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In all cases notices are published on page 2 and readers are urged to check accordingly prior to contacting State Law Publisher.

JOHN A. STRIJK,
Acting Government Printer.

PROCLAMATIONS

AA101

MAIN ROADS ACT 1930
DECLARATION OF ROADS THAT SHALL CEASE TO BE
SECONDARY ROADS
PROCLAMATION

WESTERNAUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Philip Michael Jeffery, Companion of the Order of Australia, Officer of the Order of Australia (Military Division), Military Cross, Governor of the State of Western Australia.
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MRWA 85-364V3.

Whereas by section 24 of the Main Roads Act 1930, as amended, it is provided that the Governor may on the recommendation of the Commissioner, by proclamation declare that any section or part of a road shall cease to be a Secondary Road; and whereas the Commissioner has recommended that the roads delineated on the Plans specified in Schedule 1 hereto shall cease to be a Secondary Road. Therefore, I the Governor, acting with the advice and consent of the Executive Council, in exercise of the powers conferred by section 24 of the Main Roads Act 1930, as amended, and pursuant to be said recommendations do hereby declare the roads delineated on the Plans and as generally described in Schedule 1 hereto shall cease to be Secondary Roads with effect on and from February 1 1997.

Given under my hand and the Public Seal of Western Australia, at Perth on 28 January 1997.

By His Excellency's Command,

E. J. CHARLTON, Minister for Transport.

GOD SAVE THE QUEEN !

Schedule 1

ROADS THAT SHALL CEASE TO BE SECONDARY ROADS

Road No.	Road Name	Local Authority	As Delineated on Plan No.
S034	Dale-Mawson	Beverley	9522-075, 076
S072	Middleton	Manjimup	9422-047, 058
S090	North Lake Grace-Karlgarin	Kondinin, Kulin, Lake Grace	9422-111, 113, 132, 9522-119

AA102

MAIN ROADS ACT 1930
DECLARATION OF HIGHWAYS AND MAIN ROADS
PROCLAMATION

WESTERNAUSTRALIA P. M. Jeffery, Governor. [L.S.]	}	By His Excellency Major General Philip Michael Jeffery, Companion of the Order of Australia, Officer of the Order of Australia (Military Division), Military Cross, Governor of the State of Western Australia.
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MRWA 85-364V3.

Whereas by section 13 of the Main Roads Act 1930, as amended, it is provided that the Governor may on the recommendation of the Commissioner, by proclamation declare that any section or part of a road shall be a Highway or shall be a Main Road; and whereas the Commissioner has recommended that the road or section of road delineated on the Plans specified in Schedule 1 hereto shall be Highways and the road or section of road delineated on Plans specified in Schedule 2 hereto shall be Main Roads. Therefore, I the Governor, acting with the advice and consent of the Executive Council, in exercise of the powers conferred by section 13 of the Main Roads Act 1930, as amended, and pursuant to the said recommendations do hereby declare the road or section of road delineated on the Plans and as generally described in Schedule 1 hereto shall be Highways with effect on and from February 1 1997 and the road or section of road delineated on the Plans and as generally described in Schedule 2 shall be Main Roads, with effect on and from February 1 1997; but the footpaths, if any of such roads are excluded from this proclamation.

Given under my hand and the Public Seal of Western Australia, at Perth on 28 January 1997.

By His Excellency's Command,

E. J. CHARLTON, Minister for Transport.

GOD SAVE THE QUEEN !

Schedule 1

ROADS THAT SHALL BE PROCLAIMED TO BE HIGHWAYS

Road No.	Road Name	Local Authority	As Delineated on Plan No.
H005	Great Eastern Highway	Mundaring, Swan	9422-039-1, 119-1, 137-1, 138-1
H019	Great Eastern Highway Bypass	Swan	9422-039-1, 119-1
H020	City Northern Bypass	Perth City, Victoria Park Town	9422-038-1, 044-1
H023	Armadale Road	Armadale City, Cockburn City	9422-033, 036, 074
H027	Welshpool Road	Canning City, Kalamunda	9422-034-1, 040-1
H036	West Coast Highway	Cambridge Town, Cottesloe Town, Nedlands City	9422-041-1, 045-1, 9522-072-1, 9622-017
H039	Stephenson Highway	Stirling City	9422-042-1
H043	Bussell Highway	Busselton, Capel	9422-021-1, 022-1
H631	Reid Highway W/B off—Wanneroo Road	Stirling City	9422-042-1, 9622-018
H632	Wanneroo Road—Reid Highway E/B on	Stirling City	9422-042-1, 9622-018
H643	Reid Highway E/B off—Wanneroo Road	Stirling City	9422-042-1, 9622-018
H644	Wanneroo Road—Reid Highway W/B on	Stirling City	9422-042-1, 9622-018
H645	Stirling Highway W/B—Mounts Bay Road	Perth City	9422-038-1, 116-1, 9622-016
H646	Mounts Bay Road—Stirling Highway W/B	Perth City	9422-038-1, 116-1, 9622-016
H647	Stirling Highway E/B—Mounts Bay Road	Perth City	9422-038-1, 116-1, 9622-016

Schedule 2

ROADS THAT SHALL BE PROCLAIMED TO BE MAIN ROADS

Road No.	Road Name	Local Authority	As Delineated on Plan No.
M044	Cervantes	Dandaragan	9422-079, 081
M060	Goomalling-Toodyay	Goomalling, Toodyay	9422-096-1, 097-1, 9522-216-1, 217-1
M061	Boyanup-Capel	Capel	9422-022-2, 023-1, 024-3

AA103

MAIN ROADS ACT 1930

DECLARATION OF ROADS THAT SHALL CEASE TO BE HIGHWAYS AND MAIN ROADS

PROCLAMATION

WESTERNAUSTRALIA
P. M. Jeffery,
Governor.
[L.S.]

} By His Excellency Major General Philip Michael
Jeffery, Companion of the Order of Australia, Officer
of the Order of Australia (Military Division), Military
Cross, Governor of the State of Western Australia.

MRWA 85-364V3.

Whereas by section 13 of the Main Roads Act 1930, as amended, it is provided that the Governor may on the recommendation of the Commissioner, by proclamation declare that any section or part of a road shall cease to be a Highway or shall cease to be a Main Road; and whereas the Commissioner has recommended that the road or section of road delineated on the Plans specified in Schedule 1 hereto shall cease to be Highways and the road or section of road delineated on the Plans specified in Schedule 2 shall cease to be Main Roads. Therefore, I the Governor, acting with the advice and consent of the Executive Council, in exercise of the powers conferred by section 13 of the Main Roads Act 1930, as amended, and pursuant to the said recommendations do hereby declare the road or section of road delineated on the Plans and as generally described in Schedule 1 hereto shall cease to be Highways with effect on and from February 1 1997 and the road or section of road delineated on the Plans and as generally described in Schedule 2 shall cease to be Main Roads with effect on and from February 1 1997.

Given under my hand and the Public Seal of Western Australia, at Perth on 28 January 1997.

By His Excellency's Command,

E. J. CHARLTON, Minister for Transport.

GOD SAVE THE QUEEN !

Schedule 1
ROADS THAT SHALL CEASE TO BE HIGHWAYS

Road No.	Road Name	Local Authority	As Delineated on Plan No.
H005	Great Eastern Highway	Swan	9422-039-1, 119-1
H014	Stirling Highway	Perth City	9422-038-1, 116-1, 9622-016
H019	Stephenson Highway	Stirling City	9422-042-1
H020	Welshpool Road	Canning City, Kalamunda	9422-034-1, 040-1
H026	Guildford Road	Mundaring, Swan	9422-039-1, 119-1, 137-1, 138-1
H027	Johnson Street	Swan	9422-039-1, 119-1
H036	West Coast Highway	Cambridge Town	9422-045-1, 9622-017
H043	Bussell Highway	Busselton, Capel	9422-021-1, 022-1
H517	H518 to Bus Port	Perth City	9422-038-1, 116-1

Schedule 2
ROADS THAT SHALL CEASE TO BE MAIN ROADS

Road No.	Road Name	Local Authority	As Delineated on Plan No.
M026	Gidgegannup-Goomalling	Goomalling, Toodyay	9422-096-1, 097-1, 9522-216-1, 217-1
M044	Fremantle-Armadale	Armadale, Cockburn	9422-033, 036, 074
M052	Picton-Capel	Capel	9422-022-2, 023-1, 024-3

FISHERIES

FI401

PEARLING ACT 1990

Section 23(8)

FD 755/95.

The public is hereby notified that pursuant to section 23 of the Pearling Act 1990, I have granted an application for a pearl oyster farm lease to Nor'West Pearls Pty Ltd over an area of coastal waters adjacent to West Moore Island. This area includes part of a site in relation to which an aquaculture licence under the Fish Resources Management Act 1994 for the aquaculture of pearl species other *Pinctada maxima*, has been issued to Nor'West Pearls Pty Ltd.

In accordance with section 33(1) of the Pearling Act 1990 a person aggrieved by this decision may within 14 days after publication of this notice appeal against the decision by serving on the Minister for Fisheries c/- the Executive Director, Fisheries Department, SGIO Atrium, 168-170 St Geroge's Terrace, Perth WA 6000, a statement in writing of the grounds of the appeal.

P. P. ROGERS, Executive Director.

HEALTH

HE101

CORRIGENDUM

HOSPITALS (SERVICES CHARGES) AMENDMENT REGULATIONS 1997

In *Government Gazette* (No. 18) of 4 February 1997, p. 695 in regulation 2, delete "1994*", substitute " 1984* ".

HERITAGE COUNCIL

HR401

HERITAGE OF WESTERN AUSTRALIA ACT 1990

NOTICE OF INTENTION TO ENTER PLACES IN THE REGISTER OF HERITAGE PLACES

The Minister for Heritage has directed pursuant to Section 47 (1) of the Heritage of Western Australia Act 1990 that the places described in Schedule 1 be entered in the Register of Heritage Places on a permanent basis.

Schedule 1

Name	Location	Description of Place
Bunbury Railway Station (fmr)	Blair Street, Bunbury	Lot 5 on Diagram 71676, being the whole of the land comprised in Certificate of Title Volume 1764 Folio 155.
Cronshaw's Store	Cnr Victoria & Wellington Sts, Bunbury	Portion of Bunbury Town Lot 194, being the whole of the land comprised in Certificate of Title Volume 599 Folio 28A.
Prospect Villa	Pries Avenue, Busselton	Lot 10 on Diagram 74282, being the whole of the land comprised in Certificate of Title Volume 1813 Folio 558.
St Mary's Anglican Church & Graveyard	Cnr Queen Street & Peel Tce, Busselton	Busselton Town Lot 106, being the whole of the land comprised in Town Entrolment ET861.
Great Fingall Mine Office (fmr)	Former Day Daydawn Townsite, via Cue	That portion of Kyarra Location 176, being part of Crown Reserve 7274 and being portion of the land comprised in Crown Land Record Volume 3092 Folio 666 as is defined in HCWA survey drawing number 0627.
Victoria Park Rotunda	Croesus Street, Kalgoorlie	That portion of Kalgoorlie Lot 3453, being that part of the land comprised in Certificate of Title Volume 1323 Folio 634, as is defined in HCWA survey drawing number 1269.
Mechanic's Institute (fmr)	162 Hannan Street, Kalgoorlie	Kalgoorlie Town Lot 1217 and part of Kalgoorlie Town Lot 61, being the whole of the land comprised in Certificate of Title Volume 1171 Folio 871.
Commonwealth Bank	181-183 Fitzgerald Street, Northam	Portion of each of Northam Town Lots 111 and 112 being the subject of Diagram 13873 and being the whole the land comprised in Certificate of Title Volume 1106 Folio 152.
Byfield House	30 Gordon Street, Northam	Lots 1 and 2 on Plan 1216, being the whole of the land comprised in Certificate of Title Volume 1590 Folio 160, and Lot 3 on Plan 1216, being the whole of the land comprised in Certificate of Title 1776 Folio 599.
Mitchell House	Cnr Duke and Hawes Streets	Lot 1 on Plan 2591, being the whole of the land comprised in Certificate of Title Volume 1480 Folio 519, Lot 2 on Plan 2591, being the whole of the land comprised in Certificate of Title Volume 1480 Folio 520 and Part of Lot 5 on Plan 2591, being the whole of the land comprised in Certificate of Title Volume 1480 Folio 518.
York Town Hall	79-81 Avon Terrace, York	Lot 11 on Plan 63, being the whole of the land comprised in Certificate of Title Volume 363 Folio 179; Lot 9 on Plan 63, being the whole of the land comprised in Certificate of Title Volume 432 Folio 140; and Portion of Avon Location X, being the whole of the land comprised in Certificate of Title Volume 493 Folio 82.

Schedule 1—*continued*

Name	Location	Description of Place
One Mile Jetty & Tramway	Carnarvon	Firstly, That portion of sea bed proclaimed as the Carnarvon Port Area at p. 410 of the <i>Government Gazette</i> of 5 February 1982; secondly, Carnarvon Town Lot 1203, being Crown Reserve 6049, the whole of the land comprised in Crown Land Record Volume 3023 Folio 812; thirdly, Carnarvon Lot 1230, being Crown Reserve 39483 and being the whole of the land comprised in Crown Land Record Volume 3023 Folio 829; as together comprise the whole of the land defined in HCWA survey drawing No. 4566.
East Perth Primary School (former)	Cnr Wittenoom & Bennett Sts, East Perth	Lot 5 on Diagram 42489 being the whole of the land comprised in Certificate of Title Volume 2093 Folio 4000.

The Minister for Heritage has directed pursuant to Section 47 (1) of the Heritage of Western Australia Act 1990 that the places described in Schedule 2 be entered in the Register of Heritage Places as interim registrations.

The Heritage Council of Western Australia hereby gives notice of the interim registrations and invites submissions on the matter. Submissions must be in writing and should be forwarded to the following address not later than March 21st 1997.

The Director,
Office of the Heritage Council
108 Adelaide Terrace, East Perth WA 6004.

Schedule 2

Name	Location	Description of Place included in this entry
Houses at 51-53 Goderich Street	51-53 Goderich St, East Perth	Portion of Perth Town Lot E18, being the whole of the land comprised in Certificate of Title Volume 1125 Folio 499.
Masonic Temple	134 Burt Street, Boulder	Boulder Town Lot 204, being the whole of the land comprised in Certificate of Title Volume 1050 Folio 229.
Belhus Estate	Corona Way, Belhus	Lot 16 on Diagram 71315, being the whole of the land comprised in Certificates of Title Volume 1764 Folio 656.
Cockman House	1230 Ocean Reef Road, Woodvale	Lot 100 on Diagram 72754, being the whole of the land comprised in Certificate of Title Volume 1788 Folio 681.
Residence (fmr Independent Chapel)	49 Swan Street, Guildford	Portion of Guildford Town Lot 37, being the whole of the land comprised in Certificate of Title Volume 1344 Folio 328.
Brooklands	Airstrip Road, Balingup	That portion of Nelson Locations 8123 and 8125 and portion of Nelson Location 8124, being part of the land comprised in Certificate of Title Volume 1516 Folio 759 as is defined on Heritage Council of Western Australia survey drawing No. 0705.
Minninup Homestead	Mangles Road, Capel	That part of Lot 2 on Diagram 9842, being part of the land comprised in Certificate of Title Volume 1045 Folio 199 as is defined in Heritage Council of Western Australia survey drawing No. 0440.

Dated this 7th day of February 1997.

IAN BAXTER, Director, Office of the Heritage Council.

JUSTICE

JM101*CORRIGENDUM***DECLARATIONS AND ATTESTATIONS ACT 1913**

An error occurred in the notice published under the above heading on page 548 of *Government Gazette* No. 13 dated 24 January 1997 and is corrected as follows—

Delete the reference to “Zigami” and substitute “ Zagami ”

JM401**LAND TAX ASSESSMENT ACT 1976****NOTICE PURSUANT TO SECTION 50**

To—

Laksmi Widajanti Indradjit
Pt Prakora Daya Mandiri
Jl Duren Tiga Raya No. 11A
Pancoran Jakarta 12780
Indonesia

Being the owner or all that land being portion of Cockburn Sound Location 549 and being Lot 546 on Plan 16629 and contained in Certificate of Title Volume 1823 Folio 0426 standing in the name of Laksmi Widajanti Indradjit, take notice, the amount of land tax due and owing in respect of the abovementioned land is as follows—

Year of Assessment	Land Tax Owing
1994-1995	\$577.50

And further take notice that if the amount of \$577.50, being the amount of land tax unpaid for a period of two years, is not paid within one year from the first publication of this notice, the Commissioner of State Taxation intends to apply to the Supreme Court for an Order for the sale of the land. Upon such sale, the Commissioner shall be entitled to retain proceeds of the said sale sufficient to pay all arrears of land tax due up to the time of sale and all costs of and attending the application, and of attending the sale of the land.

A. BRYANT, Commissioner of State Taxation.

JM402**JUSTICES ACT 1902**

It is hereby notified for public information that His Excellency the Governor in Executive Council has accepted the resignation of Jocelyn Martin Forrest from the Office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, for Executive Director Courts Division.

JM403**JUSTICES ACT 1902**

It is hereby notified for public information that His Excellency the Governor in Executive Council has accepted the resignation of John Robert McNaughton from the Office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, for Executive Director Courts Division.

JM404**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988**

It is hereby notified for public information that His Excellency the Governor in Executive Council has—

Approved of the appointment of the following persons as Members of the Children's Court of Western Australia—

Mrs Yvonne Francis Kidd, of 6 Counihan Crescent, Port Hedland

Mr Graham Maxwell Green, of 22 Gregory Way, Karratha

RICHARD FOSTER, for Executive Director Court Division.

