



**WESTERN
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GOVERNMENT**
Gazette



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JOHN A. STRIJK,
Acting Government Printer.

PROCLAMATIONS**AA101****OCCUPATIONAL SAFETY AND HEALTH LEGISLATION AMENDMENT ACT 1995**

(No. 30 of 1995)

PROCLAMATION

WESTERN AUSTRALIA David K. Malcolm, Lieutenant-Governor and deputy of the Governor. [L.S.]	}	By the Honourable David Kingsley Malcolm, Companion of the Order of Australia, Lieutenant- Governor and deputy of the Governor of the State of Western Australia.
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I, the Lieutenant-Governor and deputy of the Governor, acting under section 2 of the Occupational Safety and Health Legislation Amendment Act 1995 and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which Parts 3 and 4 of that Act come into operation.

Given under my hand and the Public Seal of the State on 16 January 1996.

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

K. J. MINSON, A/Minister for Labour Relations.

GOD SAVE THE QUEEN !

AGRICULTURE**AG101***CORRECTION***SOIL AND LAND CONSERVATION ACT 1945****LCD APPOINTMENT INSTRUMENT 1995****WEST KOOJAN/GILLINGARRA LAND CONSERVATION DISTRICT COMMITTEE**

An error occurred in the notice published under the above heading on page 5392 of the *Government Gazette* dated 24 November 1995 reference AG404, it is corrected as follows—

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

delete Frederick Robert Rodgers of Moora and insert Fredrick Robert Rogers of Gillingarra.

G. A. ROBERTSON, Chief Executive Officer,
Agriculture Western Australia.

AG401**SOIL AND LAND CONSERVATION ACT 1945****NOTICE OF APPOINTMENT**

Under Section 23 of the Soil and Land Conservation Act 1945, the following person is appointed a member of the District Committee for the Broome Coastal Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 30 July 1993 at pp. 4123.

- (1) pursuant to Section 23 (2b) (b) of the Act, Janet Allison Lankester of Broome is appointed a member of the Committee on the nomination of the Shire of Broome, the appointment being for a term ceasing on the 21 June 1997.
- (2) delete Mr Gary Jones of Broome (resigned) from representing the Shire of Broome.

JOHN DUFF, Deputy Commissioner for
Soil and Land Conservation.

AG402**SOIL AND LAND CONSERVATION ACT 1945****WYALKATCHEM LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF LAND CONSERVATION DISTRICT COMMITTEE) INSTRUMENT 1995**

MADE by the Deputy Commissioner for Soil and Land Conservation.

Citation

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

Interpretation

2. In this Instrument—

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

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

[*Published in the Gazette of 18 January 1985 at pp. 266 and amended in the Gazettes of 2 June 1989 at pp. 1633-34, 13 November 1992 at p. 5533 and 7 May 1993 at p. 2340.]

Appointment of Members

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

- (a) Howard Randell Reilly of Benjaberring
- (b) Janice Marilyn Trenorden of Wyalkatchem
- (c) Ivo Douglas Davies of Wyalkatchem

are appointed members of the Committee on the Nomination of the Shire of Wyalkatchem.

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

- (a) Douglas Charles Maitland of Wyalkatchem
- (b) Kevin Wallace Jones of Cowcowing
- (c) Lyle Metcalfe of Wyalkatchem

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

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

- (a) Gary Lloyd Davies of Wyalkatchem
- (b) Noela Katherline Maitland of Wyalkatchem
- (c) Leonie Dawn Stratford of Wyalkatchem
- (d) Ralph Gordon Lambert of Wyalkatchem
- (e) Craig Charles Cox of Yorkrakine
- (f) Doug Hutchinson of Wyalkatchem

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

Term of Office

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

JOHN DUFF, Deputy Commissioner for
Soil and Land Conservation.

AG403**SOIL AND LAND CONSERVATION ACT 1945****NOTICE OF APPOINTMENT**

Under Section 23 of the Soil and Land Conservation Act 1945, the following persons are appointed members of the District Committee for the Sussex Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 23 April 1993 at pp. 2168-2170.

(1) pursuant to Section 23 (2b) (d) of the Act, being “persons actively engaged in, or affected by, or associated with land use in the District”—

- (a) Thomas Jurat of Busselton
- (b) Paula Taylor of Vasse
- (c) Leonie Robin Richards of Busselton
- (d) Donald Maynard Keynes of Busselton

are appointed members of the Sussex Land Conservation District Committee, the appointment being for a term ceasing on the 2 July 1996.

(2) delete the following members—

- (a) Mary Bridget Craigie
- (b) Robert Tognela
- (c) Ian Maitland Carter
- (d) Phillip Tickle
- (e) David Hannay

from the land user category. All members have resigned.

JOHN DUFF, Deputy Commissioner for
Soil and Land Conservation.

CONSERVATION AND LAND MANAGEMENT

CM401

CONSERVATION AND LAND MANAGEMENT ACT 1984 ORDER TO EXCISE A PORTION OF STATE FOREST No. 65

CALM File 037850F2710.

DOLA File 1578/993.

Made by His Excellency the Governor under section 9(2).

Whereas both Houses of Parliament passed a resolution that a proposal from His Excellency the Governor dated the 19th day of June 1995, for the partial revocation of State forest Nos. 20, 22 and 65, should be carried out. Now, His Excellency the Governor, with the advice and consent of the Executive Council, declares that the dedication of Crown land as State forest No. 65 is partially revoked by excision of the area described in the schedule.

Schedule

All that portion of land being the whole of Swan Locations 12220 and 12221 as surveyed and shown on Department of Land Administration Plan 18982.

Area: 78.6596 hectares.

Public Plan: Swan 1:10,000 BG 35/4.1.

J. PRITCHARD, Clerk of the Council.

JUSTICE

JM401

DECLARATIONS AND ATTESTATIONS ACT 1913

It is hereby notified for public information that the Hon Attorney General has approved the appointment of the following persons as Commissioners for Declarations under the Declarations and Attestations Act 1913—

Denis Courtney Ford of RMB 8640 Nanarup Road, Albany.

Helen Louise Martin of 609 Melak Street, Karratha and Hamersley Iron Pty Ltd, PO Box 21, Dampier.

Linda Rosalie Mogg of 14 Stone Street, Borden and Borden Post Office, Moir Street, Borden.

Wayne Joseph Sutton of 10 Norman Street, Mt Tarcoola and Diocese of North West Australia, PO Box 171, Geraldton.

Richard Jacques Suermondt of 26 William Street, Glen Forrest and Activ Foundation Inc, 116 Jersey Street, Jolimont.

RICHARD FOSTER, Executive Director, Courts Division.

JM402

JUSTICES ACT 1902

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

Gwenda May Pollard of South Road, Narembeen.

Ross Frederick Croft of Unit 3, 7 McGregor Street, Port Hedland.

Stephen Charles Padfield of "Crossroads Farm", Narembeen South Road, Narembeen.

RICHARD FOSTER, Executive Director, Courts Division.

LAND ADMINISTRATION

LA101

CORRECTION

DOLA FILE: 2423/1994.

In the resumption notice appearing on page 5322 of the *Government Gazette* dated 17 November, 1995 in the 3rd paragraph delete reference that the land "shall vest in Town of Shepperton" and substitute—"shall vest in Town of Victoria Park".

D. MULCAHY, A/Chief Executive,
Department of Land Administration.

LA701

SCHEDULE No: A55/1995
Exco. No: 0009
DOLA 70/1995

LOCAL GOVERNMENT ACT 1960
LAND ACQUISITION AND 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 Land Acquisition and 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: Extension of Doust Street (Road No. 4342).

Local Authority: Shire of Boyup Brook

Plan/Diagram No. showing Land resumed: Diagram 91596

Council Resolution Date: 15 July, 1994. DOLA Ref: 1083/1992

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Stephen Charles Dent and Yvonne Joy Dent	S C and Y J Dent	Portion of Lot 16 on Plan 20144 being part of the land contained in Certificate of Title Volume 2025 Folio 771	1.0004ha (ex Loc. 303) 503m ² (ex Loc. 11707)

2. Public Work: Extension of Allwood Parade

Local Authority: Shire of Albany

Plan/Diagram No. showing Land resumed: LTO Diagram 82136

Council Resolution Date: 23 August, 1995. DOLA Ref: 2420/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Her Majesty Queen Elizabeth the Second	vacant	The R.O.W. abutting Allwood Parade on LTO Diagram 82136 being part of the land contained in Certificate of Title Volume 1922 Folio 624	1085m ²

3. Public Work: Widening of Eedle Terrace (Road No. 6135).

Local Authority: Shire of Bridgetown-Greenbushes

Plan/Diagram No. showing Land resumed: LTO Diagram 86894

Council Resolution Date: 23 August, 1995. DOLA Ref: 2493/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Shire of Bridgetown-Greenbushes	Shire of Bridgetown-Greenbushes	Lot 11 the subject of Diagram 86894 being the whole of the land contained in Certificate of Title Volume 2048 Folio 523	1038m ²

4. Public Work: Extension of Marriott Road (Road No. 12486) and Rosamel Road.

Local Authority: Shire of Harvey

Plan/Diagram No. showing Land resumed: Plan 17359

Council Resolution Date: 11 October, 1994. DOLA Ref: 3366/1976

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Executive Director of the Department of Conservation and Land Management	vacant	Portion of Lot 22 on Plan 10265 being part of the land contained in Certificate of Title Volume 1342 Folio 374	1.4132ha
Executive Director of the Department of Conservation and Land Management	vacant	Portion of Lot 23 on Plan 10265 being part of the land contained in Certificate of Title Volume 1342 Folio 375	1.3428ha

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Executive Director of the Department of Conservation and Land Management December 18, 1995.	vacant	Portion of Lot 20 the subject of Diagram 33500 being part of the land contained in Certificate of Title Volume 1736 Folio 399	4304m ²

GEORGE CASH, Minister for Lands.

January 4, 1996.

DAVID K. MALCOLM, Lieutenant-Governor and deputy of the Governor in Executive Council.

SCHEDULE No: A60/1995
Exco. No: 0010
DOLA 70/1995

LOCAL GOVERNMENT ACT 1960
LAND ACQUISITION AND 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 Land Acquisition and Public Works Act 1902 and Local Government Act 1960, be vested in Her Majesty for an estate in fee simple (except those lands being under the Land Act or dedicated or reserved for a public purpose, which will be vested in Her Majesty absolutely) for the public work, freed and discharged of all trusts, mortgages, charges, obligations, estates, interest, right-of-way, or other easements whatsoever.

Schedule

1. Public Work: Widening of Ecclestone Street (Road No. 5128).

Local Authority: City of Bunbury

Plan/Diagram No. showing Land resumed: Diagram 92357

Council Resolution Date: 23 January, 1995. DOLA Ref: 689/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Patrick Thomas Cosgrove	P T Cosgrove	Part of Lot 16 on plan 1246 being part of the land contained in Certificate of Title Volume 282 Folio 65.	18m ²

2. Public Work: Extension of Lord Street.

Local Authority: Shire of Swan

Plan/Diagram No. showing Land resumed: Diagram 92426

Council Resolution Date: 24 August, 1994. DOLA Ref: 1121/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Kingswood Nominees Pty. Ltd.	Kingswood Nominees Pty. Ltd.	Part of Lot 15 on Diagram 39200 being part of the land contained in Certificate of Title Volume 1731 Folio 385.	5626m ²

3. Public Work: Extension of Lee Road (Road No. 15168).

Local Authority: Town of Kwinana

Plan/Diagram No. showing Land resumed: Diagram 92361

Council Resolution Date: 9 August, 1995. DOLA Ref: 423/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
John Ronson	Town of Kwinana by Notice of Entry	Portion of Lot 102 on Plan 3638 (Sheet 6) being part of the land contained in Certificate of Title Volume 1781 Folio 802.	10m ²
John Ronson	Town of Kwinana by Notice of Entry	Portion of Lot 103 on Plan 3638 (Sheet 6) being part of the land contained in Certificate of Title Volume 1781 Folio 803.	172m ²
John Ronson	Town of Kwinana by Notice of Entry	Portion of Lot 104 on Plan 3638 (Sheet 6) being part of the land contained in Certificate of Title Volume 1781 Folio 804	613m ²

4. Public Work: Extension of Lee Road (Road No. 15168).

Local Authority: Town of Kwinana

Plan/Diagram No. showing Land resumed: Diagram 92361

Council Resolution Date: 14 December, 1994. DOLA Ref: 1737/1990

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Giancarlo Palmonari and Silver Knight Holdings Pty. Ltd.	G Palmonari and Silver Knight Holdings Pty. Ltd.	Part of Lot 5 on Diagram 40000 being part of the land contained in Certificate of Title Volume 1453 Folio 16.	3105m ²

December 18, 1995.

GEORGE CASH, Minister for Lands.

January 4, 1996.

DAVID K. MALCOLM, Lieutenant-Governor and deputy of the Governor in Executive Council.

SCHEDULE No: A61/1995

Exco. No: 0011

DOLA 70/1995

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

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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 Land Acquisition and 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: Extension of Yurabi Road (Road No. 296).

Local Authority: Shire of Derby-West Kimberley

Plan/Diagram No. showing Land resumed: Diagram 91930

Council Resolution Date: 27 September, 1995. DOLA Ref: 1770/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Gogo Station Pty. Ltd.	Gogo Station Pty. Ltd.	Portion of Yurabi Location 68 being part of the land contained in Crown Lease 735/1994.	11.3465ha

2. Public Work: Extension of Selkirk Road (Road No. 18747).

Local Authority: Shire of Serpentine-Jarrahdale

Plan/Diagram No. showing Land resumed: Plan 19058

Council Resolution Date: 26 June, 1995. DOLA Ref: 4189/1895

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Crown	National Parks Authority of W.A. as controller	Portion of Cockburn Sound Locations 515 and 516 set aside as part of "A" Class Reserve 28862 for the purpose of "Serpentine National Park".	1.1810ha (ex Loc. 515) 1.5508ha (ex Loc. 516)

3. Public Work: Widening of Drove Street.

Local Authority: Shire of Katanning

Plan/Diagram No. showing Land resumed: Diagram 92315

Council Resolution Date: 27 January, 1994. DOLA Ref: 3731/1990

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Crown	Westrail	Part of Katanning Lots 847 and 848 set aside as Reserve 15750 for the purpose of "Railway".	1094m ²

4. Public Work: Widening of Morrison Road (Road No. 14338).

Local Authority: Shire of Swan

Plan/Diagram No. showing Land resumed: Diagram 92440

Council Resolution Date: 28 June, 1995. DOLA Ref: 2164/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Van Duy Dinh and Thi Nghia Nguyen	Shire of Swan vide Caveat F978385	Part of Lot 4 on Diagram 3775 being part of the land contained in Certificate of Title Volume 1092 Folio 976.	94m ²
Van Duy Dinh and Thi Nghia Nguyen	Shire of Swan vide Caveat F978385	Part of Lot 5 on Diagram 3775 being part of the land contained in Certificate of Title Volume 1095 Folio 369.	94m ²

5. Public Work: Creation of public road, Lord Street (Road No. 18752) and widening of Marshall Road (Road No. 809).

Local Authority: Shire of Swan

Plan/Diagram No. showing Land resumed: Diagram 92469

Council Resolution Date: 24 August, 1994. DOLA Ref: 1278/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Phillip Phillips and Patricia Atzemis	P Phillips and P Atzemis	Part of Lot 40 on Plan 2747 being part of the land contained in Certificate of Title Volume 1297 Folio 920.	3551m ²

December 21, 1995.

GEORGE CASH, Minister for Lands.

January 4, 1996.

DAVID K. MALCOLM, Lieutenant-Governor and deputy of the Governor in Executive Council.

ROAD DEDICATION

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

By Order of the Minister for Lands.

