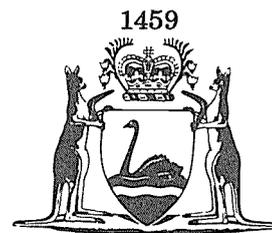


# WESTERN AUSTRALIAN GOVERNMENT Gazette



PERTH, FRIDAY, 3 APRIL 1992 No. 50

PUBLISHED BY AUTHORITY G. L. DUFFIELD, GOVERNMENT PRINTER AT 3.30 PM

## Publishing Details

The Western Australian *Government Gazette* is published by State Print for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances (changes to this arrangement will be advertised beforehand on the inside cover).

Special *Government Gazettes* and Extraordinary *Government Gazettes* are published periodically, only the special gazettes are included in the subscription price.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council and which requires gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy should be received by the Manager, Law Publisher no later than 3.00 p.m. on Wednesday (Friday edition) or 3.00 p.m. on Friday (Tuesday edition).
- Lengthy or complicated notices should be forwarded several days before advertised closing date for copy. This is to ensure inclusion in current edition. Failure to observe this request could result in the notice being held over until the following edition.
- Proofs will be supplied only when requested.
- No additions or amendments to material for publication will be accepted by telephone.

Send copy to:

The Manager,  
Law Publisher  
State Print  
Station Street, Wembley, 6014  
Telephone: 383 8851 Fax: 383 8888

## Advertisers should note:

- All Notices should be written in 'plain English'.
- Signatures (in particular) and proper names must be legible.
- All copy should be typed and double spaced.
- If it is necessary through isolation or urgency to communicate by facsimile, confirmation is not required by post. If original copy is forwarded later and published, the cost will be borne by the advertiser.
- Documents not clearly prepared and in the required format for gazettal, will be returned to the sender unpublished.
- Late copy received at Law Publisher will be placed in the following issue irrespective of any date/s mentioned in the copy.

## IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Government Printer, State Print. Inquiries should be directed to the Manager, Law Publisher, P.O. Box 38, Wembley, W.A. 6014.

## Advertising Rates and Payments

As from 1 July 1991.

Deceased Estate notices, (per estate)—\$14.00

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$32.25

Other Public Notices Section articles \$32.25 (except items of an exceptionally large nature, then arrangements will be made for invoicing).

All other Notices

Per Column Centimetre—\$6.40

Bulk Notices—\$118.00 per page

Clients will be invoiced for advertising charges

## Notice to Subscribers

As *Government Gazette* (No. 47) pages 1409 to 1410 contained only a determination of the restricted publications and as the issue is not covered by the Annual Subscription it was not issued to subscribers in the usual manner. Copies may be purchased from—

State Print,  
Publication Sales,  
22 Station Street,  
Wembley.

State Government Bookshop,  
Ground Floor, Supply House,  
815 Hay St. (cnr. King St.),  
Perth.

GARRY L. DUFFIELD,  
Government Printer.

## SPECIAL PUBLICATION NOTICE GOVERNMENT GAZETTE—EASTER 1992

Advertisers are advised to note the following changes to Publication Dates for Government Gazette over the Easter Period 1992.

There will be no editions for TUESDAY 14 APRIL OR 21 APRIL.

### EASTER ISSUES:

THURSDAY 16 APRIL (Copy closes Tuesday 14 April at 3.00 pm)

FRIDAY 24 APRIL (Copy closes Wednesday 22 April at 3.00 pm)

Any enquiries should be directed to The Editor, Phone 383 8851

## PROCLAMATIONS

AA101

### HOME BUILDING CONTRACTS ACT 1991

#### PROCLAMATION

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

I, the Governor, acting under section 2 of the Home Building Contracts Act 1991 and with the advice and consent of the Executive Council fix 4 April 1992 as the day on which that Act shall come into operation.

Given under my hand and the Public Seal of the State on 17 March 1992.

By His Excellency's Command,

YVONNE HENDERSON, Minister for Consumer Affairs.  
 GOD SAVE THE QUEEN !

AA102

### TRANSFER OF LAND ACT 1893

#### TRANSFER OF LAND (REVESTMENT) PROCLAMATION

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

DOLA File 2872/990

Under section 243 of the Transfer of Land Act 1893, I, the Governor acting with the advice and consent of the Executive Council, do hereby revest in Her Majesty as of her former estate, portion of Swan Location 1370 being part of Lot 1000 as shown on Plan 17973 and being the whole of the land contained in Certificate of Title Volume 1924 Folio 567.

Given under my hand and the Seal of the State on 31 March 1992.

By His Excellency's Command,

DAVID SMITH, Minister for Lands.  
 GOD SAVE THE QUEEN !

## AGRICULTURE

AG401

### 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, Anthony Pailthorpe of Wellesley is appointed a member of the District Committee for the Wellesley Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 19 October 1990, the appointment being for a term ceasing on 8 November 1993.

ERNIE BRIDGE, Minister for Agriculture.

AG402

### 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, Gregory John Ward of East Pingelly is appointed a member of the District Committee for the Pingelly Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 22 June 1990, the appointment being for a term ceasing on 12 July 1993.

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, Glynn Ernest Fletcher of Albany is appointed a member of the District Committee for the Hay River Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 22 May 1987 and amended in the *Gazette* of 16 August 1991, the appointment being for a term ceasing on 5 September 1994.

ERNIE BRIDGE, Minister for Agriculture.

AG404

## FRUIT GROWING INDUSTRY (TRUST FUND) ACT

Department of Agriculture,  
South Perth, 30 March 1992.

325/90.

I, the undersigned Minister for Agriculture, being the Minister charged with the administration of the Fruit Growing Industry (Trust Fund) Act, do hereby declare that the following rates of contribution shall be paid by fruit growers to the Fruit Growing Industry Trust Fund, in accordance with section 17 (5) of the said Act, such levy to be effective during the period 1 May 1992, to 31 December 1992.

Citrus and Stone fruit	12 cents per 36 litres
Pears	7 cents per 36 litres
Apples other than for processing	32 cents per 36 litres
Apples for processing	12 cents per 36 litres

ERNIE BRIDGE, Minister for Agriculture.

AG405

## SOIL AND LAND CONSERVATION ACT 1945

## Notice of Appointment

Pursuant to section 23 of the Soil and Land Conservation Act 1945, the following persons are appointed members of the District Committee for the Manjimup Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 6 April 1990, and amended in the *Gazette* of 6 March 1992, the appointments being for a term ceasing on 3 May 1993:

- (1) Pursuant to section 23 (2b) (b) of the Act, Robert Dale Spencer of Manjimup is appointed a member of the committee on the nomination of the Shire of Manjimup.
- (2) Pursuant to section 23 (2b) (d) of the Act, being persons actively engaged in, or affected by, or associated with land use in the District, the following persons are appointed members of the committee:
  - (a) Russell Craig Walter of Manjimup
  - (b) Ian Telfer of Manjimup
  - (c) Russell Andrew Delfroy of Pemberton
  - (d) Peter Whitlock Bird of Northcliffe
  - (e) Paul Wilson Rose of Ringbark
  - (f) Julian Bryan Sharp of Pemberton

ERNIE BRIDGE, Minister for Agriculture.

**CONSUMER AFFAIRS**

CN301

**RETAIL TRADING HOURS ACT 1987****RETAIL TRADING HOURS (TOWN OF ALBANY) AMENDMENT ORDER  
(No. 2) 1992**

Made by the Minister for Consumer Affairs under section 13.

**Citation**

1. This Order may be cited as the *Retail Trading Hours (Town of Albany) Amendment Order (No. 2) 1992*.

**Amendment**

2. The Retail Trading Hours (Town of Albany) Order 1988 (published in the *Gazette* of 2 September 1988 at pp. 3461) is amended by deleting—

“Other than the Saturdays 7th, 14th, 21st and 28th December 1991. 4th, 11th, 18th and 25th January 1992”.

and inserting in its place the following—

“Other than the Saturdays 21st March 1992, 11th April 1992 and 18th April 1992”.

YVONNE HENDERSON, Minister for Consumer Affairs.

---

CN302

**RETAIL TRADING HOURS ACT 1987****RETAIL TRADING HOURS EXEMPTION ORDER (No. 2) 1992**

Made by the Minister for Consumer Affairs.

**Citation**

1. This Order may be cited as the *Retail Trading Hours Exemption Order (No. 2) 1992*.

**Exemption**

2. The operator of the filling station known as Goodchild Enterprises at Lot 105 Miguel Road, Spearwood, may sell or allow fuel to be sold to commercial users at such hours as the operator thinks fit and for that purpose the *Retail Trading Hours Act 1987* does not apply to that filling station.

YVONNE HENDERSON, Minister for Consumer Affairs.

---

CN303

**RETAIL TRADING HOURS ACT 1987****RETAIL TRADING HOURS EXEMPTION ORDER (No. 3) 1992**

Made by the Minister for Consumer Affairs.

**Citation**

1. This Order may be cited as the *Retail Trading Hours Exemption Order (No. 3) 1992*.

**Exemption**

2. The operator of the filling station known as North Suburban Fuel Supply at 277 Collier Road, Bayswater, may sell or allow fuel to be sold to commercial users at such hours as the operator thinks fit and for that purpose the *Retail Trading Hours Act 1987* does not apply to that filling station.

YVONNE HENDERSON, Minister for Consumer Affairs.

CN304

**RETAIL TRADING HOURS ACT 1987****RETAIL TRADING HOURS EXEMPTION ORDER (No. 4) 1992**

Made by the Minister for Consumer Affairs.

**Citation**

1. This Order may be cited as the *Retail Trading Hours Exemption Order (No. 4) 1992*.

**Exemption**

2. The operator of the filling station known as Albany Fuel Service at 225 Albany Highway, Albany, may sell or allow fuel to be sold to commercial users at such hours as the operator thinks fit and for that purpose the *Retail Trading Hours Act 1987* does not apply to that filling station.

YVONNE HENDERSON, Minister for Consumer Affairs.

CN305

**RETAIL TRADING HOURS ACT 1987****RETAIL TRADING HOURS EXEMPTION ORDER (No. 5) 1992**

Made by the Minister for Consumer Affairs.

**Citation**

1. This Order may be cited as the *Retail Trading Hours Exemption Order (No. 5) 1992*.

**Exemption**

2. The operator of the filling station known as Great Western Petroleum at Cnr Spearwood Avenue and Wellard Street, Hamilton Hill, may sell or allow fuel to be sold to commercial users at such hours as the operator thinks fit and for that purpose the *Retail Trading Hours Act 1987* does not apply to that filling station.

YVONNE HENDERSON, Minister for Consumer Affairs.

CN306

**RETAIL TRADING HOURS ACT 1987****RETAIL TRADING HOURS EXEMPTION ORDER (No. 7) 1992**

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. 7) 1992*.

**Exemption**

2. The operator of the filling station known as Shell Brentwood Self Serve at 71 Cranford Avenue, Brentwood, may at that filling station sell or allow fuel to be sold between 11.00 am and 1.00 pm on Friday, 17 April 1992, and between 9.30 am and 11.30 am on Sunday, 19 April 1992, for use in vehicles participating in the Model A Ford National Meet, and to that extent the *Retail Trading Hours Act 1987* does not apply to that filling Station.

YVONNE HENDERSON, Minister for Consumer Affairs.

CN307

**CREDIT ACT 1984**  
**ORDER UNDER SECTION 19**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. This Order may be cited as *Credit (Rental Purchase Contracts) Order No. 75 of 1992*.

**Commencement**

2. This Order shall take effect on and from the date of its publication in the *Government Gazette*.

**Rental Purchase Contract—Exemption**

3. (1) Section 13 of the *Credit Act 1984* does not have effect in relation to a contract for the hiring of goods except where the amount payable under the contract exceeds the cash price of the goods.

(2) For the purposes of this order the amount payable shall include any "agreed" or "residual" value of the goods at the end of the rental period or upon termination of the hiring by either of the parties but shall not include—

(a) any amount payable in respect of services that are incidental to the hiring of the goods under the contract; or

(b) any amount that ceases to be payable upon the termination of the contract following the exercise of a right of termination by the hirer at the earliest opportunity.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

CN308

**CREDIT ACT 1984**  
**ORDER UNDER SECTION 19**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. This Order may be cited as the *Credit (The W.A. Teachers' Credit Society Limited and The W.A. Teachers' Financial Society Limited) Order No. 76 of 1992*.

**Commencement**

2. This Act shall take effect on and from the date of its publication in the *Government Gazette*.

**Interpretation**

3. In this Order unless the contrary intention appears—

"institution" means either the W.A. Teachers' Credit Society Limited or the W.A. Teachers' Financial Society Limited.

**Grant of Exemption**

4. Parts III to VIII of the *Credit Act 1984* do not have effect in relation to a regulated contract entered into by an institution on or after 17 January 1986 and on or before 8th December 1988.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

CN309

**HOME BUILDING CONTRACTS ACT 1991**  
**HOME BUILDING CONTRACTS REGULATIONS 1992**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Home Building Contracts Regulations 1992*.

**Commencement**

2. These regulations come into operation on the day on which the *Home Building Contracts Act 1991* comes into operation.

**Form of notice prescribed**

3. The form of notice set out in Schedule 1 is prescribed for the purpose of section 4 (2) of the Act.

## Schedule 1

(reg. 3)

**HOME BUILDING CONTRACTS ACT 1991  
NOTICE FOR THE HOME OWNER****This Notice**

A builder must give a copy of this notice to you, as the owner, before you sign a contract for home building work that is covered by the *Home Building Contracts Act 1991*.

This notice summarizes relevant provisions of that Act as required by section 4 (2). The Act itself should be referred to for the exact text. A copy can be obtained from the State Law Publisher† or the State Government Bookshop\*.

**Who are “owners” and “builders”?**

In this notice “owner” means the person for whom the home building work is to be done and “builder” means the person who, in the course of business, is to do the work or arrange for it to be done.

**What the Act covers**

The Act deals with contracts for home building work where the contract price is above \$6 000 and below \$200 000. The Act also applies to contracts, within that price range, for associated work (e.g. swimming pools, carports and landscaping) and for alterations. It makes some provisions that are implied in all contracts, and also states what is not allowed in any contract.

Under the Act a builder has a legal duty not to do anything in connection with a contract that is “unconscionable, harsh or oppressive”.

The Act deals with “cost plus” contracts only to the extent that special rules apply to them—see later in this notice.

A builder may be prosecuted and fined for not complying with some provisions of the Act.

*Rights conferred by the Act cannot be taken away, diminished or waived and it is forbidden to make any agreement or arrangement to by-pass the Act.*

**Building Disputes Committee**

A Building Disputes Committee has been set up with power to deal with disputes between owners and builders about contracts that fall within the Act. There is a monetary limit on the Committee's powers. It cannot (unless the parties agree to it doing so) order work to be done exceeding \$100 000 in value, or order the making of a payment above that amount.

There is provision for regulations to be made which would allow certain powers of the Building Disputes Committee to be delegated to the registrar of the Committee.

**Contract—steps to be followed**

Everything agreed to between you and the builder must be set out in a written contract which must be dated and signed by both you and the builder or by your representatives. If this is not done you may terminate the contract—see later in this notice under “Termination of contract”.

You must be given a copy of the contract as soon as is practicable after it has been signed and before the building work starts.

It is the builder's duty to see that all these steps are taken.

**Special rules for cost plus contracts**

A “cost plus” contract is one under which the builder is entitled to recover actual costs incurred plus an extra amount for profit. The following rules apply to these contracts—

- (a) the contract must be headed “cost plus contract”; and
- (b) it must contain a statement in which both you and the builder acknowledge that it is a cost plus contract and that the Act does not apply to it.

If not, the owner may terminate the contract—see later in this notice.

**Provisions that are not allowed**

*Before work begins, the builder can require you to pay a deposit of no more than 6.5% of the contract price. After work begins, the builder can only require you to make progress payments for work done or goods supplied. Any payment other than these must be authorized by regulation.*

---

†Address at time of printing: State Print, 22 Station Street, Wembley.

\*Address at time of printing: Ground Floor, Supply House, 815 Hay Street, (cnr. King St.), Perth.

The builder cannot include in a contract a requirement for you to make any payment other than as set out above. If any such provision is included you may terminate the contract—see later in this notice.

Where a contract refers to “prime costs” it means fittings or equipment which may vary in price e.g. bathroom tiles. The builder must estimate the cost of such items at or above the lowest amount that they could reasonably cost and the cost must not be understated in the contract. If it is, the builder may be prosecuted and fined. This also applies to estimates for “provisional sums” such as site works.

The builder must not include in the contract provisions that are “unconscionable, harsh or oppressive”. If you think this has occurred, you may refer the matter to the Building Disputes Committee.

#### **Contract price must be fixed**

A contract must not contain a “rise and fall” clause i.e. one which allows the builder to pass on price increases for labour or materials that occur *after* the contract is signed.

However the builder can include a clause in the contract which allows for a price increase to cover an increase in actual costs—

- (a) if government taxes or charges increase after the contract is signed or if the builder has to comply with a State or Commonwealth law; or
- (b) if work does not start within 45 working days after the contract is signed and the delay is not caused by the builder.

If (b) applies and the price rise is more than 5% you may terminate the contract within 10 working days—see later in this notice. In any case you can apply to the Building Disputes Committee to assess whether the price rise is justified.

#### **Varying the contract**

##### *1. Steps to be followed*

All changes to a contract, including the cost of the change, must be put in writing which must be dated and signed by both you and the builder or your representatives.

A copy must be given to you as soon as is possible after both you and the builder have signed, and before the start of the work that results from the change.

The builder must ensure that these steps are taken.

##### *2. Exceptions*

Certain changes may be made without these steps being taken, namely—

- (a) changes resulting from directions given by a building surveyor or other person acting under a written law;
- (b) changes arising from unforeseen circumstances (but this does not include unforeseen labour or material cost increases).

Note also the changes by way of price increase that are referred to above under the heading “Contract price must be fixed” and below under the heading “Where approvals are delayed”.

##### *3. Protection that you have*

Where any change coming under paragraph (a) or (b) above occurs the builder must give you certain information in writing—see section 8 (1), (2) and (3) of the Act. Note that if you and the builder have a dispute about “unforeseen circumstances” and you wish to apply to the Building Disputes Committee you must do so within 14 days.

#### **Where approvals are delayed**

A contract is conditional on a building licence and the Water Authority’s approval being obtained within 45 working days on conditions that both you and the builder accept. However contracts that are only for associated work (e.g. swimming pools, carports and landscaping) or for a type of work prescribed by regulations are not subject to this time limit.

Both you and the builder must do what you reasonably can to ensure that these conditions are met. If they are not met, the rights of the parties depend on whose fault prevented the condition being met within the 45 day period.

#### **Builder at fault**

Contract remains in force on the same terms and conditions unless you and the builder agree otherwise

#### **Owner at fault or neither party or both parties at fault**

Contract remains in force on the same terms and conditions until you and the builder agree otherwise or either party terminates the contract under section 19 **but—**

- (i) the builder may by notice increase the contract price;

- (ii) if the increase exceeds 5% you may terminate the contract within 10 working days—see below under “Termination of contract”—provided you compensate the builder for costs incurred;
- (iii) you may apply, within 10 working days of the notice of increase, to have the increase reviewed by the Disputes Committee.

#### **Making good defects**

Any defect in work done or materials supplied under a contract must be made good by the builder if the builder is notified of the defect within 120 days of practical completion of the building work.

However you and the builder may agree in the contract that particular defects are excluded from this provision.

#### **Inspection**

A builder must not prevent you or a person representing you or your lending institution from inspecting the building work as allowed by the contract or by regulations. A contract cannot restrict inspections except by limiting them to normal working hours or forbidding inspections that cause unreasonable interference.

#### **Termination of contract**

In various places above it is stated that you can terminate the contract for a particular reason. To do this you must give notice in writing to the builder *before* the building work is finished.

Where a contract is terminated, the Building Disputes Committee can make financial adjustments between you and the builder.

#### **Disputes**

Before you or the builder apply to the Building Disputes Committee, a notice must be given to the other outlining the complaint and asking that it be put right or that a settlement be agreed to.

A claim under the *Home Building Contracts Act* must be brought within 3 years of the time when it first arose.

Parties to proceedings before the Building Disputes Committee are not to be represented by legal practitioners except as set out in the Act.

Note that disputes about building work may also be brought before the Building Disputes Committee under section 12A of the Builders' Registration Act within 6 years of practical completion of the work.

Advice on how a dispute may be placed before the Building Disputes Committee and related matters may be obtained from the Registrar of the Committee\*\*.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

---

\*\*Address at time of printing: 18 Harvest Terrace Perth, Tel. No. 321 6891.

## **CROWN LAW**

CW401

### **GUARDIANSHIP AND ADMINISTRATION ACT 1990 INTERPRETATION ACT 1984 PUBLIC GUARDIAN**

It is hereby notified for public information that Imelda Margaret Dodds of 134 Herbert Road, Shenton Park has been appointed under section 91 (1) of the Guardianship and Administration Act 1990 and section 25 of the Interpretation Act 1984 as Public Guardian for a term that expires on 2 March 1997.

D. G. DOIG, Under Secretary for Law.

## FISHERIES

FI301

WESTERN AUSTRALIA  
FISHERIES ACT 1905  
PILBARA TRAP LIMITED ENTRY FISHERY NOTICE 1992  
Arrangement

## Clause

1. Citation
  2. Commencement
  3. Interpretation
  4. Declaration of limited entry fishery
  5. Prohibition on use of traps
  6. Prohibition on selling or dealing
  7. Criteria to determine the boats which may operate in the Fishery
  8. Application for a licence
  9. Details on licence
  10. Closed areas of the Fishery
  11. Storage of traps
  12. Supplementary access to the Fishery
  13. Performance criteria
  14. Transfer of licence
  15. Authorised means of operating in the Fishery
  16. Boat replacement
  17. Application and fees
  18. Appeals
  19. Publication of details
  20. Determination of position by reference to the Australian Geodetic Datum
  21. Revocation
- Schedule (Clauses 4 and 11)

FISHERIES ACT 1905  
PILBARA TRAP LIMITED ENTRY FISHERY NOTICE 1992  
Notice No. 501

FD 134/75.

Made by the Minister under section 32.

**Citation**

1. This Notice may be cited as the *Pilbara Trap Limited Entry Fishery Notice 1992*.

**Commencement**

2. This Notice shall come into operation on 1 May 1992.

**Interpretation**

3. In this Notice unless the contrary intention appears—
  - “approved form” means in a form approved by the Director;
  - “Fishery” means the Pilbara Trap Limited Entry Fishery declared under clause 4;
  - “licence” means a licence authorising a boat to operate in the Fishery;
  - “transfer” means the passing of the ownership or effective control of the licence from one person to another person;
  - “trap” means any device used for the taking of fish other than hook and line, trawl net, gillnet, haul net or purse seine net; and
  - “zone” means an area described in item 2 of the Schedule.

**Declaration of Limited Entry Fishery**

4. (1) It is hereby declared that the use of traps to take fish other than crabs or rock lobsters shall constitute a limited entry fishery in the waters described in item 1 of the Schedule to be called the *Pilbara Trap Limited Entry Fishery*.
  - (2) The waters referred to in subclause 1 shall be divided into Zone 1 and Zone 2 as described in item 2 of the Schedule.

**Prohibition on use of traps**

5. A person shall not use, or attempt to use, traps in the waters of the Fishery unless using a licensed boat authorised to use traps in accordance with this Notice.

**Prohibition on selling or dealing**

6. A person shall not sell or deal, or attempt to sell or deal, in any way with fish taken from the Fishery in contravention of this Notice.

**Criteria to determine the boats which may operate in the Fishery**

7. (1) To operate in Zone 1 of the Fishery, the boat must have caught—
- (a) not less than eight tonnes of fish per year using traps in any two years during the period 12 February 1985 to 11 February 1988; and
  - (b) not less than four tonnes of fish per year using traps during the period 12 February 1988 to 11 February 1990,

from the waters of the fishery.

- (2) To operate in Zone 2 of the Fishery, the boat must have caught—
- (a) not less than two tonnes of fish using traps during the period 12 February 1985 to 11 February 1988; and
  - (b) not less than one tonne of fish per year using traps during the period 12 February 1988 to 11 February 1990,

from the waters of the fishery.

(3) A boat which has replaced a boat which satisfied the criteria specified in paragraphs (1) or (2) may operate in the Fishery in either Zone 1 or Zone 2 respectively.

**Application for a licence**

8. The owner of a boat which fulfils the criteria in clause 7 may apply in accordance with clause 17 for a licence authorising the boat to operate in the Fishery.

**Details on a licence**

9. A licence shall contain the following details—
- (a) the name and licensed fishing boat number of the boat in respect of which it is issued;
  - (b) the name and address of the licensee of that boat;
  - (c) the licence number;
  - (d) the day of issue;
  - (e) the period for which the licence is valid;
  - (f) the Zone of the Fishery in which the boat may operate; and
  - (g) any conditions imposed on the licence.

**Closed areas of the Fishery**

10. A person shall not set or use traps in the waters described in items 3 and 4 of the Schedule.

**Storage of traps**

11. Unless otherwise approved in writing by the Minister, a boat licensed to operate in the Fishery shall have traps stowed onboard, secured and unbaited while in—

- (a) waters of the Fishery in which the boat is not authorised to operate; or
- (b) the closed waters of the Fishery described in items 3 and 4 of the Schedule.

**Supplementary access to the Fishery**

12. (1) Subject to subclause 2 the licensee of a boat not licensed to operate in the Fishery may, on application and with the approval of the Minister, be issued with a supplementary access endorsement to take fish by means of traps in Zone 2 of the Fishery.

(2) The following criteria shall determine the boats which may be granted a supplementary access endorsement to operate in the Fishery:

- (a) the boat must be licensed to fish within—
  - (i) the \*Nickol Bay Prawn Limited Entry Fishery; or
  - (ii) Area 1 of the \*\*Onslow Prawn Limited Entry Fishery; and
- (b) in the period, 1 January 1986 to 31 December 1990, a boat meeting the criteria in subclauses (a) (i) or (a) (ii) must have been used to take fish by means of traps within the Fishery; or
- (c) a boat replaced a boat which satisfied the criteria specified in paragraphs (a) and (b).

(3) A boat granted access in accordance with subclause (1) may have that access withdrawn by the Minister at any time.

**Performance criteria**

13. (1) A boat licensed to operate in the Fishery must be used—

- (a) to take a minimum of 15 tonnes of fish from the waters of the Fishery in any year by means of traps; and
- (b) for a minimum of 40 days in the waters of the Fishery in any year to take fish by means of traps.

(2) Subclause (1) shall not apply to a boat granted supplementary access in accordance with clause 12.

(3) Where a licensee fails to satisfy the criteria in subclause (1) the licence will not be renewed unless approved by the Minister.

**Transfer of Licence**

14. (1) A licence or endorsement authorising a boat to operate in the Fishery shall not be transferred and shall be cancelled on transfer of the fishing boat licence.

(2) Supplementary access granted in accordance with clause 12 shall not be transferred and shall be cancelled on transfer of the fishing boat licence.

**Authorised means of operating in the Fishery**

15. (1) Traps used, set or pulled from or carried by a boat authorised to operate in the Fishery shall have attached a surface float which—

- (a) has a diameter of not less than 150 millimetres; and
- (b) is branded or stamped with the initial letter and the distinguishing number allotted in respect of the licensed fishing boat under Subregulation (4) of Regulation 2 of the Fisheries Regulations that is used to set or lift the trap, and each character of the brand or stamp shall be legible and measure not less than 60 millimetres high and 10 millimetres wide.

(2) A boat shall not be used to set or pull traps in any waters of the Fishery, other than those traps which are marked for use by that boat as prescribed in subclause 1 (b).

**Boat replacement**

16. Subject to the prior written approval of the Director, a boat licensed to operate in the Fishery may be replaced by another boat.

