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For *Government Gazette* published 3.30 pm Friday 29 December 1995,
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For *Government Gazette* published 3.30 pm Friday 5 January 1996,
closing time for copy will be 12 noon Wednesday 3 January 1996.

***Government Gazettes* will not be published on Tuesday 26 December 1995
or Tuesday 2 January 1996.**

PROCLAMATIONS

AA101

INDUSTRIAL LEGISLATION AMENDMENT ACT 1995

(No. 1 of 1995)

PROCLAMATION

WESTERN AUSTRALIA	}	By the Honourable Geoffrey Alexander Kennedy, Acting Chief Justice of Western Australia and deputy of the Governor of the State of Western Australia.
G. A. Kennedy,		
Deputy of the Governor.		
[L.S.]		

I, the deputy of the Governor, acting under section 2 (2) of the Industrial Legislation Amendment Act 1995, and with the advice and consent of the Executive Council, fix 1 January 1996 as the day on which Part 3 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 21 November 1995.

By Command of the deputy of the Governor,

G. D. KIERATH, Minister for Labour Relations.

GOD SAVE THE QUEEN !

AA102

PUBLIC SECTOR MANAGEMENT ACT 1994

(No. 31 of 1994)

PROCLAMATION

WESTERN AUSTRALIA	}	By the Honourable Geoffrey Alexander Kennedy, Acting Chief Justice of Western Australia and deputy of the Governor of the State of Western Australia.
G. A. Kennedy,		
Deputy of the Governor.		
[L.S.]		

I, the deputy of the Governor, acting under section 2 of the Public Sector Management Act 1994, and with the advice and consent of the Executive Council, fix 1 January 1996 as the day on which Part 7 of that Act comes into operation.

Given under my hand and the Public Seal of the State on 21 November 1995.

By Command of the deputy of the Governor,

R. F. COURT, Minister for Public Sector Management.

GOD SAVE THE QUEEN !

Note for information:

The commencement of Part 7 of the Public Sector Management Act 1994, as fixed by the above proclamation, also brings into operation the Public Sector Management (Review Procedures) Regulations 1995.

AA201

SWAN VALLEY PLANNING ACT 1995

(No. 31 of 1995)

PROCLAMATION

WESTERN AUSTRALIA	}	By the Honourable Geoffrey Alexander Kennedy, Acting Chief Justice of Western Australia and deputy of the Governor of the State of Western Australia.
G. A. Kennedy,		
Deputy of the Governor.		
[L.S.]		

I, the deputy of the Governor, acting under section 2 of the Swan Valley Planning Act 1995, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 21 November 1995.

By Command of the deputy of the Governor,

K. R. LEWIS, Minister for Planning.

GOD SAVE THE QUEEN !

AA301

ROAD TRAFFIC AMENDMENT ACT 1995

(No. 21 of 1995)

PROCLAMATION

WESTERN AUSTRALIA G. A. Kennedy, Deputy of the Governor. [L.S.]	}	By the Honourable Geoffrey Alexander Kennedy, Officer of the Order of Australia, deputy of the Governor of the State of Western Australia.
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I, the deputy of the Governor, acting under section 2 of the Road Traffic Amendment Act 1995, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 21 November 1995.

By Command of the deputy of the Governor,

R. L. WIESE, Minister for Police.

GOD SAVE THE QUEEN !

AGRICULTURE

AG401

SOIL AND LAND CONSERVATION ACT 1945
**MORAWA LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF LAND
CONSERVATION DISTRICT COMMITTEE) INSTRUMENT 1995**

Made by the Deputy Commissioner for Soil and Land Conservation.

Citation

1. This Instrument may be cited as the *Morawa Land Conservation District (Appointment of Members District Committee) Instrument 1995*.

Interpretation

2. In this Instrument—

“Constitution order” means the *Soil and Land Conservation (Morawa Land Conservation District) Order 1985**.

“Committee” means the District Committee established by Clause 5 of the Constitution Order.

[*Published in the *Gazette* of 3 May 1985 at pp. 1588-89 and amended in the *Gazettes* of 26 May 1989 at pp. 1576-77 and 11 September 1992 at 4597.]

Appointment of Members

3. (1) Under Clause 6 (1) (b) of the Constitution Order Garry Peter Collins of Morawa is appointed a member of the Committee on the Nomination of the Shire of Morawa.

(2) Under Clause 6 (1) (c) of the Constitution Order—

- (a) Gary Raymond North of Morawa
- (b) Wallace Joseph Barnes of Morawa

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

(3) Under Clause 6 (1) (d) of the Constitution Order—

- (a) Peter James Cecil Baxter of Morawa
- (b) Graham Leslie Malcolm of Morawa
- (c) Christopher Croot of Canna
- (d) Stuart James Agar of Morawa
- (e) Betty Joy Heitman of Morawa
- (f) John Adrian Pulbrook of Morawa

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

Term of Office

4. The appointment which is made under Clause 6 (3) shall be for a term of three years commencing on the day that this Instrument is published in the *Gazette*.

JOIIN DUFF, Deputy Commissioner for
Soil and Land Conservation.

AG301

BULK HANDLING ACT 1967

BULK HANDLING (RECEIPT HANDLING STORAGE AND DELIVERY CHARGES) ORDER 1995

Made by the deputy of the Governor in Executive Council under section 34.

Citation

1. This order may be cited as the *Bulk Handling (Receipt Handling Storage and Delivery Charges) Order 1995*.

Previous order revoked

2. The *Bulk Handling (Receipt Handling Storage and Delivery Charges) Order 1994* is revoked.

Receipt charges fixed

3. Pursuant to section 34 of the Act, the amount to be paid for quality assessment on receipt of grain or seed is \$0.50 per tonne of grain received.

Handling charges fixed

4. Pursuant to section 34 of the Act, the amount to be paid for handling in relation to each type of grain or seed specified in Column 1 of the Table to this clause is the amount specified opposite and corresponding to that grain or seed —

- (a) in the case of FOR Charge Payable on all grain received, in Column 2; and
- (b) in the case of FOB Charge Payable on all grain outloaded ex shiploaders, in Column 3.

<i>Column 1</i>	<i>Table Column 2</i>	<i>Column 3</i>
Barley	\$9.50	\$5.20
Cereal Rye	\$9.50	\$5.20
Linseed	\$9.50	\$5.20
Canola	\$9.50	\$5.20
Triticale	\$9.50	\$5.20
Wheat	\$8.50	\$5.20
Lupins	\$8.50	\$5.20
Chick Peas	\$8.50	\$5.20
Sorghum	\$8.50	\$5.20
Field Peas	\$8.50	\$5.20
Faba Beans	\$8.50	\$5.20
Oats	\$9.50	\$5.20

Storage charges fixed

5. Pursuant to section 34 of the Act, the amount to be paid for the storage of all grain and seed is —

- (a) in relation to all grain and seed in storage during the period commencing 1 April and ending 31 May each year, \$0.50 per tonne per month;
- (b) in relation to all grain and seed in storage during the period commencing 1 June and ending 31 August each year, \$0.80 per tonne per month; and
- (c) in relation to all grain and seed in storage during the period commencing 1 September until out-turned, \$1.00 per tonne per month.

By Command of the deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

AG402**SOIL AND LAND CONSERVATION ACT 1945****NOTICE OF APPOINTMENT**

Under Section 23 of the Soil and Land Conservation Act 1945, the following persons are appointed members of the District Committee for the Merredin Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 22 January 1988 at pp. 156-7, 28 June 1991 at pp. 3115-16, 31 May 1992 at p. 2179 and 12 February 1993 at pp. 1207-08. The appointment being for a term ceasing on the 29 September 1998.

- (2) pursuant to Section 23 (2b) (d) of the Act, being "persons actively engaged in, or affected by, or associated with land use in the District"; Robert John Gray of Merredin and Geoffrey Lawrence Payne of Merredin are members of the Merredin Land Conservation District Committee.

JOHN DUFF, Deputy Commissioner for
Soil and Land Conservation.

AG403**SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION (WEST KOOJAN/GILLINGARRA LAND CONSERVATION DISTRICT) AMENDMENT ORDER OF 1995**

Made by the deputy of 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 Koojan/Gillingarra Land Conservation District) Amendment Order 1995*.

Principal Order

2. In this order the *Soil and Land Conservation Act (West Koojan/Gillingarra Land Conservation District) Order 1987** is referred to as the principal order.

[*Published in the *Gazette* of 7 August 1987 at pp. 3127-8 and amended in the *Gazette* of 28 June 1991 at pp. 3104-06.]

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 "11" and substituting the following "12"; and

(ii) in paragraph (b) by deleting "Minister" and substituting the following "Commissioner", and

(iii) in paragraph (g) by deleting "4" and substituting the following "5" and deleting "Minister" and substituting the following "Commissioner".

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

By Command of the deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

AG404**SOIL AND LAND CONSERVATION ACT 1945****WEST KOOJAN/GILLINGARRA LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF LAND CONSERVATION DISTRICT COMMITTEE) INSTRUMENT 1995**

Made by the Deputy Commissioner for Soil and Land Conservation.

Citation

1. This Instrument may be cited as the *West Koojan/Gillingarra Land Conservation District (Appointment of Members District Committee) Instrument 1995*.

Interpretation

2. In this Instrument—

“Constitution order” means the *Soil and Land Conservation (West Koojan / Gillingarra Land Conservation District) Order 1992**.

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

[*Published in the *Gazette* of 7 August 1987 at pp. 3127-8 and amended in the *Gazette* of 28 June 1991 at pp. 3104-6.]

Appointment of Members

3. (1) Under Clause 5 (1) (b) of the Constitution Order Roger McDonald Smith of Koojan is appointed a member of the Committee on the Nomination of the Shire of Moora.

(2) Under Clause 5 (1) (c) of the Constitution Order John Samuel Brown of Dandaragan is appointed a member of the Committee on the Nomination of the Shire of Dandaragan.

(3) Under Clause 5 (1) (d) 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.

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

(a) John Henry Longman of Moora

(b) Norman Keith McPherson of Koojan

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

(5) Under Clause 5 (1) (g) of the Constitution Order—

(a) Brian Edward Cahill of Moora

(b) Frederick Robert Rodgers of Moora

(c) Martinus Wyert Van Beek of Moora

(d) Donald Thomas McKinley of Moora

(e) James Joseph Kelly of Gillingarra

are appointed members of the Committee being persons actively engaged in or affected by, or associated with land use in the West Koojan Gillingarra 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.

AG405**SOIL AND LAND CONSERVATION ACT 1945****SOIL AND LAND CONSERVATION COUNCIL (APPOINTMENT OF MEMBERS) INSTRUMENT No. 2 OF 1995**

Made by the deputy of the Governor in Executive Council.

Citation

1. This instrument may be cited as the *Soil and Land Conservation Council (Appointment of Members) Instrument No. 2 of 1995*.

Definitions

2. In this instrument—

“the Act” means the *Soil and Land Conservation Act 1945*;

“the Council” means the Soil and Land Conservation Council established under the Act; and

“the Minister” means the Minister for Primary Industry.

Appointment of Members

3. The following persons are appointed as members of the Council—

(a) Under section 9(2)(b) of the Act and on the nomination of the Minister, Kevin Frederick Goss representing the Department of Agriculture for a term of three years.

(b) Under section 9(2)(a) of the Act and on the nomination of the Minister, John Stephen Duff being the Commissioner for Soil and Land Conservation ex-officio.

By Command of the deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

AG406

**CARNARVON BANANA INDUSTRY (COMPENSATION TRUST
FUND) ACT 1961**

Department of Agriculture.

Agriculture 871100vo2.

His Excellency the Governor in Executive Council has been please to appoint pursuant to section 7(2)(c) of the Carnarvon Banana Industry (Compensation Trust Fund) Act 1961, Keith Herbert Collier as an elected growers representative on the Carnarvon Banana Industry Compensation Committee for a term of office expiring on 5 November 1998. Mr Collier is a grower and has been duly elected in accordance with the said Act and Regulations thereunder.

G. A. ROBERTSON, Chief Executive Officer.

HEALTH

HE101

PRINTERS CORRECTION

HEALTH ACT 1911

City of Gosnells

Model By-laws—Series "A"

An error occurred in the notice published under the above heading on page 5095 of *Government Gazette* No. 148 dated 31 October 1995 and is corrected as follows.

In Part 1 subclause (2) (b) delete "ethanasia" and insert " euthanasia ".

JUSTICE

JM301

LEGAL PRACTITIONERS ACT 1893

LEGAL PRACTICE BOARD AMENDMENT RULES (No. 2) 1995

Made by The Legal Practice Board under section 6.

Citation

1. These rules may be cited as the *Legal Practice Board Amendment Rules (No. 2) 1995*.

Principal rules

2. In these rules the *Legal Practice Board Rules 1949** are referred to as the principal rules.

[* *Reprinted as at 6 May 1987.*

For amendments to 26 October 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 159 and Gazette of 20 June 1995.]

Rule 3A inserted

3. After rule 3 of the principal rules the following rule is inserted —

“

Varying time periods

3A. The Board may shorten or extend any time period referred to in these rules.

”

Part IV repealed and a Part substituted

4. Part IV of the principal rules is repealed and the following Part is substituted —

“

PART IV - ARTICLED CLERKS***Division 1 - Articles*****Definitions**

18. In this Part —

“**approved degree**” means the degree or other qualification that a person holds if that person has —

- (a) fulfilled all the requirements of the University of Western Australia for a degree in law;
- (b) such other qualification as in the opinion of the Board is substantially equivalent to the degree referred to in paragraph (a).

“**articles**” means articles of clerkship entered into with a principal;

“**principal**” means a practitioner in practice in Western Australia;

“**5 year articulated clerk**” means a person who has entered into 5 years' articles under section 15 (2) (b) of the Act.

Term of articles

19. For the purposes of section 15 (2) (a) of the Act, the prescribed term of articles is one year.

Application for approval to registration of articles

20. A person may apply to the Board for its approval to the registration of articles by lodging with the Board —

- (a) a signed deed of articles of clerkship substantially in the form of Form A in the Schedule;
- (b) an application in Form B in the Schedule;
- (c) 2 certificates as to character in Form C in the Schedule each signed by a practitioner of at least 2 years' standing and in practice, or other evidence acceptable to the Board that the applicant is of good fame and character; and
- (d) evidence that the applicant —
 - (i) has an approved degree; or
 - (ii) in the case of a 5 year articulated clerk —
 - (A) has a degree from any of the Universities in Western Australia or an academic qualification that would enable the person to gain admission to a degree course offered by any of those Universities; or

- (B) has, in the Board's opinion, sufficient academic or work achievements or both to enable the applicant to pursue satisfactorily the course of study prescribed by these rules for 5 year articulated clerks.

Assignment of articles

21. An application for approval to the registration of an assignment of articles under section 11 of the Act is to be in Form D in the Schedule and the deed of assignment, substantially in the form of Form E in the Schedule, is to be attached to the application.

New articles where practitioner ceases to be entitled to have an articulated clerk

22. If a practitioner to whom an articulated clerk is articulated ceases, before the completion of those articles, to be entitled to have an articulated clerk, the clerk may apply in Form F in the Schedule for the Board to cancel the articles and approve the registration of new articles with another practitioner for the unexpired balance of the term of the former articles.

Applications for the Board's approval

23. (1) If an application is made for the Board's approval under this Division, the Board may require more information on any aspect of the application.

(2) The Board may approve an application made to it for its approval under this Division, with or without imposing any conditions, or may reject the application.

Registration of articles or assignments, and fee

24. (1) An applicant who applies for the Board's approval to the registration of articles or an assignment of articles under these rules is to lodge the articles or assignment of articles with the Board for registration.

(2) An applicant who applies for the Board's approval to the registration of articles under these rules is to pay a fee of \$150.

(3) Registration takes effect from the date determined by the Board.

Conduct of articulated clerks

25. (1) An articulated clerk is to —

- (a) comply with the proper standards of the legal profession as expected of articulated clerks;
- (b) attend all courses of study required by the Board or these rules to be attended by articulated clerks in general or the articulated clerk in particular; and
- (c) attend to the duties required of the articulated clerk by his or her principal in the course of the principal's practice.

(2) As soon as practicable after the completion of articles, the articulated clerk is to lodge with the Board a certificate in Form G in the Schedule given by every practitioner with whom the articulated clerk has served articles, certifying as to the conduct of the articulated clerk during the relevant period of service, or such other evidence as the Board may require.

Supervision of articulated clerks

26. (1) The Board may supervise the conduct of articulated clerks during their articles in any manner it may decide, and may require the attendance of an articulated clerk or principal before the Board.

(2) If the Board is satisfied that the articulated clerk has not performed or is not performing his or her obligations under his or her articles, the Board may order that any specified period not be counted as service under those articles for the purposes of the Act and these rules.

Division 2 - Examinations

Definition

27. For the purposes of this Division —

“ATP” is an Articles Training Program conducted by the Board, including the assessments and examinations included in that Program; and

“repealed rules” means Part IV of these rules as in force on 1 December 1994.

ATP and transitional provisions

28. The following examinations are prescribed for the purposes of section 15 (2) (a) of the Act —

(a) for an articulated clerk whose articles were registered not later than 1 December 1994 and whose term of articles is due to be completed not later than 31 December 1996, at the clerk's option, either —

(i) the Practice Examination relevant to the clerk prescribed by the repealed rules; or

(ii) the ATP examinations;

and

(b) for any other articulated clerk, the ATP examinations.

5 year articulated clerks' examinations

29. The following examinations are prescribed for 5 year articulated clerks for the purposes of section 15 (2) (b) of the Act —

(a) such subjects in the degree of Bachelor of Laws at either the University of Western Australia or Murdoch University as the Board determines; and

(b) for a 5 year articulated clerk whose term of articles is to be completed not later than 31 December 1996, at the option of the articulated clerk, either —

(i) the Practice Examination prescribed by rule 28 of the repealed rules; or

(ii) the ATP examinations;

or

(c) for any other 5 year articulated clerk, the ATP examinations.

Credits

30. The Board may, where it considers appropriate, credit an articulated clerk with a pass in any of the examinations referred to in rules 28 or 29 or part of such an examination.

Courses conducted by the Board

31. (1) In relation to an examination conducted by the Board other than an ATP examination, but subject to subrule (3), if an articulated clerk does not attend at least 90% of the lectures given in the course conducted by the Board leading to that examination, he or she may not sit for the examination.

(2) The Board may allow an articulated clerk who fails an examination conducted by the Board to sit for a supplementary examination.

(3) The Board may excuse, on any conditions it thinks fit, an articulated clerk from the attendance requirements provided for by subrule (1) if the Board is satisfied that there are special reasons for the clerk not attending the Board's course.

(4) An articulated clerk who has not fulfilled the requirements of an ATP may not sit for the ATP examinations unless the Board is satisfied that special reasons exist.

(5) Courses and examinations that the Board conducts are to be conducted by the persons, in the manner, at the times, and at the places, that are arranged by the Board.

Division 3 - Miscellaneous

Records

32. The Secretary of the Board is to keep appropriate records in relation to articulated clerks, and courses and examinations they have taken.

”.

Rule 39 amended

5. Rule 39 of the principal rules is amended —

(a) in paragraph (a) by deleting “Form K” and substituting the following —

“ Form H ”; and

(b) in paragraph (d) by deleting “Form L” and substituting the following —

“ Form C ”.

Rule 43 amended

6. Rule 43 of the principal rules is amended by deleting paragraph (b) and substituting the following paragraph —

“ (b) the ATP examinations. ”.

Rule 46 repealed

7. Rule 46 of the principal rules is repealed.

Rule 51 amended

8. Rule 51 of the principal rules is amended —

- (a) by deleting “in Form I” and substituting the following —
“ issued by the Board ”; and
- (b) by deleting “Form H” and substituting the following —
“ Form G ”.

Rule 52 amended

9. Rule 52 of the principal rules is amended by deleting “Form P of the Schedule” and substituting the following —

“ Form I or Form J in the Schedule, as the circumstances require, ”.

Schedule amended

10. The Schedule to the principal rules is amended by deleting —

- (a) all the Forms before Form O; and
- (b) Form P, Form Pa, Form Pb, and Form Pc,

and inserting before Form O the following Forms —

“

FORM A**ARTICLES OF CLERKSHIP**

DEED made on 199

PARTIES

A.B. of (“the Principal”); and

C.D. of (“the Articled Clerk”)

In consideration of the mutual obligations entered into by the parties with each other under this Deed, the parties agree as follows:

1. ENTRY INTO ARTICLES

The Principal agrees to take the Articled Clerk as an articled clerk for the purposes of the Act and rules for the term of one year¹ from the date on which these Articles are registered by the Board under the rules, and the Articled Clerk agrees to serve the Principal as an articled clerk for that term in accordance with this Deed.

