

WESTERN AUSTRALIAN GOVERNMENT Gazette



PERTH, FRIDAY, 30 OCTOBER 1992 No. 154

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- Documents not clearly prepared and in the required format for gazettal, will be returned to the sender unpublished.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 1992.

Deceased Estate notices, (per estate)—\$14.70

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$33.90

Other Public Notices Section articles \$33.90 (except items of an exceptionally large nature, then arrangements will be made for invoicing).

All other Notices

Per Column Centimetre—\$6.70

Bulk Notices—\$124.00 per page

Clients will be invoiced for advertising charges

COUNTER SALES 1992-93

(As from 1 July 1992)

	\$
Government Gazette—(General)	1.80
Government Gazette—(Special)	
Up to 2 pages	1.80
Over 2 pages	3.60
Hansard	11.00
Industrial Gazette	9.80
Bound Volumes of Statutes	187.00

IMPORTANT NOTICE

CHANGE OF PUBLISHING DETAILS FOR 1992

Commencing in January 1992 the Government Gazette will be published at 3.30 pm on Tuesday and Friday of each week.

Tuesday publication:

Copy to be lodged at State Print, Wembley by 3.00 pm the preceding Friday; or

Copy to be lodged at State Government Bookshop, 815 Hay Street, Perth by 3.00 pm the preceding Thursday.

Friday publication:

Copy to be lodged at State Print, Wembley by 3.00 pm the preceding Wednesday; or

Copy to be lodged at State Government Bookshop, 815 Hay Street, Perth by 3.00 pm the preceding Tuesday.

In the event of changes occurring due to Public Holidays, a notice will be published with the revised information.

Advertisers requiring more information should telephone 383 8851.

G. L. DUFFIELD, Director.

PROCLAMATIONS

AA101

TRANSFER OF LAND ACT 1893
TRANSFER OF LAND (REVESTMENT)
PROCLAMATION

WESTERN AUSTRALIA WILLIAM PAGE PIDGEON, Deputy Lieutenant-Governor and Administrator. [L.S.]	}	The Honourable William Page Pidgeon, Deputy of the Lieutenant-Governor and Administrator of the State of Western Australia.
--	---	---

DOLA File 5735/950V10.

Under section 243 of the Transfer of Land Act 1893, I, the Deputy of the Lieutenant-Governor and Administrator acting with the advice and consent of the Executive Council, do hereby revest in Her Majesty as of her former estate, the land described in the Schedules to this Proclamation.

Given under my hand and the Seal of the State on 27th October 1992.

By His Excellency's Command,

DAVID SMITH, Minister for Lands.

GOD SAVE THE QUEEN !

Schedule 1

DOLA File	Description of Land	Certificate of Title
1177/991	Portion of Perthshire Location 107 and being Lot 590 the subject of Diagram 80657 (now Swan Location 11755)	1923 873
8119/903	Portion of Bickley Lot 49 and being Lot 2 on Diagram 14810 (now portion of Lot 102)	1133 43

Schedule 2

DOLA File	Description of Land
1793/973	Portion of Canning Location 14a being Lot 55 on Plan 10669 and being part of the land comprised in Certificate of Title Volume 1363 Folio 201. (now Location 2648)

AA102

LAND ACT 1933
CLASSIFICATION OF RESERVED LANDS
PROCLAMATION

WESTERN AUSTRALIA WILLIAM PAGE PIDGEON, Deputy Lieutenant-Governor and Administrator. [L.S.]	}	The Honourable William Page Pidgeon, Deputy of the Lieutenant-Governor and Administrator of the State of Western Australia.
--	---	---

DOLA File 40974/24.

Under section 31 (1) (a) of the Land Act 1933, I, the Deputy of the Lieutenant-Governor and Administrator acting with the advice and consent of the Executive Council, hereby classify as of Class "A" Reserve No. 564 comprising Avon Location 28906 with an area of 20.234 3 hectares for the designated purpose of "Conservation of Flora and Fauna". Local Authority—Shire of Cunderdin.

Given under my hand and the Seal of the State on 27th October 1992.

By His Excellency's Command,

DAVID SMITH, Minister for Lands.

GOD SAVE THE QUEEN !

AA103

TRANSFER OF LAND ACT 1893
TRANSFER OF LAND (REVESTMENT)
PROCLAMATION

WESTERN AUSTRALIA WILLIAM PAGE PIDGEON, Deputy Lieutenant-Governor and Administrator. [L.S.]	}	The Honourable William Page Pidgeon, Deputy of the Lieutenant-Governor and Administrator of the State of Western Australia.
--	---	---

DOLA File 2481/990.

Under section 243 of the Transfer of Land Act 1893, I, the Deputy of the Lieutenant-Governor and Administrator acting with the advice and consent of the Executive Council, do hereby revest in Her Majesty as of her former estate, the land described as portion of Kwinana Lot E7 being the land marked 'Pedestrian Accessway' on Plan 10731 and being part of the land comprised in Certificate of Title Volume 1399 Folio 724 (now Lot 316).

Given under my hand and the Seal of the State on 27th October 1992.

By His Excellency's Command,

DAVID SMITH, Minister for Lands.

GOD SAVE THE QUEEN !

AA104

TRANSFER OF LAND ACT 1893
TRANSFER OF LAND (REVESTMENT)
PROCLAMATION

WESTERN AUSTRALIA WILLIAM PAGE PIDGEON, Deputy Lieutenant-Governor and Administrator. [L.S.]	}	The Honourable William Page Pidgeon, Deputy of the Lieutenant-Governor and Administrator of the State of Western Australia.
--	---	---

DOLA File 1889/982V2.

Under section 243 of the Transfer of Land Act 1893, I, the Deputy of the Lieutenant-Governor and Administrator acting with the advice and consent of the Executive Council, do hereby revest in Her Majesty as of her former estate, the land described as—

- (i) Portion of Cockburn Sound Location 10 and being Lot 15 the subject of Diagram 34979-CT 1901/72.
- (ii) Portion of Cockburn Sound Location 10 and being part of Lot 297 on Plan 7457-CT 1901/73. (now Location 4042)

Given under my hand and the Seal of the State on 27th October 1992.

By His Excellency's Command,

DAVID SMITH, Minister for Lands.

GOD SAVE THE QUEEN !

BUSH FIRES BOARD

BU401

BUSH FIRES ACT 1954
Shire of Broomehill

Bush Fires Board,
Perth.

Correspondence No. S15.1

Pursuant to the powers contained in section 25B of the Bush Fires Act 1954, I hereby revoke the suspension relating to the burning of refuse at the Council's disposal site on Reserve 10285 at Norrish Road, Broomehill as published in the *Government Gazette* on January 4, 1991.

GRAHAM EDWARDS, Minister for Emergency Services.

BU402

BUSH FIRES ACT 1954
SUSPENSION OF SECTION 25

Bush Fires Board,
Perth.

Correspondence No. S1.1

It is hereby notified that I, Graham Edwards administering the Bush Fires Act, 1954 hereby revoke all previous orders under section 25B of the said Act with relation to the Shire of Albany Rubbish Disposal Sites situated on the locations listed hereunder and pursuant to the powers contained in section 25B of the Act, approve the suspension of the operations of section 25 that relate to a fire refuse or rubbish or any like purpose during the declared Prohibited and Restricted Burning Times on land set aside for the purpose in the Municipal district of the Shire of Albany. This notice shall have effect until revoked and is issued subject to the following specified conditions:

Specified Conditions

Kronkup Rubbish Disposal Site Reserve No. 38504.

Redmond Rubbish Disposal Site Reserve No. 22938.

Bakers Junction Rubbish Disposal Site Reserve No. 31472.

1. A single trench with a dividing wall, or two trenches shall be maintained for the purpose of dumping and burning rubbish and refuse.
2. Only one section of a single trench, or one trench is to be set alight at any one time.
3. Trenches, prior to being burnt, shall be fenced or have earth barriers constructed around the perimeter, to a minimum height of one metre.
4. Signs shall be erected and maintained in a legible condition, facing all approaches to a burning trench, warning the public the trench is alight, and the dumping of rubbish or refuse in the trench is prohibited.
5. A sign shall be erected and maintained in a legible condition the entrance to the tip site, warning of the prohibition of the unauthorised lighting of fires within the tip site.
6. Only persons authorised by the Shire Clerk shall set fires rubbish or refuse in the trenches.
7. At least one person appointed under the Bush Fires Act is to be in attendance, with a fully equipped fire unit, for at least one hour after the rubbish or refuse is ignited.
8. Trenches are not to be lit on Sundays, Public Holidays or on days which the fire danger rating for the locality, as forecast by the Bureau of Meteorology, is Very High or Extreme.
9. All bush, save standing trees, shall be removed or reduced by prescribed burning from the area of the site, or a 100 metre radius from the centre of the trench.
10. Trenches shall no longer be permitted to be burnt, once the refuse or rubbish level remains at a distance of 500mm below ground level, after being burnt and compacted.
11. An earth, or wire fence barrier shall be constructed around the perimeter of the trenches, with the exception of an area left open for the purpose of dumping rubbish, refuse or allowing access of plant equipment. The barrier shall be so designated as to stop or reduce rubbish or refuse from being blown from the tip site by prevailing winds. Once erected or constructed, the barriers shall be maintained in an acceptable state of repair.
12. The Shire Ranger, a Shire Officer or Bush Fire Control Officer responsible for the area in which the tip site is situated, shall be notified of the intention to set a fire at the site, at least eight hours prior to ignition.

GRAHAM EDWARDS, Minister for Emergency Services.

CONSUMER AFFAIRS

CN301

RETAIL TRADING HOURS ACT 1987

RETAIL TRADING HOURS EXEMPTION ORDER (No. 26) 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. 26) 1992*.

Extended Trading Hours

2. Section 12 of the *Retail Trading Hours Act 1987* does not apply to the general retail shops specified in Column 1 of the Schedule during the periods specified opposite and corresponding to those general retail shops in Column 2 of the Schedule subject to access being limited to identified members of staff each accompanied by not more than one adult and school age children.

Schedule

Column 1

Column 2

Coles Supermarkets—
Maddington, Park Centre, Thornlie, Armadale,
Cannington, Midland, Belmont, Gosnells,
Kalamunda, Mirrabooka, Warwick, Innaloo,
Wanneroo, Northam, Kalgoorlie, Bunbury,
Geraldton, Melville, Burrendah, Albany, Boor-
agoon, Kwinana, Manjimup, Busselton, Flin-
ders Square, Inglewood, Girrawheen.

Tuesday, 22 December 1992,
from 6.00 p.m. to 9.00 p.m.

YVONNE HENDERSON, Minister for Consumer Affairs.

CN401

SUNDAY ENTERTAINMENTS ACT 1979

NOTICE

I, Yvonne Henderson, Minister for Consumer Affairs, acting pursuant to section 3 (2) of the Sunday Entertainments Act 1979 do hereby declare that the provisions of section 3 (1) of the Act shall not apply to the race meeting to be conducted by the Kalgoorlie-Boulder Racing Club at the Kalgoorlie racecourse on Sunday, 26 September 1993.

YVONNE HENDERSON, Minister for Consumer Affairs.

CN701

SETTLEMENT AGENTS ACT 1981

SETTLEMENT AGENTS SUPERVISORY BOARD

PROFESSIONAL INDEMNITY & FIDELITY INSURANCE

MASTER POLICY

Policy No. Y0000185R

Prepared by Minet International Professional Indemnity Ltd
190 St. George's Terrace, Perth W.A. 6000

CERTIFICATE OF INSURANCE

Settlement Agents Supervisory Board

Professional Indemnity and Fidelity Insurance

Schedule

Certificate No.

Master Policy No. Y 0000185R

The Insured:

Address of the Insured:

Period of Insurance:

From:

To 31st October 1993 (Midnight)

Limit of Indemnity:

Section 1:
Section 2: \$1,000,000

Each and every claim
Each and every claim

Deductible:

\$1,000 each claim

Premium:

\$

Stamp Duty:

\$

Total:

\$

In witness whereof this document has been signed on behalf of the

AMP General Insurance Limited	70%
140 St George's Terrace	
Perth WA 6000	
FAI General Insurance Company Limited	30%
185 Macquarie Street	
Sydney NSW 2000	

100%

who agree to indemnify the Insured in accordance with the terms, conditions and exclusions contained in the Master Policy.

WHEREAS the Settlement Agents Supervisory Board (hereinafter called "the Board") has agreed to the Insurer (hereinafter called "the Company") on behalf of all Licensees from time to time required by the Act to be insured and on behalf of and for the benefit of Former Licensees providing insurance in accordance with the Terms, Conditions and Exclusions contained herein,

And Whereas the Licensees (hereinafter called "the Insured") named in the Certificate of Insurance having paid to the Company the premium stated in the Certificate of Insurance to effect insurance with the Company,

The Company agrees:

SECTION 1: Professional Indemnity

To indemnify the Insured (which expression shall in this Section 1 only include any person or persons in the direct employ of the Insured) against all sums which the Insured shall become legally liable to pay for any claim or claims first made against the Insured during the period of insurance for breach of professional duty by reason of any negligence whether by way of any act, error or omission whenever or wherever committed or alleged to have been committed in the conduct of the Insured's profession or business.

SECTION 2: Fidelity

This Policy shall indemnify the Insured in respect of any pecuniary loss including loss of bearer bonds, coupons, bank notes, currency notes negotiable instruments or stamps sustained by him and first discovered by the Insured during the Period of Insurance by reason of any dishonest, fraudulent, malicious or illegal act or omission of the Insured or person in his direct employ in the conduct of the Insured's profession.

PROVIDED ALWAYS THAT

no indemnity shall be afforded to any person committing or condoning such act or omission, and the Insured shall take all reasonable steps requested by the Company to recover the loss and shall permit the Company, if he so requests, to himself take such recovery action in the name of the Insured and in that event the Insured shall assist and cooperate with the Company and shall provide the Company with such information (including signed statements) as the Company may reasonably require.

Provided that the liability of the Company shall not exceed in the aggregate in respect of each claim (including claimant's costs) the Limit of Liability stated in Memorandum 7 and in addition all costs and expenses incurred with the consent of the Company in the defence or settlement of any such claim, provided that, if a payment in excess of the said Limit of Liability is made to dispose of any such claim, the Company's liability for any such costs and expenses so incurred shall be limited to such proportion thereof as the said Limit of Liability bears to the amount of the payment so made.

Provided further that in respect of each claim there shall be deducted from the amount of such claim, as finally determined, the amount of the Deductible stated in Memorandum 8 and the liability of the Company shall be limited to the amount, if any, in excess of such Deductible but not exceeding the Limit of Liability stated in Memorandum 7.

EXCLUSIONS APPLICABLE TO SECTION 2

The Company shall not be liable under this Policy in respect of or in relation to any person acting alone or in collusion with others:

1. for more than the Limit of Liability stated in Memorandum 7 notwithstanding that such dishonest, fraudulent malicious or illegal act or acts were committed by such person during more than one Period of Insurance;
2. for any loss, or to that part of any loss, as the case may be, the proof of which either as to its factual existence or as to its amount, is deducted from an inventory computation or a profit and loss computation; provided, however, that this Exclusion shall not apply to loss of money or other property which the Insured can prove, through evidence wholly apart from such computations, was sustained by the Insured through any dishonest, fraudulent, malicious or illegal act or acts committed by any one or more of such persons;
3. for any loss arising from any fraudulent, dishonest, malicious or illegal act or acts committed by such person after the Insured shall have knowledge or information of such act of dishonesty, fraud, malice or illegal act on the part of such person;
4. for any loss arising from the complete or partial non-payment of, or default upon any loan, extension of credit or transaction in the nature of, or amounting to, a loan, obtained from or made by the Insured or by any of the employees whether authorised or unauthorised unless such loss results from dishonesty, fraud, malice or illegal act on the part of any of the employees.

GENERAL EXCLUSIONS

1. This Policy does not cover—
 - (a) any loss arising directly or indirectly caused by or contributed to by or arising from—
 - (i) ionising radiations or contamination by radioactivity from any nuclear fuel or from any nuclear waste from the combustion of nuclear fuel;
 - (ii) war, invasion, acts of foreign enemies, hostilities (whether war be declared or not), civil war, rebellion, revolution, insurrection, military or usurped power or martial law.
2. The Company shall not indemnify the Insured in respect of any loss arising out of any claim in respect of any liability incurred in connection with a Business conducted wholly outside the State of Western Australia or in respect of an act or omission occurring outside the State of Western Australia in connection with a Business conducted principally outside the State of Western Australia.
3. This Policy does not provide cover in respect of any circumstance or occurrence which has been notified under any other insurance attaching prior to the commencement date of the Certificate of Insurance.

EXTENSIONS AUTOMATICALLY INCLUDED

Subject to the limitation of indemnity stated in the Schedule in respect of all claims under this policy the following extensions are automatically included.

Each extension is subject to the terms, excess and Limit of Indemnity of this policy.

The cover provided by each extension is limited to claims or circumstances reported to the Insurers during the Period of Insurance.

1. Libel and Slander

This policy shall cover any claim first made against the Insured during the Period of Insurance for libel and slander by reason of words written or spoken by the Insured in the conduct of the Insured's profession.

2. Trade Practices Act

This policy is extended to indemnify the Insured in respect of claims for damages or compensation made against the Insured under the terms of the Trade Practices Act 1974 (Commonwealth), the Fair Trading Act 1987 (Western Australia) or similar legislation in other States, except in respect of such claims made under the penal or criminal provisions of those Acts.

3. Loss of Documents

If during the Period of Insurance the Insured shall first discover that any documents as defined by this clause the property of or entrusted to the Insured, which may be now or hereafter be, or be supposed or believed to be, in the custody of the Insured, or in the custody of any other person to or with whom such documents have been entrusted, lodged or deposited by the Insured in the ordinary course of business, have while within Australia been destroyed, damaged, lost or mislaid and after diligent search cannot be found, the Company shall indemnify the Insured against:

- a. legal liability which may attach to the Insured in consequence of such documents having been so destroyed, damaged, lost or mislaid, and
- b. costs and expenses of whatsoever nature incurred by the Insured in replacing or restoring such documents provided that such costs and expenses shall be supported by accounts approved by a competent person nominated by the Company.

Provided always that:

- a. no indemnity shall be afforded in respect of any loss brought about by wear and tear and other gradually operating clauses and
- b. the expression "documents" shall in this clause mean deeds, wills, agreements, maps, plans, books, letters, forms and documents of any nature whatsoever including computer printouts BUT SHALL NOT MEAN or extend to any other form of computer records nor computer memory whether programs or database or otherwise and however recorded NOR SHALL IT MEAN or extend to bearer bonds, coupons, bank notes, currency notes or negotiable instruments.

4. Fraud and Dishonesty of Employees

This policy shall indemnify the Insured in respect of the legal liability of the Insured arising from any claim first made against the Insured during the Period of Insurance by reason of any dishonest, fraudulent, malicious, or illegal act or omission of the Insured's employees in the conduct of the Insured's profession.

Provided always that:

no indemnity shall be afforded to any person committing or condoning such act or omission, and the Insured shall take all reasonable steps requested by the Company to recover the loss and shall permit the Company, if it so requests, to itself take such recovery action in the name of the Insured and in that event the Insured shall assist and co-operate with the Company and shall provide the Company with such information (including signed statements) as the Company may reasonably require.

DEFINITIONS

In this Policy:

1. "Act" means the Settlement Agents Act 1981 as from time to time in force.
2. "Business" means the business of a Settlement Agent as defined in the Act, under the name stated in the Certificate of Insurance or such other name notified to the Company from time to time.
3. "Licensee" has the same meaning as in the Act.
4. "Each Claim" shall mean all claims arising from the same act, error or omission.
5. "Insured" means the Licensee, Firm or the Related Business, Directors and any person who is or becomes or who has ever been an employee of the Insured.
6. "Commencement Date" means the date as of which the Certificate of Insurance becomes effective.
7. "Firm" means the person or persons carrying on the Business from time to time.
8. "Former Licensee" means any Licensee who has ceased to carry on Business as a principal.
9. "Period of Insurance" means the period so specified in the Certificate of Insurance.
10. "Related Business" means any service, administrative or nominee company or other person entity or trust associated with or providing services to the Business and specified in the Certificate of Insurance or notified in writing to the Company and not being a Firm carrying on a Business.
11. "Insurer" means the Insurance Company(ies) whose name(s) appear(s) in the Certificate of Insurance.
12. Words importing any gender include every other gender.

INTERPRETATION

1. The terms "Insured", "Licensee", "Firm" and "Business" shall be read as if they were separately defined in each Insurance effected by the issue of a Certificate of Insurance and were defined by reference to the Firm referred to in the respective Certificate of Insurance.
2. This Master Policy and every Certificate of Insurance shall be governed by and construed according to the laws of the State of Western Australia.

MEMORANDA

1. Currency of Master Policy

This Master Policy commences on the 1st day of November 1992 and shall continue until midnight 31st October 1993 and may thereafter be renewed for such further periods and with such variations as may be agreed between the Company and the Board.

2. Premium

The premium payable for the issue of a Certificate of Insurance to a Licensee for the Limit of Liability shall be as agreed between the Company and the Board, but the Company reserves the right to vary the standard Premium based upon prior claims and circumstances as declared on the questionnaire.

3. Premium Payable by New Licensee

A Licensee which commences Business other than at the commencement of a year of insurance under the Master Policy shall pay, in order to obtain insurance in respect of the Business of that Licensee, a premium equal to the premium payable by a Licensee reduced *pro rata* for every whole month by which the Period of Insurance is less than twelve months, subject to a minimum premium of \$105.00 inclusive.

4. Issue of Certificates of Insurance

The Company through its intermediary, Minet Professional Services Ltd, will issue Certificates of Insurance annually in the form of the Schedule hereto on receipt of the premiums payable in accordance with Memorandum 2 above to Licensees who are required by the Act to be insured.

5. Effect of Certificate

Each Certificate when issued shall have effect as if it were a separate Policy of insurance made between the Company and the Insured in the Terms of the Certificate and of this Policy.

6. Insurance of Former Licensees

A Former Licensee who has at any time been insured under any Master Policy or whose successors in business have at any time been insured thereunder shall be entitled to be indemnified by the Company in respect of any claim or claims first made against him during the currency of this Policy as if a Certificate of Insurance had been issued to him hereunder and as if there were specified in such Certificate;

(a) As the Period of Insurance, the period during which this Policy shall be in force; and

(b) As the Limit of Liability the sum of

Section 1—\$1,000,000

Section 2—\$1,000,000

7. Limit of Liability

Section 1: The Limit of Liability for each claim shall be as stated in the Schedule and shall be not less than \$1,000,000.

Section 2: The Limit of Liability for each claim shall be \$1,000,000.

8. Deductible

The Company shall not be liable to indemnify the Insured in respect of the first \$1,000 of each claim.

9. Variation by Agreement

The Board and the Company may by agreement vary any of the terms of this Policy other than the terms of Memoranda 2, 7 and 8 as above with respect to any Certificate of Insurance which is issued after the effective date of such variation. The effective date of variation shall be the date nominated in the agreement being a date not earlier than the date the agreement is made.

10. No Refusal of Cover

The Company may not refuse any cover pursuant to this Master Policy to any Licensee.

11. Cross Liability (Applicable to Section 2 only)

The word "Insured" shall be deemed to apply to each person comprising the Insured in the same manner as if a separate Policy had been issued to each of them and the act, error or omission of one shall not prejudice the right of any other to indemnity under this Insurance but the total liability of the Company in respect of all the individuals and entities comprising the Insured shall not exceed the Limit of Liability as stated in Memorandum 7 above.

GENERAL CONDITIONS

1. No Admission or Settlement

The Insured shall not admit liability for or settle any claim or incur any costs or expenses in connection therewith without the written consent of the Company. The Company shall be entitled at its own expense at any time to take over and conduct in the name of the Insured the defence or settlement of any claim.

2. Notice of Claims

The Insured shall give notice to the Company in writing as soon as practicable of any circumstances giving rise or likely to give rise to a claim under this Policy and the Insured shall—

- (a) within fourteen days from the date of such notice (unless the Company has in writing agreed to extend such period) deliver to the Company a detailed statement in writing of the loss sustained;
- (b) at all reasonable times permit the Company to enquire into, investigate and examine the circumstances of the alleged loss by the Insured, and the claim in respect thereof, and the Insured shall, at his own expense upon being required so to do by the Company produce all books, vouchers, correspondence, documents, receipts, and all other information in his possession or control relating to the alleged loss, and shall furnish copies of such of them and otherwise give all possible assistance as may be required by the Company so far as they relate to such claim or may in any way enable the Company to ascertain the correctness thereof or the liability of the Company under this Policy.

3. Effect of Giving Notice of Circumstances

If a notice of circumstances is given to the Company under the preceding clause either by or on behalf of the Insured or by or on behalf of his successors in business any claim subsequently made (whether before or on after the expiration of the Period of Insurance) pursuant to such an intention to claim or arising from circumstances so notified shall be deemed to have been made on the date when such notice was given.

4. Other Insurance

Upon giving any notification pursuant to General Condition 2, the Insured shall inform the Company as to any other Insurance or indemnity pursuant to which the Insured is entitled to any benefit in respect of that claim.

5. Fraud

If any Licensee shall prefer any claim knowing the same to be false or fraudulent, as regards amount or otherwise, the insurance provided to such Licensee shall become void and all claim thereunder shall be forfeited.

6. Recoveries

If the Insured shall sustain any loss covered by this Policy which exceeds the Limit of Liability stated in the said Schedule, the Insured shall be entitled to all recoveries (except from suretyship, insurance, reinsurance, security or indemnity taken by or for the benefit of the Company) by whomsoever made on account of such loss under this Policy until fully reimbursed less the actual cost of effecting the same and any remainder shall be applied to the reimbursement of the Company.

7. Subrogation Agreements

This Policy does not cover any liability for or arising directly or indirectly from any claim for loss or damage in respect of which the Insured has at any time by deed or agreement foregone, excluded or limited a right of recovery.

8. Right of Company Upon Breach or Non-Compliance

Where the Insured's breach of or non-compliance with any term or condition of this insurance has resulted in substantial prejudice to the handling or settlement of any claim against the Insured in respect of which insurance is provided hereunder the Insured shall reimburse to the Company the difference between the sum payable by the Company in respect of that claim and the sum which would have been payable in the absence of such prejudice PROVIDED ALWAYS THAT it shall be a condition precedent to the right of the Company to seek such reimbursement that it shall have fully indemnified the Insured in accordance with the terms hereof.

