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6645



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For *Government Gazette* published 12 noon Friday 23 December 1994,
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For *Government Gazette* published 3.30 pm Friday 30 December 1994,
closing time for copy is 3.00 pm Wednesday 28 December 1994.

***Government Gazettes* will not be published on Tuesday 27 December 1994
or Tuesday 3 January 1995.**

PROCLAMATIONS

AA101

FIRE BRIGADES AMENDMENT ACT 1994

(No. 52 of 1994)

PROCLAMATION

WESTERN AUSTRALIA }
D. K. Malcolm,
Lieutenant-Governor
and deputy of
the Governor.
[L.S.]

} By the Honourable David Kingsley Malcolm,
Companion of the Order of Australia, Lieutenant-
Governor and deputy of the Governor of the
State of Western Australia.

I, the Lieutenant-Governor and Deputy of the Governor, acting under section 2 of the Fire Brigades Amendment Act 1994, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 6 December 1994.

By Command of the Lieutenant-Governor and deputy of the Governor,

R. L. WIESE, Minister for Emergency Services.

GOD SAVE THE QUEEN !

EDUCATION

ED401

COLLEGES ACT 1978

Office of the Minister for Employment and Training,
Perth, 1994.

It is hereby notified for general information that His Excellency the Governor in Executive Council has under the provisions of section 13 (1) (a) of the Colleges Act 1978, approved the re-appointment of Mr Bill McKenzie of 48 Lewis Street, Kalgoorlie and Mr Douglas Murray of 13 Crossland Street, Esperance as members of the Kalgoorlie College Council, for a term of twelve months or until promulgation of the University College Amendment Act.

N. F. MOORE, Minister for Employment and Training.
M. C. WAUCHOPE, Clerk of the Council.

ED402

EDUCATION DEPARTMENT

Declaration of School Boundaries pursuant to paragraph (a) of subsection (2) of section 21.

The Honourable Minister for Education has declared that the boundaries for the schools listed hereunder shall be as stated in this notice. Children who live within the areas and boundaries stated shall attend the schools to which such boundaries apply unless directed otherwise or unless an option is provided. Children who live outside the areas and boundaries shall not attend the schools to which such boundaries apply unless written approval for such admission is obtained from the undersigned.

GREG BLACK, Director-General of Education.

ALINJARRA PRIMARY SCHOOL

The boundary for the abovementioned school is as follows:

From the intersection of Marangaroo Drive and Alexander Drive, north along Alexander Drive to the alignment of the proposed Hepburn Avenue, west along this alignment to Rangeview Road, south along Rangeview Road and its extension to Derbi Road, south along Derbi Road to Hillcrest Road, southwest along Hillcrest Road to Gerosa Place, south along Gerosa Place to Marangaroo Drive and east along Marangaroo Drive to Alexander Drive.

The boundary parts of Alexander Drive (west side), Hepburn Avenue (south side), Rangeview Road (both sides), Hillcrest Road (both sides) and Marangaroo Drive (north side), and the boundary streets of Derbi Road (both sides) and Gerosa Place (both sides) are included within the area for Alinjarra Primary School.

BEAUMARIS PRIMARY SCHOOL

The boundary for this school is as follows:

From Ocean Reef Boat Harbour, east to the extension of Hodges Drive, northeast along Hodges Drive to Marmion Avenue, north along Marmion Avenue to Burns Beach Road, west and southwest along Burns Beach Road to Ocean Parade and west along Ocean Parade and its extension to the Indian Ocean.

The boundary parts of Hodges Drive (north side) and Marmion Avenue (west side) are included within the area for Beaumaris Primary School, while the boundary parts of Burns Beach Road (both sides) and the boundary street of Ocean Parade (both sides) are excluded from the area for Beaumaris Primary School.

The following is an optional area between Beaumaris Primary School and Kinross Primary School:

The locality of Burns Beach as delineated in the 1995 Perth StreetSmart Directory.

The following is an optional area between Beaumaris Primary School and Connolly Primary School:

The area bounded by Marmion Avenue (east side), Shenton Avenue (north side), Connolly Drive (west side) and Moore Drive (south side).

BLACKMORE PRIMARY SCHOOL

The boundary for this school is as follows:

From the intersection of Wanneroo Road and Marangaroo Drive, southeast and east along Marangaroo Drive to Templeton Crescent, south and southwest along Templeton Crescent to Blackmore Avenue, south along Blackmore Avenue to and across Beach Road to Muswell Street, southeast and south along Muswell Street to Treen Street, west along Treen Street to Wanneroo Road and north along Wanneroo Road to Marangaroo Drive.

The boundary parts of Marangaroo Drive (south side), Templeton Crescent (west side), and Wanneroo Road (east side), and the boundary streets of Blackmore Avenue (both sides) are included within the area for Blackmore Primary School, while the boundary parts of Muswell Street (both sides) and the boundary street of Treen Street (both sides) are excluded from the area for Blackmore Primary School.

The following is an optional area for Blackmore, Girrawheen, Hainsworth, Koondoola, Marangaroo, Montrose and Waddington Primary Schools, subject to the availability of accommodation at the chosen school.

From the junction of Marangaroo Drive and Addington Way, north along the eastern arm of Addington Way and continuing due north to the proposed alignment of Hepburn Avenue, east along this alignment to Mirrabooka Avenue, south along Mirrabooka Avenue to Marangaroo Drive and west along Marangaroo Drive to Addington Way.

The boundary parts of Marangaroo Drive (north side), Mirrabooka Avenue (west side) and Hepburn Avenue (south side), are included within the optional area, while the boundary parts of Addington Way (both sides) are excluded from the optional area.

CLARKSON PRIMARY SCHOOL

The boundary for this school is the locality of Clarkson as delineated in the 1995 Perth StreetSmart Directory.

The following is an optional area for Clarkson Primary School and Quinns Rocks Primary School:

The locality of Mindarie, as delineated in the 1995 Perth StreetSmart Directory.

CONNOLLY PRIMARY SCHOOL

The boundary for this school is as follows:

From the intersection of Marmion Avenue and Hodges Drive, east along Hodges Drive to Joondalup Drive, southeast along Joondalup Drive to Lakeside Drive, northeast and north along Lakeside Drive to the locality boundary between Edgewater and Joondalup, east along this boundary to Lake Joondalup, north along the western shore of Lake Joondalup to a point due east of the junction of Joondalup Drive and Lakeside Drive, west from this point to Joondalup Drive, southwest along Joondalup Drive to Moore Drive, west along Moore Drive to Connolly Drive, south along Connolly Drive to Shenton Avenue, west along Shenton Avenue to Marmion Avenue and south along Marmion Avenue to Hodges Drive.

The boundary parts of Hodges Drive (north side), Joondalup Drive (southern section, northeast side), Moore Drive (west of the Mitchell Freeway, southside), Connolly Drive (east side), Shenton Avenue (south side) and Marmion Avenue (east side), are included within the area for Connolly Primary School, while the boundary parts of Joondalup Drive (northern section, both sides), Lakeside Drive (both sides) and Moore Drive (east of the Mitchell Freeway, both sides) are excluded from the area for Connolly Primary School.

The following is an optional area between Connolly Primary School and Beaumaris Primary School:

The area bounded by Marmion Avenue (east side), Shenton Avenue (north side), Connolly Drive (west side) and Moore Drive (south side).

EAST VICTORIA PARK PRIMARY SCHOOL

The boundary for this school, previously published in the Government Gazette dated 30 December 1977 (p 4768), is hereby cancelled.

GIRRAWHEEN PRIMARY SCHOOL

The boundary for this school is as follows:

From the junction of Marangaroo Drive and Templeton Crescent, south and southwest along Templeton Crescent to Blackmore Avenue, south along Blackmore Avenue to Beach Road, southeast along Beach Road to Girrawheen Avenue, north along Girrawheen Avenue to Marangaroo Drive and west along Marangaroo Drive to Templeton Crescent.

The boundary parts of Templeton Crescent (east side), Beach Road (north side), Girrawheen Avenue (west side) and Marangaroo Drive (south side) are included within the area for Girrawheen Primary School, while the boundary street of Blackmore Avenue (both sides) is excluded from the area for Girrawheen Primary School.

The following is an optional area for Girrawheen, Blackmore, Hainsworth, Koondoola, Marangaroo, Montrose and Waddington Primary Schools, subject to the availability of accommodation at the chosen school.

From the junction of Marangaroo Drive and Addington Way, north along the eastern arm of Addington Way and continuing due north to the proposed alignment of Hepburn Avenue, east along this alignment to Mirrabooka Avenue, south along Mirrabooka Avenue to Marangaroo Drive and west along Marangaroo Drive to Addington Way.

The boundary parts of Marangaroo Drive (north side), Mirrabooka Avenue (west side) and Hepburn Avenue (south side), are included within the optional area, while the boundary parts of Addington Way (both sides) are excluded from the optional area.

The following is an optional area for Girrawheen, Hainsworth, Koondoola and Montrose Primary Schools:

From the intersection of Marangaroo Drive and Mirrabooka Avenue, north along Mirrabooka Avenue to the proposed alignment of Hepburn Avenue, east along the alignment of Hepburn Avenue to Rangeview Road, south along Rangeview Road and its extension to Derbi Road, south along Derbi Road to Hillcrest Road, southwest along Hillcrest Road to Gerosa Place, south along Gerosa Place to Marangaroo Drive and west along Marangaroo Drive to Mirrabooka Avenue.

The boundary parts of Mirrabooka Avenue (east side), Hepburn Avenue (south side) and Marangaroo Drive (north side) are included within the optional area, while the boundary parts of Hillcrest Road (both sides) and the boundary streets of Rangeview Road (both sides), Derbi Road (both sides) and Gerosa Place (both sides) are excluded from the optional area.

GLENCOE PRIMARY SCHOOL

The boundary for this school is as follows:

From the Estuary Bridge (adjacent to Pinjarra Road), south along Mandurah Estuary to Peel Inlet, southwest along Peel Inlet to a point due south of the junction of Old Coast Road and Casuarina Drive, north from this point to Old Coast Road, northeast along Old Coast Road to Peelwood Parade, in a general northwesterly direction along Peelwood Parade to McLarty Road, and continuing in this northwesterly direction to the Indian Ocean.

The boundary parts of Old Coast Road (southeast side) and Peelwood Parade (northeast side) are included within the area for Glencoe Primary School.

GREENFIELDS PRIMARY SCHOOL

The boundary for this school is as follows:

From the intersection of Fremantle Road and Pinjarra Road, east along Pinjarra Road to Lakes Road, northeast along Lakes Road to Murdoch Drive, in a westerly direction along Murdoch Drive to Valentine Drive, northeast along Valentine Drive to Cassilis Court, north between Cassilis Court and Takura Close on the east and Esprit Parkway on the west to and across Waldron Boulevard, continuing north between Royce Road and Perida Way to Exchequer Avenue, in a general westerly direction along Exchequer Avenue to Bortolo Drive, north along Bortolo Drive to a point due east of the junction of Rafferty Road and Fremantle Road, west from this point to Fremantle Road and south along Fremantle Road to Pinjarra Road.

The boundary parts of Pinjarra Road (north side), Lakes Road (west side), Murdoch Drive (both sides), Exchequer Avenue (both sides) and Fremantle Road (east side) are included within the area for Greenfields Primary School, while the boundary parts of Valentine Drive (both sides) and Bortolo Drive (both sides) are excluded from the area for Greenfields Primary School.

HAINSWORTH PRIMARY SCHOOL

The boundary for this school is as follows:

From the junction of Girrawheen Avenue and Marangaroo Drive, east along Marangaroo Drive to Amberton Avenue, south and southwest along Amberton Avenue to Hainsworth Avenue, south along Hainsworth Avenue to Beach Road, west along Beach Road to Girrawheen Avenue and north along Girrawheen Avenue to Marangaroo Drive.

The boundary parts of Girrawheen Avenue (east side), Marangaroo Drive (south side), Beach Road (north side), Amberton Avenue (both sides) and the boundary street of Hainsworth Avenue (both sides), are included within the area for Hainsworth Primary School.

The following is an optional area for Hainsworth, Blackmore, Girrawheen, Koondoola, Marangaroo, Montrose and Waddington Primary Schools, subject to the availability of accommodation at the chosen school.

From the junction of Marangaroo Drive and Addington Way, north along the eastern arm of Addington Way and continuing due north to the proposed alignment of Hepburn Avenue, east along this alignment to Mirrabooka Avenue, south along Mirrabooka Avenue to Marangaroo Drive and west along Marangaroo Drive to Addington Way.

The boundary parts of Marangaroo Drive (north side), Mirrabooka Avenue (west side) and Hepburn Avenue (south side), are included within the optional area, while the boundary parts of Addington Way (both sides) are excluded from the optional area.

The following is an optional area for Hainsworth, Girrawheen, Koondoola and Montrose Primary Schools:

From the intersection of Marangaroo Drive and Mirrabooka Avenue, north along Mirrabooka Avenue to the proposed alignment of Hepburn Avenue, east along the alignment of Hepburn Avenue to Rangeview Road, south along Rangeview Road and its extension to Derbi Road, south along Derbi Road to Hillcrest Road, southwest along Hillcrest Road to Gerosa Place, south along Gerosa Place to Marangaroo Drive and west along Marangaroo Drive to Mirrabooka Avenue.

The boundary parts of Mirrabooka Avenue (east side), Hepburn Avenue (south side) and Marangaroo Drive (north side) are included within the optional area, while the boundary parts of Hillcrest Road (both sides) and the boundary streets of Rangeview Road (both sides), Derbi Road (both sides) and Gerosa Place (both sides) are excluded from the optional area.

HALIDON PRIMARY SCHOOL

The boundary for this school is as follows:

From the junction of Montessori Place and Goollelal Drive, east to and across Lake Goollelal to Wanneroo Road, north along Wanneroo Road to Whitfords Avenue, west along Whitfords Avenue to Barridale Drive, south along Barridale Drive to the southern boundary of Shepherds Bush Reserve, due east from this point to Montessori Place and east along Montessori Place to Goollelal Drive.

The boundary parts of Wanneroo Road (west side), Whitfords Avenue (south side) and the boundary street of Montessori Place (both sides) are included within the area for Halidon Primary School. The boundary parts of Barridale Drive (both sides) are optional between Halidon and Creaney Primary Schools.

The following is an optional area for Halidon and Woodvale Primary Schools:

From the junction of Timbercrest Rise and Whitfords Avenue, east along Whitfords Avenue to Wanneroo Road, north along Wanneroo Road to Woodvale Drive, westsouthwest along Woodvale Drive to Timberlane Drive (at Karri Court), south along Timberlane Drive to Trappers Drive, northwest along Trappers Drive to Timbercrest Rise and south along Timbercrest Rise to Whitfords Avenue.

The boundary parts of Whitfords Avenue (north side), Wanneroo Road (west side), and Woodvale Drive (both sides) are included within the optional area, while the boundary parts of Timberlane Drive (both sides), Trappers Drive (both sides) and the boundary street of Timbercrest Rise (both sides) are excluded from the optional area.

HALLS HEAD PRIMARY SCHOOL

The boundary for this school is as follows:

East from the Indian Ocean at the locality boundary between Falcon and Halls Head, east along this boundary to the locality boundary between Falcon and Erskine, east and south along this boundary to the Peel Inlet, northeast along the Peel Inlet to a point due south of the junction of Old Coast Road and Casuarina Drive, north from this point to Old Coast Road, northeast along Old Coast Road to Peelwood Parade, in a general northwesterly direction along Peelwood Parade to McLarty Road, and continuing in this northwesterly direction to the Indian Ocean.

The boundary parts of Old Coast Road (northwest side) and Peelwood Parade (southwest side) are included within the area for Halls Head Primary School.

Children attending Government schools in Year 7 in 1995, and living within the area for Halls Head Primary School, may complete their primary education at their 1994 school or may transfer to Halls Head Primary School.

Children in Years 1 to 6 inclusive in 1995 (Years 1 to 7 thereafter), and living within the area for Halls Head Primary School, shall attend Halls Head Primary School, except that younger siblings of Year 7 (1995) children shall have the option of remaining in 1995 only, with any Year 7 siblings who elect to complete their primary education at their 1994 school.

KINROSS PRIMARY SCHOOL

The boundary for this school is as follows:

From the junction of Marmion Avenue and Moore Drive, east along Moore Drive and its extension to the proposed alignment of the Mitchell Freeway, north along the Mitchell Freeway alignment to the northern boundary of the locality of Kinross, west along this boundary to Marmion Avenue and in a general southerly direction along Marmion Avenue to Moore Drive.

The boundary parts of Moore Drive (north side), the Mitchell Freeway (west side) and Marmion Avenue (east side) are included within the area for Kinross Primary School.

Children attending Government schools in Year 7 in 1995, and living within the area for Kinross Primary School, may complete their primary education at their 1994 school or may transfer to Kinross Primary School.

Children in Years 1 to 6 inclusive in 1995 (Years 1 to 7 thereafter), and living within the area for Kinross Primary School, shall attend Kinross Primary School, except that:

- (a) younger siblings of Year 7 (1995) children shall have the option of remaining with any Year 7 siblings who elect to complete their primary education at their 1994 school.
- (b) any children residing in Currambine north of Moore Drive, who attended Beaumaris Primary School in 1994, may remain at Beaumaris Primary School or may transfer to Kinross Primary School. This concession is extended to their younger siblings.

The following is an optional area between Kinross Primary School and Beaumaris Primary School:

The locality of Burns Beach as delineated in the 1995 Perth StreetSmart Directory.

KOONDOOLA PRIMARY SCHOOL

The boundary for this school is as follows:

From the intersection of Marangaroo Drive and Mirrabooka Avenue, south along Mirrabooka Avenue to the northern boundary of Mercy College and Mercy Primary School site, east along this boundary and its extension to the western arm of Brinckley Crescent, north along Brinckley Crescent to Whitehouse Drive, east and northeast along Whitehouse Drive to Hollingsworth Avenue, southeast along Hollingsworth Avenue to Durack Place, north along Durack Place and continuing north to Burlinson Crescent, eastnortheast along Burlinson Crescent to Butterworth Avenue, northeast from this point between Gabell Way to the north and Waddington Crescent to the south to the southern corner of the reservoir, east from this point to Alexander Drive, north along Alexander Drive to Marangaroo Drive and west along Marangaroo Drive to Mirrabooka Avenue.

The boundary parts of Mirrabooka Avenue (east side), Brinckley Crescent (west side), Whitehouse Drive (north side), Hollingsworth Avenue (north side), Burlinson Crescent (both sides), Alexander Drive (west side), Marangaroo Drive (south side) and the boundary street of Durack Avenue (both sides), are included within the area for Koondoola Primary School.

The following is an optional area for Koondoola, Blackmore, Girrawheen, Hainsworth, Marangaroo, Montrose and Waddington Primary Schools, subject to the availability of accommodation at the chosen school.

From the junction of Marangaroo Drive and Addington Way, north along the eastern arm of Addington Way and continuing due north to the proposed alignment of Hepburn Avenue, east along this alignment to Mirrabooka Avenue, south along Mirrabooka Avenue to Marangaroo Drive and west along Marangaroo Drive to Addington Way.

The boundary parts of Marangaroo Drive (north side), Mirrabooka Avenue (west side) and Hepburn Avenue (south side), are included within the optional area, while the boundary parts of Addington Way (both sides) are excluded from the optional area.

The following is an optional area for Koondoola, Girrawheen, Hainsworth and Montrose Primary Schools:

From the intersection of Marangaroo Drive and Mirrabooka Avenue, north along Mirrabooka Avenue to the proposed alignment of Hepburn Avenue, east along the alignment of Hepburn Avenue to Rangeview Road, south along Rangeview Road and its extension to Derbi Road, south along Derbi Road to Hillcrest Road, southwest along Hillcrest Road to Gerosa Place, south along Gerosa Place to Marangaroo Drive and west along Marangaroo Drive to Mirrabooka Avenue.

The boundary parts of Mirrabooka Avenue (east side), Hepburn Avenue (south side) and Marangaroo Drive (north side) are included within the optional area, while the boundary parts of Hillcrest Road (both sides) and the boundary streets of Rangeview Road (both sides), Derbi Road (both sides) and Gerosa Place (both sides) are excluded from the optional area.

MARANGAROO PRIMARY SCHOOL

The boundary for this school is as follows:

From the junction of Hepburn Avenue and Wanneroo Road, south along Wanneroo Road to Marangaroo Drive, southeast and east along Marangaroo Drive to Addington Way, north along Addington Way and its extension to the alignment of the proposed Hepburn Avenue and west along this alignment to Wanneroo Road.

The boundary parts of Wanneroo Road (east side), Marangaroo Drive (north side), Addington Way (both sides) and the proposed Hepburn Avenue (south side), are included within the area for Marangaroo Primary School.

The following is an optional area for Marangaroo, Blackmore, Girrawheen, Hainsworth, Koondoola, Montrose and Waddington Primary Schools, subject to the availability of accommodation at the chosen school.

From the junction of Marangaroo Drive and Addington Way, north along the eastern arm of Addington Way and continuing due north to the proposed alignment of Hepburn Avenue, east along this alignment to Mirrabooka Avenue, south along Mirrabooka Avenue to Marangaroo Drive and west along Marangaroo Drive to Addington Way.

The boundary parts of Marangaroo Drive (north side), Mirrabooka Avenue (west side) and Hepburn Avenue (south side), are included within the optional area, while the boundary parts of Addington Way (both sides) are excluded from the optional area.

MERRIWA PRIMARY SCHOOL

The boundary for this school is the locality of Merriwa as delineated in the 1995 Perth StreetSmart Directory.

Children attending Government schools in Year 7 in 1995, and living within the area for Merriwa Primary School, may complete their primary education at their 1994 school or may transfer to Merriwa Primary School.

Children in Years 1 to 6 inclusive in 1995 (Years 1 to 7 thereafter), and living within the area for Merriwa Primary School, shall attend Merriwa Primary School, except that younger siblings of Year 7 (1995) children shall have the option of remaining in 1995 only, with any Year 7 siblings who elect to complete their primary education at their 1994 school.

MONTROSE PRIMARY SCHOOL

The boundary for this school is as follows:

From the junction of Marangaroo Drive and Amberton Avenue, south and southwest along Amberton Avenue to Hainsworth Avenue, south along Hainsworth Avenue to Beach Road, east along Beach Road to Mirrabooka Avenue, north along Mirrabooka Avenue to Marangaroo Drive and west along Marangaroo Drive to Amberton Avenue.

The boundary parts of Beach Road (north side), Mirrabooka Avenue (west side) and Marangaroo Drive (south side) are included within the area for Montrose Primary School, while the boundary parts of Amberton Avenue (both sides) and the boundary street of Hainsworth Avenue (both sides) are excluded from the area for Montrose Primary School.

The following is an optional area for Montrose, Blackmore, Girrawheen, Hainsworth, Koondoola, Marangaroo and Waddington Primary Schools, subject to the availability of accommodation at the chosen school.

From the junction of Marangaroo Drive and Addington Way, north along the eastern arm of Addington Way and continuing due north to the proposed alignment of Hepburn Avenue, east along this alignment to Mirrabooka Avenue, south along Mirrabooka Avenue to Marangaroo Drive and west along Marangaroo Drive to Addington Way.

The boundary parts of Marangaroo Drive (north side), Mirrabooka Avenue (west side) and Hepburn Avenue (south side), are included within the optional area, while the boundary parts of Addington Way (both sides) are excluded from the optional area.

The following is an optional area for Montrose, Girrawheen, Hainsworth and Koondoola Primary Schools:

From the intersection of Marangaroo Drive and Mirrabooka Avenue, north along Mirrabooka Avenue to the proposed alignment of Hepburn Avenue, east along the alignment of Hepburn Avenue to Rangeview Road, south along Rangeview Road and its extension to Derbi Road, south along Derbi Road to Hillcrest Road, southwest along Hillcrest Road to Gerosa Place, south along Gerosa Place to Marangaroo Drive and west along Marangaroo Drive to Mirrabooka Avenue.

