



# Government Gazette

OF

## WESTERN AUSTRALIA

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PERTH: FRIDAY, 8 APRIL

[1988

Evidence Amendment Act 1987

### PROCLAMATION

WESTERN AUSTRALIA } By His Excellency Professor Gordon Reid, Com-  
GORDON REID, } panion of the Order of Australia, Governor of the  
Governor. } State of Western Australia.  
[L.S.]

UNDER section 2 of the Evidence Amendment Act 1987, I, the Governor, acting with the advice and consent of the Executive Council, do hereby fix the day that this proclamation is published in the *Government Gazette* as the day on which the provisions of that Act, other than sections 9 and 10, shall come into operation.

Given under my hand and the Seal of the State on 29 March 1988.

By His Excellency's Command,

J. M. BERINSON,  
Attorney General.

GOD SAVE THE QUEEN !

AT a meeting of the Executive Council held in the Executive Council Chambers, Perth on 29 March 1988 the following Order in Council was authorised to be issued.

### Child Welfare Act 1947-1984 ORDER IN COUNCIL

WHEREAS it is enacted by section 19 of the Child Welfare Act 1947-1984, that the Governor may by Order in Council *inter alia* appoint a Special Magistrate or Special Magistrates for any Court or Courts established under that section and may, in like manner, amend, vary or revoke any appointment made under that section: and whereas it is now expedient that those powers should be exercised in the manner hereinafter appearing: now therefore His Excellency the Governor acting with the advice and consent of the Executive Council and in exercise of the powers aforesaid, hereby revokes the appointments of Robert John Viol and Peter Donald Blaxell as Special Magistrates under the Child Welfare Act 1947-1984.

G. PEARCE,  
Clerk of the Council.

Fair Trading Act 1987

### PROCLAMATION

WESTERN AUSTRALIA } By His Excellency Professor Gordon Reid, Com-  
GORDON REID, } panion of the Order of Australia, Governor of the  
Governor. } State of Western Australia.  
[L.S.]

UNDER section 2 of the Fair Trading Act 1987, I, the Governor, acting with the advice and consent of the Executive Council, do hereby fix the day that this proclamation is published in the *Government Gazette* as the day on which Parts I, III, IV and VII of the Fair Trading Act 1987 shall come into operation.

Given under my hand and the Seal of the State at Perth on 16 February 1988.

By His Excellency's Command,

IAN TAYLOR,  
Minister for Consumer Affairs.

GOD SAVE THE QUEEN !

Department of the Premier,  
Perth, 28 March 1988.

IT is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolios during the absence of the Hon. Yvonne Henderson, MLA, for the period 21 March 1988 to 30 April 1988 inclusive.

To be Acting Minister for Lands—Hon. Keith Wilson,  
MLA.

To be Acting Minister for The Arts—Hon. David  
Parker, MLA.

G. PEARCE,  
Chief Executive.

FINANCIAL ADMINISTRATION AND AUDIT ACT 1985  
FINANCIAL ADMINISTRATION AND AUDIT (DESIGNATION OF STATUTORY  
AUTHORITIES—No. 1) REGULATIONS 1988

MADE by His Excellency the Governor in Executive Council under section 4.

**Citation**

1. These regulations may be cited as the *Financial Administration and Audit (Designation of Statutory Authorities—No. 1) Regulations 1988*.

**Schedule 1 of the Act amended**

2. Schedule 1 to the *Financial Administration and Audit Act 1985* is amended—
- (a) by deleting the following—  
“ Casino Control Committee ”  
“ Western Australian Potato Marketing Board ”;  
and
- (b) by inserting, in the appropriate alphabetical positions, the following—  
“ Gaming Commission of Western Australia ”  
“ Western Australian Potato Marketing Authority ”

By His Excellency's Command,  
G. PEARCE,  
Clerk of the Council.

COMMISSIONER FOR DECLARATIONS

IT is hereby notified for public information that Julie Anne Carter of North Perth whose appointment as a Commissioner for Declarations was notified in the *Government Gazette* of 19 October 1984 on page 3362 is to be known as Julie Anne Keatinge.

D. G. DOIG,  
Under Secretary for Law.

EX OFFICIO JUSTICE OF THE PEACE

IT is hereby notified for public information that Mr Geoffrey Allan Lodge of “Warramingo”, Lodge Road, Boyup Brook, has been appointed under section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Mitchell during his term of office as President of the Shire of Boyup Brook.

D. G. DOIG,  
Under Secretary for Law.

JUSTICES ACT 1902

IT is hereby notified for public information that the Lieutenant-Governor and Deputy of the Governor in Executive Council has approved of the appointment of Philip Ross Lightfoot of 50 Alexander Road, Dalkeith and Parliament House, Harvest Terrace, Perth to the Commission of the Peace for the State of Western Australia.

D. G. DOIG,  
Under Secretary for Law.

JUSTICES ACT 1902

IT is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following appointments to the Commission of the Peace for the State of Western Australia.

- Ross James Bremner of 5 Rae Road, Manjimup, and Mount Street, Manjimup.  
Alan George Down of 76E Geographe Bay Road, Busselton, and Queen Street, Busselton.  
Harry Vincent Dunn of Lot 1011 Pinnacles Street, Port Hedland.  
Thomas Michael Larsson of Lot 451 Dowden Place, Mt. Magnet, and Hill 50 Gold Mine, Mt. Magnet.

D. G. DOIG,  
Under Secretary for Law.

ELECTORAL ACT 1907

Election for the Dale District of the Legislative Assembly

I, WESLEY N. EARP, Returning Officer, Western Australian Electoral Commission, received on 30 March 1988 a writ for the election of one member to the Legislative Assembly for the Dale District.

Nominations close at 6.00 pm on 14 April 1988.

Any persons with queries on nomination requirements can telephone the Returning Officer on 399 1491 (business hours) or 390 6877 (after hours).

The close of the electoral roll is 6.00 pm on 7 April 1988; polling day is Saturday, 7 May 1988 from 8.00 am to 6.00 pm; the return of writ is on Monday, 16 May 1988.

The chief polling place is Clifton Hills Primary School, Connell Avenue, Kelmscott.

WESLEY N. EARP,  
Returning Officer,  
Court House, 109 Jull Street, Armadale.

MENTAL HEALTH ACT 1962

Health Department of WA,  
Perth, 14 March 1988.

A.2.2.1, Vol. 3.

I, KEITH JAMES WILSON, being the Minister administering the Mental Health Act 1962, hereby appoint under section 26H (2) (b) of the Act, Mrs June O'Connor as a member of the Board of Visitors to Approved Private Psychiatric Hostels Group II for the period ending 31 December 1990, *vice* Mr A. Fowke resigned.

KEITH WILSON,  
Minister for Health.

POLICE AUCTION

UNDER the provisions of the Police Act 1892-1983, unclaimed stolen and found property will be sold by public auction at the Property Tracing Section, Police Complex, Clarkson Road, Maylands on Tuesday, 26 April 1988 at 9.00 am.

Auction is to be conducted by Mr K. Treloar, Acting Government Auctioneer.

B. BULL,  
Commissioner of Police.

## POLICE ACT 1892-1982

THE following abandoned and unclaimed property will be sold by Public Auction at 95 Forrest Street, Bunbury at 9.30 am on Saturday, 16 April 1988.

## Conditions of Sale

1. The highest bidder shall be the purchaser.
2. The vendor shall have the right to bid by the auctioneer or the vendor's agent for any lot offered.
3. The auctioneer may, without giving any reason, therefore refuse to accept the bid of any person or persons and may decline the offer for any lot or withdraw any lot or lots from the sale.
4. Should any dispute arise as to any bid, the relevant lot or lots may at the option of the auctioneer be put up again and resold.
5. No allowance or refunds will be made nor will any buyer be permitted to reject any lot on the ground that it is not correctly described; the said lots are to be taken with all faults (if any) and will be at the buyer's risk on the fall of the hammer.
6. All goods which have been paid for in full must be removed by the purchaser at the purchaser's expense by the close of the sale.
7. Time shall be the essence of the sale of any lot.
8. Whilst every care has been taken in the description of the property the auctioneer and/or vendor accept no responsibility for any misdirection and make no warranty whatsoever. Descriptions are approximate and intended only as a guide to prospective purchasers.
9. Payment strictly on fall of hammer.

Comprehensive list of property for sale by Police Auction to be held at 95 Forrest Street, Bunbury at 9.30 am on Saturday, 16 April 1988.

## Found Property

- | Folio Number; | Description of Property.   |
|---------------|--|
| 56289—1 x     | black plastic louvre—damaged (to fit Holden sedan).  |
| 56293—1 x     | Rosebank stack hat.  |
| 56295—1 x     | glomesh key case and 3 keys.   |
| 56297—1 x     | ladies glove—grey vinyl with pink stripes.   |
| 56299—1 x     | pair Adidas soccer boots.  |
| 56306—1 x     | Y/M neck chain.  |
| 56308—1 x     | brown vinyl ladies handbag shoulder strap and zip top.   |
| 56311—1 x     | W/M ladies w/watch Citizen Qu.   |
| 56322—1 x     | cream and green vinyl bag; 1 x fawn coat; 1 x grey mens jacket; 1 x black mens jacket; 1 x grey pants; 1 x fawn pants; 2 x mens shirts; 3 x underpants; 2 x singlets; 2 x pairs socks; 1 x photo holder; 2 x pairs shoes; 1 x pair sunglasses; 1 x cheque cover. |
| 56332—1 x     | red and white stroller.  |
| 56343—2 x     | oars white and grey.   |
| 56344—1 x     | wood turning tool; 1 x butchers knife sharpening tool.   |
| 56345—1 x     | hacksaw blade; 1 x hacksaw handle and fitting.   |
| 58471—1 x     | black Casio mens digital watch (damaged).  |
| 58478—1 x     | brown leather purse.   |
| 58491—1 x     | blue Velcro wallet; 1 x white metal chain.   |
| 58498—1 x     | Pentax make camera in black leather case (35 mm).  |
| 64903—1 x     | Hanimex make camera (126); 1 x Fabrique make koala bear watch (children's).  |

## Stolen Property

- 72114—1 x silver 26" frame Apollo brand. Handlebars, pedals sprocket chain m/guard, serial 631280061.
- 72144—1 x blue mens 10 speed racing bike met pedals, footbrake, black vinyl saddle, serial number not known.
- 72170—1 x Ricardo black colour, 10 speed racer, serial No. L4Y2793.
- 72173—1 x BMX bicycle, Hurricane Sports, red frame, red tyres, nil serial no.
- 77379—1 x BMX push cycle, No brand name. Chrome frame, Serial No. J3793413.

- 77380—1 x yellow bicycle frame complete with 2 pedals, handle bars.
- 77388—1 x Ladies dark blue Malvern Star, serial No. 1221873.
- 77389—1 x Malvern Star bicycle 10 speed, serial No. M40166.
- 77394—1 x West Rider serial No. A84C 318 158 black colour.
- 77403—1 x 27" bicycle, colour black, rams horn handle bars, no serial number.
- 77406—1 x BMX bicycle, red frame, no serial number.
- 77407—1 x gents bicycle, blue colour, Montana brand, serial number removed.
- 77413—1 x Grand Prix cycle frame; 2 x bicycle wheel rims; 1 x fork nut (front).
- 77414—1 x childs push cycle, red 16" wheels. Ace blue and white seat.
- 77419—1 x BMX bicycle Intrepid, blue colour, serial No. Nil.
- 77423—1 x BMX bicycle Aussis serial number A 841000, 1 wheel only.
- 77430—1 x boys bicycle Stingray faded red colour, serial No. P15606.
- 77443—1 x 28" black Indy 500 bicycle, no serial number.
- 77445—1 x BMX bicycle, chrome, serial number not known.
- 77452—1 x ladies Indi 500 Push cycle, serial No. OS10451.
- 77453—1 x gents bicycle Blue Bird, serial No. 55145, colour black.
- 77457—1 x blue Devil BMX bicycle, blue in colour, serial No. 114114.
- 77494—1 x chrome BMX bicycle frame.
- 85951—1 x green box type trailer 6' x 4' unlicensed, no serial numbers or identification marks visible.
- 68496—Raleigh 10 speed bicycle.
- 58306—Apollo 10 speed bicycle.
- 58314—BMX bicycle.
- 54985—1 x 2 burner portable gas stove; 1 x primus gas bottle; 1 x rucksack; sundry items.
- 54995—1 x 5 horsepower Honda make pump, serial No. GX1401231247.
- 77138—Malvern Star 27" man's bike.
- 77142—Aussie 26" ladies bike.
- 77150—Blue ladies bicycle.
- 83703—MCC 24" bolt cutters.
- 83707—Dragon 18" black.
- 83710—1 x magnifying ocular lens.
- 83725—Ricoh AF-35 mil camera.
- 68403—Red 28" ladies bike.
- 68404—Blue girls bike.
- 77160—Gents 27" brown bike.

## Other Property

- 72124—1 x white plastic carry bag; 1 x orange 2 piece bikini Aquagirl, Size 12; 4 x moulded plastic figurines; 1 x small wine glass; 2 earrings; 1 x small walrus ornament; 3 x small bath oil ovals.
- 72126—1 x book: Searching for Love; 1 x Autograph book—used; 1 x diary in blue plastic cover—used; 1 x packet containing glue remover and instant nails; 1 x eye pencil; 1 x nail file (emery board).
- 77437—19 x cans Diet Coke; 6 bottles HIC orange juice; 11 x cans Club Lemon Soda; 1 x can Fanta.

## ALBANY PORT AUTHORITY ACT 1979

## Notice

## Application to Lease

IN accordance with the provision of section 25 of the Albany Port Authority Act 1979, it is hereby advertised that an application has been received from Silver Strand Pty Ltd for the lease of Lot 25 of Port land vested in the Albany Port Authority for a period exceeding three years for the purpose of fish processing.

Dated 16 March 1988.

B. J. E. HUDSON,  
Managing Secretary.

## FISHERIES ACT 1905

## Part IIIB—Processing Licences

FD 193/66.

THE public is hereby notified that I have approved an application by INF Pty Ltd to remove the Processing Licence No. 1060 from premises at Unit 1, 467 Scarborough Beach Road, Osborne Park to premises at the Jurien Boat Harbour, Jurien.

In accordance with the provisions of section 35K any person aggrieved by this decision may, within 14 days after publication of this notice, appeal against the decision or order by serving on the Minister for Fisheries a statement in writing on the grounds of their appeal.

B. K. BOWN,  
Director of Fisheries.

## TRANSFER OF LAND ACT 1893

Application D538337.

TAKE notice that John Blair Troode of 16 Calley Drive, Leeming credit manager has made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at North Road, York being Portion of York Sub Lot S147 and being Lot 340 on Diagram 70675.

All persons other than the applicant claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge in this office on or before 2 May 1988 a caveat forbidding the land being brought under the operation of the Act.

D. L. MULCAHY,  
Registrar of Titles.

## LAND ACT 1933

## Land Release

Department of Land Administration,  
Perth, 8 April 1988.

THE undermentioned allotments of land are now open for sale pursuant to the provisions of Part IV of the Land Act 1933 and are to be sold by public auction by order of the Minister for Lands at the place and on the date stated at the upset prices and subject to the conditions specified hereunder.

## Rockingham Townsite

File 697/981.

Lot; Street; Area (square metres); Upset price.

1545; Ray Street; 2 277; \$34 000.

1550; Benjamin Way; 1 191; \$90 000.

Friday, 13 May 1988 at 10.00 am in the Rockingham Autumn Centre.

(Public Plan Peel 6.28.)

The Lots are sold subject to the following condition, *viz* purchases by agents will need to be ratified by the principal.

N. J. SMYTH,  
Executive Director.

## CORRIGENDUM

Department of Land Administration,  
Perth, 8 April 1988.

2997/987.

IN the notice at page 896 of the *Government Gazette* dated 25 March 1988 under the heading Swan in Line 10 change Diagram 70436 to read Diagram 70486.

N. J. SMYTH,  
Executive Director,  
Department of Land Administration.

## LOCAL GOVERNMENT ACT 1960

## Closure of Streets

WHEREAS Ernest Henry Lee-Steere and Ernest Augustus Lee-Steere being the owners of the land which adjoins the street hereunder described have agreed to the request of the City of Belmont to close the said street.

## Belmont

File No. 2827/68.

Closure No. B1215.

(a) All that portion of Mathieson Street, plus widenings, along the southeastern boundaries of Lot 13 of Swan Location 33 (Office of Titles Diagram 26760) and part of the southeastern boundary of Location 7705 (Reserve 2730); from the northeastern side of Grandstand Street (Road No. 2483) to a line in prolongation northwestward of the northeastern boundary of said Lot 26.

(b) All that portion of Hardey Road, varying in width, from a line in prolongation southwestward of the southeastern boundary of Lot 1 of Swan Location 32 (Office of Titles Plan 2198) to its terminus at the southeastern side of the road described in (a) above.

(Public Plan Perth 1:2 000 17.26.)

WHEREAS the Minister for Lands being the owner of the land which adjoins the street hereunder described has agreed to the request of the City of Perth to close the said street.

## Perth.

File No. 17/98 V5.

Closure No. P. 781.

(a) All that portion of Lake Monger Drive (Road No. 4739), plus widenings, commencing at a line in prolongation eastward of the southern boundary of Swan Location 5359 (Reserve 23331) to terminate at a line 40.24 metres from and parallel to the northwestern boundary of Lot 86 of Perthshire Locations Ag and 118 (Office of Titles Plan 8892).

(b) The whole of the widening of Lake Monger Drive situate at the southwest corner of Swan Location 9533 (Reserve 34689).

(Public Plan Perth 1:2 000 11.28, 11.27.)

WHEREAS the Minister for Lands being the owner of the land which adjoins the street hereunder described has agreed to the request of the City of Stirling to close the said street.

## Stirling

File No. 17/98 V5.

Closure No. S375. All that portion of Lake Monger Drive (Road No. 4739), plus widening, along the eastern boundaries of Swan Location 5359 (Reserve 23331); from a line in prolongation eastward of the southern boundary of the said Location to the southern side of Powis Street.

(Public Plan Perth 1:2 000 11.28)

WHEREAS Alicia Anne Punch, Cecilia Robinson and Epicus Pty Ltd. being the owners of the land which adjoins the street hereunder described have agreed to the request of the City of Wanneroo to close the said street.

## Wanneroo

File No. 2096/983.

W. 1279. All those portions of Robertson Road and Barrisdale Drive commencing from a line joining the southernmost southwestern corner of Lot 11 of Swan Location E1 (Office of Titles Plan 7453) and the westernmost northeastern corner of Lot 15 of Swan Location E1 (Office of Titles Diagram 70790), and extending eastward along the southern boundary of the said Lot 11 and onward to its terminus at a line in prolongation northward of the eastern boundary of Lot 39 of Swan Location E1 (Office of Titles Plan 13387).

(Public Plan Perth 1:2 000 09.40.)

WHEREAS Helga Waldtraut Hermansyah, Heiderose Cocking, Alice Margaret Hearn, Irene Winnie Larsen, Robert Mervyn Warne, Douglas Edward King being the owners of the land which adjoins the street hereunder described have agreed to the request of the Town of Albany to close the said street.

Albany

File No. 2762/68.

A.459. The whole of Road No. 13903 along the western boundary of Lot 45 of Plantagenet Location 231 (Office of Titles Plan 513); from the northern side of Alfred Street to the southern side of Katoomba Street.

(Public Plan Albany 2 000 09.07.)

WHEREAS Richard John Williams, Susan Williams, John Francis Thomas Hortin and Leslie Mervyn Hortin being the owners of the land which adjoins the street hereunder described have agreed to the request of the Shire of Albany to close the said street.

Albany

File No. 11309/06.

Closure No. A. 454. All that portion of Torbay-Youngs Road (Road No. 2984) along the southeastern boundary of Torbay Lot 213; from a line in prolongation southward of the western boundary of Lot 213 to a line adjoining the easternmost corner of the said Lot to the northeastern corner of Torbay Lot 10.

(Public Plans Torbay Townsite and Torbay N.E. 1:25 000.)

WHEREAS the Minister for Lands being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Boulder to close the said street.

Boulder

File No. 2773/986.

B. 1213.

(a) All those portions of Road No. 15656 shown coloured mid brown on Lands and Surveys Diagram 81788.

(b) All those roads and ways in the South Boulder Suburban Area bounded on the north by the southern side of Chaffers Street, on the east by the western side of Lane Street (as shown on Original Plan 14028) on the south by the northern side of Lynch Street and its line in prolongation westward and on the west side by the western side of Keegan Street and its line in prolongation southward.

(Public Plans Kalgoorlie Boulder 1:2 000 29.33, 30.33, 30.32 and 1:10 000 6.7.)

WHEREAS Windlegate Pty Ltd being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Boulder to close the said street.

Boulder

File No. 2027/987.

B. 1219. The whole of the surveyed way along the northern boundary of Boulder Lot 3608; from the eastern side of Brookman Street, to the western side of Lane Street (Road No. 16096).

(Public Plan Kalgoorlie-Boulder 1:2 000 30.33.)

WHEREAS the Minister for Lands being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Cue to close the said street.

Cue

File No. 3046/987.

C1170.

(a) The whole of the surveyed way along part of the southeastern boundary of Cue Lot 322; from the northeastern side of Hicks Street to its terminus at the southwestern boundary of vacant Crown Land.

(b) The whole of the surveyed way along the southeastern boundaries of Cue Lots 324 to 328, inclusive; from the southwestern side of Hicks Street to the northeastern side of Livingstone Street (Road No. 8483).

(c) The whole of the surveyed way along the northeastern boundaries of Cue Lots 371, 370 and 369; from the northwestern side of Fienburg Street to the southeastern side of the way described in (b) above.

(d) All that portion of surveyed way along the northeastern boundaries of Cue Lots 372 to 374, inclusive; from the southeastern side of Fienburg Street to a line in prolongation northeastward of the southeastern boundary of the said Lot 374.

(e) The whole of Fienburg Street; from the northeastern side of Livingstone Street (Road No. 8483) to the southwestern side of Hicks Street.

(f) All that portion of Hicks Street along the northeastern boundaries of Cue Lots 358 to 361, inclusive, and onward to and along the northeastern boundaries of Lots 362 to 364, inclusive; from part of the southeastern boundaries of Lots 322 and 323 to a line in prolongation northeastward of the southeastern boundary of the said Lot 364.

(Public Plan Cue 1:2 000 16.07.)

WHEREAS the Minister for Lands being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Dundas to close the said street.

Dundas

File No. 1899/987.

D. 720. All those portions of Morton Way and McGrath Street now comprised in Norseman Lots 1795 and 1796 respectively as surveyed on Original Plan 16554.

(Public Plan Norseman 1:2 000 sheets 2 and 4.)

WHEREAS Clothoderick Nominees Pty Ltd being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Gingin to close the said street.

Gingin

File No. 3382/986.

G742. The whole of the widening of Rock Way along the southwestern boundary of Lancelin Lot 260.

(Public Plan Lancelin 1:2 000 21.07.)

WHEREAS the Minister for Lands being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Kalamunda to close the said street.

Kalamunda

File No. 3195/983.

Closure No. K969. All that portion of Dundas Road (Road No. 15670) now comprised in Swan Location 11026, shown bordered red on Land Administration Plan 16933.

(Public Plan Perth 1:2 000 21.22.)

WHEREAS the Minister for Lands being the owners of the land which adjoins the street hereunder described have agreed to the request of the Shire of Kondinin to close the said street.

Kondinin

File No. 2177/68V2.

K970. All that portion of Naughton Street now comprised in Hyden Lots 149, 150 and 151, shown bordered pink on Land Administration Plan 16918.

(Public Plan Hyden 1:2 000 29.08, 30.08, 30.09.)

WHEREAS the Minister for Lands being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Kondinin to close the said street.

Kondinin

File No. 4679/65.

K971. All that portion of Collett Street (Road No. 6321) now comprised in Kondinin Lot 313, shown bordered pink on Land Administration Reserve Diagram 640.

(Public Plan Kondinin Townsite.)

WHEREAS Stanley Theo Ness being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Lake Grace to close the said street.

Lake Grace

File No. 1290/985.

Closure No. L125. All that portion of Old Ravensthorpe Road shown bordered blue on Land Administration Diagram 87613.

(Public Plan Newdegate 1:50 000.)

WHEREAS the State Housing Commission, Gerard Anthony O'Brien and Dianne Ray O'Brien being the owners of the land which adjoins the street hereunder described have agreed to the request of the Shire of Mount Magnet to close the said street.

Mount Magnet

File No. 941/987.

M.1230.

(a) The whole of Road No. 11564; from the eastern side of Attwood Street to the western side of Hepburn Street.

(b) All that portion of Lockyer Street, 20 metres in width, parallel and contiguous to the eastern boundary of vacant Crown land; from the southern side of Jones Street to the northern side of Richardson Street.

(c) The whole of Broad Street, excluding the intersecting portion of Priestly Street; from the eastern side of Watson Street to a line in prolongation southward of the eastern boundary of Mount Magnet Lot 372 (Reserve 26163).

(d) The whole of the surveyed road, varying in width, along the westernmost boundaries of Mount Magnet Town Lots 293 to 300 inclusive; from the southern side of Wallace Street to the northern side of Carroll Street.

(e) All that portion of Wallace Street, varying in width; from a line in prolongation southward of Mount Magnet Lot 487 to the western side of Laurie Street.

(f) All that portion of Carroll Street; from the eastern boundary of vacant Crown land (discontinued railway) to the western side of Laurie Street.

(g) All that portion of Richardson Street (Road No. 16903) along the northern boundaries of Reserves 26163 and 26164, the northern boundary of vacant Crown land and the northern boundary of the southern severance of Reserve 4795; from the eastern side of Priestly Street to the southwestern side of Road No. 1007.

(h) All that portion of Road No. 1007 along part of the southwestern boundary of the northern severance of Reserve 4795 and part of the southwestern boundary of vacant Crown land; from a line in prolongation eastward of the northern boundary of the southern severance of the said Reserve 4795 to the eastern side of Priestly Street.

(i) All that portion of Priestly Street, 10 metres in width, commencing from the northeastern side of Road No. 1007 and extending southward to and along the western boundaries of vacant Crown land, Reserves 4105 and 26163 and onward to terminate at the southwestern side of Broad Street.

(Public Plan Mount Magnet Townsite.)

WHEREAS the Minister for Lands being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Mount Marshall to close the said street.

Mount Marshall

File No. 2542/72.

M. 1231.

(a) All that portion of surveyed road, plus widening, along the southeastern boundaries of Gabbin Lots 34 (Reserve 18561) and 40 (Reserve 23879), and to and along part of the westernmost southeastern boundary of Lot 39 (Reserve 23182); from the northeastern side of Road No. 12966 to a line in prolongation northwestward of the southwestern side of the surveyed road along the southwestern boundary of the said Lot 39.

(b) All that portion of surveyed road, commencing from the northwestern side of the road described in (a) above and extending northwestward along part of the southwestern boundary of Gabbin Lot 39 (Reserve 23182) a distance of 120 metres from the commencement.

(Public Plan Gabbin Townsite.)

WHEREAS the Industrial Lands Development Authority being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Murray to close the said street.

Murray

File No. 1676/986.

M 1238.

(a) Portion of Butler Street plus widenings, along the western boundary of Pinjarra Lot 258; from the northern side of Fields Street to a line in prolongation westward of the northern boundary of the said Lot 258.

(b) The whole of Fields Street, plus widenings, along the northern boundary of Pinjarra Lot 275 (portion of Reserve 31656) and the northern boundaries of Pinjarra Lots 270-274, inclusive; from the eastern boundary of Murray Location 361 to the northwestern side of Phillips Road.

(Public Plan Pinjarra 1:2 000 13.31.)

WHEREAS Jennings Industries Ltd being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Roebourne to close the said street.

Roebourne

File No. 319/71V3.

Closure No. R192. All that portion of Stove Court along the northeastern, northern and northwestern boundaries of Karratha Lot 2622 and along the easternmost northern boundary of Lot 1 of Karratha Lots 1098, 1099 and 1100 (Office of Titles Diagram 64233); from a line in prolongation northward of the eastern boundary of Lot 2622 and a line in prolongation southwestward of the southeastern boundary of vacant Crown land to its terminus at the northernmost eastern boundary of the said Lot 1 and its prolongation northward.

(Public Plan Karratha 1:2 000 30.28, 31.28.)

WHEREAS Brading Pty Ltd, Evan Charles Fry, Commissioner of Main Roads, The Commonwealth of Australia, Bernado Zampati, Dainton Holdings Pty Ltd, Wrights Limited, David Norman Jones, Anita Dzintra Jones, Derby Industries Pty Ltd, Anne Kazim and S.T.S. Investments Pty Ltd. being the owners of the land which adjoins the street hereunder described have agreed to the request of the Shire of Swan to close the said street.

Swan

File No. 1345/985.

S373.

(a) All that portion of Waterhall Road, commencing at a line joining the southwestern corner of Lot 175 of Helena Location 20a (Office of Titles Plan 4553) and the southeastern corner of Lot 12 of Helena Location 20a (Office of Titles Diagram 34723) and extending southwestward to a line in prolongation northwestward of the southwestern boundary of Lot 4 of Helena Location 20a (Office of Titles Plan 7481).