9. Queen's Counsel Clause

The Company agrees to pay claims which may arise under this Insurance without requiring the Insured to dispute any claim unless a Queen's Counsel (to be mutually agreed upon by the Insured, the Firm and the Company) advises that the claim could be contested with a reasonable prospect of success by the Insured and the Insured or the Firm consents to such claim being contested, but such consent is not to be unreasonably withheld. In the event of any dispute arising between the Insured, the Firm and the Company as to what constitutes an unreasonable refusal to contest a claim the Chairman for the time being of the Board shall nominate a Referee to decide this point only and the decision of such a Referee shall be binding on all parties.

ATTACHING TO AND FORMING PART OF POLICY No. Y 0000185R

The Common Seal of the Settlement Agents Supervisory Board was hereto affixed by authority of a resolution of the Board dated 6th October 1992, in the presence of:

M. L. KIELY, Chairperson.
R. P. ROSSI, Registrar.

An officer of the AMP General Insurance Ltd being duly authorized so to do has hereunder set his hand this 15th day of October 1992.

I. WHEATLEY.

An officer of the FAI General Insurance Ltd being duly authorized so to do has hereunder set his hand this 14th day of October 1992.

S. HUNTER.

CROWN LAW

CW301

SUPREME COURT ACT 1935

SUPREME COURT AMENDMENT RULES (NO. 4) 1992

Made by the Judges of the Supreme Court.

Citation

1. These rules may be cited as the *Supreme Court Amendment Rules (No. 4) 1992*.

Principal rules

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

[* Reprinted in the Gazette of 18 March 1986 at pp.779-1100.
For amendments to 16 October 1992 see 1991 Index to Legislation of Western Australia, pp.504-5 and Gazettes of 7 and 28 February, 5 June and 21 August 1992.]

Order 24A amended

3. Order 24A of the principal rules is amended in Rule 3 (7) by deleting “(4)” and substituting the following —

“ (5) ”.

Order 74 repealed

4. Order 74 of the principal rules is repealed.

Order 84 amended

5. Order 84 of the principal rules is amended in Rule 9 (1) by deleting “being Statutory Rules 1988 No. 269” and substituting the following —

“ made under the *Admiralty Act 1890* ”.

Dated the 23rd day of October 1992.

W. P. PIDGEON,
B. ROWLAND,
E. M. FRANKLYN,
PAUL SEAMAN,
R. D. NICHOLSON,
TERENCE A. WALSH,
M. J. MURRAY,
R. M. ANDERSON,
N. J. OWEN,
K. WHITE,
GRAEME SCOTT,
Judges' signatures.

CW302

SUPREME COURT ACT 1935

SUPREME COURT AMENDMENT RULES (NO. 5) 1992

Made by the Judges of the Supreme Court.

Citation

1. These rules may be cited as the *Supreme Court Amendment Rules (No. 5) 1992*.

Order 36 amended

2. Order 36 of the *Rules of the Supreme Court 1971** is amended by inserting after Rule 2 the following rule —

“ **Evidence of children and other witnesses**

3. (1) This rule applies to applications pursuant to section 106S of the *Evidence Act 1906*.

(2) Except with leave of the Court any application for an order or direction pursuant to section 106S of the *Evidence Act 1906* shall be made by summons returnable in chambers at least 14 days before trial.

(3) The summons shall set out the order or the direction sought and shall be supported by an affidavit deposing to the grounds upon which the order or directions are sought.

[* *Reprinted in the Gazette of 18 March 1986 at pp.779-1100. For amendments to 15 October 1992 see 1991 Index to Legislation of Western Australia, pp.504-5 and Gazettes of 7 and 28 February, 5 June and 21 August 1992.*]

Dated the 23rd day of October 1992.

W. P. PIDGEON,
B. ROWLAND,
E. M. FRANKLYN,
PAUL SEAMAN,
R. D. NICHOLSON,
TERENCE A. WALSH,
M. J. MURRAY,
R. M. ANDERSON,
N. J. OWEN,
K. WHITE,
GRAEME SCOTT,
Judges' signatures.

CW401

FRIENDLY SOCIETIES ACT 1894

Form No. 10 (Reg. 10)

Notice is hereby given that the Registrar of Friendly Societies has cancelled the registry of the branch known as United Ancient Order of Druids Karrakatta Lodge, Register No. 160, at the request of the society.

Dated this 23rd day of October 1992.

F. L. MORISEY, Deputy Registrar of Friendly Societies.

FISHERIES

FI301

PEARLING ACT 1990

RESTRICTION OF PEARLING ACTIVITIES (PEARL OYSTER HOLDING SITES) NOTICE 1992

FD 351/91.

Made by the Minister under section 19.

Citation

1. This notice may be cited as the *Restriction of Pearling Activities (Pearl Oyster Holding Sites) Notice 1992*.

Restriction on pearling activities

2. Pearling activities shall not be undertaken in that area of water in Zone 3 as described in the following schedules by any person other than the person named in each of these schedules until further notice.

Schedule 1

Darella Holdings Pty Ltd

That area of Zone 3 contained within the area bounded by a line commencing at the intersection of 17 degrees 42.2' south latitude and 122 degrees 9.7' east longitude; thence to the intersection of 17 degrees 42.2' south latitude and 122 degrees 10.9' east longitude; thence to the intersection of 17 degrees 43.3' south latitude and 122 degrees 10.9' east longitude; thence to the intersection of 17 degrees 43.3' south latitude and 122 degrees 9.7' east longitude; thence in a straight line to the commencement point.

Schedule 2
Clipper Pearls

That area of Zone 3 contained within the area bounded by a line commencing at the intersection of 16 degrees 19.5' south latitude and 123 degrees 33.5' east longitude; thence to the intersection of 16 degrees 22.0' south latitude and 123 degrees 36.0' east longitude; thence to the intersection of 16 degrees 22.5' south latitude and 123 degrees 33.5' east longitude; thence to the intersection of 16 degrees 20.0' south latitude and 123 degrees 33.0' east longitude; thence in a straight line to the commencement point.

Dated this 19th day of October 1992.

GORDON HILL, Minister for Fisheries.

FI401

FISHERIES ACT 1905
Part IIIB—Processing Licences

FD 428/92.

The public is hereby notified that I have issued a permit to William Lear, 216 Geographe Bay Road, Quindalup, to establish a processing establishment to process fish in pursuance of the provisions of section 35C of the Fisheries Act 1905, on board licensed fishing boat *Seaspray* registered number LFB B75, subject to the following conditions.

That the processing establishment—

1. Shall comply with the requirements of the Fisheries Act 1905 and all Regulations, Orders in Council and Notices and Ministerial Directions issued thereunder.
2. Shall not be used for the processing of rock lobster, prawns or abalone.
3. Shall comply with the requirements of the Health Act 1911.
4. Shall be registered as an export establishment pursuant to the provisions of the Parliament of the Commonwealth Export Control Act 1982, and Orders made thereunder, more specifically the Prescribed Goods (General) Orders and the Fish Orders, should it be used to process fish for export.
5. Shall not be used for the processing of marron (*Cherax tenuimanus*) unless a licence is held under section 39C of the Fisheries Act 1905.
6. Shall not be used for the processing of fish or crustacea caught by any other vessel.

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

P. P. ROGERS, Executive Director.

LAND ADMINISTRATION

LA101

CORRIGENDUM
TOWN OF PORT HEDLAND
Declaration of Closure of Streets

File Ref: 3209/1990.

On page 4685 of the *Government Gazette* dated 18 September 1992 Part (b) should read—

“All that portion of Reynolds Place now comprised in Port Hedland Lot 5856 on DOLA Crown Survey Diagram 90650”.

in lieu of—

“All that Portion of Reynolds Place as shown bordered blue and now comprised in Port Hedland Lot 5856 on DOLA Crown Survey Diagram 90650”.

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

LA102

CORRIGENDUM
LOCAL GOVERNMENT ACT 1960
Road Dedication
Shire of Ashburton

Department of Land Administration,
Perth.

DOLA File 782/973V2.

On page 5100 of the *Government Gazette* dated 13 October 1992, under the heading "Shire of Ashburton", read "This Notice hereby supersedes the Notices which appeared in the *Government Gazettes* dated 23 November 1990, pages 5802 and 5803, and 14 August 1992, page 4039" in lieu of lines 5 and 6.

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

LA103

CORRIGENDUM

DOLA File: 4467/989.

In the notice at page 3624 of the *Government Gazette* dated 24 July 1992 in respect to Reserve No. 9822 the reference to 6.6417 hectares is amended to read 6.7845 hectares.

A. A. SKINNER, Chief Executive.

LA201

LAND ACT 1933
ORDERS IN COUNCIL
(Vesting of Reserves)

By the direction of His Excellency the Deputy of the Lieutenant-Governor and Administrator under Section 33 (2), the following reserves have been vested.

DOLA File: 2074/958.

Reserve No. 25132 (Cockburn Sound Location 1876) vested in the Town of Kwinana for the designated purpose of "Park Land and Recreation" 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: 3282/980.

Reserve No. 42284 (Williams Locations 15818 and 15819) vested in the Shire of Dumbleyung for the designated purpose of "Gravel".

DOLA File: 2799/974.

Reserve No. 32826 (Cockburn Sound Location 2313) vested in the Town of Kwinana for the designated purpose of "Pound Site".

DOLA File: 730/984.

Reserve No. 42369 (Forrest Location 174) vested in the Overseas Telecommunications Corporation Limited for the designated purpose of "Repeater Station Site".

Local Authority—Shire of Roebourne.

DOLA File: 2690/990.

Reserve No. 42376 (Wells Location 8) vested in the Australian and Overseas Telecommunications Corporation Limited for the designated purpose of "Repeater Station Site".

Local Authority—Shire of Wiluna.

DOLA File: 928/977.

Reserve No. 34381 (Albany Lots 1262, 1263, 1266, 1393 and 1394) vested in the Town of Albany for the designated purpose of "Drain".

DOLA File: 780/912.

Reserve No. 13987 (Wellington Location 5620) vested in the Shire of Waroona for the designated purpose of "Parkland".

DOLA File: 653/987.

Reserve No. 40055 (Bullfinch Lot 118) vested in the Shire of Yilgarn for the designated purpose of "Recreation".

DOLA File: 1189/955.

Reserve No. 24120 (Swan Location 11177) vested in the Minister for Education for the designated purpose of "School Site" with power, to lease the whole or any portion thereof for any term.

Local Authority—City of Belmont.

DOLA File: 296/957.

Reserve No. 24741 (Torabay Agricultural Area Lots 228 and 229) vested in the Water Authority of Western Australia for the designated purpose of "Drain".

Local Authority—Shire of Albany.

DOLA File: 3730/981.

Reserve No. 38936 (Pardu Location 15) vested in the Australian and Overseas Telecommunications Corporation Limited for the designated purpose of "Microwave Translator Site".

Local Authority—Shire of Broome.

DOLA File: 701/992.

Reserve No. 32988 (Wiluna Lot 1486) vested in the Shire of Wiluna for the designated purpose of "Civic and Community 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: 1818/992.

Reserve No. 42372 (Wiluna Lot 1487) vested in the Shire of Wiluna for the designated purpose of "Housing" 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: 1052/992.

Reserve No. 38937 (Pardu Location 16) vested in the Australian and Overseas Telecommunications Corporation Limited for the designated purpose of "Microwave Translator Site".

DOLA File: 1929/992.

Reserve No. 42371 (Kununurra Lot 2370) vested in the Shire of Wyndham-East Kimberley for the designated purpose of "Park".

DOLA File: 1758/988.

Reserve No. 42388 (Jaurdi Locations 51 and 52) vested in the Commissioner of Main Roads for the designated purpose of "Gravel".

Local Authority—Shire of Coolgardie.

DOLA File: 1506/989.

Reserve No. 41003 (Port Hedland Lot 5815) vested in the Shire of Port Hedland for the designated purpose of "Community 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: 1590/991.

Reserve No. 42299 (Perth Lots 1030, 1031 and 1032) vested in the Board of Management Royal Perth Hospital for the designated purpose of "Health (Hospital and Allied Purposes)".

Local Authority—City of Perth.

DOLA File: 5997/922V3.

Reserve No. 20804 (Perth Lots 818 and 833) vested in the National Trust of Australia (WA) for the designated purpose of "Public Recreation" 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.

Local Authority—City of South Perth.

DOLA File: 1045/972.

Reserve No. 35823 (Peawah Location 17) vested in the Australian and Overseas Telecommunications Corporation Limited for the designated purpose of "Repeater Station Site".

Local Authority—Shire of Roebourne.

DOLA File: 2275/990.

Reserve No. 20483 (Torabay Agricultural Area Lot 248) vested in the Water Authority of Western Australia for the designated purpose of "Drainage".

Local Authority—Shire of Albany.

DOLA File: 1903/990.

Reserve No. 42380 (Plantagenet Location 7673) vested in the Australian and Overseas Telecommunications Corporation Limited for the designated purpose of "Regenerator Site".

Local Authority—Shire of Albany.

DOLA File: 2323/954.

Reserve No. 24868 (Hay Location 1273) vested in the Lands and Forests Commission for the designated purpose of "Timber".

Local Authority—Shire of Denmark.

DOLA File: 1424/973.

Reserve No. 32179 (Mundijong Lot 219) vested in the Shire of Serpentine-Jarrahdale for the designated purpose of "Community 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: 1882/992.

Reserve No. 42313 (Avon Location 29070) vested jointly in the Shire of Brookton and the Commissioner of Main Roads for the designated purpose of "Gravel".

DOLA File: 979/987.

Reserve No. 42224 (Canning Location 3775) vested in the Water Authority of Western Australia for the designated purpose of "Water Supply".

Local Authority—City of Canning.

DOLA File: 4531/951.

Reserve No. 23464 (Manypeaks Lot 53) vested in the Shire of Albany for the designated purpose of "Recreation" 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: 1886/992.

Reserve No. 42326 (Dampier Location 300) vested in the Aboriginal Lands Trust for the designated purpose of "Use and Benefit of Aboriginal Inhabitants" with power, to lease the whole or any portion thereof for any term.

Local Authority—Shires of Broome and Derby-West Kimberley.

DOLA File: 1889/982.

Reserve No. 42381 (Cockburn Sound Location 4042) vested in the City of Cockburn for the designated purpose of "Recreation and Community Centre".

D. G. BLIGHT, Clerk of the Council.

LA202

LAND ACT 1933
ORDERS IN COUNCIL
(Revocation of Vestings)

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

DOLA File: 2645/974.

Order in Council gazetted on 16 May 1975 vesting Reserve No. 33278 in the Minister for Water Supply, Sewerage and Drainage for the designated purpose of "Water Supply".

Local Authority—Shire of Broome.

DOLA File: 2074/958.

Order in Council gazetted on 29 January 1971 vesting Reserve No. 25132 in the Shire of Kwinana for the designated purpose of "Park Land and Recreation".

DOLA File: 2799/974.

Order in Council gazetted on 6 December 1974 vesting Reserve No. 32826 in the Shire of Kwinana for the designated purpose of "Pound Site".

DOLA File: 928/977.

Order in Council gazetted on 18 January, 1991 vesting Reserve No. 34381 (Albany Lots 1262, 1263 and 1266) in the Town of Albany for the designated purpose of "Drain".

DOLA File: 653/987.

Order in Council gazetted on 3 July 1987 vesting Reserve No. 40055 (Bullfinch Lots 118 and 119) in the Shire of Yilgarn for the designated purpose of "Recreation".

DOLA File: 3730/981.

Order in Council gazetted on 16 November, 1984 vesting Reserve No. 38936 (Pardu Location 15) in the Commonwealth of Australia for the designated purpose of "Microwave Translator Site".

Local Authority—Shire of Broome.

DOLA File: 1052/992.

Order in Council gazetted on 16 November 1984 vesting Reserve No. 38937 (Pardu Location 16) in the Commonwealth of Australia for the designated purpose of "Microwave Translator Site".

Local Authority—Shire of Broome.

DOLA File: 1506/989.

Order in Council gazetted on 23 June, 1989 vesting Reserve No. 41003 (Port Hedland Lot 5815) in the Shire of Port Hedland for the designated purpose of "Community Centre".

DOLA File: 5997/922 V3.

Order in Council gazetted on 22 March 1957 vesting Reserve No. 20804 in the National Parks Board of Western Australia for the designated purpose of "Public Recreation".

Local Authority—City of South Perth.

DOLA File: 712/955.

Order in Council gazetted on 19 July 1968 vesting Reserve No. 24254 in the Shire of Albany for the designated purpose of "Hallsite".

DOLA File: 4531/951.

Order in Council gazetted on 3 May, 1968 vesting Reserve No. 23464 in the Shire of Albany for the designated purpose of "Recreation".

DOLA File: 1543/975.

Order in Council gazetted on 27 June 1975 vesting Reserve No. 33387 in the Shire of Toodyay for the designated purpose of "Recreation".

D. G. BLIGHT, Clerk of the Council.

LA301

LAND ACT 1933

LAND (CROWN GRANT IN TRUST) ORDER

DOLA File: 2620/934.

Made by His Excellency the Deputy of the Lieutenant-Governor and Administrator under Section 33 (4).

It is directed that Reserve No. 21377 (Bickley Lot 102) shall be granted to the Australasian Conference Association Ltd. to be held in trust for the designated purpose of "Schoolsite (Seventh Day Adventists)" 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.

LA401

LOCAL GOVERNMENT ACT 1960

CHANGE OF NAME OF STREETS

It is hereby notified for general information that the Minister for Lands has been pleased to approved under section 295 (3) (c) (ii) of the Local Government Act 1960 of the change of the name of streets as set out in the hereunder Schedule.

Shire of Albany

DOLA File: 5101/953.

Portion of Baker Street to Baker Street South as coloured orange on page 133.

Portion of Baker Street to Baker Street North as coloured yellow on page 133.

Public Plans: BK26 (2) 14.11 and 14.12.

Town of Bassendean

DOLA File: 447/983.

Portion of Anstey Road to Lovelock Place as coloured green on page 54.

Public Plan: BG34 (2) 19.30.

Shire of Bridgetown-Greenbushes

DOLA File: 991/983.

Whittells Farm Road to Kloppers Mill Road as coloured orange on page 154.

Public Plan: Bridgetown SE.

Shire of Dowerin

DOLA File: 1796/983.

Haywood Boundary Road to Jones Road as coloured orange on page 28.

Veal Road to Ucarty Rock Road as coloured blue on page 23.

Public Plans: Cadoux NW and Goomalling NE.

Shire of Esperance

DOLA File: 2442/970.

Portion of Coppin Street to Simpson Street as coloured blue on page 281.

Harley Street to Simpson Street as coloured pink on page 282.

Public Plans: CG29 (2) 17.15 and 17.16.

Shire of Koorda

DOLA File: 974/983.

Portion of Cadoux-Koorda Road to Koorda-Wongan Hills Road as coloured orange on pages 104 to 108 and coloured pink on page 108.

Public Plans: Cadoux NE, Koorda NW and NE and Koorda Townsite.

City of Melville

DOLA File: 1876/971.

Portion of Ogilvie Road to Moreau Mews as coloured green on page 152.

Public Plan: BG34 (2) 12.18.

Shire of Wongan-Ballidu

DOLA File: 2373/983.

Burakin West Road to Hospital Road as coloured green on page 65.

Reid Road to Danes Road as coloured orange on page 66.

Portion of Bunketch-Kulja Road to Watson Road as coloured pink on page 69.

Cadoux-Wongan Hills Road to Koorda-Wongan Hills Road as coloured green on pages 72 to 81.

Koorda-Wongan Hills Road to Old Koorda-Wongan Road as coloured pink on pages 73 to 78.

Portion of Cadoux-Koorda Road to Koorda-Wongan Hills Road as coloured yellow on pages 72 and 73.

Public Plans: Burakin Townsite, Cadoux Townsite, BH37 (10) 5.5 and (2) 24.23 (Wongan Hills), Kalannie (50), Cadoux NW and NE, Kokardine NE, Mt Dillon NW, NE and SW, and Wongan Hills SE.

A. A. SKINNER, Chief Executive.

LA402

LOCAL GOVERNMENT ACT 1960

DECLARATION OF CLOSURE OF STREETS

Made by the Minister for Lands under section 288A

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

Schedule

1. Shire of Boddington (DOLA File 2365/987; Closure No. B1317). All those portions of Old Soldiers Road (Road Nos. 4142 and 6491) shown bordered blue on DOLA Crown Survey Plans 18016 and 18017.

Public Plan: 2132-II N.W. and N.E. (Marradong).

2. Shire of Swan (DOLA File 1113/1987; Closure No. S438).

- (a) All that portion of Girton Street passing along the western boundaries of Lot 2, Pt Lot 267 and Lot 1 of Swan Location I (surveyed on Office of Titles Diagram Number 60690, Plan Number 3698 Sheet 1 and Diagram Number 58302) extending southerly from a line in prolongation west from the northern corner of Lot 2 to the northern side of Cranleigh Street.

- (b) All that portion of Cranleigh Street passing along the southern boundary of Girton Street as described in schedule A above and Lot 1 of Swan Location I as shown on Office of Titles Diagram Number 58302 from a line joining the northwestern corner of Roedean Street, a point on a southern side of Cranleigh Street to the southeastern corner of Lot 1 to its terminus, a line in prolongation southerly from the western side of Girton Street as described in (a) above.
- (c) All that portion of Cheltenham Street passing along the western boundary of Lot 603 of Swan Location 1 as surveyed on Office of Titles Plan Number 3698 Sheet 1 extending southerly from the southern side of Harrow Street to a line in prolongation westerly of the southern boundary of Lot 603.

Public Plan: BG 34 (2) 19.36 (Perth).

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

LA403

SUBURBAN LAND

DOLA File: 8459/908 V3.

His Excellency the Deputy of the Lieutenant-Governor and Administrator in Executive Council has been pleased to approve under Section 10 of the Land Act 1933 of Plantagenet Location 7699 being set apart as Suburban Land.

Public Plans: 2328 - IISE and BJ26 (10) 4.2.

A. A. SKINNER, Chief Executive.

LA404

JARRAHDALÉ TOWNSITE

Amendment of Boundaries

DOLA File 8195/901V2.

His Excellency the Deputy of the Lieutenant-Governor and Administrator in Executive Council has been pleased to approve, under section 10 of the Land Act 1933 of the amendment of the boundaries of Jarrahdale Townsite to include the area described in the Schedule hereunder.

Schedule

Jarrahdale Lots 110 to 115 inclusive and portion of Forest Avenue as depicted on Land Administration Diagram 88954.

Public Plan: BG33(2) 25.22 and 26.22.

A. A. SKINNER, Chief Executive.

LA701

LAND ACT 1933

RESERVATION NOTICES

Made by His Excellency the Deputy of the Lieutenant-Governor and Administrator under Section 29.

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

DOLA File: 3282/980.

Reserve No. 42284 comprising Williams Locations 15818 and 15819 with an area of 83.5884 hectares on Land Administration Reserve Diagram 1097 for the designated purpose of "Gravel".

Public Plan: Kukerin SW 1:25 000 Rifle Range Road. Local Authority—Shire of Dumbleyung.

DOLA File: 730/984.

Reserve No. 42369 comprising Forrest Location 174 with an area of 4 hectares on Land Administration Diagram 88275 for the designated purpose of "Repeater Station Site".

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

DOLA File: 2690/990.

Reserve No. 42376 comprising Wells Location 8 with an area of 1.2100 hectares on Land Administration Reserve Diagram 1027 for the designated purpose of "Repeater Station Site".

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

DOLA File: 1818/992.

Reserve No. 42372 comprising Wiluna Lot 1487 with an area of 2.0670 hectares on Land Administration Diagram 90728 for the designated purpose of "Housing".

Public Plan: Wiluna Townsite, Jones Street. Local Authority—Shire of Wiluna.

DOLA File: 1929/992.

Reserve No. 42371 comprising Kununurra Lot 2370 with an area of 2.2592 hectares on Land Administration Diagram 89289 for the designated purpose of "Park".

Public Plan: DH79 (2) 23.15 Old Darwin Road.

Local Authority—Shire of Wyndham-East Kimberley.

DOLA File: 1758/988.

Reserve No. 42338 comprising Jaurdi Locations 51 and 52 with an area of 40.8280 hectares on Land Administration Plan 17767 for the designated purpose of "Gravel".

Public Plan: 50/80 near Coolgardie North Road. Local Authority—Shire of Coolgardie.

DOLA File: 1590/991.

Reserve No. 42299 comprising Perth Lots 1030, 1031 and 1032 with a combined area of 3610 cubic metres on Land Administration Plans 18023, 18024 and 18025 for the designated purpose of "Health (Hospital and Allied Purposes)".

Public Plan: BG34 (2) 13.24, 13.25 Moore Street. Local Authority—City of Perth.

DOLA File: 1723/991.

Reserve No. 42297 comprising Esperance Lot 906 with an area of 6.7210 hectares on Land Administration Diagram 90528 for "Railway Purposes".

Public Plans: CG29 (10) 3.4 and (2) 14.16. Local Authority—Shire of Esperance.

DOLA File: 1903/990.

Reserve No. 42380 comprising Plantagenet Location 7673 with an area of 99 square metres on Land Administration Diagram 89680 for the designated purpose of "Regenerator Site".

Public Plan: Two Peoples Bay NE 1:25 000 South Coast Highway and Circuit Road. Local Authority—Shire of Albany.

DOLA File: 1882/992.

Reserve No. 42313 comprising Avon Location 29070 with an area of 151.1118 hectares on Land Administration Plan 18172 for the designated purpose of "Gravel".

Public Plan: Luptons SE 1:25 000 Simmons Road.

Local Authority—Shire of Brookton.

DOLA File: 979/987.

Reserve No. 42224 comprising Canning Location 3775 with an area of 675 square metres on Land Administration Diagram 90592 for the designated purpose of "Water Supply".

Public Plan: Perth BG34 (2) 16.13 near Collins Road. Local Authority—City of Canning.

DOLA File: 1886/992.

Reserve No. 42326 comprising Dampier Location 300 with an area of 58.4441 hectares on Land Administration Diagram 90615 for the designated purpose of "Use and Benefit of Aboriginal Inhabitants".

Public Plan: Derby 1:250 000 Great Northern Highway. Local Authority—Shires of Broome and Derby-West Kimberley.

DOLA File: 1177/991.

Reserve No. 42290 comprising Swan Location 11755 (formerly portion of Perthshire Location 107 and being Lot 590 the subject of Diagram 80657) with an area of 7218 square metres for the designated purpose of "Public Recreation".

