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AUSTRALIAN  
GOVERNMENT  
Gazette**

5713



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JOHN A. STRIJK,  
Acting Government Printer.

## PROCLAMATIONS

AA101

### CHATEL SECURITIES AMENDMENT ACT 1996

(No. 39 of 1996)

#### 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.
--------------------------------------------------------------------------------------------------------	---	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------

I, the Lieutenant-Governor and deputy of the Governor, acting under section 2 of the Chattel Securities Amendment Act 1996, and with the advice and consent of the Executive Council, fix 4 November 1996 as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on the 22nd day of October 1996.

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

CHERYL EDWARDES, Minister for Fair Trading.

GOD SAVE THE QUEEN !

## AGRICULTURE

AG301

### SKELETON WEED AND RESISTANT GRAIN INSECTS (ERADICATION FUNDS) ACT 1974

#### SKELETON WEED AND RESISTANT GRAIN INSECTS (ERADICATION FUNDS) (CONTRIBUTION) ORDER 1996

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council under section 9 (3a) of the Act on the recommendation of the Minister.

#### Citation

1. This order may be cited as the *Skeleton Weed and Resistant Grain Insects (Eradication Funds) (Contribution) Order 1996*.

#### Contribution for the 1996-1997 year

2. For the purposes of section 9 (3a) of the Act, the contribution payable under section 9 (2a) of the Act to the Skeleton Weed Eradication Fund for the crop year 1996-97 shall be calculated at the rate of 15 cents per tonne of grain, seed or grain and seed delivered by the grower.

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

J. PRITCHARD, Clerk of the Executive Council.

## CEMETERIES

CC401

### CEMETERIES ACT 1986

#### GERALDTON PUBLIC CEMETERY

In pursuance of the powers conferred by Section 53 of the Cemeteries Act 1986, the Geraldton Cemetery Board hereby records having resolved on 21st August 1996 to substitute the following fees and charges, effective from 1st November 1996 for the fees and charges detailed in Schedule "A" of the Geraldton Public Cemetery By-laws. The fees shall be payable upon application for services detailed hereunder.

#### SCHEDULE "A"

##### Schedule of Fees and Charges

1. (A) Burial Fees—	\$
1. For interment in a grave 2.1 metres long, 0.75 metres wide and 1.8 metres deep (2 interments) .....	315.00
2. For interment in a grave 1.5 metres long, 0.6 metres wide and 1.8 metres deep (2 interments U13) .....	235.00
3. For interment in a grave 1.5 metres long, 0.6 metres wide and 1.35 metres deep (Child or Stillborn in Denominational Sections) .....	160.00
4. For interment in a brick grave as detailed in By-Law No. 34 .....	400.00

	\$
5. For interment in the Lawn Cemetery in a grave 2.1 metres long, 0.75 metres wide and 1.8 metres deep .....	580.00
6. For interment in the Lawn Cemetery in a grave 1.5 metres long, 0.6 metres wide and 1.35 metres deep .....	345.00
7. For interment of any Stillborn child in ground set aside for such purposes ...	80.00
8. For interment in a grave required to be sunk deeper than 1.8 metres, the following additional charges shall be payable—For the first additional 0.3 metre (i.e. 3 interments) .....	25.00
For every other 0.3 metre .....	45.00
9. Metal table showing Burial No. for each interment .....	30.00
10. Registration fee for each interment .....	45.00
(B) Lot Fees: The fees payable shall be as follows— A “Grantor Right of Burial” (Title Deed) being issued for each Lot and shall be additional to those fees prescribed in paragraphs (a) above—	
1. Ordinary land for grave 2.1 metres x 1.2 metres where directed .....	315.00
2. Special land 2.4 metres x 1.2 metres reserved and selected by applicant according to position .....	460.00
(C) Re-opening Fees—	
1. An ordinary grave for burial—	
(a) For each interment 2.1 metres x 0.75 metres .....	320.00
(b) For each interment 1.5 metres x 0.6 metres .....	240.00
(c) For each interment in Lawn Cemetery .....	360.00
2. For each exhumation (no refund on lot fees) .....	470.00
(D) Extra Charges—	
For each interment on a Saturday, Sunday or Public Holiday .....	200.00
For each interment not in usual hours as prescribed in By-Law No. 15 .....	80.00
For late arrival at the cemetery gates of funeral as per By-Law No. 16 .....	40.00
For late moving off from entrance gates of funeral as per By-Law No. 17 .....	30.00
2. Miscellaneous Charges—	
For permission to erect a headstone, monument kerb or rail (also includes Lawn Section—LCM) .....	180.00
N.B. War Grave Monuments—Costs Waived	
For placing a plaque in the Lawn Cemetery No. 1 (LC) .....	180.00
For placing a plaque in the Lawn Cemetery No. 2 (LCS & LCM) .....	210.00
(Includes cost of concrete for plaque to be mounted)	
Purchase Raised Headstone in the Lawn Cemetery (LC) .....	60.00
Funeral Director's License (per annum) .....	110.00
Grave Dresser's Annual License .....	50.00
Copy of Grant or right of Burial .....	25.00
Transfer of Grant or Right of Burial .....	20.00
Copy of By-laws and Regulations .....	20.00
Cremation Fees—	
(A) Cremations	
1. Cremation of person thirteen years and over .....	400.00
2. Cremation of person under thirteen years .....	260.00
3. Stillborn cremation without memorial service .....	85.00
4. Stillborn cremation with memorial service .....	235.00
5. Registration (always charged) .....	45.00
(B) Disposal of Ashes	
1. Niche Single—Brick Wall (excluding plaque) .....	90.00
2. Niche double—Brick Wall (excluding plaque) .....	180.00
3. Niche Single—Tiled Wall (excluding plaque) .....	120.00
4. Niche double—Tiled Wall (excluding plaque) .....	240.00
5. Niche Single—Marble Wall (excluding plaque) .....	150.00
6. Niche double—Marble Wall (excluding plaque) .....	300.00
7. Plaque site in memorial garden (excluding plaque) .....	180.00
8. Plaque site at foot of shrub (excluding plaque) .....	570.00
9. Scatter ashes on memorial garden (with issue of certificate) .....	35.00
10. Scatter ashes to winds (with issue of certificate) .....	35.00
11. Interment in a private family grave .....	35.00
12. Post ashes overseas .....	85.00
13. Post ashes within Australia .....	60.00
14. Hold ashes in safe custody after six months (per month) .....	15.00
15. Collection of ashes from safe custody (send back to Undertaker) .....	40.00

The Fees and Charges in the above Schedule were set by resolution at a duly convened meeting of the Board of Trustees of the Geraldton Public Cemetery held on 21st August 1996.

MAXWELL ALLAN CORREY, Chairman.  
DAVID ROSS MOUSTAKA, Secretary.

**EDUCATION****ED401****EDITH COWAN UNIVERSITY ACT 1984**Office of the Minister for Education,  
Perth 1996.

It is hereby notified for general information that the Governor in Executive Council has, in accordance with Section 9(1)(A) of the Edith Cowan University Act 1984, approved the appointment of Mr Ken Eastwood of Dalkeith for a term expiring on 28 February 1997, as a member of the Edith Cowan University Council.

COLIN J. BARNETT, Minister for Education.  
J. PRITCHARD, Clerk of the Council.**ED402****MURDOCH UNIVERSITY ACT 1973**Office of the Minister for Education,  
Perth 1996.

It is hereby notified for general information that the Governor in Executive Council has, in accordance with Section 12(1)(G) of the Murdoch University Act 1973, approved the appointments of Dr Michael McCall of Dalkeith and Ms Julie Bishop of Claremont for terms expiring on 18 May 1999 and 25 July 1999 respectively, as members of the Murdoch University Senate.

COLIN J. BARNETT, Minister for Education.  
J. PRITCHARD, Clerk of the Council.**ED403****UNIVERSITY OF WESTERN AUSTRALIA ACT 1911**Office of the Minister for Education,  
Perth 1996.

It is hereby notified for general information that the Governor in Executive Council has, in accordance with Section 10A(1)(a) of the University of Western Australia Act 1911, approved the appointment of Mr David Griffiths of Shenton Park and Ms Erica Smyth of Jolimont as members of The University of Western Australia Senate, Mr Griffiths for a term expiring on 13 March 1998 and Ms Smyth for a term expiring on 22 October 2002.

COLIN J. BARNETT, Minister for Education.  
J. PRITCHARD, Clerk of the Council.**ELECTRICITY****EG301****GAS CORPORATION ACT 1994****GAS DISTRIBUTION ACCESS ORDER 1996**

Made by the Minister under section 93 (1) (b).

**Citation**

1. This order may be cited as the *Gas Distribution Access Order 1996*.

**Operation of clause 2 (1) of Schedule 6 to the Act**

2. In accordance with paragraphs 3, 4 and 5 of this order, the corporation is to make available access under clause 2 (1) of Schedule 6 to the Act to any existing or prospective user for the transport of gas to a single metered connection to the gas distribution system.

**Access during period 1 January 1997 to 31 December 1997**

3. During the period on and from 1 January 1997 to 31 December 1997 the obligation referred to in paragraph 2 of this order only arises if the gas to be transported is for consumption on a site on which 500 terajoules or more of gas are to be consumed in a period of 12 consecutive months.

**Access during period 1 January 1998 to 31 December 1999**

4. During the period on and from 1 January 1998 to 31 December 1999 the obligation referred to in paragraph 2 of this order only arises if the gas to be transported is for consumption on a site on which 250 terajoules or more of gas are to be consumed in a period of 12 consecutive months.

**Access from 1 January 2000**

5. On and from 1 January 2000 the obligation referred to in paragraph 2 of this order only arises if the gas to be transported is for consumption on a site on which 100 terajoules or more of gas are to be consumed in a period of 12 consecutive months.

**Revocation**

6. The *Gas Distribution Access Order 1995\** is revoked.

[\* *Published in Gazette of 29 December 1995 at p. 6238.*]

COLIN BARNETT, Minister for Energy.

EG302

GAS CORPORATION ACT 1994  
GAS TRANSMISSION ACCESS ORDER 1996

Made by the Minister under section 93 (1) (a).

**Citation**

1. This order may be cited as the *Gas Transmission Access Order 1996*.

**Definition**

2. In this order —

“eligible person” means —

- (a) an existing shipper;
- (b) a prospective shipper; or
- (c) a person who is a gas customer of an existing shipper and who makes an application under and in accordance with regulation 74 of the *Gas Transmission Regulations 1994*.

**Operation of clause 2 (1) of Schedule 5 to the Act**

3. In accordance with paragraphs 4, 5 and 6 of this order, the corporation is to make available access under clause 2 (1) of Schedule 5 to the Act to any eligible person for the transport of gas to —

- (a) a single metered connection to the gas transmission system; or
- (b) the gas distribution system for subsequent transport to a single metered connection to the gas distribution system.

**Access during period 1 January 1997 to 31 December 1997**

4. During the period on and from 1 January 1997 to 31 December 1997 the obligation referred to in paragraph 3 of this order only arises if the gas to be transported is for consumption on a site on which 500 terajoules or more of gas are to be consumed in a period of 12 consecutive months.

**Access during period 1 January 1998 to 31 December 1999**

5. During the period on and from 1 January 1998 to 31 December 1999 the obligation referred to in paragraph 3 of this order only arises if the gas to be transported is for consumption on a site on which 250 terajoules or more of gas are to be consumed in a period of 12 consecutive months.

**Access from 1 January 2000**

6. On and from 1 January 2000 the obligation referred to in paragraph 3 of this order only arises if the gas to be transported is for consumption on a site on which 100 terajoules or more of gas are to be consumed in a period of 12 consecutive months.

