3303/990; Document No. E749682; Closure No. G781.

All that portion of the surveyed way shown coloured green on page 7 of the Road Closure and Disposal Document E749682.

Public Plan: BE 43 (2) 14.14 (Geraldton).

*City of Perth*

DOLA File: 2993/964; Document No. E749678; Closure No. P794.

All that portion of Berwick Street (Road No. 12780) shown bordered blue on DOLA Survey Diagram 90283.

Public Plan: BG 34 (2) 15.21 (Perth).

*City of Wanneroo*

DOLA File: 3219/990; Closure No. W1322.

All that portion of the surveyed road now comprised in the land the subject of Office of Titles Diagram 80476 and 80477.

Public Plan: BG 35 (10) 02.04 (Swan).

*Town of Albany*

DOLA File: 3422/990; Document No. E749677; Closure No. A490.

All that portion of Diprose Crescent shown bordered blue on DOLA Survey Diagram 90328.

Public Plan: BK 26 (2) 12.06, 12.07 (Albany).

*Shire of Albany*

DOLA File: 2736/909; Document No. E749674; Closure No. A491.

All that portion of Cook Road shown coloured blue on page 7 of Road Closure and Disposal Document E749674.

Public Plan: 2427-IV N.W. and S.W. (Torbay).

*Shire of East Pilbara*

DOLA File: 2978/986; Document No. E749672; Closure No. E255.

All that portion of the surveyed road shown coloured blue on page 7 of Road Closure and Disposal Document E749672.

Public Plan: BN 64 (10) 04.04 (Marble Bar).

*Shire of Lake Grace*

DOLA File: 1887/990; Document No. E749669; Closure No. L147. All that portion of the surveyed road shown coloured blue on page 7 of Road Closure and Disposal Document E749669.

Public Plan: 2731-IV (Newdegate 1:50 000).

*Shire of Swan*

DOLA File: 2484/986; Closure No. S430.

All that portion of Brockman Road (Road No. 14336) shown bordered blue on DOLA Survey Diagram 89960.

Public Plan: BG 34 (2) 22.32 (Perth).

*Shire of Wyndham-East Kimberley*

DOLA File: 603/981V4; Document No. E749706; Closure No. W1324.

All that portion of Coral Close shown coloured blue on page 7 of Road Closure and Disposal Document E749706.

Public Plan: DH 79 (2) 23.15 (Kununurra).

*Shire of Wyndham-East Kimberley*

DOLA File: 1882/991; Document No. E749702; Closure No. W1325.

All those portions of Plum Court, Rattlepod and Coleus Close, shown coloured blue on page 7 of Road Closure and Disposal Document E749702.

Public Plan: DH 79 (2) 23.15 (Kununurra).

R. K. MORLAND, Acting Executive Director,  
Department of Land Administration.

LB401

**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 each piece of land specified in the Schedule is now declared to be absolutely dedicated as a public street.

Schedule

1. City of Mandurah (DOLA File 2843/991).

Road No. 18368. A strip of land along the southwestern boundary of Lot 105 of portion of Cockburn Sound Location 16 (Office of Titles Plan 741 (Sheet 1), extending generally eastwards from the northwestern side of Fremantle Road (Road No. 10984) to its terminus, as delineated and coloured brown on the said Plan.  
Public Plan: BG33 (2) 06.04, 07.04 (Peel).
2. Town of Albany (DOLA File 1936/988).
  - (a) Road No. 18350 (Lurline Street). A strip of land, commencing at the northeastern side of South Coast Highway and extending northeastwards, excluding the intersecting portions of McKail Street and Minor Road (Road No. 18148), to its terminus at the southwestern side of Katoomba Street as delineated and coloured brown on Office of Titles Plan 513 (Sheets 1 and 2). (Widenings). Those widenings as delineated and coloured brown on Office of Titles Diagram 25175.
  - (b) Road No. 18351 (Chester Street). A strip of land, 20.12 metres wide, as delineated and coloured brown on Office of Titles Plan 243 (1).
  - (c) Road No. 18352 (Flemington Road). A strip of land, commencing at the southeastern side of Chester Street (Road No. 18351) and extending generally eastwards to its terminus at the southwestern side of Albany Highway (Road No. 6963), as delineated and coloured brown on Office of Titles Plan 243 (1).  
Public Plan: BK26 (2) 9.07, 9.08 (Albany).
  - (d) Road No. 18353 (Mawson Street). A strip of land, varying in width, plus widenings, as delineated and coloured brown on Office of Titles Diagram 21166.
  - (e) Road No. 15965 (Melrose Street) (Extension). A strip of land commencing at the northern terminus of Road No. 15965 and extending northwestwards to its terminus at the southeastern boundary of Albany Lot 1195 (Reserve 29211) as delineated and coloured brown on Office of Titles Plan 285.  
Public Plan: BK26 (2) 10.06 (Albany).
  - (f) Road No. 18354 (Bevan Street). A strip of land, plus widening, commencing at a line in prolongation southwestwards of the southeastern side of Broughton Street and extending southeastwards as delineated and coloured brown on Office of Titles Plan 6864 to include the surveyed way as delineated and coloured brown on Office of Titles Diagram 17556.
  - (g) Road No. 18355 (Broughton Street). A strip of land, plus widenings, as delineated and coloured brown on Office of Titles Plan 6864.
  - (h) Road No. 18356 (Dunn Street). A strip of land, plus widenings, excluding the intersecting portion of Broughton Street (Road No. 18355), as delineated and coloured brown on Office of Titles Plan 6864.  
Public Plan: BK26 (2) 10.07 (Albany).
  - (i) Road No. 18357 (Nelson Street). A strip of land, varying in width, as delineated and coloured brown on Office of Titles Diagram 5467.
  - (j) Road No. 18358 (Stewart Street). A strip of land, plus widenings, as delineated and coloured brown on Office of Titles Plan 6964.  
Public Plan: BK26 (2) 12.05 (Albany).
  - (k) Road No. 18359 (Sleeman Avenue). A strip of land, varying in width, extending generally southwestwards from the southeastern side of Wakefield Crescent (Road No. 14659) to the northeastern side of Hanson Street, as delineated and coloured brown on Office of Titles Plan 3951 (1).
  - (l) Road No. 18360 (Miramar Road). A strip of land, varying in width, as delineated and coloured brown on Office of Titles Plan 3951 (1).
  - (m) Road No. 18361 (Mokare Road). A strip of land, plus widenings, as delineated and coloured brown on Office of Titles Plan 7401.
  - (n) Road No. 18362 (Muir Street). A strip of land, plus widenings, as delineated and coloured brown on Office of Titles Plan 7401.
  - (o) Road No. 18363 (Nind Street). A strip of land, plus widenings, as delineated and coloured brown on Office of Titles Plan 7401.  
Public Plan: BK26 (2) 12.05, 12.06 (Albany).

R. K. MORLAND, Acting Executive Director,  
Department of Land Administration.

LB601

**LAND ACT 1933**  
**NOTICE OF INTENTION TO GRANT A LEASE**

Department of Land  
Administration.

It is hereby notified that it is intended to grant a Special Lease over King Location 427 to Bruce Allan Roebuck and Ronald John Paterson under section 116 of the Land Act for a term of 21 years for the purpose of "Horticulture".

A. A. SKINNER, Executive Director.

October 31, 1991.

LB602

**LAND ACT 1933**  
**NOTICE OF INTENTION TO GRANT A LEASE**

Department of Land  
Administration.

It is hereby notified that it is intended to grant a Special Lease over Swan Locations 11641-11648, Pt 11649 Pt 11650, Pt 11651, 11652 and 11653, Pt 11654, 11656-11659, 11661, 11662 to Ocean Dunes Pty Ltd under section 116 of the Land Act for a term of 50 years for the purpose of Marina, Golf Course, Hotel, Health Club, Commercial and Residential purposes and uses ancillary thereto.

A. A. SKINNER, Executive Director.

LB701

File No. 70/70.  
Ex. Co. No. 5054

**RAILWAY STANDARD GAUGE CONSTRUCTION ACT 1961; PUBLIC WORKS ACT 1902**  
**LAND RESUMPTION**

Standard Gauge Railway—Kenwick to Midland Section

Notice is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the schedule hereto, being all in the Canning 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 26th day of November 1991, been set apart, taken or resumed for the purpose of the following public work, namely:—Standard Gauge Railway—Kenwick to Midland Section.

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 Plan, L.A., W.A. 832 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

No. on Plan L.A., W.A. No. 832	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Wladimir Andrejew and Angela Andre- jew, Minister for Works as Caveator	Westrail	Portion of Canning Location 292 and being that part of Lot 54 on Plan 3217 now contained in Plan 10878 being part of the Land con- tained in Certificate of Title Volume 1059 Folio 522	2213 m <sup>2</sup>

Certified correct this 14th day of November 1991.

D. L. SMITH, Minister for Lands.

Dated this 26th day of November 1991.

FRANCIS BURT, Governor in Executive Council.

LB702

File No. 2481/1990.  
Ex. Co. No. 5055**LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902****LAND RESUMPTION**

## Public Utilities Services—Town of Kwinana

Notice is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the schedule hereto, being all in the Kwinana 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 26th day of November 1991, been set apart, taken or resumed for the purpose of the following public work, namely:—Public Utility Services—Town of Kwinana.

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 Plan, L.A., W.A. 770 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

No. on Plan L.A., W.A. No. 770	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Her Majesty	Vacant	Portion of Kwinana Lot E7 and being the Pedestrian Accessway on Plan 10731 remaining in Certificate of Title Volume 1399 Folio 724	299 m <sup>2</sup>

Certified correct this 18th day of November 1991.

D. L. SMITH, Minister for Lands.

Dated this 26th day of November 1991.

FRANCIS BURT, Governor in Executive Council.

LB703

File No. 657/1991.  
Ex. Co. No. 5056**LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902****LAND RESUMPTION**

## Road Widening—Bridgetown-Boyup Brook Road—Road No. 975—Shire of Boyup Brook

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Boyup Brook passed at a meeting of the Council held on or about 4 February 1991 the several pieces or parcels 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 26th day of November 1991, been set apart, taken or resumed for the purpose of the following public work, namely:—Road Widening—Bridgetown-Boyup Brook Road—Road No. 975—Shire of Boyup Brook.

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 90303 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
Colin Peter Barron	Colin Peter Barron	Portion of Nelson Location 721 being part of the Land contained in Certificate of Title Volume 1247 Folio 104.	9123 m <sup>2</sup>
Steven Baillie Foy and Ingrid Heidi Josephine Foy	Steven Baillie Foy and Ingrid Heidi Josephine Foy	Portion of Nelson Location 799 being part of the Land contained in Certificate of Title Volume 46 Folio 28'A'.	1.4288 ha

Certified correct this 14th day of November 1991.

D. L. SMITH, Minister for Lands.

Dated this 26th day of November 1991.

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

By Order of the Minister for Lands.

Dated this 29th day of November, 1991.

A. A. SKINNER, Executive Director.

## LOCAL GOVERNMENT

### LG201

#### LOCAL GOVERNMENT ACT 1960

##### ORDER IN COUNCIL

#### LOCAL GOVERNMENT (BUILDINGS) AMENDMENT ORDER 1991

Made by His Excellency the Governor in Executive Council.

#### Citation

1. This order may be cited as the *Local Government (Buildings) Amendment Order 1991*.

#### Principal Order

2. In this order the *Local Government (Buildings) Order 1989\** is referred to as the principal order.

[\*Published in the Gazette of 28 July 1989 at pp. 2294-6.]

#### Schedule 1 amended

3. Schedule 1 to the principal order is amended by deleting the items relating to "Shire of Cue" and "Shire of Leonora".

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

### LG202

#### LOCAL GOVERNMENT ACT 1960

##### ORDER IN COUNCIL

#### BUILDING REGULATIONS AMENDMENT ORDER 1991

Made by His Excellency the Governor in Executive Council.

#### Citation

1. This order may be cited as the *Building Regulations Amendment Order 1991*.

#### Principal order

2. In this order the *Building Regulations Order 1989\** is referred to as the principal order.

[\*Published in the Gazette of 28 July 1989 at pp. 2297-300.]

**Schedule 1 amended**

3. Schedule 1 to the principal order is amended by inserting in the appropriate alphabetical positions, the following—

- “ Shire of Cue: those parts of the district that are outside a townsite ”;
- “ Shire of Dowerin: those parts of the district outside a townsite ”;
- “ Shire of Leonora: those parts of the district outside a townsite ”;
- “ Shire of Nungarin: those parts of the district outside a townsite ”;

**Schedule 2 amended**

4. Schedule 2 to the principal order is amended—

(a) by inserting in item 1 (c) after “Swan” the following—

“ Mingenew ”;

(b) by inserting after item 3 the following items—

- “ 4. Those parts of the Shire of Albany that comprise the Harbour Ward.
- 5. That part of the Shire of Halls Creek subject to the Halls Creek Town Planning Scheme.
- 6. Those parts of the Shire of Harvey that are zoned Special Residential and Special Rural by the Shire of Harvey Town Planning Scheme No. 10.
- 7. That part of the Shire of Wyndham-East Kimberley subject to the Kununurra Town Planning Scheme No. 4 and the Wyndham Town Planning Scheme No. 5. ”.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

**LG301****DOG ACT 1976**

*The Municipality of the Shire of Mundaring*

By-laws Relating to Dogs

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 23 April 1991 to amend its By-laws Relating to Dogs published in the *Government Gazette* on 20 May 1980, and to make and submit for confirmation by the Governor the following amendment—

By adding a new By-law as—

- “ 22. The requirements of By-law 15 shall not apply to any public pound facility constructed by the Council. ”

Dated this third day of July 1991.

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

R. F. WAUGH, President.

M. N. WILLIAMS, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 26th day of November 1991.

L. M. AULD, Clerk of the Council.

## LG302

## DOG ACT 1976

*Municipality of the City of Belmont*

## By-laws Relating to Dogs

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 eighth day of March 1988, to make and submit for confirmation by the Governor the following By-laws as published in the *Government Gazette* on 8th May 1981:

(i) Insert after the By-law 18 the following—

“19. The land specified in the Fourth Schedule to these By-laws are designated as dog exercise areas for the purpose of the Dog Act 1976, except when an activity or event is being conducted thereon, with the consent of Council.”

(ii) Insert after the Third Schedule the following—

## “The Fourth Schedule

Alfred Street Reserve—(Lot 9162) Blacklock Road, Belmont  
 Arlunya Park—(Lot 44) Arlunya Avenue, Cloverdale  
 Ascot Park—(Lot 1433) Ascot Drive, Redcliffe  
 Belmont Park—(Lot 1 & Pt. Lot 56) Abernethy Road  
 Brearley Avenue Reserve—(Reserve: ↑ 27446) Brearley Avenue  
 Cracknell Park—(Lot 28) Riversdale Road, Redcliffe  
 Forster Park—(Pt. Lot. 278) Keane Street, Cloverdale  
 Grove Farm—(Lot 247) Great Eastern Highway, Rivervale  
 Hardey Park—(Reserve: A ↑ 12237) Great Eastern Highway, Rivervale  
 Wilson Park—(Lot 5522) Norwood Road, Rivervale  
 Hoskin Street—(Lot 167) Hoskin Street, Cloverdale  
 Lions Park—(Lot 1915) St. Kilda Road, Rivervale  
 McLarty Street Reserve—(Lot 121) McLarty Street, Cloverdale  
 Middleton Park—(Lot 205) Middleton Street, Cloverdale  
 Miles Park—(Lot 6561) Belgravia Street, Cloverdale  
 Morgan Street Reserve—(Lot 1291) Morgan Road, Redcliffe  
 Nance Street Reserve—(Lot 24) Reen Street, Kewdale  
 Peet Park—(Lot 1184) Sydenham Street, Kewdale  
 Selby Park—(Lot 5230) Great Eastern Highway, Redcliffe  
 Signal Hill Reserve—(Lot 96) Belgravia Street, Belmont  
 Traffic Hill (Peachey)—(Lot 92) Peachey Avenue, Kewdale”

Dated this 28th day of June 1991.