Public Plan: Swan BG35 (2) 07.10 Candlewood Boulevard. Local Authority—City of Wanneroo.

DOLA File: 1889/982.

Reserve No. 42381 comprising Cockburn Sound Location 4042 (formerly portion of Cockburn Sound Location 10 and being Lot 15 the subject of Diagram 34979 and part of Lot 297 on Plan 7457 (Sheet 2) with an area of 5090 square metres for the designated purpose of "Recreation and Community Centre".

Public Plan: BG34 (2) 9.10 Ingram Street. Local Authority—City of Cockburn.

LA801**LAND ACT 1933
AMENDMENT OF RESERVES**

Made by His Excellency the Deputy of the Lieutenant-Governor and Administrator under section 37.

The following Reserves have been amended.

DOLA File: 2074/958.

Reserve No. 25132 (Cockburn Sound District) "Park Land and Recreation" to comprise Location 1876 as surveyed and shown bordered pink on Land Administration Plan 18082 and of its area being increased (recalculated) to 21.8406 hectares accordingly.

Public Plans: BG33 (2) 10.31, (10) 2.6 Wellard Road. Local Authority—Town of Kwinana.

DOLA File: 8985/900.

Reserve No. 19881 (Hay District) "Flora (Red Flowering Gums)" to comprise Hay Locations 2370, 2371 and 2372 as shown delineated and bordered red on Land Administration Reserve Plan 374 in lieu of Locations 1598, 1599, 1600, 1602, 1603, 1609, 1610, 1612, 1614 and 1622 and of its area being increased to 1127.9484 hectares accordingly.

Public Plans: Owingup (2328—III SW and NW), Mt Frankland (2228—II NE and SE).

Local Authority—Shire of Denmark.

DOLA File: 2799/974.

Reserve No. 32826 (Cockburn Sound District) "Pound Site" to comprise Location 2312 as surveyed and shown bordered pink on Land Administration Plan 18082 and of its area being reduced (recalculated) to 2189 square metres accordingly.

Public Plans: BG33 (2) 10.31, (10) 2.6 Sloan Drive. Local Authority—Town of Kwinana.

DOLA File: 24/945 V3.

Reserve No. 22609 (King Locations 203, 228, 318 and 723) "Agricultural Research Station" to exclude Location 723 on Land Administration Plan 17760 and of its area being reduced to 1055.741 hectares accordingly.

Public Plan: Ivanhoe SE 1:25 000 Research Station Road. Local Authority—Shire of Wyndham-East Kimberley.

DOLA File: 928/977.

Reserve No. 34381 (Albany Lots 1262, 1263 and 1266) "Drain" to include Lots 1393 and 1394 as surveyed and shown bordered pink on Land Administration Diagram 90619 and of its area being increased to 874.5 square metres accordingly.

Public Plan: BK26 (2) 10.06 Barker Road. Local Authority—Town of Albany.

DOLA File: 2283/972.

Reserve No. 32469 (Albany Lots 1255 and 1270) "Recreation" to exclude that portion now comprised in Lot 1394 as surveyed and shown bordered pink on Land Administration Diagram 90619 and of its area being reduced to 1.8345 hectares accordingly.

Public Plan: BK26 (2) 10.06 Barker Road. Local Authority—Town of Albany.

DOLA File: 780/912.

Reserve No. 13987 (Wellington District) "Camping" to comprise Location 5620 as surveyed and shown bordered pink on Land Administration Diagram 90694 and of its area being increased to about 24.3 hectares accordingly.

Public Plan: Lake Clifton NE 1:25 000 Clifton Road. Local Authority—Shire of Waroona.

DOLA File: 597/912 V2.

Reserve No. 14076 (Wellington District) "Timber (for Settlers)" to comprise Locations 5032 and 5628 as shown delineated and bordered red on Land Administration Reserve Diagram 1101 and of its area being increased (recalculated) to about 545.2606 hectares accordingly.

Public Plan: Capel SE 1:25 000 Capel-Donnybrook Road. Local Authority—Shire of Capel.

DOLA File: 1040/990.

Reserve No. 1507 (Dampier District) "Watering Place" to exclude that portion now comprised in Location 300 as surveyed and shown bordered pink on Land Administration Diagram 90615 and of its area being reduced to 177.0167 hectares accordingly.

Public Plan: Derby 1:250 000 Great Northern Highway. Local Authority—Shires of Broome and Derby-West Kimberley.

DOLA File: 4441/952.

Reserve No. 22363 (Ninghan District) "Public Utility" to comprise Location 4309 as surveyed and shown bordered pink on Land Administration Diagram 90734 in lieu of Location 1720 and of its area being reduced to 54.6752 hectares accordingly.

Public Plan: Cadoux NW 1:25 000 Cadoux-Wongan Hills Road. Local Authority—Shire of Wongan-Ballidu.

DOLA File: 701/992.

Reserve No. 32988 (at Wiluna) "Shire Accommodation and Storage Purposes" to comprise Lot 1486 as surveyed and shown bordered red on Land Administration Diagram 90728 in lieu of Lot 1459 and of its area being reduced to 1.9048 hectares accordingly.

Public Plan: Wiluna Townsite Jones Street. Local Authority—Shire of Wiluna.

DOLA File: 2641/978.

Reserve No. 36096 (Avon District) "Government Requirements" to comprise Location 29071 as delineated and shown bordered pink on Land Administration Plan 18172 in lieu of Locations 28651 and 28652 and of its area being reduced to 486.4389 hectares accordingly.

Public Plan: Luptons SE 1:25 000 Simmons Road. Local Authority—Shire of Brookton.

DOLA File: 4531/951.

Reserve No. 23464 (at Manypeaks) "Recreation" to comprise Lot 53 as surveyed and shown bordered pink on Land Administration Diagram 90712 in lieu of Lot 25 and of its area being increased to 36.7827 hectares accordingly.

Public Plan: Manypeaks Townsite South Coast Highway. Local Authority—Shire of Albany.

DOLA File: 2620/934.

Reserve No. 21377 (at Bickley) "Schoolsite (Seventh Day Adventists)" to comprise Lot 102 as shown bordered pink on Land Administration Diagram 90672 and of its area being increased to 1.0087 hectares accordingly.

Public Plan: BG34 (2) 27.19 First Avenue. Local Authority—Shire of Kalamunda.

A. A. SKINNER, Chief Executive.

LA901

LAND ACT 1933

CHANGE OF PURPOSE OF RESERVES

Made by His Excellency the Deputy of the Lieutenant-Governor and Administrator under section 37.

The purpose of the following reserves have been changed.

DOLA File: 2645/974.

Reserve No. 33278 (Broome Lot 1054) being changed from "Water Supply" to "Use and Requirements of the Minister for Works".

Public Plan: CG73 (2) 29.14 Pembroke Road. Local Authority—Shire of Broome.

DOLA File: 4097/24.

Reserve No. 564 (Avon Location 28906) being changed from "Water and Stopping Place for Teams" to "Conservation of Flora and Fauna".

Public Plan: Bulagin SW 1:25 000 Flowery Patch Road. Local Authority—Shire of Cunderdin.

Reserve 564 is automatically vested in the National Parks and Nature Conservation Authority pursuant to section 7 (4) (a) of CALM Act 1984.

DOLA File: 8985/900.

Reserve No. 19881 (Hay Locations 2370, 2371 and 2372) being changed from "Flora (Red Flowering Gums)" to "Conservation of Flora and Fauna".

Public Plans: Owingup (2328-III SW and NW) Mt. Frankland (2228-II NE and SE). Local Authority—Shire of Denmark.

Reserve No. 19881 is automatically vested in the National Parks and Nature Conservation Authority pursuant to Section 7 (4) (a) of CALM Act 1984.

DOLA File: 780/912.

Reserve No. 13987 (Wellington Location 5620) being changed from "Camping" to "Parkland".

Public Plan: Lake Clifton NE 1:25 000 Clifton Road. Local Authority—Shire of Waroona.

DOLA File: 4441/952.

Reserve No. 22363 (Ninghan Location 4309) being changed from "Public Utility" to "Conservation of Flora and Fauna".

Public Plan: Cadoux NW 1:25 000 Cadoux-Wongan Hills Road. Local Authority—Shire of Wongan-Ballidu.

Reserve No. 22363 is automatically vested in the National Parks and Nature Conservation Authority pursuant to section 7 (4) (a) of CALM Act 1984.

DOLA File: 701/992.

Reserve No. 32988 (Wiluna Lot 1486) being changed from "Shire Accommodation and Storage Purposes" to "Civic and Community Centre".

Public Plan: Wiluna Townsite Jones Street. Local Authority—Shire of Wiluna.

DOLA File: 1424/973.

Reserve No. 32179 (Mundijong Lot 219) being changed from "Church Site (Roman Catholic)" to "Community Centre".

Public Plan: Peel BG33 (2) 21.27 Paterson Street. Local Authority—Shire of Serpentine-Jarrahdale.

DOLA File: 2641/978.

Reserve No. 36096 (Avon Location 29071) being changed from "Government Requirements" to "Conservation of Flora and Fauna".

Public Plan: Luptons SE 1:25 000 Simmons Road. Local Authority—Shire of Brookton.

Reserve No. 36096 is automatically vested in the National Parks and Nature Conservation Authority pursuant to section 7 (4) (a) of CALM Act 1984.

A. A. SKINNER, Chief Executive.

LB201

LAND ACT 1933 CANCELLATION OF RESERVES

Made by His Excellency the Deputy of the Lieutenant-Governor and Administrator under section 37.

The following reserves have been cancelled.

DOLA File 1863/914.

Reserve No. 15560 (Pithara Lot 49) "Schoolsite".

Public Plan: Pithara BH38 (2) pts 20.39, 21.39, 20.38 and 21.38 Crampton Street. Local Authority—Shire of Dalwallinu.

DOLA File 4782/950.

Reserve No. 24345 (Toodyay Lot 208) "Use and Requirements of the Minister for Works".

Public Plan: Toodyay BH35 (2) 09.29 Goddard Street. Local Authority—Shire of Toodyay.

DOLA File 2112/991.

Reserve No. 42087 (Plantagenet Locations 7683 to 7688 inclusive) "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 2689/951.

Reserve No. 23448 (Cunderdin Lots 202 and 230) "Excepted from Sale".

Public Plans: BJ35 (2) Pt 14.18 and 15.18 Mitchell and Egeberg Streets. Local Authority—Shire of Cunderdin.

DOLA File 5524/903.

Reserve No. 8757 (Kojonup District) "Water".

Public Plan: Warrenup NW 1:25 000 Albany Highway. Local Authority—Shire of Tambellup.

DOLA File 712/955.

Reserve No. 24254 (Manypeaks Lot 27) "Hallsite".

Public Plan: Manypeaks Townsite South Coast Highway. Local Authority—Shire of Albany.

A. A. SKINNER, Chief Executive.

LB301

PUBLIC WORKS ACT 1902 Sale of Land

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

Land

File No. 1575/918V2.

Victoria Locations 11505 to 11513 inclusive comprising part of Reserve 17711 as is shown more particularly delineated and coloured green on Plan LAWA 947.

Land

File No. 2645/974.

Broome Lot 1054 comprising Reserve 32278 as is shown more particularly delineated and coloured green on Plan LAWA 948.

Dated this 27th day of October 1992.

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

LB401**LOCAL GOVERNMENT ACT 1960**

Declaration of Public Streets

Orders of the Minister for Lands made under Section 288

At the request of the local governments nominated, each piece of land specified in the Schedule is now declared to be absolutely dedicated as a public street.

Schedule

1. City of Nedlands (DOLA File 1684/992)

Road No. 18495 (Seward Avenue). All that portion of land as delineated and bordered green on Office of Titles Plan 18404.

Public Plan: BG 34(2) 08.22 (Perth).

2. Shire of Busselton (DOLA File 2705/991)

Road No. 18494. The whole of the surveyed way along the northeastern boundary of Lot 34 (Office of Titles Diagram 28238) as delineated and coloured brown on the said Diagram, and the surveyed way as delineated and coloured brown on Office of Titles Diagram 59107.

Public Plan: BF 29(2) 23.35 (Busselton).

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

LB601**LAND ACT 1933**

ADDITIONAL SPECIAL LEASE PURPOSE

DOLA File 3214/986.

His Excellency the Deputy of the Lieutenant-Governor and Administrator in Executive Council has been pleased to approve under section 116 (14) of the Land Act 1933, of "Uses Associated with Contractors Accommodation" being an additional purpose for which a Special Lease may be granted.

A. A. SKINNER, Chief Executive.

LB701

File No. MR 42-251-B.
Ex. Co. No. 1609.

PUBLIC WORKS ACT 1902

LAND RESUMPTION

Road Widening—Chester Pass Road (Albany-Lake Grace Road 52.5-53.2 SLK)

Notice is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto, being all in the Plantagenet District have, in pursuance of the written approval and consent of His Excellency the Lieutenant-Governor and Administrator, acting by and with the advice of the Executive Council, dated the 1st day of September 1992, been set apart, taken or resumed for the purposes of the following public work, namely—Road Widening—Chester Pass Road (Albany-Lake Grace Road)—Shire of Plantagenet.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on the Plans specified in the Schedule, which may be inspected at the Main Roads, Waterloo Crescent, East Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
92-65	Robert George Newbold and Jocelyn Margaret Newbold	Commissioner of Main Roads	Portion of Plantagenet Location 5986 now comprised in Plan 18370 and being part of the land contained in Certificate of Title Volume 1671 Folio 168.	5 191 m ²
92-66	Brett Andrew Smoker and Kerry Gaye Smoker	Commissioner of Main Roads	Portion of Plantagenet Location 5986 and being part of Lot 1 the subject of Diagram 66455 now comprised in Plan 18370 and being part of the land contained in Certificate of Title Volume 1671 Folio 167.	1.5071 ha

Certified correct this 26th day of August 1992.

PAM BEGGS, Minister for Transport.

Dated this 1st day of September 1992.

D. K. MALCOLM, Lieutenant-Governor and Administrator in Executive Council.

ROAD DEDICATION

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

By Order of the Minister for Lands.

Dated this 30th day of October 1992.

A. A. SKINNER, Chief Executive.

LB702

LOCAL GOVERNMENT ACT 1960

PUBLIC WORKS ACT 1902

LAND RESUMPTION

Road Widening—Dwelyerdine Road—Road No. 4211—Shire of Dumbleyung

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Dumbleyung passed at a meeting of the Council held on or about 16 August 1990, the several pieces or parcels of land described in the Schedule hereto, being all in the Williams District have, in pursuance of the written approval and consent of His Excellency the Deputy of the Lieutenant-Governor and Administrator, acting by and with the advice of the Executive Council, dated the 27th day of October 1992, been set apart, taken or resumed for the purpose of the following public work, namely: Road Widening—Dwelyerdine Road—Road No. 4211—Shire of Dumbleyung.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Plan 18020 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Patricia Jane Roberts	Portion of Williams Location 14835 being part of the land contained in Perpetual Lease P/842 (Crown Lease 747/1955)	1.400 9 ha

Certified correct this 19th day of October 1992.

DAVID SMITH, Minister for Lands.

Dated this 27th day of October 1992.

W. P. PIDGEON, Deputy of the Lieutenant-Governor and Administrator in Executive Council.

LB703

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widening—Dwelyerdine Road—Road No. 4211—Shire of Dumbleyung

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Dumbleyung passed at a meeting of the Council held on or about 16 August 1990 the several pieces or parcels of land described in the Schedule hereto, being all in the Williams District have, in pursuance of the written approval and consent of His Excellency the Deputy of the Lieutenant-Governor and Administrator, acting by and with the advice of the Executive Council, dated the 27th day of October 1992, been set apart, taken or resumed for the purpose of the following work, namely—Road Widening—Dwelyerdine Road—Road No. 4211—Shire of Dumbleyung.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Plan 18020, which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Eileen May Bain, Philip Richard Bain, John Woodful Bain and Ian Carl Bain	E. M., P. R., J. W. and I. C. Bain	Portion of Williams Location 11761 being part of the land contained in Certificate of Title Volume 1555 Folio 631	5.568 4 ha
Dongolocking Farming Pty Ltd	Dongolocking Farming Pty Ltd	Portion of Williams Location 5353 being part of the land contained in Certificate of Title Volume 1246 Folio 526	30 m ²
Dongolocking Farming Pty Ltd	Dongolocking Farming Pty Ltd	Portion of Williams Location 9589 being part of the land contained in Certificate of Title Volume 153 Folio 11A	136 m ²
John Francis Hughes and Lorraine Hughes	J. F. and L. Hughes	Portion of Williams Location 9589 being part of the Land Contained in Certificate of Title Volume 1388 Folio 833	2.727 0 ha

Certified correct this 19th day of October 1992.

DAVID SMITH, Minister for Lands.

Dated this 27th day of October 1992.

W. P. PIDGEON, Deputy of the Lieutenant-Governor and Administrator in Executive Council.

LB704

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widening—Travellers Rest Road and Yeriminup Road—Shire of Cranbrook

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Cranbrook passed at a meeting of the Council held on or about July 20, 1989 the several pieces or parcels of land described in the Schedule hereto, being all in the Hay District have, in pursuance of the written approval and consent of His Excellency the Deputy of the Lieutenant-Governor and Administrator, acting by and with the advice of the Executive Council, dated the 27th day of October 1992, been set apart, taken or resumed for the purpose of the following public work, namely Road Widening—Travellers Rest Road and Yeriminup Road, Shire of Cranbrook.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 89609 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Gordon Conrad Frank Wornum	G. C. F. Wornum	Portion of Tenterden Agricultural Area Lot 18 and being part of the Land contained in Certificate of Title Volume 1643 Folio 65.	2 711 m ²

Certified correct this 19th day of October, 1992.

DAVID SMITH, Minister for Lands.

Dated this 27th day of October, 1992.

W. P. PIDGEON, Deputy of the Lieutenant-Governor
and Administrator in Executive Council.

LB705

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road—City of Mandurah

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the City of Mandurah passed at a meeting of the Council held on or about September 8, 1992 the several pieces or parcels of land described in the Schedule hereto, being all in the Murray District have, in pursuance of the written approval and consent of His Excellency the Deputy of the Lieutenant-Governor and Administrator, acting by and with the advice of the Executive Council, dated the 27th day of October 1992, been set apart, taken or resumed for the purpose of the following public work, namely Road—City of Mandurah.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 90867 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	City of Mandurah as Vestee	Portion of Murray Location set aside as Reserve 2851 for the purpose of Recreation & Camping ("A" Class)	2.8905 m ²
Crown	City of Mandurah as Vestee	Portion of Murray Location 1902 set aside as Reserve 37304 for the purpose of Recreation and Club Premises	445 m ²

Certified correct this 21st day of October, 1992.

DAVID SMITH, Minister for Lands.

Dated this 27th day of October, 1992.

W. P. PIDGEON, Deputy of the Lieutenant-Governor
and Administrator in Executive Council.

LB706

LOCAL GOVERNMENT ACT 1960

PUBLIC WORKS ACT 1902

LAND RESUMPTION

Road Widening—Richmond Street—Road No. 17088—City of Perth

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the City of Perth passed at a meeting of the Council the several pieces or parcels of land described in the Schedule hereto, being all in the Perthshire District have, in pursuance of the written approval and consent of His Excellency the Deputy of the Lieutenant-Governor and Administrator, acting by and with the advice of the Executive Council, dated the 27th day of October 1992, been set apart, taken or resumed for the purpose of the following public work, namely Road Widening—Road Widening—Richmond Street—Road No. 17088—City of Perth.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration, L.T.O. Diagram 54540 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Commissioner of Main Roads	Vacant	Portion of Perthshire Location Ad and being that part of Lot 103 on Diagram 54540 remaining in Certificate of Title Volume 1509 Folio 498.	311 m ²

Certified correct this 8th day of October, 1992.

DAVID SMITH, Minister for Lands.

Dated this 27th day of October, 1992.

W. P. PIDGEON, Deputy of the Lieutenant Governor
and Administrator in Executive Council.

LB707

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widening—Frenches Road—Road No. 1966—Shire of Northam

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Northam passed at a meeting of the Council held on or about September 4, 1992 the several pieces or parcels of land described in the Schedule hereto, being all in the Avon District have, in pursuance of the written approval and consent of His Excellency the Deputy of the Lieutenant-Governor and Administrator, acting by and with the advice of the Executive Council, dated the 27th day of October 1992, been set apart, taken or resumed for the purpose of the following public work, namely Road Widening—Frenches Road—Road No. 1966—Shire of Northam.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration, Diagram 90717 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Zoe Clorine French and Mervyn John French	Z. C. French and M. J. French	Portion of Avon Location 1380 and being part of the Land contained in Certificate of Title Volume 1617 Folio 999.	1 006 m ²

Certified correct this 8th day of October, 1992.

DAVID SMITH, Minister for Lands.

Dated this 27th day of October, 1992.

W. P. PIDGEON, Deputy of the Lieutenant-Governor
and Administrator in Executive Council.

LB708

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Extension—Athol Road—Shire of Beverley

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Beverley passed at a meeting of the Council held on or about March 4, 1992 the several pieces or parcels of land described in the Schedule hereto, being all in the Avon District have, in pursuance of the written approval and consent of His Excellency the Deputy of the Lieutenant-Governor and Administrator, acting by and with the advice of the Executive Council, dated the 27th day of October 1992, been set apart, taken or resumed for the purpose of the following public work, namely Road Extension—Athol Road—Shire of Beverley.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken or resumed are marked off and more particularly described on Department of Land Administration Plan 17701 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Royce Anthony Edwards	R. A. Edwards	Portion of Avon Location 8442 and being part of the Land contained in Certificate of Title Volume 1043 Folio 348.	100 m ²

Certified correct this 19th day of October, 1992.

DAVID SMITH, Minister for Lands.

Dated this 27th day of October, 1992.

W. P. PIDGEON, Deputy of the Lieutenant Governor and Administrator in Executive Council.

LB709

LOCAL GOVERNMENT ACT 1960

PUBLIC WORKS ACT 1902

LAND RESUMPTION

Road Extension—Fimiston Place—City of Stirling

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the City of Stirling passed at a meeting of the Council held on or about September 15, 1992 the several pieces or parcels of land described in the Schedule hereto, being all in the Swan District have, in pursuance of the written approval and consent of His Excellency the Deputy of the Lieutenant-Governor and Administrator, acting by and with the advice of the Executive Council, dated the 27th day of October 1992, been set apart, taken or resumed for the purpose of the following public work, namely Road Extension—Fimiston Place—City of Stirling.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 90010 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Water Authority of W.A.	Water Authority of W.A.	Portion of Perthshire Location Au and being part of the Resumed Land remaining in Certificate of Title Volume 156 Folio 68.	201 m ²

Certified correct this 19th day of October, 1992.

DAVID SMITH, Minister for Lands.

Dated this 27th day of October, 1992.

W. P. PIDGEON, Deputy of the Lieutenant-Governor and Administrator in Executive Council.

LB710

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widenings—Hurley Road—Shire of Williams

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Williams passed at a meeting of the Council held on or about August 10, 1987 the several pieces or parcels of land described in the Schedule hereto, being all in the Williams District have, in pursuance of the written approval and consent of His Excellency the Deputy of the Lieutenant-Governor and Administrator, acting by and with the advice of the Executive Council, dated the 27th day of October 1992, been set apart, taken or resumed for the purpose of the following public work, namely Road Widenings—Hurley Road—Shire of Williams.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Plan 17993 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Andrew Murray Higham and Suzanne Gaye Higham	A. M. & S. G. Higham	Portion of Williams Location 4642 and being part of the Land contained in Certificate of Title Volume 1245 Folio 506.	2 393 m ²
Gilbert Henry Medlen, Quentin Frederick Medlen and Timothy Guy Medlen	G. H. Medlen, Q. F. Medlen and T. G. Medlen	Portion of Williams Location 12604 being part of the Land contained in Certificate of Title Volume 1719 Folio 460.	1 270 m ²
Andrew Murray Higham and Suzanne Gaye Higham	A. M. & S. G. Higham	Portion of Williams Location 4643 and Williams Location 12605 being part of the Land contained in Certificate of Title Volume 1168 Folio 622.	593 m ² from Location 4643 and 755 m ² from Location 12605
Gilbert Henry Medlen, Quentin Frederick Medlen and Timothy Guy Medlen	G. H., Q. F. & T. G. Medlen	Portion of Williams Location 4644 and being part of the Land contained in Certificate of Title Volume 1254 Folio 738.	1 660 m ²
Christopher John Brown Hogg and Jacqueline Peta Hogg	C. J. B. & J. P. Hogg	Portion of Williams Location 2662 and being part of the Land contained in Certificate of Title Volume 1871 Folio 730.	247 m ²

Certified correct this 19th day of October, 1992.

DAVID SMITH, Minister for Lands.

Dated this 27th day of October, 1992.

W. P. PIDGEON, Deputy of the Lieutenant-Governor
and Administrator in Executive Council.

LB711

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Extension—Trott Road—Shire of Bridgetown-Greenbushes

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Bridgetown-Greenbushes passed at a meeting of the Council held on or about July 7, 1988 the several pieces or parcels of land described in the Schedule hereto, being all in the Nelson District have, in pursuance of the written approval and consent of His Excellency the Deputy of the Lieutenant-Governor and Administrator, acting by and with the advice of the Executive Council, dated the 27th day of October 1992, been set apart, taken or resumed for the purpose of the following public work, namely Road Extension—Trott Road—Shire of Bridgetown-Greenbushes.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 90213 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Lewis Keith Whiting and Patricia Rose Whiting	L. K. & P. R. Whiting	Portion of Nelson Location 737 and being part of Lot 6 on Plan 3481 (Sheet 2) being part of the Land contained in Certificate of Title Volume 1647 Folio 297.	5 409 m ²
Franciscus Takes and Selina Dawn Gifford	F. Takes and S. D. Gifford	Portion of Nelson Location 737 and being part of Lot 13 on Plan 3481 (Sheet 2) being part of the Land contained in Certificate of Title Volume 1652 Folio 468.	4 596 m ²

Certified correct this 8th day of October, 1992.

DAVID SMITH, Minister for Lands.

Dated this 27th day of October, 1992.

W. P. PIDGEON, Deputy of the Lieutenant-Governor
and Administrator in Executive Council.

ROAD DEDICATION

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

By Order of the Minister for Lands,

Dated this 30th day of October, 1992.