**Applications and fees**

17. Applications under clauses 8 and 12 shall be—

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

**Appeals**

18. (1) Notwithstanding the provisions of subclauses 7 and 12 the Minister may, subject to an appeal in writing by the licensee, grant a boat access to the Fishery or to a specified part of the fishery.

(2) A licence granted under subclause (1) may be issued with or without special conditions as determined by the Minister.

**Publication of details**

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

- (a) the names of licensees;
- (b) the names and registration numbers of boats, if any, authorised to operate in the Fishery; and
- (c) the Zone in which the boat may fish,

by publishing that information in such manner as deemed appropriate.

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

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

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

**Revocation**

21. Notice No. 296 published in the *Gazette* of 13 May 1988 is cancelled.

**Schedule****Item 1.**

All the waters of the Indian Ocean and Exmouth Gulf lying north of 21°44' south latitude and between 114°9'36" east longitude and 120° east longitude on the landward side of the 200 metre isobath.

**Item 2.**

Zone 1. All waters of the Fishery described in item 1.

Zone 2. The waters of the Fishery on the landward side of the 200 metre isobath lying between 116°45' east longitude and 120° east longitude.

**Item 3.**

All waters of the Fishery bounded by a line commencing at the intersection of the highwater mark at the northernmost point of the North West Cape; thence extending north to the intersection of 21°38' south latitude and 114°10' east longitude; thence northeasterly to the intersection of 21°30' south latitude and 114°30' east longitude; thence due south to where it intersects with 21°34' south latitude; thence northeasterly to the intersection of 114°40' east longitude and a line joining the northernmost point of Peak Island and the northernmost point of Rosily Island; thence northeasterly to the northernmost point of Rosily Island; thence southeasterly to the northernmost point of Airlie Island; thence generally easterly to the lighthouse on Mary Anne Reef; thence generally easterly to the highwater mark of Robe Point at the mouth of the northernmost arm of the Robe River; thence along the highwater mark to the commencement point.

**Item 4.**

All waters of the Fishery bounded by a line commencing at the high water mark at Cape Preston; thence extending north to the intersection of 20°38' south latitude and 116°12' east longitude; thence northeasterly to the intersection of 20°30' south latitude and 116°21' east longitude; thence northeasterly to the intersection of 20°23' south latitude and 116°45' east longitude; thence along an extension of that line to where it intersects with the line of an arc with a five nautical mile radius centered on the lighthouse on the western end of Legendre Island; thence along that arc to the intersection of the extension of a line drawn from the intersection of 20°11' south latitude and 117°50' east longitude and 20°21' south latitude and 116°56' east longitude; thence to the intersection of 20°21' south latitude and 116°56' east longitude; thence generally east northeasterly to the intersection of 20°11' south latitude and 117°50' east longitude; thence northeasterly to the intersection of 19°53' south latitude and 118°13' east longitude; thence northeasterly to the intersection of 19°33' south latitude and 118°58' east longitude; thence easterly to the intersection of 19°34' south latitude and 119°14' east longitude; thence southeasterly to the intersection of 19°40' south latitude and 119°47' east longitude; thence easterly to the intersection of 19°39' south latitude and 119°55' east longitude; thence south to the southern extremity of Solitary Island; thence south to the high water mark on the mainland; thence along the high water mark to the commencement point.

[\* Declared by Notice in the *Gazette* of 19 April 1991 at pp. 1720-1723. For amendments to 31 March 1992 see Notice 533 published in the *Gazette* of 3 March 1992 pp. 1080-1081.]

[\*\* Declared by Notice published in the *Gazette* of 22 March 1991 pp. 1217-1221. For amendments to 31 March 1992 see Notice No. 519 published in the *Gazette* of 29 November 1991 p. 5988 and Notice No. 529 published in the *Gazette* of 31 January 1992 pp. 484-487.]

Dated this 24th day of March 1992.

G. HILL, Minister for Fisheries.

FI302

**FISHERIES ACT 1905****NINGALOO MARINE PARK (RECREATIONAL FISHING) AMENDMENT  
NOTICE 1992**

Notice No. 532

FD 580/77.

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

**Citation**

1. This notice may be cited as the *Ningaloo Marine Park (Recreational Fishing) Amendment Notice 1992*.

**Principal Notice**

2. In this notice the *Ningaloo Marine Park (Recreational Fishing) Notice 1991 No. 503\** is referred to as the principal notice.

**Clause 5A inserted**

3. After clause 5 of the principal notice the following clause is inserted—

**Restricted species**

“ 5A. Notwithstanding the provisions of this notice, no person shall take or attempt to take any species of fish specified in schedule 6 by any means from within the Ningaloo Marine Park. ”.

**Clause 6 amended**

4. Clause 6 of the principal notice is amended by inserting after subclause (2), the following subclause—

“ (3) Notwithstanding subclause 6.(1)(c) no person shall take or attempt to take any species of fish specified in schedule 7 by means of speargun, harpoon, hawaiian sling or other pointed instrument from within the waters of the Ningaloo Marine Park. ”.

**Schedule 6 added**

5. After Schedule 5 the following schedules are inserted—

Schedule 6	
Queensland Groper .....	( <i>Epinephelus lanceolatus</i> )
Manta Ray .....	( <i>Manta birostris</i> )
Potato cod .....	( <i>Epinephelus tukula</i> )
Whale Shark .....	( <i>Rhiniodon typus</i> )
Molluscs, except for Oysters, Cuttlefish, Octopus and Squid.	

---

**Schedule 7**

Tuskfish, Wrasses and Gropers .....	( <i>Labridae Family</i> )
Cods, Queensland Groper and Coral Trout .....	( <i>Serranidae Family</i> ). ”.

[\*Published in the Gazette of 11 October 1991.]

Dated this 23rd day of March 1992.

G. HILL, Minister for Fisheries.

**HEALTH**

HE301

**TOBACCO CONTROL ACT 1990**
**TOBACCO CONTROL (EXEMPTION) NOTICE (No. 8) 1992**

Made by the Minister for Health under section 14 after consultation with the Minister for Sport and Recreation.

**Citation**

1. This notice may be cited as the *Tobacco Control (Exemption) Notice (No. 8) 1992*.

**Exemption**

2. The body known as the St. Kilda Football Club Limited and its agents and servants are exempted from the operation of sections 5 and 8 of the *Tobacco Control Act 1990* in respect of the Australian Football League match between the West Coast Eagles and St. Kilda football teams to be held in Perth on Sunday 5 April 1992.

KEITH WILSON, Minister for Health.

HE302

**PHARMACY ACT 1964****PHARMACY AMENDMENT REGULATIONS 1992**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Pharmacy Amendment Regulations 1992*.

**Commencement**

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

**Appendix B amended**

3. Appendix B to the *Pharmacy Act Regulations 1976\** is amended—

(a) in the item commencing "For registration of premises as a pharmacy until the 30th June next" by deleting "125" and substituting the following—

" 200 "; and

(b) in the item commencing "For renewal of registration of an existing pharmacy ..." by deleting "110" and substituting the following—

" 200 ".

[\*Published in the Gazette of 17 September 1976 at pp. 3430-43. For amendments to 10 March 1992 see 1990 Index to Legislation of Western Australia, p. 332 and Gazettes of 12 April and 28 June 1991.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

HE303

**HEALTH ACT 1911***The Municipality of the Shire of Kalamunda*

## By-laws relating to mobile garbage bins

Whereas under the provisions of the Health Act 1911, a Local Authority may take or adopt by-laws and may alter, amend or appeal any by-laws so made or adopted; now, therefore, the Shire of Kalamunda being a Local Authority within the meaning of the Act and having adopted Model By-laws, described as Series "A" as reprinted issued to the Reprinting of Regulations Act 1954, in the *Government Gazette* on 17 July 1963, hereby resolves and determines that the said adopted by-laws shall be amended as follows:

## Part 1—General Sanitary Provisions

1. The Model By-laws Series "A" as amended on 17 July 1963 are referred to "The Principal By-laws".

2. The Principal By-laws are amended by deleting by-laws 12, 13 and 14 and substituting the following:

## 12. Interpretation:

"Approved Enclosure" means an area approved by the Health Surveyor which is for the exclusive storage of a receptacle or receptacles.

"Building line" as the meaning given to it in and for the purposes of the Local Government Act 1960.

"Health Surveyor" means the Principal Health Surveyor of the Local Authority.

"Carriageway"—that portion of the road devoted particularly to the use of vehicles, inclusive of shoulders and auxiliary lanes.

"Collection Day" means the day of the week in which rubbish and refuse is collected and removed by the Local Authority or its Contractor.

"Collection time" means collection time, from time to time notified to the occupier of premises by the Local Authority or its Contractor.

"Commercial waste" means refuse and other rubbish generated by or emanating from commercial or industrial or other premises.

"Domestic Waste" means refuse and other rubbish generated by or emanating from residential premises and includes household refuse.

"Other premises" means premises which are not residential premises.

“Receptacle” means:

(a) In the case of residential premises, a polyethelene cart fitted with wheels and with a handle and lid and of a capacity of 240 or 120 litres supplied by the Local Authority or its Contractor or other types of receptacles specified or approved by the Local Authority;

or

(b) In the case of other premises, a rubbish receptacle approved by the Health Surveyor.

13. Residential premises:

The occupier of every residential premises in the district shall:

- (a) subject to paragraph (c) hereof cause all household refuse to be deposited in a receptacle;
- (b) at all times keep the lid of the receptacle tightly closed except when depositing refuse in or cleaning the receptacle;
- (c) not deposit or permit to be deposited in the receptacle:
  - (i) more than 70 kilograms of waste at any one time
  - (ii) any material being or consisting of—
    - hot or burning ashes, oil, liquid (including liquid waste), paint, solvents, bricks, concrete, earth or other like substances
  - (iii) heavy material
  - (iv) an object which is greater in length, breadth or width than the corresponding dimensions of the receptacle or which will not allow the lid of the receptacle to be tightly closed
  - (v) refuse which is or is likely to become offensive or to give off offensive or noxious odour or to attract flies or cause fly breeding unless it is first wrapped in absorbent or impervious material or placed in an impervious container;
- (d) except for collection, keep the receptacle on the premises located behind the building line or in an approved enclosure;
- (e) each collection day—
  - At or prior to 6am place the receptacle within 1 metre of—
    - (i) the edge of the carriageway adjacent to the premises, but so that it does not obstruct a footpath, cycleway or other carriageway, but this subparagraph does not apply where a receptacle is kept in an approved enclosure, the entrance to which is located within 1 metre of the edge of the carriageway, right of way or lane as the case may be, unless the Local Authority directs otherwise;
    - (ii) after the contents of the receptacle have been removed, remove the receptacle and place it within 1 metre of the edge of the carriageway into the approved enclosure, right of way or lane as the case may be.

13. (A) “Other premises”

(1) The occupier of every premises in the district being other premises shall:

- (a) cause all waste to be deposited in a receptacle in the manner which is compatible with the type of receptacle used
- (b) take all reasonable steps to prevent fly breeding in and omission of offensive or noxious odours from the receptacle
- (c) cause the receptacle to be located in an approved enclosure on the premises or with the approval of the Health Surveyor, in a position on the premises where:
  - (i) it is screened so as not to be visible from the street but is readily accessible for the collection of the contents thereof;
  - (ii) it does not obstruct a driveway, service road or footpath on those premises;
  - (iii) does not cause a nuisance to the occupiers of adjoining premises;
- (d) Where the premises are used for the manufacture, preparation or sale of food or any putrescible waste emanates from the premises, cause the receptacle to be cleaned with a suitable detergent and treated with disinfectant at least once per week.

(2) The Health Surveyor may direct that waste of the type referred to in paragraph (1) (d) hereof or which emanated from premises referred to in that paragraph be collected and removed more often than once per week.

(3) Where waste emanates from other premises, is of a nature that the Health Surveyor considers or requires to be treated or being placed in a receptacle he may give directions as to the manner in which it is to be so treated and the occupier of those premises shall comply with those directions.

13. (B) Ownership of receptacles

- (a) A receptacle required by the Local Authority or its Contractor remains the property of the Local Authority or its Contractor as the case may be.
- (b) The occupier of the premises in the district shall notify the Local Authority within 72 hours or as soon as practicable after the event if a receptacle is lost, stolen, damaged or becomes defective.
- (c) A person shall not—
  - (i) damage or destroy a receptacle; or
  - (ii) except as permitted by these by-laws or authorised by the Health Surveyor, remove a receptacle from the premises to which it was delivered by the Local Authority or its Contractor.

14. General Obligations of Occupiers and other persons:

- (a) The occupier of premises in the district shall at all times keep each receptacle used on the premises clean, and whenever directed by the Health Surveyor to do so, thoroughly clean, disinfect each receptacle and place and keep in it a deodorant material approved by the Health Surveyor.
- (b) In the case of residential premises consisting of more than 3 dwellings, units or flats and other premises, the Local Authority may require the use of a receptacle or number of receptacles specified by it other than 240 litre polyethelene carts and occupiers of those premises shall comply with and observe the directions given by the Local Authority.
- (c) Where a receptacle is stolen, wilfully damaged or misused, the person or persons responsible for such theft or damage shall be liable to Council or its Contractor for the replacement of the receptacle.

14. (A) Collection of Refuse

- (a) A person shall not unless he or she is authorised by the Local Authority to do so, remove any commercial or domestic waste or other rubbish from any premises in the district.
- (b) The Local Authority or its Contractor shall ensure that all domestic waste, food, refuse and offensive waste are removed and disposed of at least once per week or more frequently if the Health Surveyor directs.
- (c) The Local Authority or its Contractor shall cause all waste collected and removed to be taken to and disposed of at a Refuse Disposal site approved by the Executive Director, Public Health under the Act.

3. Other Amendments

- (a) By-law 15 (A) of Part 1 of the Principal By-laws is amended by deleting “, or supply a further disposable refuse container of an approved type, if applicable”.
- (b) By-law 16 of Part 1 of the Principal By-laws is repealed.
- (c) By-law 18 of Part 1 of the Principal By-laws is amended by deleting “cart” in line 2 and substituting “ collection vehicle ”.
- (d) By-law 21 of Part 1 of the Principal By-laws is amended by inserting the word “liquid” after the word “other”.

Dated the 26th day of November 1991.

The common seal of the Shire of Kalamunda was hereunto affixed in the presence of—

B. R. WILLMOTT, President.  
E. H. KELLY, Chief Executive/Shire Clerk.

Confirmed—

P. PSAILA SAVONA, delegate of Executive Director, Public Health.

Approved by His Excellency The Governor in Executive Council the 31st day of March 1992.

D. G. BLIGHT, Clerk of the Council.

HE403

## HEALTH ACT 1911

*Town of Port Hedland*

Pursuant to the provision of the Health Act 1911, as amended the Town of Port Hedland, being a local authority within the meaning of the Health Act 1911, having adopted the Model By-law described as Series "A" made under the Health Act 1911, and reprinted pursuant to the Reprinting of Regulations Act 1954, in the *Government Gazette* on 17th July 1963, and as amended from time to time, has resolved and determined that the adopted By-laws shall be amended as follows—

## Part 1—General Sanitary Provisions

After By-law 29A (c) insert the following—

- (d) "The keeping of roosters and Peacocks in residential areas is prohibited."

Passed by resolution at a meeting of the Port Hedland Town Council held on the 29th day of November 1991.

Dated this 30th day of November 1991.

The Common Seal of the Town of Port Hedland was hereunto affixed in the presence of—

K. MERRIN, Mayor.

G. P. BRENNAN, Town Clerk.

Confirmed—

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

Approved by His Excellency the Governor in Executive Council.

D. G. BLIGHT, Clerk of the Council.

HE401

## HEALTH ACT 1911

Health Department of WA,  
Perth, 16 March 1992.

68/86

The cancellation of the appointment of Mr Jonathon Gibbons as an Environmental Health Officer to the Narrogin Regional Health Scheme effective from 30 December 1991 is hereby notified.

The appointment of Mr Wayne Thomas Neate as an Environmental Health Officer to the Narrogin Regional Health Scheme effective from 17 February 1992 is approved.

The appointment of Mr David Bernard Barrett as an Environmental Health Officer to the Narrogin Regional Health Scheme for the period effective from 27 February 1992 to 28 August 1992 is approved.

WAYNE JOLLY, delegate of Executive Director, Public Health.

HE402

## HEALTH ACT 1911

Health Department of WA,  
Perth, 26 March 1992.

178/86

The appointment of Barry Alfred Cooper as an Environmental Health Officer to the Shire of Collie for the period effective from 30 March 1992 to 8 June 1992 is approved.

WAYNE JOLLY, delegate of Executive Director, Public Health.

**LAND ADMINISTRATION**

LA201

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

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

DOLA File 940/969

Reserve No. 34513 (Carnarvon Lot 1305) vested in the Shire of Carnarvon for the designated purpose of "Arboretum".

DOLA File 756/952

Reserve No. 42055 (Tambellup Lot 295) vested in the Shire of Tambellup for the designated purpose of "Aged Persons Homes".

DOLA File 2501/991

Reserve No. 42039 (De Witt Location 295) vested in the Australian Telecommunications Commission for "Repeater Station Site".

Local Authority—Shire of Roebourne.

DOLA File 683/973

Reserve No. 33652 (Canning Locations 2733 and 2981) vested in the City of Armadale for the designated purpose of "Public Recreation".

DOLA File 2678/991

Reserve No. 42040 (Jerramungup Lot 379) vested in the Shire of Jerramungup for the designated purpose of "Ramp and Gantry Site".

DOLA File 3405/986

Reserve No. 39740 (Nannup Lot 306) vested in the Shire of Nannup for the designated purpose of "Aged Persons Homes" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding forty (40) years from the date of the lease.

DOLA File 636/980

Reserve No. 36859 (Wellington Location 5327) vested in the Water Authority of Western Australia for the designated purpose of "Water Supply".

Local Authority—Shire of Capel.

DOLA File 2031/990

Reserve No. 5876 (Clifton Estate Lots 10 and 15) vested in the Water Authority of Western Australia for the designated purpose of "Drain".

Local Authority—Shire of Harvey.

DOLA File 4924/951

Reserve No. 23420 (Greenbushes Lot 342) vested in the Shire of Bridgetown-Greenbushes for the designated purpose of "Aged Persons Accommodation" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding forty (40) years from the date of the lease.

DOLA File 3488/980

Reserve No. 37225 (Manjimup Lot 746) vested in the Shire of Manjimup for the designated purpose of "Public Recreation".

DOLA File 540/989

Reserve No. 40922 (Kwinana Lot 268) vested in the Town of Kwinana for the designated purpose of "Public Recreation".

DOLA File 2328/988

Reserve No. 28386 (Warralakin Lot 45) vested in the Shire of Westonia for the designated purpose of "Water".

DOLA File 176/18

Reserve No. 16929 (Latham Lot 36) vested in the Shire of Perenjori for the designated purpose of "Water".

DOLA File 5497/926

Reserve No. 19747 (Williams Location 15648) vested in the Shire of Cuballing for the designated purpose of "Landscape Protection".

DOLA File 353/925

Reserve No. 42060 (Avon Location 29059) vested in the Dale Sports Ground Committee (Inc) for the designated purpose of "Recreation".

Local Authority—Shire of Beverley.

DOLA File 2818/990

Reserve No. 42083 (Hampton Location 260) vested in the Australian Telecommunications Commission for the designated purpose of "Communications Site".

Local Authority—City of Kalgoorlie-Boulder.

DOLA File 611/992

Reserve No. 42080 (De Witt Location 298) vested in the Shire of Roebourne for the designated purpose of "Buffer Zone (Pistol Range)" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty-one (21) years from the date of the lease.

DOLA File 2277/78

Reserve No. 36333 (Chidlow Lot 354) vested in the Shire of Mundaring for the designated purpose of "Public Recreation".

DOLA File 474/992

Reserve No. 42082 (Merredin Lot 235) vested in the Shire of Merredin for the designated purpose of "Park and Recreation".

DOLA File 1812/961

Reserve No. 26339 (Geraldton Lot 1774) vested in the City of Geraldton for the designated purpose of "Recreation and Drainage".

DOLA File 2689/990

Reserve No. 42068 (Wells Location 9) vested in the Australian Telecommunications Commission for the designated purpose of "Communications Site".

Local Authority—Shire of Wiluna.

DOLA File 2221/989

Reserve No. 41156 (Swan Location 11239) vested in the Shire of Kalamunda for the designated purpose of "Recreation, Parkland and Temporary Refuse Disposal Site".

DOLA File 1148/78

Reserve No. 35825 (Swan Location 9647) vested in the Authority for Intellectually Handicapped Persons for the designated purpose of "Hostel and Day Care Centre" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty-one (21) years from the date of the lease.

DOLA File 628/989V2

Reserve No. 9105 (Broome Lots 1219, 2819 and 2820) vested in the Water Authority of Western Australia for the designated purpose of "Water".

Local Authority—Shire of Broome.

DOLA File 971/984

Reserve No. 42057 (Ninghan Location 4244) vested in the Civil Aviation Authority for the designated purpose of "Satellite Ground Station".

Local Authority—Shire of Yalgoo.

DOLA File 4368/969

Reserve No. 32713 (Canning Location 2584) vested in the Shire of Kalamunda for the designated purpose of "Public Recreation and Drainage".

DOLA File 3163/911

Reserve No. 13533 (Burracoppin Lot 79) vested in the Shire of Merredin for the designated purpose of "Recreation".

DOLA File 3990/895

Class "A" Reserve No. 6962 (Bunbury Lot 385) vested in the City of Bunbury for the designated purpose of "Park Lands and Recreation".

DOLA File 3107/986

Reserve No. 40113 (Canning Locations 3584 and 3656) vested in the City of Canning for the designated purpose of "Public Recreation".

D. G. BLIGHT, Clerk of the Council.

LA202

LAND ACT 1933  
ORDERS IN COUNCIL  
(Revocation of Vestings)

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

DOLA File 683/973.

Order in Council gazetted on 15 November 1991 vesting Reserve No. 33652 in the City of Armadale for the designated purpose of "Public Recreation".

DOLA File 3405/986.

Order in Council gazetted on 13 February 1987 vesting Reserve No. 39740 (Nannup Lot 306) in the Shire of Nannup for the designated purpose of "Aged Persons Homes".

DOLA File 1538/53.

Order in Council gazetted on 1 April 1959 vesting Reserve No. 23848 in the Armadale-Kelmscott Road Board for the designated purpose of "Hall Site and Parking".

DOLA File 517/990.

Order in Council gazetted on 14 December 1990 vesting Reserve No. 17438 (Northampton Lots 145 to 149 inclusive and 318 and 343) in the Shire of Northampton for the designated purpose of "Use and Requirements of the Shire of Northampton".

DOLA File 2328/988.

Order in Council gazetted on 29 January 1971 vesting Reserve No. 28386 in the Shire of Westonia for the designated purpose of "Water".

DOLA File 176/18.

Order in Council gazetted on 28 June 1974 vesting Reserve No. 16929 in the Minister for Works for the designated purpose of "Water". Local Authority—Shire of Perenjori.

DOLA File 1034/961.

Order in Council gazetted on 1 June 1990 vesting Reserve No. 25944 (Narrogin Lot 804) in the Town of Narrogin for "Community Purposes".

DOLA File 1970/963.

Order in Council gazetted on 17 July 1964 vesting Reserve No. 27251 (Boxwood Hill Lot 40) in the Minister for Railways for "Railway Purposes". Local Authority—Shire of Jerramungup.

DOLA File 2221/989.

Order in Council gazetted on 5 January 1990 vesting Reserve No. 41156 (Swan Location 11239) in the Shire of Kalamunda for the designated purpose of "Recreation and Parkland".

DOLA File 4247/974.

Order in Council gazetted on 18 April 1975 vesting Reserve No. 33227 in the Minister of Water Supply, Sewerage and Drainage for the designated purpose of "Government Requirements (M.W.S.S. and D. Board). Local Authority—City of Nedlands.

DOLA File 911/989.

Order in Council gazetted on 15 November 1991 vesting Reserve No. 38024 (Fremantle Lot 2007) in the Minister for Works for the designated purpose of "Conservation and Management of Historic Buildings and Ancillary and Beneficial Uses Thereto". Local Authority—City of Fremantle.

DOLA File 577/978.

Order in Council gazetted on 15 November 1991 vesting Reserve No. 35456 (Fremantle Lot 1973) in the Minister for Works for the designated purpose of "Conservation and Management of Historic Buildings and Ancillary and Beneficial Uses Thereto". Local Authority—City of Fremantle.

DOLA File 5393/25.

Order in Council gazetted on 12 June 1959 vesting Reserve No. 19035 (Kojonup District (Lumeah)) in the Kojonup Road Board for the designated purpose of "Agricultural Hall Site".

D. G. BLIGHT, Clerk of the Council.

LA401

**LAND ACT  
FORFEITURES**

Department of Land Administration

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

Date: 1 April 1992.

A. A. SKINNER, Chief Executive Officer.

Name	Lease or Licence	District	Reason	Corres No.	Plan
Dillon, Craig	338-19543 (CL 789/1990)	Boyup Brook Lot 366	Non payment of instalments	1366/984	Boyup Brook 5-17
Ferris, J. P.	338-19421 (CL 345/1990)	Hester Lot 67	Non payment of instalments	3849/989	Hester Townsite
Great Victoria Gold Ltd	3116/9663 (CL 105/1987)	Marvel Loch Lot 121 to 126 inclusive	Non payment of instalments	3462/981	Marvel Loch Townsite
Lippitt, Richard George	3116/10070 (CL 252/1988)	Wyndham Lot 1371	Non payment of instalments	1514/76	Mt Erskine NE 1-25 000
Taylor, R. A. L.;	338/19586	Hopetoun	Non payment of instalments	656/990	Hopetoun 34-01
Bell, D. J.	(CL 64/1991)	Lot 584			

LA402

**LAND ACT 1933**

Land (Revocation of Control) Order

DOLA File 2264/896V2.

Made by His Excellency the Governor under section 34B (2).

The Order in Council made under section 34 gazetted on 5 March 1897 directing that Reserve No. 3340 be placed under the control of the Wandering Roads Board as a Board of Management for the purpose of "Stopping Place for Teams" is revoked.

D. G. BLIGHT, Clerk of the Council.

LA403

**LAND ACT 1933**

Land (Crown Grant in Trust) Order

DOLA File 1872/990.

Made by His Excellency the Governor under section 33 (4).

It is directed that Reserve No. 42085 (Collie Lot 2797) shall be granted to the Shire of Collie to be held in trust for the designated purpose of "Group Accommodation" subject to the condition that the grantee shall not transfer, lease or mortgage the whole or any part of the land without the consent of the Governor.

D. G. BLIGHT, Clerk of the Council.

LA701

**LAND ACT 1933**

**RESERVATION NOTICES**

Made by His Excellency the Governor under section 29.

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

DOLA File 756/952.

Reserve No. 42055 comprising Tambellup Lot 295 with an area of 2 547 square metres on Diagram 64733 for the designated purpose of "Aged Persons Homes".

Public Plan: Tambellup 1:2 000 38.33 Taylor Street. Local Authority—Shire of Tambellup.

DOLA File 2501/991.

Reserve No. 42039 comprising De Witt Location 295 with an area of 900 square metres on Land Administration Diagram 90420 for the designated purpose of "Repeater Station Site".

Public Plan: Dampier 2256—IV S.E. Local Authority—Shire of Roebourne.

DOLA File 2678/991.

Reserve No. 42040 comprising Jerramungup Lot 379 with an area of 9 452 square metres on Land Administration Diagram 90406 for the designated purpose of "Ramp and Gantry Site".

Public Plan: Jerramungup (2) BL29 31.03 Memorial Road. Local Authority—Shire of Jerramungup.

DOLA File 6013/907.

Reserve No. 42044 comprising Wungong Lots 49 and 84 to 98 inclusive with an area of 2.344 4 hectares on Lands and Surveys Original Plan P1674 for the designated purpose of "Government Requirements".

