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G. L. DUFFIELD, Director.

AGRICULTURE

AG101

**CORRIGENDUM
MARKETING OF EGGS ACT 1945**

Department of Agriculture,
South Perth, 3 February 1992.

An error has been noted in the notice published in the *Government Gazette* of 24 January 1992, at page 360.

"for a term of office expiring on 1 December 1993" should read "for a term of office expiring on 1 December 1994".

M. D. CARROLL, Director General of Agriculture.

AG301

**SOIL AND LAND CONSERVATION ACT 1945
SOIL AND LAND CONSERVATION (NAREMBEEN LAND CONSERVATION
DISTRICT) AMENDMENT ORDER 1992**

Made by His Excellency the Governor in Executive Council under section 23 (2d) of the *Soil and Land Conservation Act 1945* and on the recommendation of the Minister for Agriculture.

Citation

1. This order may be cited as the *Soil and Land Conservation (Narembeen Land Conservation District) Amendment Order 1992*.

Principal Order

2. In this order the *Soil and Land Conservation (Narembeen Land Conservation District) Order 1984* is referred to as the principal order.

[*Published in the *Gazette* on 25 May 1984 at pp 1407-08 and amended in the *Gazettes* of 22 January 1988 at pp 157-58 and 17 May 1991 at pp 2459-60.]

Clause 6 amended

3. Clause 6 of the principal order is amended in subclause (1)—
- (a) by deleting "8" and substituting the following—
" 10 "; and
 - (b) in paragraph (a) by deleting "of Soil" and substituting the following—
" of Soil and Land "; and
 - (c) in paragraph (e) by deleting "3" and substituting the following—
" 5 ".

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

AG302

**SOIL AND LAND CONSERVATION ACT 1945
ROEBOURNE-PORT HEDLAND LAND CONSERVATION DISTRICT
(APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT
1992**

Made by the Minister for Agriculture.

Citation

1. This Instrument may be cited as the *Roebourne-Port Hedland Land Conservation District (Appointment of Members District Committee) Instrument 1992*.

Interpretation

2. In this Instrument—

"Constitution order" means the *Soil and Land Conservation (Roebourne-Port Hedland Land Conservation District) Order 1988*.

"Committee" means the District Committee established by Clause 4 of the Constitution Order.

[*Published in the Gazette of 19 August 1988 at pp 2973-75 and amended in the Gazettes of 12 January 1990 at pp 59-60 and 13 December 1991 at pp 6149.]

Appointment of Members

3. (1) Under Clause 5 (1) (b) of the constitution order Davey Ernest Weston of Karratha is appointed a member of the Committee on the nomination of the Shire of Roebourne.
- (2) Under Clause 5 (1) (c) of the constitution order Clifford Cottier of Port Hedland is appointed a member of the Committee on the nomination of the Shire of Port Hedland.
- (3) Under Clause 5 (1) (d) of the constitution order Timothy Patterson of Yarraloola Station is appointed a member of the Committee on the nomination of the Shire of Ashburton.
- (4) Under Clause 5 (1) (e) of the constitution order Lesley Parsons of Coolawanyah Station is appointed a member of the Committee to represent the Western Australian Farmers Federation.
- (5) Under Clause 5 (1) (f) of the constitution order—
 - (a) Richard Apel of Mallina Station
 - (b) Mark Godlonton of Karratha Station
 are appointed members of the Committee to represent the Pastoralists and Graziers Association.
- (6) Under Clause 5 (1) (g) of the constitution order—
 - (a) Peter Hardie of Boodarie Station
 - (b) Wade Sambell of Warambie Station
 - (c) Kim Parsons of Coolawanyah Station
 - (d) Anthony Richardson of Mt Florence Station
 - (e) James Watters of Pyramid Station
 - (f) Carol Margaret Lockyer of Mt Welcome Station
 - (g) Regional Manager, North West Region, State Energy Commission of Western Australia, Port Hedland
 - (h) Area Manager, Telecom Australia, South Hedland
 - (i) Operations Officer, Department of Conservation and Land Management, Karratha
 - (j) Assistant Divisional Engineer, Department of Main Roads, Karratha
 - (k) Regional Water Resources Officer, North West Region, Water Authority of Western Australia, Karratha
 are appointed members of the Committee being persons actively engaged in or affected by, or associated with land use in the Roebourne-Port Hedland Land Conservation District.

