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G. L. DUFFIELD, Director.

PROCLAMATIONS**AA101****FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT ACT 1994**

(No. 93 of 1994)

PROCLAMATION

WESTERN AUSTRALIA	} By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
P. M. Jeffery, Governor.	
[L.S.]	

I, the Governor, acting under section 2 of the Fines, Penalties and Infringement Notices Enforcement Act 1994 and with the advice and consent of the Executive Council, fix 1 January 1995 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State at Perth on 23 December 1994.

By His Excellency's Command,

CHERYL EDWARDES, Attorney General.

GOD SAVE THE QUEEN !

Note for information:

The commencement of the Fines, Penalties and Infringement Notices Enforcement Act 1994, as fixed by the above proclamation, also brings into operation the following Act and Regulations:

- Act Amendment (Fines, Penalties and Infringement Notices) Act 1994 (No. 92 of 1994)—see s. 2 of that Act;
- Fines, Penalties and Infringement Notices Enforcement Regulations 1994—See this *Gazette* p. 7232.

AA102**ACTS AMENDMENT (PERTH PASSENGER TRANSPORT) ACT 1994**

(No. 64 of 1994)

PROCLAMATION

WESTERN AUSTRALIA	} By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
P. M. Jeffery, Governor.	
[L.S.]	

I, the Governor, acting under section 2 of Acts Amendment (Perth Passenger Transport) Act 1994, and with the advice and consent of the Executive Council, fix 1 January 1995, as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 20 December 1994.

By His Excellency's Command,

ERIC CHARLTON, Minister for Transport.

GOD SAVE THE QUEEN !

AA201**LAND ACT 1933****CLASSIFICATION OF RESERVED LANDS****PROCLAMATION**

WESTERN AUSTRALIA	} By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
P. M. Jeffery, Governor.	
[L.S.]	

DOLA File: 815/972.

Under Section 31 of the Land Act 1933, I, the Governor acting with the advice and consent of the Executive Council, hereby classify as of Class "A" Reserve No. 33581 comprising Kwinana Lots 332 and 339 with an area of 438.5993 hectares for the designated purpose of "Conservation of Flora and Fauna".

Local Authority—Town of Kwinana.

Given under my hand and the Seal of the State on 20th December 1994.

By His Excellency's Command,

GEORGE CASH, Minister for Lands.

GOD SAVE THE QUEEN !

AA202

TRANSFER OF LAND ACT 1893
TRANSFER OF LAND (REVESTMENT)

PROCLAMATION

WESTERN AUSTRALIA } The Honourable David Kingsley Malcolm AC,
 David Kingsley } Lieutenant-Governor and deputy of the Governor.
 Malcolm,
 Lieutenant-Governor and
 deputy of the Governor.
 [L.S.]

DOLA File: 5735/950V13.

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

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

By His Excellency's Command,

GEORGE CASH, Minister for Lands.

GOD SAVE THE QUEEN !

Schedule I

DOLA File	Description of Land	Certificate of Title	
		Volume	Folio
1205/979V2	Portion of Swan Location 11264	2016	731
1205/979V2	Portion of Swan Location 3324 and being part of Lot 4 on Plan 14581	2016	732
1205/979V2	Portion of Perthshire Location 106 and being part of Lot 859 on Diagram 77676	2016	733
1929/994	Lot 1 on LTO Plan 19551 (now Swan Location 12031)	1985	549
2509/989	Lot 264 on LTO Diagram 85887 (now Sussex Location 4990)	1989	451
1919/994	Lot 318 on LTO Plan 19099 (now Swan Location 12029)	1959	778
1925/994	Lot 118 on LTO Plan 18934 (now Swan Location 12032)	1954	229
1989/994	Lot 104 on LTO Plan 19168 (now Sussex Location 4985)	1967	594
3199/989	Lot 502 on LTO Plan 17172 (now Avon Location 29133)	1845	454
1918/994	Lot 153 on LTO Plan 18644 (now Sussex Location 4988)	1965	627
1990/994	Lot 388 on LTO Plan 19241 (now Sussex Location 4986)	1966	632
1914/994	Lot 152 on LTO Plan 18644 (now Sussex Location 4989)	1965	626
2510/994	Lot 113 on LTO Diagram 79687 (now Northam Lot 432)	1912	907
1854/994	Lot 971 on LTO Plan 19385 (now Swan Location 12024)	1988	291
3776/980V2	Portion of Kent Location 116	2016	900
507/985V4	Portion of Swan Location 1315 and being portion of Lot 5 on LTO Plan 10059 (now Location 12000)	1322	875

Schedule II

DOLA File	Description of Land
954/993	Portion of Canning Location 31 being the land coloured brown and marked ROW on LTO Diagrams 30458 and 51315 and being part of the land comprised in Certificates of Title Volume 1066 Folio 694 and Volume 312 Folio 124.
554/994	Portion of Swan Location 1370 being the land marked Pedestrian Accessway and abutting Lots 851 and 872 on LTO Plan 11394 and being part of the land comprised in Certificate of Title Volume 1424 Folio 938.

AA203

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

WESTERN AUSTRALIA } By His Excellency Major General Philip Michael
P. M. Jeffery, } Jeffery, Officer of the Order of Australia, Military
Governor. } Cross, Governor of the State of Western
[L.S.] } Australia.

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

Given under my hand and the Seal of the State on 20th December 1994.

By His Excellency's Command,

GEORGE CASH, Minister for Lands.

GOD SAVE THE QUEEN !

Schedule I

DOLA File	Description of Land	Certificate of Title	
		Volume	Folio
723/993	Portion of Narrogin Lot 1145	1957	55
1848/994	Portion of Denmark Lot 357 and being Lot 25 on Diagram 86311. (now Lot 1062)	1984	496
1847/994	Portion of Wellington Location 19 and being Lot 5 on Plan 19531. (now Location 5668)	1974	485
1873/978	Portion of Swan Locations 1370 and 11182 and being Lot 100 on Diagram 78977. (now Location 12037)	1964	72
1952/994	Portion of Jandakot Agricultural Area Lot 108 and being Lot 513 on Plan 19847. (now Lot 659).	2009	146
2399/992	Portion of Swan Location 31 and being Lot 151 on Plan 18924. (now Location 12062).	1949	301
490/990	Lot 129 on Plan 17303. (now portion Lot 762)	1862	908
490/990	Lot 131 on Plan 17470. (now portion Lot 762)	1869	446
490/990	Lot 132 on Plan 17746. (now portion Lot 762)	1891	780
490/990	Lot 133 on Diagram 83236. (now portion Lot 762)	1946	624
1854/994	Lot 971 on Plan 19385. (now Location 12024)	1988	291
1919/994	Lot 318 on Plan 19099. (now Location 12029)	1959	778
1929/994	Lot 1 on Plan 19551. (now Location 12031)	1985	549
1925/994	Lot 118 on Plan 18934. (now Location 12032)	1954	229
1924/994	Lot 29 on Plan 18934. (now Location 12033)	1954	216
2154/987	Lot 26 on Diagram 75090 and Lot 247 on Plan 19159. (now Canning Location 3909)	1826	379
1846/994	Lot 73 on Plan 19560. (now Lot 1390)	1969	49
		1989	353

Schedule II

DOLA File	Description of Land
824/994	Portion of Swan Location K being the land coloured brown and marked Pedestrian Accessway on Plan 11733 and Diagram 53850 and being part of the land comprised in Certificate of Title Volume 1450 Folio 651 and Volume 1503 Folio 98.
967/993	Portion of Swan Location 01 being the land coloured brown and marked Pedestrian Accessway containing 304 square metres on Diagram 59872, now defined as Swan Location 12060 and being the balance of the land in Certificate of Title Volume 1576 Folio 615.
1034/993	Portion of Swan Location H being the land coloured brown and marked Pedestrian Accessway containing 18 square metres on Plan 18453, now defined as Swan Location 12002 on Land Administration Diagram 91853 and being part of the land comprised in Certificate of Title volume 1932 Folio 644.

AA204

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

WESTERN AUSTRALIA } By His Excellency Major General Philip Michael
P. M. Jeffery, } Jeffery, Officer of the Order of Australia, Military
Governor. } Cross, Governor of the State of Western
[L.S.] } Australia.

DOLA File: 2283/984V3.

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

Given under my hand and the Seal of the State on 20th December 1994.

By His Excellency's Command,

GEORGE CASH, Minister for Lands.

GOD SAVE THE QUEEN !

Schedule

DOLA File	Description of Land	Certificate of Title	
		Volume	Folio
2283/984V3	Portion of Murray Location 752	2018	382
2283/984V3	Portion of Murray Location 752	1993	538
2283/984V3	Portion of Murray Location 752 and being part of Lot 20 on Plan 13658	2008	492
2283/984V3	Portion of Murray Location 752 and being part of Lot 20 on Plan 13658	2004	745
2283/984V3	Portion of Murray Location 752 and being part of Lot 21 on Plan 13658	2008	493
2283/984V3	Portion of Murray Location 752 and being part of Lot 21 on Plan 13658	2004	746
2283/984V3	Lot 22 on Plan 13658	1753	703
2283/984V3	Lot 22 on Plan 13658	1603	867
2283/984V3	Portion of Murray Location 752 and being part of Lot 24 on Plan 13658	2004	747
2283/984V3	Portion of Murray Location 752 and being part of Lot 24 on Plan 13658	2008	494
2283/984V3	Lot 25 on Plan 13658	2016	488
2283/984V3	Portion of Murray Location 1130 and being part of Lot 2 on Diagram 20348	1965	572
2283/984V3	Portion of Murray Location 1130 including part of Lot 1 on Diagram 20348	2018	381
2283/984V3	Portion of Murray Location 752	1773	991
2283/984V3	Portion of Murray Location 1130 the subject of Diagram 28044	1263	520

AA205

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

WESTERN AUSTRALIA } By His Excellency Major General Philip Michael
P. M. Jeffery, } Jeffery, Officer of the Order of Australia, Military
Governor. } Cross, Governor of the State of Western
[L.S.] } Australia.

DOLA File: 5735/950V13.

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

Given under my hand and the Seal of the State on 20th December 1994.

By His Excellency's Command,

GEORGE CASH, Minister for Lands.

GOD SAVE THE QUEEN !

Schedule I

DOLA File	Description of Land	Certificate of Title	
		Volume	Folio
3776/980V2	Portion of Kent Location 116	2016	900
1368/994	Lot 379 on LTO Plan 19445 (now Swan Location 12013)	1984	380
1858/977	Portion of Narra Tarra Lot 11 and being Lot 1 on LTO Diagram 27485	1541	761
2259/908	Portion of Narragin Lot 345 (now Lot 1671)	2009	852
1362/992	Portion of Kwinana Lot 254	1827	347
1362/992	Portion of Kwinana Lot 277	1869	692
2242/993	Kwinana Lot S33	1396	965
1927/994	Portion of Avon Location 16166 and being portion of Lot 184 and LTO Plan 19013 (now Location 29132)	1964	266
2506/994	Portion of Northam Suburban Lots P41, P42, P43 and P44 and being Lot 2 on LTO Diagram 31005 (now Avon Location 29136)	1086	245
2507/994	Portion of Avon Location P and being Lot 531 on LTO Plan 17921 (now Location 29137)	1903	337
2537/980	Portion of Northam Suburban Lot N63 and being Lot 35 on LTO Diagram 76252 (now Lot 431)	1844	561
3428/963	Portion of Avon Location 42 and being Lot 338 on LTO Diagram 78166 (now Location 29134)	1898	526
1899/981	Portion of Avon Location A, B and C and being Lot 11 on LTO Diagram 61277 on LTO Diagram 61277 (now Location 29099)	1607	170
2869/988	Portion of Avon Location P1 and being Lot 153 on LTO Diagram 74810 Diagram 74810 (now Northam Lot 433)	1818	583

Schedule II

DOLA File	Description of Land
1171/994	Portion of Perthshire Location Au being the land marked Pedestrian Accessway on LTO Plan 11799 and being part of the land comprised in Certificate of Title Volume 1453 Folio 301.

AA301

WESTERN AUSTRALIAN TOURISM COMMISSION AMENDMENT ACT 1994

(No. 68 of 1994)

PROCLAMATION

WESTERN AUSTRALIA } By His Excellency Major General Philip Michael
P. M. Jeffery, } Jeffery, Officer of the Order of Australia, Military
Governor. } Cross, Governor of the State of Western
[L.S.] } Australia.

I, the Governor, acting under section 2 of the Western Australian Tourism Commission Amendment Act 1994, and with the advice and consent of the Executive Council, fix 31 December 1994 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 December 1994.

By His Excellency's Command,

RICHARD COURT, Minister for Tourism.

GOD SAVE THE QUEEN !

AGRICULTURE

AG301

PLANT DISEASES ACT 1914

PLANT DISEASES AMENDMENT REGULATIONS (NO. 10) 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Plant Diseases Amendment Regulations (No. 10) 1994*.

Schedule 1 amended

2. Schedule 1 to the *Plant Diseases Regulations 1989** is amended in Part B in item 19 by deleting sub paragraph (b) and substituting the following —

“

- (b) the seed has been treated with —
 - (i) 2-(thiocyano-methyl-thio) benzothiazole (TCMTB) at the rate of 32 millilitres/100 kilograms of seed; or
 - (ii) Vitavax 200FF® at the rate of 500 millilitres/100 kilograms of seed.

”

[* *Published in Gazette of 30 June 1989 at pp. 1980-93.*
For amendments to 8 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, p. 205, and Gazette of 24 June, 2 September, 30 September, 28 October and 11 November 1994.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

AG302

FRUIT GROWING INDUSTRY (TRUST FUND) ACT 1941

FRUIT GROWING INDUSTRY (TRUST FUND) AMENDMENT REGULATIONS 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fruit Growing Industry (Trust Fund) Amendment Regulations 1994*.

Commencement

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

Regulation 1A repealed

3. Regulation 1A of the *Fruit Growing Industry (Trust Fund) Regulations** is repealed.

[* *Reprinted in Gazette of 2 February 1965.*
For amendments to 8 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, pp. 99-100.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

AG401

SOIL AND LAND CONSERVATION ACT 1945

SOIL AND LAND CONSERVATION (CUNDERDIN LAND CONSERVATION DISTRICT)
AMENDMENT ORDER 1994

Made by the Governor in Executive Council under Section 23 (2d) of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Primary Industry.

Citation

1. This order may be cited as the *Soil and Land Conservation Act (Cunderdin Land Conservation District) Amendment Order 1994*.

Principal Order

2. In this order the *Soil and Land Conservation Act (Cunderdin Land Conservation District) Order 1988** is referred to as the principal order.

[*Published in the Gazette of 30 December 1988 at pp. 5108-9 and amended in the gazettes of 28 April 1989 at pp. 1251-52, 13 September 1991 at p. 4772 and 18 September 1992 at p. 4666.]

Clause 2 amended

3. Clause 2 of the principal order is amended by inserting in the appropriate alphabetical position the following definition—

“Commissioner” means the person for the time being holding or acting in the office of the Commissioner of Soil and Land Conservation.

Clause 5 amended

4. Clause 5 of the principal order is amended—

(a) in subclause (1)—

(i) by deleting “12” and substituting the following “15”; and

(ii) in paragraph (b) by deleting “Minister” and substituting the following “Commissioner”; and

(iii) in paragraph (e) by deleting “6” and substituting the following “9” and deleting “Minister” and substituting the following “Commissioner”.

(b) in subclause (2) by deleting “Minister” in both places where it occurs and substituting the following “Commissioner”; and

(c) in subclause (2a) by deleting “Minister” in both places where it occurs and substituting “Commissioner”.

By His Excellency's Command

M. C. WAUCHOPE, Clerk of the Council.

AG402

SOIL AND LAND CONSERVATION ACT 1945

SOIL AND LAND CONSERVATION (NARROGIN LAND CONSERVATION DISTRICT)
AMENDMENT ORDER 1994

Made by the Governor in Executive Council under Section 23 (2d) of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Primary Industry.

Citation

1. This order may be cited as the *Soil and Land Conservation Act (Narrogin Land Conservation District) Amendment Order 1994*.

Principal Order

2. In this order the *Soil and Land Conservation Act (Narrogin Land Conservation District) Order 1990** is referred to as the principal order.

[*Published in the Gazette of 20 July 1990 at pp. 3455-3457.]

Clause 2 amended

3. Clause 2 of the principal order is amended by inserting in the appropriate alphabetical position the following definition—

“Commissioner” means the person for the time being holding or acting in the office of the Commissioner of Soil and Land Conservation.

Clause 5 amended

4. Clause 5 of the principal order is amended—

(a) in subclause (1)—

(i) by deleting “13” and substituting the following “16”; and

(ii) in paragraph (b) by deleting “Minister” and substituting the following “Commissioner”; and

- (iii) in paragraph (e) by deleting "8" and substituting the following "11" and deleting "Minister" and substituting the following "Commissioner".
- (b) in subclause (2) by deleting "Minister" in both places where it occurs and substituting the following "Commissioner"; and
- (c) in subclause (3) by deleting "Minister" in both places where it occurs and substituting "Commissioner".

By His Excellency's Command

M. C. WAUCHOPE, Clerk of the Council.

AG403

SOIL AND LAND CONSERVATION ACT 1945

SOIL AND LAND CONSERVATION (NUNGARIN LAND CONSERVATION DISTRICT) AMENDMENT ORDER 1994

Made by the Governor in Executive Council under Section 23 (2d) of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Primary Industry.

Citation

1. This order may be cited as the *Soil and Land Conservation Act (Nungarin Land Conservation District) Amendment Order 1994*.

Principal Order

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

[*Published in the Gazette of 22 August 1986 at p. 3007-8 and amended in the Gazette of 13 September 1991 at pp. 4772-73.]

Clause 2 amended

3. Clause 2 of the principal order is amended by inserting in the appropriate alphabetical position the following definition—

"Commissioner" means the person for the time being holding or acting in the office of the Commissioner of Soil and Land Conservation.

Clause 5 amended

4. Clause 5 of the principal order is amended—

- (a) in subclause (1)—

- (i) by deleting "12" and substituting the following "13"; and
 - (ii) in paragraph (b) by deleting "Minister" and substituting the following "Commissioner"; and
 - (iii) in paragraph (d) by deleting "7" and substituting the following "8" and deleting "Minister" and substituting the following "Commissioner".
- (b) in subclause (2) by deleting "Minister" in both places where it occurs and substituting the following "Commissioner".

By His Excellency's Command

M. C. WAUCHOPE, Clerk of the Council.

AG404

SOIL AND LAND CONSERVATION ACT 1945

SOIL AND LAND CONSERVATION (TAMBELLUP LAND CONSERVATION DISTRICT) AMENDMENT ORDER 1994

Made by the Governor in Executive Council under Section 23 (2d) of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Primary Industry.

Citation

1. This order may be cited as the *Soil and Land Conservation Act (Tambellup Land Conservation District) Amendment Order 1994*.

Principal Order

2. In this order the *Soil and Land Conservation Act (Tambellup Land Conservation District) Order 1990** is referred to as the principal order.

[*Published in the Gazette of 14 December 1990, at pp. 6123-24.]

Clause 2 amended

3. Clause 2 of the principal order is amended by inserting in the appropriate alphabetical position the following definition—

“Commissioner” means the person for the time being holding or acting in the office of the Commissioner of Soil and Land Conservation.

Clause 4 amended

4. Clause 4 of the principle order is amended—

(a) in subclause (1)—

(i) by deleting “11” and substituting the following “15”, and

(ii) in paragraph (b) by deleting “Minister” and substituting the following “Commissioner”; and

(iii) in paragraph (d) by deleting “5” and substituting the following “9” and deleting “Minister” and substituting the following “Commissioner”.

(b) in subclause (2) by deleting “Minister” in both places where it occurs and substituting the following “Commissioner”.

By His Excellency's Command

M. C. WAUCHOPE, Clerk of the Council.

AG405

SOIL AND LAND CONSERVATION ACT 1945**TAMBELLUP LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF LAND CONSERVATION DISTRICT COMMITTEE) INSTRUMENT 1994**

Made by the Deputy Commissioner for Soil and Land Conservation.

Citation

1. This Instrument may be cited as the *Tambellup Land Conservation District (Appointment of Members District Committee) Instrument 1994*.

Interpretation

2. In this Instrument—

“Constitution order” means the *Soil and Land Conservation (Tambellup Land Conservation District) Order 1990**.

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

[*Published in the Gazette of 14 December 1990, at pp. 6123-24.]

Appointment of Members

3. (1) Under Clause 4 (1) (b) of the Constitution Order Kenneth Leslie Olden of Tambellup and Leonard John Newing of Tambellup are appointed members of the Committee on the Nomination of the Shire of Tambellup.

(2) Under Clause 4 (1) (c) of the Constitution Order—

(a) Neville Thorn of Tambellup

(b) Keith Justin Cunningham of Tambellup

(c) Kenneth Lee Schlueter of Tambellup

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

(3) Under Clause 4 (1) (d) of the Constitution Order—

(a) Barry George Webster of Tambellup

(b) Wendy Caroline Bradshaw of Tambellup

(c) Joanne Marie Trezona of Tambellup

(d) Bryan Thomas Trezona of Tambellup

(e) Michael John Reynolds of Tambellup

(f) Paul Stuart Cunningham of Tambellup

(g) Andrew Thomas Bradshaw of Tambellup

(h) Russell Steven Bradshaw of Tambellup

(i) Garry Maxwell Sheridan of Tambellup

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

Term of Office

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

JOHN DUFF, Deputy Commissioner for Soil and Land Conservation.

AG406

SOIL AND LAND CONSERVATION ACT 1945**SOIL AND LAND CONSERVATION (KULIN LAND CONSERVATION DISTRICT) AMENDMENT ORDER OF 1994**

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

Citation

1. This order may be cited as the *Soil and Land Conservation Act (Kulin Land Conservation District) Amendment Order 1994*.

Principal Order

2. In this order the *Soil and Land Conservation Act (Kulin Land Conservation District) Order 1991** is referred to as the principal order.

[*Published in the Gazette of 12 July 1991 at pp. 3419-20.]

Clause 2 amended

3. Clause 2 of the principal order is amended by inserting in the appropriate alphabetical position the following definition—

“Commissioner” means the person for the time being holding or acting in the office of the Commissioner of Soil and Land Conservation.

Clause 5 amended

4. Clause 5 of the principal order is amended—

(a) in subclause (1)

(i) by deleting “10” and substituting the following “ 18 ”; and

(ii) in paragraph (b) by deleting “Minister” and substituting the following “ Commissioner ”; and

(iii) in paragraph (d) by deleting “5” and substituting the following “ 13 ” and deleting “Minister” and substituting the following “ Commissioner ”.

(b) in subclause (2) by deleting “Minister” in both places where it occurs and substituting the following “ Commissioner ”.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

AG407

SOIL AND LAND CONSERVATION ACT 1945**KULIN LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF LAND CONSERVATION DISTRICT COMMITTEE) INSTRUMENT 1994**

Made by the Deputy Commissioner for Soil and Land Conservation.

Citation

1. This Instrument may be cited as the *Kulin Land Conservation District (Appointment of Members District Committee) Instrument 1994*.

Interpretation

2. In this Instrument—

“Constitution order” means the *Soil and Land Conservation (Kulin Land Conservation District) Order 1991**.

“Committee” means the District Committee established by Clause 4 of the Constitution Order.

[*Published in the Gazette of 12 July 1991 at pp. 3419-20.]

Appointment of Members

3. (1) Under Clause 5 (1) (b) of the Constitution Order Barry Donald West of West Kulin is appointed a member of the Committee on the Nomination of the Shire of Kulin.

(2) Under Clause 5 (1) (c) of the Constitution Order—

(a) Clarrie King of West Kulin

(b) Robert Alan Bowey of Kulin

(c) Michael James Wilson of Kulin

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

(3) Under Clause 5 (1) (d) of the Constitution Order—

- (a) Jarron Kim Noble of Kulin
- (b) Donald George Bradford of Kulin
- (c) Brian Lawrence Robins of Kulin
- (d) Carol Griffin of Kulin
- (e) John Keith Wilson of Kulin
- (f) Katheryn Maree Wilson of Kulin
- (g) Leanne Kerri Proud of Kulin
- (h) Ross Henry Proud of Kulin
- (i) Peter John Ellis of Kulin
- (j) Russell Stewart Murray of Kulin
- (k) Deborah Jane Robins of Kulin
- (l) Peter Henry Cook of Kulin
- (m) Peter James Mullan of Dudinin

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

Term of Office

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

JOHN DUFF, Deputy Commissioner for Soil and Land Conservation.

AG408

SOIL AND LAND CONSERVATION ACT 1945**SOIL AND LAND CONSERVATION (CALINGIRI NEW NORCIA LAND CONSERVATION DISTRICT) ORDER 1994**

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

Citation

1. This order may be cited as the *Soil and Land Conservation Act Calingiri New Norcia Land Conservation District) Order 1994*.

Interpretation

2. In this order—

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

“commissioner” means the person for the time being holding or acting in the office of the Commissioner for Soil Conservation;

“committee” means the Land Conservation District Committee for the Calingiri New Norcia Land Conservation District;

“member” means a member of the Committee;

“the district” means the Calingiri New Norcia Land Conservation District constituted by clause 3;

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

Calingiri New Norcia Land Conservation District

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

Establishment of the committee

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

Constitution of the committee

5. (1) It is hereby determined on the recommendation of the Minister, after consultation with the Shire of Victoria Plains that the committee shall comprise 15 members of whom—

- (a) one shall be the Commissioner of Soil and Land Conservation or his nominee;
- (b) one shall be appointed by the Minister on the nomination of the Shire of Victoria Plains;

- (c) 13 shall be appointed by the Minister, of whom—
 - (i) one shall be a representative from the Western Australian Farmers Federation Inc.;
 - (ii) two shall be representatives from the Pastoralists and Graziers Association of Western Australia;
 - (iii) 10 shall be persons actively engaged in, or affected by or associated with landuse in the district.
- (2) Subject to this clause, each appointed member shall hold office for such period not exceeding 3 years as is specified in the instrument of this appointment and is eligible for reappointment.
- (3) The Minister may grant leave of absence to an appointed member on such terms and conditions as the Minister determines.
- (4) The Minister may terminate the appointment of an appointed member for inability, inefficiency or misbehaviour.
- (5) If an appointed member—
 - (a) is or becomes an undischarged bankrupt or person whose property is subject to an order or arrangement under the laws relating to bankruptcy;
 - (b) has his appointment terminated by the Minister, pursuant to subclause (4);
 - (c) is absent, except on leave duly granted by the Minister, from 3 consecutive meetings of the committee of which he has had notice;
 - (d) resigns his office by written notice addressed to the Minister, the office of that appointed member becomes vacant.

Proceedings of the committee

- 6. (1) The committee shall hold its meetings at such place on such days and at such intervals as the committee shall from time to time determine.
- (2) At any meeting of the committee—
 - (a) a majority of the members constitute a quorum;
 - (b) the Chairperson will preside and where he or she is absent from the meeting the members may appoint one of their number to preside at that meeting;
 - (c) each member present is entitled to a deliberative vote; and
 - (d) where the votes cast on any question are equally divided the Chairperson, or the presiding member in terms of paragraph (b), shall have a casting vote.
- (3) The committee shall cause accurate minutes to be kept of the proceedings at its meetings.
- (4) To the extent that it is not prescribed, the committee may determine its own procedure.

Schedule

(Clause 3)

CORR 312/938V7

TECHNICAL DESCRIPTION

CALINGIRI-NEW NORCIA LAND CONSERVATION DISTRICT

All that portion of land bounded by lines starting from the southeastern corner of lot 7 of Melbourne location 935, as shown on Office of Titles Diagram 19255, a point on a present southern boundary of the Shire of Victoria Plains and extending generally easterly, generally southerly and southeasterly along boundaries of that shire to a southeastern corner of location 28233 (Reserve No. 29100); thence generally northerly, generally northeasterly, generally southeasterly, southerly and southeasterly along boundaries of that location to the prolongation westerly of the northern boundary of location 28474 a point on a present southern boundary of the Shire of Victoria Plains; thence easterly, southeasterly, generally easterly and generally northerly along boundaries of that shire to the easternmost northeastern corner of location 2823; a point on a present southern boundary of the Ninan Land Conservation District; thence generally northwesterly, generally southwesterly, generally westerly, again generally northwesterly and westerly along boundaries of that district to the prolongation southerly of the centreline of a road passing along the westernmost western boundary of the western severance of lot M1396 of location 936 as shown on Office of Titles Diagram 7619, a point on a present southern boundary of the Piawanning-Yerecoin Land Conservation District; thence westerly, generally northerly again westerly, generally southerly, again westerly, northerly, generally westerly, southerly, again westerly, again northerly, generally northwesterly, again southerly and again generally northwesterly to the prolongation southeasterly of the northernmost northeastern boundary of the northern severance of location 3589, a point on a present southwestern boundary of the East Gillingarra Land Conservation District, thence northwesterly, generally southwesterly, westerly, generally southerly and again westerly along boundaries of that district and onwards, to the southernmost eastern boundary of lot 1 of location 935 as shown on Office of Titles Diagram 20784, a point on a present eastern boundary of the Mogumber Land Conservation District; thence southerly, westerly, again southerly again westerly and again southerly along boundaries of that district to the centreline of Moore River and onwards to the centreline of Mogumber-Yarrawindah Road; thence generally southeasterly, generally easterly and generally northeasterly along the centreline of that road to the prolongation northerly of the northernmost eastern boundary of the southern severance of lot M892 as shown on Office of Titles Diagram 3183; thence southerly to and southerly, easterly, again southerly and again

easterly along boundaries of that lot and onwards to the centreline of Cocking Road; thence northerly along that centreline to the prolongation westerly of the northern boundary of lot M1806 as shown on Office of Titles Diagram 8582 and extending easterly to and easterly and southerly along boundaries of that lot and southerly along the eastern boundaries of lots 6 and 7 as shown on Office of Titles Diagram 19255 to the starting point.

Department of Land Administration Public Plans—

1:25000—Calingiri NE & SW
Dewars Pool NW & NE
Jennacubbine NW & NE
Mortlock River NW, SE & SW
New Norcia SE & SW
Piawanning SE & SW
Wannamal NE, NW & SE

By His Excellency's Command

M. C. WAUCHOPE, Clerk of the Council.

AG409

SOIL AND LAND CONSERVATION ACT 1945

CALINGIRI NEW NORCIA LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF LAND CONSERVATION DISTRICT COMMITTEE) INSTRUMENT 1994

Made by the Deputy Commissioner for Soil and Land Conservation.

Citation

1. This Instrument may be cited as the *Calingiri New Norcia Land Conservation District (Appointment of Members District Committee) Instrument 1994*.

Interpretation

2. In this Instrument—

“Constitution order” means the *Soil and Land Conservation (Calingiri New Norcia Land Conservation District) Order 1994*.

“Committee” means the District Committee established by Clause 4 of the Constitution Order.

Appointment of Members

3. (1) Under Clause 5 (1) (b) of the Constitution Order Michael Anspach of New Norcia is appointed a member of the Committee on the Nomination of the Shire of Victoria Plains.

(2) Under Clause 5 (1) (c) of the Constitution Order—

(a) Steven Geoffrey Woods of Calingiri

is appointed a member of the Committee to represent the Western Australian Farmers Federation.

(3) Under Clause 5 (1) (d) of the Constitution Order—

(a) Donald Frederick Nixon of New Norcia

(b) David Stanley Lovelock of New Norcia

are appointed members of the Committee to represent the Pastoralists and Graziers Association.

(4) Under Clause 5 (1) (e) of the Constitution Order—

(a) Angela Catherine Anspach of Calingiri

(b) Robert James Anspach of Calingiri

(c) Arthur Stanley Bliss of New Norcia

(d) Keith Mondy of New Norcia

(e) Charles Benjamin Edmonds of Calingiri

(f) Peter Hunt of New Norcia

(g) Wesley Robert Howard of Yerecoin

(h) Rex William Glass of Calingiri

(i) Keith William Hunt of New Norcia

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

Term of Office

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

JOHN DUFF, Deputy Commissioner for Soil and Land Conservation.

AG410

SOIL AND LAND CONSERVATION ACT 1945**SOIL AND LAND CONSERVATION (WEST ARTHUR LAND CONSERVATION DISTRICT)
AMENDMENT ORDER OF 1994**

Made by the Governor in Executive Council under Section 23 (2d) of the *Soil and Land Conservation Act 1945* on the recommendation of the Minister for Primary Industry.

Citation

1. This order may be cited as the *Soil and Land Conservation Act (West Arthur Land Conservation District) Amendment Order 1994*.

Principal Order

2. In this order the *Soil and Land Conservation Act (West Arthur Land Conservation District) Order 1990** is referred to as the principal order.

[*Published in the Gazette of 21 December 1990 at pp. 6214-15.]

Clause 2 amended

3. Clause 2 of the principal order is amended by inserting in the appropriate alphabetical position the following definition—

“Commissioner” means the person for the time being holding or acting in the office of the Commissioner of Soil and Land Conservation.

Clause 5 amended

4. Clause 5 of the principal order is amended—

(a) in subclause (1)—

(i) by deleting “14” and substituting the following “15”; and

(ii) in paragraph (b) by deleting “Minister” and substituting the following “Commissioner”; and

(iii) in paragraph (e) by deleting “9” and substituting the following “10” and deleting “Minister” and substituting the following “Commissioner”.

(b) in subclause (2) by deleting “Minister” in both places where it occurs and substituting the following “Commissioner”; and

(c) in subclause (3) by deleting “Minister” in both places where it occurs and substituting “Commissioner”.

By His Excellency's Command

M. C. WAUCHOPE, Clerk of the Council.

COMMUNITY SERVICES

CG301

ADOPTION ACT 1994**CODE OF PRACTICE (CONTACT AND MEDIATION AGENCIES) 1995**

Made by Order of the Minister for the purposes of section 107 (c).

Citation

1. This code may be cited as the *Code of Practice (Contact and Mediation Agencies) 1995*.

Commencement

2. This code comes into operation on the day on which the *Adoption Act 1994* comes into operation.

Definitions

3. In this code—

“client” means any person for whom a licensee provides a service, without regard to who is paying for the service;

“found party” means a party to an adoption who is to be contacted by the licensee on behalf of the licensee's client;

“licensee” means a person who has been issued with a licence provided for by section 105 of the Act;

“reunion” means the initial contact that occurs between all or some of the parties to an adoption who have previously been unable or unwilling to have contact;

“service” means a contact or mediation service,

and words and expressions used in this order have the same respective meanings as they have in the Act.

Introduction

4. (1) This code of practice relates to the practice and conduct of contact and mediation agencies and is published for the purposes of section 107 (c) of the Act.

(2) This code is intended to ensure that all licensees will provide services that are professional and respectful of the individuality of all clients and found parties, and will safeguard those persons' rights, in particular their rights to dignity, privacy and self-determination.

(3) All licensees are required to comply with this code. Failure to do so could result in the suspension or revocation of, or refusal to renew, a licence. Licensees should acquaint themselves with the provisions of the Act and the regulations and in particular, the offences and penalties referred to in sections 108, 124, 126 and 127 of the Act.

(4) This code is intended to be in addition to codes of ethics made or adopted by relevant professional bodies such as the Australian Association of Social Workers Ltd. or the Australian Psychological Society Ltd.

General requirements in relation to practice and conduct

5. (1) Licensees must have a current and comprehensive knowledge of adoption, the *Adoption Act 1994* and the *Adoption Regulations 1995*, the issues and stages involved in search, contact, reunions and mediation, human developmental stages and the history of adoption laws and practices. Licensees must also be able to assist persons in relation to the development and maintenance of functional relationships.

(2) Licensees must maintain high standards of proficiency and knowledge in relation to their work as contact and mediation agents.

(3) Licensees must not unlawfully discriminate in the provision of services and must make their services available to prospective clients regardless of the ethnic background, sex, marital status, religion or sexual preference of a prospective client.

(4) Licensees must not unduly persuade, coerce, intimidate or harass any person in relation to the provision of services and must ensure that no person is provided with services without that person's full and freely given permission.

(5) A licensee's impartiality is central to an outcome which satisfies the interests and need of all parties. Licensees are to act in a non-judgemental manner and must not unduly influence any decision to be made by any party. In the event that it is not possible for a licensee to provide a service without a conflict of interest arising, the licensee is to inform the parties involved and cease the provision of services.

(6) Licensees are not to provide services to clients without the full consent of each client. Each client (or, if the client is less than 18 years of age, the guardian) is to be informed of the name of the licensee, the nature and limits of the licensee's role, and the fees to be charged. Licensees must not make false, misleading, unrealistic or unfair statements about their role, skills or qualifications or about the contact and mediation process and likely outcomes.

(7) Licensees are to acknowledge that their role, training, competencies and experience do have limitations and must not undertake work beyond their role or capacity. In the event that a client requires services that cannot be adequately provided by a licensee then the licensee is to refer the client to persons appropriate to provide the services. (In this provision, "services" is not limited to contact and mediation services).

(8) Licensees are to provide advice to clients fully and frankly and ensure that any decisions made by clients following advice are made without coercion.

(9) Licensees should refer to matters relating to adoption in an objective and factual manner rather than in negative or value-laden terms.

(10) Licensees must ensure that mediation is not undertaken by any person who is not a licensee and that the nature and extent of contact between the parties to an adoption are negotiated in a manner which ensures that the needs of all parties are addressed. Licensees must ensure that all reasonable efforts are made for an optimum outcome for all parties.

(11) Licensees must not take part in any unlawful activity and must not suggest, advise or encourage clients to take part in any unlawful activity.

(12) Licensees must not breach any trust between licensee and client and must at all times demonstrate a professional concern for the interests of clients and found parties.

(13) Licensees are to terminate relationships with clients when it becomes reasonably clear that the clients no longer require, or are not benefiting from, the services.

(14) Licensees are to work on the basis that the quality of the services provided is of greater importance than the speed at which the services may be provided.

(15) If a client's desire to contact a party is obsessive or accompanied by unrealistic expectations of the outcome of a reunion, the licensee must provide appropriate assistance to the client before proceeding further with any contact. Licensees should, to the extent possible, arrange a reunion and allow the parties to control the processes and outcomes of contact and mediation.

Specific requirements in relation to practice and conduct

6. (1) Licensees must inform clients and found parties that although licensees are to advise and assist parties in relation to matters which affect parties' interests and the outcome of mediation, the decisions in relation to those matters are to be made by the parties.

(2) Licensees must obtain from each client who requests services a written "authorizing statement" in which it is stated that the licensee has been retained as the client's agent for the purpose of undertaking such contact or mediation services as are stated in the authorizing statement in relation to such other of the parties to the adoption as are named in the authorizing statement. The authorizing statements must be obtained before services are commenced.

(3) Licensees must ensure that no information about clients or found parties will be provided to any person without the prior consent of the person to whom the information relates unless the breach of confidence can be justified. Example: if there is clear evidence that a serious and imminent threat of danger exist to a person and a breach of confidence is required to protect that person. Licensees must ensure that in communications about parties, information is based on factual and objective information. Licensees must not unnecessarily divulge information about parties.

(4) Licensees must maintain adequate written records, including information about dates of contact with each party outcomes of contact outcomes of mediation, names of the personnel involved and copies of authorizing statements and any written consents to the release of information. Licensees must ensure that these records are securely stored and not accessible to unauthorized persons.

(5) Licensees who charge fees for services must not charge fees that exceed the current comparable rates for social workers and psychologists in private practice.

(6) Licensees must be satisfied as to the identity of all clients and found parties.

(7) Licensees must be satisfied that all clients and found parties have access to information about Part 4 of the Act and the rights and responsibilities of those persons arising from the Act and to information about Part 7 of the *Adoption Regulations 1995*.

(8) Licensees must be satisfied that all clients and found parties have access to the code of practice relating to the conduct of contact and mediation agencies that is in effect at the time the services are provided and that clients and found parties are informed that any complaints about licensees are to be made to the Minister.

(9) Before contacting a found party, a licensee must be satisfied that any information provided by the client purporting to identify or locate the found party is accurate. If the information is in written form, the licensee is to keep a copy of it.

(10) If a licensee, having applied to the Director-General under section 108 of the Act, is notified by the Director-General of the requirements of a current contact veto, the licensee must inform the client of the information received from the Director-General.

(11) If a licensee, having applied to the Director-General under section 108 of the Act, is notified by the Director-General that there is no current contact veto, the licensee must determine whether the client has had (which includes attempted) any contact with the found party and the outcome of the contact. If the found party has indicated that the found party wishes to have no contact with the client, the licensee is to cease services for that client.

(12) Any communication by a licensee with a found party must be directed to the found party and no one else and must be discreet and confidential. Licensees must take care to avoid the risk of other persons suspecting or learning that a found person is or may be involved in an adoption. Unless there is good reason to do otherwise, initial communication should be by telephone or letter rather than in person. Licensees must ensure that there is no restriction on the ability of a found party to exercise control and to make choices about whether, and how, further contact is to take place and that the privacy of the found party is respected.

(13) Before a reunion of clients and found parties occurs, the licensee (or such other person who is authorized by the licensee to do so) is to conduct at least one communication with each person who will attend the reunion. The main purposes of the initial communication are to explain procedures and the licensee's role, to clarify expectations, check information about the found party, obtain the found party's permission to proceed, to consider the full range of possible outcomes for all parties and to obtain relevant information for exchange during mediation.

(14) Licensees must be aware of the possibility that some found parties may not be aware of their adoption. Licensees are to ensure that those persons are informed of assistance that is available to them to deal with the implications of the recently acquired knowledge.

(15) Licensees must be sensitive to the full range of views, experiences and reactions of persons affected by adoption and take these into account in the contact and mediation processes.

(16) Licensees must ensure that the participation of parties is on a fair and equitable basis. Licensees should be aware of any imbalances in negotiating power and cease to act if any party continues to harass, coerce, intimidate, embarrass or ridicule another party.

(17) Licensees are to ensure that mediation proceeds at a pace commensurate with the time required by each party to deal with his or her individual concerns.

(18) Licensees must inform clients and found parties that post-reunion support and assistance may be required and provide to clients and found parties information about the availability of services.

Dated 22nd December 1994.

C. L. EDWARDES, Minister for Community Development.

EDUCATION

ED401

THE UNIVERSITY OF WESTERN AUSTRALIA

1995 Election of Warden and Deputy Warden of Convocation

Nomination forms are now available for Warden and Deputy Warden of the convocation of graduates of The University of Western Australia from the Convocation Officer, UWA Graduates Association, University of Western Australia, Nedlands 6907, telephone 380 1336, or fax 380 1110.

Nominations must be signed by two qualified voters and must be accompanied by the written consent of the nominee. Particulars are required of the year of the candidate's admission to the convocation and his or her qualifications for membership under section 17 (1) of the University Act.

This election is held in accordance with Statute 9, Clause 62.

Nominations close, and must be in the hands of the Convocation Officer, no later than 5 p.m. on Friday, 3 February 1995.

The result of the election of Warden and Deputy Warden will be declared at the First Ordinary Meeting of the convocation of UWA graduates on Friday 17 March 1995.

December 1994.

MEREDITH CHESTERTON, Convocation Officer.