(b) The whole of surveyed road along the northwestern boundaries of Reserve 12697 and 36451; from the northeastern side of Kalamunda Road to the southwestern side of Queens Road.

(c) All that portion of Queens Road along part of the northeastern boundary of Reserve 36451; from a line in prolongation southeastward of the southwestern boundary of Reserve 36451 to a line in prolongation northwestward of the southwestern boundary of Lot 73 of Helena Location 20 (Office of Titles Plan 1541).

(d) The whole of Dunreath Avenue, plus widenings; from the southwestern side of Koojan Avenue and extending southwestward and then northwestward to its terminus.

(e) All that portion of Koojan Avenue, from a line in prolongation southwestward of the southeastern boundary of Lot 21 of Swan Location 24 (Office of Titles Plan 4575) to its terminus at a northwestern boundary of Swan Location 24.

(f) All that portion of Vale Road, plus widenings, commencing at a line joining the southernmost corner of the portion of Lot 137, of Helena Location 20a, being part of the land the subject of Office of Titles Plan 7475 and the easternmost southeastern corner of the portion of Lot 136 of Helena Location 20a, being part of the land the subject of plan 7475 and extending southeastward and southwestward, excluding the intersecting portion of Talbot Road to

terminate within Lot 1 of Swan Locations 5559, 7212 and portions of 773, 1170, 2803 and portion of Helena Location 20a (Office of Titles Plan 7481) a distance of 25 metres from the southwestern side of Talbot Road.

(g) All those portions of Talbot Road and surveyed road from a line in prolongation southwestward of the westernmost northwestern boundary of Lot 136 of Helena Location 20a (Office of Titles Plan 4553) to a line in prolongation southwestward of the westernmost southeastern boundary of that land the subject of Office of Titles Plan 15530.

(h) All that portion of Stirling Crescent along the westernmost northwestern boundary of Lot 5 of Helena Location 20a (Office of Titles Diagram 60215); from a line in prolongation southwestward of the northernmost northwestern boundary of the said Lot 5 to a line in prolongation northward of the southwestern boundary of the said Lot 5.

(Public Plan Perth 1:2 000 19.28, 20.29, 21.29, 22.29.)

WHEREAS the Commonwealth of Australia being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Swan to close the said street.

Swan

File No. 3660/986.  
S 377.

(a) All that portion of Adelaide Street along the southwestern boundary of the northwestern severance of Lot 1 of Swan Locations 5559, 7212, 773, 1170, 2803 and Helena Location 20a (Office of Titles Plan 7481); from a line in prolongation southwestward of the northwestern boundary of the said severance to a line in prolongation southeastward of the easternmost northeastern boundary of the said severance.

(b) The whole of the widening of Waterhall Road at the southwestern corner of the severance mentioned in (a) above.

(Public Plan Perth 1:2 000 20.28, 21.28.)

WHEREAS the State Planning Commission and the Commissioners of the Rural and Industries Bank of Western Australia being the owners of the land which adjoins the street hereunder described have agreed to the request of the Shire of Swan to close the said street.

Swan

File No. 2120/986.

S378. All that portion of Widgee Road being the land the subject of Land Titles Office Diagram 73427.

(Public Plan Perth 1:2 000 18.34.)

WHEREAS the Shire of Wagin being the owner of the land which adjoins the street hereunder described has requested the closure of the said street to close the said street.

Wagin

File No. 3667/22.

Closure W.1277. All that portion of Theta Street now comprised in Wagin Lot 1835, shown bordered pink on Land Administration Plan 16780.

(Public Plan Wagin 1:2 000 20.35.)

WHEREAS the Minister for Lands being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Wyalkatchem to close the said street.

Wyalkatchem

File No. 7039/12.

Closure No. W. 1269. The whole of the unsurveyed road now comprised in Avon Location 28910, shown bordered red on Land Administration Diagram 87768.

(Public Plan Wyalkatchem S.W. 1:25 000.)

WHEREAS the Minister for lands being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Victoria Plains to close the said street.

Victoria Plains

File No. 1220/985.

Closure No. V. 114. All that portion of Mott Street now comprised in Piawaning Lot 57, shown bordered pink on Land Administration Diagram 87630.

(Public Plan Piawaning Townsite.)

WHEREAS the Minister for Lands being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Yilgarn to close the said street.

Yilgarn

File No. 2959/986.

Closure No. Y217. The whole of surveyed way now comprised in Marvel Loch Lot 200, shown bordered green on Land Administration Diagram 87991.

(Public Plan Marvel Loch Townsite.)

WHEREAS the Minister for Lands being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of York to close the said street.

York

File No. 3058/898.

Closure No. Y218. All that portion of Scott Street, Mount Hardey, now comprised in Mount Hardey Lot 146, surveyed and shown bordered pink on Land Administration Diagram 87960.

(Public Plan Mount Hardey Townsite.)

And whereas the Council has requested closure of the said streets; and whereas the Governor in Executive Council has approved these requests; it is notified that the said streets are hereby closed.

N. J. SMYTH,  
Executive Director.

File No. L & PB 52/86.

*Local Government Act 1960; Public Works Act 1902*

#### LAND ACQUISITION

*Drain—Shire of Swan*

NOTICE is hereby given, and it is hereby declared, that the piece or parcel of land described in the Schedule hereto being all in the Swan District have, in pursuance of the written consent under the Local Government Act 1960 and approval under section 17 (1) of the Public Works Act 1902 of His Excellency the Governor, acting by and with the advice of the Executive Council, dated 15 March 1988 been compulsorily taken and set apart for the purposes of the following public work, namely Drain—Shire of Swan.

And further notice is hereby given that the said piece or parcel of land so taken and set apart are shown marked off on Plan L.A., W.A. 352 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

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

## Schedule

No. on Plan L.A., W.A. No. 352	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Antonio Bottega and Ermelinda Gloria Bottega	Antonio Bottega and Ermelinda Gloria Bottega	Portion of Swan Location 6 and being Lot 1 the subject of Diagram 71239 being part of the land contained in Certificate of Title Volume 757 Folio 159	1 536 m <sup>2</sup>

Certified correct 15 March 1988.

GAVAN TROY,  
Minister for Works.

GORDON REID,  
Governor in Executive Council.

Dated 15 March 1988.

MRD 42/153-B

*Main Roads Act 1930 (as amended); Public Works Act 1902 (as amended)*

## NOTICE OF INTENTION TO TAKE OR RESUME LAND

THE Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902 (as amended) 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 Halls Creek District, for the purpose of the following public works namely, widening of the Great Northern Highway (2811.78-2811.84 SLK) and that the said pieces or parcels of land are marked off on LTO Diagrams 73154 and 73155 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.	Quilty & Sons Pty Ltd.....	Kim Tierney as Lessee.....	Portion of Halls Creek Lot 86 being part of the land contained in Certificate of Title Volume 1253 Folio 548.	50 m <sup>2</sup>
2.	John Boyle and Josephine Muriel Boyle	Peter Ernest Seetsen, Mary Seetsen and Daniel Maurice Frawley as Lessees <i>vide</i> Caveat C257756	Portion of Halls Creek Lot 194 being part of the land contained in Certificate of Title Volume 1533 Folio 342.	76 m <sup>2</sup>

Dated 6 April 1988.

D. R. WARNER,  
Director, Administration and Finance,  
Main Roads Department.

## WATER AUTHORITY ACT 1984

## Water Supply—Country

## Notice of Intention to Provide Major Works

File N433/20A.

NOTICE is hereby given in accordance with section 87 of the Water Authority Act 1984, of the intention of the Water Authority to undertake the provision of the following works.

Point Samson  
1 000 Cubic Metre Water Storage Reservoir  
Shire of Roebourne

The proposed works consist of the construction of a roofed, circular reinforced concrete tank of 1 000 cubic metres capacity. The tank will have overall dimensions of approximately 18.4 metres diameter and 4.3 metres height. The top of the tank will be on the same level as the two existing tanks.

The above works are to be complete with all equipment and materials necessary for the undertaking.

All of the proposed works except the overflow sump will be wholly located within the Point Samson reservoir site, Point Samson Lot 190.

The above works and localities are shown on Plan BFO1 which accompanies this notice.

The purpose of the proposed works is to provide water storage for the distribution supply to Point Samson.

Further inquiries may be made and plans of the proposed works may be inspected at the Customer Services Branch, of the Water Authority, John Tonkin Centre, 629 Newcastle Street, Leederville, or at the Karratha office of the Water Authority, between the hours of 8.00 am and 5.00 pm Monday to Friday.

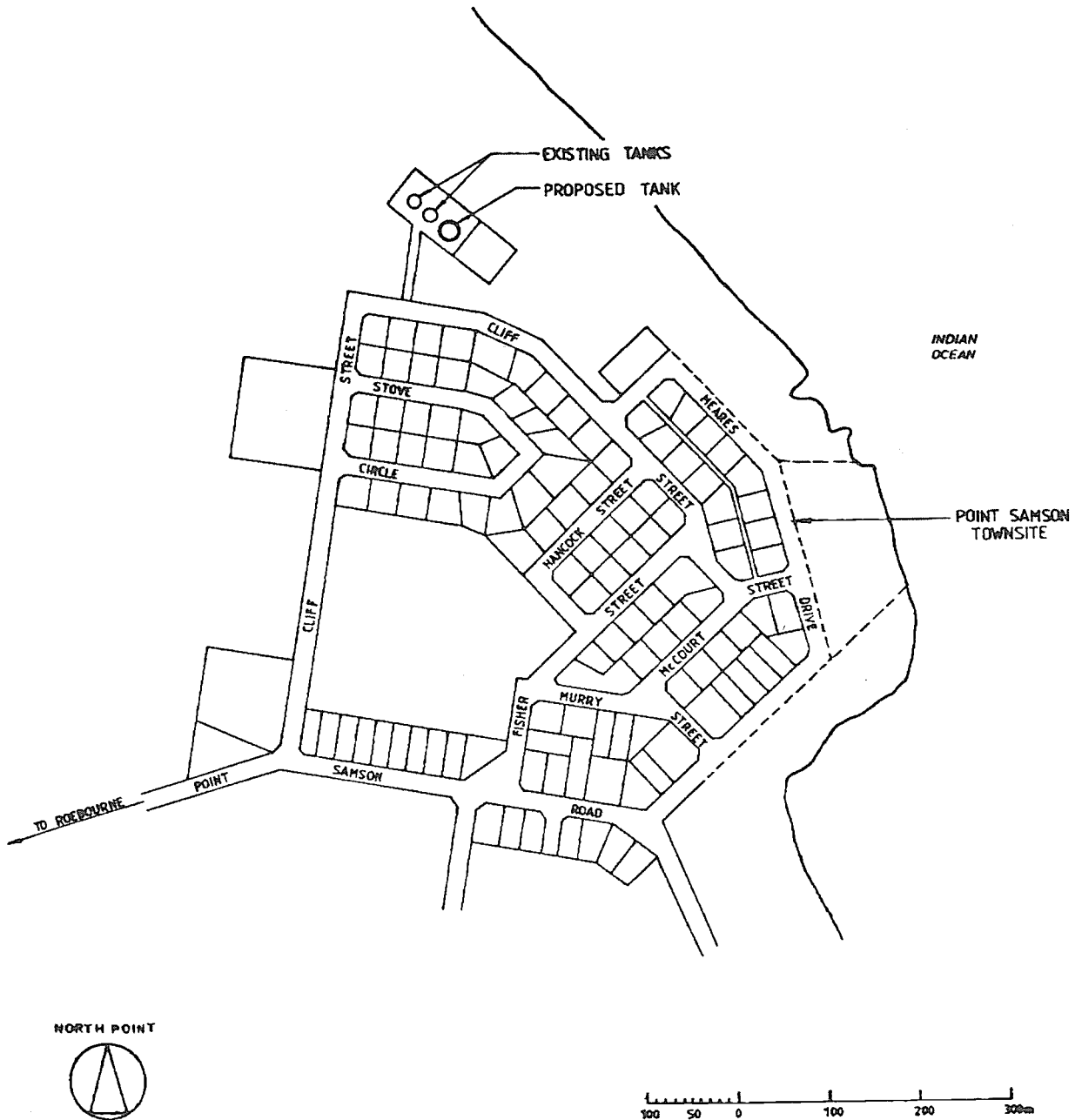


Note

Section 89 of the Water Authority Act 1984 provides that any Council or person interested may lodge a written objection with the Authority against the construction or provision of the proposed work, within one month after the date of publication of the above notice.

After the period for receipt of objections has expired and the objections, if any, have been met by amendment of the proposal or are not sufficient to cause the proposal to be amended when considering the general public interest, the Minister may make a Notice of Authorisation which is published in the *Government Gazette* authorising the Water Authority to carry out the construction or provision of the proposed works.

H. J. GLOVER,  
Managing Director.



TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Approved Town Planning Scheme Amendment  
City of Belmont Town Planning Scheme  
No. 6—Amendment No. 117

SPC 853/2/15/5, Pt. 117.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act

1928 (as amended) that the Minister for Planning approved the City of Belmont Town Planning Scheme Amendment on 29 March 1988 for the purpose of rezoning the above Town Planning Scheme by rezoning Pt. Lot 251, Swan Location 33, Hardey Road, Belmont from Residential A to Industrial.

P. P. PARKIN,

Mayor.

E. BURTON,

Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Approved Town Planning Scheme Amendment  
City of Gosnells Town Planning Scheme  
No. 1—Amendment No. 254

SPC. 853/2/25/1, Pt. 254.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the City of Gosnells Town Planning Scheme Amendment on 29 March 1988 for the purpose of amending the above Town Planning Scheme by rezoning a portion of Lots 100 and 101 Cameron Street, Langford from the Rural Zone to Residential B to accommodate a maximum of 22 residential units.

L. G. RICHARDSON,  
Mayor.

G. WHITELEY,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Approved Town Planning Scheme Amendment  
City of Perth City Planning  
Scheme—Amendment No. 22

SPC. 853/2/10/9, Pt. 22.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the City of Perth Town Planning Scheme Amendment on 29 March 1988 for the purpose of amending the above City Planning Scheme by amending Clauses 26 and 27 to read as follows—

- (1) Clause 26 is amended in subclause (2) by—
  - (a) deleting “Central” and substituting the following—“Scheme”;
  - (b) inserting after “Table” the following—“No. 1 or”.
- (2) Clause 27 is amended by—
  - (a) inserting after “27.” the following—“(1)”;
  - (b) in paragraphs (a) and (b) deleting the following—“but for no other purpose”;
  - (c) inserting after existing clause the following subclause—

(2) Notwithstanding the provisions of this Clause the Council may, with the prior written authority of the Minister and subject to the requirements of Clause 37 of the Scheme having first been complied with, approve the use of the land for any other purpose if the Council is satisfied by an absolute majority that—

- (a) the proposed development will be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality; and
- (b) the use of the land for that purpose will not have any adverse effect upon the occupiers or users of the development or upon property in or the inhabitants of the locality or the likely future development of the locality.

M. MICHAEL,  
Mayor.

R. F. DAWSON,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Approved Town Planning Scheme Amendment  
City of Stirling District Planning Scheme  
No. 2—Amendment No. 51

SPC. 853/2/20/34, Pt. 51.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on 27 March 1988 for the purpose of amending the above Town Planning Scheme by—

1. Amending Part 2 : Residential Provisions of the Scheme Text, as follows—

- 1.1 Amending Table 2 : Uses Which May be Permitted In A Residential Zone, by substituting the current standard in the Minimum Parking Provision column for the use Consulting Rooms, with, “6 bays for 1 practitioner, 10 bays for 2 practitioners”.

2. Amending Part 3 : Commercial Provisions of the Scheme Text, as follows—

- 2.1 Amending Table 3 : Commercial Developments, by altering the Minimum Parking Provision column as follows—

- 2.1.1 For the use Hotel/Motel (including Private), substituting the current standard with “1 bay per bedroom; plus 1 bay per 3 m<sup>2</sup> of public floorspace (including dining areas and function rooms)”.

- 2.1.2 For the use Tavern, substituting the current standard with “1 bay per 3 m<sup>2</sup> of public floorspace (including dining areas and function rooms)”.

G. STRICKLAND,  
Mayor.

R. FARDON,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Approved Town Planning Scheme Amendment  
City of Stirling District Planning Scheme  
No. 2—Amendment No. 52

SPC. 853/2/20/34, Pt. 52.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on 27 March 1988 for the purpose of amending the above Town Planning Scheme by rezoning Lot 5, Swan Location Y, Seventh Avenue, Maylands from “Medium Density Residential R60” to “Business”.

G. STRICKLAND,  
Mayor.

R. FARDON,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Approved Town Planning Scheme Amendment  
City of Stirling District Planning Scheme  
No. 2—Amendment No. 60

SPC. 853/2/20/34, Pt. 60.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved

the City of Stirling Town Planning Scheme Amendment on 27 March 1988 for the purpose of amending the above Town Planning Scheme by—

1. amending Part 1: General Provisions of the Scheme Text, as follows—

1.1 Amending Clause 1.1.11 Interpretation, by inserting a new definition as follows—

Commercial Vehicle means any vehicle, used or intended to be used in the course of a business or trade, which has a tare weight in excess of one tonne.

1.2 Amending Clause 1.3.4.3 Public Notification of an Application for Council's Approval, by inserting a new sub-clause as follows—

(e) For the parking of a commercial vehicle in excess of two tonnes tare weight, on a lot within a Residential Zone;

2. Amending Part 2: Residential Provisions of the Scheme Text, by deleting Clause 2.2.9 Parking of Commercial Vehicles and inserting a new Clause 2.2.9 Parking of Commercial Vehicles Within a Residential Zone, as follows:—

2.2.9 Parking of Commercial Vehicles within a Residential Zone

2.2.9.1 No more than two commercial vehicles may be parked on a lot within a Residential Zone, provided that—

- (a) Only one vehicle may exceed two tonnes tare weight;
- (b) The vehicles are parked on a lot containing only a single house;
- (c) The vehicles form an essential part of the occupation of an occupant of the dwelling;
- (d) No vehicle exceeds either 2.7 metres in height or 16 metres in length;
- (e) Any vehicle exceeding 8 metres in length is screened from view from outside the lot;
- (f) No vehicle is brought to or taken from the lot between the hours of 10 p.m. and 7 a.m.;
- (h) Major repairs to either of the vehicles are not undertaken on the lot; and
- (i) Any minor repairs, servicing or cleaning of either of the vehicles are carried out in areas which are screened from view from outside the lot.

2.2.9.2 Notwithstanding the provisions of Clause 2.2.9.1, the special approval of the Council is required for the parking of a commercial vehicle exceeding two tonnes tare weight, on a lot within a Residential Zone.

2.2.9.3 Before determination of an application requiring the special approval of the Council under Clause 2.2.9.2, the Council shall cause the provisions of Clause 1.3.4.3 to be invoked in respect of the application.

2.2.9.4 An approval of the Council granted under Clause 2.2.9.2—

- (a) is personal to the person to whom it was granted;
- (b) is not capable of being transferred or assigned to any other person; and
- (c) does not run with the land in respect of which it was granted.

A person to whom an approval has been granted under Clause 2.2.9.2 shall not park or cause to be parked such vehicle on any lot within a Residential Zone other than on the lot in respect of which the approval was granted.

2.2.9.5 If a vehicle has been parked with the approval of the Council under Clause 2.2.9.2 and if in the opinion of the Council such vehicle is causing a nuisance or annoyance to neighbours or to owners or occupiers of land in the neighbourhood, the Council may rescind the approval granted by it and after such rescission, no person shall upon the land subject of a resolution for rescission, park a commercial vehicle exceeding two tonnes tare weight unless approval to do so shall subsequently be granted by the Council.

G. STRICKLAND,  
Mayor.

R. FARDON,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Scheme Amendment Available for Inspection

Town of Kwinana Town Planning Scheme  
No. 1—Amendment No. 48

SPC. 853/2/26/1, Pt. 48.

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

- (i) rezoning portion of Kwinana Lot E27 cnr Wellard Road and Bertram Road, Parmelia from "Industrial" to "Residential".
- (ii) amending the Scheme Map by deleting the words "Location Control Area 2".
- (iii) amending Clause 3.7 of the Scheme Text by deleting reference to Location Control Area No. 2.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Gilmore Avenue, Kwinana and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 20 May 1988.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 20 May 1988.

M. J. FRASER,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Scheme Amendment Available for Inspection

Town of Mandurah Town Planning Scheme  
No. 1A—Amendment No. 81

SPC. 853/6/13/9, Pt. 81.

NOTICE is hereby given that the Town of Mandurah has prepared the abovementioned scheme amendment for the purpose of rezoning 0.905 9 ha being Lot 200 of Cockburn Sound Location 2023 corner of Arnold and Clarice Streets, Mandurah from the Showrooms Zone to the Commercial Zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Mandurah Terrace, Mandurah and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 20 May 1988.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 20 May 1988.

K. W. DONOHOE,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Scheme Amendment Available for Inspection  
Shire of Albany Town Planning Scheme  
No. 3—Amendment No. 79

SPC. 853/5/4/5, Pt. 79.

NOTICE is hereby given that the Shire of Albany has prepared the abovementioned scheme amendment for the purpose of renumbering clauses 3.8 and 3.9 and to introduce new clauses allowing for Additional Uses and a Special Use Zone and to introduce new Schedules 2 and 3.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Mercer Road, Albany and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 20 May 1988.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 20 May 1988.

D. J. CUNNINGHAM,  
Shire Clerk.

2. Rezoning that portion of Lot 59 between the closed portion of Siesta Park Road and Caves Road and west of the new Siesta Park access road from "General Farming" to "Short Stay Residential" and additional use Shop and Petrol Sales Outlet.

3. Rezoning that portion of the closed Siesta Park Road reserve west of the new Siesta Park access road to "Short Stay Residential".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Southern Drive, Busselton and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 13 May 1988.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 13 May 1988.

K. A. WHITE,  
Acting Shire Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Scheme Amendment Available for Inspection  
Shire of Albany Town Planning Scheme  
No. 3—Amendment No. 80

SPC. 853/5/4/5, Pt. 80.

NOTICE is hereby given that the Shire of Albany has prepared the abovementioned scheme amendment for the purpose of—

- (1) rezoning a 3.14 hectare portion of Lot 9 of Location 326 on the corner of Chester Pass Road and Catalina Road, from "Rural" to "Special Use Zone" to make the only uses permitted in the zone food wholesaling and retailing and a plant nursery, and amending the Scheme maps accordingly.
- (2) Incorporating the particulars relating to the new scheme into Schedule 3 of the Scheme Text as set out hereunder—

Code No.	Land Particulars	Permitted Uses	Special Conditions
1 (Amendment No. 80)	Portion (3.14 ha) of Lot 9 of Location 326, Chester Pass Rd.	—Food wholesaling and retailing— Plant Nursery	(1) Max gross retail floor space permitted 2 600 m <sup>2</sup> . (2) Development shall be in accordance with Council's requirements.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Mercer Road, Albany and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 20 May 1988.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 20 May 1988.

D. J. CUNNINGHAM,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Scheme Amendment Available for Inspection  
Shire of Busselton Town Planning Scheme  
No. 5—Amendment No. 106

SPC. 853/6/6/6, Pt. 106.

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

1. Rezoning that portion of Lot 59 between the northern boundary of the existing Short Stay Residential zone and the northern boundary of the lot from "General Farming" to "Short Stay Residential and Recreation".

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Scheme Amendment Available for Inspection  
Shire of Busselton Town Planning Scheme  
No. 5—Amendment No. 113

SPC. 853/6/6/6, Pt. 113.

NOTICE is hereby given that the Shire of Busselton has prepared the abovementioned scheme amendment for the purpose of rezoning portion of Lot 2 of Sussex Location 1, Ford Road, East Busselton from "General Farming" to "Single Residential".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Southern Drive, Busselton and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 20 May 1988.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 20 May 1988.

B. N. CAMERON,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Scheme Amendment Available for Inspection  
Shire of Capel Town Planning Scheme  
No. 2—Amendment No. 16

SPC. 853/6/7/2, Pt. 16.

NOTICE is hereby given that the Shire of Capel has prepared the abovementioned scheme amendment for the purpose of deleting the area designated on the amending maps from the Scheme Area, for the purpose of including this area in Town Planning Scheme No. 4.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Forrest Road, Capel and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 20 May 1988.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 20 May 1988.

W. T. ATKINSON,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Scheme Amendment Available for Inspection  
Shire of Capel Town Planning Scheme  
No. 4—Amendment No. 3

SPC. 853/6/7/3, Pt. 3.

NOTICE is hereby given that the Shire of Capel has prepared the abovementioned scheme amendment for the purpose of—

1. including the area designated on the amending maps to the Scheme Area;
2. zoning that area included in the Scheme Area—
  - (a) "Urban Development";
  - (b) "Open Space and Foreshore Protection".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Forrest Road, Capel and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 20 May 1988.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 20 May 1988.

W. T. ATKINSON,  
Shire Clerk.

METROPOLITAN REGION TOWN PLANNING  
SCHEME ACT 1959 (AS AMENDED)

Metropolitan Region Scheme  
Section 33A—Amendment

Notice of Approval

Metropolitan Region Scheme Amendment No. 697/33A—  
Transfer of Lot 1, Pt. Lot 2 and portion of reserve  
19326 Karnup Road from the rural zone to the important regional road, Shire of Serpentine/Jarrahdale.

Amendment No. 697/33A; File No. 833/2/28/23.

PLEASE note that the Minister for Planning, in accordance with the provisions of section 33A (7) of the Metropolitan Region Town Planning Scheme Act 1959 (as amended) has approved without modifications the proposed amendment to the Metropolitan Region Scheme, described in the First Schedule hereto.

Copies of the map sheet depicting the amendment approved by the Minister without modifications are available for public inspection, during normal business hours at the places listed in the Second Schedule hereto.

The amendment as approved shall have effect as from the date of publication of this notice in the *Gazette*.

GORDON G. SMITH,  
Secretary.

First Schedule

Approved Amendment (without modifications)

The Metropolitan Region Scheme is amended by substituting the zones and reservations shown on Amending Map, Sheet Number 31/8m for the corresponding parts of Metropolitan Region Scheme Map Sheet Numbered 31.

Notice of the proposal was first published in the *Gazette* on Friday, 8 January 1988.

Second Schedule

Public Inspection

1. The Office of the State Planning Commission,  
8th Floor, Oakleigh Building,  
22 St. George's Terrace,  
Perth 6000.
2. The J. S. Battye Library,  
Alexander Library Building,  
Cultural Centre,  
Francis Street,  
Northbridge 6000.
3. Office of the Municipality of the Shire of  
Rockingham,  
Council Avenue,  
Rockingham 6168.
4. Office of the Municipality of the Shire of Serpentine/Jarrahdale,  
Patterson Street,  
Mundijong 6205.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED)

Scheme Amendment Available for Inspection  
Shire of Manjimup Town Planning Scheme  
No. 2—Amendment No. 4

SPC. 853/6/14/2, Pt. 4.

NOTICE is hereby given that the Shire of Manjimup has prepared the abovementioned scheme amendment for the purpose of—

- (a) rezoning Lots 345 and 346, Hospital Avenue, Manjimup from Residential to Special Residential, and
- (b) incorporating the land within Appendix 2 of the Scheme Text prescribing appropriate development controls.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 37-39 Rose Street, Manjimup and at the State Planning Commission, Perth, and will be available for inspection during office hours up to and including 20 May 1988.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 20 May 1988.

M. RIGOLL,  
Acting Shire Clerk.

STATE PLANNING COMMISSION ACT 1985

Metropolitan Planning Council  
Appointment of Deputy Member

File 806/2/1/182.

IT is hereby noted for public information that the Hon. R. J. Pearce, Minister for Planning has been pleased to appoint in accordance with section 30 of the State Planning Commission Act Councillor Roderick Philip Evans of 73 The Esplanade, Nedlands 6009 as deputy to the Lord Mayor, Michael Agapitos Michael on the Metropolitan Planning Council for the period of 15 January 1988 to 14 January 1989.

GORDON G. SMITH,  
Secretary,  
State Planning Commission.

METROPOLITAN REGION TOWN PLANNING  
SCHEME ACT 1959 (AS AMENDED)

Improvement Plan No. 14

Kwinana-East Rockingham Industrial Area

File 819/2/26/2 V2.

NOTICE is hereby given that the State Planning Commission acting pursuant to section 37A of the Metropolitan Region Town Planning Scheme Act 1959 (as amended) has certified and recommended that for the purpose of advancing the planning development and use of the land depicted in the First Schedule hereunder, that land should be made the subject of an Improvement Plan.

Such recommendation as signed and sealed by the State Planning Commission on 12 February 1988 has been accepted by the Minister for Planning and approved by His Excellency the Governor and will be known as Improvement Plan No. 14.

