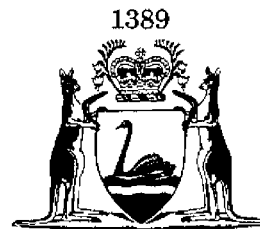


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Gazette



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Advertisers are advised to note the following changes to publication dates for Government Gazette over the Easter period 1994.

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EASTER ISSUES:

THURSDAY 31 MARCH (Copy closes Tuesday 29 March at 3.00 pm)

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

ENVIRONMENTAL PROTECTION

EP301

ENVIRONMENTAL PROTECTION ACT 1986

ENVIRONMENTAL PROTECTION (KALGOORLIE NICKEL SMELTER) (SULPHUR DIOXIDE LIMITS) EXEMPTION ORDER 1994

Made by the Minister with the approval of His Excellency the Governor in Executive Council under section 6.

Citation

1. This order may be cited as the *Environmental Protection (Kalgoorlie Nickel Smelter) (Sulphur Dioxide Limits) Exemption Order 1994*.

Definitions

2. (1) In this order —

“Kalgoorlie Nickel Smelter” or “Smelter” means the Kalgoorlie Nickel Smelter at Hampton Location 100 Kalgoorlie;

“Policy” means the *Environmental Protection (Goldfields Residential Areas) (Sulphur Dioxide) Policy 1992* published in the Government Gazette of 29 January 1993 at pp. 868-875;

“relevant licence condition” means a condition (however worded) of any licence required to be held under section 56 of the Act in respect of the Smelter to the effect that the licensee shall conduct its operations so as not to cause, or contribute to causing, the concentration of sulphur dioxide in the relevant portion of the environment to exceed the limit specified in the licence;

“relevant portion of the environment” has the same meaning as it has in the Policy.

(2) Nothing in the definition of “relevant licence condition” is to be taken to affect any condition relating to actions to be taken by the licensee when the ambient air quality limit provided for by the licence has been exceeded.

Background

3. The background to the exemption declared under clause 4 is that —

(a) the occupier of the Kalgoorlie Nickel Smelter is for the time being unable to comply with the relevant licence condition which reflects the requirements of the Policy and the associated Regulations;

(b) the Minister has determined that he will (subject to approval of His Excellency the Governor in Executive Council) grant an exemption in terms of this order because the occupier has agreed that it will —

(i) take all reasonable steps to the Minister's satisfaction to avoid causing very high short term concentrations of sulphur dioxide in the relevant portion of the environment;

(ii) install sulphur dioxide removal equipment to the satisfaction of the Minister unless it satisfies the Minister that it is able by other means to comply with the Policy and the associated Regulations and those means have been approved under the Act;

(iii) despite paragraph (ii), immediately take steps to the satisfaction of the Minister for the installation of the equipment referred to in that paragraph if the Minister notifies the occupier in writing, after 1 February 1995, that in the Minister's opinion there is no reasonable likelihood of the occupier being able by other means to comply with the Policy and the associated Regulations;

- (iv) for the purpose of being prepared to install sulphur dioxide removal equipment if required under paragraph (ii) or (iii), immediately take steps to the Minister's satisfaction to select, and obtain approval under the Act for, equipment that would be appropriate for installation under those paragraphs; and
- (v) report to the Minister on the matters referred to in this clause as required, and at the times specified, by the Minister.

Exemption

4. The Kalgoorlie Nickel Smelter is declared to be exempt from sections 56 and 58 of the Act to this extent namely that the occupier of those premises does not contravene those sections by failing to comply with any relevant licence condition.

Period of exemption

5. (1) Without limiting section 6 (3) of the Act, the declaration under clause 4 ceases to have effect on 29 February 1996.

(2) Nothing in subclause (1) affects the powers of amendment or revocation conferred by section 6 (4) of the Act, and it is declared that a failure by the occupier to take any of the actions referred to in paragraphs (i) to (v) of clause 3 (b) will be treated as a ground on which the power of revocation may be exercised.

Conditions of exemption

6. (1) The exemption declared under clause 4 is conditional on the licensee of the Smelter conducting its operations so as not to cause, or contribute to causing, the concentration of sulphur dioxide in the relevant portion of the environment to exceed $1300 \mu\text{g}/\text{m}^3$ when averaged over any period of 3 hours.

(2) In subclause (1) " $\mu\text{g}/\text{m}^3$ " has the same meaning as it has in clause 6 (2) of the Policy.

K. J. MINSON, Minister for the Environment.

Approved by His Excellency the Governor in Executive Council.

D. G. BLIGHT, Clerk of the Council.

EP401

ENVIRONMENTAL PROTECTION ACT 1986

(Section 19)

Delegation (No. 5)

Notice is hereby given that the Environmental Protection Authority ("the Authority") acting pursuant to section 19 of the Environmental Protection Act 1986 ("the Act") has resolved to delegate as follows:

Powers delegated

1. Power to determine whether or not a proposal referred under section 38 of the Environmental Protection Act 1986 should be assessed under Part IV of the Act.
2. Power to inform the proponent, any person who referred the proposal and any relevant decision making authority that a proposal referred under section 38 of the Environmental Protection Act 1986 will not be assessed under Part IV of the Act, as required under section 40 (1) (a) of the Act.
3. Power to inform the proponent, any person who referred the proposal and any relevant decision making authority that a proposal referred under section 38 of the Environmental Protection Act 1986 will be assessed under Part IV of the Act, as required under section 40 (1) (b) of the Act.

4. All the duties and powers of the Authority under the Act in relation to—
- (a) the assessment of; and
 - (b) the preparation and submission to the Minister of a report and recommendations on, any proposal within Part IV of the Act which is entered into the public record pursuant to section 39 of the Act, where the level of assessment in respect of that proposal set out in that public record is designated by the term "Consultative Environmental Review".

5. All the powers and duties of the Authority under section 46 of the Act in relation to—

- (a) inquiring into; and
- (b) reporting to the Minister on,

whether or not conditions or procedures agreed or decided under section 45 should be changed.

Person to whom this delegation applies—

This delegation applies to the Chairman of the Environmental Protection Authority appointed under section 7 (4a) of the Environmental Protection Act 1986.

Pursuant to section 59 (1) (e) of the Interpretation Act 1984 delegation No. 1 dated 20 February 1987 and delegation No. 2 dated 28 June 1991 are hereby revoked.

Dated this 15th day of March 1994.

R. K. STEEDMAN, Chairman,
Environmental Protection Authority.

Approved—

K. J. MINSON, Minister for the Environment.

ENVIRONMENTAL PROTECTION ACT 1986

(Section 19)

Delegation (No. 6)

Notice is hereby given that the Environmental Protection Authority ("the Authority") acting pursuant to section 19 of the Environmental Protection Act 1986 ("the Act") has resolved to delegate as follows:

Powers delegated

1. Power to determine whether or not a proposal referred under section 38 of the Environmental Protection Act 1986 should be assessed under Part IV of the Act.
2. Power to inform the proponent, any person who referred the proposal and any relevant decision making authority that a proposal referred under section 38 of the Environmental Protection Act 1986 will not be assessed under Part IV of the Act, as required under section 40 (1) (a) of the Act.
3. Power to inform the proponent, any person who referred the proposal and any relevant decision making authority that a proposal referred under section 38 of the Environmental Protection Act 1986 will be assessed under Part IV of the Act, as required under section 40 (1) (b) of the Act.
4. All the duties and powers of the Authority under the Act in relation to—
 - (a) the assessment of; and
 - (b) the preparation and submission to the Minister of a report and recommendations on, any proposal within Part IV of the Act which is entered into the public record pursuant to section 39 of the Act, where the level of assessment in respect of that proposal set out in that public record is designated by the term "Consultative Environmental Review".

5. All the powers and duties of the Authority under section 46 of the Act in relation to—

- (a) inquiring into; and
- (b) reporting to the Minister on,

whether or not conditions or procedures agreed or decided under section 45 should be changed.

Person to whom this delegation applies—

This delegation applies to the Deputy Chairman of the Environmental Protection Authority ("the Deputy") appointed under section 7 (4a) of the Environmental Protection Act 1986.

Conditions under which this delegation applies—

In the absence of the Chairman through illness, temporary absence from the State, or conflict of interest. The Minister will be informed of the periods when the Deputy is exercising the delegation

Pursuant to section 59 (1) (e) of the Interpretation Act 1984 delegation No. 3 dated 30 July 1993 is hereby revoked.

Dated this 15th day of March 1994.

R. K. STEEDMAN, Chairman,
Environmental Protection Authority.

Approved—

K. J. MINSON, Minister for the Environment.

ENVIRONMENTAL PROTECTION ACT 1986

(Section 19)

Delegation (No. 7)

Notice is hereby given that the Environmental Protection Authority ("the Authority") acting pursuant to section 19 of the Environmental Protection Act 1986 ("the Act") has resolved to delegate as follows:

Powers delegated

1. Power to give advice and make recommendations to any relevant decision making authority on environmental aspects of proposals referred but not assessed under Part IV of the Environmental Protection Act 1986, as allowed for under section 40 (1) (a) of the Act.
2. Power to inform the proponent, any person who referred the proposal and any relevant decision making authority that a proposal referred under section 38 of the Environmental Protection Act 1986 will not be assessed under Part IV of the Act, as required under section 40 (1) (a) of the Act.
3. Power to inform the proponent, any person who referred the proposal and any relevant decision making authority that a proposal referred under section 38 of the Environmental Protection Act 1986 will be assessed under Part IV of the Act, as required under section 40 (1) (b) of the Act.

Person to whom this delegation applies—

This delegation applies to the Officer of the Department of Environmental Protection Authority appointed under section 22 of the Environmental Protection Act 1986 for the time being exercising the duties of the office designated Director, Evaluation Division.

Dated this 15th day of March 1994.

R. K. STEEDMAN, Chairman,
Environmental Protection Authority.

Approved—

K. J. MINSON, Minister for the Environment.

ENVIRONMENTAL PROTECTION ACT 1986

(Section 20)

Delegation (No. 17)

Delegation under section 20 of the Environmental Protection Act 1986.

The Chief Executive Officer by this instrument delegates to the holder for the time being of the office of Director, Pollution Prevention Division, all the powers and duties conferred or imposed under sections 54, 57, 59, 60, 62, 64, 65, 66, 68, 70, 73, 87, 88, 95, 96 and 97 of the Act.

Pursuant to section 59 (1) (e) of the Interpretation Act 1984, delegation No. 5 dated 20 February 1987 is hereby revoked.

Dated this 15th day of March 1994.

C. C. SANDERS, Acting Chief Executive Officer.

Approved—

K. J. MINSON, Minister for the Environment.

ENVIRONMENTAL PROTECTION ACT 1986

(Section 20)

Delegation (No. 18)

The Chief Executive Officer by this instrument delegates to the holder for the time being of the office of Assistant Director, Pollution Prevention Division, all the powers and duties conferred or imposed under sections 54, 57, 59 (1) (b), 59 (2), 59 (3), 59 (4), 65, 66 and 95 of the Act.

Pursuant to section 59 (1) (e) of the Interpretation Act 1984, delegation No. 13 dated 11 January 1991 is hereby revoked.

Dated this 15th day of March 1994.

C. C. SANDERS, Acting Chief Executive Officer.

Approved—

K. J. MINSON, Minister for the Environment.

ENVIRONMENTAL PROTECTION ACT 1986

(Section 20)

Delegation (No. 19)

Delegation under section 20 of the Environmental Protection Act 1986.

The Chief Executive Officer by this instrument delegates to the holder for the time being of the office of Manager Licensing Branch, Pollution Prevention Division, all the powers and duties conferred or imposed under sections 54, 57, 59 (1) (b), 59 (2), 59 (3) and 64 of the Act.

Pursuant to section 59 (1) (e) of the Interpretation Act 1984, delegation No. 14 dated 11 January 1991 is hereby revoked.

Dated this 15th day of March 1994.

C. C. SANDERS, Acting Chief Executive Officer.

Approved—

K. J. MINSON, Minister for the Environment.

ENVIRONMENTAL PROTECTION ACT 1986

(Section 20)

Delegation (No. 20)

Delegation under section 20 of the Environmental Protection Act 1986.

The Chief Executive Officer by this instrument delegates to the holder for the time being of the office of Senior Environmental Officer, Licensing Branch, Pollution Prevention Division, all the powers and duties conferred or imposed under sections 54, 57, 59 (1) (b), 59 (2), 59 (3) and 64 of the Act.

Pursuant to section 59 (1) (e) of the Interpretation Act 1984, delegation No. 15 dated 11 January 1991 is hereby revoked.

Dated this 15th day of March 1994.

C. C. SANDERS, Acting Chief Executive Officer.

Approved—

K. J. MINSON, Minister for the Environment.

ENVIRONMENTAL PROTECTION ACT 1986

(Section 20)

Delegation (No. 21)

Notice is hereby given that the Chief Executive Officer acting pursuant to section 20 of the Environmental Protection Act 1986 ("the Act") delegates as follows:

Powers delegated

All the powers and duties under section 46 of the Environmental Protection (Ozone Protection) Policy 1993.

Person to whom delegation applies—

This delegation applies to the officer of the Department of Environmental Protection appointed under section 22 of the Act for the time being exercising the duties of the office of Manager, Pollution Management Branch, Pollution Prevention Division.

Period for which this exemption applies—

This delegation will apply for the period of six months from the date of publication in the *Government Gazette*.

Dated this 23rd day of February 1994.

C. C. SANDERS, Acting Chief Executive Officer.

Approved—

K. J. MINSON, Minister for the Environment.

JUSTICE**JM401****NOTICE TO SUBMIT PARTICULARS OF DEBTS OR CLAIM****T. & C. No. 7 Terminating Building Society (Liquidator Appointed)**

Notice is hereby given that the Acting Registrar of Co-operative and Financial Institutions has issued a Certificate under section 71 of the Building Societies Act 1976, dated 21 March 1994 to wind up T. & C. No. 7 Terminating Building Society.

Take notice that creditors of the society are required within 30 days of the date of this publication to submit to me particulars of their debts or claims and of any security held by them to me and, if subsequently required by notice in writing from me, must formally prove their debts or claims and establish any title they may have to priority by statement in writing. If they do not comply with this notice they will be excluded from—

- (a) the benefit of any distribution made before their debts or claims are proved or their priority is established; and
- (b) objecting to the distribution.

Dated this 23rd day of March 1994.

M. F. STEWART, Liquidator of the Society,
C/- Box P1204, G.P.O. WA 6001.

JM402**T. & C. No. 7 TERMINATING BUILDING SOCIETY**

Notice of Appointment as Liquidator pursuant to section 71 (5) of the
Building Societies Act 1976

To: M. F. Stewart
Secretary
Metropolitan Management
Services Pty. Ltd.
37 St George's Terrace
Perth WA 6000

Having this day granted a certificate under section 71 (3) (a) of the Building Societies Act 1976 in respect to T. & C. No. 7 Terminating Building Society, I hereby appoint you, M. F. Stewart as liquidator of T. & C. No. 7 Terminating Building Society pursuant to section 71 (5) of the said Act. The liquidator is entitled to a recoupment of disbursements and administrative expenses, but is not entitled to any fee in his capacity as liquidator.

Dated this 21st day of March 1994.

PETER RICHARDS, Acting Registrar,
Registry of Co-operative and Financial Institutions.

LAND ADMINISTRATION**LA201**

LAND ACT 1933
ORDER IN COUNCIL
(Vesting of Reserve)

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

DOLA File 952/935.