**Revocation**

7. The *Gas Transmission Access Order 1995\** is revoked with effect on and from 1 January 1997.

[\* *Published in Gazette of 29 December 1995 at p. 6237-8.*]

COLIN BARNETT, Minister for Energy.

**FISHERIES**

FI401

**PEARLING ACT 1990**

Section 23 (8)

**NOTICE OF REVOCATION OF APPROVAL OF HOLDING SITE**

Whereas by Notice dated 11 April 1995 the public was notified that pursuant to section 23 of the Pearling Act 1990, an application by Broome Pearls Pty Ltd for a Pearl Oyster Holding area in the waters between Enderby and West Lewis Island had been approved and that any person aggrieved by this decision could appeal to the Minister for Fisheries.

Now I, Peter P. Rogers—Executive Director of Fisheries, hereby withdraw my approval and the public is notified accordingly.

P. P. ROGERS, Executive Director of Fisheries.

**FAIR TRADING**

FT301

**CHATTEL SECURITIES ACT 1987****CHATTEL SECURITIES 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 *Chattel Securities Amendment Regulations 1996*.

**Commencement**

2. These regulations come into operation on the day on which the *Chattel Securities Amendment Act 1996* comes into operation.

**Principal regulations**

3. In these regulations the *Chattel Securities Regulations 1988\** are referred to as the principal regulations.

[\* *Published in Gazette 5 August 1988, pp.2630-1.*  
*For amendments to 10 October 1996 see 1995 Index to Legislation of Western Australia, Table 4, pp. 34-5.]*

**Regulation 3 amended**

4. Regulation 3 of the principal regulations is amended by —

- (a) deleting the definitions of “account enquiries customer” and “account registration customer”; and
- (b) inserting in the appropriate alphabetical position the following definition —

“  
“account customer” means a person who is permitted by  
the Commissioner to pay prescribed fees on account;  
”

**Regulation 4 amended**

5. Regulation 4 (b) of the principal regulations is amended by deleting “registration”.

**Regulation 6 repealed and a regulation substituted**

6. Regulation 6 of the principal regulations is repealed and the following regulation is substituted —

“

**Prescribed fees**

6. (1) The fees in Schedule 1 are the prescribed fees payable in respect of the matters specified in that Schedule.

(2) If an application made under section 15, 20 or 23 of the Act relates to more than one item of goods, the relevant prescribed fee is payable in respect of each item of goods.

(3) Subject to subregulation (4), the prescribed time for paying the prescribed fee in respect of an application made under section 15, 20 or 23 of the Act is the time when the application is made.

(4) A person who is an account customer shall pay prescribed fees in accordance with accounts rendered to the person from time to time.  
”

**Schedule repealed and a Schedule substituted**

7. The Schedule to the principal regulations is repealed and the following Schedule is substituted —

“

**SCHEDULE 1 — PRESCRIBED FEES**

[r. 6]

\$

1. In respect of each application under section 15 in relation to goods other than goods prescribed under regulation 8:
  - (a) if made using computer disk facilities . . . . . 11.00
  - (b) if made by other means . . . . . 12.00
2. In respect of each application under section 15 in relation to goods prescribed under regulation 8 . . . . . 12.00



	\$
3. In respect of each application under section 20 of the Act:	
(a) if made using computer disk facilities .....	4.00
(b) if made by other means .....	5.00
4. In respect of each application under section 23 (1) (a) of the Act .....	10.00
5. In respect of each application under section 23 (1) (b) of the Act by an account customer .....	4.00

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

J. PRITCHARD, Clerk of the Council.

## HEALTH

HE301

### HEALTH ACT 1911

#### HEALTH (MEAT INSPECTION AND BRANDING) AMENDMENT REGULATIONS (No. 6) 1996

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

#### Citation

1. These regulations may be cited as the *Health (Meat Inspection and Branding) Amendment Regulations (No. 6) 1996*.

#### Principal regulations

2. In these regulations the *Health (Meat Inspection and Branding) Regulations 1950\** are referred to as the principal regulations.

[\* Reprinted as at 10 September 1992.

For amendments to 10 October 1996 see 1995 Index to Legislation of Western Australia, Table 4, pp. 136-37 and Gazette 12 January, 23 February, 16 April, 28 June and 12 July 1996.]

#### Regulations 4A and 6 amended

3. Regulations 4A (2) and 6 (2), (3) and (6) of the principal regulations are amended by deleting "local authority" in each place where it occurs and substituting the following —

" local government ".

#### Regulation 5 amended

4. Regulation 5 of the principal regulations is amended —

(a) by deleting "Road Board", "Municipal" and "Council" in each place and substituting the following —

" Local Government "; and

(b) by deleting "Chambers" in each place where it occurs and substituting the following —

" Offices ".

**Schedule B amended****5. Schedule B to the principal regulations is amended —**

- (a) by deleting “Kalgoorlie Health District” and “Kalgoorlie Road Health District” and substituting the following —

“ Kalgoorlie-Boulder Health District ”; and

- (b) by deleting “Northam Health District” and “Northam Road Board Health District” and substituting the following —

“  
 Northam (Town) Health District  
 Northam (Shire) Health District  
 ”.

**Schedule C amended****6. Schedule C to the principal regulations is amended in Table 2 —**

- (a) by deleting the heading “Fees Payable to Local Authorities” and substituting the following heading —

“  
**PART 1 — FEES PAYABLE TO  
 LOCAL GOVERNMENTS**  
 ”;

- (b) under that heading in Scale H, by inserting after “goat” the following —

“ , rabbit ”;

- (c) by deleting all the words from “Local Authorities to which the scales apply —” to “Shire of Chapman Valley” and substituting the following —

“  
**PART 2 — LOCAL GOVERNMENTS TO  
 WHICH THE SCALES APPLY**

**Scale A** Shire of Waroona (Export Abattoir)

**Scale B** Shire of Harvey (Export Abattoir)

**Scale C** Shire of Coolgardie  
 Shire of Merredin  
 Shire of Narrogin

**Scale D**

**Scale E** Shire of Busselton (Western Meat  
 Processors, Walshs Road, Busselton)  
 Shire of Wongan-Ballidu

**Scale F** City of Bunbury  
 Shire of Boddington  
 Shire of Bruce Rock  
 Shire of Kojonup

**Scale G** Shire of Capel  
 Shire of Goomalling  
 Shire of Plantagenet

**Scale H** Town of Narrogin  
 Shire of Northam  
 City of Rockingham

<b>Scale I</b>	Shire of Carnamah Shire of Carnarvon Shire of Dardanup Shire of Denmark Shire of Katanning Shire of Northampton Shire of Three Springs Shire of Wagin Shire of Woodanilling
<b>Scale J</b>	Shire of Gingin Shire of Harvey (non-Export Abattoir) Shire of Tammin
<b>Scale K</b>	Shire of Esperance Shire of Toodyay Shire of Wyndham-East Kimberley
<b>Scale M</b>	Shire of Boulder Shire of Derby/West Kimberley
<b>Scale N</b>	Shire of Manjimup
<b>Scale Q</b>	
<b>Scale R</b>	Shire of Broome Shire of Busselton (Busselton Meats, Bussel Highway, Busselton) Shire of Greenough
<b>Scale S</b>	Shire of Augusta-Margaret River Shire of Moora Shire of West Arthur
<b>Scale T</b>	Shire of Bridgetown-Greenbushes Shire of Halls Creek
<b>Scale U</b>	Shire of Chapman Valley

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

J. PRITCHARD, Clerk of the Council.

**HE401**

**HEALTH ACT 1911**

Health Department of WA,  
Perth, 22 October 1996.

8220/93.

The cancellation of the appointment for Dr Michael Douglas as a Medical Officer of Health to the Shire of Halls Creek effective from 22 October 1996 is hereby notified.

C. F. QUADROS, delegate of Executive Director, Public Health.

**HE402**

**HEALTH ACT 1911**

Health Department of WA,  
Perth, 21 October 1996.

7042/95.

The cancellation of the appointment for Dr Aubrey J. Francis as a Medical Officer of Health to the City of Geraldton effective from 9 October 1996 is hereby notified.

The appointment of Dr Gary Kenneth Dowse as a Medical Officer of Health to the City of Geraldton effective 9 October 1996 is approved.

C. F. QUADROS, delegate of Executive Director, Public Health.

**JUSTICE****JM401****JUSTICES ACT 1902**

It is hereby notified for public information that His Excellency the Governor in Executive Council has accepted the resignation of Donald George Doig of 17 Royce Grove, Booragoon, from the Office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, Executive Director, Court Services.

**LAND ADMINISTRATION****LA101\*****CORRECTION**

DOLA File 955/990

In the notice at page 4726 of the *Government Gazette* dated 20 September, 1996 in respect to Reserve 41076 the reference to the Land Administration Diagram is amended to read Land Administration Reserve Diagram 1210.

A. A. SKINNER, Chief Executive.

**LA201\*****LAND ACT 1933****ORDERS IN COUNCIL**

(Revocations of Vestings)

By the direction of the Lieutenant-Governor and deputy of the Governor under Section 34B(1), the following Orders in Council and associated Vesting Orders are revoked.

DOLA File 1372/907v2

Order in Council gazetted on 21 February 1995 vesting Reserve No. 22381 (Fremantle Lots 1947, 1948, and 1963) in the Western Australian Land Authority for the designated purpose of "Use and Requirements of the Western Australian Land Authority."

Local Authority—City of Fremantle.

DOLA File 887/969

Order in Council gazetted on 19 September 1995 vesting Reserve No. 31664 (Port Hedland Lot 1694) in Pundulmurra College for the designated purpose of "School Site".

JOHN PRITCHARD, Clerk of the Council.

**LA202\*****LAND ACT 1933****ORDERS IN COUNCIL**

(Vesting of Reserves)

By the direction of the Lieutenant-Governor and deputy of the Governor under Section 33(2), the following reserves have been vested.

DOLA File 3168/989.

Reserve No 44479 (Bulara Location 129) vested in the Water Corporation for the designated purpose of "Bore Site".

Local Authority—Shire of Halls Creek.

DOLA File 887/969

Reserve No 31664 (Port Hedland Lots 1694 and 5954) vested in Pundulmurra College for the designated purpose of "School Site".

DOLA File 1210/994.

Reserve No 43744 (Albany Lot 1412) vested in the Town of Albany for the designated purpose of "Public Utilities Services and Pedestrian Accessway".

JOHN PRITCHARD, Clerk of the Council.

**LA401\*****LAND ACT 1933**  
**LAND (LEASE) ORDER**

DOLA File 2317/996.

Made by the Lieutenant-Governor and deputy of the Governor under Section 33(3).

It is directed that Reserve No. 44617 (Cottesloe Lot 373) shall be leased for a term of fifty (50) years to the Town of Cottesloe for the designated purpose of "Municipal and Commercial Facilities Ancillary and Beneficial to Beach Front Recreation" subject to the condition that the land shall not be subleased or mortgaged in whole or in part without the consent of the Governor.

JOHN PRITCHARD, Clerk of the Council.

**LA402\*****LAND ACT 1933**  
**TOWNSITE**  
**AMENDMENT OF BOUNDARIES**

DOLA File 1212/894V4.

The Lieutenant-Governor and deputy of the Governor in Executive Council has been pleased to approve, under Section 10 of the Land Act 1933 of the amendment of the boundaries of Mount Magnet Townsite to include the area described in the Schedule hereunder.

**SCHEDULE**

Mount Magnet Lot 599 as surveyed and shown bordered green on Land Administration Diagram 92083.

Public Plan: BK45 (10) 2.3.

A. A. SKINNER, Chief Executive.

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

Made by the Lieutenant-Governor and deputy of the Governor under Section 29.