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

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

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in the Executive Council this 26th day of November 1991.

L. M. AULD, Clerk of the Council.

## LG303

## LOCAL GOVERNMENT ACT 1960

*The Municipality of the City of Stirling*

## By-laws Relating to Parking

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 5th day of February 1991 to make and submit for confirmation by the Governor the following by-laws:

1. In these by-laws the By-laws of the City of Stirling published in the *Government Gazette* of the 12th May 1971 are referred to as “the principal by-laws”.

2. By-law 480 is amended by deleting "forty dollars (\$40)" from the third line of the by-law and replacing it with "eighty dollars (\$80)".

Dated the Seventh day of February, 1991.

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

J. H. SATCHELL, Mayor.  
R. H. FARDON, Town Clerk/City Manager.

Recommended:—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 26th day of November 1991.

L. M. AULD, Clerk of the Council.

### LG304

#### LOCAL GOVERNMENT ACT 1960

##### SHIRE OF MANJIMUP (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 Manjimup (Valuation and Rating) Order No. 1 1991*.

##### Commencement

2. This Order shall take effect on and from July 1, 1992.

##### Authorisation to Use Gross Rental Values

3. The Council of the Shire of Manjimup is hereby authorised to use valuations on gross rental values for the purpose of rating portions of the municipality which are designated and described in the Schedule to this Order.

##### Schedule

All that portion of land comprising Nelson Location 9017, as shown on Land Administration Original Plan 1655 and Diagram 53254.

Department of Land Administration Public Plans:

Meerup NE. 1:25 000  
Meerup SE and PT SW. 1:25 000  
Northcliffe NW. 1:25 000  
Northcliffe SW. 1:25 000

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

### LG305

#### LOCAL GOVERNMENT ACT 1960

##### SHIRE OF ROEBOURNE (VALUATION AND RATING) ORDER No. 2 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 Roebourne (Valuation and Rating) Order No. 2 1991*.

##### Commencement

2. This Order shall take effect on and from July 1, 1992.

##### Authorisation to Use Gross Rental Values

3. The Council of the Shire of Roebourne is hereby authorised to use valuations on gross rental values for the purpose of rating portions of the municipality which are designated and described in the Schedule to this Order.

## Schedule

## Schedule "A"

All that portion of land within the Karratha Townsite as promulgated in *Government Gazette* dated 3 February 1989 page 348.

## Schedule "B"

All that portion of land within the Wickham Townsite as promulgated in *Government Gazettes* dated 26 November 1971 pages 4901 and 4902, 9 June 1972 page 1737, 20 October 1972 page 4167, 30 March 1973 page 823, 29 February 1980 page 641 and 22 August 1980 page 2919.

## Schedule "C"

All that portion of land within the Dampier Townsite as promulgated in *Government Gazettes* dated 30 June 1972 page 2102 and 1 September 1972 page 3390.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

## LG306

## LOCAL GOVERNMENT ACT 1960

*Shire of Wyndham-East Kimberley*

## By-laws Relating to Signs, Hoardings and Billposting

In pursuance of the powers conferred upon it by the above-mentioned Act and all other powers enabling it, the Council of the above-mentioned Municipality hereby records having resolved on 18th July, 1991 to make and submit for confirmation by the Governor the following By-laws:—

1. Signs, Hoardings and Billposting By-laws gazetted on 28th May, 1969, and all amendments thereto are hereby repealed.

## 2. Citation

These By-laws may be cited as the Shire of Wyndham-East Kimberley Signs By-laws.

## 3. Interpretation

3.1 In these By-laws, unless the context otherwise requires:

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

"Advertising device" means any object on which works, motifs or numerals are written, placed, affixed or painted for the purpose of advertising any business, function, operation, event or undertaking or any product or thing whatsoever, and includes an airborne device anchored to any land, building or thing, any vehicle or trailer or other similar stationary object placed or located so as to serve the purpose of advertising and business, function, event, product, or undertaking and includes any sign, hoarding, bills, placards and other devices, structures or things as prescribed in the Act or these By-laws.

"Animated Sign" means any advertising device which moves or is capable thereof or contains moving parts or which changes or alters its message, flashes on and off, chases, scintillates or has a moving flashing or scintillating border or emblem and includes an advertisement light display but does not include a flashing beacon sign.

"Authorised Officer" means an Officer appointed pursuant to the requirements of the Act.

"Bill" means any written or illustrated message or matter on paper, plastic or similar material.

"Bill Posting" means the sticking or posting of any bill, or painting, stencilling, placing, or affixing of any advertisement on any building, structure, fence, wall, hoarding, signpost, pole, blind, or awning or on any tree, rock or other like place or thing so as to be visible to any person in a street, public place, reserve or other land, and bill post has a like meaning.

"Building Surveyor" means the Building Surveyor appointed by the Council from time to time and includes any acting Building Surveyor or Deputy Building Surveyor.

"Business" means the conduct of one or more commercial or industrial activities within a building or physically defined and divided portion of a building, and "occupancy" shall have a like meaning.

"Council" means the Council of the Municipality of the Shire of Wyndham-East Kimberley.

"Development sign" means—

- (a) 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); or
- (b) a sign erected on an area of land upon which it is proposed to undertake the construction of a building or part thereof, advising of any or all matters pertaining to the construction of such building or buildings or part thereof; or
- (c) a sign or signs erected on an area of land upon which a building or buildings has been or is to be constructed, advising that floorspace within such building or buildings is available for occupancy by sale, rental or lease;

but does not include a sale sign.

"Direction Sign" means an advertising device 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 Traffic Act.

"Display Home Sign" means an advertising device erected on a lot on which a display home is erected.

"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 poster placed on fences, walls, trees, rocks and any like places, or things without authority and "fly post" has a like meaning.

"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 does not include a hoarding within the meaning of Section 377 of the Act, this shall include a poster panel, wall panel or an illuminated panel.

"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 Panel" means a posted or painted advertising device externally illuminated by an artificial source of light.

"Illuminated Sign" means an advertising device that is so arranged as to be capable of being lighted either from within or without the advertising device 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 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.

"Licence" means a licence issued by Council in accordance with the requirements of these By-laws.

"Licensee" means the holder of a licence issued by Council pursuant to these By-laws.

"Lot" has the same meaning given to it in and for the purpose of the Town Planning and Development Act 1928 (as amended) but does not include a lot the subject of a Strata Plan issued in accordance with the provisions of the Strata Titles Act 1966 (as amended).

"Portable Sign" means a sign not permanently attached to the ground within the boundaries of a lot or located in a road reserve adjacent to the lot or to a structure, wall, fence or building owned or occupied by a person who erected or who has maintained the sign, 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.

"Projection Sign" means an advertising device that is made by the projection of light on a wall or similar structure.

"Pylon Sign" means an advertising device 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 sign infills may be added.

"Roof Sign" means an advertising device erected on the roof of a building.

"Rural Producers' Sign" means a sign erected on land zoned "Rural" and which only advertises goods or products produced, grown or lawfully manufactured upon the land within the boundaries of which the sign is located.

"Sale Sign" means an advertising device indicating that the premises whereon it is affixed are for sale, for letting or to be auctioned.

"Sandwich Board Sign" means a free standing double sided advertising device forming a "A" frame shape being of a portable type.

"Semaphore Sign" means an advertising device affixed and supported at, or by one of its ends only.

"Sign" includes a sign-board, portable sign, horizontal sign, illuminated sign, institutional sign, pylon sign, roof sign, sale sign or any other sign or advertising device as prescribed in the Act or these By-laws.

"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 an advertising device 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 over public streets and ways or over private land.

"Verandah Sign" means an advertising device above, on, or under verandahs.

"Vertical Signs" means an advertising device attached to a building in which the vertical dimension exceeds the horizontal dimension exclusive of the back projection.

"Wall Panel" means an advertising device painted on or directly affixed to the fabric of a wall.

3.2 Word and expressions used have the same respective meaning as is given in the Act.

#### 4. Licences

##### 4.1 Signs requiring planning approval

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

Planning approval must be obtained prior to sign licence issue

##### 4.2 Licence required

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 bylaws.

##### 4.3 Exemptions

The following are exempt from the requirements of these By-laws:—

- (a) an advertising device erected or maintained pursuant to any Act having operation within the State;
- (b) a for sale sign not exceeding 1 sq m in area for sale of that property upon which the sign is erected;
- (c) a plate not exceeding 1 sq m in area erected or affixed on the street alignment and the building line to indicate the name and occupation or profession of the occupier of the premises;
- (d) advertising devices of 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, providing the area of any such sign does not exceed 1 sq m in area;
- (e) advertisements affixed to or painted on a shop window by the occupier thereof and relating to the business carried on therein, providing that not more than 25 per cent of the area of the window is so used;

- (f) advertising devices within a building unless such signs are deemed to be objectional by the Council;
- (g) advertising devices not larger than 1 sq m in area on advertising pillars or panels approved by or with the consent of the Council for the purpose of displaying public notices for information;
- (h) building name signs on residential flats or home units not exceeding 1 sq m in area;
- (i) for businesses selling newspapers, advertising devices of the newspaper headline type, provided such advertising devices are secured flat against the wall of the premises;
- (j) 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 1.2 sqm;
- (k) 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 sqm; and
  - no part of the sign's structure is more than 10 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;
- (l) a sign erected by the Council on land under the care, control and management of the Council.

4.4 An advertising device sign, shall not be erected, displayed or maintained excepting as prescribed in these By-laws and:—

In general:—

- (a) so as to obstruct the view, from a street or public place, or traffic, in any street or public place;
- (b) where it would detract from the aesthetic environment of a public park or pleasure ground;
- (c) on any road reserve for other purpose than a direction sign, except as otherwise approved by Council pursuant to these By-laws;
- (d) on any natural feature, including a rock or tree, or any bridge or the structural approaches to a bridge or viaduct;
- (e) where it would be likely to interfere with or cause risk or damage to, road traffic by virtue of the fact that it:—
  - (i) may be mistaken or confused with or obstruct or obscure or otherwise reduce the clarity of effectiveness of any traffic control device;
  - (ii) would invite traffic to turn and would be sited so close to the turning point that there would not be reasonable time for a person to signal and turn safely;
  - (iii) would invite traffic to move contrary to any traffic control device or turn where there is fast moving traffic; or
  - (iv) may obscure the vision of a person driving a vehicle.
- (f) on any building or structure of which the stability is, in the opinion of the Building Surveyor, likely to be affected by the advertising device;
- (g) on a light, power or street pole without the approval of the relevant authority responsible for the erection of that pole;
- (h) in any position where it obstructs or obscures or may obstruct or obscure a person's view from a dwelling of a river, the sea or any other natural feature of beauty;
- (i) on a vehicle left standing or parked on a road reserve primarily for the purpose of displaying or exhibiting such advertisements or for the soliciting of business or sale of goods to which such advertisements refer; and
- (j) as a moveable or portable sign in a street or public place, unaffixed to a building without the written consent of the Council.

4.5 Every licence that is granted shall exist subject only to the provisions of the By-laws.

4.6 Notwithstanding that a sign or hoarding would otherwise comply with the provisions of these By-laws the Council may refuse a licence if:—

- (a) the sign or hoarding would in its opinion increase the number or 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 or safety of the area; or
- (b) if the sign or hoarding advertises goods or services which are not displayed or offered for sale or otherwise available to the public upon or from the land where the sign or hoarding is erected.

#### 4.7 Revocation of Licences

The Council may without derogation of any penalty to which that person may be liable by notice in writing revoke the licence:—

- (a) 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 is so altered that in the opinion of the Council it is objectionable or contravenes By-law 4.6; or
- (b) where the licensee contravenes or does not comply with any provision of these By-laws.

#### 4.8 Inspection of Licences

A licensee shall on demand by an officer appointed for the purpose by Council produce his licence for inspection.

#### 4.9 Application for licences

4.9.1 An application for a licence under these By-laws shall be made in the form of an application set out in the First Schedule hereto.

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

4.9.3 An applicant for a licence shall furnish in writing such further particulars as may be required by the Building Surveyor.

4.9.4 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, set-backs 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.

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

#### 4.9.6 Licence Fees

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

#### 4.10 Term of Licence

4.10.1 The sign as approved pursuant to Clause 4.2 of these By-laws must be erected within 12 months of the date shown on the First Schedule Form 2 Licence, for the licence to remain valid.

4.10.2 On expiry of the 12 months licence period, should a sign not be erected, a new application is to be made in each instance.

#### 5.0 Special Permits

5.1 Notwithstanding anything contained in these By-laws, the Council may, by permit under the hand of the Building Surveyor, allow the display or advertisement 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.

5.2 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.

5.3 Notwithstanding anything contained in this By-law a person shall not nail a sign to a street tree.

5.4 The Council may revoke any such permit at any time without assigning any reason for such action.

5.5 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.

## 6.0 General

### 6.1 Existing Sign

Where an existing unapproved sign or advertising device fails to conform to public safety standards a person receiving a direction from Council to remove the sign shall remove it immediately upon receiving the direction. A person receiving such a direction may within 14 days of receipt thereof appeal to the Council.

### 6.2 Headroom

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.

### 6.3 Obstruction to Door, etc

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

### 6.4 Glass in Signs

Glass shall not be used in the face of any sign excluding the means of illumination.

### 6.5 Bill Posting

A person shall not bill post within the district of the Shire of Wyndham-East Kimberley except on a hoarding approved for the purpose by the Council.

### 6.6 Fly Posting

A person shall not fly post at any place or location within the district of the Shire of Wyndham-East Kimberley.

6.7 Where a person is alleged to have committed an offence against these By-laws in respect of bill posting the person authorising the advertisement shall be deemed to be the person who commits the offence.

6.8 Every advertising device shall be securely fixed to the structure by which it is supported, to the satisfaction of the Building Surveyor, and shall be safely maintained.

### 6.9 Readily Combustible Material

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.

### 6.10 Advertising Devices

Signs to be maintained:—

- (a) The holder of a licence in respect of a sign shall keep the sign clean and free from unsightly matter.
- (b) Where any person fails to comply with the requirements of sub-By-laws (1) of this By-law, the Council may order the sign or any part of the sign, removed.

6.11 A sign or advertising device 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.

6.12 A sign or advertising device shall not be erected or maintained as an election sign.

### 6.13 Inscription on Advertising Devices:—

6.13.1 No bill, placard or advertisement shall be attached to, or posted, painted or stencilled by any person on any sign hoarding, wall, building or structure, whether erected upon land which is private property or a public place unless:

- (a) such bill, placard or advertisement is in the opinion of the Council reasonably related to the principal lawful use carried out on such land; and
- (b) any trade, business or product name or trademark on or in any such bill, placard or advertisement is in the opinion of the Council necessary for the purpose of communicating the principal lawful use carried out on such land.

6.13.2 No person shall permit or suffer the doing of anything contrary to the provisions of sub-By-law 6.13.1.

6.13.3 Sub-By-law 6.13.1 does not apply to any bill, placard or advertisement which states the name and/or trade, business or profession of the occupier of such land where such trade, business or profession is the principal lawful use carried out on the land and does not contain any other information, including any other trade business name or trademark.