2. ARTICLED CLERK'S OBLIGATIONS

At all times during the term of these Articles, the Articled Clerk is to —

- (a) serve the Principal as an articled clerk, honestly, faithfully and diligently;
- (b) keep confidential all information the Articled Clerk may acquire about the Principal's business and the affairs of the Principal's clients or the clients of the firm of which the Principal is a partner;
- (c) be present at the Principal's office premises during ordinary office hours or at other times when reasonably requested by the Principal;

¹ Vary as necessary.

- (d) attend all courses and take all examinations required by the Act or the rules; and
- (e) behave in a proper and orderly manner.

3. **PRINCIPAL'S OBLIGATIONS**

At all times during the term of these Articles, the Principal is to —

- (a) instruct the Articled Clerk, or ensure that the Articled Clerk is instructed by others, in the practice and profession of the law as conducted in Western Australia; and
- (b) at the completion of the term of articles, use the Principal's best endeavours to have the Articled Clerk admitted as a Practitioner (but at the Articled Clerk's expense), if the Articled Clerk has —
 - (i) duly complied with the Articled Clerk's obligations under this Deed;
 - (ii) attended the course and passed the examinations prescribed by the rules in relation to the Articled Clerk; and
 - (iii) otherwise complied with the requirements of the Act and rules for admission as a Practitioner.

4. **PRINCIPAL DIES OR CEASES TO PRACTISE**

If the Principal dies or ceases to practise as a Practitioner, the Articled Clerk is to arrange to assign these Articles to, or to commence new Articles with, another Practitioner so as to complete the required term of articles with that other Practitioner. The Principal's obligations under this Deed cease when these Articles are assigned or new articles are entered into and the assignment or new articles are registered by the Board.

5. **INTERPRETATION**

5.1 In this Deed —

"Act" means the *Legal Practitioners Act 1893*;

"Board" means The Legal Practice Board constituted under the Act;

"Practitioner" means a practitioner of the Supreme Court of Western Australia;

"rules" means the *Legal Practice Board Rules 1949*.

5.2 A reference to the Act or rules includes a reference to the Act or rules as from time to time amended or replaced.

Signed by the parties as a deed.

Signed by AB
in the presence of:

Witness

Signed by CD
in the presence of:

Witness

FORM B
LEGAL PRACTITIONERS ACT 1893
APPLICATION TO THE LEGAL PRACTICE BOARD
FOR APPROVAL TO THE REGISTRATION OF ARTICLES
Rule 20 (b)

APPLICANT:
of

I, the Applicant, apply for the Board's approval to the registration of articles of clerkship in accordance with the Act and rules and provide the following information:

1. I propose to serve my articles with
2. My date of birth is and I attach a copy of my birth certificate. ¹
3. I attach a certificate of character signed by and , both practitioners. ²
4. I hold a Bachelor of Laws degree from the University of Western Australia/ Murdoch University/a University recognised by the Board for this purpose³, and I attach a certificate from the University to that effect.⁴
5. I have not been convicted of any offence. ⁵

OR

I have been convicted of an offence (or offences) and the details are:
.....
.....

Dated 199

Signed by

¹ Or if a certificate is not available, other satisfactory evidence.

² Or other evidence which can satisfy the board that the applicant is of good fame and character.

³ Delete the wording which is not relevant.

⁴ In the case of an application for 5 year articles, substitute the following paragraph 4:
'I hold the following degree or qualifications or have the following achievements for the purposes of Rule 20 (d) (ii):'

⁵ Conviction of an offence does not include:
* a conviction where the penalty imposed did not exceed \$1 000, unless a sentence of imprisonment was also imposed.;

* a conviction which occurred more than 10 years before the date of the application.

FORM C
LEGAL PRACTITIONERS ACT 1893
CERTIFICATE AS TO CHARACTER

Rule 20 (c) ¹

APPLICANT:

of

I,

ofa practitioner under the Act,

CERTIFY that I have made due inquiry and believe that the Applicant is of good character and a fit and proper person to be articulated under the Act and rules.

Dated199

Signed by

¹ This Form may be used, with necessary alterations, for the purposes of Section 16 (b) of the Act (managing clerks).

FORM D
LEGAL PRACTITIONERS ACT 1893

**APPLICATION TO THE LEGAL PRACTICE BOARD FOR
APPROVAL TO THE REGISTRATION OF AN
ASSIGNMENT OF ARTICLES**

Rule 21

APPLICANT

of

serving under articles with

registered on199

I, the Applicant, apply for the Board's approval to the registration of the assignment of my articles with for a term of years and registered on 199, to, a practitioner practising in Western Australia.

The reason for the assignment is

Dated199

Signed

I ¹ agree to this application being made and the assignment of the Applicant's articles to

Dated199

Signed

I ² agree to accept the assignment of the Applicant's articles.

Dated199

Signed

¹ Present principal

² New principal.

FORM E

ASSIGNMENT OF ARTICLES

DEED made on 199

PARTIES

A.B. of (“the First Principal”);
C.D. of (“the Second Principal”); and
E.F. of (“the Articled Clerk”)

RECITALS

- A. By Articles of Clerkship dated 199 (the “Articles”), and registered with The Legal Practice Board (the “Board”) on 199 the Articled Clerk became articled to the First Principal for the term of year(s) from 199 , in accordance with the terms of the Articles.
- B. It has been agreed between the parties that the Articles be assigned to the Second Principal, subject to any necessary approval of the Board.

NOW by this Deed, the parties agree and declare as follows:

1. ASSIGNMENT

As the Principal named in the Articles, and with the agreement of the Articled Clerk, as confirmed by the Articled Clerk's signature of this Deed, the First Principal assigns to the Second Principal the obligations and benefit of the position of principal under the Articles, with effect from the date of this Deed.

2. SECOND PRINCIPAL'S OBLIGATIONS

The Second Principal agrees to perform the First Principal's obligations to the Articled Clerk under the Articles for the remainder of the term of the Articles.

3. **ARTICLED CLERK'S OBLIGATIONS**

The Articled Clerk agrees to perform his or her obligations under the Articles in relation to and at the request of the Second Practitioner.

4. **RELEASE OF FIRST PRINCIPAL**

The First Principal's obligations under the Articles cease on the date of this Deed.

Signed by the parties as a deed.

Signed by A.B
in the presence of:

Witness

Signed by C.D.....
in the presence of:

Witness

Signed by E.F.....
in the presence of:

Witness

FORM F

LEGAL PRACTITIONERS ACT 1893

**APPLICATION TO THE LEGAL PRACTICE BOARD TO
CANCEL ARTICLES AND FOR APPROVAL TO THE
REGISTRATION OF NEW ARTICLES**

Rule 22

APPLICANT

of

serving under articles with

registered on199

I apply to the Board:

1. to cancel my articles with
because he/she has ceased to be entitled to have an articled
clerk by reason of¹; and
2. to approve the registration of new articles with
for the unexpired balance of the former articles.

Dated199

Signed

¹ Or 'died on

I ² agree to this application being made and the cancellation of the Applicant's articles to me.

Dated199

Signed

I ³ agree to become the principal under the Applicant's new articles.

Dated199

Signed

² Present principal

³ New principal.

FORM G

LEGAL PRACTITIONERS ACT 1893

CERTIFICATE AS TO COMPLETION OF SERVICE UNDER ARTICLES

Rules 25 (2) & 51

ARTICLED CLERK.....

of

serving under articles with

registered on 199

I,

of, a practitioner under the Act,

CERTIFY that the Articled Clerk has —

(a) served as my articled clerk between the dates and (both inclusive); and

(b) duly complied with his/her obligations under his/her articles.

Dated199

Signed

FORM H

LEGAL PRACTITIONERS ACT 1893

APPLICATION TO THE LEGAL PRACTICE BOARD FOR
APPROVAL AS A MANAGING CLERK

RULE 39 (a)

APPLICANT

of

I,

of

clerk to Solicitors, of
.....apply for the Board's approval as
Managing Clerk in accordance with the Act and rules and provide
the following information:

1. I have been employed as a Law Clerk for a period of
years.....months of which period I have been employed as
Managing Clerk for a period of
2. Details of the practitioners by whom I have been
employed and the period of my employment with each of
them and the nature of the duties carried out in the
course of that employment are as follows:
3. My age is and a copy of my birth certificate is
attached.
4. I attach a certificate of character signed by
and, both practitioners.¹

Dated199

Signed

¹ Or other evidence which can satisfy the Board that the applicant is of good fame and character.

FORM I

LEGAL PRACTITIONERS ACT 1893

ADMISSION AFFIDAVIT

(To be used by applicants for admission under section 15 (2) (a))

APPLICANT

of

I,

of

make oath and say as follows:¹

1. On199 , I was awarded the degree of Bachelor of Laws byUniversity.
2. I have been an Articled Clerk under Articles registered with the Board on199 .
3. I have not been convicted of any offence. ²

OR

I have been convicted of an offence (or offences) and the details are:

.....
.....

Sworn etc.

¹ Use those of the following paragraphs as are appropriate to the case.

² Conviction of an offence does not include:

- * a conviction where the penalty imposed did not exceed \$1 000, unless a sentence of imprisonment was also imposed.;
- * a conviction which occurred more than 10 years before the date of the application.

FORM J

LEGAL PRACTITIONERS ACT 1893

ADMISSION AFFIDAVIT

(to be used by applicants for admission under section 16)

APPLICANT

of

I,

of

make oath and say as follows:

1. I have been employed as a clerk by Legal Practitioners, of Western Australia since199 and since199 , I have been so employed as managing clerk.
2. My application for approval by the Board was granted by the Board on199 .
3. I have passed the Articles Training Program examinations [or the examinations prescribed by the rules] and attach a Certificate of that fact issued by the Board.

Sworn etc.

”

D. M. WATT, Member.
L. E. JAMES, Member.
R. M. B. REYNOLDS, Member.
L. W. ROBERTS-SMITH, Member.

JM401**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988**

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

Thomas Sydney Pashley of Lot 279 Carob Street, Tbm Price and Shire of Ashburton, Administration Office, Poinciana Street, Tbm Price

Peta Ruth Smallshaw of 36 Loch Street, Derby and Australia Post, Loch Street, Derby

Peter Ian Beros of 466 Robe Avenue, Paraburdoo and Hamersley Iron Pty Limited, PO Box 114, Paraburdoo

RICHARD FOSTER, Executive Director, Courts Division.

JM402**EX OFFICIO JUSTICE OF THE PEACE**

It is hereby notified for public information that Thomas Patrick Field of Yerecoin South East Road, Yerecoin and Shire of Victoria Plains, PO Box 21, Calingiri has been appointed under section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Avon during his term of office as Shire President for the Shire of Victoria Plains.

RICHARD FOSTER, Executive Director, Courts Division.

EX OFFICIO JUSTICE OF THE PEACE

It is hereby notified for public information that Ellis George Robbins of 370 Poinsettia Street, Tbm Price and Shire of Ashburton, PO Box 567, Tbm Price has been appointed under section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Roebourne during his term of office as Shire President for the Shire of Ashburton.

RICHARD FOSTER, Executive Director, Courts Division.

EX OFFICIO JUSTICE OF THE PEACE

It is hereby notified for public information that Peter Richard Taylor of Jarring North Road, Lake Grace and Shire of Lake Grace, PO Box 50, Lake Grace has been appointed under section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Williams during his term of office as Shire President of Shire of Lake Grace.

RICHARD FOSTER, Executive Director, Courts Division.

JM403**JUSTICES ACT 1902**

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

Thomas Sydney Pashley of Lot 279 Carob Street, Tbm Price and Shire of Ashburton, Administration Office, Poinciana Street, Tbm Price

Peta Ruth Smallshaw of 36 Loch Street, Derby and Australia Post, Loch Street, Derby

Peter Ian Beros of 466 Robe Avenue, Paraburdoo and Hamersley Iron Pty Limited, PO Box 114, Paraburdoo

RICHARD FOSTER, Executive Director, Courts Division.

JM404**JUSTICES ACT 1902**

It is hereby notified for public information that His Excellency the Governor in Executive Council has accepted the resignation of Anthony Cooke of 30 Sunbury Road, Victoria Park, from the Office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, Executive Director, Courts Division.

JUSTICES ACT 1902

It is hereby notified for public information that His Excellency the Governor in Executive Council has accepted the resignation of Ross McPherson Ritchie of 46 Chalmers Avenue, Waikiki, from the Office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, Executive Director, Courts Division.

JUSTICES ACT 1902

It is hereby notified for public information that His Excellency the Governor in Executive Council has accepted the resignation of Kamry Wahid of 28 Simpson Drive, Padbury, from the Office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, Executive Director, Courts Division.

LAND ADMINISTRATION

LA401

LOCAL GOVERNMENT ACT 1960
DECLARATION OF CLOSURE OF STREETS

Made by the Minister for Lands
Under Section 288A

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

SCHEDULE

1. Shire of Collie (DOLA File 1970/1994; Closure No. C1303).
The whole of the surveyed road shown bordered blue on Crown Survey Plan 18655.
Public Plan: Muja (25) NW.
2. Shire of Swan (DOLA File No. 2311/994; Closure No. S.476).
All that portion of Victoria Road (No. 5668) now contained in Swan Locations 12444 and 12445 shown bordered red on Crown Survey Diagram 92344.
Public Plan: BG34(2) 19.35.

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

LA402**FORFEITURES**

Department of Land Administration.

The following leases and licences together with all rights, title and interest therein have this day been forfeited to the Crown under the Land Act 1933 for the reasons stated.

A. A. SKINNER, Chief Executive Officer.

Dated 21 November 1995.

Name; Lease or Licence No.; District; Reason; Corres No.; Plan.

Hanwell, Kevin Francis and Evelyn Joy; 332/1950; Mt Kokeby Lots 33 to 38 and Lot 63; Non Payment of Rent; 11101/899; Diag. 83795.

LB401

LOCAL GOVERNMENT ACT 1960
DECLARATION OF PUBLIC STREETS
ORDERS OF THE MINISTER FOR LANDS

Made under Section 288

At the request of the local governments nominated, the portions of land specified in the Notice are now declared to be absolutely dedicated as a public street.

NOTICE

1. Shire of Busselton (DOLA File No. 2832/994).
 Road No. 18790 (Thurstun Lane). All those surveyed ways as delineated and coloured brown on Office of Titles Plan 5135.
 Public Plans: BF29(2) 10.40 and 11.40;
 BF30(2) 10.01 and 11.01.
2. Shire of Swan (DOLA File No. 1989/995) Road No. 18796.
 The whole of the R.O.W as Jarrahood Glen shown delineated and coloured brown on Office of Titles Plan 17679.
 Public Plan: BG35(10).

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

LB701

SCHEDULE NO: A51/1995
 Exco. No: 1176
 DOLA 70/1995

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, Tobin Road.
 Local Authority: Shire of Manjimup
 Plan/Diagram No. showing Land resumed: Plan 18476
 Council Resolution Date: 11 November, 1993. DOLA Ref:3112/1985

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Crown	Shire of Manjimup as vestee	Portion of Manjimup Lot 772 set aside as Reserve 39583 for the purpose of "Public Recreation".	2458m ²

2. Public Work: Creation of public road, Rebecca Place (Road No. 18744).
 Local Authority: City of Mandurah
 Plan/Diagram No. showing Land resumed: Diagram 92325
 Council Resolution Date: 21 February, 1995. DOLA Ref:2563/1958

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Crown	City of Mandurah as vestee	Portion of Murray Locations 1713 and 1576 set aside as part of Reserve 27999 for the purpose of "Public Recreation".	240m ² (ex Loc. 1713) 808m ² (ex Loc. 1576)

3. Public Work: Widening of Hocart Road (Road No. 10094).
Local Authority: Shire of Harvey
Plan/Diagram No. showing Land resumed: Diagram 92342
Council Resolution Date: 11 April, 1995. DOLA Ref:1449/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Robert John Morton and Carol Frances Morton	R J and C F Morton	Portion of Wellington Location 50A the subject of Diagram 1025 being part of the land contained in Certificate of Title Volume 1385 Folio 242	18m ²

GEORGE CASH, Minister for Lands.

October 25, 1995.

GEOFFREY KENNEDY, the deputy of the Governor in Executive Council.

November 7, 1995.

SCHEDULE NO: A52/1995
Exco No. 1177
DOLA 70/1995

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: Widening of Lage Road (Road No. 9527).
Local Authority: Shire of Swan
Plan/Diagram No. showing Land resumed: Diagram 92276
Council Resolution Date: 29 March, 1995. DOLA Ref:825/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
McRae Investments Pty. Ltd., George Humphery Park and Esme Florence Park	Shire of Swan vide Caveat F812723	Portion of Swan Location 317 and being part of the land on Diagram 6254 being part of the land contained in Certificate of Title Volume 1634 Folio 859	110m ²
Graeme John Nadenbousch, Susan Merle Nadenbousch, Bradley James Nadenbousch, Terence Patrick Bates and Barbara Louise Bates	Shire of Swan vide Caveat F823826	Portion of Swan Location 1357 being part of the land contained in Certificate of Title Volume 1543 Folio 226	168m ²

2. Public Work: Widening of Alexander Drive (Road No. 7354).
Local Authority: City of Wanneroo
Plan/Diagram No. showing Land resumed: Diagram 92345
Council Resolution Date: 8 February, 1995. DOLA Ref:3810/1962

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Crown	City of Wanneroo as vestee	Portion of Swan Location 9627 set aside as Reserve 34683 for the purpose of "Public Recreation".	460m ²

GEORGE CASH, Minister for Lands.

October 25, 1995.

GEOFFREY KENNEDY, the deputy of the Governor in Executive Council.

November 7, 1995.

SCHEDULE NO: A53/1995
Exco No. 1178
DOLA 70/1995

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: Deviation of Tonkin Drive (Road No. 18690).

Local Authority: Shire of Murray

Plan/Diagram No. showing Land resumed: Diagram 92093

Council Resolution Date: 8 February, 1994. DOLA Ref:1183/1994

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Christos Vassileff and Emanouil Matrakis	C Vassileff and E Matrakis	Portion of Lot 181 on Plan 2087 (Sheet 5) being part of the land contained in Certificates of Title Volume 1500 Folio 648 and Volume 1109 Folio 484	1500m ²
Pearce Estates Pty. Ltd.	Pearce Estates Pty. Ltd.	Portion of Lot 171 on Plan 2087 (sheet 4) being part of the land contained in Certificate of Title Volume 1911 Folio 462	1038m ²

2. Public Work: Widening of Darkan Road South (Road No. 3737) and Farrell Street (Road No. 18702).

Local Authority: Shire of West Arthur

Plan/Diagram No. showing Land resumed: Plan 18570

Council Resolution Date: 18 April, 1991. DOLA Ref:620/1993

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Marjorie Rosie Quill, Kevin John Quill, Martin Francis Quill and Thomas Edward Quill.	M R, K J, M F and T E Quill	Portion of Wellington Location 1812 being part of the land contained in Certificate of Title Volume 1174 Folio 417	685m ²
Marjorie Rosie Quill	M R Quill	and Portion of Wellington Location 1812 being part of the land contained in Certificate of Title Volume 19 Folio 295A	
Marjorie Rosie Quill, Kevin John Quill, Martin Francis Quill and Thomas Edward Quill	M R, K J, M F and T E Quill	Portion of Wellington Location 1812 being part of the land contained in Certificate of Title Volume 1174 Folio 419	1.1267ha
Robert Arthur Henry Nicholson	R A H Nicholson	Portion of Duranillin Lot 36 being part of the land contained in Certificate of Title Volume 1321 Folio 747	663m ²

3. Public Work: Widening of Angelo Street (Road No. 7868).

Local Authority: City of South Perth

Plan/Diagram No. showing Land resumed: Diagram 92227

Council Resolution Date: 23 August, 1995. DOLA Ref:2137/1897

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Crown	Perth Zoo as vestee	Portion of Perth Suburban Lot 326 set aside as part of "A" Class Reserve 22503 for the purpose of "Zoological Gardens".	18m ²

4. Public Work: Creation of public road and reserve for "Rubbish Disposal Site".
Local Authority: Shire of East Pilbara
Plan/Diagram No. showing Land resumed: Plan 18264
Council Resolution Date: 26 August, 1994. DOLA Ref:2853/1990

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Crown	Pilbara Iron Ltd., BIIP Minerals Ltd., Mitsui-C Itoh Iron Pty. Ltd. and CI Minerals Australia Pty. Ltd. as lessees	The portions of Windell Location 17 shown as road and part of Windell Location 129 on Plan 18264 being part of the land contained in Special Lease 3116/3685 (C.L. 839/1967).	53.3009ha

GEORGE CASH, Minister for Lands.

October 18, 1995.

GEOFFREY KENNEDY, the deputy of the Governor in Executive Council.

November 7, 1995.

SCHEDULE NO: A54/1995
Exco No. 1179
DOLA 70/1995

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 street, Lord Street (Road No. 18752).