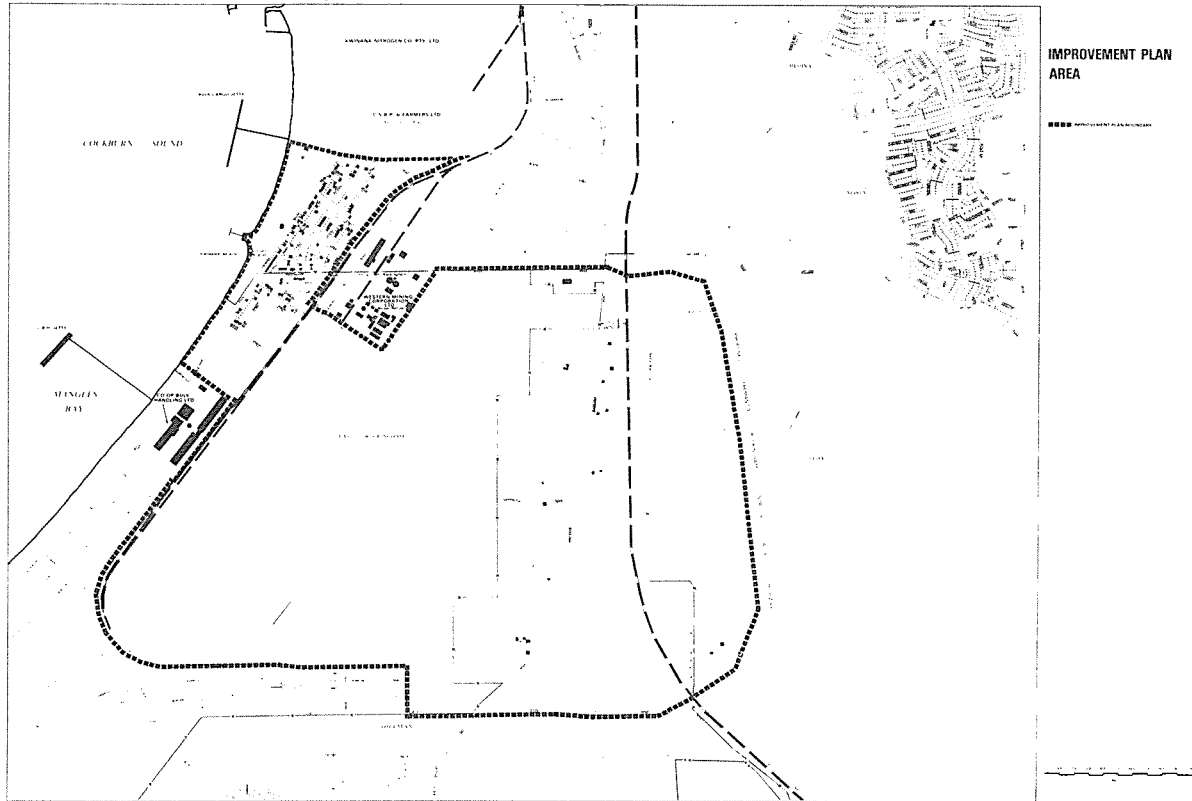
Improvement Plan No. 14 is effective as of 29 March 1988 when approved by His Excellency the Governor.

Copies of the Commission certificate together with supporting plans and texts for Improvement Plan No. 14 are

available for public inspection during the normal business hours from Monday to Friday inclusive of each week, except on public holidays, at the places mentioned in the Second Schedule hereunder.

GORDON G. SMITH,  
Secretary,  
State Planning Commission.

First Schedule



**KWINANA INDUSTRIAL AREA**

**IMPROVEMENT PLAN No.14**

Second Schedule

Public Inspection (during normal business hours)—

1. Office of the State Planning Commission, 8th Floor, Oakleigh Building, 22 St. George's Terrace, Perth 6000.
2. Office of the Municipality of the Town of Kwinana, Gilmore Avenue, Kwinana 6167.

3. Office of the Municipality of the Shire of Rockingham, Council Avenue, Rockingham 6168.
4. J. S. Battye Library, Alexander Library Building, Cultural Centre, Francis Street, Northbridge 6000.

LOCAL GOVERNMENT ACT 1960  
LITTER ACT 1979  
DOG ACT 1976  
Town of Kalgoorlie

IT is hereby notified for public information that in accordance with the abovementioned Acts, Mrs Roxanne Olden was appointed parking inspector with the Town of Kalgoorlie from 11 April 1988 with the following authority.

1. An authorised officer for the purpose of parking control pursuant to section 669B, 669C and 669D of the Local Government Act 1960.
2. An authorised person for the purpose of litter control pursuant to section 665A and 665B of the Local Government Act 1960.

3. An authorised officer for the purpose of litter control pursuant to section 26 of the Litter Act 1979.
4. An authorised officer pursuant to section 29, 30 and 31 of the Dog Act 1976.

A. R. BILICZKA,  
Town Clerk.

TOWN OF NORTHAM

By-laws Relating to Parking for Disabled Persons

IT is notified for public information that Milton Keith Clarke has been appointed as an Authorised Officer in respect to Uniform General (Parking for Disabled Persons) By-laws 1988.

B. H. WITTBBER,  
Town Clerk.

DOG ACT 1976  
Shire of Carnarvon

IT is hereby notified for public information that Donald Richard Bodington has been appointed as an authorised officer under the provisions of the Dog Act 1976.

The appointment of James Indich is hereby cancelled.

S. K. GOODE,  
Shire Clerk.

DOG ACT 1976  
Shire of Laverton

NOTICE is hereby given that the following persons have been appointed by the Laverton Shire Council as authorised officers for the purpose of the Dog Act 1976 as listed in accordance with the provisions of that Act.

Registration Officers—

N. L. Mason.  
J. E. Jeffries.  
T. Reddell.

The appointments of the following—

L. E. Hills  
R. R. Kaniski

are hereby revoked.

N. L. MASON,  
Shire Clerk.

DOG ACT 1976  
Shire of Nannup

IT is hereby notified for public information that the following persons have been appointed as authorised officers under the provisions of the Dog Act 1976—

Rainald Harry Moss.  
Wilfred David John Highett.  
Edward Charles Yarwood.  
David Frank Boulter.  
Jennifer Lorraine Pears.  
Barry Stoney.

D. F. BOULTER,  
Shire Clerk.

SHIRE OF TAMMIN  
Notice to Land Owner

TAKE notice that you, Robert Louis D'Souzi, being the owner of land known as Lot 77 Booth Street, Tammin, within the Shire of Tammin, are hereby ordered to take down and remove the house on this land by 30 April 1988.

R. G. TONKIN,  
Shire Clerk.

LOCAL GOVERNMENT ACT 1960  
Shire of Laverton

Notice of Intention to Renegotiate Terms of Borrowing  
Existing Loan No. 68

PURSUANT to section 610 of the Local Government Act 1960 the Shire of Laverton hereby gives notice that it proposes to renegotiate the terms of repayment of the loan originally published in the *Government Gazette* of 30 September 1983 after the expiry of the initial four year period by sale of debenture or debentures as follows: Balance

of loan for a period of six years repayable at the office of the Shire of Laverton by equal half-yearly instalments of principal and interest. The purpose of the loan remains unaltered.

Statements as required by section 609 of the Local Government Act 1960 are available for inspection at the office of the Council during normal office hours for a period of 35 days after the publication of this notice.

Dated 8 April 1988.

A. J. COLLOPY,  
President.

N. L. MASON,  
Shire Clerk.

LOCAL GOVERNMENT ACT 1960

Shire of Rockingham  
Closure of Private Street  
Department of Local Government,  
Perth, 28 March 1988.

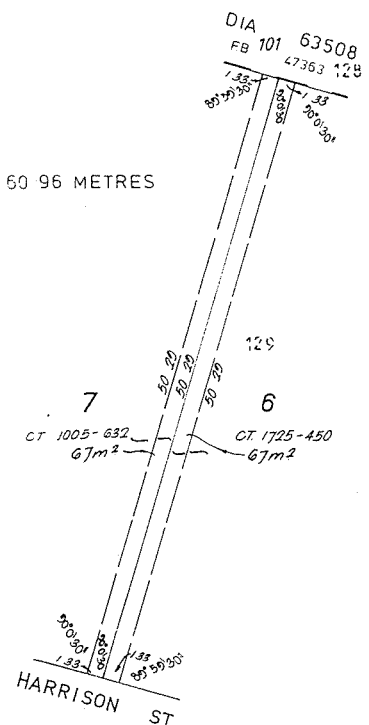
LG. RK 4-14.

IT is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the Shire of Rockingham that the private street which is described as being portion of Rockingham Town, Lot 129, being the whole of the land coloured brown on Plan 5097 and being the whole of the land remaining in Certificate of Title Volume 634, Folio 86, be closed, and the land contained therein be amalgamated with adjoining Lots 6 and 7 Harrison Street, Rockingham, as shown in Schedule hereunder.

M. C. WOOD,  
Secretary for Local Government.

Schedule  
Diagram No. 73438

LIMITED IN DEPTH TO 60.96 METRES



*Compiled from Plan 5097*

## LOCAL GOVERNMENT ACT 1960

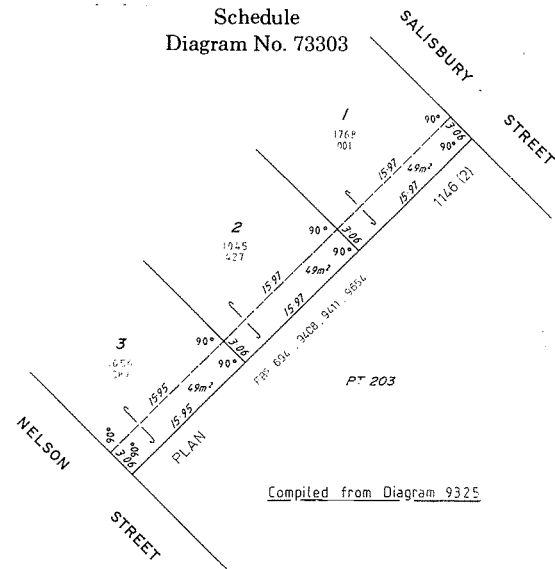
City of Bayswater  
Closure of Private Street

Department of Local Government,  
Perth, 17 March 1988.

## LG. BW 4-13 X.

IT is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the City of Bayswater that the private street which is described as being portion of Swan Location W, being the whole of the land coloured brown on Plan 9325 and being portion of the land contained in Certificate of Title Volume 161 Folio 80 be closed, and the land contained therein be amalgamated with adjoining Lots 1, 2 and 3 Beaufort Street, Bayswater, as shown in the Schedule hereunder.

M. C. WOOD,  
Secretary for Local Government.



## LOCAL GOVERNMENT ACT 1960

## Municipality of the City of Armadale

## By-laws Relating to Fencing

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it the Council of the above mentioned municipality hereby records having resolved on 15 December 1986 to make and submit for confirmation by the Governor the following by-laws.

## 1. Interpretation.

## 1.1 In the by-laws unless the context otherwise requires—

- “Council” means the Council of the Municipality of the City of Armadale;
- “dangerous” in relation to a fence means a fence in such condition by reason of faulty design, location, construction, deterioration of materials, damage by termites, decay, changes in ground levels, or any other cause, or any fence which is otherwise likely to collapse or fall, or part of which fence is likely to collapse or fall, for any reason whatsoever;
- “dividing fence” means fence which separates the land of different owners whether or not the fence is on a boundary line of each allotment of land;
- “district” means the district of the Municipality of the City of Armadale.
- “fence” means a fence abutting a road reserve or a fence on a boundary line of an allotment of land and includes a wall;
- “Industrial and Commercial Zone” means any portion of the district that is classified or zoned as Shopping, Office, General Industry, Light Industry, Showroom, Special Use, or any other portion of the district which is zoned principally for industrial or commercial purposes by town planning scheme or by-law for the time being in force;
- “Residential Zone” means any portion of the district that is classified or zoned Residential or which is zoned principally for a residential purpose by a town planning scheme or by-law for the time being in force;
- “Rural Zone” means any portion of the district that is classified or zoned as a Rural Zone or which is zoned principally for rural purposes by a town planning scheme or by-law for the time being in force.

Expressions used in these by-laws have the meanings given to them in and for the purposes of the Local Government Act 1960 as amended.

## 2. Sufficient Fences.

## 2.1 Subject to By-law 3 hereof—

- (a) A fence constructed in accordance with the specifications set out in the First Schedule hereto is hereby prescribed as a sufficient fence for the purposes of the Dividing Fences Act 1961 within Residential Zones;
- (b) A fence constructed in accordance with the specifications set out in Second Schedule hereto is hereby prescribed as a sufficient fence for the purposes of the Dividing Fences Act 1961 within Industrial and Commercial Zones;
- (c) A fence constructed in accordance with the specifications set out in the Third Schedule hereto is hereby prescribed as a sufficient fence for the purposes of the Dividing fences Act 1961 within Rural Zones;

- 2.2 (a) Where a fence is erected on the boundary between a Residential Zone and another zone other than a Rural Zone, a sufficient fence is that prescribed for Residential Zones;
- (b) Where a fence is erected on the boundary between a Residential Zone and a Rural Zone, a sufficient fence is that prescribed for a Rural Zone;
- (c) Where a fence is erected on the boundary between differing zones neither of which is a Residential Zone, a sufficient fence shall be of a type referred to in either the First, Second or Third Schedule hereto as may be determined by the Council upon written application by the person proposing to erect the fence.



### 3. Fences in Residential Zone.

3.1 No person shall without the consent of the Council erect or commence to erect a fence in a Residential Zone greater than 1 800 mm in height.

3.2 Subject to By-laws 3.3 and 3.4 hereof, no person shall erect or commence to erect a fence on the boundary in front of the building line in a Residential Zone greater than 1 200 mm in height.

3.3 Subject to By-law 3.4 hereof, a person may with the consent of the Council erect or commence to erect on the boundary in front of the building line in a Residential Zone a fence not greater than 1 800 mm if—

- (a) the length of the fence on the front boundary does not exceed three-quarters of the total length of the front boundary and the remaining one-quarter of the fence is set back a minimum distance of 450 mm from the front boundary;
- (b) the fence on each side of a driveway into the allotment across the front boundary is angled into the allotment for a distance of not less than 1 500 mm along the frontage to a distance of not less than 2 000 mm from the frontage in order to provide appropriate splayed lines of vision for a motorist using the driveway for access to a road, street or way; and
- (c) By-law 5.1 hereof is complied with.

3.4 A person may with the consent of the Council erect or commence to erect a boundary fence in front of the building line in a residential zone which is different from or at variance with any of the requirements of these by-laws.

### 4. Fences in Industrial and Commercial Zones.

4.1 No person shall without the consent of the Council erect or commence to erect a fence in an Industrial and Commercial Zone.

#### 5. Fences near corners of road etc.

5.1 No person shall erect or commence to erect a fence anywhere in the district within 7 500 mm of the corner of any road, street or way greater than 750 mm in height.

### 6. Sheet Metal and Secondhand Materials.

6.1 Subject to By-law 6.2 hereof, no person shall without the consent of the Council erect or commence to erect a fence of sheet metal or secondhand material.

6.2 A person may apply for the consent of the Council to erect a fence of sheet metal or secondhand material by writing accompanied by plans and specifications which demonstrate that the material is of an acceptable quality and appearance and will be adequately capped.

### 7. Electric Fences.

7.1 No person shall erect or commence to erect an electric fence in the district except in the case of an electric fence erected or to be erected in a Rural Zone in compliance with AS 3129/1981 for the purpose of controlling stock.

### 8. Impervious Materials.

8.1 No person shall without the consent of the Council erect or commence to erect within any portion of the district a fence of impervious material in any place, position or location where it will or is likely to act as a barrier to or restrict in any way whatsoever the normal flow of stormwater or other watercourse in, on or over land.

### 9. Retaining Walls and Fences.

9.1 No person shall without the consent of the Council erect or commence to erect any retaining wall or any dividing fence which is intended to act as a retaining wall which is on or near a boundary line.

9.2 A person who wishes to erect a retaining wall or dividing fence which is intended to act as a retaining wall shall apply to the Council in writing accompanied by two copies of a plan and specifications of the retaining wall which, in the case of a retaining wall which will exceed 1 000 mm in height, shall include detailed engineering calculations and other information necessary to demonstrate the soundness and safety of the design of the proposed wall.

### 10. Barbed Wire Fences.

10.1 No person shall erect or commence to erect a fence wholly or partly of barbed wire except—

- (a) in a Rural Zone for the purpose of controlling stock;
- (b) in an Industrial and Commercial Zone, but only if no barbed wire is used below 1 800 mm from ground level;
- (c) in any other part of the district with the consent of the Council and if no barbed wire is used below 1 800 mm from ground level.

### 11. Dangerous Fences.

11.1 No person shall erect or commence to erect a fence which is comprised wholly or in part of broken glass, iron spikes or any other material which is or is likely to be or become dangerous.

11.2 No person shall erect or commence to erect a fence which is dangerous within 3 m of a public place.

### 12. Maintenance of Fences.

12.1 The owner or the occupier of land on which a fence is erected shall maintain the fence in good condition and so as to prevent it from falling into disrepair or becoming dilapidated, neglected, ruinous, unsightly, dangerous or prejudicial to the amenity of the locality.

12.2 The Council may give notice in writing to the owner or the occupier of any land upon which is erected a fence which is dangerous, neglected, ruinous, in bad condition or repair, dilapidated, unsightly or prejudicial to the amenity of the locality or is contrary to the provisions of these by-laws, requiring such owner or occupier to modify, repair, paint or maintain the fence within the time stipulated in the notice.

12.3 Where the owner or occupier of land has been given notice under By-law 12.2 hereof fails to comply therewith the Council may enter upon the land and carry out the work specified in the notice and recover the costs and expenses incurred by the Council in so doing from the owner in a Court of competent jurisdiction.

## 13. Offences.

13.1 A person who commits a breach of any of these by-laws commits an offence and is liable to—

- (a) A maximum penalty of Five Hundred Dollars (\$500); and
- (b) A maximum daily penalty of Fifty Dollars (\$50) for each day during which the offence continues.

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First Schedule  
Residential Zone

## (a) Open Picket Timber Fences—

Corner posts shall be 125 mm x 125 mm x 2 000 mm and intermediate posts shall be 125 mm x 75 mm x 2 000 mm spaced at not more than three m centres.

All posts shall have tops with 60 mm weather and shall be sunk at least 600 mm in the ground.

Corner posts shall be strutted two ways with 100 mm x 50 mm x 450 mm sole plates and 75 mm x 50 mm struts.

Intermediate posts shall be doubled yankee strutted with 150 mm x 25 mm x 450 mm struts.

Rails shall be 75 mm x 50 mm each rail spanning two bays of fencing with joints staggered.

Fences shall be covered with 75 mm x 20 mm x 1.5 m sawn pickets placed 75 mm apart, doubled nailed to each rail.

## (b) Corrugated fibre cement sheeting: Fences constructed of corrugated fibre reinforced cement sheeting shall have specifications as follows—

minimum above ground height to be 1.5 m;

a minimum in-ground length of 25 per cent of the total length of the sheet with a minimum in-ground length of 450 mm;

the total height of the fence shall consist of a single continuous fibre reinforced cement sheet;

fibre reinforced cement sheets are to be lapped and capped with extruded "snap-fit" type capping in accordance with the manufacturers' specifications.

## (c) Link or chain mesh fences are permitted where an open aspect is desirable. Link or chain mesh fences under this Schedule shall be—

1.5 m high, with

50 mm aperture x 2.5 mm diameter mesh;

steel galvanised posts 40 mm N.B. diameter at a maximum of 3.3 m and sunk into the ground a minimum of 600 mm encased in concrete having a minimum diameter of 150 mm.

steel galvanised top rail 32 mm N.B.

cable wire to be double twisted 3.15 mm diameter

terminal posts to be braced with a 32 mm N.B. diagonal brace in the line of the fence.

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Second Schedule

Industrial and Commercial Zones

A fence existing of rail—less link or chain or mesh to a height of 1 800 mm on top of which are three strands of barbed wire carrying the fence to a height of not less than 2 100 mm supported by steel galvanised posts of a minimum diameter of 40 mm N.B. spaced at not more than four m centres and sunk into the ground at a minimum of 600 mm encased in concrete having a minimum diameter of 150 mm top, centre and bottom cable wire to be double twisted 3.15 mm diameter. Terminal posts to be braced with 32 mm N.B. diagonal braces in the line of the fence.

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Third Schedule

Rural Zones

The fence shall be erected from standard iron star pickets, sawn, split for round wooden posts set not less than 600 mm in the ground and not less than 1 200 mm out of the ground and spaced not more than 3 500 mm apart with strainer posts set at all corners, gateways and fence line angles but not exceeding 200 m apart. Each fence post shall be bored with not less than five 10 mm diameter suitable spaced holes to be threaded with not less than five plain high tensile galvanized wires. Wire shall be wrapped around strainer and strained tight.

The following materials shall be used in construction—

(a) Wire shall be high tensile wire not less than 2.5 mm diameter;

(b) Posts to be standard iron star pickets, treated softwood or other indigenous timber, be cut not less than 1 800 mm long x 100 mm diameter at small end if round or 125 mm x 60 mm if split or sawn;

(c) Strainer posts—not less than 2 300 mm long and 150 mm diameter at small end shall be cut from indigenous timbers or to be tubular steel 50 mm diameter and sunk in the ground a minimum of 1 000 mm encased in concrete having a minimum diameter of 300 mm;

- (d) Strainer posts to be strutted or braced;
- (e) Barbed wire on fences fronting roadways to be affixed to the inside of posts.

Dated 30 October 1987.

The Common Seal of the City of Armadale was here-  
unto affixed by authority of a resolution of the  
Council in the presence of:

[L.S.]

S. V. PRIES,  
Mayor.  
J. W. FLATOW,  
Town Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on 29 March 1988.

G. PEARCE,  
Clerk of the Council.

#### LOCAL GOVERNMENT ACT 1960

##### Municipality of the City of Bayswater

##### By-laws Relating to Old Motor Vehicles and Machinery

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the council of the abovementioned municipality hereby records having resolved on 22 September 1987, to make and submit for confirmation by the Governor the following by-laws:

##### By-laws Relating to Old Motor Vehicles and Machinery

##### Revocation

1. The By-laws of the City of Bayswater Relating to Old Motor Vehicles and Machinery published in the *Government Gazette* of 23 March 1967, are hereby revoked.

##### Interpretation

2. In these by-laws—

“Council” means the Council of the Municipality of the City of Bayswater.

3. No person shall—

- (a) Store a disused motor vehicle, an old motor vehicle body, or any old machinery; or
- (b) Dismantle or break up a disused motor vehicle, and old motor vehicle or any old machinery, unless—
  - (i) inside a building; or
  - (ii) within an area totally enclosed by a fence or a wall not less than 1.8 metres in height and of such a nature as to screen all disused motor vehicles, old motor vehicle bodies, old machinery and the parts thereof from the street and from adjoining properties.

4. No person shall dispose of a disused motor vehicle, an old motor vehicle body, or any old machinery except at a place set aside or approved of by the Council for that purpose.

##### Penalties

5. Any person who commits a breach of any of these by-laws shall be liable to a penalty of not more than \$500 and to a daily penalty of not more than \$50 per day in respect of a continuing breach.

Dated 1 October 1987.

The Common Seal of the City of Bayswater was here-  
unto affixed by authority of a resolution of the  
Council in the presence of—

[L.S.]

J. B. D'ORAZIO,  
Mayor.  
K. B. LANG,  
Town Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on 29 March 1988.

G. PEARCE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT 1960

## Municipality of the City of Bayswater

## By-laws Relating to the Clearing of Land and Removal of Refuse, Rubbish and Disused Materials

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on 25 August 1987, to make and submit for confirmation by the Governor the following by-laws:

By-laws Relating to the Clearing of Land and Removal of Refuse, Rubbish and Disused Materials  
Revocation

1. The By-laws of the City of Bayswater relating to the clearing of Land and Removal of Refuse, Rubbish and Disused Materials, published in the *Government Gazette* of 3 September 1982 are hereby revoked.

## Interpretation

2. In these By-laws—

“Council” means the Bayswater City Council.

“District” means the City of Bayswater.

3. If there is—

(a) on any vacant land within the district any trees, scrub, undergrowth or rubbish, or

(b) on any land within the district any refuse, rubbish or disused material, whether of the same kind or a different kind from that here specified,

which in the opinion of the Council is likely to affect adversely the value of adjoining property or the health, comfort or convenience of the inhabitants thereof, the Council may cause a notice under the hand of the Town Clerk to be served on the owner or occupier of such land requiring such owner or occupier within the time specified in such notice, to clear the land of such trees, scrub, undergrowth, or remove, such refuse, rubbish or disused material from such land.

4. Every owner or occupier of land upon whom a notice is served under By-law 3 of these by-laws, shall comply with such notice within the time specified therein and any owner or occupier of land who fails to comply with the terms of the notice so served, commits an offence.

5. Where the owner or occupier does not clear the land, or remove the refuse, rubbish or disused material as required by the notice given by the Council under By-law 3 of these by-laws the Council, without payment of any compensation in respect thereof, may clear the land or remove the refuse, rubbish or disused material at the expense of, and recover in a Court of Competent Jurisdiction the amount of the expense from, the owner or occupier to whom the notice was given.

## Penalties

6. Any person who commits a breach of any provision of these By-laws shall be liable to a penalty of not more than \$500 and to a daily penalty of not more than \$50 in respect of a continuing breach.

Dated 4 September 1987.

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

[L.S.]

J. B. D'ORAZIO,  
Mayor.

K. B. LANG,  
Town Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on 29 March 1988.

G. PEARCE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT 1960

## Municipality of the City of Belmont

## By-laws Relating to Signs, Hoardings and Bill Posting

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it the Council of the abovementioned Municipality hereby records having resolved on 22 February 1988 to make and submit for confirmation by the Governor the following by-laws.

1. The by-laws relating to Signs, Hoardings and Bill Posting published in the *Government Gazette* on 7 August 1981, are hereby repealed.

2. Interpretation in these by-laws, unless the context otherwise requires, the following terms shall have the meanings set against them hereunder—

- “Act” means the Local Government Act 1960 as amended;
- “advertising device” means any object on which words or numbers or figures are written, placed, affixed or painted for the purpose of advertising any business, function, operation or other and includes any vehicle or trailer or other similar stationary object placed or located so as to serve the purpose of advertising any business, function, event, product or undertaking;
- “bill posting” means the sticking of any bill or painting, stencilling or affixing any advertisement on any building, structure, fence, wall, hoarding, signpost, pole, blind or awning, so as to be visible to any person in a street, public place, reserve or other land;
- “Council” means the Council of the Municipality of the City of Belmont;
- “development sign” means a sign erected on an area of land which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no building development has taken place at the time of approval of the sign(s);
- “direction sign” means a sign erected in a street or public place to indicate the direction to another place but does not include any such sign erected or affixed by the Council or the Commissioner of Main Roads or a road direction sign erected or affixed by a duly incorporated association or union of motorists authorised in that regard by the Minister for the time being administering the Road Traffic Act 1974;
- “display home sign” means a sign erected on a lot on which a display home is erected;
- “electoral sign” means a sign containing an electoral advertisement relating to an election or a prospective or forthcoming election of the Parliament of the Commonwealth or the State of either house thereof respectively, to a municipal election and to a referendum;
- “fly posting” means advertising by means of posters placed on fences, walls, trees, etc with out authority and in contravention of By-law 4.11;
- “hoarding” means a detached or detachable structure other than a pylon sign that is erected for the sole purpose of displaying a sign or signs and includes a poster panel or an illuminated panel; but does not mean a hoarding within the meaning of section 377 of the Act;
- “horizontal sign” means a sign fixed parallel to the wall of a building to which it is attached and with its largest dimensions horizontal;
- “illuminated panel” means a posted or painted advertisement externally illuminated by artificial source or light;
- “illuminated sign” means a sign that is so arranged as to be capable of being lighted either from within or without the sign by artificial light provided, or mainly provided for that purpose;
- “institutional sign” means a sign erected or placed on any land or building used for or in connection with a surgery, clinic, hospital, rest home, home for the aged, or other institution or place of a similar nature;
- “projection sign” means a sign that is made by the projection of light on a wall or similar structure;
- “pylon sign” means a sign supported by one or more piers and not attached to a building and includes a detached sign framework supported by one or more piers to which sign infills may be added.
- “roof sign” means a sign erected on the roof of a building;
- “residential area” means an area that has been so designated under the City of Belmont Town Planning Scheme or, where not so designated, a lot not exceeding 2 000 square metres in area;
- “sale sign” means a sign indicating that the premises whereon it is affixed are for sale, for letting or to be auctioned;
- “semaphore sign” means a sign affixed and supported at, or by, one of its ends only;
- “sign” includes a signboard, a portable sign or a bunting sign and a clock other than a clock which is built into a wall and does not project beyond the face of the wall, or flags and bunting which carry no written message;
- “sign infill” means a panel which can be fitted into a pylon sign framework;
- “surveyor” means the Council’s Building Surveyor appointed pursuant to the Act;
- “tower sign” means a sign affixed to or placed on a chimney stack or an open structural mast or tower;
- “Town Planning Scheme” means the City of Belmont Town Planning Scheme No. 6 published in the *Government Gazette* of 17 November 1972 and amended from time to time or other Town Planning Scheme By-laws for the time being in force whereby the District of the City of Belmont or any part thereof is classified or zoned; and Words and expressions used have the same respective meanings as are given them in and for the purposes of the Act;
- “verandah” includes cantilever awnings, cantilever verandahs and balconies whether over public streets and ways or over private land;
- “verandah sign” includes a sign on or above a verandah fascia and a vertical dimension exceeds the horizontal dimension exclusive of the back projection;
- “wall panel” means a panel used for displaying a posted or painted advertisement; which is affixed to or adjoining the wall of business premises or erected on the forecourt of such business premises.