Reserve No. 21385 (Swan Location 3741) vested in the Dogs' Refuge Home (W.A.) Incorporated for the designated purpose of "Dogs' Home" 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 ten (10) years from the date of the lease.

Local Authority: City of Nedlands.

D. G. BLIGHT, Clerk of the Council.

LA401

LAND ACT 1933

DECLARATION THAT PART 1A DOES NOT APPLY

Department of Land Administration

I declare under Section 27H of the Land Act 1933 that Part 1A of the Act does not apply to the following proposals affecting the land specified.

Proposal	Land	DOLA File
Freehold (Section 33A)	Broome Lot 2607	3084/985
Freehold (Section 33A)	Bremer Bay Lot 406	1826/973
Freehold (Section 8)	Dangin Lots 220-222 and 224	855/992
Freehold (Section 117AA)	Port Hedland Lot 3787	1908/978
Freehold (Section 38)	Swan Location 11502	2436/991
Freehold (Section 38)	Swan Location 11468	2404/991
Freehold (Section 38)	Exmouth Lot 1369	2254/993
Freehold (Section 38)	Exmouth Lot 1370	2255/993
Freehold (Section 38)	Hopetoun Lot 450	637/990
Freehold (Section 38)	Kalgoorlie Lot 4642	437/993
Freehold (Section 45B)	Ballidu Lot 240	1669/993
Freehold (Section 45B)	Broome Lot 2548	4211/989
Freehold (Section 45B)	Broome Lot 2488	2652/989
Sale (Section 38)	Jurien Lot 1062	2820/989
Sale (Section 38)	Jurien Lot 1073	2831/989
Sale (Section 38)	Kalbarri Lot 698	3390/988
Sale (Section 29 (2))	Sandstone Lot 74	3533/986
Sale Under Section 118 and dedication of public road	the land the subject of Land Administration Diagrams 91075 and 91282	1767/992
Sale—Section 118A(3)	Portion of Forest Road bordered blue on Crown Survey Diagram 91512 for inclusion into Certificate of Title Volume 1447 Folio 799	3376/982
Disposal—Section 118A(3)	Land coloured green in the Schedule at page 274 of File 3085/1983 V2 for inclusion in Certificate of Title Volume 1414 Folio 430	3085/1983 V2
Sale—Section 118A(3)	Portion of closed public Right-of-Way as shown coloured green on Schedule at page 31 for inclusion into Certificate of Title Volume 1925 Folio 770	1658/992
Sale Under 118CA	Coolgardie Lot 2297	2132/987
Sale—118CA	Portion of Swan Location 1621 and marked P.A.W. on LTO Plans 16428 and 16163	1495/993v2
Conversion of leases to freehold	Bruce Rocks Lots 73, 118 and 167	1808/992
Sale Under Section 118CA	Bruce Rock Lot 252	1808/992
Sale—Section 29(2)	Fremantle Lots 2085, 2086, 2087 and 2088 on DOLA Plan 18472	3046/965 v2
Freehold (Section 117AA)	Coolgardie Lot 2170	3555/893
Freehold (Section 117AA)	Coolgardie Lot 175	2208/939
Freehold (Section 117AA)	Boulder Lot 574	11237/899
Freehold (Section 117AA)	Port Hedland Lot 1031	2362/967
Freehold (Section 117AA)	Jilbadji Location 1006	3240/953
Freehold (Section 117AA)	Swan Location 11466	2402/991
Freehold (Section 29(2))	Bruce Rock Lot 411	2069/977
Addition to State Forest No. 41	Reserve 20931	1271/932
Declaration of Public Street—Section 288 of the Local Government Act	Pettit Road (Road No. 18607). Those portions of land coloured blue on Office of Titles Plan 12873 comprising the areas shown 7 635 m ² and 408 m ²	1339/976

Proposal	Land	DOLA File
Vesting	Reserve 28329	1949/988
Create Hampton Locations 271-273 by subdivision with subsequent leasing	Hampton Location 182 and portion Pastoral Lease 3114/874	2535/84
Include into Pastoral Lease 3114/874 on 8 048 m ² portion of Hampton Location 182	Hampton Location 182	2535/84
Inclusion of Canning Location 3815-3817 into Reserves 26820, 26917 and 36435. Respectively Canning Location 3814 to replace Canning Location 2229 held under Special Lease.	Canning Locations 3814-3817	1948/967V3
Inclusion of the land contained in Certificate of Title Volume 1322 Folio 875 into Reserve 39197	Portion of Swan Location 1315 and being Lot 5	507/985 V4
Vesting with power to lease for 21 years.	Reserve 42792 (Albany Lot 1404)	1087/993
Reservation for historical building and community centre, with vesting and power to lease for 21 years.	Reserve 42793 (Albany Lot 1405)	1083/993
Revestment, reservation and vesting	The land marked pedestrian access way on LTO Plan 8890(1)	429/994
Reservation for Aged Persons Homes with issue of a Crown Grant in Trust.	Lot 599 on Titles Office Diagram 30652	921/993
Reservation for Aged Persons Homes with issue of a Crown Grant in Trust.	Bunbury Lot 741 being Reserve 42688	921/993
Reservation for Bush Fire Brigade Station, with vesting.	Plantagenet Location 7744	2540/993
Reservation for "Educational Purposes" with vesting with power to lease.	Canning Location 1628 (Reserve 25085)	871/954
Reservation—Inclusion into Reserve 41169 (Natural Gas Pipeline Purposes) with vesting.	Lyons Location 46	2769/987
Reservation for "Recreation" with vesting in the Shire of Chapman Valley with power to lease.	Nabawa Lots 1 and 2 and Victoria Locations 11984 and 11985.	1228/963
Reservation for "Pedestrian Accessway" with vesting.	Kambalda Lots 334 and 360	2083.993, 2084.993
Lease land under Section 117 of the Land Act.	Trayning Lots 160 and 163	1582/69, 1653/77
Issue new Lease under Section 116 of the Land Act.	Green Head Lot 207	1286/69v2
To excise approximately 517 m ² and dispose of the area into Kalbarri Lots 466 and 467 under Section 118CA of the Land Act	Reserve 35559 being Kalbarri Lot 468	2190/78
To excise a 176 m ² portion and dispose of it to an adjoining owner.	"Public Recreation" Reserve 34463	2693/76
Sale Under Section 118CA	Mount Magnet Lot 395	2788/963
Sale—Section 118CA	Avon Location 17997	3710/915
Reservation—Crown Grant in Trust for "Aboriginal Heritage and Cultural Purposes"	Sussex Location 4978 (formerly Lot 5 on Diagram 85231)	1287/1993

LA402

LAND ACT 1933**DECLARATION THAT PART 1A DOES NOT APPLY**

Department of Land Administration

I declare under Section 27H of the Land Act 1933 that Part 1A of the Act does not apply to the following proposal affecting the land specified.

Proposal	Land	DOLA File
Sale—Section 118A(3)	Portion of closed public Right-of-Way as shown coloured green on Schedule at page 28 for inclusion into Certificate of Title Volume 1867 Folio 673	1650/992
Sale—Section 118A(3)	Portion of closed public Right-of-Way as shown coloured green on Schedule at page 27 for inclusion into Certificate of Title Volume 1904 Folio 620	1661/992
Sale—Section 118A(3)	Portion of Messenger Road as shown coloured green on Schedule at page 43 for inclusion into Office of Titles Plan 19759	2261/992
Sale—Section 118A(3)	Portion of closed public Right-of-Way as shown coloured green on Schedule at page 29 for inclusion into Certificate of Title Volume 1867 Folio 675	1728/992
Sale—Section 118A(3)	Southern half of closed road (1103m ²) as shown coloured green on Schedule at page 108 for inclusion into Certificate of Title Volume 1907 Folio 893	3366/990

GEORGE CASH, Minister for Lands.

LA403

LOCAL GOVERNMENT ACT 1960**DECLARATION OF CLOSURE OF STREETS**

Made by the Minister for Lands Under Section 288A

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

Schedule

1. Town of Cottesloe (DOLA File No. 2043/918 V4; Closure No. C1270).
Those portions of land shown bordered blue on Crown Survey Diagram 84152.
Public Plan: BG34(2) 7.21.
2. Shire of Carnamah (DOLA File No. 1703/992; Closure No. C1271).
All that portion of Carnamah-Eneabba Road (Road No. 8309) now comprised in Victoria Location 11973 the subject of Crown Survey Diagram 91457.
Public Plan: Winchester (50).
3. Shire of Swan (DOLA File No. 3376/982; Closure No. S456).
All that portion of Forest Road as delineated and shown bordered blue on Crown Survey Diagram 91512.
Public Plan: BG34 (2) 22.39.
4. Shire of West Arthur (DOLA File No. 1057/975; Closure No. W1342).
All that portion of Burrowes Street (Road No. 10401) now included in Darkan Lots 309 and 310 (Pt Reserve 28932) the subject of Crown Survey Diagram 91521.
Public Plan: Darkan Townsite.

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

LA701

LAND ACT 1933
RESERVATION NOTICE

Made by the Governor under Section 29.

The Crown Land described below has been set apart as a public reserve.

DOLA File 1291/993.

Reserve No. 42865 comprising Canning Location 3837 (formerly portion of Canning Location 13 and being Lot 513 on Diagram 80153) with an area of 3 624 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG34 (2) 21.15. Mandarin Road.

Local Authority—City of Gosnells.

A. A. SKINNER, Chief Executive.

LB401

LOCAL GOVERNMENT ACT 1960
DECLARATION OF PUBLIC STREETS

Orders of the Minister for Lands Made under Section 288

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

Schedule
Shire of Irwin

DOLA File: 1339/976.

Road No. 18607 (Pettit Road) (Widening/Extension). Those portions of land coloured blue on Office of Titles Plan 12873 comprising the areas shown 7635m² and 408m².

Public Plan: BE42 (10) 08.01.

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

LB701

File No. 2455/1919/2.
Ex. Co. No. 0387.

PUBLIC WORKS ACT 1902
LAND RESUMPTION

Recreation (Water Sports Area)—Lake Baandee—Shire of Kellerberrin

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 Avon District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 29th day of March 1994, been set apart, taken or resumed for the purpose of the following public work, namely:—Recreation (Water Sports Area) Lake Baandee—Shire of Kellerberrin. And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Plan L.A., W.A. 1030 which may be inspected at the Department of Land Administration, Midland. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

No. on Plan L.A., W.A. No. 1030	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Arthur William Reynolds	A. W. Reynolds	Portion of Avon Location 10714 being the land contained in Certificate of Title Volume 1029 Folio 767 and portion Avon Location 10715 being the land contained in Certificate of Title Volume 1063 Folio 575 as shown on Department of Land Administration Plan 18486.	34.4870 ha

Certified correct this 23rd day of March 1994.

GEORGE CASH, Minister for Lands.

Dated this 29th day of March 1994.

P. M. JEFFERY, Governor in Executive Council.

LB801

File No. 1977/1993
Ex. Co. No. 976

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND ACQUISITION

Right-of-Way—City of Perth

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 Perth Town District have, in pursuance of the written consent under the Local Government Act 1960 and approval under section 17 (1) of the Public Works Act 1902 of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 15th day of February 1994, been compulsorily taken and set apart for the purposes of the following public work namely: Right-of-Way—City of Perth.

And further notice is hereby given that the said pieces or parcels of land so taken and set apart are shown marked off on LTO Plan 1600 which may be inspected at the Department of Land Administration, Midland. 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 City of Perth 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.)
Bertram Shera Wills	City of Perth by Notice of Entry	The land marked right-of-way on LTO Plan 1600 being part of the land remaining in Certificate of Title Volume 319 Folio 126.	181.2 m ²

Certified correct this 8th day of February 1994.

GEORGE CASH, Minister for Lands.

Dated this 15th day of February 1994.

P. M. JEFFERY, Governor in Executive Council.

Road Dedication

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

By Order of the Minister for Lands

Dated this 31st day of March 1994.

A. A. SKINNER, Chief Executive.

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1960*The Municipality of the Shire of Kalamunda*

By-law Relating to Trading in Public Places

In pursuance of the power conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on the 20th September 1993 to make and submit for confirmation by the Governor the following By-law.

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

“Authorised Officer” includes any Ranger or Environmental Health Officer employed by the Council and the Town Clerk and any other person appointed by the Council as an authorised officer for the purposes of this By-law;

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

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

“Trading” means selling or hiring of goods, wares, merchandise or services or offering goods, wares, merchandise or services for sale or hire in a street or other public place and includes displaying goods, wares or merchandise for the purpose of offering them for sale or hire, inviting offers for sale or hire, soliciting orders or carrying out any other transaction therein but does not include the setting up of a stall or the conducting of business at a stall under the authority of a licence issued under By-laws made under Section 242 of the Act;

“Licence” means a licence issued under this By-law;

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

2. The municipality of the Shire of Kalamunda By-laws Relating to Stalls published in the *Government Gazette* of the 26th November 1976 are hereby repealed.
3. This By-law shall not apply to the selling or offering for sale of newspapers.
4. No person shall carry on trading in any street or public place unless that person:
 - (a) is acting in compliance with the requirements, terms and conditions of a current licence and for which all fees and charges have been paid, and
 - (b) is the holder of a valid licence or is an assistant specified in a valid licence, and
 - (c) not being a person exempted under clause 9 (3) of this By-law from payment of the fees and charges prescribed in clause 9 of the Third Schedule to this By-law, has paid those fees and charges.
5. An application for a licence shall be in the form of the First Schedule and shall:
 - (a) include the full name and address of the applicant;
 - (b) specify the proposed number and the names and addresses of assistants to be engaged by the applicant in trading pursuant to the licence;
 - (c) specify the location for which the licence is sought;
 - (d) be accompanied by an accurate plan and description of any proposed stand, table, structure or vehicle which may be used for trading
 - (e) specify the proposed days and hours of trading;
 - (f) specify the proposed goods, wares, merchandise or services in respect of which trading will be carried on.