Public Plans: Peel 1:2 000 22.39, 22.40 Wilson Street. Local Authority—City of Armadale.

DOLA File 579/991.

Reserve No. 42086 comprising Fitzroy Crossing Lot 300 with an area of 808 square metres on Land Administration Plan 17694 for the designated purpose of "Use and Requirements of the Government Employees Housing Authority".

Public Plan: Fitzroy Crossing Townsite 10.27 Sadler Place. Local Authority—Shire of Derby-West Kimberley.

DOLA File 353/925.

Reserve No. 42060 comprising Avon Location 29059 with an area of 2.020 9 hectares on Land Administration Diagram 3690 for the designated purpose of "Recreation".

Public Plan: Luptons N.E. Beverley Westdale Road. Local Authority—Shire of Beverley.

DOLA File 2818/990.

Reserve No. 42083 comprising Hampton Location 260 with an area of 8 100 square metres on Land Administration Reserve Diagram 1043 for the designated purpose of "Communications Site".

Public Plan: Kurnalpi 1:250 000. Local Authority—City of Kalgoorlie-Boulder.

DOLA File 2112/991.

Reserve No. 42087 comprising Plantagenet Locations 7683 to 7688 inclusive with an area of 5 332 square metres on Land Administration Diagram 90383 for the designated purpose of "Use and Requirements of the Government Employees Housing Authority".

Public Plan: Albany BK26 (2) 10.07 Chester Pass Road. Local Authority—Town of Albany.

DOLA File 611/992.

Reserve No. 42080 comprising De Witt Location 298 with an area of about 22.711 3 hectares on Land Administration Reserve Diagram 1052 for the designated purpose of "Buffer Zone (Pistol Range)".

Public Plan: Dampier S.E. 1:25 000 Nickol Bay S.W. 1:25 000. Local Authority—Shire of Roebourne.

DOLA File 474/992.

Reserve No. 42082 comprising Merredin Lot 235 with an area of 7.020 9 hectares on Land Administration Diagram 90412 for the designated purpose of "Park and Recreation".

Public Plan: Merredin BK35 1:2 000 36.36 Allbeury, Muscat and Cummings Streets. Local Authority—Shire of Merredin.

DOLA File 3132/991.

Reserve No. 42045 comprising Plantagenet Location 7704 with an area of 7.2296 hectares on Land Administration Plan 17814 for the designated purpose of "Access and Preservation of Natural Vegetation".

Public Plan: Owingup S.W. 1:25 000. Local Authority—Shire of Denmark.

DOLA File 2689/990.

Reserve No. 42068 comprising Wells Location 9 with an area of 8 100 square metres on Land Administration Reserve Diagram 1047 for the designated purpose of "Communications Site".

Public Plan: Stanley 1:250 000. Local Authority—Shire of Wiluna.

DOLA File 1603/987.

Reserve No. 42058 comprising Newman Lots 2160 on Land Administration Plan 16853 and 2177 and 2184 on Plan 16852 with an area of 2 175 square metres for the designated purpose of "Use and Requirements of the Government Employees Housing Authority".

Public Plan: Newman Townsite 16.14. Local Authority—Shire of East Pilbara.

DOLA File 1872/990.

Reserve No. 42085 comprising Collie Lot 2797 with an area of 3 264 square metres on Land Administration Diagram 90277 for the designated purpose of "Group Accommodation".

Public Plan: BG30 (2) 31.29 Throssell Street. Local Authority—Shire of Collie.

DOLA File 971/984.

Reserve No. 42057 comprising Ninghan Location 4244 with an area of 875 square metres on Lands and Surveys Diagram 86732 for the designated purpose of "Satellite Ground Station".

Public Plan: Ninghan 1:250 000. Local Authority—Shire of Yalgoo.

DOLA File 11036/900.

Reserve No. 7878 comprising Bunbury Lot 735 with an area of 302 square metres on Land Administration Diagram 90529 for the designated purpose of "Use and Requirements of the Minister for Works".

Public Plan: BG30 (02) 01.33 Clifton Street. Local Authority—City of Bunbury.

A. A. SKINNER, Chief Executive Officer.

LA801

**LAND ACT 1933  
AMENDMENT OF RESERVES**

Made by His Excellency the Governor under section 37.

The following reserves have been amended.

DOLA File: 940/969.

Reserve No. 34513 (at Carnarvon) "Government Requirements" to comprise Lot 1305 as shown surveyed and bordered pink on Land Administration Plan 17963 in lieu of Lot 1201 and of its area being reduced to 11.5986 hectares accordingly.

Public Plans: AN54 (02) 09.07 and 10.07 Robinson Street. Local Authority—Shire of Carnarvon.

DOLA File: 1271/985.

Reserve No. 40948 (Bulara District) "Use and Benefit of Aboriginal Inhabitants" to comprise Location 78 as surveyed and shown on Land Administration Plan 17733 and of its area remaining unaltered at 400 hectares accordingly.

Public Plan: Mt Bannerman 1:250 000.

DOLA File: 7062/904.

Reserve No. 9633 (Cockburn Sound Locations 2047 and 3012) "Recreation" to exclude Location 3012 and the area now comprised in Location 3087 as shown bordered pink on Land Administration Plan 17958 and of its area being reduced to 3342 square metres accordingly.

Public Plan: BG33 (2) 05.01 Mandurah Terrace. Local Authority—City of Mandurah.

DOLA File: 517/990.

Reserve No. 17438 (at Northampton) "Use and Requirements of the Shire of Northampton" to comprise Lot 475 on Land Administration Diagram 90026 in lieu of Lots 145 to 149 inclusive and 318 and 343 and of its area being increased to 4.4038 hectares accordingly.

Public Plan: Northampton 1:2 500 12.17 and 12.18 Robinson Street.

DOLA File: 2031/990.

Reserve No. 5876 (at Clifton Estate) "Drain" to comprise Lots 10 and 15 on Land Administration Plan 17943 and of its area being increased to 7.0620 hectares accordingly.

Public Plan: Bunbury 1:10 000 2.8 and 3.8 Victoria Road. Local Authority—Shire of Harvey.

DOLA File: 2328/988.

Reserve No. 28386 (at Warralakin) "Water" to comprise Lot 45 as shown on Land Administration Diagram 90218 and of its area being increased (recalculated) to 1219 square metres accordingly.

Public Plan: Warralakin Townsite Koorda—Southern Cross Road. Local Authority—Shire of Westonia.

DOLA File: 2981/985.

Reserve No. 8766 (Edjudina District) "Common" to comprise Location 37 as depicted on Land Administration Reserve Plan 284 and of its area being reduced to about 5301 hectares accordingly.

Public Plan: Edjudina 1:250 000. Local Authority—Shire of Menzies.

DOLA File: 6964/897.

Reserve No. 4293 (Coolgardie Goldfield (Balgarrri)) "Cemetery" to comprise Jaurdi Location 78 as surveyed on Diagram 77/21 and of its area remaining unaltered at 4.0469 hectares accordingly.

Public Plan: 71/80. Local Authority—City of Kalgoorlie-Boulder.

DOLA File: 1131/974.

Reserve No. 32919 (Nelson District) "Picnic and Camping Area" to comprise Location 11766 as depicted on Land Administration Plan 17940 and of its area being reduced to 9.7182 hectares accordingly.

Public Plan: Tonebridge Townsite Boyup Brook-Cranbrook Road. Local Authority—Shire of Boyup Brook.

DOLA File: 2545/927V2.

Reserve No. 19825 (Hampton Location 38) "Timber Sandalwood" to exclude Location 260 on Land Administration Diagram 1043 and of its area being reduced to 13312.1338 hectares accordingly.

Public Plan: Kurnalpi 1:250 000. Local Authority—Shire of Boulder.

DOLA File: 2545/927V2.

Reserve No. 19825 (Hampton Location 38) "Timber Sandalwood" to exclude Location 260 on Land Administration Diagram 1043 and of its area being reduced to 13312.1338 hectares accordingly.

Public Plan: Kurnalpi 1:250 000. Local Authority—Shire of Boulder.

DOLA File: 3574/968.

Reserve No. 31145 (Plantagenet Locations 7144 and 7145) "Government Requirements (P.W.D.)" to exclude that portion of Location 7144 now comprising Locations 7683 to 7688 inclusive as delineated and shown bordered green on Land Administration Diagram 90383 and of its area being reduced to 1.5832 hectares accordingly.

Public Plan: Albany 2 000 BK 26/10.07 Chester Pass Road. Local Authority—Town of Albany.

DOLA File: 722/977.

Reserve No. 41379 (Victoria District) "Railway Purposes" to comprise Location 11910 as surveyed and shown bordered red on Land Administration Diagram 90319 in lieu of Location 12090 and being increased to 6.4952 hectares accordingly.

Public Plan: Bookara 1839—I S.W. and S.E. near Brand Highway. Local Authority—Shire of Irwin.

DOLA File: 628/989 V2.

Reserve No. 9105 (at Broome) "Water" to comprise Broome Lots 2819, 2820 (in lieu of Lots 454 and 469) and Lot 1219 as shown delineated and bordered red on Department of Land Administration Reserve Diagram 1048 and of its area being reduced (recalculated) to 2.2278 hectares accordingly.

Public Plans: CG73(2) 30.14 and 30.15 Carnarvon Street. Local Authority—Shire of Broome.

DOLA File: 11875/97.

Reserve No. 4911 (at Collie) "Public Buildings" to comprise Lots 2798 and 2800 as surveyed and shown bordered pink on Land Administration Diagram 90277 in lieu of Lot 320 and of its area being reduced to 2723 square metres accordingly.

Public Plan: BG30 (2) 31.29 Wittenoom Street. Local Authority—Shire of Collie.

DOLA File: 3684/903.

Reserve No. 13607 (Malcolm District) "Rifle Range (Rifle Club)" to comprise Malcolm Location 4 as shown delineated and bordered red on Land Administration Reserve Diagram 989 and of its area being increased to 103.3171 hectares.

Public Plan: Leonora Regional 1:25 000 near Leonora-Nambi. Local Authority—Shire of Leonora.

DOLA File: 3163/911.

Reserve No. 13533 (at Burracoppin) "Recreation" to comprise Lot 79 on Land Administration Reserve Diagram 1061 and of its area being reduced to 1.6387 hectares accordingly.

Public Plan: Burracoppin BL36 1:2 000 08.06 Station Street. Local Authority—Shire of Merredin.

DOLA File: 1411/990.

Reserve No. 24043 (at Fremantle) "Police Purposes" to comprise Fremantle Lot 2072 as shown bordered pink on Land Administration Plan 17992 in lieu of Lot 2034 and of its area being reduced to 8736 square metres accordingly.

Public Plan: Perth 1:2 000 BG34 07.13 Parry Street. Local Authority—City of Fremantle.

DOLA File: 4011/965.

Reserve No. 28227 (Fremantle Lot 1902) "Parking Area" to exclude that portion now comprised in Fremantle Lot 2071 as shown bordered pink on Land Administration Plan 17992 and of its area being reduced to 5494 square metres accordingly.

Public Plan: Perth 1:2 000 BG34 07.13 Parry Street. Local Authority—City of Fremantle.

DOLA File: 1307/989.

Reserve No. 23707 (at Merredin) "Railway Housing" to comprise Lots 1422, 1423, 1425 and 1428 as shown surveyed on Land Administration Diagram 90271 in lieu of Lot 923 and of its area being reduced to 5645 square metres accordingly.

Public Plan: Merredin 1:2 000 36.36 Muscat Street. Local Authority—Shire of Merredin.

A. A. SKINNER, Chief Executive Officer.

LA901

#### LAND ACT 1933

#### CHANGE OF PURPOSE OF RESERVES

Made by His Excellency the Governor under section 37.

The purpose of the following reserves have been changed.

DOLA File 940/969.

Reserve No. 34513 (Carnarvon Lot 1305) being changed from "Government Requirements" to "Arboretum".

Public Plan: AN54 (02) 09.07 and 10.07 Robinson Street. Local Authority—Shire of Carnarvon.

DOLA File 636/980.

Reserve No. 36859 (Wellington Location 5327) being changed from "Drain" to "Water Supply".

Public Plan: Peppermint Grove Beach BF30 1:2 000 34.10 Seabreeze Court. Local Authority—Shire of Capel.

DOLA File 4924/951.

Reserve No. 23420 (Greenbushes Lot 342) being changed from "Government Requirements" to "Aged Persons Accommodation".

Public Plan: Greenbushes 1:2 000 26.15 Mort Street. Local Authority—Shire of Bridgetown-Greenbushes.

DOLA File 5497/926.

Reserve No. 19747 (Williams Location 15648) being changed from "Timber (Mallett)" to "Landscape Protection".

Public Plan: Congelin N.E. 1:25 000 Congelin Narrogin Road. Local Authority—Shire of Cuballing.

DOLA File 2221/989.

Reserve No. 41156 (Swan Location 11239) being changed from "Recreation and Parkland" to "Recreation, Parkland and Temporary Refuse Disposal Site".

Public Plan: Perth 1:2 000 21.21, 21.22 and 21.23 Dawson Avenue. Local Authority—Shire of Kalamunda.

DOLA File 1148/78.

Reserve No. 35825 (Swan Location 9647) being changed from "Government Requirements (Mental Health Services)" to "Hostel and Day Care Centre".

Public Plan: Perth 1:2 000 14.30 Boulton Street. Local Authority—City of Stirling.

DOLA File 2499/962.

Reserve No. 27246 (Kununurra Lots 236, 966 and 1520) being changed from "Caravan Park" to "Use and Requirements of the Shire of Wyndham-East Kimberley".

Public Plan: Kununurra 1:2 000 23.16 Bloodwood Drive.

DOLA File 4368/969.

Reserve No. 32713 (Canning Location 2584) being changed from "Public Recreation" to "Public Recreation and Drainage".

Public Plan: Perth 2 000 BG34 23.20 Nelson Crescent. Local Authority—Shire of Kalamunda.

DOLA File 1307/989.

Reserve No. 23707 (Merredin Lots 1422, 1423, 1425 and 1428) being changed from "Railway Housing" to "Use and Requirements of the Minister for Works".

Public Plan: Merredin 1:2 000 36.36 Muscat Street. Local Authority—Shire of Merredin.

DOLA File 1399/965V2.

Reserve No. 27651 (Kununurra Lot 76) being changed from "Government Requirements" to "Use and Requirements of the Minister for Works".

Public Plan: Kununurra 1:2 000 23.16 Coolibah Drive. Local Authority—Shire of Wyndham-East Kimberley.

A. A. SKINNER, Chief Executive Officer.

LB201

**LAND ACT 1933**  
**CANCELLATION OF RESERVES**

Made by His Excellency the Governor under section 37.

The following reserves have been cancelled.

DOLA File 977/990

Reserve No. 1879 (at Mount Barker) "Post and Telegraph Offices".

Public Plan Mt Barker C38.08 Ormond Road.

Local Authority—Shire of Plantagenet.

DOLA File 5100/914

Reserve No. 15657 (Corrigin Lot 102) "Use and Requirements of the Minister for Works".

Public Plan Corrigin 1:2 000 12.23 Davies Street.

Local Authority—Shire of Corrigin.

DOLA File 6013/07

Reserve No. 12128 (Wungong Lots 49, 86 and 98) "Excepted from Sale".

Public Plan Peel 1:2 000 22.39, 22.40 Wilson Street.

Local Authority—City of Armadale.

DOLA File 7129/13

Reserve No. 15857 (Wungong Lot 97) "Church Site (Congregational)".

Public Plan Peel 1:2 000 22.39 off Moore Street.

Local Authority—City of Armadale.

DOLA File 5829/50  
Reserve No. 23199 (Wungong Lots 87 and 88) "Rubbish Depot".  
Public Plan Peel 1:2 000 22.40 Wilson Street.  
Local Authority—City of Armadale.  
DOLA File 1538/53  
Reserve No. 23848 (Wungong Lots 84 and 85) "Hall Site and Parking".  
Public Plan Peel 1:2 000 22.39 Wilson Street.  
Local Authority—City of Armadale.  
DOLA File 6062/911  
Reserve No. 14513 (Esperance Location 682) "Water".  
Public Plan Caitup 1:50 000 near Old Ford Road.  
Local Authority—Shire of Esperance.  
DOLA File 1034/961  
Reserve No. 25944 (Narrogin Lot 804) "Community Purposes".  
Public Plan Narrogin BJ 31 10.36 Williams Road.  
Local Authority—Town of Narrogin.  
DOLA File 1970/963  
Reserve No. 27251 (Boxwood Hill Lot 40) "Railway Purposes".  
Public Plan Boxwood Hill Townsite Melaleuca Road.  
Local Authority—Shire of Jerramungup.  
DOLA File 1100/950  
Reserve No. 41769 (Albany Lots 701 and 702) "Use and Requirements of the Minister for Works".  
Public Plan Albany 1:2 000 11.05 Suffolk Street.  
Local Authority—Town of Albany.  
DOLA File 2264/896V2  
Reserve No. 3340 (at Wandering) "Stopping Place for Teams".  
Public Plan Wandering Townsite.  
Local Authority—Shire of Wandering.  
DOLA File 4247/974  
Reserve No. 33227 (Swan Location 9123) "Government Requirements (M.W.S.S. and D. Board)".  
Public Plan Perth 1:2 000 9.23 Mimosa Avenue.  
Local Authority—City of Nedlands.  
DOLA File 5657/951  
Reserve No. 23365 (Bencubbin Lot 136) "Use and Requirements of the Minister for Works".  
Public Plan Bencubbin 2 000 12.32 Brown Street.  
Local Authority—Shire of Mount Marshall.  
DOLA File 911/989  
Reserve No. 38024 (Fremantle Lot 2007) "Conservation and Management of Historic Buildings and Ancillary and Beneficial Uses Thereto".  
Public Plan Perth 1:2 000 BG34 07.13 Parry Street.  
Local Authority—City of Fremantle.  
DOLA File 577/978  
Reserve No. 35456 (Fremantle Lot 1973) "Conservation and Management of Historic Buildings and Ancillary and Beneficial Uses Thereto".  
Public Plan Perth 1:2 000 BG34 07.13 Henderson Street.  
Local Authority—City of Fremantle.  
DOLA File 7257/898  
Reserve No. 18312 (Williams Location 12710) "Recreation and Camping".  
Public Plan Hillman N.E. 1:25 000 (2231-11 N.E.) near Coalfields Road.  
Local Authority—Shire of West Arthur.  
DOLA File 5393/25  
Reserve No. 19035 (Kojonup District (Lumeah)) "Agricultural Hall Site".  
Public Plan Warrenup N.W. 1:25 000 Albany Highway.  
Local Authority—Shire of Kojonup.

A. A. SKINNER, Chief Executive Officer.

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, the land specified in the Notice is now declared to be absolutely dedicated as a public street.

Notice

Shire of Mundaring (DOLA File 740/992)

- (a) Road No. 18409 (Dodington Place). A strip of land, plus widenings, as delineated and bordered green on Office of Titles Plans 14667 and 15177. (Extension). The whole of the surveyed way, commencing at the eastern terminus of Dodington Place and extending generally northeastwards to its terminus at the southwestern boundary of Lot 151 of portion of Swan Location 1854 (Office of Titles Diagram 67638), as delineated and coloured brown on Office of Titles Diagram 75619.
- (b) Road No. 18410. The whole of the surveyed way, plus widenings, commencing at the southeastern side of the surveyed way described in (a) above and extending generally southwards to its terminus, as delineated and coloured brown on Office of Titles Diagram 75619.

Public Plan: BG34 (2) 30.33, 30.34 (Perth).

A. A. SKINNER, Chief Executive Officer,  
 Department of Land Administration.

**LOCAL GOVERNMENT**

LG301

**DOG ACT 1976**  
*Municipality of the Shire of Ashburton*  
 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 21st day of January 1992, to make and submit for confirmation by the Governor the following By-law amendment.

The By-laws of the Shire of Ashburton relating to dogs published in the *Government Gazette* on 25 February 1983, and amended by notice in the *Government Gazette* on 16 March 1990 and 23 November 1990, are hereby amended in the following manner:

1. Delete the first Schedule and substitute the following:

Item	By-Law No.	First Schedule FEES AND CHARGES	Fee \$
1.	3	Seizure and return of a dog without impounding it .....	10.00
2.	3	Seizure and impounding of a dog .....	30.00
3.	3	Maintenance of a dog in a pound per day or part of a day .....	5.00
4.	4	Return of impounded dog outside normal hours .....	10.00
5.	5	Destruction of a dog .....	15.00
6.	10	Licence to keep an approved kennel establishment .....	30.00
7.	12	Renewal of licence to keep approved kennel establishment .....	30.00 "

Dated this 21st of January 1992.

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

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

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 31st day of March 1992.

D. G. BLIGHT, Clerk of the Council.

LG302

**LOCAL GOVERNMENT ACT 1960****SHIRE OF BUSSELTON (VALUATION AND RATING) ORDER No. 1, 1992**

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 Busselton (Valuation and Rating) Order No. 1, 1992*.

**Commencement**

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

**Authorisation to use gross rental value**

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

Dated 31 March 1992.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

---

**Schedule**

All that portion of land comprising Sussex Location 85, as shown on Land Administration Original Plan Sussex 4 and Certificate of Title 1275/962.

Department of Land Administration Public Plan: Yallingup SW and Pt. Clairault SE 1:25 000.

---

LG303

**LOCAL GOVERNMENT ACT 1960***Municipality of the Shire of Collie***By-law Relating to the Clearing of Land and Removal of Refuse, Rubbish and Disused Materials**

Pursuant to the powers conferred upon it by the *Local Government Act 1960*, the Council of the Municipality of the Shire of Collie resolved on the 23rd July 1991, to make and submit for confirmation by the Governor the following By-law.

**Citation**

1. This By-law may be cited as the *Shire of Collie By-law Relating to the Clearing of Land and Removal of Refuse, Rubbish and Disused Material*.

**Definitions**

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

“Clerk” means Shire Clerk of the Council;

“Council” means Collie Shire Council;

“District” means the district of the municipality of the Shire of Collie; and

“Material” means any refuse, rubbish, old motor vehicle body, old machinery or disused material of any kind.

**Notice to Clear Land or Remove Disused Material**

3. If there is on any—

(a) vacant land within the district any trees, scrub, or undergrowth; or

(b) land within the district any disused material,

which in the opinion of the Council is likely to affect adversely—

(c) the value of adjoining property within the neighbourhood; or

(d) the health, comfort or convenience of the inhabitants of the neighbourhood,

the Council may cause a notice in the form of Schedule A signed by the Clerk to be served on the owner or occupier of the land requiring the owner or occupier, within the time specified in the notice and to the satisfaction of the Council, to clear the land of the trees, scrub or undergrowth, or to re-site or screen, or to remove from the land, and dispose of, the disused material.

**Deposit of Disused Material**

4. (1) A person shall not deposit or cause or permit to be deposited, other than in a receptacle provided for that purpose, any disused material in or on any street or other land or place under the control of the Council.

(2) The Council, by notice in the form of Schedule B signed by the Clerk, may require a person who is in breach of this clause to remove and dispose of the disused material to the satisfaction of the Council.

**Compliance with Notice**

5. A person upon whom a notice has been served under clause 3 or clause 4 shall, within the time specified in the notice or within such additional time as may be granted by the Council—

- (a) comply with the notice; or
- (b) provide to the Council written reasons why—
  - (i) the land should not be cleared;
  - (ii) the disused material should not be removed, re-sited or screened; or
  - (iii) the notice should not have been issued.

**Withdrawal of Notice**

6. The Council having regard to the reasons provided under clause 5(b), may withdraw the notice by providing to the person to whom the notice was served written advice signed by the Clerk.

**Council may Clear Land or Remove Material**

7. (1) Where a person does not comply with a notice given by the Council under this By-law, the Council may clear the land or remove and dispose of the disused material.

(2) The expenses incurred by the Council in the execution of a power conferred upon it under this clause may be recovered in a court of competent jurisdiction from the person upon whom the notice was served.

(3) The Council shall not be liable to pay compensation or damages of any nature to the person upon whom the notice was served in relation to any action taken under this clause.

**Penalty**

8. A person who commits a breach of any provision of this By-law shall, on conviction, be liable to a penalty of not more than \$500 and to a daily penalty of not more than \$50 in respect of a continuing breach.

**Repeal**

9. The By-laws Relating to the Removal of Refuse, Rubbish or Other Material made by the Shire of Collie and published in the *Government Gazette* of 23rd December 1971 are revoked.

Schedule A

*Shire of Collie*

By-law Relating to the Clearing of Land and Removal of Refuse, Rubbish and Disused Materials

NOTICE TO OWNER OR OCCUPIER TO CLEAR LAND OR REMOVE DISUSED MATERIALS

To: .....

Pursuant to the provisions of the Shire of Collie By-law Relating to the Clearing of Land and Removal of Refuse, Rubbish and Disused Material, the Council, on

(date)

resolved that—

1 There is, on .....  
(description of land)

of which you are the owner or occupier, .....

(particulars of trees, scrubs or undergrowth and/or disused materials)  
which is likely to affect adversely the value of adjoining property within the neighbourhood or the health, comfort or convenience of the inhabitants of the neighbourhood; and

2 You are required, within ..... days from the date of this Notice, to:—

.....  
.....

(action to be taken to clear the land of trees, scrub or undergrowth, and/or remove from the land or re-site or screen the disused material.)

to the satisfaction of the Council.

Signed ..... Dated .....  
Shire Clerk

Schedule B  
*Shire of Collie*

By-law Relating to the Clearing of Land and Removal of Refuse, Rubbish and Disused Materials

NOTICE TO REMOVE DISUSED MATERIALS

To: .....  
.....

Pursuant to the provisions of the Shire of Collie By-law Relating to the Clearing of Land and Removal of Refuse, Rubbish and Disused Material, the Council, on

(date)

resolved that—

1 You appear to have deposited or caused or permitted to be deposited disused material, namely

.....  
.....  
(description of disused material)

on .....  
(description and location of site)

2 You are required, within ..... days from the date of this Notice, to remove and dispose of the disused material to the satisfaction of Council.

Signed ..... Date .....  
Shire Clerk

Dated this 18th day of September 1991.

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

R. B. PIMM, President.  
I. H. MIFFLING, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 31st day of March 1992.

D. G. BLIGHT, Clerk of the Council.

LG304

**LOCAL GOVERNMENT ACT 1960***Shire of Dandaragan*

## By-laws Relating to Holiday Accommodation

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 13th May, 1991 to amend its By-laws Relating to Holiday Accommodation published in the *Government Gazette* on 28th February, 1975—

- (a) Delete "\$2.50" in By-law 3 (2) and substitute "\$2.75"
- (b) Delete "\$50.00" in By-law 3 (2) and substitute "\$55.00".

The Common Seal of the Shire of Dandaragan was hereto affixed this 13th day of December, 1991, in the presence of—

G. SNOOK, President.

J. BALL, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 31st day of March 1992.

D. G. BLIGHT, Clerk of the Council.

LG305

**LOCAL GOVERNMENT ACT 1960***Municipality of the Shire of Northam*

## By-laws Relating to Extractive Industries

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 7th June 1991, to make and submit for the confirmation by the Governor the following amendment to its By-laws relating to Extractive Industries published in the *Government Gazette* on the 27th day of September 1974, and amended by notices published in the *Government Gazette* on 18th April 1975, 29th January 1982 and 26th July 1991.

The by-laws are amended as follows:

By-law 8 of the By-laws be amended by deleting the words "three thousand dollars" and substituting the words " an amount not exceeding ten thousand dollars ".

Dated this 7th day of June 1991.

