



**WESTERN
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GOVERNMENT**
Gazette



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GOVERNMENT GAZETTE—EASTER 1997

Advertisers are advised to note the following changes to publication dates for Government Gazette over the Easter period 1997.

There will be no edition for TUESDAY 1 APRIL.

EASTER ISSUES:

THURSDAY 27 MARCH (Copy closes Tuesday 25 March at 12.00 noon)

FRIDAY 4 APRIL (Copy closes Wednesday 2 April at 12.00 noon)

Any enquiries should be directed to John Thompson, Phone 426 0010

FAIR TRADING

FT401**ASSOCIATIONS INCORPORATION ACT 1987**

Section 35

WEST AUSTRALIAN SKATEBOARD ASSOCIATION (INC)

Notice is hereby given that the incorporation of the abovementioned association has been cancelled as from the date of this notice.

Dated the 25th day of February 1997.

R. MINEIF, Assistant Commissioner for Corporate Affairs.

LAND ADMINISTRATION

LA101*CORRECTION*

DOLA File 02808/1978.

In the notice at page 871 of the *Government Gazette* dated 30 March 1979 in respect to Reserve 35940 the reference to the area of 8.0451 hectares is amended to read 1.0089 hectares.

A. A. SKINNER, Chief Executive.

LA201

LAND ACT 1933
ORDER IN COUNCIL
(Vesting of Reserve)

By the direction of His Excellency the Governor under section 33(2), the following reserve has been vested.
DOLA File 2053/985.

Reserve No. 39436 (Port Hedland Lot 6748) vested in the Honourable Peter Gilbert Da Conceicao Foss M.L.C., Minister for Justice for the time being and his successors in office for the designated purpose of "Court House".

Local Authority: Town of Port Hedland.

J. PRITCHARD, Clerk of the Council.

LA202

LAND ACT 1933
ORDER IN COUNCIL
(Vesting of Reserve)

By the direction of His Excellency the Governor under section 33(2), the following reserve has been vested.

DOLA File 643/995.

Reserve No. 43311 (North Fremantle Lot 469) vested in the City of Fremantle for the designated purpose of "Foreshore Management" with power, subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding twenty one (21) years from the date of the lease.

J. PRITCHARD, Clerk of the Council.

LA203

LAND ACT 1933
ORDER IN COUNCIL
(Revocation of Vesting)

By the direction of His Excellency the Governor under section 34B(1), the following Order in Council and associated Vesting Order is revoked.

DOLA File 643/995.

Order in Council gazetted on 2 May 1995 vesting Reserve No. 43311 (North Fremantle Lot 469) in the Fremantle Port Authority for "Harbour Purposes".

Local Authority—City of Fremantle.

J. PRITCHARD, Clerk of the Council.

LA901**LAND ACT 1933****CHANGE OF PURPOSE OF RESERVE**

Made by His Excellency the Governor under section 37.

The purpose of the following reserve has been changed.

DOLA File 643/995.

Reserve No. 43311 (North Fremantle Lot 469) being changed from "Harbour Purposes" to "Foreshore Management".

Public Plans: BG34 (2) 06.14, 06.15, 06.16, 07.16 and 07.17. Port Beach Road.

Local Authority—City of Fremantle.

A. A. SKINNER, Chief Executive.

LB201**LAND ACT 1933****CANCELLATION OF RESERVE**

Made by His Excellency the Governor under section 37.

The following reserve has been cancelled.

DOLA File 2590/989.

Reserve No. 11462 (Koondra District) "Water (Rabbit Department)".

Public Plan: Robertson (250)

Local Authority—Shire of East Pilbara.

A. A. SKINNER, Chief Executive.

LB701*

SCHEDULE NO: A1/1997
DOLA 70/1997
ExCo. No. 0090

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960**LAND ACQUISITION AND PUBLIC WORKS ACT 1902****NOTICE OF RESUMPTION OF LAND**

For the purposes of the public work described in the Schedule, the land described in the Schedule ("the resumed land") has been set apart, taken or resumed. A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland.

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

SCHEDULE

1. Public Work: Widening of Wellesley Road (Road No. 2064).

Local Authority: Shire of Harvey

Plan/Diagram No. showing Land resumed: Diagram 92943

Council Resolution Date: 27 August, 1996. DOLA Ref: 1570/1986

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Christine Dorothy Olsen	C D Olsen	Part of Lot 100 on Diagram 77850 being part of the land contained in Certificate of Title Volume 1880 Folio 523.	5 m ²
Guerino Adam John Galati	G A J Galati	Part of Rural Lot 22 being part of the land contained in Certificate of Title Volume 1817 Folio 503.	14 m ²

2. Public Work: Widening of Railway Street (Road No. 18919).

Local Authority: Shire of Trayning

Plan/Diagram No. showing Land resumed: Diagram 92911

Council Resolution Date: 19 August, 1996. DOLA Ref: 2342/1996

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Crown	Westrail	Portion of unnumbered railway reserve.	1.2019 ha

3. Public Work: Deviation and widening of Liberton Road (Road No. 1785).

Local Authority: Shire of Mundaring

Plan/Diagram No. showing Land resumed: Plan 18523

Council Resolution Date: 17 December, 1991. DOLA Ref: 1102/1992

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Mary Josephine Slayter	M J Slayter	Portion of Swan Location 1461 being part of the land contained in Certificate of Title Volume 1118 Folio 765.	4 144 m ²
Lucia Genevieve Ross	L G Ross	Portion of Swan Location 1951 being part of the land contained in Certificate of Title Volume 1431 Folio 393.	2 080 m ²

Dated 4 February 1997.

DOUG SHAVE, Minister for Lands.

Dated 11 February 1997.

MICHAEL JEFFERY, Governor in Executive Council.

LB702*

SCHEDULE NO: A10/1996
DOLA File 70/1996
ExCo. No. 0089

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

For the purposes of the public work described in the Schedule, the land described in the Schedule ("the resumed land") has been set apart, taken or resumed. A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland.

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

SCHEDULE

1. Public Work: Extension of Chalk Brook Road (Road No. 18753).

Local Authority: Shire of Boddington

Plan/Diagram No. showing Land resumed: Diagram 92447

Council Resolution Date: 20 September, 1995. DOLA Ref: 624/1975

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
James Thomas Firns and Lillian Barbara Firns	J T and L B Firns	Portion of Murray Location 1490 being part of the land contained in Certificate of Title Volume 239 Folio 28A.	1.2725 ha

2. Public Work: Widening of Nanga Road (Road No. 17110).

Local Authority: Shire of Shark Bay

Plan/Diagram No. showing Land resumed: Plan 19131

Council Resolution Date: 22 November, 1995. DOLA Ref: 2473/1995

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Eretso Pty Ltd	Eretso Pty Ltd	Part of Lot 1 on Diagram 40011 being part of the land contained in Certificate of Title Volume 1763 Folio 216.	7 065 m ²
Eretso Pty Ltd	Eretso Pty Ltd	Part of Lot 2 on Diagram 40011 being part of the land contained in Certificate of Title Volume 402 Folio 57A.	1.3056 ha

Dated 4 February 1997.

DOUG SHAVE, Minister for Lands.

Dated 11 February 1997.

MICHAEL JEFFERY, Governor in Executive Council.

ROAD DEDICATION

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

By Order of the Minister for Lands.

Dated this 28th day of February, 1997.

A. A. SKINNER, Chief Executive.

LB703*

File No. 1223/1990

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

LAND ACQUISITION AND PUBLIC WORKS ACT 1902

NOTICE OF INTENTION TO TAKE OR RESUME LAND

Creation of Public Street—Southern Way—Shire of Esperance

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 piece or parcel of land described in the Schedule hereto, and being in the Esperance District, for the purpose of the following work, namely, Creation of Public Street—Southern Way—Shire of Esperance and that the said piece or parcel of land is marked off on Diagram 90066 which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only in no way derogates from the Transfer of Land Act description.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Parasc Pty Ltd	Parasc Pty Ltd	Part of Lot 1 on Diagram 28969 being part of the land contained in Certificate of Title Volume 1603 Folio 249.	2 897 m ²

Dated this 24th day of January 1997.

DOUG SHAVE, Minister for Lands.

LB704*

File No. 1648/1982

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

LAND ACQUISITION AND PUBLIC WORKS ACT 1902

NOTICE OF INTENTION TO TAKE OR RESUME LAND

Widening of Macedonia Drive (Road No. 17034)—Shire of Greenough

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 piece or parcel of land described in the Schedule hereto, and being in the Victoria District, for the purpose of the following public work, namely, widening of Macedonia Drive (Road No. 17034)—Shire of Greenough and that the said piece or parcel of land is marked off on Diagram 92765 which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

Owner or Reputed Owner	Schedule		Area (approx.)
	Occupier or Reputed Occupier	Description	
Peter John Knight	P J Knight	Part of Lot 51 on Diagram 31654 being part of the land contained in Certificate of Title Volume 1310 Folio 005.	704 m ²

Dated this 18th day of February 1997.

DOUG SHAVE, Minister for Lands.

LB705*

File No. 1295/1996

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

LAND ACQUISITION AND PUBLIC WORKS ACT 1902

NOTICE OF INTENTION TO TAKE OR RESUME LAND

Rights of Way—City of Bayswater

THE Minister for Works hereby gives notice in accordance with the provisions of section 17(2) of the Land Acquisition and Public Works Act 1902 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 Swan District, for the purpose of the following public work, namely, Rights of Way—City of Bayswater and that the said pieces or parcels of land are marked off on LTO Plan 4978 which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

Owner or Reputed Owner	Schedule		Area (approx.)
	Occupier or Reputed Occupier	Description	
Whitfords Limited	Whitfords Limited	The land marked drain reserve and shown coloured blue on Plan 4978 being all of the land remaining in Certificate of Title Volume 1034 Folio 93.	3 795 m ²

Dated this 18th day of February 1997.

DOUG SHAVE, Minister for Lands.

LOCAL GOVERNMENT

LG301

LOCAL GOVERNMENT ACT 1995

TOWN OF CAMBRIDGE PARKING FACILITIES LOCAL LAW

Amendment

It is hereby notified for public information that the following changes have been made to the modified penalties pursuant to the Town of Cambridge Parking Facilities Local Law:—

That the existing Sixth Schedule be deleted and replaced with the revised Schedule hereunder.

**TOWN OF CAMBRIDGE
PARKING FACILITIES LOCAL LAW**

SIXTH SCHEDULE

Modified Penalties

Clause	METERED AREAS	Penalty
24(1)(a)	Stand at Expired Meter	\$30
24(1)(b)	Stand Longer than Time Allowed (up to 1/2 hour in excess)	\$40
24(1)(b)	Stand Longer than Time Allowed (Over 1/2 hour in excess)	\$60
24(1)(c)	Stand against a Hooded Meter	\$40
25(1)(a)	Not Stand Parallel to Kerb	\$30
25(1)(b)	Not Stand Close to Kerb	\$30
25(1)(c)	Not Stand Wholly within Metered Space	\$30
25(1)(d)	Stand Vehicle other than Headed in Direction of Movement of Traffic	\$30
25(2)	Not Stand Wholly within Metered Space (Angle Parking)	\$30
26	Stand/Park/Attempt to Stand/Park in Metered Space Already Occupied	\$30
27	Return to Metered Space Within One Hour	\$30
29(a)	Unlawfully Stand Vehicle in Stall/Metered Space marked "M/C"	\$30