JM405**EX OFFICIO JUSTICE OF THE PEACE**

It is hereby notified for public information that Delys Anne Mills has been appointed under section 9 of the Justices Act 1902, to be a Justice of the Peace for the Magisterial District of Gascoyne during her term of office as Shire President.

RICHARD FOSTER, for Executive Director Courts Division.

JM406**JUSTICES ACT 1902**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of—

Mrs Lynette Anne Lutley of Lot 539 Gibson Way, Hopetoun
and Ravensthorpe Pre-School Committee Daw Street, Ravensthorpe
to the Office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, for Executive Director,
Court Services, Courts Division.

LAND ADMINISTRATION

LA401***LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960***Shire of Plantagenet***REVOCATION OF TEMPORARY CLOSURE OF ROADS**

Department of Land Administration.

Corres. 1304/963.

It is hereby notified for general information that the Hon. Minister for Lands has revoked, under Section 292(5) of the Local Government Act, 1960 an order which appeared in the *Government Gazette* of March 26, 1965 page 913, temporarily closing the road described in the Schedule hereunder—

SCHEDULE

No. 176 The surveyed road commencing at a line in prolongation northerly of the eastern boundary of Hay Location 316 and extending easterly and south-easterly along the southern boundaries of Locations 808 and 1462 and through Location 2022 to the western alignment of Road No. 4090.

(Public Plan: Kwornicup NW (25)).

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

LA402***LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960****DECLARATION OF CLOSURE OF STREETS**

Made by the Minister for Lands

Under Section 288A

At the request of the local government nominated, the street described in the Schedule is now declared to be closed.

SCHEDULE

Shire of Carnarvon (DOLA File No. 571/996; Closure No. C1324).

The whole of the Right of Way commencing on the northeastern side of Whitlock Street and extending along the northwestern boundaries of Carnarvon Lots 720 and 709 to it terminus on the southwestern side of Carnarvon Road.

Public Plan: AN54(2) 9.05.

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

LB401***LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960****DECLARATION OF PUBLIC STREETS****ORDERS OF THE MINISTER FOR LANDS**

Made under Section 288

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

SCHEDULE

1. Town of Kwinana (DOLA File No. 641/996).

Road No. 18951 Challenger Ave. That portion of vacant Crown land as shown delineated and coloured mid brown on Crown Diagram 92950.

Public Plans: BG33(2) 12.31 & 12.32.

2. Shire of Roebourne (DOLA File No. 524/996).

Road No. 18913 Jennifer Court. That portion of vacant Crown land as shown delineated and coloured mid brown on Crown Diagram 92917.

Public Plan: BH65(2) 30.28.

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

LOCAL GOVERNMENT**LG301*****LOCAL GOVERNMENT ACT 1995***Shire of Serpentine-Jarrahdale***LOCAL LAW 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 Serpentine-Jarrahdale hereby records having resolved on the 9th day of December 1996 to make and submit for confirmation by the Governor the following local law:

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SHIRE OF SERPENTINE-JARRAHDALÉ
STANDING ORDERS

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 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 as described in the Act shall be governed by the Standing Orders except where specific exceptions apply either in the Act, its regulations or in the Standing Orders.

1.3 Interpretations

The following interpretations should be used in these Standing Orders, unless the context otherwise requires:

"absolute majority" is more than 50% of the current number of elected Council positions whether they are vacant or not regardless of the number actually present;

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

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

"clause" means a clause of the Standing Orders;

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

"Council" means the Council of the Shire of Serpentine-Jarrahdale;

"councillor" 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;

"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;

"meeting place" includes the Council chamber, meeting rooms, Council halls or facilities or other places used for the purpose of housing any meeting of Council and identified in the notice or verbal advice calling the meeting;

"officer" is an employed councillor of the staff of the Shire of Serpentine-Jarrahdale;

"President" includes the Deputy President, in the absence of the President and any Councillor chosen to preside in place of the President or Deputy President at any meeting of the Council in the manner prescribed by the Act;

"Presiding Member" includes the deputy Presiding Member, in the absence of the Presiding Member and any person presiding at any meeting in a manner prescribed by the Act.

"simple majority" is more than 50% of the Councillors present and voting;

"special majority" means that;

(a) if there are more than 11 offices of councillor, the power can only be exercised by, or in accordance with, a decision of 75% majority of the Council; or

(b) if there are not more than 11 offices of councillor, the power can only be exercised by, or in accordance with, a decision of an absolute majority of the Council.

"75 % majority" means a majority comprising enough of the councillors for the time being of the Council for their number to be at least 75% of the number of offices (whether vacant or not) of councillor;

2. MEETINGS—NOTICE AND BUSINESS

2.1 Notice of Meetings—Councillors to Receive Notice

Before any ordinary or special meeting of the Council, a notice signed by the Chief Executive Officer, stating the place, date and hour of holding the meeting and specifying the business to be transacted with an agenda and supporting committee reports, shall be transmitted by facsimile or sent by any other electronic means (so long as it is capable of being printed out in its entirety), by post, or otherwise left or delivered to each councillor, at least 7 days before the meeting, at the usual or last known place of abode or business, or to another address any councillor may request by notice in writing to the Chief Executive Officer.

2.2 Emergency Meetings

A meeting of Council for the purpose of dealing with an emergency situation may be called by the President or Chief Executive Officer, or in their absence, any three councillors. The Chief Executive Officer, or a person authorised by him or her, shall either personally or by telephone, facsimile or other electronic means or otherwise leave or deliver to each councillor, details of the nature of the emergency and the date, time, place and purpose of the emergency meeting. Decisions made at this meeting must be by absolute majority unless the Act specifies otherwise.

2.3 Business to be Specified on Notice Paper

No business shall be transacted at any meeting of the Council other than that specified in the notice without the approval of the President or if there is dissent by any councillor to the President's ruling, with the approval of the majority of councillors present determined by vote, except;

- (1) matters which the Act permits to be dealt with without notice,
- (2) matters which this local law (clause 5.5) permits to be dealt with without notice.

2.4 Specified Papers

Any councillor may, in writing addressed to the Chief Executive Officer and delivered to the office of the Chief Executive Officer at least 48 hours before any meeting of the Council, or of any committee of the Council, request that any specified papers be laid upon the table at any meeting to be named and the papers shall be laid upon the table accordingly.

2.5 Papers Relating to Matter Under Discussion

At any meeting of the Council, or of any committee of the Council, the President or any councillor may require the production of any specified papers, documents, books or records, books of accounts, plans, or any other record or matter whatsoever relating to any question then under discussion providing that wherever possible, the notice prescribed in clause 2.4 shall be given. In the event of notice not having been given, the proceedings of the Council shall not be unreasonably delayed while documents are obtained.

2.6 Public Notice of Meetings

The Chief Executive Officer shall give local public notice of Council and committee meetings, as required by Regulation 12 of the Local Government (Administration) Regulations 1996.

2.7 Public Inspection of Certain Documents

The Chief Executive Officer is to ensure that the notice papers and agenda relating to any Council or committee meeting and reports and other documents which —

- (a) are to be tabled at the meeting; or
- (b) have been produced by the local government or committee for presentation at the meeting and which have been made available to councillors or committee, are available for inspection by members of the public at the same time as they were made available to the Council or committee members.

Members of the public are not entitled to inspect the information referred to above, if in the Chief Executive Officer's opinion the meeting, or that part of the meeting to which the information refers, is likely to be closed to the public.

3. MEETINGS—QUORUM

3.1 Quorum at Meetings

The quorum for a meeting of a Council or committee is at least 50% of the number of offices (whether vacant or not) of councillors of the Council or the committee.

3.2 Count-out/Adjournment

3.2.1 If a quorum has not been established within the 30 minutes after a Council or committee meeting is due to begin then the meeting can be adjourned—

- (a) in the case of Council, by the President or if the President is not present at the meeting, by the Deputy President;
- (b) in the case of a committee, by the presiding councillor of the committee or if the presiding councillor is not present at the meeting, by the deputy presiding councillor;
- (c) if no person referred to in paragraph (a) or (b), as the case requires, is present at the meeting, by a majority of councillors present;
- (d) if only one councillor is present, by that councillor; or
- (e) if no councillor is present or if no councillor other than the Chief Executive Officer is present, by the Chief Executive Officer or a person authorised by the Chief Executive Officer.

3.2.2 At any time during any meeting of the Council any councillor or the Chief Executive Officer may call the attention of the President to the fact that a quorum is not present. The President shall immediately suspend the proceedings of the meeting for a period of five minutes. If a quorum is not present at the end of this period, the meeting shall be deemed to have been counted out and the President shall adjourn it to a later hour of the same day or to any other time, not more than seven days from the date of adjournment.

3.3 Absence of Quorum—Record in Minutes

At all meetings of the Council when the Council is counted out and an absence of a quorum noted, the circumstances, together with the names of the councillors present, shall be recorded in the minutes of all such meetings.

4. MEETINGS—MINUTES

4.1 Recording of Minutes

4.1.1 The person presiding at a meeting of the Council or a committee is to cause minutes to be kept of the meeting's proceedings.

4.1.2 Binding or otherwise permanently affixing the minutes to form the leaves of a book shall be a sufficient recording of the minutes.

4.2 Confirmation of Minutes

4.2.1 Reading of the minutes of a previous meeting at a meeting of the Council or a committee may be dispensed with provided that a copy of those minutes has been supplied to each councillor at least 72 hours prior to the date of the meeting at which they are presented for confirmation.

4.2.2 The minutes of any preceding meeting or meetings of the Council or a committee, not previously confirmed, shall be submitted for confirmation to the next ordinary meeting of the Council or the committee as the case requires and no discussion of them shall be permitted except as to their accuracy as a record of the proceedings. The last page of the minutes must be signed and dated by the person presiding at the meeting certifying that the minutes have been confirmed.

4.2.3 Copies of unconfirmed minutes of each Council and committee meeting shall be made available for inspection at the Shire office, Shire library and such other publicly accessible places as determined by the Chief Executive Officer, for inspection by members of the public —

- (a) in the case of a Council meeting, within 10 business days after the meeting; and
- (b) in the case of a committee meeting, within 5 business days after the meeting.

5. MEETINGS—ORDER OF BUSINESS

5.1 Ordinary Meeting—Order of Business

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

- (a) apologies and leave of absence;
- (b) question time for the public;
- (c) petitions, memorials and deputations;
- (d) declarations of councillors and officers interest;
- (e) confirmation of minutes of previous Council meeting(s);
- (f) receipt of minutes or reports and consideration of adoption of recommendations from committee meetings held since the previous Council meeting;
- (g) motions of which notice has been given;
- (h) notice of motions for the following meeting;
- (i) Chief Executive Officer's report;
- (j) President's report;
- (k) urgent business;
- (l) councillor's questions of which notice has been given;
- (m) closure

5.2 Order of Business at Special Meeting

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

5.3 Unacceptable Business

If the Presiding member is of the opinion that any motion or business proposed to be made or transacted at a meeting is disrespectful, he or she may either before or after the same is brought forward, declare that the motion or business shall not be entertained. Any councillor may move dissent from the declaration made from the chair and in the event of the dissent being carried by a majority of the councillors present, the business referred to shall thereupon be entertained but not otherwise.

5.4 Business at Adjourned Meeting

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

5.5 Urgent Business

5.5.1 A councillor may move a motion involving urgent business that is not included in the notice paper for that meeting provided that the Presiding Member has agreed to the business being raised and the Presiding Member considers that either;

- (a) the urgency of the business is such that the business cannot wait inclusion in the notice paper for the next meeting of the Council or committee; or
- (b) the delay in referring the business to the next meeting of the Council or committee could have adverse legal or financial implications for the Council;

5.5.2 Any councillor may move without notice a procedural motion of dissent in respect of the Presiding Member's ruling that the business is not worthy of inclusion as urgent business. If the motion of dissent is agreed to at the meeting by the majority of councillors present, the business must then be included as a matter of urgent business.

5.6 Meetings of Electors

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

6. MEETINGS—PUBLIC CONDUCT

6.1 Admission and Removal of the Public

6.1.1 The public is admitted to the meeting place 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 place. This direction by the President may not be challenged by moving dissent with the ruling and the President's ruling is final.

6.1.2 Any person, not being a councillor, who interrupts the orderly conduct of the business of the Council who does not withdraw immediately upon being called by the President to withdraw from the meeting place may, by order of the President, be removed from the meeting place.

7. ROLE OF PRESIDENT

7.1 Directions by the President

7.1.1 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 Council or propose a change to the order of business.

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

7.2 The President to Take Part in Debates

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

7.3 Precedence of President

When the President speaks during the progress of a debate, any councillor then speaking, or offering to speak, shall immediately cease speaking and every councillor present shall preserve strict silence so that the President may be heard without interruption.

7.4 Dissent With the President's Ruling

Except where expressly denied in the Standing Orders or the Act, a councillor 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.

8. QUESTIONS

8.1 Questions of Which Due Notice Has to be Given

8.1.1 Any councillor seeking to ask a question at any meeting of the Council, other than committee meetings, shall give written notice of the specific question to the Chief Executive Officer at least 4 working hours before commencement of the meeting.

8.1.2 All questions and answers shall be submitted as briefly and concisely as possible.

8.2 Questions Not to Involve Argument or Opinion

In putting any question, no argument or expression of opinion shall be used or offered, nor any facts stated, except those necessary to explain the question.

9. PETITIONS, MEMORIALS, DEPUTATIONS AND COMMUNITY FORUM

9.1 Petitions and Memorials

9.1.1 Petitions and Memorials to be in Writing

Any petition or memorial to be submitted to the Council shall be in writing.

9.1.2 Presentation of Petitions and Memorials

A councillor presenting a petition or memorial shall be limited to a statement of the parties from whom it comes, of the number of the signatures attached to it, the material issues contained in it and to the reading of the prayer.

9.1.3 Responsibility of Councillor Presenting Petitions and Memorials

A councillor presenting a petition or memorial shall be familiar with the nature and contents of the petition and ascertain that it does not contain language disrespectful to the Council or other persons.

9.1.4 Procedure for Petitions and Memorials

The only question which be considered by the Council on the presentation of any petition or memorial shall be:

- (a) that the petition or memorial shall be accepted; or
- (b) that the petition or memorial not be accepted; or
- (c) that the petition or memorial be accepted and referred to a committee for consideration and report; or

(d) that the petition or memorial be accepted and be dealt with by the Council.

9.2 Deputations

9.2.1 Deputations wishing to be received by the Council shall be required in the first instance to send or deliver to the Chief Executive Officer in writing the subject matter to be raised by the deputation and the Chief Executive Officer shall arrange to have the written subject matter and deputation visit included on the agenda of the appropriate Council or committee meeting at the first possible opportunity.

9.2.2 If the committee having received the deputation is of the opinion that the deputation matter is one that should be brought before the Council, the Chief Executive Officer shall arrange for the deputation written subject matter and deputation visit to be placed on the ordinary or special Council meeting agenda at the first possible opportunity.

9.2.3 A deputation shall not exceed five in number and any member of the deputation shall be at liberty to address the Council or a committee of the Council.

9.3 Community Forum

Any member of the public may at a committee meeting of the Council, only and during the community forum segment of the agenda and with the consent of the Presiding Member, speak on any matter either on the agenda for the meeting or that comes under the jurisdiction of the Council, provided that:

- (a) the member of the public's speaking rights to be exercised before the meeting debates the particular item if it is on the agenda;
- (b) a member of the public speaking during community forum will be limited to a maximum period of three (3) minutes unless extended by the consent of the meeting which shall be signified without debate;
- (c) the meeting may, by resolution (which may be moved without notice) bring forward and deal with any item listed in the agenda immediately following the conclusion of a person's address to the meeting during community forum.

10. NOTICES OF MOTION

10.1 Notices of Motion to be in Writing

Unless the Act or the Standing Orders otherwise provides, a councillor may only bring forward at a meeting such business as is referred to in this clause in the form of a motion of which notice has been given, in writing, to the Chief Executive Officer.

10.2 Notice of Motion to the Chief Executive Officer

Notice of motion shall be given to the Chief Executive Officer either:

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

10.3 Subject of Notice of Motion

Every notice of motion shall relate to business affecting the constitution, administration or condition of the Shire of Serpentine-Jarrahdale or the Council and the Chief Executive Officer shall rule out of order any notice of motion which does not comply with this clause.

10.4 Motion to Lapse

Every such motion as is mentioned in subclause 10.1 shall lapse unless:

- (a) the councillor who gave notice, or another councillor authorised by the councillor, in writing, is present to move the motion when called on; or
- (b) the Council by resolution agrees to defer consideration of the motion to a later stage or date.

11. CONDUCT OF COUNCILLORS

11.1 Official Titles to be Used

Councillors shall address each other in the Council during the transaction of business by their respective titles of President or councillor. Councillors speaking of, or addressing officers, shall refer to them by their respective official title.

11.2 Leaving Meetings

After a meeting of the Council has been formally constituted and the business commenced, a councillor or officer of the Council shall not enter or leave such meeting without first paying due respect by deferring to the Presiding Member.

11.3 Debate—Maintenance of Order—Imputations—Offensive Expressions

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

11.4 Alcohol

Consumption of alcohol in Council or committee meetings is prohibited.

11.5 Smoking

Smoking in Council or committee meetings is prohibited.