Local Authority: Shire of Swan

Plan/Diagram No. showing Land resumed: Diagram 92360

Council Resolution Date: 24 August, 1994. DOLA Ref:1647/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Luka John Sumich, Hazel Ivica Vuleta, Leni Tonka Sumich and Viki Roni Sumich	Shire of Swan vide Caveat F869727	Part of Lot 39 on Plan 2747 being part of the land contained in Certificate of Title Volume 1393 Folio 655	6894m ²

2. Public Work: Widening of Lennard Road (Road No. 5003).

Local Authority: Shire of Dardanup

Plan/Diagram No. showing Land resumed: Plan 19024

Council Resolution Date: 28 September, 1994. DOLA Ref:8913/1913

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
John Gordon Waters and Patricia Margaret Waters	J G and P M Waters	Portion of Lot 1 the subject of Diagram 69176 being part of the land contained in Certificate of Title Volume 1988 Folio 564	629m ²
Lindon Brookes Rose	L B Rose	Part of Lot 93 on Plan 2842 (Sheet 3) being part of the land contained in Certificate of Title Volume 1988 Folio 563	124m ²

3. Public Work: Widening of Wansborough Street (Road No. 18751).

Local Authority: Town of Albany

Plan/Diagram No. showing Land resumed: Diagram 92347

Council Resolution Date: 24 May, 1994. DOLA Ref:1629/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
The State Housing Commission	The State Housing Commission	Portion of Lot 1 on Plan 9136 being part of the land contained in Certificate of Title Volume 1369 Folio 211	54m ²

4. Public Work: Extension of Forbes Street (Road No. 17933).

Local Authority: Shire of Boyup Brook

Plan/Diagram No. showing Land resumed: Plan 18862

Council Resolution Date: 15 September, 1995. DOLA Ref:3531/1963

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Crown	Shire of Boyup Brook as vestee	Portion of Boyup Brook Lot 363 set aside as part of "A" Class Reserve 27834 for the purpose of "Park".	391m ²

GEORGE CASII, Minister for Lands.

October 25, 1995.

GEOFFREY KENNEDY, the deputy of the Governor in Executive Council.

November 7, 1995.

SCHEDULE NO: A56/1995
Exco No. 1180
DOLA 70/1995

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 un-named public road

Local Authority: City of Stirling

Plan/Diagram No. showing Land resumed: LTO Plan 6895

Council Resolution Date: 18 July, 1995. DOLA Ref:2131/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
City of Stirling	City of Stirling	The Right of Way on Plan 6895 being part of the land remaining in Certificate of Title Volume 1204 Folio 909	614m ²

2. Public Work: Widening of Banksia Road (Road No. 7930).

Local Authority: Shire of Dardanup

Plan/Diagram No. showing Land resumed: Diagram 92278

Council Resolution Date: 27 July, 1994. DOLA Ref:934/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Peter James Depiazzi and Owen Bernard Depiazzi	P J Depiazzi and O B Depiazzi	Portion of Wellington Location 4578 being part of the land contained in Certificate of Title Volume 1319 Folio 427	1.2938ha

3. Public Work: Widening of Leach Highway (Road No. 1773).

Local Authority: City of Melville

Plan/Diagram No. showing Land resumed: Diagram 92249

Council Resolution Date: 19 September, 1995. DOLA Ref:102/1950

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Crown	Education Department	Portion of Swan Location 5553 set aside as Reserve 24064 for the purpose of "School Site".	258m ²

4. Public Work: Widening of Braund Street
 Local Authority: City of Bunbury
 Plan/Diagram No. showing Land resumed: LTO Plan 2423
 Council Resolution Date: 9 May, 1994. DOLA Ref:2820/1994

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
David Forrest, Newton James Moore and John Leonard Walker as executors of the estate of James Moore	vacant	The Drain Reserve on Plan 2423 being part of the land remaining in Certificate of Title Volume 546 Folio 181	604m ²

GEORGE CASH, Minister for Lands.

October 31, 1995.

GEOFFREY KENNEDY, the deputy of the Governor in Executive Council.

November 7, 1995.

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 24th day of November, 1995.

A. A. SKINNER, Chief Executive.

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Armadale

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

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved in the 7th day of March 1995 to make and submit for confirmation by the deputy of the Governor the following amendments to the abovementioned bylaw published in the *Government Gazette* on 3 August 1973 and amended on 21 April 1978, 24 December 1980, 26 June 1981, 10 June 1983, 22 June 1984, 10 July 1987, 20 October 1989, 16 March 1990, 19 April 1991, 23 August 1991, 10 May 1994 and 9 December 1994.

- (1) In Clause 132 (1), delete the words "Finance and General Purposes Committee" and insert in place thereof the words "Finance and General Services Committee".
- (2) In Clause 157, delete the words "Finance and General Purposes Committee" and insert in place thereof the words "Finance & General Services Committee".
- (3) In Clause 159, delete the words "Finance and General Purposes Committee" and insert in place thereof the words "Finance & General Services Committee".

Dated this 3rd day of May 1995.

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

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

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Date 2 November 1995.

Approved by the deputy of the Governor in Executive Council the 21st day of November 1995.

J. PRITCHARD, Clerk of the Council.

LG302**LOCAL GOVERNMENT ACT 1960***Municipality of the Shire of Beverley*

By-Laws Relating to Fencing

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 17 August 1995 to make and submit for confirmation by the deputy of the Governor the following By-Laws.

1. Citation

These By-Laws apply only to the Beverley townsite.

2. Interpretation

2.1 In the By-Laws unless the context otherwise requires—

“*Council*” means the Council of the Shire of Beverley;

“*dangerous*” in relation to a fence, means a fence in such condition that it is likely to collapse or fall or part of which is likely to collapse or fall by reason of faulty design, location, construction, deterioration of materials, damage by termites decay, changes in ground levels or any other cause, or any fence which is otherwise likely to collapse or fall, or part of which fence is likely to collapse or fall, for any reason whatsoever or a fence containing exposed glass, asbestos fibre or any other harmful projection or material.

“*dividing fence*” means a fence that—

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

“*farming zone*” means any portion of the Beverley townsite that is classified or zoned farming by a Town Planning Scheme or By-Laws for the time being in force;

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

“*frontage*” means the boundary line between a lot and the street upon which that lot abuts;

“*height*” (in relation to a fence) means the greatest distance between the top of the fence at any point and the ground immediately below that point but where—

- (a) the natural level of the ground can not be ascertained the height of the fence shall be measured from a level fixed by Council;
- (b) a fence is erected on or adjacent to a retaining wall, the retaining wall is deemed to be part of the fence for the purpose of measuring the height thereof, unless in any particular case, the Council decides otherwise;

“*industrial zone*” means any portion of the Beverley townsite that is classified or zoned as Industrial by a Town Planning Scheme or By-Laws for the time being in force in the municipal district of the Shire of Beverley;

“*residential zone*” means any portion of the district that is classified or zoned Residential by a Town Planning Scheme or By-Laws for the time being in force in the municipal district of the Shire of Beverley;

“*rural residential zone*” means any portion of the Beverley Townsite that is classified or zoned Rural Residential by a Town Planning Scheme or By-Laws for the time being in force in the municipal district of the Shire of Beverley;

“*surveyor*” means the Building Surveyor of the Shire of Beverley or an Officer appointed by the Council;

“*town centre zone*” means any portion of the Beverley townsite that is classified or zoned Town Centre by a Town Planning Scheme or By-Laws for the time being in force in the municipal district of the Shire of Beverley;

2.2 Where a fence is erected on the boundary between land in a residential zone and land in some other zone then a “sufficient fence” for the purposes of the Dividing Fences Act 1961 shall be that prescribed as a sufficient fence for a residential zone.

2.3 Where a fence is erected on a boundary between land in differing zones neither of which is a residential zone the Council shall determine which schedule shall apply for the purpose of prescribing a sufficient fence for the purpose of the Dividing Fences Act 1961.

3. Approval

3.1 No person shall commence to erect, construct, reconstruct or alter any fence or any hood or pergola forming part of a fence—

- 3.1.1 exceeding one metre in height abutting or within 7.6 metres of a street alignment; or
- 3.1.2 exceeding 1.8 metres in height on the remainder of any lot boundary or adjacent thereto unless he has lodged with the Council two copies of plans and specifications of the proposed fence or hood or pergola forming part of the fence, or the proposed reconstruction or alteration and unless the Council has approved the said plans and specifications.

3.2 Where land is located at the corner of two streets, a fence that intersects at such a corner shall not exceed 0.75 metres in height for the first 6 metres of its length from the corner.

4. Fencing Materials

4.1 Previously used materials shall not be used in the construction of any fence unless approved by Council.

4.2 No person shall erect a fence constructed otherwise than of one or more of the following—

concrete, masonry, wrought iron, tubular steel, link steel mesh, timber, fibro cement, colourbond or such other materials approved by Council.

4.3 No person shall use or cause to be used corrugated galvanised iron as a covering to any fence on properties developed and used for residential purposes.

4.4 No person shall erect a fence wholly or partly of barbed wire except in accordance with this by-law. A fence may be erected wholly or partly of barbed wire—

4.4.1 in a farming zone;

4.4.2 in an industrial and town centre zone if no barbed wire is used below a height of 1800 mm from the ground, and no more than three strands of barbed wire are used;

4.4.3 in any other part of the Beverley townsite of the Shire of Beverley with the written approval of the Council.

5. Fences in Residential Zones

5.1 Subject to by-law 3 of these By-Laws, a fence constructed in a residential zone in accordance with specifications set out in clause 1 of the First Schedule of these By-Laws shall be a sufficient fence for the purpose of the Dividing Fences Act 1961 as amended.

6. Fences in Rural Residential and Farming Zones

6.1 Within a rural residential or farming zone, a fence which is parallel to and within 7.5 metres of a street may be constructed to a height of not more than 1.5 metres without permission of Council.

6.2 A fence constructed in a rural residential or farming zone in accordance with specifications set out in clause 1 of the Third Schedule of these By-Laws shall be a sufficient fence for the purpose of the Dividing Fences Act 1961.

7. Fences in Town Centre Zones

7.1 A fence constructed in the town centre zone in accordance with specifications set out in clause 1 of the First Schedule of these By-Laws shall be a sufficient fence for the purpose of the Dividing Fences Act 1961.

8. Fences in Industrial Zones

8.1 A fence constructed in an industrial zone in accordance with specifications set out in clause 1 of the Second Schedule of these By-Laws shall be a sufficient fence for the purpose of the Dividing Fences Act 1961.

9. Specification of Other Fences

9.1 A fence constructed other than a sufficient fence shall be constructed in accordance with the specifications set out in the Fourth Schedule of these By-Laws.

10. Maintenance of Fences

10.1 For the purposes of this clause, "disrepair" includes dangerous, neglected, ruinous, dilapidated, unsightly or prejudicial to the amenity of the locality.

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

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

10.4 Where an owner or occupier of land who has been given notice under sub-by-law 3, fails to comply with the requirements of the notice, the Council may enter the land and carry out the work specified in the notice and recover the costs and expenses incurred by it in so doing from the owner or occupier in a court of competent jurisdiction.

11. Retaining Walls

11.1 A person shall not, without the written consent of the Council, erect or commence or permit to erect a retaining wall on or near a boundary line.

11.2 An application for consent to erect a retaining wall shall—

11.2.1 where the wall is less than 450 mm in height, be made in writing to the Council; and

11.2.2 where the wall is equal to or greater than 450 mm in height, be made in writing to the Council in the form of a building licence application in accordance with the Building Regulations 1989.

12. General Discretion of the Council

12.1 The Council may consent to the erection or retention of a fence which does not comply with one or more of the requirements of these By-Laws.

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

- 12.2.1 the safety, convenience or use of any other land;
- 12.2.2 the safety or convenience of any person;
- 12.2.3 the orderly and proper planning of the locality; and
- 12.2.4 the amenity of the locality.

13. Offences

13.1 A person who contravenes a provision of these By-Laws commits an offence and is liable on conviction—

- 13.1.1 a penalty of \$500; and
- 13.1.2 a daily penalty of \$50 for each day during which the offence continues.

First Schedule

SPECIFICATIONS FOR A FENCE
IN RESIDENTIAL/TOWN CENTRE ZONES

1. A fence constructed of corrugated fibre reinforced pressed cement sheeting shall satisfy the following specifications—

- (a) an in-ground depth of 25 per cent of the total length of the sheet;
- (b) the total height and depth of the fence to consist of a single continuous fibre reinforced cement sheet;
- (c) the sheets to be lapped and capped with extruded “snap fit” type capping; and
- (d) the height of the fence to be 1800 mm.

Second Schedule

SPECIFICATIONS FOR A FENCE IN
AN INDUSTRIAL ZONE

1.1 A fence constructed of PVC coated rail-less link shall satisfy the following specifications—

1.2 the rail-less link is to be at a height of 1800 mm and barbed wire is to be above the height of 1800 mm to a height of 2100 mm;

1.3 the fence is to be supported by steel galvanised pipe posts—

- (a) 2700 mm in length;
- (b) having a nominal bore of 40 mm and an outside diameter of 48 mm;
- (c) spaced at 4000 mm centres; and
- (d) sunk 600 mm into the ground and encased in concrete having a diameter of 150 mm;

1.4 the centre and bottom steel cable wire is to be 3.15 mm in diameter and double twisted; and

1.5 terminal posts are to be braced in the line of the fence with diagonal pipe braces having a nominal bore of 50 mm and an outside diameter of 60 mm.

Third Schedule

SPECIFICATIONS FOR FENCES IN
A RURAL RESIDENTIAL/FARMING ZONE

1. Posts are to be timber that are—

- (A) round;
- (B) treated effectively against termites ; and
- (C) cut not less than 1800 mm long x 100 mm diameter at the small end if round or 1800 mm x 75 mm;
- (a) set 600 mm in the ground and 1200 mm out of the ground;
- (b) spaced 3500 mm apart; and
- (c) bored with 5 suitably spaced holes of 5 mm diameter to be threaded with 5 plain high tensile steel galvanised wires each of which is to be 2.5 mm in diameter.

1.2 strainer posts are to be cut from timber being not less than 150 mm in diameter at the small end;

- (a) 2300 mm long;
- (b) sunk in the ground 1000 mm and, encased in concrete having a diameter of 300 mm;
- (c) strutted or braced;
- (d) wrapped with plain high tensile steel galvanised wire and strained tightly; and
- (e) set at all corners, gateways and fence line angles but not exceeding 200 m apart; and

1.3 where barbed wire is to be affixed to posts fronting a road, it shall be affixed on the inside of the posts.

Fourth Schedule

SPECIFICATIONS FOR OTHER FENCES

1. Picket timber fence shall be erected as follows -

- (a) corner posts to be 125 mm x 125 mm x 2400 mm and intermediate posts to be 125 mm x 75 mm x 2400 mm spaced at 3000 mm centres;
- (b) corner posts to be strutted two ways with 100 mm x 50 mm x 450 mm sole plates and 75 mm x 50 mm struts;
- (c) intermediate posts to be double yankee strutted with 150 mm x 25 mm x 450 mm struts;
- (d) all posts to have tops with a 60 mm weather cut and to be sunk at least 600 mm into the ground;
- (e) rails to be 75 mm x 50 mm with each rail spanning two bays of fencing with joints staggered;
- (f) the fence to be covered with 75 mm x 20 mm sawn pickets, 1800 mm in height placed 75 mm apart and double nailed to each rail; and
- (g) the height of the fence to be 1800 mm; and

2. Fences standard iron star pickets, sawn, split, or round wooden post or concrete shall be erected as follows—

- (a) Posts to be set 450 mm in the ground and 1200 mm out of the ground with strainer posts set at all corners gateways and fence line angles;
- (b) Wire—shall be 2.5 mm diameter;
- (c) Posts to be standard iron star pickets or concrete or if of white gum, jarrah or other indigenous timber, or treated pine, shall be cut 1800 mm long by 65 mm diameter at small end if round or 125 mm x 60 mm if split or sawn;
- (d) If cut from timber strainer posts shall be 1200 mm above the ground and sunk in the ground 600 mm and shall be 150 mm in diameter at the small end;
- (e) If of tubular steel strainer posts shall be 50 mm in diameter, 1200 mm above the ground and sunk in the ground 900 mm with the portion below ground encased in concrete having a diameter of 150 mm;

Dated this 7th day of September 1995.

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

M. A. WOODS, President.
K. L. BYERS, Shire Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by the deputy of the Governor in Executive Council the 21st day of November 1995.

D. G. BLIGHT, Clerk of the Council.

LG303

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

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

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it the Council of the abovementioned municipality hereby records having resolved on the 26th day of April, 1995 to amend the By-law Relating to the Conduct of Proceedings and the Business of Council published in the Government Gazette on the 10th December, 1993 as follows—

1. In Clause 2 insert the following definition—

“Deputation”—means an arrangement for a person or persons to address the Council or a Committee at a specified time during the meeting (other than during the time allocated in Clause 41 for members of the public to address Committee Meetings) and that arrangement is predetermined prior to the date of the meeting.
2. In Clause 18 delete the following passages—

“(10) Reports of Councillors (Councillors to report only on meetings or functions attended as a duly appointed representative of Council and then only Council related business to be mentioned);”
3. Clause 28(2) delete the word “municipality” and substitute the words “duties and functions of the Shire”.
4. Clause 30 after the words “Clerk or officer shall cause” add the words “, whenever reasonably possible,”.
5. Clause 38. Delete the word “affecting” and substitute with the word “effecting”.
6. Clause 41. Delete the heading “Committee Presentations” and substitute the heading “Committee Meetings - public may attend and address Committee”.
7. Delete Clause 41(3)(d) and substitute the following: “(d) such other persons as in the opinion of the Chairperson or Committee have a significant direct or indirect interest in the item on the notice paper.”
8. Clause 41(4). Delete the words “unless the Committee signifies without debate that an extension of time not exceeding ten minutes is warranted”
9. Delete Clause 41(6) and substitute the following—

“(6) The Committee may bring forward and deal with the item listed in the notice paper immediately following the conclusion of questions to the persons addressing the Committee but only when the persons have retired from the Council table to the public areas of the Council Chambers. Consent to vary the order of dealing with items on the notice paper under this Clause shall be signified without debate.”
10. Clause 52. Delete the sentence “An extension shall not be permitted under this clause beyond a total of ten minutes.” and substitute the following—

“Only one extension of five minutes may be permitted.”
11. After Clause 64 insert the following clause—

“64A. When a motion or amendment under debate is dealing with a Committee Recommendation any member who has not spoken on the motion or amendment then before Council may, at the conclusion of the speech of any other member, move a motion that the matter be referred back to the Committee for further consideration.”
12. Clause 86. Add the words “or Committee” at the end of this clause.
13. Clause 106(1).

Delete the Clause and substitute the following—

“(1) All matters and questions considered or discussed by the Council, or a Committee of the Council, behind closed doors shall be treated as strictly confidential and shall only be disclosed by a Member or Officer to another person (whether that other person is a Member or Officer or not) to the extent that it is necessary for that Member or Officer to do so in the performance of his or her duties to the Shire.”
14. Clause 106(2). Delete the words “not without authority of the Council be disclosed to any person other than the President, Councillors or Officers of the Council” and substitute the following—

“only be disclosed by a Member or Officer to another person (whether that other person is a Member or Officer or not) to the extent that it is necessary for that Member or Officer to do so in the performance of his or her duties to the Shire”.

15. Clause 111. Add sub-clause (4) as follows—

“(4) Any person, other than members, failing to comply with a direction pursuant to subclause (3) of this clause commits an offence and may, with the use of reasonable force if necessary, be removed from the Council Chambers.”

16. Clause 131. Delete the words “be observed at” and substitute the words “apply to”.

Dated this 29th day of August 1995.

The Common Seal of the Shire of Busselton was hereunto affixed by resolution of the Council in the presence of—

MIKE SULLY, Shire President.
IAN STUBBS, Chief Executive Officer.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by the deputy of the Governor in Executive Council this 21st day of November 1995.

J. PRITCHARD, Clerk of the Council.

LG304

LOCAL GOVERNMENT ACT 1960

Municipality of the City of Geraldton

By-law Relating to Signs, Hoardings and Bill Posting

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on the 23 November 1994, to revoke the By-law (Signs, Hoardings and Bill Posting) published in the *Government Gazette* on 16 June 1978 as amended and to make and submit for confirmation by the Governor the following By-law.

1. Citation

This By-law may be cited as “City of Geraldton’s Signs, Hoardings and Bill Posting By-law”, or as “City of Geraldton’s Signs By-law”.