Clause	METERED AREAS	Penalty
30(a)	Stand Longer than Time Allowed (M/C Stall metered or standard sign)	\$30
30(b)	Stand Longer than Time Allowed (M/C Adjacent Sign)	\$30
30(c)	Not Stand M/C Wholly within Stall/Metered Space	\$30
31	Stand M/C in Stall/Metered Space Not Marked 'M/C'	\$30
TICKET MACHINE ZONES		
37(1)	Fail to Clearly Display Current Ticket	\$30
38(1)	Stand Longer than Time Allowed	\$40
39(a)(i)	Not Stand Parallel to Kerb	\$30
39(a)(ii)	Not Stand Close to Kerb	\$30
39(a)(iii)	Not Stand Wholly Within Parking Stall	\$30
39(a)(iv)	Stand Vehicle Other Than Headed in Direction of Movement of Traffic	\$40
39(b)	Not Stand Wholly within Parking Stall (Angle Parking)	\$30
43(1)	Fail to Display Current Voucher/Ticket	\$30
44(b)	Display Altered/Defaced/Interfered Ticket Voucher	\$80
44(d)	Use/Attempt to Use or Validate Voucher in Excess of Authorised Period(s)	\$80
44(e)	Display Voucher Validated in Excess of Authorised Period(s)	\$30
46(a)	Stand Motorcycle in other than Motorcycle Parking Stall	\$30
46(b)	Fail to pay Motorcycle Parking Fee	\$30
PARKING STATIONS		
47(2)(a)	Remove Vehicle from Attended Parking Station without Paying Applicable Fee	\$60
47(2)(b)	Remove Vehicle from Attended Parking Station without Permission (Outside Operating Hours)	\$80
48(3)	Fail to Display Parking Permit	\$30
49(1)(a)	No Standing (Any Time)	\$60
49(1)(b)	No Standing (Restricted Period)	\$60
49(2)(a)	No Parking (Any Time)	\$40
49(2)(b)	No Parking (Restricted Period)	\$40
49(3)	Stand Longer Than Time Allowed (Up to 1 hr of Limit)	\$40
49(3)	Stand Longer Than Time Allowed (Over 1 hr in excess of Limit)	\$60
49(4)	Not Stand Wholly Within Parking Stall	\$30
54	Disobey Direction to Move Vehicle	\$60
55	Unlawfully Display/Trade Goods In A Parking Station	\$80
56	Cause Obstruction	\$40
PARKING ON ROAD		
6(1)(a)	No Standing (Any Time)	\$80
6(1)(b)	No Standing (Restricted Periods)	\$80
6(2)(a)	No Parking (Any Time)	\$60
6(2)(b)	No Parking (Restricted Periods)	\$60
6(3)	Stand Longer Than Time Allowed (Up to 1 hr in excess of Limit)	\$40
6(3)	Stand Longer Than Time Allowed (Over 1 hr in excess of Limit)	\$60
7(a)	Stand Upon a Median Strip	\$60
7(b)	Unlawfully Stand Adjacent to Median Strip	\$60
7(c)	Stand Upon or Within 9m of a Traffic Island	\$60
8(1)(a)	Not Stand Parallel to Kerb	\$30
8(1)(b)	Not Stand Close to Kerb	\$30
8(1)(c)	Stand Vehicle other than Headed in Direction of Movement of Traffic	\$40
8(1)(d)	Not Stand Wholly within Parking Stall	\$30
8(2)	Not Stand Wholly within Parking Stall (Angle Parking)	\$30
9(1)	Stand/Park or Attempt to Stand/Park in Stall Already Occupied	\$30
10(a)	Stand Within 6m of Intersection	\$80
10(c)	Stand Upon/Over a Footpath/Place of Refuge	\$80
11(a)	Cause Obstruction (Road)	\$60
11(b)	Cause Obstruction (Entrance/Exit to Premises)	\$80
11(c)	Obstruct an Intersection	\$80
12(1)	Stand Abreast of Another Vehicle	\$60
13(1)	Unlawfully Stand Upon a Verge	\$40
14	Stand within 1m of a Pillar Fire Hydrant	\$40
15(1)	Unlawfully Stand Upon a Pedestrian Crossing	\$80
16	Return to Time Restricted Area within One Hour (Not across Intersection)	\$30
17(2)	Stand in Area Restricted to Persons of a Particular Class	\$60
17(4)	Stand in Area Restricted to Vehicles of a Particular Class	\$60
17(A)(8)	Unlawfully Stand Vehicle in Work Zone	\$40
17(A)(8)	Not continuously engaged in (Un)Loading Goods in Work Zone	\$40
18	Disobey Direction to Move Vehicle	\$60
19(1)	Stand Non-Commercial Vehicle in Loading/Truck Zone	\$40
19(1)	Not Continuously Engaged in (Un)Loading Goods in Loading/Truck Zone..	\$40
19(3)(b)	Stand Vehicle in Loading Zone More Than 15 minutes	\$40
21	Stand Upon Public Bus Stand	\$80
22	Stand Upon Tourist Bus Stand	\$80

Please be aware that if a final demand is issued in relation to this matter, additional costs will be incurred.

If you take no action, this matter may be registered with the fines enforcement registry, after which your drivers licence or any vehicle licence held by you may be suspended.

If the matter is lodged with the registry additional costs will also be payable.

THIS SECTION MUST BE COMPLETED WHEN MAKING PAYMENT

If you change address prior to the finalisation of this matter it is important that you advise us immediately. Failure to do so may result in your driver's licence or any vehicle licence you hold being suspended without your knowledge.

OWNER:

First Name:

Surname:

Address:

.....

Dated this 26th day of February 1997.

GRAHAM D. PARTRIDGE, Chief Executive Officer.
ROSS J. WILLCOCK JP, Mayor.

LG303*

LOCAL GOVERNMENT ACT 1995

Shire of Roebourne

Local Laws Relating to the Removal of Refuse, Rubbish, Litter, Derelict Vehicles, Vehicle Bodies and other Materials or Things

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it the Council of the abovementioned Local Government hereby records having resolved on the 3rd day of February 1997, to adopt the following Local Laws.

Previous By-law

1. The Municipality of the Shire of Roebourne By-Laws relating to Clearing of Land and Depositing and Removal of Refuse, Rubbish, Litter, Disused and other Materials and Things, is hereby repealed and the following Local Laws are substituted in lieu thereof.

Citation

2 This Local Law may be cited as the Shire of Roebourne Local Law Relating to the Removal of Refuse Rubbish, Litter, Derelict Vehicles, Vehicle Bodies and other Materials or Things.

Application

3. This Local law shall apply and have effect throughout the whole of the district.

Definitions

4. (1) In this Local law unless the context otherwise requires—

“Act” means the Local Government Act 1995;

“Authorised Officer” means the C E O of the Council or any Health Surveyor, Building Surveyor or any Ranger employed by the Council, or any person appointed by the Council as an authorised officer for the purpose of this Local law;

“CEO” means the Chief Executive Officer of the Shire of Roebourne or the person acting for the time being in that capacity.

“Council” means the Council of the of the Local Government of the Shire of Roebourne;

“District” means the Local Government district of the Shire of Roebourne;

“Litter” Includes—all kinds of rubbish, refuse, junk, garbage or scrap.

“Local Government” means the Local Government of the Shire of Roebourne;

“Machinery” means an assembly of interconnected components.

“Materials” means the substance of which things are made or composed; component or constituent matter.

“Occupier” where used in relation to land means the person by whom or on whose behalf the land is actually occupied or, if there is no occupier, the person entitled to possession of the land, and includes a person in unauthorised occupation of Crown land and where under a licence or concession there is a right to take profit of Crown land specified in the licence or concession, means the person having that right.

“Owner” where used in relation to land, has the same meaning as in the “Act”;

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

- “Refuse” has the same meaning as Rubbish;
 “Rubbish” has the same meaning as Litter;
 “Things” mean objects or entities that cannot or need not be precisely named;
 “Vehicle” means any vehicle which comes within the interpretation of that expressed in the Road Traffic Act.

Delegated Authority

5. Council may by resolution passed by an absolute majority, delegate to the “CEO” as defined in this Local law, the performance of any function of the Council in relation to this Local law.

In this Local law a reference to the Council having powers to do something in its discretion or a reference to the Council forming an opinion prior to the doing of anything shall be deemed to include a reference to any employee of the Local Government to whom the “CEO” has delegated the exercise of any of the “CEO”s powers or the discharge of any of the “CEO”s duties in relation to this Local Law.

Provisions

6. (a) If there is on any land whether vacant or occupied within the district any refuse, rubbish, litter and other material or things, whether of the same kind or a different kind from that here specified which in the opinion of Council or an Authorised Officer is likely to affect adversely the value of adjoining property, or the health, comfort and convenience of the inhabitants thereof, or is likely to cause damage if windborne during a storm or cyclone; the Council or an Authorised Officer may cause a notice to be served on the owner or occupier of such land requiring him/her, within the time specified in such Notice, to remove the refuse, rubbish, litter and other material or things from that property or secure it in a manner approved by the Council or an Authorised Officer.

(b) If there is on any land whether vacant or occupied within the district any derelict motor vehicle, or vehicle body or old machinery which in the opinion of the Council or an Authorised officer is likely to adversely affect the value of the adjoining property or the health comfort and convenience of the inhabitants thereof or is likely to cause damage if windborne during a storm or cyclone; the Council or an Authorised Officer may cause a Notice to be served on the owner or occupier of such land requiring him/her, within the time specified in such Notice, to remove the vehicles, vehicle bodies or the machinery from that property or secure it in a manner approved by the Council or an Authorised Officer.

Penalty Provision

7. Every owner or occupier of land on whom a Notice has been served under Local Law 6 (a) (b) of these Local Laws shall comply with such Notice within the time specified therein or in that time give satisfactory reasons why the refuse, rubbish, litter, derelict motor vehicles, motor vehicle bodies, old machinery or other material or things should be retained or be given extra time in which to comply.

8. Any person who fails to comply with the terms of any Notice served under these Local Laws commits an offence, and on conviction shall be liable to a penalty not exceeding five thousand dollars (\$5000.00) and a daily penalty not exceeding five hundred dollars (\$500.00) for each day on which the offence occurs after the expiry of the Notice.

9. Where the owner or occupier does not remove the refuse, rubbish, litter, derelict motor vehicle, vehicle bodies, old machinery or other material or things, or secure it in a manner approved by the Council or an Authorised Officer, the Council or an Authorised Officer may, without payment of any compensation in respect thereof, remove it, or cause it to be removed, and dispose of it at the expense of, and recover in a court of competent jurisdictions the amount of the expenses from, the owner or occupier upon whom the Notice was served.

Dated this 11th day of February 1997.

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

K. RICHARDS, President.
 T. S. RULAND, Chief Executive Officer.

LG304*

DOG ACT 1976

Shire of Roebourne

Local Laws Relating to Dogs

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the Local Government of the Shire of Roebourne hereby records having resolved on the 3rd of February 1997 to adopt the following Local laws.

Local Laws Relating to Dogs

Revocation

1. The by-laws of the Shire of Roebourne relating to dogs published in the *Government Gazette* on 24 January 1992 and amended from time to time are hereby revoked.

Citation

2. These Local Laws may be cited as the Shire of Roebourne Local Laws relating to dogs.

PART I—INTERPRETATION

3. In these Local Laws unless the context otherwise requires—

“Act” means the Dog Act as amended

“Authorised Person” means a Ranger or any person who is authorised by Council to administer and enforce the provisions of these local-laws

“CEO” means the Chief Executive Officer of the Shire of Roebourne or the person acting for the time being in that capacity.

“Council” means the Council for Local Government of the Shire of Roebourne.

“District” means the district of the Local Government of the Shire of Roebourne.

“Person liable for the control of a dog” means each of the following—

- (a) the registered owner of the dog;
- (b) The owner of the dog;
- (c) The occupier of any premises where the dog is ordinarily kept or ordinarily permitted to live
- (d) a person who has the dog in his possession or under his control

“Premises” shall, for the purpose of determining who is the occupier, be taken to refer to any land or building, or part of any land or building, that is or is intended to be occupied as a separate residence from any adjacent tenement;

“Public place” means any place to which the public have access;

“Public buildings” means each of the following—

- (a) business colleges
- (b) churches;
- (c) cinemas
- (d) community centres
- (e) hotel entertainment areas
- (f) licensed premises;
- (g) public swimming pools
- (h) schools

“Regulations” means the Dog Act Regulations 1976

“Townsite” means that portion of land delineated and gazetted as a townsite under the Land Act 1933 by the Department of Lands and Survey for each respective townsite within the Local Government of the Shire of Roebourne.

All other words and expressions have the same meaning as they have in the Act.

PART II—DELEGATED AUTHORITY

4. Council may by resolution passed by an absolute majority, delegate to the “CEO” as defined in this local law, the performance of any function of the Council in relation to this Local law.

In this Local Law a reference to the Council having powers to do something in its discretion or a reference to the Council forming an opinion prior to the doing of anything shall be deemed to include a reference to any employee of the Local Government to whom the “CEO” has delegated the exercise of any of the “CEO’s powers or the discharge of any of the “CEO’s duties in relation to this Local Law.

PART III—IMPOUNDING OF DOGS

5. The Council may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Dog Act 1976 as amended.

6. Where a dog has been seized or placed in a pound the keeper of the pound or any other employee authorised by the Council shall if the owner or person usually in charge of the dog is known, forthwith notify such person that the dog has been impounded.

7. The pound keeper or other employee authorised by the Council shall be in attendance at the pound for the release of dogs at such times and on such days of the week as shall from time to time be determined by the pound keeper or other employee authorised by the Council.

8. Any person applying for the release of a dog seized or impounded shall prove to the satisfaction of an authorised person the ownership of the dog and his authority to take delivery of it. An authorised person may accept such proof as he/she considers satisfactory and no person shall have any right of action against him/her or Council in respect of delivery of a dog in good faith.

9. If the owner or person apparently acting on behalf of the owner of a dog seized or impounded claims such dog then the dog shall be released to that person upon payment of the fees specified in the First Schedule hereto together with any veterinary fees which may have been incurred by Council in relation to treatment of the dog.