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

DOLA File 2299/996.

Reserve No. 44616 comprising Cockburn Sound Location 4225 with an area of 3.5117 hectares on Land Administration Diagram 92656 for the designated purpose of "Use and Requirements of the Minister for Works".

Public Plans: BG34 (2) 10.11 and 11.11. North Lake Road.

Local Authority—City of Melville.

DOLA File 2317/996.

Reserve No. 44617 comprising Cottesloe Lot 373 with an area of 1553 square metres on Land Administration Diagram 92301 for the designated purpose of "Municipal and Commercial Facilities Ancillary and Beneficial to Beach Front Recreation".

Public Plan: BG34 (2) 07.20. Marine Parade.

Local Authority—Town of Cottesloe.

DOLA File 1067/996.

Reserve No. 44504 comprising Wyndham lot 932 with an area of 956 square metres on Land Administration Plan 8838 for the designated purpose of "Use and Requirements of the Government Employees Housing Authority".

Public Plan: DG80 (2) 22.08. Dulverton Street.

Local Authority—Shire of Wyndham-East Kimberley.

DOLA File 3168/989.

Reserve No. 44479 comprising Bulara Location 129 with an area of 81 square metres on Land Administration Miscellaneous Diagram 285 for the designated purpose of "Bore Site".

Public Plan: DF72 (10) 7.5 and Gordon Downs (250). Near Duncan Highway.

Local Authority—Shire of Halls Creek.

DOLA File 1210/994.

Reserve No. 43744 comprising Albany Lot 1412 with an area of 158 square metres on Land Administration Diagram 91292 for the designated purpose of "Public Utilities Services and Pedestrian Accessway".

Public Plan: BK26 (2) 10.06. Stanley Street.

Local Authority—Town of Albany.

DOLA File 2090/996.

Reserve No. 44503 comprising Albany Lot 1283 with an area of 909 square metres on Land Administration Diagram 82111 for the designated purpose of "Use and Requirements of the Minister for Works".

Public Plan: BK26 (2) 10.04. Festing Street.

Local Authority—Town of Albany.

A. A. SKINNER, Chief Executive.

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**LA801\***

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

Made by the Lieutenant-Governor and deputy of the Governor under Section 37.

The following reserves have been amended.

DOLA File 1052/974V2.

Reserve No 34561 (Cockburn Sound District) "School and Telecommunications Facility" to comprise Location 4226 as surveyed and shown bordered red on Land Administration Diagram 92656 in lieu of Location 2311 and of its area being reduced to 6.6493 hectares accordingly.

Public Plans: BG34 (2) 10.11 and 11.11. North Lake Road.

Local Authority—City of Melville.

DOLA File 1372/907V4

Reserve No 22381 (at Fremantle) "Use and Requirements of the Western Australian Land Authority" to comprise Fremantle Lots 2103 and 2104 as surveyed and shown bordered green on Department of Land Administration Plan 19162 in lieu of Lots 1947, 1948 and 1963 and of its area being increased to 21.0659 hectares accordingly.

Public Plan: BG34 (2) 07.09 and 07.10. Cockburn Road.

Local Authority—City of Fremantle.

DOLA File 3589/907V5.

Reserve No 11342 (Warrambo District) "Common" to exclude that portion now comprised in Mount Magnet Lot 599 as surveyed and shown bordered green on Land Administration Diagram 92083 and of its area being reduced by 1.8122 hectares accordingly.

Public Plan: BK45 (10) 2.3.

Local Authority—Shire of Mount Magnet.

DOLA File 8355/910V5.

Reserve No 13718 (Cottesloe Lot 370) "Recreation" to exclude that portion containing 1553 square metres now comprised in Lot 373 as surveyed and shown bordered red on Land Administration Diagram 92301 and of its area being reduced to about 6.1647 hectares accordingly.

Public Plans: BG34 (2) 07.19, 07.20 and 07.21. Marine Parade.

Local Authority—Town of Cottesloe.

DOLA File 3127/974

Reserve No 35431 (Cockburn Sound Location 2536) "Pre-School Centre" to exclude that portion containing 60 square metres as surveyed and shown bordered green on Land Administration Diagram 92666 and of its area being reduced to 3177 square metres accordingly.

Public Plan: BG 34 (2) 10.11. Mopsa Way

Local Authority—City of Cockburn.

DOLA File 3490/990.

Reserve No 26482 (Wyndham Lots 932 and 933) "Departmental housing—P.W.D." to exclude Lot 932 and of its area being reduced to 1164 square metres accordingly.

Public Plan: DG80 (2) 22.08. Dulverton Street.

Local Authority—Shire of Wyndham-East Kimberley.

DOLA File 887/969

Reserve No 31664 (Port Hedland Lot 1694) "School Site" to include Lot 5954 as shown bordered red on Land Administration Diagram 92870 and of its area being increased to 16.4073 hectares accordingly.

Public Plan: BL66 (2) 25.24. Parker and Kennedy Street.

Local Authority—Town of Port Hedland.

DOLA File 1636/990.

Reserve No 11251 (Albany Lots 633 and 1283) "Railway Water Supply" to exclude Lot 1283 and of its area being reduced to 1.9760 hectares accordingly.

Public Plan: BK26 (2) 10.04. Festing Street.

Local Authority—Town of Albany.

A. A. SKINNER, Chief Executive.

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**LA901\***

**LAND ACT 1933**

**CHANGE OF PURPOSE OF RESERVE**

Made by the Lieutenant-Governor and deputy of the Governor under Section 37.

The purpose of the following reserve has been changed.

DOLA File 4603/953.

Reserve No 23863 (Wittenoom Lot 357) being changed from "Cemetery" to "Historical Site - Cemetery".

Public Plan: BL61 (2) Pts 6.21 & 7.21. Forrest Street.

Local Authority—Shire of Ashburton.

A. A. SKINNER, Chief Executive.

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**LB201\***

**LAND ACT 1933**

**CANCELLATION OF RESERVE**

Made by the Lieutenant-Governor and deputy of the Governor under Section 37.

The following reserve has been cancelled.

DOLA File 2787/994

Reserve No 34397 (Fremantle Lot 1953) "Public Utilities Services".

Public Plan: BG34 (2) 7.09 & 07.10. Cockburn Road.

Local Authority—City of Cockburn.

A. A. SKINNER, Chief Executive.

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**LB301\***

**LAND ACQUISITION AND PUBLIC WORKS ACT 1902**

**SALE OF LAND**

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

**LAND**

File No. 1052/974

Cockburn Sound Location 4225 comprising part of Reserve 34561 as is shown on DOLA Diagram 92656.

File No. 1372/907v4

Reserve 22381 now comprising Fremantle Lots 2104 & 2103 and being part of the land as is shown on DOLA Plan 19162.

File No. 2779/983

Cockburn Sound Location 3037 comprising Reserve 39625 as is shown on DOLA Plan 17601.

File No. 2787/994

Reserve 34397 comprising Fremantle Lot 1953 as is shown on DOLA Plan 13158.

File No. 3029/968

Avon Location 28400 comprising Reserve 30350.

Dated this 22nd day of October 1996.

A. A. SKINNER, Chief Executive.

LB901\*

**LAND ACQUISITION AND PUBLIC WORKS ACT 1902  
NATIVE TITLE ACT 1993 (COMMONWEALTH)**

**PUBLIC NOTICE  
NOTICE OF INTENTION**

**To Take Land For A Public Work**

The Minister for Works gives notice in accordance with section 17(2) of the Land Acquisition and Public Works Act that it is intended to take under section 17(1) of that Act, the land described in the Schedule ("land") for the respective public work listed.

**SCHEDULE**

Locality/Local Government/Region	Description of land affected	Interest holder/Registered native title claimant	Public Work	Plan	Job Number/Reference
Bridgetown/ Greenbushes (Shire)	Portion of Nelson Location 13239 being set aside as Reserve 39188 for the purpose of "Parklands" (2298 square metres).	1. Crown—Shire of Bridgetown/Greenbushes as vestee.	Widening of South Western Highway (Road No. 51).	Diagram 92385	961665 578/1982
Collie (Shire)	Portion of State Forest No. 4. Excluding all rights created by the grant of existing mining tenements under the Mining Act (9.1219 hectares).	Crown—Lands and Forest Commission.	Dedication of Piavanini Road (Road No. 18810).	Plans 19145 & 19146	954334 2107/1995
Dalwallinu (Shire)	Portion of vacant Crown land (8.3176 hectares)	1. Crown 2. PHILLIPS, Neil Albert (WC96/83)	Dedication of Road No. 18711	Plan 18669	962267 2612/1995
Geraldton (City)	Geraldton Lot 3006 being vacant Crown land (1400 square metres)	1. Crown 2. PAPERTALK, Eric Joseph, PAPERTALK, Kenneth John, GREEN, Margaret Rose, COMEAGAIN, Dennis Malcolm (WC96/93)	Drainage—Reservation with vesting in the City of Geraldton.	Diagram 92040	916616 1518/1994
Greenough (Shire)	Vacant Crown land (3.6894 hectares).	1. Crown. 2. PHILLIPS, Neil Albert (WC96/83) 3. PAPERTALK, Eric Joseph, PAPERTALK, Kenneth John, GREEN, Margaret Rose, COMEAGAIN, Dennis Malcolm (WC96/93)	Dedication of Devlin Pool Road.	Plan 18751	940446 919/1989
Kondinin (Shire)	1. Vacant Crown land (area 125.7724 hectares) 2. Portion of Reserve 8812 set aside for the purpose of "Protection of Rabbit Proof Fence" (area 408 square metres) Excluding all rights created by the grant of existing mining tenements under the Mining Act.	1. Crown 2. WILLIAMS, Gerald Dean JNR (WC96/85) 3. COLLARD, Donald (WC95/71)	Dedication of Forrestania, Southern Cross and Carstairs Roads	Plans 18757 to 18761 inclusive	904204 1051/1989
Moora (Shire)	Moora Lot 295 set aside as Reserve 36305 for the purpose of "Government Requirements" (1.0120 hectares).	1. Crown. 2. TAYLOR, Anselm Augustine, TAYLOR, Sheila Joan.(WC96/31).	Parkland—Reservation with vesting in the Shire of Moora.	Diagram 64027	962080 4312/1969
Port Hedland (Town)	Portion of Forrest Location 203 subject of Pastoral Lease 3114/618 (Crown Lease 58/1967) Boodarie Station (8926 square metres)	Crown—B H P Direct Reduced Iron Pty Ltd as lessee	Dedication as road	Diagram 92067	942416 2886/1994

The plan(s) listed may be inspected at the office of the Department of Land Administration, Midland Square, Midland 6056, telephone (09) 273 7089.

**NATURE OF ACT:** The compulsory taking of the land to undertake the public work specified in the Schedule.

**COMMENCEMENT OF ACT:** The taking of the land is subject to the procedural requirements of section 17(2) of the Land Acquisition and Public Works Act and section 23(6) of the Native Title Act.

The taking of the land will proceed if upon the completion of the procedures provided by section 17(2) of the Land Acquisition and Public Works Act the Minister for Works decides to proceed.

Persons having or claiming an interest in any of the land may under section 17(2) of the Land Acquisition and Public Works Act lodge an objection in writing to the proposed taking with the Department of Land Administration, PO Box 2222, Midland, no later than 8 January 1997. Objections must be in the Form of Objection, copies of which are available from the Department of Land Administration telephone (09) 273 7089 or (09) 273 7293.



**TIME DURING WHICH THE ACT WILL CONTINUE TO BE DONE:** Following the taking of the land it will be used for the public work specified in the Schedule including the construction of all appropriate improvements.