Elections to the Council of the UWA Graduates Association for 1995

Nomination forms are now available for members of the Council of the UWA Graduates Association of The University of Western Australia from the Convocation Officer, UWA Graduates Association, University of Western Australia, Nedlands 6907, telephone 380 1336, or fax 380 1110. In accordance with Statute 9, Clause 13, seven persons are to be elected for a period of three years. Retiring members are eligible for re-election.

Nominations must be signed by two qualified voters and must be accompanied by the written consent of the nominee. Particulars are required of the year of the candidate's admission to Convocation and his or her qualifications for membership under section 17 (1) of the University Act.

Nominations must be addressed to the Convocation Officer, The University of Western Australia, Nedlands 6009, to reach the University no later than Friday, 3 February 1995. Nomination forms are available from the Convocation Officer, at the above address, or by ringing 380 1336, or sending a fax requesting a form to 380 1110.

The result of the election of Warden and Deputy Warden will be declared at the First Ordinary Meeting of the convocation of UWA graduates on Friday, 17 March 1995.

6 December 1994.

MEREDITH CHESTERTON, Convocation Officer.

1995 Election of One Senator by the Members of Convocation

In March 1995 Mr Keith Abercromby will complete his term of office as a member of Senate elected by the convocation of graduates of The University of Western Australia. In accordance with section 10b of the University Act, and Statute 12, the annual election to fill the vacancy thus caused will take place on Tuesday, 14 March 1995. The retiring senator is eligible for re-election.

Nominations of a member of the UWA convocation for election to fill this vacancy are now invited, and forms are available from the Convocation Officer, UWA Graduates Association, The University of Western Australia, Nedlands 6907, telephone 380 1336, or fax 380 1110.

Nominations must be signed by two qualified voters and must be accompanied by the written consent of the nominee. Particulars are required of the year of the candidate's admission to Convocation and his or her qualifications for membership under section 17 (1) of the University Act.

Nominations close, and must be in the hands of the Convocation Officer, no later than 5 p.m. on Friday, 27 January 1995.

The result of the election of Warden and Deputy Warden will be declared at the First Ordinary Meeting of the convocation of UWA graduates on Friday, 17 March 1995.

December 1994.

MEREDITH CHESTERTON, Convocation Officer.

ENERGY IMPLEMENTATION

EG301

GAS CORPORATION ACT 1994

GAS TRANSMISSION (EXEMPTED CONTRACT) ORDER 1994

Made by the Minister under Clause 6 (1) of Schedule 5.

Citation

1. This order may be cited as the *Gas Transmission (Exempted Contract) Order 1994*.

Commencement

2. This order comes into operation on the day on which section 91 of the *Gas Corporation Act 1994* comes into operation.

Schedule 5 does not apply to Alcoa contract

3. Schedule 5 to the *Gas Corporation Act 1994* does not apply to the contract referred to in the Appendix which is an existing contract within the meaning of clause 6 of that Schedule.

Saving

4. Clause 3 is not affected by the abolition of the State Energy Commission of Western Australia and the succession of the Gas Corporation to its interest in the contract referred to in clause 3 pursuant to the *Energy Corporations (Transitional and Consequential Provisions) Act 1994*.

Appendix

The contract dated 7 February 1983 between The State Energy Commission of Western Australia and Alcoa of Australia Limited (ACN 004 879 298) as amended by—

- a Memorandum of Agreement on Capital Cost dated 3 March 1988;
- a Revised Index Deed dated 2 June 1987;
- a Deed of Amendment dated 29 September 1988;
- a Deed of Amendment No. 2 dated 26 July 1991;
- a Deed of Compromise and Settlement dated 26 July 1991;
- a Supplemental Deed dated 24 October 1991;
- a Letter Agreement dated 29 June 1993;
- a Letter Agreement dated 16 December 1993;
- a Letter Agreement dated 31 March 1994;
- a Letter Agreement dated 10 May 1994;
- a Letter Agreement dated 10 June 1994;
- a Letter Agreement dated 28 July 1994;
- a Letter Agreement dated 18 August 1994;
- a Letter Agreement dated 22 September 1994;
- a Letter Agreement dated 25 October 1994;
- a Letter Agreement dated 21 November 1994; and
- the Alcoa Sale Gas Cessation Deed dated 23 December 1994.

COLIN BARNETT, Minister for Energy.

EG302

ENERGY CORPORATIONS (TRANSITIONAL AND CONSEQUENTIAL PROVISIONS) ACT 1994

AMENDING TRANSFER ORDER

Made by the Minister under section 44 (4)

I, Colin James Barnett, order that the transfer order made under section 44 (1) of the Act which was published in the *Western Australian Government Gazette* No. 177 (Special) dated Friday, 16 December 1994, be amended as follows—

1. In Schedule 3—

(a) by deleting the following item—

“ XQT 761 SECWA LOWLDR 2AXTRL 91147 ”

(b) by inserting the following items—

“	7QU 874	MAGNA	WAGON	970939
	7QU 612	MAZDA	UTILITY	971017
	7QX 016	CAMRY	SEDAN	971076
	UQT 547	GLYRID	BOX0.5	
	UQT 652	SECWA	BOX0.5	
	UQW 103	MNIXON	POLJNK	
	UQW 215	SECWA	BOX0.5	
	XQT 989	SECWA	BOX1.0	
	XQU 224	SECWA	BOX0.5	
	XQW 273	SECWA	POLJNK	
	XQW 283	HPORT	SEMI	
	6QC 186	ISUZU	JCS420	
	6QE 461	SCANIA	P82H	
	6QI 238	MIT	FM515J	
	6QJ 890	MIT	FM515J	
	6QK 824	HINO	FF177	
	6QN 221	MAZDA	T3500	
	6QT 746	FRHAUF	DOLLY	
	6QU 037	VOLVO	FL7	
	7QO 048	MAZDA	T4000	
	7QT 317	LOMBAR	PTA165	
	8QT 049	SECWA	POLJNK	
	8QT 192	TALON	MHP-14	
	8QT 942	SECWA	BOX	
	7QW 569	COMMODORE	SEDAN	
	7QU 629	MAZDA	UTILITY	
	7QU 631	MAZDA	VAN ”	

2. In Schedule 4, by inserting the following items—

“	7QT 319	TRAILER		009670
	XQT 761	TRAILER		009272
	7QW 196	COMMODORE	SEDAN	971059
	7QW 179	COMMODORE	SEDAN	
	7QX 019	COMMODORE	SEDAN	
	7QW 584	RODEO	UTILITY	
	7QW 583	RODEO	UTILITY	
	7QW 582	RODEO	UTILITY ”	

3. In Schedule 5—

(a) by deleting the following items—

“	BROOME LOT 1304	WHOLE	1823	662
	BROOME LOT 1015	WHOLE	1823	665
	LOT 322 ON PLAN 13124	WHOLE	1562	283 ”

(b) by inserting the following items—

“	LOT 946 ON PLAN 18963			
	EXCEPT AND RESERV-			
	ING METALS, MINER-			
	ALS, GEMS AND MIN-			
	ERAL OIL SPECIFIED IN			
	TRANSFER 7033/1940	WHOLE	1957	190
	LOT 438 ON PLAN 19453	WHOLE	1985	985
	LOT 439 ON PLAN 19452	WHOLE	1986	121
	LOT 639 ON PLAN 19452	WHOLE	1986	122
	LOT 962 ON PLAN 19558	WHOLE	1989	324
	LOT 638 ON PLAN 19451	WHOLE	1992	893
	LOT 376 ON PLAN 19695	WHOLE	1997	184
	PART OF KWINANA LOT			
	276	WHOLE	2014	916

- | | | | |
|---|-------|------|-------|
| LOT 415 ON DIAGRAM
87249 | WHOLE | 2018 | 175 |
| LOT 501 THE SUBJECT
OF DIAGRAM 87101 | WHOLE | 2019 | 935 |
| LOT 701 ON DIAGRAM
87159 | WHOLE | 2020 | 763 " |
4. In Schedule 6, by deleting the following item—
 " LOT 19 ON PLAN 12084 WHOLE 1478 764 "
5. In Schedule 14, by deleting the items listed under the following device numbers—
 PC0520
 PC0538
 PC0539
 PC0630
 PC1158
 PC1236
 PC1514
 PTR1099
 MFD0355
 MFD0539
 MFD0667
 MFD0118
 MFD1469
 MFD1799

COLIN JAMES BARNETT, Minister for Energy.

FISHERIES

FI401

FISHERIES ACT 1905

PROHIBITION ON TAKING FISH (SOUTH MUIRON ISLAND) NOTICE 1994 Notice No. 672

FD 710/94.

Made by the Minister under sections 9 and 10.

Citation

1. This notice may be cited as the *Prohibition on Taking Fish (South Muiron Island) Notice 1994*.

Commencement

2. This notice shall commence operation on 1 January 1995.

Prohibition on taking fish

3. A person shall not take, or attempt to take, any fish by any means from the waters described in the Schedule.

Determination of position by reference to the Australian Geodetic Datum

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

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

Schedule

All the waters bounded by a line commencing at the intersection of 21°39' 54.06" south latitude and the high water mark on the western side of South Muiron Island; thence in a north westerly direction to the intersection of 21°39'32.77" south latitude and 114°20'4.25" east longitude; thence in a south westerly direction to the intersection of 21°40'15.35" south latitude and 114°19'18.70" east longitude; thence in a south easterly direction to the intersection of 21°40'38.86" south latitude and the high water mark on the western side of South Muiron Island; thence generally north easterly along the high water mark to the commencing point.

Dated this 21st day of December 1994.

MONTY HOUSE, Minister for Fisheries.

FI402

FISHERIES ACT 1905
PART IIIB—PROCESSING LICENCES

FD 730/94.

The public is hereby notified that I have issued a permit to Arics Fishing Co to establish a processing establishment to process fish in pursuance of the provisions of section 35C of the Fisheries Act 1905, at 845 Maley Street, Exmouth subject to the following conditions.

That the processing establishment:

1. Shall comply with the requirements of the Fisheries Act 1905, and all Regulations, Orders in Councils and Notices and Ministerial Directions issued thereunder.
2. Shall not be used for the processing of Abalone, Salmon, and Rock Lobster.
3. Shall comply with the requirements of the Health Act 1911.
4. Shall comply with the requirements of any town planning scheme or interim development order *gazetted* under the provisions of the Town Planning and Development Act 1928, or the Metropolitan Region Town Planning Scheme Act 1959.
5. Shall be registered as an export establishment pursuant to the provisions of the Parliament of the Commonwealth Export Control Act 1982, and Orders made thereunder more specifically the Prescribed Goods (general) Orders and the Fish Orders, should it be used to process fish for export.
6. Shall not be used for the processing of marron (*cherax terimanus*) unless a licence held under section 39C of the Fisheries Act 1905.

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

P. P. ROGERS, Executive Director.

FAIR TRADING

FT301

RESIDENTIAL TENANCIES ACT 1987

RESIDENTIAL TENANCIES AMENDMENT 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 *Residential Tenancies Amendment Regulations (No. 2) 1994*.

Regulation 5A amended

2. Regulation 5A of the *Residential Tenancies Regulations 1989** is amended —

- (a) by inserting after the regulation designation “5A.” the subregulation designation “(1); and
- (b) by inserting the following subregulation —

“

(2) Where a residential tenancy agreement is entered into by The State Housing Commission (“Homeswest”) and a condition of the tenancy is that the tenant will pay a bond by instalments —

- (a) that agreement is prescribed as a residential tenancy agreement under section 6 (a) of the Act; and

- (b) The State Housing Commission ("Homeswest") is prescribed as an agency under section 6 (c) of the Act,

to which sections 29 (1) (a) and 29 (4) (a) of the Act shall not apply.

”.

[* Published in the Gazette of 9 August 1989 at pp. 2563-85.
For amendments to 10 October 1994 see 1993 Index to Legislation of Western Australia, Table 4, p. 231 and Gazette of 9 September 1994.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

FT401

COMPANIES (CO-OPERATIVE) ACT 1943

NOTICE OF CHANGE OF COMPANY NAME (Pursuant to Section 30 (5))

The West Australian Woolgrowers Voluntary Co-operative Limited

Notice is hereby given that the West Australian Woolgrowers Voluntary Co-operative Limited has by a special resolution of the company and with the approval of the Registrar of Companies signified in writing changed its name to Rural Traders Finance Co-operative Limited.

Dated the 16th day of December 1994.

Lodged by—

Federation Trust Limited
789 Wellington Street
Perth 6000

(Sgd.) A person authorised by the Commissioner for
Corporate Affairs in Western Australia.

JUSTICE

JM301

FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT ACT 1994

FINES, PENALTIES AND INFRINGEMENT NOTICES ENFORCEMENT REGULATIONS 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fines, Penalties and Infringement Notices Enforcement Regulations 1994*.

Commencement

2. These regulations come into operation on the day on which the *Fines, Penalties and Infringement Notices Enforcement Act 1994* comes into operation.

Enactments to which Part 3 applies (s. 12)

3. Under section 12, the enactments in Schedule 1 are prescribed as enactments to which Part 3 of the Act applies.

Matters included in the definition of "fine" for Part 4 (s. 28)

4. For the purposes of paragraph (b) of the definition of "fine" in section 28 (1), an order of the kind described in column 2 of the Table made under the enactment opposite it in column 1 of the Table is prescribed.

TABLE

*Column 1**Column 2*

Workers' Compensation and Rehabilitation Act 1981, s. 170 (2)

An order that an employer pay an amount to the General Fund.

Fines to which sections 31 to 37 apply (s. 31)

5. For the purposes of section 31 (b) this enactment is prescribed:

Workers' Compensation and Rehabilitation Act 1981.

Applications for time to pay orders

6. (1) An application —

(a) under section 33 for a time to pay; or

(b) under section 34 to have a time to pay order amended,

may be made orally or in writing, as the court officer directs, and if in writing, is to be in such form as the chief executive officer approves.

(2) If under section 33 (2), 34 (2) or 35 (1) an offender is required to undergo a means test, the offender must make a statutory declaration in such form as the chief executive officer approves as to the offender's financial capacity to pay the fine or fines concerned.

Reciprocating States and courts for Part 6 (s. 60)

7. (1) A State or a Territory in column 1 of the Table is prescribed as a reciprocating State or Territory (as the case may be) for the purposes of Part 6 of the Act.

(2) A court of a reciprocating State or a Territory described opposite that State or Territory in column 2 of the Table is prescribed as a reciprocating court for the purposes of Part 6 of the Act.

TABLE

*Column 1**Column 2*

Australian Capital Territory

Any court of the Magistrates Court of that Territory.

New South Wales

Local Courts in that State.

Northern Territory

Any court of summary jurisdiction of that Territory.

Queensland

All Magistrates Courts.

South Australia

Any court of summary jurisdiction of that State.

Tasmania

Courts of Petty Sessions in that State.

Victoria

All Magistrates Courts.

Value of property that cannot be seized (s. 75)

8. For the purposes of section 75 (1) (c), \$1 000 is the prescribed amount.

Enforcement fees for Parts 3, 4 and 7

9. (1) The fees in Part A of Schedule 2 are prescribed as enforcement fees for the purposes of Part 3 of the Act and are to be imposed on an alleged offender at the time indicated.

(2) The fees in Part B of Schedule 2 are prescribed as enforcement fees for the purposes of Part 4 of the Act and are to be imposed on an offender at the time indicated.

(3) The fees and amounts in Part C of Schedule 2 are prescribed as enforcement fees for the purposes of Part 7 of the Act.

Exemption from fees

10. These prosecuting authorities are exempted from payment of the fee for registering an infringement notice under Part 3 of the Act:

Commissioner of Police
Department of Transport
Perth Market Authority.

Methods of payment

11. Under the Act, modified penalties, fines and enforcement fees may be paid by cash, cheque, money order or credit card.

Forms

12. The forms in Schedule 3 are prescribed in relation to the matters specified in the forms.

SCHEDULE 1

[Reg. 3]

ENACTMENTS TO WHICH PART 3 OF THE ACT APPLIES

Act	section(s)
<i>Bush Fires Act 1954</i>	59A
<i>City of Perth Parking Facilities Act 1956</i>	
<i>Control of Vehicles (Off-Road Areas) Act 1978</i>	37
<i>Curtin University of Technology Act 1966</i>	20A
<i>Dog Act 1976</i>	45A
<i>Edith Cowan University Act 1984</i>	29
<i>Litter Act 1979</i>	30
<i>Local Government Act 1960</i>	669D, 669F
<i>Murdoch University Act 1973</i>	24
<i>Perth Market Act 1926</i>	13B
<i>Road Traffic Act 1974</i>	102
<i>University of Western Australia Act 1911</i>	16A
<i>Western Australian Marine Act 1982</i>	132

SCHEDULE 2

[Reg. 9]

PART A — ENFORCEMENT FEES FOR PART 3 OF THE ACT

1. Fee for issuing a final demand \$9.00
(To be imposed when the final demand is issued)
2. Fee for preparing an enforcement certificate
in relation to an infringement notice
(for each infringement notice) \$8.00
(To be imposed when the infringement notice is registered)

3. Fee for registering an infringement notice
with the Registry \$30.00
(To be imposed when the notice is registered)
4. Fee for issuing a notice of intention to suspend licences \$20.00
(To be imposed when a licence suspension order is made)

PART B — ENFORCEMENT FEES FOR PART 4 OF THE ACT

1. Fee for issuing a notice of intention to suspend licences \$20.00
(To be imposed when a licence suspension order is made
or when a warrant of execution is issued, but not twice)
2. Fee for issuing a warrant of execution \$30.00
(To be imposed when the warrant is issued)

PART C — ENFORCEMENT FEES FOR PART 7 OF THE ACT

1. Fee for attending a Local Court in connection with
proceedings to examine a person under section 69,
for each hour or part of an hour \$27.00
2. The actual amounts disbursed in connection with seizing, moving,
storing, securing, protecting and insuring property (including amounts
disbursed for the keeping of animals) are prescribed as enforcement
fees.
3. Fee for inspecting personal property under seizure \$13.50
4. Fee for lodging a memorial under section 89 \$30.00
5. Fee for lodging a withdrawal of memorial under section 90 \$20.00
6. The actual amounts disbursed for the purpose of valuing any personal
property or land, or for searches of titles and other records, are
prescribed as enforcement fees.
7. The actual amounts disbursed for advertising, and otherwise in
connection with the arranging of, any intended sale of personal property
or land are prescribed as enforcement fees.
8. Fee for arranging a sale of personal property or land,
including preparing advertisements and conditions of sale,
but excluding disbursements, not exceeding \$100.00
9. The actual amounts disbursed in connection with a sale of personal
property or land (including settlement costs) are prescribed as
enforcement fees.
10. Fee for attending a sale of personal property or land \$30.00
11. Fee for preparing and executing a transfer of land sold \$100.00
12. Fee for attending a court in connection with interpleader
proceedings, for each hour or part of an hour \$27.00
13. If the Sheriff or a delegate of the Sheriff is necessarily put to extra
trouble and expense in connection with executing a warrant of
execution or is required to do anything not provided for in this Part, the
Sheriff may set an amount or an additional amount (as the case may
be) and that amount is prescribed as an enforcement fee.

If under this item the Sheriff sets an amount for travelling expenses,
the amount is not to exceed \$0.70 per kilometre.

SCHEDULE 3

[Reg. 12]

FORMS

1. Notice of withdrawal for the purposes of section 22.

Fines, Penalties and Infringement Notices Enforcement Act 1994
[Section 22]

NOTICE OF WITHDRAWAL OF PROCEEDINGS UNDER PART 3

To:

..... ALLEGED
..... OFFENDER
..... Address
.....

Details of infringement notice and alleged offence

Prosecuting authority
Number of notice:
Date of issue: Time of issue
Alleged offence:
.....
.....

Fines Enforcement Registry details

FER case no.

Take notice that I, being authorized to do so, hereby withdraw proceedings under section 22 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994* in relation to the infringement notice issued for the above offence.

..... Date
Authorized person

2. Warrant of execution for the purposes of section 45.

Fines, Penalties and Infringement Notices Enforcement Act 1994
[Section 45]

WARRANT OF EXECUTION

Court of Petty Sessions at Perth
Fines Enforcement Registry

Case No.

TO: The Sheriff of Western Australia.

OFFENDER
Address
..... Postcode
Date of birth MDL No./A.C.N.. ..

CASE DETAILS On [date] the [name of court], in respect of the offence described below, fined the offender and ordered the offender to pay costs, as set out below.
The fine was subsequently registered with this registry for enforcement.
To date the enforcement fees set out below have been imposed on the offender.
To date the amount outstanding below is unpaid.

COMMAND YOU are authorized and commanded by this warrant to seize and sell so much of the offender's personal property and land as is necessary to recover the amount outstanding and the enforcement fees in connection with the execution of this warrant.

This warrant must be executed in accordance with the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

Signature of Registrar

Date:

Offence details:

Fine	\$
Costs	+\$
Enforcement fees	+\$
Sub-total	= \$
Less any amount paid	-\$
Amount outstanding	= \$

3. Warrant of commitment for the purposes of section 53.

Fines, Penalties and Infringement Notices Enforcement Act 1994
[Section 53]

WARRANT OF COMMITMENT

Court of Petty Sessions at Perth
Fines Enforcement Registry

Case No.

TO: All members of the Police Force of Western Australia.
The Chief Executive Officer under the *Prisons Act 1981*.

OFFENDER
Address
Postcode
Date of birth MDL No.

CASE DETAILS On [date] the [name of court], in respect of the offence described below, fined the offender and ordered the offender to pay costs, as set out below.
The fine was subsequently registered with this registry for enforcement.
To date the enforcement fees set out below have been imposed on the offender.
To date the amount outstanding set out below is unpaid.
Under section 53 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994* the offender is to be imprisoned for [period in days] in respect of the amount outstanding, subject to that section.

COMMAND YOU are authorized and commanded by this warrant to arrest the offender and to imprison him or her in a prison for the period specified above, subject to section 53 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

Signature of Registrar

Date:

Offence details:

Fine	\$
Costs	+\$
Enforcement fees	+\$
Sub-total	= \$
Less any amount paid	-\$
Amount outstanding	= \$

4. Warrant of execution for the purposes of Part 5 and section 45.

Fines, Penalties and Infringement Notices Enforcement Act 1994
[Part 5 and section 45]

WARRANT OF EXECUTION

Court of Petty Sessions at Perth
Fines Enforcement Registry

Case No.

TO: The Sheriff of Western Australia.

LIABLE
PERSON
Address Postcode
Date of birth MDL No.

CASE DETAILS On [date] the [name of court], in respect of the matter described below, ordered the liable person to pay the amount and the costs, as set out below.
The matter was subsequently registered with this registry for enforcement.
To date the enforcement fees set out below have been imposed on the liable person.
To date the amount outstanding set out below is unpaid.

COMMAND YOU are authorized and commanded by this warrant to seize and sell so much of the liable person's personal property and land as is necessary to recover the amount outstanding and the enforcement fees in connection with the execution of this warrant.
This warrant must be executed in accordance with the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

Signature of Registrar

Date:

Matter¹:
.....
Amount ordered to be paid \$
Costs +\$
Enforcement fees +\$
Sub-total =\$
Less any amount paid -\$
Amount outstanding =\$

¹ Here briefly describe the forfeited undertaking under the *Bail Act 1982* or the forfeited recognizance (as the case may be).

5. Warrant of commitment for the purposes of Part 5 and section 53.

Fines, Penalties and Infringement Notices Enforcement Act 1994
[Part 5 and section 53]

WARRANT OF COMMITMENT

Court of Petty Sessions at Perth
Fines Enforcement Registry

Case No.

TO: All members of the Police Force of Western Australia.
The Chief Executive Officer under the *Prisons Act 1981*.

LIABLE
PERSON
Address Postcode
Date of birth MDL No.

CASE DETAILS On [date] the [name of court], in respect of the matter described below, ordered the liable person to pay the amount and the costs, as set out below.
The matter was subsequently registered with this registry for enforcement.
To date the enforcement fees set out below have been imposed on the liable person.
To date the amount outstanding set out below is unpaid.
Under section 53 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994* the liable person is to be imprisoned for [period in days] in respect of the amount outstanding, subject to that section.

COMMAND YOU are authorized and commanded by this warrant to arrest the liable person and to imprison him or her in a prison for the period specified above, subject to section 53 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

Signature of Registrar Date:

Matter¹:
.....
Amount ordered to be paid \$
Costs +\$
Enforcement fees +\$
Sub-total =\$
Less any amount paid -\$
Amount outstanding =\$

¹ Here briefly describe the forfeited bail undertaking under the *Bail Act 1982* or the forfeited recognizance (as the case may be).

6. Warrant of execution for the purposes of section 61.

Fines, Penalties and Infringement Notices Enforcement Act 1994
[Section 61]

WARRANT OF EXECUTION

Court of Petty Sessions at Perth
Fines Enforcement Registry

Case No.

TO: The Sheriff of Western Australia.

OFFENDER
Address
Postcode
A.C.N.

CASE DETAILS On [date] the [name of reciprocating court] at [place in a reciprocating State or Territory] fined the offender (a body corporate) the amount set out below.
That court has requested the Registrar to enforce the fine and the order imposing the fine has been registered with this Registry for enforcement.
To date the amount outstanding below is unpaid.

COMMAND YOU are authorized and commanded by this warrant to seize and sell so much of the offender's personal property and land as is necessary to recover the amount outstanding and the enforcement fees in connection with the execution of this warrant.
This warrant must be executed in accordance with the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

Signature of Registrar Date:

Reciprocating court order¹:
Fine
Costs
Enforcement fees
Sub-total
Less any amount paid
Amount outstanding = \$

1 Here briefly describe the order of the reciprocating court that imposed the fine.

7. Warrant of commitment for the purposes of section 100.

Fines, Penalties and Infringement Notices Enforcement Act 1994
[Section 100]

WARRANT OF COMMITMENT

In the *Supreme/District Court
of Western Australia

No.

The QUEEN against
(the liable person)

TO: All members of the Police Force of Western Australia.
The Chief Executive Officer under the *Prisons Act 1981*.

- On [date] the liable person appeared in this Court before *the Hon Mr Justice/Judge [name] /and a jury and, in respect of the offence/matter below, was ordered to pay the amount below.

2. In addition, the Court made an order under section 100 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.
3. The liable person has not obeyed the Court's order and the amount outstanding below is unpaid. Accordingly, the liable person is to be imprisoned for [period in days] in respect of the amount outstanding below, subject to that section.

YOU are authorized and commanded by this warrant to arrest the liable person and to imprison him or her in a prison for the period specified above, subject to section 100 of the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

..... Dated 19.....
Clerk of Arraignment

Details of offence/matter¹:
.....
Amount ordered to be paid² \$
Less any amount paid -\$
Amount outstanding =\$

- * Here delete any words not applicable.
1 As to any offence, briefly describe the offence.
As to other matters, such as forfeited undertakings under the *Bail Act 1982* or forfeited recognizances, briefly describe the matter.
2 As to any offence, set out the fine imposed.
As to other matters, set out the amount ordered to be paid.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

LAND ADMINISTRATION

LA201

LAND ACT 1933 ORDERS IN COUNCIL Revocation of Vesting

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

DOLA File 2393/992

Order in Council 1 June, 1993 vesting Reserve No. 42632 (Bunbury Lots 743 and 744) in the City of Bunbury for the designated purpose of "Public Recreation".

DOLA File 1873/978

Order in Council 12 April, 1991 vesting Reserve No. 35890 (Swan Locations 9917 and 11186) in the City of Wanneroo for the designated purpose of "Public Recreation".

DOLA File 2478/992

Order in Council gazetted on 12 March, 1993 vesting Reserve No. 42516 (Ravensthorpe Lots 434, 435, 436 and 437) in the Shire of Ravensthorpe for the designated purpose of "Depot Site".

DOLA File 226/972

Order in Council 29 July, 1983 vesting Reserve No. 32440 (Ravensthorpe Lots 442 to 445 inclusive) in The State Energy Commission of Western Australia for the designated purpose of "Power Station Site", Local Authority—Shire of Ravensthorpe.

DOLA File 507/985V4

Order in Council 2 October, 1992 vesting Reserve No. 39197 (Swan Locations 10689, 10761, 11081 and 11704) in the Minister for Transport for the designated purpose of "Harbour Purposes".

DOLA File 1205/979V2

Order in Council 26 September, 1980 vesting Reserve No. 36696 (Swan Location 10096) in Raymond Laurence Young MLA Minister of Public Health for the time being and his successors in office in trust for the designated purpose of "Hospital, Community Health Centre and Health Purposes".

DOLA File 12634/911

Order in Council 20 April, 1916 vesting Reserve No. 14368 (Melbourne Location 2670) in The Honourable the Minister for Water Supply, Sewerage and Drainage for the designated purpose of "Water", Local Authority—Shire of Dalwallinu.

DOLA File 1314/960

Order in Council gazetted on 24 August, 1993 vesting Reserve No. 25993 (Cockburn Sound Locations 1947 and 4041) in the City of Cockburn for the designated purpose of "Recreation".

DOLA File 2537/980

Order in Council 4 September, 1981 vesting Reserve No. 37209 (Northam Lot 399) in the Town of Northam for the designated purpose of "Public Recreation".

DOLA File 2259/908

Order in Council 16 February, 1938 vesting Reserve No. 11307 (Narrogin Lots 344, 352 and 353) in the Municipality of Narrogin for the designated purpose of "Park Lands".

DOLA File 3825/956

Order in Council 6 December, 1957 vesting Reserve No. 24843 (Cockburn Sound Location 1858) in the Commissioner of Main Roads for the designated purpose of "Gravel".

M. C. WAUCHOPE, Clerk of the Council.

LA202

LAND ACT 1933 ORDERS IN COUNCIL (Vesting of Reserves)

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

DOLA File 1334/994.

Reserve No. 43239 (Donnybrook Lot 538) vested in the Shire of Donnybrook-Balingup for the designated purpose of "Booster Pumping Station Site".

DOLA File 1914/994.

Reserve No. 43250 (Sussex Location 4989) vested in the Shire of Busselton for the designated purpose of "Public Recreation and Drainage".

DOLA File 2180/966V2.

Reserve No. 28303 (Swan Locations 7269, 10649 and 11386) vested in the Shire of Gingin for the designated purpose of "Recreation and Communication Mast" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

DOLA File 1593/994.

Reserve No. 43241 (Witchcliffe Lot 54) vested in the Australian Red Cross (Western Australia) for the designated purpose of "Red Cross Centre".

DOLA File 496/981.

Reserve No. 43238 (Ravensthorpe Lot 810) vested in the Shire of Ravensthorpe for the designated purpose of "Drainage".

DOLA File 498/981.

Reserve No. 43237 (Ravensthorpe Lot 809) vested in St John Ambulance Australia (Western Australian Ambulance Service Inc.) for the designated purpose of "Ambulance Depot Site".

DOLA File 1417/991.

Reserve No. 43218 (Tom Price Lot 324) vested in the Shire of Ashburton for the designated purpose of "Dog Pound Site".

DOLA File 2478/992.

Reserve No. 42516 (Ravensthorpe Lot 434) vested in The State Energy Commission of Western Australia for the designated purpose of "Depot Site".

Local Authority—Shire of Ravensthorpe.

DOLA File 507/985V4.

Reserve No. 39197 (Swan Locations 10689, 10761, 11081, 11704 and 12000) vested in the Minister for Transport for the designated purpose of "Harbour Purposes".

DOLA File 2509/989.

Reserve No. 41203 (Dunsborough Lot 262 and Sussex Location 4990) vested in the Shire of Busselton for the designated purpose of "Drainage".

DOLA File 2510/994.

Reserve No. 43251 (Northam Lot 432) vested in the Town of Northam for the designated purpose of "Foreshore Management".

DOLA File 1990/994.

Reserve No. 43249 (Sussex Location 4986) vested in the Shire of Busselton for the designated purpose of "Drainage".

DOLA File 1918/994.

Reserve No. 43248 (Sussex Location 4988) vested in the Shire of Busselton for the designated purpose of "Public Recreation".

DOLA File 3199/989.

Reserve No. 43247 (Avon Location 29133) vested in the Town of Northam for the designated purpose of "Public Recreation".

DOLA File 1925/994.

Reserve No. 43246 (Swan Location 12032) vested in the City of Wanneroo for the designated purpose of "Drainage".

DOLA File 1919/994.

Reserve No. 43245 (Swan Location 12029) vested in the City of Wanneroo for the designated purpose of "Public Recreation".

DOLA File 1989/994.

Reserve No. 43244 (Sussex Location 4985) vested in the Shire of Busselton for the designated purpose of "Public Recreation".

DOLA File 1854/994.

Reserve No. 43242 (Swan Location 12024) vested in the City of Wanneroo for the designated purpose of "Drainage".

DOLA File 1205/979V2.

Reserve No. 36696 (Swan Location 11920) vested in the Honourable Peter Gilbert Da Conceicao Foss MLC Minister for Health for the time being and his successors in office for the designated purpose of "Hospital, Community Health Centre and Health Purposes".

DOLA File 2789/994.

Reserve No. 43259 (King Location 318) vested in the Chief Executive Officer of the Department of Agriculture for "Agriculture and Associated Purposes" with power, to lease the whole or any portion thereof for any term.

Local Authority—Shire of Wyndham-East Kimberley.

DOLA File 16042/910.

Reserve No. 14089 (Kununoppin Lot 146) vested in the Shire of Trayning for "Community Purposes".

DOLA File 2506/994.

Reserve No. 43258 (Avon Location 29136) vested in the Town of Northam for the designated purpose of "Public Recreation".

DOLA File 2507/994.

Reserve No. 43257 (Avon Location 29137) vested in the Town of Northam for the designated purpose of "Public Recreation".

DOLA File 2537/980.

Reserve No. 37209 (Northam Lots 399 and 431) vested in the Town of Northam for the designated purpose of "Public Recreation".

DOLA File 3428/963.

Reserve No. 27334 (Avon Locations 28234 and 29134) vested in the Town of Northam for the designated purpose of "Recreation".

DOLA File 2869/988.

Reserve No. 43255 (Northam Lot 433) vested in the Town of Northam for the designated purpose of "Public Recreation".

DOLA File 1899/981.

Reserve No. 43256 (Avon Location 29099) vested in the Shire of York for the designated purpose of "Public Recreation".

DOLA File 1927/994.

Reserve No. 43254 (Avon Location 29132) vested in the Shire of Northam for the designated purpose of "Public Recreation".

DOLA File 2259/908.

Reserve No. 11307 (Narrogin Lot 1671) vested in the Town of Narrogin for the designated purpose of "Senior Citizens Centre" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

DOLA File 3825/956.

Reserve No. 24843 (Cockburn Sound Location 4067) vested in the Commissioner of Main Roads for the designated purpose of "Gravel".

DOLA File 226/972.

Reserve No. 32440 (Ravensthorpe Lots 442 to 445 inclusive) vested in the Shire of Ravensthorpe for the designated purpose of "Depot Site".

DOLA File 1569/994.

Reserve No. 43252 (Lyndon Location 219) vested in the Shire of Exmouth for the designated purpose of "Waste Disposal Site".

DOLA File 1314/960.

Reserve No. 25993 (Cockburn Sound Location 2979) vested in the City of Cockburn for the designated purpose of "Recreation".

DOLA File 3569/920.

Reserve No. 17690 (Irwin Lot 21) vested in the Shire of Irwin for the designated purpose of "Recreation".

DOLA File 1873/978.

Reserve No. 35890 (Swan Locations 9917, 11186 and 12037) vested in the City of Wanneroo for the designated purpose of "Public Recreation".

DOLA File 2393/992.

Reserve No. 42632 (Bunbury Lots 743, 744 and 761) vested in the City of Bunbury for the designated purpose of "Public Recreation".

DOLA File 2154/987.

Reserve No. 40511 (Canning Locations 3627 and 3909) vested in the City of Gosnells for the designated purpose of "Public Recreation".

DOLA File 490/990.

Reserve No. 43217 (Bunbury Lot 762) vested in the City of Bunbury for the designated purpose of "Public Recreation".

DOLA File 1848/994.

Reserve No. 43229 (Denmark Location 1062) vested in the Water Authority of Western Australia for the designated purpose of "Water Supply".

DOLA File 1847/994.

Reserve No. 43231 (Wellington Location 5668) vested in Shire of Harvey for the designated purpose of "Public Recreation".

DOLA File 1952/994.

Reserve No. 43232 (Jandakot Agricultural Area Lot 659) vested in the City of Gosnells for the designated purpose of "Public Recreation".

DOLA File 967/993.

Reserve No. 43233 (Swan Location 12060) vested in the Water Authority of Western Australia for the designated purpose of "Public Utility and Curtilage".

DOLA File 1924/994.

Reserve No. 43235 (Swan Location 12033) vested in the City of Wanneroo for the designated purpose of "Public Recreation".

DOLA File 1846/994.

Reserve No. 43234 (Peel Estate Lot 1390) vested in the Water Authority of Western Australia for the designated purpose of "Water Supply".

M. C. WAUCHOPE, Clerk of the Council.

LA401

PUBLIC WORKS ACT 1902**DECLARATION THAT PART IIA OF THE PUBLIC WORKS ACT DOES NOT APPLY**

I declare, under Section 33L of the Public Works Act, that Part IIA of that Act does not apply to the following proposal affecting the land specified.

Proposal	Land	DOLA File
The taking of 222.7146 ha for creation of a public road, Erlistoun-Nambi Road in the Shire of Laverton.	Portion of Pastoral Lease 3114/693 (Crown Lease 431/1967) on Miscellaneous Plan 1869.	2784/1989/2
The taking of 1 475 m ² for widening of Crosby Road in the Shire of Plantagenet.	Portion of Perpetual lease P/1193 (Crown Lease 937/1963) on Diagram 91784.	475/1992

GEORGE CASH, Minister for Lands.

LA402

File No. MRWA 42-31-C.

Ex. Co No. 1834.

PUBLIC WORKS ACT 1902**LAND RESUMPTION****Road Widening—Brookton Highway (Armada-Ravensthorpe Road 63.42-69.68 SLK)**

Notice is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto, being all in the Beveley District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 6th day of December 1994, been set apart, taken, or resumed for the purposes of the following public work, namely: Road Widening—Brookton Highway (Armada-Ravensthorpe Road)—Shire of Beverley.

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

Schedule

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
94-88	Murray Kenneth Richards and Elsie Anne Richards	M K Richards and E A Richards	Portion of Avon Location 24653 now contained in Plan 20092 and being part of the land comprised in Certificate of Title Volume 1499 Folio 255.	2.2273 ha
94-89	Murray Kenneth Richards and Elsie Anne Richards	M K Richards and E A Richards	Portion of Avon Location 27063 now contained in Plan 20092 and being part of the land comprised in Certificate of Title Volume 1636 Folio 254.	901 m ²
94-90	Murray Kenneth Richards and Elsie Anne Richards	M K Richards and E A Richards	Portion of Avon Location 7312 now contained in Plan 20093 and being part of the land comprised in Certificate of Title Volume 1499 Folio 253.	1 688 m ²
94-91	Murray Kenneth Richards and Elsie Anne Richards	M K Richards and E A Richards	Portion of Avon Location 7951 now contained in Plan 20093 and being part of the land comprised in Certificate of Title Volume 1499 Folio 254.	4 666 m ²

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
94-92 and 94-93	Dorman Pty Ltd	Nominees Pty Ltd	Portion of each of Avon Locations 6444 and 6447 now contained in Plans 20093 and 20094 and being part of the land comprised in Certificate of Title Volume 1927 Folio 60.	6.166 ha
94-94	Ralph Sweeney	R Sweeney	Portion of Avon Location 6985 and being Part Lot 1 the subject of Diagram 35316 now contained in Plan 20094 and being part of the land comprised in Certificate of Title Volume 89 Folio 11A.	2 414 m ²
94-95	Graeme Ralph Blight	G R Blight	Portion of Avon Location 6985 now contained in Plan 20094 and being part of the land comprised in Certificate of Title Volume 159 Folio 154A.	6 799 m ²
94-96	Graeme Ralph Blight	G R Blight	Portion of Avon Location 4617 now contained in Plan 20094 and being part of the land comprised in Certificate of Title Volume 1581 Folio 019.	8 043 m ²

Certified correct this 30th day of November 1994.

ERIC CHARLTON, Minister for Transport.

Dated this 6th day of December 1994.

DAVID K. MALCOLM, Lieutenant-Governor in Executive Council.

Schedule No: A23/1994.
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

- Public Work: Widening of Katanning-Nyabing Road
Local Authority: Shire of Katanning
Plan/Diagram No. showing Land resumed: L.T.O. Plan 19538
Council Resolution Date: December 1992
DOLA Ref: 1576/1993

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Shire of Katanning	Portion of Kojonup Location 9241 being part of the land set aside as Reserve 6044 for the purpose of "Sanitary"	1.4646 ha
Crown	Shire of Katanning	Portion of Kojonup Location 9242 being part of the land set aside as Reserve 37590 for the purpose of "Recreation Speedway"	1.1773 ha

2. Public Work: Widening of Chester Pass Road (Road No. 991)
 Local Authority: Shire of Plantagenet
 Plan/Diagram No. showing Land resumed: L.T.O. Plans 18426 and 18425
 Council Resolution Date: 23 July 1991
 DOLA Ref: 2507/1991

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Shire of Plantagenet as Vestee	Portion of unnumbered Plantagenet Location set aside as part of Reserve 648 for the purpose of "Water and Stopping Place"	1.8934 ha

3. Public Work: Widening of Jolley Road (Road No. 18530)
 Local Authority: Shire of Kent
 Plan/Diagram No. showing Land resumed: Diagram 91294
 Council Resolution Date: 22 April 1992
 DOLA Ref: 1611/1961

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Shire of Kent as Vestee	Portion of Pingrup Lot 49 being part of the land set aside as part of Reserve 24202 for the purpose of "Recreation"	1 704 m ²

Dated this 13th day of December 1994.

GEORGE CASH, Minister for Lands.

Dated this 20th day of December 1994.

MICHAEL JEFFERY, Governor in Executive Council.

Schedule No: A16/1994.
 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: Creation of public road, Erlistoun-Nambi Road (Road No. 18719).
 Local Authority: Shire of Laverton
 Plan/Diagram No. showing Land resumed: Miscellaneous Plan 1869
 Council Resolution Date: 25 November, 1993
 DOLA Ref: 2784/1989/2

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Robert Grainger, Robert Garry Grainger, Steven Richard Grainger and Peter John Grainger as lessees.	Portion of Weld Location 36 being part of the land contained in Pastoral Lease 3114/693 (Crown Lease 431/1967).	222.7146 ha

2. Public Work: Creation of public road, Oxley Road (Road No. 18695).
 Local Authority: Shire of Collie
 Plan/Diagram No. showing Land resumed: Miscellaneous Diagram 428
 Council Resolution Date: 28 September, 1993
 DOLA Ref: 923/1993

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Lands and Forests Commission	Portion of State Forest No. 26.	2.5417 ha

Dated this 9th day of December 1994.

GEORGE CASH, Minister for Lands.

Dated this 20th day of December 1994.

MICHAEL JEFFERY, Governor in Executive Council.