## 7.0 Requirement of Particular Signs

### 7.1 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 300mm; or
  - (ii) if at right angles to the wall, more than 1 m;
- (e) afford a minimum headway of 2.4m;
- (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 10.00pm and 7.00 am.

### 7.2 Development Sign shall:—

- (a) only be erected where more than 10 subdivisional lots are to be produced in the development or the stage of development being advertised;
- (b) only be erected in the ratio of one square metre of area per hectare up to a maximum of 50 square metres; and
- (c) only be erected if the developer agrees in writing to remove the sign within two years of its erection or when 80 percent of the lots in the subdivision land have been sold, whichever is the sooner.

### 7.3 Direction Signs

A directional sign indicating the location of an amenity if in the opinion of the Council is beneficial to the Public, shall only be erected by authority of the 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.

### 7.4 Fence Sign:—

- (a) shall only be approved where it is painted on a side or rear fence of the property to which it applies; and
- (b) in any event so that such sign shall not be nearer to a street than a distance equal to its height above the ground.

### 7.5 Hoardings

#### 7.5.1 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 22 m<sup>2</sup>.

7.5.2 A licence issued in respect of a hoarding is valid in terms of the licence for a period to be set by the Council up to 10 years.

7.5.3 The licence fee for a hoarding is an annual licence fee and is payable annually so long as the hoarding is maintained with the approval of the Council.

7.5.4 Notwithstanding the provisions of paragraph (c), the Council may permit an increase in area of a hoarding.

### 7.6 Horizontal Sign

#### 7.6.1 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
9. to 12m	1 m

- (d) not project more than 600mm 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 an 75mm above and below the sign;
- (f) there shall be not more than one line of horizontal signs on any elevation.

7.6.2 Notwithstanding the provisions of sub-By-law 7.6.1 (c), the Council may permit an increase in the depths therein mentioned in any part or parts of a sign to permit the inclusion therein of a motif or capital letter.

7.6.3 The name of the building, owner or occupier may be shown on the facade of a building but;

- (a) unless otherwise specifically approved by the Council only one such name shall be placed on any facade;
- (b) the letters of the name shall not exceed 1.2m in height;
- (c) the letters shall be of metal or other incombustible material; and
- (d) the letters shall not be lit or illuminated unless all illuminated lettering has been specifically approved by the Council.

#### 7.7 Illuminated Sign

Every illuminated sign shall:—

- (a) have any boxing or casing 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;
- (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.

#### 7.8 Information Panels

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

#### 7.9 Institutional Signs

Institutional signs shall not exceed 0.5sqm in area except with the approval of the Council.

#### 7.10 Portable Signs

7.10.1 A portable sign shall:—

- (a) only be used for advertising a product or service available within the boundaries of the land to which it is located or adjacent to;
- (b) not exceed 0.8m<sup>2</sup> in area or 1 metre in height measured above the level of the ground immediately below it;
- (c) be so placed so as not to cause interference or a hazard to or impede pedestrians or cause any interference or hazard to vehicular traffic;
- (d) be of a design and fabrication so as to prevent movement by wind.

7.10.2 There shall only be one (1) portable sign appurtenant to a premises.

7.10.3 Notwithstanding the provisions of By-law 7.10.2 the Council at its discretion may grant approval to increase the number of portable signs appurtenant to a premises.

7.10.4 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.

7.10.5 Be secured to prevent movement by wind.

7.10.6 Applications for portable signs are to include a written indemnity from the owners insurer to the Council in respect of all sums for which they become legally liable to pay for compensation in respect of;

- (a) bodily injury (including death or illness);
- (b) damage to property (including loss of property), occurring during the period of insurance as the result of an accident or happening in connection with the placement of portable signs on footpaths, street, or other public place.

7.10.7 Indemnity provided to the Council in accordance with By-law 7.10.6 is to be of a limit to the cover of not less than five million dollars, and acceptable in all other respects to the Insurance Company, at the time acting for and on behalf of the Shire of Wyndham-East Kimberley. Such indemnity shall be in the first instance provided to Council at the time of application and in all subsequent instances at the time of renewing of the licence for the portable sign and shall be continuously maintained for the duration of use of the sign.

#### 7.11 Projection Signs

A projection sign or a sign projected or displayed by electronic means requires the approval of Council.

7.11.1 An application for a projection sign shall be accompanied with written consent of the owner or occupier of the building or structure, upon to which it is proposed to project the advertisement.

#### 7.12 Pylon Signs

7.12.1 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; and
- (b) not exceed 2.5m measured in any direction across the face of the sign or have a greater superficial area than 4m<sup>2</sup>;
- (c) not project more than 1m over any street;
- (d) 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;
- (e) where a pylon sign is supported on two or more piers or columns the space between the piers or columns shall not be wholly or partly filled in with any material below 2.4m above ground level;
- (f) not as to any part thereof project over any street at a height of less than 2.4m;
- (g) not be within 1.8m 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 then the Council may authorise the section of the sign at a lesser distance than 1.8m;
- (h) not have any part thereof less than 6m from any part of another sign erected on the same lot.

7.12.2 Notwithstanding the provisions of sub-By-law 7.12.1 (a) to (h) approval for the erection of a pylon sign that does not meet the requirements of these By-laws may only be granted by resolution of the Council.

#### 7.13 Roof Signs

7.13.1 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

7.13.2 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.

7.13.3 Notwithstanding the provisions of sub-By-law 7.13.1 (a) to (c) approval for the erection of a roof sign that does not meet the requirements of these By-laws may only be granted by resolution of Council.

#### 7.14 Rural Producer Signs

7.14.1 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.

7.14.2 Notwithstanding the provisions of sub-By-law 7.14.1 (c) and (d) approval for the erection of a rural producer sign that does not meet with requirements of these By-laws may only be granted by resolution of Council.

#### 7.15 Sale Signs

7.15.1 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 shops, 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.

7.15.2 Notwithstanding the provisions of sub-By-law 7.15.1 (a) approval for the erection of a sale sign that does not meet the requirements of these By-laws may only be granted by resolution of Council.

#### 7.16 Semaphore Signs

7.16.1 A semaphore sign shall:—

- (a) afford a minimum headway of 2.4m;
- (b) be fixed at right angles to the wall to which it is attached;
- (c) not project more than 900mm from any point of attachment nor be of a greater height at any point than 1.0m;
- (d) be fixed over or adjacent to the entrance to a building; and
- (e) only be fixed to a building to which there is no verandah.

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

7.16.3 Notwithstanding the provisions of sub-By-law 7.16.1 (a) and (b) and 7.16.2 approval for the erection of a semaphore sign that does meet the requirements of these By-laws may only be granted by resolution of Council.

#### 7.17 Verandah Signs

7.17.1 Signs on verandah fascias:—

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

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

7.17.2 Signs under Verandahs:—

A sign under a verandah shall:—

- (a) afford a headway of at least 2.4m;
- (b) not exceed 2.5m in length or 400mm in depth, 1 sqm in area;
- (c) not weigh more than 55 kg;
- (d) not be within 3m of another sign under that verandah or within 1.5m 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 street;
- (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; and

(g) not be constructed of shatterable material.

7.17.3 Notwithstanding the provisions of sub-clause 7.17.1 and 7.17.2 approval for the erection of verandah signs that do not meet the requirements of these By-laws may only be granted by resolution of Council.

#### 7.18 Vertical Signs

7.18.1 A vertical sign shall:—

- (a) afford a minimum headway of 2.4m;
- (b) not project more than 50mm from the face of the building to which it is attached;
- (c) not be within 600mm of either end of the wall to which it is attached;
- (d) be of a height of at least twice its width;
- (e) 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;
- (f) except with the approval of the Council not exceed 750mm in width exclusive of the back projection;
- (g) not exceed 2 sqm in total area on a shop/office; and
- (h) be limited to no more than one per lot.

7.18.2 Notwithstanding the provisions of sub-By-law 7.18.1 (a) to (h) approval for the erection of verandah signs that do not meet the requirements of these By-laws may only be granted by resolution of Council.

7.19 Wall Panel (Notice Board) shall:—

- (a) comprise of a framework surround with lockable transparent cover behind which separate notices may be pinned or affixed or painted with the approval of the property owner;
- (b) individual pinned, affixed or painted notice shall not be displayed for periods in excess of 30 days duration without renewal;
- (c) damage to the transparent cover which may create a hazard to the public must be repaired within 24 hours;
- (d) all materials on the road reserve or public way from damage to the wall panel must be removed forthwith by the owner/occupier of the premises to which the wall panel is affixed.

#### 8.0 Offences

8.1 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.

8.2 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.

8.3 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.

8.4 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.

8.5 Without prejudice to the preceding provisions of this By-law the Council may serve on the owner or occupier of any premises 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.

#### 9.0 Removal and Disposal of Signs Unlawfully Displayed

9.1 The Council may remove to a place appointed by it any sign, advertisement, advertising device, hoarding or sign-board 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, within 21 days of impounding without incurring any liability therefore dispose of any unclaimed sign, advertisement, advertising device, hoarding or sign-board 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 there on or the injury thereto and recover the expense of the removal from him in a Court of competent jurisdiction.

9.2 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 the authority of the Council may

remove the same without incurring any liability therefore and may recover the expense of removal from the owner of the property in a Court of competent jurisdiction.

10.0 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.

11.0 Rebate of Fees

11.1 Council in instances where licences are or have been cancelled by the Council or the owner of the sign, shall not be liable or required to make, offer or allow any refund of licence fees paid in accordance with these By-laws.

FIRST SCHEDULE

Form 1

Shire of Wyndham-East Kimberley

By-Laws Relating to Signs, Hoarding & 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 above-mentioned sign.

Dated this .....day of .....19.....

Applicant

FIRST SCHEDULE

Form 2

Shire of Wyndham-East Kimberley

By-Laws Relating to Signs, Hoarding & Bill Posting Licence

.....of .....  
is hereby licensed to erect and maintain a sign on the premises specified hereunder subject to the above-mentioned 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 this .....day 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 Wyndham-East Kimberley*

## By-Laws Relating to Signs, Hoarding &amp; Bill Posting

## Part 1—Prescribed Fees

1. Pylon Sign .....	\$25.00
2. Illuminated Sign .....	\$20.00
3. Hoardings per annum .....	\$40.00
4. Portable Sign .....	\$20.00
5. Development Sign .....	\$20.00
6. Any Other Sign .....	\$10.00
7. Institutional Sign .....	NIL

## Part 2—Fees for Return of Confiscated Signs

1. Fee for return of sign—minimum fee .....	\$20.00
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Dated this 18th day of July, 1991.

The Common Seal of the Shire of Wyndham-East Kimberley was hereto affixed by authority of a resolution of the Council in the presence of—

B. RAICEVIC, President.  
M. CHEVERTON, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 26th day of November, 1991.

L. M. AULD, Clerk of the Council.

LG307

## LOCAL GOVERNMENT ACT 1960

*Shire of Dardanup*

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

In pursuance of the powers conferred upon it by the above mentioned Act and of all other powers enabling it, the Council of the above mentioned Municipality hereby records having resolved on the 24th August 1990 to make and submit for confirmation by the Governor the following By-law.

## PART 1—PRELIMINARY

**Standing Orders**

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

**Interpretation**

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

"Act" means the Local Government Act.

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

"Chairperson" means the person chairing the particular meeting.

## PART 2—MEETINGS OF THE COUNCIL

**President to preside**

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

**Quorum**

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

(2) Subject to Clause 5 every meeting shall proceed to business as soon after the time stated in the summons as a quorum is constituted.

**Absence of a Quorum**

5. (1) If at any meeting a quorum is not present within half an hour after the time appointed for the meeting, the Chairperson or in his/her absence the majority of the Councillors present, or any one Councillor if only one is present or the Clerk if no Councillor is present, may adjourn the meeting to a future date.

(2) If at any time during a meeting of the Council a quorum is not present the Chairperson shall thereupon suspend the proceedings of the meeting for a period of five (5) minutes, and if a quorum is not present at the expiration of that period, the meeting shall be deemed to have been counted out, and the Chairperson shall adjourn it to some future date.

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

**Meetings to be held with Open Doors—Except as provided**

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

(2) Upon the carrying of such a resolution as is mentioned in Sub Clause (1) of this Clause the Chairperson shall direct all persons other than Councillors and servants of the Council to leave the Council Chambers and every person shall forthwith comply with that direction.

(3) Any person failing to comply with a direction made pursuant to Sub Clause (2) of this Clause may by Order of the Chairperson be removed from the Council Chambers.

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

(5) While a resolution made under Sub Clause (1) of this Clause is in force the operation of Clause 19(1) shall be suspended unless the Council by resolution otherwise decides.

(6) Any resolution mentioned in this Clause may be moved without notice.

(7) Subject to Sub Clause (8) no member of the public shall be entitled to address the Council other than by way of a Deputation arranged and received in accordance with Clause 14.

(8) Council may by resolution set aside a specified period during Ordinary Meetings when members of the public can ask questions on the days business.

**Public disturbance**

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

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

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

**Order of Business at Ordinary Meetings**

8. (1) The order of business at Ordinary Meetings of the Council shall, unless for the greater convenience of the Council be altered by resolution, be as follows—

(a) Announcements by the Chairperson.

(b) Confirmation of Minutes.

(c) Questions with and without prior notice.

(d) Correspondence.

(e) Petitions and Memorials.

(f) Reports of Committees.

(g) Reports of Officers and Members.

(h) Motions of which previous notice has been given.

(i) Notice of motions for consideration at the next meeting.

(j) General business including any business left over from the previous meeting, and any business the Chairperson may consider desirable to be considered by the Council.

(2) A resolution to alter the order of business shall be by a Notice of Motion given two (2) months in advance.

**Order of business at Special Meetings**

9. The order of business at any Special Meeting of the Council shall be the order in which that business stands in the notice of the meeting.

**Minutes of Meetings**

10. (1) The pasting or otherwise permanent affixing of the Minutes to the leaves of a book shall be a sufficient recording of the Minutes in the Minute Book. Reading of the Minutes of the previous meeting at the next ordinary meeting may be dispensed with when members have been supplied with copies of those Minutes at least two (2) days before that meeting.

(2) The Minutes of any preceding meeting whether of an ordinary or a special meeting not previously confirmed shall be submitted as the first business at the meeting of the Council for confirmation, and discussion other than discussions as to their accuracy as a record of the proceedings shall not be permitted, and, when confirmed, the Minutes shall thereupon be signed by the Chairperson in accordance with Section 188 of the Act.

**Questions on Administrative Matters**

11. (1) Any Councillor wishing to ask a question at any meeting of the Council that requires research shall give notice thereof in writing to the Clerk at least twenty-four (24) hours before the hour fixed for the commencement of the meeting.

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

**Correspondence**

12. Discussion shall not be permitted on any motion that any correspondence be received or not received, or that any correspondence or part thereof be referred to any Committee of the Council.

**Notices of Motion**

13. (1) Councillors may bring forward at any meeting such business as they consider advisable, in the form of a motion, for which notice has been given in writing to the Clerk either at the previous meeting or at any time thereafter, but not less than seven (7) clear days before the meeting at which it is to be put forward.

(2) Every Notice of Motion shall relate to some question affecting the Constitution, administration or condition of the Municipality or the Council.

(3) The Chairperson shall rule out of order any motion which does not comply with Sub Clause (2) of this Clause.

(4) A motion proposed by this Clause shall lapse unless—

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

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

**Deputations**

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

(2) When the Clerk receives a memorial in terms of this Clause he/she shall lay the memorial—

(a) before the Committee concerned, or

(b) before the President where there is no Committee concerned.