2. Interpretation

In this By-law, unless the context otherwise requires—

“Act” means the Local Government Act 1960 (as amended);

“Advertising device” means any object or structure on which any word, letter, number, symbol, figure, drawing, image or other representation whatsoever is written, placed, affixed, attached, painted, projected or otherwise displayed for the purpose of giving any message or direction or promoting or publicising any business, project, enterprise, or undertaking, or any function or event, or any person, body or group, or any product or article, or other thing whatsoever, and includes an airborne device anchored to any land, building or thing, and also includes any vehicle or trailer or other similar object placed or located so as to serve the purpose herein before referred to;

“Bill” means any written, printed or illustrated message or matter on paper, plastic or similar material;

“Bill Posting” means the attaching, sticking, printing, or stencilling of any bill, poster, placard, advertisement on any building, wall, hoarding or structure whether erected upon private property or upon a public place and to “Post a Bill” has a corresponding meaning;

“Building Surveyor” means the City’s Building Surveyor appointed pursuant to the Act;

“City” means the City of Geraldton;

“Commercial Area” means an area where business or trade is conducted to the exclusion of any purpose falling within the definition of the industry.

- “Development Sign” means a sign or signs erected on an area of land which land has been approved for subdivision into a number of smaller lots, advertising such lots for Sale but upon which land no building development has taken place at the time of approval of the sign or signs.
- “Council” means the Council of the City;
- “District” means the municipal district of the City;
- “Directional Sign” means a sign erected in a street or public place to indicate the direction to another place but does not include any such sign erected or affixed by the Council or the Commissioner of Main Roads or a road direction sign erected or affixed by the Council or the Commissioner of Main Roads or a road direction sign erected or affixed by a duly incorporated association or union of motorists authorised in that regard by the Minister for the time being administering the Road Traffic Act 1974 and its amendments;
- “Display Home Sign” means a sign or signs erected on a lot on which a home is erected where the lot and house have been approved as meeting the Council’s requirements for a display home including the provision of the required parking;
- “Election Sign” means a bill, poster, placard or advertisement relating to any election, attached to or pasted, painted, or stencilled, on any hoarding, wall, building, or structure whether erected upon private property or upon a public place, but does not include a sign erected by the Council for the purpose of public information;
- “Fly Posting” without limiting the generality of the provisions in this By-law relating to bill posting means advertising by means of more than one bill, poster, or placard attached, applied, painted, stencilled or affixed on fences, walls, buildings, structures, trees, rocks and any like places, or thing without authority and “Fly Post” has a like meaning;
- “Hoarding” means a detached or detachable structure including wall panel or an illuminated panel other than a pylon sign that is erected for the sole purpose of displaying one or more signs or advertising devices but excluding hoardings referred to in Section 377 of the Act and includes a poster panel, wall panel or an illuminated panel;
- “Horizontal Sign” means a sign affixed or attached with its largest dimension horizontal to the wall of a building or a structure to which it is attached;
- “Illuminated Sign” means a sign that is so arranged as to be capable of being lighted either from within or from without the sign by artificial light provided, or mainly provided, for that purpose;
- “Industrial Area” means an area classified as an industrial zone in the Town Planning Scheme or in any interim development order in force within the district;
- “Information Panel” means a panel used for displaying Government and Local Authority notices, functional and dated announcements of a religious, educational, cultural, recreational or similar character, general information for the benefit of the public and travellers and general commercial advertising;
- “Institutional Signs” means a sign erected or placed on any private property, public place or building used for or in connection with a medical or dental surgery, clinic, hospital, rest home, home for the aged, or other institution or place of a similar nature;
- “Licensee” means the holder of a licence issued by the Council pursuant to this By-law;
- “Light Industrial Area” means an area classified as a light industry zone under the Town Planning Scheme;
- “Low Level Sign” means a sign complying with the standards and requirements of clause 32.i., hereof;
- “Non-site Specific Advertising” means any advertising which is not site specific advertising;
- “Planning Approval” means approval by the responsible authority under any Town Planning Scheme controlling land development and use within the district;
- “Portable Sign” means a sign not permanently attached to the ground or to a structure, wall, fence or building and including, but not limited to a sandwich board sign consisting of two sign boards attached to each other at the top or elsewhere by hinges or other means;
- “Projection Sign” means a sign that is made by the projection of light on a wall or similar structure;
- “Pylon Sign” means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported on one or more piers on which infill may be added;
- “Residential Area” means an area classified as a residential zone under the Town Planning Scheme;
- “Roof Sign” means a sign erected on the roof of a building;
- “Roster Sign” is a sign displaying the word ‘Roster’ and used only in conjunction with a Service Station that is open after normal hours for the sale of petroleum products;

- “Sale Sign” means a sign indicating that the property or premises whereon the sign is affixed, are for sale, for letting or to be auctioned;
- “Semaphore Sign” means a sign attached or affixed to a structure or building which sign is affixed and supported at, or by, one of its ends only;
- “Service Station Sign” means a sign used solely for the purpose of advertising the price of petrol, diesel or other products sold from land used as a motor vehicle service station;
- “Sign” includes a signboard or any message, direction or representation whatsoever displayed on a building or structure, a bunting sign, a clock other than a clock which is built into a wall and does not project beyond the face of the wall, or flags and bunting, whether they contain a written message or not, and every other type of sign defined or referred to in this By-law;
- “Sign Infill” means a panel which can be fitted into a pylon sign framework;
- “Town Planning Scheme” means the current Town Planning Scheme of the City of Geraldton and amended from time to time or other Town Planning Scheme By-laws for the time being in force whereby the City of Geraldton or any part thereof is classified or zoned; and works and expressions used have the same respective meanings as are given them in and for the purposes of the Act;
- “Tower Sign” means a sign affixed to or placed on a chimney stack or an open structural mast or tower;
- “Verandah” for the purpose of this by-law, includes cantilever awnings, cantilever verandahs and balconies whether in, or above a street, way, footpath, public place or private property;
- “Verandah Sign” includes a sign on, above or below a verandah fascia and a vertical dimension exceeds the horizontal dimension exclusive of the back projection;
- “Vertical Sign” means a sign attached to a building in which the vertical dimension exceeds the horizontal dimension exclusive of the back projection;
- “Wall Panel” means a panel used for displaying a bill poster or painted advertisement which panel is attached or affixed to the wall of a business premises or which panel erected in or about the forecourt of such business premises;

Where applicable any word or expression in this By-law and not defined in clause 2. has the same meaning as given to it in the Act.

3. Licences

- i. A person shall not erect, attach, affix or maintain a sign, of whatsoever nature, and the owner or the occupier of premises or private property shall not suffer or permit a sign of whatsoever nature or advertising device to be erected, attached, affixed or maintained in, on or above such premises, or private property, or within 100 metres of a street, way, footpath or other public place, except pursuant to licence issued under this By-law.
- ii. The following signs are exempt from the requirements of this By-law—
 - (a) a sign erected or maintained pursuant to any Act having operation within the State;
 - (b) a sale sign not exceeding 1m² in area;
 - (c) a plate not exceeding 0.2m² in area erected or affixed on the street alignment or between that alignment and the building line to indicate the name and occupation or profession or the occupier of the private property or premises;
 - (d) advertisements affixed to or painted on a shop window by the occupier thereof and relating to the business carried on therein;
 - (e) signs within a building unless such signs are deemed to be objectionable by the Council;
 - (f) signs not larger than 0.7m x 0.9m on advertising pillars or panels approved by or with the consent of the Council for the purpose of displaying public notices for information;
 - (g) building name signs on residential flats or home units when such signs are of a single line of letters not exceeding 300mm in height, fixed to the facade of the building;
 - (h) signs for use solely for the direction and/or control of people, animals and/or vehicles or to indicate the name, and/or street number of a premises, providing the area of any such sign does not exceed 0.2m² and the sign is located wholly within the boundaries of a private property or premises owned by a person who erected or who has maintained the sign.
 - (i) signs that are required by the Builders Registration Board or other Government bodies or authorities on building sites, providing the area of any such sign does not exceed 1.5m² and no part of the sign is of a distance greater than 2m above the ground directly below it, and that any such sign is removed within seven (7) days of completion of the building works on the building site;
 - (j) signs erected by the Council of the City of Geraldton on land under the care, control and management of the Council.

4. Licence Exemption

- i. Notwithstanding the provisions of sub-clause 3. i. the following signs are not required to have a licence issued under this By-law, but are nevertheless to be erected and maintained so as to comply with the requirements of this By-law and with Main Roads Departments regulations relating to main roads under the control and management of the Main Roads Department—
 - (a) Display centre directional signs;
 - (b) Service Station Roster signs.
- ii. Every licence that is granted pursuant to this By-law shall exist subject only to the provisions of this By-law.
- iii. Notwithstanding that a sign or hoarding complies with the provisions of this By-law the Council may refuse a licence if—
 - (a) such sign or hoarding would, in its opinion, increase the number or variety of signs so as to become too numerous or various to the locality to be injurious to the amenity or natural beauty or safety of the locality; or
 - (b) such sign or hoarding advertises goods or services which are not produced, displayed or offered for sale or otherwise available to the public upon or from the premises where such sign or hoarding is erected, attached or affixed.

5. Revocation of Licences

The Council may, without limiting its power to prosecute for any breach of this By-law or to recover any penalty arising therefrom, by notice in writing to the licensee revoke any licence granted by the Council pursuant to this By-law where anything purporting to be done pursuant to a licence issued under this By-law is not done in conformity with the licence or with this By-law or a sign or hoarding the subject of a licence is so altered that, in the opinion of the Council, it is objectionable or contravenes clause 4. iii.

6. Inspection of Licences

- i. A licensee shall, on demand by a certified officer of the council produce for inspection any licence issued by the Council pursuant to this By-law.
- ii. Every sign or hoarding the subject of a licence issued by the Council pursuant to this By-law shall bear on its face (bottom left hand corner as viewed) in clearly legible figures (minimum 25mm high) the number of the licence applicable to the said sign or hoarding as provided by Council.

7. Applications for Licences

- i. An application to the Council for a licence pursuant to this By-law shall be made in the form of an application set out in the First Schedule hereto.
- ii. An application for the first issue of a licence in respect to a sign or hoarding shall be accompanied by duplicate plans, drawn to a scale of not less than 1 to 50 showing the size, position, design and inscriptions to appear thereon, the method of construction and fixing of the sign or hoarding to a building or structure, setbacks of the sign or hoarding from a street, way, footpath or other public place, boundaries where applicable together with such further information as Council may require.
- iii. An application for the first issue of a licence, in respect of a roof sign shall be accompanied by a certificate from an architect or structural engineer certifying that the building and roof thereof upon which it is proposed to erect the roof sign is in all respects of sufficient strength to support the roof sign, under all conditions and that the roof sign is itself of structurally sound design.
- iv. Every applicant for a licence pursuant to this By-law shall furnish in writing such further particulars as to the sign or hoarding the subject of a licence application as may be required by the Building Surveyor.
- v. If so required by the Council an applicant for a licence in respect of an illuminated sign shall produce to the Council a written consent to the erection of the said sign, signed by or on behalf of the relevant person, authority or body having for the time being the management of traffic control lights within the district of the City of Geraldton.
- vi. Subject to clause 5. and except where otherwise provided in this By-law, a licence issued pursuant to this By-law remains valid until an alteration is proposed to be made to the structure or area of the sign or hoarding in respect of which a licence has been issued and in such event the licensee shall apply for a new licence.
- vii. The Council may impose any conditions it thinks fit to a licence issued pursuant to this By-law.

8. Licence Fees

A licence pursuant to this By-law shall only be issued and valid upon payment of the appropriate fee as set out in the Second Schedule to this By-law, but the prior payment of a licence fee pursuant to any By-law that were in operation prior to the coming into operation of this By-law shall be deemed to be a payment for the purpose of this clause.

9. Special Permits

- i. Notwithstanding anything contained or provided in this By-law the Council may, by written permit issued by the Building Surveyor, allow the display of—
 - (a) advertisements at churches, theatres and other places of public entertainment, or of advertisements of meetings or other matters of public interest;
 - (b) a sign or advertising device in the form of search lights, flood lights, pennants, flags, banners and the like used to call attention to, or for the purpose of advertising any service, business, function, operation, event or undertaking; upon such terms and for such period as the Council may in each case think fit.
- ii. Such terms and conditions imposed by the Council pursuant to clause 9. i. hereof and the period of the permit shall be specified in the permit.
- iii. Council may revoke any such permit at any time without assigning any reason for such revocation.
- iv. Upon the expiration or revocation of a permit issued under this clause the persons to whom the permit was issued shall forthwith remove the advertisement sign or advertising device to which the permit relates and failure by the holder of the permit to remove the advertisement within a reasonable time shall be an offence.

10. Restrictions

A sign or advertising device shall not be erected or maintained—

- i. (a) so as to obstruct or impede all or part of the view which may be enjoyed from a street, way, footpath, public place or private property of a river, the sea or any other place or feature of natural beauty;
- (b) so as to obstruct or impede the sight lines required for the free and safe movement of traffic in, to, or from any street, way, footpath, public place or private property.
- ii. so as to be likely to be confused with or mistaken for an official traffic light or sign or so as to contravene the Main Roads Act 1982 or the Regulations made thereunder.
- iii. except with the approval of the Council on any ornamental tower, spire, dome or similar architectural feature or on a light machinery room, bulkhead over stairs or other superstructure over the main roof of a building or structure.
- iv. on any land that is zoned in the District Zoning Scheme as residential or used for residential purposes other than a site of lawful non-conforming use other than residential, unless specifically permitted in this By-law.
- v. on or to any building or structure of which the stability of the building or structure is, in the opinion of the Building Surveyor, likely to be detrimentally affected by the sign or advertising device.
- vi. as a movable or portable sign upon a carriageway, dividing strip or traffic island.
- vii. on a light or power pole without the approval of the relevant authority responsible for the erection of that pole.
- viii. upon or inside a vehicle adapted and exhibited primarily to facilitate advertising.
- ix. in the form of balloons or blimps.
- x. so as to have all or any part thereof moving or rotating.
- xi. in or at any site, location or position where, in the opinion of the Council, the advertisement will not be harmonious with the surroundings in the locality in which the advertisement is proposed to be sited, located or positioned or where Council considers it will be undesirable for reasons to be stated by the Council.
- xii. as an election sign.

11. Inscriptions on Signs

Except in the case of a direction sign, sale sign, information panel and a development sign, signs attached or affixed to a premises, or building generally shall only display one or more of the following—

- i. the name of one or more of the occupiers of the same premises or building;
- ii. details of the business or businesses carried on, in, or at the same premises or building.
- iii. details of the goods sold in or at the same premises or building to which it is affixed and nothing more.
- iv. any other matter approved by the Council.

12. Existing Signs

Where an existing sign fails to conform to the requirements of this By-law a person receiving a direction from the Council to remove the sign shall remove it immediately upon receiving the direction. A person receiving such a direction may within 14 days of his receipt thereof appeal in writing to the Council.

13. Fixing of Signs

Every sign shall be securely fixed to the structure by which it is supported to the satisfaction of the Building Surveyor and shall be safely maintained.

14. Obstruction of Doors

A sign shall not be erected or maintained so as to obstruct access to or from any door, fire escape or window, other than a window designed for the display of goods.

15. Glass in Signs

Glass shall not be used in any sign except for the purpose of illumination of an illuminated sign.

16. Readily Combustible Material

Except in the case of posters securely affixed to a signboard or hoarding, readily combustible materials including, but not exclusively paper, cardboard or cloth shall not form part of or be attached to any sign.

17. Signs to be Kept Clean

Every sign shall be kept clean and free from unsightly matter and shall be maintained by the licensee or owner in good order free of dilapidation.

18. Bill Posting

A person shall not bill post within the district of the City of Geraldton except on a hoarding approved for the purpose by the Council.

19. Fly Posting

A person shall not fly post at any site, place or location within the district of the City of Geraldton.

20. Design Principles

Any sign or advertising device erected and maintained in accordance with this By-law shall—

- i. be simple and provide for instant recognition.
- ii. in design, colour and location be sympathetic and harmonious with the surrounding street, way, footpath, public place or private property and environment and the building or structure to which it is attached or affixed.
- iii. be placed and constructed so as not to endanger public safety.
- iv. have all sign writing, design work, lettering and colouring thereto carried out in a competent and professional manner.

21. Road Reserves and Open Space Reserves Under the Care and Control of Council.

- i. unless otherwise allowed pursuant to this By-law or approved by Council, an advertising sign or hoarding shall not be permitted to be erected or maintained on road or open space reserves or any land under the care and control of the Council.
- ii. the Council may grant approval for the erection of an advertising sign or hoarding on road or open space reserves or any land under the care and control of the Council and impose any such conditions or enter into any such contract or agreement with the owner or licensee of the advertising sign or hoarding as it sees fit to ensure the proper control and maintenance of any such advertising sign and hoarding.

22. Requirement for Particular Signs**i. Business Directional Signs**

Where a business or businesses are deemed by the Building Surveyor to be of sufficient interest and importance to the travelling public the Council may erect business directional signs which indicate the nature of the business that may be located by following the direction indicated by the sign and such signs shall—

- (a) be 200 mm in depth, with a maximum length of 1200 mm supported on 40 mm diameter steel pipes, except where otherwise approved.
 - (b) have lettering which is to be 160 mm in depth and be of silver or white, with a blue background.
 - (c) subject to sub-clause ii. be in accordance with the City's Engineering Department's "Signs located within road reserves" specification, as determined by Council, in which sign and print size, colour and type including mounting type is specified.
- ii. All business directional signs on streets under the care control and management of the Council must conform with this By-law except where Main Roads Department Regulations specify different standards in which case the signs must comply with those Regulations.

23. Clocks

A clock shall—

- i. if suspended under a verandah or in an arcade, have its centre coinciding with the centre line of the footway, access way or footpath thereunder.
- ii. comply as regards with the following table—

Height of Bottom of Clock above Footway	Maximum diameter or Width of Clock Face and Depth of Clock including lettering
2.75m and under 4m	300mm
4m and under 6m	750mm
6m and under 12m	1m
12m and over	1.5m

- iii. be affixed or attached either parallel or at right angles to the wall to which it is affixed or attached;
- iv. not project from the wall to which it is affixed or attached—
 - (a) if parallel to the wall, more than 300mm; or
 - (b) if at right angles to the wall, more than 2m:-
- v. afford a minimum headway of 2.75m;
- vi. be maintained as to show the correct time;
- vii. be illuminated from sunset to midnight;
- viii. if fitted with chimes, not to be permitted to strike between 10.00pm and 7.00am.

24. Development Signs

Development signs shall—

- i. only be erected where more than ten sub-divisional lots are to be produced in the development or the stage of development being advertised.
- ii. only be erected in the ratio of 1m² of area per hectare of the total land to be subdivided, up to a maximum aggregate area of all development signs of 50m² with no individual sign exceeding 22m² in area.
- iii. be removed from the site within twelve (12) months of issue of a licence or when 80% of the lots in the subdivision or stage being advertised have been sold whichever is the sooner.

25. Direction Signs

Directional signs—

- i. A direction sign indicating the location of an amenity which in the opinion of the Council is beneficial to the public shall only be erected by authority of the Council and shall—
 - (a) have a minimum headway of 2.75m.
 - (b) be 200 mm in depth, with a maximum length of 1200mm supported on 40 mm diameter steel pipes, except where otherwise approved.
 - (c) have lettering which is to be 160mm in depth and be of silver or white, with a blue background.
- ii. An annual licence fee per sign is applicable together with the initial supply and erection costs of the sign which is to be paid by the applicant.
- iii. Unless otherwise approved by Council, all directional signs are to be erected and maintained at the expense of the applicant and only to be erected by Council employees.

26. Display Home Signs

Display home signs shall—

- i. be provided in a ratio not exceeding 2m² per house in a particular location with no individual sign exceeding 4m²; overall height of a sign shall not exceed 4m;
- ii. not be illuminated after 9.00 pm;
- iii. be approved by Council for a period not exceeding six (6) months at any one time.

27. Hoardings

- i. A hoarding shall not—

- (a) be erected in a residential area;
- (b) except with the approval of Council, be erected within 15m of any street or other public place and in any case not closer than its own height to a street or public place;
- (c) be of greater overall area than 20m²;

- ii. A licence issued in respect to a hoarding will be valid for such period as determined by the Council but not exceeding ten years.
- iii. Subject to the Act, the Council may in its absolute discretion grant or refuse a licence for a hoarding;
- iv. The licence fee for a hoarding is an annual licence fee and is payable annually so long as the hoarding is maintained with the approval of the Council.