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

D. R. ANTONIO, President.

A. J. MIDDLETON, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on this 31st day of March 1992.

D. G. BLIGHT, Clerk of the Council.

LG306

## LOCAL GOVERNMENT ACT 1960

## SHIRE OF NORTHAM (SPECIFIED AREA) ORDER No. 3, 1992

Made by His Excellency the Governor under section 548 (4) of the *Local Government Act 1960*.

**Citation**

1. This Order may cited as the *Shire of Northam (Specified Area) Order No. 3, 1992*.

**Commencement**

2. This Order shall take effect on and from the date it is published in the *Government Gazette*.

**Revocation of Previous Order**

3. The *Shire of Northam (Specified Area) Order No. 2, 1992* published in the *Government Gazette* of 10 January, 1992 on pages 71-72 is hereby revoked.

**Declaration of Specified Area**

4. The portion of the district of the Shire of Northam as described in the Schedule to this Order is declared to be a specified area to which section 548 (4) of the *Local Government Act 1960* applies.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

## Schedule

All those portions of land comprised in—

Office of Titles Lot No.	Land Administration Location No.	Lot or	Office of Titles Diagram No.	Office of Titles Plan No.	Certificate of Title or Land Administration Plan or Diagram
4	Avon Loc. 9014			14854	
6	Avon Loc. 9014			14854	
7	Avon Loc. 9014			14854	
8	Avon Loc. 9014			14854	
9	Avon Loc. 9014			14854	
12	Avon Loc. 9014			14854	
1	Avon Loc. 8439		55717		
2	Avon Loc. 8439		55717		
3	Avon Loc. 8439		55717		
3	Avon Loc. 3938			14704	
4	Avon Loc. 3938			14704	
5	Avon Loc. 3938			14704	
6	Avon Loc. 3938			14704	
8	Avon Loc. 3938			14704	
9	Avon Loc. 3938			14704	
13	Avon Locs. 3818 & 3938			14704	
14	Avon Locs. 3818 & 3938			14704	
15	Avon Loc. 3818			14704	
17	Avon Locs. 3818 & 3938			14704	
20	Avon Loc. 4063			14705	
21	Avon Locs. 3818 & 4063			14705	
23	Avon Locs. 3818 & 4063			14705	

Office of Titles Lot No.	Land Administration Location No.	Lot or	Office of Titles Diagram No.	Office of Titles Plan No.	Certificate of Title or Land Administration Plan or Diagram
28	Avon Loc. 4063			14705	
31	Avon Loc. 4063			14705	
5	Mokine A.A. Lots 5 & 6		48408		
50	Warranine Lot 132 & Mokine A.A. Lot 22		74440		
340	Warranine Lot 122 & Mokine A.A. Lot 23		65213		
	Warranine Sub Lot 106				OP Warranine 226
	Warranine Sub Area Lot 117				OP Warranine 226
	Warranine Sub Area Lot 123				OP Warranine 226
	Warranine Sub Area Lots 125-128 inc.				OP Warranine 226
	Warranine Sub Area Lot 131				OP Warranine 226
	Warranine Sub Area Lots 138-142 inc.				OP Warranine 226
	Warranine Sub Area Lot 145				OP Warranine 226
	Warranine Sub Area Lot 150				OP Warranine 226
	Warranine Sub Area Lot 156				OP Warranine 226
	Warranine Sub Area Lot 146				OP Warranine 226

LG308

**LOCAL GOVERNMENT ACT 1960***Municipality of the Town of Northam*

Revocation, Invocation and Application of By-laws in Relation to Land Annexed from the Shire of Northam

**By-law**

The boundaries of the districts of the Town of Northam were altered and adjusted by the Town of Northam and Shire of Northam (District and Ward Boundaries) Order No. 1 1991, so as to sever from the district of the Shire of Northam the land described in the Schedule to this Order ("the Land") and annexe the Land to the Town of Northam.

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 13th November 1991, to revoke the Shire of Northam By-laws over the Land and to invoke and make applicable all existing by-laws of the Municipality made pursuant to the Local Government Act 1960, in relation to the Land and to submit such revocation and invocation for confirmation by the Governor.

**Schedule**

All that portion of land bounded by lines starting from the southern corner of Lot 524 of Avon Location P, as shown on Office of Titles Plan 17921, a present southern corner of the Town of Northam and extending southwesterly along the northwestern boundary of Lot 360, as shown on Office of Titles Plan 13962, to the eastern corner of Lot 205, as shown on Office of Titles Plan 14847, thence northwesterly along the northeastern boundary of that lot to a line parallel to

and situated perpendicular 412 metres southeasterly from the northwestern boundary of Location P, a point on a present southeastern boundary of the Town of Northam and thence northeasterly and generally southeasterly along boundaries of that town to the starting point.

Dated this 16th day of December 1991.

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

V. S. OTTAWAY, Mayor.  
B. H. WITTBBER, Town Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on this 31st day of March 1992.

D. G. BLIGHT, Clerk of the Council.

LG309

**LOCAL GOVERNMENT ACT 1960**

**CITY OF WANNEROO (GATE ACROSS STREET) ORDER No. 2, 1992**

Made by His Excellency the Governor under the provisions of section 333 of the Local Government Act.

**Citation**

1. This order may be cited as the *City of Wanneroo (Gate Across Street) Order No. 2, 1992*.

**Authorisation**

2. The City of Wanneroo is hereby authorised to issue a licence to P & A Hill for the erection of a gate across Anderson Road, Pinjar for a period not exceeding two years.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

LG310

**LOCAL GOVERNMENT ACT 1960**

*Mindarie Regional Council*

**By-laws Relating to the Operation of "Tamala Park" Refuse and Recycling Facility**

In pursuance of the powers conferred upon it by the abovementioned Act and of all the powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 11th day of July 1991, to make and submit for confirmation by the Governor the following by-laws.

1. The operations of the landfill refuse facility known as Tamala Park shall be conducted in accordance with these by-laws.

**Interpretation**

2. In these by-laws, unless the context otherwise requires—

"Act" means the Local Government Act 1960, and such amendments as from time to time adopted by the Parliament of Western Australia.

"Authorised Staff Member" means a person employed by the Council and authorised in writing either the Council or the Secretary/Manager to carry out duties and functions at or in respect of Tamala Park or the Facility.

"Council" means the Mindarie Regional Council.

"Facility" means the property and buildings at Tamala Park and used for the disposal, treatment and recycling of waste material.

"Secretary/Manager" means the duly appointed Chief Executive Officer of the Council.

"Site-Controller" means an authorised officer of the Council charged with the conduct of operations at the Tamala Park facility and includes any person acting in that position.

"Tamala Park" means that portion of Lot 17 Marmion Avenue, Mindarie under control of the Council.

"Waste" means all manner of material discarded as being no longer required by the person owning or in possession of that material.

3. All persons using or entering upon the Facility shall be subject to the provisions of these by-laws.
4. The drivers of all vehicles entering the Facility shall observe the speed limits as depicted on standard signs erected in proximity to the access roadways.
5. All persons using or entering the Facility shall act in accordance with any lawful instruction given by the Site-Controller or authorized staff member.
6. In the event of a person contravening any of these by-laws or failing to obey the instructions of the Site Controller or an authorized staff member, then, and in addition to any penalty imposed by these by-laws, the Site Controller or authorized staff member may request the person to leave the Facility and failure to do so shall constitute a contravention of these by-laws.
7. No person shall place or dispose of Waste at the Facility other than at a place designated by notice or by an instruction of the Site Controller or an authorized staff member.
8. No person shall remove or carry away from the Facility any Waste unless authorised to do so by the Site-Controller.
9. No person shall damage, deface or otherwise cause a loss of value in any building, sign, plant and equipment of the Council situated on the Facility.
10. No person shall light any fire within the precincts of the Facility unless so authorised by the Site-Controller.
11. No person shall dig up, remove or otherwise damage native flora and growth contained at the Facility unless so authorised by the Site-Controller.
12. No person shall trap, chase, worry or otherwise injure or maim any native fauna at the Facility unless so authorized by the Site-Controller.
13. The Council may from time to time set and amend by resolution the hours of operation of the Facility and such hours will be displayed for public information.
14. The Council may from time to time set and amend by resolution a scale of fees and charges payable for admission to dispose of or dump waste at the Facility and such scale may specify classes and differing classes of case to which differing fees and charges shall apply.
15. No person shall enter the Facility to dispose of or dump waste without paying the appropriate admission fee or charge except in those circumstances where so authorised by the Council, the Secretary/Manager or the Site Controller.
16. It shall be an offence for any person to enter upon the Facility and dump any Waste without paying the appropriate charge.
17. No person shall dispose or dump at the Facility any liquid, toxic or hazardous Waste declared by the Health Department of Western Australia to be of a class which requires to be disposed of and treated at other declared facilities suitable for that class of Waste.
18. If any person contravenes by-law 17 hereof then in addition to the imposition of any penalty that person shall also be liable to Council for the cost of removing such liquid, toxic or hazardous Waste and of making good any damage thereby caused.
19. Any person who contravenes or fails to comply with any provision of these By-laws commits an offence and is liable on conviction to a penalty not exceeding \$400.

\_\_\_\_\_

Dated this 11th day of July 1991.

The Common Seal of the Mindarie Regional Council was hereunto affixed in the presence of—

\_\_\_\_\_

B. PRINCE, Chairman.  
R. FARDON, Secretary.

Recommended—

\_\_\_\_\_

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on the 31st day of March 1992.

\_\_\_\_\_

D. G. BLIGHT, Clerk of the Council.

LG311

**CEMETERIES ACT 1986**  
**METROPOLITAN CEMETERIES BOARD BY-LAW**

In pursuance of the powers conferred upon them by the abovementioned Act, and of every other power enabling them, the Metropolitan Cemeteries Board hereby records having resolved on the 28th day of February 1991 to make and submit for confirmation by the Governor the following By-law:

**PART I—PRELIMINARY**

**Repeal**

1. The following By-laws are hereby repealed.
  - (a) The By-laws made by the Trustees of the Karrakatta Cemetery under the provisions of the Cemeteries Act 1897, published in the *Government Gazette* on July 8th, 1970; as amended
  - (b) The By-laws made by the Trustees of the Pinnaroo Valley Memorial Park Public Cemetery under the provision of the Cemeteries Act 1897, published in the *Government Gazette* on June 2nd, 1978; as amended
  - (c) The By-laws made by the Trustees of the Midland Junction Cemetery under the provision of the Cemeteries Act 1897, published in the *Government Gazette* January 1st, 1904; as amended
  - (d) The By-laws made by the Trustees of the Guildford Public Cemetery under the provisions of the Cemeteries Act 1897, published in the *Government Gazette* July 30th, 1937 as amended.

**Citation**

2. This By-law may be cited as the Metropolitan Cemeteries Board By-law.

**Arrangement and Definitions**

3. (1) This By-law is divided into parts as follows—

PART I PRELIMINARY

PART II ADMINISTRATION

PART III RIGHTS OF BURIAL:

Division 1 Private Graves

Division 2 Public Graves

PART IV APPLICATIONS FOR FUNERALS:

Division 1 Application

Division 2 Time for Funerals

PART V FUNERAL DIRECTORS

PART VI SINGLE FUNERAL PERMITS

PART VII FUNERALS

Division 1 General

Division 2 Cremation

Division 3 Placement of Ashes

Division 4 Burial

PART VIII MONUMENTAL AND OTHER WORK

Division 1 Monumental Work

Division 2 Lawn Section

Division 3 Memorial Plaque Section

Division 4 General

Division 5 Licensing of Monumental Masons

Division 6 Single Monumental Work Permit

PART IX GENERAL

PART X OFFENCES AND MODIFIED PENALTIES

- (2) In this By-law unless the context requires otherwise:

“Act” means the Cemeteries Act, 1986;

“ashes” means so much of the remains after the due processes of cremation as may be contained in a standard sized cremation urn;

“Authorised Officer” means an officer or employee of the Board authorised by the Board to exercise any power conferred by an Act of Parliament or this By-law;

“Board” means the Metropolitan Cemeteries Board as constituted under Section 7 of the Act;

- "burial" has the same meaning as is given to it in the Act;
- "Cemeteries" means all cemeteries which the Governor by order has vested under the care, control and management of the Board.
- "Cemetery" means any one of the Cemeteries;
- "crypt" has the same meaning as vault;
- "Crematorium" has the same meaning as is given to it in the Cremation Act 1927.
- "dead body" has the same meaning as that expression in the Act;
- "funeral" includes the burial and cremation of a dead body and all associated processions and ceremonials but does not include so much of a ceremonial that is solely a religious rite;
- "Funeral Director" means a person, firm, or company holding a current funeral director's licence;
- "funeral director's licence" means a licence issued by the Board in accordance with clause 21 which entitles the holder to conduct funerals at the Cemeteries;
- "General Manager" means the General Manager for the time being appointed by the Board in accordance with Clause 4 and includes any person for the time being acting in that capacity in the absence of the General Manager;
- "Grant" means a grant of an exclusive right of burial in a specified area of a Cemetery which is granted by the Board in accordance with section 25 of the Act;
- "guide dog" has the same meaning as is given to that expression in the Dog Act 1976;
- "Holder" in relation to a Grant includes:
- (a) a person issued with a Grant by the Board in accordance with clause 7;
  - (b) a person for the time being appearing to the Board to be the Holder of that Grant;
- "mausoleum" means a building or construction wholly above or partially above and below ground level, so constructed as to allow the deposition of dead bodies into a compartment in the wall or floor and being sealed from view;
- "memorial" has the same meaning as is given to it in the Act;
- "Memorial Park" means the Pinnaroo Valley Memorial Park, appointed as a public cemetery reserved for the burial of the dead by proclamation of the Governor published in the *Government Gazette* of the 19th October, 1973;
- "monument" includes a tombstone, vault, enclosure or other approved form of memorial;
- "Monumental Mason" means a person, firm or company holding a current monumental mason's licence;
- "monumental mason's licence" means a licence issued by the Board in accordance with clause 63 which entitles the Holder to carry out monumental works within a Cemetery;
- "monumental work" when the term is used as an abstract noun shall include the erection, alteration or removal of or other working upon a monument on a grave;
- "personal representative" means:
- (a) the administrator of the estate or executor of the will of a deceased person;
  - (b) the person who, by law or practice, has the best right to apply for administration of the estate of a deceased person; or
  - (c) a person having the lawful custody of a dead body;
- "private grave" means a grave situated in a Cemetery in respect of which a Grant has been made under and in accordance with the Act and this By-law;
- "public grave" means a grave situated in a Cemetery which is not a "private grave";
- "set fee" refers to fees and charges set by a resolution of the Board and published in the *Government Gazette* in accordance with section 53 of the Act;

- “single funeral permit” means a permit issued by the Board in accordance with clause 25 which entitles the Holder to conduct a funeral at the Cemetery for the deceased persons named in the permit;
- “vault” means a below ground lined grave with one or more sealed compartments constructed to specifications approved from time to time by the Board;
- “vehicle” has the same meaning as is given to that word in the Road Traffic Act 1974 as amended from time to time, and includes trail bikes, beach buggies and other recreational vehicles licensed or unlicensed, but excludes a wheel chair being used by a physically impaired person.

## PART II—ADMINISTRATION

### Appointment of General Manager

4. The Board shall appoint a General Manager who shall, at its direction, exercise general supervision and control over all matters concerning the administration of the Cemeteries and the carrying out and enforcement of this By-law and, unless the Board otherwise resolves, all directions of the General Manager shall be deemed to have been given by order of the Board.

### Appointment of Employees

5. The Board may directly or by delegation to the General Manager appoint support staff to administer and supervise work within the Cemeteries and carry out such work as is required for the general care of the Cemeteries.

### Plans and Registers

6. (1) The Board shall establish and maintain:
- (a) a plan of each Cemetery showing the location and identifying number of every burial place or grave and the distribution of the land, compartments and sections;
  - (b) a register containing the identification numbers of graves and the names and description of the persons buried;
  - (c) a register of Grants made with respect to each Cemetery;
  - (d) a register of cremations containing the names and descriptions of any person cremated in each Cemetery; and
  - (e) a register of persons cremated whose ashes have been buried or disposed in each Cemetery.
- (2) The plans and registers referred to in sub-clause (1) shall be open for inspection by members of the public during normal office hours of the Board and upon payment of the set fee.

## PART III—RIGHTS OF BURIAL

### *Division 1—Private Graves*

#### Issuing Grants

7. (1) The Board may, upon the written application of a person and upon payment of the set fee, issue that person with a Grant.
- (2) The Grant shall be for a term of twenty five (25) years from the date of the Grant.

#### Rights of a Holder

8. (1) Subject to the provisions of this By-law and to the prior approval of the Board, a Grant confers upon the Holder thereof an exclusive right:
- (a) to bury the dead bodies of one or more deceased persons in a private grave; and
  - (b) to carry out monumental works on a private grave;
- during the term of the Grant.

(2) Notwithstanding sub-clause (1), the Board shall in its absolute discretion determine from time to time the number of dead bodies or ashes which may be placed in each private grave.

(3) The Board or an Authorised Officer may request the Holder to produce the Grant before the exercise of any of the rights referred to in sub-clause (1) and the Holder shall forthwith upon request deliver the Grant to the Board.

#### Renewal of a Grant of Right of Burial

9. (1) The Board may upon:
- (a) the written application of a Holder upon the expiry of a Grant; or
  - (b) the written application of a Holder within the period of one (1) month after the burial of a deceased person in a private grave (or such longer period as the Board may approve); and

(c) payment of the fee referred to in sub-clause (2),  
issue a new Grant with respect to that private grave.

(2) The set fee for the issue of a new Grant pursuant to this clause is a sum calculated in accordance with the following formula:

$$\frac{A \times B}{25}$$

where :

“A” means the number of complete years of the term of the preceding Grant that have expired; and

“B” means the set fee for a twenty five (25) year Grant.

(3) The Board may request the Holder to deliver the existing Grant to it prior to making a new Grant.

(4) The Holder shall forthwith upon receiving a request by the Board in accordance with sub-clause (3) deliver the existing Grant to the Board.

(5) The Board shall not issue a new Grant in respect of a private grave unless a burial has taken place more than five (5) years after the commencement of the term of the existing Grant.

#### **Replacement of a Grant**

10. (1) The Board may:

(a) upon the written application of a Holder; and

(b) upon the production of evidence to the satisfaction of the Board, issue a new Grant to replace a Grant which is lost or destroyed.

(2) Notwithstanding sub-clause (1), the Board may, prior to issuing a replacement Grant, require the Holder to make a statutory declaration substantially in the form prescribed in the First Schedule.

(3) A replacement Grant issued by the Board shall be deemed to be the original Grant.

#### **Transfer of Grant**

11. A Holder who desires to transfer a Grant to another person shall make an application to the Board in the form prescribed by the Second Schedule and upon receipt of the application the Board may grant permission in accordance with section 26 of the Act.

#### **Exercising the Rights of a Holder**

12. If evidence is produced in writing to the satisfaction of the Board that the Holder is unavailable or not immediately ascertainable, or has died and has not specifically bequeathed the Grant, then the rights conferred upon that Holder may be exercised by the Holder's personal representative or a person acting expressly on behalf of the personal representative. If those persons are unavailable or not immediately ascertainable, then the Board may approve any other person.

### *Division 2—Public Graves*

#### **Allocation of Public Graves**

13. (1) The allocation of a public grave to a person by the Board shall not confer any right upon that person other than the right to inter in the public grave the deceased person for whom it was requested.

(2) The Board shall retain all rights and powers in respect of every public grave allocated in accordance with sub-clause (1) as if the public grave were held by it prior to the allocation and the Board may, without limitation, re-open the grave to:

(a) disinter and reinter the remains buried therein;

(i) in the same grave;

(ii) in another grave within the Cemetery; or

(iii) elsewhere in accordance with the Act;

(b) disinter and cremate the remains buried therein; or

(c) inter further remains of other deceased persons.

## PART IV—APPLICATION FOR FUNERALS

*Division 1—Applications***Application to hold a Funeral**

14. (1) A person who desires to hold a funeral within a Cemetery shall, in the case of the burial of a dead body:

(a) make an application to the Board in the form prescribed by the Third Schedule; and

(b) lodge with the application referred to in paragraph (a):

(i) evidence to the satisfaction of the Board that the Holder of that Grant has consented to or would not object to the burial; or

(ii) an application for a Grant or an application for a Grant of Right of burial in a public grave.

(2) A person who desires to hold a funeral within a Cemetery shall, in the case of the cremation of a dead body:

(a) make an application to the Board in the form prescribed in the Fourth Schedule; and

(b) lodge with the application referred to in paragraph (a) a permit to cremate issued in accordance with the Cremation Act 1927.

(3) All applications referred to in sub-clauses (1) and (2) shall be accompanied by:

(a) a doctor's certificate for burial or disposal of the dead body; or

(b) a coroner's order for burial; and

(c) a certificate of identification in accordance with clause 15.

(4) All applications to hold a funeral must be lodged at the office of the Board in such time as to permit at least five (5) working hours notice to be given prior to the time requested to be fixed for the funeral.

(5) All applications to hold a funeral on a Saturday must be lodged at the office of the Board no later than 2.30 pm on the day before the funeral unless a later time is approved by the Board.

**Certificate of Identification**

15. (1) After a deceased person is placed in a coffin and prior to a deceased person being removed to a Cemetery, or Crematorium within a Cemetery, a person who personally knew the deceased shall identify the dead body and shall complete the form prescribed in the Fifth Schedule unless:

(a) in the opinion of the Funeral Director, the dead body is not in a fit state to be viewed; or

(b) after reasonable effort the Funeral Director is unable to arrange for a person to identify the dead body.

(2) Where:

(a) in the opinion of the Funeral Director, the dead body is not in a fit state to be viewed; or

(b) after reasonable effort the Funeral Director is unable to arrange for a person to identify the dead body,

then the Funeral Director shall complete the form prescribed in the Sixth Schedule.

*Division 2—Times for Funerals***Receipt of the Application for a Funeral**

16. Upon receipt of a properly completed application form in accordance with clause 14 and all other things required by this By-law, the Board shall:

(a) fix a time for the funeral; and

(b) dig or reopen any grave that is required or reserve the venue for a cremation service (as the case may be).

**Fixing Times for a Funeral**

17. The time fixed for a funeral is at the discretion of the Board but subject to this By-law will be as near as possible to the time requested by the applicant.

**Times for Burials and Cremations**

18. (1) A person shall not carry out a burial or cremation:

(a) on Christmas Day;

(b) on Good Friday; or

(c) at any time other than during the following days and hours:

Monday to Thursday—8.00 am to 4.00 pm

Friday —8.00 am to 3.30 pm

Saturday —8.00 am to 11.00

except with the written permission of the Board.

(2) The Board may, by notice displayed at Board offices, at least one week before a Public Holiday, close any Cemetery on that Public Holiday and where a Cemetery is so closed no funeral may take place within it, except with the written permission of the Board.

#### **Admittance of Coffins**

19. A person shall not bring a coffin into a Cemetery other than during the hours referred to in clause 18(1)(c), except with the written permission of the Board.

### **PART V—FUNERAL DIRECTORS**

#### **Directing a Funeral**

20. A person shall not direct a funeral within a Cemetery or otherwise make use of a Cemetery for any purpose connected with directing a funeral unless that person is:

- (a) a Funeral Director;
- (b) an employee of the Funeral Director;
- (c) the holder of a single funeral permit issued in accordance with clause 25.

#### **Funeral Director's Licence**

21. (1) The Board may upon receipt of an application in writing by any person in the form prescribed in the Seventh Schedule and upon payment of the set fee, issue to the applicant a funeral director's licence authorising the holder to direct funerals within a Cemetery at such times and on such days and subject to such conditions as the Board shall specify upon the issue of that licence or in this By-law.

(2) If the application referred to in sub-clause (1) is approved by the Board, the Board shall issue to the applicant a licence in the form prescribed in the Eighth Schedule.

(3) Any person who is the holder of a current funeral director's licence may apply for a new licence for the then following year by lodging with the Board an application form prescribed in the Seventh Schedule and upon payment of the set fee.

#### **Period of Licence**

22. (1) A funeral director's licence:

- (a) shall be valid from the date specified therein until the 30th day of June next following the date of commencement of the licence or until the licence is determined pursuant to clause 24, whichever shall occur sooner; and
- (b) shall not be transferable.

(2) Any person who is the holder of a current funeral director's licence may apply for a new licence for the then following year by lodging with the Board an application form prescribed in the Seventh Schedule and upon payment of the set fee.

#### **Responsibilities of the Holder of a Funeral Director's Licence**

23. The holder of a funeral director's licence shall be responsible for the compliance by every person purporting to be authorised to direct a funeral within a Cemetery pursuant to that licence with:

- (a) all the requirements of:
  - (i) the licence,
  - (ii) this By-law; and
  - (iii) the Act; and
- (b) the conditions imposed by the Board in respect of that licence.

#### **Cancellation of a Funeral Director's Licence**

24. (1) The Board may, by notice in writing to the holder of a funeral director's licence, cancel the licence if:

- (a) the holder of the licence or any employee of the holder has committed a breach of this By-law, the Act, the Cremation Act 1927 or any of the conditions upon which the licence was issued;

- (b) in the opinion of the Board, the conduct of the holder of the funeral director's licence or any employee of the holder in directing or attempting to direct any funeral within a Cemetery is inappropriate or unbecoming;
  - (c) the holder of the funeral director's licence has purported to transfer the licence issued to that holder;
  - (d) the funeral director's licence was issued erroneously or in consequence of a false or fraudulent document, statement or representation;
  - (e) the fee for the funeral director's licence is due and unpaid;
  - (f) the holder of the funeral director's licence is convicted of an offence against this Act or this By-law; or
  - (g) the Board is no longer satisfied that the holder of the funeral director's licence:
    - (i) is of good repute and is fit to hold a funeral director's licence; or
    - (ii) has suitable facilities and equipment for handling and storing dead bodies and conducting funerals.
- (2) Upon the cancellation of a licence pursuant to this clause, no part of any fee paid for the issue of that licence is refundable by the Board.

#### PART VI—SINGLE FUNERAL PERMITS

##### Application for a Single Funeral Permit

25. The Board may upon receipt of an application in writing by any person in the form prescribed by the Ninth Schedule and upon payment of the set fee issue to the applicant a single funeral permit authorising the holder to direct the funeral of the person named in the permit within a Cemetery at such time and subject to such conditions as the Board shall specify upon the issue of that permit or in this By-law.

##### Specifications and Details

26. Every application for a single funeral permit made in accordance with clause 25 shall include coffin specifications and details of the vehicle transporting the dead body to the grave site or Crematorium.

#### PART VII—FUNERALS

##### Division 1—General

##### Requirements as to Coffins

27. A person shall not bring a dead body into a Cemetery unless:
- (a) the Board has received an application for the burial or cremation of that dead body in accordance with clause 14;
  - (b) it is enclosed in a coffin which in the opinion of the Board is structurally sound and bears the name of the deceased person indelibly inscribed in legible characters on a plate on the coffin's lid; and
  - (c) under the plate referred to in paragraph (b) there is a substantive lead strip bearing the surname of the deceased person stamped in legible characters, each character being not less than 10mm in height.

##### Funeral Processions

28. (1) Where:
- (a) a funeral procession fails to arrive at a Cemetery at the time fixed by the Board for the funeral; or
  - (b) all the forms prescribed by this By-law to hold and direct a funeral at a Cemetery are not presented to an Authorised Officer at a Cemetery at the time fixed by the Board for the funeral,

then the applicant who applied to hold the funeral under clause 14 shall pay the set fee for being late or make a written application to the Board requesting another time to be fixed for the funeral.

(2) Where a funeral procession fails to proceed to the Crematorium or grave site of a Cemetery within seven (7) minutes of arrival at a Cemetery, the applicant who applied to hold the funeral shall pay the set fee for being late.

(3) No funeral procession at a Cemetery shall include more than:

- (a) one funeral director's hearse; and
- (b) four (4) mourning coaches, without the prior approval of the General Manager.