(3) A Committee, or the President, receiving a memorial in terms of this Clause may either agree to receive the deputation or lay the memorial before Council.

(4) Where a memorial is laid before the Council under Sub Clause (3) of this Clause the Council may if it so resolves receive the deputation at a future meeting.

(5) A deputation shall not exceed five (5) persons in number and only two (2) of those persons shall be at liberty to address the Council, or a Committee of the Council, except in reply to questions from members of the Council or Committee and the matter shall not be further considered by the Council or the Committee until the deputation has withdrawn from the Council Chambers.

## PART 3—CONDUCT OF MEETINGS

**Councillors to address Chairperson**

15. (1) Any Councillor moving a motion or amendment or taking part in the discussion thereof shall address the Chairperson.

(2) A Councillor who is addressing the Chairperson shall not be interrupted except for a point of order, in which event he/she shall refrain from speaking until the Councillor raising the point of order has been heard thereon and the question of order has been disposed of, whereupon the Councillor so interrupted may, if permitted, proceed.

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

(4) A violation of any provision of the standing orders is a breach of order.

**Motions**

16. (1) Any Councillor desirous of proposing a motion or amendment shall state its substance before he/she addresses the Council thereon and if required by the Chairperson shall put the motion or amendment in writing.

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

**Titles to be used**

17. A speaker in referring to any other member present shall designate him/her by the title of President, Chairperson or Councillor as the case may require.

**Priority of Speaking**

18. (1) Where two (2) or more Councillors attempt to speak at the same time, the Chairperson shall decide who of them is entitled to priority.

(2) Whenever the Chairperson indicates his/her intention to speak during a debate any Councillor then speaking shall immediately cease speaking and the Council shall be silent so that the Chairperson may be heard without interruption.

**Speaking twice**

19. (1) Except where this Clause is suspended under Sub Clause (2), a Councillor shall not speak twice on the same question except—

(a) In reply upon an original motion which he/she was the mover

(b) In reply, upon an amendment last debated on which he/she was the mover, or

(c) By way of a personal explanation.

(2) The Council may, by resolution moved without notice, suspend the operation of Sub Clause (1) hereof and thereupon such Clause shall be suspended until such time as the Council shall, by similar resolution, otherwise decide.

(3) The Chairperson shall forthwith call to order any Councillor committing a breach of Sub Clause (1).

**Personal Explanation**

20. A Councillor making a personal explanation shall confine it to a concise explanation of a material part of their former speech which may have been misunderstood, and to the explanation itself, and shall not advert to matters not strictly necessary for that purpose nor seek to strengthen their former argument by new matters or by reply to other Councillors.

**Disorderly Conduct**

21. (1) If at a meeting of the Council the Chairperson is of the opinion that by reason of disorder or otherwise the business of the Council cannot effectively be continued, he/she may adjourn the meeting for a period of fifteen (15) minutes whereafter the Council shall reassemble and decide whether business is to be proceeded with; and that question shall be decided forthwith and without debate.

(2) Where, after any proceeding under Sub Clause (1) of this Clause the Chairperson is again of the opinion that the business of the Council cannot effectively be continued, he/she may close the meeting.

**All Councillors to Vote**

22. At every meeting of the Council, unless they are prohibited from doing so, every Councillor present shall vote and if any Councillor fails to vote, the Chairperson shall call upon him/her to do so.

**Rescission of a Resolution**

23. A resolution of any meeting of the Council shall not be rescinded, or altered at the same or subsequent meeting except in the manner provided by Section 177 of the Act.

**Negatived Motions**

24. A motion to the same effect as any motion which has been negatived by the Council shall not again be entertained within a period of three (3) months, except with the consent of the Council.

**Suspension of Standing Orders**

25. (1) In cases of necessity, any Standing Order of the Council may be suspended on a motion duly made and seconded.

(2) Any Councillor moving the suspension of Standing Orders shall state the object of the motion but discussion shall not otherwise take place thereon.

**Method of Taking the Vote**

26. (1) Unless prevented from doing so because of sickness or physical impairment in which case the Chairperson will accept an alternative method of voting, all Councillors shall vote openly by a show of raised hands, or on the voices unless a member calls for a show of hands. A Councillor may call for a division on any question either before or after the vote has been taken.

(2) Where a division is taken the procedure laid down in Sub Section (11) and (12) of Section 173 of the Act shall be observed.

(3) The Chairperson shall in taking the vote on any motion or amendment put the question first in the affirmative and then in the negative and he/she may do so as often as is necessary to enable him/her to form and declare an opinion as to whether the affirmative or the negative has the majority.

**No speech after certain events**

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

(a) After the mover has replied or

(b) After the question has been put

**Mover and Seconder—Speaking to a Motion**

28. A Councillor moving a motion shall be held to have spoken thereon but a Councillor merely seconding that motion shall not be held to have spoken upon it.

**Limit of Speeches**

29. (1) A Councillor shall not speak upon any motion or amendment, or in reply, for a longer period than ten (10) minutes without the consent of the Council: which shall be signified without debate.

(2) An extension shall not be permitted under this Clause beyond a total of twenty (20) minutes.

**Speaking in Reply**

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

**Division of Motion**

31. The Chairperson may at his/her discretion or the Council may by motion without debate, order a complicated motion to be divided and put in the form of two (2) or more motions.

**Withdrawal of Motions**

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

**Alteration to a Motion**

33. It shall not be competent for the mover of a motion to alter the same without the consent of his/her seconder.

**No Digression**

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

**No Adverse Reflection on Council**

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

**No Adverse Reflection on a Councillor**

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

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

**Demand for Withdrawal**

37. If any Councillor commits a breach of Clause 35 or 36 the Chairperson may require him/her unreservedly to withdraw any offending comment and make a satisfactory apology; and if the Councillor declines or neglects to do so the Chairperson may direct such Councillor to cease speaking and may call on the next speaker.

**Disturbance by Councillors**

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

**Continued Irrelevance**

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

**Order in Council**

40. (1) When the Chairperson is putting any question, a Councillor shall not leave or cross the Chamber; and shall not whilst any other Councillor is speaking pass between the speaker and the Chair.

(2) The Chairperson shall preserve order and may call any Councillor to order whenever in his/her opinion there is cause for doing so.

(3) Every Councillor shall be entitled to direct the attention of the Chairperson to any infraction of the Standing Orders by any other Councillor; or to draw the attention of the Chairperson to any matter of which the latter may take notice under Clause 39.

**Ruling by the Chairperson**

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

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

**Continued Breach of Order**

42. Where a Councillor persists in any conduct which the Chairperson decides is out of order, or refuses to make any explanation, retraction or apology, required by the Chairperson under section 41 (2), the Chairperson may direct that Councillor to refrain from taking any further part in the meeting of the Council other than by recording his/her vote; and the Councillor shall comply with such direction.

**Permissible Motions during Debate**

43. (1) Subject to Sub Clause (2) of this Clause when a motion is under debate no further motion shall be moved except a motion—

- (a) that the motion be amended
- (b) that the Council adjourn
- (c) that the Debate be adjourned
- (d) that the question be put
- (e) that the Council proceed with the next business
- (f) that the Council sit behind closed doors
- (g) that the meeting be now closed

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

than five (5) minutes, the seconder shall not speak, other than formally to second the motion, and the Chairperson of the Committee concerned or in his/her absence a member thereof may speak for not more than five (5) minutes but no other debate shall be allowed.

#### **Amendment to a Motion**

44. (1) An Amendment to a motion shall not negate the motion and shall take one (1) or more of the following forms—

- (a) that certain words be omitted therefrom
- (b) that certain words be omitted therefrom and others substituted
- (c) that words be added

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

(3) In speaking to an amendment a Councillor may give notice of his/her intention to move a further amendment.

(4) When an amendment is carried the original motion as amended shall, for all purposes of subsequent debate be treated as an original motion.

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

#### **Adjournment of Council**

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

(2) On a motion to adjourn, the mover may speak for not more than five (5) minutes, the seconder shall not speak other than formally to second the motion, and the mover of the motion (if any) which was then under debate may speak for not more than five (5) minutes but no other debate shall be allowed.

(3) Only a member who has not spoken on the question then before the Council may move for the adjournment of the Council.

(4) A member shall not at the same sitting of the Council move or second more than one (1) motion for the adjournment of the Council.

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

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

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

#### **Adjournment of Debate**

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

(2) On a motion that the debate be adjourned the mover may speak for not more than five (5) minutes, the seconder shall not speak other than formally to second the motion, and no other debate shall be allowed; but if the question then before the Council is a recommendation from a Committee, the Chairperson of the Committee concerned or in his/her absence a member thereof may speak for not more than five (5) minutes.

(3) Only a member who has not spoken on the question may move for an adjournment of the debate.

(4) A member shall not at the same sitting of the Council move or second more than one (1) motion for the adjournment of the same debate.

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

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

(7) When a debate of any motion moved and seconded is interrupted by the Council being counted out, that debate may, on a motion with notice, be resumed at the next meeting, at the point where it was so interrupted.

#### **The Question Be Put**

47. (1) A Councillor may at the conclusion of the speech of any other Councillor move without notice and without comment that the question under consideration be now put and upon that motion being formally seconded the same shall, immediately subject to Sub Clause (3), be put without debate.

(2) A motion that the question under consideration be put shall not be moved by a Councillor who has already spoken on the question.

(3) When it is decided by the Council that the question under consideration be put, the mover of the question under consideration shall, if debate has ensued and if otherwise entitled to do so be permitted to speak in reply for not more than five (5) minutes before the question is put, but subject thereto, the question shall at once be put.

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

#### **Motion to proceed with next Business**

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

(2) Where the Council decides to proceed with the next business the question which was then under consideration shall be considered as dropped.

(3) During the same debate on any question a motion that the Council do proceed with the next business shall not be moved within one (1) hour after a similar motion has been negatived.

(4) A motion that the Council proceed with the next business shall be moved by a member who has not already spoken on the question.

#### **Motion that the Meeting be Closed**

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

(2) On a motion that the meeting of the Council be closed the mover may speak for not more than five (5) minutes and the seconder shall not speak other than formally to second the motion and the mover of the motion (if any) under debate may speak for not more than five (5) minutes and no other debate shall be allowed.

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

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

(5) When the motion of the meeting be closed being carried a record shall be taken of all those who have spoken on the subject under consideration up to the closing of the meeting and they shall not be permitted to speak on any subsequent consideration of the same subject; this restriction does not deprive a mover of the right of reply.

(6) Only a member who has not spoken on the question before the Council may move that the meeting be closed.

(7) A member shall not at the same meeting of the Council move or second more than one (1) motion that the meeting be closed.

### **PART 4—STANDING COMMITTEES**

#### **Appointment of Standing Committees**

50. In addition to such Occasional Committees as may from time to time be appointed the Council may appoint such Standing Committees as it resolves, to perform any duty which may lawfully be entrusted by it to a Committee.

#### **Composition of Committees**

51. Each Standing Committee shall comprise at least four (4) Councillors, provided that the total membership of the Committee shall be less inclusive of the ex officio member, if the President has indicated his/her intention to be a member, than one half of the total number of the members of the Council.

**Deputy Committee Members**

52. The Council shall appoint Deputies for all of the Committee members to take their place at any meeting at which they are unable to attend.

**Attendance of Members as Observers**

53. In addition to the right to attend meetings of Standing Committees to which they are appointed, all members have the right to attend any Standing Committee Meeting as an Observer and they may be permitted by the Chairperson of that Committee to speak on any matter under consideration but shall not be entitled to vote.

**Term of Office**

54. Subject to Clause 55 the members of each Standing Committee shall be appointed at the first meeting of the Council held after the annual Election each year, and shall hold office until midnight of Election Day in any year.

**Change of Membership**

55. The Council may by resolution carried pursuant to a Notice of Motion by a simple majority or on a motion without notice by an absolute majority change the membership of any Committee, including their Deputies.

**Voting**

56. In the event of an equality of votes the Chairperson shall have a casting vote.

**PART 5—OCCASIONAL COMMITTEES****Appointment of Occasional Committees**

57. The Council may appoint Occasional Committees to perform any duty which may be lawfully entrusted by it to a Committee.

**Composition of an Occasional Committee**

58. An Occasional Committee may comprise any number of Councillors provided that the total membership shall be less than one half of the total number of the members of the Council.

**Deputy Members**

59. The Council may appoint Deputies to all members of an Occasional Committee to take their place at any meeting at which they are unable to attend.

**Attendance by Members as Observers**

60. In addition to the right to attend meetings of Occasional Committees to which they are appointed, all members have the right to attend any Occasional Committee Meeting as an Observer and they may be permitted by the Chairperson of that Committee to speak on any matter under consideration but shall not be entitled to vote.

**Details of Appointment**

61. An Occasional Committee shall not be appointed except on a motion setting out—

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

**PART 6—MEETINGS OF ELECTORS AND RATEPAYERS****Meetings of Electors**

62. (1) These Standing Orders apply so far as is practicable to any meeting of Electors or Ratepayers but where there is any inconsistency between the provisions of this By-law and the provisions of Section 171 of the Act, the latter prevails.

(2) A person who is not an Elector is not entitled to vote at a meeting of Electors and he/she may not take part in any discussion at that meeting unless the meeting by a motion allows him/her to do so.

(3) A person who is not a Ratepayer is not entitled to vote at a meeting of Ratepayers and he/she may not take part in any discussion at the meeting unless the meeting by a motion allows him/her to do so.

## PART 7—GENERAL

**Calling Committee Meetings**

63. (1) The Clerk shall call a meeting of any Committee when requested to do so by the President or the Committee Chairperson, or any two (2) members of the Committee.

(2) Except in so far as they limit the number of times a member may speak or require meetings to be conducted with open doors, the Standing Orders shall be observed at meetings of Committees.

**Quorum of Committees**

64. (1) At any meeting of a Committee a quorum shall consist of not less than three (3) members.

(2) Every meeting shall proceed to business as soon after the time stated in the summons as a quorum is constituted but if a quorum is lacking fifteen (15) minutes after the appointed time of the meeting, the meeting shall lapse.

**Minutes of Committees**

65. Minutes shall be kept of each meeting of a Committee and all recommendations from such meetings shall be submitted to the next Ordinary meeting of the Council.

**Confidential Matters**

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

**Matters not provided for in the Standing Orders**

67. The Chairperson shall decide all questions of order, procedure, debate or otherwise in respect of which no provision is made in this By-law. The decision of the Chairperson in all such cases shall be final in that particular case unless a majority of the members then present by resolution made forthwith and without discussion dissent therefrom.

**Enforcement**

68. The Chairperson is authorised and required to enforce the Standing Orders and the Council may prosecute for any breach thereof.

**Penalty**

69. Any person committing a breach of these Standing Orders is liable on conviction to a penalty not exceeding two hundred dollars (\$200).

\_\_\_\_\_

Dated this 29th day of November 1991.

The Common Seal of the Municipality of the Shire of Dardanup was affixed in the presence of—

N. J. KALAF, Shire President.

C. J. SPRAGG, Shire Clerk.

Recommended—

\_\_\_\_\_

DAVID SMITH, Minister for Local Government.

Confirmed by His Excellency the Governor in Executive Council this 26th day of November 1991.

\_\_\_\_\_

L. M. AULD, Clerk of the Council.

LG401

**LOCAL GOVERNMENT ACT 1960***Shire of Chittering*

It is hereby notified for public information that Mr Raymond Patrick Hooper has been appointed as Acting Shire Clerk for the period 30th November, 1991 to the 6th March, 1992 inclusive during the absence of the Shire Clerk on leave.