Dated this 16th day of January, 1996.

D. MULCAHY, A/Chief Executive.

LA702

File No. 732/1995

EDUCATION ACT 1928

LAND ACQUISITION AND PUBLIC WORKS ACT 1902

NOTICE OF INTENTION TO TAKE OR RESUME LAND

ADDITION TO KENWICK SPECIAL SCHOOL—RESERVE 37598

THE Minister for Works hereby gives notice in accordance with the provisions of section 17(2) of the Land Acquisition and Public Works Act 1902 (as amended) that it is intended to take or resume under section 17(1) of that Act, the piece or parcel of land described in the Schedule hereto, and being in the Canning District, for the purpose of the following public work, namely, Addition to Kenwick Special School—Reserve 37598 and that the said piece or parcel of land is marked off on LTO Plan 3775(2) which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Gold Estates of Australia (1903) Limited	Gold Estates of Australia (1903) Limited	That portion of the Drainage Reserve on Plan 3775(2) extending generally in a Northwesterly direction from the extension of the Northwesterly boundary of Lot 49 on said plan being part of the land contained in Certificate of Title Volume 665 Folio 192.	567m ²

Dated this 29th day of December, 1995.

GEORGE CASH, Minister for Lands.

LA703

File No. 3505/1989

LOCAL GOVERNMENT ACT 1960
LAND ACQUISITION AND PUBLIC WORKS ACT 1902
 NOTICE OF INTENTION TO TAKE OR RESUME LAND
 EXTENSION OF BEELIAR DRIVE—CITY OF COCKBURN

THE Minister for Works hereby gives notice in accordance with the provisions of Section 17(2) of the Land Acquisition and Public Works Act 1902 (as amended) that it is intended to take or resume under Section 17(1) of that Act, the piece or parcel of land described in the Schedule hereto, and being in the Cockburn Sound District, for the purpose of the following public work, namely, Extension of Beeliar Drive—City of Cockburn and that the said piece or parcel of land is marked off on Diagram 92479 which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
James Albert Hicks, John Charles Anderson and George Willis	J. A. Hicks, J. C. Anderson and G. Willis	Portion of Cockburn Sound Location 391 and being part of the land contained in Diagram 1757 being part of the land remaining in Certificate of Title Volume 273 Folio 100	420m ²

Dated this 29th day of December, 1995.

GEORGE CASH, Minister for Lands.

File No. 2843/1994

LOCAL GOVERNMENT ACT 1960
LAND ACQUISITION AND PUBLIC WORKS ACT 1902
 NOTICE OF INTENTION TO TAKE OR RESUME LAND

WIDENING OF WALTER ROAD WEST (ROAD No. 250)—CITY OF BAYSWATER

THE Minister for Works hereby gives notice in accordance with the provisions of section 17(2) of the Land Acquisition and Public Works Act 1902 (as amended) that it is intended to take or resume under section 17(1) of that Act, the piece or parcel of land described in the Schedule hereto, and being in the Swan District, for the purpose of the following public work, namely, Widening of Walter Road West (Road No. 250)—City of Bayswater and that the said piece or parcel of land is marked off on Diagram 92403 which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Frank Pileggi	Niobium Pty Ltd vide Caveat E413981.	Part of Lot 26 on Diagram 70396 being part of the land contained in Certificate of Title Volume 1786 Folio 330.	76m ²

Dated this 29th day of December, 1995.

GEORGE CASH, Minister for Lands.

LA801

File No. 2074/1995
Ex. Co No. 0012

LOCAL GOVERNMENT ACT 1960
LAND ACQUISITION AND PUBLIC WORKS ACT 1902
LAND ACQUISITION

WIDENING OF OLGA ROAD—CITY OF GOSNELLS

NOTICE is hereby given, and it is hereby declared, that the piece or parcel of land described in the Schedule hereto being in the Canning District has, in pursuance of the written consent under the Local Government Act, 1960 and approval under Section 17(1) of the Land Acquisition and Public Works Act, 1902 of the His Excellency the Lieutenant-Governor and deputy of the Governor, acting by and with the advice of the Executive Council, dated the 4th day of January 1996, been compulsorily taken and set apart for the purpose of the following public work, namely: Widening of Olga Road—City of Gosnells.

And further notice is hereby given that the said piece or parcel of land so taken and set apart is shown marked off on LTO Plan 5357 which may be inspected at the Department of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

And it is hereby directed that the said land shall vest in City of Gosnells for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Lucy Yates	L. Yates	Lot 12 on Plan 5357 being the whole of the land contained in Certificate of Title Volume 1294 Folio 914	1270m ²

Certified this 27th day of December, 1995.

GEORGE CASH, Minister for Lands.

Dated this 4th day of January, 1996.

DAVID K. MALCOLM, Lieutenant-Governor and deputy of the Governor in Executive Council.

LOCAL GOVERNMENT

LG101

CORRECTION

Shire of Ravensthorpe

MEMORANDUM OF IMPOSING RATES

The schedule of rates and charges imposed on the rateable property within the district of the Shire of Ravensthorpe as outlined in the *Government Gazette* dated 4th August 1995, is amended to read as shown below—

Schedule of Rates and Charges

Sewerage Rate

2.70 cents in the dollar on Gross Rental Values.

A. P. ROONEY, Acting Shire Clerk.

LG303**LOCAL GOVERNMENT ACT 1960****SHIRE OF NORTHAMPTON (WARD BOUNDARIES AND REPRESENTATION)
ORDER No. 1, 1996**

Made by the Lieutenant-Governor and deputy of the Governor under the provisions of sections 10, 12 and 20 of the Local Government Act.

Citation

1. This Order may be cited as the "*Shire of Northampton (Ward Boundaries and Representation) Order No. 1, 1996*".

Increase in Number of Councillors

2. On and from 4 May 1996 the number of offices of councillor for the Shire shall be increased from 11 to 12.

Abolition of Existing Ward

3. Immediately before 4 May 1996 the existing East Ward of the Shire shall be abolished.

Sitting Member to go out of Office

4. The Councillor holding office for the East Ward shall go out of office immediately before 4 May 1996.

Redescription and Renaming of Existing Wards

5. On and from 4 May 1996 the existing North and South Wards of the Shire shall be as designated and described in the Schedule to this Order and shall be renamed Northeast and Southeast Wards, respectively.

Increase in Membership of the Northeast and Southeast Wards

6. On and from 4 May 1996 the number of offices of Councillor for the Northeast and Southeast Wards shall be increased from 1 to 2.

Elections to be Held

7. An election to fill the additional offices of councillor for the Northeast and Southeast Wards shall be held on 4 May 1996.

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

J. PRITCHARD, Clerk of the Council.

Schedule A

**AMENDMENT AND REDESCRIPTION OF THE SOUTHEAST WARD OF THE SHIRE
OF NORTHAMPTON**

All that portion of land bounded by lines starting from the intersection of an eastern side of the Discontinued Northampton-Ajana Railway with the prolongation westerly of a northern side of Wundi Road (Road Number 6171), a point on a present eastern boundary of the West Ward of the Shire of Northampton, and extending easterly to and easterly and generally northeasterly along sides of Wundi Road to a northwestern side of Road Number 4559; thence generally northeasterly and easterly sides of that road to the prolongation northerly of the western boundary of Victoria Location 5011, a present northwestern corner of the Shire of Chapman Valley; thence generally southerly, generally southwesterly, again generally southerly, generally westerly and generally northwesterly along boundaries of the Shire of Northampton to the prolongation westerly of the southern boundary of the southeastern severance of Location 3103, the present southernmost southwestern corner of the Horrocks Ward of the Shire of Northampton; thence easterly to and easterly, northerly and generally northeasterly along boundaries of that ward to the southernmost southeastern corner of Location 392, the present southernmost southeastern corner of the West Ward; thence generally northeasterly along boundaries of that ward to the northwestern side of Burges Street, a point on a present northwestern boundary of the Central Ward of the Shire of Northampton; thence generally southerly, generally easterly, generally northerly and westerly along boundaries of that ward to the southwestern corner of the eastern severance of Location 2376, a present southeastern corner of the West Ward, and thence generally northerly along boundaries of that ward to the starting point.

Schedule B

**AMENDMENT AND REDESCRIPTION OF THE NORTHEAST WARD OF THE SHIRE
OF NORTHAMPTON**

All that portion of land bounded by lines starting from the intersection of an eastern side of the Discontinued Ajana-Northampton Railway with the prolongation westerly of a northern side of Wundi Road (Road Number 6171), a point on a present eastern boundary of the West Ward of the Shire of Northampton, and extending generally northerly, generally westerly, again generally northerly, generally easterly, again generally northerly and generally northwesterly along boundaries of that ward to the High Water Mark of the Indian Ocean, a point on a present western boundary of the Shire of Northampton; thence generally northeasterly along boundaries of that shire to the prolongation northwesterly of the

LG102**CORRECTION****DOG ACT 1976**

Please note an error appeared in *Government Gazette* edition No. 180 dated 29 December 1995 on page 6264. The appointment of Jenny Nichole as a Dog Registration Officer is hereby amended to Jennie Nicolle.

LG301**LOCAL GOVERNMENT ACT 1960***Shire of Albany***VALUATION AND RATING ORDER No. 1, 1996**

Made by the Lieutenant-Governor and deputy of the Governor under the provisions of section 533 of the *Local Government Act 1960*.

Citation

1. This Order may be cited as the *Shire of Albany (Valuation and Rating Order No. 1, 1996)*.

Commencement

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

Revocation

3. The *Shire of Albany (Valuation and Rating Order No. 1, 1995)* published in the *Government Gazette* of 16 June 1995 on pages 2323-2324 is hereby revoked.

Authorisation to Use Gross Rental Values

4. The Council of the *Shire of Albany* is hereby authorised to use valuations on gross rental values for the purpose of rating portions of the municipality which are designated and described in the Schedule to this Order.

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

J. PRITCHARD, Clerk of the Council.

Schedule

All those portions of land shown delineated in black and bordered in red, green and orange on Department of Land Administration Plan Number 1821 (Sheets 1 to 15 inclusive).

LG302**LOCAL GOVERNMENT ACT 1960***Shire of Coolgardie***(REVOCATION OF VALUATION AND RATING) ORDER 1996**

Made by the Lieutenant-Governor and deputy of the Governor under the provisions of section 533 (18) of the *Local Government Act 1960*.

Citation

1. This Order may be cited as the *Shire of Coolgardie (Revocation of Valuation and Rating) Order 1996*.

Commencement

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

Revocation of Previous Order

3. The *Shire of Coolgardie (Valuation and Rating Order No. 1, 1995)* published in the *Government Gazette* on 26 May 1995 on page number 1957 is hereby revoked.

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

J. PRITCHARD, Clerk of the Council.

southwestern boundary of the southern severance of Victoria Location 11104 (Class A Reserve 27004), the present westernmost southwestern corner of the Kalbarri Ward of the Shire of Northampton; thence southeasterly to and southeasterly, easterly, generally northerly and generally northeasterly, along boundaries of that ward to the northernmost northeastern corner of Late Pastoral Lease 392/457, a present southwestern corner of the Shire of Shark Bay; thence generally easterly, generally northerly, easterly, generally southerly, generally southwesterly and generally westerly along boundaries of the Shire of Northampton to the prolongation northerly of the western boundary of Location 5011, thence westerly, and generally southwesterly along sides of Road Number 4559 to a northwestern side of Wundi Road; thence generally southwesterly along sides of that road to a northwestern side of Wundi Road (Road Number 6171) and thence generally southwesterly and westerly along sides of that road and onwards to the starting point.

Department of Land Administration Public Plans:

Ajana & Pt Zuytdorp 1:250000
 Byro 1:250000
 Murgoo 1:250000
 Yaringa 1:250000
 Ajana 1:50000
 Balla Tank 1:50000
 Bluff Point 1:50000
 Coolcalalaya 1:50000
 Erriary 1:50000
 Gantheaume 1:50000
 Lake Nerramyne 1:50000
 Mongeragarry 1:50000
 Murchison 1:50000
 Number Nine Bore 1:50000
 Yalgamine 1:50000
 Bowes S.E., N.E. 1:25000
 Howatharra N.E., N.W. 1:25000
 Hutt S.E., S.W. & N.W. 1:25000
 Nolba N.W., S.W. 1:25000
 Northampton N.E., S.E., S.W. & N.W. 1:25000
 BE44 (2500) 12.16, 12.17, 12.18, 13.17, 13.18 & 13.19
 BE44 (10) 1.4, 3.2 & 3.4

LG304

LOCAL GOVERNMENT ACT 1960

SHIRE OF YILGARN (SPECIFIED AREAS) ORDER No. 1, 1996

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

Citation

1. This Order may be cited as the *Shire of Yilgarn (Specified Areas) Order No. 1, 1996*.

Commencement

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

Authorisation to Use Specified Area Rates

3. Those portions of the municipality of the Shire of Yilgarn, as described in the Schedules to this Order, are declared to be specified areas to which section 548(4) of the Local Government Act applies.

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

J. PRITCHARD, Clerk of the Council.

Schedule A

All that portion of land bounded by lines starting from the intersection of the eastern side of Clough Street with the southern side of Horan Street and extending easterly along that side to the western side of Argent Street; thence southerly along that side to the prolongation westerly of the northern boundary of Marvel Loch Lot 196 (Reserve 38119); thence easterly to and easterly and southerly along the northern and eastern boundaries of that

lot to the northwestern corner of Lot 117; thence easterly along the northern boundary of that lot and easterly along the northern boundaries of Lots 118 to 120 inclusive to the prolongation northerly of the eastern boundary of Lot 199 (Reserve 13308); thence southerly to and southerly and southwesterly along boundaries of that lot to the eastern corner of Lot 194 (Reserve 21605); thence southwesterly along the southeastern boundary of that lot and onwards to the southwestern side of Burbidge Street; thence southeasterly along that side to the northwestern side of Lee Street; thence southwesterly along that side to the northeastern side of Overington Street; thence northwesterly along that side and onwards to the prolongation southerly of the eastern side of Clough Street and thence north-erly to and along that side to the starting point.

Schedule B

All that portion of land described in Schedule A excluding Marvel Loch Lots 3, 4, 5, 20 (Reserve 38957), 27, 28, 31, 32, 37, 46, 57, 58, 65, 73, 74, 133, 140, 145, 155, 158, 159, 160, 177, 178, 180 to 192 inclusive, 200, 199 (Reserve 13308) and 222 to 228 inclusive.

Department of Land Administration Public Plan:

MARVEL LOCH TOWNSITE

LG305

CEMETERIES ACT 1986

The Municipality of the Shire of York

BY-LAWS RELATING TO YORK GENERAL CEMETERY

In pursuance of the powers conferred upon it by the abovementioned Act, the Council of the Municipality of the Shire of York hereby records having resolved on the 20th day of February 1995 to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the amendments as hereunder set out to the above By-laws made under the Act and published in the *Government Gazette* on the 7th day of June 1935, and amended from time to time.

1. By-law 1 is deleted and the following substituted—
 1. "All fees and charges payable to the Council shall be adopted by resolution of the Council from time to time pursuant to Section 53 of the Cemeteries Act 1986."
2. By-law 55 is added after By-law 54 as follows:

"55. Except with the approval of the Council no headstone, monument or kerbing shall extend outside a surface area measuring 2.8 metres by 1.5 metres, being the boundaries of the plot the subject of a Grant of Burial."
3. By-law 56 is added after By-law 55 as follows:

"56. Except with the approval of the Council plaques to be placed on the Niche Wall shall measure:

 - (a) single niche 159 mm x 121 mm
 - (b) double niche 320 mm x 121 mm"
4. Schedule "A" is deleted.

Dated this 20th day of February 1995.

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

G. W. MARWICK, President.

ELIOT FISHER, Shire Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by Lieutenant-Governor and deputy of the Governor in Executive Council this 16th day of January 1996.