The boundary parts of Mirrabooka Avenue (east side), Hepburn Avenue (south side) and Marangaroo Drive (north side) are included within the optional area, while the boundary parts of Hillcrest Road (both sides) and the boundary streets of Rangeview Road (both sides), Derbi Road (both sides) and Gerosa Place (both sides) are excluded from the optional area.

NORTH MANDURAH PRIMARY SCHOOL

The boundary for this school is as follows:

The Indian Ocean from the western extension of Henson Street, southeast along Henson Street to Anstruther Road, southeast and south along Anstruther Road to Morfitt Street, east along Morfitt Street to Park Road, south along Park Road to Allnutt Street, east along Allnutt Street to Fremantle Road, north along Fremantle Road to Rafferty Road, east from this point to Bortolo Drive, north along Bortolo Drive to Gordon Road, east along Gordon Road and Lakes Road to the Serpentine River, north along the Serpentine River to a point due east of the locality boundary between Lakelands and Parklands, due west from this point to the aforementioned locality boundary, continuing due west to the locality boundary between Madora and San Remo, and due west to the Indian Ocean.

The boundary parts of Fremantle Road (west side) are included within the area for North Mandurah Primary School, while the boundary parts of Anstruther Road (both sides), Morfitt Street (both sides), Park Road (both sides), Allnutt Street (both sides), Bortolo Drive (both sides), Gordon Road (both sides), Lakes Road (both sides) and the boundary street of Henson Street (both sides) are excluded from the area for North Mandurah Primary School.

QUINNS ROCKS PRIMARY SCHOOL

The boundary for this school is the locality of Quinns Rocks as delineated in the 1995 Perth StreetSmart Directory.

The following is an optional area for Quinns Rocks Primary School and Clarkson Primary School:

The locality of Mindarie, as delineated in the 1995 Perth StreetSmart Directory.

TERANCA PRIMARY SCHOOL

The boundary for this school is as follows:

From the junction of Pinjarra Road and Lakes Road, northeast along Lakes Road to Murdoch Drive, in a westerly direction along Murdoch Drive to Valentine Drive, northeast along Valentine Drive to Cassilis Court, north between Cassilis Court and Takura Close on the east and Esprit Parkway on the west to and across Waldron Boulevard, continuing north between Royce Road and Perida Way to Exchequer Avenue, in a general westerly direction along Exchequer Avenue to Bortolo Drive, north along Bortolo Drive to Gordon Road, east along Gordon Road and Lakes Road to the Serpentine River, south and west along the Serpentine River to Pinjarra Road and west along Pinjarra Road to Lakes Road.

The boundary parts of Lakes Road (southern section, east side, northern section, both sides), Valentine Drive (both sides), Bortolo Drive (both sides), Gordon Road (both sides), and Pinjarra Road (north side) are included within the area for Teranca Primary School, while the boundary parts of Murdoch Drive (both sides) and Exchequer Avenue (both sides) are excluded from the area for Teranca Primary School.

Children attending Government schools in Year 7 in 1995, and living within the area for Teranca Primary School, may complete their primary education at their 1994 school or may transfer to Teranca Primary School.

Children in Years 1 to 6 inclusive in 1995 (Years 1 to 7 thereafter) and living within the area for Teranca Primary School, shall attend Teranca Primary School, except that younger siblings of Year 7 (1995) children shall have the option of remaining in 1995 only, with any year 7 siblings who elect to complete their primary education at their 1994 school.

WADDINGTON PRIMARY SCHOOL

The boundary for the abovementioned school is as follows:

From the intersection of Alexander Drive and Beach Road, west along Beach Road to Mirrabooka Avenue, north along Mirrabooka Avenue to the northern boundary of Mercy College and Mercy Primary School site, east along this boundary and its extension to the western arm of Brinckley Crescent, north along Brinckley Crescent to Whitehouse Drive, east and northeast along Whitehouse Drive to Hollingsworth Avenue, southeast along Hollingsworth Avenue to Durack Place, north along Durack Place and continuing north to Burlinson Crescent, eastnortheast along Burlinson Crescent to Butterworth Avenue, northeast from this point between Gabell Way to the north and Waddington Crescent to the south to the southern corner of the reservoir, east from this point to Alexander Drive and south along Alexander Drive to Beach Road.

The boundary parts of Beach Road (north side), Mirrabooka Avenue (east side), Brinckley Crescent (east side), Whitehouse Drive (south side), Hollingsworth Avenue (south side) and Alexander Drive (west side) are included within the area for Waddington Primary School, while the boundary parts of Burlinson Crescent (both sides) and the boundary street of Durack Place (both sides) are excluded from the area for Waddington Primary School.

The following is an optional area for Waddington, Blackmore, Girrawheen, Hainsworth, Koondoola, Marangaroo, and Montrose Primary Schools, subject to the availability of accommodation at the chosen school.

From the junction of Marangaroo Drive and Addington Way, north along the eastern arm of Addington Way and continuing due north to the proposed alignment of Hepburn Avenue, east along this alignment to Mirrabooka Avenue, south along Mirrabooka Avenue to Marangaroo Drive and west along Marangaroo Drive to Addington Way.

The boundary parts of Marangaroo Drive (north side), Mirrabooka Avenue (west side) and Hepburn Avenue (south side), are included within the optional area, while the boundary parts of Addington Way (both sides) are excluded from the optional area.

WOODVALE PRIMARY SCHOOL

The boundary for this schools is as follows:

From the intersection of the Mitchell Freeway and Whitfords Avenue, east along Whitfords Avenue to Timbercrest Rise, north along Timbercrest Rise to Trappers Drive, southeast along Trappers Drive to Timberlane Drive, north along Timberlane Drive to Gascoyne Avenue, southwest along Gascoyne Avenue to Chichester Drive, continuing in a southwesterly direction between Landor Gardens and Standish Way to Montclair Avenue, west along Montclair Avenue to Westhaven Drive, southwest and west along Westhaven Drive to the Mitchell Freeway and south along the Mitchell Freeway to Whitfords Avenue.

The boundary parts of Whitfords Avenue (north side), Trappers Drive (northeast side), Timberlane Drive (both sides), Westhaven Drive (both sides), the Mitchell Freeway (east side) and the boundary streets of Timbercrest Rise (both sides) and Gascoyne Avenue (both sides) are included within the area for Woodvale Primary School, while the boundary street of Montclair Avenue (both sides) is excluded from the area for Woodvale Primary School.

The following is an optional area for Woodvale and Halidon Primary Schools:

From the junction of Timbercrest Rise and Whitfords Avenue, east along Whitfords Avenue to Wanneroo Road, north along Wanneroo Road to Woodvale Drive, westsouthwest along Woodvale Drive to Timberlane Drive (at Karri Court), south along Timberlane Drive to Trappers Drive, northwest along Trappers Drive to Timbercrest Rise and south along Timbercrest Rise to Whitfords Avenue.

The boundary parts of Whitfords Avenue (north side), Wanneroo Road (west side), and Woodvale Drive (both sides) are included within the optional area, while the boundary parts of Timberlane Drive (both sides), Trappers Drive (both sides) and the boundary street of Timbercrest Rise (both sides) are excluded from the optional area.

FIRE BRIGADES

FB301

FIRE BRIGADES ACT 1942

FIRE BRIGADES AMENDMENT REGULATIONS 1994

Made by the Lieutenant-Governor and Deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fire Brigades Amendment Regulations 1994*.

Commencement

2. These regulations come into operation on the day fixed as the day on which the *Fire Brigades Amendment Act 1994* comes into operation.

Principal regulations

3. In these regulations the *Fire Brigades Regulations 1943** are referred to as the principal regulations.

[* *Reprinted as at 15 January 1991.*
For amendments to 21 November 1994 see 1993 Index to Legislation of Western Australia, Table 4, p. 80.]

Regulation 3 amended

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

“
“incident” includes a fire, a hazardous material incident and a rescue operation;
”

Regulation 94 amended

5. Regulation 94 of the principal regulations is amended —
 - (a) in paragraph (a) by deleting the subparagraph designation “(vi)” and substituting the following subparagraph designation —
“ (iv) ”; and
 - (b) in paragraph (b) by deleting the subparagraph designation “(vi)” and substituting the following subparagraph designation —
“ (iv) ”.

Regulation 103 amended

6. Regulation 103 of the principal regulations is amended —
 - (a) by deleting “fires and drills” and substituting the following —
“ incidents and drills ”; and
 - (b) by deleting “fire appliances.” and substituting the following —
“ appropriate appliances and equipment ”.

Regulation 188 redesignated

7. After regulation 117 of the principal regulations, the regulation designated as "188" is amended by deleting the regulation designation "188" and substituting the following regulation designation —

" 118 "

Regulation 133 amended

8. Regulation 133 (b) of the principal regulations is amended by deleting "a fire" and substituting the following —

" an incident "

Regulation 156 amended

9. Regulation 156 of the principal regulations is amended by deleting "a fire" and substituting the following —

" an incident "

Regulation 160 amended

10. Regulation 160 of the principal regulations is amended —

(a) in paragraph (c) by deleting "a fire" and substituting the following —

" an incident "; and

(b) after paragraph (c) by inserting the following paragraph —

"
(d) A brigade may, at the discretion of the senior officer available at the time, deploy appropriate resources to attend an incident outside its fire district, provided that sufficient consideration has been given to the protection of that fire district.
"

Regulation 183 amended

11. Regulation 183 (m) of the principal regulations is amended by deleting subparagraph (ii) and substituting the following subparagraph —

"
(ii) Register of incidents — in which shall be entered in ink full particulars of all incidents and related alarms, together with the names and respective ranks of members in attendance.
"

Regulation 184 amended

12. Regulation 184 (a) of the principal regulations is amended —

(a) by deleting "alarm of fire" and substituting the following —

" incident alarm "; and

(b) by deleting "the fire" and substituting the following —

" the incident "

Regulation 185 amended

13. Regulation 185 (b) of the principal regulations is amended by deleting "fire extinguishing".

Regulation 185A amended

14. Regulation 185A (d) of the principal regulations is amended by deleting "a fire fighting appliance." and substituting the following —

" brigade appliances. "

Regulation 186 amended

15. Regulation 186 (c) of the principal regulations is amended by deleting "fire extinguishing".

Regulations 187, 188 and 189 repealed and regulations substituted

16. Regulations 187, 188 and 189 of the principal regulations are repealed and the following regulations substituted —

"

Duties at incidents

187. At incidents the senior officer present shall take command until the arrival of his senior. The brigade's duties shall be deemed not to be completed until the incident is properly and effectually concluded. Officers and members who have been issued with uniforms must on turning out to incidents or incident alarms wear such uniforms when they can do so without causing undue delay in attending.

Roll call after incidents

188. On return from an incident or incident alarm, the officer in command shall cause the roll to be called, and see that full details of same are recorded as provided for in regulation 183(m)(ii). He may exempt officers and members from returning to the fire station for roll call, and may call the roll at the place of the incident or incident alarm.

Reports of incidents

189. A report, in the prescribed form, of all incidents and incident alarms, signed by the officer in command, shall be furnished to the Board within 48 hours of the incident or incident alarm. The names and respective ranks of officers and members present thereat shall be recorded in the space provided on the incident report form.

"

Regulation 191 amended

17. Regulation 191 of the principal regulations is amended —

- (a) in subregulation (1) by deleting "fire extinguishing"; and
- (b) in subregulation (3) by deleting "fire extinction" and substituting the following —

"

extinguishing fires, dealing with hazardous materials,
rescue operations

"

Regulation 211 amended

18. Regulation 211 of the principal regulations is amended —

- (a) in paragraph (b) by deleting “a fire” and substituting the following —

“ an incident ”; and

- (b) in paragraph (c) by deleting “and fire protection,” and substituting the following —

“
 , fire protection, hazardous material incidents or
 rescue operations,
 ”.

Regulation 220 repealed and a regulation substituted

19. Regulation 220 of the principal regulations is repealed and the following regulation substituted —

“

Fires within provisions of section 44

220. In the event of any brigade attending an incident in or on premises or property to which the provisions of section 44 of the Act are applicable, the owner or occupier and, in the case of a vessel, the master and/or agents, shall be liable to pay to the Board an amount, to be determined by the Board, but not exceeding the maximum scale of fees and charges set out in the Third Schedule of the Act.

”.

References to “fire” and “fires” amended

20. (1) The principal regulations are amended by deleting “fire” in the places it occurs referred to in the Table to this subregulation and substituting in each case the following —

“ incident ”.

TABLE

reg. 122 (1)	reg. 183 (1)
reg. 155 (c)	reg. 185 (a).
reg. 157	

(2) The principal regulations are amended by deleting “fires” in the places it occurs referred to in the Table to this subregulation and substituting in each case the following —

“ incidents ”.

TABLE

reg. 125 (twice)	reg. 183 (1) (twice)
reg. 133 (d)	reg. 184 (b)
reg. 155 (b)	reg. 185A (c)
reg. 155 (c) (first occurrence)	reg. 200
reg. 180 (b)	reg. 211 (a) (second occurrence)
	reg. 219.

References to "Executive Chairman" amended

21. (1) The principal regulations are amended by deleting "Executive Chairman" in the places it occurs referred to in the Table to this subregulation and substituting in each case the following —

" Chief Executive Officer "

TABLE

reg. 4 (2) (b)	reg. 139 (6) (a)
reg. 7 (5) (b)	reg. 183 (b)
reg. 15 (1)	reg. 183 (g) (1) (b)
reg. 21 (b)	reg. 183 (g) (2) (twice)
reg. 25 (2) (e)	reg. 205
reg. 135 (1) (twice)	reg. 212 (4)
reg. 135 (2)	reg. 212 (5)
reg. 135 (4)	reg. 212 (6).
reg. 139 (5)	

(2) The principal regulations are amended by deleting "Executive Chairman" in the places it occurs referred to in the Table to this subregulation and substituting in each case the following —

" Chairman "

TABLE

reg. 47	reg. 48.
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By Command of the Lieutenant-Governor and Deputy of the Governor,
M. C. WAUCHOPE, Clerk of the Council.

FAIR TRADING

FT301

BUILDERS' REGISTRATION ACT 1939

BUILDERS' REGISTRATION (SCHEDULED AREAS) REGULATIONS (NO. 3) 1994

Made by His Excellency the Governor in Executive Council under section 3 (2).

Citation

1. These regulations may be cited as the *Builders' Registration (Scheduled Areas) Regulations (No. 3) 1994*.

Commencement

2. These regulations come into operation on 1 February 1995.

Schedule amended

3. The Schedule to the *Builders' Registration Act 1939** is amended —

(a) by inserting after item 4 the following item —

"

4A. The areas constituted by —

(a) the townsites of Kalgoorlie and Boulder,
in the City of Kalgoorlie-Boulder;

- (b) the townsites of Esperance, Salmon Gums, Grass Patch, Scaddan, Condingup, Coomalbidup, Cascade and Gibson, in the Shire of Esperance;
- (c) the townsites of Southern Cross, Marvel Loch, Moorine Rock, Bullfinch and Bodallin, in the Shire of Yilgarn;
- (d) the townsites of Coolgardie, Kambalda and Kambalda West, in the Shire of Coolgardie;
- (e) the townsite of Norseman, in the Shire of Dundas;
- (f) the townsite of Laverton, in the Shire of Laverton; and
- (g) the townsite of Munglinup, in the Shire of Ravensthorpe.

and

- (b) in item 5 by deleting "4" and substituting the following —

" 4A "

[* Reprinted as at 3 May 1993.]
 For amendments to 9 November 1994 see Gazettes of 25 March and 20 May 1994.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

FT302

PAINTERS' REGISTRATION ACT 1961

PAINTERS' REGISTRATION (SCHEDULED AREAS) REGULATIONS (NO. 3) 1994

Made by His Excellency the Governor in Executive Council under section 3 (2).

Citation

1. These regulations may be cited as the *Painters' Registration (Scheduled Areas) Regulations (No. 3) 1994*.

Commencement

2. These regulations come into operation on 1 February 1995.

Schedule amended

3. The Schedule to the *Painters' Registration Act 1961** is amended —

- (a) in item 3 by deleting "and 2" and substituting the following —

" , 2 and 4 "; and

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

" 4. The areas constituted by —

- (a) the townsites of Kalgoorlie and Boulder, in the City of Kalgoorlie-Boulder;

- (b) the townsites of Esperance, Salmon Gums, Grass Patch, Scaddan, Condingup, Coomalbidgup, Cascade and Gibson, in the Shire of Esperance;
- (c) the townsites of Southern Cross, Marvel Loch, Moorine Rock, Bullfinch and Bodallin, in the Shire of Yilgarn;
- (d) the townsites of Coolgardie, Kambalda and Kambalda West, in the Shire of Coolgardie;
- (e) the townsite of Norseman, in the Shire of Dundas;
- (f) the townsite of Laverton, in the Shire of Laverton; and
- (g) the townsite of Munglinup, in the Shire of Ravensthorpe.

[* Reprinted as at 9 May 1991.
For amendments to 9 November 1994 see Gazettes of 5 January 1993,
and 25 March and 20 May 1994.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

FT303

REAL ESTATE AND BUSINESS AGENTS ACT 1978

REAL ESTATE AND BUSINESS AGENTS (GENERAL) AMENDMENT REGULATIONS (NO. 2) 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Real Estate and Business Agents (General) Amendment Regulations (No. 2) 1994*.

Principal regulations

2. In these regulations the *Real Estate and Business Agents (General) Regulations 1979*² are referred to as the principal regulations.

[* Reprinted as at 1 October 1992.
For amendments to 9 November 1994 see 1993 Index to
Legislation of Western Australia, Table 4, p. 221, and Gazette of
30 September 1994.]

Regulation 2 amended

3. Regulation 2 of the principal regulations is amended by deleting the definition of "Ministry" and substituting the following definition —

"

"Ministry" means the department of the Public Service principally assisting the Minister in the administration of the *Real Estate and Business Agents Act 1978*.

".

Regulation 6 amended

4. Regulation 6 of the principal regulations is amended by deleting paragraph (c) and substituting the following paragraph —

“

- (c) the examinations required to be passed for the conferring of an Associate Diploma in Valuation, a Bachelor of Business (Valuation and Land Administration) or a Bachelor of Commerce (Property) by the Curtin University of Technology, together with the examinations conducted by that body in the following courses —
 - (i) Property Marketing and Management and either Accounting Systems 153 or Accounting 203;
 - (ii) Real Estate Business 250 and Real Estate Business 300; or
 - (iii) Real Estate Business 305 and Property Management 330.

”

Regulation 11B amended

5. Regulation 11B of the principal regulations is amended —

- (a) in paragraph (d) by inserting after “Board” the following —

“ or the Ministry ”;
- (b) by deleting paragraph (f) and substituting the following paragraph —

“

- (f) participation by members and officers of the Board or the Ministry in special work groups formed to inquire into matters affecting the operations of real estate agents, business agents and sales representatives, including those organized through the national conferences of licensing authorities;

”

- (c) by deleting the full stop at the end of paragraph (i) and substituting a semicolon; and
- (d) after paragraph (i) by inserting the following paragraphs —

“

- (j) development or production of educational materials relating to the Act or subsidiary legislation made under the Act, or related areas, for persons who are licensed or registered under the Act or are concerned in the administration of the Act, or the public generally;
- (k) the provision of advice, information or education about the Act or subsidiary legislation made under the Act to persons who are licensed or registered under the Act;
- (l) participation or attendance at educational courses, seminars and other programmes related to the operation of the Act or the administration of the Act, by persons who are concerned in the administration of the Act.

”

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

HEALTH**HE301****HEALTH ACT 1911***Municipality of the Shire of Moora***By-Laws Relating to Eating Houses.**

In pursuance of the powers conferred upon it by the above mentioned Act and of all other powers enabling it, the Council of the above mentioned municipality hereby records having resolved on 19th October, 1994 to make and submit for approval by the The Lieutenant-Governor and deputy of the Governor, the following by-laws.

Part 1—By-laws Relating to Eating Houses**INTERPRETATION**

In the construction of these by-laws, unless the context otherwise require—

“Act” means the Health Act 1911.

“Council” means the Council of the Municipality of the Shire of Moora.

Part 2

1. In this part of this by-law, unless the context otherwise requires—

“Licence” means a licence to conduct an eating house issued by the Council pursuant to this Part of this By-law.

“Restaurant” means any eating house wherein meals are consumed by the public but does not include a tea room or take-away food premises.

“Take-away Food Premises” means any eating house where meals are only served or prepared for service in a state in which they may be taken away from the eating house and consumed in the state in which they are served or prepared for service but does not include the following—

(a) any eating house in which meals are served at tables;

(b) any tea room;

(c) any eating house where the only meals served are confectionery.

“Tea room” means any eating house where the only meals served or prepared for service are tea, coffees and similar beverages, all products of wholesale pastry cooks, sandwiches, buns or bread rolls containing filling which did not require cooking on the premises, toast, salads, cold meats, boiled, scrambled and poached eggs, omelettes, saveloys boiled in water, beef tea, and other extracts or soups, and food supplied in tins or similar containers which need only be heated to be prepared for service.

CLASSIFICATION

2. For the purposes of these by-laws eating houses are classified as—

(a) restaurants;

(b) take-away food premises;

(c) tea rooms.

PRESCRIBED DATE

3.1 For the purpose of section 162 of the Act the prescribed date is hereby fixed as 1st December 1994, but thereafter the prescribed date shall be fixed as 1st July in each year.

3.2 For the purpose of section 163 of the Act the 1st July in each year is hereby prescribed as the date on or before which the registration of an eating house and a licence for the proprietor of an eating house shall be applied for annually.

REGISTRATION OF AN EATING HOUSE

4.1 Any person seeking the registration of an eating house shall make application in the form prescribed in the First Schedule and shall forward the application to the Shire Clerk together with—

(a) A floor plan and specifications of the eating house which plan and specifications shall include the following details—

(i) the use of every room;

(ii) the structural finishes of every wall, floor and ceiling;

(iii) the position and type of every fitting and fixture;

(iv) all sanitary conveniences, changerooms, ventilating systems, drains, grease traps and provisions for waste disposal.

4.2 If the local authority approves the application, upon payment of the prescribed fee, the local authority shall issue to the applicant a license in the form prescribed in the Third Schedule.

4.3 If the application is approved, the local authority shall, upon payment of the prescribed fee, issue to the applicant a certificate of registration in the form prescribed in the Second Schedule.

4.4 The fee payable for registration of a premises as an eating house and on every such renewal of such registration shall be one hundred (100) dollars.

The fee payable on a license to conduct an eating house and on every renewal of such license shall be twenty (20) dollars.

4.5 Every person failing to do any act directed to be done, or doing any act forbidden to be done by these by-laws shall be guilty of an offence and shall be liable to a penalty of \$100 plus a penalty of \$4 for every day or part of a day which the breach is continued after the complaint of such breach has been made.

Passed by the Council of the Municipality of the Shire of Moora at the Ordinary Meeting of the Council held on 19th October 1994.

Dated this 19th day of October 1994.

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

C. W. ADAMS, President.
J. N. WARNE, Shire Clerk.

Confirmed—

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

Approved by His Excellency, the Governor in Executive Council on the 6th day of December 1994.

M. C. WAUCHOPE, Clerk of Council.

First Schedule
Shire of Moora
Health Act 1911

To the Shire Clerk
Moora Shire Council
MOORA

I, (full name in block letters)
of (full address)
..... in the Shire of Moora
and known as hereby make
application for the registration of the said premises as an Eating House subject to the
Health Act and the by-laws from time to time in force thereunder. I attach hereto a plan
of the said premises.

The maximum number of persons, including the proprietor, to be employed on the said
premises will be—

Males Females
Dated this day of 19.....

(Signature of Applicant)

Second Schedule
Shire of Moora
Health Act 1991

CERTIFICATE OF REGISTRATION OF AN EATING HOUSE

This is to certify that the premises situated at
in the Shire of Moora and known as
owned/occupied by
of
are registered as an Eating House from the
day of 19..... until the 30th day of
June, 19.....

This certificate is issued subject to the Health Act and the by-laws from time to time
in force hereunder.