12. CONDUCT OF COUNCILLORS DURING DEBATE

12.1 Councillors Wishing to Speak

Every councillor wishing to speak shall indicate by show of hand or other method agreed upon by the Council. When invited by the President to speak, councillors shall address the Council through the President.

12.2 Priority

In the event of two or more councillors wishing to speak at the same time, the President shall decide which councillor is entitled to priority to be heard. The decision shall not be open to discussion or dissent.

12.3 Relevance

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

12.4 Speaking Twice\Right of Reply

Except where this clause is suspended under clause 12.5, a councillor shall not speak twice on the same motion or amendment except:

- (a) in reply, upon an original motion of which the councillor was the mover;
- (b) in reply, upon an amendment last debated of which the councillor was the mover of the original motion;
- (c) by way of personal explanation, in accordance with clause 19.

12.5 Suspension

The Council may, by resolution moved without notice, suspend the operation of clause 12.4 and it shall be suspended until such time as the Council shall, by similar resolution, otherwise decide.

12.6 Limit of Speeches

A councillor shall only speak on any motion or amendment in reply for a period as in the discretion of the President is appropriate and in any event not for a period longer than five minutes without the consent of the Council, which shall be signified without debate. An extension shall not be permitted under this clause beyond a total of ten minutes.

12.7 Councillors Not to Speak After Conclusion of Debates

No councillor may speak to any motion or amendment after:

- (a) the mover has replied, or
- (b) the question has been put.

12.8 Irrelevance, Repetition, Imputations, Offensive Expressions

12.8.1 Any councillor may call the attention of the Council to continued irrelevance, tedious repetition, unbecoming language, or any breach of order or decorum on the part of a councillor. The President may then direct the offending councillor to cease the activity brought to the attention of the Council.

12.8.2 If after having been directed by the President in accordance with clause 12.8.1 to cease speaking a councillor continues to speak, any other councillor may move a motion that the councillor ceases to speak. The President shall immediately call for a seconder but there shall be no debate. If the motion is carried by a majority of councillors present, the offending councillor may take no further part in any debate on the question before the meeting.

12.9 Councillors Not to Interrupt

No councillor shall interrupt another councillor who is speaking unless:

- (a) to raise a point of order;
- (b) to call attention to the absence of a quorum;
- (c) to move a permissible procedural motion, as set out in clause 14.1.

12.10 Presiding Member's Right to Adjourn Without Explanation to Regain Order

If a meeting ceases to operate in an orderly manner, the President may use his\her discretion to adjourn the meeting for a period of up to fifteen minutes without explanation, for the purpose of regaining order. This action cannot be challenged by any councillor. Upon resumption, debate will continue at the point at which the meeting was adjourned. If, at any one meeting, the President has cause to adjourn the meeting on two occasions, the President has the right to adjourn the meeting for a period of no longer than seven days.

13. PROCEDURES FOR DEBATE OF MOTIONS

13.1 Motions and Amendments To be Presented

Any councillor who intends moving a substantive motion or amendment to a substantive motion shall present its substance before speaking to it and if required by the President, shall cause the motion or amendment to be put and submitted in writing.

13.2 Motion or Amendment to be Seconded

A motion or an amendment to a motion shall not be discussed or put to the vote unless there is a seconder.

13.3 Only One Substantive Motion Considered

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

13.4 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) the seconder to speak to the motion;
- (e) a speaker against the motion;
- (f) a speaker for the motion;
- (g) other speakers against and for the motion, alternating in view, if any;
- (h) mover takes right of reply which closes debate.

13.5 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 Councillors may not have spoken.

13.6 Secunder Requesting Right To Speak

A seconder may request the right to speak at a later time in the debate, however in the moving of any procedural motion which will close debate, or any amendment to the substantive motion, if carried, will automatically deny the seconder the right to speak to the substantive motion.

13.7 Negated Motions

A motion to the same effect as any motion that has been negated by the Council, except those motions provided for in clause 14.1 of the Standing Orders, shall not again be entertained within a period of three months except with the consent of an absolute majority of the councillors.

14. PROCEDURAL MOTIONS

14.1 Permissible Procedural Motions

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

- (a) that the Council proceed to the next business;
- (b) that the question be adjourned;
- (c) that the Council now adjourn;
- (d) that the question be put;
- (e) that Council proceed to the next business;
- (f) that the Council move into committee;
- (g) that the Council move out of committee;
- (h) that the councillor be no longer heard;
- (i) that the ruling of the President (or person chairing the meeting) be disagreed with;
- (j) that the motion lie on the table;
- (k) that the Council meet behind closed doors;
- (l) that the Council meet with open doors.

14.2 Procedural Motions Not Required in Writing

Procedural motions are not required to be presented in writing.

14.3 Procedural Motions—Recording in Minutes

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

14.4 Procedural Motions—Majority Required

Any procedural motion shall be carried upon the majority of councillors voting.

14.5 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.

14.6 Procedural Motions—Right of Reply

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

14.7 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.

15. EFFECT OF PROCEDURAL MOTIONS

15.1 That the Council Proceed to the Next Business—Effect of Motion

The motion, that the Council proceed to the next business, having been carried, will cause the debate to cease immediately and for the Council to move to the next item on the agenda of the meeting. No decision will be made on the substantive motion being discussed, nor is there any requirement for the matter to be placed on any future notice paper.

15.2 That the Question be Adjourned—Effect of Motion

The motion, that the question be adjourned, having been carried, will cause all debate on the substantive motion or amendment to cease but to continue when the discussion is reconvened.

15.3 That the Council Now Adjourn—Effect of Motion

The motion, that the Council now adjourn, having been carried, will cause the meeting to stand adjourned until it is re-opened at which time the meeting continues from the point at which it was adjourned, unless the President or the majority of councillors by voting, determine otherwise.

15.4 That the Question be Put - Effect of Motion

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

15.4.2 The motion, that the question be put, having been carried during discussion on an amendment, will cause the President to put the amendment to the vote without further debate.

15.4.3 The motion, that the question be put, having been lost, will allow debate to continue.

15.5 The Council Proceed to the Next Business—Effect of Motion

15.5.1 The motion, that the Council proceed to the next business, having been carried during discussion either on a substantive motion or an amendment, will cause the meeting to proceed to the next business with no decision required to be made. In this case, there is no requirement for the matter to be raised again, except that it can only be raised by way of another substantive motion for which due notice must be given.

15.5.2 The motion, that the Council proceed to the next business, having been lost, will cause the President to immediately put any amendment to the vote and then to offer the right of reply and put the substantive motion to the vote immediately.

15.6 That the Council Move Into Committee—Effect of Motion

The motion, that the Council move into committee, having been carried, will allow free and open discussion on the matter before the meeting. There will be no restrictions on the number of times each councillor may speak, provided that normal courtesy and order is maintained.

15.7 That the Council Move Out of Committee—Effect of Motion

The motion, that the Council move out of committee, having been carried, will see the meeting resume its former status and any decisions made during the time that the Council sits in committee must be formally agreed by the carrying of a substantive motion when the Council moves out of committee.

15.8 That The Councillor Be No Longer Heard—Effect of Motion

The motion, that the councillor be no longer heard, having been carried, will cause the President to not allow the councillor against whom the motion has been moved to speak to the current substantive motion or any amendment relating to it, except to exercise the right of reply if the person is the mover of the substantive motion.

15.9 That the Ruling of the President be Disagreed With—Effect of Motion

15.9.1 The motion, that the ruling of the President be disagreed with, 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.

15.9.2 Where the President has adjourned the meeting in accordance with clause 12.10 of the Standing Orders, the motion, that the President be disagreed with, may not be moved.

15.10 That the Motion Lie on the Table—Effect of Motion

15.10.1 The motion, that the motion lie on the table, 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.

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

15.10.3 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 the Standing Orders.

15.11 That the Council Meet Behind Closed Doors—Effect of Motion

15.11.1 In accordance with the Act, the motion, that Council meet behind closed doors, if carried, will cause the public and any officers or employees of the Shire of Serpentine-Jarrahdale as the Council determines, to leave the room.

15.11.2 Meetings or parts of meetings, may be closed to the public if the meeting or part of the meeting deals with any of the following:

- (a) a matter affecting an employee or employees of the Shire of Serpentine-Jarrahdale;
- (b) the personal affairs of any person;
- (c) a contract entered into, or which may be entered into, by the Council and which relates to a matter to be discussed at the meeting;
- (d) legal advice obtained, or which may be obtained, by the Council and which relates to a matter to be discussed at the meeting;
- (e) a matter that if disclosed would reveal:
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,
where the trade secret or information is held by, or is about, a person other than the Council;
- (f) a matter that if disclosed, could be reasonably expected to:
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) endanger the security of the Council's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
- (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1971; and
- (h) such other matters as may be prescribed by regulations made under the Act.

15.12 That Council Now Meet With Open Doors

The motion, that Council now meet with open doors, if carried, will revert the meeting to its former status, being open to the public.

16. DECISION MAKING PROCEDURES

16.1 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 councillors present within the meeting place and voting, at a properly constituted meeting, unless otherwise provided for in the Standing Orders or the Act.

16.2 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.

16.3 Councillor May Require Questions to be Read

Any councillor may require the question or matter under discussion to be read at any time during a debate but not so as to interrupt any other councillor whilst speaking.

16.4 Order of Amendments

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

16.5 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 Council upon which any councillor may speak and any further amendment may be moved.

16.6 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 of the Council, except by agreement of the majority of councillors present.

16.7 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.

16.8 Withdrawal of Motion and Amendments

Council may, without debate, grant leave to withdraw a motion or amendment upon the request of the mover of the motion or amendment and with the approval of the seconder provided that there is no objection raised by any councillor, in which case discussion on the motion or amendment shall continue.

16.9 Limitation of Withdrawal

Subject to clause 16.10, where an amendment has been moved to a substantive motion, the substantive motion shall not be withdrawn, except by consent of the majority of councillors present, until the amendment proposed has been withdrawn or lost.

16.10 Authority for Withdrawal

A motion or amendment to a motion shall not be withdrawn in the absence of the councillor who proposed it, except with their written authority.

16.11 Right of Reply

16.11.1 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 councillor shall speak on the question.

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

16.12 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 any amendment does not have a right of reply.
- (d) once the right of reply has been taken as the mover of the substantive motion, there can be no further discussion, nor any other amendment and the substantive motion as amended is immediately put to the vote.

16.13 Amendments to be Relevant

Every amendment shall be relevant to the motion upon which it is moved and be framed to show precisely which words need to be deleted, added or altered.

16.14 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.

16.15 Mover of Motion Not to Speak on Amendment

On an amendment being moved, any councillor 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, their right of reply is forfeited.

16.16 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 to the Council, and if required by any councillor, shall again state it.

16.17 Question—Method of Voting

If a decision is not clear or in doubt, the President shall put the question as often as necessary to determine the decision from a show of hands or other method agreed upon by Council before declaring the decision which shall be final unless a call for a recording of votes is received, as provided for in clause 16.18 of the Standing Orders.

16.18 Recording of Votes

If a councillor of Council or a committee specifically requests that there be recorded

- (a) his or her vote; or
- (b) the vote of all councillors present;

on a matter voted on at a meeting of the Council or a committee, then the votes shall be recorded in the minutes.

16.19 Revoking or Changing Decisions Made at Council or Committee Meetings - When This Can Occur

16.19.1 A substantive motion may be revoked at any time provided that no action in relation to the resolution being rescinded has already occurred;

16.19.2 If a decision has been made at a Council or a committee 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 has been made within the previous three 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 councillors of the Council or committee

inclusive of the mover.

16.19.3 If a decision has been made at a Council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made

- (a) in the case 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.

16.19.4 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.

16.20 Unopposed Business

16.20.1 Upon a motion being moved and seconded, the President shall enquire if any councillor opposes that motion. If no one indicates an intention to oppose the motion, the President may proceed to put the motion to the vote without debate.

16.20.2 If a councillor signifies opposition to a motion the motion shall be dealt with according in to the Standing Orders generally.

16.21 All Councillors to Vote

16.21.1 At every meeting of the Council, except where the Act otherwise provides, each councillor and each member of a committee to which a Council power or duty has been delegated who is present at the meeting shall vote and if any councillor fails to vote, the Presiding Member shall call upon him\her to vote.

16.21.2 If the votes of councillors present at a Council or committee meeting are equally divided, the Presiding member may cast a second vote.

17. POINTS OF ORDER

17.1 Points of Order—When to Raise—Procedure

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

17.2 Points of Order—Definitions

Expressing a difference of opinion or to contradict a speaker shall not be recognised as raising 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 Council;
- (b) that offensive or insulting language is being used;
- (c) drawing attention to the violation of any local law or the Standing Orders of the Council, providing that the councillor raising the point of order shall state the local law or standing order believed to be breached.

17.3 Points Of Order—Ruling

The President shall give a decision on all points of order raised by either upholding or rejecting the point of order.

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

The ruling of the President upon any point of order shall be final, unless a majority of the councillors support a motion of dissent with the President's ruling.

17.5 Points of Order—Motion Against Ruling Procedure

An objection having been taken to the ruling of the President, the councillor 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 of the Council.

17.6 Points of Order Take Precedence

Notwithstanding anything contained in the 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 matter.

18. ADJOURNMENT OF MEETING

18.1 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 the adjournment.

18.2 Notice of Adjourned Meeting

When a meeting is adjourned, if time permits, notice of the adjourned meeting shall be forwarded to each councillor in the manner provided in clause 2 of the Standing Orders.

18.3 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.

18.4 Limit to Moving Adjournment of Council

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

18.5 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.

18.6 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 councillor objects to the withdrawal, the motion must continue to be debated.

19. PERSONAL EXPLANATION

19.1 Personal Explanation

No councillor shall speak, except upon the question before the Council, unless it is to make a personal explanation. Any councillor who is permitted to speak under these circumstances must confine the personal explanation to a succinct statement relating to a specific part of the former speech which may have been misunderstood.

19.2 Personal Explanation—When Heard

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

19.3 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.

20. COMMITTEES OF COUNCIL

20.1 Committees

Committees of the Council shall operate in accordance with the Act and its regulations.

20.2 Standing Orders to Apply to Committees

The Standing Orders shall apply generally to the proceedings of committees of the Council except that the requirement for councillors to speak only once shall not be applied in meetings of committees and at meetings of committees of the Council only, with the petitions, memorials and deputations segment of the meeting agenda, there shall be a community forum segment as set out in clause 9.3 of the Standing Orders.

20.3 Attendance by Councillors as Observers

Councillors have the right to attend meetings of committees that they are not appointed to as observers and may be permitted by the Presiding Member to speak on any matter under consideration by the committee but shall not be entitled to vote.

21. ADMINISTRATIVE MATTERS

21.1 Copies of Acts and Standing Orders and Papers to Councillors of the Council

The Chief Executive Officer shall provide to each councillor as soon as convenient after being elected to office, a copy of the Acts and local laws regulating and governing the administration of the local government.

21.2 Custody and Use of Common Seal

The Chief Executive Officer shall have charge of the common seal of the Council and shall be responsible for the safe custody and proper use of it.

21.3 Seal Not to be Improperly Used

Except as required by law, or in the exercise of the express authority of the Council, the Chief Executive Officer shall not use the common seal of the Council.

21.4 Suspension of Standing Orders

The mover of a motion to suspend any standing order shall state the clause or subclause of the Standing Orders to be suspended.

21.5 Cases not Provided for in the Standing Orders

The Presiding member shall decide all questions of order, procedure, debate or otherwise where no provision or insufficient provision is made in the Standing Orders.

21.6 Decisions of the Presiding member

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

21.7 Penalty for Breach of Standing Orders

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

21.8 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 the Standing Orders even if it requires interrupting any person speaking, including the President.

21.9 Enforcement

21.9.1 The Presiding member of any Council or committee meeting is authorised to enforce the Standing Orders during the course of the meeting.

21.9.2 No action shall be taken by the Shire of Serpentine-Jarrahdale to institute legal proceedings for an alleged breach of the Standing Orders unless by resolution of the Council.

21.10 Local Laws Repealed

The local laws of the Serpentine-Jarrahdale Road Board published in the *Government Gazette* on 16th April 1937 and subsequently amended in the *Government Gazette* dated 23rd May 1947, 9th September 1949, 1st September 1950, 26th January 1955, 30th December 1955, 15th June 1956 and 31st May 1960, are hereby repealed.

Dated this 31st day of January 1997.

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

COLLEEN H. RANKIN, President.
NED D. FIMMANO, Chief Executive Officer.

LG302

LOCAL GOVERNMENT ACT 1995

Shire of Serpentine-Jarrahdale

REPEAL OF LOCAL LAWS

In pursuance of the powers conferred upon it by the Local Government Act 1995 and all other powers enabling it, the Council of the Shire of Serpentine-Jarrahdale hereby records having resolved on the 2nd December 1996 to submit for confirmation by the Governor, the repeal of the following local laws:

Straying Stock:	published in <i>Government Gazette</i> 19th March 1926
Appointment of Employees:	published in <i>Government Gazette</i> 19th December 1941
Minimum Area for Buildings:	published in <i>Government Gazette</i> 10th December 1948
Buildings:	published in <i>Government Gazette</i> 21st January 1949 and amendments published in <i>Government Gazettes</i> 9th January 1953 and 24th December 1953
Long Service Leave:	published in <i>Government Gazette</i> 2nd November 1951
Pipes & Pipelines Beneath Roads:	published in <i>Government Gazette</i> 13th November 1941 and amendments published in <i>Government Gazette</i> 14th December 1973
Motels:	published in <i>Government Gazette</i> 5th January 1961
Requiring the Removal of Rubbish etc.:	published in <i>Government Gazette</i> 2nd March 1961
Old Refrigerators & Cabinets:	published in <i>Government Gazette</i> 29th November 1962
Holiday Cabins & Chalets:	published in <i>Government Gazette</i> 22nd January 1969
Petrol Pumps:	published in <i>Government Gazette</i> 26th February 1971 and amendments published in <i>Government Gazette</i> 19th December 1986
The Control & Damage of Council Halls:	published in <i>Government Gazette</i> on 2nd February 1973
Prevention of Damage to Streets:	published in <i>Government Gazette</i> on 16th September 1983
Parking of Commercial Vehicles on Street Verges:	published in <i>Government Gazette</i> on 14th October 1983
Signs on Municipal Property:	published in <i>Government Gazette</i> on 13th July 1984

Dated this 31st day of January 1997.