M. C. TAYLOR, President.

LG402

## LOCAL GOVERNMENT ACT 1960

*Shire of Mundaring*

## Private Swimming Pool Inspection Fee

It is hereby notified for public information that Council has fixed the following charges for inspections of private swimming pools pursuant to section 245A.

\$45.00—full ratepayers

\$35.00—ratepayers being registered pensioners who qualify for the Pensioner Health Benefit Card.

M. N. WILLIAMS, General Manager/Shire Clerk.

LG403

## SHIRE OF HARVEY

## Fire Control Officers

Notice is hereby given pursuant to section 38 of the Bush Fires Act 1954, that the following is a list of Fire Control Officers appointed for the respective Brigades—

	Area	Telephone
Chief Bush Fire Control Officer	Merv McDonald	(097) 33 5244
Deputy Chief Fire Control Officer	Reg Verrall	(097) 29 1347
	Alan Snow	(097) 20 1021
Bush Fire Officers—Northern Area		
G. Moore	Yarloop West	(097) 33 5047
R. J. Blackburn	Cookernup West	(097) 33 5142
M. Hayes	Cookernup East	(097) 33 5023
A. Jovanovich	Yarloop Town and Rural	(097) 33 5138
Bush Fire Officers—Central Area		
D. Upcott	Harvey East	(097) 29 1393
A. Epiro	Korijekup	(097) 29 1213
R. Verrall	Uduc	(097) 29 1347
D. Upcott	Wokalup East	(097) 29 1393
G. Arthur	Wokalup West	(097) 26 9237
Graham Rose	Preston	(097) 20 1105
T. A. Ottrey	Myalup Town	(097) 29 1015
		(097) 29 1283
Shire Office	Binningup	(097) 29 1009
C. A. Landwehr	Harvey Town	(097) 29 1569
Bush Fire Officers—Southern Area		
F. W. Talbot	Brunswick Town and South	(097) 26 1236
R. Snow	Parkfield	(097) 26 1535
B. W. Ridley	Clifton	(097) 26 1281
Gerald Rose	Roelands	(097) 26 3038
Jamie Fry	Brunswick North	(097) 26 1141
		(097) 26 1119
G. Arthur	Benger	(097) 26 9237
W. Mitchell	Olive Hill	(097) 26 1232
A. Vickery-Howe	Australind	(097) 25 2466
B. Kettle	Leschenault	(097) 97 1522
B. G. Day	Dual Officer—	
	Harvey/Dardanup Shires	(097) 28 1121
T. G. Hunter	Dual Officer—	
	Harvey/Collie Shires	(097) 34 1875
G. Moore	Dual Officer—	
	Harvey/Waroona Shires	(097) 33 5047
General		
K. J. Leece	Shire Clerk	(097) 29 1009 Bus (097) 97 2430 Priv
C. Lockwood	Shire Engineer	(097) 29 1009 Bus (097) 97 1672 Priv
R. Green	Works Supervisor	(097) 29 1009 Bus (097) 20 1150 Priv
A. Snow	Shire Ranger	(097) 29 1009 Bus (097) 20 1021 Priv
E. Allott	Ranger	(097) 29 1009 Bus (097) 29 1730 Priv

All other appointments not listed above, are hereby cancelled.

KEITH J. LEECE, Shire Clerk.

LG404

## LOCAL GOVERNMENT ACT 1960

Form No. 30

*Kondinin Shire Council*

Sale of Land for Rates

(Section 684)

Notice is hereby given that default in the payment of rates for a period of not less than three years having occurred, the Kondinin Shire Council, acting under the powers conferred by subsection C of Division 6 of Part XXV of the Local Government Act 1960, will offer for sale, by Public Auction, at Kondinin Hall, Jones Street, on the 7th day of February 1992, the pieces of land specified in the Schedule hereto.

M. J. JONES, Shire Clerk.

## Schedule

Description of Land and Lot or Location Number	Plan or Diagram Number	Title Reference	Area	Street	Description of improvements, if any	Name of Registered Proprietor	Name of other persons appearing to have an interest	Rates outstanding	Other Charges due on the Land
Avon 27637		Vol 1575 Folio 566	39.35 ha	Bendering East Road	Farmland	Patric Pinda Cunningham	R A F C O R R & I Bank	\$20 911.77	S E C Self Supporting Loan \$4 310.21
Avon 27517		Vol 1576 Folio 017	1 373.98 ha	Bendering East Road	Farmland		National Bank		
Avon 26019 and 23936		Vol 38 Folio 227A	407.00 ha	Bendering East Road	Farmland				

\* Note all details relate to the 4 locations as one farm unit.

LG405

## DOG ACT 1976

The Municipality of the City of Subiaco

It is hereby notified for public information that the following persons have been appointed under the provisions of the Dog Act 1976, for the Municipality of the City of Subiaco—

## Registration Officers

Mr M. Ferialdi  
Ms S. Harris  
Ms M. Coxon  
Mr D. Percy  
Ms C. Scotson

## Authorised Officers

Mr M. Ferialdi  
Mr D. Tonkin  
Mr G. Blackmore  
Mr R. Eacott

All previous appointments are hereby cancelled.

Dated 26th day of November 1991.

J. F. R. McGEOUGH, Town Clerk/City Manager.

LG406

## CITY OF STIRLING

Beach Inspectors and Lifeguards

It is hereby notified for public information that Mark Anthony Small has been appointed Beach Inspector from 27 November, 1991. Eric Hoffmaster is removed from that office as from 26 November, 1991. Michael Watson has been appointed, on a casual basis, to the position of Lifeguard, from 18 November, 1991 to 30 March, 1992 (inclusive); and also to the position of Relief Beach Inspector from 18 November, 1991.

GEORGE S. BRAY, City Manager/Town Clerk.

LG407

## CITY OF BUNBURY

It is hereby notified for public information that Raymond Paul Gartrell has been appointed Acting City Manager/Town Clerk for the period 13 to 17 January 1992 and Malcolm John McAuley has been appointed Acting City Manager/Town Clerk for the period 20 January to 7 February 1992 during the absence on Annual Leave of the City Manager/Town Clerk.

E. C. MANEA, Mayor.

LG408

## LOCAL GOVERNMENT ACT 1960

*City of Gosnells*

Rating Exemption

Department of Local Government,  
Perth, 26 November 1991.

LG: GS 5-6.

It is hereby notified for public information that His Excellency the Governor acting pursuant to section 532 (10) of the Local Government Act 1960 has declared exempt from Municipal Rates the land described as portion of Canning Location 16 and being Lot 1 on L.T.O. Diagram 23623 and Lot 528 on L.T.O. Plan 2569 which is owned by Amaroo Cottages (Inc).

STEVE COLE, Director Local Government Services.

LG409

## LOCAL GOVERNMENT ACT 1960

Municipal Elections

Department of Local Government,  
Perth.

It is hereby notified, for general information in accordance with section 138 of the Local Government Act 1960, that the following persons have been elected members of the undermentioned Municipalities to fill the vacancies shown in the particulars hereunder—

Date of Election; Member Elected, Surname, First Names; Office; Ward; How Vacancy Occurred; (a) Effluxion of time; (b) Resignation; (c) Death; (d) Disqualified; (e) Other; Name of Previous Member; Remarks.

*Shire of Coolgardie*

14/12/91; Reside, William James; Kambalda; Councillor; (b); McMahon, M. P.; Extraordinary.

*Shire of Morawa*

9/11/91; Jenkins; Peter Stewart; —; Councillor; (b); Parker, D. E.; Extraordinary.

STEPHEN COLE, Director Local Government Services.

LG410

## LOCAL GOVERNMENT ACT 1960

*City of Gosnells*

Closure of Private Street

Department of Local Government,  
Perth, 20 November 1991.

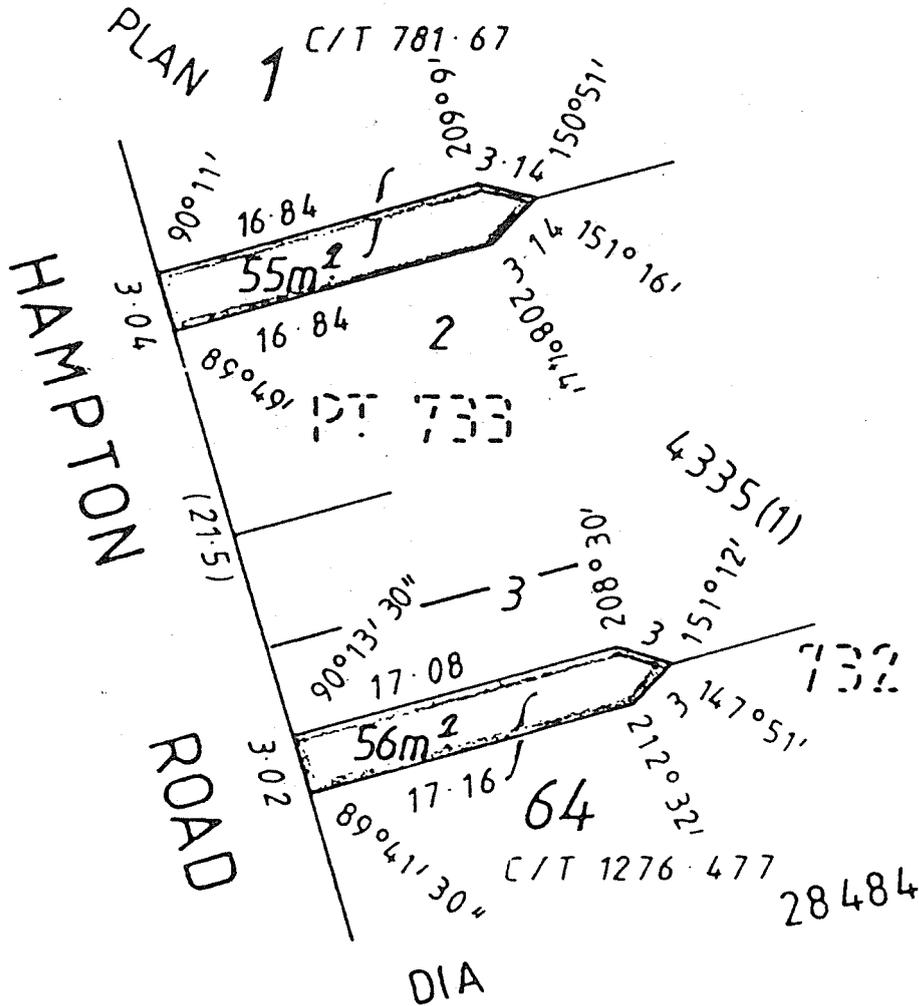
LG: GS 4-13.

It is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the City of Gosnells that the private street which is described as being portion of Canning Location 12, being the whole of the land coloured brown and marked R.O.W. on Diagram 16163 and being the land alone remaining in Certificate of Title Vol. 1143 Folio 140 be closed, and the land contained therein be amalgamated with adjoining Pt. Lot 85 and Lot 101 Austin Avenue, Kenwick, as shown in the Schedule hereunder.

STEPHEN COLE, Director Local Government Services.



Schedule  
Diagram No. 80529



LG412

LOCAL GOVERNMENT ACT 1960

City of Fremantle

Closure of Private Street

Department of Local Government,  
Perth, 22 November 1991.

LG: F4-14.

It is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the City of Fremantle that the private street which is described as being portion of Fremantle Town Lots 912 and 913, being the whole of the land coloured brown on Diagram 1556 and being the land alone remaining in Certificate of Title Vol. 270 Folio 147 be closed, and the land contained therein be amalgamated with adjoining Lots 34, 2, 3, 4 and 5 Burt Street, Fremantle, as shown in the Schedule hereunder.

STEPHEN COLE, Director Local Government Services.



LG902

**LOCAL GOVERNMENT ACT 1960**  
**NOTICE OF INTENTION TO BORROW**

*Shire of Broome*

Proposed Loan No. 151 of \$225 000

Pursuant to section 601 of the Local Government Act 1960, the Shire of Broome hereby gives notice that it proposes to borrow money by the sale of debentures on the following terms and for the following purpose.

\$225 000 for a period of seven (7) years repayable at the office of Council by Fourteen (14) half yearly instalments of principal and interest.

Purpose: Purchase of road plant.

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

Dated 25 November 1991.

R. J. JOHNSTON, Shire President.  
D. L. HAYNES, Shire Clerk.

LG903

**LOCAL GOVERNMENT ACT 1960**  
**NOTICE OF INTENTION TO BORROW**

*Shire of Murray*

Proposed Loan No. 141 of \$150 000

Pursuant to section 610 of the Local Government Act 1960 (as amended), 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—

\$150 000 for a 10 year term at the current rate of interest, repayable at the office of the Council, Pinjarra by 20 half yearly instalments of principal and interest, such interest rate to be renegotiated after 4 years.

Purpose: Construction of entrance enhancement and reconstruction of roads, drainage and kerbing of roads within the Pinjarra Light Industrial Area.

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, President.  
D. A. McCLEMENTS, Shire Clerk.

LG904

**LOCAL GOVERNMENT ACT 1960**

*City of Rockingham*

Notice of Intention to Borrow

Proposed Loan Number 192 of \$130 000

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

One hundred and thirty thousand dollars for a period of fifteen years at ruling interest rates, repayable at the office of the Council, Rockingham by half yearly instalments of principal and interest.

Purpose: Construction of Synthetic Bowling Greens at Rockingham.

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

Please note that half yearly repayments of principal and interest on Loan No. 192 will be met by the Rockingham Bowling Club (Inc) and will be not a charge to the ratepayers of the City of Rockingham.

L. E. SMITH, Mayor.  
G. G. HOLLAND, Town Clerk.

LG905

**LOCAL GOVERNMENT ACT 1960  
NOTICE OF INTENTION TO BORROW**

*City of Fremantle*

Proposed Loan 187—\$40 000

Pursuant to Section 610 of the Local Government Act 1960 the City of Fremantle hereby gives notice that it proposes to borrow money by sale of debenture repayable at the Office of the Lender on the following terms and conditions—

Amount: \$40 000

Repayment/Terms: Quarterly Instalments of Principal and Interest over a period of 10 years

Purpose: J. Shed Upgrading Project

Plans, specifications and estimates of cost thereof and the statement required by section 609 are open for inspection at the Office of the Council, William Street, Fremantle for 35 days after publication of this notice.

Dated this 25th day of November 1991.

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

LG906

*CORRIGENDUM*

**LOCAL GOVERNMENT ACT 1960  
NOTICE OF INTENTION TO BORROW**

*Town of Mosman Park*

Proposed Loans: (No. 55) of \$324 000: (No. 56) of \$50 400

The notices which appeared in the *Government Gazette* on October 25, 1991 (Loan No. 55) and November 1, 1991 (Loan No. 56) are amended as follows—

Loan No. 55 is to be raised for a term of 10 years with repayments of principal and interest due quarterly.

Loan No. 56 is to be raised for a term of 5 years with repayments of principal and interest due quarterly.

B. H. MOORE, Mayor.  
T. J. HARKEN, Town Clerk.

**MARINE AND HARBOURS**

MH401

**WESTERN AUSTRALIAN MARINE ACT 1982  
NAVIGABLE WATERS REGULATIONS**

(a) Restricted Speed Areas—All Vessels

(b) Water Ski Areas

Department of Marine and Harbours,  
Fremantle, 29 November 1991.