3.2 Revocation of Licences: The Council may, without derogation of any penalty to which that person may be liable, by notice in writing revoke the licence—

- (a) where anything purporting to be done pursuant to a licence issued under these by-laws is not done in conformity with the licence or with these by-laws or is so altered that, in the opinion of the Council, it is objectionable or contravenes By-law 3.1.4; or
- (b) where the licensee is convicted of an offence against these by-laws.

3.3.1 Inspection of Licences: A licensee shall, on demand by an Officer of the Council, produce his licence for inspection.

3.3.2 Every licensed sign or hoarding shall bear on its face in clearly legible figures the number of the licence under which it is erected or displayed.

3.4 Application for Licences.

3.4.1 An application for a licence under these by-laws shall be made in the form of an application set out in the first Schedule hereto.

3.4.2 An application for the first issue of a licence in respect of a sign shall be accompanied by a plan drawn to a scale of not less than 1 to 50 showing the size, position, design and inscription to appear thereon, the method of construction and fixing of the sign for which the licence is sought or alternatively such information as Council may require.

3.4.3 An application for the first issue of a licence in respect of a roof sign or a special pylon sign shall be accompanied by a certificate from a structural engineer certifying that the building or structure upon which it is proposed to erect the sign is in all respects of sufficient strength to support the sign, under all conditions, and that the sign is itself of structurally sound design.

3.4.4 Every application for a licence shall furnish in writing such further particulars as may be required by the Building Surveyor.

3.4.5 If so required by the Council an applicant for a licence in respect of an illuminated sign shall produce to the Council a written consent to the erection of the sign, signed by or on behalf of the person or body having for the time being the management of traffic control lights.

3.4.6 Subject to by-law 3.2 and except where otherwise stated in these by-laws a licence issued pursuant to the by-laws remains valid until any alteration is proposed to be made to the structure or area of the sign in respect of which it is issued and in that event the licensee shall apply for a new licence.

3.4.7 A licence issued shall be in the form set out in the first schedule to these by-laws.

3. Licences.

3.1 Licences and Exemptions.

3.1.1 No persons shall erect, make or maintain a sign or advertising device and the owner or occupier of premises shall not suffer or permit a sign or advertising device to remain on those premises so as to be visible from a street, way, footpath, reserve or other public places, except pursuant to a licence issued under these by-laws.

3.1.2 The following are exempt from the requirements of these by-laws—

- (a) a sign erected or maintained pursuant to any Act having operation within the State;
- (b) a sign indicating that the premises whereon it is affixed are for sale or letting and bearing no other advertisements and of an area not exceeding 1 m<sup>2</sup>;
- (c) a plate not exceeding 0.2 m<sup>2</sup> in area erected or affixed on the street alignment or between the alignment and the building line to indicate the name and occupation or profession of the occupier of the premises;
- (d) a direction sign erected or affixed by Council in a street or public place to indicate the direction to another place but does not include any such sign erected or affixed by the Council or the Commissioner of Main Roads or a road direction sign erected or affixed by a duly incorporated association or union of motorists authorised in that regard by the Minister for the time being administering the Road Traffic Act 1974;
- (e) signs of use solely for the direction and control of people, animals and vehicles or to indicate the name and street number of a premises or any of those things, providing the area of any such sign does not exceed 0.2 m<sup>2</sup>;
- (f) advertisements affixed to or painted on a shop window by the occupier thereof and relating to the business carried on therein;
- (g) the name and occupation of any occupier of business premises painted on a window or wall of those premises;
- (h) signs not larger than 0.7 m x 0.9 m on advertising pillars or panels approved by or with the consent of the Council for the purpose of displaying public notice for information
- (i) building name signs on residential flats or home units where they are of a single line of letters not exceeding 300 mm in height, fixed to the facade of the building;
- (j) Newspaper posters.

3.1.3 Every licence shall be granted and shall subsist subject only to the provisions of these by-laws.

3.1.4 Notwithstanding that a sign or hoarding would otherwise comply with the provisions of these by-laws the Council may refuse a licence if the sign or hoarding would, in its opinion, increase the number or variety of signs so as to become too numerous or various to be acceptable to residents in the area or be injurious to the amenity or natural beauty or safety of the area.

3.5 Licence Fees: A licence shall be issued upon payment of the appropriate fee, set out in the Second Schedule to these by-laws, only, but the payment of a licence fee pursuant to any by-laws that were in operation prior to the coming into operation of these by-laws is deemed to be a payment for the purpose of this by-law.

3.6 Special Permits.

3.6.1 Notwithstanding anything contained in these by-laws the Council may, by permit under the hand of the Building Surveyor, allow the display of advertisements at churches, theatres and other places of public entertainment, election notices or advertisements of meetings or other matters of public interest upon such terms and for such period as the Council may in each case decide.

3.6.2 The Council may revoke any such permit at any time without assigning any reason for such action.

3.6.3 Upon the expiration or revocation of a permit issued under this by-law the person to whom it was issued shall forthwith remove the advertisement to which it relates and failure so to remove the advertisement is an offence.

4. General.

4.1 Certain Signs Prohibited or Restricted: A sign shall not be erected or maintained—

- (a) so as to obstruct the view from a street or public place or traffic in any street or public place;

- (b) so as to be likely to be confused with or mistaken for an official traffic light or sign or so as to contravene the Road Traffic Act 1974 or the Regulations made thereunder;
- (c) except with the specific approval of the Council on any ornamental tower, spire, dome or similar architectural feature or on a lift machinery room, bulkhead over stairs or other superstructure over the main roof of a building;
- (d) on any land that is classified in a Town Planning Scheme or Zoning by-laws as residential or for flats or a site of lawful non-conforming use unless specifically permitted in these by-laws;
- (e) on any building of which the stability is, in the opinion of the Building Surveyor, likely to be affected by the sign;
- (f) as a movable or portable sign in a street or public place, unaffixed to a building;
- (g) on a light or power pole without the approval of the relevant authority responsible for the erection of that pole;
- (h) in any position where it obstructs or obscures a person's view from a dwelling of the Swan River or any other natural feature of beauty.

4.2 Inscriptions on Signs: Except in the case of a hoarding or direction sign, a sign shall only display one or more of the following—

- (a) the name of one or more of the occupiers of the premises;
- (b) details of the business or businesses carried on in the premises;
- (c) details of the goods sold in the premises to which it is affixed;
- (d) any other matter specifically approved by the Council.

4.3 Existing Signs: Where existing approved signs fail to conform to the requirements of these by-laws, they shall be removed immediately upon receipt of a direction from the Building Surveyor. A person receiving such a direction may within 14 days of his receipt thereof appeal to the Council.

4.4 Fixing of Signs: Every sign shall be securely fixed to the structure by which it is supported, to the satisfaction of the Building Surveyor, and shall be safely maintained.

4.5 Headroom: Every sign shall, unless otherwise permitted by the Surveyor, be so fixed as to provide a clear headway thereunder of not less than 2.75 m.

4.6 Obstruction to Doors, etc: A sign shall not be erected so as to obstruct access to or from any door, fire escape or window, other than a window designed for the display of goods.

4.7 Glass in Signs: Glass shall not be used in any sign, other than an illuminated sign.

4.8 Readily Combustible Material: Except in the case of posters securely affixed to a signboard or hoarding, paper, cardboard, cloth or other readily combustible material shall not form part of or be attached to any sign.

4.9 Signs to be kept clean: Every sign shall be kept clean and free from unsightly matter and shall be maintained by the licensee or owner in good order free of dilapidation.

4.10 Bill Posting: Subject to sub-by-law 3.1.2 a person shall not post any bill or paint, stencil, place or affix any advertisement on any street or on any building, structure, fence, wall, hoarding, sign post, blind or awning so as to be visible to a person in a street, public place, reserve or other land, except on a hoarding approved for the purpose by the Council.

4.11 Fly Posting.

4.11.1 No person shall fly post at any place or location within the boundaries of the City.

4.11.2 Where a person is alleged to have committed an offence against these by-laws in respect of fly posting, the person authorising the advertisement shall be deemed to be the person who committed the offence.

5. Requirements for Particular Signs.

5.1 Clocks: A clock shall—

- (a) if suspended under a verandah or in an arcade, have its centre coinciding with the centre line of the footway thereunder;
- (b) comply as regards size with the following table—

Height of Bottom of Clock above Footway	Maximum Diameter or Width of Clock Face & Depth of Clock including Lettering
2.75 m and under 4 m	300 mm
4 m and under 6 m	750 mm
6 m and under 12 m	1 m
12 m and over	1.5 m

- (c) be fixed either parallel or at right angles to the wall to which it is attached;
- (d) not project from the wall to which it is attached—
  - (i) if parallel to the wall, more than 300 mm; or
  - (ii) if at right angles to the wall, more than 2 m;
- (e) afford a minimum headway of 2.75 m;
- (f) be maintained so as to show the correct time;
- (g) be illuminated from sunset to midnight; and
- (h) not be permitted to strike between midnight and 7.00 am.

5.2 Development sign—

- (a) development signs shall only be erected where the area of residential land being subdivided exceeds five hectares;
- (b) be removed from the site within two (2) years or when 80 per cent of the lots in the subdivision have been sold, whichever is the sooner.

5.3 Direction Signs: A directional sign indicating the location of an amenity which in the opinion of the Council is beneficial to the Public shall only be erected by authority of Council and be subject to—

- (a) payment of appropriate licence fee;
- (b) sign to be maintained in good order and condition by the applicant;
- (c) unless specifically exempted by Council, shall not exceed 150 mm in depth or 750 mm in length with a headroom of 2.75 metres.

5.4 Display Home Signs: Display home signs shall—

- (a) be provided in a ratio not exceeding 2 m<sup>2</sup> per house in a centre with no individual sign exceeding 4 m<sup>2</sup> overall height of sign not to exceed 4 m;
- (b) not be illuminated after 9.00 pm;
- (c) not be erected or maintained for a period exceeding twelve (12) months without the approval of the Council.

5.5 Hoardings.

5.5.1 Hoardings shall not—

- (a) be erected in a residential area;
- (b) except with the specific approval of Council, be erected within 15 m of any street or other public place and in any case not closer than its own height to a street or public place;
- (c) be of greater area than 22 m<sup>2</sup>

5.5.2 (a) subject to the Act, the Council may in its absolute discretion grant or refuse a licence for a hoarding;

- (b) a licence issued in respect of a hoarding is valid in terms of the licence for a period to be set by the Council up to ten years.

5.5.3 The licence fee for a hoarding is an annual licence fee and is payable annually so long as the hoarding is maintained.

5.6 Horizontal Signs.

5.6.1 A horizontal sign shall—

- (a) afford a minimum headway of 2.75 m;
- (b) be fixed parallel to the wall of the building to which it is attached;
- (c) conform as to depth to the following table—

Minimum Distance of Sign above Street	Maximum Depth of Sign
Less than 7.5 m	600 mm
7.5 m to 9 m	750 mm
9 m to 12 m	1 m

the increase above 12 m should be 150 mm in depth for each 300 mm in height to a maximum of 4.5 m;

- (d) not project more than 600 mm from the wall to which it is attached; and
- (e) not be within 600 mm of either end of the wall to which it is attached unless the end of the sign abuts against a brick, stone or cement corbel, pier or pilaster which is at least 225 mm wide and projects at least 25 mm in front of and 75 mm above and below the sign.

5.6.2 Notwithstanding the provisions of paragraph (c) of sub-by-law 5.6.1 the Council may permit an increase of not more than fifty per cent (50%) of the depths therein mentioned in any part of parts of a sign to permit the inclusion therein of a motif or capital letter.

5.6.3 There shall be not more than one line of horizontal signs on any elevation.

5.6.4 The name of the building, owner or occupier may be shown on the facade of a building but—

- (a) unless otherwise specifically approved by the Council, only one such name shall be placed on any facade;
- (b) the letters of the name shall not exceed 1.2 m in height;
- (c) the letters shall be of metal or other incombustible material; and
- (d) the letters shall not be lit or illuminated unless all illuminated lettering has been specifically approved by the Council.

5.7 Illuminated Signs: Every illuminated sign shall—

- (a) have any boxing or casing in which it is enclosed constructed of incombustible material;
- (b) where comprising glass (other than fluorescent tubing) have the glass so protected as to prevent its falling into a public place in the event of breakage;
- (c) have its electrical installation constructed and maintained to the satisfaction of the State Energy Commission or the appropriate electric supply authority and in accordance with the S.A.A. 3000 1976 Part 1 "Wiring Methods";
- (d) be maintained to operate as an illuminated sign; and
- (e) not have a light of such intensity as to cause annoyance to the public or be a traffic hazard.

5.8 Institutional Signs: Institutional signs shall not exceed 0.5 m<sup>2</sup> in area except with the approval of the Council but in any case shall not exceed 2 m<sup>2</sup>

5.9 Projection Signs: No person shall project by light any sign being a photographic or other image which can be seen from any street, way, footpath, or other public place onto any building, screen or structure.

5.10 Pylon Signs

5.10.1 A pylon sign shall—

- (a) not have any part thereof less than 2.75 m or more than 6 m above the level of the ground immediately below it;



- (b) not exceed 2.6 m measured in any direction across the face of the sign or have a greater superficial area than 4 m<sup>2</sup>;
- (c) be supported on one or more piers or columns of brick stone concrete or steel of sufficient size and strength to support the sign under all conditions;
- (d) not be within 2 m of the side boundaries of the lot on which it is erected unless the lot on which the pylon sign is erected abuts an intersecting street or right-of-way, when the Council may authorise the erection of the sign at a lesser distance than 2 m;
- (e) not have any part thereof less than 6 m from any part of another sign erected on the same lot;
- (f) if oversize, comply with the following and be subject to approval by the Council—
  - (i) be the motif or emblem of the development;
  - (ii) there be no more than one such sign on any lot;
  - (iii) not exceed 20 m in height;
  - (iv) not exceed 10 m<sup>2</sup> on any face;
  - (v) not be erected within its own overall height of any street or right-of-way.

5.10.2 Where pylon signs are to be erected on a lot on which a factory tenement building or small shops are erected or are to be erected Council may require all the pylon signs to be incorporated into one sign complying with the following—

- (a) initial approval is to be given to the pylon sign framework together with one or more sign infill;
- (b) an application is to be submitted and approval given for each additional infill;
- (c) all infills are to be of an equal size, and space is to be provided for one infill for each shop or unit on the lot;
- (d) where Council requires signs to be combined the total area of the infill signs specified under sub-by-law 5.10.1 (b) may be increased by up to 50%, i.e., to a maximum of 6 m<sup>2</sup>.

#### 5.11 Roof Signs.

5.11.1 Approval for the erection of a sign on a roof of a building shall be at the discretion of Council, and where approval has been granted a roof sign shall—

- (a) not at any point be within 4 m of the ground;
- (b) not extend laterally beyond the external walls of the building;
- (c) comply as regards height above ground and height of sign with the following table—

Height of Main Building above Ground Level at Point where Sign is to be fixed	Maximum Height of Sign
4 m and under 5 m	1.25 m
5 m and under 6 m	1.8 m
6 m and under 12 m	3 m
12 m and under 18 m	5 m
18 m and under 24 m	6 m
24 m and upwards	7 m

5.11.2 When ascertaining the height of the main building above ground level for the purpose of this by-law, any part of the roof at the point where the sign is to be erected that is provided solely for the purpose of architectural decoration shall be disregarded.

5.12 Sale Signs: Subject to by-law 3.1.2 a person shall not erect or maintain a sale sign—

- (a) exceeding 10 m<sup>2</sup> in area;
- (b) in respect of an auction sale more than 28 days before the date on which the auction sale is to be held or after the expiration of 48 hours after the sale;
- (c) in respect of the sale of subdivisional land under five hectares in area for a period exceeding six months without the approval of the Council;
- (d) advertising that flats and dwelling units in a building erected or to be erected on the land on which the sign is situated are or will be available for letting or for purchase before the date of issue of the building licence in respect of the building or after three months following the completion of the building.

#### 5.13 Semaphore Signs.

5.13.1 A semaphore sign shall—

- (a) afford a minimum headway of 2.75 m;
- (b) be fixed at right angles to the wall to which it is attached;
- (c) not project more than 1 m from the point of attachment nor be of greater height at any point than 1 m;
- (d) be fixed over or adjacent to the entrance to a building; and
- (e) not be fixed under or over any verandah.

5.13.2 Not more than one semaphore sign shall be fixed over or adjacent to any one entrance to a building.

5.14 Tower Signs: A tower sign shall not—

- (a) indicate or display any matter other than the name of the owner or occupier of the land or premises on which the mast, tower or chimney stack is erected;
- (b) if illuminated, be a flashing sign;
- (c) exceed in height one-sixth of the height of the mast, tower or chimney stack on which it is placed;
- (d) exceed in width the width or diameter of the mast, tower or chimney stack on which it is placed; or
- (e) extend laterally beyond any part of the mast, tower or chimney stack on which it is placed.

### 5.15 Verandah Signs.

5.15.1 Signs above Verandah Fascias: A sign comprising free-standing lettering only may be erected above the outer fascia of a verandah parallel to the kerb, if the lettering does not exceed 400 mm in height and is mounted on a base of at least 75 mm in width.

5.15.2 Signs on Verandah Fascias: A sign fixed to the outer or return fascia of a verandah—

- (a) shall not exceed 600 mm in depth;
- (b) shall not project beyond the outer metal frame or surround of the fascia; and
- (c) if an illuminated sign may be of changing colours but shall not emit a flashing light;
- (d) shall not project more than 50 mm beyond the fascia or verandah.

5.15.3 Signs under Verandahs: A sign under a verandah shall—

- (a) afford a headway of at least 2.75 m;
- (b) not exceed 2.5 m in length or 600 mm in depth, 1 m<sup>2</sup> in area;
- (c) not weigh more than 55 kg;
- (d) not, if it exceeds 300 mm in width, be within 1.4 m or where it does not exceed 300 mm in width be within 1 m of the side wall of the building, measured along the front of the building before which it is erected;
- (e) not, if it exceeds 300 mm in width, be within 2.75 m; or where it does not exceed 300 mm in width be within 2.00 m of another sign under that verandah;
- (f) be fixed at right angles to the front wall of the building before which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle with the wall so as to be visible from both streets;
- (g) be so placed that the centre of its base longitudinally is equidistant from the outer edge of the verandah and the vertical plan of the shop front directly opposite the end of such sign.

### 5.16 Vertical Signs.

5.16.1 A vertical sign shall—

- (a) afford a minimum headway of 2.75 m;
- (b) subject to sub-by-law 5.16.2 not project more than 1 m from the face of the building to which it is attached;
- (c) subject to sub-by-law 5.16.3 not be within 2 m of either end of the wall to which it is attached;
- (d) be of a height of at least twice its width;
- (e) not project more than 1 m above the top of the wall to which it is attached nor more than 1 m back from the face of that wall;
- (f) not be within 4 m of another vertical sign on the same building;
- (g) not be placed on a corner of a building, except at a street intersection where it may be placed at an angle with the walls so as to be visible from both streets; and
- (h) except with the approval of the Council not exceed 1 m in width exclusive of the back projection.

5.16.2 Where a vertical sign is affixed to the face of a building that is set back beyond the face of another building within 3 m of it, the sign may project 500 mm further than the distance prescribed by paragraph (b) of sub-by-law 5.16.1 or the distance by which the building to which it is affixed is set back beyond the face of the other, whichever is the lesser.

5.16.3 Where a building to which a vertical sign is to be affixed is set back from the boundary or abuts on an intersecting street or right-of-way, the Council may authorise the affixing of the sign at a lesser distance from the end of the wall than that prescribed by paragraph (c) of sub-by-law 5.16.1.

### 6. Offences.

6.1 Every person who erects a sign or a hoarding which does not comply with, or erects a sign or a hoarding in a manner contrary to the provisions so of these by-laws, commits an offence.

6.2 Where by these by-laws it is required that a person obtain a licence to erect or maintain a sign or hoarding, every person who maintains a sign or a hoarding without a licence or in respect of which the licence has expired or been cancelled commits an offence.

6.3 Neither the owner nor the occupier of any land or premises shall permit a sign or hoarding to remain therein unless such signs or hoarding complies with these by-laws.

6.4 Without prejudice to the preceding provisions of these by-laws the Council may serve on the owner or occupier of any premises on which any sign is erected, affixed or maintained, contrary to these by-laws, notice to remove the sign within such time as may be specified in the notice; and a person neglecting or failing to comply with the terms of a notice served on him pursuant to this by-law commits an offence.

6.5 An Officer authorised by the Council may remove to a place appointed by the council any sign, advertisement, advertising device, hoarding or signboard placed on or erected on any street, way or place vested in, or under the Care or Control of the Council unless so placed or erected pursuant to these by-laws. The Council may without being liable in damages or otherwise dispose of any of the things mentioned above and reinstate the street, way, or place at the expense of the person or persons responsible for the deposit thereon or the injury thereto and recover the amount of the expense from him in a Court of Competent Jurisdiction.

6.6 The Council, or any person acting under the authority of the Council, may remove from private property any hoarding or any bill, placard or advertisement which is attached to, or pasted, or painted, or stencilled on a hoarding, and which in the opinion of the Council is dangerous or objectionable and the Council may recover the expenses of the removal from the owner of the property in a Court of Competent Jurisdiction.

7. Penalties: Any person who is convicted of an offence against these by-laws is liable to—

- (a) a penalty not exceeding \$500;
- (b) a daily penalty, during the breach, of up to \$50.

First Schedule

Application for Licence—Signs and Hoardings

To: Belmont City Council

Name of owner/occupier of land on which sign is to be erected .....

Submitted by .....

Address for correspondence .....

I/We hereby apply for a licence to erect and/or maintain a .....

.....sign on Lot.....House No.....

.....Street.....

in accordance with the attached plan and details in duplicate.

Signature of Applicant:.....

Date.....

Licence

Municipality of Belmont

Date: .....

No.....

This licence is granted to .....

of.....

in respect of a .....

on premises known as Lot.....No.....Street,

in accordance with Application No.....and subject to the by-laws of the Municipality.

This licence shall remain valid unless any alteration is made on the sign, then in such event the licensee must apply for a new licence.

If this licence is issued in respect of a hoarding, the licence expires on the.....day of.....

Second Schedule

Scale of Fees

Pylon of Tower Sign	\$15.00
Oversized Pylon or Tower Sign	\$1.00 per m <sup>2</sup> (minimum \$20.00)
Illuminated Sign—on Roof	\$1.00 per m <sup>2</sup> (minimum \$15.00)
Under verandah	\$10.00
Other	\$15.00
Development Signs	\$1.00 per m <sup>2</sup> (minimum \$20.00)
Sign Panel	\$5.00
Hoardings	\$30.00 per annum
Any other Sign	\$15.00

Date 24 February 1988.

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

[L.S.]

P. P. PARKIN,  
Mayor.

E. D. F. BURTON,  
Town Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government

Approved by His Excellency the Governor in Executive Council on 29 March 1988.

G. PEARCE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT 1960

Municipality of the City of Perth

By-law Relating to Signs—By-law No. 40

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on 16 November 1987, to make and submit for confirmation by the Governor the following amendments to the City of Perth By-law Relating to Signs—By-law No. 40.

1. Clause 4 is amended by—

(a) deleting sub-clause (1) and substituting the following new sub-clause;

(1) No person shall erect or maintain or permit to be erected or maintained any sign—

(a) which contravenes any provision of this by-law; or

(b) unless by authority of a licence issued by the Council under this by-law.

(b) deleting sub-clause (3).

Dated 17 December 1987.

The Common Seal of the City of Perth was hereto affixed in the presence of—

[L.S.]

M. A. MICHAEL,  
Lord Mayor.

R. F. DAWSON,  
Chief Executive/Town Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on 29 March 1988.

G. PEARCE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT 1960

Municipality of the City of Stirling

By-laws Relating to Signs, Hoardings and Bill Posting

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it the Council of the abovementioned municipality hereby records having resolved 19 August 1986 to make and submit for confirmation by the Governor the following by-laws.

1. The By-laws of the City of Stirling published in the *Government Gazette* of 12 May 1971 and amended from time to time are referred to as "the principal by-laws".

2. By-laws 543 to 579 (inclusive) of the principal by-laws are repealed and the following by-laws substituted—

## Signs, Hoardings and Bill Posting

543. Interpretation: In By-laws 543 to 579 unless the context otherwise requires—

"Advertising device" means any object on which words, numbers, figures, designs are written, placed, affixed or painted for the purpose of advertising any business, function, operation, event or undertaking or any product or thing whatsoever and includes any vehicle or trailer or other similar stationary object placed or located so as to serve the purpose of advertising any business, function, event, product or undertaking, and the term sign shall have a like meaning;

"Aerial sign" means an advertisement placed, painted, affixed or erected upon or suspended from a mast, balloon or other aerial device;

"Bill posting" means the sticking or posting of any bill or painting, stencilling, placing, sticking, posting or affixing of any advertisement on any building, structure, fence, wall, hoarding, signpost, pole, blind or awning or on any tree, rock or other like place or thing so as to be visible to any person in a street, public place, reserve or other land and "bill post" has a like meaning;

"Building Surveyor" means the Council's Building Surveyor appointed pursuant to the Act or that person appointed by the Council from time to time as Acting Building Surveyor;

"Business" means the conduct of one or more commercial or industrial activities within a building or physically defined and divided portion of a building, and "occupancy" shall have a like meaning;

"Development sign" means—

(a) a sign erected on an area of land which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no building development has taken place at the time of approval of the sign(s); or

- (b) a sign erected on an area of land upon which it is proposed to undertake the construction of a building or buildings or part thereof, advising of any or all matters pertaining to the construction of such building or buildings or part thereof; or
- (c) a sign or signs erected on an area of land upon which a building or buildings has been or is to be constructed, advising that floorspace within such building or buildings is available for occupancy by sale, rental or lease; but does not include a sale sign;
- “Direction sign” means a sign erected in a street or public place by the Council on behalf of someone else, as provided for in these by-laws, to indicate the direction to another place but does not include any such sign erected or affixed by the Council or the Commissioner of Main Roads or a road direction sign erected or affixed by a duly incorporated association or union of motorists authorised in that regard by the Minister for the time being administering the Traffic Act;
- “Display Home sign” means a sign erected on a lot on which a home is erected where the lot and house have been approved as meeting the Council’s requirements for a display home including the provision of the required parking;
- “Electoral advertisement” includes an advertisement relating to an election or a prospective or forthcoming election of the Parliament of Australia or of the State or either House thereof respectively or to a municipal election and to a referendum;
- “Electoral sign” means a sign containing an electoral advertisement;
- “Fly posting” without limiting the generality of the provisions in these by-laws relating to bill posting means advertising by means of a poster placed on fences, walls, trees, rocks and any like places, or things without authority, and “fly post” has a like meaning;
- “Hoarding” means a detached or detachable structure other than a pylon sign that is erected for the sole purpose of displaying a sign or signs and does not include a hoarding within the meaning of section 377 of the Act; and includes a poster panel, wall panel or an illuminated panel;
- “Horizontal sign” means a sign fixed parallel to the wall of a building to which it is attached with its largest dimension horizontal;
- “Illuminated sign” means a sign that is so arranged as to be capable of being lighted either from within or without the sign by artificial light provided or mainly provided, for that purpose;
- “Information panel” means a panel used for displaying Government and Local Authority notices, functional and dated announcements of a religious, educational, cultural, recreational or similar character, general information for the benefit of the public and travellers and general commercial advertising;
- “Lot” has the same meaning given to it in and for the purposes of the Town Planning and Development Act 1928 (as amended) but does not include a lot the subject of a Strata Plan issued in accordance with the provisions of the Strata Titles Act 1966 (as amended);
- “Mobile sign” means an advertising device affixed or placed either permanently or temporarily upon a motor vehicle, trailer or other object which is moveable or capable of being moved but does not include an advertising message permanently painted or affixed to a body panel of a motor vehicle or trailer;
- “Portable sign” means an unaffixed sign—
- (a) located wholly within the boundaries of land owned or occupied by a person who erected or who has maintained the sign;
  - (b) only advertising a product or service available within the boundaries of the land upon which the sign is erected; and
  - (c) includes a “sandwich board sign” consisting of two sign boards attached to each other at the top by hinges or other means;
- “Projection sign” means a sign that is made by the projection of light on a wall or similar structure or any other surface;
- “Public place” means a street, reserve, ground or other place, whether in public or private ownership, to which the public have restricted or unrestricted access by foot or by vehicle but does not include any areas or spaces contained within the exterior walls of a building;
- “Pylon sign” means a sign unaffixed to a building and supported by one or more piers and includes a detached sign framework supported by one or more piers into which sign infills may be added;
- “Roof Sign” means a sign erected on or attached to the roof of a building;
- “Rural Producer’s sign” means a sign erected on land zoned “Rural” and which only advertises goods or products produced, grown or lawfully manufactured upon the land within the boundaries of which the sign is located;
- “Semaphore sign” means a sign affixed and supported at, or by, one of its ends only;
- “Sign” includes a signboard, a portable sign or a bunting sign and a clock other than a clock which is built into a wall and does not project beyond the face of the wall, or flags and bunting which carry no written message;
- “Sign infill” means a panel which can be fitted into a pylon or hoarding sign framework;
- “Tower sign” means a sign affixed to or placed on a chimney stack or an open structural mast or tower;
- “Town Planning Scheme” means the City of Stirling District Planning Scheme as amended or reviewed from time to time;
- “Verandah”, includes cantilever awnings, cantilever verandahs and balconies whether over public streets and ways or over private land;
- “Verandah signs” means signs on verandah fascias and signs attached to and under verandahs;

“Vertical sign” means a sign attached to a building and in which the vertical dimension exceeds the horizontal dimension exclusive of the back projection;

“Wall panel” means a wall or panel affixed to a wall of a building used for displaying a posted or painted advertisement;

“Zone” means those areas as defined by the City of Stirling District Planning Scheme in which Commercial, Industrial, Residential, Rural and other activities as defined may occur and may include non conforming uses as approved by the Council.