Schedule No: A19/1994.
 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: Creation of public road, Sholl Lane.
 Local Authority: City of Perth
 Plan/Diagram No. showing Land resumed: Diagram 86514
 Council Resolution Date: 20 July, 1992
 DOLA Ref: 1971/1993

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Richard Adolphus Sholl	City of Perth by Notice of Entry	The portion of Right-Of-Way coloured brown on LTO Diagram 86514 being part of the land remaining in Certificate of Title Volume 258 Folio 19.	314 m ²

Dated this 24th day of November 1994.

GEORGE CASH, Minister for Lands.

Dated this 20th day of December 1994.

MICHAEL JEFFERY, Governor in Executive Council.

ROAD DEDICATION

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

By Order of the Minister for Lands,

Dated this 30th day of December 1994.

A. A. SKINNER, Chief Executive.

LA403**ROAD DEDICATION**

File No. 3522/1988/2

It is hereby notified that the Minister for Lands has approved, pursuant to section 288 of the Local Government Act, the dedication as public street—

Road No. 6135; Extension of Eedle Terrace, Shire of Bridgetown-Greenbushes; Lot 3 on LTO Diagram 76873.

By Order of the Minister for Lands,

Dated this 30th day of December 1994.

A. A. SKINNER, Chief Executive.

LA404**LAND ACT 1933****LAND (CROWN GRANT IN TRUST) ORDER**

DOLA File: 2752/982.

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

It is directed that Reserve No. 42729 (Swan Location 10278) shall be granted to the Australian Pensioners' League of Western Australia Inc. to be held in trust for the designated purpose of Aged Persons Homes subject to the condition that the grantee shall not transfer, lease or mortgage the whole or any part of the land without the consent of the Governor.

M. C. WAUCHOPE, Clerk of the Council.

LA701**LAND ACT 1933****RESERVATION NOTICES**

Made by His Excellency the Governor under section 29.

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

DOLA File 1924/994.

Reserve No. 43235 comprising Swan Location 12033 (formerly Lot 29 on LTO Plan 18934) with an area of 8 766 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG34 (2) 6.40.

Local Authority—City of Wanneroo.

DOLA File 1846/994.

Reserve No. 43234 comprising Peel Estate Lot 1390 (formerly Lot 734 on LTO Plan 19560) with an area of 636 square metres for the designated purpose of "Water Supply".

Section 20A.

Public Plan: BG33 (2) 7.15.

Local Authority—City of Rockingham.

DOLA File 967/993.

Reserve No. 43233 comprising Swan Location 12060 (formerly portion of Swan Location O1 on Diagram 59872) with an area of 304 square metres for the designated purpose of "Public Utility and Curtilage".

Section 20A.

Public Plan: BG34 (2) 17.32.

Local Authority—Town of Bassendean.

DOLA File 1952/994.

Reserve No. 43232 comprising Jandakot Agricultural Area Lot 659 (formerly Lot 513 on LTO Plan 19847) with an area of 1 699 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG34 (2) 17.12. McLean Road.

Local Authority—City of Gosnells.

DOLA File 1847/994.

Reserve No. 43231 comprising Wellington Location 5668 (formerly Lot 5 on LTO Plan 19531) with an area of 44.2311 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG30 (2) 6.33, 6.34, 6.35 and 6.36.

Local Authority—Shire of Harvey.

DOLA File 1034/993.

Reserve No. 43230 comprising Swan Location 12002 with an area of 1 054 square metres on Land Administration Diagram 91853 for the designated purpose of "Public Utilities".

Public Plan: BG34 (2) 16.36.

Local Authority—Shire of Swan.

DOLA File 1848/994.

Reserve No. 43229 comprising Denmark Location 1062 (formerly Lot 25 on Office of Titles Diagram 86311) with an area of 342 square metres or the designated purpose of "Water Supply".

Section 20A.

Public Plan: BJ26 (2) 20.12. Smith Street.

Local Authority—Shire of Denmark.

DOLA File 490/990.

Reserve No. 43217 comprising Bunbury Lot 762 (formerly Lots 129, 131, 132 and 133 on Plans 17303, 17470, 17746 and Diagram 83236 respectively) with an area of 8 783 square metres for the designated purpose of "Public Recreation".

Public Plans: BF30 (2) 40.28 and 40.29. Ocean Drive.

Local Authority—City of Bunbury.

DOLA File 1593/994.

Reserve No. 43241 comprising Witchcliffe Lot 54 with an area of 1 017 square metres on Land Administration Reserve Diagram 1272 for the designated purpose of "Red Cross Centre".

Public Plan: BF28 (2) 11.34.

Local Authority—Shire of Augusta-Margaret River.

DOLA File 496/981.

Reserve No. 43238 comprising Ravensthorpe Lot 810 with an area of 151 square metres on Land Administration Diagram 91939 for the designated purpose of "Drainage".

Public Plan: CD30 (2) 29.01.

Local Authority—Shire of Ravensthorpe.

DOLA File 1417/991.

Reserve No. 43218 comprising Tom Price Lot 324 with an area of 404 square metres on Land Administration Diagram 90916 for the designated purpose of "Dog Pound Site".

Public Plan: BK60 (2) 10.10.

Local Authority—Shire of Ashburton.

DOLA File 1929/994.

Reserve No. 43243 comprising Swan Location 12031 (formerly Lot 1 on LTO Plan 19551) with an area of 3 169 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG35 (2) 11.15.

Local Authority—City of Wanneroo.

DOLA File 2510/994.

Reserve No. 43251 comprising Northam Lot 432 (formerly Lot 113 on LTO Diagram 79687) with an area of 9 666 square metres for the designated purpose of "Foreshore Management".

Section 20A.

Public Plan: BH35 (2) 20.18.

Local Authority—Town of Northam.

DOLA File 1914/994.

Reserve No. 43250 comprising Sussex Location 4989 (formerly Lot 152 on LTO Plan 18644) with an area of 1.3469 hectares for the designated purpose of "Public Recreation and Drainage".

Section 20A.

Public Plan: BF29 (2) 23.34 and 24.34.

Local Authority—Shire of Busselton.

DOLA File 1990/994.

Reserve No. 43249 comprising Sussex Location 4986 (formerly Lot 388 on LTO Plan 19241) with an area of 195 square metres for the designated purpose of "Drainage".

Section 20A.

Public Plan: BF29 (2) 11.38.

Local Authority—Shire of Busselton.

DOLA File 1918/994.

Reserve No. 43248 comprising Sussex Location 4988 (formerly Lot 153 on LTO Plan 18644) with an area of 8 749 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BF29 (2) 23.34 and 24.34. Clydebank Avenue.

Local Authority—Shire of Busselton.

DOLA File 3199/989.

Reserve No. 43247 comprising Avon Location 29133 (formerly Lot 502 on LTO Plan 17172) with an area of 1.3335 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BH35 (2) 20.18. Ommanney Road.

Local Authority—Town of Northam.

DOLA File 1925/994.

Reserve No. 43246 comprising Swan Location 12032 (formerly Lot 118 on LTO Plan 18934) with an area of 2 700 square metres for the designated purpose of "Drainage".

Section 20A.

Public Plan: BG34 (2) 6.40. Conica Crescent.

Local Authority—City of Wanneroo.

DOLA File 1919/994.

Reserve No. 43245 comprising Swan Location 12029 (formerly Lot 318 on LTO Plan 19099) with an area of 2 915 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG35 (2) 6.08. Oakland Hills Boulevard.

Local Authority—City of Wanneroo.

DOLA File 1989/994.

Reserve No. 43244 comprising Sussex Location 4985 (formerly Lot 104 on LTO Plan 19168) with an area of 1 376 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BF29 (2) 10.38.

Local Authority—Shire of Busselton.

DOLA File 1854/994.

Reserve No. 43242 comprising Swan Location 12024 (formerly Lot 971 on LTO Plan 19385) with an area of 1 695 square metres for the designated purpose of "Drainage".

Section 20A.

Public Plan: BG34 (2) 12.39. Redcliffe Avenue.

Local Authority—City of Wanneroo.

DOLA File 1569/994.

Reserve No. 43252 comprising Lyndon Location 219 with an area of 28.3559 hectares on Land Administration Diagram 91996 for the designated purpose of "Waste Disposal Site".

Public Plan: Learmonth NW (25).

Local Authority—Shire of Exmouth.

DOLA File 2747/994.

Reserve No. 43253 comprising Merredin Lot 1430 with an area of 1 947 square metres on Land Administration Diagram 91685 for the designated purpose of "Use and Requirements of the Minister for Works".

Public Plan: BK35 (2) 36.37.

Local Authority—Shire of Merredin.

DOLA File 2850/994.

Reserve No. 43262 comprising Perth Lots 1058 and 1059 with an area of 2 395 square metres on Land Administration Diagram 91493 for the designated purpose of "Use and Requirements of the Minister for Works".

Public Plan: BG34 (2) 12.24. Mounts Bay Road.

Local Authority—City of Perth.

DOLA File 2789/994.

Reserve No. 43259 comprising King Location 318 with an area of 158.2017 hectares on Land Administration Diagram 73783 for "Agriculture and Associated Purposes".

Public Plan: Ivanhoe SE (25). Weaber Plain Road.

Local Authority—Shire of Wyndham-East Kimberley.

DOLA File 1334/994.

Reserve No. 43239 comprising Donnybrook Lot 538 with an area of 18 square metres on Land Administration Diagram 91851 for the designated purpose of "Booster Pumping Station Site".

Public Plan: BG30 (2) 14.05. Sandhills Road.

Local Authority—Shire of Donnybrook-Balingup.

DOLA File 2506/994.

Reserve No. 43258 comprising Avon Location 29136 (formerly Lot 2 on LTO Diagram 31005) with an area of 4 932 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BH35 (2) 21.10.

Local Authority—Town of Northam.

DOLA File 2507/994.

Reserve No. 43257 comprising Avon Location 29137 (formerly Lot 531 on LTO Plan 17921) with an area of 2 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BH35 (2) 22.17.

Local Authority—Town of Northam.

DOLA File 2869/988.

Reserve No. 43255 comprising Northam Lot 433 (formerly Lot 153 on LTO Diagram 74810) with an area of 7.1159 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BH35 (2) 22.19.

Local Authority—Town of Northam.

DOLA File 1899/981.

Reserve No. 43256 comprising Avon Location 29099 (formerly Lot 11 on LTO Diagram 61277) with an area of 1.87 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: York NW (25).

Local Authority—Shire of York.

DOLA File 1927/994.

Reserve No. 43254 comprising Avon Location 29132 (formerly Lot 184 on LTO Plan 19013) with an area of 2 334 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BH35 (2) 2.2.

Local Authority—Shire of Northam.

DOLA File 2531/994.

Reserve No. 43214 comprising Kwinana Lot 331 with an area of 900 square metres on Land Administration Plan 18488 for the designated purpose of "Trigonometrical Station".

Public Plan: BG33 (10) 2.6.

Local Authority—Town of Kwinana.

A. A. SKINNER, Chief Executive.

LA801

LAND ACT 1933 AMENDMENT OF RESERVES

Made by His Excellency the Governor under section 37.

The following reserves have been amended.

DOLA File 2154/987.

Reserve No. 40511 (Canning Location 3627) "Public Recreation" to include Location 3909 (formerly Lot 26 on Diagram 75090 and Lot 247 on Plan 19159) and of its area being increased to 1.175 8 hectares accordingly.

Public Plan: BG34 (2) 42.28, 43.28 and 43.29.

Local Authority—City of Gosnells.

DOLA File 905/993.

Reserve No. 42642 (at Narrogin) "Use and Requirements of the Minister for Works" to comprise Lot 1663 on Land Administration Diagram 91732 in lieu of Lot 1142 and of its area being reduced to 1 301 square metres accordingly..

Public Plan: BJ31 (2) 10.36, 11.36, 11.37 and 12.37. Felspar Street.

Local Authority—Town of Narrogin.

DOLA File 1640/950.

Reserve No. 23091 (Narrogin Lots 392 and 393) "Railway Purposes" to include Lots 1657 to 1662 inclusive on Land Administration Diagram 91732 in lieu of Lots 1143, 1144 and 1146 and of its area being increased to 7 848 square metres accordingly.

Public Plan: BJ31 (2) 10.36 and 11.36.

Local Authority—Town of Narrogin.

DOLA File 2393/992.

Reserve No. 42632 (Bunbury Lots 743 and 744) "Public Recreation" to include Lot 761 (formerly Lot 77 on LTO Plan 18631) and of its area being increased to 3.580 1 hectares accordingly.

Public Plan: BG30 (2) 02.27. Winthrop Avenue.

Local Authority—City of Bunbury.

DOLA File 1873/978.

Reserve No. 35890 (Swan Locations 9917 and 11186) "Public Recreation" to include Swan Location 12037 (formerly Lot 100 on LTO Diagram 78977) and of its area being increased to 155.558 hectares accordingly.

Public Plan: BG35 (10) 6.27 and 6.28. Rosslare Promenade.

Local Authority—City of Wanneroo.

DOLA File 725/988.

Reserve No. 40505 (Cockburn Sound Location 2945) "Hospital and Allied Purposes" to exclude that portion now comprised in Location 4087 as shown bordered green in Land Administration Diagram 91921 and of its area being reduced to 20.187 5 hectares accordingly.

Public Plan: BG32 (2) 8.40.

Local Authority—City of Mandurah.

DOLA File 533/944.

Reserve No. 22471 (Witchcliffe Lots 29 and 52) "Childrens Playground" to exclude that portion now comprised as Lot 54 shown bordered red on Land Administration Reserve Diagram 1272 and of its area being reduced to 9 199 square metres accordingly.

Public Plan: BF28 (2) 11.34.

Local Authority—Shire of Augusta-Margaret River.

DOLA File 378/973.

Reserve No. 32087 (Gregory Location 28) "Cemetery Site" to exclude that portion now comprised in Tom Price Lot 324 on Land Administration Diagram 90916 and of its area being reduced to 1.083 1 hectares accordingly.

Public Plan: BK60 (2) 10.10.

Local Authority—Shire of Ashburton.

DOLA File 2478/992.

Reserve No. 42516 (Ravensthorpe Lots 434, 435, 436 and 437) "Depot Site" to exclude Lots 435, 436 and 437 and of its area being reduced to 1 214 square metres.

Public Plan: CD29 29.40. Martin Street.

Local Authority—Shire of Ravensthorpe.

DOLA File 507/985V4.

Reserve No. 39197 (Swan Locations 10689, 10761, 11081 and 11704) "Harbour Purposes" to include Location 12000 as surveyed and shown bordered pink on Land Administration Diagram 91846 and of its area being increased to 17.291 8 hectares.

Public Plan: BG34 (2) 6.39.

Local Authority—City of Wanneroo.

DOLA File 2509/989.

Reserve No. 41203 (Dunsborough Lot 262) "Drainage" to include Sussex Location 4990 (formerly Lot 264 on LTO Diagram 85887) and of its area being increased to 1 241 square metres accordingly.

Public Plan: BF29 (2) 11.39. Caves Road.

Local Authority—Shire of Busselton.

DOLA File 6290/906.

Reserve No. 10359 (Merredin Lots 49 and 50) "Railway" to—

- (a) include that portion containing 15 square metres on Land Administration Diagram 76158;
- (b) exclude that portion now comprised in Lot 1430 on Land Administration diagram 91685 and of its area being reduced to 58.002 6 hectares accordingly.

Public Plan: BK35 (2) 36.37.

Local Authority—Shire of Merredin.

DOLA File 568/904.

Reserve No. 9512 (Victoria District and Chapman Agricultural Area) "Use and Requirements of the Minister for Works" to comprise Victoria Locations 12030, 12031, 12032, 12033 (in lieu of Locations 1677, 1330, 1331 and 1463 respectively) and Chapman Agricultural Area Lot 103 and of its area remaining unaltered.

Public Plan: Nolba (25) SW. Cogley Road.

Local Authority—Shire of Chapman Valley.

DOLA File 1603/993.

Reserve No. 39361 (Swan Location 10749) "Parks and Recreation" to exclude that portion now comprised in Location 11948 on Land Administration Diagram 91993 and of its area being reduced to about 97.270 2 hectares accordingly.

Public Plan: BG34 (2) 15.24. Burswood Road.

Local Authority—Town of Shepperton.

DOLA File 24/945V3.

Reserve No. 22609 (King Locations 203, 228 and 318) "Agricultural Research Station" to exclude Location 318 and of its area being reduced to 897.545 4 hectares accordingly.

Public Plan: Ivanhoe SE (25). Weaber Plain Road.

Local Authority—Shire of Wyndham-East Kimberley.

DOLA File 2748/979.

Reserve No. 37376 (Gascoyne Location 342) "Government Requirements" to exclude that portion containing 5.747 9 hectares shown bordered green on Land Administration Diagram 91961 and of its area being reduced to 25.733 8 hectares accordingly.

Public Plan: AN54 (10) 2.2.

Local Authority—Shire of Carnarvon.

DOLA File 2082/971.

Reserve No. 31732 (Narrogin Lot 1587) "Parklands" to exclude that portion now comprised in Lot 1588 as surveyed and shown bordered pink on Land Administration Diagram 91636 and of its area being reduced to 12.976 2 hectares accordingly.

Public Plan: BJ31 (2) 10.36.

Local Authority—Town of Narrogin.

DOLA File 1314/960.

Reserve No. 25993 (Cockburn Sound District) "Recreation" to comprise Location 2979 as surveyed and shown bordered red on Land Administration Diagram 91179 and of its area being increased to 3.366 2 hectares accordingly.

Public Plan: BG34 (2) 9.10. Arthur and Healy Roads.

Local Authority—City of Cockburn.

DOLA File 2537/980.

Reserve No. 37209 (Northam Lot 399) "Public Recreation" to include Northam Lot 431 (formerly Lot 35 on LTO Diagram 76252) and of its area being increased to 3454 square metres accordingly.

Public Plan: BH35 (2) 22.18.

Local Authority—Town of Northam.

DOLA File 3428/963.

Reserve No. 27334 (Avon Location 28234) "Recreation" to include Location 29134 (formerly Lot 338 as shown on LTO Diagram 78166) and of its area being increased to 1.617 4 hectares accordingly.

Public Plan: BH35 (2) 20.17.

Local Authority—Town of Northam.

DOLA File 815/972.

Reserve No. 33581 (at Kwinana) "Parks and Recreation" to include Lots 332 and 339 on Land Administration Plans 18487 and 18488 in lieu of Lot S35 and of its area being increased to 438.599 3 hectares accordingly.

Public Plan: BG33 (2) 10.30, 11.29 and 2.6 (10).

Local Authority—Town of Kwinana.

DOLA File 2259/908.

Reserve No. 11307 (at Narrogin) "Parklands" to now comprise Location 1671 as surveyed and shown bordered pink on Land Administration Diagram 91968 in lieu of Lots 344, 352 and 353 and of its area being increased to 5 194 square metres accordingly.

Public Plan: BJ31 (2) 11.36. Earl Street and Falcon Street.

Local Authority—Town of Narrogin.

DOLA File 3825/956.

Reserve No. 24843 (Cockburn Sound) "Gravel" to comprise Location 4067 as surveyed and shown bordered pink on Land Administration Plan 18380 in lieu of Location 1858 and of its area being reduced to 12.192 6 hectares accordingly.

Public Plan: BG33 (2) 5.7.

Local Authority—Shire of Serpentine-Jarrahdale.

DOLA File 1205/979V2.

Reserve No. 36696 (Swan District) "Hospital, Community Health Centre and Health Purposes" to comprise Location 11920 as surveyed and shown bordered pink on Land Administration Plan 18439 in lieu of Location 10096 and of its area being reduced to 14.358 hectares accordingly.

Public Plan: BG35 (2) 8.08 and 8.09. Shenton Avenue.

Local Authority—City of Wanneroo.

A. A. SKINNER, Chief Executive.

LA901

LAND ACT 1933

CHANGE OF PURPOSE OF RESERVES

Made by His Excellency the Governor under Section 37.

The purpose of the following reserves have been changed.

DOLA File 2180/966V2.

Reserve No. 28303 (Swan Locations 7269, 10649 and 11386) being changed from "Recreation" to "Recreation and Communication Mast".

Public Plan: Lancelin NW (25).

Local Authority—Shire of Gingin.

DOLA File 4893/922.

Reserve No. 22176 (Avon District) being changed from "Protection of Flora" to "Conservation and Site for Re-establishing Native Plant Species".

Public Plan: Koorda SW (25).

Local Authority—Shire of Koorda.

Reserve 22176 is automatically vested in the National Parks and Nature Conservation Authority pursuant to Section 5(g) of the CALM Act 1984.

DOLA File 2345/991.

Reserve No. 42059 (Swan Location 11640) being changed from "Public Recreation" to "Use and Requirements of the City of Belmont".

Public Plan: BG34 (2) 17.24.

Local Authority—City of Belmont.

DOLA File 226/972.

Reserve No. 32440 (Ravensthorpe Lots 442 to 445 inclusive) being changed from "Power Station Site" to "Depot Site".

Public Plan: CD29 (2) 29.40. Martin Street.

Local Authority—Shire of Ravensthorpe.

DOLA File 16042/910.

Reserve No. 14089 (Kununoppin Lot 146) being changed from "Schoolsite" to "Community Purposes".

Public Plan: 4 Kununoppin Townsite. Hughes Street.

Local Authority—Shire of Trayning.

DOLA File 815/972.

Reserve No. 33581 (Kwinana Lots 332 and 339) being changed from "Parks and Recreation" to "Conservation of Flora and Fauna".

Public Plan: BG33 (2) 10.30, 11. 29 & 2.6 (10).

Local Authority—Town of Kwinana.

Reserve 33581 is automatically vested in the National Parks and Nature Conservation Authority pursuant to Section 7 of the CALM Act 1984.

DOLA File 2259/908.

Reserve No. 11307 (Narrogin Lot 1671) being changed from "Parklands" to "Senior Citizens Centre".

Public Plan: BJ31 (2) 11.36. Earl Street and Falcon Street.

Local Authority—Town of Narrogin.

DOLA File 3569/920.

Reserve No. 17690 (Irwin Lot 21) being changed from "Hall Site and Recreation" to "Recreation".

Public Plan: BF42 (2) 03.06 and 03.07. Delmage Street.

Local Authority—Shire of Irwin.

A. A. SKINNER, Chief Executive.

LB201

LAND ACT 1933

CANCELLATION OF RESERVES

Made by His Excellency the Governor under section 37.

The following reserves have been cancelled.

DOLA File: 4131/913.

Reserve No. 14919 (Kulikup Lot 43) "School Site".

Public Plan: Kulikup Townsite.

Local Authority—Shire of Boyup Brook.

DOLA File: 4445/927.

Reserve No. 20190 (Avon Location 25397) "School Site".

Public Plan: Botherling NW (25).

Local Authority—Shire of Goomalling.

DOLA File: 2126/958.

Reserve No. 25154 (Broome Lot 267) "Use and Requirements of the Minister for Works".

Public Plan: CG73 (2) 30.14.

Local Authority—Shire of Broome.

DOLA File: 2307/993.

Reserve No. 43142 (Narrogin Lot 1397) "Use and Requirements of the Minister for Works".

Public Plan: BJ31 (2) 11.37. Northwood Street.

Local Authority—Town of Narrogin.

DOLA File: 521/976 v4.

Reserve No. 42207 (Kwinana Lot 269) "Use and Requirements of the Western Australian Development Corporation".

Public Plan: BG33 (2) 12.30. Wellard Road.

Local Authority—Town of Kwinana.

DOLA File: 3646/989.

Reserve No. 21907 (Kojonup Locations 2975, 3468, 3513 to 3516 inclusive, 7949 to 7953 inclusive, 8151 and 8152) "Use and Benefit of Aboriginal Inhabitants".

Public Plan: Woodanilling SW (25).

Local Authority—Shire of Woodanilling.

DOLA File: 1455/952V2.

Reserve No. 23648 (Jaurdi Location 16) "Natives".

Public Plan: 50/80.

Local Authority—Shire of Coolgardie.

DOLA File: 12634/911.

Reserve No. 14368 (Melbourne Location 2670) "Water".

Public Plan: Pithara 1:50000. Pithara Well.

Local Authority—Shire of Dalwallinu.

DOLA File: 546/993.

Reserve No. 42490 (Fremantle Lots 2085, 2086, 2087 and 2088) "Use and Requirements of the Minister for Works".

Public Plan: BG34 (2) 7.13.

Local Authority—City of Fremantle.

DOLA File: 1748/976.

Reserve No. 767 (Bridgetown Lot 115) "Church Site Methodist".

Public Plan: BG28 (2) 31.02.

Local Authority—Shire of Bridgetown.

DOLA File: 1943/993.

Reserve No. 42855 (Mullewa Lot 224) "Use and Requirements of the Minister for Works".

Public Plan: BF44 (2) 29.02 and 30.02.

Local Authority—Shire of Mullewa.

DOLA File: 1379/979.

Reserve No. 43047 (Nungarin Lots 191, 192 and 193) "Use and Requirements of the Shire of Nungarin".

Public Plan: BK36 (2) 26.29. Danberrin Road.

Local Authority—Shire of Nungarin.

DOLA File: 1871/970.

Reserve No. 31102 (Kwinana Lot 167) "Cemetery Site".

Public Plan: BG33 (10) 2.6.

Local Authority—Town of Kwinana.

A. A. SKINNER, Chief Executive.

LB301**PUBLIC WORKS ACT 1902****SALE OF LAND**

Notice is hereby given that His Excellency the Governor has authorised under Section 29(7)(a)(ii) of the Public Works Act 1902 the sale by public auction or private contract of the land hereinafter described such land being no longer required for the purpose for which it was acquired.

Land

File No. 512/987

Lot 1 on Diagram 84561 being the resumed land contained in Certificate of Title Volume 1410 Folio 8.

File No. 2850/994

Perth Lots 1058 and 1059 comprising Reserve 43262 as is shown on DOLA Diagram 91493.

File No. 16042/910

Kununoppin Lot 146 comprising Reserve 14089 as is shown on Kununoppin OP 340/1.

Dated this 20th day of November 1994.

A. A. SKINNER, Chief Executive.

LB302**PUBLIC WORKS ACT 1902****SALE OF LAND**

Notice is hereby given that His Excellency the Governor has approved under Section 29B(1)(a)(i) of the Public Works Act 1902 of the sale by public auction or private contract of the land hereinafter described such land having been compulsorily taken or resumed under that Act for a public work namely City of Perth—Rights of Way and Recreation and used for that public work for a period of ten years or more and being no longer required for that work.

Land

File No. 2774/994

Portion of Swan Location 41 being part of the land remaining in Certificate of Title Volume 554 Folio 63 as is shown on Plan LAWA 1048.

File No. 2775/994

Portion of Swan Location 41 being part of the land remaining in Certificate of Title Volume 554 Folio 63 as is shown on Plan LAWA 1049.

File No. 2776/994

Portion of Swan Location 41 being part of the land remaining in Certificate of Title Volume 669 Folio 149 as is shown on Plan LAWA 1050.

Dated this 20th day of November 1994.

A. A. SKINNER, Chief Executive.

LB801

File No. 1971/1993
Ex. Co No. 1914

LOCAL GOVERNMENT ACT 1960

PUBLIC WORKS ACT 1902

LAND ACQUISITION

Rights'-of-Way—City of Perth

Notice is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto being all in the Swan District have, in pursuance of the written consent under the Local Government Act 1960 and approval under section 17 (1) of the Public Works Act 1902 of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 20th day of December 1994, been compulsorily taken and set apart for the purposes of the following public work, namely: Rights'-of-Way—City of Perth.

And further notice is hereby given that the said pieces or parcels of land so taken and set apart are shown marked off on Plans 2432 and 2493 and Diagram 4289 which may be inspected at the Department of Land Administration, Midland. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in City of Perth for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Richard Adolphus Sholl	City of Perth by Notice of Entry	The portion of right-of-way coloured brown on LTO Plan 2432 being part of the land remaining in Certificate of Title Volume 258 Folio 19.	609 m ²
Sidney Gibsen	City of Perth by Notice of Entry	The right-of-way coloured brown on Diagram 4289 remaining in the Certificate of Title Volume 613 Folio 164.	5 m ²
Alfred Philip Dowell	City of Perth by Notice of Entry	The right-of-way coloured brown on Plan 2493 remaining in Certificate of Title Volume 457 Folio 79.	287 m ²

Certified correct this 24th day of November 1994.

GEORGE CASH, Minister for Lands.

Dated this 20th day of December 1994.

MICHAEL JEFFERY, Governor in Executive Council.

LOCAL GOVERNMENT**LG301****LOCAL GOVERNMENT ACT 1960***Town of Vincent***BY-LAW RELATING TO PARKING FACILITIES**

In pursuance of the powers conferred upon it by the Local Government Act 1960 and all other powers enabling it, the Council of the Town of Vincent resolved on the eighth day of November 1994 to make and submit for approval by the Minister and for confirmation by the Governor the following By-Law:

PART 1—PRELIMINARY**Citation**

1. This By-Law may be cited as the Town of Vincent Parking Facilities By-Law.

Definitions

2. In this By-Law unless the context otherwise requires:

“Act” means the Local Government Act 1960.

“appointed place” means a place appointed by the Council to which vehicles causing an obstruction may be removed.

“attended parking station” means a parking station attended by an officer of the Council and in respect of which fees for the parking of a vehicle are payable immediately prior to the removal of the vehicle from the station.

“Board” has the same meaning as that expression in the Road Traffic Act.

“coin” means any coin which is legal tender pursuant to the Currency Act 1965 (Commonwealth).

“commercial vehicle” means a vehicle which comes within the interpretation of a motor wagon in the First Schedule to the Road Traffic Act, and includes any other vehicle (not being a trailer or a vehicle to which a trailer is attached) constructed primarily for the conveyance therein or thereon of goods.

“district” means the municipal district of the Town of Vincent.

“eating area” has the same meaning as given to it in Section 244AA of the Act.

“emergency vehicle” has the same meaning as that expressed in the Road Traffic Code.

“entrance ticket” means a ticket issued by an entrance ticket machine.

“entrance ticket machine” means a machine installed at an entrance to an attended parking station and from which entrance tickets are issued to vehicles entering that parking station.

“exit ticket” means a ticket issued by a fee collection machine.

“fee collection machine” means a machine installed in an attended parking station which upon the insertion therein of an entrance ticket and of a fee issues an exit ticket.

“footpath” includes a path used by, or set aside or intended for use by, pedestrians or both pedestrians and cyclists.

“Inspector” means a person appointed by Council to carry out the functions conferred on an Inspector by this By-Law or by Sections 669C, 669D and 669DA of the Act.

“kerb” means any structure, mark, marking or device to delineate or indicate the edge of a carriageway.

“loading zone” means a parking stall designated for use by commercial vehicles.

“motor cycle” means a motor vehicle designed to travel on two wheels but shall not include a motor vehicle to which a side car is attached.

“omnibus” has the same meaning as that expression in the Road Traffic Act.

“park” has the same meaning as given to it in Section 231 of the Act, and includes “parking”.

“parking stall” means a section of a road or of a parking station which is marked or defined in any way to indicate where a vehicle or vehicles may stand or be parked but does not include a metered space.

“parking station” means a parking station established by the Council pursuant to the Act and includes those listed and numbered in the Third Schedule.

“parking ticket” means a ticket which is issued from a ticket issuing machine and which authorises the parking of a vehicle in a parking stall or a parking station or part of a parking station.

"parking voucher" means a voucher which is purchased from the Council and which authorises the parking of a vehicle in a parking station or part of a parking station.

"pedestrian mall" has the same meaning as that expression in the Road Traffic Code.

"public bus" means any omnibus operated by the Metropolitan (Perth) Passenger Transport Trust while in the course of normal operation and while not on private charter.

"Road Traffic Act" means the Road Traffic Act 1974.

"Road Traffic Code" means the Road Traffic Code 1975.

"service vehicle" has the same meaning as that expression in the Road Traffic Code.

"sign" includes any notice, mark, marking, device, symbol or structure in, on or over any road, parking station or parking facility.

"special purpose vehicle" has the same meaning as that expression in the Road Traffic Code.

"stand" has the same meaning as is given to it in Section 231 the Act, and includes "standing".

"taxi" has the same meaning as that expression in the Road Traffic Code.

"ticket issuing machine" means a machine or device which is installed in a parking facility and which upon the insertion of coins or a token, pass, card, key or device issues a parking ticket.

"ticket machine zone" means a parking facility in which ticket issuing machines are installed but does not include a parking station in which voucher validating machines are also installed.

"tourist bus" means any omnibus used solely for the carriage of tourist but does not include a public bus.

"vehicle" includes:

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

"voucher validating machine" means a machine which is installed in a parking station and which upon the insertion of a parking voucher validates the voucher by imprinting thereon the day of the year (by number or otherwise) and the time of validation and the number of the machine.

Application of Signs

3. Where the standing or parking of vehicles in a road is regulated or prohibited by a sign then the sign shall for the purposes of this By-Law apply to that part of the road which:

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

Application of By-Law

4. Subject to Clause 5 this By-Law applies to the whole of the district.

Exemption to Application

5. This By-Law does not apply to the following areas:

- (a) The Mitchell Freeway.

PART 2—PARKING IN ROADS

Parking Contrary to Signs

6. (1) A person shall not stand a vehicle on any part of a road:

- (a) if the standing of a vehicle on that part is prohibited at all times by a sign;
- (b) during a period in which the standing of vehicles on that part is prohibited by a sign.

(2) A person shall not park a vehicle on any part of a road:

- (a) if the parking of vehicles on that part is prohibited at all times by a sign;
- (b) during a period in which the parking of vehicles on that part is prohibited by a sign.

(3) A person shall not stand or park a vehicle on any part of a road whether or not that part is marked as a metered space or as a parking stall, for more than the maximum time specified by a sign.

(4) For the purpose of this By-Law a sign may:

- (a) prohibit or regulate parking and standing;
- (b) specify maximum times; or
- (c) specify permitted classes of vehicles,

by the use of any symbol or other traffic control device in accordance with AS 1742.11.

Median Strips and Traffic Islands

7. A person shall not stand or park a vehicle on any part of a road so that any portion of the vehicle is:

- (a) on a median strip;
- (b) adjacent to a median strip otherwise than in a parking stall or metered space;
- (c) on, or within nine metres of any portion of a carriageway bounded on one or both sides by a traffic island.

Parking Position on Road

8. (1) A person shall not stand or park a vehicle on a road otherwise than:

- (a) parallel to the kerb of that road;
- (b) as close to the kerb as practicable;
- (c) headed in the direction of the movement of traffic on the part of the road on which the vehicle is parked;
- (d) wholly within a parking stall if the part of the road upon which the vehicle is standing or parked is provided with parking stalls.

(2) A person shall not stand or park a vehicle in a parking stall which is not set out parallel to a kerb otherwise than wholly within that parking stall.

Parking in Occupied Stall

9. (1) Subject to Sub-clause (2), a person shall not stand or park or attempt to stand or park a vehicle in a parking stall in which another vehicle is standing or parked.

(2) Sub-clause (1) shall not apply to the parking of both a bicycle and a motor cycle in a stall marked "M/C".

Intersections, Hoardings and Footpaths

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

- (a) within six metres of the nearest lateral boundary of any road intersecting the road on the side of which the vehicle is standing or parked;
- (b) alongside any hoarding, scaffolding, obstacle or impediment to traffic;
- (c) on or over a footpath or a place of refuge for pedestrians.

Traffic Obstructions

11. A person shall not stand or park a vehicle:

- (a) on any road so as to cause an obstruction thereof;
- (b) at any place so as to cause an obstruction to any vehicular entrance or exit of any premises;
- (c) upon an intersection except adjacent to a carriageway boundary that is not broken by an intersecting carriageway.

Double Parking

12. (1) Subject to Sub-clause (2), a person shall not stand or park a vehicle on a road so that any portion of the vehicle is between any vehicle which is parked or standing on a carriageway of that road and the centre of that road.

(2) Sub-clause (1) shall not apply to:

- (a) a person who parks a motor cycle or a bicycle in a stall marked "M/C";
- (b) a person who stands or parks a vehicle in a parking stall or metered space abreast of or alongside another vehicle.

Verge Parking

13. (1) Subject to Sub-clauses (2) and (3), a person shall not stand or park a vehicle so that any portion of the vehicle is between the edge of the carriageway of a road and the boundary of that road nearest to that edge;

(2) the occupier of premises and any person authorised by the occupier may stand or park a vehicle on that portion of a road adjacent to the premises which is between the edge of the carriageway of the road and the boundary of the road nearest the premises unless the parking or standing of vehicles on that portion is prohibited by a sign.

(3) Nothing in Sub-clauses (1) and (2) shall authorise a person to stand or park any portion of a vehicle on a footpath.

Parking near Fire Hydrant

14. A person shall not stand or park a vehicle on a road so that any portion of the vehicle is within one metre of a pillar fire hydrant.

Parking on Pedestrian Crossing

15. (1) Subject to Sub-clause (2) a person shall not stand or park a vehicle on a pedestrian crossing.

(2) Sub-clause (1) shall not apply if:

- (a) the driver of the vehicle is prevented from proceeding by circumstances beyond his control;
- (b) it is necessary for the driver of the vehicle to stop in order to avoid an accident.

No Parking within One Hour

16. Where:

- (a) parking in a road is restricted as to time; and
- (b) a vehicle has been parked in that road,

a person shall not park that vehicle again in that road unless:

- (c) the vehicle has been removed from the road for at least one hour;
- (d) there is between the place where the vehicle had been parked and the place where the vehicle is subsequently parked another road that meets or intersects that road.

Parking in Set Aside Roads

17. (1) The Council may by use of signs set aside any road or part of a road, whether marked as a metered space or parking stall or not, for the parking of vehicles by persons of a particular class.

(2) A person shall not stand or park a vehicle on a road or part of a road set aside under Sub-clause (1):

- (a) unless the person is a member of the class referred to in Sub-clause (1);
- (b) except with the permission of the Council or an Inspector.

(3) The Council may, by use of signs, set aside any road or part of a road, whether marked as a metered space or parking stall or not, for the parking of vehicles of a particular class.

(4) A person shall not stand or park a vehicle on a road or part of a road set aside under Sub-clause (3):

- (a) unless the vehicle is a vehicle of the class referred to in Sub-clause (3);
- (b) except with the permission of the Council or an Inspector.

Construction Site Vehicle Parking

17A (1) In this Clause, unless the context otherwise requires:

“builder” has the same meaning as that expression is given in the Building Regulations 1989;

“construction site” means any land subject to development;

“construction site vehicle” means a commercial vehicle or a heavy goods vehicle;

“daily fee” means the daily fee referred to in Part 11 of the Ninth Schedule.

“development” means the demolition, erection, construction, alteration of or addition to any building or structure on land or the carrying out on the land of any excavation or other works;

“eligible person” means an owner or occupier of a construction site or any builder carrying out work on a construction site;

“establishment fee” means the fee determined by the Council in accordance with Part 1 of the Ninth Schedule;

“heavy goods vehicle” means a vehicle which comes within the interpretation of either a tractor (prime mover type) or a tractor (other than prime mover type) in the First Schedule to the Road Traffic Act 1974 and includes any other vehicle construction primarily for the conveyance of goods which is attached to a heavy goods vehicle;

“work zone” means any road or part of a road, whether or not marked as a metered space, parking stall or ticket machine zone, set aside by the Council by the use of a sign, for a period specified on the sign, for the standing or parking of construction site vehicles.

(2) An eligible person seeking to establish a work zone adjacent to a construction site may make written application to the Council which may approve or refuse the application.

(3) Where the Council approves an application made under Clause 17A (2), it shall give the applicant written notice specifying:

- (a) the number and location of work zones which the Council determines may be set aside; and
- (b) the period which the Council determines during which the parking or standing of construction site vehicles in a work zone is permitted; and
- (c) the amount of the establishment fee calculated in accordance with the table of fees set out in Part 1 of the Schedule.

(4) Where the establishment fee specified in a notice referred to in Clause 17(A)(3) is paid to the Council within fourteen days from the date of issue of the notice, the Council shall set aside a work zone in accordance with the notice.

(5) An eligible person shall, in addition to the establishment fee, pay to the Council a daily fee for each day that a work zone is set aside.

(6) The daily fee shall be payable in arrears on the first day of each month.

(7) If the daily fee is at any time in arrears for seven days after it shall have become due (whether or not any formal or legal demand is made) then the Council may remove any signs used to set aside the work zone.

(8) A person shall not stand or park a vehicle in a work zone unless:

- (a) the vehicle is a construction site vehicle;
- (b) the vehicle is standing or parked during a period in which the standing or parking of a construction site vehicle on that zone is permitted by a sign; and
- (c) a person is continuously engaged in loading or unloading goods:
 - (i) to or from the construction site vehicle; and
 - (ii) to or from the construction site.

Direction to Move Vehicle

18. A person shall not stand or park a vehicle on any part of a road, after an Inspector or a member of the Police Force directs the driver of the vehicle to move the vehicle therefrom.

Loading Zones

19. (1) Subject to Sub-clause (2), a person shall not stand or park a vehicle in a loading zone.

(2) A person may stand or park a vehicle in a loading zone:

- (a) if the vehicle is a commercial vehicle; and
- (b) if a person is continuously engaged in loading or unloading goods to or from the vehicle.

(3) A person shall not stand a commercial vehicle in a loading zone:

- (a) for more than five minutes unless the tare weight of the vehicle is greater than 1,000 kilograms;
- (b) for more than fifteen minutes.

(4) For the purpose of this Clause the term "tare" has the same meaning as is given to it in the Vehicle Standards Regulations 1977.

Pedestrian Malls

20. (1) Subject to Sub-clause (2), a person shall not stand or park a vehicle in a pedestrian mall.

(2) A person may stand or park a vehicle in a pedestrian mall if the vehicle is:

- (a) an emergency vehicle;
- (b) a special purpose vehicle;
- (c) a vehicle being used by a medical practitioner in the practice of his profession;
- (d) the subject of a written authorisation by the Board applicable to the vehicle and to the time in which the vehicle is standing or parked in the pedestrian mall;
- (e) a service vehicle which is:
 - (i) in a loading zone;
 - (ii) during a period in which service vehicles are permitted to enter the pedestrian mall;
 - (iii) has a person continuously engaged in loading or unloading goods to or from the vehicle; and
 - (iv) standing or parking for a continuous period of not more than thirty minutes.

Public Bus Parking Stalls

21. A person shall not stand or park a vehicle other than a public bus in a parking stall set aside for use by public bus.

Tourist Bus Stalls

22. A person shall not stand or park a vehicle other than a tourist bus in a parking stall set aside for use by tourist buses.

Eating Areas in Parking Stalls

22A. A person shall not stand or park a vehicle in a parking stall which is set up or conducted as an eating area.

PART 3—METERED ZONES**Fees in Metered Zones**

23. The fees payable for the standing and parking of vehicles in metered zones are as set out in Part 1 of the First Schedule.

Expired Meter, Parking Limit and Hooded Meter

24. (1) A person shall not stand or park a vehicle in a metered space:
- (a) on any permitted day or during any permitted period if the parking meter has expired;
 - (b) for longer than any maximum period;
 - (c) if the parking meter is hooded with a covering bearing the words "No Parking".
- (2) A reference in this Clause to:
- (a) "permitted day" or "permitted period" with respect to a metered space means any day or period stated on the parking meter during which the parking of vehicles is permitted upon insertion of coins in the parking meter;
 - (b) "maximum period" with respect to a metered space means the maximum period stated on the parking meter during which the continuous parking of a vehicle in the space is permitted.
- (3) For the purpose of this Clause a parking meter has expired if the meter displays:
- (a) the sign "expired";
 - (b) a series of flashing red lights.

