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Gazette**



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For *Government Gazette* published 3.30 pm Friday 29 December 1995,
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***Government Gazettes* will not be published on Tuesday 26 December 1995
or Tuesday 2 January 1996.**

PROCLAMATIONS

AA101

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

WESTERN AUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Phillip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
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DOLA File 1787/963.

UNDER Section 243 of the Transfer of Land Act 1893, I, the Governor acting with the advice and consent of the Executive Council, do hereby revest in Her Majesty as of her former estate, the land described as North Fremantle Lot 351 being the whole of the land comprised in Certificate of Title Volume 75 Folio 184A.

Given under my hand and the Seal of the State on 5 December 1995.

By His Excellency's Command,

GEORGE CASH, Minister for Lands.

GOD SAVE THE QUEEN !

AA102

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

WESTERN AUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Phillip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
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DOLA File 5735/950V19.

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

Schedule I

DOLA File	Description of Land	Certificate of Title Volume	Folio
2613/995	Lot 180 on Plan 18964. (now portion Cockburn Sound Location 4207)	2007	295
2613/995	Lot 218 on Plan 18964. (now portion Cockburn Sound Location 4207)	2007	299
2613/995	Lot 446 on Plan 18964. (now portion Cockburn Sound Location 4207)	2007	300
1506/995	Lot 102 on Diagram 85978. (now Cockburn Sound Location 4170)	1990	518
1535/995	Lot 423 on Diagram 29752. (now Cockburn Sound Location 4175)	1163	730
1528/995	Lot 112 on Plan 18000. (now Cockburn Sound Location 4171)	1911	188
1493/995	Lot 1 on Plan 17242. (now Cockburn Sound Location 4174)	1867	613
1431/995	Lot 3 on Diagram 79222. (now Peel Estate Lot 1398)	1913	966
4074/989	Lot 2 on Plan 17237. (now Cockburn Sound Location 4169)	1864	258
1310/995	Lot 100 on Diagram 77643. (now Cockburn Sound Location 4167)	1878	755

Schedule II

DOLA File	Description of Land
1982/995	Portion of Swan Location 28 being the land coloured brown and marked Pedestrian Accessway abutting Lot 197 on Plan 11818 and being part of the land comprised in Certificate of Title Volume 1458 Folio 317.
707/995	Portion of Swan Location I being the land coloured brown and marked Pedestrian Accessway abutting Lots 858 and 832 on Plan 10780 and being part of the land comprised in Certificate of Title Volume 1429 Folio 550.
1260/994	Portion of Swan Location 2599 being the land coloured brown and marked Pedestrian Accessway abutting Lots 122 and 123 on Plan 10957 and being part of the land comprised in Certificate of Title Volume 1386 Folio 710.

Given under my hand and the Seal of the State on 5 December 1995.

By His Excellency's Command,

GEORGE CASH, Minister for Lands.

GOD SAVE THE QUEEN !

AA103

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

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

DOLA File 5735/950V20.

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

Schedule I

DOLA File	Description of Land	Certificate of Title	
		Volume	Folio
1475/995	Lot 467 on Plan 19778. (now Swan Location 12346)	2005	434
834/995	Lot 109 on Plan 19539. (now Swan Location 12356)	1989	586
1412/995	Lot 150 on Plan 17024. (now Swan Location 12369)	1853	848
1401/995	Lot 545 on Plan 12971. (now Swan Location 12353)	1547	301
1396/995	Lot 886 on Plan 19280. (now Swan Location 12360)	1978	443
1394/995	Lot 671 on Plan 18820. (now Swan Location 12358)	1946	143
1421/995	Lot 170 on Plan 19612. (now Swan Location 12348)	1997	266
984/995	Lot 202 on Diagram 56727. (now Swan Location 12378)	1813	897
1403/995	Lot 68 on Plan 16710. (now Swan Location 12350)	1828	65

Given under my hand and the Seal of the State on 5 December 1995.

By His Excellency's Command,

GEORGE CASH, Minister for Lands.

GOD SAVE THE QUEEN !

AA104

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

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

DOLA File 5735/950V21.

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

Schedule I

DOLA File	Description of Land	Certificate of Title	
		Volume	Folio
2340/995	Lot 22 on Diagram 88577. (now Wellington Location 5742)	2047	489
856/995	Lot 248 on Plan 17992. (now Swan Location 12256)	1902	550
2151/995	Lot 115 on Plan 20600. (now Esperance Lot 939)	2034	827
1436/993	Lot 451 on Diagram 79904. (now Swan Location 12339)	2009	707
924/939	Norseman Lot 201. (now Norseman Lot 1821)	1317	194
1710/914	Harrismith Lot 5. (now Harrismith Lot 43)	1019	473
664/979V2	Portion of Wellington Location 1 and being part of Lot 14 on Diagram 28693.	1848	553
1177/947	Portion of Avon Location 441 on Diagram 112	55	130

Schedule II

DOLA File	Description of Land
1974/995	Portions of Kwinana Lot A748 being the land coloured brown and marked Pedestrian Accessway abutting Lots 678, 682 and 683 on Plan 9477 and being the balance of the land on Certificate of Title Volume 297 Folio 74A. (now Kwinana Lots 365 and 366)

Given under my hand and the Seal of the State on 5 December 1995.

By His Excellency's Command,

GEORGE CASII, Minister for Lands.

GOD SAVE THE QUEEN !

AA105

TRANSFER OF LAND ACT 1893
TRANSFER OF LAND (REVESTMENT)

PROCLAMATION

WESTERN AUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
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DOLA File 5735/950V26.

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

Schedule I

DOLA File	Description of Land	Certificate of Title Volume	Folio
599/995	Lot 4 on Plan 17901. (now Sussex Location 5006)	1893	322
599/995	Lot 3 on Plan 17901. (now Sussex Location 5005)	1893	321
2805/994	Lot 464 on Plan 8766. (now Swan Location 12094)	89	77A
1601/985	Lot 30 on Diagram 68237. (now Swan Location 12450)	1700	666
1601/985	Lot 41 on Diagram 68887. (now Swan Location 12069)	1720	495
2709/994	Lot 151 on Plan 17025. (now Swan Location 12067)	1855	699
2796/994	Lot 462 on Plan 8767. (now Swan Location 12084)	95	72A
2795/994	Lot 463 on Plan 8767. (now Swan Location 12083)	95	72A
2806/994	Lot 466 on Plan 8766. (now Swan Location 12095)	89	77A

Schedule II

DOLA File	Description of Land
2798/994.	Portion of Swan Location Q1 being the land coloured blue and marked Drain Reserve on Plan 8767 and being part of the land comprised in Certificate of Title Volume 95 Folio 72A. (now Swan Locations 12085 and 12093 inclusive).

Given under my hand and the Seal of the State on 5 December 1995.

By His Excellency's Command,

GEORGE CASH, Minister for Lands.

GOD SAVE THE QUEEN !

AA106

LAND ACT 1933
CLASSIFICATION OF RESERVED LANDS

PROCLAMATION

WESTERN AUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
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DOLA File 3879/964V2.

UNDER Section 31 of the Land Act 1933, I, His Excellency the Governor acting with the advice and consent of the Executive Council, hereby classify as of Class "A" Reserve No. 43961 Comprising Nelson Location 13480 with an area of 1221.2013 hectares for the designated purpose of "National Park and Water".

Local Authority—Shire of Manjimup.

Reserve 43961 is automatically vested in the National Parks and Nature Conservation Authority pursuant to Section 7 of CALM Act 1984.

Given under my hand and the Seal of the State on 5 December 1995.

By His Excellency's Command,

GEORGE CASH, Minister for Lands.

GOD SAVE THE QUEEN !

AA107

LAND ACT 1933
CLASSIFICATION OF RESERVED LANDS
PROCLAMATION

WESTERNAUSTRALIA P. M. Jeffery, Governor (L.S.)	}	By His Excellency Major General Philip Michael Jeffery, Officer of the Order of Australia, Military Cross, Governor of the State of Western Australia.
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DOLA File 114/950V2.

UNDER Section 31(1)(a) of the Land Act 1933, I, the Governor acting with the advice and consent of the Executive Council, hereby classify as of Class "A" Reserve No. 23043 Comprising Esperance Locations 704, 1943 and 2065 with an area of 99.3912 hectares for the designated purpose of "Preservation, Recreation and Parkland".

Local Authority—Shire of Esperance.

Given under my hand and the Seal of the State on 5 December 1995.

By His Excellency's Command,

GEORGE CASH, Minister for Lands.

GOD SAVE THE QUEEN !

HEALTH

HE301

HEALTH ACT 1911

PIGGERIES AMENDMENT REGULATIONS (NO. 3) 1995

Made by the deputy of the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Piggeries Amendment Regulations (No. 3) 1995*.

Schedule amended

2. The Schedule to the *Piggeries Regulations 1952** is amended under the heading "Parts of Municipal Districts" by inserting after the item commencing "Dundas" the following item —

“

Esperance — The whole of the Shire with the exception of —

- (1) all land contained within a 20 kilometre radius of the Esperance Post Office; and
- (2) all land contained within the townsite, and for a 3 kilometres radius to the outermost extremity of the townsite boundaries of Salmon Gums, Cascade, Grass Patch, Scaddan, Condingup and Coomalbidgup.

”

[* Reprinted as at 10 October 1988.

For amendments to 9 October 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 135, and Gazette of 31 March and 25 July 1995.]

By Command of the deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

HE401**HOSPITALS AND HEALTH SERVICES ACT 1927**

HOSPITALS AND HEALTH SERVICES (APPOINTMENT OF MEMBERS) NOTICE (No. 15) 1995
Made by His Excellency the Governor in Executive Council under section 15.

1. This notice may be cited as the *Hospitals and Health Services (Appointment of Members) Notice (No. 15) 1995*.

2. The board of a public hospital the name of which is specified in column 1 of the Schedule is to include the persons whose names are specified opposite and corresponding to the name of the hospital in column 2 of the Schedule each of whom is appointed to hold office as member for the period ending at the close of business on the date specified opposite and corresponding to his or her name in column 3 of the Schedule.

Schedule		
Column 1 Name of Hospital	Column 2 Member	Column 3 Expiry Date
Avon Health Service	David Stanley	30 September 1998
	Rod Garlett	30 September 1998
	Paul Monger	30 September 1998
	David Singe	30 September 1997
	Richard Doye	30 September 1997
	Geoff Ludemann	30 September 1997
	Jan Smith	30 September 1996
	Malcolm Bennett	30 September 1996
	Carolyn Smart	30 September 1996

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

HE402**HOSPITALS AND HEALTH SERVICES ACT 1927****HOSPITAL BOARDS (NORTHAM AND YORK) RE-ORGANISATION NOTICE 1995**

Given by His Excellency the Governor in Executive Council under section 16 of the Hospitals and Health Services Act 1927.

Citation

1. This notice may be cited as the *Hospital Boards (Northam and York) Re-organisation Notice 1995*.

Commencement

2. This notice is to take effect on 1 January 1996.

Amalgamation of boards

3. The board of the Northam Regional Hospital and the board of the York District Hospital are re-organised by amalgamating the boards to form a new board.

Assignment of corporate name

4. (1) The corporate name assigned to the new board formed under clause 3 is "Avon Health Service".

(2) The Avon Health Service is constituted as the board in relation to the following public hospitals—

Northam Regional Hospital
York District Hospital.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

HE403**OPTOMETRISTS ACT 1940**

Health Department of WA,
Perth, 5 December 1995.

92-01092, Ex Co No. 1352.

His Excellency the Governor in Executive Council has appointed under the provisions of the Optometrists Act 1940 Susan Wilson as Chairperson of the Optometrists Registration Board, for the period ending 30 November 1998.

ALAN BANSEMER, Commissioner of Health.

HE404**POISONS ACT 1964**

Health Department of WA,
Perth, 5 December 1995.

95-00502, Ex Co No. 1353.

His Excellency the Governor in Executive Council has appointed under the provisions of the Poisons Act 1964 Donald G. Nickels, Ian C. Hamilton and Ian Crawford as members and Alan M. Sier, Bruce N. C. Campbell and Kevin Chatfield as deputy members of the Poisons Advisory Committee for the period ending 5 November 1998.

ALAN BANSEMER, Commissioner of Health.

HE405**HEALTH ACT 1911**

Health Department of WA,
Perth, 30 November 1995.

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

Officer	Date Effective	Local Authority
Ian Watt	8 November 1995	Shire of Murray
Michael James Murtha	6 November 1995	City of Gosnells
Phillip Gerard Oorjitham	13 November 1995	City of Melville
George Stark	13 November 1995 to 15 December 1995	Murchison Regional Health Scheme
Eric Desmond Howard	13 November 1995 to 10 May 1996	Shire of Denmark
John William Burton	27 November 1995 to 1 December 1995	Shire of Esperance
John William Burton	9 October 1995 to 20 October 1995	Shire of Esperance

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

Officer	Date Effective	Local Authority
Gillian Parton	17 November 1995	City of Stirling
Kenneth Dudley Powell	21 April 1995	Shire of Esperance

BRIAN DEVINE, delegate of Executive Director, Public Health.

LAND ADMINISTRATION

LA201

LAND ACT 1933
ORDERS IN COUNCIL
(Vesting of Reserves)

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

DOLA File 640/895Dup.

Class "B" Reserve No 3753 (Bunbury Lot 690) vested in the City of Bunbury for "Community Purposes" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

DOLA File 2139/915.

Reserve No 16289 (Ninghan Location 4320) vested in the Water Authority of Western Australia for the designated purpose of "Water".

Local Authority—Shire of Mount Marshall.

DOLA File 4036/929.

Reserve No 20418 (Sussex Location 5008) vested in the Shire of Busselton for the designated purpose of "Landscape Protection".

DOLA File 2442/954.

Reserve No 22528 (Geraldton Lot 693) vested in the Minister for Education for the designated purpose of "School Site (Kindergarten)" with power, to lease the whole or any portion thereof for any term.

Local Authority—City of Geraldton.

DOLA File 114/950V2.

Class "A" Reserve No 23043 (Esperance Locations 704, 1943 and 2065) vested in the Shire of Esperance for the designated purpose of "Preservation, Recreation and Parkland".

DOLA File 491/969.

Reserve No 29751 (Kununurra Lots 988 and 989) vested in the Shire of Wyndham-East Kimberley for the designated purpose of "Depot Site".

DOLA File 2393/967.

Reserve No 29985 (Port Hedland Lots 1448 and 1797) vested in the Water Authority of Western Australia for the designated purpose of "Water Supply and Construction Depot".

Local Authority—Town of Port Hedland.

DOLA File 4091/968V2.

Reserve No 33549 (Lancelin Lot 1022) vested in the Shire of Gingin for the designated purpose of "Recreation" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

DOLA File 537/978.

Reserve No 35947 (Mount Magnet Lot 404) vested in the Mt. Magnet Historical Society Incorporated for the designated purpose of "Historical Buildings".

Local Authority—Shire of Mount Magnet.

DOLA File 3231/978.

Reserve No 36138 (Kellerberrin Lot 412) vested in the Shire of Kellerberrin for the designated purpose of "Recreation".

DOLA File 1205/979V2.

Reserve No 36696 (Swan Location 11920) vested in the Honourable Graham Donald Keirath M.L.A., Minister for Health for the time being and his successors in Office for "Hospital, Community Health Centre and Health Purposes" with power, to lease the whole or any portion thereof for any term.

Local Authority—City of Wanneroo.

DOLA File 2664/983.

Reserve No 38685 (Canning Locations 3426, 3953 and 3984) vested in the City of Gosnells for the designated purpose of "Public Recreation".

DOLA File 1436/993.

Reserve No 42872 (Swan Locations 11911 and 12339) vested in the City of Wanneroo for the designated purpose of "Drainage".

DOLA File 1728/994.

Reserve No 43131 (Swan Locations 11942 and 11966) vested in the Swan Valley Nyungah Community Aboriginal Corporation for the designated purpose of "Use and Benefit of Aboriginal Inhabitants".

Local Authority—Shire of Swan.

DOLA File 2475/992

Class "A" Reserve No. 43161 (Swan Location 12019) vested in the City of Nedlands for the designated purpose of "Recreation and Conservation".

DOLA File 1206/994.

Reserve No 43172 (Parkeston Lots 18, 118, 119, 120, 122, 123 and 225) vested in the Aboriginal Lands Trust for the designated purpose of "Sewerage Treatment Works" with power, to lease the whole or any portion thereof for any term.

Local Authority—City of Kalgoorlie-Boulder.

DOLA File 599/995.

Reserve No 43432 (Sussex Locations 5005 and 5006) vested in the Shire of Augusta-Margaret River for the designated purpose of "Public Recreation".

DOLA File 2805/994.

Reserve No 43433 (Swan Location 12094) vested in the Town of Bassendean for the designated purpose of "Public Recreation".

DOLA File 1601/985.

Reserve No 43459 (Swan Locations 12069 and 12450) vested in the Town of Vincent for the designated purpose of "Public Recreation".

DOLA File 2709/994

Reserve No 43460 (Swan Location 12067) vested in the Shire of Swan for the designated purpose of "Public Recreation".

DOLA File 2796/994

Reserve No 43485 (Swan Location 12084) vested in the Town of Bassendean for the designated purpose of "Public Recreation".

DOLA File 2795/994

Reserve No 43486 (Swan Location 12083) vested in the Town of Bassendean for the designated purpose of "Public Recreation".

DOLA File 2806/994

Reserve No 43500 (Swan Location 12095) vested in the Town of Bassendean for the designated purpose of "Drainage".

DOLA File 2798/994.

Reserve No 43501 (Swan Locations 12085, 12086, 12087, 12088, 12089, 12090, 12091, 12092 and 12093) vested in the Town of Bassendean for the designated purpose of "Drainage".

DOLA File 1361/995.

Reserve No 43540 (Herdsman Lake Sub Lot 496) vested in the Western Australian Planning Commission for the designated purpose of "Public Recreation".

Local Authority—City of Stirling.

DOLA File 1431/995.

Reserve No 43833 (Peel Estate Lot 1398) vested in the Water Authority of Western Australia for the designated purpose of "Drainage".

Local Authority—Shire of Serpentine-Jarrahdale.

DOLA File 1506/995.

Reserve No 43835 (Cockburn Sound Location 4170) vested in the City of Mandurah for the designated purpose of "Public Recreation".

DOLA File 1528/995.

Reserve No 43836 (Cockburn Sound Location 4171) vested in the City of Mandurah for the designated purpose of "Public Recreation".

DOLA File 4074/989.

Reserve No 43837 (Cockburn Sound Location 4169) vested in the City of Mandurah for the designated purpose of "Public Recreation".

DOLA File 1310/995.

Reserve No 43838 (Cockburn Sound Location 4167) vested in the City of Mandurah for the designated purpose of "Public Recreation".

DOLA File 1535/995.

Reserve No 43839 (Cockburn Sound Location 4175) vested in the City of Mandurah for the designated purpose of "Public Recreation".

DOLA File 1493/995.

Reserve No 43840 (Cockburn Sound Location 4174) vested in the City of Mandurah for the designated purpose of "Public Recreation".

DOLA File 2340/995.

Reserve No 43953 (Wellington Location 5742) vested in the Shire of Harvey for the designated purpose of "Public Recreation".

DOLA File 1475/995.

Reserve No 43994 (Swan Location 12346) vested in the Shire of Swan for the designated purpose of "Public Recreation".

DOLA File 834/995.

Reserve No 43995 (Swan Location 12356) vested in the Shire of Swan for the designated purpose of "Public Recreation".

DOLA File 1412/995.

Reserve No 43996 (Swan Location 12369) vested in the Shire of Swan for the designated purpose of "Public Recreation".

DOLA File 1401/995.

Reserve No 43997 (Swan Location 12353) vested in the Shire of Swan for the designated purpose of "Public Recreation".

DOLA File 1396/995.

Reserve No 43998 (Swan Location 12360) vested in the Shire of Swan for the designated purpose of "Public Recreation".

DOLA File 1394/995.

Reserve No 43999 (Swan Location 12358) vested in the Shire of Swan for the designated purpose of "Public Recreation".

DOLA File 1421/995.

Reserve No 44000 (Swan Location 12348) vested in the Shire of Swan for the designated purpose of "Public Recreation".

DOLA File 984/983.

Reserve No 44001 (Swan Location 12378) vested in the Shire of Swan for the designated purpose of "Public Recreation".

DOLA File 1403/995.

Reserve No 44002 (Swan Location 12350) vested in the Shire of Swan for the designated purpose of "Public Recreation".

DOLA File 247/900V2.

Reserve No 44006 (Kookynie Lot 193) vested in the Kookynie Social Club Inc for "Community Purposes".

Local Authority—Shire of Menzies.

DOLA File 1098/991.

Reserve No 44008 (Gascoyne Location 457) vested in the Shire of Carnarvon for the designated purpose of "Pistol Club" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

DOLA File 2194/995.

Reserve No 44009 (Newman Lot 1333) vested in the Shire of East Pilbara for the designated purpose of "State Emergency Services Headquarters".

DOLA File 1974/995.

Reserve No 44010 (Kwinana Lot 365 and 366) vested in the Town of Kwinana for the designated purpose of "Pedestrian Accessway".

DOLA File 2518/995.

Reserve No 44011 (Broadwater Suburban Area Lot 35) vested in Telstra Corporation Limited for the designated purpose of "Telephone Exchange".

Local Authority—Shire of Busselton.

DOLA File 856/995.

Reserve No 44012 (Swan Location 12256) vested in the City of Wanneroo for the designated purpose of "Drainage".

DOLA File 2151/995.

Reserve No 44013 (Esperance Lot 939) vested in the Shire of Esperance for the designated purpose of "Public Recreation".

DOLA File 855/995.

Reserve No 44015 (Karratha Lot 1077) vested in the Water Authority of Western Australia for the designated purpose of "Sewerage Pumping Station".

Local Authority—Shire of Roebourne.

DOLA File 2200/995.

Reserve No 44016 (Kellerberrin Lot 429) vested in the Western Australian Fire Brigades Board for the designated purpose of "Fire Station Site".

Local Authority—Shire of Kellerberrin.

DOLA File 2613/995.

Reserve No 44018 (Cockburn Sound Location 4207) vested in the Water Authority of Western Australia for the designated purpose of "Water Supply".

Local Authority—City of Cockburn.

J. PRITCHARD, Clerk of the Council.

LA202

LAND ACT 1933 ORDERS IN COUNCIL (Revocations of Vestings)

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

DOLA File 640/895Dup.

Order in Council gazetted on 5 October 1990 vesting Class "B" Reserve No. 3753 (Bunbury Lot 690) in the City of Bunbury for the designated purpose of "Vehicle Parking".

DOLA File 2139/915.

Order in Council gazetted on 28 January 1916 vesting Reserve No. 16289 (Ninghan Location 1089) in The Honourable the Minister for Water Supply, Sewerage and Drainage for the designated purpose of "Water".

Local Authority—Shire of Mount Marshall.

DOLA File 903/943V3.

Order in Council gazetted on 18 April 1986 vesting Reserve No. 22501 (Canning Location 2008) in the Honourable Ian Frederick Taylor, M.L.A., Minister for Health for the time being and his successors in office for "Medical Research Purposes".

Local Authority—City of Gosnells.

DOLA File 2442/954.

Order in Council gazetted on 17 December 1971 vesting Reserve No. 22528 in the Town of Geraldton for the designated purpose of "School Site (Kindergarten)".

DOLA File 114/950V2.

Order in Council gazetted on 24 August 1993 vesting Reserve No. 23043 (Esperance Locations 704, 1943 and 2065) in the Shire of Esperance for "Recreation, Parkland and Tourist Purposes".

DOLA File 748/966.

Order in Council gazetted on 10 March 1967 vesting Reserve No. 28290 in the Shire of Belmont for the designated purpose of "Drainage".

DOLA File 4878/965.

Order in Council gazetted on 30 September 1977 vesting Reserve No. 28302 in the Minister for Community Welfare for the designated purpose of "Hostel (Department of Community Welfare)".

Local Authority—City of Stirling.

DOLA File 213/966.

Order in Council gazetted on 7 October 1977 vesting Reserve No. 28443 in the Minister for Community Welfare for the designated purpose of "Hostel Site (Department of Community Welfare)".

Local Authority—City of Stirling.

DOLA File 491/969.

Order in Council gazetted on 23 August 1994 vesting Reserve No. 29751 (Kununurra Lots 988 and 989) in the Bush Fires Board for the designated purpose of "Depot Site".

Local Authority—Shire of Wyndham-East Kimberley.

DOLA File 2393/967.

Order in Council gazetted on 26 September 1969 vesting Reserve No. 29985 in the Minister for Works for the designated purpose of "Water Supply and Construction Depot (Public Works Department)".

Local Authority—Town of Port Hedland.

DOLA File 1723/968.

Order in Council gazetted on 7 October 1988 vesting Reserve No. 30051 (Swan Location 8444) in the City of Belmont for the designated purpose of "Drainage".

DOLA File 135/967.