**KIND OF DISTURBANCE TO LAND:** Disturbance of the land may be caused by the use of and/or construction of improvements on the land for the purpose(s) of the public work specified in the Schedule.

Enquiries relating to the proposed taking of the land may be directed to the Native Title Unit, Department of Land Administration, PO Box 2222, Midland 6056 (telephone (09) 273 7089 or (09) 279 7217).

Dated this 11th day of October 1996.

GRAHAM KIERATH, Minister for Lands.

## LOCAL GOVERNMENT

LG301\*

### LOCAL GOVERNMENT ACT 1995

#### *Shire of Katanning*

#### LOCAL 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 Shire of Katanning hereby records having resolved on the 26th day of September 1996 to make the following local laws.

#### 1. INTERPRETATIONS AND STANDING ORDERS

##### 1.1 Proceedings Conducted According to Standing Orders

The proceedings and business of the council shall be conducted in accordance with the Act, the regulations and any other law, and where not specifically prescribed, according to this local law, the clauses of which shall be referred to as "the Standing Orders".

##### 1.2 All Meetings Governed by Standing Orders

The proceedings of all council meetings, committee meetings and other meetings of the council shall be governed by these standing orders unless otherwise provided in the Act, regulations, or any other law.

##### 1.3 Interpretations

The interpretations should be used in these standing orders, unless the context otherwise requires:

"Act" means the "Local Government Act, 1995 and amendments and successors";

"Clause" means a clause of these standing orders;

"Committee" means any Committee appointed in accordance with the provisions of the Act;

"Council" means the council of the Shire of Katanning;

"President" includes the Deputy President, in the absence of the President, and any councillor chosen to preside at any meeting of the council in the manner prescribed in the Act.

"Presiding Member" includes the Deputy Presiding Member, in the absence of the Presiding Member, and any member chosen to preside at any meeting of a committee in the manner prescribed in the Act.

"Meeting" includes any Ordinary or Special Meeting of the council or any other meeting held in accordance with the Act and properly convened as the Act requires;

"Member" means the President, or a councillor of the council, or in the case of committees, a member of the committee appointed in accordance with the Act.

"Officer" is an employed member of the staff of the council;

"Chief Executive Officer" means the Chief non-elected officer of the Shire or other officer who, for the time being, is acting in that capacity;

"Absolute majority" is more than 50% of the total number of places of the Council or a committee whether they are vacant or not regardless of the number actually present;

"Simple majority" is more than 50% of the members present and voting.

"Special majority" means:

- if the number of offices of member is more than eleven, 75% or more of the total number of places of the Council or a committee whether they are vacant or not regardless of the number actually present; and
- if the number of offices of member is not more than eleven, an absolute majority.

"Substantive motion" means any motion other than an amendment or a procedural motion.

## 2. MEETINGS—NOTICE AND BUSINESS

### 2.1 Quorum at Meetings

In accordance with the Act, the quorum at all meetings of the Council shall be at least 50% of the total number of places (whether vacant or not) of the Council.

### 2.2 Notice of Meetings—Members to Receive Notice

Notice of meetings shall be given by the Chief Executive Officer in accordance with the Act.

### 2.3 Notices of Motion—Ordinary and Extraordinary Business

Members may bring forward business in the form of a written motion, of which notice shall be given in writing to the Chief Executive Officer, either at the meeting previous to the meeting at which it is intended to move the motion, or at any time thereafter up to 24 hours before the close of the business Agenda Paper.

### 2.4 Motion to Lapse

A motion shall lapse unless the member who gave notice is present, unless another member is willing to move the motion when it is called.

### 2.5 Objectionable Business

If the President is of the opinion that any motion or business proposed is of an objectionable nature, the President may, either before or after the matter is brought forward at any meeting, declare that it shall not be considered.

- 2.5.1 Any member may move dissent from such a declaration made from the Chair via the use of a procedure motion. On the motion being seconded, the motion to dissent shall be put without debate, and in the event of the motion being carried by a majority of the members present, the business referred to shall then be considered immediately, but if the motion is lost, the ruling of the President shall stand.

### 2.6 Business to be Specified on Notice Paper

No business shall be transacted at any meeting other than that specified in the notice without the approval of the President or the approval of the majority of members present determined by vote.

## 3. RECORDING AND CONFIRMATION OF MINUTES

- 3.1 Minutes are to be kept of each meeting's proceedings, confirmed or amended at the next ordinary meeting of the council and signed and certified by the person presiding.

## 4. ORDINARY MEETING—ORDER OF BUSINESS

### 4.1 Ordinary Meeting—Order of Business

After the signing of the minutes, the order of business of an ordinary meeting of the council shall be as follows, or as near to this as practicable:

- (a) apologies and leave of absence;
- (b) reception of public statements or questions and limited to a total of fifteen minutes of duration, except by consent of the person presiding. Each speaker will be limited to three minutes duration to speak, except by consent of the person presiding;
- (c) declarations of interest;
- (d) confirmation of minutes of the previous meeting of Council;
- (e) business arising from the minutes of the previous meeting of Council;
- (f) reception of petitions;
- (g) a report by the Chief Executive Officer relative to business arising out of minutes of any previous meeting, work or business carried out in the period between meetings or requests for instructions as to future business;
- (h) the reception of minutes or reports or recommendations of committees held since the previous meeting of council;
- (i) motions of which previous notice has been given;
- (j) President's Report;
- (k) Councillor reports and Information Items;
- (l) late items in accordance with 4.2;
- (m) questions of which notice has been given;
- (n) closure.

### 4.2 Late Items

In cases of extreme urgency or other special circumstances, late items may, with the consent of the President, Presiding Members of Committees, or the CEO or at the request of a majority of councillors present, be read and dealt with.

## 5. MEETINGS—PUBLIC CONDUCT

### 5.1 Admission and Removal of the Public

5.1.1 The public is admitted to Council meetings on the basis that no expression of dissent or approval, conversation or interruption to the proceedings of the council shall take place. In the event of any such interruption, the President may use discretion and without a vote of the council, require those interrupting to withdraw. The person or persons concerned shall immediately withdraw from the meeting.

5.1.2 Any person, not being a member of the council, who interrupts the orderly conduct of the council who does not withdraw immediately upon being called by the President to withdraw from the meeting, may, by order of the President, be removed from the meeting.

## 6. ROLE OF PRESIDENT

### 6.1 Directions by the President

6.1.1 At any meeting of the council the President shall have the right to direct attention to any matter of interest or relevance to the business of the meeting or propose a change to the order of business.

6.1.2 Any member may move that a change in order of business proposed by the President not be accepted and if carried by a majority of members present, the proposed change in order will not take place.

### 6.2 The President to Take Part in Debates

Subject to the provisions of these standing orders, the President may take part in a discussion upon any question before the council, provided that like other councillors in accordance with these standing orders, the President may only speak once and provided that this is done before the right of reply is exercised.

### 6.3 Precedence of President

When the President rises during the progress of a debate, any member then speaking, or offering to speak, shall immediately sit down and every member present shall preserve strict silence so that the President may be heard without interruption. This clause should not be used by the President to exercise the right provided in Clause 6.2, but should be used to preserve order.

### 6.4 Dissent With the President's Ruling

A member may move a procedural motion to disagree with a ruling given by the President. The President must immediately call for a seconder and put the motion without debate.

## 7. CONDUCT OF MEMBERS

### 7.1 Official Titles to be Used

Members shall speak of each other in the council during the transaction of business by their respective titles of President or Councillor. Members, in speaking of or addressing officers, shall designate them by their respective official titles.

### 7.2 Debate—Maintenance of Order—Imputations—Offensive Expressions

No member may impute motives or use offensive or objectionable expressions in reference to any member, officer of the council, or any other person.

### 7.3 Demand for Withdrawal

If a member commits a breach of clause 7.2, the President, or the council by resolution, may require that member to withdraw unreservedly any offending comment and to make a satisfactory apology; and if the member declines or neglects to do so, the President may direct such member to cease speaking and be seated, and may call on the next speaker.

### 7.4 Members to Occupy Own Seats

7.4.1 At the first ordinary meeting attended by a councillor after election, the Chief Executive Officer shall allot by random draw, a position at the council table to each councillor and the councillor shall, until such time as there is a call by a majority of councillors for a re-allotment of positions, occupy that position when present at meetings of the council.

7.4.2 No councillor shall be deemed to be present unless occupying that member's allotted place within the council chambers.

## 8. CONDUCT OF MEMBERS DURING DEBATE

### 8.1 Members to Rise

Except for the President, every member of the council wishing to speak during a council meeting shall indicate by show of hands. When invited by the President to speak, members shall rise and address the council through the President, provided that any member unable conveniently to stand by reason of sickness or infirmity shall be permitted to sit while speaking.

### 8.2 President Need Not Rise

It shall not be a requirement for the President to rise to address the council.

### 8.3 Priority

In the event of two or more members wishing to speak at the same time, the President shall decide which member is entitled to be heard.

### 8.4 Relevance

Every member shall restrict remarks to the motion or amendment under discussion, or to an explanation or point of order.

### 8.5 Limitation of Number of Speeches

No member of the council shall address the council more than once on any motion or amendment before the council except the mover of a substantive motion, in reply, or to a point of order, or in explanation.

### 8.6 Limitation of Duration of Speeches

All addresses shall be limited to a maximum of five minutes. Extension of time is permissible only with the agreement of the majority of members present.

### 8.7 Members Not to Interrupt

No member shall interrupt another member whilst speaking unless:

- (a) To raise a point of order;
- (b) To call attention to the absence of a quorum.

## 9. PROCEDURES FOR DEBATE OF MOTIONS

### 9.1 To be Seconded

No motion or amendment to a substantive motion shall be in order, or be open to debate until it has been seconded.

### 9.2 Only One Substantive Motion Considered

When a substantive motion is under debate at any meeting, no further substantive motion shall be accepted.

### 9.3 Order of Call in Debate

The President will call speakers to a substantive motion in the following order:

- (a) The mover to state the motion;
- (b) A seconder to the motion;
- (c) The mover to speak to the motion;
- (d) A speaker against the motion;
- (e) A speaker for the motion
- (f) Other speakers against and for the motion, alternating in view; if any
- (g) Mover takes right of reply which closes debate.

### 9.4 Limit of Debate

The President may offer the right of reply and put the motion to the vote if the President believes sufficient discussion has taken place even though all members may not have spoken.

## 10. PROCEDURAL MOTIONS

### 10.1 Permissible Procedural Motions

In addition to proposing a properly worded amendment to a substantive motion, it is permissible for a member to move the following procedural motions:

- (a) that the question be now put;
- (b) that the question be referred back to Committee;
- (c) that the ruling of the President be disagreed with;
- (d) that the motion lie on the table;
- (e) that the council or committee meet behind closed doors.

### 10.2 Reason for Closure to be Stated

A member who moves a procedural motion under Clause 10.1 (e) shall state the reason for moving the motion and this must relate to a matter contained in Section 5.23(2) of the Act.

### 10.3 Procedural Motions Not Required in Writing

Procedural motions are not required to be presented in writing.

### 10.4 Procedural Motions—Recording in Minutes

The mover, seconder and result of all procedural motions shall be recorded in the minutes of the meeting.

### 10.5 Procedural Motions—Majority Required

Any procedural motion shall be carried upon the majority of members present voting in the affirmative.

### 10.6 Procedural Motions—Closing Debate—Who May Move

No person who has moved, seconded, or spoken for or against the substantive motion, may move any procedural motion which, once moved, would deny others the right to speak or, if carried, would close the debate on the substantive motion or amendment.

**10.7 Procedural Motions—Right of Reply**

There shall be no right of reply on any procedural motion.