10. If a dog shall not be claimed and said fees paid within 72 hours of its being impounded, or if a dog having a collar around its neck with a registration tag affixed thereto shall not be claimed and the said fees paid within 72 hours of the service of a notice upon the owner the pound keeper or other employee authorised by the Council may sell, destroy or otherwise dispose of the dog.

11. Upon the sale of a dog the proceeds of sale shall be the property of the Council and may be disposed of in such manner as the Council thinks fit. The owner of a dog sold pursuant to these Local laws shall have no claim against the Council in respect of the proceeds thereof.

12. Notwithstanding anything herein contained but subject to the provisions of sub-section (12) of section 29 of the Dog Act 1976 as amended, any dog seized or impounded may at any time be destroyed upon the written authority of a registered veterinary surgeon, medical practitioner, or environmental health officer.

13. If the Council destroys or causes the destruction of a dog whether at the request of its owner or not and whether the dog shall have been seized or detained or not the owner shall pay, when so required, to the Council the fees specified in the First Schedule hereto.

14. No person shall—

- (a) unless a pound keeper or other employee of the Council duly authorised in that regard release or attempt to release a dog from a pound.
- (b) destroy, break into, damage or in any way interfere with or render not dog proof any pound.
- (c) destroy, break into, or in any way interfere with any vehicle, trailer, cage, or any container used for the purpose of catching, holding, or conveying dogs which have been seized.

15. The payment of fees in respect of the seizure, care, detention or destruction of a dog shall not relieve the owner of liability to a penalty under any of the provisions of the Dog Act 1976 or this Local law

KEEPING OF DOGS

16. The owner or occupier of premises within the Local Government District shall, not unless the premises are licensed as an approved kennel establishment or have been granted an exemption in accordance with Section 26(3) of the Dog Act 1976, keep or permit to be kept upon those premises more than two(2) dogs over the age of three(3) months.

17. A person wishing to keep more than two but not greater than six dogs on any premises shall apply for an exemption for those premises under the provision of Section 26(3) of the Dog Act 1976. The Council may grant an exemption in respect of those premises but any such exemption—

- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein
- (b) shall not operate to authorise the keeping of more than six(6) dogs on those premises; and
- (c) may be revoked or varied at any time

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

- (a) Cause the premises or portion thereof on which a dog is kept to be fenced in a manner capable of confining the dog.
- (b) Ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which have regard to the breed, age, size and physical condition of the dog, shall be capable of preventing the dog at all times from passing over, under or through it.
- (c) Ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises, but nothing in this Local law prevents a person from opening the gate in order to enter or leave the premises.
- (d) Ensure that every gate or door in the fence is fitted with—
 - (i) an efficient self closing mechanism;
 - (ii) an efficient self latching mechanism attached to the inside of the gate;
 - (iii) a mechanism which enables the gate or door to be permanently locked.
- (e) In this Local law the term “fence” includes a wall.
- (f) Maintain the fence and all gates and doors in good order and condition.
- (g) Where no part of the premises consists of open space, yard or garden or their is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exists on the premises for effectively confining the dog within the building on the premises.

19. Where the owner or occupier of any premises wishes to keep more than two dogs on the premises at any one time and has not been granted an exemption pursuant to Section 26(3) of the Dog Act, and this Local Law that person may apply to the Council in the form of the Third Schedule for a licence to establish an approved kennel establishment on such premises.

PART IV—REGULATIONS OF DOG KENNELS

20. (1) A licence to keep an approved kennel establishment may not be granted by the Council until—

- (a) 14 days notice of intention to establish a kennel on the premises has been given by the applicant in a newspaper circulating in the district.
- (b) The Council has considered any written submissions and objections to the establishment or maintenance of a kennel on the premises.
- (c) The Council has sought and considered submissions from the owners of properties, which in its opinion, are most likely to be affected by the proposal to establish an approved kennel establishment.

21. The advertisement required in Section 20(a) shall specify that any submissions to Council regarding the application for the establishment of a kennel are to be lodged with the Council within fourteen(14) days from the date of the advertisement.

22. The Council may grant or refuse a licence for an approved kennel establishment and if a licence is granted the Council may impose such conditions as it thinks fit. The licence shall be in the form of the Fourth Schedule.

23. The registration of a kennel establishment shall remain valid until the 31st October next following the issue thereof, unless it shall have been previously revoked, and shall be subject to annual review before renewal.

24. All applications for the renewal of the registration of dog kennels shall be made in the Form of the Fifth Schedule to the Council during the month of October in each year.

25. A person who commits a breach of any of the terms or conditions of the licence for an approved kennel establishment commits an offence.

26. Any person who has been granted a kennel licence or who has made application for such a licence shall ensure that the kennel establishment complies with the following conditions—

- (a) Each kennel shall have a yard attached thereto.
- (b) Each kennel and each yard and every part thereof shall not be erected closer to the boundary of a lot than the following distance—
 - from frontage to roads thirty(30) metres;
 - from all other boundaries twenty(20) meters
- (c) Each kennel and each yard and every part thereof shall be at a distance not less than ten(10) meters from any dwelling.
- (d) Each kennel and each yard and every part thereof shall be a distance of not less than fifty(50) meters from any church, school room, hall, factory, dairy or premises whatsoever wherein food is manufactured, prepared, packed or stored for human consumption.
- (e) Notwithstanding the provisions of this Section paragraphs (b), (c), and ((d) the Council may permit a reduction of a kennel set-back if it is shown to the satisfaction of Council that for reasons of topography or lot configuration the prescribed set-back cannot be adhered to or would be unnecessarily disadvantageous.
- (f) Each yard for any kennel shall be kept securely fenced with a fence constructed of link mesh or netting or other material approved by Council, and shall be of a height capable of retaining the dog within its confines.
- (g) External gates and doors for each yard or kennel shall be fitted with an efficient self closing and latching mechanism.
- (h) The minimum floor area for each kennel shall be 2.5 square metres for every dog kept therein over the age of three(3) months.
- (i) The minimum size of any yard shall not be less than twice the area of the kennel or group of kennels.
- (j) Where a yard is to be floored, the floor shall be constructed in the same manner as the floor of any kennel
- (k) The upper surface of a kennel floor shall be at least 10 cm above the surface of the surrounding ground and shall be constructed of granolithic cement finished to a surface having a fall of not less than 1 to 100 to a drain which shall be properly laid, ventilated and trapped in accordance with the health requirements of the Council.
- (l) The walls of each kennel shall be constructed of concrete, brick, stone or framing sheathed internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting.
- (m) The lowest internal height of any kennel shall be two(2) meters from the floor.
- (n) The roof of each kennel shall be constructed of approved impervious material.
- (o) All external surfaces of each kennel shall be kept in good condition and shall if directed by an Authorised Officer of Council be painted or re-painted with good quality paint.
- (p) All kennels yards and drinking vessels shall be maintained in a clean condition and shall be cleaned and disinfected when so requested by an Authorised Officer of Council

- (q) Every approved kennel establishment shall be provided with a reticulated water supply in the form of a supported standpipe and hose for the hosing down of the kennels and yards.
- (r) The holder of a licence to keep an approved kennel establishment shall dispose of or cause the disposal of all refuse, faeces and food waste daily into an approved apparatus for the bacteriolytic treatment of sewage.
- (s) Noise, odours, fleas, flies and vermin must be effectively controlled.

27. No kennel shall be erected until plans and specifications together with location plan showing the proposed site for the kennel and yard attached thereto have been approved by the Council.

28. A kennel licence shall not be granted by Council before ensuring that a person in charge of the dogs either resides on the premises where the kennel is established, or within reasonable close proximity so as to enable that person to have effective control over the dogs

29. The approved kennel establishment is solely registered to the owner or occupier of the land as specified in the approved application for the kennel establishment licence and is deemed null and void in the event of a change in the owner or occupier of the land on which the kennel establishment is located.

30. No kennel establishment shall be permitted on land zoned residential under a Town Planning Scheme operative within the Shire.

PART V—GENERAL

31. The owner or person liable for the control of a dog shall prevent that dog from entering or being in any of the following places—

- (a) A public building.
- (b) A food shop or other public business premises.

This Local Law shall not apply to dogs used by the blind or partially blind, deaf or partially deaf people or trainers who are bona fide engaged in the training of guide and hearing dogs

32. Any person liable for the control of a dog as defined in Section 3(1) of the Act, who permits, or fails to prevent, that dog from excreting on any street or other public place or public reserve or on any other land within the district without the consent of the owner or occupier commits an offence unless the excreta is removed forthwith and disposed of either on private land with the consent of the owner or occupier or in such other manner as the Council may approve

33. Any person who contravenes or fails to comply with any provision of these Local laws commits an offence and shall upon conviction be liable to a penalty not exceeding \$5000.

34. The land specified in the Second Schedule of these Local laws is designated as a dog exercise area for the purpose of the Dog Act 1976.

35. The offences prescribed in the Seventh Schedule are prescribed pursuant to Section 45A(2) of the Act as offences in relation to which a modified penalty applies and the amount appearing directly opposite each such offence is the prescribed modified penalty payable in respect of that offence.

36. (1) Where an authorised person has reason to believe that a person who has committed an offence against these Local laws as prescribed in Section 35 he may serve upon that person an Infringement Notice and the Infringement Notice issued under these Local laws shall be in the Form depicted in Form 7 of the First Schedule of the Regulations.

(2) An Infringement Notice may be served on an alleged offender personally or by posting it to his address as ascertained at the time or immediately following the occurrence giving rise to the allegation of the offence, or as recorded by Council pursuant to the Act.

(3) Where a person who received an Infringement Notice fails to pay the prescribed penalty within the time specified in the notice, or within such time as may in any particular case be allowed, he is deemed to have declined to have the alleged offence dealt with by way of a modified penalty.

(4) An alleged offender on whom an Infringement notice has been served may, within the time specified in that notice or such further time as may in any particular case be allowed, send or deliver to the Council the amount of the prescribed penalty, with or without a reply as to the circumstances giving rise to the allegation, and the Council may thereupon—

- (a) appropriate the amount in satisfaction of the penalty and issue an acknowledgment; or
- (b) withdraw the Infringement Notice and refund the amount so paid.

(5) An Infringement Notice may, whether or not the prescribed penalty been paid, be withdrawn by the Council by sending a notice in the prescribed form to the alleged offender at the address specified in the notice or the offenders last known place of residence or business.

(6) The prescribed form of Withdrawal of Infringement Notice issued under these Local laws shall be in the form depicted in Form 8 of the First Schedule of the Regulations.

FIRST SCHEDULE

Fees

Seizure and impounding of a dog	\$50.00
Sustenance and maintenance of a dog per day or part thereof	\$ 8.00
Seizure and return of a dog without impounding it	\$50.00
Destruction of a dog	\$25.00
Application fee for registration of a kennel establishment	\$75.00
Kennel Licence fee per year or part thereof	\$50.00

SECOND SCHEDULE

Shire of Roebourne

Dog Exercise Areas

The following sites are designated as dog exercise areas within the district

KARRATHA

Reserve 36708	De Witt Location 137
34922	Karratha Lot 1972
32335	Lots 1146, 1147, & 1148
40041	Lots 2091, 2650 & 2659
34405	Lot 1147
40080	Lots 2205, 2268, 2296, 3840 & 2322
38153	Lot 2900

WICKHAM

Reserve	De Witt Location 68
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ROEBOURNE

Reserve 35385	Roebourne Lots 698, 700, 706
Reserve 40146	Roebourne Lot 768

POINT SAMSON

Reserve 34664	Point Samson Lot 286
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THIRD SCHEDULE

Shire of Roebourne

Application for Kennel Establishment Licence

I/we (full name)
of (postal address)
hereby apply for the registration of a kennel establishment at (property address)

Number of dogs to be kept

Breed of dogs

Attached hereto—

- (i) Two(2) copies of a plan showing the details and specifications of all kennels appurtenant thereto and showing the distance from the said kennels and yards to the boundaries of the land the subject of the application and all buildings on the said land;
- (ii) Evidence that notice of the proposed use of the land has been given in writing to the owners and occupiers of all adjoining land and premises
- (iii) I tender herewith the Fee of \$

I hereby declare that all the above details are correct to the best of my knowledge and that I have no objection to an Authorised Person inspecting the premises at a reasonable time to ensure compliance with Councils Local laws.

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

Should you be aggrieved by this decision, you are advised of your right to appeal to—

- (a) the Local Court, in the case of an application to establish a kennel (Sect. 27(7).
 - (b) the Minister for Local Government in the case of an applicant to keep more than two dogs (Sect 26(5)).Dog Act 1976
- (strike out that which is not applicable)

Signature of Authorised Officer.....

Date.....