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

COLLEEN H. RANKIN, President.
NED D. FIMMANO, Chief Executive Officer.

LG303**LOCAL GOVERNMENT ACT 1995***Shire of Gingin*

Parking Facilities Local Law

The Council of the Shire of Gingin under the powers conferred upon it by the Local Government Act 1995 as amended resolved on the 17 October 1996, to make and submit for confirmation by the Governor the following Local Law.

Arrangement

- Part 1—Preliminary
- Part 2—Parking on Roads
- Part 3—Standing and Parking Generally
- Part 4—Miscellaneous
- Schedules

Part 1—Preliminary

Citation

1. This Local Law may be cited as the Shire of Gingin Parking Facilities Local Law.

Definitions

2. In this Local Law unless the context requires otherwise—
 - “Act” means the Local Government Act 1995 as amended.
 - “appointed place” means a place appointed by the Council to which vehicles causing an obstruction may be removed;
 - “AS” means Australian Standard published by the Standards Association of Australia;
 - “authorised person” means a person appointed by the Council to administer the Local Law.
 - “authorised vehicle” means a vehicle authorised by the Council or an authorised person to stand or park on a road, which is designated by signs to be used for parking by authorised vehicles only;
 - “carriageway” means a portion of the road that is improved, designed or ordinarily used for vehicular traffic, and includes the shoulders, and areas including embayments at the side or centre of the carriageway, used for the standing of parking of vehicles. Where a road has two or more of those portions divided by a median strip, the expression means each of those portions separately;
 - “CEO” means the Chief Executive Officer of the Shire of Gingin;
 - “Council” means the Shire of Gingin;
 - “driver” means any person driving or in control of, a vehicle or animal.
 - “footpath” includes a path used by, or set aside or intended for use by, pedestrians or both pedestrians and cyclists;
 - “median strip” means—
 - (a) any physical provision, dividing a road to separate vehicular traffic proceedings in opposite directions.
 - (b) Any physical provision, including a traffic island designed to separate parked vehicles from vehicular movement areas.
 - “member of the Police Force” means a member of the Police Force of Western Australia;
 - “Minister” means the Minister for Local Government.
 - “Notice” means a notice in the form of Form 1, Form 2 or Form 3 issued pursuant to clauses 24-26 inclusive of this Local Law.
 - “owner” of a vehicle means the person who is the holder of the requisite vehicle license under the Road Traffic Act in respect of that vehicle, or the person who is entitled to the possession of the vehicle.
 - “park” means to permit a vehicle, whether attended or not, to remain stationary except for the purpose of avoiding conflict with other traffic, or complying with the provisions of any law.
 - “parking facilities” includes land, buildings, shelters, parking spaces and any other facilities open to the public generally for the parking of vehicles with or without signs used in conjunction with those things.
 - “Parking Region” means the whole of the Shire of Gingin excluding the following portions—
 - (a) prohibition areas applicable to all bridges and subways;
 - (b) any roads which come under the control of the Commissioner of Main Roads.
 - “parking space” means a section or part of a road, reserve which is marked or defined by painted lines or by similar devices for the purpose of indicating where vehicles may stand or park.

“road” means any road, street, land, thoroughfare or similar place within the parking region, and includes all of the land lying between the property lines including street verge and footpath.

“Road Traffic Act” means the Road Traffic Act 1974 as amended.

“sign” means a traffic sign, mark or structure, symbol or device placed, erected on or near a road, or a reserve for the purpose of regulating or guiding parking of vehicles.

“stand” in relation to a vehicle, means to stop a vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic.

“street” has the same meaning as road.

“symbol” means a letter, figure or other character or mark or combination of letters or such like, without limiting the generality of the foregoing includes any symbol issued or specified by the Australian Standard 1742.11-1989 for use in the regulation of parking.

“vehicle” includes—

(a) every conveyance, not being a train, vessel or aircraft any every object capable of being drawn propelled, on wheels or tracks, by any means;

and

(b) where the context permits an animal being ridden or driven.

Application of Local Law

3. This Local Law shall apply to all parking facilities in the parking region. However, the provisions of this Local Law shall not apply to any parking facility—

- (a) which is not owned, controlled, nor occupied by the Council or;
- (b) which although owned by the Council is leased to another person.

Vehicle Classification

4. For the purpose of these Local Laws, vehicles are—

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

Application of Signs

5. (1) Where the standing or parking of vehicles in a street is regulated by a sign, then the sign shall for the purpose of the Local Law apply to that part of the street which—

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

(2) For the purpose of this Local Law a sign may prohibit or regulate parking or standing by the use of any symbol or other traffic control device in accordance with AS.1742.11.

Part 2—Parking on Roads

Establishing and amending the parking Scheme

6. The Council may by resolution constitute, determine, vary and indicate by signs—

- (a) prohibitions
- (b) regulations; and
- (c) restrictions

on the parking and standing of vehicles in all roads, specified roads or specified parts of roads in the parking region.

Parking Contrary to Signs

7. (1) A person shall not stand a vehicle on a road or part of a road—

- (a) upon which the standing of vehicles is prohibited at all time by a sign;
- or
- (b) upon which the standing of vehicles is prohibited at that time by a sign.

(2) A person shall not park a vehicle on a road or part of a road—

- (a) upon which the parking of vehicles is prohibited at all times by a sign;
- or
- (b) upon which the standing of vehicles is prohibited at that time by a sign.

(3) A person shall not stand or park a vehicle on any part of a road whether or not that part is marked as a parking space, for more than 24 hours or a time specified by signage.

Occupied Parking Spaces

8. A person shall not stand or park or attempt to stand or park a vehicle in a parking space on which another vehicle is standing or parking.

Median Strip and Traffic Islands

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

- (a) on a median strip;
- (b) adjacent to a median strip otherwise than in a parking space.

Parking Position on Road

10. (1) A person shall not park or stand a vehicle or permit a vehicle to stand or park on any road otherwise than—

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

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

Traffic Obstructions

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

- (a) in front of a right of way, passage or private driveway or so close as to deny vehicles reasonable access, or egress from said right of way, passage or private driveway;
- (b) upon an intersection except adjacent to a carriageway boundary that is broken by an intersection carriageway;
- (c) on or over a footpath or place of refuge for pedestrians.

Double Park

12. A person shall not stand or park a vehicle on a road so that portion of the vehicle is between any vehicle parked or standing on a carriageway of that road and the centre of that road.

Verge Parking

13. A person shall not stand or park a vehicle on a street verge where signs prohibit the standing or parking of vehicles on that verge.

Direction to Move Vehicle

14. A person shall not permit a vehicle to stand or park in any part of a street, if any authorised person or member of the Police Force directs the driver of such vehicle to move it.

Repairs to Vehicles

15. A person shall not park on any portion of a street—

- (a) for the purpose of effecting repairs to it, other than the minimum repairs required to enable the vehicle to be moved to a place other than a road;
- (b) if the vehicle is exposed for sale.

Part 3—Standing and Parking Generally**Cycle Parking**

16. A person shall not park or stand a cycle in a parking space.

Private Property

17. A person shall not stand or park or permit to park or stand on land which is not part of a road or parking facility without consent of the owner or person in occupation of such land.

Overlength Vehicle Parking

18. A person shall not stand or park a vehicle or any combination of vehicles that, together with anything in or on that vehicle is more than 8 metres in length on a carriageway for any period exceeding 24 hours.

Parking on Reserves

19. A person shall not stand or park a vehicle on a public reserve, other than within a parking facility on that reserve, without the permission of the Police Force.

Camping

20. A person shall not cause a vehicle to be parked in such a manner as to be used in whole or part as a camping facility on reserves under control of the Shire of Gingin other than in those areas designated for use as camping areas.

Part 4—Miscellaneous

Affixing Signs and Notices

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

Appointment of Authorised Person

22. The Council may appoint a person as an authorised person for the purpose of this Local Law.

Impersonation of Authorised Person

23. A person who is not an authorised person shall not in any way assume the duties of an authorised person.

Obstruction of Authorised Person

24. A person shall not in any way obstruct or hinder an authorised person in the execution of any duty under this Local Law.

Form 1—Original Notice

25. An infringement notice served under sub section 4 of section 9.13 of the Act in respect of an offence against this Local Law shall be in or to the effect of Form 1 of schedule 2 of this Local Law.

Form 2—Notice to Identify Driver

26. A notice served under subsection 3 of section 9.13 of the Act in respect of an offence alleged to have been committed against this Local Law shall be in or to the effect of Form 2 of schedule 2 of this Local Law.

Form 3—Withdrawal Notice

27. A notice sent under section 9.20 of the Act withdrawing an infringement notice served under that section in respect of an offence alleged to have been committed against this Local Law shall be in or to the effect of Form 3 of schedule 2 of this Local Law.

Removal of Notice

28. A person other than the driver or owner of a vehicle shall not remove from that vehicle any notice affixed to or on it by an authorised person or a member of the Police Force.

Offence

29. Any person who contravenes or fails to comply with the provisions of the Local Law commits an offence and is liable upon conviction to a penalty not exceeding \$1 000.00.

Modified Penalties

30. The amount appearing in column 4 of schedule 3 is the modified penalty for an offence if the offence is dealt with under section 9.21 of the Act.

Recovery of Penalties

31. A penalty, other than a modified penalty, for an offence against this Local Law, may be recovered from the alleged offender by use of either the Fines Enforcement Registry, or the Council in proceedings in a Court of Petty Sessions.

SCHEDULE 2

Form 1

Shire of Gingin Parking Facilities Local Law
INFRINGEMENT NOTICE UNDER SECTION 9.16
INFRINGEMENT NUMBER.....

To the Owner/Driver of Vehicle registration No.Make.....
Model..... Your are hereby notified that it is alleged that on.....
19..... at about.....you did commit a breach of the Shire of Gingin
Parking Facility Local Law as indicated by a cross or crosses in a box or boxes below—

Nature of Offence	Modified Penalty
<input type="checkbox"/> *Standing in a No Standing Area (Section 7 (1) (a))	\$50.00
<input type="checkbox"/> *Parking in a No Parking Area (Section 7 (2) (a))	\$50.00
<input type="checkbox"/> *Parking across a Right of Way or Private Driveway (Section 11 (a))	\$50.00
<input type="checkbox"/> *Parking on or over a Footpath (Section 11 (c))	\$50.00

Nature of Offence	Modified Penalty
<input type="checkbox"/> *Parking on a Public Reserve (Section 19)	\$50.00
<input type="checkbox"/> *Other	\$50.00

If you do not wish to have a complaint of the above offence heard and determined by a court, you may pay the modified penalty within 28 days after the day of service of this notice.

Payment may be made either by posting this form together with the amount of \$.....to the Shire of Gingin, 7 Brockman Street, Gingin, WA 6503, or in person by delivering this form and paying the above amount to the Shire Offices between the hours 8.30 am and 4.00 pm Mondays to Fridays.

Unless within 28 days after service of this notice you—

- (a) the modified penalty is paid
- (b) inform the CEO of the Shire of Gingin to the identity and address of the person who was driving or the person in charge of the above vehicle at the time of the above alleged offence; or
- (c) apply under (S9.19 of the Local Government Act 1995) for an extension of time; or
- (d) satisfy the CEO of the Shire of Gingin that the above vehicle had been stolen or was being unlawfully used at the time of the above alleged offence, you will, in the absence of proof to the contrary, be deemed to have committed the above alleged offence and court proceedings may be instituted against you.

Signature of authorised officer.....

Form 2
 LOCAL GOVERNMENT ACT 1995
 Shire of Gingin Parking Facilities Local Law

TO:

You are hereby notified that it alleged that the driver or person in charge of the vehicle did in contravention of the Shire of Gingin Parking Facilities Local Laws, commit the offence shown below on the date and time shown.

Infringement Number.....
 Date..... Time.....
 Offence Clause..... Code.....
 Plate Number.....
 Vehicle Make..... Vehicle Model.....

In accordance with Section 9.13 of the Local Government Act 1995, you will, in the absence of proof to the contrary, be deemed to have committed the offence detailed hereunder and court proceeding may be instituted against you, unless within twenty-eight (28) days after the date of service of this notice you—

- (a) Finalise the Infringement Notice through the payment of the amount.
- (b) Inform the CEO of the Shire of Gingin in WRITING as to the identity of the person who was the person or driver in charge of the above vehicle at the time of the alleged offence.
- (c) Apply to the CEO of the Shire of Gingin for an extension of time under S9.19 of the Local Government Act 1995.
- (d) Satisfy the CEO of the Shire of Gingin in WRITING that the above vehicle had been stolen or was being unlawfully used at the time of the alleged offence.

Infringement details—

Offence description.....
 Place, Street.....
 Penalty \$.....
 Amount Due \$.....
 Date Due.....
 Signature of Authorised Officer.....

Form 3
LOCAL GOVERNMENT ACT 1995
Shire of Gingin Parking Facilities Local Law
Notice of Withdrawal

TO:

Dear Sir/Madam,

Notice of Withdrawal of proceedings under Section 9.20 of the Act.

Infringement No

Date

Time

Code

Plate Number

Vehicle Make

Vehicle Model

Description

Location

Take notice that I, being authorised to do so, hereby withdraw proceedings in relation to the Infringement Notice issued for the above offence.

Authorised Person.....Date.....

SCHEDULE 3

Shire of Gingin Parking Facilities Local Law

MODIFIED PENALTIES

Item No.	Section	Nature of Offence	Modified Penalty \$
1	7 (1) (a)	Standing in a No Standing Area	50
2	7 (2) (a)	Parking in a No Parking Area	50
3	8	Standing or Parking in an occupied space	50
4	9	Standing or Parking on or adjacent to a median strip	50
5	10 (1) (c)	Parking outside parking space marked on road	50
6	11 (a)	Parking in front of a driveway	50
7	11 (b)	Parking on/in an intersection	50
8	11 (b)	Parking causing a traffic obstruction	50
9	11 (c)	Parking on a footpath	50
10	13	Standing or Parking on a verge contrary to signs or without consent	50
11	14	Failing to move vehicle after direction	50
12	15 (a)	Parking a vehicle on a street to repair it	50
13	15 (b)	Unauthorised parking	50
14	17	Standing or parking on private property without consent	50
15	19	Parking on a Reserve	50
16		All other offences not classified in which the use, driving, standing or leaving of a vehicle is an element	50

LG304*

LOCAL GOVERNMENT ACT 1995*Shire of Harvey***STANDING ORDERS**

Local Law Relating to the Conduct of Proceedings and the Business of Council

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 28th January, 1997 to—

Repeal by-laws relating to Standing Orders, published in the *Government Gazette* on the 3rd September, 1982, and subsequent amendments to the by-laws published 21st October, 1986, 2nd September, 1988, 7th December, 1990, 8th February, 1991, and 3rd March, 1995; and to introduce a new Local Law for Standing Orders

1.0 INTERPRETATION**Standing Orders**

1.1 The proceedings and business of the council shall be conducted according to this Local Law which shall be referred to as “the standing orders”.

Interpretation

1.2 In this Local Law—

“Act”—means the Local Government Act 1995.

“chairperson”—means any person presiding at any meeting to which the standing orders apply.

“CEO”—means the Chief Executive Officer of the Shire of Harvey or a person acting in that capacity.

“committee”—means any committee comprising Council members only, Council members and employees, or other persons appointed by the Council.

“council”—means the council of the Shire of Harvey.

“deputation”—means a pre-determined arrangement for a person or persons to address the council or a committee at a specified time during the meeting other than public question time or during the time allocated in clause 7.2 for members of the public to address committee meetings.

“elector”—means a person who is eligible to be enrolled to vote at elections for a ward within the Shire of Harvey.

“employee”—means any person employed by the Shire of Harvey.

“meeting”—means any ordinary or special meeting of the council or a committee.

“member”—has the same meaning as defined in section 1.4 of the Act and includes any employees appointed to a committee in accordance with section 5.9 (2)(b) of the Act.

“negated”—means lost on a vote of the members of the council or of a committee.

“officer”—means any employee in attendance at a meeting.

“question”—means a request for information or an enquiry.

1.3 Words used in the standing orders have the same meaning as given to them for the purposes of the Act unless the context requires otherwise.

2.0 MEETINGS—NOTICE AND BUSINESS**Kind of Meetings.**

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

Service of Notices

2.2 A notice of meeting shall be in writing and served on each member—

- (a) by delivering it to the member personally; or
- (b) by delivering it to the member’s usual place of abode or business; or
- (c) by sending it to the member by post or electronic mail at the member’s usual place of abode or business and a notice sent by post shall be deemed to have been served at the time when in the ordinary course of post it would have reached the address to which it was sent;
- (d) notices shall be signed by the CEO and shall state the place, date and hour of holding the meeting and state the business to be transacted. At least 72 hours notice of the meeting is to be given.