Parking Position in Metered Space

25. (1) A person shall not stand or park a vehicle in a metered space which is set out parallel to a kerb otherwise than:
- (a) parallel to the kerb;
 - (b) as close to the kerb as practicable;
 - (c) wholly within that metered space;
 - (d) headed in the direction of the movement of traffic on the part of the road on which the metered space is situated.
- (2) A person shall not stand or park a vehicle in a metered space which is not set out parallel to a kerb otherwise than wholly within the metered space.

Occupied Metered Space

26. A person shall not stand or park or attempt to stand or park a vehicle wholly or partly in a metered space in which another vehicle is standing or parked.

Eating Areas in Metered Spaces

26A. A person shall not stand or park a vehicle in a metered space which is set up or conducted as an eating area.

No Parking within One Hour

27. A person who removes a vehicle from a metered space shall not stand or park that vehicle in that metered space for at least one hour after such removal.

Permits in Metered Zones

28. (1) The Council or an Inspector may upon payment of the fee prescribed in Part 2 of the First Schedule permit a person who requires to stand or park a specified vehicle or vehicles in a metered space in order to carry out urgent or essential work or services to stand or park a vehicle in the metered space for a period longer than the maximum period whether or not at any time the meter has expired or is hooded with a covering bearing the words 'No Parking'.
- (2) A permit issued under Sub-clause (1) may:
- (a) notwithstanding Clause 24, authorise the standing or parking of the vehicle continuously for a specified period or periods or between specified times or from time to time during a specified period;
 - (b) be revoked or suspended at any time by the Council or an Inspector before the expiration of any time or period specified in the permit without responsibility for any liability or loss or claim.

(3) A person shall not stand or park a vehicle in respect of which a permit has been issued pursuant to Sub-clause (2):

- (a) except at the times or during the period specified in the permit;
- (b) for any purpose other than the purpose specified in the permit;
- (c) at any time after the cancellation withdrawal or suspension of the permit.

Vehicles in Motor Cycles Spaces

29. A person shall not stand or park a vehicle other than a bicycle or a motor cycle to which no side car or side-box is attached in a parking stall or metered space:

- (a) marked with the symbol "M/C";
- (b) in which the parking of bicycles or motor cycles is permitted by a sign referable to that parking stall or metered space.

Parking Limits for Motor Cycles

30. A person shall not stand or park a bicycle or motor cycle in a parking stall or metered space marked with the symbol "M/C":

- (a) for longer than the maximum period permitted for parking in that parking stall or metered space by a sign referable to that parking stall or metered space;
- (b) If there is no sign referable to that parking stall or metered space than for longer than the maximum period during which a vehicle may stand or be parked in any parking stall or metered space adjacent thereto; or
- (c) otherwise than wholly within the stall or space.

Motor Cycles in M/C Spaces Only

31. A person shall not park a motor cycle or bicycle in a parking stall or metered space unless the stall or space is marked with the symbol "M/C".

Damage to Parking Meters

32. A person shall not or attempt to remove, damage, deface, misuse or interfere with any parking meter.

Signs on Parking Meters

33. A person shall not, without the permission of the Council, affix any board, sign, placard, notice, cover or other thing to or paint or write upon any parking meter.

Use of Coins in Parking Meters

34. A person shall not insert or cause to be inserted or attempt to insert into a coin slot of a parking meter any thing other than a coin appropriate to that slot.

Operating Parking Meters

35. A person shall not operate or attempt to operate a parking meter except in accordance with the operating instructions appearing on the parking meter.

PART 4—TICKET MACHINE ZONES

Fees in Ticket Machine Zones

36. The fees for standing and parking of vehicles in:

- (a) ticket machine zones as set out in the Second Schedule;
- (b) a ticket machine zone described in Column 1 of the Third Schedule are those fees set out in Column 4 of the Third Schedule opposite the description of the zone.

Display of Tickets

37. (1) A person shall not stand or park a vehicle in a ticket machine zone during any permitted period unless:

- (a) an unexpired ticket issued by a ticket issuing machine in that ticket machine zone; and
- (b) the date and time of issue or expiry, as the case may be, and the number, if any, of the ticket printed on the ticket,

are displayed inside the vehicle and are clearly visible to and able to be read by an Inspector from outside the vehicle at all times while the vehicle remains standing or parked in the zone.

(2) In this Clause "unexpired parking ticket" means a parking ticket on which:

- (a) a date and expiry time is printed and that time has not expired;
- (b) a date and time of issue is printed and the period for which that ticket remains valid as stated on the ticket issuing machine from which the ticket was purchased has not expired.

(3) For the purpose of this Clause, where more than one parking ticket is displayed bearing the same date and time of issue, the period for each ticket referred to in paragraph (b) of Sub-clause (2) shall be aggregated and the tickets shall be deemed not to have expired until the expiry of the aggregate of those periods.

Parking Limits

38. (1) A person shall not stand or park a vehicle in a ticket machine zone during any permitted period for longer than the maximum period.

(2) A reference in this Clause to:

- (a) "maximum period" with respect to a ticket machine zone means the maximum period stated on the ticket issuing machines in the zone during which the continuous parking of a vehicle in the zone is permitted;
- (b) "permitted period" with respect to a ticket machine zone means the period stated on the ticket issuing machines in the zone during which the parking of vehicles is permitted upon purchase of a parking ticket.

Parking Position in Ticket Machine Zones

39. A person shall not stand or park a vehicle in a ticket machine zone:

- (a) on any part of which there are parking stalls set out parallel to a kerb otherwise than:
 - (i) parallel to that kerb;
 - (ii) as close to the kerb as practicable;
 - (iii) wholly within a parking stall;
 - (iv) headed in the direction of the movement of traffic on the part of the road on which the parking stall is situated;
- (b) on any part of which there are parking stalls not set out parallel to a kerb otherwise than wholly within a parking stall.

Use of Coins in Ticket Machines

40. A person shall not insert or cause to be inserted or attempt to insert into a coin slot of a ticket issuing machine anything other than a coin appropriate to that slot.

Operation of Ticket Machines

41. A person shall not operate or attempt to operate a ticket issuing machine except in accordance with the operating instructions appearing on that ticket issuing machine.

PART 5—PARKING STATIONS AND PARKING FACILITIES

Fees for Parking Vouchers

42. The fees payable for the purchase of parking vouchers for use in a parking station specified in Column 1 of the Third Schedule are those fees specified in Column 5 of the Third Schedule appearing opposite the description of the parking station.

Display of Vouchers and Tickets

43. (1) Subject to Sub-clause (2) a person shall not stand or park a vehicle in any part of a parking station equipped with a voucher validating machine during any permitted period unless:

- (a) an unexpired parking voucher applicable to that part of the parking station and validated by a voucher validating machine for that day; or
- (b) an unexpired parking ticket or unexpired parking tickets applicable to that part of the parking station and issued on that day; and
- (c) the date and the time of validation of the voucher or issue or expiry of the ticket, as the case may be, and the number of the voucher or the ticket, if any, printed thereon,

are displayed inside the vehicle and clearly visible to and able to be read by an Inspector from outside the vehicle at all times while the vehicle remains standing or parking in that part of the parking station.

(2) For the purposes of Sub-clause (1), a parking ticket or parking vouchers issued in respect of any parking station or any part of a parking station which has been set aside under Clause 51 shall be applicable only to that parking station or that part of that parking station, as the case may be.

(3) A reference in this Clause to:

- (a) "permitted period" with respect to a parking station equipped with a voucher validating machine means the period stated on the voucher validating machines in the zone during which the parking of vehicle is permitted upon the purchase of a parking ticket or validation of a parking voucher;

- (b) "unexpired parking ticket" means a parking ticket on which:
 - (i) a date and expiry time is printed and that time has not expired;
 - (ii) a date and time of issue is printed and the period for which that ticket remains valid as stated on the ticket issuing machine from which the ticket was purchased has not expired;
- (c) "unexpired parking voucher" means a parking voucher on which the period commencing at the time of validation printed thereon has not expired.

Use of Parking Tickets and Vouchers

44. A person shall not:

- (a) deface, alter, add to, erase, obliterate or interfere with a parking voucher or a parking ticket or any information printing or imprint thereon;
- (b) park a vehicle in a parking station or parking facility if there is displayed in that vehicle so as to be visible from outside the vehicle a parking voucher or parking ticket which has been defaced, altered, added to, erased, obliterated or interfered with;
- (c) produce to an Inspector or a person authorised by the Council to accept payment of parking fees, a parking ticket which is, or any information, printing or imprint on which is defaced, altered, added to, erased, obliterated or interfered with;
- (d) use or attempt to use or validate a parking voucher in respect of any period of parking in excess of the period or periods of parking that may be authorised by that parking voucher;
- (e) park a vehicle in a parking station or parking facility if there is displayed in the vehicle so as to be visible from outside the vehicle a parking voucher which has been used or validated in respect of any period of parking in excess of the period or periods of parking that may be authorised by that parking voucher.

Fees for Motor Cycles in Parking Stations

45. (1) In a parking station described in Column 1 of the Third Schedule:

- (a) the fee payable for the parking of a motor cycle; and
- (b) the period in respect of which the fee is payable,

is the fee and the period specified in Columns 4 and 5 of the Third Schedule respectively.

(2) The Council shall not be obliged to accept payment of any fee referred to in this Clause.

Parking Position for Motor Cycles

46. A person shall not stand or park a motor cycle in a parking station equipped with a ticket issuing or a voucher validating machine unless:

- (a) wholly within a parking stall marked with the symbol "M/C" or otherwise designated as being set aside for the parking of motor cycles;
- (b) that person has paid to the Council the fee referred to in Clause 45; and
- (c) during the period for which the fee under paragraph (b) is applicable.

Attended Parking Stations

47. (1) A person shall not enter an attended parking station without first obtaining the permission of an Inspector on duty in the station unless that person is:

- (a) employed at the parking station and is in the course of his duties;
- (b) a Police Officer and is in the course of his duties;
- (c) the driver of or a passenger in a vehicle standing or parked in that station.

(2) A person shall not remove a vehicle from an attended parking station:

- (a) without first paying the applicable fee to an Inspector or a person authorised to accept the fee or to a fee collection unit in the parking station;
- (b) at any time other than during the hours of operation unless with the permission of an Inspector and on payment of the applicable fee and the fee specified in the Third Schedule for the opening of the parking station.

(3) For the purpose of this Clause:

- (a) the "applicable fee" with respect to an attended parking station described in the Column 1 of the Third Schedule means the fee specified in Column 3 of the Third Schedule appearing opposite the description of the parking station;
- (b) the "hours of operation" with respect to an attended parking station described in Column 1 of the Third Schedule means the hours on the days specified in Column 2 of Third Schedule appearing opposite the description of the parking station;

- (c) where no entrance ticket is produced by the driver of a vehicle which is being removed from a parking station, the applicable fee shall be calculated as if the vehicle had entered the parking station when it opened for operation on the day the vehicle was parked in the parking station.

Set Aside Parking Stations

48. (1) The Council may by use of signs set aside any parking station or any space in a parking station for:

- (a) the parking of vehicles by persons or classes of persons authorised by the Council;
- (b) the parking of vehicles of a particular class.

(2) Where the Council authorises a person or class pursuant to Sub-clause (1) the Council:

- (a) may issue a written permit upon payment of the fee referred to in Schedule 3A to the person or to persons of the class;
- (b) may revoke a permit at any time.

(3) A person shall not park or stand a vehicle in a parking station or space set aside under Sub-clause (1)(a) unless:

- (a) a permit issued with respect to the vehicle is displayed inside the vehicle and is clearly visible and readable by any Inspector requiring to examine the permit from outside the vehicles;
- (b) the permit bears a current date; and
- (c) the person or the person's class as specified in the permit is also specified on the signs which set aside the parking station or space.

(4) A person shall not park or stand a vehicle in a parking station or space set aside under Sub-clause (1)(b):

- (a) unless the vehicle is a vehicle of the class referred to in Sub-clause (1)(b);
- (b) except with the permission of the Council or an Inspector.

Restrictions and Time Limits in Parking Stations

49. (1) A person shall not stand a vehicle on any part of a parking station or parking facility:

- (a) if the standing of a vehicle on that part is prohibited at all times by a sign;
- (b) during a period in which the standing of vehicles on that part is prohibited by a sign.

(2) A person shall not park a vehicle on any part of a parking station or parking facility:

- (a) if the parking of vehicles on that part is prohibited at all times;
- (b) during a period in which the parking of vehicles on that part is prohibited by a sign.

(3) A person shall not park or stand a vehicle on any part of a parking station or parking facility for more than the maximum time specified by a sign.

(4) A person shall not park or stand a vehicle in a parking station otherwise than wholly within a parking stall.

Maximum Parking Period in Parking Stations

50. Where in relation to a parking station described in the Third Schedule a maximum parking period is specified a person shall not stand or park a vehicle in that parking station:

- (a) continuously for longer than that period;
- (b) again in that parking station within one hour after removing that vehicle from that parking station.

Set aside Parking Stations for Multiple Occupants

51. The Council in respect of any period or time may by the use of signs set aside any parking station or any part of a parking station and prohibit entry thereto by vehicles other than vehicles carrying in addition to the driver at least one other person.

Parking Restrictions for Vehicles with Multiple Occupants

52. (1) The fee payable for the parking of a vehicle in any parking station or part of a parking station which has been set aside under Clause 51 at the times or within such period specified pursuant to Clause 51 is the fee specified in the Eighth Schedule.

(2) A person shall not stand or park a vehicle in any parking station or part of a parking station which has been set aside under Clause 51 at the times or within such period specified pursuant to Clause 51 unless the vehicle is carrying at least one other person.

(3) A person shall not enter any parking station or part of a parking station which has been set aside under Clause 51 at the times or within such period specified pursuant

to Clause 51 unless that person is the driver of or passenger in a vehicle carrying at least one other person.

(4) Clause 42 shall not apply to any parking station or part of a parking station set aside under Clause 51 at the times or within such period specified pursuant to Clause 51.

Special Event Parking

53. (1) The Council may by use of signs set aside, for any period specified on the signs, any parking station or parking facility for the parking of vehicles by persons attending a special event.

(2) A person shall not park or stand a vehicle in a parking station or parking facility set aside under Sub-clause (1) during the period for which it is set aside unless a ticket purchased from the Council with respect to the special event is clearly visible to and readable by an Inspector from outside a vehicle.

(3) For the purpose of this Clause a 'special event' means any event or occurrence considered by the Council to be special and likely to attract a substantial number of persons driving vehicles.

(4) During the period referred to in Sub-clause (1) the provisions of Clauses 43, 49 (1) (b), 49 (2) (b), 49 (3), 51 and 52 shall not apply to the parking station or parking facility.

Direction to Move Vehicle

54. A person shall not stand or park a vehicle on any part of a parking station or parking facility after an Inspector or a member of the Police Force directs the driver of the vehicle to move the vehicle therefrom.

Selling and Hiring in Parking Stations

55. A person shall not, without the written permission of the Council, park or stand a vehicle on any part of a parking station or any parking facility otherwise than in compliance with the following condition:

No goods, wares or merchandise, or any article or thing of whatsoever nature or kind shall be sold, hired or given away or offered or exposed for sale or hire or upon that part of a parking station or that parking facility.

Obstruction of Parking Stations

56. A person shall not stand or park a vehicle in a parking station so as to obstruct any entrance, exit, carriageway, passage or thoroughfare of the parking station.

Behaviour in a Parking Station

57. (1) A person shall not remain in or on a parking station or parking facility after having been required to leave that parking station or parking facility by a member of the Police Force or an Inspector.

(2) A person shall not loiter in a parking station or parking facility.

Damage to Parking Stations and Facilities

58. A person shall not, and shall not attempt to, remove, damage, deface, misuse or interfere with any part of a parking station or parking facility.

Affixing Signs and Notices

59. A person shall not, without the permission of the Council, affix any board, sign, placard, notice, cover or other thing to or paint or write upon any part of a parking station or parking facility.

Council may Lock Parking Stations

60. At the expiration of the hours of operation the Council whether or not any vehicle remains parked in a parking station may lock the parking station or otherwise prevent the movement of any vehicle within or to or from the parking station without the Council being responsible for any loss of or damage to any such vehicle or its accessories or contents or for any other loss, claim or liability.

Councillor Parking Permit

60A. (1) In this Clause 'Councillor Parking Permit' means a permit issued by the Council under this Clause.

(2) The Council may issue to any member of the Council a Councillor parking permit and may revoke a permit at any time.

(3) The holder of a Councillor parking permit is exempt from the provisions of Clauses 37 (1), 43 (1), 47 (2), 49 (3), 50, 52 (2) and 53 (2).

- (4) The exemption conferred by Sub-clause (3) shall apply only:
- (a) to the motor vehicle specified in the Councillor parking permit,
 - (b) if the Councillor parking permit is displayed in the vehicle or affixed to the windscreen of the vehicle so as to be clearly visible and able to be read by an Inspector from outside the vehicle;
 - (c) if the Councillor parking permit is valid;
 - (d) if the holder of the Councillor parking permit is carrying out his duties or performing his functions as a member of the Council.
- (5) A Councillor parking permit shall cease to be valid:
- (a) upon the holder of the permit becoming disqualified from acting as a member of the Council;
 - (b) after the expiry date specified in the permit;
 - (c) upon being revoked by the Council.

PART 6—RESIDENTIAL PARKING

Definitions

61. In this part of this By-Law, unless the context otherwise requires:

“dwelling unit” means premises lawfully used for self contained living quarters.

“eligible person” where used:

- (a) In relation to an application for a residential parking permit means a single house occupier, a unit occupier, a unit owner;
- (b) in relation to an application for a visitor’s parking permit means:
 - (i) A single house occupier;
 - (ii) A Strata company;
 - (iii) A unit owner of a residential unit which is not a strata lot;

“Inspector” has the same meaning as is given to it in the Act.

“Residential Parking Permit” means a permit issued by the Council pursuant to Clause 63 (1).

“Residential Unit” means a dwelling unit which is part of a building adjacent to a part of a road on which road the standing or parking of vehicles is prohibited for more than a specified period and which building contains:

- (a) two or more dwelling units with or without any non residential units;
- (b) one dwelling unit with one or more non residential units.

“single house” means a dwelling unit constructed on its own lot and used for self contained living quarters and which is adjacent to a part of a road on which the standing or parking of vehicles is prohibited for more than a specified period.

“single house occupier” means an occupier of a single house.

“strata company” means a body corporate constituted under Section 32 of the Strata Titles Act 1985.

“unit occupier” means a person who is an occupier of a residential unit but does not include a unit owner.

“unit owner” means a person who is an owner and occupier of a residential unit.

“visitors parking permit” means a permit issued by the Council pursuant to Clause 63 (2).

Exemption for Permit Holders

62. (1) Where on any part of a road the standing or parking of vehicles is prohibited by a sign for more than a specified period or where any part of a road is a metered space, the holder of a valid permit is exempted from such prohibition or from the requirements of Clauses 6 (3), 24 and 37 as the case may be.

(2) The exemption conferred by Sub-clause (1) shall apply only:

- (a) to the part of a road specified in the permit or to the metered space or spaces specified in the permit;
- (b) where the permit displayed is a residential parking permit to the motor vehicle specified in the residential parking permit;
- (c) if the permit is displayed in the vehicle or affixed to the windscreen of the vehicle as to be clearly visible and able to be read by an Inspector from outside the vehicle;
- (d) if the permit is valid.

(3) The exemption conferred by Sub-clause (1) shall not apply during any period in which the standing or parking of vehicles is prohibited in the road or the part of a road specified in the permit.

Issue of Permits

63. (1) The Council may upon a written application of an eligible person issue a residential parking permit in the form in Item 1 of the Fourth Schedule.

(2) The Council may upon a written application of an eligible person issue a visitor's parking permit in the form in Item 2 of the Fourth Schedule.

(3) The Council's power to issue, replace and revoke permits under this Part may be exercised by an Inspector.

Restrictions on Issue of Permits to Single House Occupiers

64. The Council shall not issue:

- (a) more than two residential parking permits to any single house occupier where the single house is situated on land where no parking can be provided;
- (b) more than one residential parking permit to any single house occupier where the single house is situated on land where parking for one vehicle only can be provided;
- (c) a residential parking permit to any single house occupier where the single house is situated on land where parking for two or more vehicles can be provided.

Restrictions on Issue of Permits to Unit Owners

65. (1) Where no parking can be provided to a unit owner on the land upon which the residential unit is situated the Council shall not issue more than two residential parking permits to the unit owner.

(2) Where parking for one vehicle only can be provided to a unit owner on the land upon which the residential unit is situated the Council shall not issue more than one residential parking permit to the unit owner.

(3) Where parking for two or more vehicles can be provided to a unit owner on the land upon which the residential unit is situated the Council shall not issue a residential parking permit to the unit owner.

(4) Where parking for one or more vehicles can be provided to a unit occupier on the land upon which the residential unit is situated the Council shall not issue a residential parking permit to the unit occupier.

Restrictions on Number of Permits

66. (1) The Council shall not issue more than two residential parking permits in respect of any single house or residential unit.

(2) Notwithstanding Sub-clause (1), where a unit occupier is issued a residential parking permit, the Council shall not issue any further residential parking permits in respect of that residential unit.

(3) The Council shall not issue more than two visitors parking permits in respect of any single house.

(4) The Council may in its discretion determine the number of visitors parking permits to be issued to a strata company and a unit owner of a residential unit which is not a strata lot.

Validity of Permit

67. Every residential parking permit or visitors parking permit as the case may be shall cease to be valid:

- (a) upon the expiry of a period twelve months from and including the date on which it is issued;
- (b) upon the holder of the permit ceasing to be an eligible person;
- (c) upon revocation of the permit by the Council pursuant to Clause 67A;
- (d) upon the replacement of any permit by a new permit issued by the Council pursuant to Clause 68A.

Revocation of a Permit

67A. (1) The Council may at any time give an eligible person to whom a permit was issued pursuant to the provisions of this By-Law notice requiring that person to notify the Council of any reason why that permit should not be revoked.

(2) The Council shall give notice referred to Sub-clause (1) in the form in Item 3 (a) of the Fourth Schedule by serving the notice on the eligible person to whom the permit was issued.

(3) If within seven (7) days after the date of receipt of the notice referred in Sub-clause (2) the eligible person to whom the permit was issued:

- (a) fails to give the Council notice in writing of any reason why the permit should not be revoked then the Council may revoke that permit;
- (b) gives the Council notice in writing of any reasons why the permit should not be revoked then the Council may in its absolute discretion revoke that permit.

(4) For the purpose of Sub-clause (3) the date of receipt of the notice shall be the date the notice was served.

(5) The Council shall give notice of the revocation in the form in Item 3 (b) of the Fourth Schedule by serving the notice on the eligible person to whom the permit was issued.

Removal of Permit from Vehicle

68. The holder of a residential parking permit shall forthwith upon that permit being revoked or ceasing to be valid remove the permit from the vehicle in which it is displayed or to which it is affixed.

Replacement of Permit

68A. (1) The Council may upon a written application of an eligible person and upon payment of the fee referred to in Sub-clause (2), if any, issue a permit to replace a residential parking permit or visitors parking permit which is lost, destroyed or stolen.

(2) The fee payable for the issue of a replacement permit pursuant to this Clause is \$20.00.

(3) Notwithstanding Sub-clause (2), no fee shall be payable for the issue of a replacement permit if evidence is produced in writing to the satisfaction of the City:

- (a) that the vehicle in which the permit is displayed has been disposed of,
- (b) that the vehicle's windscreen in which the permit is displayed has been replaced;
- (c) which the City considers warrants the waiving of the fee.

PART 7—MISCELLANEOUS AND PENALTIES

Parking Without Consent

69. A person shall not stand or park a vehicle on land which is not a road or parking facility without the consent of the person in occupation of that land.

Inspectors Immunity

70. No offence under this By-Law is committed by an Inspector whilst carrying out his or her duties.

Compliance with Signs

71. A person shall comply with every sign displayed, marked, placed or erected pursuant to the Act.

Inspectors Certificate of Appointment

72. An Inspector shall be furnished with a Certificate of his appointment in the form of the Fifth Schedule.

Personation of Inspector

73. A person who is not an Inspector shall not assume or attempt to assume the duties of an Inspector.

Obstruction of an Inspector

74. A person shall not obstruct or hinder an Inspector in the execution of his duties.

Offence

75. A person who commits a breach of any provision of this By-Law commits an offence and shall on conviction be liable to a penalty not exceeding \$80.00.

Display of Signs

76. A person shall not, without the permission of the Council, display, mark, set up or exhibit any sign purporting to be or resembling a sign marked, set up or exhibited by the Council pursuant to the Act or this By-Law.

Marking Tyres

77. (1) For the purpose of ascertaining whether or not a parked vehicle has been or may be parked in contravention of any provision of this By-Law an Inspector may mark a tyre or tyres of such vehicles with chalk or any other non-indelible substance.

(2) A person shall not remove or interfere with any such mark referred to in Sub-clause (1) so that the purpose of affixing the same is or may be defeated.

Modified Penalties

78. (1) The modified penalties prescribed with respect to offences against this By-Law are specified in the Sixth Schedule.

(2) The prescribed form of the notice referred to in Section 669D of the Act is set out in the Seventh Schedule.

PART 8—REMOVAL OF VEHICLES**Lawfully Parked Vehicles**

79. A vehicle that is parked in any portion of a public place where vehicles may lawfully be parked does not cause an obstruction, unless:

- (a) the vehicle is parked for any period exceeding twenty-four hours, without the consent in writing of the Town Clerk or Inspector;
- (b) the vehicle is parked during any period in which the parking of vehicles is prohibited or restricted by a sign.

Unlawfully Parked Vehicles

80. A vehicle which is parked in any portion of the district where vehicles may not lawfully be parked is deemed to be causing an obstruction.

Obstruction of Public Places

81. A person shall not park a vehicle in a public place so as to cause an obstruction.

Removal of Vehicles

82. Where an Inspector or Police Officer finds a vehicle causing an obstruction that Inspector or Police Officer:

- (a) may remove the vehicle;
- (b) may use such force as is necessary to enter the vehicle for the purpose of removing it,

and if that Inspector or Police Officer removes the vehicle he shall take it to an appointed place.

Recording of Vehicles in Appointed Places

83. Where an Inspector or Police Officer places a vehicle in an appointed place, that Inspector or Police Officer shall enter in a register to be provided by the Council for that purpose:

- (a) details of the time and date;
- (b) a description of the vehicle; and
- (c) the place from which it was removed,

and shall notify the Town Clerk of the Council.

Notification to Owner

84. The Town Clerk of the Council shall notify, in writing, the last known owner of a vehicle removed to an appointed place of the removal of that vehicle.

Recovery of Removed Vehicle

85. (1) A person may recover a vehicle from an appointed place, after paying to the Town Clerk of the Council:

- (a) the cost incurred by the Council in removing the vehicle to the appointed place; and
- (b) the sum of \$10.00 per day or part of a day that the vehicle has remained in the appointed place.

(2) A person who removes a vehicle from an appointed place without complying with the provisions of this Clause commits an offence.

Sale of Removed Vehicles

86. Where a vehicle placed in an appointed place has not been recovered by the owner or person entitled to it within one month from the day upon which it was placed there, the Council may:

- (a) cause the vehicle to be offered for sale by public auction or by public tender;
- (b) accept the best offer made;
- (c) where no offer is made for the purchase of the vehicle, dispose of the vehicle as the Council thinks fit.

Indemnity

87. A person is not entitled to claim, by way of damages or otherwise, against an Inspector, member of the Police Force, or the Council in respect of any vehicle seized and dealt with under this Part or against any person who purchases a vehicle sold by Council under Clause 86.

Application of Sale Proceeds

88. (1) The proceeds of the sale of a vehicle sold under the provisions of Clause 86 shall be applied by the Council:

(a) firstly, in meeting the costs of the sale; and

(b) secondly, in meeting the costs referred to in Clause 85(1),

and these sums shall be paid into the Municipal Fund.

(2) Any surplus of the proceeds of the sale shall be paid by the Council into its Trust Fund, and may be paid within ten years, to any person who satisfies the Council that they were the owner of the vehicle at the time of its sale by the Council.

(3) Any amount under Sub-clause (2) may, if not paid to the owner within ten years, be paid into the Municipal Fund, on the condition that the Council shall repay it from that fund to a person claiming and establishing their right to that repayment.

Recovery of Costs Where Sale Proceeds Insufficient

89. Where the proceeds of the sale of any vehicle sold under Clause 86, after deduction of the monies authorised to be applied by the Council by Clause 88(1), do not cover the costs of the removal, custody and sale or disposal of that vehicle, the Council may recover the balance of these costs from the owner of that vehicle in a court of competent jurisdiction.

FIRST SCHEDULE**METERED ZONES—PERIOD AND FEES****PART 1—FEES IN METERED ZONES**

ITEM No.	PERIOD	FEE
Not Applicable	Not Applicable	Not Applicable

PART 2—FEES FOR PERMITS

ITEM No.	PERIOD	FEE
Not Applicable	Not Applicable	Not Applicable

SECOND SCHEDULE**TICKET MACHINES ZONES****PERIOD AND FEES**

ITEM No.	PERIOD	FEE
Not Applicable	Not Applicable	Not Applicable

SCHEDULE 3A**COLUMN 1****Description****COLUMN 2****Fee Payable**

Parking Station 18 Coogee Street	\$20.00 per calendar month.
Parking Station 29 Raglan Street	\$20.00 per calendar month
Parking Station 32 The Avenue	\$40.00 per calendar month
Parking Station 38 Faraday/Oxford Streets	\$20.00 per calendar month
Parking Station 39 Dunedin Street	\$20.00 per calendar month
Parking Station 41 Pansy Street	\$20.00 per calendar month
Parking Station 42 Flinders Street	\$20.00 per calendar month
Parking Station 43 Fitzgerald/Wasley Streets	\$20.00 per calendar month
Parking Station 44 View Street	\$20.00 per calendar month
Parking Station 45 Chelmsford Road	\$20.00 per calendar month

THIRD SCHEDULE

COLUMN 1 Description	COLUMN 2 Days and Hours of Operation	COLUMN 3 Fees Payable on Leaving the Parking Station	COLUMN 4 Fees Payable in Parking Stations equipped with a Ticket Issuing Machine	COLUMN 5 Fees Payable in Parking Stations equipped with a Voucher Validating Machine	COLUMN 6 Places where a Parking Ticket may be purchased for use in a Parking Station and fees payable
Parking Station 14 situated in the area bounded by Oxford Street and Tower Street, Leederville	Monday to Friday inc. 8.00am to 6.00pm	Not Applicable	From 8.00am to 6.00pm Monday to Friday inclusive—30 cents per hour to a maximum payment of \$2.00 to 6.00pm on the same day.	From 8.00am to 6.00pm Monday to Friday inclusive—\$2.00 for such period or part thereof.	Parking Station 14A. From 8.00am to 6.00pm Monday to Friday inclusive—30 cents per hour or part thereof.
Parking Station 14A situated off Oxford Street immediately north of Parking Station 14.	Monday to Friday inc. 8.00am to 6.00pm	Not Applicable	From 8.00am to 6.00pm Monday to Friday inc.—30 cents per hour.	Not Applicable	Not Applicable
Parking Station 19 situated in the area bounded by Brisbane, Beaufort and Greenway Streets.	Monday to Friday inc. 8.00am to 6.00pm	Not Applicable	From 8.00am to 6.00pm Monday to Friday inc.—20 cents per hour to a maximum payment of \$1.00 for a 10 hour period on the same day.	Not Applicable	Not Applicable.

FOURTH SCHEDULE**TOWN OF VINCENT****LOCAL GOVERNMENT ACT 1960****ITEM 1****Residential Parking Permit**

Permit No:

Vehicle Make/Type:

Registration No:

Exempted Road/Metered Space:

Date of Expiry:

.....
for TOWN OF VINCENT**TOWN OF VINCENT****LOCAL GOVERNMENT ACT 1960****VISITOR'S PARKING PERMIT****ITEM 2**

Permit No:

Exempted Road/Metered Space:

Name of Person to whom Permit issued:

Single House Occupier/Strata Company/Unit Owner of a Residential Unit which is not a Strata Lot:

Address:

Date of Expiry:

.....
for TOWN OF VINCENT

* Delete whichever is inapplicable.

TOWN OF VINCENT**LOCAL GOVERNMENT ACT 1960****ITEM 3(a)****Notice of Intention to Revoke Permit**

Take notice that within seven days from the day of the person to whom (Residential Parking Permit/Visitors Parking Permit)* No..... was issued is required to give the Council notice in writing of any reason why that permit should not be revoked. If no written notice is received by the Council within that time, Council may revoke that permit.

.....
for TOWN OF VINCENT.....
Date of Service

* Delete whichever is inapplicable.

**TOWN OF VINCENT
LOCAL GOVERNMENT ACT 1960**

ITEM 3(b)**Notice of Revocation of Permit**

Take notice that from and including the day of
(Residential Parking Permit/Visitor's Parking Permit) * No..... is revoked
and invalid.

.....
for TOWN OF VINCENT

* Delete whichever is inapplicable.

**FIFTH SCHEDULE
(CERTIFICATE OF APPOINTMENT OF INSPECTOR)**

**LOCAL GOVERNMENT ACT 1960
THIS IS TO CERTIFY THAT**

(Photograph)

INSP..... No.
HAS BEEN APPOINTED BY THE COUNCIL
of the

TOWN OF VINCENT

AND UNDER THE PROVISIONS OF THE LOCAL GOVERNMENT ACT 1960, HE IS
AUTHORISED TO EXERCISE ALL THE POWERS AND FUNCTIONS OF AN INSPEC-
TOR CONFERRED OR IMPOSED BY THE ACT OR BY ANY BY-LAW MADE UNDER
THE SAID ACT.

DATED THE DAY OF, 19

.....
SIGNATURE OF HOLDER

.....
CHIEF EXECUTIVE OFFICER

.....
(Reverse Side)

**TOWN OF VINCENT
AUTHORITY**

SIXTH SCHEDULE**Modified Penalties**

ITEM No.	OFFENCE	MODIFIED PENALTY
1.	CLAUSES: 6(2)(a), 6(2)(b), 7(a), 7(b), 7(c), 14, 17(2), 17A(8), 19(1), 19(3), 20(1), 24(1)(c), 49(2)(a), 49(2)(b), 52(2), 52(3), 56.	\$40.00
2.	CLAUSES: 11(a), 11(c), 12(1), 18, 47(2)(a), 49(1)(a), 49(1)(b), 54, 59.	\$50.00

ITEM No.	OFFENCE	MODIFIED PENALTY
3.	CLAUSES: 6(1)(a), 6(1)(b), 10(a), 10(b), 10(c), 11(b), 15(1), 17(4), 21, 22, 22A, 26A, 32, 33, 34, 35, 40, 41, 44(c), 44(d), 47(1), 47(2)(b), 57(1), 57(2), 58, 68, 69, 73, 74, 75, 76, 77(2).	\$75.00
4.	CLAUSES: 44(a), 44(b), 55	\$80.00
5.	CLAUSES: 6(3), 24(1)(b), 49(3)	<p>In the case of an offence under Clauses 6(3) and 49(3) where the specified time referred to in that clause is one half hour or less:</p> <p>(a) where the vehicle stands on that part of the road or parking station referred to in that clause for a period of one half hour or less in excess of the specified time—twenty-five dollars (\$25.00);</p> <p>(b) where the vehicle stands on that part of the road or parking station referred to in that clause for a period of more than one half hour in excess of the specified time—twenty-five dollars (\$25.00) with respect to the first one half hour in excess and twenty-five dollars (\$25.00) with respect to any time thereafter.</p> <p>In the case of an offence under Clauses 6(3) and 49(3) where the specified time referred to in that clause is one hour or more:</p> <p>(a) where the vehicle stands on that part of the road or parking station referred to in that clause for a period of one hour or less in excess of the specified time twenty-five dollars (\$25.00);</p> <p>(b) where the vehicle stands on that part of the road or parking station referred to in that clause for a period of more than one hour in excess of the specified time—twenty-five dollars (\$25.00) with respect to the first hour in excess and twenty-five dollars (\$25.00) any time thereafter.</p> <p>In the case of an offence under Clause 24(1)(b):</p> <p>(a) where the vehicle stands in that parking stall for a period of one half hour or less—twenty-five dollars (\$25.00).</p> <p>(b) where the vehicle stands in that parking stall for more than one half hour—twenty-five (\$25.00) with respect to the first one half hour and twenty-five dollars (\$25.00) with respect to any time thereafter.</p>
6.	Any other Clause.	\$25.00

SEVENTH SCHEDULE

TOWN OF VINCENT

PARKING FACILITIES BY LAW

PARKING
INFRINGEMENT NOTICE

PAYMENT IS DUE WITHIN 21 DAYS OF OFFENCE DATE

THE OWNER OF THE VEHICLE

Make:

Model:

Body Type:

Vehicle Reg No

State

It is alleged at: : hours

on day the day of 19 at (location)

you committed the offence indicated hereunder by an (X) in breach of clause

☐ The Town of Vincent Parking Facilities By Law; or☐ The Local Government Uniform General (Parking for Disabled Persons) By Laws 1988

Meter No.

Limit

Inspector:

No.

Beat No.

Penalty

Offence

- \$ ☐ Standing Against an Expired Meter
- \$ ☐ Standing Longer than Time Allowed
- \$ ☐ Failure to Clearly Display Current Ticket/s
- \$ ☐ Not Wholly within a Parking Stall
- \$ ☐ Standing on a Verge
- \$ ☐ Standing in a No Standing Area
- \$ ☐ Standing in a Clearway
- \$ ☐

Penalty

Offence

- \$ ☐ Standing Longer than Time Allowed in Loading Zone
- \$ ☐ Standing in a Taxi or Bus/Tourist Coach Stand
- \$ ☐ Standing on a Footpath or Pedestrian Refuge
- \$ ☐ Parking a Vehicle in a Parking Bay For the Disabled
- \$ ☐ Standing a Vehicle in a Parking Bay for the Disabled
- \$ ☐ Using an ACROD Sticker in an Unauthorised Manner

TAKE NOTICE: that pursuant to section 669D of the Local Government Act, you will be deemed to be the person who committed the above offence unless within 21 days of the date on which this notice was served left in or on the vehicle you inform the Council or an Inspector in writing of the identity and address of the offender or furnish information to the Council or an Inspector from which the Council or an Inspector is satisfied that the vehicle had been stolen or was being unlawfully used at the time the offence was alleged to have been committed of the modified penalty prescribed for the offence is paid to the Council.

YOU MAY DISPOSE OF THIS MATTER:

- (1) in the following ways: ... or
- (a)
- (b)
- (2) By Mail: Addressed to the

Cheques made payable to the

If neither the prescribed penalty is paid nor representation is made within the time specified, Court proceedings may be instituted against you.

REMINDER NOTICES WILL INCUR ADDITIONAL COSTS.

DO NOT DETACH. PLEASE COMPLETE PART 2 AND PRESENT THIS
NOTICE INTACT WHEN MAKING PAYMENT

Prescribed Form of Notice - Section 669D of the Local Government Act

POSTED BY:

/ /

EIGHTH SCHEDULE

Vehicles with Multiple Occupants—Parking Stations and Fees.

Dated this 8th day of December 1994.

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

CRAIG LAWRENCE, Chairman of the Commission.
JOHN GIORGI, Chief Executive Officer/Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG302

LOCAL GOVERNMENT ACT 1960

Town of Victoria Park

BY-LAW RELATING TO PARKING FACILITIES

In pursuance of the powers conferred upon it by the Local Government Act 1960 and all other powers enabling it, the Council of the Town of Victoria Park resolved on the eighth day of November 1994 to make and submit for approval by the Minister and for confirmation by the Governor the following By-Law:

PART 1—PRELIMINARY**Citation**

1. This By-Law may be cited as the Town of Victoria Park Parking Facilities By-Law.

Definitions

2. In this By-Law unless the context otherwise requires:

“Act” means the Local Government Act 1960.

“appointed place” means a place appointed by the Council to which vehicles causing an obstruction may be removed.

“attended parking station” means a parking station attended by an officer of the Council and in respect of which fees for the parking of a vehicle are payable immediately prior to the removal of the vehicle from the station.

“Board” has the same meaning as that expression in the Road Traffic Act.

“coin” means any coin which is legal tender pursuant to the Currency Act 1965 (Commonwealth).

“commercial vehicle” means a vehicle which comes within the interpretation of a motor wagon in the First Schedule to the Road Traffic Act, and includes any other vehicle (not being a trailer or a vehicle to which a trailer is attached) constructed primarily for the conveyance therein or thereon of goods.

“district” means the municipal district of the Town of Victoria Park.

“eating area” has the same meaning as given to it in Section 244AA of the Act.

“emergency vehicle” has the same meaning as that expressed in the Road Traffic Code.

“entrance ticket” means a ticket issued by an entrance ticket machine.

“entrance ticket machine” means a machine installed at an entrance to an attended parking station and from which entrance tickets are issued to vehicles entering that parking station.

“exit ticket” means a ticket issued by a fee collection machine.

“fee collection machine” means a machine installed in an attended parking station which upon the insertion therein of an entrance ticket and of a fee issues an exit ticket.

- "footpath" includes a path used by, or set aside or intended for use by, pedestrians or both pedestrians and cyclists.
- "Inspector" means a person appointed by Council to carry out the functions conferred on an Inspector by this By-Law or by Sections 669C, 669D and 669DA of the Act.
- "kerb" means any structure, mark, marking or device to delineate or indicate the edge of a carriageway.
- "loading zone" means a parking stall designated for use by commercial vehicles.
- "motor cycle" means a motor vehicle designed to travel on two wheels but shall not include a motor vehicle to which a side car is attached.
- "omnibus" has the same meaning as that expression in the Road Traffic Act.
- "park" has the same meaning as given to it in Section 231 of the Act, and includes "parking".
- "parking stall" means a section of a road or of a parking station which is marked or defined in any way to indicate where a vehicle or vehicles may stand or be parked but does not include a metered space.
- "parking station" means a parking station established by the Council pursuant to the Act and includes those listed and numbered in the Third Schedule.
- "parking ticket" means a ticket which is issued from a ticket issuing machine and which authorises the parking of a vehicle in a parking stall or a parking station or part of a parking station.
- "parking voucher" means a voucher which is purchased from the Council and which authorises the parking of a vehicle in a parking station or part of a parking station.
- "pedestrian mall" has the same meaning as that expression in the Road Traffic Code.
- "public bus" means any omnibus operated by the Metropolitan (Perth) Passenger Transport Trust while in the course of normal operation and while not on private charter.
- "Road Traffic Act" means the Road Traffic Act 1974.
- "Road Traffic Code" means the Road Traffic Code 1975.
- "service vehicle" has the same meaning as that expression in the Road Traffic Code.
- "sign" includes any notice, mark, marking, device, symbol or structure in, on or over any road, parking station or parking facility.
- "special purpose vehicle" has the same meaning as that expression in the Road Traffic Code.
- "stand" has the same meaning as is given to it in Section 231 the Act, and includes "standing".
- "taxi" has the same meaning as that expression in the Road Traffic Code.
- "ticket issuing machine" means a machine or device which is installed in a parking facility and which upon the insertion of coins or a token, pass, card, key or device issues a parking ticket.
- "ticket machine zone" means a parking facility in which ticket issuing machines are installed but does not include a parking station in which voucher validating machines are also installed.
- "tourist bus" means any omnibus used solely for the carriage of tourist but does not include a public bus.
- "vehicle" includes:
- (a) every conveyance, not being a train, vessel or aircraft, and every object capable of being propelled or drawn, on wheels or tracks, by any means; and
 - (b) where the context permits, an animal being driven or ridden.
- "voucher validating machine" means a machine which is installed in a parking station and which upon the insertion of a parking voucher validates the voucher by imprinting thereon the day of the year (by number or otherwise) and the time of validation and the number of the machine.