A. SKINNER, Chief Executive.

LB901

File No. 2776/1986

PUBLIC WORKS ACT 1902

NOTICE OF INTENTION TO TAKE OR RESUME LAND

Road Widening—Marshall Road and Beechboro Road—West Swan

The Minister for Lands hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902, that it is intended to take or resume under section 17 (1) of that Act, the pieces or parcels of land described in the Schedule hereto and being all in the Swan District, for the purpose of the following public works, namely, Road Widening—Marshall Road and Beechboro Road—West Swan and that the said pieces or parcels of land are marked off on Plan L.A., W.A. 938 which may be inspected at the office of the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

No. on Plan L.A., W.A. No. 938	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx)
	Venetian Nominees Pty Ltd	Venetian Pty Ltd	Nominees Portion of Swan Location K and being that part of the land contained in Certificate of Title Volume 1772 Folio 75 now shown on DOLA dia- gram 90729.	436 m ²
	Carmello Ioppolo	C Ioppolo	Portion of Swan Location K and being that part of Lot 5 on diagram 49950 now shown on DOLA diagram 90729 being part of the land contained in Certificate of Title Volume 1442 Folio 812.	394 m ²

Dated this 19th day of October 1992.

DAVID SMITH, Minister for Lands.

LEGAL AID

LE301

LEGAL AID COMMISSION ACT 1976

LEGAL AID COMMISSION (COSTS) AMENDMENT RULES 1992

Made by the Legal Aid Commission of Western Australia and approved by the Deputy of the Lieutenant-Governor and Administrator in Executive Council.

Citation

1. These rules may be cited as the *Legal Aid Commission (Costs) Amendment Rules 1992*.

Principal rules

2. In these rules the *Legal Aid Commission (Costs) Rules 1990** are referred to as the principal rules.

[* *Published in the Gazette of 10 August 1990.*]

Rule 2 amended

3. Rule 2 of the principal rules is amended —

(a) by deleting the definition of “assigned practitioner” and inserting the following definition —

“ “assigned practitioner” means —

(a) a private practitioner to whom a grant of legal aid under Part V Division 3 of the Act has been assigned; and

(b) a practitioner employed by the Commission who, on behalf of the Director, has the conduct of a grant of legal aid assigned to the director;

”;

(b) in the definition of "legal services" by deleting "Act." and substituting the following —

" Act; "; and

(c) by inserting in the appropriate alphabetical positions the following definitions —

" "page" means where a document is drawn or engrossed 2 or more folios of one and a half spaced typed or printed words or figures amounting to not less than 200 words or figures of originally composed text;

"special circumstances" includes —

- (a) the complexity of the facts;
- (b) the complexity of legal arguments which might reasonably be required; and
- (c) whether or not the legal aid assignment concerns a matter of public importance. "

Rule 3 amended

4. Rule 3 of the principal rules is amended —

(a) in paragraph (a) by inserting after the paragraph designation "(a)" the following —

" subject to rule 15, "; and

(b) by deleting paragraph (c) and substituting the following paragraph —

" (c) subject to rule 6, in Schedule 3 are payable to counsel and Queen's Counsel instructed as approved, for the services specified in that Schedule. "

Rule 4 amended

5. Rule 4 of the principal rules is amended by inserting before paragraph (a) the following paragraph —

" (aa) rule 9 of the *Legal Aid Commission Rules 1990*; "

Rule 6A inserted

6. After rule 6 of the principal rules the following rule is inserted —

" **Schedule 3 — special circumstances**

6A. (1) An assigned practitioner may, where he or she can show special circumstances why Schedule 3 should not apply in relation to a legal aid assignment, apply to the Commission for the fees to be determined by the Director, an authorized person or a committee.

(2) Where the Director, an authorized person or a committee is satisfied that the assigned practitioner has shown that the application of Schedule 3 would not be reasonable the Director, an authorized person or committee shall determine the fees. "

Rule 10 amended

7. Rule 10 of the principal rules is amended —

- (a) in subrule (4) by deleting paragraphs (b) and (c) and substituting the following paragraph —

“ (b) preparation for a plea in mitigation without a trial. ”;

and

- (b) after subrule (4) by inserting the following subrule —

“ (5) Where in any of the Schedules a separate amount is not specified in relation to preparation or getting up for the court appearance, two thirds of those fees shall be applied to preparation or getting up. ”.

Rule 11 amended

8. Rule 11 of the principal rules is amended in subrule (1) by deleting “25% of the amount payable in respect of the first defendant, as specified in Schedule 1 for getting up the case for trial and trial.” and substituting the following —

“ 50% of the amount of legal fees approved in respect of the first defendant, in Schedule 1, or getting up case for trial and preparation for a plea in mitigation without trial. ”.

Rule 11A inserted

9. After rule 11 of the principal rules the following rule is inserted —

“ **Photocopying charges — Schedule 2**

11A. The charges in relation to photocopying, where an assigned practitioner may charge on a profit cost basis, are set out in Schedule 2. ”.

Rule 12 amended

10. Rule 12 of the principal rules is amended —

- (a) by deleting subrule (2) and substituting the following subrule —

“ (2) Subject to subrule (3) in a criminal case where the Director, an authorized officer or committee considers it reasonable for an assigned practitioner to wait in the court for a trial to commence or resume after an interruption, the assigned practitioner may receive payment at the rate of \$80 per hour or part thereof, for the time spent in the court to a maximum of 2 hours in any one day. ”;

- (b) in subrule (3) by deleting “\$75” and substituting the following —

“ \$80 ”; and

- (c) by inserting after subrule (3) the following subrule —

“ (4) Subrule (2) shall not apply where, in a criminal case, the fees of the practitioner are assessed in accordance with Schedule 2. ”.

**Rules 13 and 14 repealed and
rules 13 and 14 substituted**

11. Rules 13 and 14 of the principal rules are repealed and the following rules are substituted —

“ **Payment for actual time spent travelling
or in conference etc.**

13. (1) Subject to subrule (2) an assigned practitioner may receive payment, as approved, for actual time spent —

- (a) in any of the circumstances referred to in rule 14 (1) (a) including the time spent in travelling to and from such conferences or investigations; and
- (b) in travelling within Australia in the conduct of a legal aid assignment.

(2) Notwithstanding subrule (1) payment referred to in subrule (1) shall not exceed 8 hours in any one day at a rate not exceeding 60% of the hourly rate prescribed in Schedule 2 item 11.

**Travelling and special
country allowances**

14. (1) Where it is not reasonable in all the circumstances to brief an agent and an assigned practitioner is required in the conduct of a legal aid assignment —

- (a) to travel more than 5 kilometres from the place at which the assigned practitioner practises (including branch or visiting offices maintained by the practitioner's firm) in order to —
 - (i) visit a prison, lock-up or police station;
 - (ii) attend on a witness;
 - (iii) make any necessary investigation; or
 - (iv) attend a court or tribunal hearing;
- or
- (b) to stay overnight in a town or place, being more than 100 kilometres from that in which the practitioner practises,

the assigned practitioner is entitled to travelling and subsistence allowances as determined from time to time by the Director on the recommendation of the Public Service Commissioner.

(2) An allowance paid to an assigned practitioner under subrule (1) may be treated as a disbursement. ”

**Rule 15 repealed and
a rule substituted**

12. Rule 15 of the principal rules is repealed and the following rule is substituted —

“ **Payment for exceptional work**

15. (1) An assigned practitioner may, where he or she can show special circumstances why Schedule 1 should not apply in relation to a legal aid assignment, apply to the Director, an authorized person or committee to determine that Schedule 2 should apply.

(2) Where the Director, an authorized person or committee is satisfied that the assigned practitioner has shown that the application of Schedule 1 would not be reasonable, the Director, an authorized person or a committee shall determine that Schedule 2 shall apply. ”

Rule 17 amended

13. Rule 17 of the principal rules is amended by inserting after subrule (1) the following subrule —

“ (1a) Subrule (1) applies to conferences and hearings concerning the conduct of the trial held —

- (a) in relation to criminal matters; or
- (b) in courts exercising jurisdiction concerning children other than the Family Court. ”

Schedule 1, 2 and 3 repealed and Schedules 1, 2 and 3 substituted

14. The Schedules to the principal rules are repealed and the following Schedules are substituted —

“

SCHEDULE 1

[Rules 3 (a), 4, 6A and 7]

FEES PAYABLE UNDER RULE 3 (a)

Item	Description	Rate \$
1.	COURT OF CRIMINAL APPEAL	
	(1) Appeal against sentence	1 000
	(2) Appeal against conviction	1 750
	(3) Application for extension of time within which to appeal and leave to appeal and an attendance before a single Judge	100-400
	(4) Attending on reserve decision including Section 20 Application	80
2.	OTHER APPELLATE OR REVIEW JURISDICTION	
	(1) Application for orders on appeal from an order or sentence of a magistrate	1 000
	(2) Appeal to single Judge (other than under subitem (1))	350-700
	(3) Attending on reserved decision	80
2A.	PREPARATION OF APPEAL BOOKS — ALL JURISDICTIONS Rates as in Schedule 2. (Provided the claim for collating, copying, numbering or binding does not exceed a reasonable fee for those services when charged by a commercial organization to the public.)	
		Maximum Rate \$
3.	SUPREME COURT — CRIMINAL JURISDICTION	
	(1) Plea of guilty without a prior trial including advice relating to plea, preparation and presentation of plea	660
	(2) Appearing to take sentence including address on pre-sentencing report	80
	(3) Appearing to obtain remands	80

Item	Description	Maximum Rate \$
(4)	Getting up	1 250
	Trial First day	850
	Second or subsequent day	700
(5)	Application for bail to Supreme Court Judge from inferior jurisdiction	350
(6)	Application as to venue, jurisdiction or other preliminary issue	250
(7)	Viewing or listening to video or sound tapes per hour relating to the proceedings	80
(8)	Transcribing video or sound tapes per page relating to the Proceedings	3
4.	DISTRICT COURT — CRIMINAL JURISDICTION AND CHILDREN'S COURT WHERE CONSTITUTED BY PRESIDENT	
(1)	Plea of guilty including advice relating to plea all necessary preparation and presentation	600
(2)	Appearing to take sentence including address and a pre-sentence report or application for bail	80
(3)	Appearing to take remand including bail application	80
(4)	Trial, Getting Up	825
	First day	700
	Second or subsequent days	600
(5)	Viewing or listening to video or sound tapes per hour relating to the proceedings	80
(6)	Transcribing video or sound tapes per page relating to the proceedings	3
5.	COURT OF PETTY SESSIONS AND CHILDREN'S COURTS	
(1)	Oral committal proceedings — if specially approved first day including preparation	450
	each other day	400 per day
(2)	Attending on committal by a hand-up brief	80
(3)	Defended cases whether or not indictable cases triable summarily, including an address in mitigation following conviction first day including preparation	675
	each other day	385 per day
(4)	Plea of guilty including all advice relating to plea, preparation, Court attendance and presentation of plea	350
(5)	Attending on reserved decision, taking sentence or applying for bail (not being renewal of existing bail)	75
(6)	Attending on remand	50
(7)	Application for extraordinary motor driver's licence	300
(8)	Attending on Coronial enquiry (where specially approved) first day including preparation	700
	each other day	400
(9)	Application for restraining order — section 172 of the <i>Justices Act 1902</i> — initial hearing — including all necessary preparation	300
(10)	Application for confirmation of order — section 172 <i>Justices Act 1902</i>	600
(11)	Application for variation of order under section 172 of the <i>Justices Act 1902</i> including necessary preparation	300
(12)	Application for care and protection first day (including all necessary preparation)	800
	second or subsequent days	450
	or	85 per hour
(13)	Appeal to President of Children's Court from Magistrate or Justice	500

SCHEDULE 2

[Rules 3 (b), 5, 11A and 13]

FEES PAYABLE UNDER RULE 3 (b)

Item	Description	Maximum Rate \$
1.	Drawing documents not in print	4.25 per folio
2.	Engrossing any document	0.60 per folio
3.	Engrossing drafts (where necessary)	1 per page
4.	Photocopying — where reasonably necessary	
	(1) Single sheets	0.55 per page
	(2) Multiple copies	0.25 per page
5.	Letters	
	(1) Circular	6 per item
	(2) Short	11 per folio (not less than 1 folio)
	(3) Long	25 per page (not less than 3 folios and the rate for 5 (2) thereafter)
6.	Telegram, facsimile, telex — transmission where reasonably necessary and required by the urgency of the situation or — receiving using the practitioners' machine	
	(1) Sending or receiving	5.50 per item
	(2) Drafting message as per item 5	
7.	Attendances	
	(1) Junior clerk	45 per hour
	(2) Senior clerk	100 per hour
	(3) Practitioner	115 per hour (where legal skill is reasonably required)
8.	Telephone calls	
	(1) Practitioner	\$6 up to 5 minutes and thereafter \$2 per minute (where legal skill is reasonably required)
	(2) Non-qualified person	\$3 up to 5 minutes and \$1 per minute thereafter
9.	Perusals (where scanning is not appropriate)	
	(1) Technical or expert reports	6 per page (including medical reports)
	(2) Other papers	5 per page
10.	Scanning 60 folios per hour	60
11.	Hourly rate where no other fee applies	115 per hour

SCHEDULE 3

[Rules 3 (c), 6 and 7]

FEES PAYABLE UNDER RULE 3 (c)

Item	Description	Maximum Rate \$
	OPINIONS	
1.	Opinion on liability	700
2.	Opinion on quantum	700
3.	Opinion on liability and quantum	1 000
4.	Opinion on appeal against sentence	500
5.	Opinion on appeal conviction	1 000
6.	Opinion on appeal against conviction and sentence	1 350
7.	Advice on evidence, jurisdiction or procedure	350

Item	Description	Maximum Rate \$
	SETTLING, DRAWING	
8.	Grounds of appeal — criminal	450
9.	Grounds of appeal — civil	480
10.	Pleadings	500
11.	Other documents	300
	PRETRIAL CONFERENCES (Supreme, District Court)	
12.	Attending conference including preparation	450
	APPEARING IN COURT OR TRIBUNAL (if no applicable fees in the Court or Tribunal)	
13.	Federal Court each day	850
14.	High Court each day (or <i>pro rata</i> for time spent in making appearance)	1 500
15.	Preparation Federal or High Court	2 000
15A.	Family Court each day (or per hour gross) for preparation where counsel is not the assigned practitioner or a member of his or her firm	850 145
16.	Supreme or District Court at rates applicable to the jurisdiction.	
17.	Criminal appearances at rates set out in the First Schedule.	
	QUEEN'S COUNSEL	
18.	The rates set out above plus an amount not exceeding 50% where the appearance of Queen's Counsel has been approved in advance.	
19.	Preparation — at the hourly rate where counsel is not the assigned practitioner or a member of his or her firm.	

The Common Seal of the Legal Aid Commission of Western Australia was hereunto affixed pursuant to a resolution of the Commission in the presence of:

R. E. LINDSAY, Member.
M. McCUSKER, Member.

Approved by the Deputy of the Lieutenant-Governor and Administrator in Executive Council this 27th day of October 1992.

D. G. BLIGHT, Clerk of the Council.

LOCAL GOVERNMENT

LG301

CEMETERIES ACT 1986

KALGOORLIE CEMETERY BOARD (ALTERATION OF NAME) ORDER 1992
Made by the Deputy of the Lieutenant-Governor and Administrator under the provisions of section 7 (4) of the *Cemeteries Act 1986*.

Citation

1. This Order may be cited as the *Kalgoorlie Cemetery Board (Alteration of Name) Order 1992*.

Commencement

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

Alteration of Board Name

3. The name of the Kalgoorlie Cemetery Board is hereby altered to the Kalgoorlie-Boulder Cemetery Board.

Deputy of the Lieutenant-Governor and Administrator,

D. G. BLIGHT, Clerk of the Council.

LG302

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

By-laws Relating to Parking Facilities

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 27th February 1990, to make and submit for confirmation by the Lieutenant-Governor and Administrator the following By-laws—

Citation

1. These By-laws may be cited as the Shire of Denmark By-laws Relating to Parking Facilities.

Part I—Interpretation

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

“Authorised officer” means an officer of the Council authorised by the Council to perform duties in accordance with these By-laws;

“Authorised vehicle” means a vehicle authorised by the Council, Shire Clerk, authorised officer, inspector or by any Act to stand on a road;

“bicycle” means any two-wheeled vehicle that is designed to be propelled solely by human power;

“bus” means an omnibus within the meaning of the Road Traffic Act;

“By-law” means one of these By-laws;

“carriageway” means a portion of a road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders and areas, including embayments at the side or centre of the carriageway, used for the standing or parking of vehicles; and where a road has two or more of those portions divided by a median strip, the expression means each of those portions, separately;

“commercial vehicle” means—

(a) a vehicle designed for or used for commercial purposes with a load capacity exceeding one tonne and a vehicle designed for or used for industrial purposes and includes a prime-mover;

(b) a semi-trailer or road train as defined by the Road Traffic Act;

“Council” means the Council of the Municipality of the Shire of Denmark;

“district” means the district of the Municipality of the Shire of Denmark;

“driver” means any person driving or in control of a vehicle;

“dual use path” means a footway or length thereof at both ends of which are erected traffic signs indicating that persons may ride bicycles on the footway or length thereof between those traffic signs;

“footway” includes every footpath, lane or other place intended for the use of pedestrians only, or habitually used by pedestrians and not by vehicles;

“Form” means a form in the Third Schedule to these By-laws;

“head of a cul-de-sac” means that portion of a cul-de-sac within the tangent points where the carriageway curvature departs from the general road width;

“inspector” means a parking inspector or ranger appointed by the Council under these By-laws and includes a chief parking inspector and an assistant parking inspector;

“median strip” means any physical provision, other than lines, dividing a road to separate vehicular traffic proceeding in opposing directions or to separate two one-way carriageways for vehicles proceeding in opposing directions;

“motor cycle” shall have the same meaning as prescribed in the Road Traffic Act, but does not include a motor cycle to which is attached a side car or side box;

“motor vehicle” means a motor vehicle as defined by the Road Traffic Act;

“Municipality” means the Municipality of the Shire of Denmark;

“no parking area” means a portion of a carriageway that lies—

(a) between two consecutive white signs inscribed with the words “No Parking” in red lettering and each with an arrow pointing generally towards the other of them; or

- (b) between a white sign inscribed with the words "No Parking" in red lettering and a dead end or an area in which parking is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;

"no standing area" means a portion of a carriageway that lies—

- (a) between two consecutive white signs inscribed with the words "No Standing" in red lettering and each with an arrow pointing generally towards the other of them; or
- (b) between a white sign inscribed with the words "No Standing" in red lettering and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;

"notice" means a notice in the form of Form No. 1, Form No. 2, Form No. 3 or Form No. 4 issued pursuant to By-law 33 of these By-laws;

"obstruction" means a vehicle which is parked in any portion of a public place wherein vehicles may not lawfully be parked is deemed to be causing an obstruction;

"offence" shall have the same meaning as defined in the Act;

"owner" where used in relation to a vehicle means the person who is the registered holder of the requisite vehicle licence under the Road Traffic Act in respect of that vehicle as detailed and supplied by the Western Australia Police Department, Traffic Licensing and Services Centre, or, if the vehicle is not licensed under that Act, the person who owns the vehicle or is entitled to its possession;

"park" means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of avoiding conflict with other traffic, of complying with provisions of any law or of immediately taking up or setting down persons or goods; and "parking" has a correlative meaning;

"Parking area" means a portion of a carriageway that—

- (a) lies between two consecutive white signs inscribed with the word "Parking" in green lettering and each with an arrow pointing generally towards the other of them; or
- (b) extends from a white sign inscribed with the word "Parking" in green lettering in the general direction indicated by an arrow inscribed on the sign to any other sign inscribed with the words "No Parking" or "No Standing" in red lettering or to a dead end or an area in which the parking or standing of vehicles is prohibited and is that half of the carriageway of the road nearest to the sign;

"parking facilities" includes land, buildings, shelters, parking stalls and other facilities open to the public generally for the parking of vehicles with or without charge and signs, notices and facilities used in connection therewith;

"parking region" means that portion of the district of the Municipality that is constituted a parking region pursuant to these By-laws;

"parking stall" means a section or part of a street, or of a parking station, which is marked or defined by painted lines or by metallic studs or by similar devices for the purpose of indicating where a vehicle may stand or be parked whether on payment of a fee or charge or otherwise, but does not include a metered space;

"parking station" means any land, building or other structure provided for the purpose of accommodating vehicles with or without charge, but does not include a metered zone or metered space or private garage;

"property line" means the boundary between the land comprising a street and the land that abuts thereon;

"public place" shall have the same meaning as defined in the Act;

"reserve" shall have the same meaning as a public reserve as defined in the Act, but shall not include a road or street verge;

"road" means a highway, road, street, lane, thoroughfare or similar place which the public are allowed to use and includes all of the land lying between the property lines including the street verge and footpath, appurtenant thereto and which is within the parking region;

"Road Traffic Act" means the Road Traffic Act 1974 as amended from time to time;

"Schedule" means a schedule of these By-laws;

- “sign” means a traffic sign, mark, structure or device approved by the Council placed or erected on or near a road within a parking station or reserve for the purpose of regulating, guiding, directing, restricting or prohibiting the parking or standing of vehicles;
- “stand”, in relation to a vehicle, means to stop a vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic or of complying with the provisions of any law; and “standing” has a correlative meaning;
- “street” has the same meaning as road;
- “street verge” means that portion of a street which lies between the portion of a street that is improved, paved, designed or ordinarily used for vehicular traffic and the nearest street boundary;
- “taxi” has the same meaning as taxi-car in the Road Traffic Act;
- “the Act” means the Local Government Act, 1960 as amended;
- “trailer” means a vehicle (not including a semi-trailer) drawn by another vehicle but not including a side car attachment to a motor cycle or any other vehicle that comes within the description of a caravan in the Road Traffic Act;
- “vehicle” includes any vehicle which comes within the interpretation of that expression in the Road Traffic Act, excluding wheelchairs.
3. (1) These By-laws apply to the parking region, all parking stations and parking facilities in the parking region other than a parking facility or parking station that—
- (a) is not owned, controlled or occupied by the Municipality; or
 - (b) is owned by the Municipality but is leased to another person.
- (2) Any sign that—
- (a) was erected by the The Commissioner of Main Roads prior to the coming into operation of these By-laws within the Municipality; and
 - (b) relates to the parking or standing of vehicles within the parking region,
- shall be deemed, for the purposes of these By-laws, to have been erected by the Council under the authority of these By-laws.
4. For the purpose of these By-laws vehicles are divided into classes as follows:—
- (a) Buses;
 - (b) Commercial vehicles including any other vehicle (not being a trailer or a vehicle to which a trailer is attached) constructed primarily for conveyance therein or thereon of goods;
 - (c) motor cycles and bicycles;
 - (d) Taxis;
 - (e) Vehicles to which a trailer is attached;
 - (f) All other vehicles not otherwise classified.
5. Where under these By-laws the standing or parking of vehicles in a street is controlled by a sign, that sign shall be read as applying to the part of the street which—
- (a) lies beyond the sign;
 - (b) lies between the sign and the next sign beyond that sign; and
 - (c) is that side of the carriageway or other area where designated, nearest to the sign.
6. The portion of the district of the Municipality that is defined in the First Schedule is hereby constituted as a parking region to which these By-laws shall apply.

Part II—Parking Stalls and Parking Stations

7. (1) Subject to these By-laws, to subsection (3) of section 231 of the Local Government Act, 1960 and to any regulations for the time being in force under the Road Traffic Act, the Council may constitute, determine and vary, and also indicate by signs, from time to time—
- (a) parking stalls;
 - (b) parking stations;
 - (c) permitted times and conditions of parking in parking stalls and parking stations depending on and varying with locality;
 - (d) permitted classes of vehicles to park in parking stalls and parking stations;
 - (e) the amount (if any) payable for parking in parking stalls and parking stations depending on and varying with locality; and

- (f) the manner of parking in parking stalls and parking stations.
- (2) No person shall stand a vehicle in a parking stall in a street otherwise than parallel to the kerb and as close thereto as practicable and wholly within such stall and headed in the direction of the movement of traffic on the side of the street on which the stall is situated, provided that where a parking stall is set out otherwise than parallel to the kerb the provisions of this By-law other than the provisions that a vehicle shall stand wholly within such space, shall not apply.
8. Unless otherwise directed by an inspector or attendant, no person shall park a vehicle in a parking station otherwise than wholly within a parking stall.
9. No person shall stand a vehicle so as to obstruct an entrance to, an exit from, or a roadway within, a parking station or beyond the limits of any defined bays within a parking station.
10. No person shall stand a vehicle except with the permission of the Council or an inspector or an attendant on any part of a parking station, whether or not such part be marked as a parking stall, if a sign is exhibited prohibiting the standing of vehicles thereon.
11. No person shall permit a vehicle to stand on any part of a parking station, whether or not that part is marked as a parking stall, if an inspector or attendant directs the driver of such vehicle to move the vehicle.
12. No person shall stand or attempt to stand a vehicle in a parking stall in which another vehicle is standing, but this By-law does not prevent the parking of a motor cycle and a bicycle together in a stall marked "M/C" if the motor cycle or bicycle is parked in accordance with By-law 14.
13. (1) No person shall permit a vehicle to stand in a parking stall which is at the time set aside for use by commercial vehicles unless—
- (a) the vehicle is a commercial vehicle; and
 - (b) some person is actively engaged in loading or unloading goods to or from the vehicle, and in any case, for more than a period of thirty minutes.
- (2) In this By-law "goods" means an article, or collection of articles, weighing at least fourteen kilograms of which the content is at least 0.2 cubic metre.
- (3) A parking stall is set aside for use by commercial vehicles if there is a sign thereon or adjacent thereto marked "Loading Zone".
14. No person shall stand or permit to stand any motor cycle or bicycle—
- (a) in a parking stall other than in a stall marked "M/C"; or
 - (b) in such stall other than against the kerb.