6. In considering an application for a licence, the Council shall have regard to:
 - (a) any relevant policies
 - (b) the desirability of the proposed trading activity
 - (c) the location of the proposed trading activity
 - (d) the circumstances of the caseand may refuse a licence, in which case it shall provide the applicant with reasons in writing.
7. (1) The Council may refuse to issue a licence if:
 - (a) the applicant has committed a breach of clauses 4, 10, 11 or 12 of this By-law;
 - (b) the proposed activity or place of trading is in the opinion of Council undesirable;
 - (c) the proposed stand, table, structure or vehicle from which trading is to take place is in the opinion of Council unsuitable in any respect to the location for which the licence is sought;
 - (d) the needs of the district or the portion thereof for which the licence is sought are in the opinion of Council adequately catered for.
7. (2) The Council shall refuse to issue a licence if the proposed trading use is to be established on land zoned under any Town Planning Scheme then in force within the district and such use cannot be permitted under the Scheme.
8. A licence shall be in the form of the Second Schedule and shall specify:
 - (a) the full name and address of the licensee;
 - (b) the dates of issue and expiration of the licence;
 - (c) the place to which the licence applies;
 - (d) the number, type, form and construction as the case may be of any stand, table, structure or vehicle which may be used for trading;
 - (e) the particulars of the goods, wares, merchandise or services in respect of which trading may be carried on;
 - (f) the number and full names and addresses of assistants who may be engaged at any one time in trading pursuant to the licence;
 - (g) the days and hours when trading may be carried on;
 - (h) any other requirements, terms or conditions that the Council may see fit to impose.
9. (1) The fee payable for the issue of a licence is \$100.00
- (2) In addition to the licence fee payable under paragraph (1) of this clause, a licensee shall before the issue of a licence pay the Council the charge specified in the Third Schedule hereto.
- (3) Where trading is carried on by a community association for the purpose of that community association, the fees and charges prescribed in paragraph (1) of this clause and in the Third Schedule to this By-law shall not be payable in respect of that trading or the licence under which it is carried on.
10. A licensee or assistant specified in a licence shall not:
 - (a) engage in or permit any trading in any goods, wares, merchandise or services other than those specified in the licence;
 - (b) cause or permit or suffer any nuisance to exist, arise or continue on or from the permitted place specified in the licence;
 - (c) deposit, place or store any goods, wares or merchandise on any street or other public place than on the place to which the licence applies;
 - (d) create any noise or disturbance to the annoyance of nearby occupants or passers-by;
 - (e) obstruct the free passage of pedestrians on any footpath or roadway.
11. A licensee shall not:
 - (a) in trading use or employ or permit to be used or employed at any one time more than the maximum number of assistants specified in the licence; or
 - (b) transfer, assign or otherwise dispose of a licence.
12. A licence holder shall:
 - (a) personally attend at the place specified in the licence at all times when trading is conducted on or from that place;
 - (b) keep the place and any stand, table, structure or vehicle specified in the licence in a clean and safe condition and in good repair;
 - (c) keep the place and any stand, table, structure or vehicle specified in the licence free from trade refuse and other refuse and rubbish;
 - (d) on demand produce the licence to any authorised officer of the Council or any Police Officer;

- (e) unless with the written approval of the Council to the contrary, remove his stand, table, structure or vehicle and all goods, wares, merchandise and signs from the place to which the licence applies and leave that place clean and vacant in all respects;
 - (i) at the conclusion of the permitted hours of operation specified in the licence;
 - (ii) whenever trading is not taking place on the place to which the licence applies.
- 13. A licence is valid for the period between the date of issue and the 30th day of June next or until its revocation pursuant to this By-law, whichever is the earlier.
- 14. The Council may revoke a licence if:
 - (a) the licensee or assistant specified in a licence commits an offence against clauses 4, 10, 11 or 12 of this By-law; or
 - (b) the Council or a crown agency, instrumentality or department requires access to the place to which a licence applies for the purposes of carrying out works on, over or under that place
- 15. Where a licence is revoked, the Council shall, if requested, provide the licensee with written reasons for the revocation.
- 16. (a) where a licence is revoked under clause 14 (a) of this By-law, the licensee shall not be entitled to any refund of any fee or charge paid to the Council in respect thereof
 - (b) where a licence is revoked under clause 14 (b) of this By-law, the Council shall refund the charge paid in respect thereof having first deducted the charge applicable to the period from the date of issue of the licence to the date of revocation.
- 17. Any person who contravenes or fails to comply with any provision of clause 4, 10, 11 or 12 of this By-law commits an offence and is liable on conviction to:
 - (a) a maximum penalty of \$1,000.00 or imprisonment for 6 months;
 - (b) a maximum daily penalty during the breach of \$50.00 per day

First Schedule

LOCAL GOVERNMENT ACT

The Municipality of the Shire of Kalamunda

By-law Relating to Trading in Public Places

APPLICATION FOR LICENCE

Name of Applicant:

Address:

Postal Address:

.....

Telephone: (w) (h)

1. Location of proposed trading activity. A plan should be submitted indicating the precise location.

.....

.....

2. Nature of proposed trading activity (describe how the goods will be displayed, sold and/or services offered).

.....

.....

3. Details of proposed stall (eg trailer, cart, table, vehicle—enclose a sketch or photograph).

.....

.....

4. Specifications of above:

Dimensions:

Colour:

Type of Material:

5. Number and names of assistants to engage in trading:

.....

.....

.....

6. Proposed commencement date and, if applicable, other proposed date(s) of operation:

.....

7. Proposed hours of operation:

.....

8. Is evidence of Public Risk Insurance attached? Yes/No

9. Any other information specifically requested by Council.

10. Name and address of owner of land on which the stall is to be set up (if applicable).

.....

Signature of Applicant:

Date:

The abovementioned owner of the land on which the stall is to be set up hereby consents to this application.

Signature of Applicant:

Date:

Second Schedule

LOCAL GOVERNMENT ACT

The Municipality of the Shire of Kalamunda

By-law Relating to Trading in Public Places

LICENCE

1. Full name and address of licensee:

.....

.....

.....

2. Date of issue of licence:

3. Date of expiration of licence:

4. Requirements, Terms and Conditions:

a. Place to which licence applies:

.....

b. Description of sand structure of vehicle to be used by the licensee:

.....

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

.....

d. Full name and address of assistants who may be engaged at any one time in trading:

.....

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

.....

f. Other requirements, terms or conditions applicable to this licence:

.....

.....

Shire Clerk.

Third Schedule

CHARGES

1. Annual charge \$600.00

2. Where trading is proposed for a period of less than one year, the charge payable shall be calculated as a proportion of the annual charge depending on the proposed duration of trading.

3. Additional Charge

- (i) For trading within the Kalamunda Business Centre bounded by Railway Road, Mead Street, Canning Road, Stirk Street and including the western side of Canning Road between Heath Road and Kalamunda Road. \$250.00

Dated this 21st day of December 1993.

The Common Seal of the Shire of Kalamunda was hereunto affixed in the presence of:
B. R. WILLMOTT, President.
E. H. KELLY, Chief Executive/Shire Clerk.

Recommended by—

PAUL OMODEI, Minister for Local Government.

Approved by his Excellency the Governor in Executive Council this 29th day of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG302

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Morawa

By-laws Relating to the Shire of Morawa Olympic Swimming Pool

In pursuance of the powers conferred upon it by the abovementioned Act, and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 20th day of May, 1993 to make and submit for confirmation by the Governor the following amendments to the abovementioned By-laws published in the *Government Gazette* on the 5th day of May 1967.

1. In By-law 1 after the definition of "Season" add the following definition;
"Shire Clerk" means the Clerk of the Council as appointed from time to time."
2. In By-law 4—
 - (i) add after the word "Council" the word ", Shire Clerk"; and
 - (ii) delete the word "turnstile" and substitute the word "gate".
3. In By-law 9, add after the word "Pool," the word "inappropriately,".
4. In By-law 10, add after the word "therein" the words "unless prior approval is given by the Manager".
5. In By-law 19, add after the word "animal" the words "excepting guide dogs,".
6. In By-law 20, delete the word "No" where it first appears and substitute the words "Unless authorised by the Manager, no".
7. In By-law 22, add after the word "Council" the words "or the Shire Clerk".
8. In By-law 24—
 - (i) delete the word "five" and substitute the word "fifty"; and
 - (ii) add after the word "Council" where it first appears the words "or the Manager".
9. In By-law 25 delete the words "six years" and substitute the words "eight years and those children, who in the opinion of the Manager, are considered not to be competent swimmers".
10. In By-law 28 (b) delete the word "week" and substitute the word "month".
11. In By-law 28 (c) add after the word "Council" the words "and the Manager".
12. In By-law 29 (c)—
 - (i) add after the word "Council" wherever it appears the words "or Shire Clerk",
and
 - (ii) delete the word "its" and substitute the word "their".
13. In By-laws 30 (a) and 30 (b)—
 - (i) add after the word "Council" wherever it appears the words "and/or Shire Clerk",

- (ii) delete the word "its" wherever it appears and substitute the word "their"; and
 (iii) delete the words "it deems" and substitute the words "they deem".
14. In By-law 32—
 (i) add after the words "Shire Clerk" the words "once a month" and
 (ii) after the word "his" insert the words "or hers".
 (iii) delete the word "week" where it appears and substitute the word "month".
15. In By-law 33 (a) delete the words "forty dollars (\$40)" and substitute the words "five hundred dollars (\$500)".
16. In By-law 33 (c)—
 (i) add after the words "convicted of" the words ", or have been known of,"; and
 (ii) add after the word "Council" the words ", Shire Clerk".
17. In By-law 33 (d) add after the word "Council" the words "or Shire Clerk".

—

Dated this 20th day of May 1993.

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

J. F. COOK, President.
 P. J. VARRIS, Shire Clerk.

—

Recommended—

PAUL OMODEI, Minister for Local Government.

—

Approved by His Excellency the Governor in Executive Council the 29th day of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG303

LOCAL GOVERNMENT ACT 1960

Municipality of the Shire of Morawa

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

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 20th May 1993 to repeal the whole of the By-laws relating to Street Trading published in the *Government Gazette* on the 19th April, 1991, to repeal the whole of the By-laws relating to Hawkers published in the *Government Gazette* of the 21st December, 1979 and to make and submit for confirmation by the Governor the following By-laws.

Division 1—Preliminary

1.1 Citation

These By-laws may be cited as the Shire of Morawa Hawkers, Stallholders and Trading in Public Places By-laws.

1.2 Application

These By-laws shall apply and have force and effect throughout the whole of the district.

1.3 Interpretation

In these By-laws unless the context otherwise requires:

- 1.3.1 "Act" means the *Local Government Act 1960*, as amended, and any Regulations or By-law made thereunder.

"Authorised person" means the Clerk of the Council or any Environmental Health Officer employed by the Council as an authorised person for the purposes of these By-laws.

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

- “Council” means the Council of the Municipality of the Shire of Morawa.
- “district” means the municipal district of the Shire of Morawa.
- “footpath” includes a path used by or set aside or intended for use by both pedestrians and cyclists.
- “hawker” has the meaning given to it in s.217 of the Act.
- “licence” means a licence issued under these By-laws to hawk, conduct a stall, or carry out trading in a public place as the case may be.
- “public place” includes a street, way and place which the public are allowed to use, whether the street, way or place is or is not on private property.
- “street” includes a highway and thoroughfare which the public are allowed to use and includes every part of the highway or thoroughfare and other things including bridges and culverts appurtenant to it.
- “stall” means a movable or temporarily fixed structure, stand or table and including but without limiting the generality of the foregoing a vehicle, on or from which goods, wares, merchandise or services are sold, hired or offered for sale or hire.
- “stallholder” means a person in charge of a stall.
- “trading” means selling or hiring of goods, wares, merchandise or services, or offering goods, wares, merchandise or services for sale or hire, in a street or other public place and includes displaying goods, wares or merchandise for the purpose of offering them for sale or hire, inviting offers for sale or hire, soliciting orders or carrying out any other transaction therein; but does not include the setting up of a stall, or the conducting of a business at a stall under the authority of a Stallholder’s Licence issued under these By-laws.
- “vehicle” includes every conveyance, not being a train, boat, aircraft, or wheelchair and every object capable of being propelled or drawn on wheels or tracks by any means.

1.3.2 Unless otherwise defined herein, the terms and expressions used in these By-laws shall have the meanings given to them in the Act.

1.3.3 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 officer or committee to whom the Council has delegated the power of doing the thing or exercising such discretion or forming such opinion.

Division 2—Licences

2.1 Hawkers

2.1.1 A person shall not hawk any goods, wares or merchandise within the district unless that person holds a current Hawker’s Licence issued pursuant to these By-laws.

2.1.2 Applications (Hawkers)

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

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

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

2.2 Stallholders

2.2.1 A person shall not conduct a stall for the sale of goods, wares or merchandise within the district unless that person holds a current Stallholder’s Licence issued pursuant to these By-laws.

2.2.2 Applications (Stallholders)

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

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

2.3 Traders

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

2.3.2 Applications (Traders)

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

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

2.4 Selling of Newspapers

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

2.5 Discretion

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

2.5.2 The Council may refuse to issue a licence and may cancel a licence if the applicant or licensee is twice convicted in the space of five (5) years of an offence against these By-laws.

2.5.3 The Council may refuse to issue a licence if:

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

2.5.4 Notwithstanding the provisions of By-law 3.2(d) the Council may, at its discretion, allow any shop or business premises to display goods, wares or merchandise on any portion of a footpath adjoining the front of the shop or premises provided that all other requirements of By-law 3.2 are met, and subject to such fee as specified by Council under By-law 2.11.

2.5.5 The Occupier of any shop or business premises seeking Council's approval to exercise its power of discretion under By-law 2.5.4 must apply in writing to the Council giving full details of the goods, wares or merchandise to be sold or displayed and the proposed method of storage, including the size and dimensions of the area to be used.

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

2.6 Conditions

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

2.7 Licence Certificate

The Council shall issue to every licensee a Licence Certificate in the form set out in Schedules 1, 2 or 3 respectively which shall be displayed by the licensee while that person is the holder of the appropriate licence for which the sum set out in Schedule 4 has been paid but not otherwise.

2.8 Transfer of Licence

Subject to subclause 2.5.6 a licence issued under these By-laws shall not be transferable to another person.

2.9 Length of Licence

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

2.10 Annual Renewal

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

2.11 Fees

2.11.1 The fees to be imposed for a licence and for every renewal thereof shall be those set out in Schedule 4. No licence is valid until the fees have been paid.

2.11.2 The Council may, at its discretion, reduce the fee payable for a Trader's Licence issued to the proprietor of any shop or business premises, or to any person selling goods, wares or other merchandise produced by that person on his premises and displayed for sale outside those premises.

2.12 Exemption from Fees

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

2.13 Limitation of Licence

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

2.14 Cancellation

2.14.1 The Council may by written notice cancel any licence issued under these By-laws for the reason set out in sub-by-law 2.5.2 or on the grounds—

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

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

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

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

3.2 A hawker, stallholder or trader shall not—

- (a) hawk, conduct a stall or carry on trading between the hours of sunset and sunrise the next day, or on any Sunday, Christmas Day or Good Friday without obtaining the written consent of Council;
- (b) attempt to conduct business within a distance of 200 metres of any shop or permanent place of business that is open for business and has for sale any goods, wares, merchandise or services of the kind being hawked or offered for sale by the stallholder or trader except by a community association stallholder within the meaning of s.242 of the Act;
- (c) call the licensee's wares or cause to make any outcry, noise or disturbance likely to be a nuisance or cause annoyance to any person in that vicinity;

- (d) deposit or store any box or basket containing goods, wares or merchandise under the vehicle of the licensee or upon the roadway or footpath;
- (e) obstruct the free passage of pedestrians or vehicles on any footpath or roadway;
- (f) act in an offensive manner;
- (g) in the case of a stallholder, conduct a stall on private property unless there is adequate provision to the satisfaction of Council for the parking of customer's vehicles.

3.3 A person shall not display a Licence Certificate without being the holder of a valid licence under these By-laws.

Division 4—Offences and Penalties

4.1 Penalty Provisions

- 4.1.1 Any person failing to do any act directed to be done, or doing any act forbidden to be done by these By-laws, or any notice under these By-laws commits an offence.
- 4.1.2 Any person who commits an offence under these By-laws, shall be liable to:
 - (a) a maximum penalty of \$500 or imprisonment for six (6) months; and
 - (b) a maximum penalty of \$50/per day for each day the offence continues.

Schedule 1

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Morawa

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

Application for Hawker's Licence

1. Full name and address of applicant:
.....
.....
 2. Kinds of goods, wares, merchandise or services which the applicant requires to hawk:
.....
 3. Type of vehicle, conveyance or means of carriage to be employed in hawking:
.....
 4. Proposed days and hours of trade:
.....
 5. Period for which the licence is required:
.....
 6. Part of the district to which the licence will apply:
.....
 7. Certificate signed by two Justices of the Peace.
.....
- Signature of Applicant

Schedule 1

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Morawa

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

LICENCE FOR HAWKERS

1. Full name and address of Licensee:
.....
2. Date of issue of Licence:
.....
3. Date of expiration of Licence:
.....
4. Requirements, Terms and Conditions—
 - (a) Area to which Licence applies
 - (b) Description of vehicle to be used by Licensee:
.....