*Division 2—Cremation***Metal or Metal Lined Coffins**

29. Metal or metal lined coffins shall not be accepted by the Board for cremation at a Cemetery.

**Polyvinyls**

30. The use of polyvinyl or its derivative, polyurethane, aerosol cans, other sealed containers and/or glass in or upon coffins presented for cremation at a Cemetery is prohibited.

**Depositing the Coffin**

31. (1) The Funeral Director shall deposit the coffin for cremation upon the catafalque in the Crematorium chapel or at such other position within a Cemetery as may be determined from time to time by the Board.

(2) Once the coffin has been deposited for cremation in accordance with sub-clause (1), all further services will be rendered by and be under the sole control of the Board.

**Removal of the Name Plate and Lead Strip**

32. The Board shall remove the name plate and lead strip from the coffin prior to cremation at a Cemetery and the lead strip shall be placed in the container with the ashes.

**Removal of Metal Fittings**

33. The Board may remove any metal fittings on coffins presented for cremation at a Cemetery which in the opinion of the Board could impede the cremation or cause damage to the cremation equipment.

*Division 3—Placement of Ashes***Directions to Place Ashes**

34. (1) Where the personal representative of a deceased person whose body has been cremated:

- (a) has not given directions for the placement of ashes in the application for a cremation referred to in clause 14; or
- (b) wishes to vary the directions for the placement of ashes specified in the application for a cremation referred to in clause 14,

then the personal representative may apply to the Board in the form prescribed by the Tenth Schedule for permission to dispose of the ashes in a Cemetery and upon payment of the set fee the Board may grant permission for the ashes to be disposed of by one of the methods specified in the Eleventh Schedule.

(2) Subject to sub-clauses (3) and (4), a person shall not place the ashes of a deceased person in a Cemetery.

(3) An Authorised Officer may place the ashes of a deceased person in a Cemetery provided:

- (a) the person requesting the placement of the ashes has the permission of the Board; and
- (b) the ashes are placed within an area set aside for that purpose by the Board.

(4) An Authorised Officer may place the ashes of a deceased person within a family grave provided:

- (a) any monumental work commemorating the deceased person is in accordance with Part VIII of this By-law;
- (b) the ashes are not deposited in an above ground repository; and
- (c) the person requesting the placement of the ashes has the written permission of the Board.

**Availability of Ashes**

35. Subject to compliance with clause 34, and upon the payment of the set fee, the ashes of a deceased person that have not been placed within a Cemetery will be made available to a personal representative of the deceased person during the normal office hours of the Board after the expiration of twenty four hours (24) after the completion of the cremation at a Cemetery.

**Ashes held by the Board**

36. (1) If within six (6) months after the date of cremation at a Cemetery:

- (a) the ashes of the deceased person have not been claimed; or
- (b) no arrangements have been made for the placement of the ashes of a deceased person by the personal representative,

then the Board may dispose of the ashes at its discretion.

(2) Where the ashes of a deceased person are held by the Board at the request of the personal representative after the expiration of six (6) months from the date of cremation then the personal representative shall pay the set fee, which fee shall be payable monthly in advance.

(3) In the event that the legal representative defaults in the payment of the fee referred to in sub-clause (2), the Board may dispose of the ashes.

#### *Division 4—Burials*

##### **Depth of Graves**

37. (1) The Board may from time to time determine the depth to which a grave in a Cemetery is dug.

(2) Every grave prepared by the Board shall be dug at least 1.8m deep unless otherwise determined by the Board.

(3) Notwithstanding sub-clause (1), no grave shall exceed 2.3m in depth.

##### **Vaults**

38. (1) A person shall not construct a brick grave crypt or vault within a Cemetery other than:

(a) in an area set aside from time to time by the Board for that purpose;

(b) with the written permission of the Board; and

(c) in compliance with any specifications and conditions specified in the written permission referred to in paragraph (b).

(2) The Board may upon receipt of an application in writing by any person and upon payment of the set fee construct a vault within a Cemetery which vault shall at all times remain the property of the Board.

##### **Burying a Coffin**

39. A person shall not bury a coffin within a Cemetery in such a manner that the distance from the top of the coffin to the original surface of the ground is less than 900mm.

##### **Re-opening a Grave**

40. (1) Subject to sub-clause (2), if for the purpose of re-opening a grave in a Cemetery the Board finds it necessary to remove a monument, edging, tiles, plants, grass, shrubs or other like matter from the grave, then the person ordering the re-opening of that grave shall bear the cost of the removal and any necessary reinstatement.

(2) If the Minister orders the exhumation of a body in accordance with Section 58 of the Act then, the Minister may further order how and by whom the costs referred to in sub-clause (1) shall be met.

(3) In this clause, the word "Minister" has the same meaning as is given to that expression in the Act.

##### **Disintering a Coffin**

41. (1) Subject to sub-clause (2), a person shall not disinter a coffin in a Cemetery for the purposes of re-burial within twelve (12) months after the date of its interment.

(2) Sub-clause (1), shall not apply where the coffin is disintered for the purposes of the exhumation of a dead body and the exhumation is ordered or authorised pursuant to the Act.

##### **Exhumation**

42. A person shall not disinter a coffin in a Cemetery for the exhumation of a dead body unless:

(a) the exhumation is ordered or authorised pursuant to the Act; or

(b) the Holder of the grant of right of burial has applied in writing to the Board requesting the exhumation and the Board has authorised the exhumation.

##### **Opening a Coffin**

43. (1) A person shall not open a coffin in a Cemetery unless:

(a) the coffin is opened for the purposes of the exhumation of a dead body; or

(b) that person has produced to the Board an order signed by the Commissioner of Police and the Board has approved the opening of that coffin.

(2) In this clause:

“Commissioner of Police” means the Commissioner of Police for the time being appointed under the Police Act 1892 and includes any person for the time being acting in that capacity in the absence of the Commissioner of Police.

## PART VIII—MONUMENTAL AND OTHER WORK

### *Division 1—Monumental Work*

#### **Placement of Monumental Work**

44. (1) Other than with the permission and in a manner approved by the Board a person shall not place monumental work upon:

- (a) a public grave;
- (b) a military grave; or
- (c) a private grave.

(2) A person shall not place a mausoleum in a Cemetery.

(3) Notwithstanding sub-clause (1)(b), the Office of Australian War Graves:

- (a) may place monumental work upon a military grave; and
- (b) is not required to pay the set fee for any monumental work that is placed upon a military grave.

(4) A person shall not place monumental work upon a grave unless the number of that grave is indelibly and legibly inscribed on the base of that monument.

#### **Kerbing**

45. (1) The Board may from time to time set aside any part of a Cemetery for graves that are not to be enclosed by kerbing.

(2) A person shall not enclose a grave with kerbing where the grave is situated:

- (a) in a lawn section of a Cemetery;
- (b) in a memorial plaque section of a Cemetery; or
- (c) in a part of a Cemetery set aside under sub-clause (1).

### *Division 2—Lawn Section*

#### **Specifications of Monuments**

46. (1) All monuments in the lawn section of a Cemetery shall:

- (a) be made of natural stone;
- (b) be placed upon a base of natural stone;
- (c) comply with the following specifications:
  - (i) the overall height of the monument above the original surface of the grave shall not exceed 1.05m;
  - (ii) the height of the base of the monument above the original surface of the grave shall not be less than 150mm nor more than 450mm;
  - (iii) the width of the base of the monument shall not exceed 1.20m;
  - (iv) the depth of the base of the monument shall not exceed 300mm;
- (d) have foundations extending to the bottom of the grave unless concrete beam foundations are provided by the Board.

(2) An admiralty bronze memorial plaque may be attached to a monument erected or being erected in the lawn section of a Cemetery.

(3) A person shall not display any trade names or marks upon any monument within the lawn section of a Cemetery.

#### **Headstones**

47. No portion of a headstone in a lawn section of a Cemetery shall protrude outside the area of the perimeter of the base of that headstone.

### *Division 3—Memorial Plaque Section*

#### **Requirements of a Memorial Plaque**

48. (1) All memorial plaques placed in a memorial plaque section of a Cemetery shall:

- (a) be made of admiralty bronze or any other material approved by the Board;
- (b) not be less than the dimensions 380mm x 280mm, nor more than 560mm x 305mm; and
- (c) bear an inscription approved by the Board.

- (2) All memorial plaques made of admiralty bronze shall:
  - (a) not exceed 20mm in thickness; and
  - (b) be placed upon a base mounting approved by the Board.
- (3) All memorial plaques made of stone shall:
  - (a) not exceed 50mm in thickness placed upon a base mounting approved by the Board; or
  - (b) not be less than 100mm in thickness if it is not to be placed upon a base mounting.

*Division 4—General*

**Carrying out Monumental Work**

49. (1) A person shall not carry out monumental work upon a grave within a Cemetery:

- (a) unless the monumental work has first been approved by the Board; and
- (b) except in accordance with plans and specifications first approved by the Board.

**Application for Monumental Work**

50. (1) The Board may upon receipt of an application in writing by any person in the form prescribed by the Twelfth Schedule and upon payment of the set fee issue to the Applicant a permit authorising the Holder to carry out monumental work upon a particular grave specified in the application at such time and on such days and subject to such conditions as the Board shall specify upon the issue of that permit or in this By-law.

- (2) All applications referred to in sub-clause (1) shall be accompanied by:
  - (a) the plans and specifications of the monument, which plans and specifications shall include precise details of all words, designs and pictures intended to be inscribed upon or attached to the monumental work;
  - (b) the written consent of the Holder of the Grave;
  - (c) the quoted cost of the proposed monumental work.

(3) The Board may reject any application referred to in sub-clause (1) where it considers the proposed monumental works are inappropriate or unbecoming.

**Monuments to be Kept in Good Repair and Condition**

51. The Holder shall keep the grave the subject of the grant and all monuments upon it in good repair and condition.

**Placing of Glass Domes and Vases**

52. A person shall not place glass domes, vases or other grave ornaments:
- (a) outside the perimeter of a grave in a Cemetery; or
  - (b) on the lawn in an area set aside by the Board as a lawn or a memorial plaque section.

**Plants and Trees**

53. A person shall not plant trees, shrubs or plants on the surface of or within one metre of the outside perimeter of any grave in a Cemetery without the prior approval of the Board.

**Materials**

54. (1) A person who proposes to carry out monumental work in a Cemetery shall:

- (a) use material of good quality; and
- (b) not use any plastic or epoxy based substances for the in-filling of inscriptions on headstones, tablets or any other monumental work.

(2) An Authorised Officer may reject any material that in the Officer's opinion is not good quality and the person who brought such material into the Cemetery shall forthwith remove it therefrom.

**Use of Wood**

55. A person shall not place wooden fences, railings, crosses or other wooden erections within a Cemetery unless:

- (a) the wooden material is a temporary marker; and
- (b) the person has obtained the prior approval of the Board.

**Operation of Work**

56. All material required in the erection or completion of any monumental work shall:

- (a) be prepared as far as practicable before being brought into a Cemetery; and
- (b) be admitted at such entrances of a Cemetery and at such times as the General Manager may direct.

**Placement of Monumental Work**

57. (1) A person shall not place monumental work in a Cemetery other than on proper and substantial foundations to the satisfaction of an Authorised Officer.

(2) Notwithstanding Clause 46(d), all monuments in a Cemetery exceeding 1.8m in height when erected or 500kgs in weight shall have foundations extending to the bottom of the grave.

**Placement of Rubbish**

58. (1) A person shall not place rubbish soil, sand or any other surplus material resulting from monumental work upon any grave.

(2) Notwithstanding Clause 59, a person carrying out monumental work within a Cemetery shall remove from that Cemetery all surplus material resulting from that work, upon its completion.

**Removal of Sand, Soil or Loam**

59. Subject to Clause 58(2), a person shall not remove sand, soil or loam from any portion of a Cemetery unless that person has the permission of the Board.

**Supervision**

60. (1) All monumental work within a Cemetery shall be carried out in a professional manner subject to the direction and/or supervision of an Authorised Officer.

(2) All persons carrying out monumental work within a Cemetery shall forthwith comply with any direction given by an Authorised Officer in accordance with sub-clause (1).

**Hours of Work**

61. A person shall not work within a Cemetery without the permission of the General Manager or a person authorised by the Board:

- (a) other than during the days and hours specified in clause 18(1)(c);
- (b) on Saturdays and Sundays; or
- (c) on public holidays.

**Conditions of Work**

62. A person carrying out monumental work within a Cemetery shall not leave any uncompleted monumental work in an untidy or unsafe condition.

*Division 5—Licensing of Monumental Masons***Application for a Monumental Mason's Licence**

63. (1) The Board may upon receipt of an application in writing by any person, firm or company in the form prescribed in the Thirteenth Schedule and upon payment of the set fee issue to the applicant a monumental mason's licence.

(2) A licence issued under clause 63 (1) authorises the holder to carry out monumental works within a Cemetery subject to the provisions of this By-law and such conditions as the Board shall specify upon the issue of that licence.

**Period of Licence**

64. A monumental mason's licence:

- (a) shall be valid from the date specified therein until the 30th day of June next following the date of commencement of the licence or until the licence is determined pursuant to clause 67, whichever shall occur sooner; and
- (b) shall not be transferable.

**Carrying out Monumental Work**

65. A person shall not carry out monumental work within a Cemetery unless that person is the holder of a current valid monumental mason's licence issued pursuant to clause 63 or does so as the employee of or principal of a firm or a director of a company which holds such licence or is otherwise authorised by the Board.

### **Responsibilities of the Holder of a Monumental Mason's Licence**

66. The holder of a monumental mason's licence shall be responsible for the compliance by every person purporting to be authorised to carry out monumental works within a Cemetery pursuant to that licence with all the requirements of the licence, this By-law, the Cemeteries Act and the Occupational Health Safety and Welfare Act and the conditions pursuant to which that licence was issued.

### **Cancellation of a Monumental Mason's Licence**

67. (1) The Board may by notice in writing to the holder of a monumental mason's licence determine the licence forthwith on any of the following grounds:

- (a) That the holder of the licence has committed a breach of this By-law, the Cemeteries Act, the Occupational Health Safety and Welfare Act or any of the conditions upon which the licence was issued;
- (b) That, in the opinion of the Board, the conduct of the holder of the licence or any person in the employ of that holder in carrying out or attempting to carry out any works within a Cemetery, is inappropriate or unbecoming; or
- (c) That the holder of the licence has purported to transfer the licence issued to that holder.
- (d) Upon determination of a monumental mason's licence under this clause no part of any fee paid for the issue of that licence is refundable by the Board.

#### *Division 6—Single Monumental Work Permits*

### **Application For a Single Monumental Work Permit**

68. The Board may upon receipt of an application in writing by any person in the form prescribed by the Fourteenth schedule and upon payment of the set fee issue to the applicant a single monumental work permit authorising the holder to place a monument within a Cemetery subject to such conditions as the Board shall specify upon the issue of that permit or in this By-law.

### **Specifications and Details**

69. Every application for a single monumental work permit made in accordance with clause 68 shall include an application for monumental work in the form prescribed by clause 50.

## **PART IX—GENERAL**

### **Vehicles**

70. (1) A person shall not drive a vehicle:

- (a) in a Cemetery at a speed exceeding 25kph;
- (b) in a Cemetery in any manner likely to cause detriment to the safety of pedestrians or other users of the Cemetery;
- (c) in a Cemetery other than on those roads directed to be used by an Authorised Officer;
- (d) in a Cemetery other than in accordance with the directions of an Authorised Officer; or
- (e) on any part of a Cemetery that is not a constructed roadway or parking area or designated by the Board as an area in which vehicles may be driven.

(2) A person shall not stand or park a vehicle on any part of a Cemetery:

- (a) if the standing or parking of vehicles on that part is prohibited at all times by a sign; or
- (b) so as to cause an obstruction to or impede the flow of traffic.

### **Animals**

71. (1) Subject to sub-clause (3), a person shall not bring an animal into or permit an animal to enter or remain in a Cemetery;

(2) Subject to sub-clause (3), the Board or an Authorised Officer may seize and remove any animal found in a Cemetery.

(3) Sub-clauses (1) and (2), shall not apply to a hearing impaired person or a person who is blind or partially blind and is accompanied by a hearing or guide dog.

**Fireworks or Firearms**

72. (1) A person shall not bring or discharge any fireworks within a Cemetery.

(2) A person shall not bring or discharge any firearms within a Cemetery except in the case of a military funeral when firearms may be brought into a Cemetery and discharged by members of the Defence Force.

(3) In this Clause, "Defence Force" has the same meaning as is given to that expression in the Defence Act 1903.

**Damaging and Removing Objects**

73. (1) Subject to sub-clause (2), a person shall not damage, remove or pick any tree, plant, shrub or flower in a Cemetery or any other object or thing on any grave or memorial or which is the property of the Board without the permission of the Board.

(2) A person may remove withered flowers from a grave or memorial.

(3) A person who removes withered flowers from a grave or memorial shall place them in a receptacle provided by the Board for that purpose.

**Advertising**

74. A person shall not carry on or advertise any trade, business or profession within a Cemetery without the prior written approval of the Board which consent may be granted subject to such conditions as the Board thinks fit.

**No Benefits or Gratuities**

75. A person employed by the Board shall not accept any gratuities or receive any financial benefit from any work undertaken within a Cemetery other than the remuneration or benefit paid or given to that person by the Board.

**Littering**

76. A person shall not:

(a) break or cause to be broken any glass, ceramics or other material in or upon a Cemetery;

(b) discard, deposit, leave or cause to be discarded, deposited or left any refuse or litter in or upon a Cemetery other than in a receptacle provided for that purpose.

**Disruption of Funeral Processions**

77. A person shall not obstruct, hinder or disrupt a funeral procession or ceremony within a Cemetery or commit a nuisance disrespectful of the feelings and welfare of other users of a Cemetery.

**Entry**

78. A person shall not enter or remain within a Cemetery other than during the hours between sunrise and sunset except with the approval of the Board or an Authorised Officer.

**Swimming**

79. A person shall not swim or wade in or remove fish or wildlife from lakes, tanks or other water features within a Cemetery.

**Filming**

80. A person shall not film a funeral or focus upon headstones and memorials within a Cemetery without the prior approval of:

(a) the next-of-kin of the deceased person whose funeral, headstone or memorial is being filmed; and

(b) the Board.

**Camping**

81. A person shall not camp in or upon a Cemetery.

**Lighting Fires**

82. A person shall not light a fire within a Cemetery without the prior approval of the Board.

**Obeying Signs and Directions**

83. A person shall obey all signs displayed, marked, placed or erected by the Board within a Cemetery and any other lawful direction of an Authorised Officer.

**Removal from a Cemetery**

84. (1) Any person failing to comply with any provision of this By-law or behaving in a manner that in the opinion of the Board or one of its Authorised Officers is in appropriate or unbecoming in a Cemetery may in addition to any penalty provided by this By-law be ordered to leave a Cemetery by the Board or an Authorised Officer.

(2) Any person failing to comply with an order to leave a Cemetery made pursuant to sub-clause (1) may be expelled from that Cemetery and shall not re-enter that Cemetery for a period of twenty-four (24) hours.

**PART X—OFFENCES AND MODIFIED PENALTY****Offence**

85. A person who commits a breach of any provision of this By-law commits an offence and shall on conviction be liable to a penalty not exceeding \$500 and if the offence is a continuing one to a further penalty not exceeding \$20.00 for every day or part of a day during which the offence is continued.

**Modified Penalties**

86. (1) A person who:

(a) receives an infringement notice pursuant to sub-section (1) of Section 63 of the Act; and

(b) does not contest that an offence was committed against this By-law, may, within the time specified in the notice, pay to the Board the modified penalty payable with respect to that offence.

(2) The offences and modified penalties prescribed with respect to offences against this By-law shall be as specified in the Fifteenth Schedule.

(3) The prescribed form of the notice referred to in Section 63 (1) of the Act is set out in the Sixteenth Schedule.

(4) The production of an acknowledgment from the Board of the payment of a modified penalty is a defence to a charge of the offence in respect of which that penalty was paid.

(5) If it appears to the Board that an alleged offence cannot be adequately punished by the payment of the modified penalty then the Board may refrain from accepting the modified penalty and may in lieu take proceedings against the alleged offender in a Court of Petty Sessions.

(6) A notice sent under section 63 (3) of the Act withdrawing an infringement notice served under section 63 (1) in respect of an offence alleged to have been committed against one of the provisions of this By-law shall be in or to the effect of the Seventeenth Schedule.

**First Schedule****CEMETERIES ACT 1986****METROPOLITAN CEMETERIES BOARD BY-LAW****Declaration of Ownership of Missing "Grant of Right of Burial"**

I, (a)

of (b)

do solemnly and sincerely declare as follows:

1. I am the person described as (c)  
in the Grant of Right of Burial numbered  
issued by the Metropolitan Cemeteries Board on the                    day  
of                    One                    thousand nine hun-  
dred and

2. (d)

3. I have not transferred any of my rights under the said Grant to any person. And I make this solemn declaration by virtue of Section 106 of the Evidence Act 1906.

Declared at Perth in the State of Western Australia  
this                    day of                    19                    before me:

(a) Full name of Declarant.

(b) Address and Occupation of Declarant.

(c) State whether Grantee or Assignee.

(d) Set out circumstances leading to loss or destruction of Grant, and if lost, action taken by Declarant to ascertain whereabouts of Grant.

Second Schedule
CEMETERIES ACT 1986
METROPOLITAN CEMETERIES BOARD BY-LAW

Transfer of Grant of Right of Burial

To the Members of the Metropolitan Cemeteries Board

I, ..... of ..... being the holder of a "Grant of Right of Burial" numbered ..... in the ..... Cemetery for good and valuable consideration do hereby Transfer and make over All my said Right to ..... of ..... and further request that the Board approve of and allow the transfer. Dated this ..... day of ..... 19....

Signature of Transferer

Signature of Transferee

Signature of Witness

Approved and allowed by the Board on the ..... day of ..... 19....

Chairman

Third Schedule
CEMETERIES ACT 1986
METROPOLITAN CEMETERIES BOARD BY-LAW

Application for Burial and Instruction for Grave

Application No. .... Surname of Deceased: ..... Other Names: ..... Occupation: ..... Address: ..... Suburb/Town: ..... (Street Name and Number) Age: . Date of Death: ...../...../19.... Date & Time of Burial: ...../...../19....m Religious Affiliation/Area: ..... Section: ..... Grave No: ..... Length & Width of Coffin: ..... Depth of Grave: ..... Size of Ground: ..... Grant Number: ..... Grave Type: P F G S N D or Q Place "X" in Box if First Interment [ ]

Male: [ ] Female: [ ]

Is a Grant Required: No: [ ] YES: [ ]

Other Application Numbers:

Three empty rectangular boxes for other application numbers.

Name and Address of Applicant for/or Current Holder of Grant of Right of Burial:

.....

Signature: ..... Date: ...../...../19....

Name of Minister or Person Officiating

Name of funeral Director:

Signature: ..... Date:...../.....19..

Signature: ..... Date:...../...../19..

Name and Address of Person Making Application for Burial:

.....  
.....

Signature: ..... Date: ...../...../19...

Doctor's Cert. Rec'd:  Coroner's Order Rec'd:

Grant of Burial Sent: ...../...../19.... Receipt no. Issued: .....

Monumental Mason: ..... Date Works Approved: ...../...../19....



Fourth Schedule  
CEMETERIES ACT 1986

METROPOLITAN CEMETERIES BOARD BY-LAW  
Application for Cremation and Instruction for Ashes

Application No .....

Surname of Deceased: .....

Other Names: .....

Occupation: .....

Address: ..... Suburb/Town: .....  
(Street Name and Number)

Age: ..... Date of Death: ...../...../19....

Date & Time of Burial:...../...../19....m Religious Affiliation/Area: .....

Section: ..... Grave No: .....

Grant Number: ..... Grave Type: P F G S N D or Q

Male:

Female:

Other Application Numbers:



Name and Address of Administrator:

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

Signature: .....

Date: .....

Disposal Details:

.....  
.....

Name of Minister or Person  
Officiating

Name of Funeral Director

Signature: ..... Signature: .....

Date: ...../...../19....

Date: ...../...../19....

Date Cremation Permit Issued: ...../...../19....

No. of Cremation Permit: .....

Receipt No: ..... Plaque Order: .....

Telephone No: ..... Advise: .....

Cert. of Cremation Prepared: ...../...../19....

Letters re Disposal of Ashes Sent: ...../...../19....

Ordered: ...../...../19....

ORDER No:

Completed: ...../...../19....

Fifth Schedule
CEMETERIES ACT 1986
METROPOLITAN CEMETERIES BOARD BY-LAW
Certificate of Identification

I,
of
hereby certify that on the
19.... at
I identified the body of a deceased person as that of
The body was in a coffin bearing the name plate/inscription marked
Signed:
Witness:

Sixth Schedule
CEMETERIES ACT 1986
METROPOLITAN CEMETERIES BOARD BY-LAW
Certificate Dispensing With Identification

I,
of
the funeral director engaged to arrange the funeral of the body of
hereby certify that the body of the said deceased has not been identified
because:—
\* in my opinion, the body is not in a fit state to be viewed.
\* after reasonable effort I have been unable to have an identification
made.
Dated the
Signed:
Witness:
\* delete if inapplicable.

Seventh Schedule
CEMETERIES ACT 1986
METROPOLITAN CEMETERIES BOARD BY-LAW
Application for Funeral Director's Licence

(i)
hereby applies for the issue of a licence for the period beginning
day of
and ending the 30th day of June 19.... (ii) to undertake
funerals within the Cemetery and in
support of such application supplies the following particulars:—
1. To be completed by all Applicants:—
(a) Trading name of business
(b) Address from which business will be carried on
Tel No.
(c) Number of years for which Applicant has previously held a Funeral
Director's Licence
(d) Details of offences under the Cemeteries Act, Cremation Act or the
By-laws of any Cemetery for which the Applicant or persons employed
by the applicant have been convicted
(e) Full name, address and capacity of person completing this application
(iii)
2. To be completed if Applicant is a Company:—
(a) Full names and address of:—
Director/s
Manager/s
Secretary
(b) Registered Office

- 3. To be completed if Applicant is A Partner:—  
Full name and address of partner/s  
.....  
.....
- 4. To be completed if Applicant is neither Company nor Partnership:  
Full name (iv) .....  
Address .....  
Signature of person complet-  
ing application  
.....

**DIRECTIONS FOR COMPLETION**

- (i) Name of Applicant or Company or business name.
- (ii) The maximum period is one year.
- (iii) State whether applying in person or own behalf, or as a partner of a firm or a manager of a Company.
- (iv) If this information has already been given under item 1(e) write "as in item 1(e)".

**OFFICE USE ONLY**

Received ..... Referred to Board .....  
Approved ..... Licence issued .....

Eighth Schedule  
**CEMETERIES ACT 1986**  
**METROPOLITAN CEMETERIES BOARD BY-LAW**  
Funeral Director's Licence

(a) .....  
of .....  
is hereby licensed to undertake funerals within the  
..... Cemetery from the ..... day of  
..... 19.... until the 30th day of June 19....  
Place of business .....  
Conditions .....  
.....  
Given this ..... day of ..... 19....  
by authority of the Metropolitan Cemeteries Board.

.....  
General Manager

Ninth Schedule  
**CEMETERIES ACT 1986**  
**METROPOLITAN CEMETERIES BOARD BY-LAW**

Application No. ....  
Date .....

**CEMETERIES ACT 1986**  
**APPLICATION FOR SINGLE FUNERAL PERMIT**

I .....  
of .....  
hereby make application for the issue of a Single Funeral  
Permit for the funeral of the late .....  
..... to take place on .....  
within the ..... Cemetery and in support of  
such application I declare as follows:

- (1) That I have in my possession a doctor's certificate or coroner's order, or in the instance of cremation a "Permit to Cremate".
- (2) That in the event of Burial:
  - (a) I am the holder of the Grant of Right of burial for the grave;
  - (b) I shall produce to the Board the written consent of the holder of the grave for me to exercise the Rights to bury the abovenamed deceased person in the grave.