Order in Council gazetted on 1 July 1983 vesting Reserve No. 30743 (Swan Location 8567) in the City of Belmont for the designated purpose of "Drain".

DOLA File 2140/970.

Order in Council gazetted on 21 May 1971 vesting Reserve No. 30879 in the Minister for Native Welfare for the designated purpose of "Housing".

Local Authority—Shire of Menzies.

DOLA File 2757/973.

Order in Council gazetted on 12 August 1983 vesting Reserve No. 33106 (Ongerup Lot 228) in the Minister for Water Resources for the designated purpose of "Depot Site—P.W.D.".

Local Authority—Shire of Gnowangerup.

DOLA File 2064/978.

Order in Council gazetted on 10 April 1987 vesting Reserve No. 35491 (Swan Location 9840) in The Honourable Elsie Kay Hallahan, M.L.C., Minister for Community Services for the time being and her successors in Office for the designated purpose of "Hostel Site".

Local Authority—City of Stirling.

DOLA File 537/978.

Order in Council gazetted on 1 June 1993 vesting Reserve No. 35947 (Mount Magnet Lot 404) in the Mt. Magnet Historical Society Incorporated for the designated purpose of "Historical Buildings".

Local Authority—Shire of Mount Magnet.

DOLA File 1205/979V2.

Order in Council gazetted on 30 December 1994 vesting Reserve No. 36696 (Swan Location 11920) in the Honourable Peter Gilbert Da Conceicao Foss M.L.C., Minister for Health for the time being and his successors in Office for "Hospital, Community Health Centre and Health Purposes".

Local Authority—City of Wanneroo.

DOLA File 3231/978.

Order in Council gazetted on 6 July 1979 vesting Reserve No. 36138 in the Shire of Kellerberrin for the designated purpose of "Caravan Park".

DOLA File 2664/983.

Order in Council gazetted on 7 July 1995 vesting Reserve No. 38685 (Canning Locations 3426 and 3953) in the City of Gosnells for the designated purpose of "Public Recreation".

DOLA File 1436/993.

Order in Council gazetted on 8 February 1994 vesting Reserve No. 42872 (Swan Location 11911) in the City of Wanneroo for the designated purpose of "Drainage".

DOLA File 1728/994.

Order in Council gazetted on 22 July 1994 vesting Reserve No. 43131 (Swan Location 11942) in the Swan Valley Nyungah Community Aboriginal Corporation for the designated purpose of "Use and Benefit of Aboriginal Inhabitants".

Local Authority—Shire of Swan.

DOLA File 1206/994.

Order in Council gazetted on 20 September 1994 vesting Reserve No. 43172 (Parkeston Lots 18 and 118 to 123 inclusive) in the Aboriginal Lands Trust for the designated purpose of "Sewerage Treatment Works".

Local Authority—City of Kalgoorlie-Boulder.

DOLA File 1361/995.

Order in Council gazetted on 7 July 1995 vesting Reserve No. 43540 (Herdsman Lake Sub Lot 496) in the City of Stirling for the designated purpose of "Public Recreation".

DOLA File 1298/995.

Order in Council gazetted on 11 July 1995 vesting Reserve No. 43622 (Swan Location 12368) in the City of Belmont for the designated purpose of "Public Recreation".

J. PRITCHARD, Clerk of the Council.

LA401

SALE OF UNIVERSITY ENDOWMENT LANDS

Department of Land Administration,
Midland.

DOLA File: 7605/904V2.

It is hereby notified for general information that His Excellency the Governor in Executive Council has been pleased to approve under the provisions of the "University Endowment Act Amendment Act 1927" of the sale of portion of North Fremantle Lot 174 and being Lot 2 on Diagram 46839 being the whole of the land comprised in Certificate of Title Volume 1416 Folio 596.

A. A. SKINNER, Chief Executive.

LA402

PORT KENNEDY DEVELOPMENT ACT 1992

(No. 45 of 1992)

It is hereby notified that pursuant to the above Act assented to on 8 December, 1992, Reserve No. 20716 (Peel Estate) "Excepted from Sale" is hereby cancelled.

Public Plans: BG33 (10) 2.3, (2) 7.13, 7.14 and 7.15.

A. A. SKINNER, Chief Executive.

LA403

LAND ACT 1933

LAND (LEASE) ORDER

DOLA File 725/968.

Made by His Excellency the Governor under Section 33(3).

It is directed that Reserve No. 27101 (Plantagenet Locations 6917 and 7327) shall be leased for a term of twenty one (21) years to the Shire of Denmark for the designated purpose of "Livestock Sales and Produce Processing Site" subject to the condition that the land shall not be subleased or mortgaged in whole or in part without the consent of the Governor.

J. PRITCHARD, Clerk of the Council.

LA404**LAND ACT 1933**
AMENDMENT OF CLASS 'A' RESERVE

Made by His Excellency the Governor under Section 31(4).

The following reserve has been amended.

DOLA File 2847/991.

Reserve No 23172 (Murray District) "Camping" to comprise Location 2010 as surveyed and shown bordered red on Land Administration Plan 19028 in lieu of Locations 1246 and 1460 and of its area being increased (recalculated) to 58.7769 hectares accordingly.

Public Plan: Hamel NW (25).

Local Authority—Shire of Waroona.

A. A. SKINNER, Chief Executive.

LA405**LAND ACT 1933**
Brunswick Junction Townsite
AMENDMENT OF BOUNDARIES

DOLA File 5370/897V2.

His Excellency the Governor in Executive Council has been pleased to approve, under Section 10 of the Land Act 1933 of the amendment of the boundaries of Brunswick Junction Townsite to include the area described in the Schedule hereunder.

Schedule

All that portion of land bounded by lines starting from the westernmost southwestern corner of the southwestern severance of Lot 25 of Wellington Location 1, as shown on Land Titles Office Diagram 84484, a point on a present northwestern boundary of Brunswick Junction Townsite and extending northeasterly and easterly along the northwestern and northern boundaries of that severance and onwards to a southwestern boundary of the northeastern severance of Lot 24, as shown on Land Titles Office Diagram 84483, a point on a present southwestern boundary of Brunswick Junction Townsite and thence southeasterly, southwesterly, northwesterly and again southwesterly along boundaries of that townsite to the starting point.

Public Plan: BG30 (2) 13.40.

A. A. SKINNER, Chief Executive.

LA406**LAND ACT 1933**
Wungong Townsite
AMENDMENT OF BOUNDARIES

DOLA File 6103/907V2.

His Excellency the Governor in Executive Council has been pleased to approve, under Section 10 of the Land Act 1933 of the amendment of the boundaries of Wungong Townsite to exclude the land shown bordered blue on Land Administration Diagram 92234.

Public Plan: BG33 (2) 22.40.

A. A. SKINNER, Chief Executive.

LA701**LAND ACT 1933**
RESERVATION NOTICES

Made by His Excellency the Governor under Section 29.

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

DOLA File 599/995.

Reserve No. 43432 comprising Sussex Locations 5005 and 5006 (formerly Lots 3 and 4 on Plan 17901 respectively) with an area of 1.4602 hectares. for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BF 29 (10) 2:1. Caves Road.

Local Authority—Shire of Augusta-Margaret River.

DOLA File 2805/994.

Reserve No. 43433 comprising Swan Location 12094 (formerly Lot 464 on Plan 8766) with an area of 2856 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG 34 (1) 35.61. Carman Way.

Local Authority—Town of Bassendean.

DOLA File 2709/994.

Reserve No. 43460 comprising Swan Location 12067 (formerly Lot 151 on Plan 17025) with an area of 7.1157 hectares. for the designated purpose of "Public Recreation".

Section 20 A.

Public Plan: BG34 (2) 17.34 and 17.35. Lawrence Drive.

Local Authority—Shire of Swan.

DOLA File 1601/985.

Reserve No. 43459 comprising Swan Locations 12069 (formerly Lot 41 on Diagram 68887) and 12450 (formerly Lot 30 on Diagram 68237) with an area of 8503 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plans: BG34 (1) 28.51 and 28.52. Near Joel Terrace.

Local Authority—Town of Vincent.

DOLA File 2796/994.

Reserve No. 43485 comprising Swan Location 12084 (formerly Lot 462 on Plan 8767) with an area of 2286 square metres. for the designated purpose of "Public Recreation".

Section 20 A.

Public Plan: BG34 (1) 35 : 60. Mann Way.

Local Authority—Town of Bassendean.

DOLA File 2795/994.

Reserve No. 43486 comprising Swan Location 12083 (formerly Lot 463 on Plan 8767) with an area of 1659 square metres for the designated purpose of "Public Recreation".

Section 20 A.

Public Plan: BG 34 (1) 35 : 60. Parmelia Way.

Local Authority—Town of Bassendean.

DOLA File 2806/994.

Reserve No. 43500 comprising Swan Location 12095 (formerly Lot 466 on Plan 8766) with an area of 1581 square metres for the designated purpose of "Drainage".

Section 20 A.

Public Plan: BG 34 (1) 35 : 61. Ireland Way.

Local Authority—Town of Bassendean.

DOLA File 2798/994.

Reserve No. 43501 comprising Swan Locations 12085, 12086, 12087, 12088, 12089, 12090, 12091, 12092 and 12093 (formerly the land coloured blue and marked Drain Reserve on Plan 8767) with an area of 1.8654 hectares for the designated purpose of "Drainage".

Section 20 A.

Public Plans: BG34(1) 35.60, 35.61 and 36.60. Penzance and Ivanhoe Streets, Anzac Terrace and Broadway.

Local Authority—Town of Bassendean.

DOLA File 2134/995.

Reserve No. 43778 comprising Nelson Location 13476 with an area of 4047 square metres on Land Administration Reserve Diagram 1355 for the designated purpose of "Trigonometrical Station".

Public Plan: Wainbup SE (25).

Local Authority—Shire of Manjimup.

DOLA File 1431/995.

Reserve No. 43833 comprising Peel Estate Lot 1398 (formerly Lot 3 on Diagram 79222) with an area of 4826 square metres for the designated purpose of "Drainage".

Section 20A.

Public Plan: BG33 (2) 07.13. Gossage Road.

Local Authority—Shire of Serpentine-Jarrahdale.

DOLA File 1506/995.

Reserve No. 43835 comprising Cockburn Sound Location 4170 (formerly Lot 102 on Diagram 85978) with an area of 1067 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG32 (2) 05.40. Near Leslie Street.

Local Authority—City of Mandurah.

DOLA File 1528/995.

Reserve No. 43836 comprising Cockburn Sound Location 4171 (formerly Lot 112 on Plan 18000) with an area of 6795 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG33 (2) 08.01. Kookaburra Drive.

Local Authority—City of Mandurah.

DOLA File 4074/989.

Reserve No. 43837 comprising Cockburn Sound Location 4169 (formerly Lot 2 on Plan 17237) with an area of 1.3980 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG33 (2) 08.01. Misty Meander.

Local Authority—City of Mandurah.

DOLA File 1310/995.

Reserve No. 43838 comprising Cockburn Sound Location 4167 (formerly Lot 100 on Diagram 77643) with an area of 365 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG33 (2) 07.02. Delmont Place.

Local Authority—City of Mandurah.

DOLA File 1535/995.

Reserve No. 43839 comprising Cockburn Sound Location 4175 (formerly Lot 423 on Diagram 29752) with an area of 2.2207 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG33 (2) 8.01 and 9.01. Koolyanga Place South.

Local Authority—City of Mandurah.

DOLA File 1493/995.

Reserve No. 43840 comprising Cockburn Sound Location 4174 (formerly Lot 1 on Plan 17242) with an area of 3878 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG32 [2] 07.40. Pinjarra Road.

Local Authority—City of Mandurah.

DOLA File 2340/995.

Reserve No. 43953 comprising Wellington Location 5742 (formerly Lot 22 on Diagram 88577) with an area of 6439 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG30 (2) 06.37. Kingfisher Terrace.

Local Authority—Shire of Harvey.

DOLA File 3879/964V2.

Reserve No. 43961 comprising Nelson Location 13480 with an area of 1221.2013 hectares on Land Administration Miscellaneous Diagram 571 for the designated purpose of "National Park and Water".

Public Plans: Wainbup SE (25), Saddle Island NW (25) and Deep River SW (25).

Local Authority—Shire of Manjimup.

DOLA File 1475/995.

Reserve No. 43994 comprising Swan Location 12346 (formerly Lot 467 on Plan 19778) with an area of 4884 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG34 (5) 07.15. Kalkite Close.

Local Authority—Shire of Swan.

DOLA File 834/995.

Reserve No. 43995 comprising Swan Location 12356 (formerly Lot 109 on Plan 19539) with an area of 5.9581 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plans: BG34 (1) 46.67 and 47.67. Tatlock Way.

Local Authority—Shire of Swan.

DOLA File 1412/995.

Reserve No. 43996 comprising Swan Location 12369 (formerly Lot 150 on Plan 17024) with an area of 8094 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG34 (1) 34.68. Ribble Place.

Local Authority—Shire of Swan.

DOLA File 1401/995.

Reserve No. 43997 comprising Swan Location 12353 (formerly Lot 545 on Plan 12971) with an area of 724 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG34 (1) 27.76. Parkview Drive.

Local Authority—Shire of Swan.

DOLA File 1396/995.

Reserve No. 43998 comprising Swan Location 12360 (formerly Lot 886 on Plan 19280) with an area of 3576 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG34 (1) 47.69. Cockman Cross.

Local Authority—Shire of Swan.

DOLA File 1394/995.

Reserve No. 43999 comprising Swan Location 12358 (formerly Lot 671 on Plan 18820) with an area of 3653 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plans: BG34 (1) 47.68 and 47.69. Bombay Entrance.

Local Authority—Shire of Swan.

DOLA File 1421/995.

Reserve No. 44000 comprising Swan Location 12348 (formerly Lot 170 on Plan 19612) with an area of 1.0515 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: BG34 (2) 18.33. Beckworth Avenue.

Local Authority—Shire of Swan.

DOLA File 984/983.

Reserve No. 44001 comprising Swan Location 12378 (formerly Lot 202 on Diagram 56727) with an area of 6175 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plans: BG34 (1) 27.77 and 28.77. Alexander Drive.

Local Authority—Shire of Swan.

DOLA File 1403/995.

Reserve No. 44002 comprising Swan Location 12350 (formerly Lot 68 on Plan 16710) with an area of 1.2025 hectares for the designated purpose of "Public Recreation".

Section 20A.

Public Plans BG34 (1) 37.65 and 37.66. Valley Brook Road.

Local Authority—Shire of Swan.

DOLA File 2587/986.

Reserve No. 44003 comprising Dalwallinu Lot 347 with an area of 1012 square metres on Land Administration Plan 9872 for the designated purpose of "Use and Requirements of the Government Employees Housing Authority".

Public Plan: BH39 (2) 20.10. Bell Street.

Local Authority—Shire of Dalwallinu.

DOLA File 247/900V2.

Reserve No. 44006 comprising Kookynie Lot 193 with an area of 8498 square metres on Land Administration Plan Kookynie 197/2 for "Community Purposes".

Public Plan: CF41 (2) 29.34. Champion Street.

Local Authority—Shire of Menzies.

DOLA File 2894/995.

Reserve No. 44007 comprising Merredin Lot 861 with an area of 1062 square metres on Land Administration Plan 6090 for the designated purpose of "Use and Requirements of the Minister for Works".

Public Plan: BK35 (2) 37.36. Endersbee Street.

Local Authority—Shire of Merredin.

DOLA File 1098/991.

Reserve No. 44008 comprising Gascoyne Location 457 with an area of 7.1447 hectares on Land Administration Plan 18083 for the designated purpose of "Pistol Club".

Public Plan: AN54 (10) 3.1. North West Coastal Highway.

Local Authority—Shire of Carnarvon.

DOLA File 2194/995.

Reserve No. 44009 comprising Newman Lot 1333 with an area of 4005 square metres on Land Administration Plan 14564 for the designated purpose of "State Emergency Services Headquarters".

Public Plan: BN58 (2) 15.15. Newman Drive.

Local Authority—Shire of East Pilbara.

DOLA File 1974/995.

Reserve No. 44010 comprising Kwinana Lots 365 and 366 (formerly the land marked Pedestrian Accessway on Plan 9477) with an area of 1184 square metres for the designated purpose of "Pedestrian Accessway".

Public Plan: BG33 (2) 11.33. Gamble Place and Powell Court.

Local Authority—Town of Kwinana.

DOLA File 2518/995.

Reserve No. 44011 comprising Broadwater Suburban Area Lot 35 with an area of 192 square metres on Land Administration Diagram 92170 for the designated purpose of "Telephone Exchange".

Public Plan: BF29 (2) 22.35. Bussell Highway.

Local Authority—Shire of Busselton.

DOLA File 856/995.

Reserve No. 44012 comprising Swan Location 12256 (formerly Lot 248 on Plan 17992) with an area of 2434 square metres for the designated purpose of "Drainage".

Section 20A.

Public Plan: BG35 (1) 11.19. Kilmory Grove.

Local Authority—City of Wanneroo.

DOLA File 2151/995.

Reserve No. 44013 comprising Esperance Lot 939 (formerly Lot 115 on Plan 20600) with an area of 2448 square metres for the designated purpose of "Public Recreation".

Section 20A.

Public Plan: CG29 (2) 16.12. Eagle Court.

Local Authority—Shire of Esperance.

DOLA File 2406/914V2.

Reserve No. 44014 comprising Merredin Lot 249 with an area of 1012 square metres for the designated purpose of "Use and Requirements of the Government Employees Housing Authority".

Public Plan: BK35 (2) 36.37. Duff Street.

Local Authority—Shire of Merredin.

DOLA File 855/995.

Reserve No. 44015 comprising Karratha Lot 1077 with an area of 2304 square metres on Land Administration Plan 11475 for the designated purpose of "Sewerage Pumping Station".

Public Plan: BG65 (2) 31.28. Searipple Road.

Local Authority—Shire of Roebourne.

DOLA File 2200/995.

Reserve No. 44016 comprising Kellerberrin Lot 429 with an area of 2154 square metres on Land Administration Diagram 92165 for the designated purpose of "Fire Station Site".

Public Plan: BK35 (2) 03.20. North Railway Road.

Local Authority—Shire of Kellerberrin.

DOLA File 1651/979.

Reserve No. 44017 comprising Condingup Lots 38 and 85 with an area of 2024 square metres on Land Administration Plan 8830 for the designated purpose of "Use and Requirements of the Government Employees Housing Authority".

Public Plan: CH29 (2) Pts 13.25, 13.26, 14.25 and 14.26. Carey and Sutcliffe Streets.

Local Authority—Shire of Esperance.

DOLA File 2613/995.

Reserve No. 44018 comprising Cockburn Sound Location 4207 (formerly Lots 180, 218 and 446 on Plan 18964) with an area of 394 square metres for the designated purpose of "Water Supply".

Section 20A.

Public Plan: BG34 (2) 10.09. Sudlow Road

Local Authority—City of Cockburn.

A. A. SKINNER, Chief Executive.

LA801**LAND ACT 1933****AMENDMENT OF RESERVES**

Made by His Excellency the Governor under Section 37.

The following reserves have been amended.

DOLA File 1988/935.

Reserve No 772 (Broadwater Suburban Lot 31) "Water Supply" to exclude that portion containing 192 square metres now comprised in Lot 35 as surveyed and shown bordered red on Land Administration Diagram 92170 and of its area being reduced to 2.4933 hectares accordingly.

Public Plan: BF29 (2) 22.35. Bussell Highway.

Local Authority—Shire of Busselton.

DOLA File 11763/904V2.

Reserve No 9699 (Malcolm, Erivilla, Kyarra, Thaduna, Nabberu and Kaluwiri Districts) "Peak Hill-Leonora Stock Route" to exclude that portion containing 112 square metres now comprised in Malcolm Location 14 as shown delineated and bordered red on Land Administration Reserve Diagram 983 and of its area being reduced by 112 square metres accordingly.

Public Plan: Leonora Regional (25). Leonora-Nambi Road.

Local Authority—Shire of Leonora.

DOLA File 9809/909V2.

Reserve No 12408 (Murray District) "Camping" to comprise Location 2010 as surveyed and shown bordered red on Land Administration Plan 19028 in lieu of Location 453 and of its area being reduced (recalculated) to 5.8465 hectares accordingly.

Public Plan: Hamel NW (25).

Local Authority—Shire of Waroona.

DOLA File 2139/915.

Reserve No 16289 (Ninghan District) "Water" to comprise Location 4320 as shown delineated and bordered red on Land Administration Reserve Diagram 1365 in lieu of Location 1089 and of its area being increased (recalculated) to 9599 square metres accordingly.

Public Plan: Lake Wallambin NW (25).

Local Authority—Shire of Mount Marshall.

DOLA File 6373/926.

Reserve No 19555 (Ninghan District) "Recreation" to comprise Location 4321 as shown delineated and bordered red on Land Administration Reserve Diagram 1366 in lieu of 1089 and of its area being reduced (recalculated) to 28.9868 hectares accordingly.

Public Plan: Lake Wallambin NW (25).

Local Authority—Shire of Mount Marshall.

DOLA File 4036/929.

Reserve No 20418 (Sussex District) "Recreation" to comprise Location 5008 as surveyed and shown bordered red on Land Administration Diagram 92185 in lieu of Location 1572 and of its area being reduced to 2.7500 hectares accordingly.

Public Plan: Cowaramup NW (25). Metricup Road.

Local Authority—Shire of Busselton.

DOLA File 541/945.

Reserve No 22681 (De Witt District) "Use and Benefit of Aborigines" to comprise Location 16 as shown delineated and bordered red on Land Administration Reserve Diagram 1232 and of its area remaining unaltered.

Public Plan: Roebourne NE (25).

Local Authority—Shire of Roebourne.

DOLA File 5331/952.

Reserve No 24076 (Merredin Lots 829, 830, 842, 843, 847, 856, 861, 869, 870, 874 and 875) "Railway Purposes" to exclude Lot 861 and of its area being reduced to 1.0321 hectares accordingly.

Public Plan: BK35 (2) 37.36. Endersbee Street.

Local Authority—Shire of Merredin.

DOLA File 2070/992.

Reserve No 26908 (at Lancelin) "Recreation" to comprise Lot 192 as delineated and shown bordered red on Land Administration Reserve Diagram 1360 and of its area being established at 1.8220 hectares accordingly.

Public Plan: BF37 (2) 21.08. Cockram Street.

Local Authority—Shire of Gingin.

DOLA File 2393/967.

Reserve No 29985 (Port Hedland Lots 1000, 1448 and 1797) "Water Supply and Construction Depot (Public Works Department)" to exclude Lot 1000 and of its area being reduced to 2.3396 hectares accordingly.

Public Plans: BL66 (2) 24.27 and 25.27. Anthill Street.

Local Authority—Town of Port Hedland.

DOLA File 3231/978.

Reserve No 36138 (Kellerberrin Lot 412) "Caravan Park" to exclude that portion containing 2154 square metres now comprised in Lot 429 as surveyed and shown bordered red on Land Administration Diagram 92165 and of its area being reduced to 2.0299 hectares accordingly.

Public Plan: BK35 (2) 03.20. North Railway Road.

Local Authority—Shire of Kellerberrin.

DOLA File 2664/983.

Reserve No 38685 (Canning Locations 3426 and 3953) "Public Recreation" to include Location 3984 (formerly Lot 188 on Plan 11952) and of its area being increased to 3.8974 hectares accordingly.

Public Plan: BG34 (1) 40.21. Jenkinson Street.

Local Authority—City of Gosnells.

DOLA File 1436/993.

Reserve No 42872 (Swan Location 11911) "Drainage" to include Location 12339 (formerly Lot 451 the subject of Diagram 79904) and of its area being increased to 5513 square metres accordingly.

Public Plan: BG35 (2) 10.03. Ocean Reef Road.

Local Authority—City of Wanneroo.

DOLA File 1728/994.

Reserve No 43131 (Swan Location 11942) "Use and Benefit of Aboriginal Inhabitants" to include Location 11966 as surveyed and shown bordered red on Land Administration Plan 18524 and of its area being increased to 8.8777 hectares accordingly.

Public Plans: BG34 (2) 19.32 and 19.33. Lord Street.

Local Authority—Shire of Swan.

DOLA File 1206/994.

Reserve No 43172 (at Parkeston) "Sewerage Treatment Works" to comprise Lots 18, 118, 119, 120, 122, 123 and 225 (formerly Parkeston Lot 121) on Land Administration Plan 220/2 and of its area remaining unaltered.

Public Plans: CF37 (2) 30.39 and 31.39. Bannerman Street.

Local Authority—City of Kalgoorlie-Boulder.

A. A. SKINNER, Chief Executive.

LA901

LAND ACT 1933

CHANGE OF PURPOSE OF RESERVES

Made by His Excellency the Governor under Section 37.

The purpose of the following reserves have been changed.

DOLA File 640/895Dup.

Class "B" Reserve No 3753 (Bunbury Lot 690) being changed from "Vehicle Parking" to "Community Purposes".

Public Plan: BF30 (2) 01.32. Arthur Street.