28. Horizontal Signs

- i. A horizontal sign shall—
 - (a) afford a minimum headway of 2.75m;
 - (b) be affixed or attached parallel to the wall of the building or structure to which it is affixed or attached;
 - (c) conform as to depth to the following table—

Minimum Distance of Bottom of Sign to Adjacent Street Level	Maximum Depth of Sign
Less than 4.5m	600mm
4.5m to 7.5m	750mm
7.5m to 10m	1m

- (d) any sign greater than 12m should be 150mm in depth for each 300mm in height to a maximum of 4.5m. All horizontal signs behind the 9m setback from the front boundary can be double the aforementioned approved depth of the sign providing the whole of the sign is within the fascia limits.
- (e) not project more than 600mm from the wall to which it is affixed or attached; and
- (f) not be within 600mm of either end of the wall to which it is attached, unless the end of the sign abuts against a brick, stone or cement corbel, pier or pilaster which is at least 25mm in front of and 75mm above and below the sign.
- ii. Notwithstanding the provisions of paragraph (c) of subclause 27 i the Council may permit an increase of not more than 50% of the depth therein mentioned in any part or parts of a sign to permit the inclusion therein of a motif or capital letter.
- iii. There shall be not more than one line of horizontal signs facing any one street, way, footpath, public place or private property on any building or structure.
- iv. The name of the building or structure, owner or occupier may be shown on the facade of a building or structure, however—
 - (a) unless otherwise approved by the Council, only one such name shall be placed on any facade;
 - (b) the letters of the name shall not exceed 1.0m in height;
 - (c) the letters shall be of metal or other non-combustible material;
 - (d) the letters shall not be lit or illuminated unless approved by the Council.

29. Illuminated Signs

Every illuminated sign shall—

- (a) have any boxing or casing in which it is enclosed constructed of non combustible material;
- (b) where comprising glass (other than fluorescent tubing) have the glass so protected as to prevent its falling into a public place in the event of breakage;
- (c) have its electrical installation constructed and maintained to the satisfaction of the State Energy Commission or the appropriate electric supply authority and in accordance with the S.A.A. 3000 1976 Part 1 "Wiring Methods";
- (d) be maintained to operate as an illuminated sign;
- (e) not have a light of such intensity or colour as to cause annoyance to the public or be a traffic hazard, and not to interfere with traffic control lights;
- (f) not emit a flashing light.

30. Information Panels

The Council may provide information panels or bays of varying sizes at the cost of the advertiser for the inclusion of advertising in such panels or bays.

31. Institutional Signs

Institutional signs shall not exceed 0.5m² in area except with the approval of the Council but in any case no such sign shall exceed 2m² in area.

32. Low Level Sign

- i. Low level signs—
 - (a) may be erected on one or more piers or columns;
 - (b) shall not have a dimension of more than 2m in any direction across its face;

- (c) shall not have any part of its structure more than 2.75m above the level of the adjacent pavement or the level of the ground on which it is constructed at any point;
 - (d) shall not project into or over a street in any manner;
 - (e) shall display only messages which relate to the business and/or name of any occupier of premises on the lot on which it is erected;
 - (f) shall contain only messages in panels not greater than 400mm in depth, the panel being separated by a space of not less than 50mm;
 - (g) may have no more than four panels each of 400mm in depth.
- ii. The Council shall not permit both a low level sign and a pylon sign on any lot.

33. Portable Signs (Sandwich Signs)

- i. A portable sign shall—
 - (a) not exceed 1m in height;
 - (b) not exceed 0.8m² on each side;
 - (c) not indicate or display any matter other than the name of the owner or occupier of the premises to which it relates and the nature of the business carried on therein;
 - (d) not contain any letter of a size less than 120mm;
 - (e) be used to indicate that premises are open and to that end shall contain the word "open" on its face;
 - (f) be placed so as not to cause interference or be hazardous to vehicular traffic or cause any interference or hazard to impede pedestrians;
 - (g) be of sound construction maintained in good condition, neatly sign-written and placed in a position to the satisfaction of Council;
- ii. A person shall not erect a portable sign in any position other than adjacent to the building to which the sign relates;
- iii. A person shall not erect more than one portable sign in relation to a shop or business unit or premises;
- iv. A person who erects a portable sign shall remove the same at the close of business each day and shall not erect the same again until the commencement of business on the following or a subsequent trading day.
- v. The owners of a portable shall provide the necessary documentation showing evidence that—

"The insurer hereby agrees to indemnify the City of Geraldton in respect of all sums for which they become legally liable to pay for compensation in respect of—

 - (a) bodily injury (including death and illness);
 - (b) damage to property (including loss of property) occurring during the period of insurance as the result of an accident and happening in connection with the placement of a sandwich board sign."
 - (c) indemnity evidence to be provided to Council annually;
 - (d) limit of cover to be not less than five million dollars.

34. Projection Signs

- i. No person shall project by light any sign being a photographic or other image which can be seen from any street, way, footpath, or other public place onto any building, screen or structure without a licence issued by the Council, nor without the consent of the owner/occupier of the building or structure onto which the sign is to be projected;
- ii. No licence shall be issued by the Council for a projection sign—
 - (a) unless the building, screen or structure onto which it is proposed to project such sign or signs is specified in the application for such licence;
 - (b) which when projected onto a building, screen or structure is more than 12m in width or 12m in height;
- iii. Where it is proposed to project such signs onto a building, screen or structure in a series Council may issue one licence in respect of all the signs in that series provided that no sign or signs other than that or those in respect of which a licence has been issued shall be projected.
- iv. Where a projection sign licence has been issued by the Council the sign or signs in respect of which it has been issued shall not be projected onto any building, screen or structure not specified in such licence.
- v. The owner or occupier of any building, screen or structure shall not permit any sign or signs to be projected onto the same unless a licence has been issued pursuant to this By-law.

35. Pylon Signs

- i. Pylon Signs—
- (a) shall not have any part thereof less than 2.75m or more than 6 m above the level of the ground immediately below it;
 - (b) shall not exceed 2.6m measured in any direction across the face of the sign or have a greater superficial area than 4m²;
 - (c) shall not project more than 900mm over any adjacent street;
 - (d) shall be supported on one or more piers or columns of brick, stone, concrete or steel designed by a Structural Engineer to withstand wind loads as per A.S. 1170-2, 1989;
 - (e) where supported by two or more piers or columns, the space between the piers or columns must not be wholly or partly filled in with any advertising material below 2.75m above ground level;
 - (f) shall not be within 1.8m of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right of way, in which case the Council may authorise the erection of a sign at a lesser distance than 1.8m;
 - (g) shall not have any part thereof less than 6m from any part of another pylon sign erected on the same lot.
- ii. Where more than one pylon sign is proposed to be erected on a lot on which unit factories, offices, showrooms or small shops are erected or are to be erected, Council may require all the pylon signs to be incorporated into one sign complying with the following—
- (a) initial approval shall be given to the pylon sign framework together with one or more signs infills;
 - (b) an application is to be submitted and approval given for each additional infill;
 - (c) all infills are to be an equal size, and space is to be provided to the sign for one infill for each shop or unit on the lot;
 - (d) the total area of the infill signs specified under clause 35.i(b) may be increased by up to 50% (ie to a maximum of 6m².)
- iii. Notwithstanding the provisions of clauses 35.i. and 35.ii., approval for the erection of a pylon sign that does not meet the requirements of this By-law may only be granted by the resolution of the Council.

36. Roof Signs

- i. Approval for the erection of a sign on a roof of a building shall only be granted when planning approval has been granted and where approval has been so granted a roof sign shall—
- (a) not at any point be within 4m of the ground;
 - (b) not extend laterally beyond the external walls of the building;
 - (c) comply as regards height above ground and height of sign with the following table—

Height of main building above ground level at point where sign is to be fixed of sign	Maximum height of sign
4m and under 5m	1.0
5m and under 6m	1.5
6m and under 9m	2.0
9m and under 12m	3.0

- (d) have the roof and sign frame designed by a Structural Engineer to withstand wind loads as per A.S. 1170-2, 1989.
- ii. When ascertaining the height of the main building above ground level for the purpose of this By-law, any part of the roof at the point where the sign is to be erected that is provided solely for the purpose of architectural decoration shall be disregarded.

37. Sale Signs

- i. Any Sale sign of any description shall be erected on the land to which it relates and not elsewhere.
- ii. A sale sign advertising the sale of land (lots) shall—
- (a) not exceed 8m² in area;
 - (b) not be erected or maintained for a period exceeding six months without the approval of the Council;
 - (c) not be erected until the plan of subdivision has been approved by the Department of Planning and Urban Development;
 - (d) not be erected until the land has been zoned for the appropriate use.

- iii. A sale sign advertising an auction shall—
 - (a) not exceed 8m² in area;
 - (b) not be erected more than 28 days before the proposed date of the auction;
 - (c) be removed no later than 48 hours after the auction has been held;
- iv. Where such a sign is erected on land having a frontage to a road that is a main road within the meaning of the Main Roads Act 1982, consist of letters not less than 150mm in size.
- v. A sale sign advertising that flats and dwelling units in a building erected or to be erected are, or will be available for letting, or for purchase, shall—
 - (a) not exceed 8m² in area;
 - (b) not be erected before the issue of a building licence for any such building;
 - (c) not be erected or maintained for a period exceeding three months following completion of any such building, without the approval of the Council.

38. Semaphore Signs

- i. A semaphore sign shall—
 - (a) afford a minimum headway of 2.75m;
 - (b) be fixed at right angles to the wall to which it is attached;
 - (c) not project more than 1m from the point of attachment nor be of greater height at any point than 1m;
 - (d) not be fixed under or over any verandah unless specific approval is granted by Council;
 - (e) not more than one semaphore sign shall be fixed on any one shop/office.

39. Service Station Signs

- i. A maximum of two service station signs are permitted on service station sites. In addition to the aforementioned, a service station sign shall—
 - (a) not exceed 2.5m² maximum each side;
 - (b) be located wholly within the boundaries of the site used as a service station;
 - (c) be located so as not to cause a traffic or safety hazard.
- ii. Service Station Roster Signs
Service Station roster signs shall—
 - (a) not exceed six in number at any one time where they are erected or placed on the road reserve for each service station on roster;
 - (b) be sited as not to create a hazard to vehicular or pedestrian traffic;
 - (c) not have dimensions exceeding 600mm x 450mm;
 - (d) have lettering at a maximum size of 120mm;
 - (e) be confined to the word "Roster" with a directional arrow and trade symbol.
 - (f) only be displayed during the times the service station to which they are directed is open on roster to the public;
 - (g) be the responsibility of the occupier of the service station and will be liable for any claims which may arise from the placement of signs;
 - (h) be removed without notice for failure to comply with conditions (a) to (g).

40. Tower Sign

A tower sign shall not—

- (a) indicate or display any matter other than the name of the owner or occupier of the land or premises on which the mast, tower or chimney stack is erected;
- (b) if illuminated, be a flashing sign;
- (c) exceed, in height, one sixth of the height of the mast, tower or chimney stack on which it is placed;
- (d) exceed, in width, the width or diameter of the mast, tower or chimney stack on which it is placed; or
- (e) extend laterally, beyond any part of the mast, tower or chimney stack on which it is placed.

41. Verandah Signs

- i. Signs above verandah facias—
 - signs comprising free standing letters only may be erected above the outer fascia of a verandah parallel to the kerb, if the lettering does not exceed 400mm in height and is mounted on a base of at least 75mm in width.
- ii. Signs on verandah facias—
 - A sign fixed to the outer or return facias of a verandah—
 - (a) shall not exceed 600mm in depth;
 - (b) shall not project beyond the outer frame or surround of the fascia;

- (c) if an illuminated sign, may be of changing colours, but shall not emit a flashing light.
- iii. Signs under verandahs—
 - A sign under a verandah shall—
 - (a) afford a headway of at least 2.75m;
 - (b) not exceed 2.4m in length or 500mm in depth;
 - (c) not weigh more than 50kg;
 - (d) not be within 3m of another sign under that verandah or within 1.5m of the side wall of the shop/office;
 - (e) be fixed at right angles to the front wall of the building before which it is erected on a corner of a building at a street intersection where the sign may be placed at an angle with the wall so as to be visible from both streets;
 - (f) be so placed that the centre of its base longitudinally is equidistant from the outer edge of the verandah and the vertical plane of the shop front directly opposite the end of such sign.

42. Vertical Signs

- i. A vertical sign shall—
 - (a) afford a minimum headway of 2.75m;
 - (b) not project more than 1m from the face of the building to which it is affixed or attached;
 - (c) subject to clause 42.iii. not be within 1.8m of either end of the wall to which it is affixed or attached;
 - (d) be of a height of at least twice its width;
 - (e) not project 1m above the top of the wall to which it is attached and be not more than 1m back from the face of that wall;
 - (f) not be within 4m of another vertical sign on the same building;
 - (g) not be placed on a corner of a building, except at a street intersection where the sign may be placed at an angle to the walls so as to be visible from both streets;
 - (h) except with approval of the Council, not exceed 1m in width exclusive of the back projection.
- ii. Where a vertical sign is affixed to the face of a building that is set back beyond the face of another building, which is situated less than 3m from the side wall of the first building, the sign may project 500mm further than the distance prescribed by paragraph (b) of clause 42.i., or the distance by which the building to which it is affixed or attached is set back beyond the face of the other building, whichever distance is the lesser.
- iii. Where a building to which a vertical sign is affixed or attached is set back from the boundary or abuts intersecting streets or a right of way the Council may approve the affixing of a vertical sign at a lesser distance from the end of the wall than that prescribed by paragraph (c) of clause 42.i.

43. Offences

- (a) Every person who erects a sign or hoarding which does not comply with, or erects a sign or hoarding in a manner contrary to the provisions of this By-law commits an offence;
- (b) Whereby this By-law it is required that a person obtain a licence to erect or maintain a sign or hoarding every person who maintains a sign or a hoarding without a licence or in respect of which the licence has expired or been cancelled commits an offence;
- (c) Neither the owner nor the occupier of any land or premises shall permit a sign or hoarding to remain therein unless such signs or hoardings complies with this By-law;
- (d) Without prejudice to the proceeding provisions of this By-law the Council may serve on the owner or occupier of any premises on which any sign is erected, affixed or maintained, contrary to this By-law, notice to remove the sign within such time as may be specified in the notice; and a person neglecting or failing to comply with the terms of a notice served on him pursuant to this By-law commits an offence;
- (e) An officer authorised by the Council may remove to a place appointed by the Council, any sign, advertising device, hoarding or signboard placed on or erected on any street, way or place vested in, or under the care or control of the Council unless so placed or erected pursuant to this By-law.
- (f) The Council may without being liable in damages or otherwise dispose of any of the things mentioned in sub-clause (e) and reinstate the street, way, or place at the expense of the person or persons responsible for the placement or erection thereon or the injury thereto and recover the amount of the expense from him in a court of competent jurisdiction;

- (g) The Council, or any person acting under the authority of the Council, may remove from private property any hoarding or any bill, placard or advertisement which is attached to, or pasted, or painted, or stencilled on a hoarding, and which in the opinion of the Council is dangerous or objectionable and the Council may recover the expenses of the removal from the owner of the property in a court of competent jurisdiction.

44. Penalties

Any person who is convicted of an offence against this By-law is liable to—

- (a) A penalty not exceeding \$500.00;
- (b) A daily penalty, during the breach, of up to \$50.00.

FIRST SCHEDULE
 APPLICATION FOR LICENCE
 Form BS 01
 CITY OF GERALDTON
 By-law
 Signs Hoardings and Billposting

APPLICATION FOR LICENCE TO ERECT A SIGN

To the Building Surveyor,

As the owner or person causing and directing the works undermentioned to be executed, I hereby apply for a Sign Licence for same.

SITUATION:-

STREET..... LOT NO.....HOUSE NO.....

DISTRICT

DESCRIPTION OF SIGN

(State whether attached or detached - Illuminated, Facia, Hoarding Pylon, Semaphore, Horizontal, Roof Sign, etc.)

WORDING.....

.....

COLOURS TO BE USED

SIZEmm wide, by.....mm high,

by.....mm above ground level.

EXISTING BUILDING/LAND USED AS.....

(State whether shops, factory, warehouse, vacant land, etc.)

OWNER NAME PHONE NO

ADDRESS POST CODE

OCCUPIER NAME PHONE NO

ADDRESS POST CODE

APPLICANT (If owner or occupier state "As Above")

NAME PHONE NO

ADDRESS POST CODE

SIGNATURE DATE

NOTE—This application is to be accompanied by—

- 2 copies of site plans
- 2 copies of structural drawings of the proposed sign.

SECOND SCHEDULE
 LICENCE
 CITY OF GERALDTON
 Civic Centre

SIGN
LICENCE NO.

.....

.....19.....

This Licence is granted to

of.....

in respect of a.....

in accordance with Application No.....and subject to the by-laws of the City

of Geraldton. This Licence shall remain valid unless any alteration is made to the sign, then in such event the Licensee must apply for a new Licence. If this licence is issued in respect of a hoarding, the Licence expires on the.....

.....
 City Building Surveyor.

THIRD SCHEDULE
 FEES

1. Pylon or Tower Sign \$30.00
2. Hoarding Sign \$30.00 Per Annum
3. Business Directional Sign \$30.00 Per Annum
4. Any other sign \$20.00

The Common Seal of the City of Geraldton is hereunto affixed in the presence of the Mayor and the Town Clerk.

P. G. COOPER, Mayor.
 G. K. SIMPSON, Town Clerk.

Recommended —

PAUL D. OMODEI, Minister for Local Government.

Approved by the deputy of the Governor in Executive Council the 21 November day of 1995.

J. PRITCHARD, Clerk of the Council.

LG305

LOCAL GOVERNMENT ACT 1960

The Municipality of the Town of Narrogin

By-Laws Relating to Parking Facilities

In pursuance of the powers conferred upon it by the abovementioned Act the Council of the above-mentioned Municipality hereby records having resolved on the 15th day of August 1995, to amend the abovementioned By-Laws published in the *Government Gazette* on the 11th day of May 1979, and amended from time to time thereafter.

1. In By-Law 2.—insert the definition:

“road verge” means that portion of the road between the edge of a carriageway and the boundary of the road nearest to that edge.

2. In By-Law 39 (8)—delete the existing sub by-law and substitute with—

A person shall be permitted to stand a vehicle so that any portion of the vehicle is on a road verge subject to satisfying the following—

- (i) that person is the occupier of the land immediately abutting that road verge, or
- (ii) that person has the consent of the occupier of the land immediately abutting that road verge, and

(iii) that person does not traverse any other portion of road verge beyond that portion referred to in (i) and (ii), and

- (iv) the vehicle does not traverse any portion of any constructed footway in arriving at the point where the vehicle stands, and
- (v) the vehicle stands so that a minimum distance of 1.5 metres separates the boundary of the road nearest the vehicle and the vehicle where no constructed footpath exists.

The common seal of the Town of Narrogin was hereto affixed this 21st day of August 1995.

DOUGLAS FAIRCLOUGH, J.P., Mayor.
STEPHEN TINDALE, Town Clerk/Chief Executive.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Dated 16th November 1995.

Approved by His Excellency the Governor in Executive Council on the 21st day of November 1995.

J. PRITCHARD, Clerk of the Council.

LG306

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Rockingham

Traders By-Laws

In pursuance with the powers conferred by the abovementioned Act and of all other powers enabling it, the Council of the City of Rockingham hereby resolves having resolved on the 26th day of September 1995 to amend the By-Laws relating to traders published in the *Government Gazette* on 4 March 1994 as follows—

1. In By-Law 6 and 7 delete sub-paragraph (3)(c) and replace it by the following—
 - “(c) written confirmation that the applicant has current public liability insurance in a sum of not less than \$5,000,000 in respect of any one occurrence and that the interest of the City is noted on such policy where practicable; and”

The common seal of the City of Rockingham was hereto affixed on the 24th day of October 1995 in the presence of—

F. GARDINER, Mayor.
G. G. HOLLAND, Chief Executive Officer.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by the deputy of the Governor in Executive Council on the 21st day of November 1995.

J. PRITCHARD, Clerk of the Council.

LG307

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Tbodyay

By-laws Relating to Caravan Parks & Camping Grounds

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on July 27, 1995, to make and submit for confirmation by the deputy of the

Governor the following amendments to the By-laws Relating to Caravan Parks and Camping Grounds as published in the *Government Gazette* on February 8, 1972.

- A. Delete all words and figures after the word "fee" in line 1 of By-law 9 (1) (b) and substitute the following in lieu thereof—
 "which shall be calculated at a rate of six dollars (\$6.00) for each site for which the caravan park is registered or the sum of two hundred and fifty dollars (\$250.00) whichever shall be the greater."
- B. Delete "of \$10.00" after the word "fee" in line 6 of Bylaw 11 and substitute the following in lieu thereof—
 "as specified in By-law 9 (1) (b)."
- C. Delete all words and figures after the word "exceeding" in line 2 of By-law 22 and substitute the following in lieu thereof—
 "\$500.00 and a daily penalty of \$50.00 for every day that the offence continues after conviction."

Dated this twenty seventh day of July 1995.

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

L. A. HOFT, Shire President.
 R. J. MILLAR, Shire Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 21st day of November 1995.

J. PRITCHARD, Clerk of the Council.

LG308

LOCAL GOVERNMENT ACT 1960

CITY OF FREMANTLE (SPECIFIED AREA) ORDER NO. 1, 1995

Made by the deputy to the Governor under the provisions of section 548 (4) of the Local Government Act 1960.