FOURTH SCHEDULE

Shire of Roebourne

Kennel Establishment Licence

Dog kennels situated on the premises at: are hereby registered with the Shire of Roebourne.

Name of occupier

Number of dogs

Breed of dogs

A licence is hereby granted to the abovementioned occupier to operate a Kennel Establishment at the said premises for the said breed and number of dogs.

The conditions of this Licence are as set out hereunder—

This registration and licence shall, unless previously revoked, remain in force until the 31st. day of October next. Applications for renewal must be made to the Council during the month of October. Buildings and yards not complying with Councils Local laws relating to Dogs are not covered by this Licence

Dated this.....day of19.....

Signature.....

Authorised officer.

FIFTH SCHEDULE

Shire of Roebourne

Renewal of Kennel Establishment Licence

I/We (full name)

of (postal address)

hereby apply for the renewal of the registration of a kennel establishment at (property address)

for (breed and number of dogs)

I tender herewith the fee of \$50.00

Dated this.....day of19.....

Signature.....

SIXTH SCHEDULE

Shire of Roebourne

Application to keep more than two dogs

I (full name)

of (postal address)

hereby apply to keep more than two(2) dogs in accordance with Section 26 of the Dog Act 1976 at (property address)

for (give details of all dogs proposed to be kept on the afore-mentioned premises)—

Breed	Sex	Colour	Name	Age
1 _____	_____	_____	_____	_____
2 _____	_____	_____	_____	_____
3 _____	_____	_____	_____	_____
4 _____	_____	_____	_____	_____
5 _____	_____	_____	_____	_____
6 _____	_____	_____	_____	_____

It is necessary for me to keep more than two(2) dogs because

Signed.....

Date.....

To (name of applicant)

of (postal address)

Your application to (strike out that which is not applicable)

(a) keep more than two (2) dogs

(b) establish a kennel

at (property address of applicant)

has been (strike out that which is not applicable)

(a) approved

(b) rejected

Conditions/Comments:

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.....

Should you be aggrieved by this decision you are advised of your right of appeal to the Minister of Local Government in accordance with Section 26 (5) of the Dog Act 1976

.....Authorised officer.....19.....

SEVENTH SCHEDULE

Shire of Roebourne

Modified Penalties

Item	Section	Nature of Offence	Penalty
1	31	Permitting a dog to enter or be in a prohibited place	\$100.00
2	32	Permitting a dog to excrete on a street or other public place or public reserve or on other land and failing to remove and dispose of such excreta in an approved manner on private land with the consent of the occupier of the land	\$50.00
3	18 (a)	Failing to provide means for effectively confining the dog	\$50.00
4	26	Failing to maintain a kennel establishment in a clean, sanitary and tidy condition	\$50.00
5	26(r)	Failing to dispose of all refuse, faeces, and food waste from a kennel establishment daily in an approved manner	\$50.00
6	26(s)	Failing to take all practical measures for the destruction of fleas, flies and vermin	\$50.00
7	14(a)	Attempting to or causing the unauthorised release of a dog from a pound	\$50.00
8	14(c)	Interfering with any pound or any vehicle used for the purpose of catching, holding or conveying dogs	\$50.00

Dated this 11th day of February 1997.

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

K. RICHARDS, President.
T. S. RULAND, Chief Executive Officer.

LG305*

LOCAL GOVERNMENT ACT 1995

*Shire of Roebourne*Local laws Relating to Hawkers, Stallholders and
Trading in Public Places

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the abovementioned Local Government hereby records having resolved on 3rd February 1997 to adopt the following Local law.

Previous By-law

1. The Municipality of the Shire of Roebourne By-laws relating to Hawkers and Stallholders, published in the *Government Gazette* on the 20th day of February 1976, is hereby repealed and the following Local law is substituted in lieu thereof.

Part I—Preliminary

Arrangement

2. This local law is divided into parts as follows—

- Part I—Preliminary, Clauses
- Part II—Delegated Authority
- Part III—Licences
- Part IV—Conduct

Citation

3. This local law may be cited as the Shire of Roebourne Local law Relating to Hawkers, Stallholders and Trading in Public Places.

Application

4. This local law shall apply and have effect throughout the whole of the district.

Definitions

5. (1) In this local law unless the context otherwise requires—

- “the Act” means the Local Government Act 1995
- “Authorised officer” means the CEO, or any health surveyor, building surveyor or any ranger employed by the Council, or any other person appointed by the Council as an authorised officer for the purpose of this by-law.
- “Council” means the council of the Local Government of the Shire of Roebourne;
- “district” means the Local Government district of the Shire of Roebourne;
- “Hawker” has the same meaning given to it in Section 217 of the Act;
- “licence” means a licence issued pursuant to this local law to hawk conduct a stall or carry out trading in a public as the case may be;
- “stallholder” means a person in charge of a stall;
- “trading” means selling or hiring of goods, wares, merchandise or services, or offering goods, wares merchandise or services for sale or hire, in a street or other public place and includes displaying goods, wares, or merchandise for the purpose of offering them for sale or hire, inviting offers for sale or hire soliciting orders or carrying out any other transaction therein, but does not include the setting up of a stall, or the conducting of a business at a stall under the authority of a stallholders licence issued under this local law;
- “vehicle” includes every conveyance, not being a train, boat, aircraft, or wheelchair and every object capable of being propelled or drawn on wheels or tracks by any means;

(2) Unless otherwise defined herein the terms and expressions used in this local law shall have the same meaning given to them in the Act.

Part II—Delegated Authority

Council may by resolution passed by an absolute majority, delegate to the “CEO”, as defined in this Local law, the performance of any function of the Council in relation to this Local law.

In this local law a reference to the Council having powers to do something in its discretion or a reference to the Council forming an opinion prior to the doing of anything shall be deemed to include a reference to an Authorised Officer or committee to whom the “CEO” has delegated the power or the doing of the thing exercising such discretion or forming such opinion.

Part III—Licences

Hawkers

6. (1) A person shall not hawk any goods, wares or merchandise within the district unless that person holds a current hawker’s licence issued pursuant to this local law.

(2) Every application for a hawker’s licence shall be in the form provided in Schedule I and shall specify—

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

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

(4) A licence granted to a hawker is valid for the hawking of goods, wares, merchandises therein described only, and in the case of a licence limited to a part of the district, is valid for that part of the district only.

Stallholders

7. (1) Subject to sub clause (2), a person shall not conduct a stall for the sale of goods, wares or merchandise within the district unless that person is the holder of a current stallholder's licence or is an assistant specified in a current stallholders licence.

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

(3) Every application for a stallholder's licence shall be in the form provided in Schedule 2 and shall specify—

- (a) the full name and address of the applicant;
- (b) the proposed number and names and addresses of the assistants to be engaged by the applicant in conducting the stall pursuant the licence;
- (c) the location of the proposed site for which the licence is sought;
- (d) the period for which the licence is sought;
- (e) the proposed goods, wares, merchandise to be sold or hired from the stall; and
- (f) be accompanied by an accurate plan and description of any proposed stall which may be used for the selling or hiring of goods.

Traders

8. (1) A person shall not carry on trading in any street or public place within the district unless that person is the holder of a current trader's licence or is an assistant specified in a current trader's licence.

(2) Every application for a trader's licence shall be in the form provided in Schedule 3 and shall specify—

- (a) the full name and address of the applicant;
- (b) the proposed number and names and addresses of assistants to be engaged by the applicant in trading pursuant to the licence;
- (c) the location for which the licence is sought;
- (d) the proposed days and hours of trading;
- (e) the proposed goods, wares, merchandise or services in respect of which trading will be carried on; and
- (f) be accompanied by an accurate plan and description of any proposed stand, table, structure or vehicle which may be used for trading.

Selling of Newspapers

9. The requirements for a valid licence to be held pursuant to this local law shall not apply to the selling or offering for sale of newspapers

Discretion

10. (1) The Council may in its discretion under this part grant a licence or refuse to grant a licence or grant a licence subject to such conditions as it thinks fit.

(2) The Council may refuse to issue a licence and may cancel a licence if the applicant or licensee—

- (a) has been twice convicted during the preceding five (5) years or is twice convicted in the space of five (5) years for an offence against the local law of any local authority relating to hawkers, stallholders or trading in public places; or
- (b) does not conform with the requirements of the Health Act 1911

(3) The Council may refuse to issue a licence if—

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

(4) Notwithstanding the provisions of Section 10 (3) a licence may not be issued to trade in a public place that is located in any part of a controlled access highway, major highway or important regional road within the district of the Shire of Roebourne.

(5) Where a licensee by reason of illness, accident or other cause is unable to comply with the local law, Council may at the request of that licensee issue a permit in writing authorising a person named to be a nominee to act in the licensee's stead during the period of the licensee's inability to comply with the licence or until the expiration of the term of the licence whichever is earlier.

(6) Notwithstanding the provisions of any other Act, Regulation or local law none of the provisions of this local law shall preclude any person from complying with the provisions of the Shire of Roebourne Town Planning Scheme.

Conditions

11. Where a licence has been granted by the council under this part subject to conditions, the person to whom the licence has been granted shall ensure that the conditions are observed at all times. If any condition is not observed that person commits an offence against this local law and the Council additionally or in the alternative to any court proceedings in respect of such an offence may exercise the power in Section 18 to cancel the licence.

Licence Certificate

12. The Council shall issue to every licensee a licence certificate in the form set out in Schedule 1, 2 or 3 as the case may be for which the licensee shall pay the relevant sum set out in Schedule 5.

Transfer of licence

13. Subject to Section 10 (5) a licence issued under this by-law shall not be transferable to another person.

Length of licence

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

Annual Renewal

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

Fees

16. The fees and additional charges to be imposed for an application for registration and for every renewal thereof and for an application to transfer a registration shall be those set out in Schedule 5. No licence is valid until the fees and charges have been paid.

Exemption

17. Notwithstanding Clause 16 the Council may grant without fee or charge, a licence to conduct a stall or carry out trading in any street or way or any land for any period specified in such licence if the stall or trading is conducted by a community association or if the trading is carried out in a portion of a street or public place adjoining the normal place of business of the licence holder.

Cancellation

18. (1) The Council may by written notice cancel any licence issued under this local law for any reason set out in Section 10 (2) or on the grounds—

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

(2) Upon cancellation of a licence the holder thereof shall forthwith return the licence certificate issued pursuant to Section 12 to the Clerk of the Council and shall forfeit fees paid in respect of the licence.

Part IV—Conduct

19. (1) A hawker while hawking, a stallholder while conducting a stall or a person while carrying out trading shall—

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

(2) A hawker, stallholder or trader shall not—

- (a) hawk, conduct a stall or carry on trading between 2100 hours and 0630 hours the next day, or any Christmas day or Good Friday without first obtaining the written consent of Council;
- (b) attempt to conduct business within a distance of 200 metres of any shop or permanent place of business which provides goods or services of the kind being hawked or offered for sale by the stallholder or trader;

- (c) call the licensee's wares or cause or make an outcry noise or disturbance likely to be a nuisance or cause annoyance to any person in that vicinity;
- (d) deposit or store any box or basket, containing goods, wares or merchandise under the vehicle of the licensee or upon the road way or footpath;
- (e) obstruct the free passage of pedestrians or vehicles on any footpath or roadway;
- (f) act in an offensive manner
- (g) subject to Clause 19 (1) (a) and (6) not use display or permit to be used or displayed any advertisement, placard, poster, streamer, sign or signboard on or about the place specified in the licence other than price tickets or labels on the items which exceed 200 square centimetres in area and unless they relate to the business specified in the licence;
- (h) use or permit to be used any flashing light or intermittent lighting apparatus or device on or from the place specified in the licence;
- (i) use or permit to be used any apparatus or device including any flap or shelf whereby the dimensions of a stall or vehicle area increased beyond any specified in the licence; and
- (j) in the case of a trader conduct trade from a public place unless there is adequate off-road parking adjacent to the place of trading for the parking of customers vehicles.

(3) A person shall not display a licence certificate without being the holder of a valid licence pursuant to this local law.

Penalty Provision

20. (1) Any person failing to do any act directed to be done or doing any act forbidden to be done by this local law, or any notice under this local law commits an offence.

(2) where an offence is committed in respect of a trader or stall set up in a street or other public place the maximum penalty shall upon conviction be \$5000.00 or imprisonment for a period not exceeding six (6) months.

(3) Any person who commits an offence under this local law other than an offence dealt with in Clause 20 (2) shall upon conviction be liable to—

- (a) a maximum penalty of \$5000.00
- (b) a maximum daily penalty of \$500.00 per day.

Schedule 1

LOCAL GOVERNMENT ACT 1995

Shire of Roebourne

Local law Relating to Hawkers, Stallholders and Trading in Public Places

Application for Hawkers Licence.