Dated this day of 19.....

Shire Clerk

Note: If any statement made in the Application for this certificate ceases to be true, this
certificate will forthwith become void and must be delivered to the Shire Clerk for
cancellation.

Third Schedule

Shire of Moora

Health Act 1911

LICENSE TO CONDUCT AN EATING HOUSE

This is to certify that
of (full address)
is licensed to conduct an eating house on premises situated at
in the Shire of Moora and known as
from the day of 19.....
until the 30th day of June 19..... unless this license is previously cancelled. This
license is issued subject to the Health Act and the By-laws from time to time in force
thereunder.

Dated this day of 19.....

Shire Clerk

Note: This license is not transferable without approval of the Shire of Moora. An application for transfer must be made in the prescribed form. If the holder of this license changes his place of abode, he must within seven days, notify the Shire Clerk and have his license endorsed accordingly.

HE302

TOBACCO CONTROL ACT 1990

TOBACCO CONTROL (GENERAL) AMENDMENT REGULATIONS 1994

Made by the Lieutenant-Governor and deputy of the Governor.

Citation

1. These regulations may be cited as the *Tobacco Control (General) Amendment Regulations 1994*.

Commencement

2. These regulations come into operation on 1 March 1995.

Principal regulations

3. In these regulations the *Tobacco Control (General) Regulations 1991** are referred to as the principal regulations.

[* *Published in Gazette of 26 July 1991 at pp. 3852-3.*
For amendments to 16 November 1994 see 1993 Index to
Legislation of Western Australia, Table 4, p. 274.]

Regulation 3 amended

4. Regulation 3 (1) of the principal regulations is amended by deleting the definition of "health warning" and substituting the following definition —

"

"health warning" means either of the following warnings —

- (a) "SMOKING KILLS"; or
- (b) "SMOKING IS ADDICTIVE";

".

Regulation 9 amended**5. Regulation 9 of the principal regulations is amended —**

- (a) in subregulation (1), by deleting “25%” and substituting the following —
“ 50% ”; and
- (b) in subregulation (2) (b), by deleting “25%” and substituting the following —
“ 50% ”.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

HE303

TOBACCO CONTROL ACT 1990**TOBACCO CONTROL (PACKAGE LABELS) REGULATIONS 1994**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

PART 1 — PRELIMINARY**Citation**

1. These regulations may be cited as the *Tobacco Control (Package Labels) Regulations 1994*.

Commencement

2. (1) Subject to this regulation, these regulations come into operation on the day on which they are published in the *Gazette*.
- (2) Parts 2, 3 and 4 come into operation on 1 April 1995.

PART 2 — GENERAL**Interpretation**

3. (1) In these regulations, unless the contrary intention appears —
- “cigar” means a roll of cut tobacco for smoking, enclosed in tobacco leaf or the leaf of another plant;
- “cigarette” means a roll of cut tobacco for smoking, enclosed in paper;
- “corresponding explanatory message”, in relation to a warning message, means the explanatory message that appears in the same item in Schedule 1 as the warning message;
- “explanatory message” means a message set out in Column 3 of Schedule 1;
- “face”, in relation to a package of which the outer surface includes 2 or more flat areas that are bounded by edges of the package, means any of those flat areas;
- “flip-top pack” means a package of the kind commonly called a flip-top pack or hinge-top pack;

“irregular package” means a package (other than a pouch) that has only one flat surface, or no flat surfaces;

“pouch” means a package that is —

- (a) made from flexible material; and
- (b) takes the form of a rectangular pocket with a flap that covers the opening;

“soft pack” means a package of the kind commonly called a soft pack or soft cup;

“warning message” means a message set out in Column 2 of Schedule 1.

(2) For the purposes of these regulations, unless the contrary intention appears, openings, gaps or edges that are created in a face of a package when the package is opened are to be disregarded.

(3) For the purposes of these regulations, unless the contrary intention appears, a surface that bears decorative ridges, embossing, bulges or other irregularities but is otherwise flat is taken to be flat.

(4) For the purposes of these regulations —

- (a) a soft pack is taken to be a solid that has all its faces rectangular and that has edges equal in length to the edges of the smallest rectangular solid inside which the pack will fit when it is not compressed; and
- (b) a face that has rounded corners but is otherwise square or rectangular is taken to be square or rectangular, as the case requires.

(5) For the purposes of these regulations, the surface area of an irregular package is the area that would be covered by the outer layer of the package if it were opened out and pressed flat.

(6) To avoid doubt, it is declared that a reference in these regulations to a cylindrical package includes a package that is, in one plane, elliptical, rather than circular, in cross-section.

(7) For the purposes of these regulations, a message that is printed on an adhesive label attached to a package in accordance with regulation 13 is taken to be printed on the package to which the label is attached.

Application

4. For the purposes of the Act a package containing a tobacco product is labelled in accordance with these regulations if it bears the messages required by these regulations in accordance with these regulations.

Regulations do not apply to cigars sold singly

5. These regulations do not apply to cigars sold singly.

Package must bear warning message and, in certain cases, explanatory message

6. Subject to this Part, a package must bear —

- (a) a warning message and the corresponding explanatory message; or
- (b) if permitted or required by another provision of these regulations —
 - (i) a warning message, the same warning message repeated and the corresponding explanatory message; or
 - (ii) a warning message and the same warning message repeated.

Messages on certain smaller packages

7. (1) If the largest face of a package (other than an irregular package) —
- (a) has an area of 40 square centimetres or less; and
 - (b) would, but for this subregulation, be required to bear an explanatory message,
- then —
- (c) an explanatory message need not be printed on that face; and
 - (d) both that face and the face on which the warning message is to be printed must bear the same warning message.
- (2) An irregular package that has a total surface area of 145 square centimetres or less must bear a warning message printed on the package twice.

Format of warning message and explanatory message

8. A warning message or an explanatory message must be in the following format:
- (a) the text must be printed —
 - (i) within a black rectangular or square border of which the lines are no wider than an upper-case letter "I" in the type size used for the text of the message; and
 - (ii) on a white background within the border referred to in subparagraph (i);
 - (b) the text must be printed in the type face known as Helvetica, in upper-case and lower-case letters as the text of the message is set out in Schedule 1, in type that is —
 - (i) clear and legible;
 - (ii) subject to paragraph (c), of the same height throughout the message;
 - (iii) black;
 - (iv) of normal weight; and
 - (v) of such a size that the text as nearly as possible fills the background on which it is printed;and
 - (c) the words "Government Health Warning" must be in type of a point size not greater than 50% of the point size of the type used for the remainder of the message.

Position of warning message and explanatory message

9. (1) A warning message is to be printed —
- (a) on a package of a kind mentioned in Schedule 2 —
 - (i) on the face of the package specified in Schedule 2 for a package of that kind; and
 - (ii) so that the upper edge of the background is no further than 3 millimetres below the upper edge of that face;
- or

- (b) on an irregular package —
 - (i) in the case of an irregular package that has a total surface area less than 145 square centimetres — in 2 places as far apart as possible; or
 - (ii) in any other case — anywhere on the outside of the package.
- (2) An explanatory message is to be printed on a package (other than a pouch or an irregular package) —
 - (a) on the face of the package that is opposite to the face on which the warning message is to be printed; and
 - (b) so that the upper edge of the background is no further than 3 millimetres below the upper edge of that face.
- (3) In the case of a pouch, the explanatory message must be printed —
 - (a) if the flap is, in area, at least 33⅓% of the area of the face on which the warning message is to be printed — on the outside of the flap; or
 - (b) in any other case — on the face that is not covered or partly covered by the flap when the package is closed.
- (4) If an irregular package is required by these regulations to carry an explanatory message, the explanatory message must be printed on the outside of the package in a position as nearly as possible opposite to the warning message.

Area to be covered by warning message and explanatory message

10. (1) A warning message must cover —
- (a) in the case of a warning message printed on an irregular package — at least 15% of the total surface area of the package; or
 - (b) in any other case — at least 25% of the area of the face on which it is printed.
- (2) An explanatory message must cover —
- (a) in the case of an explanatory message printed on an irregular package — at least 20% of the total surface area of the package; or
 - (b) in any other case — at least 33⅓% of the area of the face on which it is printed.

Orientation of a message

11. The text of a warning message or an explanatory message must be oriented as follows:
- (a) if the face on which the message is to be printed has other text printed on it, and all, or the majority of, that other text is oriented in one direction — the text must be oriented in that direction; or
 - (b) if paragraph (a) does not apply — the text may be oriented in any direction.

Messages not to be obscured etc.

12. (1) If a message that is required by these regulations to be printed on a package is likely to be obscured or obliterated by a wrapper on the package, the message must be printed on both the wrapper and the package.

(2) A message must not be likely to be obliterated, removed or rendered permanently unreadable when the package on which it is printed is opened in the normal way.

Use of adhesive labels

13. (1) A message that is required by these regulations to be printed on a package may be printed on an adhesive label that is affixed to the package.

(2) Subregulation (1) does not apply to a flip-top pack or a soft pack after 30 June 1996.

(3) An adhesive label referred to in subregulation (1) must —

- (a) comply with these regulations in all respects other than as specifically set out in this regulation;
- (b) be affixed to the face of the package on which the message that it bears is required to be printed, but may be affixed anywhere on that face; and
- (c) be fastened firmly to the package so as not to be easily removable.

(4) An adhesive label referred to in subregulation (1) may be affixed in any orientation.

Messages to appear in rotation

14. (1) Each warning message and (where required by these regulations) the corresponding explanatory message must be printed in rotation on packages so that, during the period of 12 months beginning on 1 January in each year, each message appears as nearly as possible on an equal number of packages of each kind of tobacco product.

(2) A tobacco product is of different kinds for the purposes of subregulation (1) if —

- (a) it is sold under different brand names; or
- (b) it is sold under one brand name but is distinguished in one or more of the following ways:
 - (i) containing or not containing menthol;
 - (ii) being otherwise differently flavoured;
 - (iii) having different contents of tar;
 - (iv) allegedly differing in "mildness";
 - (v) having or not having filter tips or cork tips;
 - (vi) being sold in packages containing different numbers of pieces;
 - (vii) being of different length or mass.

PART 3 — PACKAGES CONTAINING CIGARETTES

Application of Part

15. This Part applies to a package containing cigarettes.

Message to be printed on the side of a package of cigarettes

16. (1) For the purposes of this regulation, a reference to the sides of a package containing cigarettes is a reference —

- (a) in the case of a cylindrical package — to those parts of the curved surface of the package that, if the vertical centre-line of the largest brand-name on the curved surface of the package is taken to be 0°, extend —
 - (i) from 60° to 120°; and
 - (ii) from 240° to 300°,around the circumference of a flat face of the package;
- (b) in the case of a package that has 2 faces that are hexagonal or octagonal, and of which all the other faces are square or rectangular — to the square or rectangular faces of the package, other than the front and the back; and
- (c) in any other case — to the surfaces of the package, other than the back and the front, that are vertical when the package is held so that the axis of the cigarettes within it is vertical.

(2) For the purposes of subregulation (1) —

- (a) the front of a retail package (other than an irregular package) is that face of the package on which the warning message is required to be printed; and
- (b) the back of a retail package (other than an irregular package) is the face —
 - (i) on which the explanatory message is required to be printed; or
 - (ii) on which the explanatory message would, but for regulation 7(1), be required to be printed.

(3) The following message must be printed on a package of cigarettes —

“

The smoke from each cigarette contains, on average:
[xx] milligrams or less of tar — condensed smoke containing many chemicals, including some that cause cancer;
[yy] milligrams or less of nicotine — a poisonous and addictive drug;
[zz] milligrams or less of carbon monoxide — a deadly gas which reduces the ability of blood to carry oxygen.

”

(4) The message required by subregulation (3) —

- (a) in the case of a package other than an irregular package — must be printed —
 - (i) if both or all of the sides of the package are the same in area — on one side of the package;
 - (ii) if one side of the package is larger than the other or others — on the larger or largest side; or
 - (iii) if 2 or more sides of the package are larger than the other or others — on one of those larger sides;or
- (b) in the case of an irregular package — may be printed anywhere on the package.

- (5) The message required by subregulation (3) must be printed —
- (a) in the type face known as Helvetica, in type that is —
 - (i) clear and legible;
 - (ii) black;
 - (iii) of normal weight; and
 - (iv) of such a size that the text as nearly as possible fills the background on which it is printed;
 - (b) in upper and lower case, as the text of the message is set out in subregulation (3);
 - (c) if the message is required to appear on the side of the package, oriented so that the lines of type making up the message are parallel to the longest edges of the face on which the message is printed; and
 - (d) on a rectangular or square background of the kind set out in subregulation (6).
- (6) The background referred to in paragraph (5) (d) —
- (a) must be white; and
 - (b) must occupy —
 - (i) in the case of a package other than a flip-top pack or an irregular package — the whole of one side;
 - (ii) in the case of a flip-top pack — the whole of one side except the part of that side that forms part of the top;
 - (iii) in the case of an irregular package — at least 9% of the total surface area of the package.
- (7) When the message required by subregulation (3) is printed on a package, “[xx]”, “[yy]” and “[zz]” are to be replaced by —
- (a) the average amount of tar, nicotine or carbon monoxide, respectively, produced by a cigarette of the kind contained in the package, when cigarettes of that kind are tested according to the testing methods specified in regulation 17; or
 - (b) if, when cigarettes of that kind are tested according to those testing methods —
 - (i) the average amount of tar produced by a cigarette does not exceed 16 milligrams;
 - (ii) the average amount of nicotine produced by a cigarette does not exceed 1.5 milligrams; and
 - (iii) the average amount of carbon monoxide produced by a cigarette does not exceed 20 milligrams,a figure worked out by taking from the column of Schedule 3 that relates respectively to tar, nicotine, or carbon monoxide the lowest figure that is greater than the average amount of tar, nicotine, or carbon monoxide, respectively, produced by a cigarette of that kind.

Testing methods

17. (1) The testing methods to be used for the purposes of regulation 16(7) to determine the average amount of tar, nicotine and carbon monoxide produced by a cigarette are the following standard methods published by the International Standards Organisation:

- (a) tar — ISO 4387 (Determination of total and nicotine-free dry particulate matter using a routine analytical smoking machine);

- (b) nicotine — ISO 10315 (Cigarettes — determination of nicotine in smoke condensates — gas chromatographic method);
- (c) carbon monoxide — ISO 8454 (Cigarettes — determination of carbon monoxide in the vapour phase of smoke (NDIR method)).

(2) The testing methods specified in subregulation (1) are to be used in accordance with the following standards published by the International Standards Organisation:

- (a) ISO 3308 (Routine analytical cigarette-smoking machine — definitions and standard conditions);
- (b) ISO 8243 (Cigarettes — sampling);
- (c) ISO 3402 (Tobacco and tobacco products — atmosphere for conditioning and testing).

PART 4 — PACKAGES CONTAINING CIGARS

Application of Part

18. This Part applies to a package containing cigars.

Packages of cigars must bear certain messages

19. A package containing cigars must bear —

- (a) a warning message, and the corresponding explanatory message, in accordance with Part 2;
- (b) a warning message, the warning message repeated, and the corresponding explanatory message, in accordance with regulation 20; or
- (c) a warning message, and the corresponding explanatory message, in accordance with regulation 21.

Messages on package with hinged lid

20. (1) A warning message and explanatory message may be printed on a package in accordance with this regulation if and only if the package has a hinged lid formed by one face of the package.

(2) A package containing cigars bears a warning message and the corresponding explanatory message in accordance with this regulation if —

- (a) the warning message is printed on both the outside of the lid and the base of the package;
- (b) each warning message occupies at least 25% of the area of the face on which it is printed;
- (c) the explanatory message is printed on the inside surface of the lid;
- (d) the explanatory message occupies at least 33% of the area of the inside surface of the lid;
- (e) the warning message and the explanatory message are otherwise in accordance with Part 2.

Messages on other packages of cigars

21. A package containing cigars bears a warning message and the corresponding explanatory message in accordance with this regulation if —

- (a) the warning message is printed on the face of the package that is specified in Schedule 2 for a package of that kind;

- (b) the corresponding explanatory message is printed on the face of the package that is opposite to the face on which the warning message is, under paragraph (a), to be printed;
- (c) the areas occupied by the warning message and the explanatory message are as set out in the item of Schedule 4 that applies to that package; and
- (d) the warning message and the explanatory message are otherwise in accordance with Part 2.

PART 5 — MISCELLANEOUS

Repeals

22. (1) The *Tobacco Control (Package Labels) Regulations 1993* are repealed.

(2) The *Tobacco (Warning Labels) Regulations 1987* are repealed on 1 April 1995.

(3) It is a defence to a charge under the *Tobacco (Warning Labels) Regulations 1987* alleged to have been committed on or after 1 January 1995 and before 1 April 1995 to prove that the labelling on the package of tobacco would comply with Parts 2, 3 and 4 of these regulations if they were then in operation.

SCHEDULE 1

[reg. 3]

WARNING MESSAGES AND EXPLANATORY MESSAGES

<i>Col.1</i>	<i>Column 2</i>	<i>Column 3</i>
Item No.	Warning message	Explanatory message
1	SMOKING CAUSES LUNG CANCER Government Health Warning	SMOKING CAUSES LUNG CANCER. Tobacco smoke contains many cancer-causing chemicals including tar. When you breathe the smoke in, these chemicals can damage the lungs, and can cause cancer. Lung cancer is the most common cancer caused by smoking. Lung cancer can grow and spread before it is noticed. It can kill rapidly. For more information, call 13 2130. Government Health Warning
2	SMOKING IS ADDICTIVE Government Health Warning	SMOKING IS ADDICTIVE. Nicotine, a drug in tobacco, makes smokers feel they need to smoke. The more you smoke, the more your body will depend on getting nicotine and you may find yourself hooked. It may be difficult to give up smoking once you are hooked on nicotine. For more information, call 13 2130. Government Health Warning

<i>Col.1</i>	<i>Column 2</i>	<i>Column 3</i>
Item No.	Warning message	Explanatory message
3	SMOKING KILLS Government Health Warning	SMOKING KILLS. In Australia, tobacco smoking causes more illness and early death than using any other drug. Tobacco smoking causes more than four times the number of deaths caused by car accidents. For more information call 13 2130. Government Health Warning
4	SMOKING CAUSES HEART DISEASE Government Health Warning	SMOKING CAUSES HEART DISEASE. Tobacco smoking is a major cause of heart disease. It can cause blockages in the body's arteries. These blockages can lead to chest pain and heart attacks. Heart attack is the most common cause of death in Australia. Smokers run a far greater risk of having a heart attack than people who don't smoke. For more information call 13 2130. Government Health Warning
5	SMOKING WHEN PREGNANT HARMS YOUR BABY Government Health Warning	SMOKING WHEN PREGNANT HARMS YOUR BABY. Poisons in tobacco smoke reach your baby through the blood stream. If you smoke when you are pregnant, you greatly increase the chance of having a baby of low birth-weight. Smoking may lead to serious complications which could harm your baby. For more information call 13 2130. Government Health Warning
6	YOUR SMOKING CAN HARM OTHERS Government Health Warning	YOUR SMOKING CAN HARM OTHERS. Tobacco smoke causes cancer and poisons people. People who breathe in your tobacco smoke can be seriously harmed. Your smoking can increase their risk of lung cancer and heart disease. Children who breathe your smoke may suffer asthma attacks and chest illnesses. For more information call 13 2130. Government Health Warning

SCHEDULE 2

[reg. 9]

POSITIONS ON PACKAGES WHERE WARNING MESSAGE
IS TO BE PRINTED

<i>Col.1</i>	<i>Column 2</i>	<i>Column 3</i>
Item No.	Type of package	Face of the package on which warning message is to be printed
1	Flip-top pack	That face that includes the front face of the flip-top.
2	Soft pack	If the brand name is printed on only one of the largest faces, or is printed in larger type on one of those faces, that face; otherwise, either of the largest faces.
3	Any other package (except a pouch) all of the faces of which are rectangular or square	If one of the largest faces of the package forms, or forms part of, a lid, that face; otherwise, that one of the largest faces of the package that is towards a person who holds the package for the purpose of removing the contents.
4	Pouch	That one of the largest faces of the folded package that is not overlapped by the flap of the package.
5	Cylindrical package containing cigarettes or cigars	That part of the curved surface of the package that extends one-twelfth of the circumference of the package each side of the vertical centre line of the brand name label on that surface (or, if that label appears more than once on that surface, the larger or largest of those labels).
6	Cylindrical package containing tobacco	That one of the circular faces that forms, or forms part of, the lid.
7	Package in the shape of a hexagonal or octagonal prism, containing cigarettes or cigars	That one of the rectangular faces of the package that bears the brand name label; or, if that label appears on more than one of those faces, the face on which the larger or largest of those labels appears.

SCHEDULE 3

[reg. 16(7)]

FIGURES FOR DESCRIBING AVERAGE AMOUNTS OF TAR,
NICOTINE AND CARBON MONOXIDE

Tar (milligrams)	Nicotine (milligrams)	Carbon monoxide (milligrams)
1	0.2	2
2	0.3	3
4	0.4	5
8	0.8	10
12	1.2	15
16	1.5	20

SCHEDULE 4

[reg. 21..(c)]

AREAS TO BE OCCUPIED BY MESSAGES ON
CERTAIN PACKAGES OF CIGARS

<i>Col.1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
Item No.	Area of front and back face of package (cm ²)	Area to be occupied by warning message (cm ²)	Area to be occupied by explanatory message (cm ²)
1	less than 70	15	20
2	not less than 70 but less than 90	20	27
3	not less than 90 but less than 110	25	33
4	not less than 110 but less than 130	30	40
5	not less than 130 but less than 150	35	46
6	not less than 150 but less than 170	40	53
7	not less than 170 but less than 250	53	70
8	not less than 250 but less than 330	73	96
9	330 or greater	73	96

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

HE304

TOBACCO CONTROL ACT 1990

TOBACCO CONTROL (STATEMENT ON VENDING MACHINES) AMENDMENT
REGULATIONS 1994

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Tobacco Control (Statement on Vending Machines) Amendment Regulations 1994*.

Commencement

2. These regulations come into operation on 1 March 1995.

Regulation 3 amended

3. Regulation 3 of the *Tobacco Control (Statement on Vending Machines) Regulations 1991** is amended by repealing subregulation (2) and substituting the following subregulation —

“

(2) In subregulation (1), “**health warning**” means either of the following warnings —

- (a) “**SMOKING KILLS**”; or
- (b) “**SMOKING IS ADDICTIVE**”.

”

[* *Published in Gazette of 7 August 1991 at p. 4098.*]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

HE401**HEALTH ACT 1911**

Health Department of WA,
Perth, 21 November 1994.

8311/92.

The cancellation of the appointment of Dr Richard N. Morgan as a Medical Officer of Health to the Shire of Mount Magnet effective from 18 July 1994, is hereby notified.

The appointment of Dr William N. Manton as a Medical Officer of Health to the Shire of Mount Magnet effective from 18 July 1994, is approved.

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

HE402**HOSPITALS ACT 1927**

Health Department of WA,
Perth, 6 December 1994.

SG 1.9, Ex Co No. 1867.

The Lieutenant-Governor and deputy of the Governor has appointed under the provisions of the Hospitals Act 1927 Brian Lloyd as deputy to Dr David Hillman of the Sir Charles Gairdner Hospital Board for the period ending 30 June 1997.

PETER J. BRENNAN, Commissioner of Health.

HE403**HOSPITALS ACT 1927**

Health Department of WA,
Perth, 6 December 1994.

MY 1.9, Ex Co No. 1868.

The Lieutenant-Governor and deputy of the Governor has appointed under the Hospitals Act 1927 Marilyn D. Hunter, Michael H. Tagliaferri and Carrick I. Henderson as members of the Board for the Peel Health Service for the period ending 30 September 1997.

PETER J. BRENNAN, Commissioner of Health.

HE404

OPTOMETRISTS ACT 1940**OPTOMETRISTS REGISTRATION BOARD APPOINTMENTS INSTRUMENT 1994**

Made by The Lieutenant-Governor and deputy of the Governor in Executive Council.