**10.8 Procedural Motions—Right of Reply on Substantive Motion**

The carrying of a procedural motion which closes debate on the substantive motion or amendment and forces a decision on the substantive motion or amendment will not deny the right of reply, to the mover of the substantive motion.

**11. EFFECT OF PROCEDURAL MOTIONS****11.1 That the Question be Now Put—Effect of Motion**

11.1.1 This motion, having been carried during discussion on a substantive motion without amendment, will cause the President to offer the right of reply and then immediately put the question under consideration without further debate.

11.1.2 This motion, having been carried during discussion on an amendment, will cause the President to put the amendment to the vote without further debate.

11.1.3 This motion, having been lost, will allow debate to continue.

**11.2 That the Question be Referred Back to Committee—Effect of Motion**

This motion, having been carried by the council during discussion of a committee recommendation, or a question falling within the powers and duties of a committee established by the council, will cause the President to offer the right of reply to any substantive motion before the meeting and then immediately put the question without further debate.

**11.3 That the Ruling of the President be Disagreed With—Effect of Motion**

11.3.1 This motion, having been carried, will cause the ruling of the President about which this motion was moved, to be reversed and for the meeting to proceed accordingly.

11.3.2 Where the President has given a ruling in strict accordance with the Act, this motion may not be moved.

**11.4 That the Motion Lie on the Table—Effect of Motion**

11.4.1 This motion, having been carried, will cause debate on the substantive motion and any amendment to cease immediately and for the meeting to proceed to the next business.

11.4.2 Any member may raise the motion from the table, by giving appropriate notice of motion for any meeting in the future.

11.4.3 When a motion is raised from the table, the mover of the original substantive motion, or in the absence of the original mover, the person moving this procedural motion, is given the opportunity to re-introduce the matter after which debate shall continue according to these standing orders.

**11.5 That the Council or Committee Meets Behind Closed Doors—Effect of Motion**

11.5.1 In accordance with the Act, the motion, if carried, will cause the general public and any officers or employees the council determines, to leave the room.

11.5.2 No person shall in any way publish, or make public, any of the discussion taking place on a matter discussed behind closed doors, but this prohibition shall not extend to the actual resolution or resolutions carried as a result of such discussion and recorded in the minute book.

**12. DECISION MAKING PROCEDURES****12.1 Voting and Decisions—Majority to Determine**

All acts of the council, and all questions coming before the council, may be decided by a simple majority of the members present and voting, at a properly constituted meeting, unless otherwise provided for in these standing orders or the Act.

**12.2 Breaking Down of Complex Questions**

The President may order a complex question to be broken down and put in the form of several motions, which shall be put in sequence.

**12.3 Order of Amendments**

Any number of amendments may be proposed to a motion, but whenever any amendment is made upon a substantive motion, no second or subsequent amendment shall be moved or considered until the first amendment has been disposed of.

**12.4 Foreshadowed Motion**

During the course of debate on an amendment to a motion, a member may give notice of intention to move a motion or amendment when the question before the meeting is decided.

### 12.5 Substantive Motion

If an amendment to a substantive motion is carried, the motion as amended shall then be submitted as the substantive motion, and shall become the question before the meeting upon which any member may speak and any further amendment may be moved.

### 12.6 Repetition of Motions

No motion or amendment shall be proposed which is the same in substance as a motion or amendment which has been resolved during the same sitting or during the last 3 months, unless agreed by an absolute majority.

### 12.7 Consent of Seconder Required to Accept Alteration of Wording

The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

### 12.8 Withdrawal of Motion and Amendments

Council may, without debate, grant leave to withdraw a motion or amendment upon request of the mover of the motion or amendment and with the approval of the seconder provided that there is no voice expressed to the contrary view by any member, in which case discussion on the motion or amendment shall not continue.

### 12.9 Limitation of Withdrawal

Where an amendment has been proposed to a substantive motion, the substantive motion shall not be withdrawn, except by consent of the majority of members present, until the amendment proposed has been withdrawn or lost.

### 12.10 Authority for Withdrawal

A motion or amendment to a motion shall not be withdrawn in the absence of any member who proposed it, except with that member's written authority.

### 12.11 Right of Reply

12.11.1 The mover of a substantive motion shall have the right of reply. After the mover of the substantive motion has commenced the reply, no other member shall speak on the question.

12.11.2 The right of reply must be confined to rebutting arguments raised by previous speakers and no new matter may be introduced.

### 12.12 Right of Reply Provisions

The right of reply shall be governed by the following provisions:

- (a) If there is no amendment to the substantive motion, the mover may reply at the conclusion of the discussion on the motion.
- (b) If there is an amendment, the mover of the substantive motion shall take the right of reply at the conclusion of the vote on any amendments.
- (c) The mover of the amendment does not have a right of reply.
- (d) Once the right of reply has been taken, there can be no further discussion, nor any other amendment and the substantive motion as amended is immediately put to the vote.

### 12.13 Amendments Must Not Negate Original Motion

No amendment to a motion can be moved which negates the original motion or the intent of the original motion.

### 12.14 Mover of Motion Not to Speak on Amendment

On an amendment being moved, any member may speak to the amendment, except the person who moved the substantive motion who is only entitled to a right of reply except, that if the person who moved the substantive motion does choose to speak to the amendment, that person's right of reply is forfeited.

### 12.15 Question—When Put

When the debate upon any question is concluded and the right of reply has been exercised, the President shall immediately put the question and, if so desired by any member, shall again state it.

### 12.16 All Members to Vote

Save where the Act otherwise provides, at every meeting of the council every member shall vote, and if any member who is entitled to vote fails to vote, the President shall call upon the member to vote.

### 12.17 Method of Taking Vote

12.17.1 In putting the question to the council, the President shall ask whether there is any objection to the motion, and if not the motion is carried unanimously.

12.17.2 If objection is raised to the motion, the President shall put the question as often as necessary to determine the decision from a show of hands before declaring the decision.

12.17.3 If the votes of members present at a council meeting are equally divided, the person presiding may cast a second vote.

**12.18 Numbers For and Against to be Recorded**

The numbers voting in favour of and against each motion shall be recorded in the minutes.

**12.19 Votes to be Recorded**

If a member at a meeting asks that his or her vote, or the vote of all members present, be recorded in the Minutes, this shall be done.

**12.20 Revoking Decisions**

12.20.1 If a decision has been made at a council meeting, then any motion to revoke or change the decision must be supported:

(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or

(b) in any other case, by at least one third of the number of offices (whether vacant or not) of members of the council, inclusive of the mover.

12.20.2 If a decision has been made at a council meeting, then any decision to revoke or change the first mentioned decision must be made:

(a) in the case of where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or

(b) in any other case, by an absolute majority.

12.20.3 This clause does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

**13. POINTS OF ORDER****13.1 Points of Order—When to Raise—Procedure**

Upon a matter of order arising during the progress of a debate, any member may raise a point of order including interrupting the speaker. Any member who is speaking when a point of order is raised, shall immediately cease while the President listens to the point of order.

**13.2 Points of Order—Definitions**

A difference of opinion or a contradiction of a speaker shall not be recognised as a point of order, but the following shall be recognised as valid points of order:

(a) That the discussion is of a question not before the meeting.

(b) That offensive or insulting language is being used.

(c) Drawing attention to the violation of any local law or standing order of the council, providing that the member raising the point of order shall state the local law or standing order believed to be breached.

**13.3 Points of Order—Ruling**

The President shall give a decision on any point of order after the point has been raised by either upholding or rejecting the point of order.

**13.4 Points of Order—Ruling Conclusive, Unless Dissent Motion is Moved**

The ruling of the President upon any question of order shall be final, unless a majority of the members support a motion of dissent with the ruling.

**13.5 Points of Order—Motion Against Ruling Procedure**

An objection having been taken to the ruling of the President, the member so objecting may immediately move dissent with the ruling. Should the motion be seconded it shall be put to the vote immediately and the result of the vote, whether in support of the ruling or otherwise, shall determine the action to be taken.

**13.6 Points of Order Take Precedence**

Notwithstanding anything contained in these standing orders to the contrary, all points of order take precedence over any other discussion and until decided, suspend the consideration and decision of every other question.

**14. ADJOURNMENT OF MEETING****14.1 Meeting May be Adjourned**

The council may, upon a motion moved and seconded, adjourn any meeting to a later hour of the same day, or to any other time not more than seven days from the date of adjournment.

**14.2 Notice of Adjourned Meeting**

When a meeting is adjourned, if time permits, notice of the adjourned meeting shall be forwarded to each member in accordance with the Act.

**14.3 Business at Adjourned Meeting**

At an adjourned meeting, no additional business shall be discussed except that which was on the original notice paper for that meeting.

**14.4 Limit to Moving Adjournment of Council**

No member shall be allowed to move or second more than one motion of adjournment during the same sitting of the council.

#### 14.5 Unopposed Business—Motion for Adjournment of Council

On a motion for the adjournment of the council, the President, before putting the motion, may seek leave of the council to proceed to the transaction of unopposed business.

#### 14.6 Withdrawal of Motion for Adjournment of Council

A motion or an amendment relating to the adjournment of the council may be withdrawn by the mover, with the consent of the seconder, except that if any member objects to the withdrawal the motion must continue to be debated.

### 15. PERSONAL EXPLANATION

#### 15.1 Personal Explanation

No member shall speak, except upon the question before the meeting, unless it is to make a personal explanation. Any member who is permitted to speak under these circumstances must confine the observations to a succinct statement of what is to be explained in relation to a specific part of the former speech which may have been misunderstood and to the explanation itself. When a member gives an explanation, that member shall make no reference to matters not strictly necessary for that purpose, nor endeavor to strengthen the former position by introducing new argument or matter, nor reply to other members of the council.

#### 15.2 Personal Explanation—When Heard

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

#### 15.3 Ruling on Questions of Personal Explanation

The ruling of the President on the admissibility of a personal explanation shall be final unless a motion of dissent with the ruling is moved before any other business proceeds.

### 16. COMMITTEES OF COUNCIL

#### 16.1 Committees

The Council shall, at the first meeting held after each ordinary election day, appoint one or more committees in accordance with the Act.

#### 16.2 Power and Duties of Committees

The powers and duties of committees shall be clearly defined and specifically delegated to them by resolution of the council, and shall be recorded in a policy manual.

#### 16.3 Election of Committee Presiding Member and Deputy Presiding Member

At the first meeting of a committee, a Presiding Member and a Deputy Presiding Member shall be elected.

#### 16.4 Absence from Committee Meetings

If any member of a committee, other than the President, is absent from three consecutive meetings without having obtained leave of absence from the council or the committee, that member's seat on the committee shall become vacant.

#### 16.5 Reports of Committees to be Taken as Read

16.5.1 The reports and recommendations of every committee shall, when presented to the council, be taken as read.

16.5.2 The adoption of recommendations of the committee shall be moved by:

- (a) The Presiding Member of each committee;
- (b) or if absent, another member of the committee;
- (c) or if no member of the committee is present, a member of the council.

#### 16.6 Procedure of Report of Committees

16.6.1 Upon the consideration by the council of any report or recommendations of a committee, the President shall, without further motion, put the paragraphs of the report or recommendations, in their numerical order, unless the council shall otherwise determine.

16.6.2 Each item adopted by the council shall become a resolution of the council and shall be recorded in the minutes.

#### 16.7 Withdrawal, Correction and Amendments of Committees

16.7.1 In moving the adoption of a recommendation of any committee, the mover may not propose an amendment to any recommendation, except for the correction of a verbal or clerical error.

16.7.2 The Presiding Member of a committee, may be excused from moving the adoption if the Presiding Member wishes to move an amendment to it. In that case, another member of the committee or in the absence of a member of the committee, another member of the council may move the adoption of the recommendation.