Citation

1. This Order may be cited as the City of Fremantle (Specified Area) Order No. 1, 1995.

Commencement

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

Revocation of Previous Order

3. The City of Fremantle (Specified Area) Order No. 1, 1993 published in the *Government Gazette* of 6 August 1993 on page 4234 is hereby revoked.

Authorisation To Use Specified Area Rates

4. Those portions of the municipality of the City of Fremantle, as described in the Schedule to this Order; are declared to be a specified area to which section 548 (4) of the Local Government Act applies.

By Command of the deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

SCHEDULE
TECHNICAL DESCRIPTION
SPECIFIED AREAS
CITY OF FREMANTLE

PITTS LANE:

All that portion of land comprised in Fremantle Suburban Lot 78, excluding—

- (i) Lots 100 and 500, as shown on Land Titles Office Diagrams 40931 and 63305 respectively.
- (ii) Lots 26 and 40, 41, as shown on Land Titles Office Plan 1696 and Land Titles Office Diagram 17468 respectively.
- (iii) The land shown coloured brown on Land Titles Office Plan 1696.

FARRIER LANE:

All that portion of land comprised in Fremantle Suburban Lot 81, excluding—

- (i) Lots 43, 46 and 500, as shown on Land Titles Office Diagrams 15270, 54569 and 41584 respectively.
- (ii) The land shown coloured brown on Land Titles Office Plan 5454.

MULBERRY FARM:

All that portion of land comprised in Fremantle Suburban Lot 79, excluding—

- (i) Lots 43, 44 and 46, as shown on Land Titles Office Diagrams 35798 and 36971 (Strata Plan 13010) respectively.
- (ii) The land shown coloured brown on Land Titles Office Plan 2403.

LG401**LOCAL GOVERNMENT ACT 1960**

City of Stirling

Temporary Closure of Street

Notice is hereby given pursuant to Section 334 of the Local Government Act that Council of the City of Stirling intends to consider a motion to temporarily close, for a period of 5 years, the portion of Nugent Street, Balcatta at the intersection of Wanneroo Road.

Written objections or comments to the proposal should be lodged with the City Manager, City of Stirling, Civic Place, Stirling within thirty five (35) days of this Notice.

A plan of the proposed closure can be inspected at the Council Offices between 8.30 am and 4.30 pm, Monday to Friday (excluding Public Holidays) within the above period.

GEORGE S. BRAY, City Manager.

LG402**CITY OF GOSNELLS**

The following people have been appointed Honorary Litter Inspectors pursuant to the Local Government Act 1960 to enforce the requirements of the Litter Act 1979 within the Metro at Maddington Shopping Centre precinct, Maddington.

1. Mr Nigel Haines
2. Mr Euan Moffat
3. Mr Ian Headley

G. WHITELEY, Town Clerk.

LG403**DOG ACT 1976**

Shire of Pingelly

It is hereby notified for public information that the following appointments have been made—

Authorised Dog Control Officers—

Mark John Hook.

Dog Registration Officers—

Mark John Hook, Nina Lee Phillips-Jones.

M. HOOK, Shire Clerk.

LG404**LOCAL GOVERNMENT ACT 1960***Shire of Pingelly*

It is hereby notified for public information that the appointment of Claire Monica Thomson as Acting Shire Clerk is revoked as of 20th November 1995, and that Mark John Hook is appointed Shire Clerk as of that date until further notice.

R. F. O'BRIEN, President.

LG405**LOCAL GOVERNMENT ACT 1960***Shire of Dandaragan***RATING EXEMPTION**

Department of Local Government,
Perth, 22 November 1995.

LG: DN 5-6.

It is hereby notified for public information that His Excellency the Governor, acting pursuant to section 532 (10) of the Local Government Act, 1960, has declared exempt from Municipal Rates the squatter shacks situated on Reserve No. 19206 and Melbourne Locations 4152 (Grey) and 4153 (Wedge).

JOHN LYNCH, Executive Director,
Department of Local Government.

LG406**DOG ACT 1976****DOG ACT (SECTION 9) CITY OF GERALDTON ORDER 1995**

Made by the deputy of the Governor in Executive Council.

Citation

1. This Order may be cited as the *Dog Act (Section 9) City of Geraldton Order 1995*.

Extension of District

2. For the purposes of the Dog Act 1960 the area described in the Schedule is to be regarded as being within the district of the City of Geraldton.

SCHEDULE

An area extending 200m into the Indian Ocean, from the existing district boundary of the City of Geraldton.

By Command of the deputy of the Governor,

Dated 21 November 1995.

J. PRITCHARD, Clerk of the Council.

LG407**DOG ACT 1976****DOG ACT (SECTION 9) SHIRE OF GREENOUGH ORDER 1995**

Made by the deputy of the Governor in Executive Council.

Citation

1. This Order may be cited as the *Dog Act (Section 9) Shire of Greenough Order 1995*.

Extension of District

2. For the purposes of the Dog Act 1960 the area described in the Schedule is to be regarded as being within the district of the Shire of Greenough.

SCHEDULE

An area extending 200m into the Indian Ocean, from the existing district boundary of the Shire of Greenough.

By Command of the deputy of the Governor,

Dated 21 November 1995.

J. PRITCHARD, Clerk of the Council.

LG408**DOG ACT 1976****DOG ACT (SECTION 9) TOWN OF MOSMAN PARK ORDER 1995**

Made by the deputy of the Governor in Executive Council.

Citation

1. This Order may be cited as the *Dog Act (Section 9) Town of Mosman Park Order 1995*.

Extension of District

2. For the purposes of the Dog Act 1960 the area described in the Schedule is to be regarded as being within the district of the Town of Mosman Park.

SCHEDULE

An area extending 200m into the Indian Ocean and the Swan River from the existing district boundary of the Town of Mosman Park.

By Command of the deputy of the Governor,

Dated 21 November 1995.

J. PRITCHARD, Clerk of the Council.

LG409**CEMETERIES ACT 1986****CEMETERIES (CLOSURE OF WITTENOOM GORGE CEMETERY) ORDER 1995**

Made by his Excellency the Governor under the provisions of section 4(2) of the Cemeteries Act 1986.

Citation

1. This order may be cited as the *Cemeteries (Closure of Wittenoom Gorge Cemetery) Order 1995*.

Commencement

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

Closure of Wittenoom Gorge Cemetery

3. The Wittenoom Gorge Cemetery which is situated on Reserve No 23863 (Wittenoom Gorge Lot 357) is declared to be closed and all burials in the cemetery shall be discontinued effective from the date of closure.

By his Excellency's Command,

J. PRITCHARD, Clerk of the Council.

LG701**SHIRE OF RAVENSTHORPE****Munglinup Effluent Disposal Scheme**

Application has been made to the Executive Director of Public Health for approval of a Waste Water Management Scheme in the Munglinup townsite.

Construction of the scheme is expected to cost \$95 000. This will be funded partly by the Shire of Ravensthorpe and partly by the Water Authority of Western Australia.

Plans for the proposed scheme may be viewed at the Shire Office, 20 Morgans Street, Ravensthorpe or by arrangement with the Environmental Health Officer/Building Surveyor on 098 38 1001.

Dated 2nd November 1995.

B. R. HULLAND, Shire Clerk.

MINERALS AND ENERGY

MN401**MINING ACT 1978****NOTICE OF INTENTION TO FORFEIT**

Department of Minerals and Energy,
Perth WA 6000.

In accordance with Regulation 50(b) of the Mining Act 1978, notice is hereby given that unless the rent due on the undermentioned licences and leases is paid on or before 4 December 1995 it is the intention of the Hon. Minister for Mines under the provisions of sections 96A(1) and 97(1) of the Mining Act 1978 to forfeit such for breach covenant, *viz*, non-payment of rent.

K. R. PERRY, Director General.

Number	Holder	Mineral Field
EXPLORATION LICENCES		
04/942	Savanna Mineral Resources NL	Broome
04/944	Savanna Mineral Resources NL	Broome
04/945	Savanna Mineral Resources NL	Broome
08/523	Blenstein Pty Ltd; Juras, Eddie; Juras, Julie; Rowe, Lyndle; Rowe, Wayne	Carnarvon
09/534	Kenyon, Alex	Carnarvon
09/543	Kenyon, Alex	Carnarvon
15/251	Dalla-Costa, Melville Raymond	Coolgardie
16/103	Lone Star Exploration NL; Majestic Resources NL	Coolgardie
20/236	Tibooburra Gold NL	Mt Magnet
26/63	Kalgoorlie Mine Management Pty Ltd	Kalgoorlie
37/205	Williams, Norman Andrew	Leonora
37/347	Morgan, Andrew James; Rowles Pty Ltd	Leonora
37/348	Morgan, Andrew James; Rowles Pty Ltd	Leonora
38/614	Morgan, Andrew James; Rowles Pty Ltd	Leonora
38/643	Tucker, Daniel Phillips; Bonney, Barron Troy	Leonora
39/388	Dioro Exploration NL	Leonora
51/460	Yilgarn Gold Mines NL	Meekatharra
52/729	Marymia Exploration NL	Meekatharra
52/779	KKR Resources NL; Navan Mines Pty Ltd	Meekatharra
52/780	KKR Resources NL; Navan Mines Pty Ltd	Meekatharra
52/781	KKR Resources NL; Navan Mines Pty Ltd	Meekatharra
53/460	Chaldane Pty Ltd	Meekatharra
53/461	Marymia Exploration NL	Meekatharra
57/243	Forest, Maxwell William; Oragay Pty Ltd; Scott, Anthony Noel	Mt Magnet
80/1648	Australian Kimberley Diamonds NL	Kununurra
80/1649	Australian Kimberley Diamonds NL	Kununurra
80/1711	Elmina NL	Kununurra
80/1714	Elmina NL	Kununurra
80/1868	Astro Mining NL	Kununurra
MINING LEASES		
04/282	The Shell Co. of Australia Ltd	Broome
09/68	Bolrette Pty Ltd	Carnarvon
26/421	Broadmeadow Pty Ltd	Kalgoorlie
27/162	Sandrini, Stephen Carlo	Kalgoorlie
30/12	Perks, Robert Keith	Kalgoorlie
38/368	Granich, Eugene	Leonora
45/450	Cargill Australia Pty Ltd	Marble Bar
47/330	Roebourne Workers Aboriginal Corporation	Marble Bar
52/408	Great Central Mines NL	Meekatharra
59/343	Hunter Resources NL	Mt Magnet
59/344	Hunter Resources NL	Mt Magnet
59/345	Hunter Resources NL	Mt Magnet
70/367	Caslida Pty Ltd	Head Office
70/877	James, Geoffrey Austin; James, Rita Vivienne	Head Office
70/847	Grant, Judi Anne; Grant, Ross Edward	Head Office
74/94	Freshwater Resources Pty Ltd	Head Office
80/21	Young, Howard Laurence	Kununurra

MN402

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.

(Sgd.) Warden.

To be heard in the Wardens Court, Marble Bar on the 15th December 1995.

PILBARA MINERAL FIELD

Nullagine District

P 46/1109—Martino, Dominic V.

WEST PILBARA MINERAL FIELD

P 47/882—Leyburn Nominees Pty Ltd

MN403

MINING ACT 1978

Department of Minerals and Energy,
Perth WA 6000.

I hereby declare in accordance with the provisions of section 97(1) of the Mining Act 1978 that the undermentioned mining tenement is forfeited for breach of covenant *viz*; failure to comply with the prescribed expenditure conditions.

GEORGE CASH, Minister for Mines.

Number	Holder	MINING LEASE	Mineral Field
47/239	Dumpna Pty Ltd		West Pilbara

PLANNING

PD301

SWAN VALLEY PLANNING ACT 1995

SWAN VALLEY PLANNING REGULATIONS 1995

Made by the deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Swan Valley Planning Regulations 1995*.

Commencement

2. These regulations come into operation on the day on which section 24 of the Act comes into operation.

Fee prescribed for section 24 (2)

3. A fee of \$10 is prescribed for the purposes of section 24 (2) of the Act.

By Command of the deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

PD401**EAST PERTH REDEVELOPMENT ACT 1991**
EAST PERTH REDEVELOPMENT SCHEME
AMENDMENT NO. 2 AVAILABLE FOR INSPECTION

The Hon Minister for Planning has granted approval to advertise for public comment Amendment No. 2 to the East Perth Redevelopment Scheme.

The purpose of the Amendment is to provide the Authority with greater flexibility in the implementation of residential densities, within clearly defined parameters established by policies and guidelines.

Copies of the proposed Amendment are available for inspection and can be obtained at the offices of the Authority, located at—

6th Floor, 19 Pier Street
Perth WA 6000
Phone: 222 8000

or at—

184 Bennett Street
East Perth WA 6004 (PO Box 6828, East Perth WA 6892)
after 15 December 1995.

Written submissions on the proposed Amendment must be received by the Authority at the above addresses no later than 10 January 1996.

The Authority may modify the proposed Scheme Amendment to give effect to submissions received.

PD402**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Canning

Town Planning Scheme No. 40—Amendment No. 27

Ref: 853/2/16/44, Pt. 27.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Canning Town Planning Scheme Amendment on November 19, 1995 for the purpose of rezoning 2, 4 and 6 Stratus Place (Lots 533, 534, 535), Willetton, from "Residential R17.5" to "Residential R17.5/R30".

M. S. LEKIAS, Mayor.
I. F. KINNER, Town Clerk.

PD403**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION
City of Nedlands

Town Planning Scheme No. 2—Amendment No. 85

Ref: 853/2/8/4, Pt. 85.

Notice is hereby given that the City of Nedlands has prepared the abovementioned scheme amendment for the purpose of inserting into Schedule 1 an "(Additional Use) Two (2) Senior Persons Dwellings" at Lot 314 (36) Dalkeith Road, Nedlands.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 71 Stirling Highway, Nedlands and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including January 5, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 5, 1996.

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. C. LAW, Town Clerk.

PD404**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*City of Wanneroo*

Town Planning Scheme No. 1—Amendment No. 744

Ref: 853/2/30/1, Pt. 744.

Notice is hereby given that the City of Wanneroo has prepared the abovementioned scheme amendment for the purpose of changing the definition of "Showroom" in Clause 1.8 (Interpretation) of the Scheme Text to allow the sale of secondhand apparel by welfare or charitable organisations with the approval of Council.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Boas Avenue, Joondalup and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including December 22, 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 22, 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.

R. F. COFFEY, Town Clerk.

PD405**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENTS AVAILABLE FOR INSPECTION*Shire of Broome*

Town Planning Scheme No. 2—Amendment Nos. 125 and 127

Ref: 853/7/2/3, Pts. 125 and 127.

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

Amendment No. 125—

1. rezoning Lot 5 (No. 23) in Broome Lot 97 and portion of each of Broome Lots 96 and 98, corner of Hamersley and Stewart Streets, Broome from 'Other Reserves (Post Office)' to 'Special Site', (Grouped and Multiple Dwelling, R40, Offices, Community and Civic Uses).
2. Amending the Scheme maps and Schedule B.

Amendment No. 127—

rezoning Lot 36 (No. 1-3) Tanami Drive, cnr Harriet and Minilya Roads, from 'Service Station' to 'Industrial', and amending the Scheme Map accordingly.

Plans and documents setting out and explaining the scheme amendments have been deposited at Council Offices, Weld Street, Broome and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including January 5, 1996.

Submissions on the scheme amendments should be made in writing on Form No. 4 and lodged with the undersigned on or before January 5, 1996.

These amendments are available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

G. S. POWELL, Shire Clerk.

PD406**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*Shire of Broome*

Town Planning Scheme No. 2—Amendment No. 129

Ref: 853/7/2/3, Pt. 129.

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

1. zoning Lot 1694 (No. 48) Pembroke Street, to 'Industrial'.
2. amending the Scheme Maps accordingly.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Weld Street, Broome and at the Western Australian Planning Commission, Albert Facey House,

469 Wellington Street, Perth, and will be available for inspection during office hours up to and including December 22, 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 22, 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.

G. S. POWELL, Shire Clerk.

PD407

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Lake Grace

Town Planning Scheme No. 3—Amendment No. 2

Ref: 853/5/12/5, Pt. 2.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Lake Grace Town Planning Scheme Amendment on November 19, 1995 for the purpose of—

1. rezoning part of Reserve 17616 from Public Purposes to Industrial, as shown on the Amendment Map.
2. in Table 1, replacing the symbol P under the Industrial Zone with the symbol AA against the following uses—

General	AA
Motor Vehicle Wrecking.....	AA
Salvage Yard	AA
Transport Depot.....	AA

P. R. TAYLOR, President.
J. K. McENCROE, Shire Clerk.

PD408

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Mundaring

Town Planning Scheme No. 3—Amendment No. 8

Ref: 853/2/27/3, Pt. 8.

Notice is hereby given that the Shire of Mundaring has prepared the abovementioned scheme amendment for the purpose of zoning the unmade Road Reserve between McVicar Place and Marquis Street, Mount Helena to Local Centre (L.C.2—Local Commercial Centre).

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 7000 Great Eastern Highway, Mundaring and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including January 5, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 5, 1996.

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.

M. N. WILLIAMS, Shire Clerk.

PD409

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Murray

Town Planning Scheme No. 4—Amendment No. 69

Ref: 853/6/16/7, Pt. 69.

Notice is hereby given that the Shire of Murray has prepared the abovementioned scheme amendment for the purpose of rezoning Murray Location 15 Pinjarra Road, Ravenswood from "Rural" to "Special Rural" and "Recreation Reserve/Conservation Zone" and adding to Schedule 4 special provisions relating to the development and use of the land.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including January 5, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 5, 1996.

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

D. A. McCLEMENTS, Shire Clerk.

PD410

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Serpentine-Jarrahdale

Town Planning Scheme No. 2—Amendment No. 30

Ref: 853/2/29/3, Pt. 30.

It is hereby notified for public information that the period in which to lodge submissions on the above Amendment No. 30, published at page 4870 of the *Government Gazette* No. 140 dated October 17, 1995 has been extended up to and including December 27, 1995.

N. D. FIMMANO, Shire Clerk.

PD411

TOWN PLANNING AND DEVELOPMENT ACT 1928

APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Serpentine-Jarrahdale

Town Planning Scheme No. 2—Amendment No. 49

Ref: 853/2/29/3, Pt. 49.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Serpentine-Jarrahdale Town Planning Scheme Amendment on November 19, 1995 for the purpose of—

1. Rezoning Location 793 Wattle Road, Serpentine from Rural to Rural Living B.
2. Amending the Scheme Map in accordance with the Scheme Amendment Map.
3. Amending the Scheme Text by inserting in Appendix 4B Special Provisions, the following—

(a) Specified Area or Locality	(b) Special Provisions to Refer to (a)
Cockburn Sound Location 793 Wattle Road, Serpentine as depicted on the Scheme Amendment Map	<ol style="list-style-type: none"> 1. Within the Rural Living zone the following land uses are permitted or are permitted at the discretion of the Council. <ul style="list-style-type: none"> Use classes permitted (P)— • Single House • Public Recreation • Public Utility Discretionary Uses (AA)— • Ancillary Accommodation • Home Occupation • Rural Use/Intensive Agriculture • Stables <p>All other use classes are prohibited.</p> <p>In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.</p> 2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic

(a) Specified Area or Locality	(b) Special Provisions to Refer to (a)
	wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.
	3. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-laws applying to underground water supply and pollution control.
	4. Notwithstanding the obligations of the subdivider under Clause 5.12.9e) of the Scheme, the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan and/or Drainage Plan for the estate. Those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps.
	5. The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.
	6. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems, driveways and/or to accommodate the discretionary uses identified under Provision 1.
	7. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the local authority.
	8. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the local authority and the Bush Fires Board of WA.
	9. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.
	10. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.

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

PD412**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*Shire of Swan*

Town Planning Scheme No. 9—Amendment No. 249

Ref: 853/2/21/10, Pt. 249.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 that the Hon Minister for Planning approved the Shire of Swan Town Planning Scheme Amendment on November 19, 1995 for the purpose of—

1. Amending the Scheme Maps by—

Zoning a portion of State Forest No. 65, Gnangara Road, Ellenbrook to 'Special Purpose—Ellenbrook' in accordance with the Scheme Amendment Map.

2. Amending the Scheme Text by—

Amending Appendix 6 relating to 'Special Purpose' Zones by adding to the "Land Particulars" column after "Swan Location 3079"—"Portion of State Forest No. 65" in the entry "Locality" and "Street" columns as "Ellenbrook" and "Gnangara Road".

C. M. GREGORINI, President.
E. W. LUMSDEN, Shire Clerk.

PD413**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*Shire of Swan*

Town Planning Scheme No. 9—Amendment No. 258

Ref: 853/2/21/10, Pt. 258.

Notice is hereby given that the Shire of Swan has prepared the abovementioned scheme amendment for the purpose of including in Appendix 6B, Schedule of Additional or Restricted Uses, the added use of a 'Medical Centre' with respect to Lots 25 and 26, Great Northern Highway, Viveash.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Corner Great Northern Highway and Bishop Road, Middle Swan and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including January 5, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 5, 1996.