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

.....

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

.....

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

.....

.....

Shire Clerk

Schedule 2

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Morawa

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

APPLICATION FOR STALLHOLDER'S LICENCE

1. Full name and address of applicant:

.....

.....

Community Association under Section 242 of the Local Government Act Fee exemption: YES..... NO.....

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

.....

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

3. Proposed days and hours of trade:

.....

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

.....

5. Period for which the licence is required:

.....

Signature of Applicant

Schedule 2

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Morawa

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

LICENCE FOR STALL

1. Full name and address of Licensee:

.....

.....

2. Date of issue of Licence:

.....

3. Date of expiration of Licence:

.....

4. Requirements, Terms and Conditions—

(a) Place to which Licence applies

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

.....

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

.....

.....

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

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

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

.....
Shire Clerk

Schedule 3

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Morawa

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

APPLICATION FOR TRADING IN PUBLIC PLACES

1. Full name and address of applicant:
.....
.....

2. Proposed number, names and addresses of assistants:
.....
.....

3. Location of proposed site for which Licence is sought:
.....
To be accompanied by an accurate plan and description of any proposed stand, table, structure or vehicle which may be used for trading.

4. Proposed days and hours of trade:
.....

5. Nature of goods, wares, merchandise or services to be sold:
.....
.....

.....
Signature of Applicant

Schedule 3

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Morawa

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

LICENCE FOR TRADING IN PUBLIC PLACES

1. Full name and address of Licensee:
.....
.....

2. Date of issue of Licence:
.....

3. Date of expiration of Licence:
.....

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

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

(d) Full name/s and address/es of assistant/s who may be engaged at any one time in trading:
.....
.....

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

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

Shire Clerk

Schedule 4

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Morawa

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

FEES AND CHARGES

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

1. HAWKERS

Licence Fee \$40.00 per annum on initial issue and renewal.

2. STALLHOLDERS

Licence Fee \$100.00 per annum on initial issue and renewal.

Charges:

Per Day	Per Week	Per Month	Per Annum
\$5.00	\$15.00	\$20.00	\$100.00

3. TRADERS

Licence Fee \$200.00 per annum on initial issue and renewal.

Charges:

Per Day	Per Week	Per Month	Per Annum
\$5.00	\$15.00	\$20.00	\$100.00

Dated the 20th day of May 1993.

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

J. F. COOK, President.
 P. J. VARRIS, Shire Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 29th day of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG304

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Peppermint Grove

By-laws Relating to Control of Residential Parking

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 13th day of December 1993 to make and submit for confirmation by the Governor the following By-laws.

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

“Council” means the Council of the Municipality of the Shire of Peppermint Grove;

“District” means the District of the Municipality;

“Municipality” means the Municipality of the Shire of Peppermint Grove;

“ Dwelling ” means a self-contained place of residence standing on its own separate Lot but does not include a residential building within the definition of that term contained in the Shire of Peppermint Grove Town Planning Scheme No. 3 published in the *Government Gazette* of 14 June 1985 or any other Town Planning Scheme adopted by Council in substitution therefor for the time being in force;

“ Stand ” in relation to a vehicle, means to stop the 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.

2. The Council may after written application has been made to it, issue a residential parking permit to a person who resides in a dwelling fronting or abutting a road within the District where the Council is satisfied that it is impossible or impracticable to obtain vehicular access to the dwelling from a street or right of way or there are other sufficient reasons for granting the residential parking permit.
3. The Council may after written application has been made to it by a person who resides in a dwelling within the District, issue a temporary parking permit to that person.
4. Where under any By-laws of the Municipality the standing of a vehicle on any portion of a street within the District whether marked as a parking stall or not is prohibited for more than a specified time, the holder of a residential parking permit is exempted from such prohibition:
 - (a) in respect of the street specified in the permit;
 - (b) if the permit is affixed to the lower corner of the right hand side of the rear window of the vehicle or displayed in a position inside the right hand side of the front window in a place clearly visible from the outside of the vehicle;
 - (c) if the period in respect of which the permit was issued has not expired; and
 - (d) if the holder of the permit at the time of standing the vehicle still resides in the dwelling in respect of which the permit was issued.
5. Where under any By-laws of the Municipality the standing of a vehicle on any portion of a street within the District whether marked as a parking stall or not is prohibited for more than a specified time, the holder of a temporary parking permit is exempted from such prohibition:
 - (a) in respect of the street specified in the permit;
 - (b) if the permit is displayed on the right hand side of the dashboard of the vehicle in a place clearly visible from outside the vehicle; and
 - (c) if the period in respect of which the permit was issued has not expired.
6. A residential parking permit shall not be issued if three residential parking permits have already been issued in respect of other vehicles to the applicant or to a person or persons residing in the same dwelling as the applicant and those permits are current.
7. A residential parking permit shall not be issued for a period exceeding 12 months.
8. A temporary parking permit shall not be issued for a period exceeding 48 hours.
9. A residential parking permit shall expire on the 31st day of March next after the date of issue thereof.
10. A temporary parking permit shall expire at the time specified on the permit.
11. A residential parking permit shall specify:
 - (a) the registration number of the vehicle in respect of which the permit was issued;
 - (b) the name of the street to which the permit relates; and
 - (c) the date upon which the permit expires.
12. A temporary parking permit shall specify:
 - (a) the name of the street to which the permit relates; and
 - (b) the date upon which and the time at which the permit expires.
13. The Council may after written application has been made to it:
 - (a) renew for a period not exceeding 12 months, a residential parking permit which has expired;
 - (b) issue a replacement residential parking permit for a permit that has been lost or damaged.

14. Where the holder of a residential parking permit ceases to reside in the dwelling in respect of which the permit was issued, the permit shall be deemed to have been revoked and such person shall forthwith remove the permit from the vehicle to which it is affixed or on which it is displayed.

Dated 21st day of February 1994.

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

J. D. LIDBURY, President.
G. D. PARTRIDGE, Shire Clerk.

Recommended—

P. D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG305

LOCAL GOVERNMENT ACT 1960

Municipality of the Town of Albany

By-law Relating to Caravan Parks and Camping Grounds (No. 2)

In pursuance of the powers conferred by the above Act and all other powers enabling it, Council hereby records having resolved on 24 August 1993 to make and submit for confirmation by the Governor the following amendments to its by-laws relating to Caravan Parks and Camping Grounds (No. 2) as published in the *Government Gazette* dated 22 February 1974.

1 by-law 12 is amended by deleting "\$120.00 (one hundred and twenty dollars)" and inserting "\$140.00 (one hundred and forty dollars)" after the words "on payment of annual registration fee of".

Dated this 12th day of January 1994.

The Common Seal of Town of Albany was hereunto affixed by authority of the Council in the presence of—

A. G. KNIGHT, Mayor.
M. A. JORGENSEN, General Manager/Town Clerk.

Recommended for Approval—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 29th day of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG306

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

By-law Relating to the Establishment and Operation of Accommodation for Holiday Purposes--No. 40

In pursuance of the powers conferred by the above Act and all other powers enabling it, Council hereby records having resolved on 24 August 1993 to make and submit for confirmation by the Governor the following amendments to its by-law relating to the Establishment and Operation of Accommodation for Holiday Purposes--No. 40 as published in the *Government Gazette* dated 21 September 1984.

By-law 5 (2) is amended by deleting "\$70.00" and inserting "\$80.00" after the words "The annual registration fee shall be".

Dated this 14th day of December 1993.

The Common Seal of Town of Albany was hereunto affixed by authority of the Council in the presence of--

A. G. KNIGHT, Mayor.
M. A. JORGENSEN, General Manager/Town Clerk.

Recommended for Approval--

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 29th day of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG307

DOG ACT 1976*The Municipality of the Town of Mosman Park*

By-laws Relating to Dogs

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on the 29th day of November 1993 to make and submit for confirmation by the Governor the following by-laws.

1. In these By-laws the By-laws relating to the control of Dogs which were published in the *Government Gazette* on November 12, 1993, are referred to as the Principal By-laws.

2. The Principal By-laws are amended in the First Schedule by deleting the amount of "\$5.00" for the sustenance and maintenance of a dog in the pound and substituting the amount of "\$8.00".

Dated this 1st day of February 1994.

The Common Seal of the Town of Mosman Park was affixed hereto in the presence of--

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

Recommended--

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 29th day of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG308

DOG ACT 1976*The Municipality of the Town of Mosman Park*

By-laws Relating to Dogs

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on the 21st day of December 1993 to make and submit for confirmation by the Governor the following by-laws.

1. In these By-laws the By-laws relating to the control of Dogs which were published in the *Government Gazette* on November 12, 1993, are referred to as the Principal By-laws.
2. The Principal By-laws are amended in the Fourth Schedule by deleting the word "East" in the second line of the fourth paragraph and substituting the words "South West".

Dated this 1st day of February 1994.

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

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

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 29th day of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG309

LOCAL GOVERNMENT ACT 1960*The Municipality of the City of Bunbury*

By-laws Relating to Outdoor Eating Areas

In pursuance of the powers conferred upon it by the Local Government Act 1960 and of all the powers enabling it, the Council of the City of Bunbury hereby records having resolved on 30 August 1993 to make and submit for confirmation by the Governor the following By-laws.

Interpretation

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

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

"Authorised Officer" means a person appointed by Council as a Planning Officer or an Environmental Health Officer.

"by-law" means a by-law of these By-laws.

"Council" means the Council of the City of Bunbury.

"eating area" has the meaning assigned to it by Section 244AA of the Act.

"eating house" means any land, premises or place, or any part thereof, on or in which meals are prepared for service, or are served, to the public for gain or reward. This term does not include any building or other structure used temporarily for the preparation for service or service of meals to the public, at any fair, show, military encampment, races, or other public sports, games or amusements.

"Health Act" means the Health Act 1911 (as amended) and includes regulations and by-laws made thereunder.

"licence" means a licence issued by the Council under these By-laws to set up and conduct an outdoor eating area.

"licencee" means the person who is the holder of a licence.

“licence plans” means plans attached to and forming part of a licence depicting those areas of a street or public place within which an outdoor eating area may be set up and conducted.

“outdoor eating area” means an outdoor eating area in a street or public place.

“proprietor”

(a) has the same meaning assigned to it by Section 160 of the Health Act, or

(b) means the holder of a licence granted under the Liquor Licensing Act 1988 where the premises in question are the subject of an Hotel licence, a licence or a Restaurant licence granted under that Act.

“public facility” means any structure, item or fitting whether in a street or public place that is the property of or has been provided by a Government Department, instrumentality of the Crown or the Council.

“Schedule” means a Schedule to these By-laws.

2. These By-laws do not apply to any outdoor eating area set up or conducted in a place located on private property notwithstanding that the public are allowed to use that place.

3. No person shall set up or conduct an outdoor eating area in a street or public place—

(a) other than in a portion of a street or public place adjacent to an eating house;

(b) unless the person is the proprietor of the eating house referred to in sub-by-law (a) of this by-law;

(c) unless the person is the holder of a valid and current licence issued pursuant to these By-laws; and

(d) otherwise than in accordance with—

(i) licence plans,

(ii) declarations by the proprietor in accordance with the First Schedule, and

(iii) licence conditions.

4. A proprietor shall complete the form prescribed in the First Schedule to these By-laws when applying for a licence. The form shall—

(a) include that person's full name and address;

(b) be accompanied by specifications and a plan showing the proposed outdoor eating area. The plan shall be at a scale of not less than 1:50 and show—

(i) the location and dimensions of the proposed outdoor eating area, and

(ii) the position of all tables, chairs and other structures proposed to be provided in the eating area and how such items are to be confined within the outdoor eating area;

(c) be accompanied by specifications and a plan on a scale of not less than 1:200 showing the outdoor eating area and all structures thereon including any public facility, parking area or parking restriction within 30 metres of the boundaries of the outdoor eating area;

(d) be accompanied by a coloured photograph or a detailed drawing of the tables, chairs and other structures to be set up in the outdoor eating area;

(e) provide Council with written particulars of arrangements made with respect to public risk insurance; and

(f) provide Council with any other information that the Council considers necessary in the circumstances of the case.

5. Council may approve an application on such terms and conditions, if any, as it sees fit.

6. A licence shall be in the form of the Second Schedule to these By-laws.

7. Council may refuse to issue a licence if—

(a) the applicant has at any time failed to comply with any provision of these By-laws;

(b) the applicant has failed to comply with any provision of the Health Act;

(c) any element of the proposed outdoor eating area is contrary to any policy determined by resolution of Council as an adjunct to these By-laws; or

(d) the proposed outdoor eating area is in the opinion of Council undesirable.

In the case of sub-by-laws (c) and (d), Council shall provide the applicant with the reasons in writing.

8. The licensee shall—

(a) ensure that the outdoor eating area is conducted at all times in accordance with the provisions of these By-laws and the terms and conditions of the licence;

(b) maintain the chairs, tables and other structures set up in the outdoor eating area in a clean and serviceable condition at all times;

- (c) maintain the paving of the outdoor eating area in a clean condition, free from staining and ingrained food deposits;
- (d) be solely responsible for all or any costs associated with restoring the street, footpath, public facility, tree or plant within or adjacent to the outdoor eating area where damage has been caused as a result of the conduct of the outdoor eating area;
- (e) not allow for any reason whatsoever business activities associated with the outdoor eating area to obstruct the free passage of pedestrians on any footpath or the free passage of motor vehicles on any street or any part of a footpath used for vehicle crossings, notwithstanding the provisions of these By-laws;
- (f) not allow the outdoor eating area to be situated in such a way that access from the footpath to kerbside parking is unreasonably obstructed;
- (g) not allow the outdoor eating area equipment to hazardously obstruct the vision of vehicle drivers or pedestrians;
- (h) produce a licence whenever requested to do so by an authorised officer; and
- (i) not transfer, assign or dispose of the licence.

9. A licence is valid for the period between the date of issue and the following 30 June, or until its revocation.

10. The licence fees and charges shall be the fees and charges set out in the Third Schedule to these By-laws. These fees shall be paid by the licensee to the Council before the licence is issued.

11. The Council may revoke a licence if—

- (a) the licensee breaches by-law 3 or by-law 8;
- (b) the licensee breaches any provision of the Health Act; or
- (c) the Council or a Crown agency, instrumentality or department requires access to the place to which a licence applies for the purpose of carrying out works on, over or under that place.

12. Where a licence is revoked the Council shall if requested provide the licensee with written reasons for the revocation.

13. A person who breaches any provision of by-law 3 or by-law 8 of these By-laws commits an offence and is liable on conviction to a maximum penalty of—

- (a) \$1 000.00 in the case of a breach of by-law 3(c); or
- (b) \$500.00 in the case of a breach of by-law 8; and
- (c) a maximum daily penalty during the breach of \$50.00 per day.

FIRST SCHEDULE
CITY OF BUNBURY
APPLICATION FOR LICENCE

To: The Town Clerk
City of Bunbury

I,(Full Name)
of(Residential Address)
..... (Postal Address)
.....(Occupation)

Hereby make application for a licence to set up and conduct an outdoor eating area pursuant to City of Bunbury By-laws Relating to Outdoor Eating Areas.