16.7.3 The Presiding Member or other member of a committee bringing up a recommendation may, with the consent of the council, withdraw the recommendation.



**16.8 Reports of Committees—Questions**

When a recommendation of any committee of the council is submitted for adoption, any member of the council may direct questions directly relating to the recommendation through the President, to the Presiding Member or any member of the committee bringing up the recommendation. No argument or speeches are permitted.

**16.9 Procedure on Amendments on Reports of the Committees**

When an amendment is proposed with reference to the adoption or otherwise of any recommendation of any Committee, the amendment shall be disposed of before the other proceedings of the committee are considered.

**16.10 Non-Related Motions on Reports of Committees**

A member of the council may not move any motion on any report or recommendation of any committee which does not relate to the recommendations presented by the committee.

**16.11 Recommendations of Committees—Inspection of Plans**

All plans referred to in the recommendation of the Committee, and that may require the consideration of the council, shall lay on the table of the council chamber for the inspection of members of the council at the meeting at which the matter is being considered.

**16.12 Committee Procedure**

Each committee shall, subject to the Act, these standing orders and any policy made by the council, regulate its own procedure.

**16.13 Rights and Responsibilities of Councillors who are not Committee Members**

Councillors who are not members of a committee may participate in the meeting only at the invitation of the Presiding Member but they are not entitled to vote.

**16.14 Standing Orders to Apply to Committees**

16.14.1 These standing orders shall apply generally to the proceedings of committees of the council, except that the following clauses shall not apply to meetings of committees—Clauses 2.2, 4.1, 4.2, 6.2, 7.4, 8.1, 8.5, 12.16 unless the committee is a committee to which a local government power or duty has been delegated, 14.2, 16.1, 16.2 and 16.5 to 16.11 inclusive.

16.14.2 In the case of clauses not excluded by subclause 16.14.1 above, a reference to a council meeting shall be read as a reference to a committee meeting, a reference to the council shall be read as a reference to a committee, and a reference to President shall be read as a reference to Presiding Member.

**17. ADMINISTRATIVE MATTERS****17.1 Suspension of Standing Orders**

(a) The mover of a motion to suspend any Standing Order or Orders shall state the Standing Order or Orders to be suspended.

(b) A motion to suspend, temporarily, any one or more of the standing orders regulating the proceedings and business of the council or a committee must be seconded, but the motion need not be presented in writing.

**17.2 Penalty for Breach of Standing Orders**

Any person guilty of any breach of these Standing Orders or any of the provisions hereof, shall be liable to a penalty not exceeding \$1,000.00.

**17.3 Duty of Chief Executive Officer**

It is the duty of the Chief Executive Officer to draw the attention of the council to any breach or likely breach of these standing orders even if it requires interrupting any person speaking, including the President.

**18. STANDING ORDERS BY-LAWS REVOKED**

The standing orders by-laws of the Shire of Katanning published in the *Government Gazette* on 23 October 1969, and subsequently amended in the *Government Gazettes* dated 15 October 1982, 17 December 1982, and 14 October 1983, are hereby revoked.

Dated this 22nd day of October 1996.

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

I. R. BOLTO, President.  
M. S. L. ARCHER, Chief Executive Officer.

**LG401****BUSH FIRES ACT 1954***Shire of Cue***APPOINTMENT OF FIRE CONTROL OFFICERS**

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

Chief Fire Control Officer—A. B. Wright

Deputy Fire Control Officer—M. Taylor

Fire Control Officers—

I. Hamilton	Madoonga
J. Price	Coodardy
M. Thurkle	Austin Downs
P. Lefroy	Yarraquin
D. Kiffin-Petterson	Nallon
M. Seivwright	Glen
J. Pitman	Karbor
M. Prendergast	Lake Side
G. Scott	Wondinong
D. Leech	Beebyn
M. O'Connor	Annean
E. Jensen	Wandarrie
M. Craig	Windson
H. Jones	Boogardie
J. Kellock	Gabyon
A. Gurley	Cogla Downs

A. B. WRIGHT, Chief Executive Officer.

**LG402****BUSH FIRES ACT 1954***Shire of Kellerberrin***NOTICE OF EXTENSION OF THE RESTRICTED BURNING PERIOD**

Notice is hereby given that the Shire of Kellerberrin, pursuant to Section 18 (5) of the Bush Fires Act, has extended the Restricted Burning Period up to and including Thursday 14th November, 1996.  
22nd October 1996.

STUART TAYLOR, Chief Executive Officer.

**LG403****BUSH FIRES ACT 1954***Shire of Shark Bay***BUSH FIRE CONTROL OFFICERS**

It is hereby advised that the following have been appointed as Bush Fire Control Officers for the Shire of Shark Bay.

Chief Bush Fire Control Officer—A. R. Biggs

Deputy Chief Bush Fire Control Officer—C. L. Turnour

Bush Fire Control Officers—

B. Wake	H. Crawford	I. King
L. Kempton	P. Kopke	A. Millar
G. Brockman	R. Chatley	E. Sears
R. Barber	R. Clausen	G. Wardle
R. Hoult	K. Cunningham	

By order of the Council.

Dated 31 July 1996.

A. R. BIGGS, Chief Executive Officer.

**LG404****BUSH FIRES ACT 1954***Shire of Dowerin*

It is hereby notified for public information that Council has appointed the following persons as Bush Fire Control Officers for the Shire of Dowerin effective from 22 October 1996.

Chief Bush Fire Control Officer—Mr Philip Pickering

Deputy Chief Bush Fire Control Officer—Mr Geoffrey Miller

Fire Control Officers—

Mr William Coote  
Mr Geoffrey Williams  
Mr Gary Witney  
Mr Eric Emmott  
Mr Henry Bear  
Mr Philip Pickering  
Mr Geoffrey Miller  
Mr Mark Holt  
Mr Rex Adams  
Mr Darrel Hudson  
Mr Milton Maisey  
Mr Wallace Jones  
Mr Brett Jones

Fire Weather Officers—

Mr Philip Pickering  
Mr Mark Holt  
Mr Rex Adams

All previous appointments are hereby cancelled.

Dated this 22nd day of October 1996.

MARK HOLT, Chief Executive Officer.

**LG405****BUSH FIRES ACT 1954***Town of Narrogin*

## Appointment of Fire Control Officers

It is hereby notified for public information that, pursuant to section 38 of the above Act, the following persons have been appointed Fire Control Officers for the Town of Narrogin district—

David Anthony Chidlow—Chief Bush Fire Control Officer  
Wayne Thomas Neate—Deputy Chief Bush Fire Control Officer  
Anthony Brun—Bush Fire Control Officer

All previous appointments are hereby cancelled.

S. D. TINDALE, Chief Executive Officer.

**LG601****BUSH FIRES ACT 1954***Shire of Cue*

Notice to all owners and/or occupiers of land in the Shire of Cue.

Pursuant to the powers contained in section 33 of the Bush Fires Act 1954, you are hereby required on or before 31 October 1996 or within fourteen (14) days of you becoming owner or occupier of land should this be after 31 October 1996 to clear firebreaks and remove inflammable materials from the land owned or occupied by you as specified hereunder and to have the specified land and firebreaks clear of all inflammable materials from 31 October 1996 up to and including 30 April 1997.

1. Land outside of Townsite

1.1 All buildings on land which townsites shall be surrounded by two firebreaks not less than two metres wide cleared of all inflammable material, the inner firebreaks to be not more than twenty (20) metres from the perimeter of the building or group of buildings and the outer firebreaks not less than 200 metres from the inner firebreaks.

1.2 To remove all inflammable materials from the whole of the land between the firebreaks required in paragraph 1.1 above.

2. LAND IN TOWNSITES

2.1 Where the area of the land is 2 000 square metres or less all flammable material shall be removed from the whole of the land.

2.2 Where the area of the land exceeds 2 000 square metres firebreaks at least three metres in width shall be cleared of all flammable material. Immediately inside and along the boundaries of the land. Where there are buildings on the land additional firebreaks three metres in width shall be cleared immediately surrounding the building.

If it is considered for any reason to be impractical to clear firebreaks or remove inflammable material as required by this notice, you may apply to the Council or its duly authorised officer not later than 30 October 1996 for permission to provide firebreaks in alternative positions or take alternative action to remove or abate and fire hazard. If permission is not granted by this Council or its duly authorised Officer you shall comply with the requirements of this notice.

Restricted Burning Times 1st October 1996—30 April 1997.

Prohibited Burning Times 15th November 1996—30 March 1997.

By order of the Council,

A. B. WRIGHT, Chief Executive Officer.

## LG602

### BUSH FIRES ACT 1954

#### *Shire of Shark Bay*

#### NOTICE TO ALL OWNERS AND/OR OCCUPIERS OF LAND IN THE SHIRE OF SHARK BAY

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, owners or occupiers of land in the Shire of Shark Bay are hereby required to carry out firebreak work on land owned or occupied by you in accordance with provisions of this order.

“Firebreak” means ground from which all flammable material has been removed and on which no flammable material is permitted during the firebreak period.

“Flammable Material” defined for the purpose of this notice to include bush (as defined in the Bush Fires Act), boxes, cartons, paper and the like flammable materials, rubbish and also any combustible matter but does not include green standing trees or growing bushes or plants in gardens or lawn.

Owners or occupiers of land in the Shire of Shark Bay are required to have firebreaks constructed prior to the firebreak period which is from 1 November 1996 to 31 March 1997 inclusive.

Persons who fail to comply with requirements of this order may be issued with an Infringement Notice or prosecuted and face a fine of up to \$1 000. Additionally Council may carry out the required work at cost to the owner or occupier.

If for any reason it is considered impracticable to comply with the provisions of this order, you may make a written application for a variation of the order which must reach the Shire Council not later than 1 November 1996. Approval to any such variation will only be granted where the Bush Fire Control Officer for the area has first signified his approval to the variation by his signature on the written application. If the application is not approved by the Shire Council you shall comply with the requirements of this notice.

- 1 TOWNSITE LAND—In respect of land owned or occupied by you in the Townsite of Denham
  - (a) Where the area of land is 2 024 square metres or less, remove all flammable material on the land from the whole of the land.
  - (b) Where the area of land exceeds 2 024 square metres, construct firebreaks at least 2 metres wide immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land.
  - (c) In respect of any land owned or occupied by you, which there is situated any containers/installation used for the storage of flammable liquid or gas fuel, you shall clear the land of all flammable material.
- 2 RURAL LAND—Other than Townsite land
  - (a) A firebreak shall be constructed not less than 2 metres in width immediately inside and along the whole of the external boundaries of the property or properties owned or occupied by you.
  - (b) Where buildings are situated on the property, additional firebreaks not less than 2 metres in width must be provided within 20 metres of the perimeter of such buildings in such a manner as to completely encircle the building.

#### SPECIAL ORDERS—SECTION 33

The requirements of this order are considered to be the minimum standard of fire prevention work required to protect not only individual properties but the district generally. In addition to the requirements of this order, the Shire Council may issue separate special orders on owners or occupiers if hazard removal is considered necessary.

By order of the Council.

**PLANNING****PD401****TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION***City of Canning*

Town Planning Scheme No. 40—Amendment No. 43

Ref: 853/2/16/44, Pt. 43.

Notice is hereby given that the City of Canning has prepared the abovementioned scheme amendment for the purpose of rezoning 1083, 1085 Albany Highway (Lots 5 and Pt 264) and a 2.0m wide portion of former road widening in front of 1085 Albany Highway, Bentley, from "Residential (R40)" and "Other Major Highways" to "Highway Commercial".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including December 10, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 10, 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. F. KINNER, Chief Executive Officer.