J. PRITCHARD, Clerk of the Council.

LG306

CEMETERIES ACT 1986**METROPOLITAN CEMETERIES BOARD (AMENDMENT) BY-LAW 1995**

Under the powers conferred on it by the Cemeteries Act 1986, and any other enabling legislation, the Metropolitan Cemeteries Board resolved on 28 September 1995 to make and submit for the approval of the Lieutenant-Governor and deputy of the Governor this By-law.

Citation

1. This By-law may be cited as the *Metropolitan Cemeteries Board (Amendment) By-law 1995*.

Principal By-law

2. In this By-law the Metropolitan Cemeteries By-law published in the *Government Gazette* on 3 April 1992 is referred to as the principal By-law.

Clause 2 amended

3. Clause 2 of the principal By-law is amended by adding after Metropolitan Cemeteries Board "By-law"—
"1992".

Clause 3(1) amended

4. Clause 3(1) of the principal By-law is amended by—

(a) deleting—

"PART III RIGHTS OF BURIAL:

Division 1 Private Graves

Division 2 Public Graves"

and inserting—

"PART III RIGHTS OF BURIAL"; and.

(b) deleting, after the heading "PART VIII MONUMENTAL AND OTHER WORK"—

"Division 1 Monumental Work"

and inserting—

"Division 1 Permission for Monumental Work".

Clause 3(2) amended

5. Clause 3(2) of the principal By-law is amended by—

(a) deleting the definitions of—

(i) "crypt";

(ii) "Grant";

(iii) "Holder";

(iv) "private grave"; and

(v) "public grave".

(b) inserting, in its appropriate alphabetical sequence, each of the following definitions—

"grant" means a grant by the Board, under clause 7 or clause 9, of an exclusive right of burial in a grave;

"grave" means a specified area of a Cemetery for burial, including a compartment within a mausoleum or vault;

"holder", in relation to a grant, includes:

(a) a person issued with a grant by the Board under clause 7 or clause 9;

(b) a person for the time being appearing to the Board to be the holder of a grant; "

"military grave" means a grave eligible for commemoration by the Office of Australian War Graves; "

Reference to Division 1 of Part III deleted

6. After the reference in the principal By-law to "PART III-RIGHTS OF BURIAL", delete—
"Division 1—Private Graves".

Clause 7 substituted

7. Clause 7 of the principal By-law is deleted and the following inserted—

"Issue of a grant

7. Upon:

(a) the written application of a person; and

(b) payment of the set fee,

the Board may issue to that person a grant of right of burial for a term of 25 years."

Clause 8 substituted

8. Clause 8 of the principal By-law is deleted and the following inserted—

“Rights of a holder

8. (1) Subject to this By-law, to the prior approval of the Board and to the terms and conditions (if any) imposed by the Board, a grant confers on the holder, during the term of the grant, an exclusive right:

- (a) to bury one or more dead bodies, or the ashes of one or more dead bodies in the grave specified in the grant; and
- (b) to carry out monumental works on the grave specified in the grant.

(2) The Board, in its absolute discretion, may determine from time to time the number of dead bodies or ashes which may be placed in a grave.

(3) The Board or an Authorised Officer may request a holder to produce the grant before the exercise of any of the rights referred to in sub-clause (1) and the holder shall forthwith comply with that request.”

Clause 9 substituted

9. Clause 9 of the principal By-law is deleted and the following inserted—

“Renewal of a grant

9. (1) Where, at any time during the term of a grant issued under clause 7, the holder:

- (a) makes written application; and
- (b) pays the set fee,

the Board shall renew that grant for a further term of 25 years commencing on the initial expiry date of the grant.

(2) Where a grant has been renewed under sub-clause (1) and the holder, within 6 months before or after the expiry date of the grant:

- (a) makes written application; and
- (b) pays the set fee,

the Board may renew that grant for a further period not exceeding 25 years in the case of any one renewal.”

Clause 10 substituted

10. Clause 10 of the principal By-law is deleted and the following inserted—

“Replacement grant

10. Upon:

- (a) the written application of a holder; and
- (b) the production of evidence to the satisfaction of the Board, which may include a statutory declaration by the holder substantially in the form set out in the First Schedule,

the Board may issue a new grant to replace a grant which is lost or has been destroyed.”

Clause 11 substituted

11. Clause 11 of the principal By-law is deleted and the following inserted—

“Transfer of a grant

11. (1) A holder who wishes to assign a grant must produce to the Board for registration the document giving effect to the assignment.

(2) An assignment may be in the form set out in the Second Schedule.”

Clause 12 substituted

12. Clause 12 of the principal By-law is deleted and the following inserted—

“Exercising the rights of a holder

12. If the Board is satisfied, on the basis of written evidence, that the holder of a grant:

- (a) is unavailable;
- (b) is not immediately ascertainable; or
- (c) has died without bequeathing the grant by will,

then the Board may authorise, in writing:

- (d) the holder’s personal representative;
- (e) a person acting expressly on behalf of the holder’s personal representative; or
- (f) where no one described in paragraphs (d) or (e) is available or immediately ascertainable, any other person,

to exercise, subject to any conditions imposed by the Board, the rights conferred on the holder.”

Reference to Division 2 deleted

13. After clause 12 of the principal By-law, delete—

“Division 2—Public Graves”.

Clause 13 substituted

14. Clause 13 of the principal By-law is deleted and the following inserted—

“Burial without a grant

13.(1) Where a person who wishes to bury a dead body, or the ashes of a dead body, in a grave which is not the subject of a grant:

- (a) makes written application; and
- (b) pays the set fee,

the Board may authorise the burial of that body or ashes in a specified grave allocated for that purpose.

(2) Where a grave is allocated under sub-clause (1), the Board shall retain all rights and powers in respect of that grave, including the rights and powers to reopen the grave to:

- (a) disinter the remains buried in that grave and reinter them:
 - (i) in the same grave;
 - (ii) in another grave but within the Cemetery; or
 - (iii) elsewhere in accordance with the Act;
- (b) disinter and cremate the remains buried in that grave; or
- (c) bury other dead bodies.”

Clause 14 amended

15. In clause 14 of the principal By-law, delete sub-paragraphs (i) and (ii) of clause 14(1)(b) and insert—

- “(i) evidence to the satisfaction of the Board that the holder of the grant in respect of the grave in which the body is intended to be buried has consented to or would not object to the burial; or
- (ii) an application for a grant under clause 7; or
- (iii) an application for the allocation of a grave under clause 13.”

Clause 16 amended

16. In clause 16(b) of the principal By-law, delete “dig or reopen” and insert—
“prepare”.

Clause 34 amended

17. Clause 34(4) of the principal By-law is amended by deleting “within a family grave” and inserting—

“in a grave”.

Clause 37 substituted

18. Clause 37 of the principal By-law is deleted and the following inserted—

“Specification of graves

37. The Board may from time to time determine the specifications of graves.”

Clause 38 amended

19. Clause 38 of the principal By-law is amended by deleting, in sub-clause(2), “constuct” and inserting—

“construct”.

Heading to Division 1 of Part VIII amended

20. Part VIII of the principal By-law is amended by deleting the heading “*Division 1—Monumental Work*” and inserting—

“Division 1—Permission for Monumental Work”.

Clause 44 substituted

21. Clause 44 of the principal By-law is deleted and the following inserted—

“Carrying out Monumental Work

44. (1) Subject to sub-clause (2), a person shall not carry out monumental work on a grave:

- (a) unless the monumental work has first been approved by the Board;
 - (b) except in accordance with the plans and specifications approved by the Board;
- and

- (c) unless the set fee has been paid.
- (2) The Office of Australian War Graves:
 - (a) may, without the approval of the Board, carry out monumental work on a military grave; and
 - (b) is not required to pay the set fee for any monumental work that is carried out on a military grave.”

Clause 45 substituted

22. Clause 45 of the principal By-law is deleted and the following inserted—

“Application to Carry out Monumental Work

45. (1) Upon:

- (a) the written application of a person in the form of the Twelfth Schedule and accompanied by the documents set out in sub-clause (2); and
- (b) payment of the set fee,

the Board may issue to that person a permit to carry out monumental work on the grave specified in the application on the days, at the times and subject to the conditions specified by the Board.

(2) An application referred to in sub-clause (1) shall be accompanied by:

- (a) the plans and specifications of the proposed monumental work, including precise details of all words, designs and pictures intended to be inscribed on or attached to the monumental work;
- (b) if the applicant is not the holder of the grant in respect of the grave on which the work is to be carried out, the written consent of the holder; and
- (c) the quoted cost of the proposed monumental work.

(3) The Board may refuse any application where it considers that the proposed monumental work is inappropriate.”

Clause 49 substituted

23. Clause 49 of the principal By-law is deleted and the following inserted—

“Kerbing

49. (1) The Board may from time to time set aside any part of a Cemetery for graves that are not to be enclosed by kerbing.

(2) A person shall not enclose a grave with kerbing where the grave is situated:

- (a) in a lawn section of a Cemetery;
- (b) in a memorial plaque section of a Cemetery; or
- (c) in a part of a Cemetery set aside under sub-clause (1).”

Clause 50 substituted

24. Clause 50 of the principal By-law is deleted and the following inserted—

“Numbering on Graves

50. (1) A person shall not carry out monumental work on a grave unless the number of that grave is indelibly and legibly inscribed on the base of the headstone, or if this is not practicable, on the kerbing at the foot of the grave.”

Clause 52 amended

25. Clause 52 of the principal By-law is amended by deleting, in clause 52(b), “aide” and inserting—

“aside”.

Clause 70 amended

26. Clause 70 of the principal By-law is amended by deleting, in clause 70(1)(a), “25kph” and inserting—

“25 kilometres per hour”.

Clause 80 substituted

27. Clause 80 of the principal By-law is deleted and the following inserted—

“Recording on film or videotape

80. (1) A person shall not, without the prior approval of the Board, record on film or videotape any image or sound within a Cemetery.

(2) A person shall not record on film or videotape a funeral, headstone or memorial within a Cemetery without the prior approval of the next of kin of the deceased person whose funeral, headstone or memorial is being recorded.”

First Schedule substituted

28. The First Schedule to the principal By-law is deleted and the following inserted—
“

First Schedule
CEMETERIES ACT 1986
METROPOLITAN CEMETERIES BOARD BY-LAW
Declaration of Ownership of Missing Grant of Right of Burial

I, (a)
of (b)

do solemnly and sincerely declare as follows:

- 1. I am the person described as (c)
in the grant of Right of Burial numbered
issued by the Metropolitan Cemeteries Board on
- 2. (d)
- 3. I have not transferred any of my rights under that grant to any person.

And I make this solemn declaration by virtue of section 106 of the Evidence Act 1906.

Declared at in the State of Western Australia
this day of 19 before me:

- (a) Full name of declarant.
- (b) Address and occupation of declarant.
- (c) State whether grantee or assignee.
- (d) Set out the circumstances leading to loss or destruction of grant, and if lost, action taken by declarant to ascertain whereabouts of grant.

”

Second Schedule substituted

29. The Second Schedule of the principal By-law is deleted and the following inserted—

Second Schedule
CEMETERIES ACT 1986
METROPOLITAN CEMETERIES BOARD BY-LAW
Assignment of Grant of Right of Burial

To the Metropolitan Cemeteries Board

I,
of
being the holder of a grant of right of burial numbered
and issued by the Metropolitan Cemeteries Board on
in respect of the Cemetery for good and
valuable consideration assign all my rights under that grant
to

(Full name)

of
.....
(address)

Dated this day of 19

.....
Signature of person assigning grant

.....
Signature of person to whom grant is assigned

.....
Signature of witness

Registered by the Board on the day of
..... 19

.....
Authorised Officer

Sixth Schedule substituted

30. The Sixth Schedule of the principal By-law is deleted and the following inserted—
Sixth Schedule

CEMETERIES ACT 1986
METROPOLITAN CEMETERIES BOARD BY-LAW
Certificate Dispensing With Identification

I,
of
the funeral director engaged to arrange the funeral of the body of
.....
certify that—

- (a) the body has not been identified because:
 - * in my opinion, the body is not in a fit state to be viewed
 - * after reasonable effort I have been unable to have an identification made; and
- (b) the body is in a coffin bearing the name plate/inscription marked:

Dated this day of 19

Signed:

Endorsed by the applicant for the funeral:
(Full name)

Signed:
(Signature)

(* delete if inapplicable.)

Fifteenth Schedule amended

31. The Fifteenth Schedule of the principal By-law is amended by—

- (a) In Item No.1, under the heading “Nature of Offence”, deleting “Removal” and inserting—
“Non-removal”; and
- (b) In Item No.12, under the heading “Nature of Offence”, deleting “No” and inserting—
“Unauthorised”.

Sixteenth Schedule amended

32. The Sixteenth Schedule of the principal By-law is amended by—

- (a) Under the heading “METROPOLITAN CEMETERIES BOARD BY-LAW”, deleting “Infringement Notice” and inserting—
“Infringement Notice
Part 1” ; and
- (b) inserting at the end of that notice the following—
“Infringement Notice
Part 2

To:
(Name)

.....
(Address)

It is alleged that at am/pm on
day of 19 at

You committed the offence indicated below by an ‘X’ in breach of the Metropolitan Cemeteries Board By-law clause number

.....

Authorised Officer

- Offence
- Animal at large
 - Entry out of hours
 - Swimming or fishing
 - Disobeying lawful signs
 - Unauthorised filming
 - Unauthorised camping
 - Non-removal of rubbish
 - Unauthorised removal of materials

- Offence
- Excessive Speed in vehicle
 - Unauthorised vehicle use
 - Unauthorised removal of property
 - Unauthorised advertising or trading
 - Dumping rubbish
 - Committing a nuisance
 - Unauthorised fireworks/firearms
 - Unauthorised lighting of fires
 - Other offence

Penalty \$

I
 (Name)
 of
 (Address)
 tender herewith the sum of (insert amount)
 in settlement of the penalty for the above offence.

 (Insert "Cash", "Cheque", "Postal Order", "Money Order")
 being the penalty for such an offence.
 Dated Signature
 * Please register Notes or Cash otherwise mail is at sender's risk
 »

The By-law was adopted by members of the Metropolitan Cemeteries Board at a duly convened meeting of the Board held on 28th day of September 1995.
 Given under the Common Seal of the Metropolitan Cemeteries Board by authority of the Board.

F. H. CAVANOUGH, Chairman.
 P. D. MACLEAN, General Manager.

Recommended—

PAUL. D. OMODEI, Minister for Local Government.

Approved by Lieutenant-Governor and deputy of the Governor in Executive Council this 16th day of January 1996.

J. E. A. PRITCHARD, Clerk of the Council.

LG307

LOCAL GOVERNMENT ACT 1960

SHIRE OF ALBANY (WARD REPRESENTATION) ORDER No. 1, 1996

Made by the Lieutenant-Governor and deputy of the Governor under the provisions of sections 10 and 20 of the Local Government Act.

Citation

1. This Order may be cited as the *Shire of Albany (Ward Representation) Order No. 1, 1996*.

Increase in Number of Councillors

2. On and from 4 May 1996 the number of offices of councillor of the Shire shall be increased from 12 to 13.

Increase in Number of Offices of Councillor for a Ward

3. On and from the 4 May 1996 the number of offices of councillor for the Hassell Ward shall be increased from 1 to 2.

Election to be held

4. An election to fill the additional office of councillor for the Hassell Ward shall be held on 4 May 1996.

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

J. PRITCHARD, Clerk of the Council.

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

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

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 25 July 1995 to amend the above By-law which was published in the *Government Gazette* on 15 November 1991 and submits for confirmation by the Lieutenant-Governor and deputy of the Governor the following.