Words and expressions used have the respective meanings as are given them, in and for the purposes of the Act.

#### Licence Required

544. No person shall erect, make or maintain a sign or advertising device and the owner or occupier of premises shall not suffer or permit a sign or advertising device to remain on those premises within 30 metres from any street, way, or footpath except pursuant to a licence issued under these by-laws, except as otherwise provided for in By-law 552.

#### Licences Application for

545. An application for a licence under these by-laws shall be made in the form prescribed hereunder—

- (a) an application for the first issue of a licence in respect of a sign shall be accompanied by a plan drawn to a scale of not less than 1 to 50 showing the size, position, design and inscription to appear thereon, the method of construction and fixing of the sign for which the licence is sought or alternatively such information as the Building Surveyor may require;
- (b) an application for the first issue of a licence in respect of a roof sign or pylon sign shall be accompanied by a certificate from an architect or structural engineer certifying that the building or structure upon which it is proposed to erect the sign is in all respect of sufficient strength to support the sign, under all conditions, and that the sign is itself of structurally sound design;
- (c) an applicant for a licence shall furnish in writing such further particulars as may be required by the Building Surveyor;
- (d) if required by the Building Surveyor an applicant for a licence in respect of an illuminated sign shall produce to the Building Surveyor a written consent to the erection of the sign, signed by or on behalf of the person or body having for the time being the management of traffic control lights within the City of Stirling district.

#### Licence Issue of

##### 546.1 (1)

- (a) Subject to (b), (c) and (d) of this by-law and By-law 550 and except where otherwise stated in these by-laws a licence issued pursuant to the by-laws remains valid until an alteration is made to the structure or area of the sign in respect of which it is issued and in that event the licensee shall apply for a new licence;
  - (b) a licence issued in respect of a hoarding shall be valid until 31 December next after the issue of the licence unless previously revoked;
  - (c) a licence issued in respect of a development sign shall be valid for 90 days from date of issue; and
  - (d) a licence issued in respect of a display home sign shall be valid for a period not exceeding 12 months from date of issue.
- (2) Notwithstanding that a sign or hoarding would otherwise comply with the provisions of these by-laws the Council may refuse a licence if—
- (a) the sign or hoarding would, in its opinion, increase the number or variety of signs so as to become too numerous or various to be acceptable to residents in the area or be injurious to the amenity or natural beauty or safety of the area; or
  - (b) if in the opinion of the Building Surveyor the sign or hoarding is not structurally sufficient.
- (3) The Council may impose any condition it thinks fit upon the issue of a licence.

#### Licence Fees

547. (1) The fees payable for a licence are those set out hereunder—

Licence for	\$
Pylon Sign.....	10.00
Oversized Pylon (\$1 per m <sup>2</sup> ) min.....	15.00
Roof Sign.....	25.00
Under Verandah Sign.....	10.00
Development Signs (\$1 per m <sup>2</sup> ) min.....	10.00
Rural Producers Sign.....	10.00
Sign Panel.....	10.00
Hoardings.....	25.00
Any Other Sign.....	10.00

(2) The licence fee for a hoarding is an annual licence fee and is payable annually, so long as the hoarding is maintained and is renewable from 1 January each year.

(3) The licence fee for a development sign is for a period of 90 days from date of approval and is renewable for a further period of 90 days only.

(4) The licence fee for a display home sign is for a period not exceeding 12 months.

#### Licence Numbers

548. Every licensed sign or hoarding shall bear on its face (bottom left hand corner as viewed) in clearly legible figures the number of the licence under which it is erected or displayed.

#### Licence Production of

549. An owner or occupier of premises on which a sign is erected shall, on demand by an officer of the Council, produce the licence for inspection.

## Licence Revocation of

550. (1) Where anything purporting to be done pursuant to a licence issued under these by-laws is not done in conformity with the licence or the conditions thereon or with these by-laws or where the licensee is convicted of an offence against these by-laws the Council may, without derogation of any penalty to which that person may be liable, by notice in writing revoke the licence.

(2) The Council may revoke a licence if in its opinion the number or variety of signs on a lot are prejudicial to the amenity of the area.

## Special Permits for Signs in the Public Interest

551A. (1) Notwithstanding anything contained in these by-laws the Town Clerk or another officer authorised by the Council may upon written application grant a permit in writing temporarily allowing the display of advertisements, other than electoral advertisements, at theatres and other places of public entertainment upon such terms, and for such period, as the permit may stipulate.

(2) The Council may revoke any such permit at any time without assigning any reason therefor.

(3) Upon the expiration or revocation of a permit issued under this by-law, the person to whom it was issued shall forthwith remove the advertisement to which it relates.

## Temporary Community Service Sign

551B. (1) Notwithstanding anything contained in these by-laws the Town Clerk or another officer authorised by the Council may upon written application grant a permit in writing permitting the erection in or on a street or public place of a temporary or portable sign, other than an electoral sign, relating to or giving directions to a charitable, cultural educational, recreational or other public or community function, exhibition, meeting display, event or activity, not being one conducted for the purpose of commercial gain, for any period and upon and subject to any terms and conditions he thinks fit.

(2) A person to whom a permit is granted pursuant to sub-by-law (1) of this by-law may erect the sign referred to in the permit in or on the street or public place referred to therein subject to compliance with any conditions imposed and subject also to the compliance with the provisions of these by-laws which apply with all necessary modifications, other than paragraph (f) of By-law 553.

(3) A person shall not erect or maintain a sign in respect of which a permit has been granted so as to obstruct a street or way or obstruct the view of drivers of vehicular traffic.

(4) Notwithstanding anything contained in this by-law a person shall not affix a sign to a street tree.

(5) The Council may revoke a permit granted pursuant to this by-law without assigning a reason therefor.

(6) Upon the expiration or revocation of a permit issued under this by-law the person to whom it was issued shall forthwith remove the sign to which it relates.

## Roster Service Station Signs

551C (1) In this by-law unless the context otherwise requires—

“extraordinary trading hours” has the meaning given to it in and for purposes of section 92 of the Factories and Shop Act 1963 as amended;

“service station” means premises used for the sale or supply of fuel necessary or required for operating motor vehicles.

(2) Where the proprietor of a service station is permitted pursuant to the provisions of the Factories and Shops Act 1963 as amended or regulations made thereunder to open the service station for the sale of fuel necessary or required for operating motor vehicles during extraordinary trading hours he may erect and maintain on a street or public place during those extraordinary trading hours not more than ten signs that comply with the provisions and requirements of this by-law.

(3) Each sign erected or maintained pursuant to the provisions of this by-law shall—

- (a) not exceed the dimensions of 400 mm by 800 mm;
- (b) be for the purpose of directing motorists to the service station;
- (c) contain the name and address of the service station proprietor; and
- (d) be of a standard and type approved by the Town Clerk.

(4) A person shall not erect or maintain a sign pursuant to this by-law so as to obstruct a street or way or obstruct the view of drivers of vehicular traffic.

(5) The provisions of these by-law, other than paragraph (f) of By-law 553, apply with all necessary modifications to a sign erected or maintained pursuant to the provisions of this by-law.

## Movable Signs on Reserves

551D. (1) Upon written application from a Sports Club, Community Group or other organisation the Building Surveyor may grant a permit authorising the erection of up to ten movable signs on a reserve other than a road reserve, for a period not exceeding eight hours per day providing that the sign—

- (a) is made with steel, timber or plastic frames or supports;
- (b) is not affixed to a building;
- (c) does not cause an obstruction;
- (d) is not dangerous;
- (e) is not erected, placed or maintained at any time when the velocity of the wind exceeds 30 km/h;
- (f) is not erected, placed or maintained on or over a public street or thoroughfare.

(2) A person who has erected or placed a movable or portable sign on a reserve other than a road reserve shall immediately take down and remove the sign—

- (a) upon the expiration of a period of eight hours after the time when it was erected or placed;
- (b) if the velocity of the wind exceeds 30 km/h;

## Signs Exempt

552. The following are exempt from the requirements of By-law 544 of these by-laws—
- (a) a sign erected or maintained pursuant to any Act having operation within the State;
  - (b) a land sale sign not exceeding 1.0 m<sup>2</sup> in area;
  - (c) a plate not exceeding 0.2 m<sup>2</sup> in area erected or affixed on the street alignment or between that alignment and the building line to indicate the name and occupation or profession of the occupier of the premises;
  - (d) subject to By-law 561 a direction sign;
  - (e) signs of use solely for the direction and/or control of people, animals and/or vehicles or to indicate the name and/or street number of a premises, providing the area of any such sign does not exceed 0.2 m<sup>2</sup>;
  - (f) advertisements affixed to or painted on a shop window by the occupier thereof relating to the business carried on therein provided that the window is not obscured by an area exceeding one half of the window;
  - (g) the name and occupation of the occupier of business premises painted on a window or wall, or roof, of those premises in letters not exceeding 300 mm in height;
  - (h) signs within a building;
  - (i) signs not larger than 0.5 m x 1.0 m on advertising pillars or panels approved by or with the consent of the Council for the purpose of displaying public notices for information;
  - (j) building name signs where they are of a single line of letters not exceeding 300 mm in height, fixed to the facade of the building;
  - (k) newspaper posters not exceeding 0.2 m<sup>2</sup> in area;
  - (l) a sign in respect of which a permit has been granted pursuant to By-law 551A and B;
  - (m) a sign erected pursuant to By-law 551C;
  - (n) an institutional sign; and
  - (o) subject to By-law 569, a portable sign.

## Signs Prohibited or Restricted

553. A sign shall not be erected or maintained—
- (a) so as to obstruct the view from a street or public place of traffic in any street or public place;
  - (b) so as to be likely to be confused with, or mistaken for, an official light or sign or so as to contravene the Road Traffic Act 1974, or Regulations made thereunder;
  - (c) except with the specific approval of the Council on any ornamental tower, mast, chimney stack, spire, dome or similar architectural feature or on a lift machinery room, bulkhead over stairs or other superstructure over the main roof of a building;
  - (d) except pursuant to By-laws 563 and 564 on any land that is zoned for residential purposes in a Town Planning Scheme other than a site of lawful non-conforming use;
  - (e) on any building of which the stability is in the opinion of the Building Surveyor likely to be affected by the sign;
  - (f) as a portable sign in a street or public place;
  - (g) as a mobile sign;
  - (h) on a light or power pole;
  - (i) as a tower sign;
  - (j) as a sign above a verandah;
  - (k) as a fly poster;
  - (l) in any position where it obstructs or obscures a person's view from a dwelling;
  - (m) for electoral purposes;
  - (n) as a sign painted directly on banners or awnings;
  - (o) by way of searchlights, balloons, aerial sign, pennants, flags to call attention to a product, service or product;
  - (p) so as to advertise goods or services which are not displayed or offered for sale or otherwise available to the public upon or from the land where the sign or hoarding is erected; or
  - (q) in any position where, in the opinion of the Council, the advertising device would be out of harmony with the surroundings in the locality in which the advertising device is proposed to be erected or where the Council considers it would be undesirable for reasons to be stated by the Council; or
  - (r) on vacant land except where otherwise permitted by these by-laws.

## Fixing of Signs

554. Every sign shall be securely fixed to the structure by which it is supported, to the satisfaction of the Building Surveyor, and shall be maintained in a safe condition.

## Glass in Signs

555. Glass shall not be used in any sign other than as a means of illumination.

## Information on signs

556. Except in the case of a direction sign, signs generally shall only display one or more of the following—

- (a) the name of the occupier, or each of them if more than one;
- (b) the business or business carried on in the premises;
- (c) the occupier's telephone number; and
- (d) description of the goods sold on the premises to which it is affixed and nothing more.



Maintenance of Signs

557. (1) The holder of a licence in respect of a sign shall keep the sign clean and free from unsightly matter.

(2) Where any person fails to comply with the requirements of sub-bylaw (1) of this by-law, the Council may order the sign or any part of the sign, removed.

Obstruction by Signs

558. A sign shall not be erected so as to obstruct access to or from any door, fire escape or window, other than a window designed for the display of goods.

Readily Combustible Material

559. Except in the case of bunting, flags or posters securely affixed to a signboard or hoarding, paper, cardboard, cloth or other readily combustible material shall not form part of or be attached to any sign.

Bill Posting

560. A person shall not bill post within the district of the City of Stirling except on a hoarding approved for that purpose.

Business and Public Direction Signs

561. (1) Approval may be given to the erection of direction signs, for hospitals and shopping complexes by the Council at the applicant's expense subject to—

- (a) a maximum of two signs being permitted on nearby arterial or district distributor roads as determined by Council at a point where they will not divert drivers' attention from the main driving task, except in the case of hospitals admitting emergency patients, where additional signs can be permitted subject to the approval of the Building Surveyor;
- (b) shopping complex signs displaying the words "Shopping Area" only and not advertising specific shops;
- (c) hospital signs being permitted to carry the name of the hospital; and
- (d) all signs being of a standard specifically approved by Council.

(2) The Council may also approve the erection of direction signs, at or near the intersection of streets which indicate the nature of the service that may be located by following the direction indicated by the sign.

Clocks

562. A clock shall not be erected within the district without the approval of the Council and in any case advertising material shall not be permitted on the face of any clock so approved.

Development Signs

563. A person may erect a development sign not exceeding 10 m<sup>2</sup> in area provided that—

- (a) the distance from the street lot boundary to the development sign shall be equal in distance to the overall height of the sign from natural ground level;
- (b) there shall be no more than one sign per hectare per development or subdivision;
- (c) in the case of a building the development sign is not erected before the date of issue of a building licence in respect of such building; and
- (d) in respect of an auction if it is erected not more than 28 days before the date on which the auction is to be held. Such sign shall be removed not later than 48 hours after the sale and the failure to do so shall be an offence.

Display Home Signs

564. A person may erect a display home sign provided that—

- (a) it is erected on a lot on which a display home is erected and not elsewhere;
- (b) the distance from the street lot boundary to the display home sign shall be not less than equal in distance to the overall height of the sign from natural ground level;
- (c) not exceed 2.0 m<sup>2</sup> in area if it relates to one display home only or 3.0 m<sup>2</sup> if it relates to two or more display homes;
- (d) there shall be no more than one sign for each display home centre; and
- (e) the sign is not illuminated after 9.00 p.m.

Hoardings

565. (1) Hoardings shall not—

- (a) be erected in a residential area;
- (b) except with the approval of the Council, be erected within 15.0 m of any street;
- (c) be of greater area than 20.0 m<sup>2</sup> per lot.

(2) A licence issued in respect of a hoarding may be renewed at the absolute discretion of the Council.

Horizontal Signs

566. (1) A horizontal sign shall—

- (a) afford a minimum headway of 2.7 m;
- (b) be fixed parallel to the wall of the building to which it is attached;
- (c) conform as to depth to the following table—

Minimum Distance of Sign above Street	Maximum Height of Sign
Less than 7.5 m.....	600 mm
7.5 m to 9.0 m.....	750 mm
9.0 m and above .....	1 200 mm

- (d) not project more than 600 mm from the wall to which it is attached; and

- (e) not be within 600 mm of either end of the wall to which it is attached, unless the end of the sign abuts against a brick, stone or cement corbel, pier or pilaster which is at least 225 mm wide and projects at least 25 mm in front of and 75 mm above and below the sign.
- (2) Notwithstanding the provisions of paragraph (c) of sub-by-law 566 (1) the Council may permit an increase of not more than 50 per cent of the depths therein mentioned in any part or parts of a sign to permit the inclusion therein of a motif or capital letter.
- (3) There shall be not more than one line of horizontal signs facing any one street on any building.
- (4) The name of the building, owner or occupier may be shown on the facade of a building but—
  - (a) unless otherwise approved by the Council, only one such name shall be placed on any facade;
  - (b) the letters of the name shall not exceed 1.2 m in height; and
  - (c) the letters shall be of metal or other incombustible material.

#### Illuminated Signs

567. Every illuminated sign shall—
- (a) have any boxing or casing in which it is enclosed constructed of noncombustible material;
  - (b) have its electrical installation constructed and maintained to the satisfaction of the State Energy Commission;
  - (c) be maintained to operate as an illuminated sign; and
  - (d) not have a light of such intensity or colour or be placed so as to cause annoyance to the public and not interfere with traffic control lights.

#### Information Panels

568. The Council may provide information panels or bays of varying sizes for the inclusion of advertisements in such panels or bays.

#### Portable Signs

569. A portable sign shall—
- (a) not exceed a height of 1.0 m measured above the level of the ground immediately below it;
  - (b) not exceed 0.6 m<sup>2</sup> in area;
  - (c) be placed so as not to cause interference or hazard to vehicular traffic or cause any interference or hazard to or impede pedestrians;
  - (d) be displayed only during the normal business hours appropriate to the boundaries of the land upon which the sign is erected;
  - (e) contain the word "open"; and
  - (f) be permitted to be displayed on the basis of one sign per separate business or occupancy on a lot.

#### Projection or Electronic Signs

570. A projection sign or a sign projected or displayed by electronic means requires the approval of the Council.

#### Pylon Signs

571. (1) A person shall not erect more than one pylon sign on a lot providing that no more than two pylon signs may be permitted where a lot abuts more than one street.
- (2) A pylon sign shall—
- (a) not have any part thereof less than 2.7 m or more than 6.0 m above the level of the ground immediately below it;
  - (b) not exceed 2.5 m measured in any direction across the face of the sign or have a greater superficial area than 4.0 m<sup>2</sup>;
  - (c) not project more than 1.0 m over a street;
  - (d) be supported on one or more piers or columns of concrete, steel or timber of sufficient size and strength to support the sign under all conditions and in any case the aggregate width or diameter of supports shall not exceed 300 mm; and
  - (e) not, as to any part thereof, project over a street at a height of less than 2.7 m.
- (3) Where a pylon sign is supported on two or more piers or columns, the space between the piers or columns shall not be wholly or partly filled with any material.
- (4) The Council may issue a licence in respect of a pylon sign notwithstanding it does not comply with By-law 571 (2) if—
- (a) it is to be erected on a lot used or to be used for professional or commercial offices;
  - (b) will be of a height not exceeding 2.7 m;
  - (c) will be of a width not exceeding 1.8 m;
  - (d) will have two vertical supports with horizontal flat boards of a maximum height of 200 mm with a minimum space between each board of 50 mm;
  - (e) the letters will not be greater than 150 mm in height; and
  - (f) a lot has a street frontage exceeding 100 m and is of an area exceeding 1.2 ha.
- (5) Where more than one pylon sign is proposed to be erected on a lot on which unit factories or small shops are erected, or are to be erected, other than a shopping complex on the one lot, Council may require all the pylon signs to be incorporated into one sign complying with the following—
- (a) initial approval required to be given to the pylon sign framework together with one or more sign infills;
  - (b) an application to be submitted and approval given for each additional infill thereafter;

- (c) all infills are to be of an equal size and space is to be provided for one infill for each shop or unit on the lot; and
  - (d) where Council requires signs to be combined the total area of the infill signs specified under By-law 571 (2) (b) may be increased by up to 50 per cent or to a maximum of 6.0 m<sup>2</sup>.
- (6) In the case of a Shopping Complex on the one lot a pylon sign shall only display the name and motif or emblem of the Shopping Complex.
- (7) Where a National or State wide organisation has a standard motif or emblem that may be outside the scope of these by-laws approval may be given by the Council to the pylon sign providing it does not exceed 4.5 m<sup>2</sup>.

#### Roof Signs

572. (1) Only one roof sign shall be permitted per lot and where approval has been given for a roof sign it shall—

- (a) not at any point be within 4.0 m off the ground;
- (b) not extend laterally beyond the external walls of the building; and
- (c) comply as regards height above ground and height of sign with the following table—

Height of Main Building Above Ground Level at Point Where Sign is to Be Fixed	Maximum Height of Sign	Maximum Area of Sign
4.0 m and under 5.0 m .....	1.25 m	4.0 m <sup>2</sup>
5.0 m and under 6.0 m .....	1.80 m	7.0 m <sup>2</sup>
6.0 m and over .....	4.00 m	18.0 m <sup>2</sup>

(2) When ascertaining the height of the main building above ground level for the purpose of this by-law, any part of the roof at the point where the sign is to be erected that is provided solely for the purpose of architectural decoration shall be disregarded.

#### Rural Producer Signs

573. A rural producer sign shall—

- (a) be erected within the boundaries of the land upon which the produce offered for sale is grown;
- (b) not exceed 1.0 m<sup>2</sup> in area;
- (c) not exceed 4.0 m in height above the level of the ground immediately below it, and shall maintain 2.7 m to underside of sign;
- (d) not project over a street alignment as defined in the Act; and
- (e) be limited to no more than one per lot.

#### Semaphore Signs

574. (1) A semaphore sign shall—

- (a) afford a minimum headway of 2.7 m;
- (b) be fixed at right angles to the wall to which it is attached;
- (c) not project more than 900 mm from any point of attachment nor be of a greater height at any point than 1.0 m;
- (d) be fixed over or adjacent to the entrance to a building; and
- (e) only be fixed to a building to which there is no verandah.

(2) Not more than one semaphore sign shall be fixed over, or adjacent to any one entrance to a building.

#### Verandah Signs

575. (1) Verandah fascia signs fixed to the outer or return fascia of a verandah shall—

- (a) not exceed 600 mm in height;
- (b) not project beyond the outer metal frame or surround of the fascia; and
- (c) be limited to no more than one per business.

(2) Illuminated theatre verandah fascia signs fixed to the outer fascia of a theatre verandah shall—

- (a) not be constructed or erected unless plans and specifications thereof and structural details of the verandah have been submitted to and the plans of the sign approved by the Council;
- (b) be so constructed that its bottom edge is not lower than the bottom edge of the fascia or its top edge not higher than the top edge of the fascia; and
- (c) not in any event exceed 1.2 m in height.

(3) Where such a sign is to be fixed to the outer fascia of a theatre verandah which has already been constructed at the time that this by-law comes into force, the outer face of the sign shall not be less than 150 mm from a line drawn vertically from the kerb line of the footpath beneath such verandah.

(4) Where such a sign is to be fixed to the outer fascia of a theatre verandah constructed after this by-law comes into force, the outer face of the sign shall not be less than 600 mm from a line drawn vertically from the kerb line at the footpath beneath such verandah.

(5) Under verandah signs shall—

- (a) afford a headway of at least 2.7 m;
- (b) not exceed 2.4 m in length or 500 mm in depth;
- (c) not weigh more than 50 kg;
- (d) be limited to no more than one per business;
- (e) not be within 3.0 m of another sign erected under the same verandah;
- (f) be fixed at right angles to the front wall of the building before which it is erected except on a corner of a building at a street intersection where the sign may be placed at an angle with the wall so as to be visible from both streets;

- (g) be so placed that the centre of its base longitudinally is equidistant from the outer edge of the verandah and the vertical plane of the shop front directly opposite the end of such sign; and
- (h) not be constructed of shatterable material.

#### Vertical Signs

576. (1) A vertical sign shall—

- (a) afford a minimum headway of 2.7 m;
- (b) subject to By-law 576 (2), not project more than 1.0 m from the face of the building to which it is attached;
- (c) subject to By-law 576 (2), not be within 1.75 m of either end of the wall to which it is attached;
- (d) be of a height of at least twice its width and not exceed 4.0 m<sup>2</sup> in area;
- (e) not project more than 1.0 m above the top of the wall to which it is attached nor more than 1.0 m back from the face of the wall;
- (f) not be placed on a corner of a building, except at a street intersection where it may be placed at an angle with the walls so as to be visible from both streets; and
- (g) be limited to no more than one per lot.

(2) Where a vertical sign is affixed to the face of a building that is set back beyond the face of another building which is situated less than 3.0 m from the side wall of the first building, the sign may project 500 mm further than the distance prescribed by paragraph (b) of sub-by-law 576 (1) or the distance by which the building to which it is affixed is set back beyond the face of the other, whichever is the lesser.

(3) Where a building to which a vertical sign is to be affixed is set back from the boundary or abuts on an intersection, street or right of way, the Council may authorise the affixing of the sign at a lesser distance from the end of the wall than that prescribed by paragraph (c) of sub-by-law 576 (1).

#### Offences

577. (1) Every person who erects or authorises or permits to be erected a sign, or a hoarding which does not comply with or erects or authorises or permits to be erected a sign or a hoarding in a manner contrary to the provisions of these by-laws, commits an offence.

(2) Where by the by-laws it is required that a person obtain a licence to erect or maintain a sign or hoarding, every person who erects or maintains a sign or a hoarding without a licence or in respect of which the licence has expired or been cancelled commits an offence.

(3) Neither the owner nor the occupier of any land or premises shall permit a sign or hoarding to remain thereon unless such sign or hoarding complies with these by-laws.

(4) Without prejudice to the preceding provisions of this by-law the Council may serve on the owner or occupier of any premises on which any sign is erected, affixed or maintained, contrary to these by-laws, notice to remove the sign within such time as may be specified in the notice, and a person neglecting or failing to comply with the terms of a notice served on him pursuant to this sub-by-law commits an offence.

#### Penalties

578. Any person who is convicted of an offence against these by-laws is liable to—

- (a) a penalty not exceeding two hundred dollars; or
- (b) where the offence is one of a continuing nature, a daily penalty not exceeding twenty dollars.

#### Removal and Disposal of Signs Unlawfully Displayed

579. (1) The Council may remove to a place appointed by the Council any sign, advertisement, advertising device, hoarding or sign board placed on or erected on any street way or footpath unless so placed or erected pursuant to these by-laws. The Council may without being liable in damages or otherwise dispose of any of the things mentioned above and reinstate the street way or footpath at the expense of the person or persons responsible for the deposit thereon or the injury thereto and recover the expense incurred in the taking possession, removal or disposal of the thing deposited or in such reinstatement from him in a Court of competent jurisdiction.

(2) The Council or any person acting under the authority of the Council, may remove from private property any hoarding or any bill, placard or advertisement, which is attached to, or posted, or painted, or stencilled on a hoarding, and which in the opinion of the Council is dangerous or objectionable and the Council may recover the expenses of the removal from the owner of the property in a Court of competent jurisdiction.

Dated 1 March 1988.

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

[L.S.]

GEORGE STRICKLAND,  
Mayor.

RALPH FARDON,  
Town Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on 29 March 1988.

G. PEARCE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT 1960

Municipality of the City of Subiaco

## By-law No. 50 Relating to Street Trading

IN pursuance of the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on 27 October 1987, to make and submit for confirmation by the Governor the following by-laws.

1. In these by-laws the by-laws published in the *Government Gazette* of 12 June 1987, are referred to as the principal by-laws.

2. The principal by-laws are amended by deleting the definition of "trading" in By-law 1 and substituting the definition of "trading" as follows—

"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 purposes 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 business at a stall, under the authority of a licence issued under by-laws made under section 242 of the Act.

Dated 1 December 1987.

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

[L.S]

R. V. DIGGINS,  
Mayor.

J. F. R. MCGEOUGH,  
Town Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on 29 March 1988.

G. PEARCE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT 1960

City of Wanneroo

## By-law Relating to Marangaroo Golf Course

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it the Council of the abovementioned municipality, hereby records having resolved on 25 November 1987 to make and submit for confirmation by the Governor the following by-law.

## Definitions

1. In this by-law unless the context otherwise requires—

"Controller" means the person or persons for the time being appointed by the Council to direct, control and manage the golf course reserve and shall include any assistant to the Controller approved in writing by the Council;

"Council" means the Council of the City of Wanneroo;

"golf course reserve" means reserve A20091 and includes all buildings, structures, fittings, fixtures and equipment forming part thereof;

"golf course" means that portion of the golf course reserve which is laid out as a golf course and includes all tees, fairways, greens and practice tees, practice fairways, practice greens and any driving range now or hereafter comprised therein;

"sufficient and suitable golfing equipment" shall comprise not less than one putter, two clubs, two golf balls and golf bag.