Local Authority—City of Bunbury.

DOLA File 4036/929.

Reserve No 20418 (Sussex Location 5008) being changed from "Recreation" to "Landscape Protection".

Public Plan: Cowaramup NW (25). Metricup Road.

Local Authority—Shire of Busselton.

DOLA File 903/943V3.

Reserve No 22501 (Canning Location 2008) being changed from "Medical Research Purposes" to "Use and Requirements of the Minister for Works".

Public Plans: BG34 (2) 20.17 and 20.18. Grove Road.

Local Authority—City of Gosnells.

DOLA File 114/950V2.

Reserve No 23043 (Esperance Locations 704, 1943 and 2065) being changed from "Recreation, Parkland and Tourist Purposes" to "Preservation, Recreation and Parkland".

Public Plan: CG29 (10) 3.4. Telegraph Road.

Local Authority—Shire of Esperance.

DOLA File 2797/991.

Reserve No 23175 (Manjimup Lot 529) being changed from "Railway Housing" to "Use and Requirements of the Minister for Works".

Public Plan: BG28 (2) 31.11. Clark Street.

Local Authority—Shire of Manjimup.

DOLA File 4878/965.

Reserve No 28302 (North Beach Lot 687) being changed from "Hostel (Department of Community Welfare)" to "Use and Requirements of the Minister for Works".

Public Plan: BG34 (2) 07.35. Waxham Place.

Local Authority—City of Stirling.

DOLA File 213/966.

Reserve No 28443 (Swan Location 8182) being changed from "Hostel Site (Department of Community Welfare)" to "Use and Requirements of the Minister for Works".

Public Plan: BG34 (2) 12.31. Villiers Street.

Local Authority—City of Stirling.

DOLA File 4773/965.

Reserve No 29438 (Fitzgerald Lot 32) being changed from "School Site" to "Use and Requirements of the Minister for Works".

Public Plan: Fitzgerald TS. Mistletoe Way.

Local Authority—Shire of Ravensthorpe.

DOLA File 2393/967.

Reserve No 29985 (Port Hedland Lots 1448 and 1797) being changed from "Water Supply and Construction Depot (Public Works Department)" to "Water Supply and Construction Depot".

Public Plans: BL66 (2) 24.27 and 25.27. Anthill Street.

Local Authority—Town of Port Hedland.

DOLA File 2757/973.

Reserve No 33106 (Ongerup Lot 228) being changed from "Depot Site—P.W.D." to "Use and Requirements of the Water Authority of Western Australia".

Public Plan: Ongerup (50). Moir Road.

Local Authority—Shire of Gnowangerup.

DOLA File 2064/978.

Reserve No 35491 (Swan Location 9840) being changed from "Hostel Site" to "Use and Requirements of the Minister for Works".

Public Plan: BG34 (2) 12.30. Lawley Street.

Local Authority—City of Stirling.

DOLA File 3231/978.

Reserve No 36138 (Kellerberrin Lot 412) being changed from "Caravan Park" to "Recreation".

Public Plan: BK35 (2) 03.20. North Railway Road.

Local Authority—Shire of Kellerberrin.

A. A. SKINNER, Chief Executive.

LB201

LAND ACT 1933

CANCELLATION OF RESERVES

Made by His Excellency the Governor under Section 37.

The following reserves have been cancelled.

DOLA File 1787/963.

Reserve No 27798 (North Fremantle Lot 351) "Use and Requirements of the University of Western Australia".

Public Plan: BG34 (2) 7.17. McCabe Street.

Local Authority—Town of Mosman Park.

DOLA File 7605/904V2.

Reserve No 9140 (portion of North Fremantle Lot 174 being Lot 2 on Land Titles Office Diagram 46839) "University Endowment".

Public Plans: BG34 (2) 07.18 and 08.17. McCabe Street.

Local Authority—Town of Mosman Park.

DOLA File 1963/989.

Reserve No 2932 (Goongarric Town Lot 61) "School Site".

Public Plan: Goongarric TS. Hicks Street.

Local Authority—Shire of Menzies.

DOLA File 2266/992.

Reserve No 4505 (Kundana Town Lot 76) "School-site".

Public Plan: Kundana TS. Raleigh Street.

Local Authority—Shire of Coolgardie.

DOLA File 3717/898V2.

Reserve No 5647 (Grass Valley Lots 67 and 69) "Townsite".

Public Plan: BI135 (2) 28.20. (not charted). Vivian Street.

Local Authority—Shire of Northam.

DOLA File 924/939.

Reserve No 22042 (Norseman Lot 579) "Schoolsite (Roman Catholic)".

Public Plan: CG33 (2) 08.38. Princep Street.

Local Authority—Shire of Dundas.

DOLA File 140/964.

Reserve No 27335 (Swan Location 7839) "Use and Requirements of the City of Stirling".

Public Plan: BG34 (2) 14.31. Lennard Street.

DOLA File 748/966.

Reserve No 28290 (Swan Location 8055) "Drainage".

Public Plan: BG34 (2) 18.24. Williamson Street.

Local Authority—City of Belmont.

DOLA File 1723/968.

Reserve No 30051 (Swan Location 8444) "Drainage".

Public Plan: BG34 (2) 17.23. Wicca Street.

Local Authority—City of Belmont.

DOLA File 135/967.

Reserve No 30743 (Swan Location 8567) "Drain".

Public Plan: BG34 (2) 18.23. Fisher Street.

Local Authority—City of Belmont.

DOLA File 2140/970.

Reserve No 30879 (Menzies Lot 121) "Housing".

Public Plan: CF40 (2) 01.34. Brown Street.

Local Authority—Shire of Menzies.

DOLA File 2726/970.

Reserve No 40996 (Jurien Lot 234) "Use and Requirements of the Shire of Dandaragan".

Public Plan: BF39 (2) 3.06. York Street.

DOLA File 2966/994.

Reserve No 43265 (Kununurra Lots 39, 51, 119 and 142) "Use and Requirements of the Government Employees Housing Authority".

Public Plan: DH79 (2) 23.17. Kurrajong and Cajuput Streets, Nutwood Crescent and Rosewood Avenue.

Local Authority—Shire of Wyndham-East Kimberley.

DOLA File 1729/994.

Reserve No 43133 (Swan Location 11966) "Government Requirements".

Public Plans: BG34 (2) 19.32 and 19.33. Lord Street.

Local Authority—Shire of Swan.

DOLA File 1298/995.

Reserve No 43622 (Swan Location 12368) "Public Recreation".

Public Plan: BG34 (1) 35.43. Acton Avenue.

Local Authority—City of Belmont.

DOLA File 821/995.

Reserve No 43634 (Morawa Lots 380 and 381) "Use and Requirements of the Morawa and Districts Health Service".

Public Plan: Morawa TS. Harley Street.

Local Authority—Shire of Morawa.

DOLA File 2905/991.

Reserve No 43709 (Kununurra Lots 1724, 1795 and 2390) "Use and Requirements of the Government Employees Housing Authority".

Public Plans: DII79 (2) 23.15 and 23.16. Plum and Kapok Courts and Coral Close.

Local Authority—Shire of Wyndham-East Kimberley.

A. A. SKINNER, Chief Executive.

LB701

SCHEDULE No.: A59/1995
EXCO No. 1298
DOLA 70/1995

TOWN PLANNING AND DEVELOPMENT ACT 1928
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 Town Planning and Development Act 1928, 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: Town Planning Scheme No. 14- Creation of public roads, Mulgool Road (Road No. 18797), Cogla Street (Road No. 18798) and Atley Street (Road No. 18799), widening of Victoria Road (Road No. 9525), Beringarra Ave and Boulder Road (Road No. 5819) and Drainage

Local Authority: Shire of Swan

Plan/Diagram No. showing Land resumed: Plans 19059, 19060 and Diagram 92433

Council Resolution Date: 23 July, 1990. DOLA Ref:782/1993

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Venetian Nominees Pty. Ltd.	Venetian Nominees Pty. Ltd.	Portion of Swan Location K being part of the land contained in Certificate of Title Volume 2010 Folio 973.	2.1561ha
Venetian Nominees Pty. Ltd.	Venetian Nominees Pty. Ltd.	That portion of Swan Location K now shown as Swan Location 12458 on Plan 19059 being part of the land contained in Certificate of Title Volume 2010 Folio 973.	1.4400ha
Giuseppe Antonio Terranova, Anita Faye Terranova, Antonino Butto and Maria Nunziata Butto	GA and A F Terranova and A and M N Butto	Part of Lot 2 on Diagram 35505 being part of the land contained in Certificates of Title Volume 1900 Folio 153 and Volume 1900 Folio 154.	805m ²
Rinaldi Nominees Pty. Ltd.	Rinaldi Nominees Pty. Ltd.	Part of Lot 262 on Plan 3107 being part of the land contained in Certificate of Title Volume 1494 Folio 28.	1 504m ²
Queenwest Investments Pty. Ltd.	Queenwest Investments Pty. Ltd.	Part of Lot 263 on Plan 3107 being part of the land contained in Certificate of Title Volume 1072 Folio 911.	1 504m ²
George Temov and Diane Temov and Temov Holdings Pty. Ltd.	G and D Temov and Temov Holdings Pty. Ltd.	Part of Lot 264 on Plan 3107 being part of the land contained in Certificate of Title Volume 1808 Folio 608.	1 504m ²
Kedena Holdings Pty. Ltd.	Kedena Holdings Pty. Ltd.	Part of Lot 265 on Plan 3107 being part of the land contained in Certificate of Title Volume 1276 Folio 571.	1 504m ²

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Associated Shopfitters Pty. Ltd.	Associated Shopfitters Pty. Ltd.	Part of Lot 266 on Plan 3107 being part of the land contained in Certificate of Title Volume 1065 Folio 129.	1 504m ²
Ardino Gosatti and Egidio Gignoli	A Gosatti and E Gignoli	Part of Lot 267 on Plan 3107 being part of the land contained in Certificate of Title Volume 1794 Folio 767.	1 599m ²
Shire of Swan	Shire of Swan	Portion of Swan Location K1 and being part of the land on Plan 3107 being part of the land contained in Certificate of Title Volume 1920 Folio 136.	300m ²
Shire of Swan	Shire of Swan	That portion of Swan Location K1 now shown as Swan Location 12459 on Plan 19059 being part of the land contained in Certificate of Title Volume 1920 Folio 136.	805m ²
Geneil Investments Pty. Ltd.	Geneil Investments Pty. Ltd.	Part of Lot 268 on Plan 3107 being part of the land contained in Certificate of Title Volume 1304 Folio 866.	1 804m ²
Gobby Investments Pty. Ltd. and Bickley Holdings Pty. Ltd.	Gobby Investments Pty. Ltd. and Bickley Holdings Pty. Ltd.	Part of Lot 269 on Plan 3107 being part of the land contained in Certificate of Title Volume 1525 Folio 23.	3 558m ²
Colli Nominees Pty. Ltd. and Cesare Colli	Colli Nominees Pty. Ltd. and C Colli	Part of Lot 270 on Plan 3107 being part of the land contained in Certificate of Title Volume 1525 Folio 22 .	3 558m ²
Murdunna Pty. Ltd.	Murdunna Pty. Ltd.	Part of Lot 271 on Plan 3107 being part of the land contained in Certificate of Title Volume 1525 Folio 21.	1 504m ²
Abe Schneider, Barbara Ethel Schneider, Zion Schneider and Elana Schneider	A and B E Schneider and Z and E Schneider	Part of Lot 272 on Plan 3107 being part of the land contained in Certificate of Title Volume 1461 Folio 344.	1 504m ²
Thomas Gaetano Martinazzo and Anna Martinazzo	T G and A Martinazzo	Part of Lot 273 on Plan 3107 being part of the land contained in Certificate of Title Volume 1461 Folio 342.	1 504m ²
Biagioni Nominees Pty. Ltd. and Delga Nominees Pty. Ltd.	Biagioni Nominees Pty. Ltd. and Delga Nominees Pty. Ltd.	Part of Lot 275 on Plan 3107 being part of the land contained in Certificate of Title Volume 1183 Folio 875.	1 504m ²
David Marmion Abbott	D M Abbott	Part of Lot 277 on plan 3107 being part of the land contained in Certificate of Title Volume 1152 Folio 718.	1 504m ²
O'Malley Nominees Pty. Ltd.	O'Malley Nominees Pty. Ltd.	Part of Lot 14 on Diagram 80030 being part of the land contained in Certificate of Title Volume 1913 Folio 19.	246m ²
Karratha Land Holdings Pty. Ltd.	Karratha Land Holdings Pty. Ltd.	Part of Lot 316 on Plan 3107 being part of the land contained in Certificate of Title Volume 1774 Folio 167.	246m ²
Beltreco Pty. Ltd.	Beltreco Pty. Ltd.	Part of Lot 315 on plan 3107 being part of the land contained in Certificate of Title Volume 717 Folio 113.	246m ²
Beltreco Pty. Ltd.	Beltreco Pty. Ltd.	Part of Lot 314 on Plan 3107 being part of the land contained in Certificate of Title Volume 1334 Folio 201.	246m ²

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Merin Nominees Pty. Ltd.	Merin Nominees Pty. Ltd.	Part of Lot 313 on Plan 3107 being part of the land contained in Certificate of Title Volume 1448 Folio 516.	246m ²
Gosatti Nominees Pty. Ltd.	Gosatti Nominees Pty. Ltd.	Part of Lot 312 on Plan 3107 being part of the land contained in Certificate of Title Volume 1430 Folio 971.	320m ²
Franco De Campi, Ancilla De Campi, Lorenza Anne Castelanelli, Egidio Gignoli, Adelia Gignoli, Remo Galli, Alma Galli, Alfio Mario Castelanelli, Garry Anthony Gosatti and Aurelia Adelina Sputore.	F and A De Campi, L A Castelanelli, E and A Gignoli, R and A Galli, A M Castelanelli, G A Gosatti and A A Sputore.	Part of Lot 311 on Plan 3107 being part of the land contained in Certificates of Title Volume 1430 Folio 970, Volume 1622 Folio 669, Volume 1622 Folio 670, Volume 1622 Folio 671 and Volume 1622 Folio 672.	345m ²
Galvin Properties Pty. Ltd.	Galvin Properties Pty. Ltd.	Part of Lot 310 on Plan 3107 being part of the land contained in Certificate of Title Volume 1466 Folio 663.	246m ²
Framington Nominees Pty. Ltd.	Framington Nominees Pty. Ltd.	Part of Lot 308 on Plan 3107 being part of the land contained in Certificate of Title Volume 1466 Folio 661.	3 230m ²
Steam Holdings Pty. Ltd.	Steam Holdings Pty. Ltd.	Part of Lot 307 on Plan 3107 being part of the land contained in Certificate of Title Volume 1256 Folio 932.	3 230m ²
Giorgi Nominees Pty. Ltd.	Giorgi Nominees Pty. Ltd.	Part of Lot 306 on Plan 3107 being part of the land contained in Certificate of Title Volume 1563 Folio 747.	246m ²
Debono Nominees Pty. Ltd.	Debono Nominees Pty. Ltd.	Part of Lot 304 on Plan 3107 being part of the land contained in Certificate of Title Volume 601 Folio 173.	998m ²
Sandbourne Holdings Pty. Ltd.	Sandbourne Holdings Pty. Ltd.	Part of Lots 301, 302 and 303 on Plan 3107 being part of the land contained in Certificate of Title Volume 1790 Folio 526.	293m ² (ex Lot 301) 246m ² (ex Lot 302) 246m ² (ex Lot 303)
Sandbourne Holdings Pty. Ltd.	Sandbourne Holdings Pty. Ltd.	Part of Lot 12 of Section C on Plan 903 (Sheet 1) being part of the land contained in Certificate of Title Volume 1805 Folio 140.	773m ²
Sandbourne Holdings Pty. Ltd.	Sandbourne Holdings Pty. Ltd.	Part of Lot 3 on Plan 1908 being part of the land contained in Certificate of Title Volume 1805 Folio 141.	150m ²
Sandbourne Holdings Pty. Ltd.	Sandbourne Holdings Pty. Ltd.	Part of Lots 4 and 5 on Plan 1908 being part of the land contained in Certificate of Title Volume 1805 Folio 142.	150m ² (ex Lot 4) 150m ² (ex Lot 5)
Sandbourne Holdings Pty. Ltd.	Sandbourne Holdings Pty. Ltd.	Part of Lot 11 on Plan 1908 being part of the land contained in Certificate of Title Volume 1805 Folio 143.	150m ²
Sandbourne Holdings Pty. Ltd.	Sandbourne Holdings Pty. Ltd.	Part of Lots 13 and 14 on Plan 1908 being part of the land contained in Certificate of Title Volume 1805 Folio 145.	150m ² (ex Lot 13) 150m ² (ex Lot 14)

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Sandbourne Holdings Pty. Ltd.	Sandbourne Holdings Pty. Ltd.	Part of Lot 14 of Section C on Plan 903 (Sheet 2) being part of the land contained in Certificate of Title Volume 1805 Folio 136.	1 503m ²
Sandbourne Holdings Pty. Ltd.	Sandbourne Holdings Pty. Ltd.	Part of Lot 23 on Plan 1908 being part of the land contained in Certificate of Title Volume 1267 Folio 993.	50m ²

Dated 27 November 1995.

GEORGE CASH, Minister for Lands.

Dated 5 December 1995.

MICHAEL JEFFERY, Governor in Executive Council.

ROAD DEDICATION

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

Dated this 12th day of December, 1995.

A. A. SKINNER, Chief Executive.

LB702

SCHEDULE No.: A58/1995
EXCO No. 1297
DOLA 70/1995

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, 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: Facilitating the Improvement and Settlement of the State

Land District: Bunbury

Plan/Diagram No. showing Land resumed: Public Plan Wellington BG 30(2) 01.33. DOLA Ref: 2800/1962

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
The State Electricity Commission of Western Australia	The State Electricity Commission of Western Australia	The whole of Bunbury Lot 473 set aside as Reserve 28172 for the purpose of "Oil Tank Site State Energy Commission" and being the land contained in Certificate of Title Volume 1317 Folio 746.	8 600m ²

Dated 14 November 1995.

GEORGE CASH, Minister for Lands.

Dated 5 December 1995.

MICHAEL JEFFERY, Governor in Executive Council.

SCHEDULE No.: A46/1995
EXCO No. 1296
DOLA 70/1995

RAILWAY STANDARD GAUGE CONSTRUCTION ACT NO. 27, 1961
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 the Railway Standard Gauge Construction Act No. 27, 1961, 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: Standard Gauge Railway (Midland to Kenwick Section)

Land District: Canning

Plan/Diagram No. showing Land resumed: Diagram 46350. DOLA Ref:1828/1992

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Robert Weir, Graham Robert Weir and Dorothy Winifred Weir	Westrail vide Caveat 40282/64	That part of Lot 2 on Diagram 33708 now shown as part of Lot 9 on Diagram 46350 being part of the land remaining in Certificate of Title Volume 27 Folio 47A.	3.6326ha

Dated 20 November 1995.

GEORGE CASH, Minister for Lands.

Dated 5 December 1995.

MICHAEL JEFFERY, Governor in Executive Council.

LB801

LAND ACQUISITION AND PUBLIC WORKS ACT 1995

SALE OF LAND

Notice is hereby given that His Excellency the Governor has authorised under Section 29(7)(a)(ii) of the Land Acquisition and Public Works Act 1995 of the sale by public auction or private contract of the land hereinafter described, such land being no longer required for the work for which it was acquired.

LAND

File No. 903/943

Canning Location 2008 comprising Reserve 22501 as is shown on DOLA Diagram 89838.

File No. 2064/1978

Reserve 35491 comprising Swan Location 9840 (formerly portion of Perthshire Location A^a and being Lot 125 on Diagram 27246).

File No. 2804/1995

Portion of Perthshire Location A^a and being Lot 29 on Diagram 24755 and being the whole of the land comprised in Certificate of Title Volume 1231 Folio 902.

File No. 2805/1995

Portion of Cottesloe Suburban Lot 86 and being Lot 9 of Section J on Plan 3392 (Sheet 2) and being the whole of the land comprised in Certificate of Title Volume 1533 Folio 967.

File No. 2806/1995

Portion of Cockburn Sound Location 10 and being Lot 294 on Plan 7376 and being the whole of the land comprised in Certificate of Title Volume 1242 Folio 495.

File No. 2894/1995

Reserve 44007 comprising Merredin Lot 861.

File No. 4878/1965

Reserve 28302 and being the whole of the land comprised in North Beach Lot 687.

File No. 7211/949

Tambellup Lot 252 comprising Reserve 43963 as is shown on OPA2198.

Dated this 5th day of December 1995.

A. A. SKINNER, Chief Executive.

LOCAL GOVERNMENT

LG201

LOCAL GOVERNMENT ACT 1960

ORDER IN COUNCIL

Local Government (Buildings) Amendment Order 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. This order may be cited as the *Local Government (Buildings) Amendment Order 1995*.

Principal order

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

[*Published in the Gazette of 28 July 1989 at pp. 2294-6. For amendments to 9 December 1994 see Index to Legislation of Western Australia, p. 4-171.]

Schedule 1 amended

3. Schedule 1 to the principal order is amended by deleting the item relating to the "Shire of Jerramungup".

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

LG301

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Geraldton

By-laws Relating to Caravan Parks and Camping Grounds

In pursuance of the powers conferred upon it and of all other powers enabling it, the Geraldton City Council hereby records having resolved on 24 May 1995 to make and submit for confirmation by the Governor the following amendment to the abovementioned By-laws as amended and published in the *Government Gazette* on 27 October 1981.

The By-laws are amended as follows—

Clause 12 Part III is amended by deleting the figure "\$20.00" and inserting " \$1.00 for each site of a Caravan Park within the *Gazetted* Townsite of the City of Geraldton ", and deleting "or \$10.00 for a transit Caravan Park".

Dated this 29th day of August 1995.

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

DONALD R. ROLSTON, Deputy Mayor.

GRAEME K. SIMPSON, Town Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Dated 23rd November 1995.

Approved by his Excellency the Governor in Executive Council the 5th day of December 1995.

J. PRITCHARD, Clerk of the Council.

LG302

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

By-law Relating to the Use of Public Jetties

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 fifteenth day of August 1995 to repeal the whole of the By-laws Relating to Use of Public Jetties published in the *Government Gazette* (No. 75) of 25 September 1981 and to make and submit for confirmation by Governor the following By-law Relating to the Use of Public Jetties.

Definition

1. This By-law shall be cited as the City of Melville By-law relating to the Use of Public Jetties.
2. In this By-law unless the context otherwise requires—
 - “Authorised Officer” means an officer of the Council authorised by the Council to perform duties in accordance with this By-law.
 - “City” means the municipality of the City of Melville.
 - “Council” means the Council of the Municipality of the City of Melville.
 - “Jetty” means any Jetty, pier, wharf or landing place, whether in or adjacent to a river or lake, and under the care, control and management of the Council.
 - “Owner” means that person who is the lawful owner or that person legally entitled to possession of any Vessel, vehicle, cargo, property or chattel.
 - “Vessel” includes any ship or boat, or any other description of vessel used in navigation.

Use of Jetties

3. No person shall—
 - (a) land at, use or enter a Jetty except in accordance with this By-law;
 - (b) land at, use or enter a Jetty which is under construction or under repair, or is closed under section 6 of the Jetties Act 1926 unless such person is engaged in the construction or repair of that Jetty; or
 - (c) use a Jetty for any purpose other than that for which the Jetty is designated.

Mooring Vessels to Jetties

4. Subject to the provisions of this By-law, no person in control of a Vessel shall moor or make fast any Vessel to a Jetty, or any part thereof except to such mooring piles, ring bolts or other fastenings as are provided and no person in control of a Vessel shall permit a Vessel to remain alongside a Jetty unless such Vessel is so moored or fastened.
5. No person shall moor a Vessel to a Jetty for the purpose of effecting repairs to the Vessel, other than a Vessel in distress and then only to effect the minimum repairs necessary to enable the Vessel to be moved elsewhere.
6. No person shall moor a Vessel to a Jetty for the purpose of effecting maintenance to that or any other Vessel.

Vessels not to Remain at Jetties

7. Subject to the provisions of this By-law, no person in control of a Vessel shall permit the Vessel to remain fastened to or alongside any Jetty unless the embarking or disembarking of passengers or the loading or unloading of cargo is in progress.
8. (1) Subject to clause 8(2), the owner or person in control of a Vessel moored at a Jetty in accordance with this By-law, and requiring to so remain for a period in excess of two hours, shall obtain written consent from the Council and shall be charged a fee as specified in the First Schedule hereto. In the event of permission having been granted the duration shall not exceed seven days.
(2) The owner or person in control of a Vessel used for commercial purposes shall, prior to use of the jetty, pay to the Council the fees prescribed in the Second Schedule and being additional to those of the First Schedule.

9. A person in control of a vessel shall remove the Vessel fastened to or alongside a Jetty forthwith when so ordered by an Authorised Officer.