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

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

PD501**WESTERN AUSTRALIAN PLANNING COMMISSION**
METROPOLITAN REGION SCHEME (SEC. 33 AMENDMENT)

Call For Public Submissions

"Eastern Corridor (1995) Omnibus"

File No: 809-2-1-33

Amendment No: 974/33

The Metropolitan Region Scheme (the Scheme) is proposed to be amended for various portions of land in the localities of the Cities of Bayswater and Belmont, Town of Bassendean and the Shires of Kalamunda, Mundaring and Swan of the Perth metropolitan region.

The procedure for amending the Scheme, as set out in section 33 of the Metropolitan Region Town Planning Scheme Act, is to be used to advertise this proposal. Public submissions are invited and the amendment will eventually be put to Parliament for final approval. In accordance with the procedure in section 33, the Hon Minister for Planning has approved the amendment for public display and for the calling of submissions.

Copies of the maps showing the proposed changes to the zones and reservations of the Scheme and the Commission's Report on the amendment proposals are available for the public inspection at each of the places listed below.

The amending plans 1.3388, 1.3389 and 1.3390 and detail plans are available for inspection from Monday November 27, 1995 to Friday February 23, 1996 at each of the following places—

- (a) Ministry for Planning
1st Floor
Albert Facey House
469-489 Wellington Street
Perth WA 6000

Council Offices of the municipalities of—

- (b) City of Perth
Westralia Square
141 St Georges Terrace
Perth WA 6000
City of Fremantle
Corner Newman and William Streets
Fremantle WA 6160
City of Bayswater
61 Broun Avenue
Embleton WA 6062
City of Belmont
215 Wright Avenue
Belmont WA 6104
Town of Bassendean
48 Old Perth Road
Bassendean WA 6054
Shire of Kalamunda
Administration Centre
2 Railway Road
Kalamunda WA 6076
Shire of Mundaring
7000 Great Eastern Highway
Mundaring WA 6073
Shire of Swan
Great Northern Highway
Midland WA 6056
(c) JS Battye Library
Alexander Library Building
Cultural Centre
Francis Street
Northbridge WA 6003

Any person who desires to make a submission either supporting or objecting to any provisions of the proposed amendment may do so on the Form 6A. Submission forms are available on request from the display locations and must be lodged with the—

Western Australian Planning Commission
Albert Facey House
469-489 Wellington Street (cnr Forrest Place)
Perth WA 6000

on or before 4.30 pm Friday February 23, 1996.

PETER MELBIN, Secretary, Western Australian
Planning Commission.

POLICE

PE301

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (LICENSING) AMENDMENT REGULATIONS (NO. 4) 1995

Made by the deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Road Traffic (Licensing) Amendment Regulations (No. 4) 1995*.

Commencement

2. These regulations come into operation on the day on which the *Road Traffic Amendment Act 1995* comes into operation.

Principal regulations

3. In these regulations the *Road Traffic (Licensing) Regulations 1975** are referred to as the principal regulations.

[* *Reprinted as at 5 October 1994. For amendments to 7 November 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 242, and Gazettes of 10 January, 26 May and 27 June 1995.*]

Regulation 3 amended

4. Regulation 3 (1) of the principal regulations is amended by deleting the definitions of "Act", "regulation" and "Schedule".

Part IIIA inserted

5. After Part III of the principal regulations the following part is inserted —

PART IIIA — VEHICLE LICENCE FEE EXEMPTIONS AND CONCESSIONS

Division 1 — Preliminary

Interpretation

21A. (1) In this Part, unless the contrary intention appears —

"**farm**" means the land on which a farmer carries on the farmer's farming business;

"**farmer**" means a person who carries on business as a farmer or grazier;

"**farming business**" means the business of farming or grazing;

"**load capacity**", in relation to a vehicle, means —

(a) the load or carrying capacity specified in the vehicle's licence or the records kept under the Act; or

(b) if no capacity is so specified, the difference between —

(i) the vehicle's maximum permissible gross weight or aggregate weight specified in the vehicle's licence or the records kept under the Act; and

(ii) the vehicle's tare weight;

"**vehicle licence fee**" means the relevant fee as set out in Part III of the Second Schedule to the Act or, if the grant or renewal of a vehicle licence is for a period of less than 12 months, the fee calculated under section 18 (7) (a) and (b) of the Act.

(2) A reference in this Part to a vehicle being used for any purpose is to be read as a reference to the vehicle being used for that purpose during the period in respect of which a vehicle licence for the vehicle is to be granted or renewed.

(3) A reference in this Part to a vehicle licence fee in relation to a vehicle is a reference to a vehicle licence fee for the grant or renewal of a vehicle licence for that vehicle.

Statutory declaration

21B. The Board may, in order to satisfy itself of any of the matters referred to in this Part, require any information contained in an application for the grant or renewal of a vehicle licence to be verified by a statutory declaration.

Division 2 — Exemptions

Crown vehicles

21C. (1) This regulation applies to a vehicle if the Board is satisfied that the vehicle —

- (a) is owned by the Crown;
- (b) is owned by a local authority;
- (c) is owned by the Western Australian Fire Brigades Board constituted under the *Fire Brigades Act 1942*, or any other fire brigade, and is to be used exclusively for preventing and extinguishing fires or dealing with other emergencies; or
- (d) is to be used exclusively as an ambulance.

(2) No vehicle licence fee is payable for a vehicle to which this regulation applies.

Farm vehicles

21D. (1) This regulation applies to a vehicle if the Board is satisfied that the vehicle is owned by a farmer and is to be used only on the owner's farm or —

- (a) to pass from one portion of the farm to another;
- (b) to travel between the farm and some other place to carry out fire fighting or fire prevention operations;
- (c) to travel between the farm and some other place to take part in fire control exercises previously authorized by a bush fire control officer appointed under the *Bush Fires Act 1954*; or
- (d) if the farm is in an area that is declared by the Minister for Primary Industry to be drought affected or water deficient, to travel between the farm and a water supply for the purpose of carting water for stock or for domestic purposes.

(2) This regulation does not apply to a tractor or tractor plant to which regulation 21M applies.

(3) No vehicle licence fee is payable for a vehicle to which this regulation applies.

Division 3 — Reduction of fee

Trailers and semi-trailers used outside South West Division

21F. (1) This regulation applies to a vehicle that is a trailer or semi-trailer if the Board is satisfied that the vehicle —

- (a) has a tare weight exceeding 2 tonnes; and

- (b) is to be used exclusively on roads outside the South West Division within the meaning of the *Land Act 1928*.

(2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

Vehicles used for prospecting

21G. (1) This regulation applies to a vehicle if the Board is satisfied that the vehicle —

- (a) is owned by —
 - (i) a *bona fide* prospector; or
 - (ii) a person (other than a company within the meaning of the Corporations Law) who searches for or produces metals or minerals from land in which the person holds an interest; and
- (b) is to be used by that prospector or person solely or principally in connection with prospecting.

(2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

Vehicles used for pulling sandalwood

21H. (1) This regulation applies to a vehicle if the Board is satisfied that the vehicle —

- (a) is owned by a *bona fide* sandalwood puller; and
- (b) is to be used by that person solely or principally in connection with the pulling of sandalwood.

(2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

Vehicles used for kangaroo hunting

21I. (1) This regulation applies to a vehicle if the Board is satisfied that the vehicle —

- (a) is owned by a *bona fide* kangaroo hunter; and
- (b) is to be used by that person solely or principally in connection with the hunting of kangaroos.

(2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

Vehicles used for beekeeping

21J. (1) This regulation applies to a vehicle if the Board is satisfied that the vehicle —

- (a) is owned by a person who is a beekeeper within the meaning of the *Beekeepers Act 1963* and who engages in the keeping of bees substantially as a means of livelihood; and
- (b) is to be used by the person solely or principally in connection with beekeeping.

(2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

Vehicles used to transport stock

21K. (1) This regulation applies to a vehicle if the Board is satisfied that the vehicle —

- (a) has a tare weight exceeding 1 524 kilograms;
- (b) is owned by a person who carries on the business of transporting stock; and
- (c) is to be used by the person solely or principally for journeys that involve the carriage of stock.

(2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

(3) A vehicle licence in respect of which a reduced vehicle licence fee is paid under subregulation (2) is taken to be subject to conditions that —

- (a) the vehicle shall not be used for any journey that involves the carriage of goods other than a journey that involves the carriage of stock; and
- (b) goods other than stock shall not be carried on the vehicle in the course of a journey that involves the carriage of stock unless the carriage of those goods is authorized by the Board under subregulation (4).

(4) The Board may authorize the use of a vehicle to which this regulation applies to carry goods other than stock on a specified journey or on a specified part of a journey.

(5) An authorization shall be in writing and may be amended or revoked by the Board.

(6) The fee specified in item 9A of Schedule 2 is payable for the grant of an authorization.

(7) All fees received by the Board under subregulation (6) are to be credited to the Consolidated Fund.

Farm haulage vehicles

21L. (1) This regulation applies to a vehicle that is a motor wagon, trailer, semi-trailer or is to be used for the purpose of hauling a trailer or semi-trailer, if the Board is satisfied that the vehicle —

- (a) is owned by a farmer; and
- (b) is to be used solely or principally for carrying the products of, or requisites for, the owner's farming business.

(2) This regulation does not apply to —

- (a) a tractor or tractor plant to which regulation 21M applies; or
- (b) a vehicle that has a tare weight of less than 1 524 kilograms.

(2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

(3) A reduction under this regulation does not apply at any one time in respect of more than one vehicle used in connection with the carrying on of the same business.

(4) Subregulation (3) does not prevent a reduction applying in respect of —

- (a) a semi-trailer if a reduction also applies in respect of a vehicle that is to be used for the purpose of hauling that semi-trailer; or
- (b) a vehicle if a reduction also applies in respect of a semi-trailer that is to be hauled by that vehicle.

Farm tractors

21M. (1) This regulation applies to a vehicle that is a tractor (other than a prime mover type) or tractor plant if the Board is satisfied that the vehicle is owned by a farmer and is to be used only in connection with the owner's farming business or —

- (a) to pass from one portion of the owner's farm to another;
- (b) to travel between the owner's farm and some other place to carry out fire fighting or fire prevention operations;
- (c) to travel between the owner's farm and some other place to take part in fire control exercises previously authorized by a bush fire control officer appointed under the *Bush Fires Act 1954*; or
- (d) if the farm is in an area that is declared by the Minister for Primary Industry to be drought affected or water deficient, to travel between the owner's farm and a water supply for the purpose of carting water for stock or for domestic purposes.

(2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced to \$4.

Diesel vehicles

21N. (1) This regulation applies to a vehicle if the Board is satisfied that the vehicle —

- (a) is a diesel engined vehicle; or
- (b) is a semi-trailer, converter dolly trailer or trailer, other than a plant trailer, and is to be hauled solely by a diesel engined tractor (prime mover type).

(2) This regulation does not apply to —

- (a) a motor wagon that has a tare weight exceeding 5 865 kilograms unless the load capacity of the vehicle does not exceed 8 130 kilograms;
- (b) a tractor (prime mover type) that has a tare weight exceeding 3 060 kilograms unless the load capacity of the vehicle does not exceed 8 130 kilograms;
- (c) a trailer or converter dolly trailer that has a tare weight exceeding 2 040 kilograms unless the load capacity of the vehicle does not exceed 8 130 kilograms; or
- (d) a semi-trailer that has a tare weight exceeding 2 040 kilograms unless it is to be hauled solely by a diesel engined tractor (prime mover type) having a load capacity not exceeding 8 134 kilograms.

(3) The vehicle licence fee that, but for this regulation, would be payable for a vehicle to which this regulation applies is reduced by 50%.

Interchangeable semi-trailers

21O. The vehicle licence fee payable for a vehicle which the Board is satisfied is an interchangeable semi-trailer is reduced by 75%.

Vehicles owned by pensioners

21P. (1) This regulation applies to a vehicle if the Board is satisfied that the vehicle —

- (a) is a motor car or motor wagon, with a tare weight not exceeding 3 000 kilograms, a motor propelled caravan, a motor cycle or a moped; and
- (b) is owned by a person who holds a current pensioner concession card issued by the Department of Social Security, or the Department of Veteran's Affairs, of the Commonwealth.

(2) The vehicle licence fee payable for a vehicle to which this regulation applies is reduced by 50%.

(3) A person is not entitled to a reduction under this regulation in respect of more than one vehicle at any one time.

Reductions not cumulative

21Q. (1) Subject to subregulation (3), only one reduction under this Division is to be applied to the vehicle licence fee of a vehicle for any year.

(2) If a vehicle qualifies for 2 or more reductions under this Division, the owner of the vehicle may choose which one is to be applied.

(3) A vehicle licence fee that has been reduced under a regulation in this Division, can be further reduced in accordance with regulation 21N.

”

Part heading amended

6. The Part heading to Part VIII of the principal regulations is amended by deleting “PENALTIES” and substituting the following —

“ MISCELLANEOUS ”.

Section 38A inserted

7. After the Part heading to Part VIII of the principal regulations the following regulation is inserted —

“

Exemption or refund of fee in particular case

38A. (1) The Board may, in a particular case —

- (a) refund all or part of a payment that has been made in respect of any fee referred to in these regulations; or
- (b) in writing, exempt a person from payment of any fee referred to in these regulations or from payment of part of such a fee,

if the Board is satisfied that exceptional circumstances warrant the refund or exemption being given in that case.

(2) The Board may, in writing given to a person exempted under subregulation (1) (b), vary or revoke the exemption.

(3) An exemption may be given subject to such conditions as the Board thinks fit and specifies in the exemption.

(4) A person must not contravene a condition of an exemption.

”

Schedule 2 amended

8. Schedule 2 to the principal regulations is amended by inserting after item 9 the following item —

“

9A.	21K	Fee for authorization under regulation 21K (4)	10
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”

By Command of the deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

PE302

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (DRIVERS' LICENCES) AMENDMENT REGULATIONS (NO. 2) 1995

Made by the deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1995*.

Commencement

2. These regulations come into operation on the day on which the *Road Traffic Amendment Act 1995* comes into operation.

Principal regulations

3. In these regulations the *Road Traffic (Drivers' Licences) Regulations 1975** are referred to as the principal regulations.

[* Reprinted as at 11 June 1986.
For amendments to 15 September 1995 see 1994 Index to Legislation of Western Australia, Table 4, pp. 240-41, and Gazette of 10 January 1995.]

Regulation 2 repealed and a regulation substituted

4. Regulation 2 of the principal regulations is repealed and the following regulation is substituted —

“

Interpretation

2. In these regulations, unless the contrary intention appears —

“age pension” means an age pension from the Department of Social Security, or the Department of Veterans' Affairs, of the Commonwealth;

“pension” means a pension from the Department of Social Security, or the Department of Veterans’ Affairs, of the Commonwealth;

“pensioner concession card” means a pensioner concession card issued by the Department of Social Security, or the Department of Veterans’ Affairs, of the Commonwealth;

“seniors’ card” means a seniors’ card issued by the Office of Seniors’ Interests in this State.

”

Regulation 15A repealed and regulations 15A to 15E substituted

5. Regulation 15A of the principal regulations is repealed and the following regulations are substituted —

“

Fee exemption for age pensioners

15A. (1) This regulation applies to a person if the Board is satisfied that the person is receiving an age pension.

(2) No fee is payable for the issue or renewal of a driver’s licence where the applicant is a person to whom this regulation applies.

(3) No fee is payable under regulation 9 or 9A where the applicant is a person to whom this regulation applies.

Reduction in fees for other pensioners and holders of seniors’ cards

15B. (1) This regulation applies to a person if regulation 15A does not apply to that person and the Board is satisfied that the person —

(a) holds a pensioner concession card and is receiving a pension other than an age pension; or

(b) holds a seniors’ card.

(2) The fee set out in regulation 9 is to be reduced by 50% where the applicant is a person to whom this regulation applies.

(3) The fee set out in regulation 9A is to be reduced by 50% where the applicant is a person to whom this regulation applies.

(4) The fee set out in item 3 of regulation 14A is to be reduced to one tenth of the fee set out in item 4 of regulation 14A where the applicant is a person to whom this regulation applies.

(5) The fee set out in item 4 of regulation 14A is to be reduced by 50% where the applicant is a person to whom this regulation applies.

(6) In calculating the fee payable under item 5 of regulation 14A the reference to **“the fee under item 4”** is to be read as a reference to the fee under item 4 as reduced under subregulation (5) where the applicant is a person to whom this regulation applies.

Fee exemption for motorized wheelchairs

15C. No fee is payable for the issue or renewal of a driver’s licence if the Board is satisfied that the driver’s licence is granted in respect of, and limited to, the driving of a motorized wheelchair.

Refund of fees in particular cases

15D. (1) The Board may, in a particular case, refund all or part of any fee paid for the issue or renewal of a driver's licence if, in the Board's opinion, it is just and convenient to give such a refund.

(2) The Board must not give a refund under this regulation in respect of any period that is less than 1 year.

(3) The Board may charge a fee of \$1 for giving any refund under this regulation and the fee may be deducted from the amount refunded.

Statutory declarations

15E. The Board may, in order to satisfy itself that a person is entitled to an exemption, refund or reduction under these regulations, require any information contained in an application to be verified by statutory declaration.

By Command of the deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

PE401

ROAD TRAFFIC ACT 1974

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of Cycle races by members/entrants of the Northern Districts Cycle Club on December 3, 10, 17, 24, 31, 1995 between the hours of 0730 and 1130hrs do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Shenton Ave, Grand Boulevard, Joondalup Dve, Shenton Ave, Joondalup.

All participants to wear approved head protection at all times.

Dated at Perth this 15th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

ROAD TRAFFIC ACT 1974

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of Cycle races by members/entrants of the Northern Districts Cycle Club on January 7th, 14th, 21st, 28th, 1996 between the hours of 0730 and 1130 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Shenton Ave, Grande Boulevard, Joondalup Dve, Shenton Ave, Joondalup.

All participants to wear approved head protection at all times.

Dated at Perth this 15th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

ROAD TRAFFIC ACT 1974

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of Cycle Race by members/entrants of the West Coast Veterans Bicycle Club on February 4th, 11th, 18th, 25th, 1996 between the hours of 0800 and 1300 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on— Valentine Street, Hazelhurst Street, Bradford Street, Chilver Street, Kewdale.

All participants to wear approved head protection at all times.

Dated at Perth this 20th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

ROAD TRAFFIC ACT 1974

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of Cycle Racing by members/entrants of the West Coast Veterans Bicycle Club on March 3rd, 10th, 17th, 24th 1996 between the hours of 0800 and 1300 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on— Valentine Street, Hazelhurst Street, Bradford Street, Chilver Street, Kewdale.

All participants to wear approved head protection at all times.

Dated at Perth this 20th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

ROAD TRAFFIC ACT 1974

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the West Coast Veterans Bicycle Club on March 31, 1996 between the hours of 0800 and 1300 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on— Valentine Street, Hazelhurst Street, Bradford Street, Chilver Street, Kewdale.

All participants to wear approved head protection at all times.

Dated at Perth this 20th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

PE402**ROAD TRAFFIC ACT 1974**

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Foot Race by members/entrants of the W.A. Marathon Club on January 21, 1996 between the hours of 0700 and 0900 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on— Queenslea Drive, Victoria Avenue, Jutland Parade, Birdwood Parade, The Esplanade.

Dated at Perth this 20th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

PE403**ROAD TRAFFIC ACT 1974**

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Marathon by members/entrants of the Donnybrook Recreation Relay Committee on December 2nd, 1995 between the hours of 1030 and 1700 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to—Ayres Gdns, South West Hwy, Boyup Brook Rd, Preston Rd, Mumballup, Preston Rd, Glen Mervyn Dam then return to Donnybrook finishing at V.C. Mitchell Park, Steere St, Donnybrook.

Dated at Perth this 17th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

PE404**ROAD TRAFFIC ACT 1974**

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Time Trial by members/entrants of the Peel Districts Cycle Club on January 9th, 16th, 23rd, 30th, 1996 between the hours of 1700 and 1900 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on— Patterson Road, Pinjarra.

All participants to wear approved head protection at all times.

Dated at Perth this 20th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

ROAD TRAFFIC ACT 1974

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Time Trial by members/entrants of the Peel District Cycle Club on February 6th, 13th, 20th, 27th 1996 between the hours of 1700 and 1900 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on— Patterson Road, Pinjarra.

All participants to wear approved head protection at all times.

Dated at Perth this 20th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

ROAD TRAFFIC ACT 1974

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Time Trial by members/entrants of the Peel District Cycle Club on March 5th and 12th, 1996 between the hours of 1700 and 1900 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on— Patterson Road, Pinjarra.

All participants to wear approved head protection at all times.