Citation

1. This instrument may be cited as the *Optometrists Registration Board Appointments Instrument 1994*.

Appointments

2. The persons appointed under section 5 to be members of the Optometrists Registration Board are—

- (a) under subsection (3) (a)—Ailsa J. Smith and Ann E. Tidman
- (b) under subsection (3) (b)—Barry W. Waddingham, Paul N. Levi and Luke F. Cahill
- (c) under subsection (3) (c)—Nicholas Warrington
- (d) under subsection (3) (e)—Susan Wilson

Term of Appointment

3. An appointment of a member under this instrument is for the term indicated in the Schedule in relation to the member.

Schedule

Ailsa J. Smith—period ending 30 November 1997
 Ann E. Tidman—period—ending 30 November 1996
 Barry W. Waddingham—period ending 30 November 1997
 Paul N. Levi—period ending 30 November 1996
 Luke F. Cahill—period ending 30 November 1995
 Nicholas Warrington—period ending 30 November 1997
 Susan Wilson—period ending 30 November 1995

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

HE405

HEALTH ACT 1911Health Department of WA,
Perth, 30 November 1994.

The cancellation of the following persons as Environmental Health Officers is hereby notified.

Officer	Date Effective	Local Authority
William Huon Sidebottom	28 October 1994	City of Armadale
Glen Lange	21 October 1994	City of Subiaco
Harley John Fee	4 November 1994	City of Stirling
Timothy Nigel Jeffries	31 August 1994	Shire of Ravensthorpe
Samantha Lenie Osborne	4 November 1994	City of Kalgoorlie-Boulder
John Hardy	10 August 1994	Shire of Shark Bay
John Hardy	10 August 1994	Shire of Gascoyne Junction

BRIAN DEVINE, delegate of Executive Director,
Public Health.

HE406

HEALTH ACT 1911Health Department of WA,
Perth, 30 November 1994.

The appointment of the following persons as Environmental Health Officers is approved.

Officer	Date Effective	Local Authority
Glen Lange	24 October 1994	City of Fremantle
Allan John Ramsay	31 October 1994	City of Armadale
Darren Isgar	14 November 1994	Shire of Carnarvon
Evan Briers	1 November 1994	Shire of Donnybrook-Balingup

Officer	Date Effective	Local Authority
Rodney Wood	11 November 1994 to 5 December 1994	Shire of Waroona
John Cameron Mitchell	7 November 1994	Shire of Dalwallinu
Piotra Zenni	17 October 1994	Shire of Ravensthorpe
Trevor Brian Brandy	7 November 1994	Shire of Roebourne
Andrew Pittaway	19 September 1994	Shire of Lake Grace
William Sidebottom	17 November 1994 to 23 December 1994	Town of Cottesloe
Darren Isgar	14 November 1994	Shire of Shark Bay
Darren Isgar	14 November 1994	Shire of Upper Gascoyne
Robert Michael Wood	29 August 1994	Shire of Denmark

BRIAN DEVINE, delegate of Executive Director,
Public Health.

HE407

**CORRECTIONS
HEALTH ACT 1911**

Health Department of WA,
Perth, 30 November 1994.

The appointment of the following persons as Environmental Health Officers is approved.

Officer	Date Effective	Local Authority
HE407 Gazette No. 144 dated 14/10/94 should read Richard John Brookes	27 June 1994	Shire of Wyndham-East Kimberley
HE408 Gazette No. 144 dated 14/10/94 should read Shiralee Langford	17 June 1994	Narrogin Regional Health Group

The cancellation of the following person as an Environmental Health Officer is approved.

HE408 Gazette No. 144 dated 14/10/94 should read Ian Watt	29 July 1994	Narrogin Regional Health Group
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BRIAN DEVINE, delegate of Executive Director, Public Health.

JUSTICE

JM301

GUARDIANSHIP AND ADMINISTRATION ACT 1990

GUARDIANSHIP AND ADMINISTRATION AMENDMENT RULES 1994

Made by the Board under s. 121 of the *Guardianship and Administration Act 1990*.

Citation

1. These rules may be cited as the *Guardianship and Administration Amendment Rules 1994*.

Rule 1 amended

2. Rule 1 of the *Rules of the Guardianship and Administration Board** is amended by repealing sub-rule (9) and substituting the following sub-rules—

(9) The Board may refer any account which has been lodged under Section 80(1) or delivered under Section 80(2) to the Public Trustee whereupon the Public Trustee shall perform an audit of that account.

(10) In conducting an audit of any account referred to the Board the Public Trustee may perform any functions of the Board under Section 80 and schedule 1 Part B Clause 7, or under sub-rules (3) and (4) of these rules save and except—

- (a) the power to exempt an Administrator from submitting accounts pursuant to Section 80(1);
- (b) the power to allow an account or disallow any amount paid pursuant to Section 80(3);
- (c) the power to relieve an Administrator of liability pursuant to Section 80(4); and
- (d) the power conferred upon the Executive Officer pursuant to Section 80(6).

(11) In conducting an audit of any account referred by the Board the Public Trustee shall accept the information provided in that account as being a full disclosure of all the financial transactions and assets and liabilities within the control of the Administrator pursuant to an Administration Order and which are accompanied by an affidavit pursuant to sub-rule (2).

[*Published in Gazette 20 October 1992 at pp. 5210-20.]

Dated December 1994.

R. D. NICHOLSON, Chairperson.

JM401

CHILDREN'S COURT OF WESTERN AUSTRALIA ACT (No. 2) 1988

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of the following persons as Members of the Children's Court of Western Australia—

Dennis Michael Boyanich of 9 Butcher Street, Bruce Rock

Terrence Edward Donaldson of Lot 28 O'Keefe Road, Brunswick Junction and 6 Ommaney Road, Brunswick Junction

Terence James Ginnane of RMB 149/B Asplin Siding Road, Boyup Brook and Terry's Engineering Works, corner Bridge and Forrest Streets, Boyup Brook

Herbert Spencer Parker of 21 Smythe Crescent, Bunbury and 37 Hastie Street, Bunbury

Frederick Reid of 13 Dunstan Street, Bunbury and Plaza Newsagency, Spencer Street, Bunbury and Forum Newsagency, Sandridge Road, Bunbury

John Spencer Snell of Charla Downs Pty Ltd, Coronation Road, Waroona

Liduvina Theresa Undulghumen of Kalumburu Aboriginal Corporation, Kalumburu

RICHARD FOSTER, Executive Director,
Courts Development and Management.

JM402

JUSTICES ACT 1902

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following appointments to the Office of Justice of the Peace for the State of Western Australia—

Dennis Michael Boyanich of 9 Butcher Street, Bruce Rock

Josslyn Antony Harman of Lot 6 East River Road, Denmark

Ronald Leslie Winstone of 59 Drew Street, Geraldton and 5 Pelham Street, Toodyay

RICHARD FOSTER, Executive Director,
Courts Development and Management.

JM403

EX OFFICIO JUSTICE OF THE PEACE

It is hereby notified for public information that William McGowan of Stirling School Road Mount Barker has been appointed under section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Stirling during his term of office as President of the Shire of Plantagenet.

RICHARD FOSTER, Executive Director,
Courts Development and Management.

LAND ADMINISTRATION

LA401

**LICENSED SURVEYORS ACT 1909
LAND SURVEYORS LICENSING BOARD**

It is hereby notified for general information that the undermentioned person has been registered as Licensed Surveyor under the provisions of the abovementioned Act, on the date specified.

No. 927 Dewing, Brian; PO Box 6311, East Perth WA 6892, 18 November 1994.

It is further notified that after due enquiry Hoot Khoon Teoh of 28 Dreyer Way, Bullcreek has had his registration as a Licensed Surveyor suspended for a period of six months as from 24 November 1994.

H. J. HOUGHTON, Chairman.
G. E. MARION, Secretary.

Land Surveyors Licensing Board,
Midland Square, Midland WA 6056

LA402

**LOCAL GOVERNMENT ACT 1960
DECLARATION OF CLOSURE OF STREETS
Made by the Minister for Lands Under Section 288A**

At the request of the local government nominated, the street described in the Notice is now declared to be closed.

Notice

1. City of Bunbury (DOLA File No. 672/994; Closure No. B1353).
All that portion of Ocean Drive (Road No. 12538) now comprised in Bunbury Lot 757 shown bordered pink on DOLA Crown Survey Diagram 91669.
Public Plan: BG30(2) 01.32.
2. City of Cockburn (DOLA File No. 3855/1990; Closure No. C1284).
All that portion of Liddelow Road (Road No. 11459) adjacent to Part Lot 3 (215m²) as shown on Crown Survey Diagram 90770.
Public Plan: BG33(10) 3.8.
3. City of Wanneroo (DOLA File No. 2309/993; Closure No. W1349).
All that portion of Daventry Drive shown bordered blue on Crown Survey Diagram 91959.
Public Plan: BG34(2) 13.38 (Perth).
4. Shire of Denmark (DOLA File No. 1668/992 Closure No. D769).
The whole of the surveyed road shown bordered red on Crown Survey Diagram 91717 now included in Plantagenet Location 7764 and Hay Location 2375.
Public Plan: Owingup SW (25).
5. Shire of Morawa (DOLA File No. 1660/993; Closure No. M1363).
The whole of the unsurveyed road, marked Crown Grant Road, on Office of Titles Plan 9007.
Public Plan: Mount Melara S.E. (25).

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

LA403

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

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
Sale (Section 118CA)	Public Accessway hatched blue at Page 261	3501/1988V2
Sale (Section 118CA)	The Public Accessway on LTO Plan 10880	2189/1994
Sale (Section 118CA)	Part Reserve 42151 hatched red at Page 28	641/1992

Proposal	Land	DOLA File
Reservation for Aged Persons Homes with vesting in Morawa Community Care	Part Reserve 19507	1028/1927
Freehold (Section 38)	Hopetoun Lot 580 (Licence 338/20357)	652/990
Freehold (Section 38)	Hopetoun Lot 571 (Licence 338/19530)	645/990
Freehold (Section 45B)	Hopetoun Lot 604 (Licence 345B/1485)	668/990
Freehold (Section 45B)	Hopetoun Lot 612 (Licence 345B/1218)	676/990
Freehold (Section 45B)	Coolgardie Lot 354 (Licence 345B/1684)	1570/989
Freehold (Section 45B)	Collie Lot 2512 (Licence 345B/1774)	1000/986
Freehold (War Service Land Settlement Scheme Act)	Avon Location 27133 (Lease P/490)	290/48
Freehold (Section 86)	King Location 649 (C/P Lease 386/550)	3391/986
Freehold (Section 117AA)	Narrogin Lot 764 (Lease 3116/5753)	4741/14v2
Freehold (Section 117AA)	Kalgoorlie Lot 4227 (Lease 3116/11046)	472/87v2
Freehold (Section 117AA)	Swan Location 11441 (Lease 3116/10886)	2377/991
Sale—Section 118A(3)	Portion of Liddelow Road adjacent to Part Lot 3 (215m ²) (Banjup)	3855/1990
Sale—Section 118A(3)	All that portion of Daventry Drive shown bordered blue on DOLA Crown Survey Diagram 91959 (Alexander Heights)	2309/993
Sale—Section 118A(3)	All that portion of Lower Denmark Road (Road No. 2984) as delineated and bordered blue on DOLA Crown Survey Diagram 91303 (Kronkup)	2425/988
Change of Purpose from "Drain" to "Drainage and Parking" with amendment to the vesting order to include power to lease for 21 years.	Broome Lots 1201, 1212, 2628 (Reserve 34305)	2766/976
Reservation for the purpose of "Public Recreation" with vesting in the Shire of Boyup Brook	Nelson Location 13460 (Terry Road)	2643/994
Sale—Section 118CA	Portion of Vacant Crown Land adjoining Fremantle Lot 2058	5131/1907
(a) Sale (Section 45A) for the purpose of "Motel"	Coolgardie Lot 2172	2896/1987
(b) Sale (Section 45A) for the purpose of "Caravan Park"	Coolgardie Lot 2217	2896/1987
Sale (Section 45A) to adjoining holders only	Menzies Lot 1080	972/1981
Reservation for "Public Recreation" with vesting in the Shire of Greenough	Victoria Location 12026 Castlebark Drive Geraldton	1688/994

GEORGE CASH, Minister for Lands.

LB701

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

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

Schedule

1. Shire of Dalwallinu (DOLA File No. 2143/1991).
Great Northern Highway (Road No. 14718)(Widening). All that portion of closed road as shown on Office of Titles Plan 16933.
Public Plan: Wubin (50).
2. Shire of Donnybrook-Balingup (DOLA File No. 847/994).
Road No. 18677 (Widening). The whole of the land as delineated and coloured mid-brown on DOLA Crown Survey Diagram 91687.
Public Plan: Wilga N.W. (25).

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

LB702

Schedule No. A21/1994.
DOLA 70/1994.

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
NOTICE OF RESUMPTION OF LAND

For the purposes of the public work described in the Schedule, the land described in the Schedule ("the resumed land") has been set apart, taken or resumed.

A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland. The resumed land shall, by force of the Public Works Act 1902 and Local Government Act 1960, be vested in Her Majesty for an estate in fee simple (except those lands being under the Land Act or dedicated or reserved for a public purpose, which will be vested in Her Majesty absolutely) for the public work, freed and discharged of all trusts, mortgages, charges, obligations, estates, interest, right-of-way, or other easements whatsoever.

Schedule

1. Public Work: Land Requirements-Dawesville Channel
Local Authority: City of Mandurah
Plan/Diagram No. showing Land resumed: Diagram 91529
DOLA Ref: 1163/1994

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Crown	Crown	Portion of Old Coast Road (Road No. 12347)	7 443m ²

Dated 22 November 1994.

GEORGE CASH, Minister for Lands.

Dated 6 December 1994.

DAVID K. MALCOLM, The Lieutenant-Governor
and deputy of the Governor.

LOCAL GOVERNMENT

LG101

CORRECTION
LOCAL GOVERNMENT ACT 1960
Shire of Swan
NOTICE OF INTENTION TO BORROW
Proposed Loan (No. 152) of \$50 000

The notice which appeared in the *Government Gazette* on 4 November 1994 is amended as follows—

Loan 152 is to be raised for a term of 10 years with repayments of principal and interest due monthly.

Dated this 9th day of December 1994.

C. GREGORINI, President.
E. W. T. LUMSDEN, CEO/Shire Clerk.

LG201

LOCAL GOVERNMENT ACT 1960
ORDER IN COUNCIL

Local Government (Buildings) Amendment Order 1994

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

Citation

1. This order may be cited as the *Local Government (Buildings) Amendment Order 1994*.

Principal Order

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

[*Published in the Gazette of 28 July 1989 at pp. 2294-6. For amendments to 17 September 1993 see Index to Legislation of Western Australia, p. 4-167 and Government Gazette of 15 April 1994.]

Schedule 1 amended

3. Schedule 1 to the principal order is amended by deleting the item relating to the "Town of Port Hedland".

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

LG301**LOCAL GOVERNMENT ACT 1960***Municipality of the Shire of Irwin*

By-laws Relating to Fences

In pursuance of the powers conferred upon it by the above mentioned Act and of all other powers enabling it, the Council of the Shire of Irwin hereby records having resolved on the 21st day of December, 1993, to repeal the By-laws relating to Fences published in the *Government Gazette* on the 29th February 1980, and to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following By-laws.

1 (1) In these By-laws, unless the context requires otherwise:—

"AS" means Australian Standard published by the Standards Association of Australia;

"Building Surveyor" means a building surveyor of the Shire of Irwin;

"Council" means the Council of the Shire of Irwin;

"dangerous" in relation to a fence means:—

- (a) an electrified fence (other than a fence in respect of which a licence under by-law 11 of these by-laws has been issued and is current);
- (b) a fence containing barbed wire (other than a fence erected and maintained in accordance with these By-laws); or
- (c) a fence containing exposed broken glass, asbestos fibre or any other harmful projection or material,

and includes a fence which through lack of maintenance or repair becomes a dangerous fence;

"dividing fence" means a fence that:—

- (a) separates adjoining lots whether or not the fence is on the common boundary of those lots; or
- (b) is on or near the boundary of a lot;

"electrified fence" means a fence carrying or designed to carry an electric charge;

"fence" means any structure, including a retaining wall, used or functioning as a fence irrespective of where it is located;

"frontage" means the boundary line between a lot and the street upon which that lot abuts;

"height" in relation to a fence means the vertical distance between:—

- (a) the top of the fence at any point; and
- (b) the ground level or, where the ground levels on each side of the fence are the same, the higher ground level, immediately below that point;

"Industrial Zone" means land zoned for any Industrial purposes under the Shire's operative Town Planning Scheme;

"lot" means a lot as defined by the Town Planning and Development Act 1928;

"Principal Building Surveyor" means the Shire's Principal Building Surveyor;

"Residential Zone" means any land zoned for Residential or Special Residential purposes under the Shire's operative Town Planning Scheme.

"retaining wall" means any structure which prevents the movement of soil in order to allow ground levels of different elevations to exist adjacent to one another;

"Scheme" means the Shire of Irwin Town Planning Scheme No. 4 as amended or substituted from time to time;

"setback area" means that portion of a lot situated between the street alignment and the building line as prescribed by the Scheme;

"Shire" means the Municipality of the Shire of Irwin; and

"Special Rural Zone" means any land zoned for Special Rural purposes under the Shire's operative Town Planning Scheme;

(2) These By-laws shall apply to all land within the Shire that is not zoned for General Farming purposes under Council's operative Town Planning Scheme.

Fences in a Residential Zone

2 (1) A person shall not, without the written consent of the Council erect or commence to erect in a Residential or Special Residential Zone:—

- (a) on or near a boundary behind the Building Line, a dividing fence higher than 1800mm; or
- (b) in front of the Building Line a fence higher than 1000mm.

(2) A fence higher than 1000mm but not exceeding 1800mm shall not be erected in front of the Building Line in a Residential Zone unless Council approval has been obtained; and;

- (a) it shall be constructed of brick or masonry or other material approved by Council; and
- (b) it shall be truncated minimum 1500mm x 1500mm at all crossovers or driveways to provide appropriate splayed line of vision for a motorist using the driveway for access to a road, street or way, in accordance with the diagram set out in the 5th Schedule.

3 Fences in a Special Rural Zone.

A person shall not, without the written consent of Council erect or commence to erect a fence in a Special Rural Zone.

Fences in an Industrial Zone

4 A person shall not, without the written consent of the Council, erect or commence to erect a fence in an Industrial Zone.

Sufficient Fences

5 In this by-law "sufficient fence" means a sufficient fence for the purposes of the Dividing Fences Act 1961.

- (1) in a Residential Zone is a dividing fence constructed and maintained in accordance with the specifications and requirements set out in the 1st Schedule;
- (2) in an Industrial Zone is a dividing fence constructed and maintained in accordance with the specifications and requirements set out in the 2nd Schedule; and
- (3) in a Special Rural Zone is a dividing fence constructed and maintained in accordance with the specifications and requirements set out in the 3rd Schedule;

Fencing Materials

6 (1) A person shall not, without the written consent of the Council, erect or commence to erect a fence which is likely to become dangerous, or be constructed:—

- (a) using either sheet metal or previously used materials;
- (b) of impervious material in any place where, in the opinion of the Council, it may act as a barrier to, or restrict in any way whatsoever, the normal flow of storm water or other watercourse in, on or over land.

(2) An application to the Council for consent to erect a fence using sheet metal or previously used materials must be in writing and accompanied by a plan and specifications and whatever other information may be required by the Council to satisfy it that the sheet metal or material is of an acceptable quality and appearance and is to be maintained adequately.

Retaining Walls

7 (1) A person shall not, without the written consent of the Council, erect or commence to erect a retaining wall on or near a boundary line.

(2) An application for consent to erect a retaining wall shall—

- (a) where the wall is less than 500mm in height, be made in writing to the Council; and
- (b) where the wall is equal to or greater than 500mm in height, be made in writing to the Council in the form of a building licence application in accordance with the Building Regulations 1989.

Barbed Wire Fences

8 A person shall not erect or commence to erect a fence wholly or partly of barbed wire except—

- (1) where permitted by these By-laws.
- (2) in circumstances where the special approval of Council is granted to a fence where no barbed wire is used below a height of 1800mm.

Maintenance of Fences

9 (1) For the purposes of this by-law, "disrepair" includes dangerous, neglected, ruinous, dilapidated, unsightly or prejudicial to the amenity of the locality.

(2) An owner or occupier of land on which a fence is erected shall maintain the fence in good condition and so as to prevent it from falling into disrepair.

(3) Where, in the opinion of the Council, a fence is in a state of disrepair or is otherwise in breach of a provision of these By-laws, the Principal Building Surveyor may give notice in writing to the owner or occupier of the land upon which the fence is erected requiring the owner or occupier to modify, repair, paint or maintain the fence within the time stipulated in the notice.

(4) Where an owner or occupier of land who has been given notice under sub-by-law (3), fails to comply with the requirements of the notice, the Council may enter the land and carry out the work

specified in the notice and recover the costs and expenses incurred by it in so doing from the owner or occupier in a court of competent jurisdiction.

General Discretion of the Council

10 (1) The Council may consent to the erection or retention of a fence which does not comply with one or more of the requirements of these By-laws.

(2) In determining whether to grant its consent for the erection or retention of a fence on any land, the Council may consider, in addition to any other matter that it is authorised to consider, whether the erection or retention of the fence might have an adverse effect on:—

- (a) the safety, convenience or use of any other land;
- (b) the safety or convenience of any person;
- (c) the orderly and proper planning of the locality; and
- (d) the amenities of the locality.

Requirements for Electrified Fences

11 (1) A person shall not:—

- (a) erect or retain an electrified fence other than in accordance with a licence issued by the Council; or
 - (b) alter an electrified fence without first obtaining the written consent of the Council.
- (2) A licence for an electrified fence shall not be issued:—
- (a) in respect of premises within a Residential Zone; and
 - (b) unless the fence complies with AS 3129, 1989.
- (3) Upon receipt of an application for a licence, the Council may:—
- (a) grant the application subject to such conditions as it thinks fit.
A Licence granted by the Council shall be in the form of the 4th Schedule.
 - (b) refuse to grant the application.
- (4) The Council may, at any time during the currency of a licence, cancel the licence if for safety, environmental, town planning or any other reasons the Council considers that the electrified fence should not be retained.

Offences

- (12) A person who contravenes a provision of these By-law's commits an offence and is liable to:—
- (1) a penalty of \$500; and
 - (2) a daily penalty of \$50 for each day during which the offence continues.

by-law 5 (1)

1st Schedule

SPECIFICATIONS FOR A SUFFICIENT FENCE IN A RESIDENTIAL ZONE

The following is a "sufficient fence" in a Residential Zone:—excluding R2.5 and Special Residential. a fence constructed of corrugated fibre reinforced pressed cement sheeting which satisfies the following specifications:—

1. a minimum in-ground length of 25 per cent of the total length of the sheet;
2. the total height and depth of the fence to consist of a single continuous fibre reinforced cement sheet;
3. the sheets to be lapped and capped with extruded "snap-fit" type capping;

The following is a "sufficient fence" in a Residential R2.5 and Special Residential Zone:

1. Posts to be standard iron star pickets being:—
 - (a) Set 450mm in the ground and minimum of 1000mm out of the ground
 - (b) Spaced 3500 apart
2. Strainer posts to be tubular steel having a nominal bore of 80mm and an outside diameter of 88mm and being 2300mm long.
3. Wire to be high tensile steel 2.5mm diameter 6 strand ring lock with single strain top wire.

No barbed wire is permitted on fencing within this zone.