Launching of Vessels

10. No person shall launch or permit the launching of a Vessel from or over any Jetty before receiving the written consent of the Council and paying a fee as specified in the First Schedule hereto.
11. No person shall launch or permit the launching of a Vessel in excess of 8 tonnes gross from or over a Jetty.

Vehicles on Jetties

12. No person shall—
- (a) drive or allow a vehicle other than a wheelchair to remain on a Jetty without written consent of the Council; or
 - (b) ride on any Jetty any bicycle.

Fishing from Jetties

13. No person shall—
- (a) fish from any Jetty so as to obstruct or interfere with the free movement of a Vessel approaching or leaving the Jetty or so as to cause a nuisance on the Jetty; or
 - (b) hang or spread a fishing net from on or over any part of a Jetty.

Nuisance on Jetties

14. No person shall—
- (a) offer for sale or sell goods on a Jetty;
 - (b) by any means, on or near a Jetty, tout or solicit anyone to proceed as a passenger on any Vessel or vehicle;
 - (c) display any sign or advertisement or use any loud speaking device on a Jetty;
 - (d) interfere with free movement of persons entering upon or leaving a Jetty; or
 - (e) dive from a Jetty.

Material not to be Removed

15. No person shall remove or cause to be removed from a Jetty or from the approaches thereto any gravel, stone, timber, trees, shrubs, grasses or other material.

Damage to Jetties

16. (1) No person shall tip or deposit any thing onto a jetty so as to cause damage to the Jetty or pollute the surrounding area;
- (2) Where damage is caused to a Jetty, whether by a Vessel or a vehicle or otherwise, the Council may repair such damage and the costs of the repair shall be a debt due to the City and may be recovered by the City in a court of competent jurisdiction.

Cargo or Property

17. No person in control of a Vessel shall permit a Vessel to load or discharge cargo or come alongside or be fastened to any Jetty until such cargo is ready to be loaded or discharged, as the case may be.
18. Except with the written permission of the Council, no person in control of a Vessel shall permit it to remain alongside a Jetty for the purpose of loading or discharging cargo between 6.00 pm and 6.00 am the next day.
19. Any person unloading property from a Vessel on to a Jetty shall cause it to be removed from the Jetty as soon as practicable or upon demand by an Authorised Officer and in any event not later than 6.00 pm on the day on which it was so placed.
20. No person shall store or place on a Jetty any property intended for shipment on to a Vessel unless and until the Vessel is alongside the Jetty, and such property shall be removed from the Jetty as soon as practicable after being placed thereon.
21. An Authorised Officer may direct the removal of property which remains on a Jetty contrary to this By-law and the cost of removal and of any subsequent storage of the property shall be a debt to the City by the owner of the property and such debt may be recovered by action in a court of competent jurisdiction.

Bulk Cargoes on Jetties

22. Except with the prior written consent of the Council, a person shall not tip or deposit bulk cargo from a vehicle or Vessel onto a Jetty.

Obstruction of Jetties or Officer

23. No person shall, cause, or place, or cause to be placed any obstruction on a Jetty.
24. No person shall obstruct or hinder any representative, officer or worker engaged in construction or repair of any Jetty, or any Authorised Officer in the course of his or her duties.
25. No person shall cause any obstruction on or to any public steps or landing place for passengers on or at a Jetty or impede the free passage of other persons on or along such steps or places.

General

26. No person shall on any Jetty—
- (a) except in a receptacle provided for that purpose, deposit any litter;
 - (b) light, place or keep a fire upon or so near as to endanger any jetty;
 - (c) throw or impel any stone, or other missile, onto or therefrom, except for the express purpose of fishing;

- (d) permit an animal to remain thereon;
- (e) be in a state of intoxication or in possession of any intoxicating substance unless such intoxicating substance is cargo or medical supply carried for lawful purpose;
- (f) do anything which may destroy, damage or deface a Jetty or any part thereof;
- (g) behave in a disorderly manner, or create or take part in any disturbance or use any foul or indecent language or commit any act of indecency;
- (h) throw, place or deposit any offensive, noxious or dangerous substances from, or near or onto a Jetty; or
- (i) post, stick, paint or write or cause to be posted, stuck, painted or written any placard, bill, advertisement, sign or other matter.

Penalties

27. A person who fails to comply with any provision of this By-law commits an offence and shall on conviction be liable to—

- (a) a penalty not exceeding \$500; and
- (b) a maximum daily penalty during the continuance of any offence of \$50.

First Schedule

Prescribed Fee, for permission to moor a Vessel in excess of two hours but not in excess of eight hours	\$25.00
For permission to moor a vessel in excess of eight hours, for each subsequent four hours or part thereof	\$10.00
For permission to launch a Vessel from or over a Jetty	\$110.00

Second Schedule

Prescribed fee for permission to moor a vessel used for commercial purpose, per hour or part thereof	\$15.00
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Dated the 15 September 1995.

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

KATIE MAIR, Mayor.
JOHN McNALLY, Chief Executive Officer/Town Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 5th day of December 1995.

J. PRITCHARD, Clerk of the Council.

LG303

LOCAL GOVERNMENT ACT 1960

Shire of Ashburton Extractive Industries By-law

In pursuance of the powers conferred upon it by the *Local Government Act 1960*, the Council of the Shire of Ashburton resolved on 25 July 1995 to make and submit for confirmation by the Governor the following By-law.

Citation

2. This By-law, may be cited as the Shire of Ashburton Extractive Industries By-law.

Definitions

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

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

“carrying on an extractive industry” has the meaning given to it in section 235 of the Act;

[Note-s.235 of the Act defines “carrying on an extractive industry” to mean quarrying and excavating for stone, gravel and other material.]

“Council” means the Council of the Shire of Ashburton;

- “district” means the municipal district of the Shire of Ashburton;
“excavation” includes quarry;
“licence” means a licence issued under this By-law;
“licensee” means the person named in the licence as the licensee;
“secured sum” means the sum required to be paid or the amount of a bond, guarantee or other security under clause 13 of this By-law;
“Shire” means the municipality of the Shire of Ashburton;
“Shire Clerk” means the Shire Clerk of the Shire and includes an Acting Shire Clerk;
and
“site” means the land specified by the Council in a licence;

Application

4. This By-law—

- (a) subject to paragraph (b)—
(i) applies and has force and effect throughout the whole of the district; and
(ii) applies to every excavation whether commenced prior to or following the coming into operation of the By-law; and
(b) does not apply to the carrying on of an extractive industry on Crown land or the extraction of minerals under the Mining Act 1978.

Extractive Industries Prohibited Without Licence

5. A person shall not carry on an extractive industry—

- (a) unless the person is the holder of a valid and current licence; and
(b) otherwise than in accordance with any terms and conditions set out in, or applying in respect of, the licence.

Applicant to Advertise Proposal

6. (1) Unless the Council approves otherwise, a person seeking the issue of a licence shall, before applying to the Council for a licence—

- (a) forward by certified mail a notice on the form set out in Schedule 1 to—
(i) the owners and occupiers of all land adjoining the land upon which it is proposed to excavate; and
(ii) every authority or person having control or jurisdiction over any of the things referred to in clause 7(1) (a) (vii) and (viii) within 500 metres from the boundaries of the land or within an areas determined by the Council as likely to be affected by the granting of a licence; and
(b) as soon as practicable after complying with the requirements of paragraph (a)—
(i) forward a copy of the notice to the Shire Clerk; and
(ii) publish the notice in a newspaper circulating in the area in which the proposed excavation is located.

(2) The Council may, within 14 days after receiving a copy of a notice referred to in subclause (1), clause to be displayed, or require the proposed applicant to display, in a prominent position on the land one or more notices—

- (a) in the form set out in Schedule 2;
(b) the content, size and construction of which have been approved by the Shire Clerk;
(c) specifying particulars of the proposed excavation; and
(d) inviting objections or comments within 21 days from the placement of the notice.

Application for Licence

7. (1) A person seeking the issue of a licence in respect of any land shall apply in the form set out in Schedule 3 and shall forward the application duly completed and signed by both the applicant and the owner of the land to the Shire Clerk together with—

- (a) 4 copies of a plan of the excavation site to a scale of between 1:500 and 1:2000 showing—
(i) the existing and proposed land contours based on the Australian Height Datum and plotted at 1 metre contour intervals;
(ii) the land on which the excavation site is to be located;
(iii) the external surface dimensions of the land;
(iv) the location and depth of the existing and proposed excavation of the land;
(v) the location of existing and proposed roads or other means of vehicle access to and egress from the land and to public roads in the vicinity of the land;
(vi) the location of buildings, treatment plant, tanks and other improvements and developments existing on, approved for or proposed in respect of the land;
(vii) the location of existing power lines, telephone cables and any associated poles or pylons, sewers, pipelines, reserves, bridges, railway lines and grants of easement or other encumbrances over, on, under or adjacent to or in the vicinity of the land;

- (viii) the location of all existing dams, watercourses, drains or sumps on or adjacent to the land;
 - (ix) the location and description of existing and proposed fences, gates and warning signs around the land; and
 - (x) the location of the areas proposed to be used for stockpiling excavated material, treated material, overburden and soil storage on the land and elsewhere;
- (b) 4 copies of a works and excavation programme containing—
- (i) the nature and estimated duration of the proposed excavation for which the licence is applied;
 - (ii) the stages and the timing of the stages in which it is proposed to carry out the excavation;
 - (iii) details of the methods to be employed in the proposed excavation, and a description of any on-site processing works;
 - (iv) details of the depth and extent of the existing and proposed excavation of the site;
 - (v) an estimate of the depth and description of the nature and quantity of the overburden to be removed;
 - (vi) a description of the methods by which existing vegetation is to be cleared and topsoil and overburden removed or stockpiled;
 - (vii) a description of the means of access to the excavation site and the types of roads to be constructed;
 - (viii) details of the proposed number and size of trucks entering and leaving the site each day and the route or routes to be taken by those vehicles;
 - (ix) a description of any proposed buildings, treatment plant, tanks and other improvements;
 - (x) details of drainage conditions applicable to the land and methods by which the excavation site is to be kept drained;
 - (xi) a description of the measures to be taken to minimise noise and dust nuisance, erosion, watercourse siltation and dangers to the general public;
 - (xii) a description of the existing site environment and a report on the anticipated effect that the proposed excavation will have on the environment in the vicinity of the land;
 - (xiii) details of the nature of existing vegetation, shrubs and trees and a description of existing vegetation; and
 - (xiv) a description of the measures to be taken in screening the excavation site, or otherwise minimising adverse visual impacts, from nearby roads or other areas;
- (c) 4 copies of a rehabilitation and decommissioning programme indicating—
- (i) the objectives of the programme, having due regard to the nature of the surrounding areas and the proposed end-use of the excavation site;
 - (ii) whether restoration and reinstatement of the excavation site is to be undertaken progressively or upon completion of excavation operations;
 - (iii) the method by which topsoil is to be replaced and revegetated;
 - (iv) the number and types of trees and shrubs to be planted and other landscaping features to be developed;
 - (v) how rehabilitated areas are to be maintained and irrigated; and
 - (vi) the programme for the removal of buildings, plant waste and final site clean up;
- (d) evidence that a datum peg has been established on the land related to a point approved by the Council on the surface of a constructed public road or such other land in the vicinity;
- (e) a certificate from a licensed surveyor certifying the correctness of—
- (i) the plan referred to in paragraph (a); and
 - (ii) the datum peg and the related point referred to in paragraph (d);
- (f) evidence that the requirements of clause 6 have been complied with;
- (g) copies of all land use planning approvals required under any planning legislation;
- (h) the consent in writing to the application from the owner of the excavation site;
- (i) any other information that the Council may require; and
- (j) the licence application fee specified in Schedule 5.

(2) All survey data supplied by an applicant for the purposes of subclause (1) shall comply with Australian Height Datum and Australian Map Grid standards.

Determination of Application

8. (1) The Council may refuse to consider an application for a licence that does not comply with the requirements of clause 7.

- (2) The Council may, in respect of an application for a licence—
- (a) refuse the application; or
 - (b) approve the application—
 - (i) over the whole or part of the land in respect of which the application is made; and
 - (ii) on such terms and conditions, if any, as it sees fit.
- (3) Where the Council approves an application for a licence, it shall—
- (a) specify the licence period, which shall not exceed 21 years from the date of issue; and
 - (b) approve the issue of a licence in the form set out in Schedule 4.
- (4) Where the Council approves the issue of a licence, the Shire Clerk upon receipt by the Shire of—
- (a) payment of the annual licence fee, or the relevant proportion of the annual licence fee to 30 June next, calculated in accordance with Schedule 5; and
 - (b) payment of the secured sum, if any, imposed under clause 13; and
 - (c) the documents, if any, executed to the satisfaction of the Shire Clerk, under clause 13;

shall issue the licence to the applicant.

(5) Without limiting subclause (2), the Council may impose conditions in respect of the following matters—

- (a) the orientation of the excavation to reduce visibility from other land;
- (b) the appropriate siting of access roads, buildings and plant;
- (c) the stockpiling of material;
- (d) the hours during which excavation work may be carried out;
- (e) the hours during which any processing plant associated with, or located on, the site may be operated;
- (f) the depths below which a person shall not excavate;
- (g) distances from adjoining land or streets within which a person shall not excavate;
- (h) the safety of persons employed at or visiting the excavation site;
- (i) the control of dust and wind-blown material;
- (j) the planting, care and maintenance of trees, shrubs and other landscaping features during the time in which the extractive industry is carried out in order to effectively screen the area to be excavated and to provide for progressive rehabilitation;
- (k) the prevention of the spread of dieback disease.
- (l) the drainage of the excavation site and the disposal of water;
- (m) the restoration and reinstatement of the excavation site, the staging of such works, and the minimising of the destruction of vegetation;
- (n) the provision of retaining walls to prevent subsidence of any portion of the excavation of land abutting the excavation;
- (o) requiring the licensee to furnish to the Council a surveyor's certificate each year, prior to the renewal fee being payable, to certify the quantity of material extracted and that material has not been excavated below the final contour levels outlined within the approved excavation programme;
- (p) requiring the licensee to enter into an agreement with the Council in respect of any condition or conditions imposed under this By-law; and
- (q) any other matter for properly regulating the carrying on of an extractive industry.

Payment of Annual Licence Fee

9. On or before 30 June each year, a licensee shall pay to the Shire the annual licence fee calculated in accordance with Schedule 5.

Transfer of Licence

10. (1) An application for the transfer of a licence shall—
- (a) be made in writing;
 - (b) be signed by the licensee and the proposed transferee of the licence;
 - (c) be accompanied by the current licence;
 - (d) include any information that the Council may reasonably require; and
 - (e) be forwarded to the Shire Clerk together with the fee set out in Schedule 5.
- (2) Upon receipt of any application for the transfer of a licence, the Council may—
- (a) refuse the application; or
 - (b) approve the application on such terms and conditions, if any, as it sees fit.
- (3) Where the Council approves an application for transfer of a licence, the Council shall transfer the licence by an endorsement on the licence to that effect signed by the Shire Clerk.

(4) Where the Council approves the transfer of a licence it shall not be required to refund any part of the fees paid by the former licensee in respect of the transferred licence.

Cancellation of Licence

11. (1) The Council may cancel a licence where the licensee has—

- (a) been convicted of an offence against—
 - (i) this By-law; or
 - (ii) any other law relating to carrying on an extractive industry; or
- (b) transferred or assigned or attempted to transfer or assign the licence without the consent of the Council;
- (c) permitted another person to carry on an extractive industry otherwise than in accordance with the terms and conditions of the licence and of the provisions of this By-law; or
- (d) failed to pay the annual licence fee under clause 9.

(2) Where the Council cancels a licence under this clause—

- (a) the Council shall advise the licensee in writing of the cancellation;
- (b) the cancellation shall take effect on and from the day on which the licensee is served with the cancellation advice; and
- (c) the Council shall not refund any part of the fees paid by the licensee in respect of the cancelled licence.

Renewal of Licence

12. (1) A licensee who wishes to renew a licence shall apply in writing to the Council at least 45 days before the date of expiry of the licence and shall submit with the application for renewal—

- (a) the fee prescribed in Schedule 5;
- (b) a copy of the current licence;
- (c) a plan showing the contours of the excavation carried out to the date of that application;
- (d) details of the works, excavation and rehabilitation stages reached and of any changes or proposed changes with respect to any of the things referred to in clauses 7(1)(b) and (c); and
- (e) any other things referred to in clauses 7 and 8.

(2) The Council may waive any of the requirements specified in clause 12(1)(d) or (e).

(3) If—

- (a) an application to renew a licence is in relation to land in respect of which the current licence was issued less than 12 months prior to the date from which the new licence if granted would apply; and
- (b) the methods to be employed in the proposed excavation are identical to those being employed at the date of the application,

then the applicant shall not be obliged, unless otherwise required by Council to submit details of any of the things referred to in clauses 7 and 8.

(4) Upon receipt of an application for the renewal of a licence, the Council may—

- (a) refuse the application; or
- (b) approve the application on such terms and conditions, if any, as it sees fit.

Security for Restoration and Reinstatement

13. (1) For the purpose of ensuring that an excavation site is properly restored or reinstated, the Council may require that—

- (a) as a condition of a licence; or
- (b) before the issue of a licence,

the licensee shall give to the Shire a bond, bank guarantee or other security, of a kind and in a form acceptable to the Council, in or for a sum determined by the Council in accordance with Schedule 5.

(2) A bond required under subclause (1) shall be paid into a fund established by the Shire for the purposes of this clause.

Use by the Council of Secured Sum

14. (1) If a licensee fails to carry out or complete the restoration and reinstatement works required by the licence conditions either—

- (a) within the time specified in those conditions; or
- (b) where no such time has been specified, within 60 days of the completion of the excavation or portion of the excavation specified in the licence conditions, then
- (c) the Shire may carry out the required restoration and reinstatement work or so much of that work as remains undone; and
- (d) the licensee shall pay to the Shire on demand all costs incurred by the Shire or which the Shire may be required to pay under this clause.

(2) The Shire may apply the proceeds of any bond, bank guarantee or other security provided by the licensee under clause 13 towards its costs under this clause.

(3) The liability of a licensee to pay the shire costs under this clause is not limited to the amount, if any, secured under clause 13.

Limits on Excavation Near Boundary

15. Subject to any licence conditions imposed by the Council, a person shall not, without the written approval of the Council excavate within—

- (a) 20 metres of the boundary of any land on which the excavation site is located;
- (b) 20 metres of any land affected by a registered grant of easement;
- (c) 40 metres of any watercourse.

Prohibitions

16. A licensee shall—

- (a) not remove any trees or shrubs within 40 metres (or such lesser distance as may be allowed, in writing, by the Council) of the boundary of any road reserve on land in respect of which a licence has been granted, except for the purpose of constructing access roads, erecting buildings or installing plant for use in connection with the excavation and then only with the express approval of the Council and subject to any conditions which the Council may impose in accordance with clause 8;
- (b) where the Council so requires, securely fence the excavation to a standard determined by Council and keep the gateways locked when work on the excavation is not in progress in order to prevent unauthorised entry;
- (c) erect and maintain warning signs along each of the boundaries of the site to which the licence applies so that each sign—
 - (i) is not more than 200 metres from the next sign;
 - (ii) is not less than 1.8 metres high and not less than 1 metre wide; and
 - (iii) bears the words "DANGER EXCAVATIONS KEEP OUT";
- (d) except where the Council approves otherwise, drain and keep drained to the Council's satisfaction any excavation to which the licence applies so as to prevent the accumulation of water;
- (e) not store, or permit to be stored, any explosives or explosive device on the site to which the licence applies;
- (f) not fill or excavate, other than in accordance with the terms and conditions of the licence, the site plans and the works an excavation programme approved by the Council;
- (g) restore and reinstate the excavation site in accordance with the terms and conditions of the licence the site plans and the works and excavation programme approved by the Council;
- (h) take all reasonable steps to prevent the emission of dust, noise, vibration or other nuisance from the excavation site; and
 - (i) otherwise comply with the conditions imposed by the Council in accordance with clause 8.

Blasting

17. (1) A person shall not carry out or permit to be carried out any blasting in the course of excavating unless—

- (a) the Council has otherwise given approval in respect of blasting generally or in the case of each blast;
- (b) subject to subclause (2), the blasting takes place only between the hours of 8.00 am and 5.00 pm, or as determined by the Council, on Mondays to Fridays inclusive;
- (c) the blasting is carried out in strict accordance the AS2187 SAA Explosives Code, the *Mines Safety and Inspection Act 1994* and all relevant By-laws of the Council; and
 - (i) the time and duration of blasting;
 - (ii) the purposes for which the blasting any be used;
 - (iii) the methods of detonation and blasting;
 - (iv) the types of explosives to be used and
 - (v) such other matters as the Council may reasonably require in the interest of the safety and protection of member of the public and of property within the district.

(2) A person shall not carry out or permit to be carried out any blasting on a Saturday, Sunday or Public Holiday except with the prior approval of the Council.

Public Liability

18. A licensee shall have at all times a current public liability insurance policy taken out in the joint manes of the licensee and the Shire indemnifying the licensee and the Shire for a sum of not less than \$5,000,000 in respect of any one claim relating to any of the excavation operations.

Mines Safety and Inspection Act 1994

19. (1) In any case where the *Mines Safety and Inspection Act 1994* applies to any excavation carried on or proposed to be carried on at a site, the licensee in respect of that site shall—

- (a) comply with all applicable provisions of the *Mines Safety and Inspection Act 1994*; and
- (b) provide to the Council within 14 days fill particulars of any inspection or report made under the Act.

(2) In this clause, the *Mines Safety and Inspection Act 1994* includes all subsidiary legislation made under that Act.

Notice of Cessation of Operations

20. (1) Where a licensee intends to cease carrying on an extractive industry—

- (a) temporarily for a period in excess of 12 months; or
- (b) permanently,

the licensee shall, as well as complying with clause 21, give the Council written notice of the cessation not later than 1 week after those operations have ceased.

(2) Where a licensee has given notice to the Council of the intention to permanently cease carrying on an extractive industry on the site to which the licence applies the licence is deemed to have expired on the date such cessation is so notified.

(3) The temporary or permanent cessation of the carrying on of an extractive industry on a site or the deemed expiration or cancellation of the licence does not entitle the licensee to any refund of any licence fee.

Works to be Carried out on Cessation of Operations

21. Where the carrying on of an extractive industry on the site permanently ceases or on the expiration or cancellation of the licence applicable to the site, whichever first occurs, the licensee shall, in addition to complying with the provisions of clause 20—

- (a) restore and reinstate the excavated site in accordance with the proposals approved by the Council or in such other manner as the Council may subsequently agree in writing with the licensee;
- (b) ensure that any face permitted to remain upon the excavation site is left safe with all loose materials removed and where the excavation site is—
 - (i) sand, the sides are sloped to a batter of not more than 1.3 (vertical : horizontal); and
 - (ii) limestone or material other than sand, the sides are sloped to a batten which, in the opinion of the Council, would enable the site to be left in a stable condition;
- (c) ensure that the agreed floor level of the excavation site is graded to an even surface or is otherwise in accordance with the rehabilitation and decommissioning programme approved by the Council;
- (d) ensure that all stockpiles or dumps of stone, sand or other material are left so that no portion of that material can escape onto land not owned or occupied by the licensee nor into any stream, watercourse or drain that is not wholly situated within the land owned or occupied by the licensee;
- (e) erect retaining walls where necessary to prevent subsidence of land in the vicinity of any excavation;
- (f) remove from the site all buildings, plant and equipment erected, installed or used for or in relation to the carrying on of an extractive industry on the site and fill all holes remaining after such removal to the level of the surrounding ground and compact such filled holes sufficiently to prevent settling; and
- (g) break up, scarify, cover with topsoil and plant with grass, trees and shrubs all parts of the site where buildings, plant and equipment were erected or installed and all areas which were used for stockpiling unless otherwise specified under this By-law.

Appeal to Minister

22. Where a person applies to the Council for a licence and the Council does not grant the licence within 28 days of service of the application, the person may appeal to the Minister in accordance with section 235 of the Act.

Penalties

23. A person who contravenes or fails to comply with any of the provisions of the By-law commits an offence and upon conviction is liable to—

- (a) a penalty not exceeding \$500.00; and
- (b) a daily penalty not exceeding \$50 for every day or part of a day during which the offence continues.

Schedule 1

(Form of Newspaper Notice)

Clause 6(1)(a)

NOTICE OF APPLICATION FOR AN EXTRACTIVE INDUSTRIES LICENCE

Take notice that (1).....
.....
intends to apply to the Shire of Ashburton for an extractive industries licence to excavate (2)
.....
on land situated at (3)
.....
being (4)

Any person who wished to object or otherwise comment upon this proposal, should do so in writing to the Shire Clerk, Shire of Ashburton, PO Box 567 Tom Price 6751 not later than (5)

- (1) Insert the name of applicant
(2) Insert the material(s) proposed to be excavated
(3) Insert the postal address of the land subject to the application.
(4) Insert the title description of the land subject of the application.
(5) Insert the date which should not be less than 3 weeks after the date when the advertisement first appears in the newspaper.