That Schedule 1 be deleted and the following substituted—

“ SCHEDULE 1

CLAUSES NOT APPLICABLE TO COMMITTEE MEETINGS

The following clauses shall not apply to committees as provided by clause 127 of the Bylaw—

5, 12, 14, 16, 37, 38, 39, 51, 88-101, 105, 106. ”

Dated the 11th day of September 1995.

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

VICKI PHILIPPOFF, Mayor.
GRAEME G. MACKENZIE, Acting Town Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council dated this 16th day of January 1995.

J. PRITCHARD, Clerk of the Council.

LG309**DOG ACT 1976***Shire of Dandaragan*

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 16th April, 1992 to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following amendment to the By-laws published in the *Government Gazette* on 24th November 1972 and amended on 26th February 1982, 20th February 1987, 19th February 1988, 2nd September 1988, 22nd May 1992, 18th September 1992 and 7th September 1993—

(1) Add after paragraph (i) of the Third Schedule the following—

“ (ii) That portion of Reserve 28541, within the Jurien Townsite, commencing from a line extended westerly from the northern boundary of Lindsay Street to the low water mark of the Indian Ocean, northwards to the northern boundary of the reserve where the southern most boundary of the Marina Precinct is located, then easterly along the northern boundary of the reserve to a point where the eastern boundary and northern boundary of the reserve adjoin at Casuarina Crescent, then southwards to the northern boundary of Lindsay Street to the commencement point. ”

Dated this 9th day of October 1995.

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

G. SNOOK, President.
B. J. GOLDING, Shire Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Confirmed by the Lieutenant-Governor and deputy of the Governor in Executive Council the 16th day of January 1996.

J. PRITCHARD, Clerk of the Council.

LG310

LOCAL GOVERNMENT ACT 1960

Municipality of the City of Melville

Bylaw relating to Hawkers, Stallholders and Trading in Public Places

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the City of Melville hereby records having resolved on the 30th of May 1995, to revoke the Bylaws Relating to Hawkers, Stallholders and Street Traders published in the *Government Gazette* of 2 March 1990 and to make and submit for confirmation of the Lieutenant-Governor and deputy of the Governor the following Bylaw:

Part I—Preliminary

1. Citation:

This Bylaw may be cited as the City of Melville Bylaw relating to Hawkers, Stallholders and Trading in Public Places.

2. Application

This Bylaw shall apply and have force and effect throughout the whole of the District of the City of Melville.

3. Definitions:

In this Bylaw unless the context otherwise requires—

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

“this Bylaw” means the City of Melville Bylaw relating to Hawkers, Stallholders and Trading in Public Places

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

“the Council” means the Council of the municipality of the City of Melville;

“Commercial Participant” means any person who is involved in operating a Stall or in conducting any Trading activity for personal gain or profit;

“District” means the Municipal District of the City of Melville;

“Hawker” means a person who goes from place to place selling, carrying for sale, exposing for sale, or soliciting orders for goods, wares or merchandise, but does not include—

- (a) persons who sell or seek orders for goods, wares or merchandise from dealings in those things;
- (b) persons who sell or seek orders for books or newspapers;
- (c) sellers of food, brooms and matches;
- (d) persons who sell or expose for sale goods, wares or merchandise in any public market, fair, racecourse, agricultural showground, or public recreation ground;
- (e) persons who sell goods which they have manufactured;
- (f) representatives of manufacturers whose goods are sold direct to consumers only and not through shops.

“Hawker’s Licence” means a Licence issued under this Bylaw to a person who is a Hawker:

“Itinerant Food Vendor’s Licence” means a Licence issued under the City of Melville Model Health Bylaws;

“Licence” means a Licence issued pursuant to this Bylaw to hawk, conduct a Stall or carry out Trading in a Public Place;

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

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

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

“Stallholder” means a person in charge of a Stall;

“Stallholder’s Licence” means a Licence issued under this Bylaw to a person who is in charge of a Stall;

“Trader” means a person who carries on Trading;

“Trader’s Licence” means a Licence issued under this Bylaw to a person who carries on Trading;

“Trading” means selling or hiring of goods, wares, merchandise or services, or offering goods, wares, merchandise or services for sale or hire, in a Street or other Public Place and includes displaying goods, wares or merchandise for the purpose of offering them for sale or hire, inviting offers for sale or hire, soliciting orders or carrying out any other transaction in a Street or other Public Place, but does not include the setting up of a Stall, or the conducting of a business at a Stall under the authority of a Stallholder’s Licence issued under this Bylaw.

Part II—Licences

4. Hawkers

(1) A person shall not hawk any goods, wares or merchandise within the District unless that person holds a current Hawker’s Licence issued pursuant to this Bylaw.

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

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

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

(4) A Licence granted to a Hawker is valid only for the hawking of the goods, wares, merchandise or services described in the Licence;

(5) Where a Licence granted to a Hawker is limited to a part of the District the Licence is valid for only that part of the District;

5. Stallholders

(1) Subject to clause 5(2), a person shall not conduct a Stall within the District, unless that person is a holder of a current Stallholder’s Licence or is an assistant specified in a current Stallholder’s Licence;

(2) Council may, in its absolute discretion and subject to such conditions as it thinks fit, permit a particular class of Stallholder;

(3) Every application for a Stallholder’s Licence shall be in the form provided in Schedule 2 and shall—

- (a) specify the full name and address of the applicant;
- (b) specify the proposed number and names and addresses of assistants to be engaged by the applicant in conducting the Stall pursuant to the Licence;
- (c) specify the proposed location of the Stall;
- (d) specify the period of time for which the Licence is sought, together with the proposed days and hours of operation;
- (e) specify the proposed goods, wares, merchandise or services to be sold or hired or offered for sale or hire from the Stall; and
- (f) be accompanied by an accurate plan and description of any proposed Stall which may be used for the selling or hiring of goods, wares, merchandise or services.

6. Traders

(1) A person shall not carry on Trading in any Street or Public Place within the District unless that person is the holder of a current Trader’s Licence or is an assistant specified in a current Trader’s Licence.

(2) Every application for a Trader’s Licence shall be in the form provided in Schedule 3 and shall—

- (a) specify the full name and address of the applicant;
- (b) specify the proposed number and the names and addresses of the assistants to be engaged by the applicant in Trading pursuant to the Licence;

- (c) specify the location or locations from which the applicant proposes to carry on Trading;
- (d) specify the period of time for which the Licence is sought, together with the proposed days and hours of Trading;
- (e) specify the proposed goods, wares, merchandise or services in respect of which Trading will be carried on; and
- (f) be accompanied by an accurate plan and description of any proposed stand, table, structure or vehicle which may be used by the applicant in carrying on Trading.

(3) All Trader's Licences are issued subject to the condition that if the holder is or becomes the holder of an Itinerant Food Vendor's Licence, then the holder is permitted to remain at a particular location for as long as there is a customer making a purchase, but if there is no customer making a purchase the holder must move on from that location within a reasonable time of the last purchase having been made. Further, such a holder agrees to comply with any requirements and conditions that the Council may impose on her or his Trader's Licence;

(4) Notwithstanding clause 6(2), the holder of an Itinerant Food Vendor's Licence does not need to specify in the application for a Trader's Licence (being Form 1 in Schedule 1) the proposed location where the holder intends to carry on Trading. But where the holder intends to carry on trading in part of the District only, then that part must be specified, and the Licence will be valid for only that part of the District;

7. Selling of Newspapers

Persons who sell, or offer for sale, newspapers are not required to hold a Licence issued under this Bylaw.

8. Selling of Food

The holder of an Itinerant Food Vendor's Licence who carries on Trading in any Street or Public Place within the District, must also hold a valid Trader's Licence and must at all times operate pursuant to this Bylaw;

9. Discretion

(1) Council may in its discretion under this part grant a Licence or refuse to grant a Licence or grant a Licence subject to such conditions as it thinks fit and for a period of twelve (12) months or less.

(2) Council may refuse to issue a Licence and may cancel a Licence if the applicant or licensee:

- (a) has been twice convicted during the preceding five (5) years or is twice convicted in the space of five (5) years of an offence against the Bylaw of any local authority relating to Hawkers, Stallholders or Trading in Public Places; or
- (b) does not conform with the requirements of the Health Act 1911.

(3) Council may refuse to issue a Licence if—

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

(4) Notwithstanding the provisions of clause 9(3), no Licence shall be issued to trade in a Public Place that is located in any part of a controlled access road or major highway or on any Main Roads Western Australia road within the District of the City of Melville;

(5) Where a licensee by reason of illness, accident or other cause is unable to comply with this Bylaw, Council may at the request of that licensee issue a permit in writing authorising a person named in the permit to be a nominee to occupy the period of the licensee's inability to comply with the Licence or until the expiration of the term of the Licence, whichever is earlier;

10. Conditions

Where a Licence or exemption has been granted by Council subject to conditions, the person to whom the Licence or exemption has been granted shall ensure that the conditions are observed at all times. If any condition is not observed that person commits an offence against this Bylaw and the Council additionally or in the alternative to any court proceedings in respect of such offence may exercise the power under clause 17 to cancel the Licence or exemption.

11. Licence Certificate

Council shall issue to every holder of a Licence the applicable Licence certificate in the form set out in Schedules 1, 2 or 3 for which the holder shall pay to the Council the applicable amount set out in Schedule 4. A holder of a Licence must display her or his Licence certificate while conducting the activities authorised by the Licence;

12. Transfer of Licence

Subject to clause 9(5), a Licence issued under this Bylaw shall not be transferable to another person.

13. Length of Service

A Licence issued pursuant to this Bylaw shall be valid until the 30th day of June next after it is granted or such lesser period as specified in the Licence except where the Licence is granted in the months of May or June when it shall extend to the 30th day of June in the next year following or such lesser period as specified.

14. Annual Renewal

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

15. Fees

The fees and additional charges to be paid by an applicant for a Licence issued under this Bylaw, for every renewal of a Licence, and for an application to transfer a Licence are set out in Schedule 4. No Licence is valid until the fees and charges imposed on the applicant have been paid.

16. Exemption

Notwithstanding provisions of clause 15 Council may grant without fee or charge, a Licence to conduct a Stall or to carry on Trading in any Street or way or on any land for any period specified in such Licence if the Stall or Trading—

- (a) is carried on in a portion of a Street or Public Place adjoining the normal place of business of the Licence holder; or
- (b) is carried on by a Charitable Organisation or group that does not sublet space to, or involve Commercial Participants in the conduct of a Stall or Trading activity, and any assistants that may be specified in the Licence are members of that Charitable Organisation or group;

17. Cancellation

(1) Council may by written notice cancel any Licence issued under this Bylaw for any of the reasons set out in clause 9(2) or on the grounds:

- (a) that the licensee is not conducting the business the subject of the Licence in a respectable or sober manner;
- (b) that the licensee has assigned the Licence without Council permission or no longer carries on the business the subject of the Licence;
- (c) that the licensee is not regularly carrying on the business for which the Licence was granted; and
- (d) that the licensee has breached a condition of the Licence.

(2) Upon cancellation of a Licence the holder thereof shall forthwith return the Licence certificate issued pursuant to clause 11 to the Chief Executive Officer/Town Clerk of the Council and shall forfeit fees paid in respect of the Licence.

Part III—Conduct

18. (1) A Hawker while hawking, a Stallholder while conducting a Stall or a person carrying on Trading shall:

- (a) display the Licence certificate in a conspicuous place on the vehicle or temporary structure (in the case of a Hawker or Trader) or on the Stall (in the case of a Stallholder);
- (b) have the name of the Hawker, Trader or Stallholder (or his assistant/s where appropriate) displayed on the vehicle or Stall;
- (c) When selling goods, wares or merchandise by weight, carry and use for that purpose, scales tested and certified in accordance with the provisions of the Weights and Measures Act 1915; and
- (d) in the case of a Stallholder, maintain the Stall in good order and condition.

(2) A Hawker, Stallholder or Trader shall not:

- (a) attempt to conduct a business within a distance of 300 metres of any shop or permanent place of business that is open for business and has for sale any goods, wares, merchandise or services of the kind being hawked or offered for sale by the Stallholder or Trader;
- (b) call the licensee's wares or cause or make any outcry noise or disturbance likely to be a nuisance or cause annoyance to any person in that vicinity;
- (c) deposit or store any box or basket containing goods, wares or merchandise under the vehicle of the licensee or upon the roadway or footpath;
- (d) obstruct the free passage of pedestrians or vehicles on any footpath or roadway;
- (e) act in an offensive manner;

- (f) subject to paragraphs (a) and (b) of clause 18(1), use, display or permit to be used or displayed an advertisement, placard, poster, streamer, sign or signboard on or about the place specified in the Licence other than price tickets or labels on the items with labels not exceeding 200 square centimetres in area and relating to the business specified in the Licence;
 - (g) use or permit to be used any flashing or intermittent lighting apparatus or device on or from the place specified in the Licence;
 - (h) use or permit to be used any apparatus or device including any flap or shelf whereby the dimensions of a Stall or vehicle are increased beyond any specified in the Licence; and
 - (i) in the case of a Trader conduct trade from a Public Place unless there is adequate off-road parking adjacent to the place of Trading for the parking of customers vehicles.
- (3) Persons shall not display a Licence certificate unless they hold a valid Licence issued under this Bylaw.

Part IV—Offences and Penalties

19. Penalty Provision

- (1) Any person failing to do any act directed to be done or by doing any act forbidden to be done by this Bylaw, or any notice issued under this Bylaw, commits an offence;
- (2) Where a person who is not licensed to do so, sets up and conducts a business at a stall, or carries on trading, then, the maximum penalty that can be imposed on that person is \$1,000 or imprisonment for six (6) months;
- (3) Any person who commits an offence under this Bylaw other than the offences referred to in clause 19(2) is liable to:
 - (a) a maximum penalty of \$500; and
 - (b) a maximum daily penalty of \$50.

Schedule 1
(Form 1)

LOCAL GOVERNMENT ACT 1960
The Municipality of the City of Melville
Bylaw Relating to Hawkers, Stallholders and Trading in Public Places
APPLICATION FOR HAWKERS LICENCE

- 1. Full Name and Address of Applicant
.....
.....
 - 2. Kind of goods, wares or merchandise which the applicant intends to hawk
.....
 - 3. Type of vehicle, conveyance or means of carriage to be employed in hawking
.....
 - 4. Proposed days and hours of trade
.....
 - 5. Part of the District for which the Licence is required
.....
 - 6. Certificate signed by a Justice of the Peace (to be attached).
.....
.....
- Signature of the Applicant.

Schedule 1
(Form 2)

LOCAL GOVERNMENT ACT 1960
The Municipality of the City of Melville
Bylaw Relating to Hawkers, Stallholder and Trading in Public Places
LICENCE FOR HAWKERS

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

- 2. Kind of goods, wares or merchandise which will be hawked by the applicant
.....
 - 3. Type of vehicle, conveyance or means of carriage to be used in hawking
.....
 - 4. Requirements, Terms and Conditions:
.....
 - (a) Place to which Licence applies:
 - (b) Description of or vehicle to be used by the Licensee:
.....
 - (c) Particulars of the goods, wares, merchandise or services in respect of which hawking may be carried on:
.....
 - (d) The permitted days and hours when Trading may be carried on:
.....
 - (e) Other Requirements, Terms or Conditions applicable to this Licence:
.....
.....
.....
- Chief Executive Officer/Town Clerk.

Schedule 2
(Form 1)
LOCAL GOVERNMENT ACT 1960
The Municipality of the City of Melville
Bylaw Relating to Hawkers, Stallholder and Trading in Public Places
APPLICATION FOR STALLHOLDER'S LICENCE

- 1. Full name and address of applicant
.....
.....
- Community Association under Section 242(3) of the Local Government Act Fee exemption:
Yes No
- 2. The proposed number and names and addresses of assistants to be engaged by the applicant in conducting the Stall pursuant to the Licence.
.....
.....
- 3. Proposed location of the Stall for which the Licence is sought:
.....
To be accompanied by an accurate plan and description of any proposed stand, table, structure or vehicle which may be used.
- 4. Proposed days and hours of trade:
.....
- 5. Nature of proposed goods, wares or merchandise to be sold:
.....
.....