Part III—Standing and Parking Generally

15. The Council may, subject to these By-laws, constitute, determine and vary, and also indicate by signs from time to time, prohibitions, regulations and restrictions of parking and standing of vehicles of a specified class or of specified classes in all streets or specified streets or in specified parts of streets in the parking region at all times or at specified times.
16. (1) A person shall not stand a vehicle in a street or part of a street or part of a parking station—
- (a) which is by a sign thereon or adjacent or referable thereto, set apart for the standing of vehicles of a different class; or
 - (b) if by such a sign the standing of vehicles is prohibited or restricted during a period or periods, during that period or periods; or
 - (c) if by such a sign the standing of vehicles is permitted for a specified time, for longer than that time.
- (2) A person shall not stand a vehicle—
- (a) in a no standing area;
 - (b) in a parking area, except in a manner indicated by the inscription on the sign or signs associated with the parking area and parking stalls, except as provided in these By-laws, with reference to the parking stalls;
 - (c) in a parking area contrary to any limitation in respect of time, days, periods of the day, classes of persons or classes of vehicles indicated by the inscription on the sign or signs associated with the area; or
 - (d) in a defined area marked "M/C", unless it is a motor cycle without a side-car, or a bicycle.
- (3) A person shall not stand a vehicle in a loading zone unless it is—
- (a) a commercial vehicle engaged in the picking up or setting down of goods; or

- (b) a motor vehicle taking up or setting down passengers; and then only if it does not have a trailer attached.
- (4) A person shall not park a vehicle in a no parking area.
- (5) A person shall not park a vehicle on any portion of a street, carriageway or street verge—
- (a) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a road; or
- (b) if the vehicle of boat is exposed for sale.
- (6) A person shall not stand a motor cycle without a side-car or a bicycle in a parking stall unless the traffic sign "M/C" is marked on that stall.
- (7) A person shall not, without the permission of the Council, Shire Clerk, authorised officer or an inspector, stand a vehicle in an area designated by signs "Authorised Vehicles Only".
17. (1) A person shall not—
- (a) park a vehicle or any combination of vehicles that together with any projection on or load carried by the vehicle or combination of vehicles is more than 6 metres in length on a carriageway for any period exceeding one hour; or
- (b) subject to the provisions of these By-laws, park a tractor (prime mover type) and/or semi-trailer as prescribed in the Road Traffic Act in a street for more than two hours in any twelve hour period.
- (2) Nothing in this By-law mitigates the limitations or conditions imposed by any other By-law or by any sign relating to the parking or standing of vehicles.
18. (1) No person shall park—
- (a) a vehicle, caravan or trailer on a street verge for more than four hours consecutively;
- (b) on a street verge to service or clean a vehicle, caravan or trailer.
19. No person shall park on any street verge within the district any motor vehicle—
- (a) which is not validly licensed as required under the Road Traffic Act; or
- (b) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the motor vehicle to be moved to a place other than a road.
20. Subject to the provisions of By-law 21, a person standing a vehicle on a carriageway shall stand it—
- (a) on a two-way carriageway, so that it is as near as practicable to and parallel with the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing;
- (b) on a one-way carriageway, so that it is near as practicable to, and parallel with, either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing;
- (c) so that it is not less than 1.2 metres from any other vehicle, except a motor cycle or a bicycle parked in accordance with these By-laws;
- (d) so that at least three metres of the width of the carriageway, between the vehicle and the farther boundary of the carriageway, or between it and a vehicle standing on the far side of the carriageway, is available for the passage of other vehicles;
- (e) so that it does not cause undue obstruction on the carriageway; and
- (f) so that it is entirely within the confines of any parking stall marked on the carriageway.
21. (1) A person shall not stand a vehicle partly within and partly outside a parking area.
- (2) Where the traffic sign or signs, associated with a parking area are not inscribed with the words "Angle Parking", then—
- (a) where the parking area is adjacent to the boundary of a carriageway, a person standing a vehicle in the parking area shall stand it as near as practicable to, and parallel with, that boundary; and
- (b) where the parking area is at or near the centre of the carriageway, a person standing a vehicle in that parking area shall stand it approximately at right angles to the centre of the carriageway, unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that vehicles are to stand in a different position.

(3) Where a traffic sign associated with a parking area is inscribed with the words, "Angle Parking" a person standing a vehicle in the parking area shall stand the vehicle at an angle of approximately 45 degrees to the centre of the carriageway, unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway surface.

(4) In sub-by-law (3) of this By-law "vehicle" means a car or motor wagon (utility type up to 3 tonne gross).

(5) Sub-by-law (3) of this By-law does not apply to a person standing a motor cycle or a bicycle in a parking area.

22. (1) A person shall not stand a vehicle so that any portion of the vehicle is—

- (a) between any other standing vehicle and the centre of the carriageway;
- (b) on or adjacent to a median strip;
- (c) on or in front or obstructing a right-of-way, passage, private drive or carriageway or so close thereto as to deny any vehicle reasonable access to, or egress from, the right-of-way, passage, private drive or carriageway;
- (d) in front of a footway constructed across a reservation;
- (e) alongside, or opposite, any excavation in or obstruction on the carriageway, if the vehicle would thereby obstruct traffic;
- (f) on, or within nine metres of any portion of a carriageway bounded on one or both sides by a traffic-island;
- (g) on or over any footway, dual use path or pedestrian crossing;
- (h) upon a bridge or other elevated structure or within a tunnel or underpass;
- (i) between the boundaries of a carriageway and any double longitudinal line consisting of two continuous lines or between a double longitudinal line consisting of a continuous line and a broken or dotted line and the boundary of the carriageway near to the continuous line, unless there is a distance of at least three metres clear between the vehicle and the double longitudinal line;
- (j) upon an intersection, except adjacent to a carriageway boundary that is not broken by an intersecting carriageway;
- (k) within the head of a cul-de-sac; or
- (l) on any road so as to cause an obstruction.

(2) The provisions of paragraphs (c), (f) and (h) of sub-by-law (1) of this By-law do not apply to a vehicle that stands in a bus stand marked on the carriageway, for the purpose of setting down or taking up passengers.

(3) A person shall not stand a vehicle so that any portion of the vehicle is—

- (a) within one metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug; or
- (b) within three metres of a public letter box, unless the vehicle is being used for the purpose of collecting postal articles from the pillar box.

(4) A person shall not stand a vehicle so that any portion of the vehicle is within six metres of the nearer property line of any road intersecting the road on the side on which the vehicle is standing.

(5) A person shall not stand a vehicle so that any portion of the vehicle is within nine metres of the departure side of—

- (a) a sign inscribed with the words "Bus Stop", or "Hail Bus Here", unless the vehicle is a bus stopped to take up or set down passengers; or
- (b) a children's crossing established on a two-way carriageway.

(6) A person shall not stand a vehicle so that any portion of the vehicle is within eighteen metres of—

- (a) the approach side of a sign inscribed with the words "Bus Stop" or "Hail Bus Here", unless the vehicle is a bus stopped to take up or set down passengers;
- (b) the approach side of a pedestrian crossing or children's crossing; or
- (c) the nearest rail of a railway level crossing.

23. A person shall not permit a vehicle to stand in any part of a street if an inspector or a member of the Police Force directs the driver of such vehicle to move it.

24. An inspector may mark the tyres of a marked vehicle with chalk or any other non-indelible substance for any purpose connected with or arising out of his duties and powers and no person shall remove a mark made by an inspector so that the purpose of the affixing of such mark is defeated or likely to be defeated.

25. Where a vehicle has been parked in a street or in an area where by any sign the standing of vehicles is permitted for a limited time, a person shall not—

- (a) move it to any position within the same parking area; or
- (b) by arrangement with any person either exchange the space used by the vehicle for space in the same or another area previously occupied by another vehicle,

so that the total time for which that first mentioned vehicle is parked within that parking area exceeds the maximum time allowed for parking in the space first occupied by that first mentioned vehicle.

26. The Council, Shire Clerk, authorised officer or inspector may permit a person who requires a space in an area where by a sign the standing of vehicles is permitted for a limited time, in order to carry out urgent, essential or official duties to occupy such space with a vehicle for a longer time than the maximum period prescribed by the sign or from time to time provided such permission does not contravene the Road Traffic Act and may prohibit the use of such space by any other vehicle during such time.

Part IV—Removal of Vehicles

27. (1) Any obstructing vehicle or any vehicle permitted to remain standing in a Parking Facility for more than twenty-four hours without the consent in writing of the Shire Clerk may be towed away or otherwise removed to the Council Depot or other place authorised by the Council from time to time.

(2) Any person who contravenes the provisions of (1) commits an offence.

28. Any vehicle impounded under the provisions of By-law 27, once impounded shall then be dealt with in accordance with the provisions of Council's then current By-laws Relating to Removal and Disposal of Obstructing Animals or Vehicles.

Part V—Miscellaneous

29. Every inspector shall be furnished with a certificate of his appointment in a form from time to time determined by the Council.

30. A person who is not an inspector shall not in any way assume the duties of an inspector.

31. No person shall in any way obstruct or hinder an inspector in the execution of his duty.

32. (1) An inspector or member of the Police Force who finds a person committing or who on reasonable grounds suspects a person of having committed a breach of the provisions of these By-laws, may demand from the person his name and place of abode.

(2) A person who refuses to state his name and place of abode, or who states a false name or place of abode, on demand being so made, commits an offence against these By-laws.

33. (1) A notice served under subsection (2) of section 669C of the Act in respect of an offence alleged to have been committed against one of these By-laws shall be in or to the effect of Form 1.

(2) Subject to sub-bylaw (3) of this By-law an infringement notice served under section 669D of the Act in respect of an offence alleged to have been committed against one of these By-laws shall be in or to the effect of Form 2.

(3) An infringement notice served under subsection (2) of section 669D of the Act in respect of an offence against one of these By-laws shall be in or to the effect of Form 3.

(4) A notice sent under subsection (5) of section 669D of the Act withdrawing an infringement notice served under that section in respect of an offence alleged to have been committed against one of these By-laws shall be in or to the effect of Form 4.

34. (1) A person except an employee of the Council in the course of his duties shall not drive or park a vehicle upon or over any portion of a reserve other than a paved area specifically set aside for that purpose.

(2) A person shall not park a vehicle on any part of a reserve, including any paved areas, for the purposes of conducting a business.

35. A person, other than the driver of the vehicle, shall not remove from the vehicle any notice thereto or left therein or thereon by an inspector or a member of the Police Force.

36. No person shall, without the authority of the Council, mark, set up or exhibit any sign purporting to be or resembling a sign marked set up or exhibited by the Council under the authority of these By-laws.

37. No person shall remove, damage, deface or misuse a sign or property or any part thereof, or attempt to do any such acts.

38. No person shall, without the permission of the Council, affix any board, sign, placard, notice or other thing to or paint or write upon any part of a sign.

39. An inscription on a sign operates and has effect according to its tenor and a person contravening the direction of a sign commits an offence under these By-laws.

40. (1) A sign marked, erected, established, or displayed on or near a road, in the absence of evidence to the contrary shall be presumed to be a sign marked, erected, established or displayed under the authority of these By-laws.

(2) The first three letters of any day of the week when used on a sign indicate that day of the week.

(3) A sign associated with a no parking area, no standing area or parking area or a sign of a kind referred to in these By-laws is limited in its operation and effect in respect of days, periods of the day, classes of persons, classes of vehicle, or circumstances to the extent, if any, shown on the sign.

41. (1) Authorised officers or parking inspectors appointed by the Municipality from time to time are authorised by the Municipality to—

- (a) carry into effect the provisions of these By-laws;
- (b) report to the Council on the working effectiveness and functioning of these By-laws;
- (c) recommend to the Council the institution of prosecutions; and
- (d) institute and conduct prosecutions as directed by the Council or the Shire Clerk from time to time.

Part VI—Penalties

42. A person who commits or causes a breach of any provisions of these By-laws is on conviction liable to a penalty not exceeding eighty dollars (\$80.00).

43. The amount appearing in the final column of the Second Schedule directly opposite an offence described in that Schedule is the modified penalty for that offence if dealt with under section 669D of the Act.

44. A penalty for an offence against these By-laws (not being a modified penalty) may be recovered by the Council by taking proceedings against the alleged offender in a Court of Petty Sessions.

45. The Council shall cause adequate records to be kept of all infringement notices served and modified penalties received under section 669D of the Act in respect of offences against these By-laws.

First Schedule

Includes all streets and reserves and any private land in respect of which the owner or occupier from time to time requests the Council to control parking under these By-laws within the district of the Shire of Denmark.

Second Schedule

Item Number	By-law	Nature of Offence	Modified Penalty
1	7(2)	Not Close & Parallel to Kerb	\$20
2	16(1)(c)	Parked for Period Longer Than Fixed	\$20
3	16(2)(a)	Standing in a No Standing Area	\$25
4	16(2)(c)	Reserved Areas	\$20
5	16(3)(a)	Parked in a Loading Zone	\$25
6	16(4)	Parked in a No Parking Area	\$25
7	16(5)(a)	Effecting Repairs in Street	\$25
8	16(5)(b)	Vehicle or Boat for Sale in Street	\$25
9	20(e)	Parked Causing Undue Obstruction	\$25
10	22(1)(a)	Double Parking	\$20
11	22(1)(c)	Parked in Front of Private Driveway	\$20
12	22(1)(g)	Parked on Footway	\$25
13	22(1)(h)	Parked on a Bridge/Tunnel/Underpass	\$25
14	22(4)	Parked within 6m of Property Line at Intersection	\$25
15	23	Non Compliance with Inspector's Directions	\$30
16	25(a)	Parked within Same Parking Area	\$25
17	25(b)	Exchange Parking Area	\$25
18		All Other Offences Not Specified	\$20

Third Schedule

Form 1

Shire of Denmark

Parking Facilities By-laws

NOTICE REQUIRING OWNER OF VEHICLE TO IDENTIFY DRIVER

To Serial No.
Date
the owner of vehicle make Type
Plate No.

You are hereby notified that it is alleged that on the
day of 19..... at about
the driver or person in charge of the above vehicle did

in contravention of the provisions of By-law No. of the
Shire of Denmark Parking Facilities By-laws.

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

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

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

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

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

Signature of Authorised Officer
Designation

Form 2

Shire of Denmark

Parking Facilities By-laws

INFRINGEMENT NOTICE

To Serial No.
Date

You are hereby notified that it is alleged that on
the day of
19..... at about you did

in contravention of the provisions of By-law No. of the
Shire of Denmark Parking Facilities By-laws.

The modified penalty prescribed for this offence is \$.....

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

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

Payment may be made either by posting this form together with the amount
of \$..... mentioned above, to the Shire Clerk of the Shire of Denmark
or by delivering this form and paying that amount at the Council Offices.

Signature of Authorised Officer
Designation

Form 3

Shire of Denmark

Parking Facilities By-laws

INFRINGEMENT NOTICE

To Serial No.
(not to be completed where notice is attached to or left in or on vehicle)

..... Date

the owner of the vehicle make Type

Plate No.

You are hereby notified that it is alleged that on

the day of

at about you did

in contravention of the provisions of By-law No.

of the Shire of Denmark Parking Facilities By-laws as indicated hereunder—

Offence	By-law	Modified Penalty
---------	--------	------------------

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

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

(a) the modified penalty is paid; or

(b) you—

(i) inform the Shire Clerk of the Shire of Denmark

or
(designation(s) of authorised officer(s))

as to the identity and address of the person who was the driver or

person in charge of the above vehicle at the time of the above

offence, or

(ii) satisfy the Shire Clerk of the Shire of Denmark that the above

vehicle had been stolen or was being unlawfully used at the time

of the above offence,

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

Payment may be made either by posting this form together with the amount of \$..... mentioned above, to the Shire Clerk of the Shire of Denmark or by delivering this form and paying that amount at the Council Offices.

Signature of Authorised Officer
Designation

Name

Address Post Code

If your name and address do not appear in this notice please complete above to enable a receipt to be forwarded.

Form 4

Shire of Denmark

Parking Facilities By-laws

WITHDRAWAL OF INFRINGEMENT NOTICE

To

.....

..... Date

Infringement Notice No. Date

for the alleged offence of

..... Modified Penalty \$.....

is hereby withdrawn.

Signature of Authorised Officer

Designation

Dated this 27th day August, 1990.

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

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

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by the Lieutenant-Governor and Administrator in Executive Council this 27th day of October 1992.

D. G. BLIGHT, Clerk of the Council.

LG303

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Canning

By-laws Relating to Parking and Parking Facilities

Acting pursuant to the powers conferred upon it by the above-mentioned Act and all other powers enabling it, the Council of the above-mentioned Municipality hereby records having resolved on the 14th day of April 1992, to make and submit for confirmation by the Lieutenant-Governor and Administrator the following by-laws.

Citation and Application of By-laws and Repeals

1. Citation

These by-laws may be cited as "City of Canning Parking Facilities By-laws" and shall come into operation upon publication in the *Government Gazette* and shall apply and operate within the part of the district referred to in the First Schedule.

2. Repeal

The By-laws Relating to Parking and Parking Facilities published in the *Government Gazette* of 20 October 1978 and amendments published in the *Government Gazette* of 12 October 1979, 24 July 1981, 25 November 1983 and 19 April 1984 are hereby repealed.

3. Interpretation

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

"Act" means the Local Government Act 1960;

"animal" means any animal other than a dog;

"Authorised Officer" means in respect of any Part of the by-laws, the clerk or a patrol officer or other officer of the City of Canning authorised by the Council to administer that part;

"bicycle" means any two wheeled, three wheeled or four wheeled vehicle that is designed to be propelled solely by human power;

"built up area" has the meaning as shown at section 103(1) of the Road Traffic Code 1975;

"carriageway" means every part of a street used or intended for use by vehicles and includes kerbs;

"children's crossing" has the meaning as shown at section 103(1) of the Road Traffic Code 1975;

"Clerk" means the Town Clerk for the time being of the City of Canning and includes, in the absence of the Town Clerk, the Deputy or Acting Town Clerk of the Council;

"commercial vehicle" has the same meaning as the term "Motor Wagon" in the First Schedule of the Road Traffic Act 1974;

"Council" means the Council of the City of Canning;

"District" means the municipal district of the City of Canning;

"driver" means any person driving or in control of a vehicle or animal.

- “footpath” means a path used by, or set aside or intended for use by both pedestrians and cyclists, but not vehicles of any other kind;
- “intersection” means the area contained within the prolongation or connection of the lateral boundaries of two streets that meet one another at, or approximately at, right angles, or the area within which vehicles, travelling by, on, or from different streets that meet at any other angle, may come into conflict;
- “kerb” means and includes the constructed border or edge of the portion of a road paved for the use of vehicular traffic where any constructed border exists at the edge of the paved road whether any footpath has been constructed or not;
- “median strip” has the meaning as shown at section 103(1) of the Road Traffic Code 1975;
- “motorcycle” means a motorcycle within the meaning given in the First Schedule to the Road Traffic Act 1974;
- “Municipality” means the Municipality of the City of Canning;
- “No Parking Area” means a portion of a carriageway that lies:
- (a) between two consecutive signs inscribed with the words: “No Parking” or symbols to that effect, and each with an arrow pointing generally towards the other of them; or
 - (b) between a sign inscribed with the words: “No Parking” or symbols to that effect, and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;
- “No Standing Area” means a portion of a carriageway that lies:
- (a) between consecutive signs inscribed with the words: “No Standing” or symbols to that effect, and each with an arrow pointing generally towards the other of them; or
 - (b) between a sign inscribed with the words: “No Standing” or symbols to that effect, and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign;
- “obstruct” means to interfere with or impede or hinder the passing of any vehicle or person and “obstruction” has a corresponding meaning;
- “omnibus” means a motor vehicle equipped to carry more than eight (8) adult passengers;
- “owner” in relation to a vehicle, means the person who is the holder of the requisite vehicle licence under the Traffic Act in respect of the vehicle, or if the vehicle is not licensed under that Act, the person who owns the vehicle or is entitled to the possession of the vehicle;
- “park” means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of avoiding conflict with other traffic, or complying with the provisions of any law, or of immediately taking up or setting down persons or goods;
- “parking area” means a portion of a carriageway that:
- (a) lies between two consecutive signs inscribed with the word: “Parking”, or a symbol to that effect, and each with an arrow pointing generally towards the other of them; or
 - (b) extends, from a sign inscribed with the word: “Parking”, or a symbol to that effect, in the general direction indicated by an arrow inscribed on the sign, to any other sign inscribed with the words: “No Parking”, “No Standing”, or symbols to that effect, or to a dead end or an area in which the parking or standing of vehicles is prohibited;
- “parking facilities” includes land, buildings, shelters, signs, notices, and other facilities open to the public generally, for the parking of vehicles with or without charge;
- “parking region” means the portion of the District constituted a parking region for the purpose of these by-laws as referred to in the First Schedule;
- “parking stall” means a section or part of a street which is marked or defined by painted lines or by metallic studs or means similar to those, for the purpose of indicating where a vehicle may stand or be parked, whether on payment of a fee or charge or otherwise, but does not include a metered space;
- “pedestrian crossing” means a portion of the road designated by a sign where pedestrians can cross over the road in preference to vehicles travelling on the road;

"person" and words applying to any person or individual includes a body corporate and in the plural a group of persons or a club, association or other body of persons;

"property line" means a lateral boundary of the road reserve of a street;

"public place" includes a street, way or place which the public are allowed to use whether the street, way or place is or is not on private property. It shall also include parklands, squares, reserves, beaches and other lands set apart for the use and enjoyment of the inhabitants of the District and includes all lands vested in or under the care, control or management of the City of Canning;

"reserve" means a public reserve as defined in the Act;

"road" means any highway, road, street, lane easement, thoroughfare or similar place open to, or used by the public and includes every carriageway, footpath, street verge, reservation, median strip, traffic island or similar place thereon which is within the parking region;

"Road Traffic Act" means the Road Traffic Act 1974;

"sign" means a traffic sign, mark, structure or device on which are shown words, numbers, expressions or symbols, under the care, control or management of the Council placed or erected on or near a road or reserve for the purpose of prohibiting, regulating, guiding or directing the standing or parking of vehicles;

"stand" in relation to a vehicle means to stop a vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic or of complying with the provisions of any law;

"street" has the same meaning as road;

"street verge" means every part of a street other than the carriageway thereof;

"symbol" includes any symbol issued or approved by the Standards Association of Australia for use in the regulation of parking, and any reference to the wording of any sign in these by-laws shall be also deemed to include a reference to the corresponding symbol;

"taxi" means a vehicle which:

- (a) is equipped to carry not more than seven (7) passengers; and
- (b) is used for the purpose of standing or plying for hire or otherwise for the carrying of passengers for reward;

"vehicle" includes:

- (a) every conveyance not being a train, boat, aircraft or wheel-chair and every object capable of being propelled or drawn on wheels or tracks by any means; and
- (b) where the context permits, any animal being driven or ridden.

3.2 Unless otherwise defined herein the terms and expressions used in these by-laws shall have the meanings given to them in the Act including, without limiting the generality of the foregoing, s.231 of the Act, and if any term or expression is not defined in the Act, it shall have the meaning given to it in the Road Traffic Act 1974 the First Schedule thereof or the Road Traffic Code 1975. In the case of any conflict, the definitions in the Act and in these by-laws shall prevail in that order.

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

4. Application of By-laws

These by-laws apply to the parking region and all parking facilities in the parking region other than a parking facility that:

- (a) is not owned, controlled or occupied by the Municipality; or
- (b) is owned by the Municipality but is leased to another person.

5. Vehicle Classification

For the purpose of these by-laws vehicles are divided into classes as follows:

- (a) omnibuses;
- (b) commercial vehicles;
- (c) motorcycles and bicycles;
- (d) all other vehicles not otherwise classified.

6. Application of Signs

6.1 Where under these by-laws the standing or parking of vehicles in a street is controlled by a sign, that sign shall be read as applying to the part of the street including the street verge which:

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign; and
- (c) is the side of the carriageway of the street nearest to the sign.

6.2 Any sign that:

- (a) was erected by the Commissioner of Main Roads prior to the coming into operation of these by-laws within the Municipality; and

(b) relates to the parking or standing of vehicles within the parking region, shall be deemed to have been erected by the Council under the authority of these by-laws.

7. Parking Region

That portion of the district of the Municipality defined in the First Schedule is hereby constituted as the parking region to which these by-laws shall apply.

8. Establishment of Parking Stalls

8.1 Subject to the provisions of section 231(3) of the Act the Council may by resolution constitute, determine and vary and also indicate by signs, from time to time:

- (a) parking stalls;
- (b) permitted times and conditions of parking in parking stalls depending on and varying with locality;
- (c) permitted classes of vehicles to park in parking stalls;
- (d) the amount (if any) payable for parking in parking stalls depending on and varying with locality; and
- (e) the manner of parking in parking stalls.

9. Manner of Parking

9.1 No person shall stand a vehicle in a parking stall in a street otherwise than parallel to the kerb and as close thereto as practicable and wholly within such stall and headed in the direction of the movement of traffic on the side of the street on which the stall is situated, provided that where a parking stall is set out otherwise than parallel to the kerb the provisions of this by-law other than the provision that a vehicle shall stand wholly within such space, shall not apply.

9.2 No person shall stand or attempt to stand a vehicle in a parking stall in which another vehicle is standing, but this by-law does not prevent the parking of a motorcycle and a bicycle together in a stall marked "M/C" if the bicycle is parked in accordance with by-law 11.

10. Provisions for Commercial Vehicles

10.1 No person shall permit a vehicle to stand in a parking stall which is at the time set aside for use by commercial vehicles unless:

- (a) the vehicle is a commercial vehicle; and
- (b) some person is actively engaged in loading or unloading goods to or from the vehicle,

and in any case, for more than a period of thirty (30) minutes.

10.2 In these by-laws "goods" means an article or collection of articles weighing at least fourteen (14) kilograms of which the volume is at least 0.2 cubic metres.

10.3 A parking stall is set aside for use by commercial vehicles if there is a sign thereon or adjacent thereto marked "Loading Zone".

11. Parking for Bicycles

No person shall stand or permit to stand any bicycle:

- (a) in a parking stall other than in a stall marked "M/C"; or
- (b) in such stall other than against the kerb.

STANDING AND PARKING GENERALLY

12. Establishing Provisions

The Council may by resolution constitute, determine and vary and also indicate by signs, from time to time, prohibitions, regulations and restrictions of parking and standing of all vehicles or of a specified class of vehicle in all streets or specified streets or in specified parts of streets or reserves in the parking region at all times or at specified times.

13. Restrictions and Prohibitions on Parking

13.1 A person shall not stand a vehicle in a parking stall:

- (a) if that parking stall is by any sign thereon or adjacent or referable thereto, set apart for the standing of vehicles of a different class;
- (b) if by such a sign the standing of vehicles in that parking stall is prohibited or restricted during any period, during such a period; or
- (c) if by such a sign the standing of vehicles in that parking stall is permitted for a specified time, for longer than that time.