Acting pursuant to the powers conferred by section 67 of the Western Australian Marine Act and Regulation 48A of the Navigable Waters Regulations the Department of Marine and Harbours by this notice—

(a) Revokes paragraph (d) (4) (iv) of the notice published in the *Government Gazette* of 25 October 1991, relating to the 8 knot speed limit within 600 metres of the foreshore of Mangles Bay Rockingham, providing however that such revocation will only apply within a 50 metre strip extending west along the foreshore from the western prolongation of Hymus Street, and

(b) Declares that area of 50 metres as a water ski take off area in which all bathing is prohibited, and,

Provides that this area of water ski take off and the revocation of the speed area will only apply between the hours of 8 am and 5 pm on Saturday 30 November and Sunday 1 December 1991 and is for the exclusive use of those bona fide members of the West Australian Disabled Water Ski Club participating in a club event.

J. M. JENKIN, Executive Director.

## MINES

MN101

*CORRIGENDUM*  
**PETROLEUM ACT 1967**

Notice of Grant of Renewal Exploration Permit

The notice for the renewal of EP111 published under the above heading on page 3503 in the *Government Gazette* dated on 22 September 1989 is corrected by deleting the words "commencing on the day after the day on which the previous permit term ceased to have effect" and add " from and including 12 September 1989 ".

Acting Director Petroleum Division,  
Department of Mines.

MN401

**MINING ACT 1978**

Notice of Application for an order for Forfeiture

Department of Mines,  
Coolgardie, WA 6429.

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

P. MALONE, Warden.

To be heard in the Warden's Court Coolgardie on 11th day of February 1992.

**COOLGARDIE MINERAL FIELD**

*Coolgardie District*

Prospecting Licences

15/2045—Sifam Pty Ltd.  
15/2046—Sifam Pty Ltd.  
15/2047—Sifam Pty Ltd.  
15/2048—Sifam Pty Ltd.

*Kunanalling District*

Miscellaneous Licence

16/12—Main Reef Gold Pty Ltd.

MN402

**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 13 December 1991, it is the intention of the Hon Minister for Mines under the provisions of sections 97 (1) and 96A (1) of the Mining Act 1978, to forfeit such covenant, *viz.* non-payment of rent.

D. R. KELLY, Director General of Mines.

Number; Holder; Mineral Field.

Exploration Licences

04/673—Sorensen, Erik Christian; West Kimberley.  
04/676—Cardinal Management Services Pty Ltd; Desertstone NL; West Kimberley.  
08/126—Dale, Giles Rodney; Shreeve, Barry Leslie; Shreeve, Dudley Melville; Shreeve, Ronald Claude; Ashburton.  
08/361—Carbone, Guiseppa; Lime Industries Pty Ltd; Ashburton.  
08/399—Dominion Resources Pty Ltd; Ashburton.  
09/194—Drillex Ltd; Gascoyne.

- 09/393—Hargreaves, Cynthia Joy; Gascoyne.  
09/394—Carbone, Guisepe; Lime Industries Pty Ltd; Gascoyne.  
15/186—Goode, William Donald; Gould, Albert Roy; Gould, Gilbert Alfred; Gould, Robert John; Coolgardie.  
27/52—City Resources (WA) Pty Ltd; North East Coolgardie.  
28/163—Poseidon Exploration Ltd; North East Coolgardie.  
28/358—Dry Creek Mining NL; Max Resources NL; North East Coolgardie.  
29/112—Hot Holdings Pty Ltd; North Coolgardie.  
40/35—Walsh, John Francis; North Coolgardie.  
46/188—Hammond, Neville Laurance; Pilbara.  
63/163—Fraser Range Granite NL; Dundas.  
63/164—Fraser Range Granite NL; Dundas.  
63/165—Fraser Range Granite NL; Dundas.  
63/166—Fraser Range Granite NL; Dundas.  
63/300—Esperance Resource & Development Co. Ltd; Dundas.  
70/908—Waipu Pty Ltd; South West.  
77/391—Benjay Pty Ltd; Yilgarn.  
80/739—Ward, Donald Frederick; Kimberley.

## Mining Leases

- 04/71—Moonstone Mines NL; Sorensen, Erik Christian; West Kimberley.  
04/210—Kimberley Diamond Mines Pty Ltd; West Kimberley.  
08/11—Jays Exploration Pty Ltd; MC Mining NL; Bligh Oil & Minerals NL; Ashburton.  
08/12—Jays Exploration Pty Ltd; MC Mining NL; Bligh Oil & Minerals NL; Ashburton.  
15/170—Stillman, William James; Coolgardie.  
16/2—Lennard Oil NL; Coolgardie.  
20/124—McLarty, Peter Richard; McLarty, William James; Radovanovic, Jeff; Murchison.  
21/41—Radovanovic, Jeff; Murchison.  
24/249—Mistral Mines NL; Broad Arrow.  
24/323—Coopers Resources NL; Broad Arrow.  
26/229—Butchart, Alexander; East Coolgardie.  
37/139—Connelly, Michael A; Pascall, Phillip Kelvin; Pinniger, William Hamilton; Smith, Cedric James; Mt Margaret.  
37/156—Lorimer, John Marcus; Mt Margaret.  
37/183—Asset Mining NL; Mt Margaret.  
37/220—Randwick NL; Mt Margaret.  
38/267—Gindalbie Mining NL; Mt Margaret.  
47/121—Hart, Brian Patrick; West Pilbara.  
52/49—Flint, Warwick John; Renes, Neeltje Elizabeth; Peak Hill.  
52/155—Dodd, Christopher; Peak Hill.  
52/208—Dawson, Michael John; Peak Hill.  
57/181—Gold & Mineral Exploration NL; East Murchison.  
63/217—Kempsey Securities Ltd; Dundas.  
70/129—Mallina Holdings Pty Ltd; South West.  
70/389—Mallina Holdings Pty Ltd; South West.  
70/483—Mallina Holdings Ltd; South West.  
70/540—Vincent Nominees Pty Ltd; South West.  
70/606—Mallina Holdings Ltd; South West.  
70/619—Quinella Holdings Pty Ltd; South West.  
74/47—Outokumpu Australia Pty Ltd; Phillips River.  
77/15—Knight, Thomas; Pietsch, Michael; Yilgarn.  
77/17—Gwalia Minerals NL; Yilgarn.  
77/75—Pietsch, Michael; Yilgarn.  
77/368—Brown, Ronald William; Yilgarn.  
77/449—Locsei, Janos; Wanless, Robert James; Yilgarn.

MN403

## MINING ACT 1978

Department of Mines,  
Perth WA 6000.

I hereby declare in accordance with the provisions of sections 96A (1) and 97 (1) of the Mining Act 1978 that the undermentioned mining tenements are forfeited for breach of covenant *viz*; non-payment of rent.

GORDON HILL, Minister for Mines.

## Number; Holder; Mineral Field.

## Mining Leases

- 15/9—Fogarty, William Edward; Giri, Thomas James; Jarosz, Stephan Brian; Coolgardie.  
 20/117—Mowana Holdings Pty. Ltd; Murchison.  
 26/228—Intermin Resource Corporation Ltd.; East Coolgardie.  
 31/66—Yarri Mining Pty Ltd, Jansson, Bruce Robert Malcolm; North Coolgardie.  
 46/91—McGrath, Phillip Noel; Pilbara.  
 52/197—Flint, Warwick John; Renes, Neeltje Elizabeth; Peak Hill.  
 57/168—Regional Resources NL; East Murchison.  
 57/169—Regional Resources NL; East Murchison.

## Exploration Licences

- 04/648—Wells Fargo Resources NL; West Kimberley.  
 04/649—Wells Fargo Resources NL; West Kimberley.  
 04/650—Wells Fargo Resources NL; West Kimberley.  
 04/651—Wells Fargo Resources NL; West Kimberley.  
 39/234—Discovery Gold Ltd.; Mt. Margaret.  
 70/703—Cordering Consolidated Pty. Ltd.; South West.  
 77/344—Mowana Holdings Pty. Ltd.; Yilgarn.

MN404

## PETROLEUM (SUBMERGED LANDS) ACT 1982

## EXPIRY OF EXPLORATION PERMIT TP/5

Notice is hereby given that Exploration Permit TP/5 expired on 10 September 1991.

K. R. GAMMIE, A/Director Petroleum Division.

MN405

## PETROLEUM ACT 1967

## GRANT OF EXPLORATION PERMIT EP 359

Exploration Permit No. EP 359 has been granted to Ampol Exploration Limited of Level 15, 580 George Street, Sydney NSW 2000, Command Petroleum NL of Level 1, 191 New South Head Road, Edgecliffe NSW 2027, Jarmina Pty Ltd of 8th Floor, 263 Adelaide Terrace, Perth WA 6000, Lansvale Oil & Gas Pty Ltd of 28 The Esplanade, Perth WA 6000, Minora Oil NL of Level 8, Durack Centre, 263 Adelaide Terrace, Perth WA 6000, Minora Resources NL of Level 8, Durack Centre, 263 Adelaide Terrace, Perth WA 6000, Pace Petroleum Pty Limited of 10 McLeod Road, Applecross WA 6153, Perthshire Petroleum Ltd of 8th Floor, 263 Adelaide Terrace, Perth WA 6000 and Western Mining Corporation Limited of 28-42 Ventnor Street, West Perth WA 6005 to have effect for a period of five years from 12 November 1991.

K. R. GAMMIE, A/Director Petroleum Division,  
 Department of Mines.

## OCCUPATIONAL HEALTH SAFETY AND WELFARE

OA401

## OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984

## OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988

Exemption Certificate Under Regulation 213  
 (No. 19 of 1991)

I, Neil Bartholomaeus, Commissioner for Occupational Health, Safety and Welfare, hereby grant an exemption to BP Oil (Kwinana) from the requirements of Regulation 525 of the Occupational Health, Safety and Welfare Regulations 1988 in relation to the use of an existing material hoist for emergency evacuation of injured personnel at the RCU overhaul, BP Refinery, Mason Road, Kwinana, provided the hoist is used only in an emergency situation, and is operated by a certificated man and materials hoist operator.

This exemption is valid until 5.00pm, 13 December 1991.

Dated this 18th day of November 1991.

NEIL BARTHOLOMAEUS, Commissioner for Occupational Health,  
 Safety and Welfare.

**PARLIAMENT**

PA401

**PARLIAMENT OF WESTERN AUSTRALIA**

## Bills Assented to

It is hereby notified for public information that His Excellency the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Bills passed by the Legislative Council and the Legislative Assembly during the Third Session of the Thirty-Third Parliament.

## Short Title of Bill; Date of Assent; Act No.

Australia and New Zealand Banking Group Limited (NMRB) Act 1991; 14 November 1991; No. 28 of 1991.

Margarine Repeal Act 1991; 23 November 1991; No. 26 of 1991.

Honey Pool Repeal Act 1991; 23 November 1991; No. 27 of 1991.

Medical Amendment Act 1991; 23 November 1991; No. 29 of 1991.

Financial Institutions Duty Amendment Act 1991; 23 November 1991; No. 30 of 1991.

Queen Elizabeth II Medical Centre Amendment Act 1991; 23 November 1991; No. 31 of 1991.

L. B. MARQUET, Clerk of the Parliaments.

**PLANNING AND URBAN DEVELOPMENT**

PD401

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

*Shire of Augusta-Margaret River*

Town Planning Scheme No. 16—Amendment No. 10

Ref: 853/6/3/16 Pt 10.

Notice is hereby given that the Shire of Augusta-Margaret River has prepared the abovementioned scheme amendment for the purpose of rezoning a portion of Vacant Crown Land, Augusta, from Residential Development Zone to Residential Zone, as depicted on the Scheme Amendment Map, with an "Additional Use" of Tourist Bureau and Ancillary Facilities.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Town View Terrace, Margaret River and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including January 10, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 10, 1992.

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

L. J. CALNEGGIA, Shire Clerk.

PD402

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

*Shire of Northam*

Town Planning Scheme No. 2—Amendment No. 12

Ref: 853/4/23/2 Pt 12.

Notice is hereby given that the Shire of Northam has prepared the abovementioned scheme amendment for the purpose of including a new zone Rural 6, with modifications to Clause 3.1.1, Table 1, insertion of a new Clause 6.5.6. Renumbering Clauses 6.5.6 and 6.5.7.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 55 Fitzgerald Street, Northam 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 January 10, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 10, 1992.

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

A. J. MIDDLETON, Shire Clerk.

PD403

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

*Shire of Serpentine-Jarrahdale*

Town Planning Scheme No. 2—Amendment No. 23

Ref: 853/2/29/3 Pt 23

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

- (a) Rezoning Lots 5, 10 and 11 Hopkinson Road, Wungong, from "Rural" to "Special Rural" as shown on the amended plans.
- (b) Adding the appropriate provisions to Appendix 4 of the Scheme Text to control subdivision and development in that Zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 6 Paterson Street, Mundijong 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 January 10, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 10, 1992.

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.

N. D. FIMMANO, Shire Clerk.

PD501

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

*City of Canning*

Town Planning Scheme No. 16—Amendment No. 586

Ref: 853/2/16/18 Pt. 586.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the City of Canning Town Planning Scheme Amendment on November 18, 1991 for the purpose of adding the following Serial 89 to Appendix 2 (Schedule of Special Zones):

Serial; Lot No.; Location; Address; Additional Purpose for which the Premises may be Used.  
89; 91; Can. 25; 625-631 Metcalfe Road (Cnr. Nicholson Road), Lynwood.; Health Centre for a maximum of 4 Practitioners (at any one time).

C. M. GREGORINI, Commissioner.  
I. F. KINNER, Town Clerk.

**POLICE**

PE301

**MISUSE OF DRUGS ACT 1981**

**MISUSE OF DRUGS (AMOUNTS OF PROHIBITED DRUGS)  
ORDER 1991**

Made by His Excellency the Governor in Executive Council under section 42 of the Act.

**Citation**

1. This order may be cited as the *Misuse of Drugs (Amounts of Prohibited Drugs) Order 1991*.

**Schedule III amended**

2. Schedule III to the Act is amended by inserting after item 52 the following item —

“ 52A. EPHEDRINE 4.0 ”.

**Schedule V amended**

3. Schedule V to the Act is amended by inserting after item 53 the following item —

“ 53A. EPHEDRINE 2.0 ”.

**Schedule VII amended**

4. Schedule VII to the Act is amended by inserting after item 5 the following item —

“ 5A. EPHEDRINE 28.0 ”.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

PE302

**ROAD TRAFFIC ACT 1974**

ROAD TRAFFIC (DRIVERS' LICENCES) AMENDMENT REGULATIONS 1991

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Road Traffic (Drivers' Licences) Amendment Regulations 1991*.

**Second Schedule amended**

2. The Second Schedule to the *Road Traffic (Drivers' Licences) Regulations 1975\** is amended by inserting, in the correct numerical positions, the following items—

“ 54A	901 (1) (a)	Failing to comply with a direction or instruction of a railway employee .....	3
58A	901 (1) (e)	Proceeding over a railway crossing when not immediately able to lawfully drive over and clear of the crossing .....	3 ”.

[\*Reprinted in the Gazette of 2 July 1986 at pp. 2263-75. For Amendments to 8 July 1991 see p. 352 of 1990 Index to Legislation of Western Australia.]

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

## PRODUCTIVITY AND LABOUR RELATIONS

PT301

CONSTRUCTION INDUSTRY PORTABLE PAID LONG SERVICE  
LEAVE ACT 1985

CONSTRUCTION INDUSTRY PORTABLE PAID LONG SERVICE  
LEAVE AMENDMENT REGULATIONS (NO. 2) 1991

Made by His Excellency the Governor in Executive Council.