Signature of Applicant.

Schedule 2
(Form 2)
LOCAL GOVERNMENT ACT 1960
The Municipality of the City of Melville
Bylaw Relating to Hawkers, Stallholder and Trading in Public Places
LICENCE FOR STALL

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

- 2. Date of issue of Licence:
 - 3. Date of expiration of Licence:
 - 4. Requirements, Terms and Conditions-
 - (a) Place to which Licence applies:
 - (b) Description of stand, structure or vehicle to be used by the Licensee:
 -
 - (c) Particulars of the goods, wares, merchandise or services in respect of which operating a Stall may be carried on:
 -
 - (d) Community Association under Section 242 of the Local Government Act:
 - Yes No
 - (e) The permitted days and hours when Trading may be carried on:
 -
 - (f) Other Requirements, Terms or Conditions applicable to this Licence:
 -
 -
 -
- Chief Executive Officer/Town Clerk.

Schedule 3
(Form 1)

The Municipality of the City of Melville
Bylaw Relating to Hawkers, Stallholders and Trading in Public Places
APPLICATION FOR TRADING IN PUBLIC PLACES

- 1. Full name and address of applicant:
 -
 - 2. Proposed number, names and addresses of assistants:
 -
 - 3. Location of proposed site for which Licence is sought:
 -
- To be accompanied by an accurate plan and description of any proposed stand, table, structure or vehicle which may be used for Trading.
- 4. Proposed days and hours of trade:
 -
 - 5. Nature of proposed goods, wares or merchandise to be sold:
 -
 -
 -
- Signature of Applicant.

Schedule 3
(Form 2)

LOCAL GOVERNMENT ACT 1960
The Municipality of the City of Melville
Bylaw Relating to Hawkers, Stallholder and Trading in Public Places
LICENCE FOR TRADING IN PUBLIC PLACES

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

- (c) Particulars of the goods, wares, merchandise or services in respect of which Trading may be carried on:
.....
 - (d) Full name/s and address/es of assistant/s who may be engaged at any one time in Trading:
.....
.....
 - (e) The permitted days and hours when Trading may be carried on:
.....
 - (f) Other Requirements, Terms and conditions applicable to this Licence:
.....
.....
.....
- Chief Executive Officer/Town Clerk.

Schedule 4
 LOCAL GOVERNMENT ACT 1960
 The Municipality of the City of Melville
 Bylaw Relating to Hawkers, Stallholders and Trading in Public Places
 FEES AND CHARGES

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

1. HAWKER

Licence Fee: maximum fee in accordance with the Act

Badge: maximum fee in accordance with the Act

2. STALLHOLDER

Licence Fee: annual \$165

Badge Issue Charge: each \$12

Stall—additional charges

Food Stall—per Stall per day \$220 per Stall per year \$2,200

General Stall—per Stall per day \$110 per Stall per year \$1,110

Drinks only Stall—per Stall per day \$165 per Stall per year \$1,625

Confectionery only Stall—per Stall per day \$165 per Stall per year \$1,625

3. TRADER

Licence Fee:

annual \$165

monthly \$55

Badge Issue Charge: each \$12

Trading—additional charges per day \$105 per year \$1,057

4. TRADER WHERE THE TRADER HOLDS AN ITINERANT FOOD VENDORS

Licence Fee: annual \$20

Trading—additional charges per day \$105 per year \$1,057

5. TRANSFER OF LICENCE \$25.00

Dated the 29th day of June 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 Lieutenant-Governor and deputy to the Governor in Executive Council this 16th day of January 1996.

J. PRITCHARD, Clerk of the Council.

LG311

DOG ACT 1976*Municipality of the Shire of Mingenew*

By-laws relating to the Manner and Mode of Keeping Dogs

In pursuance of the powers conferred upon it by the abovementioned Act, and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 16th day of August 1995 to submit for confirmation of the Lieutenant-Governor and deputy of the Governor the following amendment to the By-laws relating to the Manner and Mode of Keeping Dogs as published in the *Government Gazette* on the 28th day of September 1979, as amended,

Delete the "First Schedule" and re-insert as follows—

" First Schedule
Schedule of Fees.

For the seizure and impounding of a dog—\$40.00

For the sustenance and maintenance of a dog in the pound—\$5 per day or part thereof. "

Dated this 20th day of September 1995.

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

T. WARD, President.
M. J. BATTILANA, Shire Clerk.

Recommended—

P. D. OMODEI, Minister of Local Government.

Confirmed by Lieutenant-Governor and deputy of the Governor in Executive Council this 16th day January 1996.

J. PRITCHARD, Clerk of the Council.

LG312

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

Standing Orders By-law No. 18

In pursuance of the powers conferred upon it by the Local Government Act 1960, and all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following amendment to its By-law Relating to Standing orders which was published in the *Government Gazette* on 24 February 1970, and amended from time to time.

The By-law is amended as follows—

(a) Delete Clause 11 and insert the following in lieu thereof—

Open Doors—Except as Provided

- 11 (1) The business of the Council and Standing Committees shall be conducted with open doors, except upon such occasions as the Council or Standing Committee may, by resolution, otherwise decide.
- (2) The business of Occasional Committees shall be conducted with open doors except upon such occasions as the Council or Committee may, by resolution, otherwise decide.
- (3) Upon the carrying of a resolution mentioned in Sub-Clauses (1) and (2) of this Clause, the Mayor or Chairman of the Committee shall direct all persons other than Councillors and such staff, if any, that the Council or Committee directs to remain, to leave the room and every person shall forthwith comply with such resolution provided that by decision of the Council or Committee, persons other than Councillors may be requested to remain.
- (4) Any person who fails to comply with a direction made pursuant to Sub-Clause (3) of this Clause, may by order of the Mayor or Chairman of the Committee be removed from the room.
- (5) After the carrying of a resolution made under sub-clauses (1) and (2) of this Clause, the business of that meeting shall proceed behind closed doors, until the Council or Committee by resolution, decides to proceed with open doors.

- (6) While a resolution made under Sub-Clause (1) of this Clause is in force, the operation of Clause 35 shall be suspended unless the Council by resolution, otherwise decides.
- (7) While a resolution made under Sub-Clause (1) of this Clause is in force, the Mayor may dispense with the provision of Clause 24 requiring Councillors to rise to address the Mayor.
- (8) Any resolution mentioned in this Clause may be moved without notice.
- (b) Insert an additional clause, 11A, as follows—
- Public Participation at Meetings
- 11A (1) A person, not being a Councillor, shall not at any meeting of the Council or of a Committee, interrupt the proceedings of the Council or the Committee.
- (2) No person other than a Councillor shall, without the consent of the Mayor, address the Council meeting.
- (3) No person other than a member of the Committee shall, without the consent of the chairman of the Committee, address the Committee at a Committee meeting.
- (4) A person addressing the Committee meeting with the consent of the chairman of the Committee shall forthwith cease that address when directed to do so by the Chairman of the Committee.
- (5) Any person who fails to cease an address to the Council or a Committee when directed to do so, may by order of the Mayor in the case of the Council and by the Chairman in the case of a Committee, be removed from the room.
- (c) Amend Clause 95 by deleting the words "or require meetings to be conducted with open doors" appearing in lines 1 and 2 of the clause.

Dated this 5th day of September 1995.

The Common Seal of the City of Nedlands was hereunto affixed by authority of the Council in the presence of—

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

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council this 16th day of January 1996.

J. PRITCHARD, Clerk of the Council.

LG313

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Stirling

By-laws Relating to Signs, Hoardings and Billposting

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 21st day of March, 1995, to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following amendment—

1. The By-laws of the City of Stirling published in the *Government Gazette* of the 12th May, 1971, as amended from time to time, are referred to as the "Principal By-laws".
2. By-law 553 (m) of the Principal By-laws is amended by the inclusion, after "purposes", of "unless in accordance with by-law 553A."
3. The Principal By-laws are amended by inserting the following by-law 553A:

"Electoral Advertising

553A (1) An electoral sign may be erected for the purpose of identifying a place where electors may obtain information on a particular candidate, on polling day only, subject to:

- (a) the sign being no larger than 1.0 m², and able to fit within a box with sides of 1.0 m x 1.0 m; and

- (b) the sign being displayed within the vicinity of, but no closer than 6 metres to, a polling place appointed under Section 98 of the Local Government Act 1960 (as amended).

553A (2) The Council, by its agents or employees, may erect or grant approval to erect signs for the purpose of:

- (a) encouraging participation in voting at local government elections (but not in favour of a particular candidate), provided such signs are erected for no more than four weeks prior to the date of the election; or
 (b) indicating the location and identity of a particular polling place at which voting is to take place.

553A (3) In the interests of ensuring equitable representation of all candidates for an election, an electoral advertisement for Council elections may only be placed on authorised hoardings and display boards specifically erected and maintained by the City as suitable locations within each ward where an election is to be held and in accordance with the requirements laid down by the Council from time to time.

553A (4) Electoral signs with a total area of less than 1 m² may be placed on shop windows or displayed within premises zoned for commercial uses, providing consent of the owner or occupier is given.

553A (5) All electoral advertisements and electoral signs shall be removed within 48 hours after polling day.”

Dated the 3rd day of April 1995.

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

ADAM A. SPAGNOLO, Mayor.
 GEORGE S. BRAY, Town Clerk/City Manager.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council on the 16th day of January 1996.

J. PRITCHARD, Clerk of the Council.

LG314

LOCAL GOVERNMENT ACT 1960

The Municipality of the City of Wanneroo

AMENDMENT TO BY-LAWS RELATING TO STANDING ORDERS

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 26th day of July 1995, to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following amendment to its By-laws Relating to Standing Orders, as published in the *Government Gazette* on 18 October 1985, including subsequent amendments.

By-law 180 is repealed and the following By-law is substituted:

“180 A Councillor may attend as an observer at meetings of any Committee notwithstanding that the Councillor is not a member of that Committee. A Councillor attending a Committee meeting as an observer may speak but shall not vote on any question before the Committee”.

Dated this 23rd day of August 1995.

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

A. V. DAMMERS, Mayor.
 R. F. COFFEY, Town Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council this 16th day of January 1996.

J. PRITCHARD, Clerk of the Council.

LG315**LOCAL GOVERNMENT ACT 1960***The Municipality of the City of Wanneroo***AMENDMENTS TO BY-LAWS RELATING TO DOGS**

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 23rd day of August 1995, to make and submit for confirmation by the Lieutenant-Governor and deputy of the Governor the following amendment to its By-laws Relating to Dogs as published in the *Government Gazette* on 21 November 1986, including subsequent amendments.

Item (1) of the Fifth Schedule is amended by inserting after "Kingsway Sporting Complex, Landsdale, being Reserve No. 28058;" the following—

"Blue Lake Park, Joondalup being Reserve No. 41893; Percy Doyle Reserve, Duncraig, being Reserve No. 33894;"

Dated this 13th day of November 1995.

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

A. V. DAMMERS, Mayor.
R. F. COFFEY, Town Clerk.

Recommended—

PAUL D. OMODEI, Minister for Local Government.

Approved by the Lieutenant-Governor and deputy of the Governor in Executive Council this 16th day of January 1996.

J. PRITCHARD, Clerk of the Council.

LG401**TOWN PLANNING AND DEVELOPMENT ACT 1928****RESOLUTION DECIDING TO PREPARE A TOWN PLANNING SCHEME**

Lands Wholly within the District of the Local Authority Preparing the Scheme.

Shire of Chapman Valley Town Planning Scheme No. 2.

Resolved that the Council, in pursuance of Section 7 of the Town Planning and Development Act, 1928, prepare the above Town Planning Scheme with reference to an area situated wholly within the Shire of Chapman Valley and enclosed within the inner edge of the red border on a plan now produced to the Council and marked and certified by Shire Clerk under his hand dated the eighth of January 1996 as "Scheme Area Map".

Dated this eighth day of January 1996.

G. EDWARDS, Town/Shire Clerk.

LG402**LOCAL GOVERNMENT ACT 1960***Shire of Harvey***NOTICE OF INTENTION TO BORROW**

Proposed Loan No. 234 of \$250 000.00

Pursuant to Section 610 of the Local Government Act, 1960, the Harvey Shire hereby gives notice that it proposes to borrow money by the sale of debentures for a period of ten (10) years, repayable at the office of the lender, at the current rate of interest, repayable by equal half-yearly instalments.

Purpose: Leschenault Community Centre

Plans and a statement required by Section 609 are available for inspection at the Council Office during normal office hours for a period of thirty five (35) days from the publication of this notice.

J. L. SABOURNE, J. P. Shire President.
KEITH J. LEECE, Shire Clerk.

LG901**LOCAL GOVERNMENT ACT 1960***City of Subiaco***NOTICE OF INTENTION TO BORROW**

Proposed loans No. (106) of \$250 000 and No. (107) of \$150 000

Pursuant to Section 610 of the Local Government Act 1960, the City of Subiaco hereby gives notice that it proposes to borrow money, by the sale of debentures repayable at the office of the lender, on the following terms and conditions—

Loan 106—

Amount: \$250 000

Repayable: Twenty (20) equal quarterly instalments of principal and interest.

Purpose: Undergrounding of power lines along Hensman Road, Subiaco between Hamersley and Keightley Roads.

Loan 107—

Amount: \$150 000

Repayment: The principal amount of the loan will be repaid within a maximum term of five (5) years. The interest rate is variable, and may fluctuate in accordance with market forces.

Purpose: Undergrounding of power lines along Hensman Road, Subiaco between Hamersley and Keightley Roads.

Specifications and estimates of costs are required by Section 609 of the Local Government Act 1960 are open for inspection at Council's temporary office located at 594 Hay Street, Jolimont during office hours for thirty five (35) days after publication of this notice.

Dated 16 January 1996.

A. V. COSTA, Mayor.

P. J. WALKER, Chief Executive Officer/Town Clerk.

MAIN ROADS**MA401**

MRWA 42-65-A

MAIN ROADS ACT 1930**LAND ACQUISITION & PUBLIC WORKS ACT 1902****NOTICE OF INTENTION TO TAKE OR RESUME LAND**

The Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902, that it is intended to take or resume under section 17 (1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in the Ravensthorpe District, for the purpose of the following public works namely, widening of the South Coast Highway (SLK Section 304.8-304.88) and that the said pieces or parcels of land are marked off on MRWA Drawing No. 9501-68 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
1.	Rodney Clarence Daw, Mervyn Francis Daw and Wesley John Daw	R. C., M. F. & W. J. Daw	Portion of Oldfield Location 608 and being part of the land comprised in Certificate of Title Volume 1368 Folio 115.	4 100 m ²
2.	Rodney Clarence Daw, Wesley John Daw and Mervyn Francis Daw	R. C., W. J. & M. F. Daw	Portion of Oldfield Location 48 and being part of the land comprised in Certificate of Title Volume 1495 Folio 532.	4 100 m ²

Dated this 16th day of January 1996.

R. D. GILES, A/Director Corporate Services.

MINERALS AND ENERGY

MN301

MINES SAFETY AND INSPECTION ACT 1994 MINES SAFETY AND INSPECTION AMENDMENT REGULATIONS 1996

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

Citation

1. These regulations may be cited as the *Mines Safety and Inspection Amendment Regulations 1996*.

Commencement

2. These regulations come into operation on the day on which Part 3 of the *Occupational Safety and Health Legislation Amendment Act 1995* comes into operation.

Principal regulations

3. In these regulations the *Mines Safety and Inspection Regulations 1995** are referred to as the principal regulations.