13.2 A person shall not stand a vehicle:

- (a) in a No Standing area;
- (b) in a parking area, except in a manner indicated by the inscription on the sign or signs associated with the parking area;
- (c) in a parking area contrary to any limitations in respect of time, days, periods of the day, classes of persons or classes of vehicles indicated by the inscription on the sign or signs associated with the area; or
- (d) in a defined area marked "M/C", unless it is a motorcycle without a side car, or bicycle.

13.3 A person shall not stand a vehicle in a Loading Zone unless it is:

- (a) a commercial vehicle engaged in the picking up or setting down of goods; or
- (b) a motor vehicle taking up or setting down passengers, and then only if it does not have a trailer attached.

13.4 A person shall not park a vehicle in a No Parking area.

13.5 Subject to by-law 20 a person shall not park a vehicle on any portion of a street or a street verge:

- (a) for the purpose of effecting repairs to it, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a road; or
- (b) if the vehicle is exposed for sale.

13.6 A person shall not stand a motorcycle without a side-car or a bicycle in a parking stall unless the traffic sign "M/C" is marked on that stall.

13.7 A person shall not park a vehicle on any part of a road or street verge so as in the opinion of an authorised officer to cause an obstruction.

14. Parking on Carriageways

14.1 A person standing a vehicle on a carriageway shall stand it:

- (a) on a two-way carriageway, so that it is as near as practicable to, and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing;
- (b) on a one-way carriageway, so that it is as near as practicable to, and parallel with, either boundary of the carriageway and headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing;
- (c) so that it is not less than 1.2 metres from any other vehicle, except a motorcycle or a bicycle parked in accordance with these regulations;
- (d) so that at least three (3) metres of the width of the carriageway, between the vehicle and the farther boundary of the carriageway, or between it and a vehicle standing on the far side of the carriageway, is available for the passage of other vehicles;
- (e) so that it does not cause undue obstruction on the carriageway; and
- (f) so that it is entirely within the confines of any parking stall marked on the carriageway.

15. Parking to be Within Stall: Angle Parking

15.1 A person shall not stand a vehicle partly within and partly outside a parking stall.

15.2 Where the traffic sign or signs associated with a parking area are not inscribed with the words "Angle Parking", then:

- (a) where the parking area is adjacent to the boundary of a carriageway, a person standing a vehicle in the parking area shall stand it as near as practicable to and parallel with, that boundary; and

- (b) where the parking area is at or near the centre of the carriageway, a person standing a vehicle in that parking area shall stand it approximately at right angles to the centre of the carriageway, unless a sign associated with the parking area indicates, or marks on the carriageway indicate, that the vehicles are to stand in a different position.

15.3 Where a traffic sign associated with a parking area is inscribed with the words "Angle Parking", a person standing a vehicle in the parking area shall stand the vehicle at an angle of approximately 45 degrees to the centre of the carriageway, unless otherwise indicated by the inscription on the parking sign or by marks on the carriageway surface.

15.4 Sub-by-law (3) of this by-law does not apply to a person standing a motorcycle or a bicycle in a parking area.

16. Preventing Obstructions

16.1 A person shall not stand or park a vehicle so that any portion of the vehicle is:

- (a) between any other standing vehicle and the centre of the carriageway;
- (b) on or adjacent to a median strip;
- (c) in or in front or adjacent to a road, right-of-way, private street, cross-over, passage or private driveway or so close thereto as to—
 - (i) deny any vehicle reasonable access or egress; or
 - (ii) create an obstruction or unreasonable visual restriction to any lawful user of a road, right-of-way, private street, cross-over, passage or private driveway;
- (d) in front of a footway constructed across a reservation;
- (e) alongside, or opposite, any excavation in, or obstruction on, the carriageway, if the vehicle would thereby obstruct traffic;
- (f) on, or within nine (9) metres of, any portion of a carriageway bounded on one or both sides by a traffic island;
- (g) on any footway or pedestrian crossing;
- (h) upon a bridge or other elevated structure or within a tunnel or underpass;
- (i) between the boundaries of a carriageway and any double longitudinal line; or
- (j) upon an intersection.

16.2 The provisions of paragraphs (c), (f), (h) of sub-by-law (1) of this by-law do not apply to an omnibus that stands in a bus stand marked on the carriageway, for the purpose of setting down or taking up passengers.

16.3 A person shall not stand a vehicle so that any portion of the vehicle is:

- (a) within one (1) metre of a fire hydrant or fire plug, or of any sign or mark indicating the existence of a fire hydrant or fire plug; or
- (b) within three (3) metres of a public letter pillar box, unless the vehicle is being used for the purpose of collecting postal articles from the pillar box.

16.4 A person shall not stand a vehicle so that any portion of the vehicle is within six (6) metres of the nearer property line of any road intersecting the road on the side on which the vehicle is standing.

16.5 A person shall not stand a vehicle so that any portion of the vehicle is within nine (9) metres of the departure side of:

- (a) a sign inscribed with the words "Bus Stop", or "Hail Bus Here", unless the vehicle is a bus stopped to take up or set down passengers; or
- (b) a children's crossing established on a two-way carriageway.

16.6 A person shall not stand a vehicle so that any portion of the vehicle is within eighteen (18) metres of:

- (a) the approach side of a sign inscribed with the words "Bus Stop" or "Hail Bus Here", unless the vehicle is a bus stopped to take up or set down passengers;
- (b) the approach side of a pedestrian crossing or children's crossing; or
- (c) the nearest rail of a railway level crossing.

16.7 A person shall not stand in the parking region a vehicle or any combination of vehicles that, together with any projection on or load carried by the vehicle or combination of vehicles, is more than eight (8) metres in length:

- (a) on a carriageway in a built-up area for any period exceeding one hour during any twenty-four (24) hour period; or

- (b) on a carriageway outside a built-up area, except in a truck bay or other area set aside for the parking of vehicles of that type.

17. Vehicle to be Moved on Direction of Authorised Officer

A person shall not permit a vehicle to stand in any part of a street if an authorised officer or a member of the Police Force directs the driver of such vehicle to move it.

18. Authorized Officer May Mark Tyres

An authorised officer may mark the tyres of a parked vehicle with chalk or any other non-indelible substance for any purpose connected with or arising out of his duties and powers and no person shall remove a mark made by an authorised officer so that the purpose of the affixing of such mark is defeated or likely to be defeated.

19. Essential Work Provisions

19.1 The Council may:

- (a) permit a person who requires the use of a parking stall or other space, in order to carry out urgent or essential work, for a longer period than that prescribed as the maximum period for which the space may ordinarily be used, to use that space for such a longer period upon payment of the normal fee, if any, together with a service charge of twenty-five dollars (\$25.00) in each case; and
- (b) prohibit the standing of any other vehicle in that space during the period in which the space is set aside pursuant to sub-by-law (a) of this by-law.

20. Parking on Street Verges and Private Property

20.1 (a) a person shall not stand or park or permit a vehicle to stand or be parked on land which is not a road or parking facility without the consent of the owner or occupier of that land;

- (b) where the owner or occupier of the land, which is not a road or parking facility, by a sign referable to that land or otherwise consents to vehicles of a specified class or classes being stood or parked thereon or to vehicles being stood or parked thereon for a limited period, a person shall not stand or park or permit a vehicle to stand or be parked thereon if it is not of the specified class or for more than the time so limited as the case may be.

20.2 (a) a person shall not stand or park, or permit to stand or be parked an omnibus or commercial vehicle so that any portion of the omnibus or commercial vehicle is on a street verge;

- (b) a person shall not stand a vehicle so that any portion of that vehicle is on the street verge:

- (i) during any period when the standing or parking of a vehicle on the road adjacent to such verge is prohibited, or is prohibited for more than a specified time;

- (ii) during any period when the standing or parking of vehicles on that verge is prohibited by sign adjacent or referable to that verge;

- (c) subject to by-law 20.1(a) and 20.1(b) a person shall not stand a vehicle so that all or any portion of that vehicle is on the street verge, unless he or she is an occupier of the premises adjacent to that verge or is a person authorised by an occupier of those premises;

- (d) on those residential streets where parking restrictions are in force the driver of a commercial vehicle is exempt from the provisions of paragraphs (a) and (b) of this sub-by-law during any period the commercial vehicle is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to premises adjacent to the portion of the street verge on which the commercial vehicle is parked or stood.

21. Offences and Infringement Notices

21.1 A notice served under section 669C(2) of the Act in respect of an offence alleged to have been committed against one of these by-laws shall be in or to the effect of Form 1 contained in the Second Schedule attached hereto.

21.2 An infringement notice served under section 669D(1) of the Act in respect of an offence alleged to have been committed against one of these by-laws shall be in or to the effect of Form 2 contained in the Second Schedule attached hereto.

21.3 An infringement notice served under section 669D(2) of the Act in respect of an offence alleged to have been committed against one of these by-laws shall be in or to the effect of Form 3 contained in the Second Schedule attached hereto.

21.4 A notice sent under section 669D(5) of the Act withdrawing an infringement notice served under that section in respect of an offence alleged to have been committed against one of these by-laws shall be in or to the effect of Form 4 contained in the Second Schedule attached hereto.

MISCELLANEOUS

22. Every authorised officer shall be furnished with a certificate of his appointment in a form from time to time determined by the Council.

23. A person who is not an authorised officer shall not in any way assume the duties of an authorised officer.

24. No person shall in any way obstruct or hinder an authorised officer in the execution of his duty.

25. No person shall, without the authority of the Council, mark, set up or exhibit any sign purporting to be or resembling a sign marked, set up or exhibited by the Council under the authority of these by-laws.

26. No person shall remove, damage, deface or misuse any parking sign or any part thereof.

27. No person shall, without the permission of the Council, affix any board, sign, placard, notice or other thing to or paint or write upon any part of a parking sign, or remove or damage or deface a parking sign.

28. Authorised officers appointed by the Municipality from time to time are authorised:

- (a) to carry into effect the provisions of these by-laws;
- (b) to report to the Council on the working effectiveness and functioning of these by-laws;
- (c) to recommend to the Council the institution of prosecutions; and
- (d) to institute and conduct prosecutions as directed by the Council or the Clerk from time to time.

29. An authorised officer carrying out any duties authorised by these by-laws, or exercising any power in connection with these by-laws is exempt from the provisions of these by-laws.

PENALTIES

30. Any person who contravenes or fails to comply with a provision of these by-laws commits an offence and is liable on conviction to a penalty not exceeding eighty dollars (\$80.00).

31. The amount appearing in the final column of the Third Schedule directly opposite an offence described in that Schedule is the modified penalty for that offence if dealt with under section 669D of the Act.

32. A penalty for an offence against these by-laws (not being a modified penalty) may be recovered by the Council by taking proceedings against the alleged offender in a Court of Petty Sessions.

33. The Council shall cause adequate records to be kept of all infringement notices served and modified penalties received, under section 669D of the Act in respect of offences against these by-laws.

FIRST SCHEDULE

The "Parking Region" is defined as:

" The whole of the district of the Municipality of the City of Canning but excluding any roads which are, or may, from time to time, come under the control of the Commissioner for Main Roads. "

SECOND SCHEDULE

FORM 1

The Municipality of the City of Canning Parking Facilities By-laws
NOTICE REQUIRING OWNER OF VEHICLE TO IDENTIFY DRIVER

TO: Serial No:
.....
.....
the owner of vehicle Make
Type: Plate No:

You are hereby notified that it is alleged that on at about am/pm the driver or person in charge of the above vehicle did commit the offence shown on the attached copy of Infringement Notice Serial No. in contravention of the provisions of By-law No: of the City of Canning Parking Facilities By-laws.

You are hereby required (in accordance with Section 669C of the Local Government Act 1960) to identify the person who was the driver or person in charge of the above vehicle at the time when the above offence is alleged to have been committed.

Unless within twenty-one (21) days after the date of the service of this notice you:

- (a) inform the Town Clerk of the City of Canning as to the identity of the person who was the driver or person in charge of the above vehicle at the time of the above offence; or
(b) satisfy the Town Clerk of the City of Canning that the above vehicle had been stolen or unlawfully taken, or was being unlawfully used, at the time of the above offence,

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

Date: Signature of authorised officer:

SECOND SCHEDULE
FORM 2

The Municipality of the City of Canning Parking Facilities By-laws
INFRINGEMENT NOTICE

Vehicle Make: Type:
Plate No: Date:
TO:

You are hereby notified that it is alleged that on at about am/pm you did illegally park the vehicle described above in the road reserve at or nearby

in contravention of the provisions of By-law No: of the City of Canning Parking Facilities By-laws, as indicated hereunder by a cross.

- () Standing in a no standing area () Parked on footway
() Parked in a no parking area () In front of private driveway
() Parked for period longer than permitted () Double parking
() Parked in loading zone () Not close and paralled to kerb
() Parked causing undue obstruction () Parked in bus stand
() Within 6m of property line at intersection () Parked on street verge
() Stand in clearway () Standing not headed in direction of the movement of traffic
() Restricted area. No parking at certain times () Other
() Parked for purposes of sale or repairs

The modified penalty prescribed for this offence is \$ If you do not wish to have a complaint of the above offence heard and determined by a Court you may pay the modified penalty within twenty-one (21) days after the date of the service of this notice.

Unless payment is made within twenty-one (21) days of the date of the service of this Notice, Court proceedings may be instituted against you.

Payment may be made either by posting this form together with the amount of \$ mentioned above, to the Town Clerk of the City of Canning, or by delivering this form and paying that amount at the Municipal Offices, 1317 Albany Highway, Cannington between the hours of 8:30 am and 5:00 pm Monday to Friday (excepting public holidays).

Signature of authorised officer

SECOND SCHEDULE

FORM 3

The Municipality of the City of Canning Parking Facilities By-laws
INFRINGEMENT NOTICE No

Vehicle Make: Type:
Plate No: Date:
TO:

You are hereby notified that it is alleged that on
at about am/pm you did illegally park the vehicle described above in
the road reserve at or nearby
.....
in contravention of the provisions of by-law No: of the City of Canning
Parking Facilities By-laws, as indicated hereunder by a cross.

- Standing in a no standing area
- Parked in a no parking area
- Parked for period longer than permitted
- Parked in loading zone
- Parked causing undue obstruction
- Within 6m of property line at intersection
- Stand in clearway
- Restricted area. No parking at certain times
- Parked for purposes of sale or repairs
- Parked on footway
- In front of private driveway
- Double parking
- Not close and paralled to kerb
- Parked in bus stand
- Parked on street verge
- Standing not headed in direction of the movement of traffic
- Other

The modified penalty prescribed for this offence is \$
If you do not wish to have a complaint of the above offence heard and
determined by a Court you may pay the modified penalty within twenty-one (21)
days after the date of the service of this notice.

Unless within twenty-one (21) days after the date of the service of this notice:

- (a) the modified penalty is paid; or
- (b) you:
 - (i) inform the Town Clerk of the City of Canning as to the identity and
address of the person who was the driver or person in charge of the
above vehicle at the time of the above offence; or
 - (ii) satisfy the Town Clerk of the City of Canning that the above
vehicle had been stolen or was being unlawfully used at the time
of the above offence,

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

Payment may be made either by posting this form together with the amount
of \$ mentioned above, to the Town Clerk of the City of Canning, or by
delivering this form and paying that amount at the Municipal Offices, 1317
Albany Highway, Cannington between the hours of 9:00 am and 4:00 pm
Monday to Friday (excepting public holidays).

Signature of authorised officer Parking Inspector

Name:
Address: Post Code:
If your name and address do not appear in this notice please complete above
to enable receipt to be forwarded.

SECOND SCHEDULE

FORM 4

The Municipality of the City of Canning Parking Facilities By-laws
WITHDRAWAL OF INFRINGEMENT NOTICE

TO:
.....
..... Date:

Infringement Notice No: dated for the alleged offence
of contravention of the provisions of By-law No of the City of Canning
Parking and Parking Facilities By-laws, Modified Penalty of \$ 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.

.....
 Authorised Officer

THIRD SCHEDULE

Item	By-law	Nature of Offence	Modified penalty
1.	9.1	Standing not headed in direction of movement of traffic	\$40.00
2.	13.2(a)	Standing vehicle in a "No Standing" area	\$40.00
3.	13.2(c)	Parking vehicle contrary to limitation inscribed on sign associated with that area	\$30.00
4.	13.3(a)(b)	Standing vehicle in a loading zone unless picking up or setting down goods or passengers	\$30.00
5.	13.4	Parking a vehicle in a "No Parking" area	\$40.00
6.	13.5	Parking a vehicle on any portion of the street or street verge for purposes of repairs to vehicle or exposing vehicle for sale	\$30.00
7.	14. 1(b)	Parking so as to be not close and parallel to kerb	\$30.00
8.	16.1	Parking of a vehicle so that any portion of it is: (a) between any other standing vehicle and the centre of the carriageway	\$40.00
		(b) in front of a right of way, private street, cross-over, passage or private driveway	\$40.00
		(c) parked in such a manner as to obstruct traffic	\$40.00
		(d) on any footpath or pedestrian crossing	\$30.00
9.	16.4	Standing within 6 metres of property line at intersection	\$30.00
10.	16.5	Standing in a bus stand	\$30.00
11.	20.1	Standing or parking on a street verge	\$30.00
12.		All other infringements against these by-laws	\$30.00

Dated this 14th day of April, 1992.

The Common Seal of the City of Canning was hereunto affixed by authority of the Council constituted by the duly appointed Commissioner in the presence of:

C. M. GREGORINI, Commissioner.

I. F. KINNER, Town Clerk.

Recommended:—

DAVID SMITH, Minister for Local Government.

Approved by the Lieutenant-Governor and Administrator in Executive Council this 27th day of October 1992.

D. G. BLIGHT, Clerk of the Council.

LG401

SHIRE OF SWAN
Ranger/Authorised Officer

It is hereby advised that Clive Burden has been appointed a Ranger/Authorised Officer for the following purposes—

- (1) Local Government Act 1960
- (2) Dog Act 1976
- (3) Control of Vehicles (Off Road Areas) Act 1979
- (4) Litter Act 1979

and

- (5) Bush Fire Control Officer Bush Fires Act 1954

and for the purpose of control and supervision of all By-laws of Council including—

- (1) Parking
- (2) Dogs
- (3) Litter
- (4) Impoundment of stray animals.

E. W. T. LUMSDEN, Chief Executive Officer/Shire Clerk.

LG402

BUSH FIRES ACT 1954

City of Mandurah

NOTICE TO ALL OWNERS AND/OR OCCUPIERS OF LAND 1992/1993 SEASON

Rural and Semi Rural Firebreaks

Pursuant to the powers contained in section 33 of the Bush Fires Act 1954, you are hereby required to clear of inflammable material firebreaks not less than 4 metres in width in the following positions on all land owned or occupied by you and situated within the City of Mandurah.

1. Immediately inside all external boundaries of the said land.
2. Immediately surrounding all out building erected on the said land.

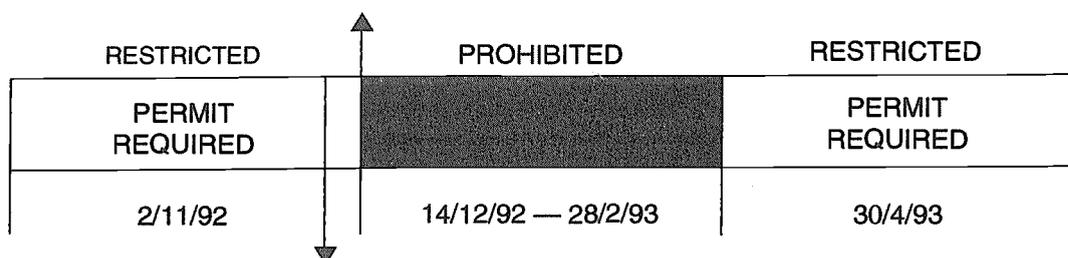
Such firebreaks may be constructed by one or more of the following methods—

Ploughing, Cultivating, Scarifying, Burning, Chemical Spraying or other approved method and are to be cleared to the satisfaction of the Ranger Service. In addition you may be required to carry out further works which may be deemed necessary by the Council Ranger Service and specified by way of a separate written notice forwarded to the address as shown on the City of Mandurah rate records for the land. In some instances naturally occurring features such as rocky outcrops, natural water courses or landscaping such as reticulated gardens, lawns or driveways may be an acceptable substitute for cleared firebreaks. This option must first be discussed with and approved by the Council's Ranger Service.

All firebreaks as designated above must be prepared on or before the 1st day of December 1992 (or within 14 days of becoming the owner or occupier should this be after that date) and maintained clear of inflammable material up to and including the 30th April 1993.

Residential Vacant Lot Clearing

A 4 metre fire break does not apply in this case as the area of the land is 2 023 m² (approximately 1/2 acre) or less, remove inflammable material on the land except living standing trees, from the whole of the land by December 14th, 1992 by on of the above mentioned methods, and with all other associated conditions mentioned above to apply.



Take notice that pursuant to Clause 33 (4) of the Bush Fires Act, where the owner or occupier of land who has received notice fails or neglects to comply with the requisitions of the notice within the time specified, the City of Mandurah may, by its officers and with such servants, workmen and contractors vehicles and machinery as the officers deem fit enter upon the land and carry out the requisitions of the notice which have not been complied with and pursuant to Clause 33 (5) of the Bush Fires Act the amount of any costs and expenses incurred may be recovered from you as the owner occupier of the land.

Application to vary the above requirements

If it is considered to be impracticable for any reason whatsoever to clear firebreaks as required by this notice, you may apply to the Council of the City of Mandurah or its duly authorised officers not later than the 16th day of November 1992 for permission to provide firebreaks in alternative positions on the land. If permission is not granted by the Council or its duly authorised officers, you must comply with the requirements of this notice.

If the requirements of this notice are carried out by burning such burning must be in accordance with the relevant provisions of the Bush Fires Act.

The penalty for failing to comply with this notice is a fine not exceeding \$1 000 and a person in default is also liable whether prosecuted or not to pay the costs of performing the work directed in this notice if it is not carried out by the owner and/or occupier by the date required by this notice.

By order of the Council,

S. K. GOODE, Chief Executive Officer.

LG403

BUSH FIRES ACT 1954

Shire of Chittering

It is hereby notified for public information that the following persons have been appointed as follows—

Chief Fire Control Officer—Malcolm C. Taylor
 Deputy Chief Fire Control Officer South—Phillip Beales
 Deputy Chief Fire Control Officer North—Max Smith
 Clover Burning Officer—Peter Fitzgerald
 Fire Weather Officer South—Robert Marchesi
 Fire Weather Officer North—Max Smith

Fire Control Officers—

Murray Kay
 Michael Borritt
 Laurie Don

The appointments of Edward Jones and Frederick From are hereby cancelled.

PETER FITZGERALD, Shire Clerk.

LG404

BUSH FIRES ACT 1954

Shire of Manjimup

Fire Hazard Reduction

All owners and/or occupiers of land in the Manjimup Shire are required to carry out Fire Prevention work on land owned or occupied by you in accordance with the provisions of this order.

This work must be completed by—

22nd December 1992 in zone 8 (Manjimup/Pemberton)
 1st January 1993 in zone 6 (Northcliffe/Walpole)

The work must be maintained throughout the summer months until the close of the restricted burning period in 1993.

Alternative Measures

If it is considered impracticable for any reason to clear firebreaks or remove inflammable material as required by this notice you may apply to the Council or its duly authorised officer not later than 15th December 1992 for permission to provide firebreaks in alternative positions or to take alternative measures to abate fire hazards on the land. Any such application must bear the signature of the Fire Control Officer for the area signifying his agreement to the variation. If permission is not granted, you shall comply with the requirements of this notice. The requirements of this order are considered to be the minimum standard of fire prevention work required to prevent not only individual properties but the district generally. In addition to this order Council may issue separate special orders to owner occupiers if hazard removal is considered necessary in some specific area.

Penalties

For the protection of the total community, penalties will be enforced for non-compliance with this order, maximum fine \$2 000. Additionally Council may carry out the work required at the cost of the person in default.

Inspections

Inspections of firebreaks and hazard reductions will be carried out in all areas of the Shire by an authorised Officer on or after 22nd December each year.

Your Responsibilities

Rural Land

- (a) Trafficable firebreaks clear of all inflammable material and not less than three (3) metres wide shall be constructed inside and within 15 m of the boundaries of all land, where trees, bush or scrub adjoin the boundary of that land and the trees, bush or scrub predominantly cover an area of land exceeding one (1) hectare.
- (b) Firebreaks, clear of all inflammable material and not less than three (3) metres wide shall be constructed as close as reasonably practicable around the immediate surrounds of all buildings.
- (c) Where rural land whether cleared or uncleared abuts the gazetted townsite boundary of the towns of Manjimup, Pemberton, Northcliffe and Walpole, three (3) metres wide firebreaks shall be constructed immediately along the common boundary.
- (d) Firebreaks not less than three (3) metres wide shall be constructed around the perimeters of all coarse grain crops and such firebreaks shall be kept clear of inflammable material until the crop is harvested.
- (e) No person shall operate or suffer the operation of a harvesting machine or harvesting operations of coarse grain crops, unless he has first provided for an operational fire fighting appliance, having a capacity of at least 900 litres situated in the paddock where harvesting operations are being conducted.

Special Rural Land

- (a) Trafficable firebreaks clear of inflammable material not less than 3 metres wide shall be constructed on the boundaries of all land.
- (b) All inflammable materials save for live standing trees shall be cleared within a 20 metre radius of all buildings.
- (c) All inflammable material constituting a fire hazard shall be cleared where considered by the Shire Ranger to be of a fuel level that would endanger the residents of property of the surrounding area.

Special Residential Land

- (a) All inflammable materials save for live standing trees shall be cleared within a 20 metre radius of all buildings.
- (b) All inflammable material constituting a fire hazard shall be cleared where considered by the Shire Ranger to be a fuel level that would endanger the residents or property of the surrounding area.

All conditions relating to Special Rural and Special Residential land must be complied with notwithstanding the provisions of the Shire of Manjimup Town Planning Scheme No. 2 and Amendments.

Townsite Land

(Including Residential, Commercial, Industrial and Deferred Urban whether such land is occupied or not).

Where the land is 2 024 sqm (approx 0.5 acre) or less, remove all inflammable material from the whole of the land. (For the purposes of this notice, inflammable material does not include live standing trees, cultivated plants or shrubs in gardens).