I, hereby declare that the following details are true and correct—

- 1. I am the proprietor of the eating house known as:
.....and located at:
- 2. Location of proposed outdoor eating area:
- 3. Description of eating house adjacent to proposed outdoor eating area—
.....
- 4. Proposed licence period:
- 5. Proposed days and times of operation:
- 6. Proposed number of tables:

- 7. Proposed number of chairs:
- 8. Proposed number of other structures:
- 9. Description of tables and chairs and other structures including materials and dimensions:
- 10. Description of other structures including materials and dimensions:
- 11. I have read and understood Council's policies relating to outdoor eating areas.
- 12. Other information provided by applicant:

The following are attached—

- (a) Specifications and a plan showing the proposed outdoor eating area. The plan shall be at a scale of not less than 1:50 and show —
 - (i) the location and dimensions of the proposed outdoor eating area, and
 - (ii) the position of all tables, chairs and other structures proposed to be provided in the outdoor eating area and how such items are to be confined within the outdoor eating area;
- (b) specifications and a plan on a scale of not less than 1:200 showing the eating area and all structures thereon including any public facility, parking area or parking restriction within 30 metres of the boundaries of the outdoor eating area;
- (c) a colour photograph or a detailed drawing of the tables, chairs and other structures to be set up in the outdoor eating area;
- (d) signed copies of Council policies relating to outdoor eating areas; and
- (e) written particulars of arrangements made with respect to public risk insurance.

I enclose—

- (a) the prescribed fee of \$
- (b) the prescribed charge of \$

Dated the day of 19

.....
(Signature of Applicant)

SECOND SCHEDULE
CITY OF BUNBURY

LICENCE TO SET UP AND CONDUCT AN OUTDOOR EATING AREA

This licence is issued to:

.....(Full Name)
of(Address)

This licence authorises the person named above to set up and conduct an outdoor eating area:

- (a) on those portions of the street or public place shaded in (colour) on the licence plan attached hereto and forming part of this licence; and
- (b) in compliance with the conditions specified hereunder:
*(Insert Conditions)

This licence is valid from the day of 19
and expiring at 12.00 o'clock midnight on the 30th day of June 19 or on the
sooner revocation of this licence.

.....
Town Clerk

Issued this day of 19

*The conditions shall take into account relevant Council Policies.

THIRD SCHEDULE
CITY OF BUNBURY
FEES AND CHARGES PAYABLE

1. Licence application fee.
\$100 per annum or part thereof.
2. Charges to be paid in addition to the fee.
\$50 per square metre per annum.

Dated this 8th day of September 1993.

The Common Seal of the Municipality of the City of Bunbury was affixed hereto in the presence of—

E. C. MANEA, Mayor.
GARY P. BRENNAN, Town Clerk/City Manager.

Recommended—

PAUL OMODEI, Minister for Local Government.

Confirmed by His Excellency the Governor in Executive Council this 29th day of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG310

LOCAL GOVERNMENT ACT 1960

City of Gosnells

By-laws Relating to Street Lawns and Gardens

In pursuance of the powers conferred upon it by the abovementioned Act, the Council of the abovementioned Municipality hereby records having resolved on the 23rd day of December 1993, to make and submit for confirmation by the Governor the following by-laws relating to Street Lawns and Gardens—

1. The by-laws relating to Street Lawns and Gardens published in the *Government Gazette* on 28th February 1964 and amended in the *Government Gazette* of 25th September 1975 are hereby repealed.
2. In these by-laws unless the context otherwise requires—
 - “garden” means an area of verge which is planted, landscaped, paved or treated otherwise than as a lawn;
 - “carriageway” means a portion of a road that is ordinarily used for vehicular traffic, and includes the shoulders, embayments and areas at the side or centre of the road used for the standing or parking of vehicles, but does not include a laneway, right-of-way or driveway;
 - “Council” means the Council of the City of Gosnells;
 - “path” means that part of a road set apart, or constructed for the use of pedestrians, cyclists and the disabled and every established footway, pavement and land thoroughfare used for this purpose;
 - “frontage” means the area of a verge that lies in front of an individual lot, the limits of which are determined by imaginary lines drawn between the front corners of abutting lots and the nearest point on the kerb or edge of the carriageway;
 - “lawn” means an area of a verge which is planted solely with grass and which comprises no other landscaping feature other than a tree or shrub planted by the Council;
 - “property line” means the boundary between the land comprising a street and the abutting land;
 - “verge” means and includes that portion of a road reserve which is between the kerb or edge of a carriageway and the boundary of abutting land;

3. Where before the coming into operation of these by-laws a garden has been planted in a street the owner or occupier of the land that abuts on that portion of the street in which that garden is planted shall ensure that the garden complies with the provisions of these by-laws but is not required to obtain a permit pursuant to these by-laws.
4. (1) A person shall not plant a garden in a street, except pursuant to a permit issued by the Council and then only in conformity with these by-laws.
- (2) The Council shall not issue a permit for the planting of a garden in any portion of the street, except on the written application of the owner or occupier of the land that abuts on that portion of the street.
- (3) A person requiring a permit to plant a garden in a street shall submit to the Council a sketch plan setting out details of the proposed garden, including positions of the garden beds, tree and shrub types, locations of reticulation pipes and any other construction details.
- (4) The owner or occupier of land that abuts on portion of a street may plant a lawn in that portion of the street without obtaining a permit to do so unless the lawn is part of a garden in the portion of the street.
- (5) The Council may issue a permit under these by-laws subject to such conditions as it sees fit to impose; and a person who plants a garden otherwise than in compliance with those conditions commits an offence.
5. A person shall not plant a garden in a street—
- (a) so that it extends beyond the frontage in respect of which the permit is issued;
 - (b) so that it encroaches on the pavement of a carriageway or a properly constructed path;
 - (c) that is not graded from the frontage of the land abutting on that portion of the street to the kerb of the carriageway and in accordance with the general ground levels prevailing the street. Earth mounding, rocks, retaining walls or any other landscape feature and/or structure that would create an abrupt change of levels are not permitted.
6. (1) The owner or occupier of land abutting on portion of a street in which a lawn or garden is planted shall ensure that any water pipe laid to that lawn or garden—
- (a) is laid and kept beneath the surface of the street at a depth of not more than 30 cm nor less than 15 cm and so that any fitting connected to a pipe does not project above the surface of the lawn or garden;
 - (b) if connected to a public water supply, is laid to comply with the requirements of the Water Authority of WA being the body constituted for, and having control of that supply of water in the district;
 - (c) if connected to a private water supply, where passing under road pavement, made footpaths or vehicle crossings, is of galvanised, wrought iron, PVC or copper; and
 - (d) has approved valves, located within the property where they are connected to the water supply and fitted so as to give complete control of the flow of water from that supply.
- (2) Where a person, in the course of laying pipes pursuant to these by-laws, causes damage to any road pavement, path or crossing, or to any water, gas or sewerage pipes, or to any power or telephone cables or to a fire hydrant, that damage may be made good by the authority having the control of the thing damaged, at the expense of that person or of the person on whose behalf the pipes were laid, and the amount of that expense may be recovered in any court of competent jurisdiction.
7. A person shall not water a street lawn or garden in such a manner as will, or may, occasion inconvenience to persons using the adjoining carriageway or path.
8. (1) A person shall not plant or keep any tree or shrub in a garden in a street if that tree or shrub is of a height exceeding 0.75 metres, if that tree or shrub is within 10 metres of the point of intersection of the two front boundaries at corner sites.
- (2) Trees shall not be planted on verges less than 3.5 metres wide, under power lines or house electrical connections, or within 1.5 metres of the carriageway kerb or road edge. Trees shall be planted on a street verge only in accordance with the following:
- (a) be planted on 2.8 metre alignment from front boundary;
 - (b) be planted not closer than 2 metres from driveways; and
 - (c) be planted a minimum of 20 metres apart, located centrally within the frontage.
- (3) Nothing in these by-laws authorises a person or place to erect any fence, enclosure or any other obstruction or barrier, on, or about, a lawn or garden in a street other than a temporary enclosure for the purpose of establishing a lawn. Steel posts are not permitted in the construction of temporary enclosures.
- (4) Shrubs, ground cover, wood chips, aggregates not exceeding 50 mm are permitted but larger aggregates, trees or shrubs with thorns, poisonous trees or shrubs, and any material likely to cause injury to a pedestrian or to cause a pedestrian to trip are not permitted in the street garden.

(5) Paving in conjunction with landscaping of street verges is permitted in accordance with the following—

- (a) paving is limited to a maximum of 33% of the verge area excluding the vehicle crossing; and
- (b) in all instances if there is no path, a thoroughfare 1.5 metres wide parallel and adjacent to the carriageway kerb or road edge shall be provided and this area shall be stable for foot traffic.

9. (1) The Council may at any time by notice in writing to the owner or occupier of land that abuts on portion of a street in which a lawn or garden is planted require that owner or occupier to remove all or part of any tree, shrub, water piping or fitting from that lawn or garden and the owner or occupier shall comply with that notice within the time stipulated for compliance therewith in the notice.

(2) If an owner or occupier upon whom a notice has been served pursuant to clause (1) of this by-law fails to comply with that notice within the stipulated time, the Council may remove all or part of the tree, shrub, water piping or fitting from that lawn or garden referred to in the notice at the expense of the owner or occupier and any expense incurred by the Council in so doing may be recovered from that owner or occupier in a court of competent jurisdiction.

10. (1) The Council may, without being liable to compensate any person therefore, dig up all or any part of a lawn or garden in a street, for the purpose of carrying out any authorised works.

(2) A person employed by the Council acting pursuant to this by-law shall not disturb a lawn or garden or damage any pipes laid under that lawn or garden to any greater extent that is reasonably necessary for the purpose of carrying out any authorised works.

11. (1) Where the Council for the purpose of carrying out authorised works is of the opinion that the carrying out of those works may be impeded by the existence of piping under a lawn or garden in a street, it may give notice to the owner or occupier of the land abutting on the lawn or garden to remove the piping, until the completion of the works. Where the owner or occupier does not comply with the notice within the time stipulated in the notice for compliance therewith the Council may remove the piping at the expense of the owner or occupier, and any expense incurred by the Council pursuant to this by-law may be recovered in any court of competent jurisdiction.

(2) The Council shall not be liable for damage to piping under a lawn or garden in a street, occasioned either in the course of the removal of the piping under the provisions of clause (1) of this by-law or in the course of carrying out authorised works.

12. (1) Except as provided in these by-laws, a person shall not wilfully damage a lawn or garden in a street.

(2) Except as provided in these by-laws, a person other than the owner or occupier of land that abuts upon portion of a street in which a garden is planted or a person authorised by that owner or occupier shall not remove any flower, plant, tree, shrub, piping, paving or any other thing from that garden.

13. The Council shall not be liable for any damage sustained by a person by reason of, or arising out of, the planting, or existence of, a lawn or garden in a street.

14. A person who commits an offence against this by-law is liable to a penalty of five hundred dollars.

Dated this 20th day of January 1994.

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

O. SEARLE, Mayor.
G. WHITELEY, Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on this 29th day of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG311

LOCAL GOVERNMENT ACT 1960*The Municipality of the City of Melville*

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

In pursuance of the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council the abovementioned Municipality hereby records having resolved on the 17th day of August 1993 to make and submit for confirmation by the Governor, the following amendments to the By-law Relating to the Conduct of Proceedings and the Business of the Council, as published in the *Government Gazette* on the 13th day of November 1987, with an amendment published on the 19th May 1989.

1. In Clause 175, after the figure '217' in line seven, insert the small letter 'b' in brackets
2. In Clause 217 (a), after the word "shall" in the first line, delete the word "not"
3. In Clause 218, after the word 'Committee' in the second line, insert the words 'at a meeting not open to the public'

Dated the 14th day of February 1994.

The Common Seal of the City of Melville was hereto affixed in the presence of—

M. J. BARTON, Mayor.
GARRY G. HUNT, City Manager/Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in the Executive Council this day 29 of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG312

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

By-law No. 5—Relating to Stalls

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the Municipality of the City of Perth hereby records having resolved on 20 September 1993 to make and submit for approval by the Minister and subsequent confirmation by the Governor the following amendments to the City of Perth By-law No. 5—Relating to Stalls—

- (i) adding after paragraph 9 (f)—

"9(1A) Unless specifically exempted in writing by the Clerk a stall that is not open for business shall be removed from the stand location and the pedestrian mall."

- (ii) by deleting the entire First Schedule and replacing it with—

"First Schedule

Stand	Location	Maximum Size
C	Murray Street—The western boundary of the stand to be located 28 metres east of the eastern alignment of William Street and the northern boundary 6 metres south of the northern street alignment of Murray Street.	Height—2.7m Length—4.0m Width—4.0m
D	Murray Street—The western boundary of the stand to be located 249 metres east of the eastern boundary of William Street and the northern boundary 4 metres south of the northern street alignment of Murray Street.	Height—2.7m Length—4.0m Width—4.0m
E	Murray Street—The western boundary of the stand to be located 86 metres east of the eastern boundary of William Street and the northern boundary 4 metres south of the northern street alignment of Murray Street.	Height—3.0m Length—4.0m Width—4.0m

Stand	Location	Maximum Size
F	Murray Street—The western boundary of the stand to be located 94 metres east of the eastern alignment of William Street and the northern boundary 4 metres south of the northern street alignment of Murray Street.	Height—3.0m Length—4.0m Width—4.0m
G	Murray Street—The western boundary of the stand to be located 113 metres east of the eastern alignment of William Street and the northern boundary 4 metres south of the northern street alignment of Murray Street.	Height—3.0m Length—4.0m Width—4.0m
H	Murray Street—The western boundary of the stand to be located 121 metres east of the eastern alignment of William Street and the northern boundary 4 metres south of the northern street alignment of Murray Street.	Height—3.0m Length—4.0m Width—4.0m
K	Forrest Place—The northern boundary to be located 25 metres south of the southern street alignment of Wellington Street and the western boundary 18 metres east of the western boundary of Forrest Place.”	Height—2.5m Length—3.0m Width—2.5m
(iii) by amending the Second Schedule by deleting—		
	“4 Goods to be sold— Cut flowers Fruit Cut flowers and foliage and replacing it with— “4 Goods to be sold—”	Delete whichever is not applicable”
(iv) by amending the Third Schedule by deleting—		
	“3 Goods to be sold— Cut flowers Fruit Cut flowers and foliage and replacing it with— “3 Goods to be sold—”	Delete whichever is not applicable”
(v) by deleting the entire Fourth Schedule and replacing it with—		
	“Fourth Schedule Fees Payable—Licence fee for six months, \$2 500.”	

Dated this 13th day of September 1993.

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

R. G. WITHERS, Lord Mayor.
R. F. DAWSON, Chief Executive/Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29 day of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG313

LOCAL GOVERNMENT ACT 1960 CITY OF ROCKINGHAM JETTIES BY-LAW 1993

Under the powers conferred upon it by the *Local Government Act 1960*, the Council of the City of Rockingham resolved on 23 November 1993 to make and submit for confirmation by the Governor the following By-law.

Citation

1. This By-law may be cited as the *City of Rockingham Jetties By-law 1993*.

Definitions

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

“Act” means the *Local Government Act 1960*;

“authorised officer” means an officer of the Council authorised by the Council to exercise powers or to perform duties in accordance with this By-law;

“City” means the municipality of the City of Rockingham;

“Council” means the Council of the City;

“jetty” means any jetty, pier, wharf or landing place which is—

(a) in or adjacent to the sea; and

(b) under the care, control or management of the Council;

“owner” means the person who is the lawful owner or the person legally entitled to possession of any vessel, vehicle, cargo, property or chattel;

“Town Clerk” means the Town Clerk of the City of Rockingham and includes an Acting Town Clerk; and

“vessel” includes any ship or boat, or any other description of vessel used in navigation.