[* *Published in Gazette of 8 December 1995 at p. 5629 (pp. 1 — 285).*]

Regulation 2.6A inserted

4. The principal regulations are amended by inserting after regulation 2.6 the following regulation —

“

Form of notification of election

2.6A. The form by which a safety and health representative is to notify the State mining engineer of an election for purposes of section 56 (10a) of the Act is to be in the form of the form in Schedule 1A.

”

Regulation 6.27 amended

5. Regulation 6.27 (2) of the principal regulations is amended by deleting the paragraph designation “(b)” in the second place where it occurs and substituting the following paragraph designation —

“

(d) ”.

Schedule 1A inserted

6. The principal regulations are amended by inserting after Schedule 1 the following Schedule —

“

SCHEDULE 1A — FORM OF NOTIFICATION OF ELECTION AS SAFETY AND HEALTH REPRESENTATIVE

[Regulation 2.6A]

Mines Safety and Inspection Act 1994

The State mining engineer
Mining Operations Division
Department of Minerals and Energy
Mineral House
100 Plain Street
EAST PERTH WA 6004

Fax: (09) 325 2280

Minor amendments

7. (1) Regulation 2.4 (4) is amended by deleting "health, safety and welfare" and substituting the following —

" safety and health ".

(2) Part 2 of the principal regulations is amended by deleting the heading "*Division 2 — Health and safety representatives*" and substituting the following heading —

" *Division 2 — Safety and health representatives* ".

(3) Part 2 of the principal regulations is amended by deleting the heading "*Division 4 — Mines Occupational Health and Safety Advisory Board*" and substituting the following heading —

" *Division 4 — Mines Occupational Safety and Health Advisory Board* ".

(4) The provisions of the principal regulations listed in the Table to this subregulation are amended by deleting "health and safety" wherever it occurs in those provisions and substituting the following —

" safety and health ".

TABLE

r. 2.4 (4) (twice)	r. 2.6 (8)
r. 2.5 (2) (a) (twice)	r. 2.6 (9)
r. 2.5 (2) (b)	r. 2.6 (10) (b)
r. 2.6 (2)	r. 2.6 (11)
r. 2.6 (3)	r. 7.15 (2)
r. 2.6 (4)	r. 9.5 (e)
r. 2.6 (5)	r. 9.20 (1)
r. 2.6 (6)	r. 11.13 (3)
r. 2.6 (7)	r. 16.21 (2) (c) (twice)

(5) The provisions of the principal regulations listed in the Table to this subregulation are amended by deleting "Health and Safety" wherever it occurs in those provisions and substituting the following —

" Safety and Health ".

TABLE

r. 2.38 in the definition of "Board"	r. 3.23 in the definition of "respiratory questionnaire"
r. 3.23 in the definition of "assessment form"	r. 3.34 (2) (b)
r. 3.23 in the definition of "designated work"	r. 9.2

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

J. PRITCHARD, Clerk of the Council.

MN401

MINING ACT 1978

Department of Minerals and Energy
East Perth WA 6000.

I hereby declare in accordance with the provisions of Sections 96A (1) and 97 (1) of the Mining Act 1978 that the undermentioned mining tenements are forfeited for breach of covenant viz; non-payment of rent.

GEORGE CASH, Minister for Mines.

Number	Holder	Mineral Field
Exploration Licences		
04/848	Mansfield, Godfrey Alexander Winston Towers, John Hunter	West Kimberley
04/853	Italo Nominees Pty Ltd	West Kimberley
30/115	Guam Nominees Pty Ltd	North Coolgardie
59/567	Leinster Gold Pty Ltd	Yalgoo
80/1857	Halls Creek Minerals NL Schulda, Harry George	Kimberley
80/1858	Halls Creek Minerals NL Schulda, Harry George	Kimberley
80/1871	Halls Creek Minerals NL	Kimberley
Mining Lease		
09/56	Emeco Australia Holdings Pty Ltd	Gascoyne

MN402**MINING ACT 1978**

Notice of Application for an Order for Forfeiture

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

K. BOOTHMAN, Warden.

To be heard in the Wardens Court Norseman on the 7th February, 1996.

DUNDAS MINERAL FIELD

Prospecting Licences

P63/826—Doudle, Paul Matthew.

P63/912—Giles, Peter Baxter
Giles, Robina Sally
Paynter, Cheraine
Paynter, Noel Arthur

P63/917—Norris, Edward Bernard
Norris, Geraldine Fayne.

MINING ACT 1978

Notice of Application for an Order for Forfeiture

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

K. BOOTHMAN, Warden.

To be heard in the Wardens Court Norseman on the 6th March, 1996.

DUNDAS MINERAL FIELD

Prospecting Licences

P63/734—Jones, Reginald Edward John
Jones, Stanley Joseph Lucas.

P63/752—Gasgoyne Gold Mines NL.

P63/753—Gasgoyne Gold Mines NL.

P63/754—Gasgoyne Gold Mines NL.

Miscellaneous Licences

L63/43—K & S Constructions Pty Ltd.

MN403**MINING ACT 1978**

Notice of Application for an Order for Forfeiture

Department of Minerals & Energy
Southern Cross.

In accordance with Regulation 49 (2) (c) of the Mining Regulations, 1981, notice is hereby given that the licences are liable to forfeiture under the provisions of Section 96 (1) (a) of the Mining Act, 1978, for breach of covenant, viz. non-payment of rent.

M. J. McGUIRE, Warden.

To be heard in the Wardens Court Southern Cross on the 7th March, 1996.

YILGARN MINERAL FIELD

Miscellaneous Licence

77/148—Tiapan Resources NL

Prospecting Licences

77/2671—Harrison, Robert Adam.

77/2707—Spence, Douglas John.

77/2951—Jacobs, Peter Robert
Strange, Vernon Wesley.

77/3038—Taylor, Peter John.

77/3098—Jones, Robert Joseph
Brown, Richard McMillian.

77/3121—Windale Nominees Pty Ltd.

MN404**PETROLEUM (SUBMERGED LANDS) ACT, 1982**

Notice of Renewal of Exploration Permit

Pipeline Licence No. TPL/7 held by Western Mining Corporation Limited of 24th Floor QV1, 250 St Georges Terrace, Perth WA 6000, Bridge Oil Limited of 9th Floor, 255 Elizabeth Street, Sydney NSW 2000, Ampolex (PPL) Pty Limited of Level 26 QV1, 250 St Georges Terrace, Perth WA 6000, Pan Pacific Petroleum (South Aust) Pty Ltd of Level 4 Tandem House, 76 Berry Street, North Sydney NSW 2060 and Apache Oil Australia Pty Limited of One Post Oak Central, 2000 Post Oak Boulevard, Houston Texas USA 77056-4400 has been renewed in accordance with the provisions of the above Act for a period of five (5) years from the 21 December 1995.

IAN FRASER, Director, Petroleum Operations Division.

MN405**PETROLEUM ACT, 1967**

Notice of Grant of Exploration Permit

Exploration Permit No. EP399 has been granted to Ampolex Limited of 26th Floor, QV1 Building, 250 St Georges Terrace, Perth WA 6000, Clyde Expro plc of Coddington Court, Coddington Ledbury, Herefordshire, United Kingdom and Marubeni Oil Australia Pty Ltd of 20th Floor, 77 St Georges Terrace Perth WA 6000 to have effect for a period of six years from 21 December 1995.

IAN FRASER, Director, Petroleum Operations Division.

PETROLEUM ACT, 1967

Notice of Grant of Exploration Permit

Exploration Permit No. EP400 has been granted to Ampolex Limited of 26th Floor, QV1 Building, 250 St Georges Terrace, Perth WA 6000, Clyde Expro plc of Coddington Court, Coddington Ledbury, Herefordshire, United Kingdom and Marubeni Oil Australia Pty Ltd of 20th Floor, 77 St Georges Terrace Perth WA 6000 to have effect for a period of six years from 21 December 1995.

IAN FRASER, Director, Petroleum Operations Division.

PLANNING

PD401

WESTERN AUSTRALIAN PLANNING COMMISSION
METROPOLITAN REGION SCHEME (SEC. 33 AMENDMENT)
CALL FOR SUBMISSIONS
EXTENSION OF SUBMISSION PERIOD
"FREMANTLE"

File No. 809-2-5-3.

Amendment No. 970/33.

The Western Australia Planning Commission has called for submissions on proposals contained in the "Fremantle Amendment" to the Metropolitan Region Scheme.

The Metropolitan Region Scheme (the Scheme) is proposed to be amended for various portions of land in the Cities of Fremantle and Cockburn, Towns of Cottesloe, East Fremantle and Mosman Park and the Shire of Peppermint Grove. The proposals are intended to implement recommendations contained in the "Fremantle Regional Strategy" released in December 1994. The "Fremantle Regional Strategy" provides the basis for coordinating planning and Government investment in regional infrastructure and is a reflection of the identification of Fremantle as a strategic regional centre in the "Metropolitan Centres Policy". That Strategy, which provides a guide for future planning of integrated transport, land use and port facilities, is being implemented by way of this Metropolitan Region Scheme amendment proposal.

The period for lodging submissions has been extended for a month and will now conclude on Friday 1 March 1996.

Information on the Amendment, plans and technical reports are available for public inspection at—

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

City of Cockburn
9 Coleville Crescent
Spearwood WA 6163

Town of Cottesloe
109 Broome Street
Cottesloe WA 6011

JS Battye Library
Alexander Library Building
Cultural Centre
Francis St
Northbridge WA 6003

Town of East Fremantle
135 Canning Highway
East Fremantle WA 6158

City of Perth
Westralia Square
141 St Georges Terrace
Perth WA 6000

Town of Mosman Park
Administration Centre
Bay View Terrace
Mosman Park WA 6012

City of Fremantle
Corner Newman and William Street
Fremantle WA 6160

Shire of Peppermint Grove
1 Leake Street
Peppermint Grove WA 6011

Any person who desires to make a submission either supporting or objecting to any provisions of the proposed amendment may do so on the Form 6A. Submission forms are available on request from the display locations and must be lodged with the A/Secretary, Western Australian Planning Commission, 469-489 Wellington Street, Perth WA 6000 on or before 4.30 pm Friday, 1 March 1996.

LINDSAY PREECE, Acting Secretary,
Western Australian Planning Commission.

PD402

TOWN PLANNING AND DEVELOPMENT ACT 1928

Shire of Capel

Interim Development Order No. 10

Ref: 26/6/7/1.

Notice is hereby given that in accordance with the provisions of sub-section (2) of section 7B of the Town Planning and Development Act 1928, and by direction of the Hon. Minister for Planning a summary as set out hereunder of the Shire of Capel Interim Development Order No. 10 made pursuant to the provisions of section 7B of the Act is published for general information.

The Hon. Minister for Planning has made copies of this Order available for inspection by any person free of charge at the offices of the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and at the office of the Shire of Capel during normal office hours.

Summary

1. The Shire of Capel Interim Development Order No. 10 contains provisions inter alia—
 - (a) That the Order applies to that part of the Shire of Capel specified in the Order.
 - (b) That, subject as therein stated, the Capel Shire Council is the authority responsible for its administration.
 - (c) That the carrying out of certain development on land within the scope of the Order without approval as stated therein is prohibited.
 - (d) Relating to the application for, and grant of approval for, development other than development permitted by the Order.
 - (e) Relating to development by a public authority.
 - (f) Relating to certain development permitted by the Order.
 - (g) Relating to the continuance of the lawful use of land and buildings.
 - (h) Relating to appeals against refusal of approval for development or against conditions subject to which approval to which approval is granted.
2. The Order has effect from and after the publication of this Summary in the *Government Gazette*.
November 23, 1995.

R. G. BONE, Shire Clerk.

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Bunbury

Town Planning Scheme No. 6—Amendment No. 164

Ref: 853/6/2/9, Pt. 164.

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 Bunbury Town Planning Scheme Amendment on January 10, 1996 for the purpose of—

1. rezoning Lot 89, corner of Picton Road and Henley Drive, Wollaston from 'Special Use—Motel, Health Resort, Licenced Restaurant, Coffee Shop' to 'Commercial A'; and
2. deleting from Appendix 4 First Schedule—Special Uses, Special Use No. 42 for Lot 89 Inkpen Road, corner of Henley Drive.

E. MANEA, Mayor.
G. BRENNAN, Town Clerk.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENTS
City of Cockburn

District Zoning Scheme No. 2—Amendment Nos. 109 & 117

Ref: 853/2/23/19, Pts. 109 & 117.

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 Cockburn Town Planning Scheme Amendments on January 14, 1996 for the purpose of—

- Amendment No. 109: rezoning a portion of Lot 227 Forrest Road, Jandakot from "Rural" zone to "Light Industrial" zone in accordance with the Scheme Amendment Map.
- Amendment No. 117: rezoning Portion of Lot Pt. 12 of JAA 231 Alabaster Drive, Jandakot from "Residential R15" zone to "Residential R30" zone.

J. P. GRLJUSICH, Mayor.
R. W. BROWN, Town Clerk.

PD405**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Mandurah*

Town Planning Scheme No. 1A—Amendment No. 247

Ref: 853/6/13/9, Pt. 247.

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 Mandurah Town Planning Scheme Amendment on January 10, 1996 for the purpose of—

1. re-coding Lot 1685 Caravel Way, Halls Head from “R17.5” to “R25”.
2. amending the Residential Planning Codes Overlay to the Scheme Map accordingly.

K. A. HOLMES, Mayor.
S. K. GOODE, Chief Executive Officer/Town Clerk.

PD406**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Melville*

Town Planning Scheme No. 3—Amendment No. 131

Ref: 853/2/17/10, Pt. 131.

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 Melville Town Planning Scheme Amendment on January 14, 1996 for the purpose of rezoning portion (0.89 x 46.8 metres) of Lot 144 (79) Swan Road, Attadale from Public Use Reserve to Residential B, R17.5.

K. J. MAIR, Mayor.
J. McNALLY, Town Clerk.

PD407**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Nedlands*

Town Planning Scheme No. 2—Amendment No. 72

Ref: 853/2/8/4, Pt. 72.

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 Nedlands Town Planning Scheme Amendment on January 14, 1996 for the purpose of rezoning Lot 500 of Pt Cottesloe Lots 160 and 162 Seaward Avenue, Swanbourne from Metropolitan Region Scheme Reserves—“Public Purposes” to City of Nedlands Zones—“Residential R20” and City of Nedlands Reserves—“Recreation”.

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

PD408**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENTS*City of Stirling*

District Planning Scheme No. 2—Amendment Nos. 253 & 262

Ref: 853/2/20/34, Pts. 253 & 262.

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 Amendments on January 14, 1996 for the purpose of—

- Amendment No. 253: rezoning Lot 551, H.N 178 Edward Street, corner Hutton Street, Osborne Park from “Residential R40” to “Civic”.
- Amendment No. 262: rezoning Pt Lot 100, H.N 370 Scarborough Beach Road, Osborne Road, Osborne Park from “Service Station” to “General Industrial”.

T. W. CLAREY, Mayor.
G. S. BRAY, Town Clerk.

PD409

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Augusta-Margaret River

Town Planning Scheme No. 11—Amendment No. 74

Ref: 853/6/3/8, Pt. 74.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Augusta-Margaret River Town Planning Scheme Amendment on January 10, 1996 for the purpose of—

1. Rezoning Pt of Lot 1 of Sussex Location 994 Sheridan Road, Margaret River from "Rural Zone" to "Special Rural Zone".
2. Amending the Scheme Text by adding the following to Schedule 1: Special Rural Zones. Provisions relating to Specified areas.