Schedule 2

(Form of Newspaper Notice)

Clause 6(2)

NOTICE OF APPLICATION FOR AN EXTRACTIVE INDUSTRIES LICENCE

Take notice that (1).....
.....
intends to apply to the Shire of Ashburton for an extractive industries licence to excavate (2)
.....
on land situated at (3)
.....
being (4)

Any person who wished to object or otherwise comment upon this proposal, should do so in writing to the Shire Clerk, Shire of Ashburton, PO Box 567 Tom Price 6751 not later than (5)

- (1) Insert the name of applicant
(2) Insert the material(s) proposed to be excavated
(3) Insert the postal address of the land subject to the application.
(4) Insert the title description of the land subject of the application.
(5) Insert the date which is to be 21 days after the date on which the notice is placed on the land.

Schedule 3

Shire of Ashburton

Clause 7

NOTICE OF APPLICATION FOR AN EXTRACTIVE INDUSTRIES LICENCE

- 1. Name (the "applicant")
2. Address
3. Telephone Fax
4. Address and locality of proposed excavation site

- 5. Lot No.
- 6. Location No.
- 7. Plan or Diagram No.
- 8. Certificate of Title Volume
Folio
- 9. Owner of the Land
- 10. Address of Owner of the Land.....
- 11. Material to be excavated
- 12. If the application covers the land that is the subject of an existing licence:
Date of issue of the licence
- Date of expiration of that licence
- Conditions applicable to that licence
-
- 14. Term of Licence sought
- 15. Submitted with this application are—
(a) 4 copies of excavation site plans (c1.7(1)(a));
(b) 4 copies of works and excavation programmes (c1.7(1)(b));
(c) 4 copies of rehabilitation and decommissioning programme (c1.7(1)(c));
(d) datum peg evidence (cl.7(1)(d));
(e) licensed surveyor’s certificate (cl.7(1)(e));
(f) evidence of compliance with cl.6(1) and (2) (c1.7(1)(f));
(g) copies of all land use planning approvals (c1.7(1)(g));
(h) written consent of the owner of the excavation site (cl.7(1)(h));
(i) any other information that the Council has required (c1.7(1)(i)); and
(j) licence application fee of \$50.00 (cl.7(1)(j)).

The applicant applies for a licence in respect of the proposed excavation site in accordance with and subject to the Shire of Ashburton Extractive Industries By-laws.

Dated this.....day of.....19.....

.....
Signature of Applicant

.....
Signature of Owner of the land

.....
Signature of existing licensee (if applicable)

Schedule 4
Shire of Ashburton
EXTRACTIVE INDUSTRIES LICENCE

Clause 8(3)(b)

Licensee
Address

.....
Land Description

.....
Material to be Excavated

.....
Term of Licence

.....
Date of Expiry

This licence is issued in accordance with the Shire of Ashburton Extractive Industries By-law subject to the following conditions—

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

Dated this.....day of.....19.....

.....
Shire Clerk

TRANSFER OF ENDORSEMENT

Clause 9(3)(b)

This licence is transferred to

.....

of

.....

.....

from the date of endorsement until

subject to each of the above conditions and the following additional conditions—

Dated this.....day of.....19.....

.....

Shire Clerk

—————

Schedule 5
Shire of Ashburton Clause 7(j), 10(1)(d), 13

1. Licence application and Licence Renewal Application Fees \$50.00.
2. Annual Licence Fees.
 - (a) where the overall area of excavation is less than 5 hectares \$1,000 payable annually in advance; and
 - (b) where the overall area of excavation is 5 hectares or greater \$2,000 payable annually in advance.
3. Secured Sum (clause 13)
A rate not exceeding \$2,500 per hectare (or part of a hectare) of the area to be excavated annually.
4. Licence Transfer Fee—\$50.00.

—————

The Common Seal of the Shire of Ashburton was affixed this 4th day of September 1995 in the presence of—

E. ROBBINS, Shire President.
L. VICKARY, Shire Clerk.

—————

Recommended—

PAUL D. OMODEI, Minister for Local Government.

—————

Approved by the Governor in Executive Council on the 5th day of December 1995.

J. PRITCHARD, Clerk of the Council.

LG304

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Denmark

Bylaw 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 April 1994 to revoke the By-law Relating to the Conduct of Proceedings and the Business of the Council published in the Government Gazette on the 23rd December 1983 and to make and submit for confirmation by the Governor the following Bylaw.

PART 1—PRELIMINARY

1. STANDING ORDERS

The proceedings and business of the Council shall be conducted according to this Bylaw, the clauses of which shall be referred to as “the Standing Orders”.

2. INTERPRETATION

In this Bylaw,

- “Act” means the Local Government Act 1960, and amendments;
- “Chairperson” includes any member presiding at any meeting of the council in a manner prescribed by the Act;
- “Clause” means a clause of the Bylaw;
- “Clerk” means the Shire Clerk or Acting Shire Clerk;
- “Committee” means any Standing or Occasional Committee appointed in accordance with the Act;
- “Council” means the Council of the Shire of Denmark;
- “Councillor” means a member of the Council;
- “Elector” means a person whose name is registered as an elector on the electoral roll of the Shire of Denmark municipal district or a ward of the district;
- “Meeting” includes any Ordinary or Special Meeting of the Council or a Committee held in pursuance of the Act and convened as therein required;
- “Member” means the President or a Councillor of the Shire of Denmark;
- “Minutes” means Minutes of the Council or a Committee of the Council;
- “Municipality” means the municipality of the Shire of Denmark;
- “Negated” means lost on a vote of the Members of the Council or of a Committee as the case may be;
- “Officer” means a person employed by the Council to attend meetings of the Council or a committee of the Council and as required be responsible for organising and arranging all matters relating to the holding of such meetings.
- “President” includes in the absence of the President, the Deputy President or in that persons absence the member chosen to preside at any meeting of the Council.

3. ARRANGEMENT

The arrangement of this Bylaw is as follows:

Part I Preliminary	Clauses 1-3
Part II Meetings of the Council	Clauses 4-17
Part III Business at Meetings—	
Division 1—Order of Business	Clauses 18-21
Division 2—Minutes	Clauses 22-24
Division 3—Questions	Clauses 25-30
Division 4—Minutes of Committees	Clauses 31-36
Division 5—Notice of Motion	Clauses 37-39
Division 6—Deputations, Committees Presentations	Clauses 40-41
Part IV Conduct of Meetings—	
Division 1—Rules of debate	Clauses 42-52
Division 2—Point of Order	Clauses 53-56
Division 3—Personal Explanation	Clauses 57-59
Division 4—Motions	Clauses 60-67
Division 5—Amendments	Clauses 68-71
Division 6—Voting	Clauses 72-81
Division 7—Motion that Meeting be Closed	Clauses 82-85
Division 8—General	Clauses 86-90
Part V Debate on Permissible Motions—	
Division 1—That Council adjourn	Clauses 91-96
Division 2—That the debate be adjourned	Clauses 97-101
Division 3—That the motion be put	Clauses 102-105
Division 4—That Council proceed behind closed doors	Clauses 107-109
Part VI Disturbances and Breach of Order	Clauses 109-120
Part VII Committees/General—	
Division 1—Standing Committees	Clauses 121-126
Division 2—Occasional Committee	Clauses 127-131
Division 3—General	Clauses 132-142

PART II MEETINGS OF THE COUNCIL

4. KIND OF MEETINGS

Meetings of the Council and Committees shall be of two kinds, "ordinary" and "special". Ordinary meetings are those called at such place and at such times as Council, from time to time, appoints for the transaction of the ordinary business of the Council. Special meetings are those called to consider special business, the nature of which shall be specified in the notice convening the meeting. No business shall be transacted at a special meeting other than that for which the special meeting has been called.

5. CALLING OF MEETINGS

- (1) The President may convene a meeting of the Council as often as the President thinks fit by notice in writing signed by the President or the Clerk and sent to each Councillor before the meeting.
- (2) If the President refuses or neglects to call a meeting of the Council after receiving a request for that purpose signed by at least three Councillors, those Councillors may call a meeting of the Council by serving a notice in writing signed by them stating the business to be transacted, on each of the other members of the Council at least 7 days before the time of commencement of the meeting.

6. NOTICE OF MEETINGS

Subject to Clause 7(4), notice of all meetings of the Council shall be given to members of the Council in writing and shall be signed by the President or the Clerk and shall state the place, date and hour of holding the meeting, and shall state the business to be transacted. The notice shall be served on each of the members of the Council at least 48 hours before the time of the commencement of the meeting provided that the period of time prescribed in Clause 5(2) is given in respect to a meeting called in a notice signed by three or more Councillors.

7. SERVICES OF NOTICES

A notice of meeting shall be served on each Councillor—

- (1) by delivering it to the Councillor personally; or
- (2) by delivering it to the Councillor's usual place of abode or business; or
- (3) by sending it to the Councillor by post or electronic mail at the Councillor's usual place of abode or business and a notice sent by post shall be deemed to have been served at the time when in the ordinary course of post it would have reached the address to which it was sent;
- (4) Notwithstanding the requirement that a notice of meeting shall be in writing, a notice concerning a Special Meeting may be given in a person to person telephone call to the President and each of the Councillors before the holding of the meeting.

8. NOTICE OF ADJOURNED MEETING

When a meeting of the Council is adjourned to a day and hour other than the next ordinary meeting of the Council, notice of the adjourned meeting shall, if time permits, be sent in the manner provided in clause 7 of this Bylaw to each member, specifying the nature of the business to be transacted.

9. FAILURE TO RECEIVE NOTICE NOT TO INVALIDATE PROCEEDINGS

Failure to receive a notice shall not affect the validity of any ordinary or special meeting of the Council so long as all reasonable steps have been taken to serve such notice.

10. PRESIDENT TO PRESIDE

The President if present, shall preside at all ordinary and special meetings of the Council and in the President's absence, or if after being present the President retires, the Deputy President shall preside but if the Deputy President is not present, or after being present retires, then one of the members chosen by majority vote of the members then present shall preside.

11. QUORUM

Except in cases where the Minister for Local Government may have reduced the number necessary to form a quorum of the Council, the numbers of members of the Council necessary to form a quorum—

- (a) where the total number of members is an even number, is one half of that total;
- (b) where the total number of members is an odd number, is the integer nearest to, but greater than, one half of that total.

12. QUORUM MUST BE PRESENT

The Council shall not transact business at a meeting unless a quorum is present.

13. ABSENCE OF QUORUM

If at any meeting a quorum be not present within half an hour after the time appointed for that meeting, the President or in the President's absence the Deputy President or in the Deputy President's absence the majority of the members present, or any one member, if only one be present, or the Clerk or Officer if no member be present, may adjourn the meeting to any date not later than seven days from the date of the adjournment.

14. ABSENCE OF QUORUM DURING MEETING

If at any time during any meeting of the Council a quorum is not present the Chairperson shall thereupon suspend the proceedings of the meeting for a period of five minutes, and if a quorum be not present at the expiration of that period, the meeting shall be deemed to have been counted out, and the Chairperson shall adjourn it to some future date.

15. NAMES RECORDED

At any meeting at which there is not a quorum of members present, or at which the Council is counted out for want of a quorum the names of the members then present shall be recorded in the minute book.

16. BUSINESS

No business shall be transacted at any meeting of the Council other than that specified in the notice relating thereto except—

- (1) matters which the Act permits to be dealt with without notice;
- (2) matters which this Bylaw permits to be dealt with without notice.

17. RECORDINGS OF PROCEEDINGS PROHIBITED

A person shall not use any visual or vocal electronic device or instrument to record the proceedings of the Council unless that person has been given permission by the Chairperson to do so.

PART III—BUSINESS AT MEETINGS**DIVISION 1—ORDER OF BUSINESS****18. ORDER OF BUSINESS**

The order of business at meetings of the Council shall, unless altered by Council resolution to that effect, be as nearly as practicable as follows, that is to say—

- (1) Apologies and leave of absence;
- (2) Obituaries;
- (3) Confirmation of Minutes;
- (4) Announcements by the Chairperson without discussion;
- (5) Declarations of members and officers interest;
- (6) Petitions and memorials;
- (7) Business from previous meeting (consideration of any business left over from the previous meeting);
- (8) 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);
- (9) Reports of Officers;
- (10) Reports of Committees;
- (11) Motions of which notice has been given;
- (12) Notice of motion for consideration at the following meeting;
- (13) Questions without notice;
- (14) General Business;
- (15) Questions from Public; and
- (16) Closure.

19. ORDER OF BUSINESS AT SPECIAL MEETING

The order of business at any Special Meeting shall be the order in which that business stands in the notice of the meeting unless the Council, by resolution, alters the order of business to that effect.

20. UNACCEPTABLE BUSINESS

If the Chairperson is of the opinion that any motion or business proposed to be made or transacted at a meeting is disrespectful, it shall be competent either before or after the same is brought forward, to declare that the motion or business shall not be entertained. Provided always that it shall be competent for any member of the Council to move dissent from the declaration made from the Chair, and in the event of the same being carried by a majority of the members present the business referred to shall thereupon be entertained but not otherwise.

21. BUSINESS AT ADJOURNED MEETING

At an adjourned meeting of the Council, no business shall be transacted other than such as shall have been specified on the notice of the meeting of which it is an adjournment, and which remains undisposed of, save and except in the case of an adjournment to the next ordinary meeting of the Council, when the business undisposed of at the adjourned meeting shall have the precedence at such ordinary meeting of the Council.

DIVISION 2—MINUTES

22. Except as provided for in clause 21, the minutes of any preceding meeting of the Council, whether ordinary or special, not previously confirmed shall be submitted and confirmed at meetings of the Council and no discussion thereon shall be permitted except

as to their accuracy as a record of the proceedings, and each page of the said minutes shall then, if found to be correct, be signed and dated by the Chairperson.

23. MINUTE BOOK

The fixing of the minutes into a book shall be sufficient recording of the minutes in the minute book.

24. READING OF MINUTES MAY BE DISPENSED WITH

The reading at the next meeting of the Council of the minutes of a previous meeting may be dispensed with when members have been supplied with copies of the minutes at least two days before the holding of the next meeting of Council.

DIVISION 3—QUESTIONS

25. DEFINITION “QUESTION”

In clauses 26 to 30 inclusive, the expression ‘question’ means a request for information or an inquiry.

26. QUESTIONS AND ANSWERS TO BE BRIEF

Every question and answer shall relate to the business of Council, and shall be submitted as briefly and concisely as possible and no discussion shall be allowed thereon.

27. QUESTIONS FROM MEMBERS

A member may ask a question requesting general information as to the work or procedure of the Council. If the answer to the question at the meeting at which it is asked cannot be given, the Clerk or officer shall arrange for;

- (1) the answer to be submitted to the next meeting of the appropriate committee; or
- (2) the answer to the question is to be given to the member prior the next ordinary meeting of Council with a copy being provided to all other members of the Council who indicate at the time that they also require a copy.

28. PUBLIC QUESTION TIME

Public Question time shall be held prior to the closure of the Council meeting. Duration of question time shall not exceed one half hour or such other extended period as the Council, by resolution, may allow and the questions shall consist of—

- (1) those relating to matters on the Notice Paper for the particular meeting which will have precedence over all other questions; and
- (2) those relating to matters concerning the municipality but which have not been listed on the notice paper.

29. Questions from the public shall be directed through the Chair with the chairperson having the discretion of accepting or rejecting a question, the right to nominate a member or Officer to answer and requiring the question to be in writing.

30. If the answer to the question cannot be given at the meeting it was asked, the Clerk or Officer shall cause an answer to be given not later than the next ordinary meeting of the Council.

DIVISION 4—MINUTES OF COMMITTEES

31. REPORT TO COUNCIL

Each Standing Committee shall cause to be prepared—

- (1) A report of recommendations with suitable explanatory preamble for submission to the next Ordinary Meeting of the Council.
- (2) Minutes of all its proceedings and transactions which shall be entered in a Minute Book. The minutes of each meeting shall be confirmed at the following meeting and signed by the Chairman thereof.

32. ITEMS TO BE NUMBERED

The minutes of every Committee shall be divided into items, which shall be numbered consecutively.

33. MINUTES TO BE SENT OUT

The minutes of every Committee shall be presented at the next meeting of the Council following the Committee meeting and shall be sent to each member of the Council before the scheduled commencement time of the Council meeting at which they will be presented.

34. RECOMMENDATIONS MAY BE QUESTIONED

During the consideration by the Council of a recommendation of a Committee, members may, through the President, question the Chairperson or any member of the Committee upon any matter arising directly out of, or having relevance to, the recommendations.

35. ADOPTION OF RECOMMENDATIONS

A recommendation made by or contained in the minutes of a Committee may be adopted by the Council without amendment or modification, failing which, it may be—

- (1) rejected by the Council and replaced by an alternative resolution; or
- (2) amended or modified and adopted with such amendments or modifications; or
- (3) referred back to the Committee for further consideration.

36. RECOMMENDATIONS BECOME RESOLUTIONS

If the Council adopts a recommendation or recommendations contained in the minutes of a Committee, without amendment or modification, the recommendation or recommendations so adopted shall be deemed to be a resolution or resolutions of the Council as the case may be.

DIVISION 5—NOTICE OF MOTIONS**37. NOTICES OF MOTION TO BE IN WRITING**

(1) Unless the Act or this Bylaw otherwise provides, a member may only bring forward at a meeting such business as is referred to in clause 38 in the form of a motion of which notice has been given, in writing, to the Clerk.

(2) Notice of motion shall be given to the Clerk either—

- (a) at the last previous Council meeting, or
- (b) at least seven clear days before the meeting at which it is to be brought forward.

38. SUBJECT OF NOTICE OF MOTION

Every notice of motion shall relate to business affecting the constitution, administration or condition of the Municipality or the Council, and the Chairperson shall rule out of order any motion which does not comply with this clause.

39. MOTION TO LAPSE

Every such motion as is mentioned in Clause 37 shall lapse unless—

- (1) the member who gave notice thereof, or some other member authorised by the member, in writing, is present to move the motion when called on; or
- (2) the Council by resolution agrees to defer consideration of the motion to a later stage or date.

DIVISION 6—DEPUTATIONS AND COMMITTEE PRESENTATIONS**40. DEPUTATIONS**

(1) Persons wishing to make deputations to a meeting of the Council or a Committee of the Council shall in the first instance make a request to the Clerk outlining the subject matter to be raised by the deputation. On receiving such a request the Clerk shall notify the President or Chairperson of the appropriate Committee who may elect to invite the deputation to attend.

(2) A deputation shall not exceed five in number and only two members thereof shall be at liberty to address the Council or a committee of the Council, except in reply to questions from members of the Council or committee.

41. COMMITTEE PRESENTATIONS

(1) Members of the public may attend meetings of Council Committees except on such occasions as the relevant Committee by resolution, directs otherwise.

(2) After the meeting of the Committee has been formally constituted and the business concerning the declaration of members and officers interest disposed of, the Committee Chairperson may extend an invitation to persons from the public present to address the Committee on any item listed in the notice paper.

(3) Persons electing to address the Committee on an item in the notice paper must first state their name, identify the item on the notice paper and demonstrate to the Committee that they have an interest in the item as a result of being—

- (a) the applicant or a consultant or representative of the applicant.
- (b) a person representing an organisation or a group of persons involved with the application.
- (c) an adjoining neighbour of the applicant.
- (d) such other persons as the Chairperson or Committee may determine as having a direct or indirect interest in the item on the notice paper.

(4) Persons speaking to an item on the notice paper will be limited to a period of five minutes unless the Committee signifies without debate that an extension of time not exceeding ten minutes is warranted.

(5) Members of the committee may, through the Chairperson, question persons addressing the Committee on the item in the notice paper but no debate or general discussion will be permitted.

(6) The Committee may, by resolution (which may be moved without notice) bring forward and deal with the item listed in the notice paper immediately following the conclusion of that persons address to the Committee.

PART IV—CONDUCT OF MEETINGS**DIVISION 1—RULES OF DEBATE****42. MEMBERS TO ADDRESS THE CHAIRPERSON**

After a meeting of the Council has been formally constituted and the business thereof commenced, a member of the Council shall not enter, leave or withdraw from such meeting without first paying due respect to the Chair by deferring to the Chairperson.

43. TITLES TO BE USED

A speaker, in referring to any other member present, shall designate that person by the title of President or Councillor, as the case may be.

44. PRIORITY OF SPEAKING

Where two or more members indicate their intention to speak at the same time, the Chairperson shall decide which of them is entitled to priority.

45. CHAIRPERSON TO BE HEARD

Whenever the Chairperson indicates an intention to speak during a debate, any member then speaking or offering to speak shall cease speaking and all other members shall be silent so that the Chairperson may be heard without interruption.

46. CHAIRPERSON TO TAKE PART IN DEBATES

Subject to the provisions of this Bylaw, it shall be competent for the Chairperson to move or second motions as well as to take part in a discussion upon any motion or business before the meeting provided that the Chairperson shall address the meeting before the right of reply is exercised.

47. SPEAKING TWICE/RIGHT OF REPLY

Except where this clause is suspended under clause 49, a member shall not speak twice on the same motion except—

- (1) in reply, upon an original motion of which the member was the mover;
- (2) in reply, upon an amendment last debated of which the member was the mover; or
- (3) by way of personal explanation, in accordance with clauses 57, 58 and 59.

48. SPEAKING IN REPLY

A member speaking in reply shall not introduce any new matter and shall be confined strictly in responding to and answering previous speakers.

49. SUSPENSION

The Council may, by resolution moved without notice, suspend the operation of clause 47 hereof, and thereupon such clause shall be suspended until such time as the Council shall, by similar resolution, otherwise decide.

50. NO SPEECH AFTER CERTAIN EVENTS

No member shall speak on any motion or amendment—

- (1) after the mover has replied; or
- (2) after the question has been put.

51. MOVER AND SECONDER HAVE SPOKEN

A member moving a motion or amendment after obtaining a seconder, shall speak first to the motion or amendment but the seconder may reserve speaking to the motion or amendment to a later stage in the debate provided the seconder so indicates after the mover has spoken to the motion or amendment.

52. LIMIT OF SPEECHES

A member shall not speak on any motion or amendment or in reply for a longer period than five minutes without the consent of the Council, which shall be signified without debate.

An extension shall not be permitted under this clause beyond a total of ten minutes.

DIVISION 2—POINT OF ORDER**53. POINT OF ORDER TO BE HEARD**

A member when addressing the Chairperson shall not be interrupted except upon a Point of Order in which event the member shall cease speaking until the member raising the Point of Order has been heard thereon and the question of order has been disposed of whereupon the member so interrupted may if permitted proceed.

54. ACCEPTABLE POINTS

A member expressing a difference of opinion with or contradicting a speaker shall not be recognised as raising a point of order. The following shall be recognised as breaches of order—

- (a) Discussion of a question not before the Council.
- (b) The use of offensive or insulting language.
- (c) the violation of any Standing Order of the Council.

A member raising a point of order shall specify the ground upon which the point of order is raised.

55. PRECEDENCE TO QUESTIONS OF ORDER

Notwithstanding anything contained in this Bylaw to the contrary, all questions of order at any time arising shall, until decided, suspend the consideration and decision of all other business.

56. RULINGS BY CHAIRPERSON

The Chairperson, when deciding a point of order or practice, shall give a decision, and argument or comment shall not be permitted thereon and the decision shall be final in that particular case unless a majority of members then present, vote upon a motion, moved without discussion, dissent there from.

DIVISION 3—PERSONAL EXPLANATION

57. PERSONAL EXPLANATION

A member shall not speak on any matter, other than the matter before Council at any particular point unless it is to make a personal explanation.

A member making a personal explanation shall confine it to a succinct explanation of a material part of the member's former speech which may have been misunderstood and to the explanation itself and shall not avert to matters not strictly necessary for that purpose or seek to strengthen the member's former argument by any new matter or by replying to other members.

58. PERSONAL EXPLANATION—MEMBER TO BE HEARD

A member making a personal explanation of matters referred to by any member then speaking shall be entitled to be heard forthwith if the member then speaking consents at the time, but if the member who is speaking declines to give way the explanation must be offered at the conclusion of the speech.

59. RULING ON QUESTIONS OF PERSONAL EXPLANATION

The ruling of the Chairperson on the admissibility of a personal explanation shall be final and conclusive and shall not be open to discussion or dissent.

DIVISION 4—MOTIONS

60. SUBSTANCE OF MOTION TO BE STATED

Any member desirous of proposing an original motion or amendment shall state its substance before the member addresses the Council thereon and, if so required by the Chairperson shall put the motion or amendment in writing.

61. MOTIONS AND AMENDMENTS TO BE SECONDED

A motion or amendment shall not be discussed or put to the vote of the Council unless seconded.

62. MEMBER MAY REQUIRE MOTION TO BE READ

Any member may require the motion or business under discussion to be read for the member's information at any time during a debate, but not so as to interrupt any other member whilst speaking.