## Golf Course Reserve

2. No person except an employee or approved contractor of the Council carrying out his normal duties shall—

- (a) enter or leave the golf course reserve other than by the public entrance and exit ways;
- (b) enter or remain on the golf course reserve except on those days and during those hours in which the golf course is open for playing or practising;
- (c) pick, cut, damage, injure, destroy, move or remove any lawn, tree, shrub, plant, flower, flower bed, plant nursery, seedling, seed, turf, soil, rock, berry or fruit on or from the golf course reserve;
- (d) kill, injure or interfere with any fauna on the golf course reserve;
- (e) write upon, damage, destroy, interfere with, deface, move or remove any part of any building, sign, notice, plant, equipment, machinery, furniture, wall, fence, gate, temporary or permanent enclosure, fauna protection or nesting site, fountain, drain, rubbish receptacle, marker, mower, gardening tool, water pipe, tap, hose, hose fitting, sprinkler, watering device, valve, pump, motor, light, pole, wiring, switchboard, timing device, lock, or other fixture, fitting, accessory or installation on or about the golf course reserve;
- (f) take any golf buggy or like conveyance fitted with wheels on to any part of the golf course reserve unless the width of the wheels thereon is 25 mm or greater;

- (g) enter or remain upon any portion of the golf course reserve when by doing so damage is likely to be caused thereto or where notices have been posted directing persons not to so enter or remain on such portion or contrary to any instruction or direction given by the Controller;
- (h) enter or remain on the golf course reserve whilst offending against decency or good order as regards dress, language, conduct or otherwise;
- (i) drop or otherwise discard or dispose of any paper, cardboard, can, can top, bottle, bottle top, container or other litter of any kind on the golf course reserve, except into receptacles set aside for the deposit or collection thereof;
- (j) commit any nuisance or create or take part in any disturbance on the golf course reserve;
- (k) operate any radio, tape recorder, amplifier or other radio or sound transmission device on the golf course reserve;
- (l) wilfully obstruct any portion of the golf course reserve;
- (m) damage or interfere with any tee, green, bunker, mound, slope, bank, lake, lake border, water course or any other prepared landscaped or constructed portion of the golf course reserve;
- (n) cause inconvenience, annoyance, interference or obstruction to any member of the Public, an officer of the Council or the Controller;
- (o) pick up, remove or have in his possession on the golf course reserve, any golf ball, unless on that day and at that time he is authorised to play golf or is a person authorised to act as a caddie and is so acting;
- (p) having been refused permission to enter or having been removed from the golf course reserve or having appealed to the Council in accordance with Clause 5 of this by-law and had such appeal disallowed, enter onto or remain on the golf course reserve;
- (q) play any other game or sport or carry out any physical activity other than golf on the golf course reserve;
- (r) remain on the golf course reserve after being lawfully directed by the Controller to leave;
- (s) leave on the golf course reserve any vehicle, object, or thing or any animal which the Controller has directed him to remove therefrom;
- (t) do anything which may cause or be likely to cause damage to anything constructed, erected or installed within the golf course reserve;
- (u) drive, use or park a bicycle, motor cycle, motor car, motorised or other vehicle on any portion of the golf course reserve except in such areas paved, marked and set apart for such purpose unless with the prior consent of the Council;
- (v) while driving, using or parking any bicycle, motor cycle, motor car, motorised or other vehicle on any portion of the golf course reserve refuse or fail to comply with all signs applicable thereto and any order or direction given by an officer of the Council or the Controller in relation thereto;
- (w) bring or allow any animal to enter onto or remain upon any part of the golf course reserve;
- (x) bring on to or discharge or fire any firearm, bow, slingshot or other like weapon or device on or from the golf course;
- (y) take into the golf course reserve any intoxicating liquor or consume intoxicating liquor thereon except on such part of the said reserve as may from time to time be set aside for such purpose and licensed with an appropriate licence under the Liquor Act 1970;
- (z) enter or remain on the golf course reserve while in a state of intoxication;
- (aa) take into the golf course reserve any illegal or dangerous drug or consume or use any illegal or dangerous drug thereon;
- (ab) play or practise golf on any portion of the golf course reserve except and only on such parts of the reserve as may from time to time be laid out and designated for such play or practise;
- (ac) for a fee, coach or instruct any person in the playing of golf within the golf course reserve unless with the prior written consent of the Controller;
- (ad) sell, offer or expose for sale or exchange any golf ball or any golf equipment or other goods or services on the golf course reserve unless with the prior written consent of the Council;
- (ae) offer himself for employment or be employed for a fee as caddie on the golf course reserve unless with the prior consent of the Controller;
- (af) enter or remain in any lake or ornamental pond within the golf course reserve except to retrieve his golf ball therefrom in the course of playing a round of golf on the golf course reserve;
- (ag) use any lake or ornamental pond within the golf course reserve for swimming, boating, sailing, fishing or any other sport, recreation or activity;
- (ah) bring on to, set or use or attempt to bring on to, set or use on the golf course reserve any animal trap, bird trap, fish trap, net or like device;
- (ai) use any taps, showers, hand basins, toilets and related facilities other than for the purposes and in the manner for which the same are designed.

Golf Course

3. No person shall—

- (a) commence or continue to practise golf on the golf course until he has first obtained the permission of the Controller so to do;
- (b) commence or continue to play golf on the golf course unless in possession of a written authorisation or a ticket issued to him by the Controller and appropriate for the number of holes of golf being played and valid for play on that day and at that time;
- (c) play the holes other than in the sequence directed by the Controller except when using any practice area with the permission of the Controller;
- (d) play golf on the golf course unless in full possession of sufficient and suitable golfing equipment for that purpose;

- (e) play golf on the golf course if not in the opinion of the Controller reasonably and suitably dressed to play golf;
- (f) play golf in bare feet or in footwear not approved by the Controller;
- (g) take any golf bag or golf bag buggy onto any part of the golf course laid out as a putting green, practice putting green, sand trap or bunker;
- (h) practise golf on any part of the golf course except on those parts set aside and indicated by notice boards as practice tees, practice fairways and practice greens;
- (i) whilst playing golf on the golf course be accompanied by a non-playing spectator unless with the prior consent of the Controller;
- (j) take onto the golf course a bicycle, motor cycle, motor car, motorised or any other vehicle unless with the prior consent of the Council;
- (k) cross or trespass upon any portion of the golf course prepared for play or practice or on any practice fairway or practice putting green unless that person is a fee paying player or otherwise has permission of the Council or Controller so to do;
- (l) commence or continue to play or practice golf when and for such period as the Controller shall direct when the Controller is of the opinion that such play or practice cannot commence or continue without damaging the golf course or creating a hazard or danger;
- (m) play golf otherwise than in a group of players of such minimum or maximum number as the Controller shall direct, provided the maximum number shall not exceed that specified in Clause 8;
- (n) play golf with any group of players in any round of golf other than the group with which he commenced that round unless with the prior consent of the Controller.

#### Administration

4. The golf course shall be open for the playing or practising of golf on such days and at such times as the Council shall from time to time determine.

5. The Controller may at any time refuse permission for any person other than an officer of the Council or member of the Police Force to enter onto or remain on any portion of the golf course reserve but any person aggrieved by such refusal may appeal to the Council in writing and the Council's decision upon such appeal shall be final.

6. Any written authorisation granted or ticket issued to a person to play golf shall be produced for inspection at any time to any person duly authorised by the Council to demand the production of same or to the Controller.

7. Any persons permitted to act as a caddie on the golf course reserve shall abide by any reasonable direction given by the Controller.

8. The number of persons playing golf together in any group on the golf course shall not exceed four and in order to facilitate the even flow of play, the Controller may direct golfers at the commencement of the round to form into groups not exceeding four.

9. Any person authorised to play golf on the golf course shall commence play at the time directed by the Controller and any person who for any reason is unable to commence play at the time so directed shall thereafter only be entitled to play when the Controller directs.

10. Every player shall endeavour to keep his position in the order of play on the golf course and when a player is unable to do so for any reason he shall invite and permit the player or players next following him to play through.

11. Every player shall observe and comply with the directions of the Controller in respect of any special conditions of play and shall observe the requirements of any notice erected to direct or control play.

12. Every player shall at all times while on the golf course reserve observe the etiquette of golf and the rules of golf except as varied by any local rules detailed on any score card issued by the Controller and displayed on the notice board at the Controller's office.

13. The Controller may at any time withdraw, cancel or annul any permission or ticket authorising any person to play on the golf course.

14. No person shall be entitled to any refund of any fee paid for playing or practising on the golf course notwithstanding that such play or practice may for any reason not be completed on the day or within the hours permitted by any authorisation or ticket issued to that person.

15. All persons admitted to the golf course reserve are admitted upon the condition that neither the Council nor any person for whose acts the Council is responsible in law shall be liable to any person so admitted for injury or damage sustained by that person through any act, neglect, default or omission of any other person thereon.

#### Penalties

16. Every person who shall commit a breach of any provision of this by-law may be forthwith removed from or directed to leave the golf course reserve by an officer or employee of the Council, the Controller or by any member of the Police Force and such person shall in addition be liable for prosecution for such breach.

17. Any person who shall be found guilty of an offence against this by-law shall be liable to a maximum penalty of \$500.

Dated 28 January 1988.

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

[L.S.]

B. A. COOPER,  
Mayor.  
R. F. COFFEY,  
Town Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on 29 March 1988.

G. PEARCE,  
Clerk of the Council.

LOCAL GOVERNMENT ACT 1960  
Municipality of the Shire of Bridgetown-Greenbushes  
Fencing By-law

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on 16 October 1987 to make and submit for confirmation by the Governor the following by-law.

The by-laws relating to fencing published in the *Government Gazette* of 22 September 1978, and subsequent amendments are hereby revoked.

1. Citation.

1.1 This by-law applies to the whole district.

2. Interpretation.

2.1 In these by-laws unless the context otherwise requires—

“Building Surveyor” means a building surveyor appointed by the Shire of Bridgetown-Greenbushes.

“Council” means the Council of the municipality of the Shire of Bridgetown-Greenbushes.

“Dividing Fence” means a fence that separates the land of different owners whether the fence is on the common boundary of the adjoining land or on a line other than the common boundary.

“Fence” includes a free standing wall or retaining wall.

“Height” in relation to a fence means the distance between the top of a fence at any point and the ground immediately below that point.

“Industrial and Commercial Zone” means any portion of the Shire of Bridgetown-Greenbushes from time to time classified as an Industrial or Commercial zone, and any portion of the Shire which is unzoned and used for commercial purposes.

“Residential Zone” means any portion of the Shire of Bridgetown-Greenbushes from time to time classified as a Residential zone, and any portion of the Shire which is unzoned and used for residential purposes.

“Rural Zone” means any portion of the Shire of Bridgetown-Greenbushes from time to time classified as a Rural zone, and any portion of the Shire which is unzoned and used for Rural purposes.

“Dangerous” in relation to a fence means a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, by reason of its faulty design, location or construction, deterioration of constituent materials, damage by termites, change in ground levels, or any other cause whatsoever.

2.2 (a) Where a fence is erected on the boundary between land in a residential zone and land in some other zone then a “sufficient fence” for the purposes of the Dividing Fences Act, 1961 shall be that prescribed as a sufficient fence for a residential zone.

(b) Where a fence is erected on a boundary line between land in differing zones neither of which is a residential zone the Council shall determine which schedule shall apply for the purpose of prescribing a sufficient fence for the purpose of the Dividing Fences Act 1961.

3. Approval.

3.1 No person shall commence to erect, construct, reconstruct or alter, or erect, construct, reconstruct or alter any fence or any hood or pergola forming part of a fence—

- (a) exceeding one metre in height abutting or within 7.6 metres of a street alignment; or
- (b) exceeding 1.8 metres in height on the remainder of any lot boundary or adjacent thereto unless he has lodged with the Council two copies of plans and specifications of the proposed fence or hood or pergola forming part of the fence, or the proposed reconstruction or alteration and unless the Council has approved the said plans and specifications.

3.2 Where a lot of land is located at the corner of two streets, a fence abutting on either side of those streets shall not exceed 750 mm in height for the first 6 metres of its length from such corner.

4. Fencing Materials.

4.1 Pre-used materials shall not be used in the construction of any fence unless approved by Council.

4.2 No person shall erect a fence constructed otherwise than of one or more of concrete, masonry, wrought iron, tubular steel, link steel mesh, timber, fibre cement or such other materials approved by Council.

4.3 No person shall use or cause to be used corrugated galvanised iron as a covering to any fence on properties developed and used for residential purposes.

4.4 No person shall erect a fence wholly or partly of barbed wire except in accordance with these by-laws. A fence may be erected wholly or partly of barbed wire—

- (a) in a rural zone if no barbed wire is used on the side of the fence facing a road;
- (b) in an industrial and commercial zone if no barbed wire is used below a height of 1 800 mm from the ground.
- (c) in any other part of the district of the Shire of Bridgetown-Greenbushes with the written approval of the Council which shall in any event only be given if no barbed wire is used below a height of 1 800 mm from the ground.

5. Fences on Residential Zones.

5.1 Subject to Clause 4.3 of this by-law, a fence constructed in the residential area in accordance with specifications set out in the first schedule of this by-law shall be sufficient fence for the purpose of the Dividing Fences Act 1961 as amended.

6. Fences on Rural Zones.

6.1 The owner or occupier of a fence on land within a rural zone may place or fix barbed wire thereon provided that where a fence to which such wire is fixed abuts a road or other place open to the public, such wire shall be fixed to the side of the fence posts furthest from such road or other place.



6.2 Within a rural zone a fence which is parallel to and within 7.5 metres of a street may be constructed to a height of not more than 1.5 metres without special permission of Council.

6.3 A fence constructed in accordance with specifications set out in the second Schedule of this by-law shall be sufficient fence for the purpose of the Dividing Fences Act 1961.

7. Fences on Commercial and Industrial Zones.

7.1 A wire link steel mesh fence of not more than 1.8 metres in height may be erected on land within a business and industrial zone.

7.2 A fence constructed in accordance with specifications set out in the third Schedule of this by-law shall be sufficient fence for the purpose of the Dividing Fences Act 1961.

8. Maintenance of Fences.

8.1 The owner of land on which a fence is erected shall maintain the fence in good condition and in such a manner as to prevent it from becoming dangerous, dilapidated or unsightly.

8.2 Where the fence is a dividing fence, each of the owners of the adjoining lands is liable to maintain it as required.

8.3 The Council may give notice in writing to the owner or the occupier of any land upon which there exists a fence that has not been maintained in accordance with subclause 8.1 requiring such owner or occupier to repair, paint, replace or maintain such fence within the time stipulated in the notice.

8.4 If an owner or occupier of land who has been given notice pursuant to subclause 8.3 fails to comply therewith, the Council may enter upon such land and maintain the fence and recover the amount of the expenses thereof from the owner in a court of competent jurisdiction, and may prosecute the owner for committing a breach of subclause 8.3.

9. Penalty.

9.1 Any person who constructs a fence, or permits a fence to be constructed, otherwise than in accordance with the provisions of this by-law, commits an offence and is liable, on conviction, to a maximum penalty of \$500 and a further penalty of \$20 for each day the offence continues.

First Schedule—Residential Zones.

Corrugated self supporting fibre cement sheet fencing shall be erected as follows—

- (a) A minimum in-ground length of 25 per cent of the total length of the sheet on the basis that the inground length is not less than 450 mm.
- (b) The total height of a fence shall consist of a single continuous fibre reinforced cement sheet.
- (c) Sheets to be lapped and capped with zinc coated iron or fibre cement moulded capping.

Timber fences to be erected as follows—

- (a) First posts and rear corner posts shall not be less than 125 mm x 125 mm.
- (b) Intermediate posts shall not be less than 125 mm x 75 mm.
- (c) All posts shall be spaced at not more than 2 750 mm centres.
- (d) All posts shall be sunk at least 460 mm into the ground.
- (e) Corner posts shall be strutted two ways with 100 mm x 50 mm or 75 mm x 50 mm struts.
- (f) Posts must have at least two rows of rails.
- (g) Rails shall be not less than 75 mm x 50 mm double nailed to each post and each rail shall span two bays of fencing with joints staggered.
- (h) The fence may be covered with a material approved by the Building Surveyor.
- (i) All pickets or palings shall be placed not more than 75 mm apart and shall be double nailed to each rail.
- (j) Steel first, intermediate and corner posts may be used in lieu of timber with the written approval of Council.

Second Schedule—Rural Zones.

A fence shall consist of standard iron star pickets; concrete; sawn, split or round wooden posts set not less than 450 mm in the ground and not less than 1 350 mm out of the ground and spaced not more than 3 500 mm apart, or 1 000 mm for a prefabricated fence, with strainer posts set at all corners, gateways, and fence line angles. Each fence post shall be bored with not less than six 10 mm diameter suitably spaced holes, or supplied with not less than six 50 mm staples, to be threaded with not less than six plain galvanised wires. Wire shall be wrapped around strainers and strained tight.

The following materials shall be used—

- (a) Wire—shall not be less than 2.5 mm diameter.
- (b) Posts to be standard iron star pickets or concrete or if of white gum, jarrah or other indigenous timber, or treated pine, be cut not less than 1 800 mm long by 100 mm diameter at small end if round or 125 mm x 60 mm if split or sawn.
- (c) Strainer Posts—
  - (i) If cut from indigenous timber shall be not less than 1 350 mm above the ground and sunk in the ground a minimum of 750 mm and shall be not less than 255 mm in diameter at the small end.
  - (ii) If of tubular steel shall be 50 mm in diameter, not less than 1 350 mm above the ground, and sunk in the ground a minimum of 1 000 mm with the portion below ground encased in concrete having a minimum diameter of 300 mm.

Third Schedule—Commercial and Industrial Zones.

Corrugated self supporting fibre cement sheet fencing shall be erected as follows—

- (a) A minimum in-ground length of 25 per cent of the total length of the sheet on the basis that the inground length is not less than 450 mm.
- (b) The total height of a fence shall consist of a single continuous fibre reinforced cement sheet.
- (c) Gates shall be fixed with drop bolts and locking attachments.
- (d) Sheets to be lapped and capped with galvanised iron or fibre cement moulded capping.

Link mesh fences shall be erected as follows—

- (a) Corner and gate posts shall be constructed of galvanised iron piping having an internal diameter of not less than 50 mm and shall have caps to tops, and shall be set into concrete blocks having a depth of not less than 600 mm and sides of a width of not less than 230 mm.
- (b) Struts shall be constructed of galvanised iron piping having an internal diameter of not less than 30 mm set in concrete bases.
- (c) Corner posts shall have not less than two struts at right angles to each other, and gate posts not less than one strut.
- (d) Intermediate posts shall be constructed of galvanised iron piping having an internal diameter of not less than 35 mm and set into concrete blocks having a depth of not less than 460 mm and sides of a width of not less than 230 mm spaced at not more than 3 600 mm centres.
- (e) Cables shall be affixed to the top, centre and bottom of all posts and shall consist of two or more 3.25 mm gauge wires twisted together.
- (f) Galvanised link mesh wire shall be not less than 1 800 mm and constructed of 50 mm mesh 2.5 mm galvanised iron wire and shall be strained, neatly secured and laced to the posts and affixed to cables. Gates shall be constructed of 25 mm tubular framework with one horizontal and one vertical stay constructed of 20 mm piping and shall be covered with 50 mm, 2.5 mm gauge galvanised link mesh strained to framework.
- (g) Gates shall be fixed with a drop bolt and locking attachment.
- (h) Where all or portion of the side boundary of one lot forms all or portion of the rear boundary of another lot, the provisions relating to rear boundaries shall apply to such side boundary or portion thereof.

Dated 16 October 1987.

The Common Seal of the Shire of Bridgetown-Greenbushes was hereunto affixed by authority of a resolution of the Council in the presence of—  
[L.S.]

J. S. WRIGHT,  
President.

S. A. GIESE,  
Shire Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on 29 March 1988.

G. PEARCE,  
Clerk of the Council.

#### LOCAL GOVERNMENT ACT 1960

##### Municipality of the Shire of Harvey Repeal of By-laws

IN pursuance of the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on 10 November 1987, to submit for confirmation by the Governor the repeal of the following by-laws.

Signs, Hoardings and Bill-posting—*Government Gazette* of 9 May 1966.

Signs, Hoardings and Bill-posting (Amendment)—*Government Gazette* of 5 September 1975.

Dated 20 January 1988.

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

[L.S.]

J. L. SABOURNE,  
President.

K. J. LEECE,  
Shire Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on 29 March 1988.

G. PEARCE,  
Clerk of the Council.

## DOG ACT 1976 (AS AMENDED)

## Municipality of the Shire of Harvey

## By-laws Relating to Dogs

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned municipality hereby records having resolved on 22 September 1987, to make and submit for confirmation by the Governor of the following by-laws.

1. The Shire of Harvey By-laws Relating to Dogs published in the *Government Gazette* dated 11 October 1974, and amended in the *Government Gazette* dated 24 December 1975 and 26 September 1980, are hereby repealed.

2. In this by-law the term "Council" shall mean the Harvey Shire Council.

3. 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), or this by-law.

4. A dog seized by the Police or by a person authorised by the Council may be placed in a pound.

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

6. If the owner or person apparently acting on behalf of the owner of a dog seized or impounded shall claim such dog, then, upon payment of the fees specified in the First Schedule hereto, together with the prescribed licence fee relating to that dog, if that dog is not licensed, the dog shall be released to such person.

7. The poundkeeper 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 Council.

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

9. If a dog should not be claimed and the said fees paid within 72 hours of its being seized, or if the dog having a collar around its neck with a registration tag for the current registration period affixed thereto shall not be claimed and the said fees paid within 72 hours of the service of notice upon the registered owner, the poundkeeper or other person authorised by the Council may sell the dog.

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

11. If within the times mentioned in Clause 9 hereof, or at any time before the destruction of a dog, the dog has not been claimed as aforesaid and the said fees paid, and if no offer has been received for its purchase, the dog may be destroyed.

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

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

14. Except for a dog used for guiding a blind person or when the Minister has under section 8 (3) of the Dog Act 1976, authorised a person to be accompanied by a specific dog, the owner or person in charge of a dog shall prevent that dog from entering or being in any of the following places—

- (1) A public building.
- (2) A theatre or picture gardens.
- (3) A house of worship.
- (4) A shop or other public business premises.
- (5) That portion of Myalup Beach within 200 metres north and 10 chains south of Myalup Road (Road No. 9768).
- (6) That portion of Binningup Beach within 200 metres north and 200 metres south of Coronation Drive, Binningup.

15. Any person liable for the control of a dog who allows that dog to excreta on any street or public place or on any land within the municipality without the written consent of the occupier of that land, commits an offence unless the excreta is removed forthwith and disposed of either on private land with the written consent of the occupier or in such manner as the Council may approve.

16. The payment of fees in respect of the seizure, care, detention or destruction of a dog shall not relieve the owner of their liability to penalty under the Dog Act 1976, or the Dog Regulations or these by-laws.

17. The land specified in the Fifth Schedule to these by-laws is designated as dog exercise areas for the purpose of the Dog Act 1976. The exercising of dogs in dog exercise areas shall be subject to the provisions of the Dog Act.

## Regulation of Licensed Kennel Establishments

18. Where the owner or occupier of any premises keeps or permits or suffers to be kept, more than two dogs over age of three months and the young of those dogs under that age on the premises at any one time, the Council may declare such premises to be premises to which the provision of this part of these by-laws apply and on premises so declared, dogs shall be kept in an approved kennel or kennels and registered with the Council as hereinafter provided, unless exemption has been granted to the owner or occupier pursuant to section 26 (3) of the Dog Act 1976.

19. These by-laws shall also be applicable in all situations where dogs are kept for breeding purposes and or for reward anywhere within the Shire of Harvey.

20. The occupier of any premises whereon more than two dogs are kept or permitted or suffered to remain and such premises have been approved as a licensed kennel establishment pursuant to the preceding by-laws shall provide a kennel or kennels which shall comply with the following conditions—

- (1) Each kennel shall have a yard appurtenant thereto.
- (2) Each kennel and each yard and every part thereof shall not be at any less distance than 10 metres from the boundaries of the land in the occupation of the occupier.
- (3) Each kennel and each yard and every part thereof shall not be at any less distance than 25 metres from any road or street to which the premises has its main frontage. In the case of a corner allotment, no part of any kennel or yard shall be at any less distance than eight metres from the side boundary to which the premises has its secondary frontage.
- (4) Each kennel and each yard and every part thereof shall not be at any less distance than 10 metres from any dwelling, church, schoolroom, hall, factory, dairy or premises whatsoever wherein food is manufactured, packed, stored or prepared for human consumption.
- (5) The walls shall be constructed of concrete, brick, stone, or timber frame lined on both sides with either contoured fibre cement sheeting or galvanised iron.
- (6) The roof shall be constructed of an approved impervious material.
- (7) All external surfaces of a kennel shall be painted with good quality paint and be repainted when directed by an officer of the Council.
- (8) The lowest internal height shall be at least two metres from the floor.
- (9) Each yard shall be securely fenced and kept securely fenced with a fence not less than two metres in height constructed of link mesh or netting, galvanised iron or timber.
- (10) Gates shall be provided and be fitted with proper catches or means of fastening.
- (11) The upper surface of the floor of each kennel shall be set at least 10 centimetres above the surface of the surrounding ground and shall be constructed of granolithic cement finished to a smooth surface having a fall of not less than one in 100 to a drain which shall be properly laid, ventilated and trapped. All floor washings shall pass through this drain and shall be disposed of in accordance with the health requirements of the Council.
- (12) At least 2.5 square metres of the floor of any yard adjacent to the kennel floor shall be constructed in the same manner as the floor of the kennel.
- (13) For each dog kept therein every kennel shall have not less than two square metres of floor space and every yard not less than 2.5 square metres.
- (14) All kennels and yards and all feeding and drinking vessels shall be maintained in a clean condition and cleansed and disinfected when so ordered by an officer of the Council.
- (15) Reticulated water must be available at the kennel via a properly supported stand pipe and hose cock, for the hosing down of the kennel and the floored yard.

21. The occupier of any premises shall maintain any area of those premises frequented or occupied by a dog or dogs in a clean condition. Refuse, dog faeces and food wastes must be disposed of daily in an approved manner. Odours, fleas, flies and other vermin must be effectively controlled.

22. The occupier of any premises which have been licensed by the Council as an approved kennel establishment shall not allow, permit or suffer any dog to be at large or roam outside the kennel or exercise yard, except for the purpose of reasonable exercise where a competent person is in proximity to the dog.

23. An application for approval of the Council, to permit an occupier of any premises where more than two dogs are kept or permitted or suffered to remain, shall be made in the Form No. 1, set out in the Sixth Schedule hereto and shall be submitted with two copies of plans, showing the specifications of the kennels and yards appurtenant thereto, with relationship of the kennels and yards to the boundaries of the lot or lots and all buildings on the land the subject of the application and other land contiguous thereto and other information as Council may require.

24. No kennel shall be erected for the breeding or keeping of dogs unless and until plans, specifications and location plan showing the proposed site for such kennel and of the yard appurtenant thereto have been approved by the Council.

25. Council may not approve or register a kennel until the occupier of the premises has advertised in a public newspaper his intention to establish a kennel upon the premises and Council has considered any objections raised to the maintenance of the kennel upon the premises.

Approved kennels shall be registered by the Council on receipt of the fee prescribed in the First Schedule and shall be subject to annual review before renewal.

26. On approval of the Council to permit an occupier to keep, permit or suffer to remain more than two dogs, the approved kennel shall be registered by the Council and be subject to an annual registration fee, as set out in the Dog Act Regulations falling due on the first day of November in each year.

Form No. 2 of the Seventh Schedule shall be completed and sent to the applicant. Before renewal of the registration of any dog kennel, such premises may be inspected by an officer authorised by the Council and if the premises are not kept to the standard specified the Council may not renew the registration.

27. In the event of a person not renewing the kennel registration on the date set out in By-law 26 of these by-laws, or the Council refusing to renew the registration if the kennels are not kept to the standard specified, the said kennels shall be demolished to the satisfaction of Council.

28. Subject to the Dog Act the Council may in its absolute discretion grant or refuse a licence for the erection and establishment of a dog kennel.

29. The Council may at its discretion resolve to vary the provisions of these by-laws should it consider circumstances justify a variation.

30. Any person who shall commit a breach of any part of these by-laws, shall, upon conviction be liable to a penalty not exceeding \$200.

31. (1) The offences described in Column 3 of the Second Schedule are prescribed pursuant to section 45A of the Dog Act 1976 as offences in relation to which a modified penalty applies and the amount appearing in Column 4 of the Schedule directly opposite an offence is the prescribed modified penalty payable in respect of that offence if dealt with pursuant to section 45A of the Dog Act 1976.

(2) Where an authorised person has reason to believe that person has committed any such offence against the Act as is prescribed by these by-laws, he may serve on that person a notice in the form prescribed in the Third Schedule hereto (in this by-law called an "Infringement Notice") informing the person that if he does not wish to have a complaint of the alleged offence heard and determined by a Court, he pay to the Council, within the time therein specified, the amount prescribed as the modified penalty.

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

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

(5) 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 that amount in satisfaction of the penalty and issue an acknowledgement; or
- (b) withdraw the Infringement Notice and refund the amount so paid.

(6) An Infringement Notice may, whether or not the prescribed penalty has been paid, be withdrawn by the Council by sending of a notice in the form prescribed in the Fourth Schedule to these by-laws, to the alleged offender at the address specified in the notice or his last known place of residence or business, and in that event, any amount received by way of modified penalty shall be refunded and any acknowledgement of the receipt of that amount shall for the purposes of any proceedings in respect of the alleged offence, be deemed not to have been issued.