Other materials Council may permit within a residential zone are brick, masonry, stone, timber, metal sheeting, wrought iron, link mesh, post and rail, concrete, to which application to use these materials must be made to Council, and be accompanied by specifications as required by the Building Surveyor, to satisfy an acceptable quality and appearance of the fence so as to be maintained adequately.

by-law 5 (2)

2nd Schedule

SPECIFICATIONS FOR A SUFFICIENT FENCE IN AN INDUSTRIAL ZONE

The following is a "sufficient fence" in an Industrial Zone:—

1. a fence constructed of 50mm steel mesh.
2. the mesh is to be to a height of 1800mm on top of which are to be three strands of barbed wire carrying the fence to a height of 2100mm.
3. the fence is to be supported by steel galvanised pipe posts:—
 - (a) 2700mm in length;
 - (b) having a nominal bore of 40mm and an outside diameter of 48mm;
 - (c) spaced at 4000mm centres;
 - (d) sunk 600mm into the ground and encased in concrete having a diameter of 150mm; and
 - (e) terminal posts are to be braced in the line of the fence with diagonal pipe braces having nominal bore of 50mm and an outside diameter of 60mm.
4. there should be a centre and bottom high tensile galvanised steel wire 3.15 in diameter and double twisted.

by-law 5 (3)

3rd Schedule

SPECIFICATIONS FOR A SUFFICIENT FENCE IN "SPECIAL RURAL ZONE"

The following is a "sufficient fence" in a Special Rural Zone:—

1. Post to be standard iron star pickets being:—
 - (a) Set 450mm in the ground and minimum of 1000mm out of the ground
 - (b) Spaced 3500 apart
2. Strainer posts to be tubular steel having a nominal bore of 80mm and an outside diameter of 88mm and being 2300mm long.
3. Wire to be high tensile steel 2.5mm diameter 6 strand ring lock with single strand strain on top wire.

No barbed wire is permitted on fencing within this zone.

by-law 11 (3) (a)

4th Schedule

LICENCE TO ERECT OR RETAIN AN ELECTRIFIED FENCE

This is to certify that
 of
 is licensed, subject to the conditions set out below, to erect and/or* retain an/the* electrified fence
 on
 +
 (*Delete whichever is not applicable)
 +
 (address)
 from19 and until this licence is transferred or cancelled.
 Dated this day of 19 .

Shire Clerk,
Shire of Irwin.

This licence is issued upon and subject to the following conditions, namely that the holder of the licence shall:—

1. Display the licence in a prominent position on the land or premises on which the electrified fence has been erected.
2. Upon the request of a Building Surveyor produce to him or her the licence.
3. Within 14 days of a change in the ownership or occupation of the land or premises in respect of which the licence has been granted, notify the Shire Clerk in writing of the details of that change or those changes.
4. Obtain the written consent of the Council prior to the commencement of any alteration, addition or other work relating to or affecting the electrified fence.

+
+

Transfer Endorsement

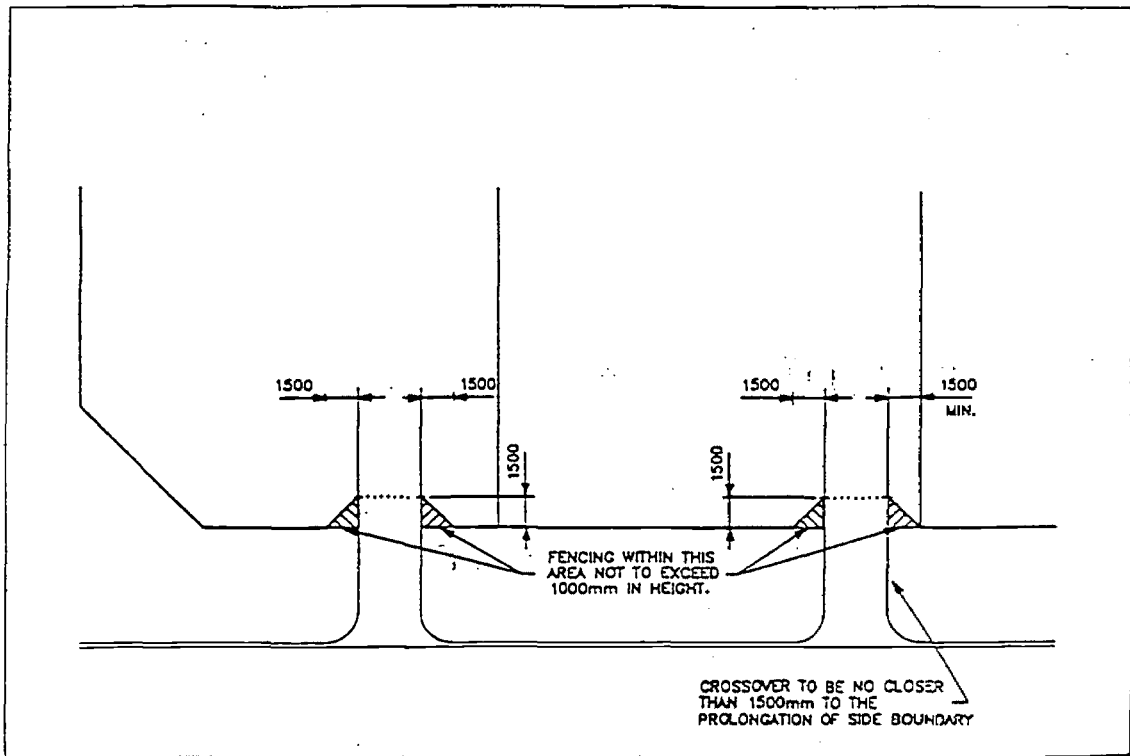
This licence is transferred to
of
+
+
from and including the date of this endorsement.

Dated the day of 19 ..

Shire Clerk,
Shire of Irwin.

by-law 2 (2) (b)

5th Schedule



The Common Seal of the Municipality of the Shire of Irwin was hereunto affixed this 18th day of March, 1994 in the presence of:

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

Recommended:—

PAUL D. OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and the deputy of the Governor in Executive Council the 6th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG302

DOG ACT 1976*Shire of Serpentine-Jarrahdale*

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 8th day of June 1994, to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following amendment to the by-laws published in the *Government Gazette* on 3rd November 1989.

Delete the Fifth Schedule and substitute the following:

Fifth Schedule

FEES

1. Seizure and return of a dog without impounding it	\$17.00
2. Seizure and impounding of a dog	\$34.00
3. Maintenance of a dog in a pound—per day or part of a day	\$6.00
4. Return of impounded dog outside normal hours	\$17.00
5. Destruction of a dog	\$17.00
6. Any veterinary officer's fees where such attention is necessary	\$25.50
7. Annual approved kennel establishment licence fee	\$100.00

Dated this 1st day of July 1994.

The Common Seal of the Shire of Serpentine-Jarrahdale was hereunto affixed pursuant to the resolution of Council in the presence of—

D. J. HADDOW, President.
N. D. FIMMANO, Shire Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council this 6th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG303

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

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 of the abovementioned municipality hereby records having resolved on the 27th day of April 1994 to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following amendment to its By-law Relating to the Conduct of Proceedings and the Business of the Council made on the 17th day of August 1992 and published in the *Government Gazette* on the 17th day of September 1993:

1. By deleting all of clause 92 after the heading "UNOPPOSED BUSINESS" and substituting in lieu thereof:

"92. Unopposed business shall be dealt with as provided in clause 148A"

2. By inserting a new clause 148A as follows:

" UNOPPOSED BUSINESS

148A.1 Upon a motion being moved, the President may ask the meeting if any Member opposes it. If no one signifies opposition to the motion or opposition to the motion being treated as unopposed business, the President may declare the motion carried without debate and in those circumstances every Member present who is entitled to vote shall be taken as having voted in support of the motion.

148A.2 A motion declared carried under the preceding sub-clause shall for all purposes be a resolution of the Council.

148A.3 If any Member signifies opposition to a motion or to a motion being treated as unopposed business, the motion shall be dealt with in accordance with the procedures applicable to business which is not unopposed.

148A.4 Where a motion is declared to be carried under the procedure set out in sub-clause 148A.1, and a Member has declared an interest in that matter pursuant to sub-clause 27.4 and s.174 of the Act, that Member shall be recorded as having not voted on the matter. ”.

3. By deleting all of clause 180 after the heading “ONLY SPECIFIED CLAUSES SUSPENDED” and substituting in lieu thereof:

“ 180. A Member moving the suspension of the Standing Orders under this Division shall either:

180.1 state the specific clause or clauses of the Standing Orders sought to be suspended; or

180.2 state clearly and concisely the reason for or purpose of the proposed suspension in a motion prefaced by the words “I move that such of the Standing Orders be suspended as will allow ...”.

Only the operation of the clauses so nominated or otherwise affected by any resolution to suspend the Standing Orders shall be suspended. ”.

Dated the 29th day of April 1994.

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

M. C. KIDSON, President.

E. W. T. LUMSDEN, Chief Executive Officer.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council this 6th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG304

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Waroona

By-law Relating to Reserves and Foreshores

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 26th July 1994, to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following amendments to its By-law Relating to Reserves and Foreshores as published in the *Government Gazette* 15th April 1994.

(a) In Clause 1 insert the following in alphabetical order:—

“Swimming Area: Means that portion of foreshore as delineated on the “Schedule B” attached hereto and described as that portion of foreshore which lies between the low water mark and the high water mark of the Indian Ocean and running in a northerly direction for 100 metres from the prolongation of the northern boundary of the pedestrian access way entry onto the beach front via Reserve No. 32010.”

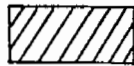
(b) Insert the following Clause in numerical order:—

“17. Within a Swimming Area a person shall not, during the period extending from November 1st to April 30th, of each year, carry out any activities associated with fishing.”

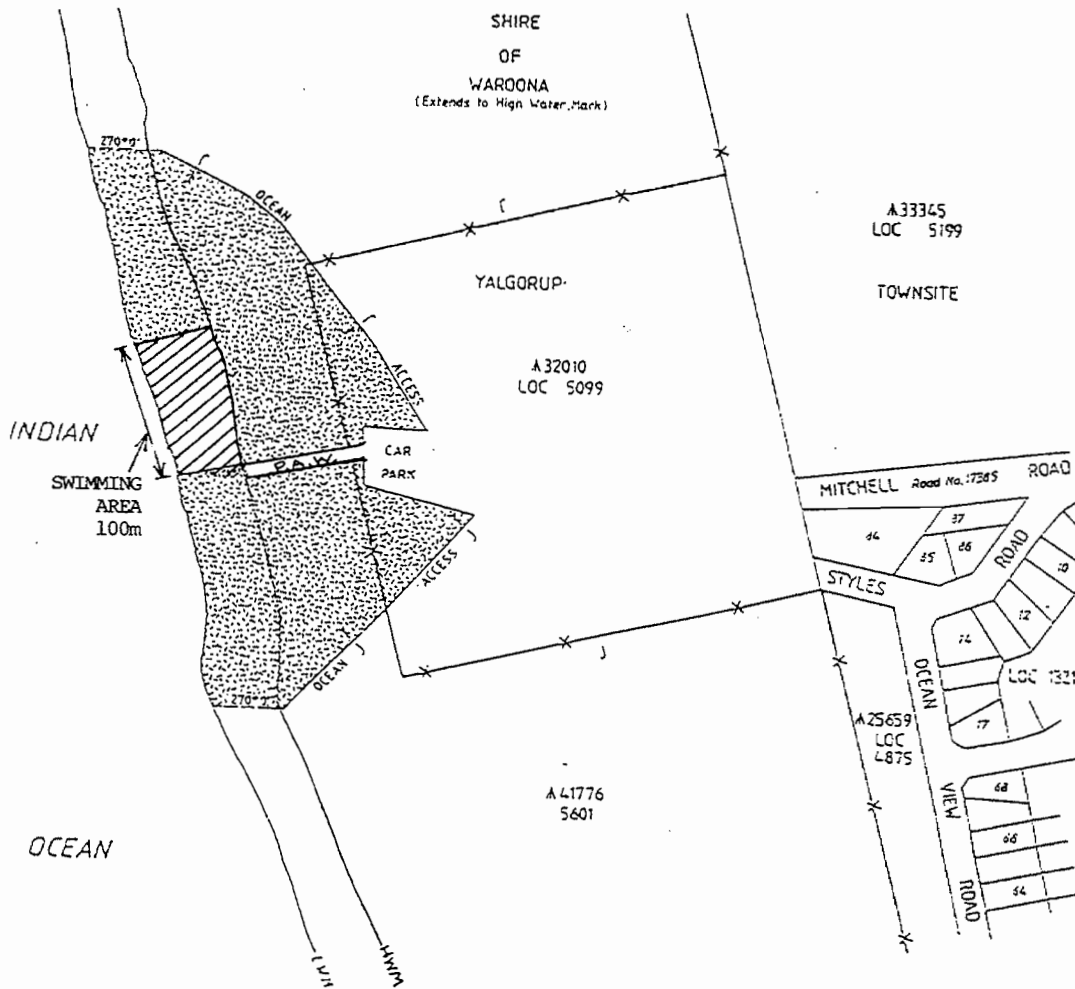
(c) Rename the “Schedule” as “Schedule A”.

(d) Insert the following Schedule after Schedule A:—

SCHEDULE B



SWIMMING AREA



NOTE: Water lines shown on this Diagram do not necessarily depict an exact cadastral boundary.

NOT TO SCALE

Dated this 1st day of November 1994.

The Common Seal of the Municipality of the Shire of Waroona was hereunto affixed in the presence of:—

G. R. STYLES, President.
R. T. GOLDING, Shire Clerk.

Recommended:—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Lieutenant-Governor and deputy of the Governor in Executive Council this 6th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG305

DOG ACT 1976

The Municipality of the Shire of Yalgoo

By-laws Relating to Dogs

In pursuance of the power conferred upon it by the abovementioned Act and all the powers enabling it, the Council of the abovementioned municipality hereby records having resolved on the 19th day of April 1994 to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following By-laws.

1. The Municipality of the Yalgoo Road Board By-laws Relating to Dogs published in the *Government Gazette* on 9 July 1948, are hereby repealed.
2. In these By-laws, unless the context requires otherwise—
 - “Act” means the Dog Act 1976.
 - “Authorised Officer” means an officer of Council authorised under the Act and includes a person authorised pursuant to section 29 of the Act.
 - “Council” means the Council of the Municipality of the Shire of Yalgoo;
 - “district” means the municipal district of the Shire of Yalgoo.
 - “Regulations” means the Dog Act Regulations 1976.
 - “Schedule” means a schedule to these By-laws.
3. The Council may establish and maintain a public pound or pounds for the impounding of dogs seized pursuant to the provisions of the Act.
4. Where a dog seized pursuant to section 20 of the Act is—
 - (a) returned to the owner of the dog; or
 - (b) detained in the pound

the fees and charges payable by the owner are those specified in the First Schedule and the fees and charges shall be paid upon the return of the dog to the owner or upon the release of the dog from the pound.

5. The fee payable by the owner of a dog which has been destroyed pursuant to the provisions of the Act is specified in the First Schedule.
6. An occupier of premises within the district shall not, unless the premises are licensed as an approved kennel establishment or have been granted exemption pursuant to section 26 (3) of the Act, keep or permit to be kept on those premises more than two dogs over the age of three months and the young of those dogs under that age. Premises established as veterinary hospitals or veterinary clinics are exempted from the provisions of this by-law.
7. A person liable for the control of a dog other than a *bona fide* hearing dog or guide dog accompanied by a hearing or visually impaired person or person engaged in the training of a hearing or guide dog, shall prevent that dog from entering or being in any of the places specified in the Second Schedule, unless with the written approval of an Authorised Officer.
8. The lands specified in the Fourth Schedule are designated Dog Exercise Areas for the purpose of the Act.
9. A person liable for the control of a dog who permits that dog to excrete on any street or public place or on any land within the district without the consent of the occupier of that land commits an offence unless the excreta is removed forthwith and disposed of either on private land with the consent of the occupier or in such other manner as the Council may approve.
10. The owner or occupier of premises within the district on which a dog is kept shall cause the portion of those premises on which the dog is kept to be fenced in a manner capable of confining the dog to that portion.
11. A person who contravenes or fails to comply with any provision of these By-laws commits an offence and is liable upon conviction to a penalty not exceeding \$200.00.
12. (1) The offences specified in the Third Schedule are prescribed pursuant to section 45A (2) of the Act as offences in relation to which a modified penalty applies and the amount appearing directly opposite each such offence is the prescribed modified penalty payable in respect of the offence.
 - (2) Where an Authorised Officer has reason to believe that a person has committed an offence against any of the clauses specified in the Third Schedule, he may serve on that person an Infringement Notice in the form prescribed in Form 7 of the First Schedule to the Regulations.
 - (3) An Infringement Notice may be served on an alleged offender personally or by posting it to his address as ascertained from him, at the time or immediately following the occurrence giving rise to the allegation of the offence, or as recorded by Council pursuant to the Act.

(4) Where a person who receives an Infringement Notice fails to pay the prescribed penalty within the time specified in the Notice or within such further time as may be allowed, he shall be deemed to have declined to have the allegation therein dealt with by way of a modified penalty.

(5) A person on whom an Infringement Notice has been served may, within the time specified in that Notice or such further time as may be allowed, send or deliver to the Council the amount of the prescribed penalty, with or without an Infringement Notice, and the Council may thereupon—

(a) appropriate that amount in satisfaction of the penalty and issue an acknowledgement; or

(b) withdraw the Infringement Notice and refund the amount so paid.

(6) An Infringement Notice may, whether or not the prescribed penalty has been paid, be withdrawn by the Council by sending a Notice, in the form prescribed in Form 8 of the First Schedule to the Regulations, to the alleged offender at the address specified in the Notice or his last known place of residence or business and in that event, any amount received by way of modified penalty shall be refunded and any acknowledgement of the receipt of that amount shall for the purpose of any proceedings in respect of the alleged offence, be deemed not to have been issued.

First Schedule

	\$
For seizing and return of a dog	40.00
For seizing and impounding a dog	40.00
For transporting a seized dog back to its owner	10.00
For the sustenance and maintenance of a dog in the pound	5.00
(per day or part of a day)	
For the destruction of a dog	20.00

Second Schedule

A public building
 A theatre, or recreational hall
 A house of worship
 Any shop, hotel or tavern
 (excluding a pet shop or veterinary clinic)

Third Schedule

Prescribed Offences

By-Law	Nature of Offence	Modified Penalty \$
7.	Permitting a dog to enter or to be on land described in the Second Schedule	40.00
9.	Permitting a dog to excrete on any land	40.00
10.	Insufficient fencing	40.00

Fourth Schedule

The lands specified herein are designated as Dog Exercise Areas:

Yalgoo Sporting complex: Reserve 39961

Yalgoo Town Park: Lot 37 Shamrock St., Yalgoo.

Dated this 5th day of May, 1994.

The Common Seal of the Shire of Yalgoo was affixed in hereto in the presence of:

J. H. MORRISSEY, President.
A. J. GERTENBACH, Shire Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council this 6th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG306

LOCAL GOVERNMENT ACT 1960

The Municipality of the Town of Port Hedland

By-law relating to the removal and disposal of Obstructing Animals or Vehicles.

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the Municipality of the Town of Port Hedland hereby records having resolved on 28 October 1993 to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following amendments to the abovementioned by-law as published in the *Government Gazette* on 1 August 1962.

1. Clause 2 amended—
 - (a) in sub-clause (1) by adding the following definition immediately after the definition of "Public place"—

“Shopping trolley” means a vehicle used or designed for use by customers of shops for the purpose of transporting goods and merchandise”
 - (b) in sub-clause (2) by adding the following words immediately after the word “vehicle” where that word first appears—

“other than a shopping trolley”.
2. The by-law is amended by adding the following new clause immediately after clause 3—

“3A A shopping trolley left in a public place is not obstructing for the purposes of this by-law unless it is so left for any period exceeding three (3) hours without the consent in writing of the clerk of the Council.”
3. Clause 11 is amended in paragraph (b) by deleting the words;
“the sum of ten shillings per day for each day or part of a day that the vehicle has remained in the appointed place; and upon payment of that cost and charge the Clerk, if satisfied that the person is the owner of the vehicle or is a person entitled to possession of the vehicle shall permit him to remove it” and substituting therefore—

“in the case of a shopping trolley a charge \$2.00 per day or in the case of any other vehicle a charge of \$5.00 per day for each day or part of a day that the vehicle has remained in the appointed place.”
4. The by-law is amended by adding the following new clauses immediately after clause 11—

“11A Upon payment of the cost and charge referred to in clause 11, the clerk if satisfied that the person is the owner of the vehicle or is a person entitled to possession of the vehicle, shall permit him to remove it.

11B Every person who removes a vehicle from an appointed place without the authority of the clerk commits an offence.”
5. Clause 14 amended
 - (a) in paragraph (b) of sub-clause (1) by deleting the words “of removal of the vehicle to the appointed place, and a sum of ten shillings for each day or part of a day that the vehicle remained in that place: and those sums shall be paid into the Municipal Fund”, and substituting therefore—

“and the charge referred to in clause 11” and

- (b) in sub-clause (2) by deleting:
 "be paid by the Council into its trust fund and may be paid within ten years to any person who satisfies the Council that he was the owner of the vehicle at the time of its sale by Council,"
 and substituting—
 "where the identity or whereabouts of that owner is unknown, be placed in a trust fund and be dealt with according to the provisions of section 526 of the Act", and
- (c) by deleting sub-clause (3).
6. Clause 15 is amended by deleting:
 "not exceeding twenty pounds;"
 and substituting—
 "in the instance of a shopping trolley not exceeding \$50 and in the instance of a vehicle other than a shopping trolley a penalty not exceeding \$100".

Dated this Second day of December 1993.

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

A. EGGLESTON, Mayor.
 G. W. FITZGERALD, Town Clerk.

Recommended—

P. OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council this 6th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG307

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Armadale

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 of the abovementioned Municipality hereby records having resolved on the 2nd day of May, 1994, to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor, the following amendments to the above By-law published in the *Government Gazette* on 3 August 1973 and amended on April 21 1978, December 24 1980, June 26 1981, June 10 1983, June 22 1984, July 10 1987, October 20 1989, March 16 1990, April 19 1991, August 23 1991 and May 10 1994.

1 Delete Clause 39 and insert in lieu thereof, the following:

- "39. (1) Reports of Committees should be presented to Council by the Chairman of each Committee concerned, or in his absence, a member of that Committee in the form of a motion "That the Report be received."
 (2) No objection to the reception of the Report of any Committee, or any part thereof, shall be raised, except in the form of corrections in recording.
 (3) Should objection be raised to the Report of any Committee, other than that part of the Report forming the recommendation, in relation to the correctness of recording, then unless authorised by all members of the Committee present at the proceedings and voting, no correction shall be made to that part of the Report and it shall be referred back to the responsible Committee for any correction considered necessary by the Committee to be made.
 (4) Should objection be raised to a recommendation contained in the Report of any Committee in relation to the correctness of recording, then the Council shall proceed to deal with the recommendation pursuant to Clause 87 (2).

- (5) After reception of the Report of any Committee, Council shall, without further motion, consider the recommendations seriatim, unless Council shall otherwise determine.
- (6) On conclusion of the consideration in sub-clause (5) of this Clause, a member shall move "That the recommendations contained in the Report except those already dealt with, be adopted."

Dated this 8th day of June 1994.

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

R. C. STUBBS, Mayor.
J. W. FLATOW, City Manager/Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Dated 19th October 1994.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council the 6th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG308

LOCAL GOVERNMENT ACT 1960

Municipality of the City of Geraldton

By-law Relating to Parking Facilities

In pursuance of the powers conferred on it by the abovementioned Act, and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 22nd day of June 1994, to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor, the following amendments to the abovementioned By-law as published in the *Government Gazette* on the 14th day of December 1973 and amended from time to time.

The By-law is amended as follows—

1. By adding the words "or symbols to that effect" in the definitions of the following expressions in Clause 2:
 - (a) " No parking area "

in each of parts (a) and (b) immediately following the words in "red lettering".
 - (b) " No standing area "

in each of parts (a) and (b) immediately following the words in "red lettering".
 - (c) " Parking area "

in each of parts (a) and (b) immediately following the words in "green lettering" and again in part (b) immediately following the words "in red lettering".
2. By deleting in Clause 2 the definition of "Sign" and inserting the following:

" "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. "
3. By inserting in Clause 2 in alphabetical order the following definition:

" "SYMBOL" includes any symbol issued or approved by the Standard 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 28th day of October 1994.