1. Full name and Address of Applicant
2. Kind of goods, wares or merchandise which the applicant intends to hawk
3. Type of vehicle, conveyance or means of carriage to be employed in hawking:
4. Proposed days and hours of trade
5. Part of the district for which the licence is required
6. Certificate to be signed by two (2) Justices of the Peace (to be attached).

.....
Signature of Applicant

Schedule 1

LOCAL GOVERNMENT ACT 1995

Shire of Roebourne

Local law Relating to Hawkers, Stallholders and Trading in Public Places

Licence for Hawker

1. Full Name and Address of Licensee
2. Date of Issue of Licence

- 3. Date of Expiration of Licence
 - 4. Requirements, Terms and Conditions—
 - (a) Part of the district to which the licence applies
 -
 - (b) Description of stand, structure or vehicle to be used by the licensee:
 -
 -
 - (c) Particulars of goods, wares, merchandise or service in respect of which hawking may be carried on:
 -
 -
 - (d) The permitted days and hours when trading may be carried on:
 -
 - (e) Other requirements, terms or conditions applicable to this licence
 -
 -
-
CEO

Schedule 2
LOCAL GOVERNMENT ACT 1995

Shire of Roebourne

Local law Relating to Hawkers, Stallholders and Trading in Public Places

Application for Stallholders Licence

- 1. Full Name and Address of Applicant
-
- 2. Name/s and Address/es of Assistant/s *
 - (1)
 - (2)
 - (3)
- 3. Location of the Proposed site for which the Licence is sought
-
- (To be accompanied by an accurate plan and description of any proposed stall which may be used)
- 4. The Period for which the Licence is sought:
From To.....
- 5. Nature of proposed goods, wares, merchandise to be sold or hired:
-
-
- 6. Community association under Section 242 of the Local Government Act 1960:
Fee Exemption: Yes..... No.....

* If insufficient space use back of form.

.....
Signature of Applicant

Schedule 2
LOCAL GOVERNMENT ACT 1995

Shire of Roebourne

Local law Relating to Hawkers, Stallholders and Trading in Public Places

Licence for Stallholder

- 1. Full Name and Address of Licensee
-
- 2. Date of Issue of Licence
- 3. Date of Expiration of Licence
- 4. Requirements, Terms and Conditions—
 - (a) Place to which the Licence applies
 -

- (b) Description of stall to be used by Licensee
- (c) Particulars of goods, wares, merchandise or service to be sold or hired from the stall
- (d) Name and address/es of Assistants who may be engaged at any one time *
 - (1)
 - (2)
 - (3)
- (e) The permitted day/s and hour/s when the stall will be in operation:
- (f) Other requirements, terms or conditions applicable to this Licence

* If insufficient space use back of form.

CEO

Schedule 3
LOCAL GOVERNMENT ACT 1995

Shire of Roebourne

Local law Relating to Hawkers, Stallholders and Trading in Public Places
Application for a Trader's Licence

- 1. Full Name and Address of Applicant
 - 2. Nature of goods, wares or merchandise to be traded
 - 3. Proposed Number and Names and Addresses of Assistants
 - community association Yes/No.
 - 4. Proposed days and hours of Trade
 - 5. Location of the proposed site for which the Licence is Required
- (To be accompanied by an accurate plan and description of any proposed stand, table, structure or vehicle which may be used for trading)

Signature of Applicant

Schedule 4
LOCAL GOVERNMENT ACT 1995

Shire of Roebourne

Local law Relating to Hawkers, Stallholders and Trading in Public Places
Licence to Trade in a Public Place

- 1. Full Name and Address of Licensee
- 2. Date and issue of Licence
- 3. Date of expiration of Licence
- 4. Requirements, Terms and Conditions—
 - (a) Place to which Licence applies
 - (b) Description of stand, structure or vehicle to be used by the Licensee
 - (c) Particulars of goods, Wares, Merchandise or Services in respect of which trading may be carried on

- (d) The permitted days and hours when trading may be carried on
-
- (e) Other requirements, terms or conditions applicable to this Licence
-
- (f) Full Name/s and Address/es of Assistant/s who may be engaged at any one time
-
- community association Yes/No

CEO

Schedule 5

LOCAL GOVERNMENT ACT 1995*Shire of Roebourne*Local law Relating to Hawkers, Stallholders and Trading in Public Places
Fees and Charges

The fees and charges in relation to this Local Law will be set in accordance with Part 6, Division 5, Subdivision 2 of of the Local Government Act 1995

Dated this 11th day of February 1997.

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

K. RICHARDS, President.
T. S. RULAND, Chief Executive Officer.

MAIN ROADS

MA401*

MRWA 42-33-H

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 (Trotts Hill SLK Section 83.8-86.5) and that the said pieces or parcels of land are marked off on Land Titles Office Plans 20911, 20913, 20914 and 20916 and Diagram 89554 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.	David Mellor & Gloria Jean Mellor	Commissioner of Main Roads vide Caveat F964255	Portion of each of Nelson Locations 629 and 737 and being part of Lot 1 on Diagram 46097 now contained on Plan 20914 and being part of the land comprised in Certificate of Title Volume 1914 Folio 738	1.2699 ha
2.	Lewis Keith Whiting & Patricia Rose Whiting	L K & P R Whiting	Portion of Nelson Location 737 and being Lot 54 on Diagram 80287 now contained on Plan 20914 and being part of the land comprised in Certificate of Title Volume 1914 Folio 736.	6003 m ²

Schedule—*continued*

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
3.	Lewis Keith Whiting & Patricia Rose Whiting	L K & P R Whiting	Portion of Nelson Location 737 and being Lot 6 on Plan 3481 (sheet 2) now contained on Plan 20916 and being part of the land comprised in Certificate of Title Volume 1647 Folio 297.	3308 m ²
4.	Robert William Gregory and Marian Murdoch	Commissioner of Main Roads vide Caveat F985041	Portion of each of Nelson Locations 984 and 1053 and being part of Lot 4 on Diagram 24331 now contained on Plan 20916 and being part of the land comprised in Certificate of Title Volume 1830 Folio 371.	1.1918 ha
5.	Helen Elizabeth Robinson	H E Robinson	Portion of each of Nelson Locations 984 and 1053 and being Lot 3 on Diagram 24331 now contained on Plan 20916 and being part of the land comprised in Certificate of Title Volume 1244 Folio 161.	1153 m ²
6.	Robert Winston Smith & Valerie Dawn Smith	Commissioner of Main Roads vide Caveat F948267	Portion of Nelson Location 297 and being Lot 3 on Plan 3376 now contained on Plan 20911 and being part of the land comprised in Certificate of Title Volume 1608 Folio 695.	7261 m ²
7.	John Richard Evans and Elisabeth Anne-Marie Evans	Commissioner of Main Roads vide Caveat G44271	Portion of Nelson Location 297 and being Lot 2 on Plan 3376 now contained on Plan 20911 and being part of the land comprised in Certificate of Title Volume 1608 Folio 694.	3558 m ²
8.	John Richard Evans and Elisabeth Anne-Marie Evans	Commissioner of Main Roads vide Caveat G026871	Portion of Nelson Location 297 and being Lot 1 on Plan 3376 now contained on Plan 20911 and being part of the land comprised in Certificate of Title Volume 1608 Folio 693.	2967 m ²
9.	John Clifton Williams	Commissioner of Main Roads vide Caveat F946030	Portion of Nelson Location 296 now contained on Plan 20911 and being part of the land comprised in Certificate of Title Volume 965 Folio 17.	3075 m ²
10.	Albert William Brookes	Commissioner of Main Roads vide Caveat F962110	Portion of Nelson Location 285 and being Lot 1 on Plan 3662 and now contained on Plan 20913 being part of the land comprised in Certificate of Title Volume 1597 Folio 556.	682 m ²
11.	John Thorpe & Evelyn Margurite Thorpe	Commissioner of Main Roads vide Caveat F949776	Portion of Nelson Location 285 and being Lot 3 on Plan 3662 now contained on Plan 20913 and being part of the land comprised in Certificate of Title Volume 1501 Folio 730.	690 m ²
12.	James William Charles Day & Barbara Alice Day	Commissioner of Main Roads vide Caveat F948784	Portion of Nelson Location 285 and being part of Lot 13 on Plan 3662 now contained on Plan 20913 and being part of the land comprised in Certificate of Title Volume 1588 Folio 687.	597 m ²
13.	Avonmouth Nominees Pty Ltd	Commissioner of Main Roads vide Caveat F943828	Portion of Nelson Location 285 and being part of Lot 16 on Plan 3662 now contained on Plan 20913 and being part of the land comprised in Certificate of Title Volume 1504 Folio 30.	760 m ²

Schedule—*continued*

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
14.	Frances Rosina Waterfield and Giovanni Gregorio	F R Waterfield & G Gregorio	Portion of Nelson Location 151 and being Lot 29 on Plan 3662 now contained on Diagram 89554 and being part of the land comprised in Certificate of Title Volume 1825 Folio 253.	259 m ²
15.	Eula Louise Gray	Commissioner of Main Roads vide Caveat F938425	Portion of Nelson Location 1961 now contained on Plan 89553 and being part of the land comprised in Certificate of Title Volume 2060 Folio 578.	8735 m ²
16.	Roy Ernest Boyer & Beverley Anne Boyer	Commissioner of Main Roads vide Caveat G003926	Portion of Nelson Location 151 and being part of Lot 18 on Plan 3662 now contained on Plan 20913 and being part of the land comprised in Certificate of Title Volume 1334 Folio 153.	310 m ²
17.	Alan William Proudley & Joyce Proudley	Commissioner of Main Roads vide Caveat F945071	Portion of Nelson Location 285 and being part of Lot 14 on Plan 3662 now contained on Plan 20913 and being part of the land comprised in Certificate of Title Volume 1504 Folio 195.	483 m ²
18.	Edward Albert George Sheppard & Joan Elizabeth Sheppard	E A G & J E Sheppard	Portion of Nelson Location 151 and being Lot 28 on Plan 3662 now contained on Diagram 89554 and being part of the land comprised in Certificate of Title Volume 1825 Folio 254.	279 m ²
19.	Barry Roger Howells & Donna Michelle Howells	Commissioner of Main Roads vide Caveat F993702	Portion of Nelson Location 285 and being Lot 2 on Plan 3662 now contained on Plan 20913 and being part of the land comprised in Certificate of Title Volume 1501 Folio 729.	559 m ²
20.	Bernard Gresty & Margaret Elizabeth Gresty	Commissioner of Main Roads vide Caveat F894688	Portion of each of Nelson Locations 151 and 285 and being part of Lot 17 on Plan 3662 now contained on Plan 20913 and being part of the land comprised in Certificate of Title Volume 2090 Folio 871.	450 m ²
21.	James Nicholas Monahan & Ruth Monahan	Commissioner of Main Roads vide Caveat G53738	Portion of Nelson Location 285 and being part of Lot 15 on Plan 3662 now contained on Plan 20913 and being part of the land comprised in Certificate of Title Volume 1504 Folio 29.	816 m ²
22.	John Gerard Fredericks	Commissioner of Main Roads vide Caveat F819116	Portion of Nelson Location 737 and being part of Lot 5 on Plan 3481 (Sheet 2) now contained on Plan 20916 and being part of the land contained in Certificate of Title Volume 1647 Folio 296.	4953 m ²

Dated this 18th day of February 1997.

D. R. WARNER, Director Corporate Services.

MA402

MRWA 42-161-M

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 Chittering

District, for the purpose of the following public works namely, widening of the Great Northern Highway (SLK Section 67.55-71.4) and that the said pieces or parcels of land are marked off on MRWA Drawings 9623-145 and 9623-146 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
1.	Yunggamurra Nominees Pty Ltd	Yunggamurra Nominees Pty Ltd	Portion of each of Swan Locations 1372 and 1414 and being Lot 101 the subject of Diagram 53179 and being part of the land comprised in Certificate of Title Volume 1498 Folio 991	1 375 m ²
2.	Yunggamurra Nominees Pty Ltd	Yunggamurra Nominees Pty Ltd	Portion of each of Swan Locations 98 and 1372 and being Lot 100 the subject of Diagram 53180 and being part of the land comprised in Certificate of Title Volume 2065 Folio 7	2 108 m ²
3.	Yunggamurra Nominees Pty Ltd	Yunggamurra Nominees Pty Ltd	Portion of Swan Location 286 and portion of each of Swan Locations 98 and 1372 the whole of the said land being Lot 102 the subject of Diagram 53181 and being part of the land comprised in Certificate of Title Volume 1493 Folio 17	7 626 m ²
4.	Kenneth Hartley French and Margaret Dawn French	K H & M D French	Portion of each of Swan Locations 1372 and 2256 and being Lot 10 on Diagram 82086 and being part of the land comprised in Certificate of Title Volume 1923 Folio 39	4 784 m ²
5.	Yunggamurra Nominees Pty Ltd	Yunggamurra Nominees Pty Ltd	Portion of each of Swan Locations 98 and 287 and being part of Lot 1 on Diagram 15685 and being part of the land comprised in Certificate of Title Volume 1831 Folio 229	2.7580 ha
6.	Yunggamurra Nominees Pty Ltd	Yunggamurra Nominees Pty Ltd	Portion of Swan Location 324 and being part of the land comprised in Certificate of Title Volume 1605 Folio 946	5 885 m ²
7.	Doris Elizabeth Harvey	D E Harvey	Portion of each of Swan Locations 98, 287 and 324 and being Lot 10 on Plan 13002 and being part of the land comprised in Certificate of Title Volume 1547 Folio 685	1.9763 ha
8.	Dorris Elizabeth Harvey	D E Harvey	Portion of each of Swan Locations 324 and 1372 and being Lot 2 on Plan 13002 and being part of the land comprised in Certificate of Title Volume 1547 Folio 679	1.5759 ha
9.	John Wallace Hare and Barbara Anne Hare	J W & B A Hare	Portion of each of Swan Locations 324, 538 and 1372 and being Lot 3 on Plan 13002 and being part of the land comprised in Certificate of Title Volume 1547 Folio 680	9 373 m ²

Dated this 21st day of February 1997.