63. PERMISSIBLE MOTIONS DURING DEBATE

When a motion is under debate, no further motion shall be moved except a motion—

- (1) that the motion be amended;
- (2) that the Council do adjourn;
- (3) that the debate be adjourned;
- (4) that the motion be now put;
- (5) that the Council proceed behind closed doors;

64. DIVISION OF MOTIONS

The Chairperson may, or the Council by resolution without debate, may order a complicated motion to be divided and put in the form of two or more motions.

65. WITHDRAWAL OF MOTIONS

A motion or amendment may be withdrawn by the mover with the consent of the Council which shall be signified without debate and it shall not be competent for any member to speak upon the motion or amendment after the mover has asked consent for its withdrawal, unless that consent is refused.

66. LIMITATION OF WITHDRAWAL

A motion shall not be withdrawn until any amendment proposed thereto has been withdrawn or negated.

67. NO DIGRESSION

A member shall not speak otherwise than upon the motion then before the Council, except to make a personal explanation.

DIVISION 5—AMENDMENTS

68. NATURE OF AMENDMENTS

An amendment to a motion shall not negate the motion.

69. AMENDMENTS TO RELATE TO MOTION

Every amendment to a motion must be relevant to the intention of the motion.

70. ONE AMENDMENT AT A TIME

Only one amendment shall be discussed at a time, but as often as an amendment is lost, another amendment may be moved, before the original motion is put to the vote, except that where an amendment is carried, one further amendment to the original motion as amended, and no more, may be moved.

71. AMENDED MOTION TREATED AS ORIGINAL MOTION

Where an amendment is carried the original motion as amended shall, for the purposes of subsequent debate, and subject only to clause 70, be treated as an original motion.

DIVISION 6—VOTING

72. ALL MEMBERS TO VOTE

At every meeting of the Council, every member present in the Chamber shall vote when a motion is put except where the Act otherwise provides and if any Member who is entitled to vote fails to do so the Chairperson shall call upon the member to vote.

73. DECLARATION OF COUNCILLORS' INTERESTS

(1) Obligation to Declare an Interest

- (1) Any Councillor who has an interest within the meaning of sections 174 and 174A of the Act in a matter proposed to be dealt with at any meeting shall declare the interest at the time Declarations of Members and Officers Interest are called for in the Order of Business for the meeting.
- (2) Any Councillor who is not present at the time declarations are called for in the Order of Business shall declare an interest in a matter at the time that matter arises for consideration by the meeting, and before any discussion or voting on that matter takes place.
- (3) If a Councillor has an interest in a matter raised by way of amendment to a motion or an interest in a matter raised otherwise without notice, the Councillor shall declare that interest at the earliest possible time but in any event before discussion and voting on the matter takes place.
- (4) The obligation to declare an interest shall apply to all Members present at the meeting including a Councillor attending a Committee meeting in the capacity of an observer.
- (5) The obligation to declare an interest applies in regard to each meeting at which the matter the subject of the interest arises.
- (6) The obligation to declare an interest at a meeting does not apply to a Councillor who has disclosed the Councillor's interest by written notice given to the Clerk prior to the meeting.

(2) Details of Interest

At the time of declaring an interest, a Councillor is not required to give any details of the interest unless the Councillor wishes the meeting to consider and resolve upon the question whether the Councillor —

- (a) should be permitted to take part in the consideration or discussion of the matter; or
- (b) should be permitted to vote on the matter pursuant to subsection 174(5) of the Act,

in which case the Councillor shall comply with subclause 73(6).

(3) Permission to Participate

- (1) A Councillor who has declared an interest or who is liable to declare an interest in a matter and who
 - (a) desires to take part in the consideration or discussion of the matter; or
 - (b) desires to vote on the matter;

shall not do either unless the meeting at which the matter arose determines by motion which may be moved without notice, that the Councillor should be allowed to speak or vote or both as the case may be.

- (2) A meeting when considering the question in item (b) of paragraph (1) of this subclause shall have regard only to the considerations in paragraphs (a) and (b) of subsection 174(5) of the Act, but may consider those and other considerations of a like kind when considering the question in item (a).

(4) Obligation to Withdraw

- (1) Notwithstanding that there is no obligation to do so, it is considered desirable that a Councillor who has declared an interest in a matter including a Councillor attending a Committee should depart from and remain absent from the Chamber or room while the matter is under consideration and until a vote on the matter has been taken.
- (2) A Councillor who has declared an interest and who does not desire to take part in the consideration or discussion of the matter or to vote on the matter and who elects to depart in accordance with the recommendation in paragraph (1) should depart from the Chamber or room when the matter arises for consideration or when invited to do so.
- (3) A Councillor who has declared an interest in a matter ("the substantial matter") but who desires either to participate in the consideration or discussion of the matter or to vote on the matter should remain in the Chamber or room to give an explanation in support of a motion that the Councillor be permitted to speak and/or vote on the matter (as the case may be) but thereafter should depart until the vote on that matter is known.
- (4) If it is resolved at a meeting that a Councillor who has declared an interest in a matter be permitted to participate in the consideration and discussion of the matter or to vote on the matter or both, then the Councillor may return and participate to the extent permitted.

(5) Exclusion by Motion

Notwithstanding the provisions of subclause 73(4) if a Councillor has declared an interest in a matter or is liable to declare an interest, and has not elected to withdraw from the Council Chamber or the meeting room in accordance with the recommendation in subclause 73(4), the Council or Committee may by motion, which may be moved without notice, exclude the Councillor from the Chamber or room in the circumstances referred to in subsection 174(9) of the Act.

(6) Full Details of Interest to be Given

- (1) If a Councillor declares an interest in a matter, the question whether the Councillor should be permitted to take part in the consideration or discussion of the matter and the question whether the Councillor should be permitted to vote on the matter shall not be considered unless full details of the Councillor's interest have been given to the meeting, sufficient to enable other Councillors present at the meeting to make a fair and informed decision on such questions.
- (2) A Councillor who has declared an interest or who is liable to declare an interest in a matter shall not take part in the consideration and discussion or voting on the matter unless full details of the Councillor's interest have been given to the meeting, sufficient to enable other Councillors present at the meeting to make a fair and informed decision on the question whether the declaring Councillor should be permitted to do so.
- (3) The prohibition in the preceding paragraph shall continue to apply whether or not the meeting has resolved to permit the Councillor to participate in the consideration and discussion or in the voting on the matter.

(7) Invitation to Return to Provide Information

Where a Councillor has declared an interest in a matter, and has departed from the Chamber or room in accordance with the recommendation in subclause 73(4), the meeting may resolve to invite the Councillor to return to provide information in respect of the matter or in respect of the Councillor's interest in the matter but in such case the Councillor should withdraw after providing the information.

(8) Substitution of Deputy at Committee

Where a Councillor withdraws from a meeting of a Committee during the consideration of a matter in accordance with the recommendation in subclause 73(4), the meeting may resolve to invite another Councillor present at the meeting who is a deputy of the excluded Councillor for that Committee to participate as a Councillor of the Committee in place of the excluded Councillor during the consideration of that matter only.

(9) Recording Details of Interest in Minutes

The Minutes of the meeting shall record in summary form the details of the interest disclosed by a Councillor in accordance with the provisions of this clause unless the meeting resolves that the details should be recorded in full.

(10) Declaring Interest in Urgent Business

In the case of a matter which comes before the Council as urgent business, any Councillor who has an interest in that matter within the meaning of s.174 of the Act and who has not had an earlier opportunity to declare an interest in the matter, shall declare an interest when the matter comes forward for consideration by the meeting.

(11) Notification of Interest at Meeting

A Councillor who has an interest in a matter proposed to be dealt with at a meeting may give written notice of an interest in that matter at or prior to the meeting, but in any event the fact of the interest having been declared shall be notified to the meeting.

(12) Recording of Declaration

Further to subclause 73(9), any declaration of interest shall be recorded in accordance with the provisions of subsection 174(8) of the Act.

(13) Exemption by Minister

- (1) Where the Minister grants an exemption under the provisions of subsection 174(10) of the Act, in the case of any inconsistency between the provisions of this clause and the exemption the provisions of the exemption shall prevail.
- (2) The terms of any exemption granted by the Minister shall be recorded in the same manner of declaration of interest pursuant to subsection 174(8) of the Act.

74. DECLARATION OF OFFICERS' INTERESTS

(1) An Officer of the Council who is liable to declare an interest in a matter under the provisions of s.174A of the Act when giving advice or a report to the meeting shall disclose the fact of the interest in or at the time of giving such advice or report.

(2) An Officer disclosing an interest in accordance with the preceding subclause shall provide sufficient details of the interest to enable the meeting to make a fair and informed evaluation of the extent and nature of the Officer's interest and any effect that interest might be thought to have upon the advice or report given.

(3) The details of the interest of an Officer so disclosed shall be recorded in a book in accordance with subsection 174A(4) of the Act, and the fact of the disclosure and a summary of the details thereof shall be recorded in the Minutes of the meeting unless the meeting resolves to record the details of the interest in full.

75. DECLARATION OF DUE CONSIDERATION

Any Councillor who is not familiar with the substance of any report or Minutes or other information provided for consideration at a meeting shall declare that fact at the time declarations of due consideration are called for in the Order of Business of the meeting or otherwise before the meeting considers that matter and in the event that any Councillor makes such a declaration the relevant matter shall be stood down for later consideration at that meeting as to allow an opportunity for any Councillor making the declaration to become familiar with the relevant report or Minutes or other information. If the delay in consideration of the matter has not allowed sufficient time for the Councillor to give due consideration to the matter, the Councillor should leave the Council Chamber before any question concerning that matter is put to the vote.

76. EQUALITY OF VOTES

Where there is any equal division of votes upon any motion it shall be resolved in the negative.

77. METHOD OF TAKING THE VOTE

The Chairperson shall, in taking the vote on any motion or amendment, put the question first in the affirmative and then in the negative and may do so as often as is necessary to enable the Chairperson to form and declare an opinion as to whether the affirmative or the negative has the majority. Voting shall be by a show of hands except where a member is prevented by physical disability which precludes compliance.

78. DIVISION MAY BE CALLED

Upon the result of the voting in clause 77 being declared, any member may call for a division.

79. DIVISION PROCEDURE

Upon a division being called for the Chairperson shall order that a division be taken and after the lapse of one half minute from the giving of the order no member shall be permitted to enter or leave the Council Chamber until after the division has been taken.

80. DIVISION—HOW TAKEN

The division shall thereupon be taken by those voting in the affirmative passing to the right of the Chair and those voting in the negative to the left of the Chair.

81. RECORDING OF VOTING

The names of members who voted on the motion on which there is a division shall be recorded in the minutes, together with details of whether they voted in the affirmative or the negative together with the names of the members who abstained from voting by reason of clause 72(1).

DIVISION 7—MOTION THAT MEETING BE CLOSED

82. MOTION THAT THE MEETING BE CLOSED

(1) A member may, on the conclusion of any motion or business, and prior to Council proceeding to the next item of business, move without notice that the meeting of the Council be now closed.

(2) On a motion that the meeting be closed, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second the motion. No other debate shall be allowed.

83. WHEN MOTION LOST

If a motion that the meeting of the Council be closed is lost, a similar motion shall not be moved until the next item on the notice paper have been concluded, or alternatively any other items, not exceeding two, as nominated by the Chairperson as having precedence over any other items of business.

84. WHO MAY MOVE MOTION

(1) A member who has not spoken on the motion then before the Council may move that the meeting be closed.

(2) A member shall not, at the same meeting of the Council, move or second more than one motion that the meeting be closed.

85. PROCEDURE—BUSINESS UNDISPOSED OF

On a motion that the meeting be closed being carried, any business specified in the notice paper remaining undisposed of shall have precedence at the next ordinary meeting of the Council.

DIVISION 8—GENERAL

86. RESCISSION OF RESOLUTION

(1) The Council may, at the same meeting at which it is passed, rescind or alter a resolution if all members of the Council who were present in the Council Chamber at the time the resolution was passed are also present in the Council Chamber at the time the rescission or alteration is proposed.

(2) The Council may, at a meeting after that which it was passed, rescind or alter a resolution—

- (a) where notice of motion to rescind or alter is not given, if a motion to that effect is carried by an absolute majority of the members of the Council; or
- (b) where the member intending to propose the rescission or alteration has through the Clerk given written notice of intention to each of the other members of the Council at least seven (7) days before the meeting, if a motion to that effect is carried by the majority of the members voting on the proposal at the meeting; but not otherwise.

(3) The written notice required by sub clause 86(2)(b) must set out clearly the member's reasons in seeking the rescission or alteration of a resolution passed by the Council.

87. NEGATIVED MOTIONS

A motion to the same effect as any motion which has been negatived by the Council except those motions provided for in Clause 63 or where otherwise provided within the Bylaw, shall not again be entertained within a period of three months, except with the approval of the Council.

88. SUSPENSION OF STANDING ORDERS

In cases of urgent necessity any Standing Order of the Council may be suspended on a motion of the Council.

89. MOTION FOR SUSPENSION OF STANDING ORDERS

Any member moving the suspension of a Standing Order shall state the reason for the motion, but discussion thereon shall not otherwise take place.

90. PRODUCTION OF DOCUMENTS

(1) Any member is entitled to require at a meeting the production of any of the documents of the Council relating to the motion or business specified in the notice relating to the meeting.

(2) On giving to the Clerk not less than four ordinary working hours notice a member is entitled to have laid on the Council table for the duration of a meeting any document or record of the Council, and the Clerk or Officer, on receiving that notice, shall take all reasonable steps to lay the document on the Council table at the commencement of the meeting.

PART V—DEBATE ON PERMISSIBLE MOTIONS

DIVISION 1—THAT COUNCIL DO ADJOURN

91. THAT COUNCIL DO ADJOURN

(1) A member may, at the conclusion of the speech of any other member or on the conclusion of any business, move without notice that the Council do now adjourn, and that motion shall state the time and date to which the adjournment is to be made.

(2) On a motion to adjourn, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second, and the mover of the motion (if any) which was then under debate may speak for not more than five minutes, but no other debate shall be allowed.

92. LIMIT TO FURTHER MOTION

Where a motion for the adjournment of the Council is negatived, no similar motion shall be moved until both the business then under discussion, and the next item on the notice paper, have been disposed of.

93. WHO MAY MOVE MOTION

(1) A member who has not spoken on the motion or business then before the Council may move the adjournment of the Council.

(2) A member shall not, at the same sitting of the Council, move or second more than one motion for the adjournment of the Council.

94. RESUMPTION OF ADJOURNED MEETING

On a motion for the adjournment of the Council being carried, the debate on the motion or business (if any) under debate when the adjournment motion was moved shall be continued immediately upon the Council resuming after the adjournment.

95. NAMES OF SPEAKERS TO BE RECORDED

On a motion for the adjournment of the Council being carried, a record shall be taken of all those who have spoken on the subject (if any) under consideration at the time of the adjournment and they shall not be permitted to speak on any subsequent consideration of the same subject but this clause does not deprive a mover of the right of reply.

96. DATE AND TIME TO BE SPECIFIED

The Chairperson on a motion for adjournment being carried shall adjourn the meeting to such time and date as the motion specifies, or where no time and date is specified to such time and date as the Chairperson shall then declare.

DIVISION 2—THAT THE DEBATE BE ADJOURNED

97. MOTION FOR ADJOURNMENT OF DEBATE

(1) A member may, at the conclusion of a speech of any other member, move without notice that the debate be adjourned to a later hour of the same meeting or to a subsequent meeting of the Council.

(2) On a motion that the debate be adjourned, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second, and no other debate shall be allowed, but if the question then before the Council is a recommendation from a Committee, the Chairperson of the Committee concerned, or in the Chairperson's absence a member thereof, may speak for not more than five minutes.

98. WHO MAY MOVE FOR ADJOURNMENTS

(1) A member who has not spoken on the motion or business then before Council may move the adjournment of the debate.

(2) A member shall not, at the same sitting of the Council, move or second more than one motion for the adjournment of the same debate.

99. SPEAKER ON RESUMPTION OF ADJOURNED DEBATE

On resuming an adjourned debate, the member who moved its adjournment shall be entitled to speak first.

100. NAMES OF SPEAKERS RECORDED

On a motion for the adjournment of a debate being carried, a record shall be taken of all those who have spoken on the subject under debate and they shall not be permitted to speak on any resumption of the debate on that subject, but this clause does not deprive a mover of the right of reply.

101. COUNTING OUT OF COUNCIL DURING DEBATE OF MOTION

Where the debate on any motion, moved and seconded, is interrupted by the Council being counted out, that debate may, on a motion at a subsequent meeting without notice, be resumed from the point it was so interrupted.

DIVISION 3—THAT THE MOTION BE NOW PUT

102. THAT THE MOTION BE NOW PUT

A member may, at the conclusion of the speech of any other member, move without notice and without comment that the motion under consideration be now put and upon that motion being formally seconded it shall immediately be voted upon, without debate.

103. WHO MAY MOVE

A motion that the motion under consideration be put shall be moved by a member who has not already spoken on the motion.

104. RIGHT OF REPLY

When it is decided by the Council that the motion under consideration be put, the mover of the motion under consideration shall, if debate has ensued and if otherwise entitled to do so, be permitted to speak in reply for not more than five minutes before the motion is put, but subject thereto the motion shall be at once put.

105. MOTION AND AMENDMENT INCLUDED

Whenever it is decided by the Council that the motion be put, the motion to be so put includes the substantive motion as well as any amendment thereto.

DIVISION 4—THAT COUNCIL PROCEED BEHIND CLOSED DOORS

106. THAT COUNCIL PROCEED BEHIND CLOSED DOORS

Ordinary, Special and Committee meetings of the Council shall be open to the public except on the following occasions and on such other occasions as the Council or Committee by resolution which may be moved without notice, directs otherwise.

- (a) matters of a personal nature touching the conduct in employment of an officer or employee of the Council or the relationship or contract with the Council of an officer or employee;
- (b) consideration of legal advice;
- (c) any matter which in the opinion of the chairperson requires consideration of the personal private affairs of a person in circumstances likely to cause unreasonable embarrassment to that person if the consideration did not occur behind closed doors.

107. BUSINESS BEHIND CLOSED DOOR

(1) After the carrying of a resolution under clause 106 of this Bylaw, the business at that meeting of the Council or Committee shall not be open to the public but shall proceed behind closed doors, until the Council or Committee by resolution decides that the meeting shall be open to the public.

(2) Upon the carrying of such a resolution, the Chairperson shall direct all persons other than members and officers of the Council to leave the Council Chambers and every person shall forthwith comply with such direction.

(3) Any person failing to comply with a direction pursuant to subclause (2) of this clause commits an offence and may, with the use of reasonable force if necessary, be removed from the Council Chambers.

(4) While a resolution made under this clause is enforced, the operation of clause 47—Speaking Twice/Right of Reply shall be suspended, unless the Council or Committee, by resolution, otherwise determines.

(5) Any resolution mentioned in this subclause may be moved without notice.

108. CONFIDENTIAL MATTERS

(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 not, without the authority of the Council or of the Committee (as the case may be), be disclosed to any person other than the members or officers of the Council (and in the case of officers only as far as may be necessary for the performance of their duties).

(2) Any report, document or correspondence which is to be placed before Council or any Committee and which is in the opinion of the Clerk or Officer of a confidential nature may at the Clerk or Officers discretion be marked as such and shall then be treated as strictly confidential and shall not without authority of the Council be disclosed to any person other than the President, Councillors or officers of the Council.

PART VI—DISTURBANCE AND BREACH OF ORDER

109. NO ADVERSE REFLECTION ON COUNCIL

A member other than stating an objective personal opposition to a Council decision or part of a Council decision, shall not comment adversely upon a resolution of the Council, except on a motion that the resolution be rescinded or amended.

110. NO ADVERSE REFLECTION ON MEMBER AND COUNCIL OFFICER

A member, shall not comment adversely upon the character or actions of another member or a council officer or be disrespectful in any way to another member or Council officer.

111. RECORD OF WORDS SPOKEN

A member who is of the opinion that particular words used by another member are in contravention of clause 111 may make a written record immediately upon them being used and require the Clerk to enter that record in the minutes of the meeting.

112. DEMANDS FOR WITHDRAWAL

If any member commits a breach of clauses 109 or 110 the Chairperson may require the member unreservedly to withdraw any offending comment and to make a satisfactory apology, and if the member declines or neglects to do so the Chairperson may direct such member to cease speaking and may call on the next speaker.

113. DISTURBANCE BY MEMBERS OR PERSONS OF THE PUBLIC

(1) A member shall not make any undue noise or disturbance or converse aloud while any other person is addressing the Council, excepting—

- (a) to raise a point of order, or
- (b) to call attention to want of a quorum.

(2) A person, not being a member, shall not at any meeting of the Council interrupt the proceedings of the Council.

(3) Any person interrupting the proceedings of the Council shall, when so directed by the Chairperson, forthwith leave the Council Chambers.

114. CONTINUED IRRELEVANCE, ETC.

The Chairperson may call the attention of the Council to continued irrelevance, tedious repetition, unbecoming language, or any breach of order or decorum on the part of a member and may direct that member, if speaking, to discontinue speaking, and thereupon the member shall cease speaking and be seated.

115. RESPECT FOR CHAIRPERSON AND SPEAKER

When the Chairperson is putting any motion a member shall not walk out of or into the Chamber and shall not, whilst any member is speaking pass between the speaker and the chair.

116. CHAIRPERSON TO PRESERVE ORDER

The Chairperson shall preserve order and may call any member to order whenever, in the Chairperson's opinion, there is cause for so doing.

117. MEMBERS MAY DIRECT ATTENTION TO BREACHES OF ORDER

Every member shall be entitled to direct the attention of the Chairperson to an infraction of the Standing Orders by the Chairperson, any other member, or to draw the attention of the Chairperson to any matter of which the latter may take notice under clause 114.

118. RETRACTION OR APOLOGY ON ANY MATTER

Whenever the Chairperson is of the opinion that any motion, amendment or other matter before the council is out of order in accordance with the Standing Orders, the motion, amendment or matter shall be rejected, and whenever anything said or done in the meeting by any member is similarly decided to be out of order in accordance with the Standing Orders, that member shall be called upon by the Chairperson to make such explanation, retraction or apology as the case may require.

119. CONTINUED BREACH OF ORDER

When a member persists in any conduct which the Chairperson decides is out of order in accordance with the Standing Orders, or refuses to make any explanation retraction or apology required by the Chairperson under clause 112 and 118 the Chairperson may direct that member to refrain from taking any further part in the then meeting of the Council other than complying with the pecuniary interest and voting provisions of the Local Government Act.

120. SERIOUS DISORDER

(1) If at a meeting of the council the Chairperson is of the opinion that, by reason of disorder or otherwise, the business of the Council cannot effectually be continued, the Chairperson may adjourn the meeting for a period of not more than fifteen minutes.

(2) Where after any proceeding under subclause (1) of this clause the Chairperson is again of the opinion that the business of the Council cannot effectually be continued, the Chairperson may close or adjourn the meeting.

PART VII—COMMITTEES/GENERAL**DIVISION 1—STANDING COMMITTEES****121. APPOINTMENT OF STANDING COMMITTEES**

The Council may appoint Standing Committees to perform any duty which may be lawfully delegated by the Council to a Standing Committee.

122. COMPOSITION OF COMMITTEES

(1) Each Standing Committee shall comprise of such members of the Council as may be decided upon by the Council at the first meeting held after the annual elections each year provided that the number of members of a Committee shall be less than one half of the total number of members of the Council.

(2) In the event of a member not being able to attend a meeting of a Committee to which the member has been appointed, the member will endeavour to arrange for the appointed deputy to attend in the member's stead.

123. APPOINTMENT OF DEPUTIES

The Council may appoint a member or members thereof to be the deputy or deputies, as the case may be, to act on behalf of a member of a Standing Committee provided that a Committee member is not appointed deputy for another member of the same Committee. Where two or more deputies are so appointed they shall have seniority in the order determined by the Council.

124. ATTENDANCE BY MEMBERS AS OBSERVERS

In addition to the right to attend meetings of Standing Committees to which they are appointed, members have the right to attend other Standing Committee meetings as an observer. Members attending as observers may also be permitted by the Chairperson of the Committee to speak on any matter under consideration by the Committee, but shall not be entitled to vote.

125. TERM OF OFFICE

Subject to Clause 126 the members of each Standing Committee shall hold office until the commencement of the first meeting of the Council held after the next ordinary election or until the termination of the Councillor's term of office whichever occurs first.

126. COUNCIL MAY CHANGE MEMBERSHIP

The Council may, by resolution, abolish a Committee or change the membership of any Committee or appoint substitutes for members absent pursuant to leave granted by the Council.

DIVISION 2—OCCASIONAL, COMMITTEES**127. APPOINTMENT OF OCCASIONAL COMMITTEES**

The Council may appoint Occasional Committees to perform any duty which may be lawfully entrusted by it to a Committee.

128. NUMBER OF MEMBERS

An Occasional Committee may comprise of such members of the Council as may be decided upon by the Council provided that the number of members of a Committee shall be less than one half of the total number of members of the Council.