Application of Signs

3. Where the standing or parking of vehicles in a road is regulated or prohibited by a sign then the sign shall for the purposes of this By-Law apply to that part of the road which:

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

Application of By-Law

4. Subject to Clause 5 this By-Law applies to the whole of the district.

Exemption to Application

5. This By-Law does not apply to the following areas:
- (a) The Mitchell Freeway.

PART 2—PARKING IN ROADS**Parking Contrary to Signs**

6. (1) A person shall not stand a vehicle on any part of a road:
- (a) if the standing of a vehicle on that part is prohibited at all times by a sign;
 - (b) during a period in which the standing of vehicles on that part is prohibited by a sign.
- (2) A person shall not park a vehicle on any part of a road:
- (a) if the parking of vehicles on that part is prohibited at all times by a sign;
 - (b) during a period in which the parking of vehicles on that part is prohibited by a sign.
- (3) A person shall not stand or park a vehicle on any part of a road whether or not that part is marked as a metered space or as a parking stall, for more than the maximum time specified by a sign.
- (4) For the purpose of this By-Law a sign may:
- (a) prohibit or regulate parking and standing;
 - (b) specify maximum times; or
 - (c) specify permitted classes of vehicles,
- by the use of any symbol or other traffic control device in accordance with AS 1742.11.

Median Strips and Traffic Islands

7. A person shall not stand or park a vehicle on any part of a road so that any portion of the vehicle is:
- (a) on a median strip;
 - (b) adjacent to a median strip otherwise than in a parking stall or metered space;
 - (c) on, or within nine metres of any portion of a carriageway bounded on one or both sides by a traffic island.

Parking Position on Road

8. (1) A person shall not stand or park a vehicle on a road otherwise than:
- (a) parallel to the kerb of that road;
 - (b) as close to the kerb as practicable;
 - (c) headed in the direction of the movement of traffic on the part of the road on which the vehicle is parked;
 - (d) wholly within a parking stall if the part of the road upon which the vehicle is standing or parked is provided with parking stalls.
- (2) A person shall not stand or park a vehicle in a parking stall which is not set out parallel to a kerb otherwise than wholly within that parking stall.

Parking in Occupied Stall

9. (1) Subject to Sub-clause (2), a person shall not stand or park or attempt to stand or park a vehicle in a parking stall in which another vehicle is standing or parked.
- (2) Sub-clause (1) shall not apply to the parking of both a bicycle and a motor cycle in a stall marked "M/C".

Intersections, Hoardings and Footpaths

10. A person shall not stand or park a vehicle so that any portion of the vehicle is:
- (a) within six metres of the nearest lateral boundary of any road intersecting the road on the side of which the vehicle is standing or parked;
 - (b) alongside any hoarding, scaffolding, obstacle or impediment to traffic;
 - (c) on or over a footpath or a place of refuge for pedestrians.

Traffic Obstructions

11. A person shall not stand or park a vehicle:
- (a) on any road so as to cause an obstruction thereof;
 - (b) at any place so as to cause an obstruction to any vehicular entrance or exit of any premises;
 - (c) upon an intersection except adjacent to a carriageway boundary that is not broken by an intersecting carriageway.

Double Parking

12. (1) Subject to Sub-clause (2), a person shall not stand or park a vehicle on a road so that any portion of the vehicle is between any vehicle which is parked or standing on a carriageway of that road and the centre of that road.

(2) Sub-clause (1) shall not apply to:

- (a) a person who parks a motor cycle or a bicycle in a stall marked "M/C";
- (b) a person who stands or parks a vehicle in a parking stall or metered space abreast of or alongside another vehicle.

Verge Parking

13. (1) Subject to Sub-clauses (2) and (3), a person shall not stand or park a vehicle so that any portion of the vehicle is between the edge of the carriageway of a road and the boundary of that road nearest to that edge;

(2) the occupier of premises and any person authorised by the occupier may stand or park a vehicle on that portion of a road adjacent to the premises which is between the edge of the carriageway of the road and the boundary of the road nearest the premises unless the parking or standing of vehicles on that portion is prohibited by a sign.

(3) Nothing in Sub-clauses (1) and (2) shall authorise a person to stand or park any portion of a vehicle on a footpath.

Parking near Fire Hydrant

14. A person shall not stand or park a vehicle on a road so that any portion of the vehicle is within one metre of a pillar fire hydrant.

Parking on Pedestrian Crossing

15. (1) Subject to Sub-clause (2) a person shall not stand or park a vehicle on a pedestrian crossing.

(2) Sub-clause (1) shall not apply if:

- (a) the driver of the vehicle is prevented from proceeding by circumstances beyond his control;
- (b) it is necessary for the driver of the vehicle to stop in order to avoid an accident.

No Parking within One Hour

16. Where:

- (a) parking in a road is restricted as to time; and
- (b) a vehicle has been parked in that road,

a person shall not park that vehicle again in that road unless:

- (c) the vehicle has been removed from the road for at least one hour;
- (d) there is between the place where the vehicle had been parked and the place where the vehicle is subsequently parked another road that meets or intersects that road.

Parking in Set Aside Roads

17. (1) The Council may by use of signs set aside any road or part of a road, whether marked as a metered space or parking stall or not, for the parking of vehicles by persons of a particular class.

(2) A person shall not stand or park a vehicle on a road or part of a road set aside under Sub-clause (1):

- (a) unless the person is a member of the class referred to in Sub-clause (1);
- (b) except with the permission of the Council or an Inspector.

(3) The Council may, by use of signs, set aside any road or part of a road, whether marked as a metered space or parking stall or not, for the parking of vehicles of a particular class.

(4) A person shall not stand or park a vehicle on a road or part of a road set aside under Sub-clause (3):

- (a) unless the vehicle is a vehicle of the class referred to in Sub-clause (3);
- (b) except with the permission of the Council or an Inspector.

Construction Site Vehicle Parking

17A. (1) In this Clause, unless the context otherwise requires:

- "builder" has the same meaning as that expression is given in the Building Regulations 1989;
- "construction site" means any land subject to development;
- "construction site vehicle" means a commercial vehicle or a heavy goods vehicle;
- "daily fee" means the daily fee referred to in Part 11 of the Ninth Schedule.

"development" means the demolition, erection, construction, alteration of or addition to any building or structure on land or the carrying out on the land of any excavation or other works;

"eligible person" means an owner or occupier of a construction site or any builder carrying out work on a construction site;

"establishment fee" means the fee determined by the Council in accordance with Part 1 of the Ninth Schedule;

"heavy goods vehicle" means a vehicle which comes within the interpretation of either a tractor (prime mover type) or a tractor (other than prime mover type) in the First Schedule to the Road Traffic Act 1974 and includes any other vehicle construction primarily for the conveyance of goods which is attached to a heavy goods vehicle;

"work zone" means any road or part of a road, whether or not marked as a metered space, parking stall or ticket machine zone, set aside by the Council by the use of a sign, for a period specified on the sign, for the standing or parking of construction site vehicles.

(2) An eligible person seeking to establish a work zone adjacent to a construction site may make written application to the Council which may approve or refuse the application.

(3) Where the Council approves an application made under Clause 17A (2), it shall give the applicant written notice specifying:

- (a) the number and location of work zones which the Council determines may be set aside; and
- (b) the period which the Council determines during which the parking or standing of construction site vehicles in a work zone is permitted; and
- (c) the amount of the establishment fee calculated in accordance with the table of fees set out in Part 1 of the Schedule.

(4) Where the establishment fee specified in a notice referred to in Clause 17 (A) (3) is paid to the Council within fourteen days from the date of issue of the notice, the Council shall set aside a work zone in accordance with the notice.

(5) An eligible person shall, in addition to the establishment fee, pay to the Council a daily fee for each day that a work zone is set aside.

(6) The daily fee shall be payable in arrears on the first day of each month.

(7) If the daily fee is at any time in arrears for seven days after it shall have become due (whether or not any formal or legal demand is made) then the Council may remove any signs used to set aside the work zone.

(8) A person shall not stand or park a vehicle in a work zone unless:

- (a) the vehicle is a construction site vehicle;
- (b) the vehicle is standing or parked during a period in which the standing or parking of a construction site vehicle on that zone is permitted by a sign; and
- (c) a person is continuously engaged in loading or unloading goods:
 - (i) to or from the construction site vehicle; and
 - (ii) to or from the construction site.

Direction to Move Vehicle

18. A person shall not stand or park a vehicle on any part of a road, after an Inspector or a member of the Police Force directs the driver of the vehicle to move the vehicle therefrom.

Loading Zones

19. (1) Subject to Sub-clause (2), a person shall not stand or park a vehicle in a loading zone.

(2) A person may stand or park a vehicle in a loading zone:

- (a) if the vehicle is a commercial vehicle; and
- (b) if a person is continuously engaged in loading or unloading goods to or from the vehicle.

(3) A person shall not stand a commercial vehicle in a loading zone:

- (a) for more than five minutes unless the tare weight of the vehicle is greater than 1 000 kilograms;
- (b) for more than fifteen minutes.

(4) For the purpose of this Clause the term "tare" has the same meaning as is given to it in the Vehicle Standards Regulations 1977.

Pedestrian Malls

20. (1) Subject to Sub-clause (2), a person shall not stand or park a vehicle in a pedestrian mall.

(2) A person may stand or park a vehicle in a pedestrian mall if the vehicle is:

- (a) an emergency vehicle;
- (b) a special purpose vehicle;
- (c) a vehicle being used by a medical practitioner in the practice of his profession;
- (d) the subject of a written authorisation by the Board applicable to the vehicle and to the time in which the vehicle is standing or parked in the pedestrian mall;
- (e) a service vehicle which is:
 - (i) in a loading zone;
 - (ii) during a period in which service vehicles are permitted to enter the pedestrian mall;
 - (iii) has a person continuously engaged in loading or unloading goods to or from the vehicle; and
 - (iv) standing or parking for a continuous period of not more than thirty minutes.

Public Bus Parking Stalls

21. A person shall not stand or park a vehicle other than a public bus in a parking stall set aside for use by public bus.

Tourist Bus Stalls

22. A person shall not stand or park a vehicle other than a tourist bus in a parking stall set aside for use by tourist buses.

Eating Areas in Parking Stalls

22A. A person shall not stand or park a vehicle in a parking stall which is set up or conducted as an eating area.

PART 3—METERED ZONES**Fees in Metered Zones**

23. The fees payable for the standing and parking of vehicles in metered zones are as set out in Part 1 of the First Schedule.

Expired Meter, Parking Limit and Hooded Meter

24. (1) A person shall not stand or park a vehicle in a metered space:

- (a) on any permitted day or during any permitted period if the parking meter has expired;
- (b) for longer than any maximum period;
- (c) if the parking meter is hooded with a covering bearing the words "No Parking".

(2) A reference in this Clause to:

- (a) "permitted day" or "permitted period" with respect to a metered space means any day or period stated on the parking meter during which the parking of vehicles is permitted upon insertion of coins in the parking meter;
- (b) "maximum period" with respect to a metered space means the maximum period stated on the parking meter during which the continuous parking of a vehicle in the space is permitted.

(3) For the purpose of this Clause a parking meter has expired if the meter displays:

- (a) the sign "expired";
- (b) a series of flashing red lights.

Parking Position in Metered Space

25. (1) A person shall not stand or park a vehicle in a metered space which is set out parallel to a kerb otherwise than:

- (a) parallel to the kerb;
- (b) as close to the kerb as practicable;
- (c) wholly within that metered space;
- (d) headed in the direction of the movement of traffic on the part of the road on which the metered space is situated.

(2) A person shall not stand or park a vehicle in a metered space which is not set out parallel to a kerb otherwise than wholly within the metered space.

Occupied Metered Space

26. A person shall not stand or park or attempt to stand or park a vehicle wholly or partly in a metered space in which another vehicle is standing or parked.

Eating Areas in Metered Spaces

26A. A person shall not stand or park a vehicle in a metered space which is set up or conducted as an eating area.

No Parking within One Hour

27. A person who removes a vehicle from a metered space shall not stand or park that vehicle in that metered space for at least one hour after such removal.

Permits in Metered Zones

28. (1) The Council or an Inspector may upon payment of the fee prescribed in Part 2 of the First Schedule permit a person who requires to stand or park a specified vehicle or vehicles in a metered space in order to carry out urgent or essential work or services to stand or park a vehicle in the metered space for a period longer than the maximum period whether or not at any time the meter has expired or is hooded with a covering bearing the words 'No Parking'.

(2) A permit issued under Sub-clause (1) may:

- (a) notwithstanding Clause 24, authorise the standing or parking of the vehicle continuously for a specified period or periods or between specified times or from time to time during a specified period;
- (b) be revoked or suspended at any time by the Council or an Inspector before the expiration of any time or period specified in the permit without responsibility for any liability or loss or claim.

(3) A person shall not stand or park a vehicle in respect of which a permit has been issued pursuant to Sub-clause (2):

- (a) except at the times or during the period specified in the permit;
- (b) for any purpose other than the purpose specified in the permit;
- (c) at any time after the cancellation withdrawal or suspension of the permit.

Vehicles in Motor Cycles Spaces

29. A person shall not stand or park a vehicle other than a bicycle or a motor cycle to which no side car or side-box is attached in a parking stall or metered space:

- (a) marked with the symbol "M/C";
- (b) in which the parking of bicycles or motor cycles is permitted by a sign referable to that parking stall or metered space.

Parking Limits for Motor Cycles

30. A person shall not stand or park a bicycle or motor cycle in a parking stall or metered space marked with the symbol "M/C":

- (a) for longer than the maximum period permitted for parking in that parking stall or metered space by a sign referable to that parking stall or metered space;
- (b) If there is no sign referable to that parking stall or metered space than for longer than the maximum period during which a vehicle may stand or be parked in any parking stall or metered space adjacent thereto; or
- (c) otherwise than wholly within the stall or space.

Motor Cycles in M/C Spaces Only

31. A person shall not park a motor cycle or bicycle in a parking stall or metered space unless the stall or space is marked with the symbol "M/C".

Damage to Parking Meters

32. A person shall not or attempt to remove, damage, deface, misuse or interfere with any parking meter.

Signs on Parking Meters

33. A person shall not, without the permission of the Council, affix any board, sign, placard, notice, cover or other thing to or paint or write upon any parking meter.

Use of Coins in Parking Meters

34. A person shall not insert or cause to be inserted or attempt to insert into a coin slot of a parking meter anything other than a coin appropriate to that slot.

Operating Parking Meters

35. A person shall not operate or attempt to operate a parking meter except in accordance with the operating instructions appearing on the parking meter.

PART 4—TICKET MACHINE ZONES**Fees in Ticket Machine Zones**

36. The fees for standing and parking of vehicles in:

- (a) ticket machine zones as set out in the Second Schedule;
- (b) a ticket machine zone described in Column 1 of the Third Schedule are those fees set out in Column 4 of the Third Schedule opposite the description of the zone.

Display of Tickets

37. (1) A person shall not stand or park a vehicle in a ticket machine zone during any permitted period unless:

- (a) an unexpired ticket issued by a ticket issuing machine in that ticket machine zone; and
- (b) the date and time of issue or expiry, as the case may be, and the number, if any, of the ticket printed on the ticket,

are displayed inside the vehicle and are clearly visible to and able to be read by an Inspector from outside the vehicle at all times while the vehicle remains standing or parked in the zone.

(2) In this Clause "unexpired parking ticket" means a parking ticket on which:

- (a) a date and expiry time is printed and that time has not expired;
- (b) a date and time of issue is printed and the period for which that ticket remains valid as stated on the ticket issuing machine from which the ticket was purchased has not expired.

(3) For the purpose of this Clause, where more than one parking ticket is displayed bearing the same date and time of issue, the period for each ticket referred to in paragraph (b) of Sub-clause (2) shall be aggregated and the tickets shall be deemed not to have expired until the expiry of the aggregate of those periods.

Parking Limits

38. (1) A person shall not stand or park a vehicle in a ticket machine zone during any permitted period for longer than the maximum period.

(2) A reference in this Clause to:

- (a) "maximum period" with respect to a ticket machine zone means the maximum period stated on the ticket issuing machines in the zone during which the continuous parking of a vehicle in the zone is permitted;
- (b) "permitted period" with respect to a ticket machine zone means the period stated on the ticket issuing machines in the zone during which the parking of vehicles is permitted upon purchase of a parking ticket.

Parking Position in Ticket Machine Zones

39. A person shall not stand or park a vehicle in a ticket machine zone:

- (a) on any part of which there are parking stalls set out parallel to a kerb otherwise than:
 - (i) parallel to that kerb;
 - (ii) as close to the kerb as practicable;
 - (iii) wholly within a parking stall;
 - (iv) headed in the direction of the movement of traffic on the part of the road on which the parking stall is situated;
- (b) on any part of which there are parking stalls not set out parallel to a kerb otherwise than wholly within a parking stall.

Use of Coins in Ticket Machines

40. A person shall not insert or cause to be inserted or attempt to insert into a coin slot of a ticket issuing machine anything other than a coin appropriate to that slot.

Operation of Ticket Machines

41. A person shall not operate or attempt to operate a ticket issuing machine except in accordance with the operating instructions appearing on that ticket issuing machine.

PART 5—PARKING STATIONS AND PARKING FACILITIES**Fees for Parking Vouchers**

42. The fees payable for the purchase of parking vouchers for use in a parking station specified in Column 1 of the Third Schedule are those fees specified in Column 5 of the Third Schedule appearing opposite the description of the parking station.

Display of Vouchers and Tickets

43. (1) Subject to Sub-clause (2) a person shall not stand or park a vehicle in any part of a parking station equipped with a voucher validating machine during any permitted period unless; or

- (a) an unexpired parking voucher applicable to that part of the parking station and validated by a voucher validating machine for that day; or
- (b) an unexpired parking ticket or unexpired parking tickets applicable to that part of the parking station and issued on that day; and
- (c) the date and the time of validation of the voucher or issue or expiry of the ticket, as the case may be, and the number of the voucher or the ticket, if any, printed thereon,

are displayed inside the vehicle and clearly visible to and able to be read by an Inspector from outside the vehicle at all times while the vehicle remains standing or parking in that part of the parking station.

(2) For the purposes of Sub-clause (1), a parking ticket or parking vouchers issued in respect of any parking station or any part of a parking station which has been set aside under Clause 51 shall be applicable only to that parking station or that part of that parking station, as the case may be.

(3) A reference in this Clause to:

- (a) "permitted period" with respect to a parking station equipped with a voucher validating machine means the period stated on the voucher validating machines in the zone during which the parking of vehicle is permitted upon the purchase of a parking ticket or validation of a parking voucher;
- (b) "unexpired parking ticket" means a parking ticket on which:
 - (i) a date and expiry time is printed and that time has not expired;
 - (ii) a date and time of issue is printed and the period for which that ticket remains valid as stated on the ticket issuing machine from which the ticket was purchased has not expired;
- (c) "unexpired parking voucher" means a parking voucher on which the period commencing at the time of validation printed thereon has not expired.

Use of Parking Tickets and Vouchers

44. A person shall not:

- (a) deface, alter, add to, erase, obliterate or interfere with a parking voucher or a parking ticket or any information printing or imprint thereon;
- (b) park a vehicle in a parking station or parking facility if there is displayed in that vehicle so as to be visible from outside the vehicle a parking voucher or parking ticket which has been defaced, altered, added to, erased, obliterated or interfered with;
- (c) produce to an Inspector or a person authorised by the Council to accept payment of parking fees, a parking ticket which is, or any information, printing or imprint on which is defaced, altered, added to, erased, obliterated or interfered with;
- (d) use or attempt to use or validate a parking voucher in respect of any period of parking in excess of the period or periods of parking that may be authorised by that parking voucher;
- (e) park a vehicle in a parking station or parking facility if there is displayed in the vehicle so as to be visible from outside the vehicle a parking voucher which has been used or validated in respect of any period of parking in excess of the period or periods of parking that may be authorised by that parking voucher.

Fees for Motor Cycles in Parking Stations

45. (1) In a parking station described in Column 1 of the Third Schedule:

- (a) the fee payable for the parking of a motor cycle; and
- (b) the period in respect of which the fee is payable,

is the fee and the period specified in Columns 4 and 5 of the Third Schedule respectively.

(2) The Council shall not be obliged to accept payment of any fee referred to in this Clause.

Parking Position for Motor Cycles

46. A person shall not stand or park a motor cycle in a parking station equipped with a ticket issuing or a voucher validating machine unless:

- (a) wholly within a parking stall marked with the symbol "M/C" or otherwise designated as being set aside for the parking of motor cycles;
- (b) that person has paid to the Council the fee referred to in Clause 45; and
- (c) during the period for which the fee under paragraph (b) is applicable.

Attended Parking Stations

47. (1) A person shall not enter an attended parking station without first obtaining the permission of an Inspector on duty in the station unless that person is:

- (a) employed at the parking station and is in the course of his duties;
- (b) a Police Officer and is in the course of his duties;
- (c) the driver of or a passenger in a vehicle standing or parked in that station.

(2) A person shall not remove a vehicle from an attended parking station:

- (a) without first paying the applicable fee to an Inspector or a person authorised to accept the fee or to a fee collection unit in the parking station;
- (b) at any time other than during the hours of operation unless with the permission of an Inspector and on payment of the applicable fee and the fee specified in the Third Schedule for the opening of the parking station.

(3) For the purpose of this Clause:

- (a) the "applicable fee" with respect to an attended parking station described in the Column 1 of the Third Schedule means the fee specified in Column 3 of the Third Schedule appearing opposite the description of the parking station;
- (b) the "hours of operation" with respect to an attended parking station described in Column 1 of the Third Schedule means the hours on the days specified in Column 2 of Third Schedule appearing opposite the description of the parking station;
- (c) where no entrance ticket is produced by the driver of a vehicle which is being removed from a parking station, the applicable fee shall be calculated as if the vehicle had entered the parking station when it opened for operation on the day the vehicle was parked in the parking station.

Set Aside Parking Stations

48. (1) The Council may by use of signs set aside any parking station or any space in a parking station for:

- (a) the parking of vehicles by persons or classes of persons authorised by the Council;
- (b) the parking of vehicles of a particular class.

(2) Where the Council authorises a person or class pursuant to Sub-clause (1) the Council:

- (a) may issue a written permit upon payment of the fee referred to in Schedule 3A to the person or to persons of the class;
- (b) may revoke a permit at any time.

(3) A person shall not park or stand a vehicle in a parking station or space set aside under Sub-clause (1) (a) unless:

- (a) a permit issued with respect to the vehicle is displayed inside the vehicle and is clearly visible and readable by any Inspector requiring to examine the permit from outside the vehicles;
- (b) the permit bears a current date; and
- (c) the person or the person's class as specified in the permit is also specified on the signs which set aside the parking station or space.

(4) A person shall not park or stand a vehicle in a parking station or space set aside under Sub-clause (1) (b):

- (a) unless the vehicle is a vehicle of the class referred to in Sub-clause (1) (b);
- (b) except with the permission of the Council or an Inspector.

Restrictions and Time Limits in Parking Stations

49. (1) A person shall not stand a vehicle on any part of a parking station or parking facility:

- (a) if the standing of a vehicle on that part is prohibited at all times by a sign;
- (b) during a period in which the standing of vehicles on that part is prohibited by a sign.

(2) A person shall not park a vehicle on any part of a parking station or parking facility:

- (a) if the parking of vehicles on that part is prohibited at all times;
- (b) during a period in which the parking of vehicles on that part is prohibited by a sign.

(3) A person shall not park or stand a vehicle on any part of a parking station or parking facility for more than the maximum time specified by a sign.

(4) A person shall not park or stand a vehicle in a parking station otherwise than wholly within a parking stall.

Maximum Parking Period in Parking Stations

50. Where in relation to a parking station described in the Third Schedule a maximum parking period is specified a person shall not stand or park a vehicle in that parking station:

- (a) continuously for longer than that period;
- (b) again in that parking station within one hour after removing that vehicle from that parking station.

Set aside Parking Stations for Multiple Occupants

51. The Council in respect of any period or time may by the use of signs set aside any parking station or any part of a parking station and prohibit entry thereto by vehicles other than vehicles carrying in addition to the driver at least one other person.

Parking Restrictions for Vehicles with Multiple Occupants

52. (1) The fee payable for the parking of a vehicle in any parking station or part of a parking station which has been set aside under Clause 51 at the times or within such period specified pursuant to Clause 51 is the fee specified in the Eighth Schedule.

(2) A person shall not stand or park a vehicle in any parking station or part of a parking station which has been set aside under Clause 51 at the times or within such period specified pursuant to Clause 51 unless the vehicle is carrying at least one other person.

(3) A person shall not enter any parking station or part of a parking station which has been set aside under Clause 51 at the times or within such period specified pursuant to Clause 51 unless that person is the driver of or passenger in a vehicle carrying at least one other person.

(4) Clause 42 shall not apply to any parking station or part of a parking station set aside under Clause 51 at the times or within such period specified pursuant to Clause 51.

Special Event Parking

53. (1) The Council may by use of signs set aside, for any period specified on the signs, any parking station or parking facility for the parking of vehicles by persons attending a special event.

(2) A person shall not park or stand a vehicle in a parking station or parking facility set aside under Sub-clause (1) during the period for which it is set aside unless a ticket purchased from the Council with respect to the special event is clearly visible to and readable by an Inspector from outside a vehicle.

(3) For the purpose of this Clause a 'special event' means any event or occurrence considered by the Council to be special and likely to attract a substantial number of persons driving vehicles.

(4) During the period referred to in Sub-clause (1) the provisions of Clauses 43, 49 (1) (b), 49 (2) (b), 49 (3), 51 and 52 shall not apply to the parking station or parking facility.

Direction to Move Vehicle

54. A person shall not stand or park a vehicle on any part of a parking station or parking facility after an Inspector or a member of the Police Force directs the driver of the vehicle to move the vehicle therefrom.

Selling and Hiring in Parking Stations

55. A person shall not, without the written permission of the Council, park or stand a vehicle on any part of a parking station or any parking facility otherwise than in compliance with the following condition:

No goods, wares or merchandise, or any article or thing of whatsoever nature or kind shall be sold, hired or given away or offered or exposed for sale or hire or upon that part of a parking station or that parking facility.

Obstruction of Parking Stations

56. A person shall not stand or park a vehicle in a parking station so as to obstruct any entrance, exit, carriageway, passage or thoroughfare of the parking station.

Behaviour in a Parking Station

57. (1) A person shall not remain in or on a parking station or parking facility after having been required to leave that parking station or parking facility by a member of the Police Force or an Inspector.

(2) A person shall not loiter in a parking station or parking facility.

Damage to Parking Stations and Facilities

58. A person shall not, and shall not attempt to, remove, damage, deface, misuse or interfere with any part of a parking station or parking facility.

Affixing Signs and Notices

59. A person shall not, without the permission of the Council, affix any board, sign, placard, notice, cover or other thing to or paint or write upon any part of a parking station or parking facility.

Council may Lock Parking Stations

60. At the expiration of the hours of operation the Council whether or not any vehicle remains parked in a parking station may lock the parking station or otherwise prevent the movement of any vehicle within or to or from the parking station without the Council being responsible for any loss of or damage to any such vehicle or its accessories or contents or for any other loss, claim or liability.

Councillor Parking Permit

60A. (1) In this Clause 'Councillor Parking Permit' means a permit issued by the Council under this Clause.

(2) The Council may issue to any member of the Council a Councillor parking permit and may revoke a permit at any time.

(3) The holder of a Councillor parking permit is exempt from the provisions of Clauses 37 (1), 43 (1), 47 (2), 49 (3), 50, 52 (2) and 53 (2).

(4) The exemption conferred by Sub-clause (3) shall apply only:

- (a) to the motor vehicle specified in the Councillor parking permit;
- (b) if the Councillor parking permit is displayed in the vehicle or affixed to the windscreen of the vehicle so as to be clearly visible and able to be read by an Inspector from outside the vehicle;
- (c) if the Councillor parking permit is valid;
- (d) if the holder of the Councillor parking permit is carrying out his duties or performing his functions as a member of the Council.

(5) A Councillor parking permit shall cease to be valid:

- (a) upon the holder of the permit becoming disqualified from acting as a member of the Council;
- (b) after the expiry date specified in the permit;
- (c) upon being revoked by the Council.

PART 6—RESIDENTIAL PARKING**Definitions**

61. In this part of this By-Law, unless the context otherwise requires:

"dwelling unit" means premises lawfully used for self contained living quarters.

"eligible person" where used:

- (a) In relation to an application for a residential parking permit means a single house occupier, a unit occupier, a unit owner;
- (b) in relation to an application for a visitor's parking permit means:
 - (i) A single house occupier;
 - (ii) A Strata company;
 - (iii) A unit owner of a residential unit which is not a strata lot;

"Inspector" has the same meaning as is given to it in the Act.

"Residential Parking Permit" means a permit issued by the Council pursuant to Clause 63 (1).

"Residential Unit" means a dwelling unit which is part of a building adjacent to a part of a road on which road the standing or parking of vehicles is prohibited for more than a specified period and which building contains:

- (a) two or more dwelling units with or without any non residential units;
- (b) one dwelling unit with one or more non residential units.

"single house" means a dwelling unit constructed on its own lot and used for self contained living quarters and which is adjacent to a part of a road on which the standing or parking of vehicles is prohibited for more than a specified period.

"single house occupier" means an occupier of a single house.

"strata company" means a body corporate constituted under Section 32 of the Strata Titles Act 1985.

"unit occupier" means a person who is an occupier of a residential unit but does not include a unit owner.

"unit owner" means a person who is an owner and occupier of a residential unit.

"visitors parking permit" means a permit issued by the Council pursuant to Clause 63 (2).

Exemption for Permit Holders

62. (1) Where on any part of a road the standing or parking of vehicles is prohibited by a sign for more than a specified period or where any part of a road is a metered space, the holder of a valid permit is exempted from such prohibition or from the requirements of Clauses 6 (3), 24 and 37 as the case may be.

(2) The exemption conferred by Sub-clause (1) shall apply only:

- (a) to the part of a road specified in the permit or to the metered space or spaces specified in the permit;
- (b) where the permit displayed is a residential parking permit to the motor vehicle specified in the residential parking permit;
- (c) if the permit is displayed in the vehicle or affixed to the windscreen of the vehicle as to be clearly visible and able to be read by an Inspector from outside the vehicle;
- (d) if the permit is valid.

(3) The exemption conferred by Sub-clause (1) shall not apply during any period in which the standing or parking of vehicles is prohibited in the road or the part of a road specified in the permit.

Issue of Permits

63. (1) The Council may upon a written application of an eligible person issue a residential parking permit in the form in Item 1 of the Fourth Schedule.

(2) The Council may upon a written application of an eligible person issue a visitor's parking permit in the form in Item 2 of the Fourth Schedule.

(3) The Council's power to issue, replace and revoke permits under this Part may be exercised by an Inspector.

Restrictions on Issue of Permits to Single House Occupiers

64. The Council shall not issue:

- (a) more than two residential parking permits to any single house occupier where the single house is situated on land where no parking can be provided;
- (b) more than one residential parking permit to any single house occupier where the single house is situated on land where parking for one vehicle only can be provided;
- (c) a residential parking permit to any single house occupier where the single house is situated on land where parking for two or more vehicles can be provided.

Restrictions on Issue of Permits to Unit Owners

65. (1) Where no parking can be provided to a unit owner on the land upon which the residential unit is situated the Council shall not issue more than two residential parking permits to the unit owner.

(2) Where parking for one vehicle only can be provided to a unit owner on the land upon which the residential unit is situated the Council shall not issue more than one residential parking permit to the unit owner.

(3) Where parking for two or more vehicles can be provided to a unit owner on the land upon which the residential unit is situated the Council shall not issue a residential parking permit to the unit owner.

(4) Where parking for one or more vehicles can be provided to a unit occupier on the land upon which the residential unit is situated the Council shall not issue a residential parking permit to the unit occupier.

Restrictions on Number of Permits

66. (1) The Council shall not issue more than two residential parking permits in respect of any single house or residential unit.

(2) Notwithstanding Sub-clause (1), where a unit occupier is issued a residential parking permit, the Council shall not issue any further residential parking permits in respect of that residential unit.

(3) The Council shall not issue more than two visitors parking permits in respect of any single house.

(4) The Council may in its discretion determine the number of visitors parking permits to be issued to a strata company and a unit owner of a residential unit which is not a strata lot.

Validity of Permit

67. Every residential parking permit or visitors parking permit as the case may be shall cease to be valid:

- (a) upon the expiry of a period twelve months from and including the date on which it is issued;
- (b) upon the holder of the permit ceasing to be an eligible person;
- (c) upon revocation of the permit by the Council pursuant to Clause 67A;
- (d) upon the replacement of any permit by a new permit issued by the Council pursuant to Clause 68A.

Revocation of a Permit

67A. (1) The Council may at any time give an eligible person to whom a permit was issued pursuant to the provisions of this By-Law notice requiring that person to notify the Council of any reason why that permit should not be revoked.

(2) The Council shall give notice referred to Sub-clause (1) in the form in Item 3 (a) of the Fourth Schedule by serving the notice on the eligible person to whom the permit was issued.

(3) If within seven (7) days after the date of receipt of the notice referred in Sub-clause (2) the eligible person to whom the permit was issued:

- (a) fails to give the Council notice in writing of any reason why the permit should not be revoked then the Council may revoke that permit;
- (b) gives the Council notice in writing of any reasons why the permit should not be revoked then the Council may in its absolute discretion revoke that permit.

(4) For the purpose of Sub-clause (3) the date of receipt of the notice shall be the date the notice was served.

(5) The Council shall give notice of the revocation in the form in Item 3 (b) of the Fourth Schedule by serving the notice on the eligible person to whom the permit was issued.

Removal of Permit from Vehicle

68. The holder of a residential parking permit shall forthwith upon that permit being revoked or ceasing to be valid remove the permit from the vehicle in which it is displayed or to which it is affixed.

Replacement of Permit

68A. (1) The Council may upon a written application of an eligible person and upon payment of the fee referred to in Sub-clause (2), if any, issue a permit to replace a residential parking permit or visitors parking permit which is lost, destroyed or stolen.

(2) The fee payable for the issue of a replacement permit pursuant to this Clause is \$20.00.

(3) Notwithstanding Sub-clause (2), no fee shall be payable for the issue of a replacement permit if evidence is produced in writing to the satisfaction of the City:

- (a) that the vehicle in which the permit is displayed has been disposed of;
- (b) that the vehicle's windscreen in which the permit is displayed has been replaced;
- (c) which the City considers warrants the waiving of the fee.

PART 7—MISCELLANEOUS AND PENALTIES**Parking Without Consent**

69. A person shall not stand or park a vehicle on land which is not a road or parking facility without the consent of the person in occupation of that land.

Inspectors Immunity

70. No offence under this By-Law is committed by an Inspector whilst carrying out his or her duties.

Compliance with Signs

71. A person shall comply with every sign displayed, marked, placed or erected pursuant to the Act.

Inspectors Certificate of Appointment

72. An Inspector shall be furnished with a Certificate of his appointment in the form of the Fifth Schedule.

Personation of Inspector

73. A person who is not an Inspector shall not assume or attempt to assume the duties of an Inspector.

Obstruction of an Inspector

74. A person shall not obstruct or hinder an Inspector in the execution of his duties.

Offence

75. A person who commits a breach of any provision of this By-Law commits an offence and shall on conviction be liable to a penalty not exceeding \$80.00.

Display of Signs

76. A person shall not, without the permission of the Council, display, mark, set up or exhibit any sign purporting to be or resembling a sign marked, set up or exhibited by the Council pursuant to the Act or this By-Law.

Marking Tyres

77. (1) For the purpose of ascertaining whether or not a parked vehicle has been or may be parked in contravention of any provision of this By-Law an Inspector may mark a tyre or tyres of such vehicles with chalk or any other non-indelible substance.

(2) A person shall not remove or interfere with any such mark referred to in Sub-clause (1) so that the purpose of affixing the same is or may be defeated.

Modified Penalties

78. (1) The modified penalties prescribed with respect to offences against this By-Law are specified in the Sixth Schedule.

(2) The prescribed form of the notice referred to in Section 669D of the Act is set out in the Seventh Schedule.

PART 8—REMOVAL OF VEHICLES**Lawfully Parked Vehicles**

79. A vehicle that is parked in any portion of a public place where vehicles may lawfully be parked does not cause an obstruction, unless:

- (a) the vehicle is parked for any period exceeding twenty-four hours, without the consent in writing of the Town Clerk or Inspector;
- (b) the vehicle is parked during any period in which the parking of vehicles is prohibited or restricted by a sign.

Unlawfully Parked Vehicles

80. A vehicle which is parked in any portion of the district where vehicles may not lawfully be parked is deemed to be causing an obstruction.

Obstruction of Public Places

81. A person shall not park a vehicle in a public place so as to cause an obstruction.

Removal of Vehicles

82. Where an Inspector or Police Officer finds a vehicle causing an obstruction that Inspector or Police Officer:

- (a) may remove the vehicle;
- (b) may use such force as is necessary to enter the vehicle for the purpose of removing it,

and if that Inspector or Police Officer removes the vehicle he shall take it to an appointed place.

Recording of Vehicles in Appointed Places

83. Where an Inspector or Police Officer places a vehicle in an appointed place, that Inspector or Police Officer shall enter in a register to be provided by the Council for that purpose:

- (a) details of the time and date;
- (b) a description of the vehicle; and
- (c) the place from which it was removed,

and shall notify the Town Clerk of the Council.

Notification to Owner

84. The Town Clerk of the Council shall notify, in writing, the last known owner of a vehicle removed to an appointed place of the removal of that vehicle.

Recovery of Removed Vehicle

85. (1) A person may recover a vehicle from an appointed place, after paying to the Town Clerk of the Council:

- (a) the cost incurred by the Council in removing the vehicle to the appointed place; and
- (b) the sum of \$10.00 per day or part of a day that the vehicle has remained in the appointed place.

(2) A person who removes a vehicle from an appointed place without complying with the provisions of this Clause commits an offence.

Sale of Removed Vehicles

86. Where a vehicle placed in an appointed place has not been recovered by the owner or person entitled to it within one month from the day upon which it was placed there, the Council may:

- (a) cause the vehicle to be offered for sale by public auction or by public tender;
- (b) accept the best offer made;
- (c) where no offer is made for the purchase of the vehicle, dispose of the vehicle as the Council thinks fit.

Indemnity

87. A person is not entitled to claim, by way of damages or otherwise, against an Inspector, member of the Police Force, or the Council in respect of any vehicle seized and dealt with under this Part or against any person who purchases a vehicle sold by Council under Clause 86.

Application of Sale Proceeds

88. (1) The proceeds of the sale of a vehicle sold under the provisions of Clause 86 shall be applied by the Council:

- (a) firstly, in meeting the costs of the sale; and
- (b) secondly, in meeting the costs referred to in Clause 85 (1),

and these sums shall be paid into the Municipal Fund.

(2) Any surplus of the proceeds of the sale shall be paid by the Council into its Trust Fund, and may be paid within ten years, to any person who satisfies the Council that they were the owner of the vehicle at the time of its sale by the Council.

(3) Any amount under Sub-clause (2) may, if not paid to the owner within ten years, be paid into the Municipal Fund, on the condition that the Council shall repay it from that fund to a person claiming and establishing their right to that repayment.

Recovery of Costs Where Sale Proceeds Insufficient

89. Where the proceeds of the sale of any vehicle sold under Clause 86, after deduction of the monies authorised to be applied by the Council by Clause 88 (1), do not cover the costs of the removal, custody and sale or disposal of that vehicle, the Council may recover the balance of these costs from the owner of that vehicle in a court of competent jurisdiction.

FIRST SCHEDULE**METERED ZONES—PERIOD AND FEES****PART 1—FEES IN METERED ZONES**

ITEM No.	PERIOD	FEE
Not Applicable	Not Applicable	Not Applicable

PART 2—FEES FOR PERMITS

ITEM No.	PERIOD	FEE
Not Applicable	Not Applicable	Not Applicable

SECOND SCHEDULE**TICKET MACHINES ZONES****PERIOD AND FEES**

ITEM No.	PERIOD	FEE
Not Applicable	Not Applicable	Not Applicable

THIRD SCHEDULE

COLUMN 1 Description	COLUMN 2 Days and Hours of Operation	COLUMN 3 Fees Payable on Leaving the Parking Station	COLUMN 4 Fees Payable in Parking Stations equipped with a Ticket Issuing Machine	COLUMN 5 Fees Payable in Parking Stations equipped with a Voucher Validating Machine	COLUMN 6 Places where a Park- ing Ticket may be purchased for use in a Parking Station and fees payable
Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable

SCHEDULE 3A

COLUMN 1 Description	COLUMN 2 Fee Payable
Parking Station 28 Hubert Street	\$20.00 per calendar month
Parking Station 30 King George Street	\$20.00 per calendar month
Parking Station 34 Archer/Planet Streets	\$20.00 per calendar month
Parking Station 37 Shepperton Road	\$20.00 per calendar month

FOURTH SCHEDULE**TOWN OF VICTORIA PARK
LOCAL GOVERNMENT ACT 1960****ITEM 1**

Residential Parking Permit

Permit No:

Vehicle Make/Type:

Registration No:

Exempted Road/Metered Space:

Date of Expiry:

.....
for TOWN OF VICTORIA PARK**TOWN OF VICTORIA PARK
LOCAL GOVERNMENT ACT 1960
VISITOR'S PARKING PERMIT****ITEM 2**

Permit No:

Exempted Road/Metered Space:

Name of Person to whom Permit issued:

Single House Occupier/Strata Company/Unit Owner of a Residential Unit which is not
a Strata Lot:

Address:

Date of Expiry:

.....
for TOWN OF VICTORIA PARK

* Delete whichever is inapplicable.

**TOWN OF VICTORIA PARK
LOCAL GOVERNMENT ACT 1960****ITEM 3(a)**

Notice of Intention to Revoke Permit

Take notice that within seven days from the day of the
person to whom (Residential Parking Permit/Visitors Parking Permit)*
No..... was issued is required to give the Council notice in writing of any
reason why that permit should not be revoked. If no written notice is received by the
Council within that time, Council may revoke that permit.