D. R. WARNER, Director Corporate Services.

MA403

MRWA 42-21-R

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 Northam District, for the purpose of the following public works namely, Drainage Reserve for the Great Eastern Highway (SLK Section 96.4) and that the said pieces or parcels of land are marked off on MRWA Drawing 9610-434-1 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
1.	Allan Robert Moore and Wendy Susanne Moore	A. R. & W. S. Moore	Portion of Avon Location P1 and being Lot 150 on Diagram 74810 and being part of the land comprised in Certificate of Title Volume 1818 Folio 580.	322 m ²

Dated this 25th day of February 1997.

D. R. WARNER, Director Corporate Services.

MINERALS AND ENERGY

MN301

MINES SAFETY AND INSPECTION ACT 1994

MINES SAFETY AND INSPECTION AMENDMENT REGULATIONS 1997

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Mines Safety and Inspection Amendment Regulations 1997*.

Principal regulations

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

[* *Published in Gazette 8 December 1995, pp.5629-932.*
For amendments to 23 January 1997 see Gazette 19 January, 9 February, 1 November and 13 December 1996.]

Regulation 2.22 amended

3. Regulation 2.22 (2) of the principal regulations is amended by deleting paragraph (d) and substituting the following paragraph —

“

(d) has had experience in or about a quarry for a period of not less than 2 years and at least one year of that 2 year period has been first hand practical experience in production operations in a quarry or open pit, including not less than 3 months personal experience in the charging and firing of explosives in the quarry or pit or, if the application is made before 9 December 1997 —

(i) the applicant satisfies the requirements already set out in this paragraph; or

- (ii) the applicant has had experience in or about a quarry for a period of not less than 2 years and at least one year of that 2 year period has been in close association with quarry pit operations, including not less than 3 months practical experience in the use of explosives and blasting agents in a pit;

Regulation 2.25 amended

4. Regulation 2.25 (2) of the principal regulations is amended by deleting paragraph (c) and substituting the following paragraph —

- (c) has had experience in quarry operations for a period of not less than 2 years, of which period at least one year has been first hand practical experience in production operations in a quarry or open pit, including at least 3 months personal experience in the charging and firing of explosives in the quarry or pit or, if the application is made before 9 December 1997 —
- (i) the applicant satisfies the requirements already set out in this paragraph; or
- (ii) the applicant has had experience in or about a quarry for a period of not less than 2 years and at least one year of that 2 year period has been in close association with quarry pit operations, including not less than 3 months practical experience in the use of explosives and blasting agents in a pit;

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

MN401

MINING ACT 1978

NOTICE OF CANCELLATION OF EXEMPTION OF CROWN LAND

Pursuant to Section 19(1)(b) of the Mining Act 1978, I hereby cancel the Instrument of Exemption of Crown Land dated 22 November 1994 and published in the *Government Gazette* dated 2 December 1994 page 6372. The area affected is described in the Schedule hereunder, and as such the land is now subject to Divisions 1 to 5 of Part IV of the Mining Act 1978.

Schedule

GASCOYNE MINERAL FIELD

Description of area—

The portion of land defined by AMG coordinates and starting at the NW corner 709300N, 776200E;
Thence easterly to the NE corner 7096800N, 777600E;
Thence southerly to the SE corner 7096250N, 777350E;
Thence westerly to the SW corner 7096750N, 775950E; and
Thence northerly back to the starting point.

Approximate Area: 90 hectares

Public Plan: Peron 1:100,000

Dated at Perth this 17th day of February 1997.

NORMAN MOORE, Minister for Mines.

MN402

MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Minerals and Energy.

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

A. BLOEMEN, Warden.

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

PILBARA MINERAL FIELD

Marble Bar District

P45/2308—Cape West Group Pty Ltd
 P45/2309—Cape West Group Pty Ltd
 P45/2226—Elazac Mining Pty Ltd
 P45/2227—Elazac Mining Pty Ltd
 P45/2347-S—Robert James Dann
 P45/2357—Phillip John Nowland
 P45/2358—Phillip John Nowland

PILBARA MINERAL FIELD

Nullagine District

L46/23—Mount Grace Gold Mining NL

WEST PILBARA MINERAL FIELD

P47/1012—Elazac Mining Pty Ltd

MN403

MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Minerals and Energy,
 Coolgardie WA 6429, 11 February 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.

K. BOOTHMAN, Warden.

To be heard in the Warden's Court, Coolgardie on the 15th day of April, 1997.

COOLGARDIE MINERAL FIELD

Coolgardie District

Prospecting Licences

15/3016—Stockwell, Allan Brian
 15/3447—Drage, Michael Thomas; Drage, Sydney Herbert
 15/3449—Cole, Margaret Kay; Miller, Robert Joseph; Taylor, Glen Charles
 15/3462—Saunders, Frederick Charles

Kunanalling District

Prospecting Licences

16/1414—Charlton, Judith Dianne; Charlton, Michael Edward
 16/1548—Mason, Marilyn Helen; Radisich, Dennis
 16/1681—Coleman, Susan Francis; Pollock, Kim George

MN404

MINING ACT 1978

Department of Minerals and Energy,
 Perth WA 6004.

I hereby declare in accordance with the provisions of Section 97A(8) of the Mining Act 1978 that the undermentioned mining lease is restored.

NORMAN MOORE, Minister for Mines.

NORTH COOLGARDIE MINERAL FIELD

Ullaring District

Mining Lease

30/12—Robert Keith Perks

MN405**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 provisions of Section 96(1)(a) for breach of covenant, viz. non payment of rent.

J. R. PACKINGTON S.M., Warden.

To be heard in the Warden's Court, Meekatharra on Thursday, 20th March 1997.

MURCHISON MINERAL FIELD

P51/2029—William Edward Johns

P51/1929—Stanley Allan MacDonald; Roebuck Resources N.L.

PEAK HILL MINERAL FIELD

P52/813—Friedhelm Alhauser; John Herbert Emmott; Neville Robert Ryan

PLANNING

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

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

CITY OF CANNING

TOWN PLANNING SCHEME NO 40—AMENDMENT NO 51

Ref: 853/2/16/44 Pt 51.

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

1. amending the Scheme Text by adding controls for Satellite Dishes, Microwave Antennas and Radio Mast Installations;
2. amending the definition of "Radio and TV Installation—Private"; and
3. deleting "Radio and TV Installation—Private" from the Use Class Table for all zones.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including April 11, 1997.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before April 11, 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.

I. F. KINNER, Chief Executive Officer.

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

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

CITY OF WANNEROO

TOWN PLANNING SCHEME NO 1—AMENDMENT NO 781

Ref: 853/2/30/1 Pt 781.

Notice is hereby given that the local government of the City of Wanneroo has prepared the abovementioned scheme amendment for the purpose of recording portion of Part Lot 158 (12) Hepburn Avenue, Sorrento from residential development R20 to Residential development R30 and R50.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Boas Avenue, Joondalup and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including April 11, 1997.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before April 11, 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.

L. DELAHAUNTY, Chief Executive Officer.

PD403*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
SHIRE OF MURRAY

TOWN PLANNING SCHEME NO 4—AMENDMENT NO 114

Ref: 853/6/16/7 Pt 114.

Notice is hereby given that the local government of the Shire of Murray has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 1379 Nanga Road Dwellingup from "Rural" zone to "Special Use".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including April 11, 1997.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before April 11, 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.

D. A. McCLEMENTS, Chief Executive Officer.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF SWAN

TOWN PLANNING SCHEME NO 9—AMENDMENT NO 230

Ref: 853/2/21/10 Pt 230.

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 Swan Town Planning Scheme Amendment on February 20, 1997 for the purpose of:

1. Adding to Appendix 6B 'Additional or Restricted Uses' of the Scheme Text the following particulars:

Locality	Street and Land Particulars	Additional or Restricted Uses and Conditions
Herne Hill	Lot 3 (No. 777) Great Northern Highway	<ol style="list-style-type: none"> 1. The following uses are additional uses: <ul style="list-style-type: none"> 'AA' 'Local Shop' being limited to: <ol style="list-style-type: none"> 1. General Store; 2. Newsagency; and, 3. Post Office Agency. 'AA' 'Fuel Sales' 'AA' 'Shop' and being limited to: <ol style="list-style-type: none"> 1. Cafe; and 2. Arts & Craft Shop and/or Tourist Information 2. The additional uses referred to in (1.) above are limited to the following approximate floor areas: <ol style="list-style-type: none"> 1. General Store and Fuel Sales (113m² GLA). 2. Newsagency & Post Office Agency (113m² GLA). 3. Arts & Craft Shop and/or Tourist Information (50m² GLA). 4. Cafe/Coffee (75m² GLA).

Locality	Street and Land Particulars	Additional or Restricted Uses and Conditions
		3. The total floorspace for all uses on the site is limited to 350m ² GLA. 4. A maximum of two (2) fuel pumps are permitted on the site. 5. The display and sale of Arts, Crafts and Tourism Information is to predominantly relate to and/or be produced in the Swan Valley to the satisfaction of the Principal Planner. 6. The design and siting of buildings, landscaping and signage is to be in keeping with the traditional rural character of the Swan Valley to the satisfaction of the Principal Planner.
2.	By inserting on the Scheme Map an 'Additional Use' symbol on Lot 3 Great Northern Highway, Herne Hill as shown on the Scheme Amendment Map.	

E. W. LUMSDEN, Chief Executive Officer.
A. C. FREWING, Executive Manager, Management Services.

PD405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF SWAN
 TOWN PLANNING SCHEME NO 9 —AMENDMENT NO 290

Ref: 853/2/21/10 Pt 290.

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 Swan Town Planning Scheme Amendment on February 19, 1997 for the purpose of amending the Scheme Text by adding at the end of the definition of "Industry—Rural" in Schedule 1—Definitions, the following:

However, where the Rural Industry is a winery the fruit may be grown, produced or partially processed in some other locality;

C. M. GREGORINI, President.
A. C. FREWING, Chief Executive Officer.

PREMIER AND CABINET

PR301

PUBLIC SECTOR MANAGEMENT ACT 1994
PUBLIC SECTOR MANAGEMENT (SES ORGANIZATIONS)
REGULATIONS 1997

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Public Sector Management (SES Organizations) Regulations 1997*.

Bunbury Port Authority deleted from Schedule 2 to the *Public Sector Management Act 1994*

2. Schedule 2 to the *Public Sector Management Act 1994** is amended by deleting item 3.

[* *Reprinted as at 16 May 1995.*
For subsequent amendments to Schedule 2 see 1995 Index to Legislation of Western Australia, Table 1, p. 181, and Acts No. 35 and 42 of 1996 and Gazette 20 August 1996.]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

PR401**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that His Excellency the Governor in accordance with section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment in the place of the Hon C. J. Barnett MLA in the period 25 to 28 February 1997 inclusive—

Minister for Resources Development; Energy; Education—Hon M. F. Board, MLA

M. C. WAUCHOPE, Chief Executive.

PR402**APPOINTMENT OF DEPUTY OF THE GOVERNOR**

It is hereby notified for public information that His Excellency the Governor, under clause XVI of the Letters Patent relating to the Office of Governor of the State of Western Australia dated 14 February 1986, has appointed the Lieutenant-Governor, the Honourable David Kingsley Malcolm AC, to be the deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor for the following period (both dates inclusive)—

26 February to 4 March 1997

M. C. WAUCHOPE, Chief Executive.

RACING, GAMING AND LIQUOR

RA401**CHARITABLE COLLECTIONS ACT 1946**

I, G. M. Evans, being the Minister administering the Charitable Collections Act 1946, acting in the exercise of the powers conferred by subsection (3) of section 12 of that Act, hereby give notice that I have revoked the licences of the organisations listed below—

- Asian Hope Missionary Outreach of Australia (Inc)
- Bowden Foundation Inc
- City of Bayswater Aged Persons Home (Inc)
- Home of Peace Inc
- Korea and South East Asia Forces Association
- Northam Cottage Homes Project Inc
- S.P.E.E.C.H. (WA)
- Swan Districts Senior Citizens Association
- Australian Birthright Movement
- Mirrabooka Multicultural Women's Centre (Inc)
- Centrecare

Dated this 20th day of February 1997.