Use of a Jetty

3. (1) A person shall not land at, use or enter a jetty except in accordance with this By-law.

(2) A person shall not land at, use or enter a jetty which is—

(a) under construction or repair; or

(b) closed under section 6 of the *Jetties Act 1926*,

unless that person is engaged in the construction or repair of that jetty in accordance with the written authorisation of the Council.

Vehicles on Jetties

4. A person shall not—

(a) drive or allow a vehicle to remain on a jetty (other than a boat ramp) without the prior written consent of the Council; or

(b) ride a bicycle, or allow a bicycle to remain, on a jetty.

Fishing from Jetties

5. A person shall not—

(a) fish from a jetty so as to obstruct or interfere with the free movement of a vessel approaching or leaving the jetty or so as to cause a nuisance on or near the jetty; or

(b) hang or spread a fishing net from, on or over any part of a jetty.

Nuisance on Jetties

6. A person shall not—

(a) without the prior written consent of the Council offer for sale or sell goods on a jetty;

(b) by any means, on or near a jetty, tout or solicit anyone to proceed as a passenger on any vessel or vehicle;

(c) without the prior written consent of the Council display any sign or advertisement or use any loud speaking device on a jetty;

(d) interfere with free movement of others entering or leaving a jetty; or

(e) dive from a jetty.

Material not to be Removed

7. A person shall not remove or cause to be removed from a jetty or from its approaches any gravel, stone, timber, trees, shrubs, grasses or other material without the prior written permission of the Council.

Damage to Jetties

8. (1) A person shall not tip or deposit any thing onto a jetty so as to cause damage to the jetty or to pollute the surrounding area.

(2) Where damage is caused to a jetty, whether by a vessel or a vehicle or otherwise, the Council may repair the damage and the costs of the repair shall be a debt due to the City.

(3) The debt is payable—

(a) where the damage is caused by a vessel or vehicle, by the person responsible for the control of the vessel or vehicle; or

(b) where the damage is not caused by a vessel or vehicle, by the person or persons who caused the damage.

(4) The debt may be recovered by the City in a court of competent jurisdiction.

Cargo on Jetties

9. (1) Property intended for shipment onto a vessel shall—

(a) not to be stored or placed on a jetty unless and until the vessel is alongside the jetty; and

(b) be removed from the jetty as soon as practicable.

(2) A person unloading property from a vessel onto a jetty shall cause it to be removed from the jetty as soon as practicable or upon demand by an authorised officer and in any event not later than 6.00 pm on the day on which it was placed on the jetty.

(3) An authorised officer may direct a person apparently in charge of property which remains on a jetty contrary to this By-law to remove the property from the jetty.

(4) A person who, without reasonable cause, fails to comply with a direction of an authorised officer under subclause (3) commits an offence.

(5) An authorised officer may remove and, if he or she considers it to be appropriate, store property which has been left on a jetty contrary to this By-law.

(6) The cost of removal and of any subsequent storage of the property shall be a debt due to the City by the owner of the property.

(7) The debt may be recovered in court of competent jurisdiction.

Bulk Cargoes on Jetties

10. Except with the prior written consent of the Council, a person shall not tip or deposit bulk cargo from a vehicle or vessel onto a jetty.

Loading or Discharging of Cargo

11. Except with the prior written consent of the Council, a person in control of a vessel shall not permit it to remain alongside a jetty for the purpose of loading or discharging cargo between 6.00 pm and 6.00 am the next day.

How a Vessel is to be Moored

12. A person shall not—

(a) moor or make fast a vessel to a jetty or any part of the jetty except to such mooring piles, ring bolts or other fastenings as are provided; or

(b) permit a vessel to remain alongside a jetty unless the vessel is so moored or fastened.

Mooring Time Limits

13. (1) Subject to subclause(2) and clause 14, a person shall not moor a vessel or permit it to be moored to a jetty for more than 4 hours unless he or she has—

(a) applied to, and obtained written consent of, the Council in the form set out in Schedule 1; and

(b) paid to the City the fee specified in Schedule 3 or set by resolution under section 191A of the Act.

(2) The owner, or a person in control, of a vessel which is moored to a jetty shall remove the vessel forthwith when so directed by an authorised officer.

(3) The Council may not consent to a vessel being moored at a jetty for more than 7 days.

Mooring for Maintenance and Repairs

13. (1) A person shall not moor a vessel to a jetty for the purpose of effecting repairs to the vessel unless—

(a) the vessel is in distress;

(b) the vessel is moored for no longer than would reasonably be required to effect the minimum repairs necessary to enable the vessel to be moved elsewhere; and

(c) if the vessel is, or is to be, moored for more than 4 hours, the consent of an authorised officer has been obtained.

(2) A person shall not moor a vessel to a jetty for the purpose of effecting maintenance to that or any other vessel.

Obstruction of Jetties or Officer

15. (1) A person shall not, without the written permission of the Council, cause, or place, or cause to be placed, on a jetty any obstruction.

(2) A person shall not obstruct or hinder—

(a) any representative, officer or worker engaged in the construction or repair of any jetty; or

(b) any authorised officer acting in the course of his or her duties.

(3) A person shall not cause any obstruction on or to any public steps or landing place for passengers on or at a jetty or impede the free passage of other persons on or along such steps or places.

General

- 16. A person shall not on or near any jetty—
 - (a) except in a receptacle provided for that purpose, deposit any litter;
 - (b) light, place or keep a fire that might endanger the jetty;
 - (c) except for the purpose of fishing, throw, or impel any stone or other missile;
 - (d) permit an animal to remain;
 - (e) be in a state of intoxication or in possession of any intoxicating substance unless such intoxicating substance is cargo or medical supply carried for lawful purpose;
 - (f) do anything which may destroy, damage or deface the jetty or any part of it;
 - (g) behave in a disorderly manner, or create or take part in any disturbance or use any foul or indecent language or commit any act of indecency;
 - (h) throw, place or deposit any offensive, noxious or dangerous substances;
 - (i) post, stick, paint or write or cause to be posted, stuck, painted or written any placard, bill, advertisement, sign or other matter; or
 - (j) fix or place any receptacle capable of holding water and providing a breeding site for mosquitoes or other insects.

Launching of Vessels

- 17. A person shall not launch or permit the launching of a vessel from or over any jetty (other than a boat ramp) unless he or she has—
 - (a) applied to, and obtained the written consent of, the Council in the form set out in Schedule 2; and
 - (b) paid to the City the fee specified in Schedule 3 or set by resolution under section 191A of the Act.

Reduction or Waiver of Fees

18. The Council may, if it considers it to be in the public interest, may reduce or waive the fees that would otherwise be payable in relation to an application for consent to moor a vessel or to launch a vessel under this By-law.

Offences

- 19. A person who fails to comply with any provision of this By-law commits an offence and shall on conviction be liable—
 - (a) to a penalty not exceeding \$500.00; and
 - (b) to a maximum daily penalty during the continuance of any offence of \$50.

SCHEDULE 1

Clause 13(1)

CITY OF ROCKINGHAM

APPLICATION FOR CONSENT TO MOOR A VESSEL

To the Town Clerk
City of Rockingham

I,(Full Name)
 of(Residential Address)
(Postal Address)
(Occupation)
(Telephone Number)

apply for consent, under the City of Rockingham Jetties By-law to moor a vessel.

Details of Proposed Mooring

- 1. Description of vessel
.....
- 2. Name, address and telephone number of Owner of vessel
.....
- 3. Name, address and telephone number of Person in control of vessel
.....

- 4. Vessel weight
.....
 - 5. Vessel length
.....
 - 6. Jetty where vessel is proposed to be moored
.....
.....
 - 7. Period of proposed mooring
.....
 - 8. Purpose of proposed mooring
.....
- Dated this day of 19.....
.....
(Signature of Applicant)

ENDORSEMENT

Consent is granted for the vessel described in this application to be moored at the jetty fromam/pmtoam/pmsubject to the following conditions—

- 1. payment to the City of the sum of \$.....;
- 2.
- 3.

Dated thisday of19.....
.....
Signature of Town Clerk

SCHEDULE 2

Clause 17

CITY OF ROCKINGHAM

APPLICATION FOR CONSENT TO LAUNCH A VESSEL

To the Town Clerk
City of Rockingham

I,(Full Name)
of(Residential Address)
.....(Postal Address)
.....(Occupation)
.....(Telephone Number)

apply for consent, under the City of Rockingham Jetties By-law to launch a vessel.

Details of Proposed Launching

- 1. Description of vessel
.....
- 2. Name, address and telephone number of Owner of vessel
.....
- 3. Name, address and telephone number of Person in control of vessel
.....
- 4. Vessel weight
.....
- 5. Vessel length
.....
- 6. Jetty where vessel is proposed to be launched
.....
- 7. When proposed launching is to occur
.....

Dated thisday of19.....
.....
(Signature of Applicant)

ENDORSEMENT

Consent is granted for the vessel described in this application to be launched from thejetty
onsubject to the following conditions—

1. payment to the City of the sum of \$.....;
- 2.
- 3.

Dated this day of19.....

Signature of Town Clerk

SCHEDULE 3
CITY OF ROCKINGHAM
FEES

Clauses 13 and 17

1. Fee to moor a vessel not used for commercial purposes—
 - (a) between 4 and 8 hours—\$5.00
 - (b) for more than 8 hours—\$5.00 + \$1.00 per additional hour or part of an hour
2. Fee to moor a vessel used for commercial purposes—\$10.00 per hour or part of an hour
3. Fee to launch a vessel from or over a jetty—\$5.00

The Common Seal of the City of Rockingham was affixed to this By-law on 24 December 1993 in the presence of:

L. E. SMITH, Mayor, City of Rockingham.
G. G. HOLLAND, Town Clerk, City of Rockingham.

Recommended—

P. D. OMODEI, Minister for Local Government.

Approved by His Excellency, the Governor in Executive Council the 29th day of March 1994.

D. G. BLIGHT, Clerk of Council.

LG314

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Wanneroo

Amendments to 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 twenty-fifth day of August 1993, to make and submit for confirmation by the Governor the following amendments to its By-laws Relating to Parking Facilities as published in the *Government Gazette* on 8 May 1981, including subsequent amendments.

By-law 2 is amended by—

- (a) deleting the definition of “no parking area” and substituting the following definition—

“ “no parking area” means a portion of 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; ”;

- (b) deleting the definition of "no standing area" and substituting the following definition—
- “ “no standing area” means a portion of 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; ”;
- (c) deleting the definition of "parking area" and substituting the following definition—
- “ “parking area” means a portion of 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; ”; and
- (d) inserting, in their appropriate alphabetical positions, the following definitions—
- “ “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;
- “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; ”

Dated this twenty-second day of September 1993.

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

G. A. MAJOR, Mayor.
A. ROBSON, Acting Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 29th day of March 1994.

D. G. BLIGHT, Clerk of the Council.

LG315

LOCAL GOVERNMENT ACT 1960

LOCAL GOVERNMENT (QUALIFICATION OF MUNICIPAL OFFICERS) AMENDMENT REGULATIONS 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Local Government (Qualification of Municipal Officers) Amendment Regulations 1994*.

Principal regulations

2. In these regulations the *Local Government (Qualification of Municipal Officers) Regulations 1984** are referred to as the principal regulations.

[* *Published in Gazette of 24 August 1984 at pp. 2601-7.*
For subsequent amendments see 1992 *Index to Legislation of Western Australia, Table 4, p. 164.*]

Regulation 6 amended

3. Regulation 6 (1) of the principal regulations is amended —

(a) in paragraph (a) by deleting “a Diploma in Local Government (Clerk)” and substituting the following —

“ an Associate Diploma of Business (Management) ”;
and

(b) in paragraph (c) by deleting “a Diploma in Local Government (Treasurer)” and substituting the following —

“ an Associate Diploma of Business (Management) ”.

Regulation 12 amended

4. Regulation 12 of the principal regulations is amended —

(a) in subregulation (1) (a) by deleting “a certificate” and substituting the following —

“ an associate diploma ”; and

(b) in subregulation (2) (b) by inserting after “surveyor” the following —

“ and fire protection in buildings ”.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

LG401

LOCAL GOVERNMENT ACT 1960

Form No. 1

Municipality of the Shire of Bruce Rock

Notice Requiring Payment of Rates Prior to Sale

The several registered proprietors or owners in fee simple, or persons appearing by the last memorial in the Office of the Registrar of Deeds to be seised of the fee simple respectively of the several pieces of land described in the third column of the Appendix to this notice and persons appearing in the Register Book or by memorial in the Office of the Registrar of Deeds to have respectively an estate or interest in the land, and whose names appear in the first column of the Appendix to this notice.

Take notice that—

- (1) Default has been made in the payment to the Council of the abovenamed Municipality of a rate charged on the several pieces of land described in the third column of the Appendix to this Notice; and the default has continued in respect of each separate piece of land for a period greater than three years;
- (2) The total amount owing to the Council in respect of rates and other amounts charged on each piece of land is shown in the second column of the Appendix set opposite the description of that piece of land;
- (3) Payment of these amounts representing rates and costs are hereby require; and

- (4) In default of payment, the pieces of land will be offered for sale by public auction after the expiration of one hundred and five days from the date of service of this notice at a time appointed by the Council.

The pieces of land in respect of which the rates specified in the second column of the Appendix are owing are those severally described in the third column of the Appendix and set opposite the respective amounts so specified.

Dated the 28th day of March 1994.

H. J. MURPHY, Clerk of the Council.

Appendix

Names 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 the several Pieces of Land referred to
Frederica Baker and Kashimier Cisinski, Westpac Banking Corporation	Rates \$325.38 Costs \$200.00	Avon location 15308 being Lot 1 of C/T Vol 1461 Folio 100
Alistair Howard Ray	Rates \$252.56 Costs \$200.00	Kwolyin AA Lot 224 being Lot 40 of C/T Vol 1634 Folio 670
Jason Niblett, Commonwealth Bank of Aust.	Rates \$1 193.36 Costs \$200.00	Bruce Rock Lot 138 of C/T Vol 1002 Folio 190
Ivor Reginald and Sheila Mary Niblett, Commonwealth Bank of Aust.	Rates \$2 162.20 Costs \$400.00	Belka Lot 5 of C/T Vol 1279 Folio 420 Belka Lot 6 of C/T Vol 1461 Folio 610
Peter Iwanow, Esanda Ltd, Westpac Banking Corporation	Rates \$390.18 Costs \$200.00	Kwolyin AA Lot 224 being Lot 19 of C/T Vol 1511 Folio 784
Benjamin John and Glenda Turner Thomas Joseph and Noeleen Ann Sullivan	Rates \$252.56 Costs \$200.00	Kwolyin AA Lot 224 being Lot 12 of C/T Vol 1877 Folio 700

LG402

LOCAL GOVERNMENT ACT 1960

Shire of Denmark

Building Amendment Regulations (No. 4) 1991

It is hereby notified for public information that the Shire of Denmark has resolved to set the following building licence fees, effective from the date of gazettal/notice.