Notice of Special Meeting

2.3 Notwithstanding clause 2.2 a notice concerning a special meeting may be given in a person to person telephone call to the chairperson and each of the members before the holding of the meeting.

Notice of Adjourned Meeting

2.4 When a meeting is adjourned to a day and hour other than the next ordinary meeting, notice of the adjourned meeting shall, if time permits, be sent in the manner provided in clause 2.2 to each member, specifying the nature of the business to be transacted.

Failure to Receive Notice Not to Invalidate Proceedings

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

Business

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

- (a) matters which the Act permits to be dealt with without notice;
- (b) matters which the standing orders permit to be dealt with without notice.

Order of Business

2.7 The order of business at meetings of the council shall, unless altered by the chairperson or by council resolution, be as nearly as practicable as follows—

- (a) apologies and leave of absence;
- (b) reading from the Bible;
- (c) public question time;
- (d) confirmation of minutes;
- (e) announcements by the chairperson or CEO without discussion;
- (f) declarations of members and officers interest;
- (g) petitions and memorials;
- (h) correspondence;
- (i) minutes of committee meetings;
- (j) reports of officers—CEO and Shire Engineer;
- (k) motions of which notice has been given;
- (l) notice of motion for consideration at the following meeting;
- (m) questions from members without notice;
- (n) reports of members
- (o) orders of the day;
- (p) motions without notice (by permission of majority of members)
- (q) closure.

Order of Business at Other Meetings

2.8 The order of business at any other meeting shall be the order in which that business stands in the notice of the meeting unless the chairperson or members, by resolution, alter the order of business.

Unacceptable Business

2.9 If the chairperson is of the opinion that any motion, question or business proposed to be made or transacted at a meeting is disrespectful, the chairperson may declare either before or after the motion, question or business is brought forward, that the motion, question or business shall not be entertained. Any member may move dissent from the declaration made by the chairperson, and in the event of the dissent motion being carried by a majority of the members present the business referred to shall be entertained, but not otherwise.

Business at Adjourned Meeting

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

3.0 MEETINGS—QUORUM**Quorum**

3.1 Except in cases where the Minister for Local Government may have reduced the number necessary to form a quorum for a council meeting or the council may have reduced the number necessary to form a quorum for a committee meeting, the number of members necessary to form a quorum for any meeting—

- (a) where the total number of offices of member (whether vacant or not) is an even number, is one half of that total;
- (b) where the total number of offices of member (whether vacant or not) is an odd number, is the integer nearest to, but greater than, one half of that total.

Quorum Must Be Present

3.2 Business shall not be transacted at a meeting unless a quorum is present.

Absence of Quorum

3.3 If at any meeting a quorum is not present within half an hour after the time appointed for that meeting, the chairperson or in the absence of a chairperson the majority of the members present, or any one member, if only one be present, or if no member is present, the CEO or a person authorised by the CEO, may adjourn the meeting to some future date.

Absence of Quorum During Meeting

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

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

Names Recorded

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

4.0 MEETINGS—MINUTES**Minutes of Council Meetings**

4.1 Except as provided for in clause 2.10, the minutes of any preceding meeting of the council, whether ordinary or special, not previously confirmed shall be submitted and confirmed at ordinary meetings of the council and no discussion thereon shall be permitted except as to their accuracy as a record of the proceedings, and each page of the minutes shall then, if found to be correct, be signed and dated by the chairperson.

Minutes of Committee Meetings

4.2 (1) All minutes and reports of committees to be presented at any meeting of the council shall be sent to each member of the council at least 72 hours before the commencement of the meeting at which they are presented.

(2) Provided always that it shall be competent for any member of council to move as a matter of urgency that minutes and reports of committees, which have not been sent to each member of the council as previously prescribed by this clause be entertained, and in the event of the same being carried by a majority of the members present the minutes and reports referred to shall thereupon be entertained but not otherwise.

(3) Reports of committees shall be presented to the council by the chairperson of each committee concerned or in his/her absence, a member of the committee, in the form of a motion "That the recommendations of the report be received and adopted". No objection to the reception of the reports of any committee or any part thereof, shall be raised when such reports are presented to the council, except for reasons arising out of such reports.

Circulation of Minutes

4.3 A copy of the minutes of all meetings shall, as soon as practicable after the meeting be provided to all councillors.

5.0 MEETINGS—QUESTIONS**Questions and Answers to be Brief**

5.1 (1) Every question and answer shall relate to the business of council, be submitted as briefly and concisely as possible and no discussion shall be allowed.

(2) In asking any question, no argument or expression of opinion shall be used or offered, nor any facts stated, except those to explain the question.

Questions from Members

5.2 (1) A member may ask a question at a council meeting regarding general information as to the business or procedure of the council during time allocated for questions from members without notice. If the answer to the question at the meeting at which it is asked cannot be given, the CEO or officer authorised by the CEO shall arrange for—

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

(2) A member may at any time ask a question, through the chairperson, of any other member or officer. The question shall relate to the matter under consideration and the chairperson shall have the power to refuse to have any question answered when the chairperson is of the opinion that the question is irrelevant, repetitious, mischievous or unnecessary.

Public Question Time

5.3 (1) Public question time shall be held in accordance with section 5.24 of the Act prior to the discussion of any matter that requires a decision to be made by the meeting.

(2) Questions asked by the public must be in written form and handed to the Chairperson.

6.0 MEETINGS—NOTICE OF MOTIONS

Notice of Motion

6.1 (1) A member may bring forward at a meeting such business as he/she considers desirable or necessary, in the form of a motion, of which notice has been given in writing to the CEO, either at the last previous meeting or at any time thereafter, being not less than three clear days before the meeting at which it is brought forward.

(2) Every notice of motion shall relate to some question affecting the constitution, administration, or condition of the municipality or council.

(3) The Chairperson shall rule out of order any motion which does not comply with sub-clause (2) of this clause.

(4) Every such resolution as is mentioned in clause 6.1 (1) shall lapse unless:

- (a) the member who gave notice thereof, or some other member authorised by him/her in writing, is present to move the motion when called on; or
- (b) the meeting on a motion agrees to defer consideration of the motion to a later stage or date.

7.0 DEPUTATIONS/ADDRESSING COMMITTEES

Deputations

7.1 (1) Any person or persons wishing to be received as a deputation shall, in the first instance, send to the CEO a memorial, setting out in concise terms the subject matter to be raised by the deputation.

(2) Where the CEO receives a memorial in terms of this clause, he/she shall lay the memorial—

- (a) before the council or committee concerned; or
- (b) before the chairperson.

(3) The council, committee or chairperson receiving a memorial in terms of this clause may either receive the deputation or lay the memorial before the meeting.

(4) Where a memorial is laid before the meeting under sub-clause (3) of this clause, the meeting may, if it so resolves, receive the deputation.

(5) A deputation shall not exceed five in number and only two members thereof shall be at liberty to address the council or a committee, except in reply to questions from members of the council or committee and the matter shall not be further considered by the council or the committee, until the deputation has completed its address and has retired to the gallery.

8.0 MEETINGS PROCEDURE

Presiding at Council Meetings

8.1 The president, shall preside at all ordinary and special meetings of the council and in the president's absence, or if after being present the president retires or is unable or unwilling to preside, the deputy president shall preside but if the deputy president is not present, or after being present retires or is unable or unwilling to preside, then one of the members chosen by majority vote of the members then present shall preside.

Presiding at Committee Meetings

8.2 The presiding member of a committee elected in accordance with the Act shall preside at a meeting of that committee and in the presiding member's absence, or if after being present the presiding member retires or is unable or unwilling to preside, the deputy presiding member shall preside but if the deputy presiding member is not present, or after being present retires or is unable or unwilling to preside, then one of the members chosen by majority vote of the members then present shall preside.

Members to Address the Chairperson

8.3 Except where this clause is suspended under clause 8.11, any member moving a motion or amendment, or taking part in the discussion thereof at a council meeting shall, except when prevented by sickness or physical disability stand and address the chairperson.

Respect to the Chairperson

8.4 After any meeting has been formally constituted and the business thereof commenced, a member shall not enter, leave or withdraw from such meeting without first paying due respect to the chairperson.

Titles to be Used

8.5 A speaker, in referring to any other member or officer present, shall designate that person by his/her appropriate title.

Priority of Speaking

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

Chairperson to be Heard

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

Chairperson to Take Part in Debates

8.8 Subject to the provisions of the Act and the standing orders, it shall be competent for the chairperson to move or second motions as well as to take part in a discussion upon any motion or business before the meeting.

Speaking Twice/Right of Reply

8.9 Except where this clause is suspended under clause 8.11, a member shall not speak twice on the same motion at a council meeting except—

- (a) in reply, upon an original motion of which the member was mover;
- (b) in reply, upon an amendment last debated of which the member was the mover;
- (c) by way of personal explanation, in accordance with part 10.0.

Speaking in Reply

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

Suspension

8.11 At a council meeting members may, by resolution moved without notice, suspend the operation of clause 8.3 or clause 8.9, and thereupon such clause shall be suspended until such time as the members, by similar resolution, otherwise decide.

No Speech After Certain Events

8.12 Subject to clause 11.3 no member shall speak on any motion or amendment—

- (a) after the mover has replied; or
- (b) after the question has been put.

Mover and Seconder Have Spoken

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

Limit of Speeches

8.14 A member shall not speak on any motion or amendment or in reply for a longer period than five minutes without the consent of the members, which shall be signified without debate. Only one extension of five minutes may be permitted.

9.0 POINTS OF ORDER**Point of Order to be Heard**

9.1 No member shall interrupt another member addressing the meeting except to raise a point of order in which event the member shall cease speaking and be seated until the member raising the point of order has been heard and the question of order has been disposed of whereupon the member so interrupted may if permitted, stand and proceed.

Acceptable Points

9.2 (1) A member expressing a difference of opinion with or contradicting a speaker shall not be recognised as raising a point of order. The following shall be recognised as points of order—

- (a) discussion on a question not before the meeting;
- (b) the use of offensive or insulting language;
- (c) the violation of the standing orders or of the Act.

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

Precedence to Points of Order

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

Rulings by Chairperson

9.4 The chairperson, when deciding a point of order shall give a decision which decision shall be final unless a majority of members then present vote in favour of a motion of dissent.

10.0 PERSONAL EXPLANATION**Personal Explanation**

10.1 (1) Unless otherwise permitted by the standing orders a member shall not speak or digress on any matter, other than the matter before the meeting unless it is to make a personal explanation.

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

Personal Explanation—Member to be Heard

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

Ruling on Questions of Personal Explanation

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

11.0 MOTIONS AND AMENDMENTS

Wording of Motion or Amendment to be Stated

11.1 Any member desirous of proposing a motion or amendment shall state the wording of the motion or amendment before the member addresses the meeting on the motion or the amendment and, if so required by the chairperson shall put the motion or amendment in writing.

Motions and Amendments to be Seconded

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

Member May Require Motion to be Read

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

Permissible Motions During Debate

11.4 (1) Subject to clause 11.4 (3) when a motion is under debate, no further motion shall be moved except a motion—

- (a) that the motion be amended;
- (b) that the meeting adjourn;
- (c) that the debate be adjourned;
- (d) that the motion be now put;
- (e) that the meeting proceed behind closed doors;
- (f) that the question lie on the table.

(2) Any motion referred to in clause 11.4 (1) shall not be moved except at the conclusion of the speech of another member.

(3) When a motion or amendment under debate is dealing with a committee recommendation any member who has not spoken on the motion or amendment then before a council meeting may, at the conclusion of the speech of any other member, move a motion that the matter be referred back to the committee for further consideration.

Division of Motions

11.5 The chairperson may, or the meeting by resolution may, require a complicated motion to be divided and put in the form of two or more motions.

Withdrawal of Motions

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

Limitation of Withdrawal

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

Nature of Amendments

11.8 An amendment to a motion shall not negate the motion.

Amendments to Relate to Motion

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

One Amendment at a Time

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

Amended Motion Treated as Original Motion

11.11 Where an amendment is carried the original motion as amended shall, for the purposes of subsequent debate, and subject only to clause 11.10, be treated as the original motion.

12.0 VOTING**All Members to Vote**

12.1 (1) At every meeting of the council, every member present at the meeting shall vote when a motion is put except—

- (a) where the Act otherwise provides, or
- (b) in the matter of confirmation of committee minutes in accordance with clause 4.2 (2).

(2) Each member of a committee to which a local government power or duty has been delegated, who is present at a meeting of the committee shall vote when a motion is put except where the Act otherwise provides.

(3) If any member who is required to vote at the meeting fails to do so the chairperson shall call upon the member to vote.

Equality of Votes

12.2 At any meeting where there is any equal division of votes upon any motion the chairperson may cast a second vote.

Method of Taking the Vote

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

Recording of Voting

12.4 If a member specifically requests that there be recorded—

- (a) his or her vote; or
- (b) the vote of all members present;

on a matter voted on at a meeting, the chairperson is to cause the vote or votes, as the case may be, to be recorded in the minutes.

13.0 MOTION—THAT THE MEETING ADJOURN**That the Meeting do Adjourn**

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

Limit to Further Motion

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

Who May Move Motion

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

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

Resumption of Adjourned Meeting

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

Names of Speakers Recorded

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

Meal Adjournment

13.6 In the event of a meeting of the council or of a committee of the council not having been completed prior to any usual meal hour, the meeting (unless adjourned to another day) shall be adjourned for a reasonable meal period after which the meeting shall be resumed. A meal shall be provided by the council for members and employees present at the meeting.

14.0 MOTION—THAT DEBATE BE ADJOURNED**Motion for Adjournment of Debate**

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

Who May Move Motion

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

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

Speaker on Resumption of Adjourned Debate

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

Names of Speakers Recorded

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

15.0 MOTION—THAT THE MOTION BE PUT**That the Motion be Put**

15.1 A member may, at the conclusion of the speech of any other member, move without notice that the motion under consideration be put.

Who May Move Motion

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

Right of Reply

15.3 When it is decided by the meeting that the motion under consideration be put, the mover of the motion under consideration shall, if debate has ensued and if otherwise entitled to do so, be permitted to speak in reply before the motion is put, but subject thereto the motion shall be at once put.

16.0 MOTION—THAT THE MEETING PROCEED BEHIND CLOSED DOORS**That the Meeting Proceed Behind Closed Doors**

16.1 All meetings shall be open to the public except when the meeting resolves to proceed behind closed doors to deal with any matter as listed in section 5.23 (2) of the Act.

Decision to be Recorded

16.2 A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

Business Behind Closed Doors

16.3 (1) After the carrying of a resolution under clause 16.1, the business at that meeting shall not be open to the public but shall proceed behind closed doors, until the meeting by resolution decides that the meeting shall be open to the public.

(2) Upon the carrying of such a resolution, the chairperson shall direct all members of the public and any officers that the meeting specifies to leave the meeting room and those persons shall forthwith comply with the direction.

(3) Any person failing to comply with a direction under clause 16.3 (2) commits an offence and may, with the use of reasonable force if necessary, be removed from the meeting room.

(4) While a resolution made under this clause is in force, the operation of clause 8.9 shall be suspended, unless the meeting, by resolution, otherwise determines.

(5) All matters and questions considered or discussed by the meeting behind closed doors shall be treated as strictly confidential and shall only be disclosed by a member or officer to another person (whether that other person is a member or officer or not) to the extent that it is necessary for that member or officer to do so in the performance of his or her duties.

17.0 MOTION—THAT THE QUESTION LIE ON THE TABLE**Form of Motion**

17.1 (1) If moved in respect of a motion or an amendment to a motion, this motion takes the form "That the Question Lie on the Table".

(2) If moved in respect of a letter, report or other document, its form is "That the Communication Lie on the Table".

Purpose of Motion

17.2 This motion may be moved by a member to achieve an adjournment of the debate if it is considered further information is required from council records, or that council does not propose to take action upon a particular matter but wishes to avoid passing a motion to that effect.

Who May Move Motion

17.3 A member moving this motion must not have moved, seconded or spoken to the matter then before the meeting.

Amendment/Right of Reply

17.4 This motion shall not be amended and the mover shall have no right of reply.

Debate is Adjourned

17.5 If this motion is carried, in respect of a document or a motion, further debate on the matter is adjourned until such time as the council resolves to take the question from the table.

Motion Adjourned

17.6 If this motion is passed in respect of an amendment, both the amendment and the substantive motion to which it relates are similarly adjourned.

18.0 MOTIONS AFFECTING EXPENDITURE**Referral to Finance Committee**

18.1 Where a motion or amendment would have the effect of incurring expenditure not provided for in the estimates, that motion or amendment shall not be moved other than in the form of a reference of the question to the Finance Committee.

19.0 DISTURBANCES AND BREACH OF ORDER**No Adverse Reflection on Council**

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

No Adverse Reflection on Member or Employee

19.2 A member shall not comment adversely upon the character or actions of another member or an employee or be disrespectful in any way to another member or employee.

Record of Words Spoken

19.3 A member who is of the opinion that particular words used by another member are in contravention of clause 19.2 may make a written record immediately upon them being used and require the CEO to enter that record in the minutes of the meeting.

Demands for Withdrawal

19.4 If any member commits a breach of clauses 19.1 or 19.2 the chairperson may require the member unreservedly to withdraw any offending comment and to make a satisfactory apology, and if the member declines or neglects to do so the chairperson may direct the member to cease speaking and may call on the next speaker.