.....
for TOWN OF VICTORIA PARK

Date of Service

* Delete whichever is inapplicable.

**TOWN OF VICTORIA PARK
LOCAL GOVERNMENT ACT 1960**

ITEM 3(b)**Notice of Revocation of Permit**

Take notice that from and including the day of
(Residential Parking Permit/Visitor's Parking Permit) * No..... is revoked
and invalid.

.....
for TOWN OF VICTORIA PARK

* Delete whichever is inapplicable.

FIFTH SCHEDULE**(CERTIFICATE OF APPOINTMENT OF INSPECTOR)**

**LOCAL GOVERNMENT ACT 1960
THIS IS TO CERTIFY THAT**

(Photograph)

INSP..... No.
HAS BEEN APPOINTED BY THE COUNCIL
of the

TOWN OF VICTORIA PARK

AND UNDER THE PROVISIONS OF THE LOCAL GOVERNMENT ACT 1960, HE IS
AUTHORISED TO EXERCISE ALL THE POWERS AND FUNCTIONS OF AN INSPEC-
TOR CONFERRED OR IMPOSED BY THE ACT OR BY ANY BY-LAW MADE UNDER
THE SAID ACT.

DATED THE DAY OF 19

.....
SIGNATURE OF HOLDER

.....
CHIEF EXECUTIVE OFFICER

.....
(Reverse Side)

**TOWN OF VICTORIA PARK
AUTHORITY**

SIXTH SCHEDULE**TOWN OF VICTORIA PARK****Modified Penalties**

ITEM No.	OFFENCE	MODIFIED PENALTY
1.	CLAUSES: 6(2)(A), 6(2)(b), 7(a), 7(b), 7(c), 14, 17(2), 17A(8), 19(1), 19(3), 20(1), 24(1)(c), 49(2)(a), 49(2)(b), 52(2), 52(3), 56.	\$40.00
2.	CLAUSES: 11(A), 11(c), 12(1), 18, 47(2)(a), 49(1)(a), 49(1)(b), 54, 59.	\$50.00

ITEM No.	OFFENCE	MODIFIED PENALTY
3.	CLAUSES: 6(1)(A), 6(1)(b), 10(a), 10(b), 10(c), 11(b), 15(1), 17(4), 21, 22, 22A, 26A, 32, 33, 34, 35, 40, 41, 44(c), 44(d), 47(1), 47(2)(b), 57(1), 57(2), 58, 68, 69, 73, 74, 75, 76, 77(2).	\$75.00
4.	CLAUSES: 44(A), 44(b), 55	\$80.00
5.	CLAUSES: 6(3), 24(1)(b), 49(3)	<p>In the case of an offence under Clauses 6(3) and 49(3) where the specified time referred to in that clause is one half hour or less:</p> <p>(a) where the vehicle stands on that part of the road or parking station referred to in that clause for a period of one half hour or less in excess of the specified time—twenty five dollars (\$25.00);</p> <p>(b) where the vehicle stands on that part of the road or parking station referred to in that clause for a period of more than one half hour in excess of the specified time—twenty five dollars (\$25.00) with respect to the first one half hour in excess and twenty five dollars (\$25.00) with respect to any time thereafter.</p> <p>In the case of an offence under Clauses 6(3) and 49(3) where the specified time referred to in that clause is one hour or more:</p> <p>(a) where the vehicle stands on that part of the road or parking station referred to in that clause for a period of one hour or less in excess of the specified time twenty five dollars (\$25.00);</p> <p>(b) where the vehicle stands on that part of the road or parking station referred to in that clause for a period of more than one hour in excess of the specified time—twenty five dollars (\$25.00) with respect to the first hour in excess and twenty five dollars (\$25.00) any time thereafter.</p> <p>In the case of an offence under Clause 24(1)(b):</p> <p>(a) where the vehicle stands in that parking stall for a period of one half hour or less—twenty five dollars (\$25.00).</p> <p>(b) where the vehicle stands in that parking stall for more than one half hour—twenty five dollars (\$25.00) with respect to the first one half hour and twenty five dollars (\$25.00) with respect to any time thereafter.</p>
6.	Any other Clause.	\$25.00

SEVENTH SCHEDULE

TOWN OF VICTORIA PARK

PARKING FACILITIES BY LAW

PARKING
INFRINGEMENT NOTICE

PAYMENT IS DUE WITHIN 21 DAYS OF OFFENCE DATE

THE OWNER OF THE VEHICLE

Make:

Model:

Body Type: It is alleged at: : hourson day the day of 19 at (location)

you committed the offence indicated hereunder by an (X) in breach of clause

☐ The Town of Victoria Park Parking Facilities By Law; or☐ The Local Government Uniform General (Parking for Disabled Persons) By Laws 1988Meter No. Limit Inspector: No. Beat No.

Penalty	Offence	Penalty	Offence
\$ <input type="checkbox"/>	Standing Against an Expired Meter	\$ <input type="checkbox"/>	Standing Longer than Time Allowed in Loading Zone
\$ <input type="checkbox"/>	Standing Longer than Time Allowed	\$ <input type="checkbox"/>	Standing in a Taxi or Bus/Tourist Coach Stand
\$ <input type="checkbox"/>	Failure to Clearly Display Current Ticket/s	\$ <input type="checkbox"/>	Standing on a Footpath or Pedestrian Refuge
\$ <input type="checkbox"/>	Not Wholly within a Parking Stall	\$ <input type="checkbox"/>	Parking a Vehicle in a Parking Bay For the Disabled
\$ <input type="checkbox"/>	Standing on a Verge	\$ <input type="checkbox"/>	Standing a Vehicle in a Parking Bay for the Disabled
\$ <input type="checkbox"/>	Standing in a No Standing Area	\$ <input type="checkbox"/>	Using an ACROD Sticker in an Unauthorised Manner
\$ <input type="checkbox"/>	Standing in a Clearway		
\$ <input type="checkbox"/>			

TAKE NOTICE: that pursuant to section 669D of the Local Government Act, you will be deemed to be the person who committed the above offence unless within 21 days of the date on which this notice was served left in or on the vehicle you inform the Council or an Inspector in writing of the identity and address of the offender or furnish information to the Council or an Inspector from which the Council or an Inspector is satisfied that the vehicle had been stolen or was being unlawfully used at the time the offence was alleged to have been committed of the modified penalty prescribed for the offence is paid to the Council.

YOU MAY DISPOSE OF THIS MATTER:

- (1) ☐ in the following ways: ... or
- (a) ☐
- (b) ☐

- (2) By Mail: Addressed to the

Cheques made payable to the

If neither the prescribed penalty is paid nor representation is made within the time specified, Court proceedings may be instituted against you.

REMINDER NOTICES WILL INCUR ADDITIONAL COSTS.

DO NOT DETACH. PLEASE COMPLETE PART 2 AND PRESENT THIS
NOTICE INTACT WHEN MAKING PAYMENT

Prescribed Form of Notice - Section 669D of the Local Government Act

POSTED BY:

/ /

EIGHTH SCHEDULE

Vehicles with Multiple Occupants—Parking Stations and Fees.

Dated this 8th day of December 1994.

The Common Seal of the Town of Victoria Park was hereunto affixed in the presence of—

CRAIG LAWRENCE, Chairman of the Commission.
E. H. KELLY, Chief Executive Officer/Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG303**LOCAL GOVERNMENT ACT 1960***Town of Cambridge***BY-LAW RELATING TO PARKING FACILITIES**

In pursuance of the powers conferred upon it by the Local Government Act 1960 and all other powers enabling it, the Council of the Town of Cambridge resolved on the eighth day of November 1994 to make and submit for approval by the Minister and for confirmation by the Governor the following By-Law:

PART 1—PRELIMINARY**Citation**

1. This By-Law may be cited as the Town of Cambridge Parking Facilities By-Law.

Definitions

2. In this By-Law unless the context otherwise requires:

“Act” means the Local Government Act 1960.

“appointed place” means a place appointed by the Council to which vehicles causing an obstruction may be removed.

“attended parking station” means a parking station attended by an officer of the Council and in respect of which fees for the parking of a vehicle are payable immediately prior to the removal of the vehicle from the station.

“Board” has the same meaning as that expression in the Road Traffic Act.

“coin” means any coin which is legal tender pursuant to the Currency Act 1965 (Commonwealth).

“commercial vehicle” means a vehicle which comes within the interpretation of a motor wagon in the First Schedule to the Road Traffic Act, and includes any other vehicle (not being a trailer or a vehicle to which a trailer is attached) constructed primarily for the conveyance therein or thereon of goods.

“district” means the municipal district of the Town of Cambridge.

“eating area” has the same meaning as given to it in Section 244AA of the Act.

“emergency vehicle” has the same meaning as that expressed in the Road Traffic Code.

“entrance ticket” means a ticket issued by an entrance ticket machine.

“entrance ticket machine” means a machine installed at an entrance to an attended parking station and from which entrance tickets are issued to vehicles entering that parking station.

“exit ticket” means a ticket issued by a fee collection machine.

“fee collection machine” means a machine installed in an attended parking station which upon the insertion therein of an entrance ticket and of a fee issues an exit ticket.

- "footpath" includes a path used by, or set aside or intended for use by, pedestrians or both pedestrians and cyclists.
- "Inspector" means a person appointed by Council to carry out the functions conferred on an Inspector by this By-Law or by Sections 669C, 669D and 669DA of the Act.
- "kerb" means any structure, mark, marking or device to delineate or indicate the edge of a carriageway.
- "loading zone" means a parking stall designated for use by commercial vehicles.
- "motor cycle" means a motor vehicle designed to travel on two wheels but shall not include a motor vehicle to which a side car is attached.
- "omnibus" has the same meaning as that expression in the Road Traffic Act.
- "park" has the same meaning as given to it in Section 231 of the Act, and includes "parking".
- "parking stall" means a section of a road or of a parking station which is marked or defined in any way to indicate where a vehicle or vehicles may stand or be parked but does not include a metered space.
- "parking station" means a parking station established by the Council pursuant to the Act and includes those listed and numbered in the Third Schedule.
- "parking ticket" means a ticket which is issued from a ticket issuing machine and which authorises the parking of a vehicle in a parking stall or a parking station or part of a parking station.
- "parking voucher" means a voucher which is purchased from the Council and which authorises the parking of a vehicle in a parking station or part of a parking station.
- "pedestrian mall" has the same meaning as that expression in the Road Traffic Code.
- "public bus" means any omnibus operated by the Metropolitan (Perth) Passenger Transport Trust while in the course of normal operation and while not on private charter.
- "Road Traffic Act" means the Road Traffic Act 1974.
- "Road Traffic Code" means the Road Traffic Code 1975.
- "service vehicle" has the same meaning as that expression in the Road Traffic Code.
- "sign" includes any notice, mark, marking, device, symbol or structure in, on or over any road, parking station or parking facility.
- "special purpose vehicle" has the same meaning as that expression in the Road Traffic Code.
- "stand" has the same meaning as is given to it in Section 231 of the Act, and includes "standing".
- "taxi" has the same meaning as that expression in the Road Traffic Code.
- "ticket issuing machine" means a machine or device which is installed in a parking facility and which upon the insertion of coins or a token, pass, card, key or device issues a parking ticket.
- "ticket machine zone" means a parking facility in which ticket issuing machines are installed but does not include a parking station in which voucher validating machines are also installed.
- "tourist bus" means any omnibus used solely for the carriage of tourist but does not include a public bus.
- "vehicle" includes:
- (a) every conveyance, not being a train, vessel or aircraft, and every object capable of being propelled or drawn, on wheels or tracks, by any means; and
 - (b) where the context permits, an animal being driven or ridden.
- "voucher validating machine" means a machine which is installed in a parking station and which upon the insertion of a parking voucher validates the voucher by imprinting thereon the day of the year (by number or otherwise) and the time of validation and the number of the machine.

Application of Signs

3. Where the standing or parking of vehicles in a road is regulated or prohibited by a sign then the sign shall for the purposes of this By-Law apply to that part of the road which:

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

Application of By-Law

4. Subject to Clause 5 this By-Law applies to the whole of the district.

Exemption to Application

5. This By-Law does not apply to the following areas:

- (a) The Mitchell Freeway.

PART 2—PARKING IN ROADS**Parking Contrary to Signs**

6. (1) A person shall not stand a vehicle on any part of a road:

- (a) if the standing of a vehicle on that part is prohibited at all times by a sign;
- (b) during a period in which the standing of vehicles on that part is prohibited by a sign.

(2) A person shall not park a vehicle on any part of a road:

- (a) if the parking of vehicles on that part is prohibited at all times by a sign;
- (b) during a period in which the parking of vehicles on that part is prohibited by a sign.

(3) A person shall not stand or park a vehicle on any part of a road whether or not that part is marked as a metered space or as a parking stall, for more than the maximum time specified by a sign.

(4) For the purpose of this By-Law a sign may:

- (a) prohibit or regulate parking and standing;
- (b) specify maximum times; or
- (c) specify permitted classes of vehicles,

by the use of any symbol or other traffic control device in accordance with AS 1742.11.

Median Strips and Traffic Islands

7. A person shall not stand or park a vehicle on any part of a road so that any portion of the vehicle is:

- (a) on a median strip;
- (b) adjacent to a median strip otherwise than in a parking stall or metered space;
- (c) on, or within nine metres of any portion of a carriageway bounded on one or both sides by a traffic island.

Parking Position on Road

8. (1) A person shall not stand or park a vehicle on a road otherwise than:

- (a) parallel to the kerb of that road;
- (b) as close to the kerb as practicable;
- (c) headed in the direction of the movement of traffic on the part of the road on which the vehicle is parked;
- (d) wholly within a parking stall if the part of the road upon which the vehicle is standing or parked is provided with parking stalls.

(2) A person shall not stand or park a vehicle in a parking stall which is not set out parallel to a kerb otherwise than wholly within that parking stall.

Parking in Occupied Stall

9. (1) Subject to Sub-clause (2), a person shall not stand or park or attempt to stand or park a vehicle in a parking stall in which another vehicle is standing or parked.

(2) Sub-clause (1) shall not apply to the parking of both a bicycle and a motor cycle in a stall marked "M/C".

Intersections, Hoardings and Footpaths

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

- (a) within six metres of the nearest lateral boundary of any road intersecting the road on the side of which the vehicle is standing or parked;
- (b) alongside any hoarding, scaffolding, obstacle or impediment to traffic;
- (c) on or over a footpath or a place of refuge for pedestrians.

Traffic Obstructions

11. A person shall not stand or park a vehicle:

- (a) on any road so as to cause an obstruction thereof;
- (b) at any place so as to cause an obstruction to any vehicular entrance or exit of any premises;
- (c) upon an intersection except adjacent to a carriageway boundary that is not broken by an intersecting carriageway.

Double Parking

12. (1) Subject to Sub-clause (2), a person shall not stand or park a vehicle on a road so that any portion of the vehicle is between any vehicle which is parked or standing on a carriageway of that road and the centre of that road.

(2) Sub-clause (1) shall not apply to:

- (a) a person who parks a motor cycle or a bicycle in a stall marked "M/C";
- (b) a person who stands or parks a vehicle in a parking stall or metered space abreast of or alongside another vehicle.

Verge Parking

13. (1) Subject to Sub-clauses (2) and (3), a person shall not stand or park a vehicle so that any portion of the vehicle is between the edge of the carriageway of a road and the boundary of that road nearest to that edge;

(2) the occupier of premises and any person authorised by the occupier may stand or park a vehicle on that portion of a road adjacent to the premises which is between the edge of the carriageway of the road and the boundary of the road nearest the premises unless the parking or standing of vehicles on that portion is prohibited by a sign.

(3) Nothing in Sub-clauses (1) and (2) shall authorise a person to stand or park any portion of a vehicle on a footpath.

Parking near Fire Hydrant

14. A person shall not stand or park a vehicle on a road so that any portion of the vehicle is within one metre of a pillar fire hydrant.

Parking on Pedestrian Crossing

15. (1) Subject to Sub-clause (2) a person shall not stand or park a vehicle on a pedestrian crossing.

(2) Sub-clause (1) shall not apply if:

- (a) the driver of the vehicle is prevented from proceeding by circumstances beyond his control;
- (b) it is necessary for the driver of the vehicle to stop in order to avoid an accident.

No Parking within One Hour

16. Where:

- (a) parking in a road is restricted as to time; and
- (b) a vehicle has been parked in that road,

a person shall not park that vehicle again in that road unless:

- (c) the vehicle has been removed from the road for at least one hour;
- (d) there is between the place where the vehicle had been parked and the place where the vehicle is subsequently parked another road that meets or intersects that road.

Parking in Set Aside Roads

17. (1) The Council may by use of signs set aside any road or part of a road, whether marked as a metered space or parking stall or not, for the parking of vehicles by persons of a particular class.

(2) A person shall not stand or park a vehicle on a road or part of a road set aside under Sub-clause (1):

- (a) unless the person is a member of the class referred to in Sub-clause (1);
- (b) except with the permission of the Council or an Inspector.

(3) The Council may, by use of signs, set aside any road or part of a road, whether marked as a metered space or parking stall or not, for the parking of vehicles of a particular class.

(4) A person shall not stand or park a vehicle on a road or part of a road set aside under Sub-clause (3):

- (a) unless the vehicle is a vehicle of the class referred to in Sub-clause (3);
- (b) except with the permission of the Council or an Inspector.

Construction Site Vehicle Parking

17A (1) In this Clause, unless the context otherwise requires:

"builder" has the same meaning as that expression as given in the Building Regulations 1989;

"construction site" means any land subject to development;

"construction site vehicle" means a commercial vehicle or a heavy goods vehicle;

"daily fee" means the daily fee referred to in Part 11 of the Ninth Schedule.

"development" means the demolition, erection, construction, alteration of or addition to any building or structure on land or the carrying out on the land of any excavation or other works;

"eligible person" means an owner or occupier of a construction site or any builder carrying out work on a construction site;

"establishment fee" means the fee determined by the Council in accordance with Part 1 of the Ninth Schedule;

"heavy goods vehicle" means a vehicle which comes within the interpretation of either a tractor (prime mover type) or a tractor (other than prime mover type) in the First Schedule to the Road Traffic Act 1974 and includes any other vehicle construction primarily for the conveyance of goods which is attached to a heavy goods vehicle;

"work zone" means any road or part of a road, whether or not marked as a metered space, parking stall or ticket machine zone, set aside by the Council by the use of a sign, for a period specified on the sign, for the standing or parking of construction site vehicles.

(2) An eligible person seeking to establish a work zone adjacent to a construction site may make written application to the Council which may approve or refuse the application.

(3) Where the Council approves an application made under Clause 17A (2), it shall give the applicant written notice specifying:

- (a) the number and location of work zones which the Council determines may be set aside; and
- (b) the period which the Council determines during which the parking or standing of construction site vehicles in a work zone is permitted; and
- (c) the amount of the establishment fee calculated in accordance with the table of fees set out in Part 1 of the Schedule.

(4) Where the establishment fee specified in a notice referred to in Clause 17(A)(3) is paid to the Council within fourteen days from the date of issue of the notice, the Council shall set aside a work zone in accordance with the notice.

(5) An eligible person shall, in addition to the establishment fee, pay to the Council a daily fee for each day that a work zone is set aside.

(6) The daily fee shall be payable in arrears on the first day of each month.

(7) If the daily fee is at any time in arrears for seven days after it shall have become due (whether or not any formal or legal demand is made) then the Council may remove any signs used to set aside the work zone.

(8) A person shall not stand or park a vehicle in a work zone unless:

- (a) the vehicle is a construction site vehicle;
- (b) the vehicle is standing or parked during a period in which the standing or parking of a construction site vehicle on that zone is permitted by a sign; and
- (c) a person is continuously engaged in loading or unloading goods:
 - (i) to or from the construction site vehicle; and
 - (ii) to or from the construction site.

Direction to Move Vehicle

18. A person shall not stand or park a vehicle on any part of a road, after an Inspector or a member of the Police Force directs the driver of the vehicle to move the vehicle therefrom.

Loading Zones

19. (1) Subject to Sub-clause (2), a person shall not stand or park a vehicle in a loading zone.

(2) A person may stand or park a vehicle in a loading zone:

- (a) if the vehicle is a commercial vehicle; and
- (b) if a person is continuously engaged in loading or unloading goods to or from the vehicle.

(3) A person shall not stand a commercial vehicle in a loading zone:

- (a) for more than five minutes unless the tare weight of the vehicle is greater than 1,000 kilograms;
- (b) for more than fifteen minutes.

(4) For the purpose of this Clause the term "tare" has the same meaning as is given to it in the Vehicle Standards Regulations 1977.

Pedestrian Malls

20. (1) Subject to Sub-clause (2), a person shall not stand or park a vehicle in a pedestrian mall.

(2) A person may stand or park a vehicle in a pedestrian mall if the vehicle is:

- (a) an emergency vehicle;
- (b) a special purpose vehicle;
- (c) a vehicle being used by a medical practitioner in the practice of his profession;
- (d) the subject of a written authorisation by the Board applicable to the vehicle and to the time in which the vehicle is standing or parked in the pedestrian mall;
- (e) a service vehicle which is:
 - (i) in a loading zone;
 - (ii) during a period in which service vehicles are permitted to enter the pedestrian mall;
 - (iii) has a person continuously engaged in loading or unloading goods to or from the vehicle; and
 - (iv) standing or parking for a continuous period of not more than thirty minutes.

Public Bus Parking Stalls

21. A person shall not stand or park a vehicle other than a public bus in a parking stall set aside for use by public bus.

Tourist Bus Stalls

22. A person shall not stand or park a vehicle other than a tourist bus in a parking stall set aside for use by tourist buses.

Eating Areas in Parking Stalls

22A. A person shall not stand or park a vehicle in a parking stall which is set up or conducted as an eating area.

PART 3—METERED ZONES**Fees in Metered Zones**

23. The fees payable for the standing and parking of vehicles in metered zones are as set out in Part 1 of the First Schedule.

Expired Meter, Parking Limit and Hooded Meter

24. (1) A person shall not stand or park a vehicle in a metered space:

- (a) on any permitted day or during any permitted period if the parking meter has expired;
- (b) for longer than any maximum period;
- (c) if the parking meter is hooded with a covering bearing the words "No Parking".

(2) A reference in this Clause to:

- (a) "permitted day" or "permitted period" with respect to a metered space means any day or period stated on the parking meter during which the parking of vehicles is permitted upon insertion of coins in the parking meter;
- (b) "maximum period" with respect to a metered space means the maximum period stated on the parking meter during which the continuous parking of a vehicle in the space is permitted.

(3) For the purpose of this Clause a parking meter has expired if the meter displays:

- (a) the sign "expired";
- (b) a series of flashing red lights.

Parking Position in Metered Space

25. (1) A person shall not stand or park a vehicle in a metered space which is set out parallel to a kerb otherwise than:

- (a) parallel to the kerb;
- (b) as close to the kerb as practicable;
- (c) wholly within that metered space;
- (d) headed in the direction of the movement of traffic on the part of the road on which the metered space is situated.

(2) A person shall not stand or park a vehicle in a metered space which is not set out parallel to a kerb otherwise than wholly within the metered space.

Occupied Metered Space

26. A person shall not stand or park or attempt to stand or park a vehicle wholly or partly in a metered space in which another vehicle is standing or parked.

Eating Areas in Metered Spaces

26A. A person shall not stand or park a vehicle in a metered space which is set up or conducted as an eating area.

No Parking within One Hour

27. A person who removes a vehicle from a metered space shall not stand or park that vehicle in that metered space for at least one hour after such removal.

Permits in Metered Zones

28. (1) The Council or an Inspector may upon payment of the fee prescribed in Part 2 of the First Schedule permit a person who requires to stand or park a specified vehicle or vehicles in a metered space in order to carry out urgent or essential work or services to stand or park a vehicle in the metered space for a period longer than the maximum period whether or not at any time the meter has expired or is hooded with a covering bearing the words "No Parking".

(2) A permit issued under Sub-clause (1) may:

- (a) notwithstanding Clause 24, authorise the standing or parking of the vehicle continuously for a specified period or periods or between specified times or from time to time during a specified period;
- (b) be revoked or suspended at any time by the Council or an Inspector before the expiration of any time or period specified in the permit without responsibility for any liability or loss or claim.

(3) A person shall not stand or park a vehicle in respect of which a permit has been issued pursuant to Sub-clause (2):

- (a) except at the times or during the period specified in the permit;
- (b) for any purpose other than the purpose specified in the permit;
- (c) at any time after the cancellation withdrawal or suspension of the permit.

Vehicles in Motor Cycles Spaces

29. A person shall not stand or park a vehicle other than a bicycle or a motor cycle to which no side car or side-box is attached in a parking stall or metered space:

- (a) marked with the symbol "M/C";
- (b) in which the parking of bicycles or motor cycles is permitted by a sign referable to that parking stall or metered space.

Parking Limits for Motor Cycles

30. A person shall not stand or park a bicycle or motor cycle in a parking stall or metered space marked with the symbol "M/C":

- (a) for longer than the maximum period permitted for parking in that parking stall or metered space by a sign referable to that parking stall or metered space;
- (b) If there is no sign referable to that parking stall or metered space than for longer than the maximum period during which a vehicle may stand or be parked in any parking stall or metered space adjacent thereto; or
- (c) otherwise than wholly within the stall or space.

Motor Cycles in M/C Spaces Only

31. A person shall not park a motor cycle or bicycle in a parking stall or metered space unless the stall or space is marked with the symbol "M/C".

Damage to Parking Meters

32. A person shall not or attempt to remove, damage, deface, misuse or interfere with any parking meter.

Signs on Parking Meters

33. A person shall not, without the permission of the Council, affix any board, sign, placard, notice, cover or other thing to or paint or write upon any parking meter.

Use of Coins in Parking Meters

34. A person shall not insert or cause to be inserted or attempt to insert into a coin slot of a parking meter any thing other than a coin appropriate to that slot.

Operating Parking Meters

35. A person shall not operate or attempt to operate a parking meter except in accordance with the operating instructions appearing on the parking meter.

PART 4—TICKET MACHINE ZONES**Fees in Ticket Machine Zones**

36. The fees for standing and parking of vehicles in:

- (a) ticket machine zones as set out in the Second Schedule;
- (b) a ticket machine zone described in Column 1 of the Third Schedule are those fees set out in Column 4 of the Third Schedule opposite the description of the zone.

Display of Tickets

37. (1) A person shall not stand or park a vehicle in a ticket machine zone during any permitted period unless:

- (a) an unexpired ticket issued by a ticket issuing machine in that ticket machine zone; and
- (b) the date and time of issue or expiry, as the case may be, and the number, if any, of the ticket printed on the ticket,

are displayed inside the vehicle and are clearly visible to and able to be read by an Inspector from outside the vehicle at all times while the vehicle remains standing or parked in the zone.

(2) In this Clause "unexpired parking ticket" means a parking ticket on which:

- (a) a date and expiry time is printed and that time has not expired;
- (b) a date and time of issue is printed and the period for which that ticket remains valid as stated on the ticket issuing machine from which the ticket was purchased has not expired.

(3) For the purpose of this Clause, where more than one parking ticket is displayed bearing the same date and time of issue, the period for each ticket referred to in paragraph (b) of Sub-clause (2) shall be aggregated and the tickets shall be deemed not to have expired until the expiry of the aggregate of those periods.

Parking Limits

38. (1) A person shall not stand or park a vehicle in a ticket machine zone during any permitted period for longer than the maximum period.

(2) A reference in this Clause to:

- (a) "maximum period" with respect to a ticket machine zone means the maximum period stated on the ticket issuing machines in the zone during which the continuous parking of a vehicle in the zone is permitted;
- (b) "permitted period" with respect to a ticket machine zone means the period stated on the ticket issuing machines in the zone during which the parking of vehicles is permitted upon purchase of a parking ticket.

Parking Position in Ticket Machine Zones

39. A person shall not stand or park a vehicle in a ticket machine zone:

- (a) on any part of which there are parking stalls set out parallel to a kerb otherwise than:
 - (i) parallel to that kerb;
 - (ii) as close to the kerb as practicable;
 - (iii) wholly within a parking stall;
 - (iv) headed in the direction of the movement of traffic on the part of the road on which the parking stall is situated;
- (b) on any part of which there are parking stalls not set out parallel to a kerb otherwise than wholly within a parking stall.

Use of Coins in Ticket Machines

40. A person shall not insert or cause to be inserted or attempt to insert into a coin slot of a ticket issuing machine anything other than a coin appropriate to that slot.

Operation of Ticket Machines

41. A person shall not operate or attempt to operate a ticket issuing machine except in accordance with the operating instructions appearing on that ticket issuing machine.

PART 5—PARKING STATIONS AND PARKING FACILITIES**Fees for Parking Vouchers**

42. The fees payable for the purchase of parking vouchers for use in a parking station specified in Column 1 of the Third Schedule are those fees specified in Column 5 of the Third Schedule appearing opposite the description of the parking station.

Display of Vouchers and Tickets

43. (1) Subject to Sub-clause (2) a person shall not stand or park a vehicle in any part of a parking station equipped with a voucher validating machine during any permitted period unless:

- (a) an unexpired parking voucher applicable to that part of the parking station and validated by a voucher validating machine for that day; or
- (b) an unexpired parking ticket or unexpired parking tickets applicable to that part of the parking station and issued on that day; and
- (c) the date and the time of validation of the voucher or issue or expiry of the ticket, as the case may be, and the number of the voucher or the ticket, if any, printed thereon,

are displayed inside the vehicle and clearly visible to and able to be read by an Inspector from outside the vehicle at all times while the vehicle remains standing or parking in that part of the parking station.

(2) For the purposes of Sub-clause (1), a parking ticket or parking vouchers issued in respect of any parking station or any part of a parking station which has been set aside under Clause 51 shall be applicable only to that parking station or that part of that parking station, as the case may be.

(3) A reference in this Clause to:

- (a) "permitted period" with respect to a parking station equipped with a voucher validating machine means the period stated on the voucher validating machines in the zone during which the parking of vehicle is permitted upon the purchase of a parking ticket or validation of a parking voucher;
- (b) "unexpired parking ticket" means a parking ticket on which:
 - (i) a date and expiry time is printed and that time has not expired;
 - (ii) a date and time of issue is printed and the period for which that ticket remains valid as stated on the ticket issuing machine from which the ticket was purchased has not expired;
- (c) "unexpired parking voucher" means a parking voucher on which the period commencing at the time of validation printed thereon has not expired.

Use of Parking Tickets and Vouchers

44. A person shall not:

- (a) deface, alter, add to, erase, obliterate or interfere with a parking voucher or a parking ticket or any information printing or imprint thereon;
- (b) park a vehicle in a parking station or parking facility if there is displayed in that vehicle so as to be visible from outside the vehicle a parking voucher or parking ticket which has been defaced, altered, added to, erased, obliterated or interfered with;
- (c) produce to an Inspector or a person authorised by the Council to accept payment of parking fees, a parking ticket which is, or any information, printing or imprint on which is defaced, altered, added to, erased, obliterated or interfered with;
- (d) use or attempt to use or validate a parking voucher in respect of any period of parking in excess of the period or periods of parking that may be authorised by that parking voucher;
- (e) park a vehicle in a parking station or parking facility if there is displayed in the vehicle so as to be visible from outside the vehicle a parking voucher which has been used or validated in respect of any period of parking in excess of the period or periods of parking that may be authorised by that parking voucher.

Fees for Motor Cycles in Parking Stations

45. (1) In a parking station described in Column 1 of the Third Schedule:

- (a) the fee payable for the parking of a motor cycle; and
- (b) the period in respect of which the fee is payable,

is the fee and the period specified in Columns 4 and 5 of the Third Schedule respectively.

(2) The Council shall not be obliged to accept payment of any fee referred to in this Clause.

Parking Position for Motor Cycles

46. A person shall not stand or park a motor cycle in a parking station equipped with a ticket issuing or a voucher validating machine unless:

- (a) wholly within a parking stall marked with the symbol "M/C" or otherwise designated as being set aside for the parking of motor cycles;
- (b) that person has paid to the Council the fee referred to in Clause 45; and
- (c) during the period for which the fee under paragraph (b) is applicable.

Attended Parking Stations

47. (1) A person shall not enter an attended parking station without first obtaining the permission of an Inspector on duty in the station unless that person is:

- (a) employed at the parking station and is in the course of his duties;
- (b) a Police Officer and is in the course of his duties;
- (c) the driver of or a passenger in a vehicle standing or parked in that station.

(2) A person shall not remove a vehicle from an attended parking station:

- (a) without first paying the applicable fee to an Inspector or a person authorised to accept the fee or to a fee collection unit in the parking station;
- (b) at any time other than during the hours of operation unless with the permission of an Inspector and on payment of the applicable fee and the fee specified in the Third Schedule for the opening of the parking station.

(3) For the purpose of this Clause:

- (a) the "applicable fee" with respect to an attended parking station described in the Column 1 of the Third Schedule means the fee specified in Column 3 of the Third Schedule appearing opposite the description of the parking station;
- (b) the "hours of operation" with respect to an attended parking station described in Column 1 of the Third Schedule means the hours on the days specified in Column 2 of Third Schedule appearing opposite the description of the parking station;
- (c) where no entrance ticket is produced by the driver of a vehicle which is being removed from a parking station, the applicable fee shall be calculated as if the vehicle had entered the parking station when it opened for operation on the day the vehicle was parked in the parking station.

Set Aside Parking Stations

48. (1) The Council may by use of signs set aside any parking station or any space in a parking station for:

- (a) the parking of vehicles by persons or classes of persons authorised by the Council;
- (b) the parking of vehicles of a particular class.

(2) Where the Council authorises a person or class pursuant to Sub-clause (1) the Council:

- (a) may issue a written permit upon payment of the fee referred to in Schedule 3A to the person or to persons of the class;
- (b) may revoke a permit at any time.

(3) A person shall not park or stand a vehicle in a parking station or space set aside under Sub-clause (1)(a) unless:

- (a) a permit issued with respect to the vehicle is displayed inside the vehicle and is clearly visible and readable by any Inspector requiring to examine the permit from outside the vehicles;
- (b) the permit bears a current date; and
- (c) the person or the person's class as specified in the permit is also specified on the signs which set aside the parking station or space.

(4) A person shall not park or stand a vehicle in a parking station or space set aside under Sub-clause (1)(b):

- (a) unless the vehicle is a vehicle of the class referred to in Sub-clause (1)(b);
- (b) except with the permission of the Council or an Inspector.

Restrictions and Time Limits in Parking Stations

49. (1) A person shall not stand a vehicle on any part of a parking station or parking facility:

- (a) if the standing of a vehicle on that part is prohibited at all times by a sign;
- (b) during a period in which the standing of vehicles on that part is prohibited by a sign.

(2) A person shall not park a vehicle on any part of a parking station or parking facility:

- (a) if the parking of vehicles on that part is prohibited at all times;
- (b) during a period in which the parking of vehicles on that part is prohibited by a sign.

(3) A person shall not park or stand a vehicle on any part of a parking station or parking facility for more than the maximum time specified by a sign.

(4) A person shall not park or stand a vehicle in a parking station otherwise than wholly within a parking stall.

Maximum Parking Period in Parking Stations

50. Where in relation to a parking station described in the Third Schedule a maximum parking period is specified a person shall not stand or park a vehicle in that parking station:

- (a) continuously for longer than that period;
- (b) again in that parking station within one hour after removing that vehicle from that parking station.

Set aside Parking Stations for Multiple Occupants

51. The Council in respect of any period or time may by the use of signs set aside any parking station or any part of a parking station and prohibit entry thereto by vehicles other than vehicles carrying in addition to the driver at least one other person.

Parking Restrictions for Vehicles with Multiple Occupants

52. (1) The fee payable for the parking of a vehicle in any parking station or part of a parking station which has been set aside under Clause 51 at the times or within such period specified pursuant to Clause 51 is the fee specified in the Eighth Schedule.

(2) A person shall not stand or park a vehicle in any parking station or part of a parking station which has been set aside under Clause 51 at the times or within such period specified pursuant to Clause 51 unless the vehicle is carrying at least one other person.

(3) A person shall not enter any parking station or part of a parking station which has been set aside under Clause 51 at the times or within such period specified pursuant to Clause 51 unless that person is the driver of or passenger in a vehicle carrying at least one other person.

(4) Clause 42 shall not apply to any parking station or part of a parking station set aside under Clause 51 at the times or within such period specified pursuant to Clause 51.

Special Event Parking

53. (1) The Council may by use of signs set aside, for any period specified on the signs, any parking station or parking facility for the parking of vehicles by persons attending a special event.

(2) A person shall not park or stand a vehicle in a parking station or parking facility set aside under Sub-clause (1) during the period for which it is set aside unless a ticket purchased from the Council with respect to the special event is clearly visible to and readable by an Inspector from outside a vehicle.

(3) For the purpose of this Clause a "special event" means any event or occurrence considered by the Council to be special and likely to attract a substantial number of persons driving vehicles.

(4) During the period referred to in Sub-clause (1) the provisions of Clauses 43, 49 (1) (b), 49 (2) (b), 49 (3), 51 and 52 shall not apply to the parking station or parking facility.

Direction to Move Vehicle

54. A person shall not stand or park a vehicle on any part of a parking station or parking facility after an Inspector or a member of the Police Force directs the driver of the vehicle to move the vehicle therefrom.

Selling and Hiring in Parking Stations

55. A person shall not, without the written permission of the Council, park or stand a vehicle on any part of a parking station or any parking facility otherwise than in compliance with the following condition:

No goods, wares or merchandise, or any article or thing of whatsoever nature or kind shall be sold, hired or given away or offered or exposed for sale or hire or upon that part of a parking station or that parking facility.

Obstruction of Parking Stations

56. A person shall not stand or park a vehicle in a parking station so as to obstruct any entrance, exit, carriageway, passage or thoroughfare of the parking station.

Behaviour in a Parking Station

57. (1) A person shall not remain in or on a parking station or parking facility after having been required to leave that parking station or parking facility by a member of the Police Force or an Inspector.

(2) A person shall not loiter in a parking station or parking facility.

Damage to Parking Stations and Facilities

58. A person shall not, and shall not attempt to, remove, damage, deface, misuse or interfere with any part of a parking station or parking facility.

Affixing Signs and Notices

59. A person shall not, without the permission of the Council, affix any board, sign, placard, notice, cover or other thing to or paint or write upon any part of a parking station or parking facility.

Council may Lock Parking Stations

60. At the expiration of the hours of operation the Council whether or not any vehicle remains parked in a parking station may lock the parking station or otherwise prevent the movement of any vehicle within or to or from the parking station without the Council being responsible for any loss of or damage to any such vehicle or its accessories or contents or for any other loss, claim or liability.

Councillor Parking Permit

60A. (1) In this Clause "Councillor Parking Permit" means a permit issued by the Council under this Clause.

(2) The Council may issue to any member of the Council a Councillor parking permit and may revoke a permit at any time.

(3) The holder of a Councillor parking permit is exempt from the provisions of Clauses 37 (1), 43 (1), 47 (2), 49 (3), 50, 52 (2) and 53 (2).

(4) The exemption conferred by Sub-clause (3) shall apply only:

- (a) to the motor vehicle specified in the Councillor parking permit;
- (b) if the Councillor parking permit is displayed in the vehicle or affixed to the windscreen of the vehicle so as to be clearly visible and able to be read by an Inspector from outside the vehicle;
- (c) if the Councillor parking permit is valid;
- (d) if the holder of the Councillor parking permit is carrying out his duties or performing his functions as a member of the Council.

(5) A Councillor parking permit shall cease to be valid:

- (a) upon the holder of the permit becoming disqualified from acting as a member of the Council;
- (b) after the expiry date specified in the permit;
- (c) upon being revoked by the Council.

PART 6—RESIDENTIAL PARKING**Definitions**

61. In this part of this By-Law, unless the context otherwise requires:

"dwelling unit" means premises lawfully used for self contained living quarters.

"eligible person" where used:

- (a) In relation to an application for a residential parking permit means a single house occupier, a unit occupier, a unit owner;
- (b) in relation to an application for a visitor's parking permit means:
 - (i) A single house occupier;
 - (ii) A Strata company;
 - (iii) A unit owner of a residential unit which is not a strata lot.

"Inspector" has the same meaning as is given to it in the Act.

"Residential Parking Permit" means a permit issued by the Council pursuant to Clause 63 (1).

"Residential Unit" means a dwelling unit which is part of a building adjacent to a part of a road on which road the standing or parking of vehicles is prohibited for more than a specified period and which building contains:

- (a) two or more dwelling units with or without any non residential units;
- (b) one dwelling unit with one or more non residential units.

"single house" means a dwelling unit constructed on its own lot and used for self contained living quarters and which is adjacent to a part of a road on which the standing or parking of vehicles is prohibited for more than a specified period.

"single house occupier" means an occupier of a single house.

"strata company" means a body corporate constituted under Section 32 of the Strata Titles Act 1985.

"unit occupier" means a person who is an occupier of a residential unit but does not include a unit owner.

"unit owner" means a person who is an owner and occupier of a residential unit.

"visitors parking permit" means a permit issued by the Council pursuant to Clause 63 (2).

Exemption for Permit Holders

62. (1) Where on any part of a road the standing or parking of vehicles is prohibited by a sign for more than a specified period or where any part of a road is a metered space, the holder of a valid permit is exempted from such prohibition or from the requirements of Clauses 6 (3), 24 and 37 as the case may be.

(2) The exemption conferred by Sub-clause (1) shall apply only:

- (a) to the part of a road specified in the permit or to the metered space or spaces specified in the permit;
- (b) where the permit displayed is a residential parking permit to the motor vehicle specified in the residential parking permit;
- (c) if the permit is displayed in the vehicle or affixed to the windscreen of the vehicle as to be clearly visible and able to be read by an Inspector from outside the vehicle;
- (d) if the permit is valid.

(3) The exemption conferred by Sub-clause (1) shall not apply during any period in which the standing or parking of vehicles is prohibited in the road or the part of a road specified in the permit.

Issue of Permits

63. (1) The Council may upon a written application of an eligible person issue a residential parking permit in the form in Item 1 of the Fourth Schedule.

(2) The Council may upon a written application of an eligible person issue a visitor's parking permit in the form in Item 2 of the Fourth Schedule.

(3) The Council's power to issue, replace and revoke permits under this Part may be exercised by an Inspector.

Restrictions on Issue of Permits to Single House Occupiers

64. The Council shall not issue:

- (a) more than two residential parking permits to any single house occupier where the single house is situated on land where no parking can be provided;
- (b) more than one residential parking permit to any single house occupier where the single house is situated on land where parking for one vehicle only can be provided;
- (c) a residential parking permit to any single house occupier where the single house is situated on land where parking for two or more vehicles can be provided.

Restrictions on Issue of Permits to Unit Owners

65. (1) Where no parking can be provided to a unit owner on the land upon which the residential unit is situated the Council shall not issue more than two residential parking permits to the unit owner.

(2) Where parking for one vehicle only can be provided to a unit owner on the land upon which the residential unit is situated the Council shall not issue more than one residential parking permit to the unit owner.

(3) Where parking for two or more vehicles can be provided to a unit owner on the land upon which the residential unit is situated the Council shall not issue a residential parking permit to the unit owner.

(4) Where parking for one or more vehicles can be provided to a unit occupier on the land upon which the residential unit is situated the Council shall not issue a residential parking permit to the unit occupier.