Specified Area of Locality (A)	Special Provisions to Refer to (A)
Part of Lot 1 of Sussex Location 994, Sheridan Road, Margaret River	<ol style="list-style-type: none"> 1. Subdivision shall be generally in accordance with the plan of subdivision Plan No. 1 and Plan No. 1 shall from part of this scheme. 2. Within areas indicated as vegetation on the plan of subdivision, no trees or other flora shall be felled. The only exception to this clause shall be the felling of trees or flora to comply with the Bush Fires Act, 1954 (as amended). 3. Clearing of flora shall only take place within those areas designated as building envelopes on the plan of subdivision, with the following exceptions: <ol style="list-style-type: none"> (i) clearing to gain vehicular access to the lots. In any event Council, on the plan of subdivision, may specify the approximate location of crossovers to the respective lots, and (ii) clearing to comply with the Bush Fires Act 1954 (as amended). 4. The disposal of liquid and solid waste shall be carried out by the installation of a sewerage disposal system, to the satisfaction of the local authority and located no closer than 100 metres from any natural water course and be at least a minimum of 2m vertical separation from the highest known water table or bedrock. 5. No dams shall be permitted on any lot unless otherwise approved by Council. 6. Each dwelling shall be serviced by a storage tank for rainfall collection of no less than 92,000 litres. 7. All development shall comply with the following development guidelines: <ol style="list-style-type: none"> (i) buildings shall not be constructed of a height greater than 8 metres in accordance with Council's formulae for determining height. (ii) buildings should be of a sympathetic design, material and colour to complement surrounding landscape elements, to the satisfaction of the local authority. (iii) outbuildings shall form a unified group with the main building and should be of a similar form, colour and materials. 8. Livestock shall only be permitted on those lots that are predominantly cleared and shall not reach levels as to cause land degradation. In such circumstances, Council may direct a landowner to remove such livestock. 9. Strategic fire breaks and individual lot fire breaks shall be constructed by the developer to the satisfaction of the local authority and the Bush Fires Board. 10. Fencing shall be of a material and type to the satisfaction of the local authority. 11. Purchasers of lots are to be advised by the developer that the adjoining land will continue to be used for agricultural purposes including all normal practices relating to such use.

R. KNAPP, President.
L. CALNEGGIA, Shire Clerk.

PD410

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

Town Planning Scheme No. 5—Amendment No. 232

Ref: 853/6/6/6, Pt. 232.

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

1. rezoning part of Lot 2 being Portion of Sussex Location 296, part of Portion of Sussex Location 295 and part of Sussex Location 1307 Seymour Street, Dunsborough from ‘General Farming’ to ‘Restricted Use’.
2. amending the Scheme Text by adding to Appendix V—Restricted Use zones, appropriate subdivision, development and land use controls.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Southern Drive, Busselton 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 March 1, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 1, 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.

I. STUBBS, Town Clerk.

PD411

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Busselton

Town Planning Scheme No. 5—Amendment No. 321

Ref: 853/6/6/6, Pt. 321.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on January 14, 1996 for the purpose of—

- A Amending the Scheme Map to—
- (i) Rezoning Lots 1 and 2 Naturaliste Terrace, Dunsborough from “General Farming” to “Single Residential”.
 - (ii) Rezoning portion of Lot 62 Hansen Street, Dunsborough from “General Farming” to “Restricted Use—Residential R20” and portion to “Special Residential”.
 - (iii) Rezoning Pt Lot 61 Naturaliste Terrace Dunsborough from “General Farming” to “Restricted Use—Residential R20 and R30”.

B Amending the Scheme Text by adding to Appendix V—Restricted Use Zone the following—

Street	Particulars of Land	Only Uses Permitted
Naturaliste Tce & Hansen St Dunsborough	Pt Lot 61 & Lot 62	1. Residential development as may be permitted by the R20 & R30 Code in the residential Planning Codes as depicted on the Development Guide Plan of Scheme Amendment 321, with the exception that: ONLY USES PERMITTED: (a) Single dwellings only are permitted within the R20 Coded lots (b) Grouped dwellings are permitted within the R30 Coded lots 2. Other ancillary and incidental uses designated ‘IP’, ‘PS’, ‘AP’ & ‘P’ under a ‘Single Residential’ Zone. SUBDIVISION: 3. Subdivision of the lots shall generally be in accordance with the Subdivision Guide Plan adopted by the Busselton Shire Council and as may be amended by the Council from time to time.

Street	Particulars of Land	Only Uses Permitted
		<p>DEVELOPMENT</p> <p>4. All development is to be generally in accordance with the Development Guide Plan as adopted by the Busselton Shire Council and as may be amended by the Council from time to time.</p> <p>5. Fencing design and materials abutting Reserve 28683 shall be constructed to Council's satisfaction.</p> <p>6. No trees or substantial vegetation shall be felled or removed from the land except where:</p> <p>(i) it is required for approved development works; and</p> <p>(ii) trees are dead, diseased or dangerous</p> <p>Notwithstanding the above, Council's written approval shall be obtained for the removal of all trees and substantial vegetation, including works associated with the subdivision of the land.</p>

M. C. SULLY, President.
I. STUBBS, Shire Clerk.

PD412

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Busselton

Town Planning Scheme No. 5—Amendment No. 337

Ref: 853/6/6/6, Pt. 337.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on January 14, 1996 for the purpose of rezoning Lot 29 Busselton Bypass Road, Busselton from 'General Farming' to 'Single Residential', with portion designated 'Drainage' and 'Important Regional Road' in accordance with the Scheme Amendment Map.

M. C. SULLY, President.
I. STUBBS, Chief Executive Officer.

PD413

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Busselton

Town Planning Scheme No. 5—Amendment No. 387

Ref: 853/6/6/6, Pt. 387.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on January 10, 1996 for the purpose of—

1. Rezoning Lot 54 Peake Street from 'Single Residential' to 'Restricted Use'.
2. Amending the Scheme Text by adding to 'Appendix V—Restricted Use Zone' the following—

Street	Particulars	Only Use Permitted
Peake Street	Lot 54	<p>1. Residential Development (R30) as may be permitted by the R30 code in the Residential Planning Codes. For the purpose of the scheme Residential Planning Codes means the Residential Planning Codes of Western Australia dated December 1991, together with any amendments thereto.</p> <p>2. Uses which are normally permissible under a Single Residential Zone.</p>

M. C. SULLY, President.
I. STUBBS, Shire Clerk.

PD414

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

Town Planning Scheme No. 1—Amendment Nos. 9 & 13

Ref: 853/3/17/1, Pts. 9 & 13.

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

Amendment No. 9:

1. rezoning portion of Victoria Location 2948 White Peak Road, White Peak from 'General Farming', 'Recreation' and 'Place of Heritage Value' to 'Special Rural';
2. modifying Appendix 6 of the Scheme Text accordingly.

Amendment No. 13:

1. creating a new zone 'Rural Residential Zone' and adding it to clause 2.1.1 of the Scheme Text.
2. adding a new Zoning Table 'Rural Residential' into section 2.0—clause 2.1.1.
3. creating Appendix No. 10 "Additional Requirements and modifications Applicable to Rural Residential Zones".
4. adding to General Provisions Clause 3.1.21.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Chapman Valley Road, Nabawa 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 March 1, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 1, 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.

G. EDWARDS, Shire Clerk.

PD415

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Hall's Creek

Town Planning Scheme No. 1—Amendment No. 5

Ref: 853/7/3/2, Pt. 5.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Hall's Creek Town Planning Scheme Amendment on January 10, 1996 for the purpose of—

1. Rezoning Lot 442, great Northern Highway, Hall's Creek from "Rural" to "Special Site (Tourist Accommodation)" as shown on the Scheme Amendment map; and
2. Amending Appendix No. 3—Special Sites Schedule to include Lot 442, Great Northern Highway as follows—

Lot No.	Location	Purpose
442	Great Northern Highway	Tourist Accommodation

3. A Development Plan for Lot 442 Great Northern Highway is to be adopted by Council and shall comply with the following requirements;
 - (i) provision of a landscaped area fronting the Great Northern Highway, no less than 15 metres wide which shall be established no later than 12 months following approval to commence development;
 - (ii) connection to deep sewer and scheme water;
 - (iii) permitted uses shall include a small shop, caretakers accommodation, caravan park, camping ground, chalet accommodation, ablution blocks and play areas;
 - (iv) access to Great Northern Highway, being the subject of approval from the Main Roads Western Australia.

J. FARRER, President.
 P. FOSTER, Shire Clerk.

PD416**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*Shire of Irwin*

Town Planning Scheme No. 4—Amendment No. 4

Ref: 853/3/9/4, Pt. 4.

Notice is hereby given that the Shire of Irwin has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 2 of Portion of Port Denison Sub Lot 49 Ocean Drive, Port Denison from Special Use Zone (Residential R30, Holiday Accommodation, Motel, and uses ancillary to the permitted use) to residential R50.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 13 Waldeck Street, Dongara 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 March 1, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 1, 1996.

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

J. PICKERING, Shire Clerk.

PD417**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*Town of Albany*

Town Planning Scheme No. 1A—Amendment No. 99

Ref: 853/5/2/15, Pt. 99.

Notice is hereby given that the Town of Albany has prepared the abovementioned scheme amendment for the purpose of rezoning Sub Lots 296, 297, 298, 299, 302 & 303 (45-57, 63-67) Wellington Street, Centennial Park from "Parks & Recreation" to "Drainage" and Sub Lots 304 & 305 (69-73) Wellington Street from "Parks & Recreation" to "Club and Institutions".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 221 York Street, Albany 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 March 1, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 1, 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.

W. P. MADIGAN, A/Town Clerk.

PD418**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*Town of Cottesloe*

Town Planning Scheme No. 2—Amendment No. 25

Ref: 853/2/3/5, Pt. 25.

Notice is hereby given that the Town of Cottesloe has prepared the abovementioned scheme amendment for the purpose of insofar as it affects Portion of Cottesloe Suburban Lot 27 and being Lots 7, 8, 9, 11, 12, 13, 14, 15, 16 and 17 on Plan 2371; Portion of Cottesloe Suburban Lot 28 and being Lots 34, 35 and part of each lots 32 and 33 on Diagram 496; Portion of Cottesloe Lot 28 and being Lot 1 on Diagram 9216; Portion of Cottesloe Lot 28 and being Lot 38 and 39 on Diagram 4478 being land bounded by Eric Street, Gadsdon Street, Ellen Street and Marine Parade, by—

1. introducing a new clause 3.4.9 (e) and amending other clauses that relate to development standards for the Special Development Zone of which this land forms part; and
2. amending the Development Guide Map for the subject lots by increasing the density coding from R50 to R100.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 109 Broome Street, Cottesloe 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 March 1, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 1, 1996.

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

J. GRIMOLDBY, Chief Executive Officer.

PD419

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Town of Northam

Town Planning Scheme No. 4—Amendment No. 5

Ref: 853/4/3/4, Pt. 5.

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 Northam Town Planning Scheme Amendment on January 14, 1996 for the purpose of—

1. Rezoning Lot 2 West Street, Northam from “Special Residential” to “Special Use” as shown on the amendment map.
2. Modifying Schedule 3—“Special Use Zones” as follows, to include “Health Studio” as a permitted use, with appropriate development conditions, on Lot 2 West Street, Northam.

Schedule 3

Special Use Zones

Specified Zone	Permitted Uses	Conditions
Lot 2 West Street, Northam	Health Studio	Development standards including building setbacks, landscaping and car parking shall be in accordance with a plan or plans approved by the Council.

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

PD420

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENTS

Town of Port Hedland

Town Planning Scheme No. 4—Amendment Nos. 22 & 26

Ref: 853/8/4/5, Pts. 22 & 26.

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 Port Hedland Town Planning Scheme Amendment on January 14, 1996 for the purpose of—

Amendment No. 22: rezoning Lot 2335 Traine Crescent, South Hedland from Residential R30 to Residential R40.

Amendment No. 26: rezoning the northern portion of Brearley Street, Port Hedland, from Residential and coded R15 to Special Sites Motel.

A. EGGLESTON, Mayor.
J. ROBERTS, Chief Executive Officer.

PD501

WESTERN AUSTRALIAN PLANNING COMMISSION
METROPOLITAN REGION SCHEME (SEC. 33 AMENDMENT)
CALL FOR PUBLIC SUBMISSIONS
“St Andrews (Yanchep-Two Rocks)”

File No: 809-2-30-9

Amendment No: 975/33

The Western Australian Planning Commission intends to amend the Metropolitan Region Scheme for the St Andrews (Yanchep and Two Rocks) locality of the City of Wanneroo and is seeking public comment.

The amendment proposes to rezone rural land in the North West Corridor to Urban and Urban Deferred; create a Central City Area zoning for a proposed strategic regional centre to serve the future urban area, zone land north of the regional centre for Industrial purposes and reserve land for Parks and Recreation, Public Purposes, Regional Roads and Railways (for extensions to the suburban rail system).

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

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

The amending plan 1.3136/1 and detail plans will be available for inspection from Monday 22 January 1996 to Friday 26 April, 1996 at each of the following places—

Ministry for Planning
1st Floor
Albert Facey House
469-489 Wellington Street
Perth WA 6000
Main Roads WA
Don Aitken Centre
Waterloo Crescent
East Perth WA 6004
J S Battye Library
Alexander Library Building
Cultural Centre
Francis Street
Northbridge WA 6003
Yanchep Library
Lisford Avenue
Two Rocks WA 6037

and the following local government Council Offices

City of Perth
Westralia Square
141 St Georges Terrace
Perth WA 6000
City of Fremantle
Corner Newman and William Street
Fremantle WA 6160
City of Wanneroo
Boas Avenue
Joondalup WA 6027
Shire of Gingin
7 Brockman Street
Gingin WA 6503.

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

A/Secretary
Western Australian Planning Commission
469-489 Wellington Street
Perth WA 6000

on or before 4.30 pm Friday 26 April, 1996.

LINDSAY PREECE, A/Secretary,
Western Australian Planning Commission.

POLICE

PE301

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (DRIVERS' LICENCES) AMENDMENT REGULATIONS (No. 3) 1995

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

Citation

1. These regulations may be cited as the *Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 1995*.

Commencement

2. These regulations come into operation on 1 February 1996.

Principal regulations

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

[* Reprinted as at 11 June 1986.

For amendments to 4 December 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 240-1, and Gazette of 24 November 1995 pp. 5455-7.]

Second Schedule amended

4. The Second Schedule to the principal regulations is amended by deleting item 20 and substituting the following item —

“	20.	503	Driving in the right lane of a carriageway without good reason	2	”.
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By Command of the Lieutenant-Governor and deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

PE302

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (INFRINGEMENTS) AMENDMENT REGULATIONS 1995

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

Citation

1. These regulations may be cited as the *Road Traffic (Infringements) Amendment Regulations 1995*.

Commencement

2. These regulations come into operation on 1 February 1996.

Principal regulations

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

[* Reprinted as at 14 March 1990.

For amendments to 4 December 1995 see 1994 Index to Legislation of Western Australia, Table 4, pp. 241-2.]

First Schedule amended

4. The First Schedule to the principal regulations is amended by deleting item 22A and substituting the following item —

“

22A. Regulation 503	Driving in the right lane of a carriageway without good reason	50	”.
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By Command of the Lieutenant-Governor and deputy of the Governor,

J. PRITCHARD, Clerk of the Council.

PE303

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC CODE AMENDMENT REGULATIONS (No. 5) 1995

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

Citation

1. These regulations may be cited as the *Road Traffic Code Amendment Regulations (No. 5) 1995*.

Commencement

2. These regulations come into operation on 1 February 1996.

Principal regulations

3. In these regulations the *Road Traffic Code 1975** is referred to as the principal regulations.

[* *Reprinted as at 26 July 1995.*
For amendments to 8 December 1995 see Gazette of 31 October 1995 pp. 5152-3.]