**PD402****TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION***City of Canning*

Town Planning Scheme No. 40—Amendment No. 50

Ref: 853/2/16/44, Pt. 50.

Notice is hereby given that the City of Canning has prepared the abovementioned scheme amendment for the purpose of amending the boundary of the area subject of Serial 37 in the City Zoning Scheme as indicated on site plans dated 18.7.96 to Lots Pt 80 and Pt 81 Goodwood Way/Ranford Road, Canning Vale, and including the following additional development requirement—

"Development to be in accordance with an Outline Development Concept Plan approved by the Council"

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including December 10, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 10, 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. F. KINNER, Chief Executive Officer.

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

Town Planning Scheme No. 2—Amendment No. 141

Ref: 853/2/23/19, Pt. 141.

Notice is hereby given that the City of Cockburn has prepared the abovementioned scheme amendment for the purpose of rezoning a portion of Jandakot Agricultural Area 224; Lot Pt 7 Beenyup Road, Success from "Rural" to "Residential R20".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 9 Coleville Crescent, Spearwood and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including December 10, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 10, 1996.

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

R. W. BROWN, Chief Executive Officer.

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**PD404**

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

Town Planning Scheme No. 2—Amendment No. 275

Ref: 853/2/28/1, Pt. 275.

Notice is hereby given that the City of Rockingham has prepared the abovementioned scheme amendment for the purpose of rezoning the southern portion of Lot 224 Mandurah Road, East Rockingham, from "Railway Reserve" to "Light Industry".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Civic Boulevard, Rockingham and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including December 10, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 10, 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. G. HOLLAND, Chief Executive Officer.

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**PD405**

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

Town Planning Scheme No. 1—Amendment No. 277

Ref: 853/2/28/1, Pt. 277.

Notice is hereby given that the City of Rockingham has prepared the abovementioned scheme amendment for the purpose of rezoning the vacant crown landholdings bounded by Fisher Street, Coombs Street and the Cape Peron Estate, as depicted on the Scheme Amendment Map, from "Residential SR3" and "Reserves for Railways, Public Open Space and Public Purposes" to "Development Zone".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Civic Boulevard, Rockingham and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including December 10, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 10, 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. G. HOLLAND, Chief Executive Officer.

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**PD406**

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

Town Planning Scheme No. 3—Amendment No. 4

Ref: 853/3/7/5, Pt. 4.

Notice is hereby given that the Shire of Greenough has prepared the abovementioned scheme amendment for the purpose of modifying the Waggrakine Development Scheme, Scheme Map to—

- (a) relocate the High School site from Lot 1 Hall Road to Lots 11 and 12 Beattie Road, and include Lot 1 Hall Road within the Residential zone; and

- (b) modify the road layout adjacent to Lots 11 and 12 Beattie Road to accommodate the school site.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Corner Geraldton/Mt Magnet Walkway and Geraldton Roads, Geraldton 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 November 19, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before November 19, 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. T. PERRY, Chief Executive Officer.

**PD407**

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

*Shire of Northampton*

Town Planning Scheme No. 4—Amendment No. 30

Ref: 853/3/14/6, Pt. 30.

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

- (1) Add to contents Part VI General Provision 6.11 Tourist Development Zone.
- (2) By altering Part IV “zones” 4.1 the Scheme area is divided into 13 zones.
- (3) By adding to Part IV 4.1 “Tourist Development”.
- (4) By adding to Table 1 Part IV a use class zone “Tourist Development”.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Hampton Road, Northampton 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 November 19, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before November 19, 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. L. KEEFFE, Chief Executive Officer.

**PD408**

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

*Town of Kwinana*

Town Planning Scheme No. 2—Amendment No. 49

Ref: 853/2/26/3, Pt. 49.

Notice is hereby given that the Town of Kwinana has prepared the abovementioned scheme amendment for the purpose of—

1. Rezoning Lot 304 Banksia Road, Wellard from Rural Zone to Special Rural Zone No. 15.
2. Modifying the 2nd Schedule of the Scheme Text by inserting into Special Rural Zone No. 15 under the column headed “Lot Description”—304 Banksia Road, Wellard.
3. Inserting into Development Condition No. 1 of Special Rural Zone No. 15 Lot 304 Banksia Road, Wellard: Subdivision Guide Plan No. 14.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Corner Gilmore Avenue and Sulphyr Road, Kwinana and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including December 10, 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 10, 1996.

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

R. K. SMILLIE, Chief Executive Officer.

**POLICE**

PE502

**POLICE ACT 1892****POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed found and stolen property, including bicycles, will be sold by public auction at Ross's Auctions, 241 Railway Parade, Maylands on Saturday November 16, 1996 at 9.00 am.

Auction to be conducted by Mr Frank Lee.

R. FALCONER, Commissioner of Police.

**STATE REVENUE**

SX301

**FINANCIAL INSTITUTIONS DUTY ACT 1983****FINANCIAL INSTITUTIONS DUTY AMENDMENT  
REGULATIONS 1996**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Financial Institutions Duty Amendment Regulations 1996*.

**Regulation 5 amended**

2. Regulation 5 of the *Financial Institutions Duty Regulations 1984\** is amended by inserting after subregulation (6) the following subregulations —

“

(7) A receipt by a bank that is a registered financial institution to the credit of a clearing or settlement account kept by an SCH participant (other than a registered financial institution), being an account —

- (a) that is used solely for the purpose of depositing receipts from SCH-regulated transfers or depositing funds or transferring funds from another account for the purpose of meeting the SCH settlement obligations of that participant; and
- (b) from which all funds are transferred at the close of each day to another account,

is prescribed under section 10 (4) (r) of the Act as a receipt to which the Act does not apply.

(8) In subregulation (7) “SCH”, “SCH participant” and “SCH-regulated transfer” have the same meaning as in section 9 of the Corporations Law.

”

[\* Published in Gazette 20 January 1984, pp. 126-128.  
For amendments to 29 August 1996 see 1995 Index to Legislation of Western Australia, Table 4, pp. 87-88.]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.



**WATER****WA401\*****WATER SERVICES COORDINATION ACT 1995****NOTICE UNDER SECTION 26 OF GRANT OF LICENCE**

Notice is given that the following operating licence has been amended:

Licensee: Water Corporation  
 Classification: Operating Licence, Water Supply, Sewerage, Irrigation & Drainage Services  
 Term of Licence: Valid until 1 July, 2001  
 Area Covered: Refer to Schedule 1 to 5  
 Inspection of Licence: Office of Water Regulation  
 The Hyatt Centre  
 87 Adelaide Terrace  
 East Perth WA 6004

B. R. MARTIN, Co-ordinator of Water Services.

**SCHEDULE 1—OPERATING AREAS (WATER SUPPLY SERVICES)**

Operating Area	Plan No.	Operating Area	Plan No.	Operating Area	Plan No.
Australind/Eaton	OWR-OA-084/1A	Badgingarra	OWR-OA-084/1A	Bindoon/Chittering	OWR-OA-126 A
Borden	OWR-OA-114 A	Boyanup	OWR-OA-084/3 A	Bridgetown/ Greenbushes Region	OWR-OA-105 A
Carnarvon	OWR-OA-128 A	Condingup	OWR-OA-057 A	Coomberdale	OWR-OA-130 A
Cue	OWR-OA-131 A	Dandaragan	OWR-OA-132 A	Dardanup	OWR-OA-084/2A
Donnybrook	OWR-OA-161 A	Dunsborough Region	OWR-OA-085/1A	Dwellingup	OWR-OA-170 A
Exmouth	OWR-OA-134 A	Frankland	OWR-OA-115 A	Gascoyne Junction	OWR-OA-135 A
Geraldton/ Mullewa Region	OWR-OA-102 A	Gibson	OWR-OA-108 A	Goldfields and Agricultural	OWR-OA-055 A
Grass Patch	OWR-OA-109 A	Guilderton	OWR-OA-138 A	Hopetoun	OWR-OA-116 A
Horrocks	OWR-OA-139 A	Hyden	OWR-OA-117 A	Jerramungup	OWR-OA-036/1A
Kirup	OWR-OA-088 A	Lake King	OWR-OA-119 A	Laverton	OWR-OA-110 A
Leeman/Green Head Region	OWR-OA-103 A	Leonora	OWR-OA-111 A	Lower Great Southern Region	OWR-OA-106 A
Marble Bar	OWR-OA-069 A	Meekatharra	OWR-OA-140 A	Menzies	OWR-OA-112 A
Mingenew	OWR-OA-141 A	Moora	OWR-OA-058/1A	Morawa/Three Springs/Carnamah Region	OWR-OA-101 A
Mount Magnet	OWR-OA-143 A	Munglinup	OWR-OA-056 A	Nannup	OWR-OA-182 A
Northampton	OWR-OA-145 A	Northcliffe	OWR-OA-183 A	Nullagine	OWR-OA-153 A
Onslow	OWR-OA-156 A	Port Hedland Region	OWR-OA-107 A	Preston Beach	OWR-OA-171 A
Quinninup	OWR-OA-173 A	Ravensthorpe	OWR-OA-040/1A	Rocky Gully	OWR-OA-122 A
Salmon Gums	OWR-OA-113 A	Sandstone	OWR-OA-147 A	Varley	OWR-OA-123 A
Watheroo	OWR-OA-148 A	Wellstead	OWR-OA-124 A	West Pilbara Region	OWR-OA-157 A
Wiluna	OWR-OA-149 A	Yalgoo	OWR-OA-151 A	Woodridge	OWR-OA-150 A
Wyndham	OWR-OA-159 A			Yuna	OWR-OA-152 A

**SCHEDULE 2—OPERATING AREAS (SEWERAGE SERVICES)**

Operating Area	Plan No.	Operating Area	Plan No.	Operating Area	Plan No.
Albany	OWR-OA-014 A	Boddington	OWR-OA-015 A	Bridgetown	OWR-OA-082 A
Bunbury Region	OWR-OA-084/5 A	Busselton/ Dunsborough Region	OWR-OA-085/3 A	Carnarvon	OWR-OA-044 A
Collie	OWR-OA-087 A	Corrigin	OWR-OA-002 A	Cunderdin	OWR-OA-001 A
Dongara/Port Denison	OWR-OA-046 A	Donnybrook	OWR-OA-174 A	Exmouth	OWR-OA-048 A
Geraldton	OWR-OA-049 A	Gnowangerup	OWR-OA-020 A	Karratha	OWR-OA-075 A
Katanning	OWR-OA-021 A	Kellerberrin	OWR-OA-003 A	Kojonup	OWR-OA-022 A
Laverton	OWR-OA-011 A	Leeman	OWR-OA-054 A	Leonora	OWR-OA-012 A
Meckering	OWR-OA-004 A	Merredin	OWR-OA-005 A	Mount Barker	OWR-OA-023 A
Mukinbudin	OWR-OA-006 A	Narembeen	OWR-OA-007 A	Narrogin	OWR-OA-024 A
Northam	OWR-OA-013 A	Onslow	OWR-OA-071 A	Pingelly	OWR-OA-026 A
Port Hedland	OWR-OA-073 A	Quairading	OWR-OA-168 A	Roebourne	OWR-OA-074 A
Three Springs	OWR-OA-061 A	Toodyay	OWR-OA-169 A	Wagin	OWR-OA-027 A
Wickham	OWR-OA-077 A	Wongan Hills	OWR-OA-008 A	Wundowie	OWR-OA-009 A
Wyalkatchem	OWR-OA-010 A	Wyndham	OWR-OA-078 A	York	OWR-OA-172 A