1. Building Licences—
 - (a) For the issue of a building licence for a new building of Class 1 or 10 or for alterations or additions to an existing building of Class 1 or 10 0.4% of the estimated cost of the proposed construction, but not less than \$25
 - (b) For the issue of a building licence for a new building of a Class other than Class 1 or 10 or for alterations or additions to an existing building of a Class other than Class 1 or 10 0.2% of the estimated cost of the proposed construction, but not less than \$25
2. Preliminary Plans for the examination of, and a report on, preliminary plans 25% of the fee for the issue of a building licence to carry out the proposed construction described in the plans
3. Materials on Street for the issue of a licence for the deposit of building materials on street \$1 per month or part of a month for each square metre of the area of the street enclosed by any hoarding or fence
4. Demolition for the issue of licence to demolish a building \$50 for each storey

P. DURTANOVICH, Shire Clerk.

LG403

RETURNING OFFICER

It is hereby notified for public information that Mr John J. McNally has been appointed by the Hon Minister for Local Government as Returning Officer to conduct the Melville City Council's 1994 Election.

This was approved by the Minister on the 25th day of March 1994 under the provisions of section 77 (2) of the Local Government Act 1960.

GARRY G. HUNT, City Manager/Town Clerk.

LG406

LOCAL GOVERNMENT ACT 1960

City of Bunbury

Closure of Private Street

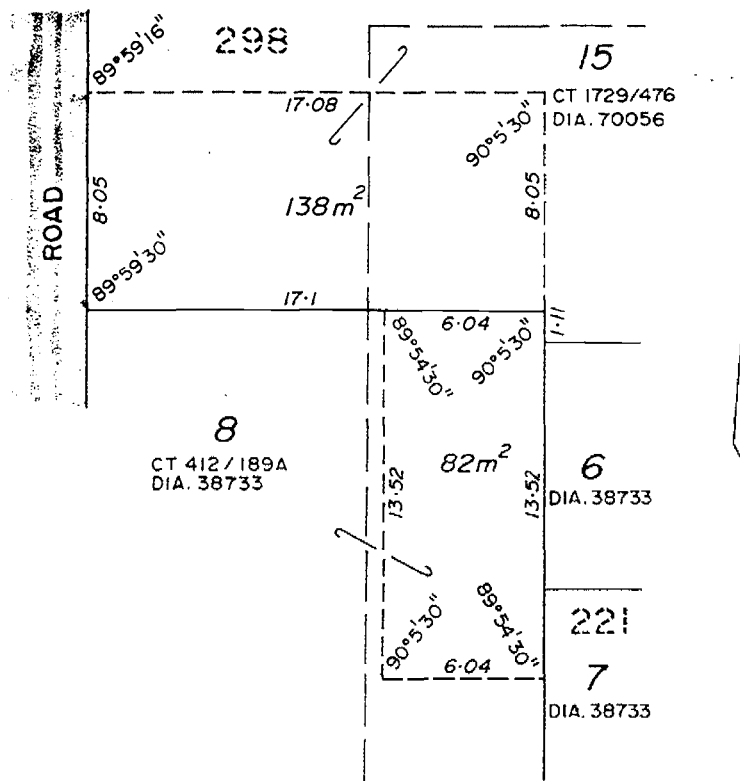
Department of Local Government,
Perth 29 March, 1994.

LG: BY 4-14.

It is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the City of Bunbury that the private street which is described as being portion of Bunbury Town Lots 221 and 298 being the whole of the land coloured brown on Diagram 38733 and being the whole of the land contained in Certificate of Title Vol. 484 Fol. 194A be closed, and the land contained therein be amalgamated with adjoining Lot 8 Stephen Street and Lot 15 Victoria Street, Bunbury, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule
Diagram No. 85982



LG407

LOCAL GOVERNMENT ACT 1960

City of South Perth
 Closure of Private Street

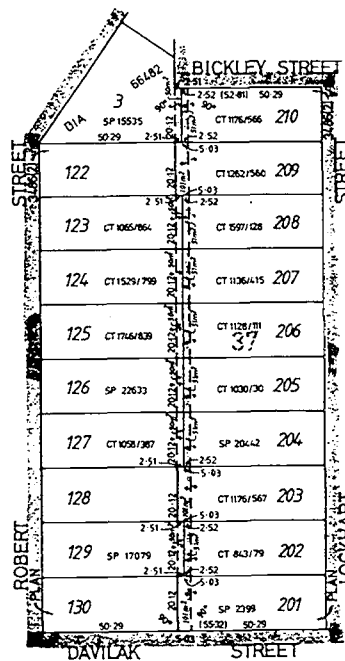
Department of Local Government,
 Perth, 29 March 1994.

LG: SP 4-12 B.

It is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the City of South Perth that a portion of the private street which is described as being portion of Canning Location 37, being portion of the land coloured brown and marked R.O.W. on Plan 3486 (2) and being portion of the land contained in Certificate of Title Vol. 1418 Fol. 856 be closed, and the land contained therein be amalgamated with adjoining Lots 3, 123-127 and 129 Robert Street and Lots 201-210 Lockhart Street, Como, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director,
 Department of Local Government.

Schedule
 Diagram No. 86252



LG404

TOWN OF MOSMAN PARK

It is hereby notified for public information that David Roper has been appointed as a Ranger for the Town of Mosman Park from Tuesday March 22, 1994 as the authorised officer for the following—

- Local Government Act
- Dog Act
- Litter Act
- Bush Fires Act
- Off Roads Vehicles Act
- All Council By-laws

T. J. HARKEN, Town Clerk.

LG405

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

Shire of Sandstone Town Planning Scheme No. 1

Notice is hereby given that the Shire Council of Sandstone on the 27th day of November 1993 passed the following Resolution—

Resolved that the Council, in pursuance of section 7 of the Town Planning and Development Act 1928 prepare the above Town Planning Scheme with reference to an area situate wholly within the Shire of Sandstone and enclosed within the inner edge of a broken black border on a plan now produced to the Council and marked and certified by the Shire Clerk under his hand dated the 27th day of November, 1993 as "Scheme Area Map".

Dated this 27th day of November, 1993.

G. M. RIPEPI, Shire Clerk.

LG408

LOCAL GOVERNMENT ACT 1960*City of Gosnells*

Rating Exemption

Department of Local Government,
Perth 29 March 1994.

LG: GS 5-6.

It is hereby notified for public information that His Excellency the Governor acting pursuant to section 532 (10) of the Local Government Act 1960, has declared exempt from Municipal Rates the land described as being Lot 31 and Lot 32 Astley Street, Gosnells which is owned by the Gosnells District Home Help and Support Service (Inc.).

JOHN LYNCH, Executive Director,
Department of Local Government.

MINERALS AND ENERGY

MN101

CORRECTION**MINING ACT 1978****NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE CORRECTION**

Notices on page 1318 of the *Government Gazette* dated 25 March 1994 should be amended as follows:—

From: Ellis, John Winston—Weelington Resources NL.

To: Ellis, John Winston—Wellington Resources NL.

MN402

MINING ACT 1978**NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Minerals and Energy,
Mt. Magnet, 22nd March 1994.

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

S. A. HEATH, Warden.

To be heard in the Warden's Court, Mt. Magnet on the 24th May 1994.

YALGOO MINERAL FIELD

P59/1168—Day, Frederick John.

P59/1183—Pitcher, John Christopher.

MN401

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 Regulations 1981, notice is hereby given that the following licences are liable to forfeiture under the provisions of section 96 (1) (a) of the Mining Act 1978, for breach of covenant, *viz*, non-payment of rent.

K. M. BOOTHMAN, Warden.

To be heard in the Warden's Court at Leonora on the 22nd April, 1994.

EAST MURCHISON MINERAL FIELD

Lawlers District

Prospecting Licences

36/1278—Bierberg, William Gene.

36/1279—Bierberg, William Gene.

36/1280—Bierberg, William Gene.

MOUNT MARGARET MINERAL FIELD

Mount Malcolm District

Prospecting Licences

37/3486—Johnson, Chad Graeme; Johnson, Neale Graeme.

37/3592—Mount Edon Gold Mines (Aust) Ltd.

37/3593—Mount Edon Gold Mines (Aust) Ltd.

37/3665—Gemstone Exploration & Trade WA Pty Ltd.

37/3860—Baker, Robert Albert Lawrence.

37/4478—Martin, Emil Grant; Martin, Lorraine Margaret.

37/4528—Hawtin, Dennis James; Mason, Harry.

37/4529—Hawtin, Dennis James; Mason, Harry.

37/4542—Baker, Robert Albert Lawrence.

Mount Morgans District

Prospecting Licences

39/2943—Hawtin, Dennis James; Mason, Harry.

39/2944—Hawtin, Dennis James; Mason, Harry.

NORTH COOLGARDIE MINERAL FIELD

Niagara District

Prospecting Licence

40/1000—Sullivan, James Noel.

PLANNING AND URBAN DEVELOPMENT

PD401

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959

METROPOLITAN REGION SCHEME

North East Corridor—Shire of Swan

Notice of Major Amendment

File No. 809-2-1-24, Amendment No. 950/33.

1. It is hereby notified for public information that the State Planning Commission at its meeting on 2 February 1994 and 22 February 1994, resolved in accordance with the provisions of section 33 of the Metropolitan Region Town Planning Scheme Act 1959 to propose an amendment to the Metropolitan Region Scheme and the Hon Minister for Planning has consented to public submissions being sought in respect of the proposed amendment outlined in the First Schedule hereunder.

2. Copies of the maps that form part of the Metropolitan Region Scheme that are proposed to be amended will be available from Monday, 21 March 1994 to Friday, 24 June 1994 for public inspection free of charge during normal office hours, at each of the places mentioned in the Second Schedule hereunder.

3. Any person who desires to make a submission either supporting or objecting to any provisions of the proposed amendment may do so on the prescribed Form 6A. Submission forms are available on request from the display locations and must be lodged with the Secretary, State Planning Commission, c/- Department of Planning and Urban Development, 469-489 Wellington Street, Perth WA 6000, on or before 4.30 pm Friday, 24 June 1994.

GORDON G. SMITH, Secretary.

First Schedule

The Metropolitan Region Scheme is amended pursuant to Section 33 of the Metropolitan Region Town Planning Scheme Act 1959 by substituting Amendment Map Sheet Numbers 8/5 m and 12/51 m for those parts of Map Sheet Numbers 8 and 12.

The amendment proposes to transfer land in the Shire of Swan between the Rural Zone, the Urban Zone, the Urban Deferred Zone, the State Forests Reservation, the Parks and Recreation Reservation, the Parks and Recreation Reservation (Restricted), the Important Regional Roads Reservation, the Controlled Access Highways Reservation, the Other Major Highways Reservation, the Waterways Reservation and the Public Purposes Reservation (CG, SU).

The purpose of the amendment is to give statutory effect in the Metropolitan Region Scheme to planning proposals for the North Eastern Corridor as proposed in the North East Corridor Structure Plan.

The amendment is depicted on State Planning Commission Plan Number SP 434/3 and in more detail on Plan Numbers 3.0750, 2.0729, 2.0730, 1.3041/1, 1.3042/1, 1.3043, 1.3044/1, 1.3048, 1.3049/1, 1.3016-1.3021, 1.3030-1.3037, 1.3061/1, 1.3062-1.3064, 1.3065/1, 1.1282/1, 1.1283/2, 1.1284/2, 1.1285/1, 1.3050-1.3052, 1.3066, 1.3067, 1.3102 and 2.0731.

Second Schedule

Public Inspection (during normal office hours)

The amendment Plan Number SP434/3 and detail Plan Numbers 3.0750, 2.0729, 2.0730, 1.3041/1, 1.3042/1, 1.3043, 1.3044/1, 1.3048, 1.3049/1, 1.3016-1.3021, 1.3030-1.3037, 1.3061/1, 1.3062-1.3064, 1.3065/1, 1.1282/1, 1.1283/2, 1.1284/2, 1.1285/1, 1.3050-1.3052, 1.3066, 1.3067, 1.3102 and 2.0731 will be available for inspection from Monday, 21 March 1994 to Friday, 24 June 1994 at each of the following places:

- (a) Department of Planning and Urban Development
1st Floor Albert Facey House
469-489 Wellington Street
Perth WA 6000
- (b) Council Offices of the municipalities of—
 - (i) City of Perth
Westralia Square
141 St George's Terrace
Perth WA 6000
 - (ii) City of Fremantle
Corner Newman and William Street
Fremantle WA 6160
 - (iii) Shire of Swan
Corner Great Northern Highway and Bishop Road
Middle Swan WA 6065
 - (iv) Town of Bassendean
48 Old Perth Road
Bassendean WA 6056
- (c) J. S. Battye Library
Alexander Library Building
Cultural Centre
Francis Street
Northbridge WA 6003

PD402

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Canning

Town Planning Scheme No. 40—Amendment No. 2

Ref: 853/2/16/44, Pt. 2.

Notice is hereby given that the City of Canning has prepared the abovementioned scheme amendment for the purpose of rezoning a portion of Lot 74 at the corner of Wilfred Road and Ranford Road, Canning Vale, 18.5 metres in depth, abutting the Serpentine Trunk Main and containing a 6m SECWA Easement, from "Special Rural A" to "Service Station" to provide increased site area for Service Station use.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including May 12, 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 12, 1994.

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

I. F. KINNER, Town Clerk.

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Harvey

Town Planning Scheme No. 10—Amendment No. 69

Ref: 853/6/12/14, Pt. 69.

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

1. Rezoning Lot 60 being portion of Wellington Location 1 Partridge Street, Brunswick Junction from 'General Farming' to 'Special Residential' and 'Public Utilities'.
2. Including Lot 60 being portion of Wellington Location 1 Partridge Street in Appendix 3 to the Scheme Text, 'Additional Requirements—Special Residential Zone', under Area 10 together with additional clauses.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 102 Uduc Road, Harvey and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including May 12, 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 12, 1994.

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

K. LEECE, Shire Clerk.

POLICE

PE401

POLICE AUCTION

Under the provisions of the Police Act, Unclaimed and Stolen Property will be sold by Public Auction at the premises of Ronald Scott, trading as Snowball Auctions, Auctioneer, of 89 Frederick Street, Albany, at approximately 9.00 am on Friday, 22nd April, 1994.

Auction will be conducted by Ronald Scott, Auctioneer.

B. BULL, Commissioner of Police.

PE402

POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed Found and Stolen property will be sold by public auction at the Department of State Services, State Supply Disposal Centre, 21 Pilbara Street, Welshpool on Tuesday, May 3, 1994 at 9.00 am.

Auction to be conducted by Mr K. Treloar, Government Auctioneer.

B. BULL, Commissioner of Police.

PE403

POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed Stolen bicycles will be sold by public auction at the Department of State Services, State Supply Disposal Centre, 21 Pilbara Street, Welshpool on Tuesday, May 31, 1994 at 9.00 am.

Auction to be conducted by Mr K. Treloar, Government Auctioneer.

B. BULL, Commissioner of Police.

PORT AUTHORITIES**PH401****BUNBURY PORT AUTHORITY ACT 1909****NOTICE****Application for Lease**

In accordance with the provisions of section 25 of the Bunbury Port Authority Act 1909 it is hereby advertised that an application has been received from Cable Sands Pty Ltd to renew the lease of an area of land within the Outer Harbour port area vested in the Bunbury Port Authority for a term exceeding 3 years for the purpose of storing mineral sands in their existing sheds and silos.

Dated 15 March 1994.

D. FIGLIOMENI, General Manager.

PH402**BUNBURY PORT AUTHORITY ACT 1909****NOTICE****Application for Lease**

In accordance with the provisions of section 25 of the Bunbury Port Authority Act 1909 it is hereby advertised that an application has been received from Westralian Sands Limited to renew the lease of an area of land within the Outer Harbour port area vested in the Bunbury Port Authority for a term exceeding 3 years for the purpose of storing mineral sands in their existing sheds and silos.