### Citation

1. These regulations may be cited as the *Construction Industry Portable Paid Long Service Leave Amendment Regulations (No. 2) 1991*.

### Commencement

2. These regulations shall come into operation on 1 January 1992.

**Regulation 8 amended**

3. Regulation 8 of the *Construction Industry Portable Paid Long Service Leave Regulations 1986\** is amended by deleting "1.6%" and substituting the following —

" 1.0% "

[\* *Published in the Gazette of 19 December 1986 at pp. 4924-5. For amendments to 5 November 1991 see 1990 Index to Legislation of Western Australia, p. 213.*]

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

## RACING AND GAMING

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.

Application No.	Applicant	Nature of Application	Last Day for Objections
<b>TRANSFER OF LICENCE</b>			
109	Bombax Pty Ltd	Application to transfer cabaret licence in respect of 198, Perth, from Tagora Pty Ltd.	6/12/91
110	Riverland Enterprises Pty Ltd	Application to Transfer Wholesale Licence in respect of Regalia Wines & Liqueurs, from, Universal Liquor Supplies Pty Ltd.	25/11/91
111	Plaza Court Pty Ltd	Application to Transfer Hotel Licence in respect of Trafalgars, Bunbury, from Brian McCann & Guy Pollitt (S87).	30/11/91
112	Notland Pty Ltd	Application to Transfer tavern licence, in respect of the Waterfront Tavern, Australind, from, Christopher Michael Williamson.	2/12/91
113	Brian Gardner Pty Ltd	Application to Transfer cabaret licence in respect of The Gym, Subiaco, from Rangewood Holdings Pty Ltd.	6/12/91
114	Olimpos Pty Ltd	Application to Transfer special facility licence in respect of the Hyatt Regency, Perth, from, Landkey Pty Ltd.	6/12/91
115	B & C Taylor and Mazz Nominees	Application to Transfer Tavern Licence in respect of the Colonial Tavern, Northam, from Deronda Holdings Pty Ltd.	28/11/91
<b>NEW LICENCE</b>			
88B/91	Dalkeith Tennis Club Inc	Application for a Club Restricted Licence in respect of the Dalkeith Tennis Club Inc, Cnr Beatrice & Victoria Ave Dalkeith.	12/12/91
89B/91	Warnbro Bowling Club Inc	Application for a Club Restricted Licence in respect of the Warnbro Bowling Club Inc, Okehampton Road, Warnbro	24/12/91
90B/91	Kingsley Woodvale Cricket Club Inc	Application for a Club Restricted Licence in respect of the Kingsley Woodvale Cricket Club, Kingsley Drive, Kingsley.	24/12/91
91B/91	Dolphins Water Polo Club	Application for a Club Restricted Licence in respect of the Dolphins Water Polo Club, Davies Road, Claremont.	20/12/91
52A/91	Houghton Wines Pty Ltd	Application for Special Facility Licence in respect of Houghton Wines Dale Road, Middle Swan.	26/12/91

This notice is published under section 67 (5) of the Liquor Licensing Act 1988.

G. B. AVES, Director of Liquor Licensing.

## TRANSPORT

TR302

### TRANSPORT CO-ORDINATION ACT 1966 COUNTRY TAXI-CARS (FARES AND CHARGES) AMENDMENT REGULATIONS (NO. 5) 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) Amendment Regulations (No. 5) 1991*.

#### Schedule amended

2. The Schedule to the *Country Taxi-cars (Fares and Charges) Regulations 1991\** is amended —

(a) in Part 1 —

(i) by deleting the item headed "AREA 5 —" and substituting the following item —

" AREA 5 — Shires of Carnarvon and Esperance —

(a) Metered rates —

(i) to apply between the hours of 6am to 6pm Monday to Friday

	\$
Flag fall .....	2.20
Distance rate —	
per kilometre .....	1.00
for each 100m or part thereof .....	0.10
Detention charge —	
for each 18 seconds or part thereof .....	0.10
Minimum charge .....	2.20

(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 .....	3.00
Distance rate —	
per kilometre .....	1.00
for each 100m or part thereof .....	0.10
Detention charge —	
for each 18 seconds or part thereof .....	0.10
Minimum charge .....	3.00

(b) Off Meter rates —

Distance rate —  
during hiring —  
    for each kilometre or part thereof ... 0.60  
    for forward or return journey by  
    nearest practicable route — for each  
    kilometre or part thereof .....

0.60

Detention charge —  
    for each 18 seconds or part thereof .. 0.10";

and

- (ii) by inserting after the item headed "AREA 11 —" the following item —

" AREA 12 — Shires of Dundas 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

and

- (b) in Part 2 —

- (i) in item 1 (c) by deleting "Area 5" and substituting the following —

" Area 12 ";

- (ii) by deleting item 1 (e);

- (iii) in item 2 (d) by deleting "Area 5" and substituting the following —

" Areas 5 and 12 ";

- (iv) in item 3 (ba) by deleting "Area 3" and substituting the following —

" Areas 3 and 5 ";

- (v) in item 3 (c) by deleting "Areas 4 and 5" and substituting the following —

" Areas 4 and 12 ";

- (vi) in item 4 (a) by deleting "Areas 4, 5, 6, 7, 8, 9 and 11" and substituting the following —

" Areas 4, 5, 6, 7, 8, 9, 11 and 12 "; and

- (vii) by deleting item 4 (b).

[\* *Published in the Gazette of 19 April 1991 at pp.1815-20.*  
*For subsequent amendments see Gazettes of 12 July, 2 August and 6 September 1991.*]

TR301

**TAXI-CAR CONTROL ACT 1985**  
**TAXI-CAR CONTROL AMENDMENT REGULATIONS 1991**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Taxi-car Control Amendment Regulations 1991*.

**Regulation 7 amended**

2. Regulation 7 of the *Taxi-car Control Regulations 1986\** is amended by inserting after subregulation (6) the following subregulation—

“ (6A) A person shall not operate a vehicle as a taxi-car unless—

- (a) the taxi-meter is sealed by a taxi-meter mechanic approved by the Board, or some other person authorized by the Board to seal a taxi-meter; and
- (b) the taxi-meter seal affixed in accordance with this regulation is not broken. ”.

[\*Published in the Gazette of 15 January 1987 at pp. 65-80. For amendments to 11 July 1991 see pp. 379-380 of 1990 Index to Legislation of Western Australia.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

## TENDERS

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
67/91 .....	Construction of a three bedroom brick veneer house at Lot 5683 Langley Gardens, Port Hedland .....	Tuesday Dec. 17, 1991

ZT202

*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount
96/91 .....	Supply and delivery of crushed aggregate, Carnarvon	The Readymix Group .	\$ 245 780.30

D. R. WARNER, Director, Administration and Finance.

ZT301

## STATE SUPPLY COMMISSION

*Tenders Invited*

Tender forms and full particulars of the Schedule hereunder may be obtained on application at the State Supply Commission, 815 Hay Street, Perth, 6000.

TELEPHONE No. 222 8491 or 222 8241

FACSIMILE No. 321 7918

Date of Advertising	Schedule No.	Description	Date of Closing
1991			1991
Nov. 15	297A1991	Supply and delivery of Teaching Peripherals—Whiteboards, Electronic Whiteboards, Overhead Projectors, Projection Panels and specified Consumables to various Government Departments for a one (1) year period with the option of a further twelve month period .....	Dec. 12
Nov. 22	116A1991	Financial Systems Software for Country Hospitals and Healthcare Units and some Statewide services .....	Jan. 16 '92
Nov. 29	036A1991	Drafting, Photographic and Plan Printing Material for various Government Departments. For an initial period of twelve (12) months with an option to extend the contract for a further twelve (12) month period .....	Dec. 19
Nov. 29	173A1991	Supply and delivery of Ultra High Frequency Radio Repeaters, Ultra High Frequency Portable Radio Repeaters and Ultra High Frequency Portable Radio Transceivers for the Western Australian Police Department .....	Dec. 19
Nov. 29	206A1991	Cleaning of Ocean Reef Senior High School .....	Dec. 19
Nov. 29	242A1991	Cleaning of Coodanup High School .....	Dec. 19
Nov. 29	270A1991	Nutritional Products: General Formulae, Food Supplements & Special Formulae to the Health Department .....	Dec. 19
Nov. 29	271A1991	Membrane Oxygenators to Royal Perth Hospital for a 12 month period with an option to extend the contract for a further 12 month period .....	Dec. 19
<i>For Sale</i>			
Nov. 15	546A1991	1990 Holden Commodore Sedan (6QN 631) at Karratha .....	Dec. 5
Nov. 15	547A1991	1987 Toyota 4x4 Landcruiser Trayback (6QM 381) at Kununurra .....	Dec. 5
Nov. 15	548A1991	1988 Toyota 4x4 Landcruiser Trayback Ext Cab (6QS 807) at Derby .....	Dec. 5
Nov. 15	549A1991	1980 Massey Ferguson 290 Tractor (XQR 286) at Ludlow .....	Dec. 5
Nov. 15	550A1991	1980 Massey Ferguson 290 Tractor (6QK 677) at Collie .....	Dec. 5
Nov. 15	551A1991	1990 Mitsubishi 4x4 Express Van (MRD B300), 1987 Toyota 15 Seater Bus (MRD 9916) at Welshpool .....	Dec. 5
Nov. 15	552A1991	John Deere 670A Grader (MRD 6668) at Welshpool .....	Dec. 5
Nov. 15	553A1991	John Deere 570A Grader (MRD 5953) at Welshpool .....	Dec. 5
Nov. 15	554A1991	John Deere 570A Grader (MRD 5950) at Welshpool .....	Dec. 5
Nov. 22	555A1991	1989 Mitsubishi Triton Tray Back (6QX 269) at Kununurra .....	Dec. 12
Nov. 22	556A1991	1981 Isuzu SBR 4x2 Dual Cab Truck at Manjimup .....	Dec. 12
Nov. 22	557A1991	6 Tonnes Scrap Aluminium at State Print Wembley .....	Dec. 12
Nov. 22	558A1991	Tractor Mounted Road Broom at Welshpool .....	Dec. 12
Nov. 29	559A1991	1987 Ford F350 4x4 Cab Chassis (6QH 344) at Mundaring .....	Dec. 19
Nov. 29	560A1991	1981 Isuzu 4x2 Double Cab Tray Top (XQN 167), 1987 Kawasaki 100cc Motor Cycle (UQ4 478), 1988 Toyota Landcruiser 4x4 Personnel Carrier (6QP 546), 1988 Toyota Landcruiser 4x4 Personnel Carrier (6QP 351), 1989 Nissan Navara 4x4 Extra Cab Utility (6QU 691), 1987 Ford F150 4x4 Van Body (6QO 526) at Mundaring .....	Dec. 19
Nov. 29	561A1991	1973 Mack R600 6x4 Prime Mover Standard Cab (XQG 673) (Vehicle has extensive damage to Cab and Chassis) .....	Dec. 19
Nov. 29	562A1991	Chamberlain Rubber Tyred Tractor MK4 (MRD 4628) at Welshpool .....	Dec. 19

Tenders, addressed to the Chairman, State Supply Commission, 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 Supply Commission.

ZT302

*Accepted Tenders*

Schedule No.	Particulars	Contractor	Rate
	<i>Supply</i>		
099A1991	Supply of Sterile Fluids Large Volume to meet a Whole of Health Requirement for two (2) year period with an option of a further extension (Recall of 99A1991)	Baxter Healthcare P/L Delta West Ltd .....	Details on Request
	<i>Purchase and Removal</i>		
537A1991	20 Tonnes (approx) Linotype Printers Lead	Berjak & Partners .....	Item 1 \$620.00 per tonne
	1.6 Tonnes (approx) Linotype Printers Lead		Item 2 \$620.00 per tonne
542A1991	1986 Nissan Cabstar Crew Cab (MRD 9624)—Welshpool	C F C Holdings P/L .....	Item 1 \$3 776.00
543A1991	1982 International 1830 Acco Truck (MRD 5439)—Welshpool	Min-Site Construction Services .....	Item 1 \$14 157.00

ZT401

WATER AUTHORITY OF WESTERN AUSTRALIA

*Tenders*

Tenders are invited for the projects listed below and will be accepted up to 2.30 pm on the closing date specified.

Tender documents are available from the Supply Services Branch, Level 2, Entry 4, John Tonkin Water Centre, 629 Newcastle Street, Leederville, WA 6007.

Tender documents must be completed in full, sealed in the envelope provided and placed in the Tender Box located at the above Leederville address.

The lowest or any tender may not necessarily be accepted.

Contract No.	Description	Closing Date
		1991
AM 11042	Supply of Zinc Alloy Anode Materials for Beenyup Ocean Outfall No. 2 .....	10 December
AM 11043	Supply of 600 mm and 750 mm Nominal Diameter Non-Pressure Reinforced Concrete Pipes and Bends Class Z 3590 Plastic Lined Complete with Necessary Rings for Balga Branch Sewer .....	17 December

## ZT402

*Accepted Tenders*

Contract	Particulars	Contractor	Price
FM 10616 ..	Augusta Sewerage—Construction of Earthworks for Waste Stabilisation Ponds at the Augusta Wastewater Treatment Plant	Cape West Group Pty Ltd trading as Bayswater Contracting	\$116 086.00
AM 11032 ..	Supply of Chlorination Equipment for West Pilbara Rechlorination Scheme	Prominent & Fluid Controls Pty Ltd.	\$80 174.16
AS 13005 ...	Transport of Liquid Waste Perth Metropolitan Region	Liquid Salvage Pty Ltd	Schedule of Rates

W. COX, Managing Director.

## ZT501

**MARINE AND HARBOURS ACT 1981**  
**BATAVIA COAST MARINA**  
 Removal of Concrete Footings and Sundry Concrete

Contract No.	Project	Closing Date	Tender Document from
E106	Batavia Coast Marina Removal of Concrete Footings and Sundry Concrete	3/12/91 2.30pm	Administrative Assistant Engineering.

Tender documents available from Monday 18 November on payment of a non-refundable deposit of \$15.00.

M. J. PAUL, Director Engineering.

## ZT502

**MARINE AND HARBOURS ACT 1981**  
**CERVANTES GROUYNE CONSTRUCTION**

Contract No.	Project	Closing Date	Tender Document from
E087	Cervantes Groyne Construction	24/12/91 2.30pm	Administrative Assistant Engineering.

Tender documents available from Monday 25 November 1991 on payment of a non-refundable deposit of \$15.00.

M. J. PAUL, Director Engineering.

## PUBLIC NOTICES

## ZZ201

**TRUSTEES ACT 1962**

Creditors and other persons having claims in respect to the Estate of Patricia Mary Edmonds late of 41 Connolly Street, Wembley, Western Australia, Home Duties, Deceased to which section 63 of the Trustees Act 1962 applies are required to send particulars of their claim to the Administrator, John Francis Douglas Edmonds care of his Solicitor, John Steers of 70 Hay Street, Subiaco, postal address PO Box 499, Subiaco WA 6008 by the 31st day of December 1991 after which date the said Administrator may convey or distribute the assets having regard only to the claims of which he has notice and the said Administrator shall not be liable to any person whose claim he had no notice at the time of administration or distribution.

Dated the 21st November 1991.

JOHN STEERS, Solicitor for the Administrator.

ZZ202

**TRUSTEES ACT 1962**  
**DECEASED ESTATES**

Creditors and other persons having claims in respect of the estate of Smith Joseph Daniel Mitchell late of 8 Monck Lane, Albany in the State of Western Australia, Invalid Pensioner deceased to which section 63 of the Trustees Act 1962 applies are required to send particulars of their claims to the Executors William Alexander Mitchell and Cameron Ernest Mitchell and Dorothy Isobel Watson care of Messrs Haynes Robinson, 70-74 Frederick Street, Albany by the 20th day of December 1991 after which date the said Executors may convey or distribute the assets having regard only to the claims of which they have notice and the said Executors shall not be liable to any person of whose claim they have had no notice at the time of distribution.