First Schedule  
Fees

For the seizure or impounding of a dog .....	\$
For the sustenance and maintenance of a dog in a pound (fee per day or part of a day) .....	20
For the destruction of a dog .....	5
For the licencing, including renewal, of a licensed kennel establishment .....	20
	50

Second Schedule  
Modified Penalties

Item	Clause	Nature of Offence	Modified Penalty \$
1	14 (a)	Permitting a dog to enter or be in or on a public building, shop or business premises.....	20
2	14 (b)	Permitting a dog to enter or be in or on a theatre or picture garden.....	20
3	14 (c)	Permitting a dog to enter or be in or on a house of worship. ....	20
4	14 (d)	Permitting a dog to enter or be in or on a public beach as prescribed in Clause 14.....	20
5	16	Permitting a dog to excrete on a street or public place or other land, without the written consent of the occupier of that land and failing to remove and dispose of such excreta in an approved manner. ....	20

Third Schedule  
Western Australia  
Dog Act 1976 (as amended)  
INFRINGEMENT NOTICE

No:.....

Date:.....

To: (1) .....  
It is alleged that at (2) .....  
on ....., 19....., you committed an offence in  
that you (3) .....

.....  
Authorised Person

You may dispose of this matter—

- (a) By payment of a penalty of (4) \$.....within twenty one days of the date of this Notice to (5) .....or
- (b) By having it dealt with by a Court.

If this modified penalty is not paid within the time specified, Court proceedings may be taken against you.

- (1) Insert name and address of alleged offender.
- (2) Insert place of alleged offence.
- (3) Insert short particulars of the offence alleged.
- (4) Insert amount of penalty prescribed.
- (5) Insert address of the office where payment may be made.

Fourth Schedule  
Western Australia  
Dog Act 1976 (as amended)  
WITHDRAWAL OF INFRINGEMENT NOTICE

No:.....

Date:.....

To: (1) .....  
Infringement Notice No. ....dated .....  
from the alleged offence of (2) .....

Penalty (3) \$.....is hereby withdrawn.

- \* No further action will be taken.
- \* It is proposed to institute court proceedings for the alleged offence.
- \* Delete whichever does not apply.

.....  
(Authorised Person)

- (1) Insert name and address of alleged offender.
- (2) Insert short particulars of the offence alleged.
- (3) Insert amount of penalty prescribed.

Fifth Schedule  
Harvey townsite

- 1. Reserve No. 17805
- 2. Reserve No. 16030
- 3. Lot Pt 36 Hinge Road, Harvey

Australind townsite

- 1. Reserve No. 31576
- 2. Lot 42 Clifton Road, Australind

Binningup townsite

- 1. Reserve No. 34630. South of main swimming beach reserve

Brunswick Junction townsite

- 1. Lot 187 Ridley Street, Brunswick Junction

Yarloop townsite

- 1. Lot 106 Teasdale Street, Yarloop

Cookernup townsite

- 1. Reserve No. 17728

Myalup townsite

- 1. Reserve No. 34629. North of main swimming beach reserve.

Sixth Schedule  
Form No. 1

APPLICATION FOR A LICENCE FOR AN APPROVED KENNEL ESTABLISHMENT

Application No..... Date.....

Shire Clerk,  
Shire of Harvey,  
P.O. Box 163,  
Harvey, WA 6220.

I..... (full name)  
of..... (address)

hereby make application for consent to the establishment of a dog kennel upon the premises  
described hereunder Lot or Location No. ....

Owner (name and address) .....

Occupier (name and address) .....

Purpose for which kennel is to be used.....

Distance of kennel from dwellings .....

Distance of kennel from side boundaries .....

Number of Dogs to be kept .....

Breed of Dogs.....

Signature of Person giving notice .....

Seventh Schedule  
Form No. 2

LICENCE FOR AN APPROVED KENNEL ESTABLISHMENT

Licence No..... Date.....

This is to certify that.....

has been granted registration in respect of those premises situated at.....

as a dog kennel for the keeping of a maximum number of dogs of .....

Shire Clerk.

Eighth Schedule  
Form No. 3

REFUSAL TO ISSUE A KENNEL ESTABLISHMENT LICENCE

Surname.....

Given Names.....

Address .....

This is to certify that your application dated .....

to establish dog kennels on land being portion of Wellington Location .....

and being Lot.....Street/Road.....

has been refused.

Dated.....

Shire Clerk.

Dated 22 September 1987.

The Common Seal of the Shire of Harvey was here-  
unto affixed by authority of a resolution of the  
Council in the presence of—

[L.S.]

J. L. SABOURNE,  
President.

K. J. LEECE,  
Shire Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on 29 March 1988.

G. PEARCE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT 1960

## Municipality of the Shire of Murray

## By-laws—Fencing

IN pursuance of the powers conferred upon it by the abovementioned Act, the Shire of Murray hereby records having resolved on 28 July 1985 to make and submit for confirmation by the Governor the following by-laws.

The by-laws relating to fencing as published in the *Government Gazette* on 9 March 1972, are hereby revoked.

## 1. In these by-laws—

“Business Zone” means any part of the District classified as a Business Zone of a Town Planning Scheme of the Shire of Murray and used for the purposes of a business or trade;

“Council” means the council of the municipality of the Shire of Murray;

“Dangerous”, in relation to any fence, means a fence which is likely to collapse or fall, or part of which is likely to collapse or fall, by reason of its faulty design, location or construction, deterioration of materials, damage by termites, decay, changes in ground levels or any other cause whatsoever.

“District” means the municipal district of the Shire of Murray;

“Dividing Fence” means a fence that separates the lands of different owners whether the fence is on the common boundary of adjoining lands or on a line other than the common boundary;

“Fence” means any fence or wall and includes a retaining wall;

“Height” in relation to a fence means the distance between the top of a fence at any point and the ground immediately below that point;

“Industrial Zone” means any part of the district, classified as an Industrial Zone under the provisions of a Town Planning Scheme of the Shire of Murray;

“Residential Zone” means any part of the District classified as a Residential Zone under the provisions of a Town Planning Scheme or in the absence of any Town Planning Scheme means land in a street of which the majority of lots are occupied by houses;

“Rural Zone” means any part of the district, classified as a Rural Zone under the provisions of a Town Planning Scheme of the Shire of Murray, and includes any land within the Shire used solely or predominantly for rural purposes;

“Surveyor” means the Building Surveyor of the Municipality.

## 1.A. These by-laws apply to the whole of the Shire of Murray.

2. Subject to By-laws 4, 7 and 8 of these by-laws a person shall not commence to erect, proceed with the erection, rebuild, reconstruct or alter any fence pergola or hood attached to any gateway or fence if it is situated within 9 metres of a street alignment and exceeds 1.2 metres in height unless and until he has lodged with the Council two copies of the plan and specifications of the proposed fence or the proposed re-building, reconstruction, or alteration, and the Council has approved a copy of the plan and specifications.

3. A person shall not commence to erect, proceed with the erection, rebuild, reconstruct or alter any fence exceeding 1.8 metres in height on the boundary of an allotment unless and until he has lodged with Council two copies of the plan and specifications of the proposed fence or the proposed rebuilding, reconstruction or alteration and the Council has approved a copy of the plan and specifications.

4. A person shall not erect a fence exceeding 0.75 metres in height on any frontage of an allotment which is situated at the intersection of two or more streets within a distance of 6 metres from the point of intersection of the lines obtained by producing the streets alignments fronting the allotment provided however that on an allotment being lawfully used for industrial purposes the Council may permit a link mesh fence to be erected to a greater height if the Council is satisfied that any such fence would not materially affect the visibility of drivers of vehicles approaching the intersection.

5. A person shall not erect a fence exceeding 1.0 metres in height within 12 metres of the natural waterfront boundary of lots as set out in the Third Schedule.

6. A person shall not erect or affix or allow to remain on any fence bounding an allotment owned or occupied by him in a Residential or Business Zone, barbed or other wire with spiked or jagged projection nor shall any persons erect or affix or allow to remain on any fence bounding an allotment owned or occupied by him in an Industrial Zone, any barbed or other wire with spiked or jagged projections unless the wire is carried on posts bent back into the allotment from the boundary at an angle of 45 degrees, nor unless the bottom row of wire is set back 150 millimetres from the face of the fence and is not nearer than 2.1 metres to the ground.

7 (i) The owner or occupier of a fence on land within a Rural Zone may place or fix barbed wire thereon provided that where a fence to which such wire is fixed is adjacent to a road or other place open to the public such wire shall be fixed to the side of the fence posts furthest from such road or other place.

(ii) Within a Rural Zone a fence which is parallel to and within 7.5 metres of a street may be constructed to a height of not more than 1.5 metres.

8. A wire mesh fence of not more than 1.8 metres in height may be erected on land within a Business Zone.

9. A person shall not affix to or allow to remain upon any fence on an allotment owned or occupied by him in a Residential or Business Zone any broken glass, nor shall a person affix to or allow to remain upon any fence which is erected upon an allotment owned or occupied by him in such zones and which abuts onto any street or public place, any broken glass.

10. A person shall not construct any fence with second hand galvanised steel sheet or other second hand material unless he shall previously have obtained the written consent of the Council which consent the Council may in its absolute discretion refuse or grant upon such terms and conditions as it deems fit.

11. A person shall not construct any fence with any material other than brick, concrete, masonry, wrought iron, tubular steel, link mesh, timber sheathed with pickets, palings, boarding, fibre cement sheeting, welded mesh or other material approved by the Council.



12. The owner or occupier of any land shall maintain all fences erected thereon in good condition and so as to prevent them from becoming dilapidated, dangerous, unsightly or prejudicial to the property or the inhabitants of the neighbourhood.

13. The Council may give notice in writing to the owner or occupier of any land which there exists a fence that has not been maintained in accordance with By-law 12 of these by-laws requiring such owner or occupier to repair, paint or maintain such fence within the time stipulated in the notice.

14. A person who fails to comply with a notice given to him pursuant to By-law 13, commits an offence.

15. If an owner or occupier of land who has been given notice pursuant to By-law 13 fails to comply therewith the Council may enter upon such land and maintain the fence and recover the amount of the expenses thereof from the owner in a Court of competent jurisdiction and may prosecute the owner for committing a breach of By-law 12.

16. A fence constructed in accordance with the specifications set out in the First, Second or Third Schedule is hereby prescribed to be a sufficient fence for the purposes of the Dividing Fence Act 1961.

17. Any person who does anything in contravention of any of the provisions of these by-laws or who fails to carry out any duty or requirements imposed upon him by these by-laws commits an offence and shall be liable, on conviction, to a maximum penalty of \$100 and in addition to a maximum daily penalty of \$10 per day during which the offence continues.

#### First Schedule

##### Fences in Residential Zones

A. Timber Fencing: Corner posts shall be 125 mm x 2.1 m and intermediate posts shall be 125 mm x 75 mm x 2.1 m spaced at not more than 2.7 m centres. All posts shall have tops with not less than (40 mm) weather and shall be sunk at least 0.6 m into the ground. Corner posts shall be strutted two ways with 100 mm x 50 mm soles and 75 mm x 50 mm struts.

Rails shall not be less than 75 mm x 50 mm each rail spanning two bays of fencing with joints staggered.

A fence shall be either covered with—

- (a) 75 mm x 18 mm x 1.5 m or 1.8 m pickets spaced 75 mm apart, double nailed to each rail, or
- (b) corrugated or contoured fibro cement sheets, or
- (c) corral type—150 mm x 25 mm horizontal boards, spaced 125 mm apart.

B. Corrugated Fibro Cement Sheet Fencing: Corrugated fibro cement sheet free standing fences shall be erected as follows—

- (i) Sheets of less than 1.8 m in height to be trenched to 450 mm in soil.
- (ii) Sheets of between 1.8 m and 2.4 m in height to be trenched 600 mm in soil.

Sheets to be lapped and fixed with three galvanised 6 mm gutter bolts, nuts and washer.

Sheets to be capped with fibro cement moulded or metal capping.

C. Dividing Fence Along Side Boundary: For a distance of 7.5 m from the street alignment the fence shall comprise of either—

- (i) A brick or concrete wall of a height of not more than 1.0 m, above the ground;
- (ii) galvanised steel link mesh extending to a height of not more than 1.0 m above the ground;
- (iii) fibro cement sheeting extending to a height of not more than 1.0 m above ground level; or
- (iv) corral type to a height of not more than 1.0 m above the ground.

D. River Frontages: Land with frontage to rivers, for a distance of 12 metres from the riverside lot boundary, fences shall comply with the requirements of By-law 5.

E. Timber Dividing Fencing Along Rear Boundary.

- (i) Corner posts shall be 125 mm x 125 mm x 2.1 m and intermediate posts shall be 125 mm x 75 mm x 2.1 m spaced at not more than 2.7 m centres.
- (ii) All posts shall have tops with 40 mm weather and shall be sunk at least 0.6 m into the ground.
- (iii) Corner posts shall be strutted two ways with 100 mm x 50 mm soles and 75 mm x 50 mm struts.
- (iv) Intermediate posts shall be double yankee strutted with 150 mm x 25 mm x 450 mm struts.
- (v) Posts shall be checked for two rows of rails.
- (vi) Rails shall be not less than 75 mm x 50 mm each rail spanning two bays of fencing with joints staggered.
- (vii) Fence shall be either covered with 75 mm x 18 mm x 1.5 m or 1.8 m sawn pickets or pickets spaced 75 mm apart, double nailed to each rail or other approved materials.

Where all or portion of the side boundary of one lot forms all or portion of the rear boundary of another lot, the provisions relating to rear boundaries shall apply to such side boundary or portion thereof.

#### Second Schedule

##### Rural Zones

A fence shall be erected from—

- (i) Sawn, split or round wooden posts set not less than 600 mm in the ground and not less than 1 200 mm out of the ground and spaced not more than 3.6 m apart with strainer posts set 1.1 metres in the ground and suitable and securely strutted at all corners, gateways and fence line angles but not exceeding 200 m apart. Each fence post shall be bored with not less than six 12 mm suitably spaced holes, to be threaded with not less than six plain galvanised wires. Wire shall be wrapped around strainer and strained tight.

The following materials shall be used—

- (a) Wire—Shall be high tensile galvanised steel wire and not less than 2.5 mm in diameter.
- (b) Posts—If of paperbark, jam, white gum, jarrah or other timber be cut not less than 1.8 m long by 100 mm diameter at small end if round, or 125 mm x 62 mm if split or sawn.
- (c) Strainer Posts—Not less than 2.3 metres long and 150 mm diameter at small end shall be cut from indigenous timber.
- (d) Barbed Wire—A barbed wire may be affixed along the top of the fence or on the inside of such fence. One or more barbed wires may be substituted for plain wire, to be affixed along the top of the fence or on the inside of such fence.

OR

- (ii) Concrete posts to Australian Standard N36-1964, with not less than six suitably spaced high tensile galvanised steel wires of not less than 2.5 mm in diameter. A barbed wire may be affixed along the top of the fence or on the inside of such fence.

OR

- (iii) Steel posts and wire to such specifications as may be from time to time approved by the Council, provided that such specifications shall provide for a standard of fencing generally compatible with alternatives (i) and (ii).

A fence may be erected with a combination timber, concrete or steel posts provided that the general standards are adhered to and that the specifications of such fence are approved in writing by the Council.

Wire netting or "ring lock" type fencing may be used in place of or in conjunction with plain wires provided specifications are approved in writing by the Council.

- (iv) Any other material and of a specification approved by the Council.

#### Industrial and Light Industrial Zones

(1) Corner posts shall have not less than two struts at right angles to each other, and gate posts not less than one strut.

(2) Intermediate posts shall be constructed of galvanised steel tubing having an internal diameter of not less than 40 mm and shall have caps to tops and set into concrete blocks having a depth of not less 450 mm and sides of a width not less than 225 mm spaced at not more than 3.6 metres.

(3) Cables shall be affixed to the top centre and bottom of all posts and shall consist of two or more 3.15 mm wires twisted together.

(4) Galvanised steel link mesh shall be not less than 1.8 m high and constructed of 50 mm mesh 2.5 mm galvanised iron wire and shall be strained neatly secured and laced to the posts and affixed to the cables.

(5) Gates shall provide an opening of not less than 3.6 m and shall be constructed of 25 mm tubular galvanised steel framework with one horizontal and one vertical stay constructed of 18 mm piping, and shall be covered with 50 mm mesh 2.5 mm galvanised link mesh strained and laced to framework. Gates shall be fitted with a drop bolt and locking attachment.

(6) Dividing fences along side or rear boundaries: Corner and gate posts shall be constructed of galvanised steel tubing having an internal diameter of not less 50 mm and shall have caps to tops and set into concrete blocks having a depth of not less than 750 mm and sides of a width of not less than 225 mm.

#### Third Schedule

#### Fences in Specified Area—North Yunderup

#### By-law 5

Residential Zone fencing specifications as set out in Schedule One hereto shall apply to the undermentioned localities—

From Part Location 182 to Lot 52 of Part Location 186 Culeenup Road, North Yunderup, inclusive as defined on Plan Numbers 4970, 4841 and 5503, Lands and Surveys lithographs Murray 3 and 5.

Dated 24 August 1987.

The Common Seal of the Shire of Murray was hereunto affixed by the Authority of the Council in the presence of—

[L.S.]

B. D. McLEAN,  
President.

C. W. YORK,  
Acting Shire Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council on 29 March 1988.

G. PEARCE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT 1960

## CITY OF WANNEROO (GATE ACROSS STREET) ORDER No. 1 1988

MADE by His Excellency the Governor under the provisions of section 333 of the Local Government Act.

**Citation**

1. This Order may be cited as *The City of Wanneroo (Gate Across Street) Order No. 1 1988*.

**Authorisation**

2. The City of Wanneroo is authorised to grant A. V. Jennings a licence to close Sanders Cover, Sorrento, with an unlocked swing gate for a period of two years.

By His Excellency's Command,

G. PEARCE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT 1960

## SHIRE OF DUNDAS (VALUATION AND RATING) ORDER No. 1 1988

MADE by His Excellency the Governor under the provisions of section 533 (17) of the Local Government Act 1960.

**Citation**

1. This order may be cited as the *Shire of Dundas (Valuation and Rating) Order No. 1 1988*.

**Commencement**

2. This Order shall take effect on and from 1 July 1988.

**Authorisation of Use of Gross Rental Values**

3. The Council of the Shire of Dundas is authorised to use valuations on gross rental value of rateable property as designated and described in the schedule to this Order.

By His Excellency's Command,

G. PEARCE,  
Clerk of the Council.

## Schedule

## Technical Description

## Addition to Gross Rental Value Areas

## (Shire of Dundas)

## Schedule A

All that portion of land comprising the whole of Norseman Townsite as promulgated in *Government Gazettes* dated—

- 23 August 1907 page 2963.
- 1 December 1939 page 2109.
- 14 March 1952 page 648.
- 31 December 1952 page 3000.
- 2 October 1954 page 1806.
- 12 October 1962 page 3377.
- 8 August 1969 page 2272.
- 30 November 1984 pages 3961-2.
- 25 September 1987 page 3724.

## Schedule B

All that portion of land comprising the whole of Salmon Gums Townsite as promulgated in *Government Gazette* dated 6 February 1925 page 157.

## Schedule C

Mining Lease M63/13 as shown on Mines Department Original Plan 1277.

## Schedule D

Mining Lease M63/14 as shown on Mines Department Original Plan 1278.

## Schedule E

Mining Lease M63/15 as shown on Mines Department Original Plan 1279.

## Schedule F

Mining Lease M63/44 as shown on Mines Department Original Plan 1453.

## Schedule G

Mining Lease M63/45 as shown on Mines Department Original Plan 1453.

## Schedule H

Mining Lease M63/68 as shown on Mines Department Original Plan 1557.

## LOCAL GOVERNMENT ACT 1960

SHIRE OF YILGARN (TEMPORARY CLOSURE OF A PUBLIC STREET) ORDER 1988  
MADE by His Excellency the Governor under section 334 of the Local Government Act 1960.

**Citation**

1. This Order may be cited as the *Shire of Yilgarn (Temporary Closure of a Public Street) Order 1988*.

**Temporary Closure of Public Street**

2. Portion of Lake Koorkoordine-Corinthia Road, as designated and described in the Schedule to this Order, is hereby closed for a period of five years.

By His Excellency's Command,  
G. PEARCE,  
Clerk of the Council.

## Schedule

## Technical Description

## Temporary Road Closure

All that portion of surveyed road, varying in width, commencing from a line in prolongation westward of the southern side of Road No. 7381 and extending generally southeastward through part of Reserve No. 18881, the southwestern boundaries of Yilgarn Locations 551, 416 and 417 (excluding the intersecting portion of Parker Road) and onwards to terminate 800 metres southeastward of the southeastern side of Road No. 7386.

## CONSTRUCTION SAFETY ACT 1972-1978

(Section 7 (2))

## INSTRUMENT OF DECLARATION

IN exercise of the power by subsection (2) of section 7 of the Construction Safety Act 1972-1978 the Minister for Mines and the Minister for Labour, hereby jointly declare that the provisions of the Construction Safety Act 1972-1978 shall apply as from the service of this notice until the completion of the work specified in column 4 of the Schedule to such work that is to be or is being constructed on or about the mine or part of the mine specified herein.

## Schedule

Column 1	Column 2	Column 3	Column 4
Name of Company	Location	Mine or Part of Mine	Description of Work
Western Australian Mint	Newburn.....	Perth International Gold Refinery	Construction of gold refinery and associated facilities.

Dated 17 March 1988.

JEFF CARR,  
Minister for Mines.  
GAVAN TROY,  
Minister for Labour.

RURAL ADJUSTMENT AND FINANCE  
CORPORATION ACT 1971

Department of Agriculture,  
South Perth, 29 March 1988.

Agric 478/73.

HIS Excellency the Governor in Executive Council has been pleased to appoint John Charles Nicholls to the Board of the Rural Adjustment and Finance Corporation pursuant to section 9 (1) (b) and 11 (4) of the Rural Adjustment and Finance Corporation Act 1971 for a term expiring on 30 June 1988.

NORMAN HALSE,  
Director General of Agriculture.

1987 and amended by notice so published on 4 March 1988, the appointments being for a period of three years commencing on the date this notice is published in the *Government Gazette*—

- (a) on the nomination of the Shire of Mukinbudin pursuant to section 23 (2b) (b) of the Act—  
John Bateman Arnold of Mukinbudin; and  
Sydney John Watson of Bonnie Rock;
- (b) on the nomination of the Minister, to represent the Western Australian Farmers Federation Inc. formerly known as the Primary Industry Association of Western Australia pursuant to section 23 (2b) (c) of the Act—  
Donald Bent of Mukinbudin;  
Christopher Wayne Geraghty of Mukinbudin;  
and  
Ronald Dennis Yates of Mukinbudin; and
- (c) on the nomination of the Minister, pursuant to section 23 (2b) (d) of the Act being persons actively engaged in land use—  
George Anthony McInnes of Bonnie Rock;  
Gary John Shadbolt of Mukinbudin;  
Richard Spark of Bonnie Rock.

By His Excellency's Command,

G. PEARCE,  
Clerk of the Council.

## SOIL AND LAND CONSERVATION ACT 1945

## Notice of Appointment

## Mukinbudin Soil Conservation District

UNDER section 23 of the Soil and Land Conservation Act 1945 His Excellency the Governor has been pleased to appoint the following persons to be members of the District Advisory Committee for the Mukinbudin Soil Conservation District, which committee was established by an Order in council published in the *Government Gazette* on 17 August

PLANT DISEASES ACT 1914-1981  
 STOCK DISEASES (REGULATIONS) ACT 1968-1978  
 STOCK (BRANDS AND MOVEMENT) ACT 1970-1984  
 BEEKEEPERS ACT 1963-1980

Department of Agriculture,  
 South Perth, 29 March 1988.

Agric. 1147/77.

HIS Excellency the Governor in Executive Council has been pleased to appoint David Anthony East and Kristine Helen Brewster as inspectors under section 7 (1) of the Plant Diseases Act 1914-1981; section 8 (1) of the Stock Diseases (Regulations) Act 1968-1978; section 37 of the Stock (Brands and Movement) Act 1970-1984; and section 5 of the Beekeepers Act 1963-1980.

NORMAN HALSE,  
 Director General of Agriculture.

under section (8) (1) of the Stock Diseases (Regulations) Act 1968-1978; section 37 of the Stock (Brands and Movement) Act 1970-1984 and section 5 of the Beekeepers Act 1963-1980.

NORMAN HALSE,  
 Director General of Agriculture.

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MARKETING OF EGGS ACT 1945-1977

Department of Agriculture,  
 South Perth, 29 March 1988.

Agric. 890/77/Vol. 4.

HIS Excellency the Governor in Executive Council has been pleased to approve as required under section 30 (3) (e) of the Marketing of Eggs Act 1945-1977 that the Western Australian Egg Marketing Board be permitted to enter into contract agreements with egg marketing boards of other states of the Commonwealth.

NORMAN HALSE,  
 Director General of Agriculture.

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STOCK DISEASES (REGULATIONS) ACT 1968-1978  
 STOCK (BRANDS AND MOVEMENT) ACT 1970-1984  
 BEEKEEPERS ACT 1963-1980

Department of Agriculture,  
 South Perth, 29 March 1988.

Agric. 1006/73.

HIS Excellency the Governor in Executive Council has been pleased to appoint Belinda Louise Wells as an Inspector

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METROPOLITAN MARKET ACT 1926

Metropolitan Market Amendment By-laws 1988

MADE by the Metropolitan Market Trust and approved and confirmed by His Excellency the Governor in Executive Council.

**Citation**

1. These by-laws may be cited as the *Metropolitan Market Amendment By-laws 1988*.

**Commencement**

2. These by-laws shall come into operation on the day fixed for the coming into operation of the *Metropolitan Market Amendment Act 1987*.

**Principal by-laws**

3. In these by-laws the *Metropolitan Market By-laws 1983\** are referred to as the principal by-laws.

[\*Published in the Gazette of 25 February 1983 at pp. 725-734. For amendments to 1 March 1988 see page 303 of 1986 Index to Legislation of Western Australia and Gazette of 22 January 1988.]

**By-law 3 amended**

4. By-law 3 of the principal by-laws is amended—
  - (a) by inserting after the definition of "inspector" the following definition—
 

“ “manager” means the person appointed by the Trust under section 10 of the Act; ”;

and
  - (b) by deleting the definition of "Secretary".

**By-law 24 repealed and a by-law substituted**

5. By-law 24 of the principal by-laws is repealed and the following by-law is substituted—
 

Determination under section 11A

“ 24. (1) In addition to the manner set out in the Act, the Trust may indicate periods during which, to whom, and the purposes for which, the public market is open for business and the produce that may be traded during those periods, by written notice or hand bill.

(2) A person who contravenes or fails to comply with a notice or hand bill referred to in sub-by-law (1) commits an offence.

Penalty: \$400. ”.

**Part 4A inserted**

6. After Part 4 of the principal by-laws the following Part is inserted—

“ Part 4A—Notices under section 13B and  
Certificate under section 13C

**Infringement notice under section 13B (1)**

34A. (1) An authorized person who has reason to believe that a person has committed an offence under these by-laws (not being an offence under by-laws 38 to 43 or 48) may serve on that person an infringement notice by delivering it to the alleged offender.

(2) An infringement notice served under this by-law shall be in the form of Form 4 of Part 3 of the Schedule and shall—

- (a) be identified by a serial number;
- (b) identify the alleged offender by reference to his name and address;
- (c) state the by-law under which the offence is alleged to have been committed, and the brief description of offence and modified penalty set out opposite that by-law in Part 2 of the Schedule; and
- (d) inform the alleged offender that if he does not wish to have a complaint of the alleged offence heard and determined by a court of summary jurisdiction, then he may deliver the amount of the modified penalty to the Clerk of Petty Sessions within the time provided in the infringement notice which shall not be less than 14 days.

**Withdrawal of infringement notice under section 13B (3)**

34B. (1) The manager may, by notice in the form of Form 5 of Part 3 of the Schedule, served on the alleged offender withdraw an infringement notice.

(2) Where the amount of any modified penalty has been paid before the withdrawal of an infringement notice, that amount shall be refunded.

**Certificate of authorization under section 13C (2)**

34C. The certificate issued pursuant to section 13C (2) of the Act shall be in the form specified in Part 4 of the Schedule. ”.

**By-law 44 amended**

7. By-law 44 of the principal by-laws is amended—

- (a) in sub-by-law (1)—
  - (i) by deleting “38 to 43, both inclusive, of these by-laws, of which the” and substituting the following—  
“ 38 to 43 or by-law 48, of which the moving, ”; and
  - (ii) by deleting “to this by-law” and substituting the following—  
“ of Part 1 of the Schedule ”;
- (b) in sub-by-law (3) by deleting “to this by-law” and substituting the following—  
“ of Part 1 of the Schedule ”; and
- (c) in sub-by-law (4) by deleting “to this by-law” and substituting the following—  
“ of Part 1 of the Schedule ”.