The Board reserves the right to vary an entry as may be necessary or to refuse an entry considered to be unsuitable.

The required wording for your chosen memorial may be entered in the spaces below.

Please also complete the details on the reverse side and return to the Metropolitan Cemeteries Board, P.O. Box 53, Claremont W.A. 6000 or visit any of our offices where staff will gladly assist you.

Please print or type clearly. Use one letter per space and leave a space between words and dates.

NOTE: 26 letters and spaces in line 1 and 36 letters and spaces lines 2-8 accepted for Book of Remembrance.

The Metropolitan Cemeteries Board cannot accept responsibility for lack of clarity or incorrect information in inscription details.

Signature .....

Date .....

---

Eleventh Schedule  
**CEMETERIES ACT 1986**  
**METROPOLITAN CEMETERIES BOARD BY-LAW**  
 Options

Niche Wall  
 Memorial Wall  
 Garden of Remembrance  
 Ground Niche  
 Memorial Rose, Tree or Shrub  
 Family Shrub  
 Memorial Desk  
 Granite Seat  
 Family Grave  
 Book of Remembrance  
 Non-standard memorials approved by the Board  
 Scattering to the Winds  
 Memorial Gardens

---

Twelfth Schedule  
**CEMETERIES ACT 1986**  
**METROPOLITAN CEMETERIES BOARD BY-LAW**  
 Application for Monumental Work

Application No. ....

Grant No. ....

Name of Deceased .....

Area ..... Section ..... Grave No. ....

Name of Applicant .....

Address of Applicant .....

I Hereby Certify That I Am Authorised As/By The Holder Of The Grant Of Right Of Burial For The Abovementioned Grave To Approve Erection Of The Memorial Detailed Herein And I Accept That The Approval Issued Will Be Subject To Conditions Stipulated In The Cemeteries Act, The Grant Of Right Of Burial And The By-Laws And Regulations Now Or Hereafter In Force.

Signature ..... Date .....

NOTE: The Board is Indemnified Against Any Liability Attributed to Any Incorrect Statements or Information Contained in This Form.

Details of Mason:

This Section to be Completed by the Monumental Mason

Name of Firm ..... Quoted Cost .....  
Date .....

Address .....

Signature of Mason .....

Do You Wish To: (Please Tick)

Add Further Inscription

Renovate Or Add Further

Install a New Memorial

Monumental Work

Plan and Specifications:

NOTE: All Plans and Specifications of Memorials Submitted Must be Carefully Drawn and Fully Dimensioned and all Materials Specified. All Description To Be In Block Letters, All Ornaments Etc. To Be Shown and Dimensioned. Size Of Dowels And Dowel Holes To Be Specified.

Thirteenth Schedule

CEMETERIES ACT 1986

METROPOLITAN CEMETERIES BOARD BY-LAW

Application for Monumental Mason's Licence

I ..... apply on behalf of the firm/s trading as ..... for a licence to work within the ..... Cemetery as a Monumental Mason during the year ending 30 June 19....

I have been involved in the Monumental Masonry trade for ..... years.

I agree to comply with By-laws, Regulations and Policies now and hereafter in force. I understand that this licence may be cancelled by the Board, subject to my right of appeal.

Signed: .....

Name: .....

On behalf of: .....

(Firm name/s)

.....

Office Use: Monumental Mason's Licence.

Date Received: / /19

Date Approved: / /19

Receipt No.: .....

Conditions: .....

.....

Signed:.....  
Metropolitan Cemeteries Board

Fourteenth Schedule

CEMETERIES ACT 1986

METROPOLITAN CEMETERIES BOARD BY-LAW

Application for Single Monumental Work Permit

I, .....  
of .....

hereby make application for the issue of a Single Monumental Work Permit

to undertake monumental work on grave .....

within the ..... Cemetery on the .....

day of ..... 19....

In the event of a Permit being issued I agree to comply with the By-Law, Regulations and all Conditions prescribed by the Board.

Signed: .....

Date: .....

Single Monumental Work Permit

This is to certify that ..... of ..... is authorised to undertake monumental work as detailed above.

Signed: ..... Date: ..... For the Metropolitan Cemeteries Board

Single Monumental Work Permit

OFFICE USE:

Date Received ...../...../19....

Receipt Number: .....

Date Approved: ...../...../19....

Conditions: .....

Fifteenth Schedule CEMETERIES ACT 1986

METROPOLITAN CEMETERIES BOARD BY-LAW

Table with 4 columns: Item No., Clause, Nature of Offence, Modified Penalty. Lists 17 items with corresponding penalties ranging from \$30.00 to \$50.00.

Sixteenth Schedule CEMETERIES ACT 1986

METROPOLITAN CEMETERIES BOARD BY-LAW

Infringement Notice

To: ..... (Name)

..... (Address)

It is alleged that at ..... : ..... Hours on ..... day of ..... 19 ... at .....

You committed the offence indicated hereunder by an (X) in breach of Metropolitan Cemeteries Board clause number .....

Authorised Officer

Penalty	Penalty
Animal at large	Excessive Speed in vehicle
Entry out of hours	Unauthorised vehicle use
Swimming or fishing	Unauthorised removal of property
Disobeying lawful signs	Unauthorised advertising or trading
Unauthorised filming	Dumping rubbish
Unauthorised camping	Committing a nuisance
Non-removal of rubbish	Unauthorised fireworks/firearms
Unauthorised removal of materials	Unauthorised lighting of fires
	Other offence .....

\$ .....

You may dispose of this matter:

By payment of the penalty as shown within 21 days of the date of this notice to the Metropolitan Cemeteries Board, Karrakatta Cemetery, Railway Road, Karrakatta between the hours of 9.00am and 4.00pm Monday to Friday.

If neither the prescribed penalty is paid nor representation is made within the time specified, Court proceedings may be instituted against you.

Please Make Cheques Payable To Metropolitan Cemeteries Board. Payments By Mail Should Be Addressed To The General Manager, P.O Box 53, Claremont, 6010.

Do Not Detach. Please Complete Part 2 And Present This Notice Intact When Making Payment.

Seventeenth Schedule  
**CEMETERIES ACT 1986**  
**METROPOLITAN CEMETERIES BOARD BY-LAW**  
 Withdrawal of Infringement Notice

No .....  
 Date ...../...../.....

To (1) .....

Infringement Notice No. .... dated ...../...../..... for the alleged offence of (2) .....

Penalty (3) \$..... is hereby withdrawn.

(Delete whichever does not apply)

\* No further action will be taken.

\* It is proposed to institute court proceedings for the alleged offence.

- (1) Insert name and address of alleged offender.
- (2) Insert short particulars of offence alleged.
- (3) Insert amount of penalty prescribed.

The By-law was adopted by members of the Metropolitan Cemeteries Board at a duly convened meeting of the Board held on February 28th, 1991.

Given under the Common Seal of the Metropolitan Cemeteries Board by authority of the Board.

J. MOILER, Chairman.  
 E.W. BULLOCK, Acting General Manager.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 31st day of March 1992.

D. G. BLIGHT, Clerk of the Council.

LG401

## TOWN PLANNING AND DEVELOPMENT ACT 1928

## ADVERTISEMENT OF RESOLUTION DECIDING TO PREPARE A TOWN PLANNING SCHEME

*Shire of Wandering*

Town Planning Scheme No. 2

Notice is hereby given that the Shire Council of Wandering on the 17th day of October 1991 passed the following Resolution—

Resolved that the Council, in pursuance of section 7 of the Town Planning and Development Act 1928, prepare the above Town Planning Scheme with reference to an area situate wholly within the Shire of Wandering and enclosed within the inner edge of a broken black border on a plan now produced to the Council and marked and certified by the Shire Clerk under his hand dated the 17th day of October 1991 as "Scheme Area Map".

Note: This is an amendment to the Scheme Area for Town Planning Scheme No. 2 adopted by the Council on the 20th day of September 1990.

Dated this 26th day of March 1992.

D. J. DAWSON, Shire Clerk.

LG402

## SHIRE OF SERPENTINE-JARRAHDAL

Private Swimming Pool Legislation

It is hereby notified for public information that Mr Robert Ernest Niven Biddescombe has been appointed Swimming Pool Inspector for the Shire of Serpentine-Jarrahdale effective from 25 March 1992, pursuant to section 245 (A) of the Local Government Act 1960.

By Order of the Council.

NED FIMMANO, Shire Clerk.

LG403

## SHIRE OF ALBANY

Honorary Ranger and Beach Inspector

It is hereby advised for public information that George White has been appointed as Honorary Ranger and Beach Inspector for Reserve 1010 situated at Cape Riche.

D. J. CUNNINGHAM, Shire Clerk.

LG404

## SHIRE OF NANNUP

Acting Shire Clerk

It is hereby notified that Mr Kevin Waddington has been appointed Acting Shire Clerk and Returning Officer for 5 weeks commencing 2nd April 1992.

J. R. BROCKMAN, President.

LG405

## SHIRE OF ROEBOURNE

Appointment of Registration Officers

It is hereby notified for public information that the following persons have been appointed Registration Officers in accordance with the Dog Act 1976 and are authorised by Council to effect the registration of dogs within the Municipality of the Shire of Roebourne.

Karratha: Sharon Hillier  
Shani Robertson  
Melissa Smith  
Beverley Grow  
Jenni Griffiths  
Helen Nielsen

Roebourne/Wickham: Maria Hosie  
Barbara Brejnak

It is hereby notified for public information that effective from 26th March 1992 the appointment of the following person as Registration Officer in accordance with the Dog Act 1976 for the Municipality of the Shire of Roebourne is cancelled.

Lyn Green

LG406

LOCAL GOVERNMENT ACT 1960  
City of Canning  
CLOSURE OF PRIVATE STREET

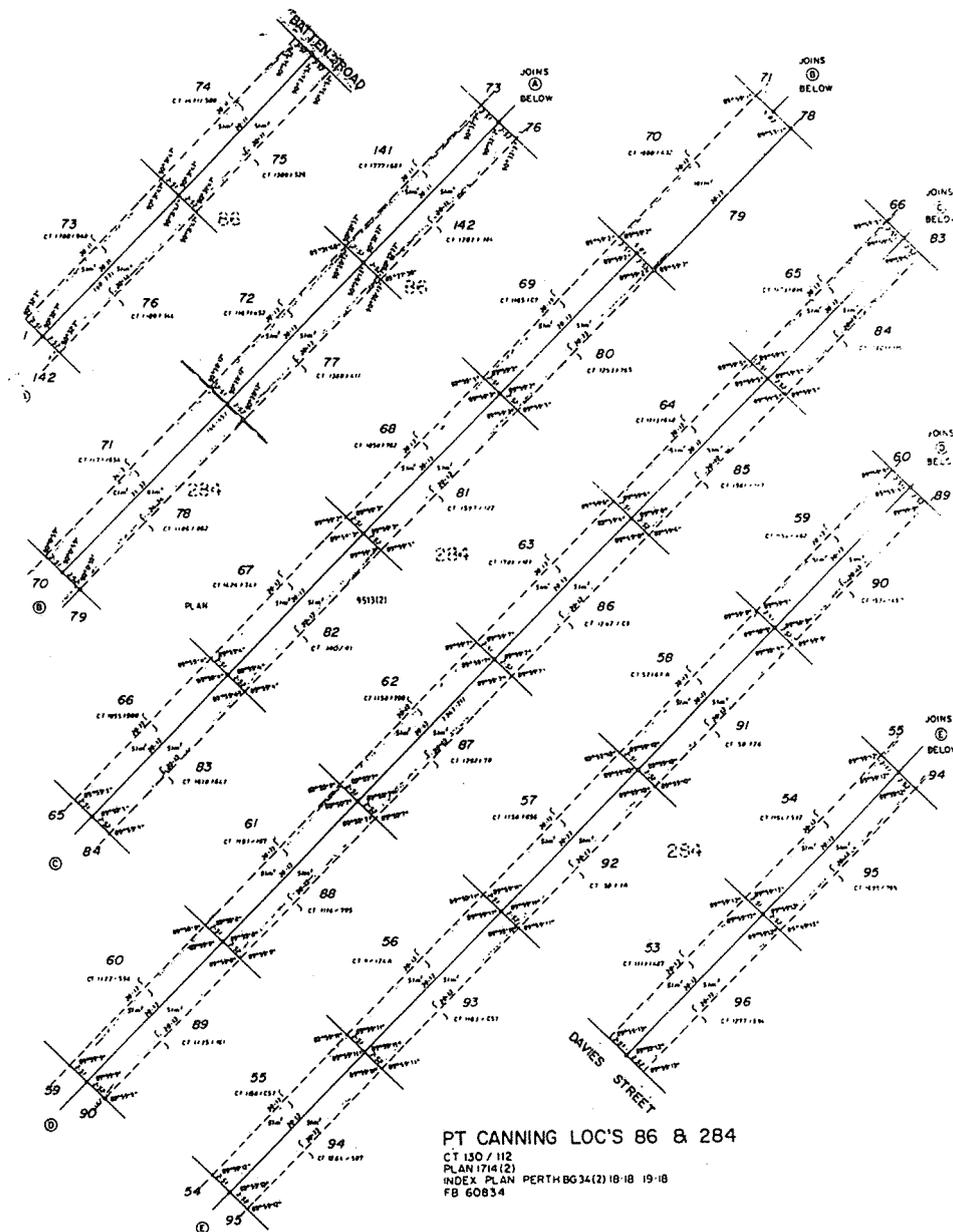
Department of Local Government,  
Perth, 31 March 1992.

LG: CI 4-12 Q.

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 Canning that the private street which is described as being portion of Canning Locations 284 and 86, being the whole of the land coloured brown on Plan 1714 (2) and being portion of the land contained in Certificate of Title Volume 130 Folio 112 be closed, and the land contained therein be amalgamated with adjoining Lots 53-74 (inclusive) and Lot 141 Gibbs Street and Lots 75-78 (inclusive), Lots 80-96 (inclusive) and Lot 142 Clarke Street, East Cannington as shown in the schedule hereunder.

STEPHEN COLE, Director,  
Local Government Services.

Schedule  
Plan No. 18243



LG407

SHIRE OF HARVEY  
Fire Control Officers

It is hereby notified for public information that Mr Maxwell N Rhodes has been appointed Fire Control Officer for the Harvey Hills Brigade.  
The appointment of Mr David Upcott is hereby cancelled.

KEITH LEECE, Shire Clerk.

LG408

CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978  
NOTICE OF ESTABLISHING A PROHIBITED AREA  
*Shire of Waroona*

Pursuant to the powers conferred on me by section 16 of the Control of Vehicles (Off-road areas) Act 1978, and after seeking the advice of the Advisory Committee pursuant to section 18 (1) of that Act, and with the consent of the Governor, I David Lawrence Smith, being the Minister as defined by section 3 of that Act, hereby establish the land specified in the first column of Schedule A and as depicted in Schedule B of this notice, as a prohibited area for the purpose of that Act, in relation to vehicles of the classes or kinds specified opposite to that area in the second column of Schedule A.

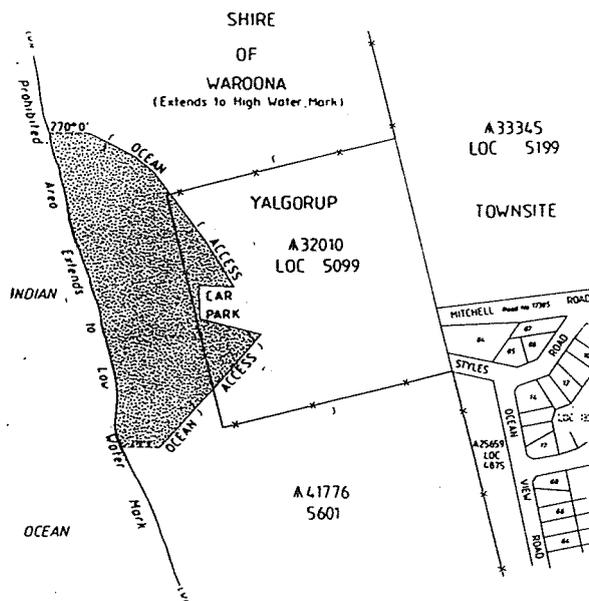
DAVID SMITH, Minister for Local Government.

Schedule A  
Prohibited Area

Specification of Prohibited Area	Class or Kind of Vehicle Prohibited
All that portion of land comprising part of Wellington Location 5009 (part Reserve 32010) and part Location 5601 (part Reserve 41776), as shown delineated and stippled on Department of Land Administration Miscellaneous Diagram 306. Department of Land Administration Public Plans: Yalgorup Townsite 1:2 000 BG 32/1.01 Yalgorup Townsite 1:2 000 BG 32/1.02	Vehicles Generally

In this Schedule "Vehicle" has the same meaning as prescribed by section 3 of the Control of Vehicles (Off-road areas) Act.

Schedule B  
Department of Land Administration  
Miscellaneous Diagram 306



NOTE: Water lines shown on this Diagram do not necessarily depict an exact cadastral boundary.

LG901

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

Proposed Loan (No. 139) of \$710 000

Pursuant to section 610 of the Local Government Act 1960, the Shire of Swan hereby gives notice that it proposes to borrow money by the sale of Debentures on the following terms and for the following purposes: Seven Hundred and Ten Thousand dollars for a period of 5 years repayable at the office of the lender. Purpose: to liquidate the principal outstanding on existing loans 80, 82, 107, 110, 115, 117 and 131.

Plans, specifications and estimates of costs, as required by section 609 of the Act, are open for inspection at the office of the Council at Middle Swan during office hours for 35 days after publication of this notice.

Dated this twentysixth day of March 1992.

C. ZANNINO, President.

E. W. T. LUMSDEN, Chief Executive Officer/Shire Clerk.

LG902

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

Proposed Loan (No. 195) of \$60 000

Pursuant to section 610 of the Local Government Act 1960, the City of South Perth hereby gives notice that it proposes to borrow money by the sale of a debenture, repayable at the office of the Lender, on the following terms and conditions—

Amount:	\$60 000
Repayment:	Quarterly instalments of principal and interest
Purpose:	Part Rugby Pavilion—George Burnett Park (Loan repayments will be fully supported by the South Perth Rugby Club)

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

Dated this 3rd day of April 1992.

L. L. METCALF, Chief Executive.

LG903

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

Proposed Loan (No. 196) of \$300 000

Pursuant to section 610 of the Local Government Act 1960, the City of South Perth hereby gives notice that it proposes to borrow money by the sale of a debenture, repayable at the office of the Lender, on the following terms and conditions—

Amount:	\$300 000
Repayment:	Quarterly instalments of principal and interest
Purpose:	Part Rugby Pavilion—George Burnett Park

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

Dated this 3rd day of April 1992.

L. L. METCALF, Chief Executive.

LG904

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

Proposed Loan (No. 188) of \$70 000

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

Construction of New Car Park

Plans, specifications and estimates of costs 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 31st day of March 1992.

J. A. CATTALINI, Mayor.  
M. J. CAROSELLA, Town Clerk/Director of Finance.

LG905

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

Proposed Loan (No. 56) of \$340 000

Pursuant to section 610 of the Local Government Act 1960 the Shire of Meekatharra hereby gives notice that it proposes to borrow money by the sale of debentures at the ruling rate of interest repayable at the office of the Council by equal half yearly instalments of principal and interest for the following terms and purpose—

Loan No. 56 of \$340 000 for a 3 year term.

Purpose: Consolidate Loan Nos. 33, 47, 49, 50, 51, 52, 53 and 55.

Specifications and estimates as required by section 609 of the Local Government Act 1960 are open for inspection at the office of Council during normal business hours for thirty five days after publication of the notice.

Dated 1 April 1992.

T. R. HUTCHINSON, President.  
M. T. HOWIESON, Shire Clerk.

LG906

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

Proposed Loan No. 143 of \$40 000

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

\$40 000 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 new toilet facilities at the Dwellingup hall site being Reserve No. 20198 and comprising lots 44 and 45 McLarty Street, Dwellingup.

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.

**MINES**

MN401

**COAL MINES REGULATION ACT 1946  
APPOINTMENTS**Department of Mines,  
Perth, March 1992.

Pursuant to section 38 (1-9) of the Coal Mines Regulation Act 1946, the undernoted persons were elected at the Annual General Meeting on 14 March 1992 as members of the Accident Committee of the Board of Trustees of the Coal Mines Accident Relief Fund Trust—

Mr Kim Addis  
Mr John Joseph Borlini  
Mr Kevin Bray  
Mr Ross Edward Hebbard  
Mr Robert Lowrie Payne

Mr Gary Norman Wood was re-elected as the Trustee representing the miners.

Acting Director General of Mines.

MN402

**MINING ACT 1978  
NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE**Department of Mines,  
Mt. Magnet.

In accordance with Regulation 49 (2) (c) of the Mining Act 1978-1983, 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.

S. A. HEATH, Warden.

To be heard in the Warden's Court Mt. Magnet on the 26th May, 1992.

**MURCHISON MINERAL FIELD  
*Cue District***

L20/29—Hannaford, Bernard John.  
P20/1372—Colleran, Robert James.

MN403

**MINING ACT 1978**Department of Mines,  
Perth.

I hereby declare in accordance with the provisions of section 97 (1) of the Mining Act 1978 that the undermentioned Mining Lease is forfeited for breach of conditions.

GORDON HILL, Minister for Mines.

**YILGARN MINERAL FIELD**

77/2—Francesco Sita; Mervyn Grenfell Blake.

MN404

## 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.

## Exploration Licences

08/395—Farrall, Michael De Whalley; Merritt Mining NL; Neudos Mining & Pastoral Co. Pty Ltd; Ashburton.

09/385—Western Rare Earths NL; Gascoyne.

58/103—Roberts, Ross Petry; Murchison.

## Mining Leases

28/64—Zandor Mining NL; North East Coolgardie.

29/114—Bierberg, William Gene; North Coolgardie.

37/138—Connelly, Michael Ashley; Pascall, Philip Kelvin Rodda; Pinniger, William Hamilton; Smith, Cedrick James; Mt. Margaret.

38/163—Williams, Michael John; Williams, Geoffrey Thomas; Mt. Margaret.

70/540—Vincent Nominees Pty Ltd; South West.

MN405

## 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.

## Exploration Licences

16/63—In the Purple Pty Ltd; Coolgardie.

70/590—Domican Nominees Pty Ltd; Elsbury, Charles Michael Vost, Collin; South West.

77/345—Australia Pacific Minerals NL; Yilgarn.

77/386—Fimiston Mining Ltd.; Yilgarn.

80/1210—Buddlecombe, Robert Michael; Nicholson, John; Scriven, Neil Henry; Kimberley.

80/1299—Bohan Pty Ltd; Kimberley.

## Mining Leases

15/56—Hockin, Dennis William; Coolgardie.

15/205—Trundle, Kenneth William; Coolgardie.

15/235—Bosso, Joe; Coolgardie.

26/283—Charter Mining NL; East Coolgardie.

31/25—Bald, Colin Neil; Hall, Craig Robert; MacKenzie, William Ross; North Coolgardie.

36/16—Brookes, Ivy Kathleen; East Murchison.

45/446—King Mining Corporation Ltd; Pilbara.

47/235—Golden Valley Mines NL; Tracer Mining NL; West Pilbara.

52/52—Flint, Warwick John; Renes, Neeltje Elizabeth; Shephard, Shirley Anne; Shephard, William James; Peak Hill.

52/53—Flint, Warwick John; Renes, Neeltje Elizabeth; Shephard, Shirley Anne; Shephard, William James; Peak Hill.

52/144—Barrack Exploration Pty Ltd; Peak Hill.

52/167—Horseshoe Gold Mine Pty Ltd; Peak Hill.

57/172—Black Horse Mining NL; Gardner, Robert Charles; East Murchison.

80/102—Kilmorna Gold NL; Kimberley.

**PLANNING AND URBAN DEVELOPMENT**

PD401

**METROPOLITAN REGION TOWN PLANNING AND DEVELOPMENT ACT 1959**

**METROPOLITAN REGION SCHEME**

*Ellenbrook, Shire of Swan*

Proposed Major Amendment for Exhibition and Comment

No: 879/33

File: 809-2-21-8

**Proposal**

The Perth regional planning scheme, the Metropolitan Region Scheme, is proposed to be amended to rezone land for future urban development in accordance with the Government's Metropolitan Strategy and the Urban Expansion Policy.

**Description**

The effect of the proposed amendment on the Metropolitan Region Scheme is to exclude various lots (generally bounded by Gnangara Road, Maralla Road, the Gnangara Pine Plantation (State Forest No. 65) and Ellen Brook) in the Shire of Swan, from the Rural Zone and include them in the Urban Deferred Zone and the Parks and Recreation Reservation as shown on State Planning Commission Plan No. 2.0686/5.

**Exhibition**

Documents relevant to the proposed amendment are available for public inspection at—

- (a) Department of Planning and Urban Development, 469 Wellington Street, Perth, WA, 6000.
- (b) Offices of the Municipalities of the—
  - (i) City of Perth, 27 St Georges Terrace, Perth, WA, 6000.
  - (ii) City of Fremantle, Corner William and Newman Streets, Fremantle, WA, 6160.
  - (iii) City of Wanneroo, Boas Avenue, Joondalup, WA, 6065.
  - (iv) City of Bayswater, 61 Broun Avenue, Morley, WA, 6062.
  - (v) Town of Bassendean, 48 Old Perth Road, Bassendean, WA, 6054.
  - (vi) Shire of Swan, Great Northern Highway, Middle Swan, WA, 6056.
- (c) J. S. Batty Library, Alexander Library Building, Francis Street, Northbridge, WA, 6000.

**Submissions**

Submissions either supporting or objecting to any provisions of the proposed amendment are invited and may be made on submission forms available at the offices listed above and lodged with—

The Secretary  
 State Planning Commission  
 C/- Department of Planning and Urban Development  
 469 Wellington Street  
 Perth WA 6000

Submissions must be lodged by 4.30 pm Monday May 4, 1992.

GORDON G. SMITH, Secretary State Planning Commission.

PD402

**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959**

**METROPOLITAN REGION SCHEME—S.33A AMENDMENT**

Proposed Amendment for Exhibition and Comment

Major Sporting Facility, Yangebup and Forrest Roads, Jandakot, City of Cockburn

No. 885/33A.

File No. 833-2-23-49.

**Proposal**

The purpose of the amendment is to provide suitably reserved land that may allow development of a major regional sporting facility.

**Description**

The effect of the proposed amendment on the Metropolitan Region Scheme is to exclude Part Lots 505 and 1, Part Jandakot AA Lots 228 and 227 and Lot 231 Yangebup and Forrest Roads, Jandakot from the Rural and Industrial Zones and include them in the Parks and Recreation (Restricted Public Access) Reservation as shown on Plan No. 4.1201.

**Certificate**

The Metropolitan Planning Council, for and on behalf of the State Planning Commission and acting under delegated powers, has certified that, in its opinion, the proposed amendment does not constitute a substantial alteration to the Metropolitan Region Scheme.

**Exhibition**

The proposed amendment will be exhibited for public comment during normal office hours at—

1. Office of the Department of Planning and Urban Development, 469-489 Wellington Street, Perth WA 6000.
2. J. S. Battye Library, Alexander Library Building, Cultural Centre, Francis Street, Northbridge WA 6000.
3. Office of the Municipality of the City of Cockburn, 9 Coleville Crescent, Spearwood WA 6163.

**Submissions**

Submissions on the proposal are invited and may be made (in duplicate) on submission forms available at the offices listed above and lodged at—

The Town Planning Appeal Committee  
Hyatt Centre  
87 Adelaide Terrace  
Perth WA 6000

Submissions must be lodged by 4.00 pm Friday, 12 June 1992.