Restrictions on Number of Permits

66. (1) The Council shall not issue more than two residential parking permits in respect of any single house or residential unit.

(2) Notwithstanding Sub-clause (1), where a unit occupier is issued a residential parking permit, the Council shall not issue any further residential parking permits in respect of that residential unit.

(3) The Council shall not issue more than two visitors parking permits in respect of any single house.

(4) The Council may in its discretion determine the number of visitors parking permits to be issued to a strata company and a unit owner of a residential unit which is not a strata lot.

Validity of Permit

67. Every residential parking permit or visitors parking permit as the case may be shall cease to be valid:

- (a) upon the expiry of a period twelve months from and including the date on which it is issued;
- (b) upon the holder of the permit ceasing to be an eligible person;
- (c) upon revocation of the permit by the Council pursuant to Clause 67A;
- (d) upon the replacement of any permit by a new permit issued by the Council pursuant to Clause 68A.

Revocation of a Permit

67A. (1) The Council may at any time give an eligible person to whom a permit was issued pursuant to the provisions of this By-Law notice requiring that person to notify the Council of any reason why that permit should not be revoked.

(2) The Council shall give notice referred to Sub-clause (1) in the form in Item 3 (a) of the Fourth Schedule by serving the notice on the eligible person to whom the permit was issued.

(3) If within seven (7) days after the date of receipt of the notice referred in Sub-clause (2) the eligible person to whom the permit was issued:

- (a) fails to give the Council notice in writing of any reason why the permit should not be revoked then the Council may revoke that permit;
- (b) gives the Council notice in writing of any reasons why the permit should not be revoked then the Council may in its absolute discretion revoke that permit.

(4) For the purpose of Sub-clause (3) the date of receipt of the notice shall be the date the notice was served.

(5) The Council shall give notice of the revocation in the form in Item 3 (b) of the Fourth Schedule by serving the notice on the eligible person to whom the permit was issued.

Removal of Permit from Vehicle

68. The holder of a residential parking permit shall forthwith upon that permit being revoked or ceasing to be valid remove the permit from the vehicle in which it is displayed or to which it is affixed.

Replacement of Permit

68A. (1) The Council may upon a written application of an eligible person and upon payment of the fee referred to in Sub-clause (2), if any, issue a permit to replace a residential parking permit or visitors parking permit which is lost, destroyed or stolen.

(2) The fee payable for the issue of a replacement permit pursuant to this Clause is \$20.00.

(3) Notwithstanding Sub-clause (2), no fee shall be payable for the issue of a replacement permit if evidence is produced in writing to the satisfaction of the City:

- (a) that the vehicle in which the permit is displayed has been disposed of;
- (b) that the vehicle's windscreen in which the permit is displayed has been replaced;
- (c) which the City considers warrants the waiving of the fee.

PART 7—MISCELLANEOUS AND PENALTIES**Parking Without Consent**

69. A person shall not stand or park a vehicle on land which is not a road or parking facility without the consent of the person in occupation of that land.

Inspectors Immunity

70. No offence under this By-Law is committed by an Inspector whilst carrying out his or her duties.

Compliance with Signs

71. A person shall comply with every sign displayed, marked, placed or erected pursuant to the Act.

Inspectors Certificate of Appointment

72. An Inspector shall be furnished with a Certificate of his appointment in the form of the Fifth Schedule.

Personation of Inspector

73. A person who is not an Inspector shall not assume or attempt to assume the duties of an Inspector.

Obstruction of an Inspector

74. A person shall not obstruct or hinder an Inspector in the execution of his duties.

Offence

75. A person who commits a breach of any provision of this By-Law commits an offence and shall on conviction be liable to a penalty not exceeding \$80.00.

Display of Signs

76. A person shall not, without the permission of the Council, display, mark, set up or exhibit any sign purporting to be or resembling a sign marked, set up or exhibited by the Council pursuant to the Act or this By-Law.

Marking Tyres

77. (1) For the purpose of ascertaining whether or not a parked vehicle has been or may be parked in contravention of any provision of this By-Law an Inspector may mark a tyre or tyres of such vehicles with chalk or any other non-indelible substance.

(2) A person shall not remove or interfere with any such mark referred to in Sub-clause (1) so that the purpose of affixing the same is or may be defeated.

Modified Penalties

78. (1) The modified penalties prescribed with respect to offences against this By-Law are specified in the Sixth Schedule.

(2) The prescribed form of the notice referred to in Section 669D of the Act is set out in the Seventh Schedule.

PART 8—REMOVAL OF VEHICLES**Lawfully Parked Vehicles**

79. A vehicle that is parked in any portion of a public place where vehicles may lawfully be parked does not cause an obstruction, unless:

- (a) the vehicle is parked for any period exceeding twenty-four hours, without the consent in writing of the Town Clerk or Inspector;
- (b) the vehicle is parked during any period in which the parking of vehicles is prohibited or restricted by a sign.

Unlawfully Parked Vehicles

80. A vehicle which is parked in any portion of the district where vehicles may not lawfully be parked is deemed to be causing an obstruction.

Obstruction of Public Places

81. A person shall not park a vehicle in a public place so as to cause an obstruction.

Removal of Vehicles

82. Where an Inspector or Police Officer finds a vehicle causing an obstruction that Inspector or Police Officer:

- (a) may remove the vehicle;
- (b) may use such force as is necessary to enter the vehicle for the purpose of removing it,

and if that Inspector or Police Officer removes the vehicle he shall take it to an appointed place.

Recording of Vehicles in Appointed Places

83. Where an Inspector or Police Officer places a vehicle in an appointed place, that Inspector or Police Officer shall enter in a register to be provided by the Council for that purpose:

- (a) details of the time and date;
- (b) a description of the vehicle; and
- (c) the place from which it was removed,

and shall notify the Town Clerk of the Council.

Notification to Owner

84. The Town Clerk of the Council shall notify, in writing, the last known owner of a vehicle removed to an appointed place of the removal of that vehicle.

Recovery of Removed Vehicle

85. (1) A person may recover a vehicle from an appointed place, after paying to the Town Clerk of the Council:

- (a) the cost incurred by the Council in removing the vehicle to the appointed place; and
- (b) the sum of \$10.00 per day or part of a day that the vehicle has remained in the appointed place.

(2) A person who removes a vehicle from an appointed place without complying with the provisions of this Clause commits an offence.

Sale of Removed Vehicles

86. Where a vehicle placed in an appointed place has not been recovered by the owner or person entitled to it within one month from the day upon which it was placed there, the Council may:

- (a) cause the vehicle to be offered for sale by public auction or by public tender;
- (b) accept the best offer made;
- (c) where no offer is made for the purchase of the vehicle, dispose of the vehicle as the Council thinks fit.

Indemnity

87. A person is not entitled to claim, by way of damages or otherwise, against an Inspector, member of the Police Force, or the Council in respect of any vehicle seized and dealt with under this Part or against any person who purchases a vehicle sold by Council under Clause 86.

Application of Sale Proceeds

88. (1) The proceeds of the sale of a vehicle sold under the provisions of Clause 86 shall be applied by the Council:

- (a) firstly, in meeting the costs of the sale; and
- (b) secondly, in meeting the costs referred to in Clause 85(1),

and these sums shall be paid into the Municipal Fund.

(2) Any surplus of the proceeds of the sale shall be paid by the Council into its Trust Fund, and may be paid within ten years, to any person who satisfies the Council that they were the owner of the vehicle at the time of its sale by the Council.

(3) Any amount under Sub-clause (2) may, if not paid to the owner within ten years, be paid into the Municipal Fund, on the condition that the Council shall repay it from that fund to a person claiming and establishing their right to that repayment.

Recovery of Costs Where Sale Proceeds Insufficient

89. Where the proceeds of the sale of any vehicle sold under Clause 86, after deduction of the monies authorised to be applied by the Council by Clause 88(1), do not cover the costs of the removal, custody and sale or disposal of that vehicle, the Council may recover the balance of these costs from the owner of that vehicle in a court of competent jurisdiction.

FIRST SCHEDULE**METERED ZONES—PERIOD AND FEES****PART 1—FEES IN METERED ZONES**

ITEM No.	PERIOD	FEE
Not Applicable	Not Applicable	Not Applicable

PART 2—FEES FOR PERMITS

ITEM No.	PERIOD	FEE
Not Applicable	Not Applicable	Not Applicable

SECOND SCHEDULE**TICKET MACHINES ZONES—PERIOD AND FEES**

ITEM No.	PERIOD	FEE
Not Applicable	Not Applicable	Not Applicable

SCHEDULE 3A**COLUMN 1**

Description

Not Applicable

COLUMN 2

Fee Payable

Not Applicable

THIRD SCHEDULE**COLUMN 1**

Description

Not Applicable

COLUMN 2Days and Hours of
Operation

Not Applicable

COLUMN 3Fees Payable on
Leaving the Parking
Station

Not Applicable

COLUMN 4Fees Payable in
Parking Stations
equipped with a
Ticket Issuing
Machine

Not Applicable

COLUMN 5Fees Payable in
Parking Stations
equipped with a
Voucher Validating
Machine

Not Applicable

COLUMN 6Places where a Park-
ing Ticket may be
purchased for use in
a Parking Station
and fees payable

Not Applicable

FOURTH SCHEDULE*Town of Cambridge***LOCAL GOVERNMENT ACT 1960****ITEM 1****Residential Parking Permit**

Permit No:

Vehicle Make/Type:

Registration No:

Exempted Road/Metered Space:

Date of Expiry:

.....
for TOWN OF CAMBRIDGE**TOWN OF CAMBRIDGE****LOCAL GOVERNMENT ACT 1960****VISITOR'S PARKING PERMIT****ITEM 2**

Permit No:

Exempted Road/Metered Space:

Name of Person to whom Permit issued:

Single House Occupier/Strata Company/Unit Owner of a Residential Unit which is not
a Strata Lot*:
Address:
Date of Expiry:
for TOWN OF CAMBRIDGE

* Delete whichever is inapplicable.

TOWN OF CAMBRIDGE**LOCAL GOVERNMENT ACT 1960****ITEM 3(a)****Notice of Intention to Revoke Permit**Take notice that within seven days from the day of the
person to whom (Residential Parking Permit/Visitors Parking Permit)*
No..... was issued is required to give the Council notice in writing of any
reason why that permit should not be revoked. If no written notice is received by the
Council within that time, Council may revoke that permit......
for TOWN OF CAMBRIDGE.....
Date of Service

* Delete whichever is inapplicable.

TOWN OF CAMBRIDGE
LOCAL GOVERNMENT ACT 1960

ITEM 3(b)**Notice of Revocation of Permit**

Take notice that from and including the day of
(Residential Parking Permit/Visitor's Parking Permit) * No..... is revoked
and invalid.

.....
for TOWN OF CAMBRIDGE

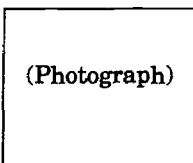
* Delete whichever is inapplicable.

FIFTH SCHEDULE

(CERTIFICATE OF APPOINTMENT OF INSPECTOR)

LOCAL GOVERNMENT ACT 1960

THIS IS TO CERTIFY THAT



INSP..... No.
HAS BEEN APPOINTED BY THE COUNCIL
of the
TOWN OF CAMBRIDGE

AND UNDER THE PROVISIONS OF THE LOCAL GOVERNMENT ACT 1960, HE IS
AUTHORISED TO EXERCISE ALL THE POWERS AND FUNCTIONS OF AN INSPEC-
TOR CONFERRED OR IMPOSED BY THE ACT OR BY ANY BY-LAW MADE UNDER
THE SAID ACT.

DATED THE DAY OF 19.....

.....
SIGNATURE OF HOLDER

.....
CHIEF EXECUTIVE OFFICER

.....
(Reverse Side)

TOWN OF CAMBRIDGE
AUTHORITY

SIXTH SCHEDULE

TOWN OF CAMBRIDGE

Modified Penalties

ITEM No.	OFFENCE	MODIFIED PENALTY
1.	CLAUSES: 6(2)(a), 6(2)(b), 7(a), 7(b), 7(c), 14, 17(2), 17A(8), 19(1), 19(3), 20(1), 24(1)(c), 49(2)(a), 49(2)(b), 52(2), 52(3), 56.	\$40.00
2.	CLAUSES: 11(a), 11(c), 12(1), 18, 47(2)(a), 49(1)(a), 49(1)(b), 54, 59.	\$50.00

ITEM No.	OFFENCE	MODIFIED PENALTY
3.	CLAUSES: 6(1)(a), 6(1)(b), 10(a), 10(b), 10(c), 11(b), 15(1), 17(4), 21, 22, 22A, 26A, 32, 33, 34, 35, 40, 41, 44(c), 44(d), 47(1), 47(2)(b), 57(1), 57(2), 58, 68, 69, 73, 74, 75, 76, 77(2).	\$75.00
4.	CLAUSES: 44(a), 44(b), 55	\$80.00
5.	CLAUSES: 6(3), 24(1)(b), 49(3)	<p>In the case of an offence under Clauses 6(3) and 49(3) where the specified time referred to in that clause is one half hour or less:</p> <p>(a) where the vehicle stands on that part of the road or parking station referred to in that clause for a period of one half hour or less in excess of the specified time—twenty five dollars (\$25.00);</p> <p>(b) where the vehicle stands on that part of the road or parking station referred to in that clause for a period of more than one half hour in excess of the specified time—twenty dollars five (\$25.00) with respect to the first one half hour in excess and twenty five dollars (\$25.00) with respect to any time thereafter.</p> <p>In the case of an offence under Clauses 6(3) and 49(3) where the specified time referred to in that clause is one hour or more:</p> <p>(a) where the vehicle stands on that part of the road or parking station referred to in that clause for a period of one hour or less in excess of the specified time twenty five dollars (\$25.00);</p> <p>(b) where the vehicle stands on that part of the road or parking station referred to in that clause for a period or more than one hour in excess of the specified time—twenty five dollars (\$25.00) with respect to the first hour in excess and twenty five dollars (\$25.00) any time thereafter.</p> <p>In the case of an offence under Clause 24(1)(b):</p> <p>(a) where the vehicle stands in that parking stall for a period of one half hour or less—twenty five dollars (\$25.00).</p> <p>(b) where the vehicle stands in that parking stall for more than one half hour—twenty five dollars (\$25.00) with respect to the first one half hour and twenty five dollars (\$25.00) with respect to any time thereafter.</p>
6.	Any other Clause.	\$25.00

SEVENTH SCHEDULE

TOWN OF VICTORIA PARK PARKING FACILITIES BY LAW	PARKING INFRINGEMENT NOTICE																																
<div style="border: 1px solid black; width: 150px; height: 15px; margin: 0 auto;"></div> <div style="border: 1px solid black; padding: 2px; display: inline-block; font-weight: bold;"> PAYMENT IS DUE WITHIN 21 DAYS OF OFFENCE DATE </div>																																	
<table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> THE OWNER OF THE VEHICLE <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; width: 100px; height: 15px;"></div> <div style="border: 1px solid black; width: 100px; height: 15px;"></div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="border: 1px solid black; width: 100px; height: 15px;"></div> <div style="border: 1px solid black; width: 100px; height: 15px;"></div> </div> </div> <div style="width: 55%;"> Make: <div style="border: 1px solid black; width: 100px; height: 15px;"></div> Model: <div style="border: 1px solid black; width: 100px; height: 15px;"></div> Body Type: <div style="border: 1px solid black; width: 100px; height: 15px;"></div> </div> </div> </td> <td style="width: 50%; vertical-align: top;"> It is alleged at: <div style="border: 1px solid black; width: 20px; height: 15px;"></div> : <div style="border: 1px solid black; width: 20px; height: 15px;"></div> hours on <div style="border: 1px solid black; width: 20px; height: 15px;"></div> day the <div style="border: 1px solid black; width: 20px; height: 15px;"></div> day of <div style="border: 1px solid black; width: 20px; height: 15px;"></div> 19 <div style="border: 1px solid black; width: 20px; height: 15px;"></div> at (location) <div style="border: 1px solid black; width: 100%; height: 15px;"></div> you committed the offence indicated hereunder by an (X) in breach of clause <div style="border: 1px solid black; width: 100%; height: 15px;"></div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> The Town of Victoria Park Parking Facilities By Law; or <input type="checkbox"/> The Local Government Uniform General (Parking for Disabled Persons) By Laws 1988 </div> <div style="width: 55%;"> Meter No. <div style="border: 1px solid black; width: 50px; height: 15px;"></div> Limit <div style="border: 1px solid black; width: 20px; height: 15px;"></div> Inspector: _____ No. <div style="border: 1px solid black; width: 20px; height: 15px;"></div> Beat No. <div style="border: 1px solid black; width: 20px; height: 15px;"></div> </div> </div> </td> </tr> </table>		THE OWNER OF THE VEHICLE <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; width: 100px; height: 15px;"></div> <div style="border: 1px solid black; width: 100px; height: 15px;"></div> </div> <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div style="border: 1px solid black; width: 100px; height: 15px;"></div> <div style="border: 1px solid black; width: 100px; height: 15px;"></div> </div> </div> <div style="width: 55%;"> Make: <div style="border: 1px solid black; width: 100px; height: 15px;"></div> Model: <div style="border: 1px solid black; width: 100px; height: 15px;"></div> Body Type: <div style="border: 1px solid black; width: 100px; height: 15px;"></div> </div> </div>	It is alleged at: <div style="border: 1px solid black; width: 20px; height: 15px;"></div> : <div style="border: 1px solid black; width: 20px; height: 15px;"></div> hours on <div style="border: 1px solid black; width: 20px; height: 15px;"></div> day the <div style="border: 1px solid black; width: 20px; height: 15px;"></div> day of <div style="border: 1px solid black; width: 20px; height: 15px;"></div> 19 <div style="border: 1px solid black; width: 20px; height: 15px;"></div> at (location) <div style="border: 1px solid black; width: 100%; height: 15px;"></div> you committed the offence indicated hereunder by an (X) in breach of clause <div style="border: 1px solid black; width: 100%; height: 15px;"></div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> The Town of Victoria Park Parking Facilities By Law; or <input type="checkbox"/> The Local Government Uniform General (Parking for Disabled Persons) By Laws 1988 </div> <div style="width: 55%;"> Meter No. <div style="border: 1px solid black; width: 50px; height: 15px;"></div> Limit <div style="border: 1px solid black; width: 20px; height: 15px;"></div> Inspector: _____ No. <div style="border: 1px solid black; width: 20px; height: 15px;"></div> Beat No. <div style="border: 1px solid black; width: 20px; height: 15px;"></div> </div> </div>																														
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<p>TAKE NOTICE: that pursuant to section 669D of the Local Government Act, you will be deemed to be the person who committed the above offence unless within 21 days of the date on which this notice was served left in or on the vehicle you inform the Council or an Inspector in writing of the identity and address of the offender or furnish information to the Council or an Inspector from which the Council or an Inspector is satisfied that the vehicle had been stolen or was being unlawfully used at the time the offence was alleged to have been committed of the modified penalty prescribed for the offence is paid to the Council.</p>																																	
<div style="border: 1px solid black; padding: 5px;"> <p>YOU MAY DISPOSE OF THIS MATTER:</p> <p>(1) _____ in the following ways: _____ or _____</p> <p>(a) _____</p> <p>(b) _____</p> <p>(2) By Mail: Addressed to the _____</p> <p style="text-align: center;">Cheques made payable to the _____</p> <p>If neither the prescribed penalty is paid nor representation is made within the time specified, Court proceedings may be instituted against you.</p> <p style="text-align: center;">REMINDER NOTICES WILL INCUR ADDITIONAL COSTS.</p> </div>																																	
<p>DO NOT DETACH. PLEASE COMPLETE PART 2 AND PRESENT THIS NOTICE INTACT WHEN MAKING PAYMENT</p> <p>Prescribed Form of Notice -- Section 669D of the Local Government Act</p>																																	
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> POSTED BY: <div style="border: 1px solid black; width: 100px; height: 15px;"></div> </div> <div style="width: 60%;"> <div style="border: 1px solid black; width: 150px; height: 15px;"></div> </div> </div>																																	

EIGHTH SCHEDULE

Vehicles with Multiple Occupants—Parking Stations and Fees.

Dated this 8th day of December 1994.

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

CRAIG LAWRENCE, Chairman of the Commission.
GRAHAM D. PARTRIDGE, Chief Executive Officer/Town Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of the Council.

LG401

DOG ACT 1976

City of Bunbury

Maureen Joy Griffin is hereby appointed as a Registration Officer pursuant to the provisions of the Dog Act.

The appointment of Deanne Pearson is cancelled.

GARY P. BRENNAN, City Manager/Town Clerk.

LG402

SHIRE OF DENMARK

It is hereby notified for public information that the following person has been appointed Honorary Beach Inspector for Ocean Beach for the period 28 December 1994 to 27 January 1995—

John McCourt.

As such, he will be an authorised officer in respect to Council by-laws relating to reserves and foreshores, safety, decency, convenience and comfort of persons in respect of bathing.

P. DURTANOVICH, Shire Clerk.

LG403

SHIRE OF DENMARK

It is hereby notified for public information that the following persons have been appointed Honorary Beach Inspectors for Ocean Beach effective 21 December 1994—

Chris Hoare
George Mumford
Ty Matek
Murray Thornton
Syd Marshall.

As such, they will be authorised officers in respect to Council By-laws relating to reserves and foreshores, safety, decency, convenience and comfort of persons in respect of bathing.

P. DURTANOVICH, Shire Clerk.

LG404**LOCAL GOVERNMENT ACT 1960***Shire of Merredin***SALE OF LAND FOR RATES**

Notice is hereby given that default in payment of rates for a period of not less than three years having occurred, the Merredin Shire Council, acting under the powers conferred by subsection C of Division 6 Part XXV of the Local Government Act 1960, will offer for sale, by public auction at the Merredin Shire Office, 110 Barrack Street, Merredin on the 16 January 1995 at 10.30 a.m., the pieces of land specified in the schedule hereto.

ROY LITTLE, Shire Clerk.

Schedule

Description of Land Lot or Location Number	Title Reference Vol. Fol.	Area (ha)	Street	Description of Improvements	Name of Registered Proprietor	Name of other Per- sons appear- ing to have an interest	Rates Outstand- ing	Other Charges Due on the Land
Burracoppin Lot 33	1238 282	1012 m ²	Station Street	Nil	Ruth Ellen Clark	Nil	382.05	Nil
Burracoppin Lot 34	1017 17	1012 m ²	Station Street	Nil	Ruth Ellen Clark	Nil	235.00	Nil

LG405**SHIRE OF ROEBOURNE**

It is hereby notified that Lawrence Samuel Farrugia has been appointed Principal Building Surveyor as from 8.30 am on 19th December 1994.

T. S. RULAND, Chief Executive Officer/Shire Clerk.

LG406

Form No. 2

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

District Planning Scheme No. 3

Notice is hereby given that the Shire of Kalamunda on 19th December 1994 passed the following Resolution—

Resolved that the Council, in pursuance of section 7 of the Town Planning and Development Act 1928, prepare the above Town Planning Scheme with reference to an area situate wholly within the Shire of Kalamunda and enclosed within the inner edge of the black border on a plan now produced to the Council and marked and certified by the Shire Clerk under his hand dated the 19/12/1994 as "Scheme Area Map".

Dated this 20th day of December 1994.

D. VAUGHAN, Shire Clerk.

LG407**JUSTICES ACT 1902***City of Wanneroo*

At a meeting of Council on 21 December 1994, Ian Stewart Whyborn, in accordance with the provisions of the Justices Act 1902, was authorised to make complaints and act under and enforce the various Acts, Regulations and By-laws for the Municipality of the City of Wanneroo as detailed hereunder—

Local Government Act 1960;
Control of Vehicles (Off Road Areas) Act 1978 and regulations thereunder;
Bush Fires Act 1954, Regulations and By-laws thereunder;
Dog Act 1976, Regulations and By-laws thereunder;

Litter Act 1979 and Regulations thereunder;
Spearguns Control Act 1955 and Regulations thereunder;
By-laws Relating to the Parking of Vehicles on Street Verges;
Local Government By-laws (Parking Facilities) No. 19;
Local Government Uniform General (Parking for Disabled Persons) By-laws 1988;
Local Government By-laws Relating to Safety, Decency, Convenience and Comfort of Persons in respect of Bathing No. 14;
Local Government By-laws Relating to Removal and Disposal of Obstructing Animals or Vehicles No. 7;
By-laws (D1) Relating to Disused Motor Vehicles and Machinery;
By-laws (H1) Relating to the Control and Management of Halls, Community Recreation Centres, Multi-Purpose Centres, Equipment and Property;
By-laws Relating to Reserves and Foreshores;
Local Government By-laws (Street Lawns and Gardens) No. 11.

R. F. COFFEY, Town Clerk.

LG901

LOCAL GOVERNMENT ACT 1960

Shire of Albany

NOTICE OF INTENTION TO BORROW

Proposed Loan No. 139—\$250 000.00

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

\$250 000.00 for a term of ten (10) years repayable at the office of the Council by twenty (20) half yearly instalments of principal and interest. The interest rate is to be re-negotiated after five (5) years.

Purpose: Purchase of Plant.

Specifications as required by section 609 of the Act are available for inspection at the office of the Council during working hours for a period of thirty five (35) days after the publication of this notice.

Dated this 22nd day of December, 1994.

C. G. P. AYRES, President.
WAYNE F. SCHEGGIA, Chief Executive Officer.

LG902

LOCAL GOVERNMENT ACT 1960

Shire of Mukinbudin

NOTICE OF INTENTION TO BORROW

Proposed Loan No. 97—\$150 000.00

Pursuant to section 610 of the Local Government Act 1960, the Shire of Mukinbudin hereby gives notice that it proposes to borrow funds by the sale of debenture on the following terms for the following purpose—

\$150 000.00 for a period of 10 years payable by 20 half yearly repayments of principal and interest at the office of the Council of Mukinbudin. Interest rate to be negotiated each 4 yearly period.

Purpose: Plant Purchase.

Plans and costs as required by section 609 of the Act are open for inspection at the Administration Centre, Maddock Street, Mukinbudin during normal office hours for 35 days, after the publication of this notice.

Dated 20th December 1994.

E. R. VENTRIS, President.
W. M. FENSOME, Shire Clerk.

LG903

LOCAL GOVERNMENT ACT 1960*Town of Mosman Park***NOTICE OF INTENTION TO BORROW**

Proposed Loan No. 63 for \$25 000

Pursuant to section 609 and 610 of the Local Government Act 1960, the Council of the municipality of the Town of Mosman Park hereby gives notice that it proposes to borrow money by the sale of a debenture or debentures on the following terms and for the following purpose—

\$25 000 for a period of 10 years at the ruling rate of interest, repayable at the office of the lender by 40 quarterly payments of principal and interest.

Purpose: To on-lend to the Mosman Park Football Club (Inc.) for administration and bar upgrading to maintain and improve the David Jones Pavilion.

Note: The repayment of the loan will be fully payable by the Mosman Park Football Club (Inc.).

Statements of cost estimates as required by section 609 of the Local Government Act are open for inspection by ratepayers at the office of the Council during office hours for a period of thirty five (35) days after the publication of this notice in the *Government Gazette*.

Dated this 22nd day of December, 1994.

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

LG904

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

Loan No. 96

Pursuant to section 610 of the Local Government Act 1960, the Shire of Coolgardie hereby gives notice that it intends to borrow money by the Sale of Debentures on the following terms and for the following purposes.

\$40 000 for a period of 10 years repayable at the office of the Council, Coolgardie in 40 quarterly instalments of principal and interest, with interest at ruling Treasury rates.

Purpose: Reconstruction and upgrade of the Kambalda Squash Club buildings located in Kambalda West.

Loan to be Self Supporting with repayments to be met by the Kambalda Squash Club.

Specifications and estimated costs as required by section 609 of the Act, are open for inspection of Electors and Ratepayers at the office of the Council, Bayley Street Coolgardie during normal office hours for 35 days after publication of this notice.

Dated this 22nd day of December 1994.

W. M. INGHAM, President.
P. J. HUGHSON, Shire Clerk.

MAIN ROADS

MA401

MRWA 42-41-55

MAIN ROADS ACT 1930**PUBLIC WORKS ACT 1902****NOTICE OF INTENTION TO TAKE OR RESUME LAND**

The Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902, that it is intended to take or resume under section 17 (1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in the Murray District, for the purpose of the following public works namely, for future road development and re-vegetation and that the said pieces or parcels of land are marked off on MRWA Drawing 9402-0535 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx)
1.	David John Thomas and Joyce Mary Thomas	D. J. & J. M. Thomas	Portion of Cockburn Sound Location 16 and being part of Lot 3 on Diagram 52346 and being part of the land comprised in Certificate of Title Volume 1472 Folio 580.	1.199 ha

Dated this 30th day of December 1994.

D. R. WARNER, Director Corporate Services.

MINERALS AND ENERGY

MN101

CORRECTION

PETROLEUM ACT 1967

Invitation for Applications for the Grant of Exploration Permits and Drilling Reservations

The notice published under the above heading on page 6708 of the *Government Gazette* dated 9 December 1994, is corrected by amending the date in paragraph four the following words "Areas L94-1 to 6 published in the *Government Gazette* on 28 November 1994" to "25 November 1994".

PETER BAILLIE, Acting Director Petroleum Operations Division.

MN401

MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Minerals and Energy.

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

F. CULLEN, Warden.

To be heard in the Warden's Court, Marble Bar on the 23rd February 1995.

PILBARA MINERAL FIELD

Marble Bar District

P45/2007—Dimitrovski, George; Dimitrovski, Margaret Marshall.

P45/2014—Hart, Graham Hughes; Hart, Susan Maxine.

P45/2015—Hart, Graham Hughes; Hart, Susan Maxine.

P45/2288—Potter, Alfred George.

WEST PILBARA MINERAL FIELD

P47/1007—Rundell, Darren Jeffrey.

MN402

MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Minerals and Energy.
Southern Cross.

In accordance with Regulation 49 (2) (c) of the Mining Regulations 1981, notice is hereby given that the Licences are liable for forfeiture under the provisions of section 96 (1) (a) of the Mining Act 1978, for breach of covenant, *viz.* non payment of rent.

P. G. MALONE, Warden.

To be heard in the Warden's Court sitting at Southern Cross on the 9th day of February 1995.

YILGARN MINERAL FIELD

Prospecting Licence

77/3031—Humphrey, John; Durack, Gregory Michael.

Miscellaneous Licence

77/112—Southern Goldfields Ltd; Scanfire Exploration Pty Ltd.

MN403

MINING ACT 1978

INSTRUMENT OF EXEMPTION OF CROWN LAND

The Minister for Mines pursuant to the powers conferred on him by section 19 of the Mining Act 1978, hereby exempts all areas of Crown land described in the Schedule hereunder (not being Crown land that is the subject of a mining tenement or an application therefor) from Divisions 1-5 of part IV of the Mining Act 1978.

Schedule

All those portions of Crown land to a depth of 10 metres, not subject to mining tenements or applications therefor, outlined in dark green on Minerals and Energy File 911/94 page 12 and delineated in green on the following Minerals and Energy public plan:

Argyle Downs 1:100 000

Dated this 22nd day of December 1994.

GEORGE CASH, Minister for Mines.

MN404

COMMONWEALTH OF AUSTRALIA

PETROLEUM (SUBMERGED LANDS) ACT 1967

Section 118—Release of Information

I, Ian Fraser, Director of the Petroleum Operations Division of the Department of Minerals and Energy by virtue of the provisions of the Act by instrument of delegation dated 2 March 1993 and published in the *Government Gazette* of Western Australia on 12 March 1993, do hereby advise that in accordance with Section 118:

- (i) As of 1 April, 1995, it is my intention to make available all interpreted data submitted prior to 31 December 1989 in accordance with the Petroleum (Submerged Lands) Act 1967; and
- (ii) therefore invite interested persons to advise of any objections to this release of information within 45 days of publication of this notice.

A person is not entitled to make an objection to information being made available or publicly known except on grounds that to do so would disclose:

- (a) any trade secret, or
- (b) any other information the disclosure of which would, or could reasonably be expected to adversely affect the person in respect of the lawful business commercial or financial affairs of the person.

If no objections are received in accordance with this notice, it shall be deemed that the person who furnished the document containing the information has consented to the information being made available or publicly known.

Any objections to the release of information should be addressed to:

The Director
Petroleum Operations Division
Department of Minerals and Energy
Mineral House
100 Plain Street
East Perth WA 6004
Telephone: (09) 222 3291
Facsimile: (09) 222 3515

IAN FRASER, Director Petroleum Operations Division.

MN405

STATE OF WESTERN AUSTRALIA
PETROLEUM (SUBMERGED LANDS) ACT 1982

Section 118—Release of Information

I, IAN FRASER, Director of the Petroleum Operations Division of the Department of Minerals and Energy by virtue of the provisions of the Act by instrument of delegation dated 2 March 1993 and published in the *Government Gazette* of Western Australia on 12 March 1993, do hereby advise that in accordance with Section 118:

- (i) As of 1 April, 1995, it is my intention to make available all interpreted data submitted prior to 31 December 1989 in accordance with the Petroleum (Submerged Lands) Act 1982; and
- (ii) therefore invite interested persons to advise of any objections to this release of information within 45 days of publication of this notice.

A person is not entitled to make an objection to information being made available or publicly known except on grounds that to do so would disclose:

- (a) any trade secret, or
- (b) any other information the disclosure of which would, or could reasonably be expected to adversely affect the person in respect of the lawful business commercial or financial affairs of the person.

If no objections are received in accordance with this notice, it shall be deemed that the person who furnished the document containing the information has consented to the information being made available or publicly known.

Any objections to the release of information should be addressed to:

The Director
Petroleum Operations Division
Department of Minerals and Energy
Mineral House
100 Plain Street
East Perth 6004
Telephone: (09) 222 3291
Facsimile: (09) 222 3515

IAN FRASER, Director Petroleum Operations Division.

MN406

STATE OF WESTERN AUSTRALIA
PETROLEUM ACT 1967

Section 112—Release of Information

I, IAN FRASER, Director of the Petroleum Operations Division of the Department of Minerals and Energy by virtue of the provisions of the Act by instrument of delegation dated 2 March 1993 and published in the *Government Gazette* of Western Australia on 12 March 1993, do hereby advise that in accordance with Section 112:

- (i) As of 1 April, 1995, it is my intention to make available all interpreted data submitted prior to 31 December 1989 in accordance with the Petroleum Act 1967; and
- (ii) therefore invite interested persons to advise of any objections to this release of information within 45 days of publication of this notice.

A person is not entitled to make an objection to information being made available or publicly known except on grounds that to do so would disclose:

- (a) any trade secret, or
- (b) any other information the disclosure of which would, or could reasonably be expected to adversely affect the person in respect of the lawful business commercial or financial affairs of the person.

If no objections are received in accordance with this notice, it shall be deemed that the person who furnished the document containing the information has consented to the information being made available or publicly known.

Any objections to the release of information should be addressed to:

The Director
Petroleum Operations Division
Department of Minerals and Energy
Mineral House
100 Plain Street
East Perth 6004
Telephone: (09) 222 3291
Facsimile: (09) 222 3515

IAN FRASER, Director Petroleum Operations Division.

PLANNING AND URBAN DEVELOPMENT**PD401****TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***City of Melville*

Town Planning Scheme No. 3—Amendment Nos. 118 and 125

Ref: 853/2/17/10, Pts. 118 and 125.

Notice is hereby given that the City of Melville has prepared the abovementioned scheme amendments for the purpose of:

Amendment No. 118:

- (a) amending Clause 5.1.3 by deleting the words "Form CM1 set out in this Scheme" and inserting in its place the words "a form prescribed by the Council".
- (b) amending Clause 5.1.6 by deleting the words "on Form CM2 or CM3, set out as Appendix 2 to the Scheme."
- (c) deleting Appendices 2, 2.1 and 2.2.

Amendment No. 125: modifying Child Minding Centres in the use class table from an X use to an AA use in the Industrial 2 Zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Almondbury Road, Ardross 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. McNALLY, Town Clerk.

PD402**TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***Shire of Busselton*

Town Planning Scheme No. 5—Amendment No. 340

Ref: 853/6/6/6, Pt. 340.

Notice is hereby given that the Shire of Busselton has prepared the abovementioned scheme amendment for the purpose of:

1. adding an "Additional Use" zone over the current "General Farming" zone for Lot 22 of Sussex Loc 698 Henry Road, Willyabrup.
2. amending the Scheme Text by adding to Appendix IV—Additional Use Zones—reference to the land being permitted to be developed for tearoom purposes.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Southern Drive, Busselton 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 10 February 1995.

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

K. LANG, A/Shire Clerk.

PD403**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959****METROPOLITAN REGION SCHEME****Section 33 Amendment****"Burswood Bridge and Road"**

File: 809-2-10-5.

Amendment No.: 933/33.

It is hereby notified for public information that the Burswood Bridge and Road Amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament for twelve sitting days, in accordance with the provisions of section 33 of the Metropolitan Region Town Planning Scheme Act. During that time no motion of disallowance was carried by either House.

Metropolitan Region Scheme map sheets numbered 16 is amended by substituting the zones and reservations as shown on amendment map sheet numbered 16/133m.

The amendment as depicted on State Planning Commission plan number 3.0658/3 therefore has effect from and after 8 December 1994.

IAN WIGHT-PICKIN, A/Secretary,
State Planning Commission.

PD404**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959****METROPOLITAN REGION SCHEME****Section 33 Amendment****"South West Corridor Stage B"**

File: 809-2-28-5.

Amendment No.: 937/33.

It is hereby notified for public information that the South West Corridor Stage B Amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament for twelve sitting days, in accordance with the provisions of section 33 of the Metropolitan Region Town Planning Scheme Act. During that time no motion of disallowance was carried by either House.

Metropolitan Region Scheme map sheets numbered 27, 31 and 35 are amended by substituting the zones and reservations as shown on amendment map sheets numbered 27/30m, 31/20m and 35/4m.

The amendment as depicted on State Planning Commission plan number SP394/4 therefore has effect from and after 10 December 1994.

IAN WIGHT-PICKIN, A/Secretary,
State Planning Commission.

PD405**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959****METROPOLITAN REGION SCHEME****Section 33 Amendment****"South West Corridor Stage A"**

File: 809-2-1-21.

Amendment No.: 938/33.

It is hereby notified for public information that the South West Corridor Stage A Amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament for twelve sitting days, in accordance with the provisions of section 33 of the Metropolitan Region Town Planning Scheme Act. During that time no motion of disallowance was carried by either House.

Metropolitan Region Scheme map sheets numbered 19, 20, 23, 24, 27 and 28 are amended by substituting the zones and reservations as shown on amendment map sheets numbered 19/61m, 20/92m, 23/32m, 24/57m, 27/31m and 28/17m.

The amendment as depicted on State Planning Commission plan number SP395/6 therefore has effect from and after 10 December 1994.

IAN WIGHT-PICKIN, A/Secretary,
State Planning Commission.

PD406**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959****METROPOLITAN REGION SCHEME****Section 33 Amendment****"North East Corridor"**

File: 809-2-1-24.

Amendment No.: 950/33.

It is hereby notified for public information that the North East Corridor Amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament for twelve sitting days, in accordance with the provisions of section 33 of the Metropolitan Region Town Planning Scheme Act. During that time no motion of disallowance was carried by either House.

Metropolitan Region Scheme map sheets numbered 8 and 12 are amended by substituting the zones and reservations as shown on amendment map sheets numbered 8/5m and 12/5m.

The amendment as depicted on State Planning Commission plan number SP434/5 therefore has effect from and after 14 December 1994.

IAN WIGHT-PICKIN, A/Secretary,
State Planning Commission.

PD407**METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959****METROPOLITAN REGION SCHEME****Section 33 Amendment****"Perth-Adelaide Highway (Orange Route)"**

File: 809-2-1-24.

Amendment No.: 950/33.

It is hereby notified for public information that the Perth-Adelaide Highway (Orange Route) Amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament for twelve sitting days, in accordance with the provisions of section 33 of the Metropolitan Region Town Planning Scheme Act. During that time no motion of disallowance was carried by either House.

Metropolitan Region Scheme map sheets numbered 12, 13, 14, 16 and 17 are amended by substituting the zones and reservations as shown on amendment map sheets numbered 12/51m, 13/21m, 14/10m, 16/141m and 17/35m.

The amendment as depicted on State Planning Commission plans numbered 1.3103, 1.3104 and 1.3105 therefore has effect from and after 14 December 1994.

IAN WIGHT-PICKIN, A/Secretary,
State Planning Commission.

POLICE**PE401****POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed stolen bicycles will be sold by public auction at the Department of State Services, State Supply Disposal Centre, 21 Pilbara Street, Welshpool on Tuesday, 7 February 1995 at 9.00 a.m.

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

R. FALCONER, Commissioner of Police.

PE402**POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed found and stolen property will be sold by public auction at the Department of State Services, State Supply Disposal Centre, 21 Pilbara Street, Welshpool on Tuesday, 14 February 1995 at 9.00 a.m.

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

R. FALCONER, Commissioner of Police.

PREMIER AND CABINET**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 R. F. Court, MLA at any time in the period 26 to 30 December 1994 inclusive—

Acting Premier; Minister for Public Sector Management; Federal Affairs; Tourism—
Hon H. J. Cowan, MLA (26 and 27 December 1994)
Hon C. J. Barnett, MLA (28 to 30 December 1994)

Acting Treasurer—Hon G. M. Evans, MLC

M. C. WAUCHOPE, Chief Executive.

RACING AND GAMING**RA301****LIQUOR LICENSING ACT 1988****LIQUOR LICENSING AMENDMENT REGULATIONS (NO. 2) 1994**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Liquor Licensing Amendment Regulations (No. 2) 1994*.

Principal regulations

2. In these regulations the *Liquor Licensing Regulations 1989** are referred to as the principal regulations.

[* *Published in Gazette of 27 January 1989 at pp. 209-61.*
For amendments to 8 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, pp. 158-9, and Gazette of 23 September 1994.]

Regulation 4A amended

3. Regulation 4A of the principal regulations is amended —

- (a) in subregulation (1), by inserting after “essence” the following —
“ that is sold by way of retail sale ”; and
- (b) by repealing subregulation (2) and substituting the following subregulation —

“
(2) In subregulation (1) —

“**alcohol based food essence**” means a preparation of flavouring substance in liquid form with a concentration of ethanol exceeding 1.15% by volume in a container that has a volume exceeding 50 millilitres;

“**retail sale**” has the meaning given in the *Retail Trading Hours Act 1987*.

”

Regulation 8 amended**4. Regulation 8 of the principal regulations is amended —**

- (a) by deleting the full stop at the end of paragraph (f) and substituting a semicolon; and
- (b) by inserting the following paragraph —
 - “
 - (g) the sale by a person, authorized in writing by the Director, of an alcohol based food essence, as defined in regulation 4A (2).
 - ”

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

RA302

TOTALISATOR AGENCY BOARD BETTING ACT 1960**TOTALISATOR AGENCY BOARD AMENDMENT RULES 1995**

Made by the Totalisator Agency Board under section 15.