Term of Office

4. The appointment is made under Clause 5 (3) shall be for a term of three years commencing of the day that this instrument is published in the *Gazette*.

ERNIE BRIDGE, Minister for Agriculture.

AG401

HONEY POOL ACT 1978

Department of Agriculture,
South Perth, 23 January 1992.

Agric. 1445/86.

His Excellency the Governor in Executive Council has been pleased to appoint pursuant to section 8 (2) (b) of the Honey Pool Act 1978, Mr Ross Edwin Cook as an elected Director of the Honey Pool of Western Australia for a term of office expiring on 31 October 1996.

M. D. CARROLL, Director General of Agriculture.

AG402

VETERINARY SURGEONS ACT 1960Department of Agriculture,
South Perth, 5 February 1992.

Agric. 89/89.

His Excellency the Governor in Executive Council has been pleased to approve under the provisions of the Veterinary Surgeons Act 1960, the appointment of the following persons as members of the Veterinary Surgeons Board for a term of office expiring on 31 December 1994:

Michael Peter Bond under section 5 (1) (a) being the person holding the office of Director, Animal Health, Department of Agriculture.

John McCormack Howell and Anthony John Paterson under section 5 (1) (b) being elected registered veterinary surgeons.

Timothy John Vaughan Mather under section 5 (1) (c) being the nominee of the Australian Veterinary Association and Marshall Alan Porter Croxford as his deputy.

Anthony Vincent McCarthy under section 5 (1) (d) being the nominee of the Minister for Agriculture and Joseph Paul Longo as his deputy.

M. D. CARROLL, Director General of Agriculture.

BUSH FIRES BOARD

BU401

BUSH FIRES ACT 1954*Shire of Kent*

Section 25

Bush Fires Board,
Perth, 7 February 1992.

Correspondence No. 154 Vol. 2.

Pursuant to the powers contained in section 25B of the Bush Fires Act 1954, I hereby revoke the suspension relating to the burning of refuse at the Council's disposal sites on Reserve Number 23193 as published in the *Government Gazette* dated 6 March 1987.

GRAHAM EDWARDS, Minister for Emergency Services.

BU402

BUSH FIRES ACT 1954*Shire of Cunderdin*

Section 25

Bush Fires Board,
Perth, 7 February 1992.

Correspondence No. 96.

Pursuant to the powers contained in section 25B of the Bush Fires Act 1954, I hereby revoke the suspension relating to the burning of refuse at the Council's disposal sites on portion of crown grant No. 18392 at Cunderdin and Reserve Number 23065 at Meckering as published in the *Government Gazette* dated 4 November 1988.

GRAHAM EDWARDS, Minister for Emergency Services.

CROWN LAW

CW301

SUPREME COURT ACT 1935
SUPREME COURT AMENDMENT RULES (NO. 4) 1991

Made by the Judges of the Supreme Court.

Citation

1. These rules may be cited as the *Supreme Court Amendment Rules (No. 4) 1991*.

Principal Rules

2. In these rules the *Rules of the Supreme Court 1971** are referred to as the principal rules.

[* *Reprinted in the Gazette of 18 March 1986 at pp.779-1100.*
For amendments to 31 October 1991 see 1990 Index to Legislation of Western Australia, pp.377-378 and Gazettes of 8 February, 5 April and 19 April 1991.]

Order 10 amended

3. Order 10 of the principal rules is amended by inserting before Rule 1 the following Rule —

Application

- “ 1A. Rules 9 to 11 shall not apply to the service of process in a foreign country which is a party to the Hague Convention. ”.