## SCHEDULE 3—OPERATING AREAS (WATER SUPPLY SERVICES AND SEWERAGE SERVICES)

Operating Area	Plan No.	Operating Area	Plan No.	Operating Area	Plan No.
Augusta	OWR-OA-079 A	Binningup and Myalup	OWR-OA-081 A	Bremer Bay	OWR-OA-016 A
Broome	OWR-OA-062 A	Capel and Peppermint Grove Beach	OWR-OA-086 A	Cervantes	OWR-OA-045 A
Cranbrook	OWR-OA-018 A	Denham	OWR-OA-133 A	Denmark	OWR-OA-019 A
Derby	OWR-OA-064 A	Eneabba	OWR-OA-047 A	Esperance	OWR-OA-031 A
Fitzroy Crossing	OWR-OA-065 A	Halls Creek	OWR-OA-066 A	Harvey	OWR-OA-092 A
Jurien Bay	OWR-OA-050 A	Kalbarri	OWR-OA-051 A	Kununurra	OWR-OA-067 A
Lake Argyle Village	OWR-OA-068 A	Lancelin	OWR-OA-052 A	Ledge Point	OWR-OA-053 A
Mandurah/Murray Region	OWR-OA-104 A	Manjimup	OWR-OA-094 A	Margaret River Region	OWR-OA-095 A
Metropolitan	OWR-OA-100 A	Newdegate	OWR-OA-120 A	Pemberton	OWR-OA-096 A
Seabird	OWR-OA-060 A	Walpole	OWR-OA-098 A	Waroona	OWR-OA-099 A
Yarloop	OWR-OA-162 A				

## SCHEDULE 4—OPERATING AREAS (DRAINAGE SERVICES)

Operating Area	Plan No.	Operating Area	Plan No.	Operating Area	Plan No.
Albany Region	OWR-OA-181	Perth Metropolitan	OWR-OA-180 A	South West Region	OWR-OA-179

## SCHEDULE 5—OPERATING AREAS (IRRIGATION SERVICES)

Operating Area	Plan No.	Operating Area	Plan No.	Operating Area	Plan No.
Carnarvon	OWR-OA-177	Ord River	OWR-OA-175	Preston Valley	OWR-OA-178/1A
Waroona/Harvey/ Collie Region	OWR-OA-178/2				

## WA402\*

## WATER SERVICES COORDINATION ACT 1995

## NOTICE UNDER SECTION 26 OF GRANT OF LICENCE

Notice is given that the following operating licence has been granted:

Licensee:	South West Irrigation Management Cooperative Limited
Classification:	Operating Licence, Irrigation and Water Supply Services
Term of Licence:	5 years from 9 October, 1996
Area Covered:	Waroona/Harvey/Collie Region Operating Area (Irrigation and Water Services) Order 1996 Plan No. OWR-OA-178/3
Inspection of Licence:	Office of Water Regulation The Hyatt Centre, 3rd Floor 87 Adelaide Terrace East Perth WA 6004

B. R. MARTIN, Co-ordinator of Water Services.

## TENDERS

## ZT301

## DEPARTMENT OF CONTRACT AND MANAGEMENT SERVICES

*Tenders Invited*

Tender forms and full particulars of the Schedule hereunder may be obtained on application at the Tenders Office, 6th Floor, 2 Havelock Street, West Perth, WA 6005, or by contacting 222 5498 or 222 5005, Fax Nos. 222 5152 or 222 5150. Internet Address <http://www.wa.gov.au/contracts/>

Date of Advertising	Schedule No.	Description	Date of Closing
1996			1996
October 18	335A1996	Manufacture of Drainage Pipes for the Department of Conservation and Land Management .....	November 14

Tenders Invited—*continued*

Date of Advertising	Schedule No.	Description	Date of Closing
1996			1996
		<i>Supply and Delivery—continued</i>	
October 25	218A1996	For the Supply of Major Household Appliances, Both Gas and Electric to Homeswest ..... <b>A pre-tender briefing session will be held at 9.30am on Wednesday, November 6, 1996 at Homeswest, 5th floor, Canteen Area, 99 Plain Street, East Perth.</b>	November 15
		<i>Request for Proposal</i>	
October 18	RFP586/96	Provision of Clerk of Works on behalf of the Combined Development Group for the South West Health Campus, Bunbury .....	November 4
October 11	RFP59/96	Provision of Information Services including—Editing and Writing, Graphic Design, Photography and Video Services for Agriculture Western Australia ... <b>A Briefing Session will be held at the Theatrette, 3 Baron-Hay Court, South Perth, 9.00am on Friday, 18 October 1996. Attendance at the Briefing Session is Mandatory for all Respondents wishing to bid for this proposal. To confirm attendance, contact Ms Stephonie Beale on (09) 368 3333.</b>	November 8
		<i>Expression of Interest</i>	
October 18	EOI 585/96	Expressions of Interest are sought from Financial Planners and/or Accountants to be accredited Remuneration Consultants on a panel being established from which employees can obtain select financial advice .....	October 30
October 11	EOI 55/96	Provision of a Bus Fleet of Four (4) Buses to Undertake a Bus Tour Service for the Rottnest Island Authority	October 31
October 11	EOI 58/96	Provision of Actuarial Services for the Department of Contract and Management Services .....	October 31
		<i>Provision of Service</i>	
September 27	380A1996	Provision of Property Management Services for the Towns of Broome and Carnarvon for the Government Employees Housing Authority .....	October 30
October 4	525A1996	Computer Based Accommodation System for the Rottnest Island Authority .....	October 30
October 11	545A1996	Provision of South Perth Foreshore Walling Repairs for the Waters and Rivers Commission .....	October 30
October 11	038A1996	Provision of Service to Conduct Funerals of Deceased, Indigent Persons in the Metropolitan Area for the Department of Family and Childrens Services .....	October 31
October 18	546A1996	Provision of Service for Post Harvesting Silvicultural Work on State Forest Areas in the Dwellingup District for the Department of Conservation and Land Management .....	November 6
October 18	547A1996	Provision of Service for Post Harvesting Silvicultural Work on State Forest Areas in the Mornington District for the Department of Conservation and Land Management .....	November 6
		<b>A mandatory pre-tender briefing session and site inspection will be held at 9.30am on Wednesday, 30 October 1996 at CALM Dwellingup Office.</b>	
		<b>A mandatory pre-tender briefing session and site inspection will be held at 9.30am on Thursday, 31 October 1996 at CALM Harvey Office.</b>	
October 18	388A1996	Provision of Service to Coordinate and Facilitate the Kimberley Offender Programme for the Offender Management Division for the Ministry of Justice ....	November 7
October 18	390A1996	Provision of Helicopter Hire for Aerial Spraying and Feral Animal Control for Agriculture Western Australia.	

Tenders Invited—*continued*

Date of Advertising	Schedule No.	Description	Date of Closing
1996			1996
		<i>Provision of Service—continued</i>	
October 11	391A1996	Provision of Career Transition Training Programmes for the Public Sector Management Office .....	November 7
		<b>A Mandatory Briefing Session will be held at 2.00pm on Tuesday, 22 October 1996 in the Training Room, 7th Floor, 197 St George's Terrace, Perth. Please contact Charmaine on (09) 222 8777.</b>	
October 4	385A1996	Provision of Enterprise Specific Training Courses for the WA Department of Training .....	November 13
October 25	551A1996	Provision of a Management Consultant in the Information Management Directorate of the Western Australia Police Service .....	November 14
October 4	386A1996	Provision of Entry Level (Traineeship) Training for the WA Department of Training .....	November 15
		<b>Industry Briefing: Contact Chris Stevens—(09) 235 6301—to confirm attendance of Sessions to be held between 14th to 16th October 1996. Details will be provided if contacted before 11th October 1996.</b>	
October 25	397A1996	Installation of Electronic Detection Monitoring Equipment for the Western Australia Police Service	November 15
October 25	398A1996	Provision of Cleaning Services of the Transperth Common User Transport Facilities for the Department of Transport .....	November 21
		<b>A mandatory briefing session will be held at 2.00pm on Thursday, 31 October 1996 at Colliers Jardine, Level 7, Central Park, 152-158 St Georges Terrace, Perth.</b>	
September 27	384A1996	Mainframe/Server/Desktop Capacity and Services for the Business Information Processing Agencies Consortium (BIPAC) .....	November 28
		Provision of information technology capacity and services from the operation of mainframe computer centres, major client server systems and related support functions to a consortium of eleven (11) State Government Agencies.	
October 25	549A1996	Provision of a Consultancy Service for the Executive Development Program for the Public Sector Management Office .....	November 29

Tenders addressed to the Tenders Office, 6th floor, Dumas House, 2 Havelock Street, West Perth, WA 6005, before 2.30 pm W.S.T. on the nominated closing date.

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

**ZT302***Accepted Tenders*

Schedule No.	Particulars	Contractor	Rate
			<i>Provision of Service</i>
350C1996	Provision of Gardening Services for the South Metropolitan College of TAFE—Murdoch Campus	Landscape Development .	\$13 675.00 per annum
507A1996	To Develop Flexible Learning Resources (Action Packs) to support National Clerical/Administrative Competency Based Curriculum on behalf of the Western Australian Department of Training	Sydney Institute of Technology .....	\$15 250.00

*Accepted Tenders—continued*

Schedule No.	Particulars	Contractor	Rate
	<i>Request for Proposal</i>		
RFP 36/96	Provision of Recreational Services to People with an Intellectual Disability who reside in the Albany Highway Corridor of the Perth Metropolitan Area for the Disability Services Commission	Recreation Network Inc	\$92 000.00 per annum

**PUBLIC NOTICES****ZZ201****TRUSTEES ACT 1962**

Dudley Royce Stonehouse late of 15 Midwater Court, Australind, Western Australia, Retired Public Servant.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the deceased who died on 29th August 1996, are required by the Trustee Stuart Royce Stonehouse of C/- Messrs Black & Co, Barristers & Solicitors, Suite A, 554 Newcastle Street, West Perth to send particulars of their claims to him by the 29th day of November 1996, after which date the Trustee may convey or distribute the assets, having regard only to the claims of which he then has notice.

**ZZ401****APPLICATION FOR WINDING-UP**

In the Supreme Court of Western Australia at Perth

COR 273 of 1996

In the matter of Dromaius Australia Limited ACN 009 238 313.

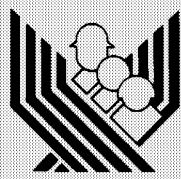
Notice is hereby given that an application for the winding up on the grounds of insolvency of the abovenamed company by the Supreme Court of Western Australia was on 14 October 1996 filed by Kenneth Melvyn Wallis and Kerry Ann Wallis trading as Parkfeeds. The application is to be heard before a Master in chambers at the Supreme Court at Perth at 10.30 am on 27 November 1996.

The liquidator whose appointment is sought is Christopher Michael Williamson of the firm of Hall Chadwick of Level 20, AMP Tower, 140 St George's Terrace, Perth.

Any creditor or contributory of the company desiring to support or oppose the making of an order on the application may appear at the time of hearing by himself or his counsel for that purpose.

The applicant's solicitors are Messrs Marks Healy Sands, Barristers & Solicitors of Level 26, Exchange Plaza, Sherwood Court, Perth.

- Note:
- (1) Any person who intends to appear on the hearing of the application must serve on or send by post to the abovenamed Solicitor notice in writing of that intention. The notice must state the name and address of the person or, if a firm, the name and address of the firm, and must be signed by the person or firm, or their solicitor (if any), and must be served or, if posted, must be sent by post in sufficient time to be received not later than 4 pm on 26 November 1996.
  - (2) A person may not, without leave of the Court, oppose the application unless, at least 7 days before the hearing date, the person has filed and served on the applicant—
    - (a) notice of the grounds of opposition; and
    - (b) an affidavit verifying the matters stated in the notice.



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