129. ATTENDANCE BY MEMBERS AS OBSERVERS

In addition to attending meetings of Occasional Committees to which they are appointed, members are entitled to attend other Occasional Committee meetings as an observer. Members attending as observers may also be permitted by the Chairperson of the Committee to speak on any matter under consideration by the Committee, but shall not be entitled to vote.

130. STANDING COMMITTEE NOT TO INTERFERE

A Standing Committee shall not interfere in any matter which has, for the time being, been entrusted to an Occasional Committee.

131. DETAILS OF APPOINTMENT

An Occasional Committee shall not be appointed, except on a motion setting out—

- (a) the duties proposed to be entrusted to such Committee;
- (b) the number of members intended to constitute the Committee; and
- (c) the names of the members to be appointed to the Committee.

DIVISION 3—GENERAL**132. CALLING OF MEETINGS**

The Clerk or Officer shall call a meeting of any Committee when requested to do so by the Chairperson or any two members of that Committee.

133. STANDING ORDERS TO APPLY MUTATIS MUTANDIS

Except in so far as they limit the number of times a member may speak, these Standing Orders shall be observed at meetings of Committees to the extent to which they are capable of being applied with or without adaptation, but the Chairperson of a Committee has a deliberative and, in the case of equality of votes, has a casting vote.

134. QUORUM OF COMMITTEE

At any meeting of a Committee the number of members necessary to form a quorum -

- (1) where the total number of the members of the Committee is an even number, is one half of that total; or
- (2) where the total number of the members of the Committee is an odd number, is the integer nearest to but greater than one half of the total.

135. REPRESENTATION ON PUBLIC BODIES

Whenever it becomes necessary to nominate a member of the Council to represent the Council on a public body or State instrumentality, that nomination shall be by resolution of the Council.

136. MEETINGS OF ELECTORS

(1) The Standing Orders apply, so far as is practicable, to any meeting of electors but, where there is any inconsistency between the provisions of this Bylaw and the provisions of the Act, the latter shall prevail.

(2) A person who is not an elector is not entitled to vote at a meeting of electors, and may not take part in any discussion at that meeting, unless the meeting, by a motion, requests the person to do so.

137. MEETINGS OF RATEPAYERS

(1) The Standing Orders apply so far as is practicable to any meeting of ratepayers but where there is any inconsistency between the provisions of this Bylaw and the provisions of the Act, the latter shall prevail.

(2) A person who is not a ratepayer is not entitled to vote at a meeting of ratepayers and may not take part in any discussion at that meeting unless the meeting by a motion requests the person to do so.

138. PETITIONS

(1) Apart from those petitions to the Governor and others specifically prescribed under the Act (which shall be in the form prescribed therein) petitions and requests to Council of a general nature will be received by Council, provided that the intention and legibility of the petitions and requests are clear.

(2) Every petition shall be respectful and temperate in its language and not contain language disrespectful to the Council.

(3) A petition must—

- (a) contain the names, addresses and signatures of the petitioners;
- (b) have the name and address of the person who lodged the petition with the Council shown at the top of each page thereof;

139. CASES NOT PROVIDED FOR IN STANDING ORDERS

The Chairperson shall decide all questions of order, procedure, debate or otherwise, in respect of which no provision or insufficient provision is made in this Bylaw.

140. DECISIONS OF THE CHAIRPERSON

All decisions of the Chairperson shall be final unless a majority of the members then present, by resolution made forthwith and without discussion dissent therefrom.

141. PENALTY

Any person committing a breach of these Standing Orders is liable, on conviction, to a penalty not exceeding five hundred dollars (\$500.00).

142. ENFORCEMENT

The Chairperson is authorised and empowered to enforce the Standing Orders.

Dated this 31st day of July 1995.

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

J. NEKEL, President.
P. DURTANOVICH, Shire Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 5th day of December 1995.

J. PRITCHARD, Clerk of the Council.

LG305

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

By-laws Relating to Caravan Parks and 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 the 17th day of July 1995, to make and submit for confirmation by the Governor the following By-laws—

1. In these By-laws the By-laws relating to Caravan Parks and Camping Grounds published in the *Government Gazette* on 6 December 1974, as amended from time to time are referred to as the Principal By-laws.
2. By-law 2 is amended by deleting the definition of "caravan" and inserting the following—
"Caravan" means a vehicle designed, or fitted, or being capable of use, as habitation or for dwelling or sleeping purposes and includes a park home.
3. By-laws 2 of the Principal By-laws is amended by deleting the interpretation "caravan park" and adding a new interpretation as follows—
"caravan park" means an area of land containing sites for the parking of caravans or for the erection of camps;
4. By-laws 2 of the Principal By-laws is amended by adding after the interpretation "owner" a new interpretation as follows—
"park home" means a movable dwelling, not being a vehicle as defined under the Road Traffic Act 1974, but constructed and maintained on its own chassis and wheels and capable of mobility at all times although stabilised by jacks and provided with skirtings and so designed and constructed as to permit occupancy for dwelling purposes and may include one or two compatible movable dwellings designed and constructed to form a single unit.
5. By-law 6 is amended by—
 - (a) deleting in sub by-laws (1) and (2) "Schedules" "X" and "Y" and substituting "Schedules 2 and 3".
 - (b) deleting in sub by-law (3) "bays" and substituting "sites".
6. By-law 18 is amended by adding after by-law 18(2) the following—
"18 (3) A person shall not locate a park home on a site except with the approval of the Council and subject to it complying with the Building Code of Australia and clause 13.1 of Schedule 2."

7. Schedule 2 and Schedule 3 of the Principal By-laws are deleted and the following Schedules inserted—

SCHEDULE 2

Requirements for Caravan and Ancillaries for the purpose of By-laws 6(1) and 6(2)

1. Siting of Caravans

1.1 Set back from the side and rear boundaries of a site to be a minimum of 2.25 metres.

1.2 Towball and any other part of the caravan to be set back at least 500 mm from the nearside edge of the road or kerbing.

1.3 A towball and towbar must face the access road for the site on which the caravan is sited.

2. Caravan Paved Area.

2.1 The caravan shall be parked on a paved area comprising a concrete slab, cement slabs or bitumen paving as approved by and constructed to Council's satisfaction.

3. Underside of Caravans

3.1 The space beneath the outside edge of a caravan may only be covered by;
3.1.1 Movable sliding flat fibro cement panels or similar material approved by the Council.

3.1.2 Canvas, welded plastic or vinyl fitted to the caravan and to an aluminium strip on the paved area.

4. Annexe Floors

4.1 Annexe concrete floors shall comply with the Building Code of Australia.

4.1.1 An annexe specified in Schedule 3 item 2 shall be set firmly on the concrete slab and sealed against the ingress of water by a suitable waterproof sealant with the floor to be within the confines of the annexe walls.

4.2 Annexe timber floors shall comply as follows:

4.2.1 Set at the same height as the caravan floor, and supported on metal jacks to the specifications detailed in item 10;

5. Fire Fighting Equipment

5.1 Caravan owners shall provide a 1.5 kilogram dry chemical fire extinguishers rated 1ABE complying with AS2444.

6. Drainage

6.1 Kitchen sinks and showers shall be connected in an approved manner to a waste water disposal system in accordance with Metropolitan Water Supply, Sewerage and Drainage Board By-laws, Figure 18.12 and subject to the approval of the Environmental Health Officer.

7. Connection of Water Closets

7.1 Water closets shall be connected to a waste water disposal system in accordance with the Health Act 1911 and any regulations or by-laws made thereunder and the Metropolitan Water Supply Sewerage and Drainage By-law, subject to the approval of the Environmental Health Officer.

8. Chemical Toilets

8.1 Chemical toilets in caravans may be used providing the wastes are discharged to a holding tank. The holding tank must be emptied periodically by connecting an approved flexible hose pipe from the tank to a waste water dump point in accordance with the Metropolitan Water Supply, Sewerage and Drainage Board By-laws, Figure 18.11.

The flexible pipe must be disconnected, cleansed and stored above ground beneath the caravan after the tank is emptied.

8.2 Permanent connection to the waste water dump point is not permitted.

9. Barbecues

9.1 No wood fired barbecues are permitted on a site. Portable gas barbecues are permitted on a site, provided there is a 2 metre clearance from a caravan, annexe or vehicle.

10. Private Sheds

10.1 Private sheds will be permitted subject to the following conditions:

10.1.1. No storage shed will be permitted on a caravan site if the site is less than 100 square metres.

10.1.2 Sheds to be no larger than 2.0 metres x 2.0 metres with a maximum height of 2.0 metres.

10.1.3 Sheds shall be anchored by steel stakes, wire looped at each corner, or to pre-cast concrete footings bolted to the bottom wall angle at each corner, or in any other way approved by the Building Surveyor of the Shire of Kalamunda.

10.1.4 Materials. The sheds shall be constructed out of zincalume sheet metal, colourbond metal cladding, or other material as approved by the Building Surveyor of the Shire of Kalamunda.

10.1.5 Sheds shall be located on the opposite side of the entrance side of the caravan and not less than 1 metre from the side and rear boundary of the caravan site.

10.1.6 No person shall erect or install a private shed pursuant to these by-laws except with the prior approval of Council.

11. Private Clothes Lines

11.1 Private clothes lines shall only be permitted on sites on which a park home is located.

11.2 Private clothes lines are to be of the fold away type as approved by an Environmental Health Officer of the Shire of Kalamunda.

12. Private Fencing

12.1 Fencing shall not be erected other than on the side and rear boundaries of a site on which a park home is located.

12.2 The maximum height of any fence on a site shall be 1.2 metres.

12.3 No person shall erect fencing on a site except pursuant to these by-laws and with the prior written approval of the Council.

12.4 Fencing shall be permitted to extend from a park home to the dividing point of an ensuite for the purpose of privacy.

12.5 Fences shall be constructed of timber, timber lattice or arc mesh material only.

13. Park Homes—Ablution/Laundry facilities

13.1 A park home is not required to have shower, toilet or laundry facilities if they are provided in the Caravan Park.

14. Park Homes Dimensions

14.1 The dimensions of a park home consisting of one compatible moveable dwelling shall not exceed 4.2 metres in width, 15 metres in length, and 5 metres in height from the bottom of the wheels to the highest point of the park home. Where two compatible vehicles are joined to form a single unit the overall dimensions shall not exceed 8.4 metres in width, 15 metres in length and 5 metres in height.

SCHEDULE 3

Annexes, Pergolas, Carports and Sheds—Construction and Conditions

1. Annexes must be of light construction, capable of being easily erected or dismantled and moved from a site within one day.

2. Type of construction allowable;

2.1 Conventional folded welded plastic or canvas type with supporting poles or frame.

2.2 Prefabricated construction—consisting of:

2.2.1 Walls of lightweight easy to erect rigid modular panels, maximum width of 1.3 metres. Panels are to be clad in caravan type prepainted aluminium sheeting or vinyl inserts, framed and supported by extruded aluminium section channelled T-bar or angle configuration, secured by metal thread type screws or gutter bolts.

2.2.2 Roof either:

2.2.2.1 Welded plastic sheeting over horizontal metal supports or frame; or

2.2.2.2 Self supporting lightweight rigid modular panels, maximum width 1.3 metres. Panels are to be clad in caravan type prepainted aluminium sheeting or vinyl and framed and supported by extruded aluminium section channelled T-bar or angle configuration, secured by metal thread type screws or gutter bolts.

3. Annexes shall have a maximum width of 3.2 metres and shall not project beyond the roof and alignment of the caravan.

4. Only one annexe may be attached to a caravan or a park home that consists of one compatible moveable dwelling.

5. Structures other than annexes shall not be erected except with the approval of the Council.

6. Pergolas

6.1 Impervious material may be attached to the top or sides of a pergola. A pergola shall not in any way be attached to a caravan or annexe but may be attached to a park home. A site on which a caravan is located shall not have a pergola on it with an impervious roof unless the pergola is set back 2.25 metres from the side and rear boundaries of the site. A pergola with an impervious roof shall not be erected except with Council's approval and shall comply with the Building Code of Australia.

7. Carports

7.1 Carports may only be erected on a site on which a park home is located. A carport shall not be erected except with the approval of the Council and shall comply with the provisions of the Building Code of Australia. A carport shall not be erected unless it is set back 2.25 metres from the side and rear boundaries of the site. A carport may be affixed to a park home.

8. Carports and Sheds

8.1 Should a carport complying with clause 7 be constructed, a shed may also be constructed at the end of that carport in accordance with clause 10 of Schedule 2.

9. A park home shall not have any other annexal structure other than an annexe carport and a pergola in compliance with this schedule.

10. Metal jacks supporting timber framed floors shall be heavy duty adjustable steel jack legs, purpose designed to adequately support the floor, and shall be independent of the caravan.

Dated this 27th day of July 1995.

The Common Seal of the Shire of Kalamunda was hereunto affixed in the presence of—

OWEN McGRATH, President.
DAVID E. VAUGHAN, Chief Executive Officer/Shire Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 5th day of December 1995.

J. PRITCHARD, Clerk of the Council.

LG306

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Peppermint Grove

By-laws Relating to Flood Lights and Other Exterior Lights

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 15th day of May 1995 to make and submit for confirmation by the Governor the following By-laws—

1. In these By-laws the Municipality of the Shire of Peppermint Grove By-laws Relating to Flood Lights and Other Exterior Lights published in the *Government Gazette* of 6 November 1981 are referred to as the Principal By-laws.
2. The Principal By-laws are amended by revoking By-law 4 and adding the following By-laws—
 - "4. The Council may cause a notice to be served on the owner or occupier of land on which flood lighting or other exterior lighting is erected requiring that the hours of use of the lighting be limited to the hours prescribed in the notice.

5. A person who commits a breach of any of these By-laws or who fails to comply with the requisitions contained in a notice served pursuant to By-law 4 of these By-laws commits an offence and is liable to a maximum penalty of \$500.00 and a maximum daily penalty during the breach of \$50.00 per day."

Dated the 15th day of May 1995.

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

B. CROMMELIN, Deputy President.
A. J. R. DOUST, Shire Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 5th day of December 1995.

J. PRITCHARD, Clerk of the Council.

LG307

DOG ACT 1976

The Municipality of the Shire of Woodanilling

By-laws Relating to Dogs

In pursuance of the power conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 18th April, 1995 to make and submit for confirmation by the Governor the following By-laws relating to Dogs—

Part One—Preliminary

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

'Act' means the Dog Act 1976.

'By-Law' means one of these By-laws.

'Clerk' means the Shire Clerk for the time being of the Shire of Woodanilling or the person acting for the time being in that capacity.

'Council' means the Council of the Municipality of the Shire of Woodanilling.

'Schedule' means a schedule to these By-laws.

'Sub By-law' means a sub by-law in which the term is used.

Expressions used in these by-laws have the meanings given to them by the Act.

2. These By-laws apply throughout the whole of the townsite of the Shire of Woodanilling.

Part Two—Impounding of Dogs

3. The location of the pound to be used by the Shire of Woodanilling shall be advertised in the *Government Gazette* and a newspaper circulating in the district.

4. If the owner or person apparently acting on behalf of the owner of a dog seized or impounded shall claim such a dog, then upon payment of the fees specified in the first schedule hereto, the dog shall be released to such person, providing satisfactory evidence of ownership or authority to take delivery of the dog is produced.

5. If the Council shall destroy a dog at the request of the owner, whether such dog shall have been seized or impounded or not, the owner shall pay to the Council the fee specified in the First Schedule hereto.

Part Three—Keeping of Dogs

6. The occupier of premises shall not, unless the premises are licenced as an approved kennel establishment or have been granted exemption pursuant to Section 26(3) of the Act, keep or permit to be kept on these premises, more than two dogs over the age of three months and the young of those dogs under that age.

7. The occupier of the premises on which a dog is kept shall—

(a) cause the premises or portion thereof on which the dog is kept to be fenced in a manner capable of confining the dog;

(b) Maintain the fence and all gates and doors in good order and condition.

8. (1) An application for a licence to keep an approved kennel establishment shall be in writing and shall be in the form contained in the Second Schedule and shall be supported by evidence that due notice of the proposed use of the land has been given to persons in the locality.

(2) Unless the Council otherwise decides an application for a licence shall give notice of the proposed use of the land by—

- (a) not less than one advertisement in a newspaper circulating in the district and;
- (b) giving written notice to the owners and occupiers of all adjoining properties, at least thirty days before the application is made to the Council.

9. The fees payable for the issue and renewal of a licence to keep an approved kennel establishment is that specified in the first schedule.

10. A person shall not erect a kennel unless it complies with the provisions of these By-laws and until plans and specification and a location plan showing the proposed site for the kennel and of the yard appurtenant thereto have been approved by the Council and the fee for a licence prescribed in the first schedule has been paid.

11. The owner or occupier of premises for which an approved kennel establishment licence has been granted shall provide and maintain kennels and yards in accordance with the following specifications—

- (a) each kennel shall have a yard appurtenant thereto;
- (b) each kennel and each yard and every part thereof shall not be at any less distance than 10 metres from the boundaries of the land in the occupation of the occupier;
- (c) each kennel and each yard and every part thereof shall not be at any less distance than 24 metres from any road or street provided, however, that in the case of a corner, each kennel and each yard or part thereof shall not be at any less distance than 24 metres from the front boundary of the allotment and shall not be any less distance than 10 metres from the side boundary of the allotment.
- (d) each kennel and each yard and every part thereof shall not be at any less distance than 18 metres from any dwelling house, church, schoolroom or factory.
- (e) the walls shall be rigid, impervious and structurally sound;
- (f) the roof shall be constructed of impervious material or that approved by the Council;
- (g) all untreated external surfaces of material shall be painted and kept painted with good quality paint;
- (h) the lowest internal height shall be at least 1.8 metres from the floor but the height can be reduced to 1.2 metres for a single kennel of floor area of not more than 2.0 square metres;
- (i) each yard shall be securely fenced and kept securely fenced with a fence not less than 2m in height constructed of galvanised iron, wood, galvanised link mesh or netting;
- (j) all gates shall be provided with proper catches or means of fastening;
- (k) the upper surface of the floor of each kennel shall be set at least 100mm above the surface of the surrounding ground and shall be constructed of granolithic cement finished to a smooth surface, and shall have a fall of not less than 1 in 100; the entire yard shall be surrounded by a drain which shall be properly laid, ventilated and trapped; all floor washings shall pass through this drain and shall be disposed of in accordance with the health requirements of Council;
- (l) the floor of a yard shall be constructed in the same manner as the floor of a kennel;
- (m) for each dog therein, every kennel shall have not less than 2m² of floor space and every yard not less than 2.5m².

12. A person who keeps or permits dogs to be kept in an approved kennel establishment shall—

- (a) keep dogs in kennels and yards appropriate to the breed or kind in question, sited and maintained in accordance with the requirements of public health and sufficiently secured;
- (b) not permit any dog to escape from the kennel or yard in which it is kept;
- (c) maintain all kennels and yards and all feeding and drinking vessels used by dogs therein in a clean condition and cleanse and disinfect them when required to do so by an authorised person.

13. A right of appeal to a local court is conferred by Section 27 of the Act where the Council refuses the grant of a licence or gives notice of intention to cancel a licence in respect of an approved kennel establishment.

14. Council shall not permit the establishment or maintenance of a kennel in any area if in the opinion of the Council such kennel would adversely affect the environment, be a nuisance to other residents or in any way otherwise be detrimental or prejudicial.

Part Four—General

15. A person who fails to comply with or contravenes any of the provisions of these By-laws commits an offence and is liable on conviction to a maximum penalty of \$100.

First Schedule

Item	By-Law No.		Fee
1	4	Seizure and return of a dog without impounding it.	\$15.00
2	4	Seizure and impounding of a dog.	\$30.00
3	4	Maintenance of a dog in a pound per day or part of a day.	\$5.00
4	4	Return of a dog impounded outside normal hours.	\$10.00
5	5	Destruction of a dog.	\$15.00
6	10	Licence to keep approved kennel establishment.	\$30.00
7	10	Renewal of licence to keep approved kennel establishment.	\$30.00

Second Schedule

Part A

Shire of Woodanilling

Application for licence or renewal of licence to keep approved kennel establishment. Pursuant to the Dog Act 1976, and the By-laws of the Shire of Woodanilling made hereunder—

I/We (full name)
of
hereby apply for a licence/renewal (strike out whichever is not applicable) to keep an approved kennel establishment at Lot..... Street.....
Locality.....

Attached hereto are—

- (a) a plan of the premises showing the location of the kennels and yards and all other buildings, structures and fences;
- (b) plans and specification of the kennels;
- (c) evidence that due notice of the proposed use of the premises has been given to persons in the locality;
- (d) a remittance for the fee of \$.....

The kennel establishment will be used for breeding/boarding domestic dogs (strike out whichever is not applicable).

The maximum number of dogs over the age of three months that will be kept there at any one time will be.....

Where to be used for breeding the breed of dog will be.....
and the maximum number that will be kept on the premises at any one time will be.....

Dated the.....day of.....

Signature of Applicant.

(Note: Items (a) (b) and (c) may be struck out if the application is for renewal of a licence and if no change has been made since the previous application).

Part B

Shire of Woodanilling

Licence to keep an Approved Kennel Establishment
is/are the holder(s) of a licence to keep an approved kennel establishment at

This licence has effect for a period of 12 months from the date thereof. Dated the.....
day of.....

Dated this 1st day of August 1995.

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

II. R. THOMSON, President.
M. J. HOOK, Shire Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 5th day of December 1995.

J. PRITCHARD, Clerk of the Council.

LG308**LOCAL GOVERNMENT ACT 1960***The Municipality of the Town of Cottesloe*

By-law Relating to Discount for Prompt Payment of Rates

In pursuance of the powers conferred upon it by the abovementioned Act and all the other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 21 December 1994, to submit for confirmation by the Governor the repeal of By-law No. 7 for the payment of discount for prompt payment of rates as published in the *Government Gazette* of 7th June, 1935.

Dated this 13th day of March 1995.

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

JULIAN DONALDSON, Mayor.
JAN GRIMOLDBY, Chief Executive Officer/Town Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 5th day of December 1995.

J. PRITCHARD, Clerk of the Council.

LG309**DOG ACT 1976***The Municipality of the Town of Northam*

By-laws Relating to Dogs

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 13th September, 1995 to make and submit for confirmation by the Governor the following amendment to the By-laws—

The By-laws of the Town of Northam published in the *Government Gazette* on 12th June, 1981 is hereby amended in the following manner—

FIRST SCHEDULE is amended as follows—

- (a) by deleting \$20.00 and substituting \$30.00 for the seizure and impounding of a dog;
- (b) by deleting \$5.00 and substituting \$20.00 for the removal and destruction of a dog.

Dated this Twentieth day of October, 1995.

The Common Seal of the Town of Northam was hereunder affixed by authority of a resolution of Council in the presence of—

J. F. SMITH, Mayor.
D. S. BURNETT, Acting Town Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 5th day of December 1995.

J. PRITCHARD, Clerk of the Council.

LG310

**TOWN OF VINCENT PARKING FACILITIES BY-LAW
AMENDMENT**

In pursuance of the powers conferred upon it by the abovementioned By-law and all other powers enabling it, the Council of the Municipality of the Town of Vincent hereby records having resolved on 28 April 1995 to submit for approval by the Minister and for subsequent confirmation by the Governor that the Town of Vincent Parking Facilities By-law be amended as follows—

That the Third Schedule relating to Parking stations—Descriptions, Periods and Fees be amended—

(1) PARKING STATION 14:

by inserting, in column 2 after the words "8.00 am to 6.00 pm" the words " and Night Parking 6.00 pm to 8.00 am " and;

by deleting, in column 4, the words "30 cents per hour to a maximum payment of \$2.00 to 6.00 pm on the same day." and substituting the words " 50 cents per hour to a maximum payment of \$3.00 to 6.00 pm the same day. From 6.00 pm to 8.00 am on the next day, Night Parking Fee of \$2.00 " and;

by deleting, in column 5, the words "\$2.00 for such period or part thereof" and substituting the words " \$3.00 for such period or part thereof. From 6.00 pm to 8.00 am the next day, Night Parking Fee of \$2.00 " and;

by deleting, in column 6, the words "30 cents per hour or part thereof" and substituting " 50 cents per hour or part thereof. From 6.00 pm to 8.00 am the next day, Night Parking Fee of \$2.00 " and;

(2) PARKING STATION 14A:

by inserting, in column 2 after the words "8.00 am to 6.00 pm" the words " and Night Parking 6.00 pm to 8.00 am " and;

by deleting, in column 4, the words "30 cents per hour" and substituting the words " 50 cents per hour. From 6.00 pm to 8.00 am the next day, Night Parking Fee of \$2.00 ".

(3) PARKING STATION 19:

by deleting, in column 4, the words "20 cents per hour to a maximum payment of \$1.00 for a 10 hour period on the same day." and substituting the words " 40 cents per hour to a maximum payment of \$2.00 for a 10 hour period on the same day. "

Dated this 29th day of May 1995.