Dated at Perth this 20th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

ROAD TRAFFIC ACT 1974

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Time Trial by members/entrants of the Peel District Cycle Club on March 31, 1996 between the hours of 0830 and 1200 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on— Patterson Road, Pinjarra.

All participants to wear approved head protection at all times.

Dated at Perth this 20th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

PE405**ROAD TRAFFIC ACT 1974**

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Triathlon by members/entrants of R.G.C. Triathlon on December 3rd, 1995 between the hours of 0830 and 1200 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to—Marine Tce, Portway, Willcock Dve, Geraldton.

Dated at Perth this 15th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

ROAD TRAFFIC ACT 1974

I, Robin John Devlin, Commander (Traffic Operations) being the delegated officer of the Minister for Police under Section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Triathlon by members/entrants of the Shire of East Pilbarra on December 10th, 1995 between the hours of 0700 and 0830 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to—Newman Dve, Welsh Dve, Forrest Ave, Fortescue Ave, Kalgan Dve, Rogers Place, Newman.

Dated at Perth this 17th day of November 1995.

R J DEVLIN, Commander (Traffic Operations).

PE501**POLICE AUCTION**

Under the provisions of the Police Act 1892-1982 unclaimed and stolen property will be sold by Public Auction at Karratha Police Station, Welcome Road, Karratha at approximately 10.00 a.m. on December 9th, 1995.

Auction to be conducted by Judith Wright, Auctioneer.

R. FALCONER, Commissioner of Police.

PREMIER AND CABINET**PR401****MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Honourable Geoffrey Alexander Kennedy, AO deputy of the Governor has approved the following temporary allocation of portfolio during the absence from office of the Hon P. G. Foss, MLC at any time in the period 13 to 23 January 1996 inclusive—

Acting Minister for the Environment;

Water Resources; the Arts; Fair Trading—Hon K. J. Minson, MLA

M. C. WAUCHOPE, Chief Executive.

PR402**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that the Honourable Geoffrey Alexander Kennedy, AO deputy of the Governor has approved the following temporary allocation of portfolio during the absence from office of the Hon H. J. Cowan, MLA at any time in the period 27 December 1995 to 14 January 1996 inclusive—

Acting Minister Commerce and Trade;
Regional Development; Small Business

Hon M. G. House, MLA

M. C. WAUCHOPE, Chief Executive.

RACING AND GAMING

RA401**LIQUOR LICENSING ACT 1988****SUMMARY OF LIQUOR LICENSING APPLICATIONS**

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

App. No.	Applicant	Nature of Application	Last Date for Objections
TRANSFER OF LICENCE			
1176/95	Kingston Holdings Pty Ltd	Application for the transfer of a Liquor Store Licence in respect of premises situated in Ballajura and known as Ballajura City Cellars, from Mazz Nominees Pty Ltd & Belzan Holdings Pty Ltd.	29/11/95
1177/95	Greenwood Hotel Management Pty Ltd	Application for the transfer of a Tavern Licence in respect of premises situated in Greenwood and known as Greenwood Forest Hotel, from Greenwood Village Pty Ltd.	29/11/95
1178/95	Peter Lawrence O'Hanlon & Harold David Luxton	Application for the transfer of a Hotel Licence in respect of premises situated in Dowerin and known as Commercial Hotel, from Peter Lawrence O'Hanlon & Harold David Luxton (S87).	3/12/95
1179/95	Tindara Tarricone	Application for the transfer of a Liquor Store Licence in respect of premises situated in Northbridge and known as Lake Street Liquor Supply, from Challis Nominees Pty Ltd.	1/12/95
1181/95	R. Condello, S Condello, N. Condello & H. Condello	Application for the transfer of a Liquor Store Licence in respect of premises situated in Bunbury and known as Minninup Form Cellars, from Natalino Domenico Condello.	4/12/95
1182/95	Lance McCallum Haeusler	Application for the transfer of a Hotel Licence in respect of premises situated in Wubin and known as Wubin Hotel, from Valeglen Investments Pty Ltd.	5/12/95
1183/95	Celebrity Shelf Co (No. 99) Pty Ltd	Application for the transfer of a Tavern Licence in respect of premises situated in Scarborough and known as Contacio International Motor Hotel, from George Douglas Oliver.	5/12/95
1184/95	Probark Pty Ltd	Application for the transfer of a Tavern Licence in respect of premises situated in Quindanning and known as Quindanning Tavern, from Verticordia Nominees Pty Ltd.	5/12/95
1185/95	D. J. Newman, T. M. Newman, A. C. O'Toole & A. R. Aitchison	Application for the transfer of a Tavern Licence in respect of premises situated in Belmont and known as Rascals Tavern, from Starpoint Enterprises Pty Ltd.	5/12/95

SUMMARY OF LIQUOR LICENSING APPLICATIONS—*continued*

App. No.	Applicant	Nature of Application	Last Date for Objections
GRANT OF A LICENCE			
719/95	Cranleigh Estate Pty Ltd	Application for the grant of a Producer's Licence in respect of premises situated in Nedlands and known as Cranleigh Estate Pty Ltd.	13/12/95
721/95	Altone Sports Club	Application for the grant of a Club Restricted Licence in respect of premises situated in Beechboro and known as Altone Sports Club.	13/7/95
722/95	Kukerin Agricultural Society	Application for the grant of a Tavern Licence in respect of premises situated in Kukerin and known as Kukerin Tavern.	25/12/95
723/95	Abello Pty Ltd	Application for the grant of a Special Facility Licence in respect of premises situated in Fremantle and known as International Food Pavilion.	28/12/95
724/95	Hotham Valley Tourist Railway (WA) Inc.	Application for the grant of a Special Facility Licence in respect of premises situated in Perth and known as Hotham Valley Tourist Railway.	

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

G. B. AVES, Director of Liquor Licensing.

STATE TAXATION

SX301

STAMP ACT 1921

STAMP AMENDMENT REGULATIONS (NO. 2) 1995

Made by the deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Stamp Amendment Regulations (No. 2) 1995*.

Commencement

2. These regulations come into operation on the day on which the *Road Traffic Amendment Act 1995* comes into operation.

Regulation 10AA inserted

3. The *Stamp Regulations 1979** are amended by inserting after regulation 10 the following regulation —

“

Exempt motor vehicle licences

10AA. For the purposes of paragraph (b) of the definition of “licence” in section 76B —

- (a) the following class of persons is prescribed, that is, any person who owns a vehicle the vehicle licence fee for which is reduced under regulation 21M of the *Road Traffic (Licensing) Regulations 1975*; and
- (b) the following purposes are prescribed, that is, the uses of the vehicle described in regulation 21M of the *Road Traffic (Licensing) Regulations 1975*.

”

[* *Published in Gazette of 7 December 1979 at pp. 3780-87. For amendments to 13 November 1995 see 1994 Index to Legislation of Western Australia, table 4, pp. 262-63.*]

By Command of the deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

WATER AUTHORITY**WA401****RIGHTS IN WATER AND IRRIGATION ACT 1914**Notice under Section 13 of the Act
[Regulation 14(1)]

The applications in the following schedule have been received for a licence to divert, take and use water from the Warren-Donnelly Rivers System.

Any owner or occupier of land within 4.8 kilometres of the applicants land and contiguous to the watercourse may object to that application.

Objections should be sent to reach me at the Water Authority of WA, PO Box 305, Bunbury WA 6230 prior to the 13th December 1995 by certified mail.

W. F. TINGEY, Water Resources Manager,
Southern Operations.

Schedule

Occupier	Postal Address	Description of Land
G. & B. Bendotti	PO Box 67 Pemberton WA 6260	Nelson Loc 8174 North Pemberton
M. K. & J. S. Stewart	PO Box 217 Pemberton WA 6260	Nelson Loc 7295 Glauders Road
Gandy Timbers	PO Box 13 Bayswater WA 6053	Nelson Loc 8860 Eastbourne Road
D. A. Edwards	RMB 131 Manjimup WA 6258	Nelson Loc 1181 Dawson Road
W. D. Edwards	RMB 110 Manjimup WA 6258	Nelson Loc 1955 Balbarrup Road
S. G. Hooker	30 Drake Street Osborne Park WA 6017	Nelson Loc 5884 Jackson Road

TENDERS**ZT201**

MAIN ROADS
WESTERN AUSTRALIA
Tenders

Tenders are invited for the following projects.

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

Tender No.	Description	Closing Date
		1995
128/95	Bridge construction, Bridge No. 1362 over the Chapman River on North West Coastal Highway, Mid West Region	1 December
284/95	Consultancy for the development, design and implementation of a remuneration packaging system	28 November
340/95	Propagation and supply of native seedlings, South West Region	29 November
317/95	Supply and lay asphalt surfacing, Geraldton-Mt Magnet Road, Blencowe Road Intersection, Mid West Region	30 November
333/95	Upgrade traffic signal lanterns to ELV (50 sites northern suburbs) ...	12 December
83/95	Litter collection and disposal, Gascoyne Region	1 December
309/95	Cement stabilisation of pavement repairs, period contract, South West Region	7 December
273/95	Load, cart and lay bituminous premix, Great Southern Region	29 November
95D16	Purchase and removal of a 1975 Fabco skid mounted sleeper eight berth, MRWA 0946	29 November
95D17	Purchase and removal of a 1967 Ropa Caravan RP405 sleeper kitchen, MRWA 0621	29 November

Tenders—*continued*

Tender No.	Description	Closing Date
		1995
95D18	Purchase and removal of a 1986 Dunlite 15 KVA generator set, Model: 66020999/6213, MRWA	29 November
95D18	Purchase and removal of a 1981 Baravan Domestic Caravan, MRWA 5466	29 November
95D18	Purchase and removal of 1969 Ropa Ablution/Powerhouse Caravan, MRWA 0743	29 November

ZT202*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount
			\$
201/95	Supply and placement of concrete and rock, various bridges, Kimberley Region.	Guerinoni & Sons	\$377 191.95
76/95	Supply and delivery of crushed aggregate, Metropolitan Region.	BGC Quarries, Boral Quarries, The Readymix Group, Pioneer Concrete (WA) and Western Quarries Pty Ltd	\$120 000.00
77/95	Supply and delivery of pavement material, Metropolitan Region.	BGC Quarries, Boral Quarries, Pioneer Concrete (WA) and Quarry Park Pty Ltd	\$108 077.40
108/95	Consultancy to undertake the promotion, installation, training and support of the ROMAN Road Management System.	BSD Consultants	\$248 850.00
75/96	Provision of routine testing services for Construction & Maintenance Branch.	Materials Consultants Pty Ltd and SRC Laboratories	\$51 006.00
79/95	Asphalt surfacing, channelisation and minor works, various roads, Metropolitan area.	Asphalt Services Pty Ltd, BGC Asphalt, Boral Asphalt, Hotmix, Pioneer Road Services Pty Ltd and The Readymix Group (Carlisle)	\$400 000.00
131/95	Commission for document preparation, tender assessment and contract management for pavement repair works.	Quality and Technical Services Pty Ltd	\$59 322.00
240/95	Non-slip surfacing of Footbridge No. 9006 over the Leach Highway.	CE Building Repair Services	\$5 179.00
197/95	Supply and delivery of crushed aggregate, Wheatbelt South Region.	Pioneer Concrete (WA) Pty Ltd	\$206 934.43
255/95	Geotechnical investigation of 29 sections of road, Bannister-Marradong Rd, Northam-Cranbrook Rd & Roelands- Lake King Road, Wheatbelt South Region.	Soil & Rock Engineering ...	\$72 986.00
81/95	Supply and delivery of one (1) only card reading Total Station Set (with trade-in of a Sokkisha SET3 Total Station Set).	Topcon Australia Pty Ltd ...	\$21 035.00
149/95	Provision of survey, design documentation and environmental management, Marble Bar Road Shaw River to Marble Bar turnoff, Pilbara Region.	Evangelisti & Associates ...	\$148 500.00
188/95	Supply and erection of fencing on Brookton Highway, Nicholls to Waranine West, Wheatbelt South Region.	Marron Pool Pastoral Co	\$69 484.08
136/95	Bituminous sealing/resealing, various roads, Metropolitan area.	Boral Asphalt	\$202 765.20

Acceptance of Tenders—*continued*

Contract No.	Description	Successful Tenderer	Amount
185/95	Bituminous sealing and resealing, various roads, Pilbara Region.	The Readymix Group (Carlisle)	\$ 414 492.00
241/95	Provision of quality audit services associated with works contracts.	Equal Management Services Quality & Technical Services Pty Ltd	Hourly Rate \$41 000.00
133/95	Bituminous sealing and resealing of various roads, Mid West Region.	Pioneer Road Services Pty Ltd	\$375 894.83
283/95	Provision of contract staff for Updating and Presentation of Local Road Statistics	Swan Contract Personnel ..	\$37 120.00
194/95	Refurbishment of Bridge No. 882 at Redbank on the Port Hedland Road, Pilbara Region.	Barclay Mowlem Construction Limited	\$1 632 193.00
207/95	Verge mowing, various roads, Gascoyne Region.	Agriculture Contractor	\$122 764.79
217/95	Supply and delivery of bridge guard rail components, South West Region.	Meneghello Galvanizing Service	\$114 475.00
172/95	Provision of microfilming services, 2 year period	All tenders rejected To be recalled	N/A
144/95	Supply and installation of road signs, Metropolitan area	Jason Signmakers	\$1 794 976.00
295/95	Seed supply and direct seeding, various borrow pits, Gascoyne Region.	Arid Landscapes	\$10 000.00

D. R. WARNER, Director, Corporate Services.

PUBLIC NOTICES**ZZ101****TRUSTEES ACT 1962**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 24th December 1995, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Banks, Edna May, late of 118/7 Harman Road, Sorrento, died 7/10/95. (DEC 288085 DG3)

Bishop, Barry, late of Hut 68, Happy Valley, Yarloop, died 25/4/91. (DEC 256399 DL4)

Brown, Annie Galbraith, late of 52A Towncentre Drive, Thornlie, died 17/10/95. (DEC 288516 DA3)

Coughlan, Joseph, formerly of 307 Main Street, Balcatta, late of 5 Page Drive, Mullaloo, died 11/10/95. (DEC 288331 DC2)

Enwright, James William, late of Unit 3/132 Sixth Avenue, Inglewood, died 23/10/95. (DEC 288680 DL3)

Evans, Rosine Tania, late of 45 Fairlight Street, Mosman Park, died 30/8/95. (DEC 287855 DE3)

Ford, Lexie, also known as Woodley, Lexie, late of 43 Bondi Street, Mount Hawthorn, died 3/11/95. (DEC 288698 DP3)

Grainger, Jessie, late of 11 Long Street, Hilton, died 15/10/95. (DEC 288509 DL3)

Howman, William Gordon, late of 39 Helen Street, Hamilton Hill, died 24/10/95. (DEC 288764 DS2)

Lyster, Mary Gloria, late of 1A Walga Court, Yokine, died 29/9/95. (DEC 288116 DA2)

Nicholas, Ross Andrew, formerly of 1 Hayward Place, Clifton Park, Australind, late of 10 Kookerbrook Street, Mandurah, died 13/10/95. (DEC 288525 DS2)

Sidebottom, Brian John, formerly of Sunset Hospital, Birdwood Parade, Dalkeith, late of Valencia Nursing Home, 24 Valencia Road, Carmel, died 2/11/95. (DEC 288494 DP4)

Sigley, Ronald Anzac, late of 7 Waddington Crescent, Koondoola, died 8/9/95. (DEC 288636 DG3)

Stark, Eileen Margaret, late of 7 Gilberton Street, Kalgoorlie, died 24/8/95. (DEC 288464 DS2)

Stubbs, Ethel Maud, late of St Michael's Nursing Home, Wasley Street, North Perth, died 24/7/95. (DEC 286170 DD4)

Halton, Reginald Leslie, late of The Homes of Peace, Subiaco, died 28/9/95. (DEC 287755 DD3)

Ward, Peter, late of 52 Hawthorne Street, Woollongabba, Queensland, died 28/8/95. (DEC 288679 DD2)

Williams, Colin James, late of 1/61 Connelly Way, Booragoon, died 24/10/95. (DEC 288405 DA2)

K. E. BRADLEY, Public Trustee,
Public Trust Office,
565 Hay Street, Perth WA 6000.
Telephone: 222 6777

ZZ102**PUBLIC TRUSTEE ACT 1941**

Notice is hereby given that pursuant to section 14 of the Public Trustee Act 1941 and amendments, the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 16th day of November 1995.

K. E. BRADLEY, Public Trustee,
565 Hay Street,
PERTH WA 6000.

Name of Deceased; Address; Date of Death; Date Election Filed.

De Graaf, Anna Theodora Wilhelmina Josephine; Mount Lawley; 11th Nov 95; 1st Nov 95.

Moody, Ronald George; Maylands; 10th Jul 95; 1st Nov 95.

Noonan, Florence Lillian; Bicton; 15th Aug 95; 1st Nov 95.

Nymbilong, Diana; Marble Bar; 1st Jul 86; 1st Nov 95.

Howell, Norman Leslie; Como; 5th Apr 94; 2nd Nov 95.

Marrell, Murray Henry; Collie; 12th Sep 94; 2nd Nov 95.

Walker, Edina Florence; Bunbury; 3rd Jul 95; 2nd Nov 95.

Bennett, William Edward; Mount Lawley; 28th Sep 95; 6th Nov 95.

McQueen, Beatrice Leonora; Maylands; 2nd Aug 95; 6th Nov 95.

ZZ201**TRUSTEES ACT 1962**

Claims against the estate of Alma Elizabeth Martha Mouritz late of Glenn-Craig Nursing Home, Albany, who died on 21.9.95 should be lodged with the Executor, P.O. Box 485 Albany, before 16.12.95 after which date the assets will be distributed having regard only to the claims received.

HAYNES ROBINSON.

ZZ202**TRUSTEES ACT 1962**

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

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

Bicknell, Christine Gladys, late of 22/10 Timbercrest Rise, Woodvale WA 6026, Widow, died 26/10/95.

Bresser, Joseph, late of 9 Maltarra Place, Nollamara WA 6061, Pensioner, died 4/11/95.

Curtis, Katherine Bessie, late of Unit 8, Elanora Villas, 37 Hastie Street, Bunbury WA 6230, Widow, died 25/10/95.

Edmondson, Muriel Maud, late of Geneff Village, 39 Ilcrtha Road, Innaloo WA 6018, Widow, died 23/9/95.

Gaffney, Joseph Phillip, Bunbury Nursing Home, 39 Hayes Street, Bunbury WA 6230, Retired Grocer, died 8/10/95.

Markham, Katherine Agnes, late of 155 Safety Bay Road, Shoalwater WA 6169, Spinster, died 28/10/95.

Montgomery, John Harold, late of 13 Garden Street, Cannington WA 6107, Business Proprietor, died 21/10/95.

Price, Julie Alice, late of Cabrini Nursing Home, Guildford Road, Maylands WA 6051, Widow, died 2/10/95.

Read, Clive Lawson, late of Lemnos Hospital, Shenton Park WA 6008, Retired, died 30/10/95.

Warburton, Ivy Florence, late of Craigmont Nursing Home, Third Avenue, Maylands WA 6051, Widow, died 6/10/95.

Dated this 22nd day of November 1995.

D. R. CLARK, State Manager.

ZZ401

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership previously subsisting between Richard Thomas Atherton and Elaine Dawn Eddington carrying on the business of fruit and vegetable growing at Lot 6, Preston Agricultural Area under the style or firm of "Old Meadows" has been dissolved by mutual consent as from the 5th day of May 1995 after which the said Elaine Dawn Eddington will continue to carry on the said business by herself under the said name.

Dated the 14th day of November 1995.

(Sgd.) RICHARD THOMAS ATHERTON.
(Sgd.) ELAINE DAWN EDDINGTON.

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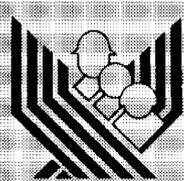
These Statutes are in the process of being reprinted and should be available during this year.

Road Traffic Act 1974 (available)
Child Welfare Act 1947 (available)
Justices Act 1902 (available)
Stock Brands and Movement Act 1970 (available)
Energy Corporations (Power) Act 1979 (available)
(formerly State Energy Commission Act 1979)
Constitution Act Amendment Act 1899 (available)
Parliamentary Commissioner Act 1971 (available)
Public Sector Management Act 1994 (available)
Employers' Indemnity Supplementation Fund Act 1980 (available)

Regulations

These Regulations are in the process of being reprinted and should be available during the year.

Hospitals (Services Charges) Regulations 1984 (available)
Radiation Safety (General) Regulations 1983 (available)
Workers' Compensation and Rehabilitation Regulations 1982 (available)
Occupational Health, Safety and Welfare Regulations 1988 (available)
Supreme Court Rules 1971 (available)
Road Traffic Code 1975 (available)
Stock Brands and Movement Regulations 1972 (available)
Navigable Waters Regulations 1989 (available)



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