Order 11 amended

4. Order 11 of the principal rules is amended by inserting before Rule 1 the following Rule —

Application

- “ 1A. This order shall not apply to service of foreign legal process pursuant to a request from a competent authority in a foreign country which is a party to the Hague Convention. ”.

Orders 11A, 11B and 11C inserted

5. After Order 11 of the principal rules the following orders are inserted —

“

ORDER 11A

**SERVICE OF FOREIGN JUDICIAL PROCESS ORIGINATING
 IN A COUNTRY THAT IS A PARTY TO THE HAGUE
 CONVENTION**

Definitions

1. In this Order —

“additional authority” means a person being an officer of the Court designated by the Commonwealth of Australia, to be an authority in addition to the Central Authority, for the purposes of the Hague Convention;

"applicant", in relation to a request for service, means the competent authority that forwards that request to a Central Authority or additional authority;

"Central Authority" means a person or body designated by the Commonwealth of Australia from time to time to be the Central Authority for the Commonwealth for the purposes of the Hague Convention;

"civil proceedings" means any judicial proceedings in respect of civil or commercial matters, other than criminal proceedings;

"competent authority", in relation to a document to be served, means an authority or judicial officer competent, under the law of the Convention country in which the document originates, to forward a request for service;

"Convention country" means a party to the Hague Convention, other than Australia;

"Hague Convention" means the Convention on the Service Abroad of Judicial and ExtraJudicial Documents in Civil or Commercial Matters done at the Hague on 15 November 1965;

"request for service", in relation to a document originating in a Convention country means a request in writing, in accordance with Form 5A or Form 5B in the Second Schedule, made by a competent authority requesting that the document be served on a person in the State.

Application

2. (1) Subject to subrule (2) and Rule 3, this Order applies to the service in the State of any document originating in a Convention country and connected with civil proceedings pending before a court or other tribunal of that Convention country where a request for service (together with accompanying documents) in accordance with Rule 3 is forwarded by a competent authority —

- (a) to the Central Authority, which forwards it to an additional authority in the State; or
- (b) to an additional authority in the State.

(2) Where the request for service is forwarded to an additional authority in the State in accordance with paragraph (1) (b) and (in the opinion of the additional authority) —

- (a) compliance with the request for service may infringe Australia's sovereignty or security; or
- (b) the document to which the request for service relates is not a judicial document,

the additional authority shall transmit the request for service and accompanying documents to the Central Authority.

(3) Where the Central Authority returns the request for service and the accompanying documents to the additional authority, this Order shall then apply to the service in the State of the document to which the request relates.

Request for service and accompanying documents

3. (1) This Order shall not apply to a request for service unless it is accompanied by the following documents —

- (a) a copy of the request for service;

- (b) the document to be served;
- (c) a copy of the document to be served;
- (d) a summary (in accordance with Form 5D in the Second Schedule) of the document to be served; and
- (e) where —
 - (i) a document referred to in paragraph (a), (b) or (d) is not in the English language; and
 - (ii) the request for service does not contain a request that the service be by delivery to the person to be served, if that person accepts such service voluntarily,

an English translation of the document.

(2) An English translation of a document referred to in paragraph (1) (e) shall, unless the additional authority otherwise directs, bear a certificate in English by the translator stating that the translation is an accurate translation of the document.

Service

4. (1) If a request for service is received by an additional authority in the State, together with the accompanying documents referred to in Rule 3, the additional authority must request the Sheriff to serve the document to be served, together with such of those documents referred to in Rule 3 (1) (a), (d) and (e) as accompanied the request for service (including a warning statement, if any, attached to the summary of the document to be served), in accordance with the request.

(2) Subject to subrule (3) the Sheriff, in giving effect to the request of the additional authority, may cause the service requested to be effected by one of the following methods of service —

- (a) a method of service prescribed by the law in force in the State —
 - (i) for the service of a document of a kind corresponding to the document to be served; or
 - (ii) where there is no such corresponding document — for the service of originating process in proceedings in the Court; or
- (b) by some other method requested by the applicant in the request for service, unless that method is incompatible with the law in force in the State; or
- (c) where the applicant has not requested a particular method of service — by delivery of the document to be served to the person requested to be served, where that person accepts the document voluntarily.