The Common Seal of the Town of Vincent was hereunto affixed in the presence of—

A. J. MARKS, Mayor.
JOHN GIORGI, Chief Executive Officer/Town Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency, the Governor in Executive Council this 5th day of December 1995.

J. PRITCHARD, Clerk to the Council.

LG311

**LOCAL GOVERNMENT ACT 1960
Town of Vincent Parking Facilities By-law
Amendment**

In pursuance of the powers conferred upon it by the Local Government Act 1960, and all other powers enabling it, the Council of the Municipality of the Town of Vincent hereby records having resolved on 25 September 1995 to make and submit for confirmation by

the Governor the following amendments to the above By-law published in the *Government Gazette* on 30 December 1994:

That the Seventh Schedule is deleted and replaced by the following—

TOWN OF VINCENT		PARKING	
PARKING FACILITIES BY-LAW TEL: (08) 273 6066 FAX: (08) 273 6099		INFRINGEMENT NOTICE	
000001			
PAYMENT IS DUE WITHIN 21 DAYS OF OFFENCE DATE			
THE OWNER OF THE VEHICLE			
<input type="text"/>	<input type="text"/>	MAKE: <input type="text"/>	<input type="text"/>
Vehicle Reg. No. <input type="text"/>	STATE: <input type="text"/>	MODEL: <input type="text"/>	<input type="text"/>
		BODY TYPE: <input type="text"/>	<input type="text"/>
It is alleged, that at <input type="text"/> : <input type="text"/> HOURS			
on <input type="text"/> day, the <input type="text"/> day of <input type="text"/> , 1 9 <input type="text"/> at (location)			
<input type="text"/>			
you committed the offence indicated hereunder by an (x), in breach of clause			
<input type="text"/>		of the By law. The parking limit for the area is <input type="text"/>	
<input type="checkbox"/> Local Government Uniform General (Parking for Disabled Persons) By-law 1988			
Ranger/Inspector	No: <input type="text"/>	Beat No.: <input type="text"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<small>TAKE NOTICE: that pursuant to Section 669D of the Local Government Act 1960-1994 you will be deemed to be the person who committed the above offence unless within 21 days of the date on which this notice was served left in or on the vehicle you inform the Council or a Ranger/Inspector in writing of the identity and address of the offender or furnish information to the Council or a Ranger/Inspector from which the Council or a Ranger/Inspector is satisfied that the vehicle had been stolen or was being unlawfully used at the time the offence was alleged to have been committed or the modified penalty prescribed for the offence is paid to the Council.</small>			
YOU MAY DISPOSE OF THIS MATTER:			
(1) In person (Monday to Friday 8.00am - 5.00pm) in the following manner: Payment to the Cashier at the Offices of the Town of Vincent Council, Administration and Civic Centre 244 Vincent Street, LEEDERVILLE 6007; or			
(2) By mail: Cheques should be crossed and be made payable to the "Town of Vincent" and addressed to the Chief Executive Officer/Town Clerk, PO Box 82 LEEDERVILLE WA 6902 DO NOT SEND CASH THROUGH THE MAIL			
If neither the prescribed penalty is paid nor representation is made within the time specified Court Proceedings may be instituted against you.			
REMINDER NOTICES WILL INCUR ADDITIONAL COSTS			
DO NOT DETACH. PLEASE COMPLETE PART 2 AND PRESENT THIS NOTICE INTACT WHEN MAKING PAYMENT			
Prescribed Form of Notice - Section 669D of the Local Government Act 1960 - 1994			
POSTED ON:	<input type="text"/>	0 0 0 0 0 1	

Dated this 27th day of September 1995.

The Common Seal of the Town of Vincent was hereunto affixed in the presence of—
A. J. MARKS, Mayor.
JOHN GIORGI, Chief Executive Officer/Town Clerk.

Recommended—
PAUL D. OMODEI, Minister for Local Government.

Approved by His Excellency, the Governor in Executive Council this 5th day of December 1995.
J. PRITCHARD, Clerk to the Council.

Reasons for Order

3. This Order is made—

- (a) as a consequence of the division of the municipal district of the City of Perth into 4 municipal districts by the City of Perth Restructuring Act 1993; and
- (b) to give effect to agreements between the City of Perth and the Town of Cambridge as to the division of property between them.

Transfer of land

4. (1) Pursuant to an agreement between the City of Perth and the Town of Cambridge the land described in Schedule 1 is transferred from the City of Perth to the Town of Cambridge.

(2) The agreement referred in subclause (1) is evidenced by resolutions of the City of Perth of 13 December 1994 and 28 April 1995 and the Town of Cambridge of 17 January and 28 April 1995.

SCHEDULE 1

Land Type	Lot Number	Plan/ Diagram	Location Number	[clause 4 (1)]	
				Volume	Folio
Hale, Brompton Drabble	241	P11424	Swan 1911	2024	470
Leederville Town Hall	93-95	P4413	Perthshire Ae	2030	203
Land	31	P2465	Perthshire Ae	311	14
Land	4	P983	Swan Location 391	151	174
Land	6	P983	Perthshire Ae	128	169
Land	26	P2465	Perthshire Ae	304	61
Land	23-24	P984	Perthshire Ae	129	189
Land	21-22	P984	Perthshire Ae	151	50
Land	27	P2465	Perthshire Ae	570	140
Land	5	P983	Swan 391		
			Perthshire Ae	457	76
Land	28	P2465	Perthshire Ae	322	191
Land	1, 2, 3	P983	Swan 391	65	54
Land	29	P2465	Perthshire Ae	347	188

Date 5 December 1995.

By Command of the His Excellency the Governor,

J. PRITCHARD, Clerk of the Council.

LG403

LOCAL GOVERNMENT ACT 1960
CITY OF PERTH RESTRUCTURING ACT 1993

CITY OF PERTH AND TOWN OF VICTORIA PARK (PROPERTY TRANSFER) ORDER No. 2 1995
Made by the His Excellency the Governor in Executive Council under section 13 (2) of the Local Government Act 1960.

Citation

1. This Order may be cited as the City of Perth and Town of Victoria Park (Property Transfer) Order No. 2 1995.

Commencement

2. This Order is deemed to have come into operation on gazettal.

Reasons for Order

3. This Order is made—

- (a) as a consequence of the division of the municipal district of the City of Perth into 4 municipal districts by the City of Perth Restructuring Act 1993; and
- (b) to give effect to agreements between the City of Perth and the Town of Victoria Park as to the division of property between them.

Transfer of land

4. (1) For the purpose of Part 4 of the City of Perth Restructuring Act 1993 and pursuant to an agreement between the City of Perth and the Town of Victoria Park the land described in Schedule 1 is transferred from the City of Perth to the Town of Victoria Park.

(2) The agreement referred in subclause (1) is evidenced by resolutions of the City of Perth and the Town of Victoria Park of 28 April 1995.

SCHEDULE 1

Land Type	Lot Number	Plan/ Diagram	Location Number	[clause 4 (1)]	
				Volume	Folio
Canning ROW		P4483	Swan 36	2025	158
Temple ROW		D7868	Swan 36	2017	364
Hubert St	1	D5628	Canning 2	2024	468
Berwick St		P5864(1)	Canning 2	2024	469
Berwick St		P5409	Canning 2	2024	476
Leonard St	pt 706	P4377(2)	Swan 36	2030	209
McCallum Park		P5714	Swan 36	2030	210
Berwick St/Sussex St		D8740	Canning 2	2024	475
Huntingdon/Creaton	234	P6412	Canning 1274	pt 1187	116

Date 5 December 1995.

By Command of His Excellency the Governor,

J. PRITCHARD, Clerk of the Council.

LG406**LOCAL GOVERNMENT ACT 1960**

Shire of Busselton

APPOINTMENT OF A RANGER

It is hereby notified for public information that John Mattaboni has been appointed to the position of an Authorised Officer for the following purposes, effective from the 1st December 1995—

- Local Government Act 1960;
- Dog Act 1976;
- Litter Act 1979;
- Bush Fires Act 1954;
- Control of Vehicles (Off Road Areas) Act 1979 and;
- for the purpose, control and supervision of By-laws adopted by Council.

LG407**DOG ACT 1976**

City of Gosnells

It is hereby notified for public information that the following persons have been appointed pursuant to the Dog Act 1976 for the Municipality of the City of Gosnells.

Registration Officers:

Mike Congreve
Lee Thomas
Janet Sharp
Adam Seller

The appointment of Ms Roslyn Storrar is hereby revoked for the above.

G. WHITELEY, Town Clerk.

LG408**CITY OF ARMADALE**

Authorised Officer

It is hereby notified that the appointment of Mr Michael Henry McIntosh as an Authorised Officer as published in the *Government Gazette* on 22 September 1995 has been extended from 30 November 1995 until further notice.

J. W. FLATOW, City Manager/Town Clerk.

LG404

LOCAL GOVERNMENT ACT 1960
CITY OF PERTH RESTRUCTURING ACT 1993

CITY OF PERTH AND TOWN OF VINCENT (PROPERTY TRANSFER) ORDER No. 2 1995

Made by His Excellency the Governor in Executive Council under section 13 (2) of the Local Government Act 1960.

Citation

1. This Order may be cited as the City of Perth and Town of Vincent (Property Transfer) Order No. 2 1995.

Commencement

2. This Order is deemed to have come into operation on gazettal.

Reasons for Order

3. This Order is made—

- (a) as a consequence of the division of the municipal district of the City of Perth into 4 municipal districts by the City of Perth Restructuring Act 1993; and
- (b) to give effect to agreements between the City of Perth and the Town of Vincent as to the division of property between them.

Transfer of land

4. (1) For the purposes of Part 4 of the City of Perth Restructuring Act 1993 and pursuant to an agreement between the City of Perth and the Town of Vincent, the land described in Schedule 1 is transferred from the City of Perth to the Town of Vincent.

(2) The agreement referred to in subclause (1) is evidenced by resolutions of the City of Perth and the Town of Vincent of 28 April 1995.

SCHEDULE 1

[clause 4 (1)]

PART A—GENERAL

Land Type	Lot Number	Plan/ Diagram	Location Number	Volume	Folio
Perth Oval			Swan 114	12	147
Perth Oval			Swan 114	XV	699
Perth Oval			PBL Z1 & Z2	15	389
Bank's Reserve		D6164, 7110			
	1, 2, & 5	D8087, 8381			
	365-367	D5796, P2001	Swan A4	1077	519
Robinson Ave		P1648	PSL 28	2024	474
Stuart St		D964	PTL Y227	2024	473
Bulwer St		P384	PTL N88, N108	2024	472
William St		P3504	PTL N141	2024	471
Richmond St	3	P2889	Perthshire 115	2024	467
Emmerson St	Pt 29	D4977	Perthshire 115	2024	466
North Pth Town Hall			Swan 2146	2030	208
Olive R O W		P1874	Swan 647	2030	207
North Pth Town Hall	4, 5	D2732	Swan 653	2030	206
View St		P1874	Swan 647	2030	204
Fitzgerald St	38	P2002	Swan 653	2030	202
Fitzgerald St	36, 37	P2002	Swan 653	2030	201

PART B—VESTING ORDERS

Type	Lot Number	Plan/Diagram	Location Number	Vesting Order
Franklin St Access	R39146	—	Swan 10643	1356/985

Date 5 December 1995.

By Command of His Excellency the Governor,

J. PRITCHARD, Clerk of the Council.

LG405**LOCAL GOVERNMENT ACT 1960**

To Gordon Thomas Cabalzar of Marchagee Roadhouse, The Midlands Road, Marchagee WA
The Coorow Shire Council having its offices at Main Street, Coorow being a local authority for the municipal district of the Shire of Coorow pursuant to the provisions of the Local Government Act 1960.

Hereby gives you notice that the buildings, namely a roadhouse and ablution/toilet blocks known as Marchagee Roadhouse owned by you and situate at The Midlands Road, Marchagee, Western Australia and being erected on all or part of Marchagee Lots 3, 4, 5, 6, 7, 8 and 9 and being respectively the land comprised in Certificates of Title Volume 1004 Folio 225, Volume 1730 Folio 671, Volume 1189 Folio 928, Volume 1189 Folio 929, Volume 1222 Folio 162, Volume 1004 Folio 213 and Volume 1222 Folio 187 within the district of the Shire of Coorow are, in the opinion of the Council of the Shire of Coorow, neglected buildings within the meaning of Section 407 of the said Act.

Now take notice that you being the owner of the said buildings are immediately and to the satisfaction of the Council to carry out the work specified in the Schedule hereto.

And take notice that you may within 14 days of the day on which this Notice is served on you in accordance with Section 408(2) of the said Act, if dissatisfied with the requisitions in this Notice, appeal under Division 19 of Part XV of the Act in the manner prescribed by the Regulations in respect of the requisition.

And further take notice that if you do not within 35 days of the service of this Notice, unless the requisitions in the Notice are the subject of appeal under Division 19 of Part XV of the Act, comply with the requisitions in the Notice, a Court of Petty Sessions on complaint by the Council that you have not so complied and that the requisition is not the subject of appeal under that Division, may order you to take down and remove the said buildings, as the Court thinks fit within a time to be fixed in the order and the Court may make such order as to the costs of and incidental to the proceedings relating to the order as the Court thinks fit, and an order so made is not subject to appeal.

And further take notice that if such an order is not obeyed by you, the Council may by its agents, servants and workmen enter upon the said neglected buildings or land on which they stand, execute the order and recover the costs and expenses of so doing in a Court of competent jurisdiction from you, the owner of the building.

SCHEDULE

You are required to immediately take down and remove the said buildings and any associated structures or fixtures on the said land.

This Notice is given pursuant to Section 408 of the Local Government Act 1960.

Issued by and under the direction of the Shire.

Dated this 6th day of December 1995.

S. N. HAZELDINE, Shire Clerk.

OCCUPATIONAL HEALTH SAFETY AND WELFARE**OA401**

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1988
Exemption Certificate Pursuant to Regulation 213
(No. 31 of 1995)

I, Neil Bartholomaeus, WorkSafe Western Australia Commissioner, hereby grant an exemption to Coogee Chemicals from the requirements of Regulation 320 of the Occupational Safety and Health Regulations 1988 in relation to performing periodic inspection and maintenance of a site bore, subject to the following conditions—

- (a) the electrical supply to the pump situated in the bore pit is to be protected by an earth leakage current device;
- (b) the second bore hole is to be capped to prevent any atmospheric contamination;
- (c) any entry to the bore hole shall be authorised by senior Coogee Chemicals employees and work shall only be carried out during normal working hours by experienced Coogee Chemicals employees who shall be identified in written procedures for work within the confined space; and
- (d) any work to be carried out for a purpose other than inspection or maintenance shall be in accordance with AS2865-1995.

This exemption valid until 5pm on 30 June 1996.

Dated this 20th day of November 1995.

NEIL BARTHOLOMAEUS, WorkSafe Western Australia Commissioner.

OA402

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1988
 Exemption Certificate Pursuant to Regulation 213
 (No. 32 of 1995)

I, Neil Bartholomaeus, WorkSafe Western Australia Commissioner, hereby grant an exemption to Ti West Joint Venture from the requirements of Regulation 505 of the Occupational Safety and Health Regulations 1988 in relation to the operation of your 9.8MW waste heat boiler in limited attendance mode, provided periodic testing and maintenance is carried out in accordance with Part 9 of AS 2593. This exemption is valid until 30 June 1996.

Dated this 28th day of November 1995.

NEIL BARTHOLOMAEUS, WorkSafe Western Australia Commissioner.

PLANNING

PD401

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Stirling

District Planning Scheme No. 2—Amendment No. 197

Ref: 853/2/20/34 Pt 197

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 Stirling Town Planning Scheme Amendment on 5 December 1995 for the purpose of rezoning Lot 37, H.N 34 Villiers Street, Yokine from "Service Station" to "Business".

T. W. CLAREY, Mayor.
G. S. BRAY, Town Clerk.

PD402

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Town of Claremont

Town Planning Scheme No. 3—Amendment No. 48

Ref: 853/2/2/3 Pt 48

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 Town of Claremont Town Planning Scheme Amendment on 23 November 1995 for the purpose of—

- (1) Include lots 61, 64, 65 and 68 Rob Roy and lots 62 and 200 Claremont Crescent in the Special Zone (Restricted Use).
- (2) Adding to Appendix VIII of the Scheme Text the following—

Location	Particulars of Land	Permitted Use	Standards/Conditions
No. 141 Claremont Crescent, 145 Claremont Crescent, 10, 12 and 14 Rob Roy Street, Swanbourne.	(1) Lot 200 of Swan Location P1069 on Certificate of Title Volume 1815 Folio 500. (2) Lot 62 of Swan Location P1069 on Certificate of Title Volume 360 Folio 131. (3) Lot 61 of Swan Location P1069 on Certificate of Title Volume 333 Folio 158A. (4) Lot 64 of Swan Location P1069 on Certificate of Title Volume 333 Folio 159A. (5) Lots 65 and 68 of Swan Location P1069 on Certificate of Title Volume 1738 Folio 685/6.	A total of 54 aged persons' housing and ancillary uses only generally in accordance with the drawings prepared by John L. Silbert & Associates and dated on February 1995 with the exception that all floor levels are lowered by a minimum of 600mm.	(1) The subject land shall be used for aged persons' housing and ancillary uses only. (2) The subject land shall not be used for aged persons' housing unless:— a total of 40 car parking bays are to be provided site and an additional 26 visitor car parking bays located elsewhere than on the subject land provided Council is satisfied that the car parking bays to be provided elsewhere are sufficiently close to the development.

Location	Particulars of Land	Permitted Use	Standards/Conditions
			<p>(3) The roof pitch not exceeding 25°.</p> <p>(4) A minimum of two lifts being provided.</p> <p>(5) No fixtures, including soil, waste or air conditioners being placed in any external wall that is closer to a site boundary than 10m.</p> <p>(6) Provision to be made to provide meals and ongoing services to enable the frail aged to remain within the development but not necessarily full hospital care.</p> <p>(7) At least one (1) unit to be a "respite" unit, that is, short stay accommodation for frail aged persons normally domiciled within a private residence.</p>

P. H. WEYGERS, Mayor.
R. J. STEWART, Town Clerk.

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town of East Fremantle

Town Planning Scheme No. 2—Amendment No. 33

Ref: 853/2/4/2 Pt 33

Notice is hereby given that the Town of East Fremantle has prepared the abovementioned scheme amendment for the purpose of creating a new Policy Area (Area 9) and modifying the Development Table and Scheme Map to rezone the designated lot—Lot 51 (No. 6) Canning Highway, East Fremantle—from Mixed Use Zone to Residential Zone—Area 9.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 135 Canning Highway, East Fremantle 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 2 January 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 2 January 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.

The amendment is being re-advertised to allow for further comment and all persons/organisations who lodged a submission previously are not required to forward a new submission.

C. CORICA, A/Town Clerk.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town of Kwinana

Town Planning Scheme No. 2—Amendment No. 45

Ref: 853/2/26/3 Pt 45

Notice is hereby given that the Town of Kwinana has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 574 Postans Road, Hope Valley from "Rural A" zone to "Special Use" zone and including the appropriate details in the Third Schedule—Special Uses.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Gilmore Avenue, Kwinana 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 23 January 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 23 January 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.

R. K. SMILLIE, Town Clerk.

PD405

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

Town of Northam

Town Planning Scheme No. 4—Amendment No. 9

Ref: 853/4/3/4 Pt 9

Notice is hereby given that the Town of Northam has prepared the abovementioned scheme amendment for the purpose of—

1. rezoning Lot 64 Newcastle Road from Residential to Special Use Zone (Medical Offices and Consulting Rooms).
2. amending Schedule 3 of the Scheme Text accordingly.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 298 Fitzgerald Street, Northam 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 23 January 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 23 January 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. S. BURNETT, A/Town Clerk.

PREMIER AND CABINET

PR301

PUBLIC SECTOR MANAGEMENT ACT 1994

**PUBLIC SECTOR MANAGEMENT (REDEPLOYMENT AND
REDUNDANCY) AMENDMENT REGULATIONS 1995**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Public Sector Management (Redeployment and Redundancy) Amendment Regulations 1995*.

Regulation 3 amended

2. Regulation 3 of the *Public Sector Management (Redeployment and Redundancy) Regulations 1994** is amended by inserting after subregulation (4) the following subregulation —

(5) Where an organization is abolished and its functions or some of its functions become vested in a body that is established by a written law, is owned by the State but is not within the Public Sector —

- (a) that body is not “a person outside the Public Sector” for the purposes of regulation 8 (1); and

- (b) any office, post or position in that body is not an "office, post or position outside the Public Sector" for the purposes of regulation 19 (1).

[* *Published in Gazette of 30 September 1994 at pp. 5033-56.*
For amendments to 28 November 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 226.]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

PR401

MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolio during the absence from office of the Hon A. K. R. Prince, MLA at any time in the period 2 to 19 January 1996 inclusive—

Acting Minister for Aboriginal Affairs; Housing—Hon C. L. Edwardes, MLA

M. C. WAUCHOPE, Chief Executive.

WATER AUTHORITY

WA301

WATER AUTHORITY ACT 1984

WATER AUTHORITY VESTING ORDER (No. 5) OF 1995

Made by His Excellency the Governor in Executive Council under section 8(3).

Citation

1. This order may be cited as the *Water Authority Vesting Order (No. 5) of 1995*.

Vesting of Interest in Land

2. The interest of Metropolitan Water Supply Sewerage and Drainage Board as purchaser of easement rights over that part of the land described in Schedule 1 shall be vested in the Water Authority of Western Australia of 629 Newcastle Street Leederville.

Vesting of Interest in Land

3. The interest of Her Majesty Queen Elizabeth The Second as registered proprietor of an estate in fee simple of land described in Schedule 2 shall be vested in the Water Authority of Western Australia of 629 Newcastle Street Leederville.

Schedule 1

Portion of Swan Location 112 being formerly Lot 20 on Plan 1661 in Certificate of Title Volume 1204 Folio 457 now that part of Lot 200 on Diagram 89662 as is delineated coloured blue in the margin thereof to Transfer C135176.

Schedule 2

Portion of Plantagenet Location 238 being Lot 1 on Diagram 65608 and being part of the land in Certificate of Title Volume 1026 Folio 171.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962

Denis Keohane late of 222 Old Coast Road, Australind Contractor/Supervisor, deceased.

Creditors and other persons having claims to which section 63 of the Trustees Act relates in respect of the estate of the deceased who died on the 25th January, 1994 at St. John of God Hospital, Bunbury are required by the Administrator of the estate of the deceased Shaun Denis Peter Keohane c/- Shaddick Owens Laurino & Noble Solicitors of 2 Zoe Street, Bunbury, to send particulars of their claim to him by no less than 1 month from the date of publication of this notice, after which date the Administrator may convey or distribute the assets, having regard only to the claims of which he then has notice.

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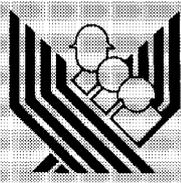
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WESTERN AUSTRALIA

CONTENTS

REGULATIONS, BY-LAWS, RULES, DETERMINATIONS, ORDERS

	Page
Health Act 1911—Piggeries Amendment Regulations (No. 3) 1995	6000
Local Government Act 1960—Order in Council—Local Government (Buildings) Amendment Order 1995	6022
Local Government Act 1960—The Municipality of the City of Geraldton—By-laws Relating to Caravan Parks and Camping Grounds	6022
Local Government Act 1960—The Municipality of the City of Melville—By-law Relating to the Use of Public Jetties	6023-5
Local Government Act 1960—Shire of Ashburton Extractive Industries By-law	6025-34
Local Government Act 1960—The Municipality of the Shire of Denmark—Bylaw Relating to the Conduct of Proceedings and the Business of Council	6034-50
Local Government Act 1960—The Municipality of the Shire of Kalamunda—By-laws Relating to Caravan Parks and Camping Grounds	6050-3
Local Government Act 1960—The Municipality of the Shire of Peppermint Grove— By-laws Relating to Flood Lights and Other Exterior Lights	6053-4
Dog Act 1976—The Municipality of the Shire of Woodanilling—By-laws Relating to Dogs .	6054-6
Local Government Act 1960—The Municipality of the Town of Cottesloe—By-laws Relating to Discount for Prompt Payment of Rates	6057
Dog Act 1976—The Municipality of the Town of Northam—By-laws Relating to Dogs	6057
Town of Vincent Parking Facilities By-law—Amendment	6058
Local Government Act 1960—Town of Vincent Parking Facilities By-law—Amendment	6058-9
Public Sector Management Act 1994—Public Sector Management (Redeployment and Redundancy) Amendment Regulations 1995	6067-8
Water Authority Act 1984—Water Authority Vesting Order (No. 5) of 1995	6068

GENERAL CONTENTS

	Page
Health	6001-2
Land Administration	6002-21
Local Government	6060-4
Occupational Health Safety and Welfare	6064-5
Planning	6065-7
Premier and Cabinet	6068
Proclamations	5997-6000
Public Notices	6068