GORDON G. SMITH, Secretary,  
State Planning Commission.

**PD403**

**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959**  
**METROPOLITAN REGION SCHEME—SECTION 33A AMENDMENT**

Approved Amendment

Land Bounded by Russell and Rockingham Roads, Henderson, City of Cockburn

No. 856/33A.

File: 833-2-23-36.

The Hon Minister for Planning has approved, without modification, the abovementioned amendment to the Metropolitan Region Scheme.

The amendment, as shown on Plan No. 4.1173, shall have effect from the date of publication of this notice in the *Gazette*.

The Plan as approved can be viewed at—

- (1) Department of Planning and Urban Development, 469 Wellington Street, Perth WA 6000.
- (2) J. S. Battye Library, Alexander Library Building, Perth Cultural Centre, Francis Street, Northbridge WA 6000.
- (3) Office of the Municipality of the City of Cockburn, 9 Coleville Crescent, Spearwood WA 6163.

GORDON G. SMITH, Secretary.

**PD404**

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

*City of Mandurah*

Town Planning Scheme No. 1A—Amendment No. 179

Ref: 853/6/13/9, Pt. 179.

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 Mandurah Town Planning Scheme Amendment on 24 March 1992 for the purpose of rezoning a portion of Lot 1685, Portion Murray Location 66, from Residential 1 Zone to Residential 2 Zone in accordance with the Scheme Amendment Map; recoding portions of Lot 1685, Portion Murray Location 66, from R12.5 Residential Density Coding and R25 Residential Density Coding to R17.5 Residential Density Coding, in accordance with the R-Codes Scheme Amendment Map overlay.

D. C. TUCKEY, Mayor.  
K. W. DONOHOE, Town Clerk.

PD405

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

*City of Wanneroo*

Town Planning Scheme No. 1—Amendment No. 452

Ref: 853/2/30/1. Pt 452.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on March 30, 1992 for the purpose of:

1. Rezoning portion of Pt Lt M1722 Currambine from "Rural" to "Residential Development";
2. Amending the Residential Density Code Map to code the subject land R20, R40 and R80.

W. H. MARWICK, Mayor.  
R. F. COFFEY, Town Clerk.

PD406

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

*City of Mandurah*

Town Planning Scheme No. 1A—Amendment No. 167

Ref: 853/6/13/9 Pt 167

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 Mandurah Town Planning Scheme Amendment on March 23, 1992 for the purpose of:

1. Rezoning part of Lot 1 corner of Tims Thicket Road and Old Coast Road, Dawesville from "Rural" to "Residential 1 (Landscape Protection Area)" with a Residential Planning Code of R5.
2. Incorporating the following into Appendix 8 of the Scheme Text:

Specific Area	Special Requirements
Area 8 Pt Lot 1, Old Coast Road, Dawesville.	<p><b>Water Supply</b>  The development shall be connected to a reticulated water supply.</p> <p><b>Clearing of Natural Vegetation</b>  The land is to be managed in such a manner as to avoid the land being laid bare of vegetation in order to protect the visual and noise amenity of the subject land and surrounding land.</p> <p><b>Setbacks</b>  Any building on any lot shall be setback:  (a) 50 metres from the boundary of the Old Coast Road;  (b) 50 metres from the boundary of the proposed Arterial road reservation.</p> <p><b>Firebreaks</b>  Firebreaks should be established prior to clearance of titles, in accordance with the local Authority's by-laws.</p> <p><b>Fencing</b>  The Council may determine the minimum standard of fencing requirements, including boundaries adjacent to or in view of the Old Coast Road. Provision of a "Pet Proof fence" along the western, south western boundary of the subject land will be required. The minimum standards of this fence will be determined by the Council.</p> <p><b>The Keeping of Stock</b>  The keeping of stock for commercial purposes shall not be permitted. Due to the proximity of the Yalgorlup National Park, no rural pursuits are permitted and hooved animals and livestock are prohibited on the subject land.</p>

D. C. TUCKEY, Mayor.  
K. W. DONOHOE, Town Clerk.

PD407

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

Town Planning Scheme No. 1A—Amendment No. 177

Ref: 853/6/13/9, Pt 177.

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 Mandurah Town Planning Scheme Amendment on 24 March 1992, for the purpose of rezoning part of Lot 118 from "Residential" 1 (R12.5) to "Residential 1" (R17.5).

D. C. TUCKEY, Mayor.  
 K. W. DONOHOE, Town Clerk.

PD408

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

Town Planning Scheme No. 1—Amendment No. 521

Ref: 853/2/30/1, Pt 521.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on 24 March 1992 for the purpose of—

1. Rezoning Portion Lot 31 Connolly Drive, Merriwa from "Residential Development" to "Commercial, Special Zone (Restricted Use) Medical Centre, and Civic".
2. Specifying a maximum gross leasable floorspace of 3 050 m<sup>2</sup> in Schedule 5 of the Scheme text.
3. Adding reference to Special Zone (Restricted Use) Medical Centre to section 2 of Schedule 1 of the Scheme Text.

W. H. MARWICK, Mayor.  
 R. F. COFFEY, Town Clerk.

PD409

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

Town Planning Scheme No. 1—Amendment No. 600

Ref: 853/2/30/1 Pt 600.

Notice is hereby given that the City of Wanneroo has prepared the abovementioned scheme amendment for the purposes of rezoning portion Lot 61 Leach Street, Marmion from Reserve for Public Recreation to "Residential Development" and portion to "Residential Development, Special Zone (Additional Use) Research Centre and Offices".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Boas Avenue Joondalup and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including May 15, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 15, 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.

R. F. COFFEY, Town Clerk.

PD410

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

Town Planning Scheme No. 3—Amendment No. 98

Ref: 853/5/4/5 Pt 98.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the Shire of Albany Town Planning Scheme Amendment on March 24, 1992 for the purpose of amending Part 6 of the Scheme by adding Clause 6.9 as follows:—

6.9 Power to Make Policies

6.9.1 In order to achieve the objectives of the Scheme, the Council may make Town Planning Scheme Policies relating to parts or all of the Scheme Area and relating to one or more of the aspects of the Control of Development.

6.9.2 A Town Planning Scheme Policy shall become operative only after the following procedures have been completed:

(A) The Council having prepared and having resolved to adopt a Draft Town Planning Scheme Policy, shall advertise a summary of the Draft Policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the Draft Policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.

(B) The Council shall review its Draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the Draft Policy with or without amendment, or not proceed with the Draft Policy.

(C) Following Final Adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the Scheme Documents for inspection during normal office hours.

6.9.3 A Town Planning Scheme Policy may only be altered or rescinded by:—

(A) Preparation and Final Adoption of a new Policy pursuant to this Clause, specifically worded to Supersede an existing Policy.

(B) Publication of a Formal Notice of Rescission by the Council twice in a Newspaper circulating in the Area.

6.9.4 (A) A Town Planning Scheme Policy shall not bind the Council in respect of an application for Planning Scheme Consent, however it may require the Council to advertise its intention to relax the provisions of the Policy once in a Newspaper circulating in the District stating that submissions may be made to the Council within 21 days of the publication thereof.

(B) Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve and any submissions lodged, before making its decision.

C. AYRES, President.

D. J. CUNNINGHAM, Shire Clerk.

PD411

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*Shire of Busselton*

Town Planning Scheme No. 5—Amendment No. 206

Ref: 853/6/6/6, Pt. 206.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on March 24, 1992 for the purpose of—

1. Modifying the South Broadwater Special Rural Zone Subdivision Guide Plan which was adopted by Council on November 11th, 1981;

2. Modifying Special Provision 1. in Appendix X as it relates to Special Rural Zone No. 6 from—

“Subdivision shall be in accordance with the Subdivision Guide Plan adopted by Council on November 11th 1981 and referred to in the Town Planning Board’s approval dated 15th June, 1982 (TPB 58811)”.

to—

“ 1. Subdivision shall generally be in accordance with the Subdivision Guide Plan adopted by Council on June 12th, 1991. ”

## 3. Inserting the following additional provisions—

- “ 7. Outside the area cleared for building envelopes, fences, firebreaks, access and servicing, the existing vegetation shall be maintained with respect to the subdivided lots of Part Lot 3.
8. Stormwater must be contained on-site to the extent that a 1 in 10 year storm event will be contained for three to four days before leaving the property with respect to the subdivided lots of Part Lot 3.
9. Vegetation shall be protected from damage by grazing livestock. The type and numbers of livestock shall be controlled in order to prevent excessive nutrient input. Fertiliser application shall be minimised and limited to the building envelope with respect to the subdivided lots of Part Lot 3.
10. Conventional on-site effluent disposal systems must be located and installed such that there is at least a 2 metre vertical separation between the base of the leach drain and the highest recorded groundwater level or bedrock, and at least a 100 metre horizontal separation between the disposal system and the nearest water body with respect to the subdivided lots of Part Lot 3.”

J. R. COOPER, President.

I. W. STUBBS, Shire Clerk.

PD412

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*Shire of Dardanup*

Town Planning Scheme No. 3—Amendment No. 39

Ref: 853/6/9/6, Pt. 39.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon. Minister for Planning approved the Shire of Dardanup Town Planning Scheme Amendment on March 24, 1992 for the purpose of—

1. Rezoning Wellington Locations Pt. 377, 4577 and Pt. Wellington Loc 232 Ferguson Road from “General Farming” to “General Farming” and “Additional Use.”
2. Listing in appendix IV Additional Use—

Street	Particulars of Land	Additional Use Permitted	Conditions
Ferguson Road	Pt. Wellington Location 377 Pt. Wellington Location 232	Depot for composting mill waste	(i) General Industry Zone Standards in the Development Table shall apply.
Dowdells Line	Wellington Location 4577		(ii) The activity to be screened from any Road Reserve or Homestead to satisfaction of Council. (iii) A 10.0 metre fire break to be maintained around the area during the prohibited burning season.

3. Altering clause 1.8.1 by inserting a new term “depot for composting mill waste” means land or a building or buildings used in the mixing of natural fertiliser agents the principal agent of which is timber mill waste, in the production of crushed and screened pinebark, sawdust, wood chips, wood chip fines and garden mulches.

N. J. KALAF, President.

C. J. SPRAGG, Shire Clerk.

PD413

TOWN PLANNING AND DEVELOPMENT ACT 1928  
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*Shire of Harvey*

Town Planning Scheme No. 10—Amendment No. 51

Ref: 853/6/12/14, Pt. 51.

Notice is hereby given that the Shire of Harvey has prepared the abovementioned scheme amendment for the purpose of rezoning portion of Lots 20 and Part 17 Sir James Avenue, Harvey, from "Residential" to "Public Purpose—Recreation" as depicted on the proposed zoning map.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 102 Uduc Road, Harvey 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 April 24, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before April 24, 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.

K. J. LEECE, Shire Clerk.

PD414

TOWN PLANNING AND DEVELOPMENT ACT 1928  
APPROVED TOWN PLANNING SCHEME AMENDMENT

*Shire of Serpentine-Jarrahdale*

Town Planning Scheme No. 2—Amendment No. 5

Ref: 853/2/29/3, Pt. 5.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Serpentine-Jarrahdale Town Planning Scheme Amendment on March 27, 1992 for the purpose of—

1. Excising Pt Lot 13 Wungong South Road, Byford from the "Rural" Zone and including this land in the "Special Rural" Zone and the "Public Open Space" Reserve on the Scheme Map.
2. Providing a Subdivisional Guide Plan endorsed by the Shire Clerk as part of this Amendment.
3. Amending Appendix 4 of the Scheme to include special provisions relating to the Special Rural Zone described hereunder.

22 "Darling Downs (Stage 3)" Portion of Canning Locations 22 and 336 being Pt Lot 13 Wungong South Road, Byford as delineated on the Scheme Map.

22.1 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of both the Council and the Environmental Protection Authority. The use of 'non-standard' effluent disposal systems may be required and in any event the following requirements shall be satisfied;

- (i) A 2 metre separation is achieved between the base of the leach drain and the highest recorded groundwater level or bedrock;
- (ii) At least a 100 metres horizontal separation is achieved between the disposal system and existing/proposed drains, water courses or water bodies;
- (iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowners and be maintained to the satisfaction of the Local Authority;
- (iv) Prevention of direct movement of wastewater and nutrient from the locality of each disposal area; and
- (v) If necessary, soil amendment around and under each disposal area.

22.2 No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways.

- 22.3 The developer of the estate shall within the "Tree Planting Area" depicted on the Subdivisional Guide Plan, plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority. Tree planting shall occur and be undertaken prior to the endorsement by the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivisional Guide Plan.
- 22.4 The developer of the estate shall maintain the trees and shrubs planted within the Tree Planting Area to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer to the satisfaction of the Council.
- 22.5 Within this Special Rural estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the land use does not involve excessive nutrient application or the clearing of the land.
- 22.6 Notwithstanding Clause 5.9.6(b) of the Scheme any residence and all other outbuildings shall only be constructed within the Building Envelope shown on the Subdivisional Guide Plan.
- 22.7 At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.
- 22.8 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council and these animals shall be restricted to the area within the Building Envelope. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.
- Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval the Council may require the animals to be stabled or corralled.
- Where in the opinion of the Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to the dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals specified in the notice for a period specified in the notice.
- When notice has been served on a land owner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.
- 22.9 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council. The developer of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to commencement of site works.
- 22.10 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to determining whether to approve the request.
- 22.11 The landowner shall be responsible for the establishment and maintenance of firebreaks to the specifications and satisfaction of the Council and any other fire prevention measures that may be required by the Council for the estate will be at the land owners cost in proportion of the land holdings to the whole of the estate.
- 22.12 The land for, and the provision of, an on-site static water facility of 50,000 litres capacity, fed by a bore and a windmill or suitable alternative for fire fighting purposes shall be provided by the developer of the estate free of cost to the Council. The location of the facility shall be to the satisfaction of both the Council and Bush Fires Board and the facility shall be constructed to the specifications of the Bush Fires Board.

- 22.13 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality, the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking, the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions the Council deems fit and may modify or vary such conditions to take account of seasonal changes.
- 22.14 The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Environmental Protection Authority before any approval is granted.
- 22.15 Signs, hoardings or advertisements shall not be erected without the prior written approval of the Council.
- 22.16 The land is situated within the Perth Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores. The licence will contain a number of conditions including the quantity of water that can be pumped each year. Under current management guidelines 1500 kilolitres per year is allocated. The allocation of 1500 kilolitres if efficiently used is sufficient for domestic use and the irrigation of up to 0.1 hectares.
- 22.17 No lot within the subdivision area to be less than 2 hectares.
- 22.18 All buildings shall be set back a minimum of 15.0 metres from any boundary or road.

F. SENIOR, President.  
N. D. FIMMANO, Shire Clerk.

PD415

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

Town Planning Scheme No. 1—Amendment No. 68

Ref: 853/2/26/1, Pt 68.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning approved the Town of Kwinana Town Planning Scheme Amendment on March 19, 1992 for the purpose of—

1. Rezoning Lot 673 Hope Valley Road, Mandogalup, from Rural to Special Rural, as depicted on the amending plan adopted by Council on the 12th day of September, 1990.
2. Inserting within the Second Schedule of the Scheme Text the following—

Second Schedule

Column (a)

2. Special Rural Zone No. 16 Lot 673 Hope Valley Road, Mandogalup.

Column (b)

1. Subdivision of Special Rural Zone No. 16 Peel Estate Lot 673 Hope Valley Road, is to be in accordance with the approved Plan of Subdivision for Special Rural Zone No. 16 dated 10th March 1992 and endorsed by the Town Clerk.
2. The minimum lot size shall be 2 hectares.
3. In the land which is outside the building envelope, indigenous trees, declared rare fauna, scrub or other substantial vegetation may not be felled, cleared or removed except as hereunder—
  - (a) Trees which are dead, diseased or dangerous;
  - (b) For the purpose of a firebreak required by a regulation or by-law except that in order to preserve the amenity of the area Council may at its discretion vary the position of any required firebreak to avoid destruction of vegetation or due to the physical features of the subject land;
  - (c) For the purpose of any access driveway for a residential dwelling as approved by Council.
4. No horses shall be permitted unless a management plan with the objective of keeping a full vegetation cover on the soil is submitted to the Local Authority which may, after consultation with the Department of Agriculture, approve the keeping of one horse

only. Council may at its discretion place restrictions on the number and type(s) of other livestock which maybe kept on any lot within this zone. Council may withdraw its permission for the keeping of livestock if in its opinion the number, type or management of stock is leading, or will lead to degradation of the land or the vegetation, in which event such livestock shall be removed in accordance with the direction of Council.

5. (a) The following uses are permitted ("P"): Dwelling house.  
(b) The following uses are not permitted unless the Council gives its approval in writing ("AA")—
  - Home Occupation
  - Public Utility(c) All other uses not mentioned under (a) and (b) above are not permitted ("X")—
6. The minimum standard of front boundary fencing shall be—
  - (a) Posts: Tantalithe treated pine not less than 100-150mm diameter being not less than 750mm in the ground and 1200mm above ground. The posts are to be installed vertically and well consolidated in positions not exceeding 2750mm apart. Corner posts and posts at changes of direction of fence alignment to be strutted to the satisfaction of the Town Engineer.  
Top Rails: Tantalithe treated pine not less than 100-150mm diameter installed horizontally with the top edge approximately level with the top of the posts 1200mm above ground level.  
Wires: Ten S.W.G. high tensile galvanised (or bonded plastic equivalent to the satisfaction of the Town Engineer). The top wire to be installed by running through holes bored in posts being 75mm below the underside of the top rails. The middle wire to be installed by running through holes bored in posts being 300mm below the top wire. The lower wire to be installed by running through holes bored in posts being 300mm below the middle wire. All wires to be strained to the satisfaction of the Town Engineer. The subdividing owner shall construct these fences prior to subdivision and all associated costs shall be met by the subdividing owner.
7. Minimum Dwelling Size—
  - (a) Floor: no dwelling house shall be constructed within the area specified in Column (a) with an overall floor area (including walls) of less than 100 sq.m.
  - (b) Roof: No roof forming effective water catchment area connected to the storage tank shall be less than 120m sq. projected plan area.
8. Water Supply Provisions—
  - (a) The subdividing owner of the land shall make arrangements satisfactory to the Council to the effect that prospective purchasers of the lot are advised that no reticulated water supply can be provided by the Water Authority of Western Australia.
  - (b) The land is subject to the provisions of the Water Authority of Western Australia's By-laws applicable to underground water supply and pollution control. The subdividing owner shall inform all prospective purchasers in writing of the Water Authority of Western Australia's requirements mentioned in (c) and (d) below.
  - (c) A well license must be obtained prior to construction of a well or bore to draw groundwater. Under current management guidelines 1500 kilolitres per year is allocated. The allocation of 1500 kilolitres if efficiently used is sufficient for domestic use and the irrigation of up to 0.1 hectares.
  - (d) Activities carried out on this land shall not contravene the Water Authority of Western Australia's By-laws applicable to underground water pollution control.
  - (e) Any increase in stormwater runoff created by the development of the land shall be catered for within the site and outlet flows to the Water Authority's drainage system shall not be increased. The developer shall at the subdivisional stage provide the Water Authority with calculations and plans to demonstrate that storm water runoff from the subdivision will not increase discharge to the Water Authority's drainage system. Any improvements or additions to the existing drainage system as a result of any development shall be to the requirements of the Water Authority and shall be at the developers' expense.
9. Land within the building envelope is to be managed in such a manner as to avoid the land being laid bare of vegetation resulting in loose, wind erodible conditions. Land outside the building envelope is to be managed in such a manner that there will be no further clearing of the land save for vegetation that has to be removed to make way for housing, fences, firebreaks, outbuildings and access way construction, the Council's approval shall be deemed as Council's written consent to remove vegetation. Clearing for all other purposes is to be contained within the building envelope.
10. The subdividing owner shall undertake a tree planting programme to encompass all of the land outside the building envelope including SECWA easements, with planting and management within the easements being in accordance with SECWA's requirements.

11. The Council may specify that groups of trees are required to retain the rural character of the locality. No person shall remove without the prior written consent of Council any of those groups of trees.
12. All buildings and effluent disposal areas shall be constructed within the building envelope as defined on the approved Plan of Subdivision for Special Rural Zone No.16. The Council may vary the position and size of a building envelope at its discretion, provided any variation will not adversely affect the amenity of the land. Notwithstanding the foregoing requirements, where the subdivisional guide plan defines and effluent disposal area within a building envelope, this area shall not be varied and the effluent disposal system shall be built within it.
13. Conventional effluent disposal systems shall be constructed so as to achieve a minimum vertical separation of 2m between the system and the highest known groundwater level, and 100m horizontal separation from the Water Authority of Western Australia drain and areas of intermittent inundation as shown on the subdivisional guide plan. In addition Council may require the installation of an approved nutrient retentive effluent disposal system.
14. Council may vary building envelopes in order to preserve declared rare flora.

D. J. NELSON, Mayor.

R. K. SMILLIE, Town Clerk.

PD416

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

*Town of Narrogin*

Town Planning Scheme No. 1A—Amendment No. 26

Ref: 853/4/2/9, Pt. 26.

Notice is hereby given that the town of Narrogin has prepared the abovementioned scheme amendment for the purpose of—

1. Rezoning Narrogin Town Lots 538, 539 and 540 corner Williams Road and Earl Street from their existing zone "Offices" to "Single and Group Housing" zone and adding a "Special" zoning over the subject land.
2. Amending the Special Use Table by the addition of "Art Studio Teaching Ceramics".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 89 Earl Street, Narrogin and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including May 15, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 15, 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.

P. J. WALKER, Shire Clerk.

**PORT AUTHORITIES**

PH401

**GERALDTON PORT AUTHORITY**

Applications to Lease Land

Applications are invited from persons or companies interested in Leasing Land from the Authority. Land vested in the Authority under the Geraldton Port Authority Act No. 10 of 1968 may be leased for any term not exceeding twenty one years, as yards or sites for—

- (a) Shipbuilding, boatbuilding, storing of goods
  - (b) The erection of workshops or foundries
  - (c) Other purposes connected with shipping
- (1) The site available was previously occupied by Millman Services and is currently used by the authority as its maintenance depot. The successful applicant will be required to reimburse the authority for the improvements purchased, with settlement on or before 30 June 1992.

The lease term will be for 21 years from 1 July 1992 and proposed rental terms are outlined in a draft lease agreement which is available upon request.

Applicants will be required to specify intended use of the land and improvements and submit an offer for the improvements.

(2) Vacant land is also available being part of Reserve 20606 which is available for fishing industry purposes. Details can be obtained from the undersigned.

Applications close at 2pm on Tuesday 7 April 1992 with—

Mr L. W. Graham  
General Manager  
Geraldton Port Authority  
PO Box 1856  
Geraldton WA 6530

No Application will necessarily be accepted.

#### PH402

#### DAMPIER PORT AUTHORITY EXPRESSION OF INTEREST

The Dampier Port Authority has a responsibility to encourage the long term commercial development of the Port.

To assist the Authority to assess how such development may take place, suitably qualified companies are invited to express an interest in undertaking any such development in either the short or long term future.

Such development could take place on any Crown or Authority land within the Port Area and would provide for any commercial or industrial venture associated with shipping.

Expressions of interest will be accepted no later than Friday, 17th April, 1992.

All correspondence should be addressed to:

The Harbour Master,  
Dampier Port Authority,  
PO Box 285,  
Dampier WA 6713.  
Attention Capt. G. F. Hammonds.

### 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.

App. No.	Applicant	Nature of Application	Last Day for Objections
<b>TRANSFER OF LICENCE</b>			
237	Luciano Iacobelli	Application to Transfer Restaurant Licence in respect of Vanni's Restaurant, Subiaco, from Pietro Nominees Pty Ltd	7/4/92
238	B. H. A. and P. W. Markham	Application to Transfer Liquor Store Licence in respect of the Shenton Park Liquor Store, Shenton Park, from Spinifex Pty Ltd	13/4/92
239	Sassey Pty Ltd	Application to Transfer Producer Licence in respect of Geographe Estate Winery Restaurant, Dunsborough, from J. H. and S. J. Jackson	10/4/92
240	Keytime Pty Ltd	Application to Transfer Hotel Licence in respect of the Billabong Hotel, Wanoo, from B. J. Baldock	13/4/92
242	Z. Bogdanovich	Application to Transfer Restaurant Licence in respect of the Odeon Cafe Restaurant, Northbridge, from Kingpoint Holdings Pty Ltd	13/4/92

SUMMARY OF LIQUOR LICENSING APPLICATIONS—*continued*

App. No.	Applicant	Nature of Application	Last Day for Objections
<b>NEW LICENCE</b>			
72A/91	Spotless Catering Services Limited	Application for a Special Facility Licence in respect of Brockman Wet Canteen, via Tom Price	1/5/92
145BR/91	Volo Pty Ltd	Application for the removal of Wholesale Licence in respect of premises which is currently situated at 2179 Boodjidup Road, Margaret River and is to be removed to 23 Gallipoli Street, Lathlain	13/4/92
147B/91	Blue Gum Park Tennis Club Inc	Application for a Club Restricted Licence in respect of the Blue Gum Park Tennis Club Inc., Disney Street, Brentwood	23/4/92

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

H. R. HIGHMAN, Acting Director of Liquor Licensing.

### STATE ENERGY COMMISSION

SJ401

#### STATE ENERGY COMMISSION ACT 1979

##### THE STATE ENERGY COMMISSION OF WESTERN AUSTRALIA

Notice that at 0500 hours on Monday 30 March 1992, The State Energy Commission of Western Australia, pursuant to section 57 of the State Energy Commission Act 1979, made an Order, a copy of which is set out in the following Schedule.

A copy of this Order was originally published in *The West Australian* newspaper on Tuesday, 31 March 1992.

Dated this 31 March 1992.

M. P. DULANEY, Secretary,  
State Energy Commission of Western Australia.

#### Schedule

##### Order

#### THE STATE ENERGY COMMISSION OF WESTERN AUSTRALIA STATE ENERGY COMMISSION ACT 1979

1. In the opinion of The State Energy Commission of Western Australia (the Commission) the provision, distribution and supply of electricity within the State of Western Australia is likely to be affected and the interruption, curtailment or termination of supply may result due to industrial action.
2. The Commission declares that a system emergency, as defined in section 57(1) of the State Energy Commission Act 1979, exists.
3. The Commission orders that, from 0500 hours on Monday, 30 March 1992, the following restrictions will apply to the use of electricity from the South West interconnected electricity supply system—

#### 3.1 INDUSTRIAL COMMERCIAL AND GENERAL CONSUMERS

##### 3.1.1 Electricity must not be used for—

- (a) Industrial purposes except where a supply is essential to prevent serious damage to a consumer's plant and/or prior approval has been given in writing by the Commission.
- (b) Heating and air conditioning. Circulating fans may be used only where absolutely necessary for ventilation purposes.
- (c) Refrigeration (including deep freezing) except to the extent necessary to prevent deterioration of stock.
- (d) Display, window, sign, decorative or external lighting.

- (e) Recreational, sporting or entertainment purposes except in cinemas or theatres where the minimum amount of electricity may be used for projection, safety and/or security purposes.
  - (f) Pumping of water, unless approval has been given in writing by the Commission.
- 3.1.2. All automatic time switches controlling lighting, pumping or other loads must be switched off.
- 3.1.3. Only one lift or escalator, or not more than half the number of lifts or escalators (whichever shall be the greater number) installed in a building or premises is to be used.
- 3.1.4. Internal lighting must be kept to a minimum and not more than 1/3rd of the installed internal lighting may be used at any one time.
- 3.2 DOMESTIC CONSUMERS**
- 3.2.1. The use of electricity by domestic consumers must be restricted to essential needs, as follows—
- (a) Electric room heaters, air conditioners and water heaters must not be used, except where vital to the occupant's well-being.
  - (b) Cooking must be limited to one hot plate at a time, or the use of a microwave oven.
  - (c) Internal lighting must be kept to a minimum and restricted to two rooms.
  - (d) External lighting must not be used.
  - (e) Refrigerators and deep freezers may only be used to the extent that is necessary to prevent the deterioration of food.
  - (f) Water reticulation and swimming pool pumps must not be used and automatic time switches must be switched off.
4. This Order shall cease to have effect 7 days from the time and date specified in Clause 3 unless previously renewed, cancelled or varied.