Citation

1. These rules may be cited as the *Totalisator Agency Board Amendment Rules 1995*.

Rule 16 amended

2. Rule 16 (1) of the *Totalisator Agency Board Rules 1961** is amended by deleting “at least 2 members of the Board, one of whom shall be the Chairman or the Deputy Chairman of the Board,” and substituting the following —

“ a member of the Board ”.

[* Reprinted as at 12 November 1992.
For amendments to 15 December 1994 see 1993 Index to
Legislation of Western Australia, Table 4, p. 275.]

Approved by resolution of the Board.

The Common Seal of the Totalisator Agency Board was hereunto affixed by authority of the Board in the presence of—

R. HUSSEY, Chairman.
M. HILL, Member.
P. R. BUSH, Secretary.

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 Date for Objections
APPLICATIONS FOR TRANSFER OF LICENCE			
830/94	Paul Madden	Application for the transfer of a Hotel Licence in respect of premises situated in Rocky Gully and known as the Rocky Gully Pub, from Norman George Smith.	2/1/95
838/94	J. Spragg, K. Spragg and Wakeham Holdings Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in Northbridge and known as the Tequila Sunrise Mexican Restaurant, from J. Spragg and K. Spragg.	28/12/94
841/94	Karri Park Pty Ltd	Application for the transfer of a Liquor Store Licence in respect of premises situated in Frankland and known as Frankland Traders, from Denise Evans and Trevor Jones.	29/12/94
842/94	Ro Ha Thang and Trinh Tiet	Application for the transfer of a Restaurant Licence in respect of premises situated in Stirling and known as the Chu Sing Chinese Restaurant, from To Ha Tiet and Ngu Muoi Duong.	30/12/94
843/94	Michael Lim	Application for the transfer of a Restaurant Licence in respect of premises situated in Osborne Park and known as the Rafael Restaurant, from Pietro Nominees Pty Ltd.	12/1/95
845/94	William Grove, Alison May Smith, John Grove and Andrew Grove	Application for the transfer of a Hotel Restricted Licence in respect of premises situated in Scarborough and known as the Indian Ocean Hotel, from Alison May Smith.	1/1/95
847/94	Florence May Nicol	Application for the transfer of a Hotel Licence in respect of premises situated in Kukerin and known as the Kukerin Hotel, from Florence May Nicol (S87).	23/12/94
APPLICATIONS FOR THE GRANT OF A LICENCE			
523/94	William Malcolm Reid and Hilary Mary Reid	Application for the grant of a Special Facility Licence in respect of premises situated in Vasse and known as the Kinvarra Park Lodge.	19/1/95
526/94	Edgewater Cricket Club	Application for the grant of a Club Restricted Licence in respect of premises situated in Edgewater and known as the Edgewater Cricket Club.	18/1/95
527/94	West Liquor Supplies Pty Ltd	Application for the grant of a Wholesale Licence in respect of premises situated in Kununurra and known as West Liquor Supplies.	13/1/95
528/94	West Liquor Supplies Pty Ltd	Application for the grant of a Wholesale Licence in respect of premises situated in Broome and known as West Liquor Supplies.	13/1/95
529/94	Adairn Pty Ltd	Application for the grant of a Cabaret Licence in respect of premises situated in Perth and known as the Gobbles Pool Lounge.	13/1/95

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

G. B. AVES, Director of Liquor Licensing.

RAILWAYS

RB301

GOVERNMENT RAILWAYS ACT 1904**RAILWAYS BY-LAWS AMENDMENT BY-LAWS 1994**

Made by the Western Australian Government Railways Commission and approved by His Excellency the Governor in Executive Council.

Citation

1. These by-laws may be cited as the *Railways By-laws Amendment By-laws 1994*.

Commencement

2. These by-laws come into operation on the day on which the *Acts Amendment (Perth Passenger Transport) Act 1994* comes into operation.

Principal by-laws

3. In these by-laws the *Railways By-laws** are referred to as the principal by-laws.

[* Published in the Gazette of 14 May 1940 at p. 789.
For amendments to 6 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, pp. 106-112 and Gazette of 5 December 1994.]

By-laws A1, 1, 2, 3, 4, 5, 6, 8, 9 and 10 repealed

4. By-laws A1, 1, 2, 3, 4, 5, 6, 8, 9 and 10 of the principal by-laws are repealed.

By-law 17A amended

5. By-law 17A of the principal by-laws is amended by deleting "not exceeding Twenty Pounds." and substituting the following —

" of \$200. "

By-law 23 repealed and by-laws substituted

6. By-law 23 of the principal by-laws is repealed and the following by-laws are substituted —

"

Possession of graffiti implement

23. A person on railway premises must not have in his or her possession a spray can, felt pen, crayon or other article capable of being used to deface property, unless the person has a lawful excuse for possessing that article.

Penalty: \$200.

Possession of solvent

23A. A person on railway premises must not have in his or her possession a solvent or other volatile substance capable of inducing a narcotic effect if inhaled or ingested, unless the person has a lawful excuse for possessing that substance.

Penalty: \$200.

Possession of weapon

23B. A person on railway premises must not have in his or her possession a weapon made or adapted for use for causing injury to a person, unless the person has a lawful excuse for possessing that weapon.

Penalty: \$200.

”.

By-law 27 repealed and a by-law substituted

7. By-law 27 of the principal by-laws is repealed and the following by-law substituted —

“

Person to give correct name and address when so required

27. (1) A railway employee may require a person on a railway —

- (a) to provide the person's correct name and address to that employee; or
- (b) to verify that a name and address provided to the employee is correct.

(2) A person who is required to give his or her name and address under sub-by-law (1) must not refuse to provide his or her name and address.

Penalty: \$200.

(3) A person who is required to give his or her name and address under sub-by-law (1) must not give a false name or address.

Penalty: \$200.

(3) A person who is required to verify his or her name and address under sub-by-law (1) must not refuse to verify that name or address.

Penalty: \$200.

”.

By-law 29 repealed

8. By-law 29 of the principal by-laws is repealed.

By-law 31 amended

9. By-law 31 of the principal by-laws is amended at the foot of that by-law by deleting “Twenty pounds.” and substituting the following —

“ \$200. ”.

By-laws 32 and 33 repealed

10. By-laws 32 and 33 of the principal by-laws are repealed.

By-law 43 amended

11. By-law 43 (3) of the principal by-laws is amended by deleting “not exceeding forty dollars.” and substituting the following —

“ of \$200. ”.

By-law 43A amended

12. By-law 43A of the principal by-laws is amended —

- (a) by deleting “not exceeding Twenty pounds.” and substituting the following —
“ of \$200. ”; and
- (b) by deleting “any person holding a license under By-law 41 authorising him to ply for hire within the said railway premises, and”.

By-law 44A amended

13. By-law 44A of the principal by-laws is amended by deleting “not exceeding twenty pounds.” and substituting the following —

“ of \$200. ”.

By-law 46 repealed

14. By-law 46 of the principal by-laws is repealed.

By-law 47 amended

15. By-law 47 of the principal by-laws is amended by deleting “not exceeding Twenty pounds. (See also “Government Railways Act, 1904,” s. 42.)” and substituting the following —

“ of \$200. ”.

By-law 50 repealed

16. By-law 50 of the principal by-laws is repealed.

By-law 52 amended

17. By-law 52 of the principal by-laws is amended by deleting “not exceeding Twenty pounds;” and substituting the following —

“ of \$200; ”.

By-law 81 amended

18. By-law 81 (2) of the principal by-laws is amended by deleting “not exceeding forty dollars.” and substituting the following —

“ of \$200. ”.

By-law 91 amended

19. By-law 91 of the principal by-laws is amended —

- (a) by inserting after rule 1 the following rule —

“

1A. This by-law applies to journeys that involve travel outside the metropolitan area (within the meaning given in section 18B (1) of the *Transport Co-ordination Act 1966*).

”;

- (b) by inserting after rule 2 the following rule —

“
 2A. A person must not consume food on a train
 except in places set aside by the Commission for that
 purpose.”,
 and

- (c) in rule 7 by deleting “forty dollars.” and substituting the following —

“ \$200. ”.

By-law 93 amended

20. By-law 93 (2) of the principal by-laws is amended by deleting “forty dollars.” and substituting the following —

“ \$200. ”.

By-law 94 amended

21. By-law 94 of the principal by-laws is amended at the foot of rule 4 by deleting “Twenty pounds.” and substituting the following —

“ \$200. ”.

Various penalties amended

22. The principal by-laws are amended by deleting “not exceeding Twenty pounds.” wherever it occurs in the provisions referred to in the Table to this by-law and substituting in each case the following —

“ of \$200. ”.

TABLE

By-law 12	By-law 38
By-law 13	By-law 39
By-law 14	By-law 40
By-law 15	By-law 41
By-law 16	By-law 42
By-law 17	By-law 44
By-law 18	By-law 48
By-law 19	By-law 49
By-law 20	By-law 51
By-law 21	By-law 53
By-law 22	By-law 68
By-law 25	By-law 69
By-law 26	By-law 70
By-law 28	By-law 70A
By-law 30	By-law 71
By-law 34	By-law 72
By-law 35	By-law 75
By-law 36	By-law 80 (5)
By-law 37	By-law 87 (2).

The Common Seal of Western Australian Government Railways Commission was hereunto affixed in the presence of—

R. DRABBLE, Commissioner.
 D. CLARKE, Secretary.

Approved by His Excellency the Governor in Executive Council.

M. C. WAUCHOPE, Clerk of the Council.

RB302

GOVERNMENT RAILWAYS ACT 1904

GOVERNMENT RAILWAYS (INFRINGEMENT NOTICE) BY-LAWS
1994

Made by the Western Australian Government Railways Commission and approved by His Excellency the Governor in Executive Council.

Citation

1. These by-laws may be cited as the *Government Railways (Infringement Notice) By-laws 1994*.

Commencement

2. These by-laws come into operation on the day on which the *Acts Amendment (Perth Passenger Transport) Act 1994* comes into operation.

Interpretation

3. In these by-laws —

“metropolitan area” has the meaning given in section 18B (1) of the *Transport Co-ordination Act 1966*;

“railway operations” means transport services provided by or on behalf of the Western Australian Government Railways Commission;

“suburban travel” means railway operations that do not involve travel outside the metropolitan area.

Offences prescribed for the purposes of section 53A of the Act

4. The offences described in columns 1 and 2 of Schedule 1 are prescribed offences for the purposes of section 53A of the Act.

Modified penalties prescribed for the purposes of section 53A of the Act

5. The penalties set out in column 3 of Schedule 1 are prescribed modified penalties for the offences in column 2 to which the penalties correspond, for the purposes of section 53A of the Act.

Infringement notice

6. Under section 53A (3) of the Act, form No. 1 in Schedule 2 is prescribed as the form of an infringement notice.

Notice of withdrawal of infringement notice

7. Under section 53A (7) of the Act, form No. 2 in Schedule 2 is prescribed as the form of a notice of withdrawal of an infringement notice.

Schedule 1

[By-laws 4 & 5]

COLUMN 1	COLUMN 2	COLUMN 3
Provision Creating Offence	Nature of Offence	Penalty \$
<i>Government Railways Act 1904</i>		
1. Section 43 (2)	Damaging railway property (including damage by way of graffiti, whether indecent or not)	50
2. Section 43 (3)	Defacing boards or notices (including defacement by way of graffiti, whether indecent or not)	50
3. Section 43 (5)	Behaving in a violent or offensive manner, or being drunk on any railway or railway premises	50
4. Section 45 (1)	Altering a ticket	50
5. Section 45 (2)	Permitting an unauthorised person to use a pass	50
6. Section 45 (2), (3) or (4)	Unauthorised sale or transfer, or offering for sale or transfer, any ticket	50
7. Section 46 (1)	Using an expired ticket	50
8. Section 46 (2)	Travelling without a ticket	50
9. Section 46 (3)	Travelling in excess of ticket allocation	50
10. Section 46 (6)	Having travelled, leaving or attempting to leave without paying the proper fare	50
11. Section 48 (1)	Selling or attempting to sell articles without authorization	50
12. Section 48 (3)	Trespassing on railway property	50
<i>Railways By-laws</i>		
13. By-law 12	Smoking in places not set apart for the purpose	50
14. By-law 13	Smoking in non-smoking compartments, carriages or vehicles	50
15. By-law 14	Placing feet on seats	50
16. By-law 15	Spitting	50
17. By-law 20	Entering or leaving carriages when in motion, etc.	50
18. By-law 21	Entering or leaving carriages through a window Opening door of carriage while in motion	50 50
19. By-law 22	Travelling on roof, steps, etc. of carriage	50

COLUMN 1	COLUMN 2	COLUMN 3
Provision Creating Offence	Nature of Offence	Penalty \$
20. By-law 23	Being in possession of graffiti implement without lawful excuse	50
21. By-law 23A	Being in possession of a substance capable of narcotic effect without lawful excuse	50
22. By-law 25	Misusing means of communication, or applying brake without excuse	50
23. By-law 26	Offering gratuity to employee	50
24. By-law 27 (2)	Refusing to give a name or address	50
25. By-law 27 (3)	Giving a false name or address	50
26. By-law 27 (4)	Refusing to verify a name or address	50
27. By-law 31	Distributing or posting placards, bills or advertisements	50
28. By-law 36	Loitering on railway premises	50
29. By-law 37	Refusing to leave when requested to do so	50
30. By-law 38	Crossing railway at unauthorized place	50
31. By-law 39	Failing to use overbridge or subway when provided	50
32. By-law 47	Throwing missiles, rubbish, etc	50
33. By-law 91 (other than for suburban travel)	Offences relating to the unauthorized consumption of food and liquor, and the unauthorized sale and transportation of liquor Offences relating to the furnishing of, and the provision of details for, a certificate of age	50 50
<i>Government Railways (Fares and Passengers) By- laws 1994</i>		
34. By-law 14 (1)	Travelling, or attempting to travel without a valid ticket, or failure to produce a valid ticket on demand	50
35. By-law 14 (2)	Producing invalid ticket while travelling, or attempting to travel	50
36. By-law 14 (3)	Allowing person to use ticket to travel at lower fare	50
37. By-law 14 (4)	Travelling, or attempting to travel using ticket not issued to the person producing it	50
38. By-law 14 (5)	Obtaining or attempting to obtain ticket by false statement or representation	50

COLUMN 1	COLUMN 2	COLUMN 3
Provision Creating Offence	Nature of Offence	Penalty \$
39. By-law 14 (6)	Travelling, or attempting to travel using ticket obtained by false statement or representation	50
40. By-law 14 (7)	Altering ticket	50
41. By-law 15	Travelling, or attempting to travel with inappropriate voucher	50
42. By-law 16 (1)	Travelling, or attempting to travel together with bicycle without a ticket for the person, a ticket for the bicycle and a valid bicycle permit, during times determined by Commission	50
43. By-law 16 (2)	Travelling, or attempting to travel together with bicycle without both a ticket for the person and a ticket for the bicycle at times other than the times determined by Commission for a permit	50
44. By-law 18	Failing to produce appropriate concession identification	50
45. By-law 19	Failing to produce valid ticket for child	50
46. By-law 22 (1) (suburban travel only)	Consuming food or drink	50

Schedule 2

Form 1

**Western Australian Government Railways (Infringement Notice)
By-laws 1994**

(by-law 6)

INFRINGEMENT NOTICE

No
Date...../...../.....

1. To.....
(Surname) (Other names)
of.....
..... Postcode

It is alleged that at about am/pm on the
day of 19..... at
.....
you committed the offence described below and are liable for the modified
penalty stated.

.....
Authorized Person

2. Section of Act or provision of By-law Description of offence Modified penalty

3. You may dispose of this matter by payment of the modified penalty within 28 days of receiving this notice.
4. If the modified penalty is not paid within the time specified in this notice a complaint for the alleged offence may be heard and determined by a court.
5. Payment of the modified penalty may be made by either —
- (a) posting this form and a cheque, money order or postal note for the amount of the modified penalty specified in item 2, to The Cashier, GPO Box S1422 Perth 6000; or
- (b) presenting this form and paying the amount to any Railway Booking Office at such times as those Offices are open for regular business.

Form 2

**Western Australian Government Railways (Infringement Notice)
 By-laws 1994**

(by-law 7)

WITHDRAWAL OF INFRINGEMENT NOTICE

No
 Date...../...../.....

To.....
 (Name)
 of.....
 (Address)

Infringement Notice No. . . . dated / / for the offence described below is hereby withdrawn.

.....
 Authorized Person

Section of Act or provision of By-law Description of offence Modified penalty

The Common Seal of Western Australian Government Railways Commission was hereunto affixed in the presence of—

R. DRABBLE, Commissioner.
 D. CLARKE, Secretary.

Approved by His Excellency the Governor in Executive Council.

M. C. WAUCHOPE, Clerk of the Council.

RB303

GOVERNMENT RAILWAYS ACT 1904

GOVERNMENT RAILWAYS (FARES AND PASSENGERS) BY-LAWS
1994

Made by the Western Australian Government Railways Commission and approved by His Excellency the Governor in Executive Council.

Part I — Preliminary

Citation

1. These by-laws may be cited as the *Government Railways (Fares and Passengers) By-laws 1994*.

Commencement

2. These by-laws come into operation on the day on which the *Acts Amendment (Perth Passenger Transport) Act 1994* comes into operation.

Application

3. Unless otherwise stated, these by-laws apply to all railways and railway operations within the State, and apply in addition to the *Railway By-laws**.

[* *Published in the Gazette of 14 May 1940 at p. 789.*
For amendments to 6 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, pp. 106-112 and Gazette of 5 December 1994.]

Interpretation

4. In these by-laws unless the contrary intention appears —

“bicycle” means a two-wheeled vehicle designed to be propelled by human power;

“employee” means a person employed by the Commission to perform functions on any property owned or operated by or on behalf of the Commission, or in connection with any vehicle;

“fare” means the amount of money fixed by or on behalf of the Commission under by-law 5 that is payable for a journey undertaken on a vehicle;

“issued” means —

- (a) sold, in the case of a ticket; or
- (b) endorsed, in the case of a voucher;

“metropolitan area” has the meaning given in section 18B (1) of the *Transport Co-ordination Act 1966*;

“pass” means a pass described in by-law 9;

“passenger” means a person travelling on a vehicle but does not include an employee of the Commission travelling on a vehicle for the purpose of carrying out his or her functions or duties;

“periodical ticket” means a ticket described in by-law 8;

“permit” means a permit described in by-law 9;

"railway operations" means transport services provided by or on behalf of the Western Australian Government Railways Commission;

"suburban travel" means railway operations that do not involve travel outside the metropolitan area;

"ticket" means —

- (a) a ticket issued for a journey within the terms and conditions set by or on behalf of the Commission;
- (b) a voucher appropriate to the passenger that has been endorsed for a journey within the terms and conditions set by or on behalf of the Commission;
- (c) a document signed by an authorized employee allowing a person or persons to travel on a vehicle;

"vehicle" means a train, railcar, road coach or other vehicle, used or operated by or on behalf of the Commission;

"voucher" means a voucher sold under by-law 7.

Part II — Fares

Fares

5. (1) Subject to these by-laws, the fare to be paid by or in respect of a passenger, or a bicycle, is the relevant amount fixed by or on behalf of the Commission from time to time.

(2) If a passenger is a child who has not attained the age of 5 years and is accompanied by an adult passenger, no fare is payable for the child unless the child occupies a seat to the exclusion of an adult.

Cash fares

6. Subject to these by-laws, all fares are payable in cash.

Vouchers

7. (1) The Commission, or an agent approved by the Commission, may sell vouchers at such rates as the Commission may from time to time determine and a voucher may, subject to this by-law, be endorsed as many times as is indicated on the voucher.

(2) A voucher may be sold for use only by a class of person, or for a category of travel, specified in the voucher.

(3) A voucher is endorsed by causing an entry to be made on the voucher, by a device provided by the Commission for that purpose, and when that is done, the fare appropriate to the type of travel authorized by the voucher is deemed to have been paid for a person in respect of whom the voucher is so endorsed.

Periodical tickets

8. (1) The Commission or an agent appointed by the Commission may issue periodical tickets at such rates and on such terms and conditions as the Commission may from time to time determine.

(2) A periodical ticket is valid for the period stated on that ticket.

(3) Presentation of a valid periodical ticket is proof of payment of the cash fare.

Passes and permits

9. (1) The Commission may issue passes and permits entitling the holders to travel on such terms and conditions as may be fixed by the Commission from time to time in relation to such passes and permits.

(2) A pass or permit is valid only while the holder is travelling in accordance with the terms and conditions relating to the pass or permit.

(3) The Commission may allow the holder of a certificate, issued by another public authority, to travel on a vehicle on such terms and conditions as are determined from time to time by the Commission.

(4) In sub-by-law (3) —

“public authority” means any department, instrumentality or body of the State or the Commonwealth approved by the Commission for the purposes of this by-law.

Bicycle permits

10. The Commission or an agent appointed by the Commission may issue, subject to such conditions as the Commission may from time to time determine, a permit entitling a ticket holder to travel on a vehicle during the times set by the Commission, together with a bicycle for which the ticket holder holds a further ticket.

Part III — Tickets

Interpretation

11. In this Part “ticket” includes a pass, a permit, and a certificate issued under by-law 9 (3).

Validity of ticket

12. A ticket is not valid if —

- (a) it is torn or defaced;
- (b) it is in such a condition that the printing or writing on it is not readily legible;
- (c) the printing on it has been altered, added to, erased or obliterated;
- (d) its period of duration has expired;
- (e) it has been obtained without presenting the appropriate certificate, permit or identification; or
- (f) it does not qualify the holder to the journey —
 - (i) being undertaken;
 - (ii) that has been undertaken; or
 - (iii) that is about to be undertaken.

Tickets not transferable

13. Subject to by-law 17, a ticket is only valid for the person to whom it is issued and is not transferable.

Ticket offences

14. (1) A person must not travel or attempt to travel on a vehicle unless he or she has, and produces on demand, a valid ticket.

Penalty: \$200.

(2) A person must not, when travelling or attempting to travel on a vehicle, produce to an employee a ticket that is not valid.

Penalty: \$200.

(3) Unless by-law 17 applies, a person to whom a ticket is issued must not cause, permit or suffer another person to use that ticket for the purposes of travelling on a vehicle or for the purposes of enabling that other person to travel on a vehicle or to travel on a vehicle at a lower fare than the fare that would otherwise be payable by that other person.

Penalty: \$200.

(4) A person must not travel or attempt to travel on a vehicle by producing a ticket other than a ticket issued to that person.

Penalty: \$200.

(5) A person must not obtain a ticket or attempt to obtain a ticket by means of a false statement or representation.

Penalty: \$200.

(6) A person must not travel or attempt to travel on a vehicle by using a ticket that has been obtained by means of a false statement or representation.

Penalty: \$200.

(7) A person must not alter, add to or obliterate any writing or marking on a ticket.

Penalty: \$200.

Voucher offence

15. A person must not travel or attempt to travel using a voucher that is not of a type appropriate for the purpose.

Penalty: \$200

Bicycle offences

16. (1) A person must not travel or attempt to travel on a vehicle, during the times determined by the Commission from time to time, with a bicycle unless he or she has, and produces on demand —

- (a) a ticket for that journey;
- (b) a ticket for that bicycle; and
- (c) a valid permit permitting travel with a bicycle.

Penalty: \$200.

(2) A person must not travel or attempt to travel on a vehicle, at times other than the times determined by the Commission from time to time, with a bicycle unless he or she has, and produces on demand, both a ticket for that journey and a ticket for that bicycle.

Penalty: \$200.

Exceptions to ticket offences

17. A voucher may be endorsed in respect of, and used for the purposes of travelling by, more than one person, but only if each person in respect of whom the voucher is validly endorsed can, whenever using the voucher for the purposes of travelling, produce the voucher or cause the voucher to be produced upon request.

Concessional fares

18. A passenger who is travelling on a vehicle, and to whom a ticket has been issued at a concessional rate, must produce evidence of the status that gave rise to that concession, on demand by an employee.

Penalty: \$200.

Child fares

19. A passenger who is in charge of a child who is aged —

- (a) for suburban travel, between 5 years and 14 years (inclusive); or
- (b) for other railway operations, between 5 years and 15 years (inclusive),

and who is travelling on a vehicle must ensure a valid ticket for that child is produced on demand.

Penalty: \$200.

Seats to be yielded up

20. A condition of the concessional fare for a child or a student is that the child or student must, if requested by an employee, give up his or her seat to another passenger.

Part IV — Miscellaneous**Commission not liable for inaccuracy, delays, etc.**

21. (1) A timetable published by or on behalf of the Commission is for public information and is not a term, condition or warranty of any contract between the Commission and any passenger or intending passenger.

(2) The Commission is not liable for losses incurred any passenger through any delay, breakdown or stoppage of a vehicle.

Passenger not to consume food

22. (1) A passenger travelling in a vehicle must not consume any food or drink (including liquor) while in that vehicle.

Penalty: \$200.

(2) Sub-bylaw (1) only applies to suburban travel.

The Common Seal of Western Australian Government Railways Commission was hereunto affixed in the presence of—

R. DRABBLE, Commissioner.
D. CLARKE, Secretary.

Approved by His Excellency the Governor in Executive Council.

M. C. WAUCHOPE, Clerk of the Council.

REGISTRAR GENERAL

RG301

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES ACT 1961

REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES
AMENDMENT REGULATIONS (NO. 2) 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Registration of Births, Deaths and Marriages Amendment Regulations (No. 2) 1994*.

Commencement

2. These regulations come into operation on 3 January 1995.

First Schedule amended

3. Part IV of the First Schedule to the *Registration of Births, Deaths and Marriages Regulations 1963** is amended by inserting after item (j) the following items —

“

- (k) For a microfiche set containing consolidated birth, death and marriage index records:

1841 - 1905..... 140.00

- (l) For a compact disc containing birth, death and marriage index records:

1841 - 1905..... 205.00

- (m) For a microfiche set containing death index records:

1906 - 1953..... 100.00

1954 - 1965..... 35.00

1966 - 1970..... 20.00

1971 - 1980..... 40.00

- (n) For a microfiche set containing marriage index records:

1906 - 1930..... 35.00

1931 - 1953..... 55.00

1954 - 1965..... 35.00

”

[* Reprinted in the Gazette of 20 April 1977 at pp. 1069-84.
For amendments to 12 December 1994 see 1993 Index to
Legislation of Western Australia, Table 4, p. 222, and Gazette of
24 June 1994 at p. 2881.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

ROTTNEST ISLAND**RI301****ROTTNEST ISLAND AUTHORITY ACT 1987****ROTTNEST ISLAND AMENDMENT REGULATIONS 1994**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Rottnest Island Amendment Regulations 1994*.

Principal regulations

2. In these regulations the *Rottnest Island Regulations 1988** are referred to as the principal regulations.

[* *Published in Gazette of 30 May 1988 at pp. 1825-46.*
For amendments to 6 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, p. 237.]

Regulation 3 amended

3. Regulation 3 of the principal regulations is amended by inserting after the definition of "bicycle" the following definitions —

“

“**declare**” and “**declared**” mean declare or declared to, and in a manner approved by, the Authority;

“**owner**”, in relation to a vessel, or aircraft, referred to in regulation 5 (3), 6, 7A, 7B, 7C or 7D, includes a charterer, lessee or bailee of the vessel or aircraft;

”.

Regulation 6 amended

4. Regulation 6 of the principal regulations is amended —

- (a) in subregulation (1), by deleting “The owner” and substituting the following —

“ Subject to regulations 7A, 7B and 7C, the owner ”; and

- (b) by repealing subregulation (4).

Regulation 7A amended

5. Regulation 7A of the principal regulations is amended —

- (a) in subregulation (3), by deleting “greater than or less than” and substituting the following —

“ different from ”; and

- (b) by repealing subregulation (4).

Part 2 amended

6. Part 2 of the principal regulations is amended by inserting after regulation 7A the following regulations —

“

Aerodrome usage fees

7B. (1) Subject to regulations 7C and 7D, the owner of an aircraft in which persons are carried to the Island shall pay to the Authority, for each occasion when the aircraft lands at the Island, the aerodrome usage fee set out in Part 1 of Schedule 6 that applies to the maximum loaded weight and type of the aircraft.

(2) If the owner of an aircraft pays the applicable aerodrome usage fee under subregulation (1) or annual payment under regulation 7C, a person who is carried to the Island in the aircraft shall be deemed to have paid the admission fee prescribed by regulation 5.

Annual payment in lieu of aerodrome usage fees

7C. (1) Subject to regulation 7D, the owner of an aircraft in which persons are carried to the Island may pay to the Authority, instead of the aerodrome usage fee referred to in regulation 7B for each occasion when the aircraft lands at the Island, an annual payment —

- (a) in advance of and in respect of a financial year; and
- (b) calculated by multiplying the amount set out in Part 2 of Schedule 6 that applies to the maximum loaded weight and type of the aircraft by the number of visits declared by the owner to be made by the aircraft to the Island during that financial year.

(2) At the time when the owner of an aircraft makes a declaration of the number of visits to be made by the aircraft to the Island during a financial year, the owner shall also declare the number of visits, if any, made by the aircraft to the Island during the previous financial year.

(3) If the number of visits made by an aircraft to the Island during the previous financial year is different from the number declared by the owner in respect of that financial year, the Authority may make an appropriate adjustment to the annual payment payable by the owner under subregulation (1).

Regulations 7B and 7C not applicable to certain aircraft

7D. (1) Regulations 7B and 7C do not apply —

- (a) in respect of an aircraft operated as part of a regular passenger transport service to the Island; or
- (b) in respect of an aircraft, operated by a charter operator approved by the Authority, in which persons are carried for reward from, and returned to, the Island without the aircraft having landed outside the limits of the Island.

(2) The aerodrome usage fee, if any, payable by the owner of an aircraft referred to in subregulation (1) that lands at the Island is as determined from time to time by the Authority.

”

Schedule 6 added

7. After Schedule 5 to the principal regulations the following Schedule is added —

“

SCHEDULE 6

[regs. 7B and 7C]

PART 1 — AERODROME USAGE FEES

- | | | |
|----|--|---------|
| 1. | Any aircraft (other than a helicopter) with a maximum loaded weight not greater than 2 000 kilograms | \$20.00 |
| 2. | Any aircraft (other than a helicopter) with a maximum loaded weight greater than 2 000 kilograms | \$30.00 |
| 3. | Any helicopter, irrespective of its maximum loaded weight | \$30.00 |

PART 2 — AERODROME USAGE FEES FOR CALCULATING ANNUAL PAYMENT

- | | | |
|----|--|---------|
| 1. | Any aircraft (other than a helicopter) with a maximum loaded weight not greater than 2 000 kilograms | \$17.00 |
| 2. | Any aircraft (other than a helicopter) with a maximum loaded weight greater than 2 000 kilograms | \$25.00 |
| 3. | Any helicopter, irrespective of its maximum loaded weight | \$25.00 |

”

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

TRAINING

TA401

STATE EMPLOYMENT AND SKILLS DEVELOPMENT AUTHORITY ACT 1990

(No. 40 of 1990)

NOTICE

(Section 9)

STATE EMPLOYMENT AND SKILLS DEVELOPMENT AUTHORITY

Nominations are required for appointment of persons as members of the State Employment and Skills Development Authority. Nominations are to be as follows:

- (a) four persons nominated by employer organisations.
- (b) four persons nominated by employee organisations.

Nominations shall be made in writing, marked “SESDA Nominations” and forwarded no later than 15 March 1995 to:

Chair
State Employment Skills
Development Authority
4th Floor,
35 Havelock Street,
West Perth WA 6005.

NORMAN MOORE, Minister for Education;
Employment and Training.

TRANSPORT

TR301

TRANSPORT CO-ORDINATION ACT 1966

TRANSPORT CO-ORDINATION (METROPOLITAN AREA) ORDER
1994

Made by His Excellency the Governor in Executive Council under section 18B (3) of the Act.

Citation

1. This order may be cited as the *Transport Co-ordination (Metropolitan Area) Order 1994*.

Commencement

2. This order comes into operation on the day on which the *Acts Amendment (Perth Passenger Transport) Act 1994* comes into operation.

Metropolitan area

3. For the purposes of Part II, Division 4 of the *Transport Co-ordination Act 1966* the metropolitan area is the area described in the Schedule to this order.

Schedule

DESCRIPTION OF METROPOLITAN AREA

The area consisting of —

- (a) all that portion of the State bounded by a line starting from the southwestern corner of Swan Location 2745 (South Latitude 31 degrees 27 minutes 23.105 seconds, East Longitude 115 degrees 33 minutes 35.604 seconds), being a point on the northernmost northern boundary of the district of the Shire of Wanneroo, and extending easterly, generally southerly, again easterly, again generally southerly and again easterly along the boundaries of that district to the intersection of the prolongation northerly of the eastern boundary of Location 1584 with the prolongation westerly of the northern boundary of Location 2478, being a north-western corner of the district of the Shire of Swan; thence generally easterly, generally northerly, generally easterly, southerly, easterly and again southerly along the boundaries of that district to the easternmost southeastern corner of Location 1817, being a point on the northernmost northern boundary of the district of the Shire of Mundaring; thence easterly, generally southerly, again easterly, again generally southerly, generally westerly, again southerly, again easterly, again southerly and again westerly and generally north-westerly along boundaries of the district of the Shire of Mundaring to the intersection of the left bank of the Darkin River with the prolongation northerly of the western boundary of late pre-emptive Poison Right 8/228, being the easternmost northeastern corner of the district of the Shire of Kalamunda; thence southerly along the easternmost eastern boundary of the district of the Shire of Kalamunda to the

prolongation east of the southern boundary of Canning Location 710, being a northeastern corner of the district of the Town of Armadale; thence generally southerly, generally southeasterly, westerly and southwesterly along the boundaries of the district of the Town of Armadale to the 33 Mile Post on the northeastern side of Albany Highway, being a northeastern corner of the district of the Shire of Serpentine-Jarrahdale; thence generally southeasterly, southerly, generally westerly and northerly along boundaries of the district of the Shire of Serpentine-Jarrahdale to the northeastern corner of Lot 3 of Cockburn Sound Location 16, as shown on Land Titles Office Diagram 2909, being a southeastern corner of the district of the Shire of Rockingham; thence generally westerly along the boundaries of the district of the Shire of Rockingham to the southwestern corner of Lot 236 as shown on Land Titles Office Plan 7931 (2), (South Latitude 32 degrees 27 minutes 24.586 seconds, East Longitude 115 degrees 44 minutes 52.324 seconds); thence west 17 820.4 metres to East Longitude 115 degrees 33 minutes 30 seconds; thence north 110 932.1 metres to South Latitude 31 degrees 27 minutes 23.105 seconds and thence east 148 metres to the starting point; and

- (b) the part of the municipal district of the City of Mandurah, as at the date of this order, that is situated north of the Dawesville Channel.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

WATER AUTHORITY

WA301

WATER AUTHORITY ACT 1984

WATER AUTHORITY (CHARGES) AMENDMENT BY-LAWS (NO. 11) 1994

Made by the Water Authority of Western Australia with the approval of the Minister for Water Resources.

Citation

1. These by-laws may be cited as the *Water Authority (Charges) Amendment By-laws (No. 11) 1994*.

By-law 18B repealed and a by-law substituted

2. By-law 18B of the *Water Authority (Charges) By-laws 1987** is repealed and the following by-law is substituted —

“

Residential multi-unit properties — rebates for eligible pensioners

18B. (1) In this by-law —

“eligible pensioner” has the same meaning as in section 3 (1) of the *Rates and Charges (Rebates and Deferments) Act 1992*;

“registered” in the case of an eligible pensioner who is a tenant, means registered or listed with the Authority for the purposes of assessment under this by-law.

(2) Where land comprises a residential multi-unit property served by a single meter and one or more of those units are occupied by —

- (a) an eligible pensioner who has registered an entitlement under the *Rates and Charges (Rebates and Deferments) Act 1992* before the commencement of the period to which a quantity charge applies; or
- (b) an eligible pensioner who is registered as a tenant with the Authority before the commencement of the period to which a quantity charge applies,

then sub-bylaw (3) applies.

(3) Where the Authority is satisfied that a person described in paragraph (a) or (b) of sub-bylaw (2) is liable to pay a charge in relation to the water supplied to the property referred to in that sub-bylaw, the person is entitled to a rebate to be calculated as 50% of the charge applicable, based on averaged unit consumption —

- (a) of up to and including 150 kl of water supplied to that unit for the consumption year, where the land concerned is in the metropolitan area and charged in accordance with Schedule 1, Division 1, Part 3, item 1 or 2;
- (b) of up to and including —
 - (i) 600 kl of water supplied to that unit for the consumption year, where the land concerned is in the town of Cue, Laverton, Leonora, Meekatharra, Menzies, Sandstone or Wiluna; or
 - (ii) 400 kl of water supplied to that unit for the consumption year, where the land concerned is any other land south of 26° South Latitude, and charged in accordance with Schedule 1, Division 1, Part 3, item 3; or
- (c) of up to and including 600 kl of water supplied to that unit for the consumption year, where the land concerned is land north of 26° South Latitude and charged in accordance with Schedule 1, Division 1, Part 3, item 3,

and the rebate is to be credited in accordance with sub-bylaw (4).

(4) The rebate set out in sub-bylaw (3) can only be given —

- (a) in the case of a person described in sub-bylaw 2 (a), by direct credit to that person's bank account or to his or her Annual Charges assessment;
- (b) in the case of a person described in sub-bylaw 2 (b), by direct credit to that person's bank account or credit to that person by such other means as the Authority sees fit.

(5) The Authority may, after having regard to the circumstances in a particular case, dispense with the requirement in sub-bylaw (2) for a pensioner to register or be listed prior to the commencement of the period to which a quantity charge applies.

(6) An eligible pensioner registered for the purpose of this by-law must advise the Authority, in writing, if that pensioner —

- (a) ceases to be an eligible pensioner; or
- (b) ceases to occupy the property which is the subject of the registration.

(7) A person who, in connection with or for the purpose of being eligible to have a rebate credited in accordance with this by-law, gives information that he or she knows or has reasonable cause to believe to be false or misleading commits an offence.

Penalty: \$1 000.

[* Published in the Gazette of 14 July 1987 at pp. 2658-72.
For amendments to 14 December 1994 see 1993 Index to
Legislation of Western Australia, Table 4, pp. 306-308 and
Gazettes of 4 March, 6 May, 29 June, 16 September and 28
October 1994.]

By resolution of the Board.

The Seal of the Water Authority of Western Australia was affixed hereto in the presence of—

K. C. WEBSTER, Chairman.
W. J. COX, Managing Director.

Approved by the Minister for Water Resources—

PAUL D. OMODEI.

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 30 January 1995, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bennetts, Desmond James, late of Belmont Community Nursing Home, Kemp Place, Rivervale, died 25/10/94. (DEC 278079 DS4).

Bosman, Kalzina, formerly of 6 Hopkinson Way, Wilson, late of Swan Cottage Homes, 2 Saggars Drive, Bentley, died 16/11/94. (DEC 277954 DP4).

Bromilow, Pauline Margaret, late of Unit 51/7 Deanmore Road, Karrinyup, died 1/9/94. (DEC 278238 DP4).

Charlie, Leonard, late of Port Hedland Nursing Home, P.O. Box 63, Port Hedland, died 28/6/94. (DEC 272801 DE3).

Cardew, Loftus Hunter, late of Craigmont Nursing Home, Third Avenue, Maylands, died 4/10/94. (DEC 275980 DC4).

Cuncliffe, Alfred, late of 36 Quadea Road, Nollamara, died 28/11/94. (DEC 277760 DG3).

Gillett, Clarence William, late of Kalgoorlie Nursing Home, Dugan Street, Kalgoorlie, died 27/8/94. (DEC 275414 DP4).

Fowle, Angus Douglas, formerly of Ida Mah Hostel, late of Mount Henry Hospital, Como, died 18/8/94. (DEC 275317 DE2).

Humfrey, Edward Charles, formerly of 14 Nangkita Road, Kalamunda, late of Bruce Rock Hospital, Bruce Rock, died 5/11/94. (DEC 277691 DP1).

McLean, Alice Amelia, late of Unit 24/7 Harman Road, Sorrento, died 24/10/94. (DEC 277006 DG4).

Reid, Catherine Violet, late of Hamilton Hill Nursing Home, 27 Ivermey Road, Hamilton Hill, died 7/12/94. (DEC 278364 DP4).

K. E. BRADLEY, Public Trustee,
Public Trust Office, 565 Hay Street, Perth 6000.
Telephone: 222 6777.

ZZ201

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.

Dale, Ethel, late of Craigville Gardens, Unit 6 Kitchener Road, Melville 6156, Retired, died 26/11/94.

Duff, Francis Bernard, late of Mt Henry Hospital, Cloister Avenue, Como 6152, Retired Bank Guard, died 24/11/94.

Gray, Dorothy Deane, late of Craigville, 1 French Road, Melville 6156, Married Woman, died 30/11/94.

Locke, Ida Hortense, late of Unit 17, 128 Bibra Drive, Bibra Lake 6163, Widow, died 29/11/94.

Mohmann, Gerald Wallace, late of 20 Ironbark Street, Maddington 6109, Hunter, died 6/12/94.

Ottaway, Eileen Margaret, late of Hillview Nursing Home, 21 Angelo Street, Armadale 6112, Widow, died 13/11/94.

Pearce, Jack Stuart, late of Unit 38 Collier Park Village, 2 Bruce Street, Como 6152, Retired Purchasing Officer, died 10/12/94.

Pisano, Pasquale, late of 45 Foyle Road, Bayswater 6053, Canvas Maker, died 4/11/94.

Spurling, Miriam Mabel, late of 12B Colkirk Way, Willetton 6155, Retired Secretary, died 5/12/94.

Tozer, Geoffrey Edgar, late of Moss Street Lodge, 33 Moss Street, East Fremantle 6158, Retired Farmer, died 18/11/94.

Dated this 28th day of December 1994.

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

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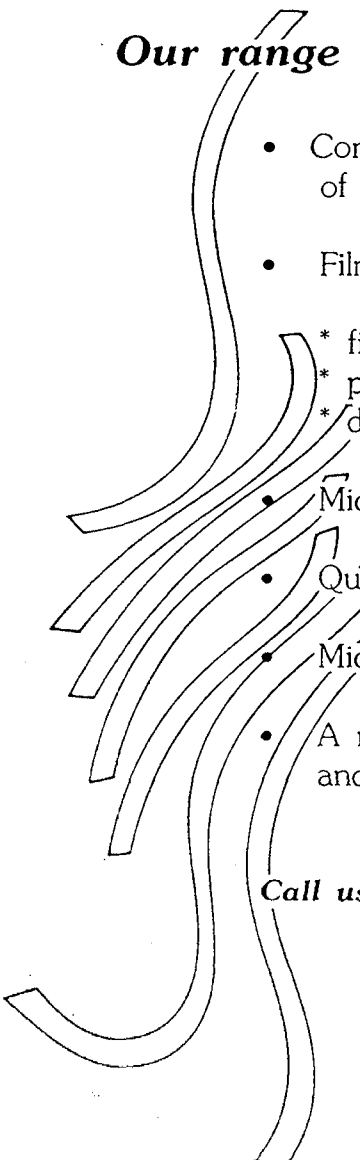
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