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

PHILLIP G. COOPER, Mayor.
GRAEME K. SIMPSON, Town Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council this 6th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG309

LOCAL GOVERNMENT ACT 1960

City of Geraldton

By-laws Relating to Stallholders and the Stalls they Operate

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 15th day of December 1993, to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following By-laws.

1. In these By-laws unless the context otherwise requires, the terms used will have respective interpretations set out hereunder.

“Authorised Officer” means an officer authorised by Council to enforce the provisions 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 City of Geraldton;

“District” means the district of the City of Geraldton;

“Stall” means a movable or temporarily fixed structure, stand or table, in, on or from which grown produce, goods, wares, merchandise or services are sold or offered for sale;

“Stallholder” means a person or community association who is the holder of a current licence issued pursuant to these By-laws.

2. No person or community association shall set up or operate a stall in the district unless that person is a stallholder.

3. Any person or community association who desires to be a stallholder within the district shall make application in the form specified in Schedule No. 1 to the Council for a stallholder’s licence. Where the stall is to be operated on land which is not owned by the applicant the applicant shall furnish with his application written consent to the establishment of the stall from the landowner or person in whose control the land is vested.

4. The Council may—

4.1 Grant a licence on such conditions if any, as it thinks fit;

4.2 Refuse to grant a licence on all or any of the following grounds—

4.2.1 That the stall or the customers thereof will cause an obstruction to pedestrians or vehicular traffic;

4.2.2 That the stall will adversely affect the amenity of the locality;

4.2.3 That there is no satisfactory means of access to and from the stall;

4.2.4 That inadequate parking space is available for the customers of the stall;

4.3 Amend a licence upon being requested in writing to do so by the stallholder; or

4.4 After giving three (3) calendar months’ notice of its intentions to do so, cancel a licence on any of the grounds referred to in paragraph 4.2 hereof.

- 5. The licence shall be in the form specified in Schedule No. 2 and shall specify the name of the holder thereof, the things or services to be sold at the stall and the time and the place which the stall is to be set up and operated.
- 6. The stallholder shall at all times keep the licence readily available so that it may be produced or inspected upon demand by an authorised officer or the stallholder shall display the licence in a prominent position on or near the stall.
- 7. Every licensed stall shall bear, in figures legible from the nearest street, the number of the licence.
- 8. A licence granted by Council shall remain current until the expiry date specified thereon; or until it is cancelled by Council under By-law 4.4 hereof, or until a breach by the holder thereof of the By-laws or conditions pursuant to the licence issued under these By-laws, whichever is the sooner.
- 9. A stallholder shall not display a sign on or near the stall other than a sign authorised by the Council.
- 10. The fees set out hereunder shall be payable to the Council in respect of a licence and subject to By-law 11 hereof no licence shall be valid unless the said fees have been paid—
 - For 12 Calendar Months \$80.00
- 11. Where a stall is set up by a community association and the stall is conducted by and for the purposes of the community association, fees or charges prescribed by By-law 10 shall not be payable in respect of the licence applicable to that stall.
- 12. Any person or community association who sets up or conducts a stall otherwise than in conformity with these By-laws commits an offence and shall be liable upon conviction to a fine not exceeding \$500.00 and a daily penalty not exceeding \$50.00 per day for each day the offence continues.
- 13. A person or community association who desires an exemption from these By-laws shall apply to the Council in writing and shall advise the number and type of stalls to be operated and the names and addresses of the persons responsible for their operation.
- 14. The Council may grant an application made under By-law 13 hereof either in full or part or on such conditions as Council thinks fit and may refuse such an application without subscribing any reasons therefor.
- 15. Any stall proposed is to be of a design and constructed of materials approved by the Council.
- 16. All grown produce, goods, wares or merchandise shall only be displayed for sale between the hours of 7.00 am and 6.00 pm.
- 17. For the purpose of temporary daily stalls for charitable and community associations no licence fee is required. Prior approval is to be obtained from the City's Health Department before this type of stall can be used.

Schedule No. 1
City of Geraldton
 Application for Stallholders Licence

Name of Applicant/s
 Residential Address
 Telephone No. (Business) (Home)
 Description of Stall
 Proposed Stall Location
 Description of Goods to be Sold
 Times and Days the Stall will be Open for Business

I/We
 hereby certify that I/We have read and understood the Standard Conditions for Stallholders' Licences, as printed, and agree to comply with them in the event of a Stallholders' Licence being granted.

.....
 Date Signature/s

FEES: \$80.00 for 12 months

STANDARD CONDITIONS FOR STALLHOLDERS' LICENCE

- 1. No person or persons other than the stallholder or stallholders shall operate the stall.
- 2. No stallholder shall—
 - 2.1 Operate the stall in any place other than that specified on the licence;

Schedule No. 2

City of Geraldton

STALLHOLDERS LICENCE

Stallholder/s (1)

Address (2)

Licence to Operate a Stall (3)

For the Sale of (4)

Hours/Days of Business (5)

This licence is issued subject to the By-laws relating to stallholders from time to time in force in the district of the City of Geraldton and subject to the standard conditions for stallholders licences and any other conditions appended hereon.

Dated this Day of 19.....

City Manager Expiry Date

Notes—

- (1) Insert name/s of stallholder/s
- (2) Insert stallholder/s address/es
- (3) Insert description of and the location or site of the stall
- (4) Insert appropriate description
- (5) Insert the hours and days when the stall is authorised to operate

CONDITIONS ON WHICH THIS STALLHOLDERS' LICENCE IS ISSUED

Standard Conditions—

- 1. No person or persons other than the stallholder or stallholders shall operate the stall.
- 2. No stallholder shall—
 - 2.1 Operate the stall in any place other than that specified on the licence.

Dated this 17th day of May 1994.

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

PHILLIP G. COOPER, Mayor.
GRAEME K. SIMPSON, Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council the 6th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG310

LOCAL GOVERNMENT ACT 1960
The Municipality of The City of Melville
By-law Relating To Dogs

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 19th day of April 1994 to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following amendment to the By-law.

1. Delete the first schedule and replace with—

	First Schedule City of Melville Dog Act 1976 Prescribed Fees	
(i)	for the release of an impounded dog during pound hours	\$60.00
(ii)	for the release of an impounded dog at any time other than that determined by the Council pursuant to clause 4 herein.	\$80.00
(iii)	for the euthanasia of a dog	\$35.00
(iv)	for the sustenance and maintenance of a dog in pound—per day or part thereof	\$12.00
(v)	licence to keep approved kennel establishment	\$100.00
(vi)	renewal of licence to keep approved kennel establishment	\$60.00

Dated the 5th day of August 1994.

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

CAMERON J. SCHUSTER, Deputy Mayor.
JOHN J. McNALLY, Acting Chief Executive Officer/Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council this 6th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG311

LOCAL GOVERNMENT ACT 1960
The Municipality of the City of Nedlands
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 21 March, 1994, to make and submit for conformation by the Lieutenant-Governor and deputy of the Governor the following amendment to its By-laws Relating to Parking Facilities which was published in the *Government Gazette* on 12 September, 1986, and amended from time to time.

The By-laws are amended by deleting the Third Schedule and Inserting the following—

“
Third Schedule

Item No.	By-law	Nature of Offence	Modified Penalty \$
1	32	Obstruction of street or public place	50.00
2	12 (2) (a)	No Standing Area	50.00
3	15 (1) (j)	Parked on an intersection	50.00
4	15 (3)	Within 6m of property line at an intersection	50.00

Third Schedule— <i>continued</i>			
Item No.	By-law	Nature of Offence	Modified Penalty \$
5	15 (1) (a)	Double parked	50.00
6	45 (2)	Refusal of name and address	50.00
7	21 (1)	Parked on private property	50.00
8	10 (1) (a)	Obstruction of parking station	50.00
9	12 (1) (a)	Parked in an area reserved for vehicles of a different class	40.00
10	12 (1) (b)	Restricted parking	40.00
11	12 (2) (d)	Vehicles other than a motor cycle parked in an area marked for motor cycles	40.00
12	12 (3)	No Parking Area	40.00
13	13 (a)	Two-way Carriageway—not close and parallel, facing wrong way	40.00
14	13 (b)	One-way Carriageway—not close and parallel, facing wrong way	40.00
15	13 (e)	Not entirely within marked stall	35.00
16	15 (1) (c)	Obstruction of Entry	50.00
17	15 (1) (g)	Parked on footpath	50.00
18	15 (6)	Verge parking in a prohibited area	40.00
19	15 (4) & (5)	Standing in a bus stand	40.00
20	22 (1)	Standing on public reserve	40.00
21	12 (1) (c)	Parked longer than allowed	25.00
22	12 (2)	Parked in a private area without authorisation	40.00
23		All other offences for which the use, driving, parking, standing or leaving of a vehicle is an element	25.00

Dated this 27th day of April, 1994.

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

C. E. BARNS, Mayor.
N. G. LEACH, Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council this 6th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG401

LOCAL GOVERNMENT ACT 1960

Shire of Dalwallinu

FORM No. 30

Municipality of the Shire of Dalwallinu

Sale of Land for Rates

(Section 584)

Notice is hereby given that default in the payment of rates for a period of not less than three years having occurred, the Shire of Dalwallinu, acting under the powers conferred by sub-section C of Division 6 Part XXV of the Local Government Act 1960, will offer for sale, by Public Auction, in the lounge of the Wubin Hotel, Wubin, on the 6th day of January 1995, at 2.00 p.m., the pieces of land specified in the Schedule hereto.

W. T. ATKINSON, Shire Clerk.

Schedule

Description of Land and Lot or Location Number	Plan or Diagram Number	Title Reference	Area	Street	Description of Improvements, if any	Name of Registered Proprietor	Name of Other Persons Appearing to Have an Interest	Rates Outstanding	Other Charges Due on the Land
Lot 59 Wubin	Wubin Lot 59	Vol. 1188 Folio 520	1012 m ²	Woodhouse Street	Vacant Land	Matilda Taylor (Dec'd)	-	\$295.00	WAWA Rates \$624.10 as at 5/12/94 + 15c/day
Lot 60 Wubin	Wubin Lot 60	Vol. 1188 Folio 521	1012 m ²	Woodhouse Street	Vacant Land	Matilda Taylor (Dec'd)	-	\$295.00	WAWA Rates \$757.10 as at 5/12/94 + 23c/day

LG402

LOCAL GOVERNMENT ACT 1960

City of Mandurah

Section 532 (12) of the Local Government Act allows for a Council from time to time to declare any land or a portion of land used by a sporting association as exemption from municipal rates. Council has the power to subsequently amend, vary or cancel the declaration.

At a meeting of the Mandurah City Council held 20 September 1994, it was resolved that the Sporting Associations within the Mandurah Municipality specified hereunder be exempt from Council rates.

Sporting Association	Premises
Mandurah Football & Sportsman's Club Inc. PO Box 500, Mandurah (Dower Street)	Reserve No. 28164
Port Bouvard Pistol Club Inc. PO Box 363, Mandurah	Reserve No. 32477 and Part 2851
Mandurah Tennis Club Inc. PO Box 449, Mandurah (Thompson Street)	Co Snd Loc 16, Pt Lt 2 on Diag. 20749, C/T V.611 & F9A & Lt 91 on Diag. 45668 V. 1537 F. 562
South Mandurah Football Club Inc. PO Box 5152, Falcon	Reserve No. 32501
Mandurah Blind Bowling & Rec. Club Inc. PO Box 147, Mandurah (Coolibah Avenue)	Reserve No. 22204
Mandurah Croquet & Recreation Club Inc. 3 Scrivener Place, Mandurah (Thompson Street)	Part Lot 91, Diag. 45668, C/T V.1537 F.562
Mandurah Yacht Club Inc. PO Box 631, Mandurah (Mary Street)	Reserve No. 7863 and Part C/T V.957 F.173
Federation of WA Police & Citizens Youth Club Inc. (Dower Street)	Reserve No. 19312
Port Bouvard Rec. & Sporting Club Inc. Estuary Road, Dawesville	Reserve No. 37304
Dudley Park Bowling & Rec. Club Inc. PO Box 545, Mandurah (Comet Street)	Reserve No. 25477
Halls Head Sporting & Rec. Club Inc. PO Box 940, Mandurah	Lt. 31, Diag. 79193, C/T V.1895 F.12
Mandurah Offshore Fishing Club Inc. PO Box 219, Mandurah	Cockburn Sound Loc. 2514 Reserve No. 37070
Mandurah Bowling Club Inc. Allnut Street, Mandurah	Cockburn Sound Locs. 1768, 1885 and 1974 Reserve 24434
Mandurah Amateur Swimming & Lifesaving Club Inc. Coolibah Avenue, Mandurah	Pt. Reserve 22204
Girl Guide Association of WA Inc. 107 Wellington Street, East Perth & Scout Assoc. of Australia WA Branch, 581 Murray Street, Perth	Co Snd. Loc. 16, Diag. 1324. C/T V.957 F.173

STEPHEN GOODE, Chief Executive Officer.
BRUCE CRESSWELL, Mayor.

LG403

DOG ACT 1976*The Municipality of the Shire of Halls Creek*

It is hereby notified for public information that the following persons have been appointed under the provision of the Dog Act 1976, for the Municipality of the Shire of Halls Creek—

Registration Officers	Authorised Officers
Mr P. Foster	Mr W. Atyeo
Mr C. W. Molloy	Mr M. Merrison
Mr P. Pawelec	Mr B. Boland
Mr W. Atyeo	Mr R. Boland
Ms J. Halpin	
Ms S. Atyeo	

All previous appointments are hereby cancelled dated 8 December 1994.

PHILIP FOSTER, Shire Clerk.

LG404

BUSH FIRES ACT 1954*Shire of Quairading*

Appointment of Bush Fire Control Officers

It is hereby notified for public information that the following persons have been appointed as Bush Fire Control Officers for the Shire of Quairading for the 1994/95 Fire Season.

Chief Fire Control Officer—R. C. Hawksley

Deputy Chief Fire Control Officer—T. E. Richards

Bush Fire Control Officers—

G. A. Fardon	A. J. Simpson
N. N. Fraser	G. J. Dall
G. E. Anderson	K. F. Simpson
W. M. Davies	D. T. Stone
G. D. Veitch	G. R. Johnston
G. W. Anderson	G. C. McRae
A. D. Gelmi	S. J. Edwards

All previous appointments are hereby cancelled.

G. A. FARDON, Shire Clerk.

LG405

LOCAL GOVERNMENT ACT 1960

CITY OF BELMONT (SPECIFIED AREA) ORDER No. 1, 1994

Made by the Lieutenant-Governor and deputy of the Governor under the provisions of section 548 (4) of the *Local Government Act 1960*.

Citation

1. This Order may be cited as the *City of Belmont (Specified Area) Order No. 1, 1994*.

Commencement

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

Authorisation to use Specified Area Rate

3. The portion of the municipality of the City of Belmont, as described in the Schedule to this Order, is declared to be a specified area to which section 548 (4) of the *Local Government Act 1960* applies.

Dated 6 December 1994.

By Command of the Lieutenant-Governor and deputy of the Governor,

M. C. WAUCHOPE, Clerk of the Council.

Schedule

All that portion of land comprising Lot 12 of Swan Location 34 as shown on Office of Titles Diagram 38896, Lots 3 to 9 inclusive of Swan Location 34 as shown on Office of Titles Plan 8806, Lot 7 of Swan Location 34 as shown on office of Titles Diagram 36264 and part Lot 38 of Swan Location 34 as shown on Office of Titles Plan 1029 Sheet 2.

Land Administration Public Plan: BG34 1:2000 17.23.

LG406

LOCAL GOVERNMENT ACT 1960**SHIRE OF BUSSELTON (WARD BOUNDARIES) ORDER No. 1, 1994**

Made by the Lieutenant-Governor and deputy of the Governor under the provisions of section 12 of the *Local Government Act 1960*.

Citation

1. This Order may be cited as the *Shire of Busselton (Ward Boundaries) Order No. 1, 1994*.

Commencement

2. This Order shall take effect on and from 6 May 1995.

Alteration of Ward Boundaries

3. The boundaries of the Central Urban, East Rural, East Urban, West Rural and West Urban Wards of the Shire of Busselton are hereby altered by—

- (a) severing the land described in Schedule A to this Order from the West Urban Ward and annexing that land to the Central Urban Ward.
- (b) severing the land described in Schedule B to this Order from the East Rural Ward and annexing that land to the East Urban Ward.
- (c) severing the land described in Schedule C to this Order from the West Rural Ward and annexing that land to the West Urban Ward.

By His Excellency's Command,

6 December 1994.

M. C. WAUCHOPE, Clerk of the Council.

Schedule A

All that portion of land bounded by lines starting from the intersection of the centreline of Caves Road with the prolongation southerly of the western side of Forth Street and extending northerly to and along that side and onwards to the High Water Mark of the Indian Ocean; thence generally easterly and generally northeasterly along that high water mark to the prolongation northerly of the centreline of Cuthbert Road; thence southerly to and along that centreline and onwards to the centreline of Caves Road and thence northwesterly along that centreline to the starting point.

Department of Land Administration Public Plans: BF.29(2) 19.34 and 19.35.

Schedule B

All that Portion of land bounded by lines starting from the intersection of a southeastern side of Layman Road with the eastern side of Ford Road, a point on a present East Rural Ward boundary and extending northerly, northeasterly, again northerly and generally northeasterly along boundaries of that ward to the eastern boundary of Sussex Location 1; thence southerly along that boundary to the northeastern corner of lot 190 as shown on Land Titles Office Plan 14604 of that location; thence generally southwesterly, southeasterly and again generally southwesterly along boundaries of that lot to the eastern most northeastern boundary of location 4897 (Reserve 41568); thence northwesterly, southwesterly, southeasterly and generally westerly along boundaries of that location to a southeastern side of Layman Road and thence generally southwesterly along sides of that road to the starting point.

Department of Land Administration Public Plans: BF.29(2) 25.36, 26.36, 26.37, 27.37 and 28.38; 3F.29(10) 6.8.

Schedule C

All that portion of land bounded by the lines starting from the intersection of the centreline of Caves Road with the prolongation northerly of the eastern boundary of Reserve 12493, a point on a present West Urban Ward Boundary and extending generally northeasterly and northwesterly along boundaries of that ward to the easternmost southeastern corner of Sussex Location 295; thence westerly, and southerly and again westerly along boundaries of that location to the northwestern corner of location 290 and thence southerly and easterly along boundaries of that location and onwards to the starting point.

Department of Land Administration Public Plans: BF.29(2) 10.39 and 10.40.

LG407

**LOCAL GOVERNMENT ACT 1960
MUNICIPAL ELECTIONS**

Department of Local Government, Perth.

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

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

Shire of Collie

10/11/1994; Wilks, Geoffrey Allan; Councillor; North Town; (b); Smith, G.; Extraordinary.

Shire of Laverton

19/11/1994; Farmer, Cynthia Ellen; Councillor; Country; (b); Polmear, L.; Extraordinary.

19/11/1994; Keenan, Stewart; Councillor; Town; (b); Allison, G.; Extraordinary.

JOHN LYNCH, Executive Director.

LG408

LOCAL GOVERNMENT ACT 1960

**CITY OF PERTH, TOWN OF CAMBRIDGE, TOWN OF VICTORIA PARK, TOWN OF VINCENT
(CORRECTION OF DESCRIPTION OF DISTRICT BOUNDARIES) ORDER 1994**

Made by the Lieutenant-Governor and deputy of the Governor under the provisions of section 12 (3a) (d) of the Local Government Act 1960.

Citation

1. This Order may be cited as the *City of Perth, Town of Cambridge, Town of Victoria Park, Town of Vincent (Correction of Description of District Boundaries) Order 1994*.

Correction of Errors

2. Those errors which occurred in the descriptions of the districts of the City of Perth, Town of Cambridge, Town of Victoria Park, Town of Vincent in Schedules 1-4 of the City of Perth Restructuring Act 1993 are hereby corrected in accordance with the attached schedule.

By His Excellency's Command,

Dated 6 December 1994.

M. C. WAUCHOPE, Clerk of the Council.

Schedule

In schedule 1 Part A headed "District of the City of Perth" on line 20 delete the word "northeastern" and insert the word " northwestern ".

In schedule 2 Part A headed "District of the Town of Cambridge" on line 31 delete the word "southwesterly" and insert the word " southeasterly ".

In schedule 2 Part A headed "District of the Town of Cambridge" on lines 70-72 delete the words "an eastern boundary of Commonwealth Reserve 196 (Rifle Range); thence northerly and northwesterly along boundaries of that reserve" and insert the words " the northeastern boundary of Lot 1 of Location 1911, as shown on Certificate of Title, Volume 1926 Folio 199; thence northwesterly along that boundary to a northeastern boundary of portion of Location 1911, as shown on Certificate of Title, Volume 1930 Folio 302; thence generally north westerly along northeastern boundaries of that location ".

In schedule 3 Part A headed "District of the Town of Vincent" on line 13 delete the word "northeastern" and insert the word " northwestern ".

In schedule 4 Part A headed "District of the Town of Shepperton" on line 27 delete the number "2601" and insert the number " 3769 ".

In schedule 4 Part A headed "District of the Town of Shepperton" on line 33 delete the word "southeastern" and insert the word " southwestern ".

LG901

LOCAL GOVERNMENT ACT 1960*Shire of Cue*

Proposed Loan No. 39 \$100 000

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

Amount: \$100 000.

Period: 10 years.

Term: Loan to be for a term of 10 years with interest at ruling Treasury rates negotiable after five (5) years at the office of Council in twenty half yearly instalments of principal and interest.

Purpose: Grassing and reticulation of oval on Reserve 38357, upgrading of Cue Railway Station and surrounds.

Information relating to the plans, specifications, and estimates are available for inspection at the office of the Council for a period of thirty five (35) days from the date of this notice.

Dated this 8th day of December 1994.

J. M. PRICE, President.
L. A. WELSH, Shire Clerk.

MINERALS AND ENERGY

MN101

CORRECTION**PETROLEUM ACT 1967****EXPIRY OF DRILLING RESERVATION DR 3**

The notice for the expiry of DR 3 published on page 5642 of the *Government Gazette* on 4 November 1994 is corrected by deleting the words under the above heading and substituting "Notice is thereby given that Drilling Reservation DR 3 expired on 28 October 1994."

KEITH GAMMIE, Acting Director,
Petroleum Operations Division.

MN102

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

Notices of page 5959 of the *Government Gazette* dated 25 November 1994 should be amended as follows—

From—

59/505 Barcfin Pty Ltd; Bredelle Pty Ltd; Thornton, Robert Jeffery; Yalgoo
Titanic Holdings Pty Ltd

To—

59/505 Barcfin Pty Ltd; Bredelle Pty Ltd; Thornton, Robert Jeffery; Yalgoo
Titanic Holdings Pty Ltd

MN103

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

Notices of page 5392 of the *Government Gazette* dated 21 October 1994 should be amended as follows—

From—

39/290 Adam; Nicholas James

Mt Margaret

To—

39/290 Adami, Nicholas James

Mt Margaret

MN401

PETROLEUM ACT 1967**INVITATION FOR APPLICATIONS FOR THE GRANT OF EXPLORATION PERMITS AND DRILLING RESERVATIONS**

I Samuel George Ernest Cash, the Minister for Mines in the State of Western Australia acting pursuant to sections 30 (1) and 43A of the Petroleum Act 1967 hereby invite applications for the grant of exploration permits (Permit) and drilling reservations (DR) within Western Australia's sedimentary basins under the jurisdiction of the Petroleum Act 1967.

Applications will be received up until 4.00 p.m. on Thursday, 30 March 1995.

For the purpose of this advertisement the vacant areas available for application are depicted on plans of the 1:1 000 000 series entitled "Invitation for Petroleum Title Applications" dated 9 December 1994 which are available for inspection at the Public Counter located on the first floor of the Department of Minerals and Energy.