Where the land exceeds 2 024 sqm (approx 0.5 acre) you shall have firebreaks not less than (3) metres wide and clear of all inflammable material immediately inside and along all external boundaries of the land and immediately surrounding all buildings, haystacks and improvements (includes fences, pumping equipment etc) on the land.

Fuel and Gas Storage Containers/Installations

In respect of any land owned or occupied by you upon which there is situated any container/installation used for the storage of inflammable liquid or gas fuels you shall—

- (a) Townsite Land
Clear the whole of the land of inflammable material.
- (b) Rural Land

Locate such Containers/Installations not less than 3 m from every public thoroughfare or improvement upon the land. Containers of low pressure gas not exceeding 46 kilogram capacity and for domestic usage only are exempt from this clause. Construct firebreaks not less than 6 m in width around and immediately adjacent to all such containers/installations.

Plantations

For the purpose of this notice a "Plantation" shall be defined as land upon which any pine or eucalyptus species of tree being planted of an area exceeding 8 hectares. "Boundary" shall mean parcels of plantation land under separate ownership, lease or any form of contractual or financial arrangement whatsoever.

You shall—

Pine Plantations

1. Construct firebreaks not less than ten (10) metres in width around and immediately inside all external boundaries of such land.
2. Construct firebreaks not less than six (6) metres in width within the plantation so as to subdivide the plantation into areas or compartments each not exceeding twenty eight (28) hectares.
3. Trees within two (2) metres of the edge of any firebreak to be pruned so that access along the firebreaks is not impeded by branches.
4. A map of each plantation showing roads, firebreaks, access points and water points shall be lodged with the Council on or before the 15th December 1992.

Eucalyptus Plantations

1. Constructed firebreaks not less than five (5) metres in width around and immediately inside all external boundaries.
2. Construct firebreaks not less than six (6) metres in width within the plantation so as to subdivide the plantation into areas or compartments each not exceeding twenty eight (28) hectares.
3. Trees within two (2) metres of the edge of any firebreaks to be pruned so that access along the firebreak is not impeded by branches.
4. A map of each plantation showing roads, firebreaks, access points and water points shall be lodged with the Council on or before the 15th December 1992.

All firebreaks as required by this section (4) of this notice shall be constructed to a standard trafficable by tractor/trailer fire units or four wheel drive vehicles.

Power Lines

Where power lines pass through or are immediately adjacent to plantations, SEC regulations must be strictly adhered to.

Each year, Council forwards a copy of the firebreak notice to all occupiers/owners. The firebreak notice is also published in the Warren Blackwood Times and additional copies are available from the Shire Offices, 37 Rose Street, Manjimup.

By Order of the Council,

M. D. RIGOLL, Shire Clerk.

LG405

LOCAL GOVERNMENT ACT 1960

Shire of Greenough

SALE OF LAND FOR RATES

Notice is hereby given that default in the payment of rates for a period of not less than three years having occurred, the Greenough Shire Council, acting under the powers conferred by subsection C of Division 6 part XXV of the Local Government Act 1960, will offer for sale, by Public Auction at the Greenough Shire Officer, of Geraldton/Mt Magnet Road, Utakarra on Saturday 21 November 1992 at 11.00 am the pieces of land specified in the schedule hereto.

Description Land and Lot or Location No.	Plan Diagram No.	Title Reference Vol. Fol;	Area Hectares	Street/Road;	Description of Improvements if any	Name of Registered Proprietor	Name of others Appearing to have an Interest	Rates Outstanding	Other Charges due on the land
Pt Vic Loc 708	10250	V1583 F592	8.5 ha	Hull St	Vacant Land	Greenough-On-Sea Holdings P/L	—	\$5 072.98	\$4 455.67 (S of G) \$628.17 (Land Tax)
Pt Vic Loc 2466 Lot 218	12674	V1520 F959	1.1977 ha	Greenough River Dr	Vacant Land	GSC Pty Ltd Rothwell Ltd	General Corp of Aust Ltd	\$3 441.37	\$1 338.18 (S of G) \$6 789.65 (WAWA)

Dated the 30th day of October 1992.

W. T. PERRY, Shire Clerk.

LG406

SHIRE OF TRAYNING

Acting Shire Clerk

It is hereby notified for public information that Graham Robert Lee has been appointed Acting Shire Clerk for the period commencing 2 November, 1992, until further notice.

The appointment of Cornelis Clement John Kerp as Shire Clerk/Supervisor is hereby cancelled from that date due to his appointment as Shire Clerk/Supervisor to the Shire of Goomalling.

W. D. COUPER, President.

LG407

BUSH FIRES ACT 1954

(Section 33)

Shire of Yalgoo

Notice to all owners and occupiers of land in the district of the Shire of Yalgoo

Pursuant to the powers contained in section 33 of the Bush Fires Act 1954, you are hereby required on or before the 1st day of November, 1992 or within fourteen days of you becoming owner or occupier of land should this be after the 1st day of November, 1992 to clear firebreaks and remove inflammable material from the land owned or occupied by you as specified hereunder and to have the specified land and firebreaks clear of all inflammable material from the 1st day of November, 1992 up to and including the 14th day of February, 1993.

1. Land Outside of Townsites

1.1 All buildings on land which is outside townsites shall be surrounded by two firebreaks not less than two metres wide cleared of all inflammable material, the inner firebreak to be not more than twenty metres from the perimeter of the building or group of buildings and the outer firebreak not less than 200 metres from the inner firebreak.

1.2 To remove all inflammable material from the whole of the land between the firebreaks required in paragraph 1.1 above.

2. Land in Townsites

2.1 All land in the townsite shall have firebreaks at least three metres in width cleared of all inflammable material immediately outside and along the boundaries of the land and where there are buildings on the land additional firebreaks three metres in width shall be cleared immediately surrounding each building.

If it is considered for any reason to be impractical to clear firebreaks or remove inflammable material as required by this notice, you may apply to the Council or its duly authorised officer not later than the 30th day of October, 1992 for permission to provide firebreaks in alternative positions or take alternative action to remove or abate any fire hazard. If permission is not granted by this Council or its duly authorised officer you shall comply with the requirements of this notice.

By order of the Council.

C. G. JACKSON, Shire Clerk.

If the requirements of this notice are carried out by burning such burning shall comply with the relevant provisions of the Bush Fires Act. "Inflammable material" does not include green growing trees or green growing plants in gardens.

LG408

BUSH FIRES ACT 1954

Town of Narrogin

FIREBREAK ORDER AND INFORMATION

Notice to all owners and/or occupiers of land within the municipality of the Town of Narrogin.

Pursuant to the powers contained in Section 33 of the above Act, you are hereby required on or before November 7 1992 or within fourteen (14) days of you becoming the owner or occupier should this be after November 7 1992, clear firebreaks in accordance with the following and thereafter to maintain the firebreaks clear of inflammable material up to and including March 29 1993 (inclusive).

1. Where the area of land is 4050 square metres or less in area all inflammable material on the land shall be removed by burning, close mowing, cultivation, grubbing or approved spraying.

2. Where the area of land exceeds 4050 square metres in area firebreaks at least 2.5 metres wide shall be cleared of all inflammable material inside all external boundaries of the land and also surrounding all buildings situated on the land by burning, cultivation or approved spraying.

If it is considered to be impracticable to clear firebreaks as required by this notice you may apply to the Council or its duly authorised officer, not later than November 1 1992 for permission to take alternative action to abate fire hazards on the land. If permission is not granted by the Council or its duly authorised officer you shall comply with the requirement of this notice.

The penalty for failure to comply with this notice is a fine of \$40 by infringement notice or \$400 by prosecution and a person in default is also liable, whether prosecuted or not, to pay the costs of performing the work directed by the date required by this notice.

If the requirements of this notice are carried out by burning such burning must be in accordance with Section 18 of the Bush Fires Act. Permits may be obtained from Fire Control Officers.

For Information

The prohibited burning and restricted burning dates for Narrogin are as follows. These dates may be varied by fourteen (14) days by the Council if conditions warrant. (Refer Public Notices, Narrogin "Observer".)

Prohibited Burning	November 7, 1992 to February 14, 1993 (inclusive).
Restricted Burning	September 19, 1992 to November 6, 1992 (inclusive).
	February 15, 1993 to March 29, 1993 (inclusive).

PATRICK WALKER, Town Clerk.

LG409

SHIRE OF BRIDGETOWN-GREENBUSHES

Appointment of Bush Fire Brigade Officers

Please be advised of the appointment of the following Bush Fire Brigade Officers for the Shire of Bridgetown-Greenbushes effective from 23 October 1992:

Mr Brian Robert Wheatley—Chief Fire Control Officer.

Mr Kenneth Robert Armstrong—Deputy Chief Fire Control Officer.

Mr Rodney Ernest Hester—Fire Control Officer for Winnijup Bush Fire Brigade.

The following appointments are hereby cancelled:

John James Taylor—Chief Fire Control Officer, Brian Robert Wheatley—Deputy Fire Control Officer, Richard Donald Walter, Fire Control Officer for Winnijup Bush Fire Brigade.

K. L. HILL, Shire Clerk.

LG410

LOCAL GOVERNMENT ACT 1960

Shire of Meekatharra

Sale of Land for Rates under section 584

Notice is hereby given that default in payment of rates for a period of not less than three years having occurred, the Shire of Meekatharra acting under the powers conferred by subsection C of Division 6 of Part XXV of the Local Government Act 1960, will offer for sale by public auction at the Shire Hall, Savage Street, Meekatharra on Friday 27th November 1992, at 2 pm the land specified in the Schedule hereto.

G. S. SANTICH, Acting Shire Clerk.

Schedule

Name of registered proprietors or owners and also of all other persons having an estate or interest in the land	Amount owing showing separately the amount owing as rates, and any other amounts owing	Description of land referred to
Estate of Alloran Hill	Rates \$696.00 Auctioneering and Miscellaneous costs incurred to and including date of Auction—approx \$2 000	Certificate of Title Vol 1852 Folio 901 being Lot 95 Hill Street Meekatharra

LG411

SHIRE OF PERENJORI
Acting Shire Clerk—Supervisor

It is notified for public information that Mr Paul Gregory Anderson has been appointed Acting Shire Clerk for the Shire of Perenjori from Monday 26th October 1992, until further notice.

The appointment of Mr John Richard Gilfellon as Shire Clerk/Supervisor is cancelled as from Friday 23 October 1992.

W. L. KING, President.

LG412

LOCAL GOVERNMENT ACT 1960
City of Bayswater
LOAN

Department of Local Government,
Perth, 27 October 1992.

LG: BW 3-8.

It is hereby notified for public information that His Excellency the Governor has approved, under the provisions of section 44 of the Health Act, of the City of Bayswater borrowing the sum of \$450 000 to enable it to provide finance to the Bayswater Aged Persons Homes (Inc.) for the purpose of constructing 10 retirement units on Lot 910 Corner of Boronia Court and Redgum Way, Morley.

STEPHEN COLE, Director, Local Government Services.

LG413

LOCAL GOVERNMENT ACT 1960
City of Gosnells
RATING EXEMPTION

Department of Local Government,
Perth, 27 October 1992.

LG: GS 5-6.

It is hereby notified for public information that His Excellency the Lieutenant-Governor and Administrator acting pursuant to subsection 10 of section 532 of the Local Government Act 1960, has declared exempt from Municipal Rates the land described as being portion of Canning Location 16 and being Lot 535 on L.T.O. Plan 2569 which is owned by Amaroo Cottages (Inc).

STEPHEN COLE, Director, Local Government Services.

LG414

LOCAL GOVERNMENT ACT 1960
Shire of Mukinbudin
LOAN POLL

Proposed Loan No. 92—New Administration Centre

Department of Local Government,
Perth, 20 October 1992.

LG: MK 3-8.

It is hereby notified for public information in accordance with section 138 of the Local Government Act, that the result of a loan poll conducted by the Shire of Mukinbudin on 15 October, 1992 with respect to the above proposed loan was as follows:

Yes votes	164
No votes	68
Total votes cast	232

As more than 15% of the persons eligible to vote, did so vote, the raising of the loan was approved.

STEPHEN COLE, Director, Local Government Services.

LG415

BUSH FIRES ACT 1954*Shire of Perenjori***FIREBREAKS ORDER**

Notice to all Owners and or Occupiers of land in the Shire of Perenjori

Pursuant to the powers contained in section 33 of the above Act, you are hereby required on or before 15 October 1992 so far as rural land is concerned, to remove from the land owned or occupied by you, all inflammable material or to clear firebreaks in accordance with the following, and thereafter, maintain the land or the firebreaks clear of all inflammable material up to and including the 31st day of March 1993.

1. Rural Land (i.e. land other than that in a townsite)

You shall clear of all flammable materials a firebreak not less than 3 metres (9.84 feet) wide in the following positions—

- 1.1 Immediately inside all external boundaries of land. With the permission of the Council or its duly authorised Officer, these breaks need not to follow the perimeter of a paddock, but will be acceptable following land contours in an endeavour to reduce water erosion.
- 1.2 In such positions as is necessary, to divide land in excess of 300 hectares (741 acres) into areas not exceeding that size, each completely surrounded by a firebreak and;
- 1.3 Immediately surrounding all buildings, haystacks and fuel ramps situated on the land; and
- 1.4 Immediately surrounding any part of the land used for pasture of crops; and
- 1.5 Immediately surrounding any drums or drums situated on the land which are normally used for the storage of fuel, whether they contain fuel or not.

2. Townsite Land (i.e. land in any Townsite)

- 2.1 Where the area of the land is 0.2 hectares (on half of one acre) or less, you shall clear all inflammable material on the land from the whole of the land.
- 2.2 Where the area of the land exceeds 0.2 hectares (one half of one acre) or less, you shall clear all inflammable material, firebreaks not less than 3 metres (9.84 feet) wide immediately inside all external boundaries of the land, and also immediately surrounding all buildings, haystacks and fuel ramps situated on the land, and also immediately surrounding any drums or drums situated on the land which are normally used for the storage of fuel, whether they contain fuel or not.

If it is considered impracticable for any reason to clear firebreaks or clear flammable material as required by this notice, you may apply to the Council or its duly authorised Officer, not later than 1 October 1992 so far as rural land is concerned and not later than 15 October 1992, so far as townsite land is concerned, for permission to provide firebreaks in an alternative position on the land.

If permission is not granted by the Council or its authorised Officer, you shall comply with the requirements of this notice.

The penalty for failing to comply with this notice is a fine of not less than \$40, nor more than \$400, and a person in default is liable whether prosecuted or not to pay the cost of performing the work directed on this notice if it is not carried out by the Owner or Occupier by the date required on this notice.

If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

By Order of the Council,

PAUL ANDERSON, Acting Shire Clerk.

LG901

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

Proposed Loan No. 55 of \$80 000

Pursuant to section 610 of the Local Government Act 1960 the Council of the Shire of Cuballing gives notice that it proposes to borrow money by the sale of debenture, repayable at the office of the lender on the following terms and conditions—

Amount—\$80 000.

Repayment—Quarterly instalments of principal and interest.

Purpose—Purchase of Plant—Motor grader.

Term—10 years.

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

Dated this 20th day of October 1992.

I. L. WATTS, President.
G. W. FOSTER, Shire Clerk.

LOTTERIES

LO301

LOTTERIES COMMISSION ACT 1990 INSTANT LOTTERY (TELESPIN) AMENDMENT RULES 1992

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

Citation

1. These regulations may be cited as the *Instant Lottery (Telespin) Amendment Rules 1992*.

Rule 9 amended

2. Rule 9 (1) (a) of the *Instant Lottery (Telespin) Rules 1991** is amended by inserting before "fails" the following —

" wins or ".

[* *Published in the Gazette of 27 March 1991 at pp.1305-1316. For amendments to 6 October 1992 see 1991 Index to Legislation of Western Australia, p.410 and Gazettes of 19 April, 10 May and 25 October 1991.*]

The Common Seal of the Lotteries Commission was affixed on 14 October 1992 by order and in the presence of—

WENDY SILVER, Chairperson.
TOM BATEMAN, Member.
JAN STEWART, CEO.

MAIN ROADS

MA101

ERRATUM

MRWA 42-36-F

MAIN ROADS ACT 1930 PUBLIC WORKS ACT 1902

NOTICE OF INTENTION TO TAKE OF RESUME LAND

Whereas an error occurred in the notice published under the above heading on page 5253 of *Government Gazette* No. 150 dated 23 October 1992 it is corrected as follows.

In item 4 delete "Judith Aileen, Stanley Haygarth and Judith Elizabeth South", and insert " Judith Aileen Stanley Haygarth and Judith Elizabeth South ".

MA401

File No. MRWA 41-1931-2
Ex Co No. 1886

MAIN ROADS ACT 1930; PUBLIC WORKS ACT 1902 LAND ACQUISITION

Roe Highway (25.18-25.45)

Notice is hereby given, and it is hereby declared, that the said piece or parcel of land described in the Schedule hereto, being all in the Gosnells District has, in pursuance of the written consent under the Main Roads Act 1930, and approval under section 17 (1) of the Public Works Act 1902, of the Deputy of the Lieutenant-Governor and Administrator, acting by and with the advice of the Executive Council, dated the 13th day of October 1992, been compulsorily taken and set apart for the purposes of the following public work, namely Roe Highway—City of Gosnells.

And further notice is hereby given that the said piece or parcel of land so taken and set apart are marked off on the Plan specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent, East Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

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

Schedule

Plan MRD No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
92-47	Neva Margaret Harris	Minister for Works <i>vide</i> Caveat 40282/64	Portion of Canning Location 7 and being part of Lot 1 on Diagram 33708 now depicted as Lot 501 on Diagram 80635 and being part of the land comprised in Certificate of Title Volume 1776 Folio 540	1 583m ²

Certified correct this 13th day of October 1992.

PAM BEGGS, Minister for Transport.

Dated this 13th day of October 1992.

W. P. PIDGEON, Deputy of Lieutenant-Governor and Administrator in Executive Council.

Dated this 28th day of October 1992.

D. R. WARNER, Director Corporate Services,
Main Roads Western Australia.

MINES

MN301

MINES REGULATION ACT 1946

MINES REGULATION (EXEMPTION) ORDER (No. 13) 1992

Made by the Deputy of the Lieutenant-Governor and Administrator in Executive Council under section 5 (2).

Citation

1. This order may be cited as the *Mines Regulation (Exemption) Order (No. 13) 1992*.

Exemption

2. The Cork Tree Well Mine and the Duketon Gold Mine (comprising the open pit mines and treatment plant) each of which is located in the Laverton area and managed by Ashton Gold Mines Pty Ltd are exempted from the provisions of section 88 (1) (c) of the *Mines Regulation Act 1946* for a period ending 8 September 1995 on condition that a person shall not be employed to work in or about any of those mines for more than 14 consecutive days without a break of not less than—

(a) in the case of a person who has been working on day shift, 1 full day;
and

(b) in the case of a person who has been working on night shift, 2 full days.

Revocation

3. The *Mines Regulation (Exemption) Order (No. 14) 1991** is revoked.

[*Published in the Gazette of 11 October 1991 at p. 5224.]

By Command of the Deputy of the Lieutenant-Governor and Administrator,

D. G. BLIGHT, Clerk of the Council.

MN302

MINES REGULATION ACT 1946**MINES REGULATION AMENDMENT REGULATIONS (No. 2) 1992**

Made by the Deputy of the Lieutenant-Governor and Administrator in Executive Council.

Citation

1. These regulations may be cited as the *Mines Regulation Amendment Regulations (No. 2) 1992*.

Part 22 amended

2. Part 22 of the *Mines Regulation Act Regulations 1976** is amended by inserting after regulation 22.1 the following regulations —

“ Notifiable products

22.2 (1) In this regulation, “**notifiable product**” means a product that contains by weight 0.05% or more of either uranium or thorium or both uranium and thorium.

(2) A person shall not, without the written approval of the State Mining Engineer, sell or otherwise dispose of a notifiable product for industrial use in the State except where the use is to occur at a mine, a processing site or a site associated with mining or processing.

(3) Where a notifiable product is buried at a mine or processing site, the person in charge of the mine or site shall ensure that the location, including the depth, of the product is recorded on a plan that clearly defines the top and bottom contour of the product and the total area covered by the product.

(4) A person who is requested by the State Mining Engineer to supply the particulars contained in a plan referred to in subregulation (3) shall comply with the request.

(5) A person notifying an intention to relinquish a mine or processing site shall submit with the notification a plan showing —

- (a) the specific locations in which notifiable products have been buried; and
- (b) the current radiation levels.

(6) A person shall not, without the written approval of the State Mining Engineer, remove, for non-industrial purposes, mined minerals originating from a site that is within the scope of the Code adopted under regulation 22.1 (2).

Report of results of radiation dose assessment

22.3 Where an employee is individually assessed for radiation dose under the Code adopted under regulation 22.1 (1), the manager shall notify him of the results of the assessment as soon as practicable after it has been completed.

Storage of monazite and xenotime

22.4 The person in charge of a mine or processing site shall ensure that monazite or xenotime is not stored at the mine or site unless the monazite or xenotime is stored in a controlled area that is specifically designated for that purpose and approved by the State Mining Engineer.

[* Reprinted in the Gazette on 8 May 1991 at pp.2157-2354.
For amendments to 7 September 1992 see 1991 Index to Legislation of Western Australia, pp.424-5.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

MN401**PETROLEUM ACT 1967****SURRENDER OF EXPLORATION PERMIT EP 126**

The surrender of Exploration Permit EP 126 has been registered and will take effect on and from the date this notice appears in the *Government Gazette*.

IAN FRASER, Director Petroleum Division.

MN402**PETROLEUM ACT 1967****SURRENDER OF EXPLORATION PERMIT EP 352**

The surrender of Exploration Permit EP 352 has been registered and will take effect on and from the date this notice appears in the *Government Gazette*.

IAN FRASER, Director Petroleum Division.

MN403**MINING ACT 1978****NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Minerals and Energy,
Meekatharra.

In accordance with Regulation 49 (2) (c) of the Mining Act 1978, notice is hereby given that the licences are liable to forfeiture under the provision 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 Meekatharra on the 9th December 1992.

MURCHISON MINERAL FIELD

Meekatharra District

P51/1613—William Robert Richmond; Eric Raymond Moses.

P51/1614—Durey Pty Ltd.

MN404**MINING ACT 1978****NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Minerals and Energy,
Leonora.

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

P. G. MALONE, Warden.

To be heard in the Warden's Court at Leonora on the 18th November 1992.

MOUNT MARGARET MINERAL FIELD

Mount Malcolm District

Prospecting Licences

37/4029—Thackwell, Heidi; Thackwell, Patricia Ann.

37/4038—Bray, Muriel Elizabeth; Joyce, Eric Herbert; Mikli, Heino.

37/4040—Thackwell, Heidi; Thackwell, Patricia Ann.

37/4041—Thackwell, Heidi; Thackwell, Patricia Ann.

37/4042—Thackwell, Heidi; Thackwell, Patricia Ann.

37/4043—Thackwell, Heidi; Thackwell, Patricia Ann.

NORTH COOLGARDIE MINERAL FIELD

Niagara District

Prospecting Licence

40/960—Acton, Bruce David; Golden Hill Mines Pty Ltd.

MN405

MINING ACT 1978
NOTICE OF INTENTION TO FORFEIT

Department of Mines,
Perth WA 6000.

In accordance with Regulation 50 (b) of the Mining Act 1978, notice is hereby given that unless the rent due on the undermentioned leases and licences is paid on or before 26 October 1992 it is the intention of the Hon Minister for Mines under the provisions of Section 97 (1) and 96A (1) of the Mining Act, 1978-1983 to forfeit such for breach of covenant, *viz.* non-payment of rent.

D. R. KELLY, Director General.

EXPLORATION LICENCES

Number; Holder; Mineral Field.

15/203—Claussen, Allan Frank; Coolgardie.
27/80—Quicksilver Resources NL; NE Coolgardie.
28/430—Glengyle Pty. Ltd.; NE Coolgardie.
31/97—Striker Holdings Pty. Ltd.; North Coolgardie.
47/550—Nobrus Enterprises Pty Ltd; Maitland, Peter; Pilbara.
59/257—Intercontinental Gold and Minerals Ltd.; Murchison.
80/1265—Munro Mining Pty. Ltd.; Kimberley.

MINING LEASES

Number; Holder; Mineral Field.

15/394—Centaur Mining and Exploration Ltd.; Coolgardie.
16/2—Lennard Oil NL; Magnet Group Ltd.; Coolgardie.
24/323—Cooper Resources NL; Broad Arrow.
24/324—Stupen Pty. Ltd.; Broad Arrow.
27/100—Quicksilver Resources NL; NE Coolgardie.
30/41—Kierath, William Edward; North Coolgardie.
37/156—Lorimer, John Marcus; Mt. Margaret.
37/167—Bond Corporation Holdings Ltd.; Mt. Margaret.
45/223—Dolley, Raymond John; Pilbara.
45/224—Dolley, Raymond John; Pilbara.
47/246—Dumpna Pty. Ltd.; Pilbara.
45/278—Hamersley Iron Pty. Ltd.; Pilbara.
45/279—Hamersley Iron Pty. Ltd.; Pilbara.
47/280—Hamersley Iron Pty. Ltd.; Pilbara.
51/87—Consolidated Exploration Ltd.; Murchison.
51/88—Consolidated Exploration Ltd.; Murchison.
51/231—Juhia Gold Pty. Ltd.; Sanidine NL; Vern Pty. Ltd.; Murchison.
51/345—Juhia Gold Pty. Ltd.; Murchison.
70/428—Mallina Holdings Ltd.; South West.
77/15—Maldon Minerals NL; Yilgarn.
77/156—Maldon Minerals NL; Yilgarn.
77/455—Troy Resources NL; Yilgarn.

PLANNING AND URBAN DEVELOPMENT

PD401

TOWN PLANNING AND DEVELOPMENT ACT 1928

City of Kalgoorlie-Boulder

Interim Development Order No. 1

Ref: 26/11/3/1

Notice is hereby given that in accordance with the provisions of sub-section (2) of section 7B of the Town Planning and Development Act 1928, and by direction of the Hon Minister for Planning a summary as set out hereunder of the City of Kalgoorlie-Boulder Interim Development Order No. 1 made pursuant to the provisions of section 7B of that Act is published for general information.

The Minister for Planning has made copies of this Order available for inspection by any person free of charge at the offices of the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and at the offices of the City Council during normal office hours.