Regulation 503 repealed and a regulation substituted

4. Regulation 503 of the principal regulations is repealed and the following regulation is substituted —

“

Restriction on use of right lane

503. (1) In this regulation —

“available lane” means a lane that is not congested.

“marked lane” does not include —

- (a) a lane set aside exclusively for vehicles making a left or right turn;
- (b) a lane designated under these regulations as a peak lane;
- (c) a bus lane;
- (d) a bus-taxi lane;
- (e) a contra-flow bus lane; or
- (f) any other lane that is not for the use of general traffic on the carriageway;

“right lane”, in relation to 2 or more marked lanes that are available exclusively for vehicles travelling in the same direction, means the marked lane that is further or furthest to the right side of the carriageway.

(2) A driver of a vehicle that is being driven on a carriageway that has 2 or more marked lanes available exclusively for vehicles travelling in the same direction shall not drive the vehicle in the right lane except if there is a good reason for doing so.

(3) Good reasons for driving a vehicle in the right lane include the reasons that —

- (a) the driver wishes to drive at a speed at which it is lawful to drive and is prevented by slower traffic from doing so in another marked lane; or
- (b) because of traffic congestion it would be inconvenient to drive in another marked lane.

(4) Good reasons for driving a vehicle in the right lane do not include the reason that, in order to drive in another available lane, the driver would be required to manoeuvre the vehicle to fall in with other vehicles in that lane.

(5) The Board may, by notice published in the *Gazette* —

- (a) declare that this regulation does not apply to the driving of a vehicle on a carriageway described in the notice;
- (b) vary or revoke a previous notice under this subregulation.

”

Regulation 1001 amended

5. Regulation 1001 (4) of the principal regulations is amended by deleting “or regulation 503”.

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

J. PRITCHARD, Clerk of the Council.

PORT AUTHORITIES

PH401

PORT (FUNCTIONS) ACT 1993

NOTICE

Bunbury Port Authority

Application for Lease

In accordance with the provisions of Section 14 of the Port (Functions) Act 1993 it is hereby advertised that an application has been received from Cable Sands (W.A.) Pty. Ltd. for the lease of an area of land within the Inner Harbour port area vested in the Bunbury Port Authority for a term exceeding 5 years for the purpose of construction of sheds and the storage therein of mineral sands.

Dated 15 January 1996.

D. FIGLIOMENI, General Manager.

PH402

PORT (FUNCTIONS) ACT 1993

NOTICE

Bunbury Port Authority

Application for Lease

In accordance with the provisions of Section 14 of the Port (Functions) Act 1993 it is hereby advertised that an application has been received from Sumitomo Australia Ltd. for the lease of an area within a shed on land within the Inner Harbour port area vested in the Bunbury Port Authority for a term exceeding 5 years for the purpose of the processing and storage therein of fertilizer products.

Dated 15 January 1996.

D. FIGLIOMENI, General Manager.

RACING AND GAMING

RA401

LIQUOR LICENSING ACT 1988

SUMMARY OF LIQUOR LICENSING APPLICATIONS

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

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR TRANSFER OF LICENCE			
1220/95	Waystar Enterprises Pty Ltd	Application for the transfer of a Cabaret Licence in respect of premises situated in Perth and known as Exit Nightclub, from Valonia Investments Pty Ltd.	26/1/96
1221/95	Lauranne Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in South Perth and known as Riverbank Restaurant, from Robenikee Pty Ltd.	25/1/96
1222/95	Century West Holdings Pty Ltd	Application for the transfer of a Hotel Licence in respect of premises situated in Lancelin and known as Lancelin Inn, from Borkum Pty Ltd.	29/1/96
1223/95	Daroke Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in East Victoria Park and known as The Presidential Suite, from Kevin Patrick Higgins.	29/1/96
APPLICATIONS FOR THE GRANT OF A LICENCE			
749/95	Rockingham Basketball and Recreation Association Inc	Application for the grant of a Club Restricted Licence in respect of premises situated in Rockingham and known as Rockingham Basketball and Recreational Club Inc.	19/2/96
755/95	Bullsbrook Community & Sports Association Inc	Application for the grant of a Club Restricted Licence in respect of premises situated in Bullsbrook and known as Bullsbrook Community & Sports Association Inc.	12/2/96

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

G. B. AVES, Director of Liquor Licensing.

WORKSAFE**WS401**

OCCUPATIONAL SAFETY AND HEALTH ACT 1984
OCCUPATIONAL SAFETY AND HEALTH REGULATIONS 1988
 EXEMPTION CERTIFICATE PURSUANT TO REGULATION 213

(No. 33 of 1995)

I, Neil Bartholomaeus, WorkSafe Western Australia Commissioner, hereby grant an exemption to Port Divers from the requirements of Regulation 960 of the Occupational Safety and Health Regulations 1988 in relation to compliance with Clause 3.5.21 (f) and 51.5 of Australian Standard 2299-1979 subject to—

- (i) the diving work being carried out at a depth no greater than 3 metres below the surface;
- (ii) a stand-by diver with an emergency air supply being in constant attendance and in full view of the diver performing the work;
- (iii) the stand-by diver not being involved in any other work while on stand-by; and
- (iv) all other diving personnel required by AS 2299-1979 being present while diving work is in progress.

Dated this fourteenth day of December 1995.

NEIL BARTHOLOMAEUS, WorkSafe Western Australia Commissioner.

TENDERS**ZT201**

MAIN ROADS
WESTERN AUSTRALIA

Tenders

Tenders are invited for the following projects.

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

Tender No.	Description	Closing Date
		1996
329/95	Supply and delivery of traffic signs	7 February
359/95	Road and bridge construction, West Coast Highway	9 February
413/95	Tree lopping and pruning, Manjimup-Mt Barker Road, 75.16 to 160.5 SLK, Great Southern Region	23 February
457/95	Delivery of concrete box culverts to Marandoo—GNH Road, 34 km south of Munjina Roadhouse, Pilbara Region	29 January
468/95	Consultancy to implement Stage 2 of the Commercialisation in Main Roads	25 January
9501-122	Purchase and removal of one only ablation unit—Borden and one only ablation unit—Ravensthorpe, Great Southern Region	23 January
442/95	Road pavement repairs and rehabilitation, various roads, Mid West Region	6 February
458/95	Supply and delivery of steel culverts for Marandoo-Great Northern Highway and Yampire Gorge Road, Pilbara Region	29 January
470/95	Provision of services road construction and maintenance personnel, Goldfields-Esperance Region	24 January
385/95	Provision of clerical support—Regional Store, South West Region	31 January
471/95	Consultancy for the evaluation, selection and implementation planning of a new Human Resource Management Information System	2 February
465/95	Provision of road design service on South Western Highway between SLK 66 and 79, South West Region	31 January
472/95	RIM Period Contract—support implementation of systems plan	2 February

ZT202

MAIN ROADS—*continued*
Acceptance of Tenders

Contract No.	Description	Successful Tenderer	Amount
			\$
262/95	Provision of a records management system	Computer Power Pty Ltd	\$90 000.00
348/95	Purchase, demolition and removal of improvements at Lot 11 (1) Great Eastern Highway, Greenmount	Vic Park Salvage	In accordance with the Contract on a 'Value for Money' basis.
173/95	Provision of photographic, video and graphic design services, 2 year period	21st Century Media Graphics Above Leatherland Photographics Master Graphx Rob Rose Photography TTL Photography	\$240 000.00
273/95	Load, cart and lay bituminous premix, various roads, Great Southern Region	Boral Asphalt	\$316 407.00
400/95	Detail surveys for traffic design	Regional Engineering Surveys	\$12 955.00
95D16	Sale of 1975 Fabco skid mounted 8 berth sleeper.	Peter Brookin	\$2 500.00
95D17	1967 Ropa Caravan RP405 sleeper kitchen	Sam Lovell	\$500.00
205/95	Tree lopping and pruning various roads and highways in the Mid West Region, Mid West Region.	Rode Contractors Pty Ltd ...	\$116 707.00

D. R. WARNER, Director Corporate Services.

ZT301

STATE SUPPLY COMMISSION
Tenders Invited

Tenders forms and full particulars of the Schedule hereunder may be obtained on application at the State Supply Commission, 6th Floor, 441 Murray Street, Perth, 6000.

TELEPHONE No. 365 8491

FACSIMILE No. 321 7918

Date of Advertising	Schedule No.	Description	Date of Closing
1995/96			1996
		<i>Supply and Delivery</i>	
December 20	147A1995	Mobile Telephones for the State Telecommunications Management Unit	February 1
January 12	226A1996	Electronic Home Detention Monitoring Equipment on behalf of the Ministry of Justice	February 1
January 12	304A1996	Radio Equipment on behalf of the Western Australia Police Department	February 1
January 12	402A1996	Design, Supply and Installation of Playground Equipment to Burswood Park on behalf of the Burswood Park Board	February 1
January 19	400A1995	Delivery of One (10 Fast Response Patrol Launch for the Western Australian Police Service	February 8
January 19	405A1995	Provision of an Integrated Application Software Solution for a Client Management Information System for the Department of Commerce and Trade Pre-tender Briefing to be held at the Department of Commerce and Trade, 8th Floor, 168 St Georges Terrace, 10.00 am 25/1/96. Telephone: Greg Barber on 327 5454.	February 8
		<i>Request for Proposal</i>	
January 12	RFP 3/96	Supply, Installation and Management of a Kiosk-based Network for the Department of Transport	February 1

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

Date of Advertising	Schedule No.	Description	Date of Closing
1995/96			1996
<i>Request for Proposal—continued</i>			
January 5	RFP 62/95	External Validation and External Assessment Services for the Western Australian Vocational Education and Training Quality System on behalf of the Department of Training and the State Training Board	February 8
January 19	RFP 4/96	Provision of a Joint Partnering with Private Industry on behalf of the Advanced Manufacturing Technologies Centre (AMTC)	February 15
<i>Provision of Service</i>			
January 12	204A1996	Provision of a Vessel for the Pilotage work suitable for the Port of Broome	February 1
January 12	403A1996	Development Flexible Learning Resources and Competency Assessments to Support National Competency Based Furniture Training Curriculum for the Department of Training	February 1
January 12	595A1995	Advertising Services for Eventscorp	February 1
January 12	025A1996	General Auctioneering Services for Various Government Departments	February 8
January 19	026A1996	Internet and Internet Related Services for Various Government Departments	February 8
January 12	039A1996	Lease for the State Supply Disposal Centre Site, 21 Pilbara Street, Welshpool for the Department of State Services	February 8
January 19	215A1996	Provision of Driver Education and Training Courses for the Ministry of Justice	February 8
January 12	333A1995	Vehicle Disposal Service on behalf of the State Supply Commission	February 8
		A Pre-Tender inspection and briefing session will be held on site at 21 Pilbara Street, Welshpool at 9.00am Tuesday, 30 January, 1996. Potential Tenderers wishing to attend are requested to register with the Administrative Officer, Supply West on (09) 478 7468.	
January 19	210A1996	Cleaning and other services at Nine Hostels of the Disability Services Commission	February 29
		A fee of \$50.00 will be charged for the above Tender Document.	
<i>Purchase and Removal</i>			
January 19	404A1996	One (1) only Codufidex Camera (ex Microfilm Bureau) for the Department of State Services	February 1
January 19	401A1996	One (1) only Fork Lift Truck for Stateships, Broome ...	February 8

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

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

CRAIG LAWRENCE, Chairman, State Supply Commission.

ZT302*Accepted Tenders*

Schedule No.	Particulars	Contractor	Rate
<i>Request for Proposal</i>			
RFP39/95	For the Development and Trial of a Programme for Environmental Weed Management for Kings Park Bushland for the Kings Park Board	Robertson Bush Regeneration	\$58 000.00

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

Schedule No.	Particulars	Contractor	Rate
<i>Purchase and Removal</i>			
593A1995	Purchase and removal of One (1) only 1968 Inter C1600 4x4 Vehicle fitted with Crane (UQE 943) for the Department of Conservation and Land Management	Soltoggio Bros	\$1 266.00

PUBLIC NOTICES

ZZ101

TRUSTEES ACT 1962

Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 19th February 1996, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Clarke, Robinson Ferguson, late of 20/31 East Street, Fremantle, died 29/9/95. (DEC 287741 DE2)

Cox, Ralph, late of RMB 105, Halls Creek, died 30/8/95. (DEC 288115 DD2)

Cross, Keith, formerly of 151 Carmel Road, Carmel, late of 3 Waterloo Street, Joondanna, died 9/11/95. (DEC 288863 DL4)

Dawson, Dorothy Margaret, formerly of 7 Capulet Street, Coolbellup, late of Unit 10/88 Church Avenue, Armadale, died 14/12/95. (DEC 289540 DC2)

Farnetti-Pezzoli, Romana, late of 9/155 Ninth Avenue, Inglewood, died 10/10/95. (DEC 287978 DD4)

Gillam, Winifred Myrtle, late of 12 Dorothy Street, Ashfield, died 26/11/94. (DEC 277672 DS3)

Godfrey, Ronald James, late of 74 Servetus Street, Swanbourne, died 21/11/95. (DEC 289479 DA2)

Patridge, Harry, formerly of U7/303 Wharf Street, Queens Park, late of Hillview Nursing Home, 21 Angelo Street, Armadale, died 30/11/95. (DEC 289401 DC2)

Tomasini, Annie Isabella, late of 45 Wallsend Street, Collie, died 13/12/95. (DEC 289557 DS2)

Tyrer, Frederick James, late of 29/321 Lord Street, Highgate, died 17/12/95. (DEC 289509 DA4)

Wilkie, Elsie Ferrie Beattie, late of Brookton Nursing Home, 9 Lennard Street, Brookton, died 5/12/95. (DEC 289680 DD4)

Wills, Manfred Ernst, late of 4A Euryalus Street, Geraldton, died 2/10/95. (DEC 288072 DD3)

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

ZZ201

TRUSTEES ACT 1962

Peter Thomas Joseph Kluge, late of 9 Plummer Street, East Victoria Park in the State of Western Australia deceased.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on the 27th June 1995 are required by the Executor Dennis Adrian Kluge to send particulars of their claims to him care of Ginbey & Co., Solicitors, 12 Douro Place, West Perth by the 25th February 1996 after which date the Executor may convey or distribute the assets having regard to the claims of which he then has notice.

GINBEY & CO. as solicitors for the Executor.

ZZ202**TRUSTEES ACT 1962**

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

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

Fielder, Millicent Sarah May, late of Bunbury Nursing Home, 39 Hayes Street, Bunbury WA 6230, Pensioner, died 9/12/95.

Jones, William Stanley, late of 18 Parry Street, Claremont WA 6010, Pensioner, died 20/12/95.

Mackay, Thomas Faulkner, late of Leslie Watson Nursing Home, 20 Roebuck Drive, Salters Point WA 6152, Retired Investor, died 30/8/95.

Morgan, Eva Mary, late of Graigwood Nursing Home, 29 Gardner Street, Como WA 6152, Widow, died 21/12/95.

Newbury, Kathleen Jessie, late of Hardey Lodge, 57 Monmouth Street, Mt Lawley WA 6050, Widow, died 25/12/95.

Shepherd, John James, late of 28 Midgley Street, Lathlain WA 6100, Widow, died 29/12/95.

Spanswick, Harriet, late of 21 Victoria Parade, Midvale WA 6056, Widow, died 25/12/95.

Turnbull, James Arthur, late of 40 Langham Street, Nedlands WA 6009, Retired Superintendent of Education, died 3/12/95.

Watson, Jack Wadsworth, late of Unit 7D 66 Great Eastern Highway, Rivervale WA 6103, Retired Businessman, died 2/11/95.

Dated this 17th day of January 1996.

D. R. CLARK, State General Manager.

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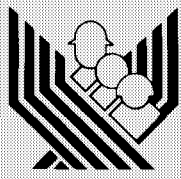
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