**Various by-laws amended**

8. The provisions referred to in column 1 of the table to this by-law are amended by deleting the expression set out in column 2 opposite the reference to that provision and substituting the expression set out in column 3 opposite that reference.

Table

Column 1 Provision	Column 2 Deleted expression	Column 3 Substituted expression
By-law 5	Secretary	manager
By-law 6	Secretary	manager
(a) in sub-by-law (1)	Secretary	manager
(b) in sub-by-law (2)—in both places where it occurs	Secretary	manager
By-law 8	Secretary	manager
By-law 28	Secretary	manager
(a) in sub-by-law (6)	secretary	manager
(b) in sub-by-law (7)—		
(i) in paragraph (b)	secretary	manager
(ii) in paragraph (c)	secretary	manager
By-law 46	secretary	manager
Schedule	secretary	manager
Part 1		
Form 2	Secretary	Manager

**Schedule amended**

9. The Schedule to the principal by-laws is amended—

(a) by deleting the heading "Schedule." and substituting the following—  
 " Schedule

Part 1—Notices Issued Pursuant to By-laws 38-43 and By-law 48 ”;

and

(b) after Form 3 by inserting the following—

“ Part 2—Prescribed Offences for the Purposes  
 of Section 13B

By-law	Brief description of offence	Modified penalty \$
9	Entering or remaining in the public market without permission.....	25
10	Littering.....	25
11	Conducting, organizing or taking part in an assembly or meeting in the public market without permission....	50
12	Entering or remaining in the public market being a person under 16 years of age and not in the company of an adult.....	10
13	Smoking in a non-smoking area.....	20
14	Behaving in a disorderly manner.....	25
15	Writing or distributing obscene material.....	20
16	Bill posting or writing on a building without permission.....	20
17	Keeping or consuming any alcoholic beverage or remaining in the public market when intoxicated.....	20
18	Obstructing roads or footways.....	20
19	Bringing an animal into the public market.....	20
20	Interfering with or damaging Trust property.....	20
22	Littering roads adjacent to premises, failing to provide receptacles for rubbish or keep receptacles in good repair, placing liquid refuse in receptacle.....	25
23	Failing as an adjoining occupier to keep roads adjacent to premises free of litter.....	25
24	Contravening or failing to comply with a notice or handbill.....	80
25	Touting or soliciting outside own premises or those of employer.....	50
26	Selling of produce by a non-occupier or agent.....	100
27	Buying produce when not on the premises of an occupier.....	20

Part 3—Notices Issued Pursuant to Section 13B

Form 4

Metropolitan Market Act 1926 (By-law 34A)

INFRINGEMENT NOTICE

No.....

Date of service.....

1. It is alleged that at about.....a.m./p.m. on the.....day of.....  
 19....., you contravened the by-law specified and briefly described in item  
 2.

.....  
 Authorized person

2. By-law No. Brief description of offence Modified penalty

3. You may dispose of this matter either—

(a) by payment of the modified penalty within.....days of the date of  
 this notice; or

(b) by having it dealt with by a court.

4. If the modified penalty is not paid within.....days, court proceedings may  
 be taken against you.

5. Payment may be made by completing item 6 and either posting this form  
 and a cheque, money order or postal note for the amount of the modified  
 penalty specified in item 2, to the Clerk of Petty Sessions, Perth or by  
 delivering this form and paying the amount to the Clerk of Petty Sessions,  
 Perth between the hours of 10.00 am and 3.30 pm on Mondays to Fridays.

6. I,.....  
 (Name)

of.....  
 (number and street)

..... (town or suburb) (Postcode)

admit contravening the by-law indicated in this form.

.....  
 (Signature of offender)

Form 5  
Metropolitan Market Act 1926 (By-law 34B)  
WITHDRAWAL OF INFRINGEMENT NOTICE

No.....  
Date of Service.....19.....

To ..... of .....  
(Name) (Address)

Infringement notice No.....served on you on the.....day of  
.....19.....for the alleged contravention of by-law.....is hereby with-  
drawn and no further action will be taken against you in respect of the alleged  
offence.

.....  
Manager

Part 4—Certificate Issued Pursuant to Section 13C(2)  
Metropolitan Market Act 1926 (By-law 34C)  
CERTIFICATE

This is to certify that.....  
(Name)

is authorized to give infringement notices pursuant to section 13C of the Metro-  
politan Market Act 1926.

The holder of this certificate shall produce this certificate whenever required to  
do so by a person to whom he has given, or is about to give, an infringement  
notice. ”.

Passed by a resolution of the Metropolitan Market Trust.

J. TOMS,  
Chairman.

Approved and confirmed by His Excellency the Governor in Executive Council.

G. PEARCE,  
Clerk of the Council.

BUILDING MANAGEMENT AUTHORITY

Tenders, closing at West Perth, at 2.30 pm on the dates mentioned hereunder, are invited for the following projects.

Tenders are to be addressed to:—

The Minister for Works,  
c/o Contract Office,  
Dumas House,  
2 Havelock Street,  
West Perth, Western Australia 6005

and are to be endorsed as being a tender for the relevant project.

The highest, lowest, or any tender will not necessarily be accepted.

Tender No.	Project	Closing Date	Tender Documents now available at
24608.....	Geraldton Courthouse—Alterations and Additions. Builders Categorisation Category B. Selected Tenderers Only Deposit on Documents \$100.	12/4/88	BMA West Perth BMA Geraldton
24624.....	Lesmurdie—Falls Road Primary School—Additions	12/4/88	BMA West Perth
24625.....	Kalgoorlie—Museum of the Goldfields—Alterations and Extensions to Existing Museum. Builders Categorisation C	19/4/88	BMA West Perth BMA Kalgoorlie
24626.....	Beckenham Primary School—Covered Area.	12/4/88	BMA West Perth
24627.....	Bramfield Park (Maddington) Primary School—Covered Area.	12/4/88	BMA West Perth
24629.....	Narrogin Regional Hospital—Fire Service Upgrade. Builders Categorisation Category D.	26/4/88	BMA West Perth BMA Narrogin
24630.....	Victoria Park—Charles Patterson Reserve—Burswood Park Board—HV Cable, Transformers and MV Distribution.	26/4/88	BMA West Perth

C. BURTON,  
Executive Director,  
Building Management Authority.



## STATE TENDER BOARD OF WESTERN AUSTRALIA

*Tenders for Government Supplies*

Date of Advertising	Schedule No.	Supplies Required	Date of Closing
1988			1988
Mar 11.....	100A1988.....	Drugs and Ethical Preparations 1 July 1988 to 30 June 1989—various Government Departments .....	Apr 14
Mar 18.....	14A1988.....	Paper Products and Dispensers (one year period)—various Government Departments .....	Apr 14
Mar 4.....	285A1988.....	Computer Aided Drafting System and Two Engineering Work Stations—Main Roads Department .....	Apr 14
Mar 11.....	291A1988.....	Three independently operated sodium iodide (thallium activated) probes—Royal Perth Hospital .....	Apr 14
Mar 18.....	294A1988.....	Dental Therapists Uniforms (one year period)—Dental Health Services .....	Apr 14
Mar 18.....	293A1988.....	25 Portable IBM Compatible Personal Computers—Education Department .....	Apr 21
Mar 18.....	295A1988.....	A Dictation and Transcription System and Accessories—Royal Perth Hospital .....	Apr 21
Mar 25.....	2A1988.....	Toothbrushes and Toothpaste (one year period)—various Government Departments .....	Apr 21
Mar 25.....	128A1988.....	Ball Point Pens (one year period)—various Government Departments .....	Apr 21
Mar 25.....	302A1988.....	Gully Grates and Frames (one year period)—Main Roads Department .....	Apr 21
Mar 25.....	304A1988.....	Fitting of a Slewing Hydraulic Jib Crane to a Volvo F12 Model Prime Mover Truck—Westrail .....	Apr 21
Mar 25.....	305A1988.....	First Grade Sleepers during the period July 1, 1988 to June 30, 1990—Westrail .....	Apr 28
Mar 31.....	308A1988.....	Radio Communications Equipment (1 year period)—Department of Computing and Information Technology .....	Apr 28
Apr 14.....	319A1988.....	Crew Cab Flat Top Truck—Main Roads Department .....	Apr 28
Apr 8.....	320A1988.....	Two (2) only Maintenance Trucks—Main Roads Department .....	Apr 28
Apr 8.....	321A1988.....	PVC Coated Nylon Tarpaulin Material—Westrail .....	May 5
Apr 8.....	322A1988.....	Cutting Machine, Plasma Arc, Numerical Control (Profile Type) (Recall)—Education Department .....	Apr 28
Apr 8.....	50A1988.....	Furniture group 4, Hospital, Hostel and Residential (One Year Period)—Various Government Departments .....	May 5
<i>Services</i>			
Mar 18.....	292A1988.....	Provision of a Security Guard Patrol Service (two year period)—Department of Services, State Printing Division .....	Apr 14
Mar 25.....	76A1988.....	Removal of Bodies to Morgues in Country Areas—(two year period) .....	Apr 21
Mar 25.....	303A1988.....	Rubbish Disposal Service at the Pyrtton Complex—Authority for Intellectually Handicapped Persons .....	Apr 21
Mar 31.....	309A1988.....	Service to professionally Clean, Polish and Detail Motor Vehicles—Department of Services, Automotive Services Branch .....	Apr 28
Mar 31.....	310A1988.....	Pilot Vessel Service at Broome (1 year period)—Department of Marine and Harbours .....	Apr 28
Mar 31.....	311A1988.....	Wholesale Distribution of Mapping Products produced by the Department of Land Administration (1 year period) .....	Apr 28
Apr 8.....	323A1988.....	Security Staff Service for Central Law Courts Building (3 Year Period)—Crown Law Department .....	May 5

*For Sale by Tender*

Date of Advertising	Schedule No.	For Sale	Date of Closing
1988			1988
Mar 18.....	296A1988.....	Two (2) only Large Purse Seine Nets—Fisheries Department .....	Apr 14
Mar 18.....	297A1988.....	1963 Modern 4.9 m Single Axle Caravan (UQU 307)—Dwellingup .....	Apr 14
Mar 18.....	298A1988.....	1978 Toyota L/C FJ45 4x4 Arkana Crew Cab (XQG 408)—Mundaring .....	Apr 14
Mar 18.....	299A1988.....	Chainsaws (four only)—Dwellingup .....	Apr 14
Mar 18.....	300A1988.....	1984 Toyota FJ Personnel Carrier (XQY 745)—Kununurra .....	Apr 14
Mar 18.....	301A1988.....	1986 Ford Falcon XF Panel Van (MRD 9222) and 1986 Ford Falcon Utility (MRD 8959)—Welshpool .....	Apr 14
Mar 25.....	306A1988.....	Two (2) only Henry King Skid Mounted Kitchen/Messes (MRD 027) and (MRD 026)—Carnarvon .....	Apr 14
Mar 25.....	307A1988.....	9.5 m Aluminium Workboat "Beagle"—Fremantle .....	Apr 14
Apr 8.....	313A1988.....	1986 Ford Falcon Panel Vans (MRD 9398) (MRD 9119) and (MRD 9109), 1986 Ford Falcon Utility (MRD 9402), 1985 Ford Falcon Sedan (MRD 8800) and 1985 Mazda E200 Van (8498)—Welshpool .....	Apr 28
Apr 8.....	314A1988.....	1986 Ford Falcon Utilities (MRD 8958) and (MRD 9010) and a Dodge Fuso Truck (MRD 2120)—Welshpool .....	Apr 28
Apr 8.....	315A1988.....	1985 Nissan 4x4 Utility (6QC 657), 1985 Toyota Hilux Utility 4x4 Extra Cab (6QG 536) and 1985 Subaru Wagon Dual Range (UQC 675)—Manjimup ..	Apr 28
Apr 8.....	316A1988.....	1985 Nissan 4x2 King Cab Utilities (6QD 880) (6QD 797), 1985 Nissan 4x4 King Cab Utilities (6QD 880) (6QD 797), 1985 Nissan 4x4 King Cab Utility (6QC 658) and 1985 Nissan Bluebird Sedan (6QF 494)—Bunbury .....	Apr 28
Apr 8.....	317A1988.....	Davleco 28" Pedestrian Roller (MRD 703)—Welshpool .....	Apr 28
Apr 8.....	318A1988.....	Dodge Tip Truck Fuso FK102 (MRD 3937)—Welshpool .....	Apr 28

Tenders, addressed to the Chairman, State Tender Board, 815 Hay Street, Perth, will be received for the abovementioned tenders until 10.00 am on the date of closing.

Tenders must be properly endorsed on envelopes otherwise they are liable to rejection.

No Tender necessarily accepted.

L. W. GRAHAM,  
Chairman, State Tender Board.

STATE TENDER BOARD OF WESTERN AUSTRALIA—*continued**Accepted Tenders*

Contract No.	Particulars	Contractor	Rate
<i>Supply and Delivery</i>			
36A1987	Drafting, Photographic and Plan Printing Material—various Government Departments	Various.....	Details on Request
627A1987	One (1) Only Microtome—R.P.H. ....	Selby Anax.....	\$52 483
223A1988	Truck Mounted Under Bridge Inspection Unit—MRD	Topper Hydraulic .....	\$189 650
240A1988	Telephone Diverter Equipment—Police Department	Intergral Communications System	\$747.00 each
249A1988	Universal Steel Beams Contract No. 97/87—MRD	Broken Hill Prop.....	Details on Request
274A1988	Truck Cab Chassis fitted with a Van Body to be equipped as a Firearms Instructional Vehicle—Police Department	Various.....	Details on Request
<i>Purchase and Removal</i>			
280A1988	1985 Nissan 720 Tray Body (6QF 843)—Kununurra	Aust Auto Auctions .....	\$6 057
284A1988	Chamberlain Mk4 Tractor (MRD 254)—Welshpool	Upper Swan Machinery .....	\$4 050
<i>Decline of Tenders</i>			
509A1988	One (1) Only Slide Stainer—R.P.H. ....	All Tenders Declined	
234A1988	Cutting Machine, Plasma Arc, Numerical Control—Education Department	All Tenders Declined	
<i>Cancellation of Contracts</i>			
114A1987	Sterile Dressing Packs—Various Government Departments	Disposable Products	
654A1987	An 18 metre Mobile Elevating Work Platform—Westrail	J.L.V. Deftlift	

## MAIN ROADS DEPARTMENT

*Tenders*

TENDERS are invited for the following projects.

Tender documents are available from the Clerk in Charge, Orders Section, Ground Floor, Main Roads Department, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date 1988
188/87.....	Internal/External Painting of 1 house and 1 duplex at South Hedland and 1 house at Karratha.....	27 April

*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount
162/87.....	Culvert construction on the Roe Highway.....	Consolidated Constructions Pty Ltd	\$ 97 811.77

D. R. WARNER,  
Director, Administration and Finance.

## MINES REGULATION ACT 1946 AND REGULATIONS

## Classification of Mines

UNDER the provisions of subregulation 2 of Regulation 9.1 of the Mines Regulation Act 1946 and Regulations, the following classifications are to apply to various locations within mineral sands operations.

Site	Classification
Mine (Quarry).....	B
Wet concentration plant.....	C
Dry separation plant.....	B
Synthetic rutile plants.....	C
Offices, laboratories and stores.....	C
Product storage and shiploading.....	B

JEFF CARR,  
Minister for Mines.

## MINING ACT 1978

Department of Mines,  
Perth, 21 March 1988.

I HEREBY declare in accordance with the provisions of section 97 (1) of the Mining Act 1978 that the undermentioned Gold Mining Lease is forfeited for breach of covenant *viz*, failure to comply with the prescribed expenditure conditions.

JEFF CARR,  
Minister for Mines.

## EAST COOLGARDIE MINERAL FIELD

*East Coolgardie District*

26/7165—Mark David Fletcher.

## MINING ACT 1978

Department of Mines,  
Perth, 21 March 1988.

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

JEFF CARR,  
Minister for Mines.

## GASCOYNE MINERAL FIELD

Exploration Licence

09/118—Menzel, Bruce Walter; Monks, Timothy Francis;  
Wolzak, Karl William.

## PILBARA MINERAL FIELD

*Nullagine District*

Exploration Licence

46/20—O'Meara, Denis William; Mitchell, Albert Edward;  
Menzel, Bruce Walter.

## EAST MURCHISON MINERAL FIELD

*Wiluna District*

Exploration Licences

53/97—Giles, Christopher William; Teale, Graham  
Stanley.

53/98—Giles, Christopher William; Teale, Graham  
Stanley.

## YALGOO MINERAL FIELD

Exploration Licences

59/141—Matheson, Jack; Davies, Arthur Gordon.

59/142—Matheson, Jack; Davies, Arthur Gordon.

Mining Lease

59/8—Isbister, Robert Patterson; Ladyman, Christopher  
Robin; Ladyman, Wavely Hester; Lanigan,  
Thomas.

To be heard in the Warden's Court, Norseman on 6 May  
1988.

## Dundas Mineral Field

63/169—Intermin Resource Corporation Ltd.

63/170—Intermin Resource Corporation Ltd.

63/181—Intermin Resource Corporation Ltd.

63/200—Aura Mining Pty Ltd.

63/201—Aura Mining Pty Ltd.

63/202—Aura Mining Pty Ltd.

63/460—Carlsen, George Henry Joseph; Mitchell, Kim  
Roderick.

63/461—Marwood Holdings Pty Ltd; New Australian Re-  
sources NL.

63/463—Golden Eagle Mines NL.

63/464—Golden Eagle Mines NL.

63/467—Golden Eagle Mines NL.

63/468—Golden Eagle Mines NL.

## MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Mines,  
Kununurra, 8 April 1988.

IN accordance with Regulation 49 (2) (c) of the Mining Act  
1978, notice is hereby given that unless the rent due on the  
undermentioned Prospecting Licences is paid before  
10.00 am on 28 April 1988 the licences are liable to forfeiture  
under the provisions of section 96 (1) (a) for breach of  
covenant, *viz* non-payment of rent.

P. M. HEANEY,  
Warden.

## MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Mines,  
Norseman, 8 April 1988.

IN accordance with Regulation 49 (2) (c) of the Mining Act  
1978, notice is hereby given that unless the rent due on the  
undermentioned Prospecting Licences is paid before  
10.00 am on 6 May 1988 the licences are liable to forfeiture  
under the provisions of section 96 (1) (a) for breach of  
covenant, *viz* non-payment of rent.

I. BROWN,  
Warden.

To be heard in the Warden's Court, Kununurra on 28  
April 1988.

## KIMBERLEY MINERAL FIELD

80/722—Associated Jewelers Pty Ltd.

80/725—Haemevilic, George.

80/747—Majeed Mining Pty Ltd.

80/748—Majeed Mining Pty Ltd.

80/749—Majeed Mining Pty Ltd.

80/757—Kilmorna Gold Pty Ltd.

80/753—Kilmorna Gold Pty Ltd.

80/754—Kilmorna Gold Pty Ltd.

80/755—Kilmorna Gold Pty Ltd.

80/756—Kilmorna Gold Pty Ltd.

## MINING ACT 1978

## MINING AMENDMENT REGULATIONS (No. 2) 1988

MADE by His Excellency the Governor in Executive Council.

## Citation

1. These regulations may be cited as the *Mining Amendment Regulations (No. 2) 1988*.

## Regulation 86E repealed

2. Regulation 86E of the *Mining Regulations 1981\** is repealed.

*[\*Published in the Gazette of 13 November 1981 at pp. 4601-4676. For amendments to 15 March 1988 see page 306 of 1986 Index to Legislation of Western Australia and Gazettes of 26 June, 7 and 21 August, 2 October and 6 November 1987 and 5 February 1988.]*

By His Excellency's Command,  
G. PEARCE,  
Clerk of the Council.

WESTERN AUSTRALIAN GOVERNMENT RAILWAYS COMMISSION  
GOODS RATES AND CHARGES

## 6. PETROLEUM PRODUCTS (BULK) IN TANK CARS—RATES

- (a) Freight charges for such commodities are to be raised at nett mass of product.  
(b) Rates effective from 11 April, 1988 are—

Station or Siding	Nett Mass \$pt	Station or Siding	Nett Mass \$pt
<i>Ex Kewdale</i>		<i>From Albany</i>	
Avon Yard .....	10.81	Cranbrook .....	20.84
Bridgetown .....	22.45	Katanning .....	15.89
Brookton .....	21.28	Wagin .....	19.77
Bunbury .....	27.34		
Carnamah .....	24.50		
Cranbrook .....	56.62	<i>From Bunbury</i>	
Geraldton .....	59.95	Bridgetown .....	10.31
Katanning .....	24.78	Manjimup .....	12.78
Kellerberrin .....	18.29		
Lake Grace .....	29.08		
Malcolm .....	62.26	<i>From Esperance</i>	
Manjimup .....	25.06	Hampton .....	41.47
Moora .....	16.10	Malcolm .....	53.32
Narrogin .....	17.51	Norseman .....	31.22
Pingelly .....	24.33	Redmine .....	42.07
Southern Cross .....	30.00	West Kalgoorlie .....	44.49
Three Springs .....	26.12		
Wagin .....	20.12		
West Kalgoorlie .....	54.84		
West Merredin .....	22.31		

When Departmental tank cars are used the rates shall be increased by 10 per cent. When tank cars are loaded ex North Fremantle the rates are to be increased by \$2.50 per tonne.

## COMPANIES CODE

## Notice of Voluntary Liquidation—Section 392 (2)

Executive Staff Appointments Pty. Limited (in voluntary liquidation)

AT a general meeting of the abovenamed company, duly convened and held at 72 Pitt Street, Sydney on 25 March 1988, the special resolution set out below was duly passed.

That the Company be wound up as a members voluntary liquidation and that the assets of the company distributed.

Dated 25 March 1988.

V. JOHN PLUMMER,  
Director.

## COMPANIES CODE

## Notice of Voluntary Liquidation—Section 392 (2)

Tempstaff Pty. Limited (in voluntary liquidation)

AT a general meeting of the abovenamed company, duly convened and held at 72 Pitt Street, Sydney on 25 March 1988, the special resolution set out below was duly passed.

That the Company be wound up as a members voluntary liquidation and that the assets of the company distributed

Dated 25 March 1988.

V. JOHN PLUMMER,  
Director.

## COMPANIES CODE

In the matter of Executive Staff Appointments Pty. Ltd. (in voluntary liquidation).

NOTICE is hereby given in pursuance of section 411 of the Companies Code, that the final meeting of the members of the abovenamed company will be held on the 3rd Floor, 72 Pitt Street, Sydney on Friday, 27 May 1988 at 9.30 am for the purpose of laying before the meeting the liquidators final account and report and giving any explanation thereof.

Dated 28 March 1988.

V. JOHN PLUMMER,  
Liquidator.

## COMPANIES CODE

In the Matter of Tempstaff Pty. Limited (in voluntary liquidation).

NOTICE is hereby given in pursuance of section 411 of the Companies Code, that the Final Meeting of the members of the abovenamed Company will be held on the 3rd Floor, 72 Pitt Street, Sydney on Friday, 27 May 1988 at 10.30 am for the purpose of laying before the meeting the liquidators final account and report and giving any explanation thereof.

Dated 28 March 1988.

V. JOHN PLUMMER,  
Liquidator.

## COMPANIES CODE

Notice of Voluntary Liquidation—Section 392 (2)

Computer Staff Pty. Limited (in voluntary liquidation)

AT a general meeting of the abovenamed company, duly convened and held at 72 Pitt Street, Sydney on 25 March 1988, the special resolution set out below was duly passed.

That the Company be wound up as a members voluntary liquidation and that the assets of the company distributed

Dated 25 March 1988.

V. JOHN PLUMMER,  
Director.

## COMPANIES CODE

In the Matter of Computer Staff Pty. Limited (in voluntary liquidation).

NOTICE is hereby given in pursuance of section 411 of the Companies Code, that the final meeting of the members of the abovenamed company will be held on the 3rd Floor, 72 Pitt Street, Sydney on Friday, 27 May 1988 at 10.00 am for the purpose of laying before the meeting the liquidators final account and report and giving any explanation thereof.

Dated 28 March 1988.

V. JOHN PLUMMER,  
Liquidator.

## COMPANIES CODE

Notice of Voluntary Liquidation—Section 392 (2)

Osborne Park Staff Pty. Limited (in voluntary liquidation)

AT a general meeting of the abovenamed company, duly convened and held at 72 Pitt Street, Sydney on 25 March 1988, the special resolution set out below was duly passed.

That the Company be wound up as a members voluntary liquidation and that the assets of the company distributed

Dated 25 March 1988.

V. JOHN PLUMMER,  
Director.

## COMPANIES CODE

In the Matter of Osborne Park Staff Pty. Limited (in voluntary liquidation).

NOTICE is hereby given in pursuance of section 411 of the Companies Code, that the final meeting of the members of the abovenamed company will be held on the 3rd Floor, 72 Pitt Street, Sydney on Friday, 27 May 1988 at 9.00 am for the purpose of laying before the meeting the liquidators final account and report and giving any explanation thereof.

Dated 28 March 1988.

V. JOHN PLUMMER,  
Liquidator.

## COMPANIES (WESTERN AUSTRALIA) CODE

Septor Pty Limited

Notice to Creditors and Members of Special Resolution Placing Company under Official Management and of Name of Official Manager

I, TERENCE JOHN COLLINSON being the official manager of Septor Pty Ltd trading as Terrain Earthmoving, give notice that a meeting of creditors of the company duly convened and held on 22 March 1988, a special resolution was duly passed placing the company under official management for a period not exceeding three years.

Dated 25 March 1988.

T. J. COLLINSON,  
Official Manager,  
(T. J. Collinson & Co, 188 Colin Place, West Perth 6005.)

## UNCLAIMED MONEYS ACT 1912

Swan Portland Cement Limited

Register of Unclaimed Moneys 31 December, 1987

Name and last known address of owner; Total due; Description of unclaimed moneys; Date of last claim.

Mrs L. Anderson, C/- Share Department, Price Waterhouse & Co 200 St. George's Terrace, Perth; \$1 950; Dissenting shareholder; 16/10/80.

Kalaru Pty Ltd, 65 Clifton Street, Malvern SA 5061; \$1 365; Dissenting shareholder; 16/10/80.

K. F. Ryan, Hawtin Road, Glen Forrest; \$187.20; Dissenting shareholder; 16/10/80.

R. C. Witcombe, 5 Challenger Drive, City Beach; \$11.70; Dissenting shareholder; 16/10/80.

K. W. RAISS,  
Company Controller.

## TRUSTEES ACT 1962

Notice to Creditors and Claimants

CREDITORS and other persons having claims (to which section 63 of the Trustee Act 1962 relates) in respect of the estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 9 May 1988, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Adam, Janet Ausdon, late of 6 Harris House, Airforce Memorial Estate, Bullcreek Drive, Bullcreek, died 22/2/88.

Barr, Donald Edward, late of 1/90 Robert Street, Como, died 12/3/88

Binstead, Mary Ellen, late of 344 Bulwer Street, Perth, died 17/2/50.

Bolton, Eileen May, late of Carinya Nursing Home, Bristol Avenue, Bicton, died 3/3/88.

Dench, Eleanor Minnie, late of 164 Bishopsgate Street, Carlisle, died 15/3/88.

Ferrier, Dianne Marie, late of Unit 5 Watson Place, Maylands, died 7/2/88.

Geary, Wilfred Crocker, late of 33 Waverley Road, Coolbellup, died 15/2/88.

Gibson, Esther Ellen, late of Hillcrest Nursing Home, Harvest Road, North Fremantle, died 15/3/88.

Hopkins, Marjory Marion, late of 154 Great Eastern Highway, Midvale, died 13/10/87.

Klumpp, John Albert, late of 41 Alexander Road, Dalkeith, died 18/2/88.

McLaren-Collins, John, late of Sunset Hospital, Beatrice Road, Dalkeith, died 20/1/86.

McLeod, Hector Clyde, late of Corlei Nursing Home, 18 Ley Street, Manning, died 2/2/88.

Reilly, Philip, late of 53 Berwick Street, Victoria Park, died 13/3/88.

Renton, Thomas Daniel, late of 50 Johnston Street, Boulder, died 11/11/87.

Stone, Sarah, (also known as Stone, Sadie), late of Unit 9/19, Kelsall Crescent, Manning, died 12/3/88.

Taylor, Leslie Raymond, late of 3 Wake Street, Dianella, died 8/2/88.

Walters, John James, late of 17 Morrison Street, Como, died 13/3/88.

Witherow, Ada, late of Carinya Nursing Home, 20 Plantation Street, Mt. Lawley, died 15/3/88/.

Young, Wayne Leslie, late of 88 Beaconsfield Avenue, Midvale, died 15/3/88.

Dated 31 March 1988.

A. J. ALLEN,  
Public Trustee,  
Public Trust Office,  
565 Hay Street, Perth.

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**SELECT COMMITTEE**  
of the  
**LEGISLATIVE ASSEMBLY**

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**ADVISORY COMMITTEE**  
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**FOR CONSUMER AFFAIRS**  
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### REPORT OF COMMITTEE TO ENQUIRE INTO THE PROVISIONS OF WELFARE SERVICES BY LOCAL GOVERNMENT IN WESTERN AUSTRALIA, MAY 1981. CHAIRMAN MR. L. F. O'MEARA

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