(3) Rule 4 of Order 72 shall apply to the service of documents under this Order, except that the Court may make an order for substituted service of the document on the basis of an affidavit or affidavits, lodged by the Sheriff with the Court made by the person or persons who attempted to serve the document specifying —

- (a) details of the attempts made to serve the document;
and
- (b) the reasons which have prevented service,

without an application being made to the Court in that behalf.

Affidavit of service

5. Where service of the document to be served has been effected or attempts to serve it have failed, the Sheriff must lodge with the additional authority an affidavit made by the person who served, or attempted to serve, the document specifying —

- (a) where the document has been served —
 - (i) the time, day of the week and date on which the document was served;
 - (ii) the place where the document was served;
 - (iii) the method of service;
 - (iv) the person on whom the document was served;
 - and
 - (v) the way in which that person was identified;
 - and
- (b) where the document has not been served —
 - (i) details of the attempts made to serve the document; and
 - (ii) the reasons which have prevented service.

Certificate of service

6. When an affidavit of service has been filed in accordance with Rule 5, the additional authority must —

- (a) complete a certificate of service, sealed with the seal of the Court, in accordance with Form 5E in the Second Schedule on the reverse side of, or attached to, the request for service; and
- (b) send the certificate of service directly to the applicant.

Application of Rules generally

7. To the extent that these Rules (other than the Rules under this Order) are inconsistent with the Rules under this Order, the firstmentioned Rules do not apply to the service of a document to which this Order applies.

ORDER 11B**SERVICE OF JUDICIAL PROCESS IN A COUNTRY THAT IS A PARTY TO THE HAGUE CONVENTION****Definitions**

1. (1) In this Order —

“applicant”, in relation to a request for service, means the Registrar who forwards that request to a foreign Central Authority or foreign additional authority;

“designated authority”, in relation to a Convention country, means a person or body designated by the Convention country, for the purposes of Article 6 of the Hague Convention, to be an authority competent to complete a certificate of service;

“foreign additional authority”, in relation to a convention country, means a person or body designated by the Convention country, for the purposes of Article 18 of the Hague Convention, to be an authority in addition to a foreign Central Authority of that Convention country;

“foreign Central Authority”, in relation to a Convention country, means a person or body designated by the Convention country from time to time to be a Central Authority for the purposes of Article 2 of the Hague Convention.

(2) In this Order, **“Convention country”**, **“civil proceedings”** and **“Hague Convention”** have the same meaning as in Order 11A.

Application

2. (1) Subject to subrule (2), this Order applies to the service in a Convention country of a judicial document connected with civil proceedings pending before the Court or before another court of the State.

(2) This Order does not apply where service of a document is effected by an Australian diplomatic or consular authority on a person in a Convention country.

Records

3. (1) The Registrar shall keep at the Registry a Register containing —

- (a) a current list of all Convention countries;
- (b) details of any objections or declarations made by any Convention country;
- (c) the names and addresses of —
 - (i) the foreign Central Authority, or Central Authorities; and
 - (ii) any additional authorities,of each Convention country; and
- (d) a copy of the Hague Convention.

(2) A document that purports to be an extract from the Register referred to in subrule (1) shall be evidence of the matters stated in it.

Documents required to be filed

4. (1) A person (in this Order called the “requesting party”) who requires a judicial document connected with civil proceedings in Australia to be served in a Convention country must file with the Registrar the following documents —

- (a) an application, in accordance with subrule (2), requesting service of the document in a specified Convention country;
- (b) a request for service, in accordance with subrule (3), for signature by the Registrar;
- (c) the document to be served;

- (d) a summary (in accordance with Form 5D in the Second Schedule) of the document to be served;
- (e) a warning statement (in accordance with Form 5F in the Second Schedule attached to, or incorporated in, the summary referred to in paragraph (d)) indicating the importance of the document to be served, its legal nature, that it may affect the rights and obligations of the person on whom it is served and the possibility of legal aid or advice being available;
- (f) two copies of the documents referred to in paragraphs (b), (c), (d) and (e); and
- (g) where a foreign Central Authority of the country to which the request is addressed requires the document to be served, to be written in, or translated into, an official language of that country, a translation, into an official language of that country, of the documents referred to in paragraphs (b), (c), (d) and (e).