This invitation does not include blocks which, at the time of this notice being published are the subject of Permits, DR's production licences, retention leases or applications thereof, or Areas L94-1 to 6 published in the *Government Gazette* on 28 November 1994.

For permits, applications shall identify a single area of up to 400 contiguous blocks. DR's shall be for a block or a minimum of contiguous blocks covering a drillable prospect.

As the areas which may be applied for include waters internal to the State ie: between the coast and the baseline from which the Territorial Sea is measured, applicants interested in such areas should familiarise themselves the Government's "New Horizons in Marine Management" policy document, copies of which are available from the Department of Minerals and Energy.

The Permit application shall specify a minimum number of wells to be drilled, line kilometres of seismic surveying to be carried out, and estimated expenditures for each of the six years.

Drilling Reservations requires the drilling of a well within twelve (12) months of being granted.

Applications are to be made in accordance with sections 31 and 43B as appropriate. Wells referred to in the work program should not include development wells. Consideration of an application for the grant of a Permit or DR shall take into account work programs relative to the whole of the area applied for, the adequacy of the work program and the applicant's technical and financial ability to undertake the work. Permits are awarded on the understanding that the first two years work commitment will be fulfilled without variation.

The approved application forms are available upon request.

Lodgement of Applications

Applications must be lodged by 4.00 p.m. Thursday 30 March 1995. Applications, together with supporting data, should be submitted to—

Director Petroleum Operations Division,
Department of Minerals and Energy,
Level 3, Mineral House,
100 Plain Street,
East Perth WA 6004.

Attention: Petroleum Applications Receiving Officer

The following special instructions should be observed:

- the application and supporting data, together with a fee of \$3 000.00 (non-refundable) payable to the Department of Minerals and Energy through an Australian Bank or by bank cheque, should be enclosed in the envelope or package.
- the application should be sealed and clearly marked "Application for Exploration Permit/ Drilling Reservations—Commercial-in-Confidence".
- unless delivered by hand to the Petroleum Applications Receiving Officer the sealed application (as described above) should be enclosed in a plain covering envelope or package and forwarded to the above address.

Receipts for applications (received and delivered by hand) will be issued by the Petroleum Applications Receiving Officer.

Enquiries concerning the gazettal should be referred to—

Mr Peter Baillie
Petroleum Operations Division,
Tel: (09) 222 3133
Fax: (09) 222 3515

MN402

PETROLEUM ACT 1967**DETERMINATION**

Petroleum Exploration Permit Nos. EP344 and EP345 were determined as at 25 November 1994.

KEITH GAMMIE, Acting Director,
Petroleum Operations Division.

PLANNING AND URBAN DEVELOPMENT

PD401

**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME S.33A AMENDMENT
APPROVED AMENDMENT**

Transfer Pt Lot 48 Brixton Street and Pt Lot 78 Bickley Road, Kenwick from the Urban Zone to
HTE Parks and Recreation Reservation

No. 956/33A

File: 833-2-25-58.

The Hon Minister for Planning has approved as advertised, the abovementioned amendment to the Metropolitan Region Scheme.

The amendment, as shown on Plan Number 4.1217/1, shall have effect as from the date of publication of this notice in the *Gazette*.

The Plan as approved can be viewed at—

1. Department of Planning and Urban Development, 469-489 Wellington Street, Perth WA 6000.
2. J. S. Battye Library, Alexander Library Building, Cultural Centre Francis Street, Northbridge WA 6000.
3. Office of the Municipality of the City of Gosnells, 2120 Albany Highway, Gosnells WA 6110.

IAN WIGHT-PICKIN, A/Secretary.

PD402

**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME S.33A AMENDMENT
APPROVED AMENDMENT**

Roe Highway at South Street Interchange, City of Canning

No. 887/33A

File: 833-2-16-35.

The Hon Minister for Planning has been approved as advertised, the abovementioned amendment to the Metropolitan Region Scheme.

The amendment, as shown on Plan Number 4.1204, shall have effect as from the date of publication of this notice in the *Gazette*.

The Plan as approved can be viewed at—

1. Department of Planning and Urban Development, 469-489 Wellington Street, Perth WA 6000.
2. J. S. Battye Library, Alexander Library Building, Cultural Centre Francis Street, Northbridge WA 6000.
3. Office of the Municipality of the City of Canning, 1317 Albany Highway, Cannington WA 6107.

IAN WIGHT-PICKIN, A/Secretary.

PD403

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

Town Planning Scheme No. 11—Amendment No. 76

Ref: 853/2/15/10, Pt. 76.

Notice is hereby given that the City of Belmont has prepared the abovementioned scheme amendment for the purpose of rezoning from Tavern to Motel the rear portion of Lot 50 on the corner of Leake Street and Great Eastern Highway as detailed in the amending scheme map.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 215 Wright Street, Cloverdale and at the State Planning Commission/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 20 January 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 20 January 1995.

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

N. P. HARTLEY, A/Town Clerk.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION
City of Nedlands

Town Planning Scheme No. 2—Amendment No. 76

Ref: 853/2/8/4, Pt. 76.

Notice is hereby given that the City of Nedlands has prepared the abovementioned scheme amendment for the purpose of adding to Schedule 1 an Additional Use for "Two (2) Senior Person's Dwellings" for No. 27 (Lot 224) Mountjoy Road cnr Jenkins Avenue, Nedlands.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 71 Stirling Highway, Nedlands and at the State Planning Commission/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 20 January 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 20 January 1995.

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.

J. R. BUCKLEY, A/Town Clerk.

PD405

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION
Shire of Carnarvon

Town Planning Scheme No. 10—Amendment No. 21

Ref: 853/10/2/12, Pt. 21.

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

1. introducing a new "Fascine Waterway Development" zone.
2. rezoning various parcels of land as depicted on the Scheme Amendment Map to facilitate development of the Fascine area in accordance with the Carnarvon Fascine Structure Plan.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Francis Street, Carnarvon and at the State Planning Commission/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 20 January 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 20 January 1995.

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.

B. G. WALKER, Shire Clerk.

PD406

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION
Shire of Murray

Town Planning Scheme No. 4—Amendment No. 63

Ref: 853/6/16/7, Pt. 63.

Notice is hereby given that the Shire of Murray has prepared the abovementioned scheme amendment for the purpose of rezoning a portion of Lot 202 and Lot 205 Lymon Road, Stakehill, from "Rural Zone" to "Special Rural Zone" and "Public Recreation/Conservation Reserve".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra and at the State Planning Commission/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 20 January 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 20 January 1995.

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

D. A. McCLEMENTS, Shire Clerk.

PD407

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

Shire of Serpentine-Jarrahdale

District Planning Scheme No. 2—Amendment No. 18

Ref: 853/2/29/3, Pt. 18.

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

1. amending the Scheme map by rezoning Lots 3, 175, 176 and 180 on the corner of Kargotich and Rowley Roads, Oakford from "Rural" to "Special Rural (Rural Living B)";
2. amending the Scheme Text by inserting special provisions to control subdivision and development within "Special Rural (Rural Living B)" zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 6 Paterson Street, Mundijong, and at the State Planning Commission/Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including January 20, 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 20, 1995.

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

N. D. FIMMANO, Shire Clerk.

PD408

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

Shire of Serpentine-Jarrahdale

Town Planning Scheme No. 2—Amendment No. 47

Ref: 853/2/29/3, Pt. 47.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Serpentine-Jarrahdale Town Planning Scheme Amendment on 4 December 1994 for the purpose of amending the Scheme Text by—

1. Adding between "Special Rural" and "Rural" in subclause 3.1.1, the following additional zones—

- Rural Living A
- Rural Living B
- Farmlet

2. Adding after Clause 5.11 the following Clause—

5.12 Rural Living A and Rural Living B Zones

- 5.12.1 The purpose and intent of the Rural Living A and Rural Living B Zones is described within the Council's Rural Strategy as amended and adopted by Council and the State Planning Commission dated April 1994.
- 5.12.2 The Rural Living A Zone is intended to cater for rural residential development on a range of lots between 4 000 square metres to one hectare in accordance with the objectives and guidelines of the Rural Strategy.
- 5.12.3 The Rural Living B Zone is intended to cater for rural-residential development and ancillary rural related uses on a range of lots between two hectare to four hectare in accordance with the objectives and guidelines of the Rural Strategy.
- 5.12.4 Notwithstanding sub clause 5.12.2 and 5.12.3 above, where land capability and site constraints dictate a larger lot size than one hectare (Rural Living A) or four hectares (Rural Living B) may be required.
- 5.12.5 Before including land within the Rural Living A and Rural Living B zones, the Council will require the owners or developers of the land to prepare a submission in support of its inclusion and any submission shall include those matters set down in sub-clause 5.9.3 of this Scheme.
- 5.12.6 Reticulated water supply shall be required for development on new lots under 2 hectares unless approved otherwise by the Council and the State Planning Commission. Where reticulated water is not required or the land is greater than 2 hectares a guaranteed rainwater supply of 90 000 litres will be required.
- 5.12.7 A description of the land included in the Rural Living A and Rural Living B zones together with land uses permitted and any special provisions relating to the land are set out in Appendix 4A and Appendix 4B respectively. Such uses will be dependent upon site survey and reference to land capability and other planning data.

- 5.12.8 There shall be a plan of subdivision entitled Subdivision Guide Plan for each specified parcel of land included in the Rural Living A and Rural Living B zones endorsed by the Shire Clerk and approved by the State Planning Commission.
- 5.12.9 In addition to the provisions contained in Appendix 4A or Appendix 4B and other such provisions of the Scheme as may affect it, any land which is included as part of the Rural Living A or Rural Living B zones shall be subject to the following conditions—
- (a) subdivision shall be in accordance with the appropriate Subdivisional Guide Plan endorsed by the Shire Clerk but minor amendments to the plan of subdivision may be permitted subject to the approval of the Commission, and Council, however, lot sizes will not generally be permitted to be reduced;
 - (b) the relevant guidelines contained within the Council's Planning Guidelines for Nutrient Management, dated May 1993 (as amended) shall apply to development;
 - (c) a building envelope with an area not exceeding 1 000 square metres in area shall be defined in a position to be agreed by the Council and no building envelope shall be closer than 20 metres to the primary street boundary or closer than 10 metres to any other lot boundary;
 - (d) no building shall be constructed on a lot other than within the approved building envelope without the written approval of the Council;
 - (e) storm water drainage shall be designed to the satisfaction and specification of the Council. The developer of the estate shall obtain the approval of the Water Authority and Council for drainage proposals prior to commencement of site works;
 - (f) the landowner shall be responsible for the establishment and maintenance of firebreaks to the specification and satisfaction of the Council;
 - (g) the keeping of horses, sheep, goats and other grazing animals, where permitted, shall be subject to the prior approval of the Council. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types;
 - (h) signs, hoardings or advertisements shall not be erected without prior written approval of the Council;
 - (i) No building shall be constructed within this zone of materials, the colour or texture of which in the opinion of the Council is undesirable for the locality;
 - (j) No dwelling house shall be constructed with an internal floor area less than 110 square metres without the Council's consent;
 - (k) The Council may by notice served upon individual landowners or upon a subdivider of land within this zone require the preservation of any tree or group of trees and thereafter no landowner or subdivider shall cut, remove, or otherwise destroy any tree or trees so specified unless the Council withdraws the notice or order;
 - (l) Lot boundary fencing shall be of post and rail or post and wire unless otherwise approved by Council;
 - (m) The owner or subdivider of the land is responsible for informing purchasers of land in this zone of these provisions and the provisions included in Appendix 4A, or Appendix 4B as applicable; and
 - (n) All land designated as public open space or public accessway on the endorsed Subdivision Guide Plan shall be given up to the Crown free of cost for the designated purpose.

5.13 Farmlet Zone

- 5.13.1 The purpose and intent of the Farmlet zone is described within the Council's Rural Strategy as amended and adopted by Council and the State Planning Commission dated April 1994.
- 5.13.2 The Farmlet zone is intended to cater for a range of lots between four and forty hectares to allow for a variety of lot sizes in accordance with the objectives and guidelines of the Rural Strategy.
- 5.13.3 Before including land within the Farmlet zone, the Council will require the owners or developers of the land to prepare a submission in support of its inclusion and any submission shall include those matters set down in sub-clause 5.9.3 of this Scheme.
- 5.13.4 A guaranteed rainwater supply of 90 000 litres will be required to new lots proposed on land within the Farmlet zone.
- 5.13.5 A description of the land included in the Farmlet zone together with land uses permitted and any special provisions relating to the land are set out in Appendix 4C.
- 5.13.6 There shall be a plan of subdivision entitled Subdivision Guide Plan for each specified parcel of land included in the Farmlet zone endorsed by the Shire Clerk and approved by the State Planning Commission.

5.13.7 In addition to the provisions contained in Appendix 4C and other such provisions of the Scheme as may affect it, any land which is included as part of the Farmlet zone shall be subject to the following conditions—

- (a) subdivision shall be in accordance with the appropriate Subdivisional Guide Plan endorsed by the Shire Clerk but minor amendments to the plan of subdivision may be permitted subject to the approval of the Commission, and Council, however, lot sizes will not generally be permitted to be reduced;
- (b) the relevant guidelines contained within the Council's Planning Guidelines for Nutrient Management, dated May 1993 (as amended) shall apply to development.
- (c) a building envelope with an area not exceeding 4 000 square metres in area shall be defined in a position to be agreed by the Council and no building envelope shall be closer than 20 metres to the primary street boundary or closer than 10 metres to any other lot boundary or SECWA easement;
- (d) no building shall be constructed on a lot other than within the approved building envelope without the written approval of the Council;
- (e) storm water drainage shall be designed to the satisfaction and specification of the council. The developer of the estate shall obtain the approval of the Water Authority and Council for drainage proposals prior to commencement of site works;
- (f) the landowner shall be responsible for the establishment and maintenance of firebreaks to the specification and satisfaction of the Council;
- (g) the keeping of animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types;
- (h) signs, hoarding or advertisements shall not be erected without prior written approval of the Council;
- (i) No building shall be constructed within this zone of materials, the colour or texture of which in the opinion of the Council is undesirable for the locality;
- (j) No dwelling house shall be constructed with an internal floor area less than 110 square metres without the Council's consent;
- (k) No dwelling house shall be occupied unless a roof water tank having a capacity not less than 90,000 litres, or some other approved supply of domestic water of no less capacity is provided;
- (l) The Council may by notice served upon individual landowners or upon a subdivider of land within this zone require the preservation of any tree or group of trees and thereafter no landowner or subdivider shall cut, remove, or otherwise destroy any tree or trees so specified unless the Council withdraws the notice or order;
- (m) Lot boundary fencing shall be of post and rail or post and wire unless otherwise approved by Council; and
- (n) The subdivider shall provide suitable strainer posts at each corner boundary peg and change of direction of boundary to the satisfaction of Council.

3. Adding a new Appendix 4A, 4B and 4C as follows—

Appendix 4A—Rural Living A Zone
Provisions Relating to Specified Areas

Appendix 4B—Rural Living B Zone
Provisions Relating to Specified Areas

Appendix 4C—Farmlet Zone
Provisions Relating to Specified Areas

4. Adding to the list of Zones in Table 1—Zoning Table, "Rural Living A", "Rural Living B" and "Farmlet" and inserting in the columns of Use Classes under those zones the words "See Appendix 4A", "See Appendix 4B" and "See Appendix 4C" respectively.

5. Amending Clause 5.4.2 as follows—

(a) amend 5.4.2 (a) to substitute the words "Special Rural and Rural" with "Special Rural, Rural Living A, Rural Living B, Farmlet and Rural".

(b) amend 5.4.2 (c) to—

(i) substitute the words "(Rural Living A and B in the Rural Strategy)" with ", Rural Living A, Rural Living B";

(ii) amend the words "Clauses 5.8 and 5.9" to "Clauses 5.8, 5.9 and 5.12".

6. Adding to the notation to the Scheme Map by including the following notation under the heading Zones—

- (red border, light green fill and red letter "A")—Rural Living A
- (red border, light green fill and red letter "B")—Rural Living B
- (red border, yellow fill and red letter "F")—Farmlet

D. J. HADDOW, President.
N. D. FIMMANO, Shire Clerk.

PD409

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

Shire of Swan

Town Planning Scheme No. 9—Amendment Nos. 234 and 235

Ref: 853/2/21/10, Pts. 234 and 235.

Notice is hereby given that the Shire of Swan has prepared the abovementioned scheme amendments for the purpose of—

Amendment No. 234: rezoning Lot 26 Swan Locations 2 and 4 Cathedral Avenue, Brigadoon from "Special Purpose" to "Special Rural".

Amendment No. 235: amending the Subdivisional Guide Plan with respect to Special Rural Zone No. 4—"Henley Brook".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Great Northern Highway (Corner Bishop Road), Middle Swan, and at the State Planning Commission/Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including January 20, 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 20, 1995.

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.

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

PORT AUTHORITIES

PH401

ALBANY PORT AUTHORITY ACT 1926

NOTICE

Application to Lease

In accordance with the provision of section 25 of the Albany Port Authority Act 1926, it is hereby advertised that an application has been received from the AustSand Mining for the lease of Lot 44 of Port land vested in the Albany Port Authority for a period exceeding three years for the purpose of storage of silica and mineral sands.

Dated this 23rd day of November 1994.

C. R. BERRY, Finance Manager.

PREMIER AND CABINET

PR301

PUBLIC SECTOR MANAGEMENT ACT 1994

**PUBLIC SECTOR MANAGEMENT (GENERAL) AMENDMENT
REGULATIONS 1994**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Public Sector Management (General) Amendment Regulations 1994*.

Regulation 10 amended

2. Regulation 10 of the *Public Sector Management (General) Regulations 1994** is amended —

(a) after paragraph (c) by deleting "and"; and

- (b) at the end of paragraph (d) by deleting the full stop and substituting the following —

“
; and

- (e) the class constituted by persons employed through any recruitment programme conducted by the Workforce Management and Development Office.

”

[* *Published in Gazette of 16 September 1994 at p. 4948.*]

By Command of the Lieutenant-Governor and deputy of the Governor,
M. C. WAUCHOPE, Clerk of the Council.

PR302

PUBLIC SECTOR MANAGEMENT ACT 1994

**PUBLIC SECTOR MANAGEMENT (TRANSITIONAL) REGULATIONS
(NO. 2) 1994**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Public Sector Management (Transitional) Regulations (No. 2) 1994*.

Schedule 5 to Act amended

2. Clause 15 of Schedule 5 to the Act is amended by inserting after subclause (2) the following subclause —

“

(2a) For the purposes of conducting proceedings under subclause (1), the Commissioner may continue to exercise all his functions under the repealed Act, including his power of delegation under section 12 of the repealed Act.

”

By Command of the Lieutenant-Governor and deputy of the Governor,
M. C. WAUCHOPE, Clerk of the Council.

PR303

PUBLIC SECTOR MANAGEMENT ACT 1994

PUBLIC SECTOR MANAGEMENT (SES ORGANIZATIONS)
REGULATIONS 1994

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 108 (1) (a).

Citation

1. These regulations may be cited as the *Public Sector Management (SES Organizations) Regulations 1994*.

Schedule 2 amended

2. Schedule 2 to the *Public Sector Management Act 1994** is amended —

(a) by inserting after item 37 the following item —

“
37A Port Hedland Port Authority, established by the
Port Hedland Port Authority Act 1970”;

and

(b) by deleting item 39 and substituting the following item —

“
39 Rottnest Island Authority, established under
the *Rottnest Island Authority Act 1987*”.

[* Act No. 31 of 1994.]

By Command of the Lieutenant-Governor and deputy of the Governor,
M. C. WAUCHOPE, Clerk of the Council.

PR401

MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolios during the absence from office of the Hon H. J. Cowan, MLA at any time in the period 28 December 1994 to 8 January 1995 inclusive—

Acting Minister for Commerce and Trade—Hon M. G. House, MLA.

M. C. WAUCHOPE, Chief Executive.

PR402

MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolios during the absence from office of the Hon A. K. R. Prince, MLA at any time in the period 2 to 13 January 1995 inclusive—

Acting Minister for Aboriginal Affairs; Housing—Hon K. J. Minson, MLA.

M. C. WAUCHOPE, Chief Executive.

RACING AND GAMING

RA401

LIQUOR LICENSING ACT 1988

SUMMARY OF LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Liquor Licensing Division, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth (Telephone: 425 1888), or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Day for Objections
APPLICATIONS FOR TRANSFER OF LICENCE			
817/94	Barry Dancer and Lynette Dancer	Application for the transfer of a Special Facility Licence in respect of premises situated in Bunbury and known as the Paddle Wheeler, from Darryl Shenton	12/12/94
818/94	Tacea Pty Ltd	Application for the transfer of a Hotel Licence in respect of premises situated in Katanning and known as the Katanning Unit Hotel, from Tacea Pty Ltd (S87)	27/12/94
819/94	Robert Meade and Dianne Meade	Application for the transfer of a Liquor Store Licence in respect of premises situated in Balingup and known as the Balingup General Store and Liquor Store, from Russell Greay	22/12/94
820/94	Anilia Pty Ltd	Application for the transfer of a Hotel Licence in respect of premises situated in Mosman Park and known as the Oceanic Hotel, from A. Plenwright, E. Davis, R. Creighton, A. Lang and K. Innes	13/12/94
823/94	Glenn Thomas Wainwright	Application for the transfer of a Liquor Store Licence in respect of premises situated in Shark Bay and known as the Nanga Station Store, from Eresto Pty Ltd	15/12/94
824/94	Davano Pty Ltd	Application for the transfer of a Hotel Licence in respect of premises situated in Albany and known as the Albany Hotel, from Shebo Nominees Pty Ltd	8/12/94
825/94	Bushlake Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in Mandurah and known as the Port Bouvard Cafe and Licensed Restaurant, from Hamsted Pty Ltd	8/12/94
826/94	Timothy Mauer and Paula Mauer	Application for the transfer of a Liquor Store Licence in respect of premises situated in Binnu and known as the Binnu Liquor and General Store, from Frederick and Dorothy Wooding	16/12/94
827/94	Swanreef Holdings Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in East Perth and known as Lee Gardens Restaurant, from Bendora Holdings Pty Ltd	19/12/94
828/94	Ralis Pty Ltd	Application for the transfer of a Hotel Licence in respect of premises situated in New Norcia and known as the New Norcia Hotel, from G. K. and I. J. Smith	16/12/94
829/94	Olives and Green Peas Pty Ltd	Application for the transfer of a Hotel Licence in respect of premises situated in Cue and known as the Murchison Club Hotel, from Marlin Rural Investments Pty Ltd	16/12/94

App. No.	Applicant	Nature of Application	Last Day for Objections
APPLICATIONS FOR TRANSFER OF LICENCE—continued			
832/94	N. and M. Gangemi Nominees Pty Ltd	Application for the transfer of a Liquor Store Licence in respect of premises situated in Mundijong and known as the Mundijong Liquor Store, from Nino Gangemi and Michelina Gangemi	21/12/94
519/94	Golden Mile Loopline Railway Society	Application for the grant of a Special Facility Licence in respect of premises situated in Boulder and known as the Golden Mile Loopline Railway Society Inc.	3/1/95
522/94	Capricorn Trading Pty Ltd	Application for the grant of a Restaurant Licence in respect of premises situated in Perth and known as Spices Delight	3/1/95

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

G. B. AVES, Director of Liquor Licensing.

TRANSPORT

TR401

NAVIGABLE WATERS REGULATIONS Parasailing Areas

Department of Transport,
Fremantle, 9 December 1994.

Acting pursuant to the powers conferred under Regulations 48A (1) of the Navigable Waters Regulations, the Department of Transport, by this notice declares the following area of Navigable Waters as a parasailing area.

Shire of Broome—Roebuck Bay

All those water of Roebuck Bay excluding the gazetted swimming and 8 Knot areas, providing that no parasailing is permitted within 45 metres of the foreshore or within the prohibited anchorage area, or 200 metres of the Broome Jetty and the marked Navigation Channel.