Disturbance by Members or Persons of the Public

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

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

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

(3) Any person interrupting the proceedings of a meeting shall, when so directed by the chairperson, forthwith leave the meeting room.

(4) Any person, other than members, failing to comply with a direction under clause 19.5 (3) commits an offence and may, with the use of reasonable force if necessary, be removed from the meeting room.

Continued Irrelevance

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

Respect for Chairperson and Speaker

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

Chairperson to Preserve Order

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

Members May Direct Attention to Breaches of Order

19.9 Every member or officer shall be entitled to direct the attention of the chairperson to any breach of the Act or the standing orders, or to draw the attention of the chairperson to any matter of which the chairperson may take notice under clause 19.6.

Retraction or Apology on Any Matter

19.10 whenever the chairperson is of the opinion that any motion, or other matter before the meeting is out of order in accordance with the standing orders or the Act the motion or other matter shall be rejected, and whenever anything said or done in the meeting by any member is similarly decided to be out of order in accordance with the standing orders or the Act, that member shall be called upon by the chairperson to make such explanation, retraction or apology as the case may require.

Continued Breach of Order

19.11 When a member persists in any conduct which the chairperson decides is out of order in accordance with the standing orders or the Act, or refuses to make any explanation retraction or apology required by the chairperson under clause 19.4 or 19.10 the chairperson may direct that member to refrain from taking any further part in the meeting other than complying with the financial interest and voting provisions of the Act.

Serious Disorder

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

(2) Where after any adjournment under clause 19.12 (1) the chairperson is again of the opinion that the business of the meeting cannot effectually be continued, the chairperson may adjourn the meeting to another date and time.

20.0 REVOKING OR CHANGING DECISIONS**Revoking or Changing Decisions**

20.1 (1) If a decision has been made at a 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 $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee as the case may be,

inclusive of the mover.

(2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first mentioned decision must be made—

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

(3) Clause 20.1 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.

Negated Motions

20.2 A motion to the same effect as any motion which has been negated except those motions provided for in clause 11.4 or where otherwise provided within the standing orders, shall not again be moved within a period of three months, except with the approval of an absolute majority of the members.

21.0 COMMITTEES**Appointment of Deputies**

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

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

Attendance by Members as Observers

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

Appointment of Committees

21.3 Any motion to establish a committee shall contain—

- (a) the duties and any delegations proposed to be entrusted to the committee;
- (b) the number of members intended to constitute the committee;

- (c) the term of establishment of the committee;
- (d) details of when the committee is to meet and how it shall report to council.

Calling of Committee Meetings

21.4 The CEO shall call a meeting of any committee when required by council or when requested to do so by the chairperson or any two members of that committee.

Recommendations Become Resolutions

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

22.0 MISCELLANEOUS

Meetings of Electors

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

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

Petitions

22.2 (1) A petition to council may be received, provided that the intention and legibility of the petition is clear.

(2) A petition must contain—

- (a) the names, addresses and signatures of the petitioners,
- (b) the name and address of the person who lodged the petition with the council shown on the front of the petition, and
- (c) the subject of the petition at the top of each page.

(3) The only question which shall be considered by the council on the presentation of any petition shall be:

- (a) that the petition shall be accepted; or
- (b) that the petition not be accepted; or
- (c) that the petition be accepted and referred to a committee for consideration and report; or
- (d) that the petition be accepted and be dealt with by the full council.

Recordings of Proceedings Prohibited

22.3 A person shall not use any visual or vocal electronic device or instrument to record the proceedings of any meeting unless that person has been given permission by a majority of members to do so.

Production of Documents

22.4 On giving to the CEO not less than four ordinary working hours notice a member is entitled to have tabled at the meeting for the duration of a meeting any document or record of the council, except any document or record referred to in clause 22.5, and the CEO, on receiving the notice, shall take all reasonable steps to table the document at the commencement of the meeting.

Confidential Documents

22.5 Any document which is to be placed before a meeting and which is in the opinion of the CEO of a confidential nature may at the CEO's discretion be marked as such and shall be treated as strictly confidential and shall only be disclosed by a member or officer to another person (whether that other person is a member or officer or not) to the extent that it is necessary for that member or officer to do so in the performance of his or her duties.

Cases Not Provided for in Standing Orders

22.6 The chairperson shall decide all questions of order, procedure, debate or otherwise, in respect of which no provision or insufficient provision is made in the standing orders or the Act.

Rulings of the Chairperson

22.7 Except as otherwise provided in the standing orders, a majority of the members present at a meeting may by resolution dissent from the chairperson's ruling on a matter under the standing orders. In all other cases the chairperson's ruling shall be final.

Suspension of Standing Orders

22.8 In cases of urgent necessity any of the standing orders may be suspended on a motion carried by an absolute majority of the members.

23.0 ENFORCEMENT

Offence

23.1 A person who breaches any clause of the standing orders commits an offence.

Penalty

23.2 A person who commits an offence under the standing orders is liable to a penalty which is not less than \$200 and not more than \$2,000.

Enforcement

23.3 The chairperson of any meeting is authorised and empowered to enforce the standing orders and prosecute for any breach of the standing orders in relation to that meeting.

24.0 CORRESPONDENCE**Summary of Correspondence**

24.1 Correspondence to the council shall be addressed to the CEO and no correspondence addressed to council shall be presented or read by a member. Subject to clause 24.2, the CEO shall send each member a summary of the correspondence. The summary shall be sent 72 hours at least before the meeting at which the summary is to be received.

Late Correspondence

24.2 In cases of extreme urgency or other special circumstances, correspondence additional to that set out in accordance with clause 24.1 may, with the consent of the council, be read and acted upon.

Reception of Correspondence

24.3 Discussion shall not be permitted on any motion that any correspondence be received or not received, or that any correspondence or any part thereof be referred to any committee of the council.

25.0 PUBLIC BODIES**Appointment of Member Representative**

25.1 Whenever it becomes necessary to appoint a member to represent the council on a public body or a State instrumentality, notice of the necessity to make that appointment shall be given at the meeting of the council first available following notice of the need to appoint a member being received or appointed by the Shire President, Deputy Shire President or Chief Executive Officer.

J. L. SABOURNE, President.
K. J. LEECE, Chief Executive Officer.

LG401**DOG ACT 1976**

It is hereby notified for public information that the following persons have been appointed under the provisions of the Dog Act 1976 for the municipality of the Shire of Corrigin—

REGISTRATION OFFICERS

Miss Sindy Watts

The appointment of Miss Linda Gallinagh is hereby cancelled.

BRUCE MEAD, Chief Executive Officer.

LG402**LOCAL GOVERNMENT ACT 1995**

Shire of Narembeen

Chief Executive Officer

It is notified for public information that Alan Bruce Wright has been appointed the Chief Executive Officer of the Narembeen Shire Council, effective from the 5th February 1997.

The appointment of Christopher Gerald Jackson as Chief Executive Officer is cancelled.

H. W. J. COWAN, President.

LG403**LOCAL GOVERNMENT ACT 1995***City of Geraldton*

Cancellation of Authorised Officer

It is hereby notified for public information that the appointment of Anthony Gregory as a Ranger and authorised officer under the provisions of the Dog Act 1976, Litter Act 1979 and Local Government Act 1995—Section 9.10 is cancelled with effect from 8 January 1997.

G. K. SIMPSON, Chief Executive Officer.

LG404**LOCAL GOVERNMENT ACT 1995***Shire of Koorda*

Chief Executive Officer

It is hereby notified for public information that the appointment of Linda Longmuir as Acting Chief Executive Officer of the Shire of Koorda is cancelled from 3rd February 1997, and that in accordance with section 5.36(1)(a) of the Local Government Act 1995, Graeme John McDonald has appointed Chief Executive Officer of the Koorda Municipality, effective 3rd February 1997.

V. F. ORCHARD, President.

MAIN ROADS

MA401

MRWA 42-33-I & 42-33-49

MAIN ROADS ACT 1930**LAND ACQUISITION AND PUBLIC WORKS ACT 1902**

NOTICE OF INTENTION TO TAKE OR RESUME LAND

The Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Land Acquisition and Public Works Act 1902, that it is intended to take or resume under section 17 (1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in the Bridgetown/Greenbushes District, for the purpose of the following public works namely, widening of the South Western Highway (SLK Section 81.10-82.40) and that the said pieces or parcels of land are marked off on Land Titles Office Diagram 89555 and Plans 20912 and 20915 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
1.	Barbara Anne Stella Park and Albert Thomas Taylor	B A S Park & A T Taylor	Portion of Nelson Location 3595 and being part of Lot 2 on Plan 6141 now contained on Plan 20915 and being part of the land comprised in Certificate of Title Volume 1461 Folio 195.	3 313 m ²
2.	Raymond Edmund Dobney	R E Dobney	Portion of Nelson Locations 115 and 3595 being part of Lot 1 on Plan 6141 now contained on Plan 20915 and being part of the land comprised in Certificate of Title Volume 1903 Folio 348.	4 221 m ²
3.	Raymond Edmund Dobney	R E Dobney	Portion of Nelson Locations 115 now contained on Plan 20912 and being part of the land comprised in Certificate of Title Volume 1514 Folio 484.	1 414 m ²

Schedule—*continued*

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
4.	John David Trevillian & Carol Angela Trevillian	Commissioner of Main Roads vide Caveat F760363	Portion of Nelson Location 3594 now contained on Diagram 89555 and being part of the land comprised in Certificate of Title Volume 1514 Folio 483.	494 m ²
5.	John David Trevillian & Carol Angela Trevillian	Commissioner of Main Roads vide Caveat F760363	Portion of Nelson Locations 115 & 3594 and being part of the land on Diagram 3564 now contained on Plan 20912 and being part of the land comprised in Certificate of Title 1296 Folio 053.	1 238 m ²

Dated this 30th day of January 1997.

D. R. WARNER, Director Corporate Services.

MA402**LAND ACQUISITION AND PUBLIC WORKS ACT 1902**

SALE OF LAND

MRWA 41-438-4VC

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, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

LAND

Portion of Canning Location 21 and being part of Lot 1 on Diagram 19808 and being part of the land comprised in Certificate of Title Volume 1279 Folio 75 more particularly delineated and coloured green on the attached plan MR96-315.

Dated this 7th day of February 1997.

D. R. WARNER, Director Corporate Services.

MA403**LAND ACQUISITION AND PUBLIC WORKS ACT 1902**

SALE OF LAND

MRWA 41-81-19

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, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

LAND

Portion of Canning Location 23 and being part of Lots 4 & 9 on Diagram 8929 and being part of the land contained in Certificate of Title Volume 1034 Folio 942 more particularly delineated and coloured green on plan MR96-170.

Portion of Canning Location 23 and being part of Lot 5 on Diagram 8929 and being part of the land contained in Certificate of Title Volume 1080 Folio 801 more particularly delineated and coloured green on plan MR96-170.

Portion of Canning Location 23 and being part of Lot 6 on Diagram 8929 and being part of the land contained in Certificate of Title Volume 1466 Folio 752 more particularly delineated and coloured green on plan MR96-170.

Dated this 7th day of February 1997.

D. R. WARNER, Director Corporate Services.

MA404**LAND ACQUISITION AND PUBLIC WORKS ACT 1902****SALE OF LAND**

MRWA 41-38-D1VB

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, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

LAND

Swan Location 4274 and being part of the land contained in Certificate of Title Volume 1594 Folio 799 more particularly delineated and coloured green on plan MR96-310.

Portion of Swan Location 71 and being Lot 427 on Plan 1753 and being part of the land contained in Certificate of Title Volume 1203 Folio 700 more particularly delineated and coloured green on plan MR96-313.

Portion of Swan Location 71 and being Lot 452 on Plan 2005 and being the whole of the land contained in Certificate of Title Volume 96 Folio 72A.

Portion of Swan Location 71 and being Lot 453 on Plan 2005 and being the whole of the land contained in Certificate of Title Volume 1591 Folio 032.

Portion of Swan Location 71 and being Lot 621 on Plan 2443 and being part of the land contained in Certificate of Title Volume 1527 Folio 869 more particularly delineated and coloured green on plan MR96-256.

Fremantle Lot 1617 being part of the land in Certificate of Title Volume 1199 Folio 936 more particularly delineated and coloured green on the attached plan MR96-255.

Dated this 7th day of February 1997.

D. R. WARNER, Director Corporate Services.

MA405**LAND ACQUISITION AND PUBLIC WORKS ACT 1902****SALE OF LAND**

MRWA 41-38-D1VB

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, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

LAND

Portion of Swan Location 71 and being Lot 10 on Diagram 5341 and being part of the land contained in Certificate of Title Volume 971 Folio 12 more particularly delineated and coloured green on Plan MR96-254.

Portion of Swan Location 71 and being Lot 3 on Diagram 43822 and being the whole of the land contained in Certificate of Title Volume 1342 Folio 827 more particularly delineated and coloured green on Plan MR96-270.

Portion of Swan Location 71 and being Lot 4 on Diagram 43823 and being part of the land contained in Certificate of Title Volume 1342 Folio 826 more particularly delineated and coloured green on Plan MR96-338.

Portion of Swan Location 71 and being Lot 476 on Plan 2005 and being part of the land contained in Certificate of Title Volume 1420 Folio 988 more particularly delineated and coloured green on Plan MR96-271.

Portion of Swan Location 71 and being part of Lot 477 on Plan 2005 and being part of the land contained in Certificate of Title Volume 1420 Folio 989 more particularly delineated and coloured green on Plan MR96-271.

Portion of Swan Location 71 and being Lots 478, 479, 480 and part of Lot 477 on Plan 2005 and being part of the land contained in Certificate of Title Volume 1606 Folio 1000 more particularly delineated and coloured green on Plan MR96-268.

Portion of Swan Location 71 and being Lot 557 and part of Lot 556 on Plan 2325 and being part of the land contained in Certificate of Title Volume 1580 Folio 285 more particularly delineated and coloured green on Plan MR96-312.

Fremantle Town Lot 1101 and being part of the land contained in Certificate of Title Volume 804 Folio 50 more particularly delineated and coloured green on plan MR96-257.

Fremantle Town Lot 1102 and being part of the land contained in Certificate of Title Volume 1188 Folio 71 more particularly delineated and coloured green on plan MR96-343.

Fremantle Lot 1547 and being part of the land contained in Certificate of Title Volume 1653 Folio 693 more particularly delineated and coloured green on plan MR96-339.

Fremantle Lot 1557 and being part of the land contained in Certificate of Title Volume 1638 Folio 959 more particularly delineated and coloured green on plan MR96-340.

Portion of Swan Location 71 and being Lot 1 the subject of Diagram 51256 and being the whole of the land contained in Certificate of Title 1455 Folio 782.

Portion of Swan Location 71 and being Lot 425 on Plan 1753 and being part of the land contained in Certificate of Title 1931 Folio 499 more particularly delineated and coloured green on plan MR96-268.

Portion of Swan Location 71 and being Lot 426 on Plan 1753 and being part of the land contained in Certificate of Title 27 Folio 367A more particularly delineated and coloured green on plan MR96-268.

Portion of Swan Location 71 and being Lot 454 on Plan 2005 and being part of the land contained in Certificate of Title 1409 Folio 716 more particularly delineated and coloured green on plan MR96-342.

Portion of Swan Location 71 and being Lot 455 on Plan 2005 and being part of the land contained in Certificate of Title 1459 Folio 075 more particularly delineated and coloured green on plan MR96-309.

Portion of Swan Location 71 and being Lot 456 on Plan 2005 and being part of the land contained in Certificate of Title 1590 Folio 281 more particularly delineated and coloured green on plan MR96-341.

Portion of Swan Location 71 and being Lot 457 on Plan 2005 and being part of the land contained in Certificate of Title 47 Folio 111A more particularly delineated and coloured green on plan MR96-291.

Portion of Swan Location 71 and being Lot 458 on Plan 2005 and being part of the land contained in Certificate of Title 1644 Folio 101 more particularly delineated and coloured green on plan MR96-265.

Portion of Swan Location 71 and being Lot 620 on Plan 2443 and being part of the land contained in Certificate of Title 1488 Folio 392 more particularly delineated and coloured green on plan MR96-258.

Portion of Swan Location 71 and being Lot 416 on Plan 1753 and being part of the land contained in Certificate of Title Volume 1665 Folio 405 more particularly delineated and coloured green on plan MR96-308.

Portion of Swan Location 71 and being Lot 581 on Plan 2325 and being part of the land contained in Certificate of Title 103 Folio 3A more particularly delineated and coloured green on plan MR96-253.

Portion of Swan Location 71 and being Lot 582 on Plan 2325 and being the whole of the land contained in Certificate of Title 1611 Folio 670 more particularly delineated and coloured green on plan MR96-292.

Portion of Swan Location 71 and being Lot 595 on Plan 2443 and being part of the land contained in Certificate of Title 1152 Folio 370 more particularly delineated and coloured green on plan MR96-290.

Portion of Swan Location 71 and being Lot 596 on Plan 2443 and being part of the land contained in Certificate of Title 1439 Folio 240 more particularly delineated and coloured green on plan MR96-269.

Dated this 7th day of February 1997.

D. R. WARNER, Director Corporate Services.

MA406

LAND ACQUISITION AND PUBLIC WORKS ACT 1902

SALE OF LAND

MRWA 42-538-18

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, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

LAND

Sussex Location 734 and being part of the land comprised in Certificate of Title Volume 1096 Folio 900 more particularly delineated and coloured green on the attached plan MR96-348.

Dated this 7th day of February 1997.