Dated this 20th day of November, 1991.

HAYNES ROBINSON, for the Executors.

ZZ203

**TRUSTEES ACT 1962**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 30th December 1991, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Boothey Elsie Emma, late of Kimberley Nursing Home, Kimberley Street, Leederville, died 8/6/91.

Bown Robert Joseph, late of Charles Jenkins Hospital, Rowethorpe, Bentley, died 23/10/91.

Charrington Alfred George, late of Carinya Nursing Home, Bristol Avenue, Bicton, died 15/11/91.

Clark Frederick, late of 2 Sullivan Road, Duncraig, died 7/11/91.

Hicks Edna May, late of Mandurah Nursing Home, Hungerford Avenue, Halls Head, died 28/10/91.

Hymus Sydney George (Also known as George Hymus), late of Bay 22 Ocean Beach Caravan Park, Denmark, died 28/9/91.

Lemmon Margaret Mary, late of Nazareth House, Bluff Point, died 25/10/91.

Linto Margaret McClelland, late of Gwentyfred Nursing Home, Gwentyfred Road, South Perth, died 3/11/91.

McGregor Roy, late of 8 Scarpia Street, York, died 10/10/91.

Nelson Joan Margaret, late of 31 Carrington Street, Kalgoorlie, died 10/10/91.

Peter Dulcie Edna, late of 134 Torquil Road, Sommerville, died 22/10/91.

Phillips Russell Lewis, late of Murchison Shire, Mullewa, died 24/1/91.

Piesley Jessie, late of Home of Peace, Subiaco, died 6/10/91.

Sassi Margaret (also known as Megan Sassi), late of Unit 11/10 Fletcher Street, Yokine, died 14/5/91.

Shiels Page William, late of Staff Quarters, Murray District Hospital, died 2/8/91.

Smith Edna Marie, late of 2/8 Burt Way, East Perth, died 24/10/91.

Swan Norah Luise, late of Tandara Nursing Home, Jarrah Road, Bentley, died 2/11/91.

Trudgeon Harold Raymond, late of 22 Withnell Street, East Victoria Park, died 25/8/91.

Walsh Nora Louise, formerly of 3209 Albany Highway, Armadale, late of Lathlain Nursing Home, Star Street, Carlisle, died 9/9/91.

Whyte Margaret, late of Braemar Nursing Home, 214 Canning Highway, East Fremantle, died 16/9/91.

Williams Joyce Edna, late of 29 Beaconsfield Street, Bentley, died 2/10/91.

Dated this 26th day of November 1991.

K. E. BRADLEY, Public Trustee.  
Public Trust Office, 565 Hay Street Perth

ZZ204

**TRUSTEES ACT 1962**

Creditors and other persons having claim (to which section 63 of the Trustees Act 1962, relates) in respect of the undermentioned deceased persons are required to send particulars of their claims to the Executors of care of Kott Gunning, Level 11, 66 St George's Terrace, Perth by the 3 January 1992, after which date the Trustees may convey or distribute the assets having regard only to the claims of which notice has been given.

Surname; Given Names; Address; Occupation; Date of Death.

MacAuley, Hazel; 15 Murray Road, Palmyra 6157; Widow; 12/8/91.

Stone, Thomas Henry; 9 Loch Street, Claremont 6010; Carpenter; 27/9/91.

Hurley, Ronald James; 72 Marlow Street, Wembley 6014; Retired Boilermaker; 26/7/91.

ZZ205

**TRUSTEES ACT 1962**  
**NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the Estate of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Ltd. of 89 St. George's Terrace, Perth, to send particulars of their claims to the Company, by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Goddard, Ethel Maude (in the Will Maud Ethel), late of 11 Tillbrook Street, Glen Forrest, Widow, died 13th October 1991.

Hollands, Neville, late of 145 Waterloo Street, Tuart Hill, Cartage Contractor, died 31st October 1991.

Nicholls, Thelma Grace, late of Quadriplegic Centre, Osborne Park, Widow, died 31st October 1991.

Richardson, Betty Eleanor, formerly of C/- 26A McLeod Street, Albany, late of Gwen Hardie Lodge, Mermaid Avenue, Emu Point, Widow, died 1st November 1991.

Simmons, Margaret Christine, late of 37 Langley Street, Rockingham, Married Woman, died 16th November 1991.

Stewart, May, late of Mt St Camilus Nursing Home, 138 Lewis Road, Forrestfield, Widow, died 11th November 1991.

Townshend, Phyllis Mary Cameron, Unit 57 St Ives Retirement Village, Melville, Fashion Agent, died 8th November 1991.

Dated this 27th day of November 1991.

J. KMIECIK, Manager Trusts and Estates Administration.

ZZ206

**TRUSTEES ACT 1962**

James Bruce Kirkwood, late of 63 Tilton Terrace, City Beach, Retired Commissioner of S.E.C.W.A. deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the Estate of the deceased who died on the 14th July 1991, are required by the Executors of care of Stables Scott, Solicitors, 8 St. George's Terrace, Perth, to send particulars of their claims to them by 3rd January 1992, after which date the Executors may convey or distribute the assets, having regard only to the claims of which they then have notice.

ZZ207

**TRUSTEES ACT 1962**

National Mutual Trustees Limited

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the Estate of Daisy Caroline Manning, formerly of Pietermaritzburg, Natal, South Africa, but late of 1 Etwall Place, Carine, who died on 26th February 1991, are required by the administrators National Mutual Trustees Limited of 111 St. George's Terrace, Perth and Donald Leonard Manning, of 1 Etwall Place, Carine, (Box B76 GPO Perth), to send particulars of their claims to them by 1st January 1992, after which date the administrators may convey or distribute the assets of the Estate, having regard only to the claims of which they then have notice.

ZZ208

**TRUSTEES ACT 1962**

National Mutual Trustees Limited

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the Estate of Eric Clifton Leach late of 36 Tapping Way, Quinns Rocks, who died on 6th September, 1991, are required by the executor National Mutual Trustees Limited of 111 St. George's Terrace, Perth (Box B76 GPO Perth) to send particulars of their claims to them by 1st January 1992, after which date the Company may convey or distribute the assets of the Estate, having regard only to the claims of which it then has notice.

ZZ209

**TRUSTEES ACT 1962**

National Mutual Trustees Limited

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the Estate of Janine Corunna late of 5 Gabell Way, Koondoola, who died on 8th October, 1991, are required by the administrator National Mutual Trustees Limited of 111 St. George's Terrace, Perth (Box B76 GPO Perth) to send particulars of their claims to them by 1st January 1992, after which date the Company may convey or distribute the assets of the Estate, having regard only to the claims of which it then has notice.

ZZ210

**TRUSTEES ACT 1962**

National Mutual Trustees Limited

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the Estate of John Stephens late of 31 Taylor Way, Hillarys, who died on 25th September, 1991, are required by the executor National Mutual Trustees Limited of 111 St. George's Terrace, Perth (Box B76 GPO Perth) to send particulars of their claims to them by 1st January 1992 after which date the Company may convey or distribute the assets of the Estate, having regard only to the claims of which it then has notice.

ZZ301

**INQUIRY AGENTS LICENSING ACT 1954****APPLICATION FOR LICENCE IN THE FIRST INSTANCE**

To the Court of Petty Sessions at Rockingham.

I, Michael Williams of Lot 63 The Horseshoe, Wandi, Research Officer, having attained the age of twenty-one years, hereby apply on my own behalf for a licence under the abovementioned Act. The principal place of business will be at Lot 63 The Horseshoe, Wandi.

Dated the 13th day of November 1991.

M. WILLIAMS, Signature of Applicant.

**Appointment of Hearing**

I hereby appoint the 31st day of December 1991 at 9.00 o'clock in the forenoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Rockingham.

Dated the 20th day of November 1991.

(Signed) Clerk of Petty Sessions.

Objection to the granting of the application may be served on the applicant and the Clerk of Petty Sessions at any time prior to seven days before the date appointed for the hearing.

ZZ401

**NOTICE OF APPOINTMENT**

Whereas—

- A. An event of default occurred under the instrument of security (hereinafter called "the Instrument") executed by Lithocraft Pty Ltd (hereinafter called "the Mortgagor") in favour of AGC (Industrial) Ltd ACN 004 218 526 (formerly known as AMEV Finance Limited) (hereinafter called "the Mortgagee") in that the Mortgagor has been placed in liquidation
- B. Such default still continues

Now the Mortgagee gives notice that the Mortgagee in pursuance and exercise of the powers and authorities vested in or conferred upon the Mortgagee under or by virtue of the Instrument and also of all and every other power and authority in that behalf the Mortgagee thereunto enabling it appointed Ross Stuart Norgard as and from the date hereof to be the receiver and manager of the property of the Mortgagor described in the Schedule (hereinafter called "the Property") and the Mortgagee conferred upon and vested in Ross Stuart Norgard during the term of this appointment all and every power and authority and discretion vested in the Mortgagee under or by virtue of the

Instrument (other than the power of appointing a receiver or a receiver and manager) so far as the same may be lawfully delegated together with all and every power and authority and discretion conferred upon a receiver and manager as well as by the Instrument as by statute and otherwise howsoever.

Dated the 19th day of November 1991.

---

Schedule

1. Instrument

A Deed made the 31st day of August, 1988 between Lithocraft Pty Ltd and Amev Finance Ltd particulars of which were registered in the office of the Commissioner for Corporate Affairs and allocated No. 17453.

2. The Property

All the undertakings of the Mortgagor including the goodwill of the Business and all its assets whatsoever and wheresoever whether realty or personalty and whether present or future including its Records, and Uncalled Capital and its Called but Unpaid Capital.

Signed for the said AGC (Industrial) Limited (A.C.N. 004 218 526) pursuant to Power of Attorney Registered No. E485534 by its duly appointed Attorney David Stephen Beros who certifies that he is the Divisional Management Executive for the time being of AGC (Industrial) Limited in the presence of—

Signed by David Stephen Beros

Witness

Kathleen Jones  
5 The Grange  
Mullaloo WA 6025  
Clerk/Typist

---

**ZZ501**

**RULES OF TROTTING**

Notice of Amendment

Notice is hereby given that at a meeting of the Committee of the Western Australian Trotting Association held at Gloucester Park, East Perth on the 12th day of November 1991 it was resolved by an absolute majority of the members of the Committee that the Rules of Trotting presently in force be amended as per the attached.

Dated this 27th day of November 1991.

MICK LOMBARDO, President.

---

**RULES OF TROTTING**

Part 1—Definitions

Delete existing definition of "Drug" and Replace with "Drug" in relation to a horse entered for a race shall mean a prohibited substance. In these Rules the word "drug" shall be used interchangeably with the words "prohibited substance" and vice versa and shall be deemed to include substances capable by repute of affecting the central or peripheral nervous system, the cardiovascular system, the respiratory, alimentary/digestive, muscular/skeletal or uro/genital systems, all hormones, vitamins administered other than orally, analgesics, tranquilisers, stimulants, depressants, anti-inflammatory drugs, or coagulants, and any substance included as an ingredient thereof any drug or prohibited substance as hereinbefore defined in any quantity and any other substance used as an ingredient in formulating or preparing such drug or prohibited substance for the purpose of rendering the same in a form suitable for the application and ingestion or administration. Any substance autogenous or prohibited by the Controlling Body whether entirely or beyond prescribed levels, shall be deemed to be a drug or prohibited substance for the purpose of these Rules. For the purpose of determining whether any substance is a drug or prohibited substance under this definition any measure, level or quantity of such substance found by analysis in a horse, shall be deemed irrelevant unless such substance is an endogenous substance in a horse, or the substance has been declared by the Controlling Body to be a drug or prohibited substance if found in the horse to be present at a level prescribed by the Controlling Body.

The Controlling Body hereby declares the following to be prohibited substances:

- (1) Any quantity of sodium bicarbonate or other agent or agents which modify the physiological buffering capacity of the body of the horse, whether alone or in a mixture of substances, which when ingested by a horse is found to have produced a bicarbonate concentration, or total carbon dioxide concentration or blood alkalinity reading of a level to be determined by the Controlling Body or higher level. Any increase in the above readings found on a subsequent test after the horse has remained in its racing stall shall create a presumption that the substance has been administered to the horse for the purpose of affecting its biological systems.

- (2) Any agent reputed to be capable of modifying the physiological buffering capacity of the body of a horse, proved to have modified such physiological buffering capacity.

Insert after "Prescribed Form" definition. "Prohibited substance" means "drug" present in a horse entered for a race or trial and may be used interchangeably with that word under these Rules.

#### RULES OF TROTTING

#### Part XXXII—Administration and Detection of Drugs

Rule 362

Insert:

- (b) No horse entered for a race shall be stomach-tubed within twenty-four (24) hours of the commencement of such race.

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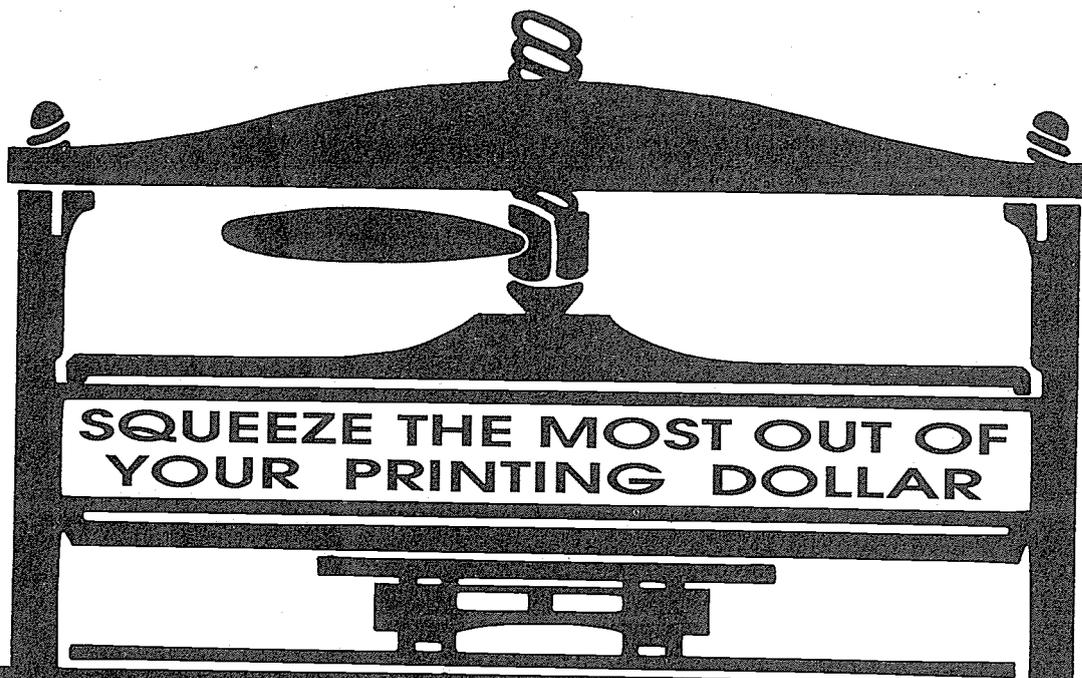
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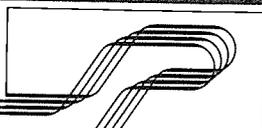
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