Parasailing may be conducted between the hours of 8 am and Sunset only, and providing that such activities may not be conducted within 100 metres of any other vessel, person or object in the water.

STUART HICKS, Director General of Transport.

WATER AUTHORITY

WA401

IMPROVEMENTS TO METROPOLITAN WATER SUPPLY Shire of Murray

COCKBURN SOUND—MURRAY DISTRICT

Notice of Intention to Construct the Lower South Dandalup Development Project

To improve the water supply to Pinjarra and to augment the water supply to the Mundurah and Perth metropolitan systems the Water Authority proposes to redevelop the existing infrastructure of the Lower South Dandalup scheme by constructing:

(a) At the existing Lower South Dandalup dam site:

- a new pump station to pump water back to South Dandalup Reservoir.
- new water treatment facilities.
- associated pipework, including a pipeline connecting the dam via the pump station to the existing South Dandalup trunk main.
- associated works including upgraded and extended existing powerlines, access road works, refurbishment of the existing dam and catchment rehabilitation.

(b) At the existing South Dandalup dam site:

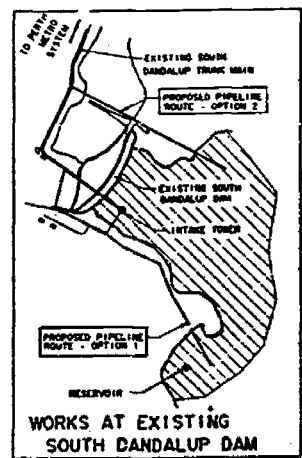
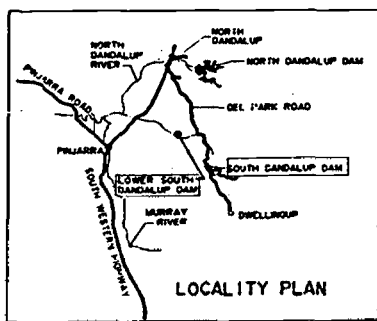
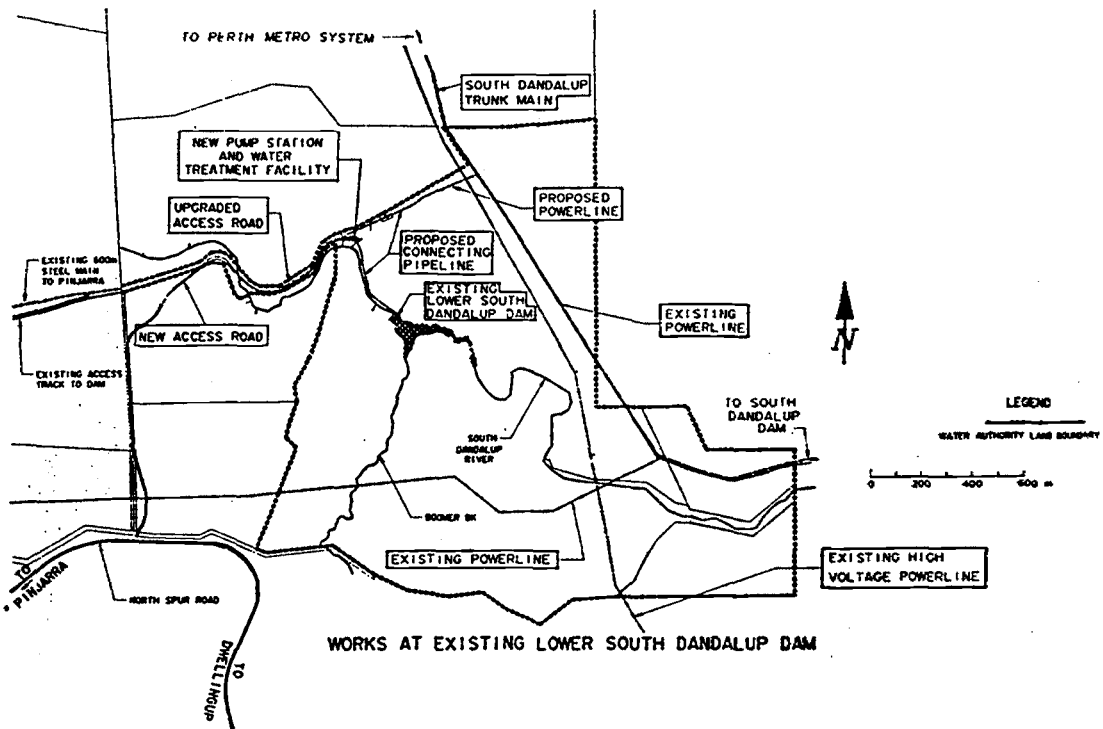
- additional pipework to allow the transfer at pumpback water from the existing trunk main just downstream at the dam over one of the abutments of the dam and into the reservoir.

The locations of the proposed works are shown on the plan. Further information and inspection of the plan (referred to as CR96-6-1) is available at the Water Authority's Customer Enquiries counter, John Tonkin Water Centre, 629 Newcastle Street, Leederville and at the Water Authority's office, 13 Pinjarra Road, Mandurah during office hours.

The plan may also be inspected at the Shire of Murray offices, Pinjarra.

Information may also be obtained by contacting Mr Graeme Mann telephone (09) 420 2175. Objections to the proposed works will be considered if lodged in writing at the Water Authority's office in Leederville within one month after the date of publication of this notice.

The project has been submitted to the Department of Environmental Protection and approved in accordance with the Environmental Protection Act 1986.



WATERWAYS COMMISSION**WB401****WATERWAYS CONSERVATION ACT 1976**

For the purpose of making an appointment to the Avon River Management Authority His Excellency the Governor acting pursuant to the powers conferred by sections 14 and 16 of the Waterways Conservation Act 1976 and on the recommendation of the Minister for the Environment has been pleased on the 22nd day of November 1994 to appoint—

Cicely Howell as Member
Wayne Clarke as Member

M. C. WAUCHOPE, Clerk of the Council.

WB402**WATERWAYS CONSERVATION ACT 1976**

For the purpose of making an appointment to the Wilson Inlet Management Authority His Excellency the Governor acting pursuant to the powers conferred by sections 14 and 16 of the Waterways Conservation Act 1976 and on the recommendation of the Minister for the Environment has been pleased on the 22nd day of November 1994 to appoint—

Ian Conochie as Member
Owen McIntosh as Member

to 30 June 1997.

M. C. WAUCHOPE, Clerk of the Council.

WB403**WATERWAYS CONSERVATION ACT 1976**

For the purpose of making an appointment to the Leschenault Inlet Management Authority His Excellency the Governor acting pursuant to the powers conferred by sections 14, 16 and 19 of the Waterways Conservation Act 1976 and on the recommendation of the Minister for the Environment has been pleased on the 22nd day of November 1994 to appoint—

Derrick Brown as Member
John Evans as Member
Raymond George as Member
Cr Maidee Smith as Member
Dominic Figliomeni as Member
Captain Clyde Ambrose as Deputy Member

M. C. WAUCHOPE, Clerk of the Council.

WB404**WATERWAYS CONSERVATION ACT 1976**

For the purpose of making an appointment to the Peel Inlet Management Authority His Excellency the Governor acting pursuant to the powers conferred by sections 14, 16 and 19 of the Waterways Conservation Act 1976 and on the recommendation of the Minister for the Environment has been pleased on the 22nd day of November 1994 to appoint—

Owen Tuckey as Chairman
Bruce Tatham as Member
Marilyn Gray as Member
Allan Rowe as Member
Cr Christine Thompson as Member
Cr John Costley as Member
Nello Siragusa as Deputy Member

M. C. WAUCHOPE, Clerk of the Council.

TENDERS

ZT201**MAIN ROADS***Tenders*

Tenders are invited for the following projects.

Tender documents are available from the Contracts Clerk, Supply Branch, Ground Floor, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date
		1994
155/94	Supply and delivery 2700 x 2700 x 1.22 box culverts for Robe River culvert relief, North West Coastal Highway.	January 4, 1995
97/94	Supply and fabrication of steel universal beams for bridges 1336 and 1337, Great Northern Highway, Kimberley Division.	December 21
173/94	Complete painting Main Roads Office and Depot buildings Kununurra.	December 16
174/94	Supply and delivery of 1800 mm x 1500 mm box culverts, Eva Street in Maddington	December 20
165/94	Purchase and removal of scrap metal from MRWA Carlisle Depot for 12 month period.	December 21
170/94	Fencing, Albany Highway, Mt Barker deviation, Albany Division.	December 20
94D14	Purchase and removal of: one only kitchen/mess dog type caravan MRWA 1863, one only shower caravan MRWA 0699, one only skid mtd cooks accom. unit MRWA 7423, one only pantry type caravan MRWA 7648, and one only skid mtd foremans accom. unit MRWA 7753.	December 16

ZT202*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount
			\$
118/94	Complete painting to depot buildings and various Main Roads houses, Derby	John Silver & Co	19 442.00
94Q38	Supply and delivery of dust extraction equipment	Gordon Reid (WA) WH Smith & Co	10 258.25

D. R. WARNER, Director, Corporate Services.

ZT301**STATE SUPPLY COMMISSION***Tenders Invited*

Tender forms and full particulars of the Schedule hereunder may be obtained on application at the State Supply Commission, 815 Hay Street, Perth, 6000. As of 25 November, 1994 documents will be available from 441 Murray Street, Perth 6000, telephone 365 8491 Fax 321 7918.

TELEPHONE No. 222 8491

FACSIMILE No. 321 7918

Date of Advertising	Schedule No.	Description	Date of Closing
			1994
November 25	722A1994	Special Care Patient Monitoring Equipment to Christmas Island Hospital	December 15
December 2	717A1994	8 Tonne Forward Control Tray Top Truck for the Dept of Agriculture	December 22
December 2	718A1994	Portable Computers and Desktop Computers for the Office of the Auditor General for Western Australia	December 22

STATE SUPPLY COMMISSION

Tenders Invited—continued

Date of Advertising	Schedule No.	Description	Date of Closing
1994 December 9	728A1994	Supply, Installation & Maintenance of Unix Based Computer Systems for selected TAFE Colleges—Department of Training	1994 December 22
December 2	202A1994	Primary School Library Books (Multiple Copies) to the Education Department of WA	1995 January 5
December 9	727A1994	Supply, Delivery & Assembly of One (1) only Cultivator Bar and Air Seeder for the Department of Education for Morawa Agricultural District High School	January 5
December 9	729A1994	Forty Six (46) Laser Printers & Thirty Five (35) Dot Matrix Printers for the Ministry of Justice	January 5
December 9	730A1994	Refrigerated Truck for the Ministry of Justice	January 5
December 9	313A1994	Copy Paper & Other Various Paper Products for Supply West	January 12
December 9	731A1994	Manufacture, Printing, Supply & Delivery of Motor Vehicle Registration Labels & Discs	January 12
December 2	101A1994	Fuels and Miscellaneous Petroleum Products (Bulk and Drum)	January 26
December 2	101B1994	Fuels (ex-Bowser)	January 26
<i>Expression of Interest</i>			
November 25	EOI42/94	Fully Integrated Financial Management Information System for the Department of Agriculture and APB Rural Adjustment and Finance Corporation	December 15
December 9	EOI43/94	For a Consultancy to Produce a Draft Regional Land Use Plan on behalf of the Piblara Development Commission—This is the first stage of a two stage process with the second stage tendering process restricted to shortlisted respondents	Jan. 5, 1995
December 9	EOI44/94	Supply & Delivery of Furniture—School Desks and Chairs for various Government Departments	Jan. 5, 1995
<i>Provision of Service</i>			
November 25	212A1994	Medical Service for the Govt Employees Superannuation Board	December 15
November 25	720A1994	Airborne Survey Data from Merlinleigh/Byro Sub-Basins for the Dept of Minerals and Energy	December 15
December 9	185B1994	Transport of Furniture and Effects (Zone 3)—for the Education Department	December 22
December 9	314A1994	A Medical Practitioner for the Ministry of Justice ...	December 22
December 2	705A1994	Printing Services for Homeswest	December 22
December 2	723A1994	Preparing Itineraries for Visiting Media and Trade Representatives for the WA Tourism Commission .	December 22
December 9	732A1994	Consultancy Services for the Financial Management Information Systems (FMIS) for the Ministry of Justice	Jan. 5, 1995
<i>Purchase and Removal</i>			
November 25	719A1994	1990 Suzuki/Maruti UDY06 Utility (7QA 781) for APB, Derby	December 15
November 25	721A1994	1992 Toyota L/C 4WD Trayback (7QI 139) for the Department of Agriculture	December 15

Tenders addressed to the Chairman, State Supply Commission, 6th Floor, 441 Murray Street, Perth WA 6000, before 10.00 am on the nominated closing date.

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

Please Note: The State Supply Commission and Contracts and Purchasing Services have moved to 6th Floor, 441 Murray Street, Perth WA 6000. Ph 365 8491 Fax 321 7918, 365 8520.

I. W. STEELE, A/Chairman, State Supply Commission.

ZT302

Accepted Tenders

Schedule No.	Particulars	Contractor	Rate
<i>Supply and Delivery</i>			
075A1994	Photocopying Machines, Facsimile Machines, Photocopier consumables and Maintenance Services	Various	Details on Request
114A1994	Sterile Dressing Packs	Sterile Products	Details on Request
611A1994	Supply, Delivery, Installation, Commissioning & Maintenance of Gamma Camera & associated equipment for Sir Charles Gairdner Hospital	Medical Applications Pty Ltd	Details on Request
612A1994	Supply, Delivery, Installation, Commissioning & Maintenance of a Departmental Computer System & associated equipment for Sir Charles Gairdner Hospital	Anitech	Details on Request
613A1994	Supply, Delivery, Installation, Commissioning & Maintenance of High Resolution, Laser Hard Copy Film Imaging System with Daylight, Dry Processing, Consumables & Associated Equipment for Sir Charles Gairdner Hospital	Polaroid Australia Pty Ltd	Details on Request
615A1994	Supply, Delivery & Installation of a Reservoir Management System Package for Department of Minerals and Energy	OPES International Pty Ltd	\$96 700.00
683A1994	Supply, Delivery & Commissioning of 25 Digital Position Readout Systems (2 Axis Readout with Encoders) for Department of Training	Datum Tooling Pty Ltd	Details on Request
<i>Provision of Service</i>			
639A1994	Analytical Services for the Department of Minerals and Energy's Geological Survey Division	Amdel Laboratories Ltd .	Details on Request
696A1994	Consultancy Services to advise on Organisational Changes for the Department of State Services	DMR Group Australia Pty Ltd	\$75 000.00

PUBLIC NOTICES

ZZ101

TRUSTEES ACT 1962

NOTICE TO CREDITORS AND CLAIMANTS

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 9 January 1995, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Anderson, Francis Lenard Charles, late of 16 Tamar Street, Palmyra, died 31/8/94. (DEC 276057 DA2)

Arkosi, John, late of 10 Pearl Street, Cloverdale, died 6/9/94. (DEC 277721 DP4)

Avenell, Francis William, Salvation Army Hostel, 31 Williams Road, Nedlands, died 28/9/94. (DEC 277096 DS4)

Clausen, Dorothy Ethel, late of Mon Repos Nursing Home, 67 Palmerston Street, Mosman Park, died 13/11/94. (DEC 277267 DD1)

Coniglio, Domenico, late of 44 Cope Street, Midland, died 28/10/94. (DEC 277391 DG3)

Dewar, Dorothy Daisy, Riverslea Lodge, 100 Guildford Street, Mount Lawley, died 11/9/94. (DEC 277425 DD3)

Dixon, Joan Ethel Alice, late of 15 Seymour Avenue, Floreat, died 9/11/94. (DEC 277660 DA3)

Dondo, Josef, late of 24 Growden Street, Merredin, died 30/8/94. (DEC 274816 DD3)

- Elliott, Colin Victor, late of 552 Marmion Street, Booragoon, died 20/10/94. (DEC 276896 DC4)
- Erskine, Bryce Donald, late of 90 Balga Avenue, Balga, died 31/10/94. (DEC 276884 DD2)
- Fitzgerald, Charlotte Joyce, late of Harold Street, Dianella, died 5/10/94. (DEC 276534 DA2)
- Gericevich, Millicent Emma, late of Mount Henry Hospital, Cloister Avenue, Como, died 19/3/94. (DEC 268881 DS4)
- Griggs, Maud, late of 7A Ellis Place, Cooloongup, died 12/11/94. (DEC 277338 DL3)
- Harvey, Arthur George, late of Hamersley Hospital, 441 Rokeby Road, Subiaco, died 11/9/94. (DEC 277342 DD2)
- Hoffert-Smith, Mary Margaret, late of Ningara Nursing Home, 73 Jarrah Road, Bentley, died 4/11/94. (DEC 277100 DA4)
- Jose, Walter Mansfield, late of 49 Bouganvillea Avenue, Forrestfield, died 8/11/94. (DEC 277233 DP3)
- Kop, Arie, formerly of 88 Broadway, Bassendean, late of 10 May Street, Eden Hill, died 19/11/94. (DEC 277360 DD3)
- McCamey, Edward Loris, late of Charles Road, Mahogany Creek, died 30/5/94. (DEC 271707 DA3)
- McGladdery, Ellenor Mary, late of Concorde Nursing Home, Anstey Street, South Perth, died 30/8/94. (DEC 274744 DD2)
- Mills, Doreen Gladys, formerly of 2/1 Wallana Drive, Karawara, late of 261B George Street, Queens Park, died 21/10/94. (DEC 276697 DG2)
- Mitchell, Joyce, late of 5 Paddington Street, North Perth, died 3/11/94. (DEC 277252 DA2)
- Owston, George Mason, late of 38 Gordon Lodge, Airforce Memorial House Estate, Bullcreek Road, Bullcreek, died 18/11/94. (DEC 277340 DG4)
- Parkes, Ida Albina, late of Unit 6, Wearne House, 7 Leslie Street, Mandurah, died 12/11/94. (DEC 277180 DG4)
- Pellowe, Florence Sophia, formerly of 7 Archdeacon Street, Nedlands, late of McDougall Park Nursing Home, 18 Ley Street, Como, died 14/11/94. (DEC 277435 DC2)
- Perry, Ivy May, late of 9 Waldrige Hostel, 45 Berkshire Road, Forrestfield, died 29/10/94. (DEC 276845 DC4)
- Powell, Kathleen Agnes, late of 22A Redfern Street, North Perth, died 13/11/94. (DEC 277282 DL4)
- Ruzic, Danica, late of 16 Knight Avenue, Yokine, died 13/10/94. (DEC 276284 DG2)
- Ryder, Allin Brian, late of Room 41/238 Beaufort Street, Perth, died 14/8/94. (DEC 274922 DG4)
- Scott, Bernard Anthony, late of 6 Ward Place, Embleton, died 25/10/94. (DEC 276847 DP4)
- Scott, George Young, late of Santrella Cottages, 134 Shepperton Road, Victoria Park, died 28/5/90. (DEC 274669 DG4)
- Shepherdson, Kenneth Edward, late of 25 Swanstone Street, Collie, died 20/10/94. (DEC 277207 DG3)
- Simmonds, Albert Daniel, late of 37 Kennedy Street, Maylands, died 28/10/94. (DEC 277001 DS3)
- Smith, Albert Edward, late of Valencia Nursing Home, Valencia Road, Carmel, died 27/10/94. (DEC 276954 DS4)
- Symonds, Kenneth Thomas, late of 99 Point Walter Road, Bicton, died 9/11/94. (DEC 277487 DS2)
- Terranova, Mario, formerly of Unit 4/17 Stanley Street, Scarborough, late of 74 Aberdeen Street, Northbridge, died 20/10/94. (DEC 277127 DC2)
- Thompson, Alfred Joseph, formerly of 4 Thomas Street, South Perth, late of Craigmont Nursing Home, Third Avenue (East), Maylands, died 12/11/94. (DEC 277818 DD1)
- Threlfall, Arthur Thomas, formerly of A45 "The Lodge" Parkland Villas, 52-54 Liege Street, Woodlands, late of Narrogin Nursing Home, 52 Williams Road, Narrogin, died 22/9/94. (DEC 276020 DD1)
- Tyler, Ivy May, late of Mon Repos Nursing Home, Palmerston Street, Mosman Park, died 8/11/94. (DEC 277265 DS4)
- Visser, Gerritje, late of Unit 4/105 Bishopsgate Street, Carlisle, died 7/8/94. (DEC 274132 DC4)
- Walker, Julietta Annie, formerly of 8 Mackay Way, Hillarys, late of McDougall Park Nursing Home, 18 Ley Street, Como, died 31/10/94. (DEC 276975 DA1)
- Wallace, Alexander Mather, late of 35 Nolan Way, Bateman, died 24/10/94. (DEC 277101 DC4)
- Waradja, Rosie, late of Port Hedland Regional Hospital, Kingsmill Street, Port Hedland, died 15/10/94. (DEC 276665 DD3)
- Wood, Gladys Norma, formerly of 81 Edgecumbe Street, South Como, late of 506A Lennard Street, Dianella, died 8/11/94. (DEC 277492 DG4)
- Wray, Eileen Joan, formerly of 48 Beachton Street, North Beach, late of Sir Charles Gardiner Hospital, Verdun Street, Nedlands, died 16/11/94. (DEC 277668 DL3)

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

Roy Havill Creek late of Unit 7, 7 McLarty Road, Shoalwater in the State of Western Australia, Business Proprietor, deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on 8 June 1994 are required by the Executors Sally Elizabeth Roth, Margot Havill McAllister and Stephen Roy Creek to send particulars of their claim to them, care of Messrs Butcher Paull & Calder, Barristers and Solicitors, 8th Floor, 231 Adelaide Terrace, Perth 6000 (Ref: 949689:JMC) within one (1) month of the date of publication hereof after which date the Executors may convey or distribute the assets having regard to the claims of which they then have notice.

Dated 1st day of December 1994.

BUTCHER PAULL & CALDER
as solicitors for the Executors.

ZZ202**TRUSTEES ACT 1962**

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the Estate of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Ltd of 89 St George's Terrace, Perth, to send particulars of their claims to the Company, by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Broadfoot, Dorothy Randell, late of 8/10 Comer Street, Como 6152, Retired, died 29 November 1994.

Challenger, Frederick James, late of 17B Waddell Road, Palmyra 6157, Retired Fitter and Turner, died 23 November 1994.

Devereux, Yvonne Agnes, late of 1/64 Gladestone Road, Leeming 6149, Widow, died 23 November 1994.

Gamage, Ethel Maud, late of Mount Henry Hospital, Cloister Avenue, Manning 6152, Retired, died 6 November 1994.

Kelley, James Herbert, late of 137 Westview Street, Scarborough 6019, Carpenter, died 23 October 1994.

Langdon, Alice Annette, late of Village Nursing Home, 31 Williams Road, Nedlands 6009, Retired, died 26 November 1994.

Lawn, Margaret Jane, late of Gwenyfred Nursing Home, 62 Gwenyfred Road, South Perth 6151, Widow, died 11 November 1994.

Rodger, John Snedden, late of 303 Camberwarra Drive, Craigie 6025, Technician, died 5 November 1994.

Dated this 7th day of December 1994.

D. R. CLARK, Divisional Manager,
Trustee and Financial Services.

ZZ401**DISSOLUTION OF PARTNERSHIP**

Take notice that the partnership previously subsisting between Robert Bryan Woodhouse, Julie Anne Woodhouse, Terrance Bedford Chapman and Beverley Anne Chapman under the style or firm name of Cantop Products from premises situated at 93-95 Poole Street, Welshpool was dissolved with effect from 21 June 1994.

The said Terrance Bedford Chapman and Beverley Anne Chapman will continue to trade under the said firm name.

CHALMERS & PARTNERS,
Solicitors for the Continuing Partners.

WESTERN AUSTRALIA
RETIREMENT VILLAGES ACT 1992

Price: \$12.00 Counter Sales
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RETIREMENT VILLAGES CODE REGULATION 1992

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* Prices subject to change on addition of amendments.

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FREEDOM OF INFORMATION ACT 1992

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* Prices subject to change on addition of amendments.

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