By Order of the Board on 30 March 1992.

M. P. DULANEY, Secretary,  
The State Energy Commission of Western Australia.

**SJ402**

**STATE ENERGY COMMISSION ACT 1979  
THE STATE ENERGY COMMISSION OF WESTERN AUSTRALIA  
CANCELLATION OF ORDER**

The Order made by the State Energy Commission of Western Australia at 0500 hours on Monday, 30 March 1992, under section 57 of the State Energy Commission Act 1979, has been cancelled with effect from 1330 hours on Monday, 30 March 1992.

Dated 30 March 1992.

M. P. DULANEY, Secretary,  
The State Energy Commission of Western Australia.

**WORKERS COMPENSATION AND REHABILITATION**

**WC301**

**WORKERS' COMPENSATION AND REHABILITATION ACT 1981  
WORKERS' COMPENSATION AND REHABILITATION AMENDMENT  
REGULATIONS (NO. 2) 1992**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Workers' Compensation and Rehabilitation Amendment Regulations (No. 2) 1992*.

**Principal regulations**

2. In these regulations the *Workers' Compensation and Rehabilitation Regulations 1982\** are referred to as the principal regulations.

[\* *Published in the Gazette of 8 April 1982 at pp. 1229-50.*  
*For amendments to 10 March 1992 see 1990 Index to Legislation of Western Australia, pp. 422-3 and Gazettes of 26 February, 8 March, 28 June and 6 December 1991.*]

**Regulation 16 amended**

3. Regulation 16 of the principal regulations is amended —

- (a) by deleting "\$1 500" and substituting the following —  
     " \$5 000       ";
- (b) by deleting "\$500" and substituting the following —  
     " \$1 500       "; and
- (c) by deleting "\$40" and substituting the following —  
     " \$65       ".

**Regulation 17 amended**

4. Regulation 17 of the principal regulations is amended by deleting "\$30" and substituting the following —

" \$50       ".

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

WC302

**WORKERS' COMPENSATION AND REHABILITATION ACT 1981**  
**WORKERS' COMPENSATION AND REHABILITATION**  
**AMENDMENT REGULATIONS 1992**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Workers' Compensation and Rehabilitation Amendment Regulations 1992*.

**Principal Regulations**

2. In these regulations the *Workers' Compensation and Rehabilitation Regulations 1982\** are referred to as the principal regulations.

[\* *Published in the Gazette of 8 April 1982 at pp. 1229-50.*  
*For amendments to 18 February 1992 see 1990 Index to Legislation of Western Australia, pp. 422-3 and Gazettes of 26 January, 8 March and 28 June 1991.*]

**Regulation 19C amended**

3. Regulation 19C of the principal regulations is amended—

- (a) by repealing subregulation (7) and substituting the following subregulation—

" (7) Where an initial audiometric test is carried out by an audiometric officer and the results of an air conduction test meet the criteria specified in Item 1, 2 or 3 of Waugh and Macraes' criteria for medical referral in Table 1 of National Acoustic Laboratories Report No. 80, the audiometric officer shall refer the worker to an audiologist or an approved medical practitioner for full audiometric testing.   ";

and

- (b) in subregulation (10) by deleting paragraphs (a) and (b) and substituting the following paragraphs—

" (a) if the referral is under subregulation (6), the audiometric officer completes the audiometric test;





FORM 19B

(Reg. 19F)

WORKERS' COMPENSATION AND REHABILITATION ACT 1981  
REPORT OF SUBSEQUENT/RETIRING/TURNING 65  
AUDIOMETRIC TEST

TO: EXECUTIVE DIRECTOR, WORKERS' COMPENSATION AND  
REHABILITATION COMMISSION

Notice is hereby given that I have conducted an audiometric \*test/retest of:

WORKERS' DETAILS

[Grid for Given Names (in full)]

GIVEN NAMES (in full)

[Grid for Surname]

SURNAME

SEX  
 M  F

[Grid for Former Surname if Applicable]

FORMER SURNAME IF APPLICABLE

[Grid for Address Number and Street]

ADDRESS NUMBER AND STREET

[Grid for Suburb or Town]

SUBURB OR TOWN

POST CODE

DATE OF BIRTH

[Grid for Day Month Year]

DAY MONTH YEAR

[Grid for Home Phone Number]

HOME PHONE NUMBER

[Grid for Work Phone Number]

WORK PHONE NUMBER

OCCUPATION OF WORKER

[Grid for A.S.C.O.-OFFICE USE]

A.S.C.O.-OFFICE USE

EMPLOYED OR FORMERLY EMPLOYED BY:

[Grid for Full Name of Employer]

FULL NAME OF EMPLOYER

[Grid for Address Number and Street of Employer]

ADDRESS NUMBER AND STREET OF EMPLOYER

[Grid for Suburb or Town]

SUBURB OR TOWN

POST CODE

PREDOMINANT INDUSTRY OF EMPLOYER

[Grid for A.S.C.O.-OFFICE USE]

A.S.C.O.-OFFICE USE

LEVEL OF TEST:

Air-conduction

Full audiological

Medical Panel

PURPOSE OF TEST:

Subsequent

Retired/Turning 65

HEARING TEST RESULTS

HERTZ (Hz)	500	1000	1500	2000	3000	4000	6000	8000
AIR CONDUCTION	RT EAR							
	RT EAR ** MASKED							
	LT EAR							
	LT EAR ** MASKED							
** BONE CONDUCTION	RT EAR							
	RT EAR MASKED							
	LT EAR							
	LT EAR MASKED							

CALCULATED PLH  %  
OFFICE USE

\*\*\* CALCULATED NOISE INDUCED PLH SINCE BASELINE TEST/PREVIOUS ELECTION \*  %

OTORHINOLARYNGOLOGICAL EXAMINATION

Practitioner.....

Address.....

Signature..... Date.....

PERSON CONDUCTING TEST

SURNAME INITIALS

REG. NO.

EQUIPMENT REG. NO.

BOOTH REG. NO.

I hereby certify, that I have personally conducted an audiometric test in accordance with the *Workers' Compensation and Rehabilitation Act 1981* and to the best of my knowledge and belief the results are true and correct.

SIGNATURE  
\* Delete which doesn't apply  
\*\* Approved Medical Practitioners or Audiologists Only  
\*\*\* Registered Otorhinolaryngologist Only

DATE OF TEST

DAY MONTH YEAR

By His Excellency's Command,

D. G. BLIGHT, 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
		1992
183/91 .....	Supply and spray CRS50/60 bitumen emulsion for enrichment seal work var. roads, Albany Division	10 April
188/91 .....	Inspection and treatment of timber bridges for subterranean termites, Northam Division	10 April
3/92 .....	Litter collection and disposal from roadside bins and their immediate surrounds in parking bays and rest areas. Also from the road surface and verge within 10m of the seal edge.	4 May

**ZT202***Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount
			\$
145/91 .....	Manufacture and delivery of precast concrete box culverts (1500mm x 1500mm and 2400mm x 1800mm) GNH, Tuckanarra, Geraldton Division	CSR Humes Pty Ltd	245 850.00
150/91 .....	Asphalt surfacing—Guildford Road, Metropolitan Division	Boral Asphalt	204 380.00
91Q19 .....	Supply and delivery of one flat top truck	A. V. Truck Service Pty Ltd	49 484.00

D. R. WARNER, Director, Corporate Services.

**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
			1992
Mar. 20	097A1992	Clothing, Industrial—for Various Government Departments for one (1) year period with an option exercisable by the Commission to extend for a further (12) month period .....	April 9
Mar. 20	100A1992	Drugs to meet a "Whole of Health" Requirement for a one (1) year period .....	April 16
Mar. 27	094A1992	Supply of Dialysers for a Whole of Health Requirement for a period of two (2) years with an option exercisable by the Commission to extend for twelve (12) months .	April 16
Mar. 27	370A1992	Forty thousand (40 000) metres of Light Blue Shirting Material for the West Australian Police .....	April 16

STATE SUPPLY COMMISSION—*continued*  
Tenders Invited—*continued*

Date of Advertising	Schedule No.	Description	Date of Closing
1992			1992
Mar. 20	364A1992	Supply, Installation and Maintenance of an Integrated Computer Hardware and Software Solution to meet the Information System Requirements of the General Manager Workshops—Westrail .....	May 14
April 3	041A1992	Injection Sets, Needles and Syringes for a Whole of Health Requirement .....	April 30
April 3	141A1992	Printing Paper, Writing Paper, Copy Paper and Board requirements for State Print for a two (2) year period commencing approx. August 1, 1992 .....	April 30
April 3	378A1992	Pagers for Sir Charles Gairdner Hospital .....	April 30
April 3	379A1992	One (1) to Five (5) Four Wheel Drive Loaders (Class 15WL) for the Main Roads Department .....	April 30
April 3	381A1992	Supply, Delivery, Installation and Commissioning of Computerised Electrophysiology Laboratory System for the Royal Perth Hospital .....	April 30
		<i>Invitation to Register Interest</i>	
Mar. 13 & March 20	ITRI 3/92	For Lease of Quaranup Recreation Camp—Ministry of Sport and Recreation .....	April 9
		<i>For Service</i>	
Mar. 27	154A1992	Aircraft Maintenance and Supply of Spare Parts at Jandakot Airport for the Department of Conservation and Land Management for a One (1) year period with three (3) successive options each to extend for a further one (1) year period .....	April 16
Mar. 27	199A1992	An International Airmail (Remail) Service for the Government of Western Australia for a one (1) year period from July 1, 1992 to June 30, 1993 with two (2) successive options to extend for a further twelve (12) month Period .....	Extended to April 23
		<i>For Sale</i>	
Mar. 20	365A1992	Various Stihl Chainsaws at Ludlow (CALM) .....	April 9
Mar. 20	366A1992	1980 4kW Generator Set Trailer Mounted at Welshpool (MRD 4860) (XQU 741) .....	April 9
Mar. 20	367A1992	1985 Komatsu Grader (MRD 8399) (6QE 655) at Kununurra .....	April 9
Mar. 20	368A1992	(Recall) One (1) Secondhand Grader (MRD 5984) at Welshpool .....	April 9
Mar. 20	369A1992	1990 Ford Falcon Panel Van (MRD B970) (6QP 430) at Carnarvon .....	April 9
Mar. 27	371A1992	One (1) only secondhand 4.5 metre Savage Aluminium Boat at Hillarys for the Fisheries Dept.....	April 16
Mar. 27	372A1992	1988 Diesel Daihatsu 3 tonne Drop Side Tray Body Truck (6QP 955) at Derby for Agriculture Protection Board .....	April 16
Mar. 27	373A1992	1988 Diesel Daihatsu 3 tonne Drop Side Tray Body Truck (6QP 954) at Kununurra for Agriculture Protection Board .....	April 16
Mar. 27	374A1992	1980 Isuzu 4x2 Double Cab Tray Top Truck (XQN 168) at Mundaring for the Dept of Conservation and Land Management .....	April 16
Mar. 27	375A1992	1990 Toyota Hilux Crew Cab Diesel Utility 4WD (MRD B874) (7QC 438) at Derby for the Main Roads Department .....	April 16
Mar. 27	376A1992	Item 0001: 1987 Nissan 4x4 Steel Dropside Trayback Single Cab (6QM 798), Item 0002: 1988 Ford Falcon GL S/W (XQY 262), Item 0003: 1989 Ford Falcon Utility (XQY 266) at Kununurra for the Dept of Agriculture .....	April 16
Mar. 27	377A1992	One (1) only Gents 18ct Rolex Wrist Watch at Maylands	April 16

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

STATE SUPPLY COMMISSION—*continued**Accepted Tenders*

Schedule No.	Particulars	Contractor	Rate
<i>Supply</i>			
271A1991	Supply and Delivery of Membrane Oxygenators to Royal Perth Hospital for a 12 month period with an option to extend	Terumo Australia Pty Ltd	\$365.00 ea.
329A1992	Supply and Delivery of an In-Line Folding, Inserting and Pressure Sealing Machine for State Print	Moore Business Systems Aust. Ltd	\$69 000.00
330A1992	Supply and Delivery of Four Wheel Drive Tractors for the Main Roads Department	J.I. Case (Aust) Pty Ltd	\$87 600.00 ea.
ITRI 1/92	Supply, Delivery and Installation of a Laboratory Information Management System for the Chemistry Centre, Department of Mines	Laboratory Systems Pty Ltd	\$189 972.00
<i>Purchase and Removal</i>			
339A1992	1984 Case Loader (MRD 7463) (6QU 193) Model W7G for the Main Roads Department at Welshpool	R. D. Ireland .....	\$14 000.00
340A1992	Item 1 Trailer Mounted Aircompressor (MRD 0051) for the Main Roads Department at Welshpool	K.T. Pipeline Services ...	\$1 850.00
	Item 2 5/6 Tonne Trailer (MRD 1244) (UQV 577) for the Main Roads Department at Welshpool	Toscana WA Pty Ltd .....	\$650.00
	Item 3 Road Broom (MRD 1505) (XQT 710) for the Main Roads Department at Welshpool	Toscana WA Pty Ltd .....	\$350.00
	Item 4 Road Broom (MRD 4528) (XQW 114) for the Main Roads Department at Welshpool	Toscana WA Pty Ltd .....	\$300.00
	Item 5 Trailer Mounted Water Pump (MRD 9523) for the Main Roads Department at Welshpool	Toscana WA Pty Ltd .....	\$500.00
355A1992	1990 VN Holden Commodore Sedan (8AM 120) for Goldenlines Bus Service at Kalgoorlie	A.J. Auto Wholesalers ...	\$11 689.00
358A1992	Hanomag 33C Loader (MRD 7443) (6QA 224) for the Main Roads Department at Welshpool	M. Zuvela .....	\$14 400.00

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
AM 20611	Supply and Installation of a Lime Dosing Plant for Beenyup Wastewater Treatment Plant	1992 April 28
WP 22013	Supply and Delivery of Aqueous Ammonia to the Authority's Bulk Storage at Mundaring Weir for a Twenty Four (24) Month Period 1992/94	April 14

ZT402

WATER AUTHORITY OF WESTERN AUSTRALIA—*continued*  
*Accepted Tenders*

Contract	Particulars	Contractor	Price
AS 13013	Floor, Window and General Cleaning of the John Tonkin Water Centre, and the Operations Centre for a Twenty Four (24) Month Period	Maria Baric T/As Golden West Commercial & Retail Cleaning	\$254 774

W. COX, Managing Director.

ZT501

MARINE AND HARBOURS

Contract No.	Project	Closing Date	Tender Document from
E108	Batavia Coast Marina—Geraldton Trunk Drainage Construction	7/4/92	Administrative Assistant Engineering.

Tender documents available from Tuesday 24 March, 1992 on payment of a non-refundable deposit of \$15.00.

M. J. PAUL, Director Engineering.

**PUBLIC NOTICES**

ZZ101

**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 7th May 1992, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Baird, Leslie Hounsome, late of Unit 422, Belgrade Nursing Home, Wanneroo, died 20/2/92.

Barr, Philip, late of 275 Burns Beach Road, Burns Beach, died 16/2/92.

Bennett, Sydney Keith, formerly of 2 Monument Street, Mosman Park, late of St Catherines Nursing Home, 131 Broadway, Nedlands, died 26/2/92.

Berrey, Amy May, late of Leighton Nursing Home, 40 Florence Avenue, West Perth, died 30/1/92.

Boszko, Michael, late Hampton House, Skye Nursing Home, 13 Stevens Street, Fremantle, died 15/1/92.

Claxon, John William, late of 59 Ashburton Street, East Victoria Park, died 29/1/92.

Cooper, Mary Hamilton, late of 7 Dorothy Street, Ashfield, died 30/1/92.

Dawson, Jessie Evelyn, late of Applecross Nursing Home, Riverway, Applecross, died 27/2/92.

Fraser, Vilma Leila Dorothea, late of 103 Shillington Way, Thornlie, died 5/3/92.

Hocking, Joan Annie, late of 20 Cargill Street, Victoria Park, died 17/10/91.

Lewis, Kathleen Mary, late of 25 Geraldine Street, Bassendean, died 27/2/92.

McDonnell, John, late of 1/426 Lennard Street, Dianella, died 26/10/91.

Norman, Sidney George, late of 262 Urch Road, Roleystone, died 16/2/92.

Pearce, Gwendolene Annie, late of 67 Elstree Avenue, Coolbinia, died 6/3/92.

Procter, James Arthur Venable, formerly of Flat 15 Ionic Way, Freemasons Cottages, 55 Alexander Drive, Mount Lawley, late of Howard Solomon Homes, 91 Hybanthus Road, Ferndale, died 23/2/92.

Sherriff, George Frederick, late of 7 Shoalwater Road, Safety Bay, died 20/2/92.

Turner, Raymond, late of 14 Chapman Road, Calista, died 23/2/92.

Upton, Regionald Leslie Henley, late of 29 Valentine Grove, Armadale, Victoria, died 2/12/91.

Dated this 30th day of March 1992.

K. E. BRADLEY, Public Trustee,  
Public Trust Office, 565 Hay Street, Perth.

**ZZ201**

**TRUSTEES ACT 1962**  
**NOTICE TO CREDITORS AND CLAIMANTS**

Eric William Pateman late of 3 Lancier Place, Madora in the State of Western Australia, Retired Crane Driver, deceased.

Creditors and other persons having a claim (to which section 63 of the Trustees Act 1962 of WA relates) in respect to the Estate of the said deceased who died on May 27, 1991, are required by the Executor, Peter John Rattigan of care of Messrs Rattigan Kearney & Bochat of PO Box 300, Rockingham in the said State, to send particulars of their claim to him by May 10, 1992 after which date the Executor may convey or distribute the assets having regard only to the claims of which he then has notice.

Dated March 27th 1992.

RATTIGAN KEARNEY & BOCHAT, Solicitors.

---

**ZZ202**

**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 Robert Milton King (deceased) late of 10 Ruffian Loop, Willetton in the State of Western Australia who died on the 9th day of April 1991 at Willetton are required by the Administrator of the Estate Rosemary Anne O'Dwyer of 53 Karimba Street, Wanneroo in the said State to send particulars of their claims to her care of Michael Whyte & Co., Barristers and Solicitors of Level 1, 41-43 Ord Street, West Perth 6005 WA by the 30th day of April 1992 after which date the Administrator and Trustee may convey or distribute the assets having regard only to the claims of which the said Administrator then has notice.

Dated this 26th day of March 1991.

MICHAEL WHYTE & CO.,  
Solicitors for the Estate of the abovenamed Deceased.

---

**ZZ203**

**TRUSTEES ACT 1962**

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the Estate of Wasyl Dumitro, late of 7 Boolardie Road, Golden Bay, died 3 February 1992, are required to send particulars of their claims to me on or before 7 May 1992, after which date I may convey or distribute the assets, having regard only to claims of which I then have notice.

Dated this 26th day of March 1992.

B. ISRAEL, Executor.  
10 Edward Street, Bunbury.  
(P.O. Box 725, Bunbury).

---

**ZZ301**

**INQUIRY AGENTS LICENSING ACT 1954**  
**APPLICATION FOR LICENCE IN THE FIRST INSTANCE**

To the Clerk of Petty Sessions at Perth.

I, Karene Elaine Primrose of 43 Castlefern Way, Duncraig, in the State of Western Australia, Insurance Investigator 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 43 Castlefern Way, Duncraig in the said State.

Dated the 27th day of March 1992.

K. E. PRIMROSE, Signature of Applicant.

---

Appointment of Hearing

I hereby appoint the 5th day of May 1992 at 2.15 o'clock in the afternoon as the time for hearing of the foregoing application at the Court of Petty Sessions at Perth.

Dated the 27th day of March 1992.

M. RAKICH, 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

## MEMBERS VOLUNTARY WINDING UP

Haritz Patisserie Pty Ltd (A.C.N. 009 167 659)

The following resolution was passed at a general meeting of members held on 31st March 1992—

"That the company be wound up voluntarily and that John W. Muntz be appointed Liquidator."

Dated 31st March 1992.

JOHN W. MUNTZ, Liquidator,  
Suite 4, 196 Scarborough Beach Road, Doubleview.

## CURRENT RELEASE

**W.A. LAW ALMANAC 1990**

Prices:—

Counter Sales—\$8.50

Mailed plus postage on 300 grams

Available from Marine and Harbours Department,  
1 Essex Street, Fremantle.

Phone 335 0888.

Navigable Waters Regulations, 1958.

Regulations for Preventing Collisions at Sea.

Regulations for the Examination of Applicants for Masters, Mates,  
Coxswain, Engineers, Marine Motor Engine Drivers and Marine  
Surveyors.**BREAK THE SILENCE****REPORT OF THE TASK FORCE ON  
DOMESTIC VIOLENCE.****TO THE W.A. GOVERNMENT  
JAN. 1986**COUNTER SALES—\$10.20  
MAILED PLUS POSTAGE ON 2 KG

## Reprinted Statutes

Individual Acts are from time to time reprinted under the *Reprints Act 1984* incorporating all amendments up to a particular date. This program is managed by the Crown Law Department.

A standing order may be placed with State Print for all Reprints that become available. Where this is done, a charge will be made for each Reprint at the time of supply.

If a customer wishes to be placed on the mailing list, send written notification to:

State Print  
Manager, Law Publisher  
22 Station Street  
Wembley 6014

### Statutes Reprinted in 1990

Anglican Church of Australia School Lands Act 1896 — \$1.70  
Artificial Breeding of Stock Act 1965 — \$2.80  
Child Welfare Act 1947 — \$6.60  
Royal Agricultural Society Act 1926, Royal Agricultural Society Act Amendment Act 1929 — \$1.70  
Town Boundary Marks Ordinance 1853 — \$1.70  
Veterinary Surgeons Act 1960 — \$3.30

### Statutes Reprinted in 1991

Bunbury Port Authority Act 1909 — \$3.30  
Change of Names Regulation Act 1923 — \$1.70  
Credit Unions Act 1979 — \$9.00  
Criminal Code Compilation Act 1913 — \$15.00  
Edith Cowan University Act 1984 — \$2.80  
Financial Administration and Audit Act 1985 — \$7.70  
Gas Undertakings Act 1947 — \$2.20  
Health Act 1911 — \$11.00  
Industrial Relations Act 1979 — \$8.00  
Mines Regulation Act 1946 — \$4.40  
Painters Registration Act 1961 — \$2.80  
Road Traffic Act 1974 — \$9.00  
University Medical School Teaching Hospitals Act 1955 — \$1.70

### Statutes Reprinted in 1992

These Statutes are in the process of being reprinted and will be available during this year.

Government Employees Superannuation Act 1987  
Beekeepers Act 1963 (available — \$2.20)  
Perth Market Act 1926 (available — \$2.20)  
Parliamentary Superannuation Act 1970 (available — \$2.80)  
Totalisator Agency Board Betting Act 1960 (available — \$4.40)  
Plant Diseases Act 1914 (available — \$2.80)  
Commercial Tenancy (Retail Shops) Agreements Act 1985 (available \$2.80)  
Workers Compensation and Rehabilitation Act 1981 (available — \$10.00)  
Bail Act 1982  
Offenders Community Corrections Act 1963  
Pay-roll Tax Act 1971  
Conservation and Land Management Act 1984  
Petroleum (Registration Fees) Act 1967  
Bush Fires Act 1954

Prices Subject to Change

**Do you need  
something printed?**

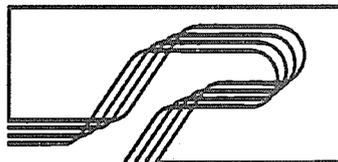
*Tried the  
Print lately?*

**3 Reasons why you should:**

- **QUALITY WORK**
- **COMPETITIVE RATES**
- **FAST EFFICIENT SERVICE**

Telephone our Marketing section for a quote or advice  
on how to produce your next publication in the  
most efficient and economical way

**WE KNOW YOU'LL BE IMPRESSED!**



**STATE PRINT  
DEPARTMENT OF STATE SERVICES**

**STATION STREET, WEMBLEY 6014, PHONE 383 8811**

**CONTENTS**  
REGULATIONS, BY-LAWS, RULES, DETERMINATIONS, ORDERS

	Page
Cemeteries Act—Metropolitan Cemeteries Board By-law .....	1496-1519
Credit Act—	
Order Under Section 19 .....	1465
Order Under Section 19 .....	1465
Dog Act—Shire of Ashburton—By-laws Relating to Dogs .....	1487
Fisheries Act—	
Ningaloo Marine Park (Recreational Fishing) Amendment Notice 1992—Notice No. 532 .....	1472-3
Pilbara Trap Limited Entry Fishery Notice 1992 .....	1469-72
Health Act—	
Shire of Kalamunda—By-laws Relating to Mobile Garbage Bins .....	1474-6
Town of Port Hedland—Model By-law Series “A”—Part 1 General Sanitary Provisions .....	1477
Home Building Contracts Regulations 1992 .....	1465-8
Local Government Act—By-laws—	
Shire of Collie—By-law Relating to the Clearing of Land and Removal of Refuse, Rubbish and Disused Materials .....	1488-90
Shire of Dandaragan—By-laws Relating to Holiday Accommodation .....	1491
Mindarie Regional Council—By-laws Relating to the Operation of “Tamala Park” Refuse and Recycling Facility .....	1494-5
Shire of Northam—By-laws Relating to Extractive Industries .....	1491
Town of Northam—Revocation, Invocation and Application of By-laws in Relation to Land Annexed from the Shire of Northam .....	1493-4
Local Government Act—Orders—	
Shire of Busselton (Valuation and Rating) Order No. 1, 1992 .....	1488
Shire of Northam (Specified Area) Order No. 3, 1992 .....	1492-3
City of Wanneroo (Gate Across Street) Order No. 2, 1992 .....	1494
Pharmacy Amendment Regulations 1992 .....	1474
Retail Trading Hours (Town of Albany) Amendment Order (No. 2) 1992 .....	1463
Retail Trading Hours Exemption Order (No. 2) 1992 .....	1463
Retail Trading Hours Exemption Order (No. 3) 1992 .....	1463
Retail Trading Hours Exemption Order (No. 4) 1992 .....	1464
Retail Trading Hours Exemption Order (No. 5) 1992 .....	1464
Retail Trading Hours Exemption Order (No. 7) 1992 .....	1464
Tobacco Control (Exemption) Notice (No. 8) 1992 .....	1473
Workers Compensation and Rehabilitation Act—	
Workers' Compensation and Rehabilitation Amendment Regulations 1992 .....	1541-5
Workers' Compensation and Rehabilitation Amendment Regulations (No. 2) 1992 ..	1540-1

**GENERAL CONTENTS**

	Page
Aboriginal Affairs .....	1461-2
Consumer Affairs .....	1463-8
Crown Law .....	1468
Fisheries .....	1469-73
Health .....	1473-7
Land Administration—	
General Information .....	1481-7
Orders in Council .....	1478-80
Local Government .....	1487-1524
Mines .....	1525-6
Planning and Urban Development .....	1527-37
Port Authorities .....	1537-8
Proclamations .....	1461
Public Notices—	
Companies .....	1551
Deceased Persons Estates .....	1549-50
Inquiry Agents .....	1550
Racing and Gaming .....	1538-9
State Energy Commission .....	1539-40
Tenders—	
Main Roads Department .....	1546
Marine and Harbours .....	1549
State Supply Commission .....	1546-8
Water Authority .....	1548-9
Workers Compensation and Rehabilitation .....	1540-5