D. R. WARNER, Director Corporate Services.

MA407

LAND ACQUISITION AND PUBLIC WORKS ACT 1902

SALE OF LAND

MRWA 41-1129-3

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, the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

LAND

Portion of Swan Location 2103 and being part of the land on Plan 7893 and being part of the land contained in Certificate of Title Volume 1288 Folio 95 more particularly delineated and coloured green on plan MR96-318.

Dated this 7th day of February 1997.

D. R. WARNER, Director Corporate Services.

MINERALS AND ENERGY

MN401

MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Minerals and Energy.

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

A. BLOEMEN, Warden.

To be heard in the Warden's Court, Marble Bar on the 20th February 1997.

PILBARA MINERAL FIELD*Marble Bar District*

P45/2288—Elazac Mining Pty Ltd; Haoma Mining NL; WMC Resources Ltd.
P45/2301—Elazac Mining Pty Ltd.

PILBARA MINERAL FIELD*Nullagine District*

P46/1158—Taylor, David John.
P46/1200-S—Spalding, Norman Albert; Bardley, Brian.
P46/1208—Taylor, David John.
P46/1213—Stubbs, Rodney Trevor.
P46/1214—Stubbs, Rodney Trevor.
P46/1215—Stubbs, Rodney Trevor.
P46/1216—Stubbs, Rodney Trevor.
P46/1217—Giralia Resources NL.

WEST PILBARA MINERAL FIELD

P47/1009—Phoenix Gold NL.

MN402

MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Minerals and Energy,
Mt Magnet, 28th January 1997.

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

J. PACKINGTON, Warden.

To be heard in the Warden's Court, Mt Magnet on the 25th March 1997.

MURCHISON MINERAL FIELD*Cue District*

P20/1551—Peregrine Gold Mining NL.

Mt Magnet District

P58/829—Nichols, Steven Jeremy Troup; Pemberton, Garry Rex.
P58/896—Rundell, Leslie Raymond.
P58/899—Rundell, Leslie Raymond.
P58/900—Rundell, Leslie Raymond.

MN403**MINING ACT 1978**

Notice of Application for an Order for Forfeiture

Department of Minerals and Energy,
Meekatharra.

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

J. PACKINGTON, Warden.

To be heard in the Wardens Court, Meekatharra on Thursday 20th February 1997.

EAST MURCHISON MINERAL FIELD

P53/847—Adasam Pty Ltd.

P53/848—Adasam Pty Ltd.

P53/849—Adasam Pty Ltd.

P53/850—Adasam Pty Ltd.

P53/851—Adasam Pty Ltd.

PLANNING

PD401***TOWN PLANNING AND DEVELOPMENT ACT, 1928**

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Belmont

Town Planning Scheme No. 11—Amendment No. 96

Ref: 853/2/15/10 Pt 96

Notice is hereby given that the local government of the City of Gosnells has prepared the abovementioned scheme amendment for the purpose of—

excluding Lots 70-76 (inclusive) Durban Street, Belmont from the Local Authority Reserve "Civic and Cultural" (Civic and Community Centre) and including the subject land in the Residential "A" Zone R20/R40.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 215 Wright Street, Cloverdale and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 21, 1997.

Submissions on the scheme amendment should be made in writing on Form No 4 and lodged with the undersigned on or before March 21, 1997.

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.

B. R. GENONI, Chief Executive Officer.

PD402**TOWN PLANNING AND DEVELOPMENT ACT, 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Bunbury

Town Planning Scheme No. 6—Amendment No. 177

Ref: 853/6/2/9 Pt 177

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Bunbury Town Planning Scheme Amendment on January 29, 1997 for the purpose of—

1. To rezone Pt Loc 26 from "Residential R20", "Canal R20 and R40" Zone, "Special Use (Resort Development) R20 and R40" Zone and "Parks, Recreation and Drainage" Reserve to "Canal R20", "Special Use (Resort Development) Zone and "Parks, Recreation and Drainage" Reserve as depicted on the Scheme Map.

2. Modifying Clause 5.37 a) and 5.38 a) to make reference to the modified Development Plan 89/31/25, as outlined below—

(a) Ensure that development of residential lots, roads, open space and waterways within the Canal Zone is generally in accordance with the Pelican Point Development Plan No. 89/31/25 and applicable Residential Code.

3. Modifying Appendix IV—First Schedule of the Scheme for Pt Loc 26, Lot 11 and portion of Lot 100 Estuary Drive as follows—

Description of Land (Lot, Street, etc)	Permitted Uses	Development Conditions
1 Pt Loc 26, Lot 11 and portion of Lot 100 Estuary Drive	The Sanctuary Pelican Point Resort Development	<p>1. Subdivision and development in the Sanctuary Pelican Point Resort Development shall generally be in accordance with the Pelican Point Development Plan No. 89/31/2 (22 December 1995) endorsed by the Mayor and Town Clerk or any subsequent structure plan adopted by Council and approved by the Western Australian Planning Commission.</p> <p>5. The Resort Development will include the following permitted uses—</p> <p style="padding-left: 2em;">Tavern Restaurant, and Hotel</p> <p>The development will be in accordance with the requirements as outlined in the Town Planning Scheme. A comprehensive development plan will be required to be submitted to Council for approval and will need to address the following issues—</p> <ul style="list-style-type: none"> • Carparking, • Landscaping, • Built form, • Impact on the canals, • Lighting, and • Impact on the surrounding amenity

4. Amending the Scheme Maps accordingly;

E. MANEA, Mayor.
G. BRENNAN, Chief Executive Officer.

PD403*

TOWN PLANNING AND DEVELOPMENT ACT, 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Rockingham

Town Planning Scheme No. 1—Amendment No. 262

Ref: 853/2/28/1 Pt 262

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Rockingham Town Planning Scheme Amendment on January 29, 1997 for the purpose of—

Deleting clauses 1 and 5A of Amendment 66 Area in Table IV Column (b) provisions and replacing new clauses to read as follows—

“1. Subdivision shall generally be in accordance with the Subdivision Plan No 1 and shall form part of the Scheme.

5. (a) In stage 1 the Council will not recommend lot sizes less than 2.0 hectares.”

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

PD404*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
City of Stirling

District Planning Scheme No. 2—Amendment No. 288

Ref: 853/2/20/34 Pt 288

Notice is hereby given that the local government of the City of Stirling has prepared the abovementioned scheme amendment for the purpose of—

rezoning Lot 159 Hn 16 Alga Street, Scarborough from “Residential R40” to “Special Use Zone—Holiday Units”.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Civic Place, Stirling and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 21, 1997.

Submissions on the scheme amendment should be made in writing on Form No 4 and lodged with the undersigned on or before March 21, 1997.

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

G. S. BRAY, Chief Executive Officer.

PD405*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
Shire of Augusta-Margaret River

Town Planning Scheme No. 17—Amendment No. 9

Ref: 853/6/3/17 Pt 9

Notice is hereby given that the local government of the Shire of Augusta-Margaret River has prepared the abovementioned scheme amendment for the purpose of—

- 1) Recoding Lot 29 corner Mann & Tunbridge Streets from R5 to R10.
- 2) Including Lot 29 and Lots 58 to 66 (inclusive) Mann Street and Tunbridge Street, Margaret River, in Schedule 3 of the Scheme to waive the requirements of Clauses 5.6.1 (h) and 5.6.1 (i)

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Town View Street, Margaret River and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 21, 1997.

Submissions on the scheme amendment should be made in writing on Form No 4 and lodged with the undersigned on or before March 21, 1997.

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. SMITH, Chief Executive Officer.

PD406

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

Town Planning Scheme No. 5—Amendment No. 386

Ref: 853/6/6/6 Pt 386

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on January 29, 1997 for the purpose of—

1. Amending the Scheme Map by rezoning Location 556 Butterly Road and Mill Brook Road, Yallingup from “General Farming Zone” to “Special Rural Zone” and “Special Zone—Additional Use” as depicted on the Scheme Amendment map.
2. Inserting an extension to the Special Rural Zone No. 8 subdivision Guild Plan in order to facilitate the future subdivision of Location 556.

3. Amending the Scheme Text by the insertion in "Appendix X: Special Rural Zones No. 8—Column (A)" the following—
 - (A) Specified Area of Locality
Sussex Location 556 Mill Brook and Butterly Road, Yallingup
4. Amending the Scheme Map by rezoning portions of Sussex Location 556 Mill Brook Road and Butterly Road, Yallingup from "General Farming" to "Special Zone—Additional Use" as depicted on the Scheme Amendment Map.
5. Amending the Scheme Text by the insertion of Sussex Location 556 Millbrook and Butterly Road into the "Particulars of Land" column for the Caves Road/Walker Road/Miller Road area in Appendix IV—"Additional Use" zones.
6. Amending the Scheme Text by deleting provision 13 in "Appendix X" Special Rural Zone Number 8 and inserting in its place the following—

"Subdividers will be required to contribute to the upgrading of roads required as a consequence of their development, in accordance with the Commonage Implementation Policy as adopted by Council".
7. Amending the Scheme Text by inserting into "Appendix X" Special Rural Zone Number 8, the following—

"Council to have regard to the character, amenity and function of the Millbrook Tourist Precinct and development proposed therein, as part of the consideration of any development application."

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

PD407*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Busselton
 Town Planning Scheme No. 5—Amendment No. 408

Ref: 853/6/6/6 Pt 408

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on January 29, 1997 for the purpose of—

rezoning Pt Sussex Location 4502 Wardanup Crescent, Yallingup, from "Short Stay Residential" to "Single Residential" as depicted on the Scheme Amendment Map.

B. MORGAN, President.
I. STUBBS, Chief Executive Officer.

PD408*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
Shire of Donnybrook-Balingup
 Town Planning Scheme No. 4—Amendment No. 20

Ref: 853/6/4/4 Pt 20

Notice is hereby given that the local government of the Shire of Donnybrook-Balingup has prepared the abovementioned scheme amendment for the purpose of—

Inserting a new Clause into the Scheme Text - 9.1.1 Delegation.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Bentley Street, Donnybrook and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 21, 1997.

Submissions on the scheme amendment should be made in writing on Form No 4 and lodged with the undersigned on or before March 21, 1997.

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

J. ATTWOOD, Chief Executive Officer.

PD409*

TOWN PLANNING AND DEVELOPMENT ACT, 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Murray

Town Planning Scheme No. 4—Amendment No. 52

Ref: 853/6/16/7 Pt 52

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Murray Town Planning Scheme Amendment on January 29, 1997 for the purpose of:

1. Rezoning Lot 103 Wisteria Crescent, North Pinjarra from "Rural" to "Residential (R15)", and "Residential (R2.5)" zone.
2. Amending the Scheme Map accordingly.

N. H. NANCARROW, President.
D. A. McCLEMENTS, Chief Executive Officer.

PD410

TOWN PLANNING AND DEVELOPMENT ACT, 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Murray

Town Planning Scheme No. 4—Amendment No. 88

Ref: 853/6/16/7 Pt 88

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Murray Town Planning Scheme Amendment on January 29, 1997 for the purpose of—

1. Rezoning Lot 8 Lakes Road, North Dandalup from "Rural" to "Special Rural";
2. Amending the Scheme Maps accordingly;
3. Including Lot 8 Lakes Road, North Dandalup within the Coral Park Special Rural Zone by amending (A) Specified Land in Schedule 4—Special Rural Zone as outlined below—

Schedule 4 Special Rural Zones

(A)

Specified Land

Coral Park Estate comprising Lots 317 to 337 being subdivided from original portion of Cockburn Sound Location 16 Atkins Road and Part Lots 1 and 9 and Lot 8 Lakes Road, North Dandalup.

4. Amending Schedule 4—Special Rural Zone—Special Provisions Relating to B, by—
 - (a) Replacing provision 11. as follows—
 - 11 (a) "The land is subject to the provisions of the Water and Rivers Commission's Bylaws applicable to underground water supply and pollution control. The subdivider shall inform all prospective purchasers in writing of the Water and Rivers Commission's requirements mentioned in 11(b) below".
 - 11 (b) "Activities carried out on this land shall not contravene the Water and Rivers Commission's Bylaws applicable to underground water pollution control."
 - (b) Adding two new provisions as follows—
 32. "Land uses, other than a Single House, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when Council is satisfied, following consultation with the Department of Environmental Protection that the land use does not involve excessive nutrient application or the clearing of the land."
 33. "The drainage system shall not be altered without the prior approval of the Department of Environmental Protection, in writing. In considering any proposal to obstruct or dam any part of the drainage system the Council shall have regard to the effect on the drainage system and the impact on the land and the environment in general, and shall consult with any appropriate authority prior to granting approval."
 - (c) Amending Clause 13. to replace reference to the "Water Authority of Western Australia" with "Waters and Rivers Commission" as follows—
 13. "Water shall not be drawn from the North Dandalup River, or its flow interrupted without the written approval of the Waters and Rivers Commission".

N. H. NANCARROW, President.
D. A. McCLEMENTS, Chief Executive Officer.

PD411

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959**SALE OF LAND**

Notice is hereby given that His Excellency the Governor has consented under Section 37 (6) (b) of the Metropolitan Region Town Planning Scheme Act 1959 to the disposal by private contract of the land hereinafter described, such land being no longer required for the work for which it was compulsorily taken.

LAND

Portion of Swan Location 34 and being a part of Land 558 on Diagram 91571 formerly being a portion of the land comprised in Certificate of Title Volume 1466 Folio 277 and more particularly being all that land delineated and coloured yellow on contract of sale plan MFP Job No. 3158.

Portion of Swan Location 34 and being a part of Lot 559 on Diagram 91572 formerly being a portion of the land comprised in Certificate of Title Volume 2073 Folio 426 and more particularly being all that land delineated and coloured yellow on contract of sale plan MFP Job No. 3158.

Dated this 4th day of February, 1997.

PAUL FREWER, A/Chief Executive, Minister for Planning.

RACING, GAMING AND LIQUOR

RA401

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

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

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR TRANSFER OF LICENCE			
1561/96	Tasty Group Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in Northbridge and known as Tonic Restaurant, from Jon Johnson & Alfonsas Barry Baltinas.	12/2/97
1562/96	John Eoannidis & Martin Roarigues	Application for the transfer of a Cabaret Licence in respect of premises situated in Midland and known as The Gap Nightclub, from Greywood Nominees Pty Ltd.	12/2/97
1564/96	Marna Emilia Lund & Cyril Richard Lund	Application for the transfer of a Restaurant Licence in respect of premises situated in Dunsborough and known as Caffè Contadino, from Nino Joseph Zoccali & Russell James Barr.	13/2/97
1565/96	Westriver Asset Pty Ltd	Application for the transfer of a Tavern Licence in respect of premises situated in Seabird and known as Seabird Tavern, from Kevin John Barry.	13/2/97
1566/96	Duncraig Investments Services Pty Ltd (Anors)	Application for the transfer of a Liquor Store Licence in respect of premises situated in Nedlands and known as Hermitage Wine Cellars, from William Robert Bird, Margaret Jill Bird & Orwin Pty Ltd.	13/2/97
1567/96	Trensilk Pty Ltd	Application for the transfer of a Tavern Licence in respect of premises situated in Morley and known as Coolabah Tavern, from Leros Pty Ltd.	7/2/97
1568/96	Ashtal Watt Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in Midland and known as Vivaldi, from Vincenzo Vitale.	17/2/97

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR TRANSFER OF LICENCE—<i>continued</i>			
1569/96	Swatao (Aust) Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in Northbridge and known as Flower Lounge Chinese Restaurant, from Lukman Enterprises Pty Ltd & Lime Grove Pty Ltd (S87).	17/2/97
1571/96	John Patrick O'Connor	Application for the transfer of a Tavern Licence in respect of premises situated in Carnarvon and known as Carnarvon Tavern, from Serventes Pty Ltd.	18/2/97
1573/96	Mainstream Developments Pty Ltd	Application for the transfer of a Liquor Store Licence in respect of premises situated in Denham and known as Nanga Station Store, from Eretso Pty Ltd.	15/2/97
APPLICATIONS FOR THE GRANT OF A LICENCE			
983/96	Fairlanes Bowling Centres Pty Ltd	Application for the grant of a Special Facility Licence in respect of premises situated in Craigie and known as Fairlanes Craigie.	25/2/97
984/96	Fairlanes Bowling Centres Pty Ltd	Application for the grant of a Special Facility Licence in respect of premises situated in Perth and known as Fairlanes City.	25/2/97
985/96	Topsfield Pty Ltd	Application for the grant of a Special Facility Licence in respect of premises situated in Rockingham and known as Fairlanes Rockingham.	25/2/97
986/96	Fairlanes Bowling Centres Pty Ltd	Application for the grant of a Special Facility Licence in respect of premises situated in Mirrabooka and known as Fairlanes Mirrabooka.	25/2/97
988/96	Lone Star Steakhouse & Saloon (WA) Pty Limited	Application for the grant of a Restaurant Licence in respect of premises situated in Maddington and known as Lone Star Steakhouse & Saloon.	17/3/97
989/96	Astra Nominees Pty Ltd	Application for the grant of a Wholesale Licence in respect of premises situated in Leederville and known as Sorrento Wines & Liquor Australia.	4/3/97
990/96	Dale Sports Club Inc	Application for the grant of a Club Restricted Licence in respect of premises situated in Armadale and known as Dale Sports Club Inc.	3/3/97
991/96	Jingle Holdings Pty Ltd	Application for the grant of a Special Facility Licence in respect of premises situated in Upper Swan and known as The Belvoir Homestead & Amphitheatre.	4/3/97

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

G. B. AVES, Director of Liquor Licensing.

TRANSPORT

TR301

ROAD TRAFFIC ACT 1974**ROAD TRAFFIC (INSPECTION OF VEHICLES) NOTICE 1997**

Made by the Minister under section 29 of the Act.