Summary

1. The City of Kalgoorlie-Boulder Interim Development Order No. 1 contains provisions *inter alia*:
 - (a) That the Order applies to that part of the City of Kalgoorlie-Boulder specified in the Order.
 - (b) That, subject as therein stated, the City of Kalgoorlie-Boulder is the authority responsible for its administration.

- (c) That the carrying out of certain development on land within the scope of the Order without approval as stated therein is prohibited.
 - (d) Relating to the application for, and grant of approval for, development other than development permitted by the order.
 - (e) Relating to development by a public authority.
 - (f) Relating to certain development permitted by this Order.
 - (g) Relating to the continuance of the lawful use of land and buildings.
 - (h) Relating to appeals against refusal of approval for development or against conditions subject to which approval to carry out development is granted.
2. The Order has effect from and after the publication of this Summary in the *Government Gazette*.
Dated 20th October 1992.

L. P. STRUGNELL, Town Clerk.

PD501

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Bunbury

TOWN PLANNING SCHEME No. 6—AMENDMENT No. 129

Ref: 853/6/2/9 Pt 129

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Bunbury Town Planning Scheme Amendment on October 17, 1992, for the purpose of:

- (a) Rezoning the land designated for the Koombana Peninsula Resort Site from "Special Use—Caravan Park" and "Parks, Recreation and Drainage" to "Special Use—Resort Facilities" and "Parks, Recreation and Drainage", as depicted on the modified Scheme Amendment Map.
- (b) Amend the Scheme Text by modifying:
PART IV—POLICIES AND ZONES, SECTION 4.3 Policies, area No 22 North Shore by adding Clause (g) a "Special Use; Resort Facilities" site be delineated with associated uses as listed under PART V DEVELOPMENT STANDARDS, DIVISION 5, SPECIAL USE ZONES and in accordance with the First Schedule (Appendix No 4).

From Appendix No. 4

Under Heading "DESCRIPTION OF LAND"

Delete "Reserve 28033 and Part Closed Road Koombana Drive."

Insert:

" Koombana Peninsula Resort Site consisting of the following land components:

1. Portion of Reserve 28032 south of (proposed) dedicated (new) Koombana Drive Road Reserve boundary.
2. Existing Special Use Caravan Park portion Lot 459 of Reserve 28033.
3. Part closed (old) Koombana Drive and access road.
4. Lot 463 (1.7329 ha) old Road Reserve north of closed (old) Koombana Drive.
5. Lot 461 south east foreshore portion of existing Special Use Caravan Park zoning.
6. Portion of Lot 464 south of (proposed) dedicated (new) Koombana Drive Road Reserve boundary."

Under heading of "PERMITTED USES"

Delete "Caravan Park" and Insert " Resort Facilities ".

Under heading of "DEVELOPMENT CONDITION"

Insert:

Site Coverage 50%

Communal Recreation Area 20% of site.

All jetty and associated boating facilities being confined to the area west of the existing jetty.

Deep sewerage to be provided

APPENDIX 5—INTERPRETATIONS

Insert the following definition in alphabetical order:

ART GALLERY means land and buildings used for the display or sale of works of art, including ancillary uses such as the storage, repair, renovation or demonstration of such works.

RESORT FACILITIES means land and buildings for temporary accommodation and use for tourist and holiday activities with principle activities including Caravan Park, Holiday Cottages and Motel; and approved incidental activities including Art Gallery, Boatel, Caretakers House, Commercial Hall, Eating House (licensed), Local Shop, Office Recreational Facilities, and similar approved uses.

E. C. MANEA, Mayor.

V. S. SPALDING, Town Clerk.

POLICE**PE401****POLICE AUCTION**

Under the provisions of the Police Act 1892-1992, unclaimed, stolen bicycles will be sold by public auction at State Supply Branch, Disposal Centre, 21 Pilbara Street, Welshpool, on Tuesday, December 1, 1992 at 9.00 am.

Auction to be conducted by Mr K. Treloar, Government Auctioneer.

B. BULL, Commissioner of Police.

PREMIER AND CABINET**PR401****MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Deputy of the Lieutenant-Governor and Administrator has approved the following temporary allocation of portfolios during the absence of the Hon G. L. Hill MLA for the period 23-26 October 1992 and 29 October - 2 November 1992 inclusive:—

Acting Minister for Small Business; Mines; Fisheries—Hon G. I. Gallop MLA.

M. C. WAUCHOPE, Acting Chief Executive, Department of the Premier.

PR402**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Deputy of the Lieutenant-Governor and Administrator has approved the following temporary allocation of portfolios during the absence of the Hon J. Watson MLA for the period 25 October - 1 November, 1992 inclusive:—

Acting Minister for Aboriginal Affairs; Multicultural and Ethnic Affairs; Seniors; Women's Interests—Hon Y. D. Henderson MLA.

M. C. WAUCHOPE, Acting Chief Executive, Department of the Premier.

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
TRANSFER OF LICENCE			
113	Busen Pty Ltd, Argyle Holdings P/L, Tegra P/L and Brill Nominees P/L	Application to transfer tavern licence in respect of the Claremont Tavern, 1 Bayview Terrace, Claremont from Gretna Nominees Pty Ltd	12/11/92
114	Forrest Centre P/L	Application to transfer tavern licence in respect the Forrest Centre Tavern, 221 St Georges Terrace, Perth, from State Insurance Commission	6/11/92
115	Waterborne Pty Ltd	Application to transfer liquor store licence in respect of Fieldgate Liquor Store, Balga, from Canerise Pty Ltd	2/11/92
116	Finway Pty Ltd	Application to transfer tavern licence in respect of the Brewery Ale House, Stirling Highway, Nedlands, from Haduma Pty Ltd	28/10/92

App No.	Applicant	Nature of Application	Last Day for Objections
TRANSFER OF LICENCE—continued			
117	Dorigo Pty Ltd	Application to transfer cabaret licence in respect of the Smugglers Den, Fremantle from Fiver Pty Ltd	4/11/92
118	Loganby Pty Ltd	Application to transfer special facility licence in respect to La Galerie, 437 Murray Street, Perth from Toolamba Pty Ltd	4/11/92
120	Pathfinder Invest Pty Ltd	Application to transfer restaurant licence in respect of Flower Lounge Chinese Restaurant, William Street, Northbridge from Goodwill Development Trading	31/10/92
121	J. & P. Somerville & D. & P. Kempt	Application to transfer liquor store licence in respect of Havelock and Hay Liquor Store, Hay Street, West Perth	7/11/92
122	B. & M. Hewitt	Application to transfer licence in respect of the Serpentine Tavern, Richardson Street, Serpentine, from Royston Park Pty Ltd	7/11/92
NEW LICENCE			
64/92	Wunhym Nominees Pty Ltd	Application for a tavern licence in respect of premises to be located at Highway 1, Leopold via, Derby and known as Willare Bridge Tavern	24/11/92
68/92	Brentwood Karoonda Sporting Association Inc	Application for a club restricted licence in respect of premises to be located at Karoonda Reserve, Booragoon and known as Brentwood Karoonda Sporting Association Inc.	23/11/92
69/92	Yoto Pty Ltd	Application for a restaurant licence in respect of premises to be located at 561 Stirling Highway, Cottesloe and known as L'Attico	21/11/92
70/92	Silvana Kilkenny	Application for a restaurant licence in respect of premises to be located at 47 South Terrace, Fremantle and known as Alfonso's Restaurant	23/11/92
71/92	Harry K. Hall	Application for a special facility licence in respect of premises located at 105 Swan Street, Guildford, and to be known as the Rose and Crown	20/11/92

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

G. B. AVES, Director of Liquor Licensing.

STATE ENERGY COMMISSION

SJ301

STATE ENERGY COMMISSION ACT 1979

STATE ENERGY COMMISSION (ELECTRICITY AND GAS CHARGES) AMENDMENT BY-LAWS (NO. 4) 1992

Made by The State Energy Commission of Western Australia with the approval of the Deputy of the Lieutenant-Governor and Administrator in Executive Council.

Citation

1. These by-laws may be cited as the *State Energy Commission (Electricity and Gas Charges) Amendment By-laws (No. 4) 1992*.

Commencement

2. These by-laws shall come into operation on 1 November 1992.

First and Second Schedules amended

3. The First and Second Schedules to the *State Energy Commission (Electricity and Gas Charges) By-laws 1978** are amended —

- (a) by deleting paragraph (a) in Tariffs R1 and R2 respectively and substituting in each place the following —

“ (a) on peak energy charge —
19 cents per unit; ”;
and

- (b) by deleting in the Tariff charges referred to in column 1 of the Table to this paragraph the charges respectively set out in column 2 of the Table and substituting in each case the corresponding charge set out in column 3 of the Table.

“

TABLE

Column 1 Tariff charges	Column 2 Deleted charge	Column 3 Substituted charge
First Schedule		
Tariff L1	28.65 18.83	27.21 17.88
Tariff M1	28.65 17.43	27.21 16.55
Tariff K1	18.83	17.88
Second Schedule		
Tariff L2	28.65 18.83	27.21 17.88
Tariff M2	28.65 17.43	27.21 16.55
Tariff K2	18.83	17.88

”

[* *Published in the Gazette of 23 June 1978 at pp. 2055-2064. For amendments to 7 October 1992 see 1991 Index to Legislation of Western Australia, pp. 495-498 and Gazettes of 25 February, 26 June and 14 August 1992.*]

M. DULANEY, Secretary,
The State Energy Commission of Western Australia.

Approved by the Deputy of the Lieutenant-Governor and Administrator in Executive Council.

D. G. BLIGHT, Clerk of the Council.

WATER AUTHORITY

WA201

At the meeting of the Executive Council held in the Executive Council Chambers, Perth, this 27th day of October 1992, the following Order in Council was authorised to be issued.

WATER BOARDS ACT 1904

BUSSELTON WATER BOARD

ORDER IN COUNCIL

Pursuant to the Water Board Act, 1904 His Excellency the Deputy of the Lieutenant-Governor and Administrator in Executive Council has been pleased to appoint:

Claire L Johnson

to be a member of the Busselton Water Board to hold office for a term expiring on 31 May 1995.

D. G. BLIGHT, Clerk of the Council.

TENDERS

ZT201

MAIN ROADS

Tenders

Tenders are invited for the following projects.

Tender documents are available from the Contract Clerk, Orders Section, Ground Floor, Main Roads, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date
		1992
128/92	Internal/External painting to Lot 162 (No. 52) Marconi Street Albany	November 11
125/92	Professionally clean, polish and detail vehicles (12 month period)	November 11
100/92	Bituminous sealing and resealing various roads. Northam Division	November 10
98/92	Bituminous sealing and resealing various roads. Bunbury Division	November 10
6/92	Road reconstruction and realignment Eyre Highway. Norseman section	November 24
133/92	Install reinforced concrete drainage, pipes, construct manholes and gullies Albany Highway, Cannington	November 6

ZT202

Acceptance of Tenders

Contract No.	Description	Successful Tenderer	Amount
			\$
57/92	Supply and delivery of crushed Aggregate (NWCH). Geraldton Division.	The Readymix Group	\$306 015
65/92	Supply and delivery of crushed Aggregate (GNH). Geraldton Division.	The Readymix Group	\$419 820

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			1992
Oct. 9	112A1992	Supply and delivery of Diesel Fuel (Bulk) various Government Departments for a One (1) year period with two further One (1) year options	Nov. 5
Oct. 16	500A1992	One (1) only High Performance Liquid Chromatograph System	Nov. 5
Oct. 16	501A1992	One (1) only Microspectrophotometer	Nov. 5
Oct. 30	505A1992	Supply and delivery of one hundred and fifty (150) Personal Computers for the Dept of Conservation and Land Management	Nov. 19
Aug. 21	474A1992	Supply, delivery, installation and commissioning of Induction Furnaces for Westrail	Nov. 12
Oct. 16	499A1992	Nine (9) only Diesel Alternator Set in accordance with Western Australian Government Railways Commission Specification CME No. 2600-9/92	Nov. 12
Oct. 30	037A1992	Supply and delivery of Office Furniture, Steel—Group 2 to various Government Departments for a one (1) year period with an option to extend for a further twelve month period	Nov. 19
Oct. 30	184A1992	Supply of Magnetic Media to various Government Departments for a period of twelve (12) months with an option exercisable by the Commission for a further twelve months	Nov. 19
Oct. 30	298A1992	Supply, delivery, installation and commissioning of School Telephone Systems for the Ministry of Education for a two (2) year period with three (3) successive options to extend for twelve (12) months each	Nov. 19
<i>For Service</i>			
Oct. 9	168A1992	Lease of new, fully maintained Motor Vehicles for Members of Parliament for a period of two (2) years with an option exercisable by the Commission to extend for a further twelve (12) month period	Nov. 5
<i>For Sale</i>			
Oct. 30	503A1992	1983 Honda Motor Cycle CT 125 (UQ 222) for the Dept of Conservation and Land Management at Narrogin .	Nov. 19
Oct. 30	504A1992	1989 Toyota Ute/Dual Cab 2.4 litre (6QU 669) Manual, Diesel for the Ministry of Education at Warakurna Roadhouse	Nov. 19
Oct. 30	506A1992	1984 Perkins Generator Set 60kW (MRWA 7426) for Main Roads at Welshpool	Nov. 19
Oct. 30	507A1992	1984 Loadboss Loader R2000 (MR 7461) (6QC 235) for Main Roads at Welshpool	Nov. 19
Oct. 30	508A1992	1986 Dingo Skid Steer Loader, Model 500 (MRWA 9432) (6QK 039) for Main Roads at Welshpool	Nov. 19
Oct. 30	509A1992	1984 Dynapac Vibrating Roller CA25D (MRWA 7733) (6QC 747) for Main Roads at Welshpool	Nov. 19
Oct. 30	510A1992	1979 Chamberlain Tractor 2WD MK4 (MRWA 3634) (XQH 302) for Main Roads at Welshpool	Nov. 19

Tenders addressed to the Chairman, State Supply Commission, 815 Hay Street, Perth 6000 will be received for the abovementioned tenders until 10.00 am on the date of closing.

Tenders must be properly endorsed on envelopes otherwise they are liable to rejection. No tender necessarily accepted.

L. W. GRAHAM, Chairman, State Supply Commission.

ZT302

STATE SUPPLY COMMISSION—*continued**Accepted Tenders*

Schedule No.	Particulars	Contractor	Rate
127A1992	Supply and Delivery of Garden Machinery.	Various	Details on Request

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 1, 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 20621	Claisebrook Wastewater Pumping Station removal of existing reinforced concrete roofs and columns—Stage 1.	1992 10 Nov.
AM 20622	Construction of Bickley Pumpback Station.	17 Nov.

W. COX, Managing Director.

ZT501

MARINE AND HARBOURS

Tenders Invited

Contract No.	Project	Closing Date	Tender Document from
E115	Bunbury—Casuarina Boat Harbour Boat Launching Facility Roadworks, Drainage, Revetment	3 November 1992	Administrative Assistant Technical Services.

Tender documents available from Tuesday 20 October 1992 after 2.00 pm on payment of a non-refundable deposit of \$15.00.

M. J. PAUL, Director, Technical Services.

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 30th November 1992, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Anderson, Albert William, late of 37 Alderbury Street, Floreat, died 2/9/92.

Alliss, Mary Louise, formerly of 23 Albion Street, Cottesloe, late of Mon Repos Nursing Home, 67 Palmerston Avenue, Mosman Park, died 6/10/92.

Andel, Gustav Ben, late of 278 Marmion Street, Cottesloe, died 28/9/92.

Brown, Elleashed, late of 18 Dickson Drive, Middle Swan, died 6/10/91.

Bryant, Percy, late of Tuohy Nursing Home, 22 Morrison Road, Midland, died 16/7/92.

Clark, Edith Maud Anzac, late of Unit 3/170A Collins Street, Kalgoorlie, died 22/7/92.

Coci, Carmelo, late of 52B Blackmore Avenue, Girrawheen, died 13/10/92.

Colley, Stanley, late of 2 Highlands Road, North Perth, died 22/9/92.

Freeman, Leslie George, late of 5 Hodges Street, Viveash, died 31/8/92.

Gardiner, Keith Menzies, formerly of 3 Wavel Avenue, Riverton, late of Tandara/Ningana Nursing Home, 73 Jarrah Road, Bentley, died 9/9/92.

Geddes, Laura May, late of 9/18, Lathwell Street Armadale, died 6/9/92.

Giles, William Playford, late of Recherche Hostel, Eyere Street, Esperance, died 15/8/92.

Grover, Gwendoline, late of 156B Karrinyup Road, Karrinyup, died 12/9/92.

Halat, Miroslav, late of Lemnos Hospital, Stubbs Terrace, Shenton Park, died 7/7/92.

Hansen, Minnie Ellen, late of Victoria Park Nursing Home, 38 Alday Street, St James, died 20/7/91.

Hughes, Peter, late of 4 Randell Street, Dianella, died 19/8/92.

Kroker, Johannes, late of Room 7 Federal Hotel, William Street, Fremantle, died 7/6/92.

Lynas, James Albert, late of Mon Repos Nursing Home, 67 Palmerston Street, Mosman Park, died 26/9/92.

Macrone, Daphne Evelyn, (also known as Daphney Evelyn), formerly of 30A Marchamley Street, Carlisle, late of Home of Peace, Walter Road, Inglewood, died 27/8/92.

McKernan, David Kevin, late of 16/72 King George Street, East Victoria Park, died 18/3/92.

Michell, Shirley Isobel, late of 76 Herdsman Parade, Wembley, died 19/9/92.

Mortley, Maisie Lilian, late of Leighton Nursing Home, 40 Florence Street, West Perth, died 29/9/92.

Mossley, Nita Mary, late of Howard Solomon Masonic Nursing Home, 91 Hybanthus Road, Ferndale, died 23/9/92.

Paikos, Naoun Peter, late of Agmaroy Hospital, Leach Highway, Wilson, died 17/9/92.

Peachey, Kathleen Veronica, late of St Davids Hostel, 19 Lawley Crescent, Mount Lawley, died 23/9/92.

Ransted, Leonard Arthur, late of 106 Swansea Street, East Victoria Park, died 20/9/92.

Ridd, Arthur Norman, late of Centenary Rowethorpe, Bentley, died 4/10/92.

Ritchie, David McQueen, late of 5 Denston Way, Girrawheen, died 28/9/92.

Savy, Andre, late of 118 Herbert Street, Shenton Park, died 5/9/92.

Simcox, Harriet, late of Hamilton Hill Nursing Home, 27 Ivermey Road, Hamilton Hill, died 2/10/92.

Smith, Sidney, formerly of 15 Watkins Road, Claremont, late of Skye Nursing Home, 13 Stevens Street, Fremantle, died 20/8/92.

Atkinson, Thomas John, late of 5 Merrifield Place, Mullaloo, died 3/9/92.

Tillman, Amanda Joy, late of 71 Astley Street, Gosnells, died 8/9/92.

Wood, Goon Lee, (also known as WOOD William Lee late of 15 Doris Street, North Perth, died 12/10/92.

Wright, James John, late of 19 Service Street, Mandurah, died 16/12/91.

Dated this 26th day of October 1992.

K. E. BRADLEY, Public Trustee,
Public Trust Office, 565 Hay Street, Perth WA 6000.

ZZ201**TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Noel Murray Stokes, late of "Weston" Unit 348, Hollywood Eventide Home, 3 Williams Road, Nedlands in the State of Western Australia, Retired Pastoralist/Wool Buyer deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased who died on 16 July 1992 at Moora in the said State are required by the Executrix and Trustee of care of Messrs Dwyer Durack, Barristers and Solicitors of 10th Floor, Dwyer Durack House, 40 St George's Terrace, Perth to send particulars of their claims to her by 1 December 1992 after which date the trustee may convey or distribute the assets having regard only to the claims of which she then has notice.

DWYER DURACK.

ZZ202**TRUSTEES ACT 1962****SECTION 63****Notice to Creditors and Claimants**

Mary Veronica Barrett, late of 34/7 Beddi Road, Duncraig in the State of Western Australia, Company Director deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased who died on 5 July 1992 at Stirling in the said State are required by the Executor and Trustee of care of Messrs Dwyer Durack, Barristers and Solicitors of 10th Floor, Dwyer Durack House, 40 St George's Terrace, Perth to send particulars of their claims to him by 2 November 1992 after which date the trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

DWYER DURACK.

ZZ203**TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the Estate of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Ltd. of 89 St. George's Terrace, Perth, to send particulars of their claims to the Company, by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Dodd, Edith May, late of St Lukes Lodge, 435 Rokeby Road, Subiaco, Widow, died 16 October 1992.

Eaton, Nathaniel Alec, late of 47 Cornell Street, Norseman, Retired Labourer, died 15 October 1992.

Hall, Eric Joseph, late of 6 Edgeware Street, Lynwood, Retired Contractor, died 23 August 1992.

Huggett, Valmay Elaine, late of 59 Waverley Street, Dianella, Widow, died 23 October 1992.

McGrath, Sarah Ethel May, late of 68A Reynolds Road, Mt. Pleasant, Widow, died 4 October 1992.

Shaw, William, late of Unit 9, Parry House, Warlingham Drive, Lesmurdie, Retired Grocer, died 21 October 1992.

Simpson, Neta Annice, Leighton Nursing Home, Florence Street, West Perth, Widow, died 28 September 1992.

Dated this 28th day of October, 1992.

J. KMIECIK, Manager Trusts and Estates Administration.

ZZ301

INQUIRY AGENTS LICENSING ACT 1954
APPLICATION FOR LICENCE IN THE FIRST INSTANCE

To the Court of Petty Session at Geraldton.

I, Leslie William Robertson, of (Lot 177) 28 Tallarook Way, Geraldton, Self Employed (Fast Food outlet), 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 28 Tallarook Way, Geraldton.

Dated the 27th day of October 1992.

LESLIE WILLIAM ROBERTSON, Signature of Applicant.

Appointment of Hearing

I hereby appoint the 3rd day of December 1992, at 10 o'clock in the forenoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Geraldton.

Dated the 27th day of October 1992.

G. R. JONES, 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.

ZZ302

INQUIRY AGENTS LICENSING ACT 1954
APPLICATION FOR LICENCE IN THE FIRST INSTANCE

To the Court of Petty Sessions at Perth.

I Noeleen Wilma Marriott, of 2 Nicholl Street, Daglish WA 6008, Co-director 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 11 Cunningham Terrace, Daglish WA 6008.

Dated the 6th day of October 1992.

N. W. MARRIOTT, Signature of Applicant.

Appointment of Hearing

I hereby appoint the 24th day of November 1992 at 2.15 o'clock in the afternoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Perth.

Dated the 14th day of October 1992.

PETER NEEDHAM, 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

CORPORATIONS LAW
Section 509

Notice is hereby given that the final meeting of members of Callaghan Investments Pty. Ltd. (in liquidation) will be held on Friday the 17th November 1992 at 12.00 noon at 1st Floor, 8 Stone Street, South Perth to accept the final accounts of the liquidator.

B. F. PRINDIVILLE & CO.

ZZA02

COMPANIES (CO-OPERATIVE) ACT 1943**NOTICE OF INCREASE IN SHARE CAPITAL BEYOND THE REGISTERED CAPITAL**

Pursuant to section 66

(Ord River District Co-operative Ltd.)

1. Ord River District Co-operative Limited hereby gives notice that by a resolution of the company passed on the 24th day of September 1992 the nominal share capital of the company was increased by the addition thereto of the sum of one million dollars divided into five hundred thousand shares of two dollars each beyond the registered capital of one million dollars.

2. The additional capital is divided as follows—

Number of Shares	Class of Shares	Nominal Amount of each Share
500 000	Ordinary	\$2.00

3. The conditions subject to which the new shares have been, or are to be issued, are as follows—

In all respects the same as existing ordinary shares.

4. The rights attached to the preference share or to each class of preference shares forming part of the original or increased capital of the company are: Not Applicable.

Dated this 30th day of September 1992.

Company Secretary.

—

Copy of Resolution

Passed at a duly convened meeting of the members of Ord River District Co-operative Limited held at the Quality Inn, Kununurra on the 24th day of September 1992.

Resolution—

That clause 8 of the memorandum of association of the company be altered by increasing the share capital to \$2 000 000 by the creation of 500 000 shares of \$2.00 each.



22 STATION STREET, WEMBLEY

For Fast Instant Printing, Photocopying and Binding
 "While You Wait" or 24 hour Courier Pick-up and Delivery
 Service.

TELEPHONE: 383 8877

**Do you need
something printed?**

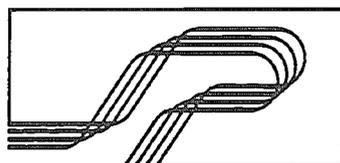
*Tried the
'Print' lately?*

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—Kalgoorlie Cemetery Board (Alteration of Name) Order 1992	5339
Legal Aid Commission (Costs) Amendment Rules 1992	5332-9
Local Government Act—	
Municipality of the City of Canning—By-laws Relating to Parking and Parking Facilities	5350-60
Municipality of the Shire of Denmark—By-laws Relating to Parking Facilities	5340-50
Lotteries Commission Act—Instant Lottery (Telespin) Amendment Rules 1992	5369
Mines Regulation Act—	
Mines Regulation Amendment Regulations (No. 2) 1992	5371
Mines Regulation (Exemption) Order (No. 13) 1992	5370
Pearling Act—Restriction of Pearling Activities (Pearl Oyster Holding Sites) Notice 1992	5311-12
Retail Trading Hours Exemption Order (No. 26) 1992	5303-4
State Energy Commission Act—State Energy Commission (Electricity and Gas Charges) Amendment By-laws (No. 4) 1992	5376-7
Supreme Court Amendment Rules (No. 4) 1992	5309-10
Supreme Court Amendment Rules (No. 5) 1992	5310-11

GENERAL CONTENTS

	Page
Bush Fires Board	5302-3
Consumer Affairs	5303-9
Crown Law	5309-11
Fisheries	5311-12
Land Administration—	
General Information	5312-13, 5316-32
Orders in Council	5313-16
Legal Aid Commission	5332-9
Local Government	5339-68
Lotteries	5369
Main Roads	5369-70
Mines	5370-3
Planning and Urban Development	5373-4
Police	5375
Premier and Cabinet	5375
Proclamations	5301-2
Public Notices—	
Companies	5383-4
Deceased Persons Estates	5381-2
Inquiry Agents	5383
Racing and Gaming	5375-6
State Energy Commission	5376-7
Tenders—	
Main Roads	5378
Marine and Harbours	5380
State Supply Commission	5379-80
Water Authority of Western Australia	5380
Water Authority	5378