G. M. EVANS, Minister for Racing and Gaming.

RA402**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			
1595/96	French Restaurant Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in Como and known as Frenchy's Restaurant, from Tri Vi Ho & J A Goulet.	3/3/97

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR TRANSFER OF LICENCE—<i>continued</i>			
1596/96	Anthony Byron Reford Corr & Mark Ronald Dawson	Application for the transfer of a Restaurant Licence in respect of premises situated in Claremont and known as Que Pasa Cafe, from Stud Stock Leasing Co Pty Ltd.	5/3/97
1597/96	Austie Nominees Pty Ltd	Application for the transfer of a Hotel Licence in respect of premises situated in Nedlands and known as Coronado Hotel, from Kingsthorpe Pty Ltd.	6/3/97
1598/96	Casula Management Pty Ltd (Anors)	Application for the transfer of a Hotel Licence in respect of premises situated in Mandurah and known as Brighton Hotel, from Utinga Nominees Pty Ltd & Upshot Investments Pty Ltd.	13/3/97
1599/96	Adjo Pty Ltd	Application for the transfer of a Restaurant Licence in respect of premises situated in Gosnells and known as Pizza Hut Gosnells, from Novell Holdings Pty Ltd.	10/3/97
1604/96	Donald Jeffrey Bowman (Anors)	Application for the transfer of a Tavern Licence in respect of premises situated in Brunswick Junction and known as Brunswick Tavern, from Robert Patrick Graham & Lynette Kay Mitchell.	10/3/97
1605/96	DAAN (1997) Pty Ltd	Application for the transfer of a Hotel Licence in respect of premises situated in Derby and known as Derby Boab Inn, from Pelma Pty Ltd & Hama Pty Ltd.	11/3/97
APPLICATIONS FOR THE GRANT OF A LICENCE			
999/96	Woolworths (WA) Pty Ltd	Application for the grant of a Liquor Store Licence in respect of premises situated in Livingston and known as Woolworths Supermarket Livingston.	23/3/97
1000/96	Andrew Parissis	Application for the grant of a Restaurant Licence in respect of premises situated in Mount Lawley and known as Sienas Pizzeria & Caffè.	20/3/97
1001/96	Homerton Nominees Pty Ltd	Application for the grant of a Special Facility Licence in respect of premises situated in North Perth and known as Rosemount Bowl.	21/3/97
1002/96	Russell Damien Boaden	Application for the grant of a Restaurant Licence in respect of premises situated in Rockingham and known as Fisherman's Table.	21/3/97

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

G. B. AVES, Director of Liquor Licensing.

WATER

WA301

WATER BOARDS ACT 1904

Busselton Water Area By-Laws

Busselton Water Board

In Pursuance of the powers conferred upon it by the abovementioned Act, the Busselton Water Board hereby records having resolved on the 17 day of February 1997 to amend the Busselton Water Area Bylaws *gazetted* on 23 September 1994, hereafter referred to as the principal By-Laws, as follows:—

- i) By-Law 12 of the principal By-Laws is deleted and replaced with the following By-Law:

12. Potable Water Supply Systems

- 12.1 All potable cold water supply systems shall be installed, designed and maintained in accordance with AS 3500.1-1992 known as the National

Plumbing and Drainage Code, Part 1 : Water Supply 1992, as published by Standards Australia.

12.2 All potable hot water supply systems shall be installed, designed and maintained in accordance with AS 3500.1-1992 known as the National Plumbing and Drainage Code, Part 4 : 1994, as published by Standards Australia.

12.3 All referenced terminology written in this By-Law shall comply with AS 3500.1-1992 known as the National Plumbing and Drainage Code, Part 1 : Glossary of Terms 1990, as published by Standards Australia,

12.3.1 All references written AS 3500.1-1992 the "Regulatory Authority", shall be defined to mean the Busselton Water Board.

ii) By-Law 38 of the principal By-Laws is deleted and replaced with the following By-Law:

38. Offences (owner/occupier)

The Board may, by notice in writing given to the owner/occupier of the premises concerned, direct that person so notified to incur compliance with the Boards By-Laws, within the specified time frame as directed in the notice.

38.1 Failure to Comply with Notice

A person who fails to comply with a direction contained within a notice commits an offence.

38.2 Continuation of offence

Providing a written instruction has been issued from the Board to the owner/occupier of the property concerned and the offence continues, the Board may at the owners expense:—

- * restrict the boundary water supply connection; or
- * arrange disconnection of any potential hazardous water supply connection.

38.2.1 Penalty

The Penalty for contravention of this By-Law shall be as referred in By-Law 40 (1) and in addition, if the owner/occupier of the property who fails to comply with the requirement of this By-Law, is liable to a further penalty of \$200.00 per day, or part thereof, for every day that the offence continues.

38.3 Offences (Licensed Plumber)

The Board may, by notice in writing given to a licensed plumber, direct the licensed plumber so notified, to ensure that certain water supply plumbing works comply with the Boards By-Laws and within the specified time frame, as directed in the notice.

38.3.1 A licensed plumber who fails to comply with a direction contained within a notice from the Board commits an offence.

38.3.2 The penalty for contravention of the By-Law shall be as referred in By-Law 40(1) and in addition, a licensed plumber fails to comply with the requirements of this By-Law is liable to a further penalty of \$200.00 per day, or part thereof, for every day that the offence continues. The Board may also at its discretion:—

- * restrict the boundary water supply connection; or
- * arrange disconnection of any potential hazardous water supply connection.

38.4 Offences General

An individual shall not carry out or have carried out, any plumbing works in connection with the potable water supply system unless:—

- * he/she is working under the direct control of a licensed plumber; and
- * a notice of intention to commence plumbing work has been lodged with the Board within two (2) normal working days prior to the proposed works.

38.4.1 The penalty for contravention of this By-Law is as referred in By-Law 40(1).

iii) By-Law 39(1) and (2) became By-Law 40(1) and (2).

iv) A new By-Law 39, as follows, is included.

39. Definitions

39.1 In this By-Law a "certificate" means a Certificate of Completion and Compliance under By-Law 39.3.1.

39.1.1 A "licensed plumber" means a person who is the holder of a water supply licence, authorised to carry out plumbing works in the Busselton Water Boards area of control.

39.1.2 "Plumbing work" means the installation, maintenance, repair and testing of any part of a hot and cold potable water supply system.

39.1.3 "Normal working day" means any day of the week, other than Saturday, Sunday or public holidays.

39.1.4 A "Notice" means Notice of Intention to Commence Work under By-Law 39.2.

39.1.5 "Notified work" means work described in the notice.

39.2 Notification of Work

Subject to By-Law 39.4.1, a licensed plumber shall not carry out or have carried out, any work in conjunction with the water supply system, unless he/she has lodged with the Board a Notice of Intention to Commence Work not less than two (2) normal working days prior to commencement of the work.

39.2.1 A Notice of Intention to Commence Work shall be in a form approved by the Board, legibly completed and signed by the licensed plumber who is to carry out the work.

39.2.2 The Board may refuse to accept for lodgement a notice that does not comply with By-Law 39.2.1.

39.2.3 A licensed plumber who lodges a notice:—

(a) is responsible for the performance of the notified work, whether the work is carried by the licensed plumber or by another person under the direction and supervision of that licensed plumber; and

(b) shall ensure that the notified work is carried out in accordance with these By-Laws.

39.3 Certification of Work

39.3.1 Within 7 normal working days of completing notified work, the licensed plumber shall lodge with Board:—

(a) A Certificate and Compliance in respect of the notifiable work.

39.3.1.1 A Certificate of Completion and Compliance shall be in a form approved by the Board, legibly completed and signed by the licensed plumber responsible for the notified work.

39.3.1.2 The licensed plumber shall give a copy of a certificate lodged under By-law 39.3.1 to the owner/occupier of the premises on which the notified work was carried out, within 7 normal working days after completing that work.

39.4 Alteration, Withdrawal or Cancellation of a Notice

39.4.1 If, after commencement of notified work, a licensed plumber wishes to alter or withdraw the notice lodged in respect of that work, the licensed plumber shall lodge with the Board:—

(a) the certificate that corresponds with the notice, duly completed in accordance with the instructions set out in the book of forms; and

(b) in the case of alteration, a fresh notice complying with By-Law 39.2.1; and

give a copy of the certificate that corresponds to the notice to the owner or occupier of the premises concerned.

39.4.1.1 Where notified work is not to be commenced, the licensed plumber shall cancel the notice in respect of that work by lodging with the Board the certificate that corresponds to the notice, duly completed in accordance with the instruction set out in the books of forms.

39.4.1.2 A licensed plumber who fails to comply with any of the requirements of By-Law 39.4.1 or 39.4.1.1 in relation to the alteration, withdrawal or cancellation of a notice commits an offence.

Penalty \$500.00

39.4.2 Work Taken Over by Another Plumber

39.4.2.1 Where notified work has been commenced but a licensed plumber other than the licensed plumber named in the notice (in this By-Law and By-Law 39.4.1 called the first plumber) is to take over and complete the work, the first licensed plumber shall withdraw the notice in the manner set out in By-Law 39.4.2.2 (a), (b) and (c).

39.4.2.2 The licensed plumber taking over the work referred to in By-Law 39.4.2.1 shall:—

- (a) lodge with the Board a fresh notice advising of the change of licensed plumber;
- (b) provide the Board with written confirmation of the change of licensed plumber from the owner/occupier of the premises which the work is being carried out; and
- (c) within 7 normal working days of completing the work, lodge a certificate in respect of the work carried out but not certified by the first licensed plumber.

39.4.2.3 A licensed plumber who fails to comply with the requirements of By-Law 39.4.2.2 commits an offence.

39.4.3 Directions by Board as to Work

39.4.3.1 Where the Board is of the opinion that a licensed plumber:—

- (a) has not commenced notified work within 12 months of the date of lodgement of a notice and has not withdrawn or cancelled that notice under By-Law 39.4;
- (b) has commenced notified work but has failed to complete that work in a reasonable time; or
- (c) has carried out notified work that is not in accordance with these By-laws

the Board may, by notice in writing given to the licensed plumber or the owner/occupier of the premises concerned, direct the person so notified to ensure that the work is commenced, completed or otherwise carried out within such time and conditions as are specified in the notice.

39.4.3.2 The Board may by further notice in writing, vary or cancel a notice given under By-Law 39.4.3.1.

39.4.3.3 A person who fails to comply with a direction contained in a notice under By-Law 39.4.3.1 or in such a notice as varied under By-law 39.4.3.2, commits an offence.

39.4.3.4 Where notice under By-law 39.4.3.1 or such notice as varied under By-Law 39.4.3.2, is not complied with, the Board may refuse permission for connection of the work to the Boards works.

39.4.3.5 A person convicted of an offence under By-Law 39.4.3.3 shall, in addition to any penalty incurred under that By-Law, pay any expenses, loss or damage incurred by the Board in consequence of the offence.

39.4.4 Forms

39.4.4.1 A licensed plumber may obtain a book of the approved forms of notice and certificate from the Board on the payment of the appropriate fee.

39.4.4.2 Licensed plumbers shall comply with any instructions contained in a book of forms in relation to the completion and place of lodgement of a notice or certificate.

39.4.5 Plumber to Report Certain Matters

39.4.5.1 A licensed water supply plumber shall immediately report to the Board anything found or brought to the attention of the plumber in the course of carrying out plumbing work, that is likely to result in:—

- (a) contamination of the potable water supply system; and
- (b) wastage of the potable water supply system.
- (c) the contamination of water supplied by the Board water supply system.

Dated this 20th day of February 1997.

The Common Seal of the Busselton Water Board was affixed in the presence of:—

A. J. LA MANCUSA, Chairman.
D. G. McCUTCHEON, Executive Officer.

WA401**RIGHTS IN WATER AND IRRIGATION ACT 1914**

Notice under Section 13 of the Act

[Regulation 14(1)]

The applications in the following schedule have been received for a licence to divert, take and use water from the Warren-Lefroy River Systems.

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

Objections should be sent to reach me at the—Water & Rivers Commission, PO BOX 261, Bunbury WA 6230 prior to 7th March 1997 by certified mail.