Citation

1. This notice may be cited as the *Road Traffic (Inspection of Vehicles) Notice 1997*.

Certain vehicles required to be inspected

2. The issue or renewal of a vehicle licence in respect of a vehicle of a class to which this notice applies is prohibited unless and until the vehicle has been examined and a certificate of inspection has been issued pursuant to the *Road Traffic Act 1974* that the vehicle meets the prescribed standards and requirements and that the vehicle is fit for the purpose for which the licence is desired.

Notice to apply to certain specified classes of vehicles

3. The provisions of this notice are declared to apply in respect of—
 - (a) a vehicle in respect of which an omnibus licence is granted, or is to be applied for, under Division 2 of Part III of the *Transport Co-ordination Act 1966*;
 - (b) a motor vehicle in respect of which a taxi-car licence is issued, or is to be applied for, under Part IIIB of the *Transport Co-ordination Act 1966*;
 - (c) a motor vehicle that is, or is to be, operated as a taxi using taxi number plates issued under Part 3 of the *Taxi Act 1994*;
 - (d) a motor vehicle that is fitted with seats for 13 or more persons, including the driver;
 - (e) a motor vehicle that is, or is to be, used solely or principally for the carriage of children to and from school and is fitted with seats for 8 or more persons, including the driver;
 - (f) a motor vehicle that is, or is to be, used solely or principally under a hiring agreement, and is fitted with seats for 8 or more persons, including the driver; and
 - (g) a motor vehicle that is, or is to be, used solely or principally by a driving instructor for the purposes of the instruction of drivers and is fitted with the modifications required under the *Motor Vehicle Drivers Instructors Regulations 1964*.

Notice to apply throughout Western Australia

4. The provisions of this notice are declared to apply throughout the State.

Notice not to apply to certain short-term renewals of licence

5. The provisions of this notice are declared not to apply in relation to the issue of a vehicle licence (the “new licence”) by way of renewal of an existing licence (the “previous licence”) if—
 - (a) when the previous licence was issued the vehicle was examined (the “relevant examination”), and a certificate of inspection issued, under this notice or a notice repealed by this notice; and
 - (b) the new licence is to be issued for a period that expires not more than 12 months after the date of the relevant examination.

Repeals

6. (1) The *Road Traffic (Inspection of Vehicles) Notice 1994* is repealed.
(2) The *Road Traffic (Inspection of Certain Taxi Vehicles) Notice 1995* is repealed.

ERIC CHARLTON, Minister for Transport.

WATER

WA301

WATER AGENCIES (POWERS) ACT 1984

WATER AGENCIES (CHARGES) AMENDMENT BY-LAWS 1997

Made by the Minister under section 34 (1) of the Act.

Citation

1. These by-laws may be cited as the *Water Agencies (Charges) Amendment By-laws 1997*.

Schedule 2 amended

2. Schedule 2 to the *Water Agencies (Charges) By-laws 1987** is amended in the Table to item 3 of Part 2 by inserting after the entry "Corrigin" the following entry —

“

COWARAMUP	12.000	12.000	”.
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[* *Published in Gazette 14 July 1987, pp. 2658-72.*
For amendments to 13 January 1997 see 1995 Index to Legislation of Western Australia, Table 4, pp. 312-4 and Gazettes 21 May, 28 June, 5 July, 9 July, 19 July, 23 August and 13 September 1996 and 7 January 1997.]

DR KIM HAMES, Minister for Water Resources.

TENDERS

ZT201

MAIN ROADS

WESTERN AUSTRALIA

Tenders

Advertised from 29/1/97 to 4/2/97

Tenders are invited for the following projects.

Information on these Tenders is available from the Contracts Officer, Supply Branch, Don Aitken Centre, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date
		1997
248/96	Provision of Maintenance Grading Marble Bar-Woodie Woodie Road	21 February
249/96	Provision of Maintenance Grading Woodie Woodie	21 February
470/96	Supply and lay bituminous microsurfacing to existing seals, Rottnest Island	18 February
500/96	Provision of Surveying Services Marandoo—GNH Marandoo—Mt Bruce Section	14 February
541/96	Supply and delivery of one (1) Self Propelled Combination Roller to Specifications P-VR10TC and P-STGR	17 February
96D45	Disposal of Nursery Structure ex OCM	21 February
96D47	Purchase and removal of 12 sections of concrete parapet ex Causeway	21 February

ZT202*Acceptance of Tenders*

Contracts Awarded from 29/1/97 to 4/2/97

Contract No.	Description	Successful Tenderer	Amount \$
354/96	Provision of Clerical Support Services	Eastern Goldfields Personnel	117 320.00
361/96	Seal and Reseal Various Roads in Wheatbelt	CSR Emoleum	1 097 045.61
371/96	Supply & Installation of Fencing on the Port Gregory-Kalbarri Road	Block a Bricklayers & Natural Fencing	80 000.00
96D41	Disposal of Surplus Suspense Stock:— Electrical Goods, Cables, Masonry Additives, Bitumen Additives, Canite and Plywood	Cliffard P Miller G & R H Glover John Bradley Russel Lewis	325.00 1 730.00 166.00 2 066.00
96D42	Disposal of 22 concrete pipes ex Welshpool Complex	John Hall	3 800.00

Director, Corporate Services.

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
<i>Request for Proposal</i>			
January 24	RFP 21/97	Provision of Information Technology Training for CAMS	February 11
A mandatory pre-tender briefing session was held on Friday, 31 January 1997.			
December 20	RFP 74/96	Industrial Information and Advisory Service for the Community Services Industry	February 11
January 24	RFP 76/96	Provision of Transport Services including the opportunity to purchase up to 8 buses currently used on the service for the Disability Services Commission	February 21
A compulsory briefing session will be held on Tuesday, 4 February 1997 at 2.00pm at the Disability Services Commission, Level 4, 53 Ord Street, West Perth. Please contact Ms Diana Potthoff on (09) 426 9372 to confirm your attendance. Tenderers are also advised that it is compulsory to travel on a minimum of 3 bus runs prior to the closure of this tender. This will be arranged during the compulsory briefing session.			
January 31	RFP 79/97	Development of a 'Bus and Coach Operator Education and Training Program' for the Department of Transport	February 20

Tenders Invited—continued

Date of Advertising	Schedule No.	Description	Date of Closing
<i>Request for Proposal—continued</i>			
February 7	RFP 43/97	Provision of Accounting Services Function for the Aboriginal Affairs Department The scope of works involves the preparation of annual financial statements, responsibility for accounting based compliance issues, maintenance of the Departmental Accounting Manual, accounts processing, general ledger maintenance, cheque production and submission of accounting based external reporting requirements	February 27
<i>Provision of Service</i>			
January 31	RFT 56/97	Provision of a Leasing Agreement for the Supply, Delivery, Configuration, Installation, Testing and Commissioning of Routers and Ethernet Hubs for the CAMS Wide Area Network	February 11
January 31	RFT 57/97	Provision of a Leasing Agreement for the Supply, Delivery, Configuration, Installation, Testing and Commissioning of Servers for the CAMS Wide Area Network and Lotus Notes	February 11
January 24	RFT 35/97	Provision of Novice Shearer, Improver and Advanced Shearer and Wool Handler Training for the South Metropolitan College of TAFE	February 13
January 24	RFT 37/97	Provision of Internal Audit Services for a period of twelve (12) months with two (2) further twelve (12) months extension options for the Workers Compensation and Rehabilitation Commission	February 13
January 17	484B1996	Provision of Camera Surveillance Equipment for use in Taxi Cars for the Department of Transport	February 13
January 31	132A1996	Provision of a Public Relations Service for the Office of Seniors Interests. Services of a qualified and experienced public relations practitioner to operate in-house on a part-time basis, for a minimum of two days and a maximum of three days service per week	February 13
January 31	RFT 77/97	Provision of Services for the Implementation of Lotus Notes including Setup and Deployment of a Planned Infrastructure for CAMS	February 14
January 31	RFT 78/97	Provision of a Leasing Agreement for the Supply, Delivery, Configuration and Testing of Various Types of Printers and Associated Accessories for CAMS	February 14
January 24	RFT 20/97	Provision of a Consultancy for Project Support of the Ord River Irrigation Area Land and Water Management	February 20
January 31	RFT 44/97	Provision of Workplace Assessor Courses for the Western Australia Police Service	February 20
January 24	RFT 54/97	Facilitation of a Workshop for Public Sector Staff supporting the Introduction of the Guideline Document 'Ethical Standards in Government Buying' for the State Supply Commission	February 20
A pre-tender briefing session will be held for metropolitan based suppliers on Thursday, 6 February 1997 at 3.30pm at the State Supply Commission, 5th Floor, Dumas House, 2 Havelock Street, West Perth.			

Tenders Invited—continued

Date of Advertising	Schedule No.	Description	Date of Closing
<i>Provision of Service—continued</i>			
January 31	RFT 62/97	Engagement of Training Consultants for the North Metropolitan College of TAFE	February 20
A pre-tender briefing session will be held on Thursday, 6 February 1997 at 2.00pm (WST) at the Health Department, Theatrette, 189 Royal Street, East Perth.			
January 31	RFT 80/97	Provision of 'Psychological Assessment Testing' for the Department of Transport	February 20
February 7	RFT 102/97	Provision of a Consultancy for Financial Advice on the Building, Owning and Operation of a Port at 'Oakjee', located 25 kilometres north of Geraldton for the Department of Resources Development	February 20
January 31	561A1996	Provision of a Consultancy for the Co-ordination of Seniors Week 1997 and 1998 for the Office of Seniors Interests	February 20
January 31	RFT 73/97	Provision of Fabrication of Customised Postural Support Services for the Disability Services Commission	February 21
A mandatory pre-tender briefing session will be held at 10.00am on Tuesday, 11 February 1997 at the Disability Services Commission, Conference Rooms 2 and 3, Level 4, 53 Ord Street, West Perth. Please contact Ms Nicole Peters on (09) 426 9208 to confirm your attendance.			
February 7	RFT 109/97	Supply, Delivery, Installation and Testing of Data Cabling and Associated Equipment for the CAMS Country Offices	February 24
February 7	RFT 92/97	Provision of Journalistic Expertise on the Public Sector Magazine, 'Intersector' for the Public Sector Management Office	February 27
<i>Purchase and Removal</i>			
January 31	RFQ 36/97	Acquisition and Removal of Mainframe, Disk and Uninterruptible Power Supply (UPS) Equipment 5890-600 E mainframe computer, 6380 DASD modules, 6110 and 6880 DASD controllers, 4750E communications controller, Jones and Rickard motor generators and Liebert-Emerson 120KVA and 220KVA uninterruptible power supplies.	
Inspection appointments or enquiries—			
<ul style="list-style-type: none"> • Mainframe, disk and peripheral equipment located at: 3rd Floor, 151 Royal Street, East Perth can be directed to Mr Norbert Gatt, manager Operational Services, telephone: (09) 264 4775 • UPS equipment located at: Lower Basement, 22 Mount Street, Perth can be directed to Mr Peter Morgan, Senior Engineer, telephone: (09) 264 4655 			
			February 21

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.

February 5, 1997.

PUBLIC NOTICES

ZZ101**PUBLIC TRUSTEE ACT 1941**

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

Dated at Perth the 3rd day of February 1997.

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

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

Lamont, Dorothy; Carmel; 13 October 1996; 24 January 1997.

Dessauer, Lucy Lilian; Nedlands; 12 December 1996; 28 January 1997.

Norton, George William; Como; 30 October 1996; 30 January 1997.

Utlej, Elsie Maud; Bateman; 14 December 1996; 30 January 1997.

ZZ102**TRUSTEES ACT 1962**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 7th March 1997, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Brodie, Alexander Albert, late of Unit 5/39 Melliodora Circle, Mirrabooka, died 8/1/97 (DEC 298752 DS4).

Brown, James, late of 21 Reen Street, St James, died 12/1/97 (DEC 298880 DS3).

Dunbar, Leonard, formerly of 23 Holland Street, Wembley, late of Homes of Peace, Thomas Street, Subiaco, died 13/1/97 (DEC 298869 DL3).

Ennis, James William, formerly of 39B Gemmell Way, Hillarys, late of 46 Talbot Drive, Kingsley, died 22/12/96 (DEC 298573 DA4).

Godden, Ivy Elizabeth Ellen, late of Hollywood Village Nursing Home, 31 Williams Road, Nedlands, died 5/12/96 (DEC 298899 DC4).

Green, Margaret Cecelia, late of Freeman Nursing Home, Bull Creek Road, Rossmoyne, died 18/1/97 (DEC 298866 DL4).

Hall, Eva Danella, late of 1/109 Pola Street, Dianella, died 30/12/96 (DEC 298816 DG3).

Harris, Walter Ernest William, late of Howes Wing RSL Homes, 51 Alexander Drive, Mount Lawley, died 5/10/96 (DEC 296737 DA4).

Jelly, Alan Thomas Leonard, late of 179 Rosebery Street, Bedford, died 3/1/97 (DEC 298656 DA4).

O'Shanassy, Eileen Mary Frances, late of Craigwood Nursing Home, 29 Gardner Street, Como, died 9/12/96 (DEC 298749 DA2).

Parry, Ronald Stanley, late of 22 Bentwood Avenue, Woodlands, died 9/1/97 (DEC 298809 DA3).

Richter, Lorne, late of 7/347 Stirling Highway, Claremont, died 9/1/97 (DEC 298679 DC4).

Sands, Reginald, late of Concorde Nursing Home, 25 Anstey Street, South Perth, died 29/10/96 (DEC 297003 DE3).

Sloss, Margaret, late of Hillcrest Hostel, Harvest Road, North Fremantle, died 11/1/97 (DEC 298873 DP4).

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

ZZ201**TRUSTEES ACT 1962**

Notice to Creditors and Claimants

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

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

D. R. CLARK, State General Manager.

Dated this 5th day of February 1997.

Carson, Esther Ethel, late of Unit 218/31 Williams Road, Nedlands WA 6009, Retired Matron, died 27/1/97.

Farmer, Muriel Clara, late of Hollywood Nursing Home, 31 Williams Road, Nedlands WA 6009, Retired School Teacher, died 11/1/97.

Higgins, Charles Stuart, late of 71/38 Kings Park Road, West Perth WA 6005, Retired Post Master, died 14/1/97.

Hollingsworth, Dorothy Caroline, late of 71/8 Albert Street, Claremont WA 6010, Widow, died 22/12/96.

Macpherson, Margerite, Murray River Nursing Home, Coolibah Avenue, Mandurah WA 6210, Retired Pastoralist, died 28/12/96.

ZZ202**TRUSTEES ACT 1962**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the undermentioned deceased person(s) are required to send particulars of their claims to the Executor(s) care of Mayberry, Hammond & Co., 85 Fitzgerald Street, Northam within one (1) calendar month from the date of publication of this Notice at the expiration of which time the Trustees may convey or distribute the assets having regard only to claims of which notice has been given.

Details—

Aarsen, Lammert late of Unit 11, 99 Herdman Parade, Wembley, Retired Salesman.

Date of Death: 9th September 1996.

Dated this 3rd day of February 1997.

Messrs. Mayberry, Hammond & Co.,
85 Fitzgerald Street, Northam.
Solicitors for the Executor.

ZZ203**TRUSTEES ACT 1962**

Notice to Creditors and Claimants

Creditors and other persons claims in respect of the Estate of the late Elsa Elisaperth Nagy who died on 9th day of October 1996 at Greenwood are requested to send particulars of their claims to the Executor Marika Gisella Gurney c/- Michael Whyte & Co, Barristers & Solicitors, Level 1, 41-43 Ord Street, West Perth 6005 within one (1) month from the date of this notice after which date the Executor may distribute the assets having regard only to the claims of which they have then had notice and the said Executor shall not be liable to any person of whose claim they have had no notice at any time of administration or distribution.

ZZ204**TRUSTEES ACT 1962**

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act, 1962 relates) in respect of the undermentioned deceased persons, are required by the executor National Mutual Trustees Limited of 111 St George's Terrace, Perth (Box B76 GPO Perth) to send particulars of their claims to them by 7th March 1997 after which date the Company may convey or distribute the assets of the Estate having regard only to the claims of which it then has notice—

1. Thomas Arthur Webb late of 7/21 Fennager Way Calista died on 24 December 1996; and
2. Valrae Lorna McFadden late of 38 Wood Street White Gum Valley died on 22 January 1997; and

ZZ301**INQUIRY AGENTS LICENSING ACT 1954**

APPLICATION FOR LICENCE IN THE FIRST INSTANCE

To the Court of Petty Sessions at Perth.

I, Graeme Williams of 29 Kirkpatrick Crescent, Noranda, Phone number Home 276 9947, Work 375 9264, Company Director having attained the age of twenty-one years, hereby apply on my own behalf for a license under the abovementioned Act. The principal place of business will be at 29 Kirkpatrick Crescent, Noranda.

Dated the 28th day of January, 1997.

G. WILLIAMS, Signature of Applicant.

Appointment of Hearing

I hereby appoint the 4th day of March 1997 at 2.15 o'clock in the forenoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Perth.

Dated the 28th day of January, 1997.

M. MEE, Clerk of Petty Sessions.

Objection to the granting of the application may be served on the applicant and the Clerk of Petty Sessions at any time prior to seven days before the date appointed for the hearing.

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