Dated 15 March 1994.

D. FIGLIOMENI, General Manager.

PH403**BUNBURY PORT AUTHORITY ACT 1909****NOTICE****Application for Lease**

In accordance with the provisions of section 25 of the Bunbury Port Authority Act 1909 it is hereby advertised that an application has been received from RGC Mineral Sands Limited to renew the lease of an area of land within the Outer Harbour port area vested in the Bunbury Port Authority for a term exceeding 3 years for the purpose of storing mineral sands in their existing sheds and silos.

Dated 15 March 1994.

D. FIGLIOMENI, General Manager.

PUBLIC PROSECUTIONS**PM301****CRIMES (CONFISCATION OF PROFITS) ACT 1988****CRIMES (CONFISCATION OF PROFITS) (GENERAL)
REGULATIONS 1994**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Crimes (Confiscation of Profits) (General) Regulations 1994*.

Prescribed particulars of a restraining order (section 26 (1))

2. The following particulars are the particulars of a restraining order, not relating to land or to an interest in land, that must be recorded under section 26 (1) of the Act —

- (a) a description of the property which is the subject of the restraining order;
- (b) the name and the last known address of the registered proprietor of the property; and

- (c) certification by an appropriate officer of —
 - (i) the date of the order;
 - (ii) the Court which made the order; and
 - (iii) the action number of the application for the order.

Form of embargo notice prescribed (section 31A)

3. An embargo notice under section 31A of the Act shall be in the form of Form 1 in Schedule 1.

SCHEDULE 1

(regulation 3)

FORM 1

WESTERN AUSTRALIA

CRIMES (CONFISCATION OF PROFITS) ACT 1988

EMBARGO NOTICE

(Section 31A)

I,....., [insert name and designation of police officer]

being authorized by Part 5 of the *Crimes (Confiscation of Profits) Act 1988* to seize the following property —

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

[insert particulars of property]

which cannot, or cannot readily, be seized, or which I do not wish to seize,

give notice of an **EMBARGO** in respect of that property, under section 31A of the *Crimes (Confiscation of Profits) Act 1988*.

THIS NOTICE was given to

[insert name and address of possessor of the property or of any other person to whom notice is given]

on this day of 19....

..... [name of police officer]

NOTE — The attention of the person to whom this notice is given is drawn to section 31A of the *Crimes (Confiscation of Profits) Act 1988*.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

PREMIER AND CABINET

PR401

APPOINTMENTS

Office of State Administration,
Perth WA.

It is hereby notified for public information that His Excellency the Governor has with the consent of Executive Council under the provisions of clause XVI of the Letters Patent relating to the Office of Governor of the State of Western Australia dated 14 February 1986, appointed—

- (a) the Honourable Geoffrey Alexander Kennedy, the most senior Judge of the Supreme Court present in the State at the time, to be the deputy of the Governor for the period 31 March 1994 to 7 April 1994 (both dates inclusive) and in that capacity to perform and exercise all the powers and functions of the Governor; and
- (b) the Lieutenant-Governor, Honourable David Kingsley Malcolm AC, to be the deputy of the Governor for 8 and 9 April 1994 and in that capacity to perform and exercise all the powers and functions of the Governor.

D. G. BLIGHT, Director-General.

TRADITIONAL LAND USE

TL301

LAND (TITLES AND TRADITIONAL USAGE) ACT 1993

LAND (TITLES AND TRADITIONAL USAGE) AMENDMENT REGULATIONS 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Land (Titles and Traditional Usage) Amendment Regulations 1994*.

Regulation 7 amended

2. Regulation 7 of the *Land (Titles and Traditional Usage) Regulations 1993** is amended —

- (a) by repealing subregulation (1) and substituting the following subregulation —

“

(1) Where, under section 33 (4) of the Act, a copy of an agreement has to be given to an objector, the Minister is to give notice of the agreement, in writing, to the objector within 14 days after the agreement is entered into.

”;

and

- (b) in subregulation (3) by deleting “section 33 (3) of the Act” and substituting the following —

“ subregulation (1) ”.

[* Published in Gazette of 31 December 1993 at pp. 6899 to 6902.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

WORKERS' COMPENSATION AND REHABILITATION

WC301

WORKERS' COMPENSATION AND REHABILITATION ACT 1981

WORKERS' COMPENSATION AND REHABILITATION AMENDMENT REGULATIONS (NO. 2) 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Workers' Compensation and Rehabilitation Amendment Regulations (No. 2) 1994*.

Regulation 12AA inserted

2. After regulation 12 of the *Workers' Compensation and Rehabilitation Regulations 1982** the following regulation is inserted —

“

Costs for persons other than legal practitioners in proceedings before review officers

12AA. For the purposes of section 84ZL (2) (b) of the Act, a person other than a legal practitioner may not receive more than \$50.00 per hour for appearing for or acting on behalf of a person in proceedings before a review officer.

”

[* Reprinted as at 30 April 1992.

For amendments to 16 March 1994 see 1992 Index to Legislation of Western Australia, Table 4, p. 324, and Gazettes of 5 February, 17 September, 29 October and 24 December 1993 and 18 February 1994.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

TENDERS

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

FACSIMILE No. 321 7918

Date of Advertising	Schedule No.	Description	Date of Closing
1994			1994
March 18	064A1994	Herbicides, Pesticides and Wetting Agents for various Government Departments for a one (1) year period with an option to extend for a further twelve month period	Apr. 7
March 25	474A1994	Supply, Delivery and Installation of a Vax Alpha Computer for the Dept. of Conservation and Land Management	Apr. 7
March 25	480A1994	Thirty Seven (37) Personal Computers for the Office of Racing and Gaming	Apr. 7
March 31	488A1994	Replacement of Security Wiring for Bunbury and Casuarina Prisons	Apr. 7
March 11	100A1994	Supply and delivery of Drugs, Disinfectants and Antiseptics and Nutritional Products	Apr. 14

STATE SUPPLY COMMISSION—*continued*
Tenders Invited—*continued*

Date of Advertising	Schedule No.	Description	Date of Closing
1994			1994
March 18	471A1994	Fully Integrated Financial Management Information System for the Department of Minerals and Energy . A Briefing Session shall be held on March 30 1994, 9.30-11.30 am, Department of Minerals and Energy, Conference Room 3, 8th Floor, 100 Plain Street, East Perth. Please contact Mr Kevin Hall on (09) 222 3243.	Apr. 14
March 25	469A1994	Supply, Delivery, Installation and Maintenance of Sixty Four (64) Communications Channel Magnetic Tape Recording Facilities for the WA Police Department ...	Apr. 14
March 25	482A1994	Provision of Software Development Project Team for the Superannuation Guarantee Charge Application—Government Employees Superannuation Board A Briefing Session shall be held at 9.30 am on 29 March 1994, GESB, Level 4 Central Park, 152 St George's Terrace, Perth. Please contact Val Anning on (09) 263 4153.	Apr. 14
March 31	481A1994	Supply, Installation and Commissioning of a High Performance Liquid Chromatography System for the Dept. of Minerals and Energy	Apr. 21
<i>Request for Proposal</i>			
March 11	RFP 8/94	Request for Proposal for the Supply and Installation of Personal Computers, Local Area Network Associated Facilities and Software for the Great Southern Development Authority	Apr. 7
March 25	RFP 12/94	Supply of Bulk Medical Oxygen (including storage and maintenance of equipment) for a Whole of Health requirement for a period of five (5) years with two (2) successive options, exercisable by the Commission, to extend for a further twelve (12) month period each ..	Apr. 21
<i>Invitation to Register Interest</i>			
March 25	ITRI 11/94	General Stationery and Specified Printing Items to the Education Dept of WA and the WA Dept of Training for a twelve (12) month period with an option exercisable by the Commission to extend for two (2) further twelve (12) month periods	Apr. 14
		A Briefing Session shall be held at 2.00 pm on Thursday March 31, 1994, Conference Room 41, 4th Flr, 151 Royal St, East Perth. Please contact Mr Glenn Giudici on (09) 264 4786.	
March 25	ITRI 13/94	Provision of Radiological Services to Murray-Mandurah Health Services	Apr. 14
<i>Service</i>			
March 18	293A1994	Software Development and Support Services for the TAFE Admissions System, Dept of Training for a one (1) year period with an option of a further twelve (12) months	Apr. 7
		A Briefing Session shall be held on March 23, 1994, 9.30-11.00 am, Seminar Room 4, Ground Floor, East Perth Government Offices, 189 Royal St, East Perth. Please phone Marie Drury on 235 6285.	
March 18	472A1994	Consultancy of Resource Utilisation and Benchmarking Studies for Derby Regional Hospital	Apr. 7
March 25	475A1994	Stereoplotting Services for the Dept of Land Administration	Apr. 14
March 25	473A1994	Pre-vocational Training Courses for July 1-December 31, 1994 for the Dept of Training	Apr. 21

STATE SUPPLY COMMISSION—*continued*
Tenders Invited—*continued*

Date of Advertising	Schedule No.	Description	Date of Closing
1994		<i>Service—continued</i>	1994
March 25	483A1994	<p>Consultancy Service to Conduct Phase 1A of the Revenue Collection Information System for the State Taxation Dept</p> <p>The Commissioner of State Taxation wishes to engage the services of an organisation to undertake the detailed analysis and conceptual design of an integrated taxation revenue collection information system for the Department.</p> <p>A Briefing Session will be held on Wednesday, April 6, 1994 at 3.00 pm in the Charles Room, Kings Perth Hotel, 517 Hay St, Perth. Suppliers must register their intention to attend the briefing with: Mr Carmelo Naso, 323 1472.</p>	Apr. 28
		<i>For Sale</i>	
March 11	462A1994	1991 Holden Commodore Sedan (6QN 910) for Kimberley Development Commission, Kununurra	Apr. 7
March 11	463A1994	1991 Holden Commodore Exec. Sedan (6QY 409) for Kimberley Development Commission, Derby	Apr. 7
March 25	476A1994	1986 Dingo Loader (6QK 240) (MR 9433) and a 1986 Tandem Axle Trailer (6QT 721) (MR 9450) for Main Roads, Narrogin	Apr. 14
March 25	477A1994	1983 Chamberlain Tractor 3380 (XQX 903) (MR 6704) for Main Roads, Welshpool	Apr. 14
March 25	478A1994	1986 Case Tractor 4WD (6QI 172) (MR 9028) for Main Roads, Welshpool	Apr. 14
March 25	479A1994	1991 Holden Commodore Executive Stn Wgn (6QN 912) for Dept of Agriculture, Kununurra	Apr. 14
March 31	485A1994	1992 Ford Falcon Panel Van (MR D605) (7QG 015) for Main Roads, Carnarvon	Apr. 21
March 31	486A1994	1986 McDonald Steel Wheel Roller (MR 8561) (6QG 930) for Main Roads, Welshpool	Apr. 21
March 31	487A1994	Secondhand Education Vessel "Evening Star II" for the Ministry of Education	Apr. 21

Tenders addressed to the Chairman, State Supply Commission, 815 Hay Street, Perth 6000 will be received for the abovementioned tenders until 10.00 am on the date of closing.

Tenders must be properly endorsed on envelopes otherwise they are liable to rejection. No tender necessarily accepted.

L. W. GRAHAM, Chairman, State Supply Commission.

ZT302

Accepted Tenders

Schedule No.	Particulars	Contractor	Rate
	<i>Supply and Delivery</i>		
048A1993	Theatre Masks	Various	Details on Request
	<i>Service</i>		
246A1993	Laundry and/or Linen Services to Bunbury Regional Hospital	Alpine Laundry P/L	Details on Request

STATE SUPPLY COMMISSION—*continued*
Accepted Tenders—*continued*

Schedule No.	Particulars	Contractor	Rate
<i>Purchase and Removal</i>			
451A1994	Surplus Horticultural Equipment for the Dept. of Agriculture	Various	Details on Request
458A1994	1991 Toyota Landcruiser Mechanics Van 4WD (MR C182) (7QE 937) for Main Roads, Bunbury	Mr G. Underwood	\$24 000.00
459A1994	Item 1: 1989 Toyota HJ75 Landcruiser Personnel Carrier (6QY 656)	Mr K. E. Williams	\$23 000.00
	Item 2: 1989 Toyota HJ75 Landcruiser Personnel Carrier (6QY 142)	Mr D. Frew	\$23 000.00

ZT401

WATER AUTHORITY OF WESTERN AUSTRALIA
Accepted Tenders

Contract	Particulars	Contractor	Price
AP 32031	Supply of brass adapters for water meters for a twenty-four month period.	Ausboard Corporation Pty Ltd	Schedule of Rates

W. COX, Managing Director.

PUBLIC NOTICES

ZZ201**TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Marino Annibale Giovanni de Nicola late of 21 Warragoon Crescent, Attadale, Western Australia, died on 19 October 1993. Creditors and other persons having claims (to which section 63 of the Act relates) in respect of the estate are required to send particulars of their claims to the executor of the estate c/- Jackson McDonald, Solicitors, GPO Box M971, Perth WA 6001, ref: EJC by 2 May 1994, after which date the assets of the estate may be conveyed or distributed, having regard only to the claims of which the executor then has notice.

ZZ202**TRUSTEES ACT 1962**

Any person having any claim upon the estate of Stanislaw Kopec late of 19 Alexander Street, Albany who died on 17 February 1994, are required to send particulars to me within one calendar month from publication of this notice, after which time I may distribute the assets having regard only to the claims of which I then have notice.

ADELA HORN, Executor,
12 Consulate Court, Thornlie 6108.

ZZ401**RULES OF TROTTING****Notice of Amendment**

Notice is hereby given that at a meeting of the Committee of the Western Australia Trotting Association held at Gloucester Park, East Perth, on the 22nd day of March 1994, it was resolved by an absolute majority of the members of the Committee that the Rules of Trotting be amended as follows—

Delete existing Rule 426(c) and insert Rule 426(c) which reads—

- (c) the name of any person failing to repay monies in these circumstances shall be placed on the Unpaid Forfeit List.

J. HIGGINS, President.

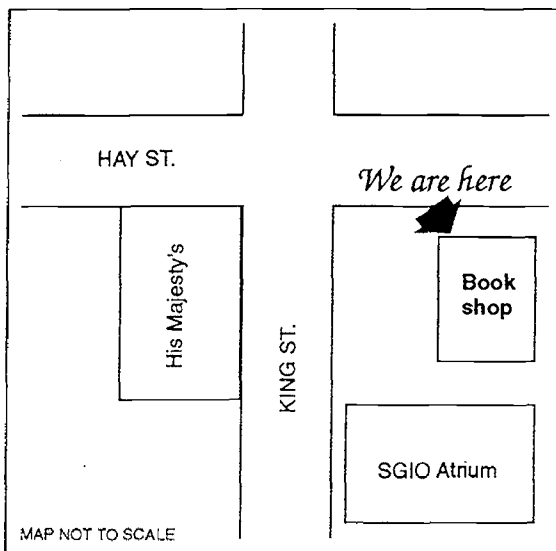
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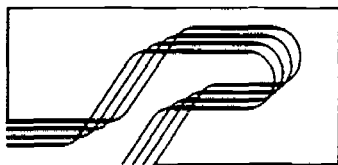
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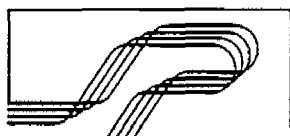
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