W. F. TINGEY, Regional Manager,
South West Region.

Schedule

Occupier	Postal Address	Description of Land
Reeve A T & I M	Box 276 Manjimup WA 6258	Nelson Loc 1277 Balbarrup Rd, East Manjimup.

WA402**WATER BOARDS ACT 1904**

Busselton Water Board

In Pursuance of the powers conferred upon it by the abovementioned Act, the Busselton Water Board hereby records having resolved on the 17 day of February 1997 to make and submit for confirmation of the Governor the following By-Law:—

Adoption of Provisions of Australian Standard (AS3500.1-1992)

For the purposes of cross connection control and backflow prevention, a water supply system shall be designed, installed and maintained in accordance with the requirements of Section 4 (other than Clause 4.2.5) of AS3500.1-1992.

Dated this 20th day of February 1997.

The Common Seal of the Busselton Water Board was affixed in the presence of:—

A. J. LA MANCUSA, Chairman.
D. G. McCUTCHEON, Executive Officer.

TENDERS**ZT201**

MAIN ROADS
WESTERN AUSTRALIA

Tenders

Advertised from 19/2/97 to 25/2/97

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
342/96	Roadmarking, including Raised Pavement Marker Works and Supply and Delivery of Paint and Thinners, Metropolitan Region	March 17
364/96	Road Surface Cleaning Works in the Perth Metropolitan Region (South)	March 11
399/96	Panel Contract to Provide Facilitator Services for Partnering and Various Contract & Project Management Requirements	March 27
564/96	Maintenance of the Main Roads' South West Regional Depot Lawns, Garden Beds, Driveways and Parking Areas	March 7
604/96	Redevelopment of the West Australian Rural Evaluation System	March 12
96D55	Disposal of Surplus Timbers, as Displayed for Inspection	March 14
96D56	Disposal of Surplus Armco Guardrail and other Safety Barriers, as Displayed for Inspection	March 14

ZT202*Acceptance of Tenders*

Contracts Awarded from 19/2/97 to 25/2/97

Contract No.	Description	Successful Tenderer	Amount \$
140/96	Supply and Delivery of Basecourse Material Great Nthn Hwy—Fitzroy Crossing Area Laurel Downs—Plum Plains Section	BGC Contracting (Pth)	474 600.00
231/96	Concrete Overlay of Bridges 582 & 583 (York Merredin Rd over Needling Brook & Sims Bridge) & 773 (Northam Pithara Rd)	Avon Bridge Constructions	250 980.00
400/96	Supply and Propagation of Native Seedlings and the Collection and Supply of Native Seeds	South West Native Seed Supply	57 396.81
408/96	Shotcrete Strengthening of Bridge No. 571 South Coast Highway over Lort River, Goldfields-Esperance Region	Structural Systems	149 700.00
464/96	Partial Demolition & Modifications to Building Block D Bounded by Lake Street, William Street & Aberdeen St Northbridge	P D C Wilson, Sons & Associates	28 342.00
486/96	Supply and Delivery of Two (2) Generating Sets in Accordance with MRWA Specifications P-SMAS40 & P-STGR-AS	THT Sales Pty Ltd	27 540.00
96D45	Disposal of Nursery Structure from Main Roads Operation Centre Metropolitan Office	Associated Nursery Trades Pty Ltd	1 062.00

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 5201, 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>Supply & Delivery</i>			
February 14	RFT 126/97	Supply of Cleaning Products for the Disability Services Commission	March 6
February 28	RFT 157/97	Supply of One (1) Only Diesel Powered, Track Type Bulldozer on behalf of the Department of Conservation and Land Management	March 20
February 28	RFT 177/97	Supply of Mid Band VHF Mobile Radio Equipment for the Bush Fires Board of Western Australia	March 20
<i>Provision of Service</i>			
February 14	RFT 114/97	Provision of a Financial Attest Audit of WA Department of Training TAFE College's Special Purpose Financial Statements	March 6
February 28	RFT 112/97	Conduct of Funerals for deceased indigenous persons in country areas on behalf of Family and Children's Services	March 20
February 28	RFT 151/97	Provision of Security Services on behalf of the Zoological Gardens Board	March 20
A briefing session will be held at the Perth Zoo, 20 Labouchere Road, South Perth on Tuesday March 11, 1997 at 1.00pm.			

DEPARTMENT OF CONTRACT AND MANAGEMENT SERVICES—*continued*
Tenders Invited—*continued*

Date of Advertising	Schedule No.	Description	Date of Closing
<i>Provision of Service—continued</i>			
February 28	RFT 176/97	Provision of Service to Write and/or Deliver a Curriculum in Competency Based Outcomes for Senior Prison Officer training for the Ministry of Justice	March 20
February 28	RFT 112/97	Provision of Consultancy Service for conducting an attitude monitoring survey on behalf of the Ministry of Premier and Cabinet	March 21
<i>Request for Proposal</i>			
February 21	RFP 81/97	Provision of a Range of Contract Support Services including Electronic Commerce Management, CICS, MVS and Adabas Systems Programming, IMS and DB2 Database Support, JES2/JES3 Console Operations, Unix Systems Administration and Oracle Database Administration Support & Data Communications Support for the Bureau Services Branch of CAMS. Enquiries: Rex George, Manager Bureau Services, telephone: (09) 264 4962	March 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 26, 1997.

ZT302

Accepted Tenders

Schedule No.	Particulars	Contractor	Rate
<i>Supply & Delivery</i>			
059A1996	Network Fileservers to the Central Metropolitan College of TAFE, W.A. Dept of Training	Southmark Computer Systems Pty Ltd	Details on request
<i>Provision of Service</i>			
440A1996	Cabling Services for the W.A. Police Services	G R Services	Details on request
174A1996	Systems Development Services—Panel Contract for the Valuer General's Office	Various	Details on request

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 24th 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.

- Mashkov, Vladimir Ignateievich; Minsk in the Republic of Belarus; 8th September 1987; 12th February 1997.
- Mashkov, Gennti Ignateievich; Minsk in the Republic of Belarus; 10th January 1996; 12th February 1997.
- Billington, Doris; Wembley; 16th January 1997; 13th February 1997.
- Edwards, Alexander Albert John; Subiaco; 6th September 1996; 13th February 1997.
- Jovanovic, Blagoje; East Perth; 6th November 1996; 13th February 1997.
- Luscombe, Beatrice Eliza Anne; Forrestfield; 5th January 1997; 13th February 1997.
- Maynard, Charles James; Cottesloe; 29th September 1996; 13th February 1997.
- Warner, Edward Alexander; Westminister; 23rd December 1996; 14th February 1997.
- Reed, Stanley Leonard; Kelmscott; 2nd September 1996; 14th November 1996.

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 28th March 1997 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- Bradstreet, Alfred Ernest, late of 27 Kirwan Street, Floreat, died 22/12/96. (DEC 298538 DS2)
- Campbell, Mabel Elizabeth, late of Joondanna Village Lodge, 5 Osborne Street, Joondanna, died 8/2/97. (DEC 299246 DL3)
- Chapman, Isobel Helen Jean, late of Cabrini Nursing Home, 111 Guildford Road, Maylands, died 26/1/97. (DEC 299302 DP4)
- Clark, Eileen Maud, late of Alfred Carson Nursing Home, 30 Bay Road, Claremont, died 2/1/97. (DEC 299374 DC4)
- Cooper, Ashley John, late of 61 Princep Street, Collie, died 21/7/96. (DEC 298387 DG2)
- Counsel, Keith Leslie, late of Skye Nursing Home, 13 Stevens Street, Fremantle, died 15/2/96. (DEC 291016 DE2)
- Cutmore, Gladys Bessie, late of Leighton Nursing Home, 40 Florence Street, West Perth, died 7/2/97. (DEC 299265 DS4)
- Daley, Mary Eileen, late of Tuohy Nursing Home, 22 Morrison Road, Midland, died 18/1/97. (DEC 299305 DP3)
- Davies, Mavis Beatrice, late of 11C Mertome Village, 30 Bayswater Road, Bayswater, died 6/1/97. (DEC 299136 DL4)
- Dvylaitis, Anna, late of 46C Mertome Village, Winifred Road, Bayswater, died 10/7/96. (DEC 294913 DG2)
- Feszczur, Wladyslaw, late of 242 William Street, Beckenham, died 10/1/95. (DEC 299279 DE2)
- Finlayson, Agnes, formerly of 11 Hehir Street, Belmont, late of Carlisle Nursing Home, 10 Star Street, Carlisle, died 10/8/96. (DEC 295269 DG4)
- Franklin, Audrey Vera, late of Unit 17 Richard Cleaver Lodge, Swan Cottage Homes, Bentley, died 31/1/97. (DEC 299323 DL4)
- Hastings, Eley Gilbert John, late of Whitby Falls Hostel, Cnr Kiernan Street & South West Highway, Mundijong, died 18/11/96. (DEC 298648 DE3)
- James, Loren Melody, late of 43B Trident Terrace, Willetton, died 9/7/95. (DEC 297553 DE3)
- Johnston, Mary Ellen Eunice, late of 124 Stock Road, Attadale, died 23/1/97. (DEC 299220 DG2)
- Jones, Corrylynn Patricia, late of 10A Solomon Street, Palmyra, died 27/1/97. (DEC 299178 DA2)
- Lawford, Lorraine Hazel, late of 9 Diadem Street, Madora Bay, died 10/2/97. (DEC 299322 DC2)
- Long, John Meauger, late of 4 Hersey Place, Beckenham, died 7/2/97. (DEC 299298 DA2)
- McGinniss, Colin John, late of 37 Allenswood Road, Greenwood, died 8/1/97. (DEC 298969 DP4)
- Mackie, Elsie Dora, formerly of 12 Chobham Way, Morley, late of Home of Peace, 2 Walter Road, Inglewood, died 28/1/97. (DEC 299301 DC4)
- Mackie, James Davie, formerly of 53 Chandler Avenue, Floreat, late of Embleton Hospital, Broun Avenue, Embleton, died 18/7/95. (DEC 291939 DD1)
- Moorhead, Eileen Gladys, formerly of 5 Devine Street, Maddington, late of Unit 13 Amaroo Retirement Village, Rotary Avenue, Gosnells, died 3/2/97. (DEC 299037 DS2)
- Philipsson, Harold Lawrence, late of 3 Lanark Street, Menora, died 29/1/97. (DEC 299150 DP1)
- Pittaway, Elsie Percia, late of Unit 4, 171 Stock Road, Palmyra, died 5/1/97. (DEC 298599 DK3)
- Scatchard, Stella May, late of 33 Vermont Street, Nollamara, died 23/12/96. (DEC 298489 DC2)
- Sear, Minnie Eva, late of 7/22-28 Gibson Street, Mount Pleasant, died 3/2/97. (DEC 299278 DG3)

Simmonds, Clarence William, late of 76 Murchison Street, Shenton Park, died 18/1/97. (DEC 298804 DG2)

Townley, Nellie, late of Concorde Nursing Home, 25 Anstey Street, South Perth, died 6/5/95. (DEC 286049 DS3)

Walsh, Lionel Stuart, late of The Homes of Peace, 125 Thomas Street, Subiaco, died 8/1/97. (DEC 299244 DP4)

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 in respect of the Estate of the late Professor Frank Gamblen who died on 26 October 1996 at Bangkok, Thailand are requested to send particulars of their claims to the Executors Alexander Philip Salvaris and Laurence Melville Iffla 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 Executors may distribute the assets having regard only to the claims of which they have then had notice and the said Executors shall not be liable to any person of whose claim they have had no notice at any time of administration or distribution.

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 are required to send particulars of their claims to the Executors 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:

Cork, John David Ward, late of Unit 5, 15 Chidlow Street, Northam, Investor.

Dated of Death: 3rd November 1996.

Dated this 21st day of February 1997.

MESSRS. MAYBERRY, HAMMOND & CO.,
85 Fitzgerald Street, Northam.
Solicitors for the Executors.

ZZ301**INQUIRY AGENTS LICENSING ACT 1954****APPLICATION FOR LICENCE IN THE FIRST INSTANCE**

To the Court of Petty Sessions at Central Law Courts.

I, Catherine Joy Williams of 8 Willaring Drive, Beckenham, Phone number Home 350 5108, Work 015 470784, Inquiry Agent having attained the age of twenty-one years, hereby apply on my own behalf for a licence under the abovementioned Act. The principal place of business will be at 8 Willaring Drive, Beckenham.

Dated the 25th day of February 1997.

C. WILLIAMS, Signature of Applicant.

Appointment of Hearing

I hereby appoint the 1st day of April 1997 at 2.15 o'clock in the afternoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Perth.

Dated the 25th day of February, 1997.

(Sgd.), 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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