(2) The application requesting service of the document shall contain a written undertaking, signed by —

- (a) where there is a solicitor on the record for the requesting party — that solicitor; and
- (b) in any other case — the requesting party;

to —

- (c) be personally liable for all costs that are incurred in relation to the service of the document requested to be served, by —
 - (i) the employment of a judicial officer or other person competent, under the law of the Convention country in which the document is to be served; or
 - (ii) the use of a particular method of service;
- and
- (d) pay the amount of those costs to the Registrar within 14 days of receiving notification of the amount of those costs from the Registrar.

(3) The request for service referred to in paragraph (1) (b) must —

- (a) be in accordance with Form 5C in the Second Schedule; and
- (b) be completed (except for signature) by the requesting party; and
- (c) state whether the requesting party wants service to be attempted where the period for entering an appearance has expired; and
- (d) indicate where additional information may be obtained regarding the address of the person to be served, if the person cannot be traced from the address supplied; and
- (e) be addressed to —
 - (i) a foreign Central Authority; or
 - (ii) a foreign additional authority,of the Convention country in which the person is to be served,

and may state whether the requesting party requires a certificate of service that is completed by a person or body other than a foreign Central Authority or a judicial authority of the Convention country to be countersigned by a foreign Central Authority or a judicial authority of that country.

(4) A translation referred to in paragraph (1) (g) shall bear a certificate (in the same language as the language used in the translation) signed by the translator stating —

- (a) that the translation is an accurate translation of the document; and
- (b) the translator's full name and address and his or her qualifications for making the translation.

**Procedure on filing application
requesting service etc.**

5. (1) Where the documents referred to in Rule 4 are filed with the Registrar, the Registrar shall, if he or she is satisfied that the documents comply with the requirements of this Order —

- (a) sign the request for service; and
 - (b) forward —
 - (i) the request for service, duly signed;
 - (ii) the document to be served;
 - (iii) the documents referred to in Rule 4 (1) (d) and (e) and where appropriate the documents referred to in Rule 4 (1) (g); and
 - (iv) a copy of the documents referred to in subparagraphs (i), (ii) and (iii);
- to —
- (v) where the requesting party has asked for the request to be addressed to a foreign additional authority nominated by the requesting party — that additional authority; or
 - (vi) in any other case — a foreign Central Authority in the Convention country in which service of the document is requested.

(2) Where the Registrar is not satisfied that the filed documents comply with the requirements of this Order he or she must inform the requesting party of the respects in which the documents fail to comply with those requirements.

**Procedure on receipt of certificate
in respect of service**

6. (1) When a certificate in respect of service, being a certificate in accordance with Form 5E in the Second Schedule that has been completed by a foreign Central Authority or a designated authority in the Convention country in which service was requested, is received by a Registrar, the Registrar shall —

- (a) file the original certificate of service in the record of the proceedings in respect of which the request was made; and
- (b) send a copy of the certificate to the solicitor for the requesting party, or where there is no solicitor on the record for the requesting party, to the requesting party.

(2) When the Registrar receives from the Convention country in which service of the document was requested a statement of costs in respect of the service requested being costs of a kind referred to in Rule 4 (2) the Registrar shall send to the solicitor or requesting party, as the case may be, who gave the undertaking referred to in Rule 4 (2) a notification of the amount of those costs incurred.

Payment of costs

7. (1) The solicitor or requesting party, as the case may be, must, upon receipt of notification under Rule 6 (2), pay the amount of the costs to the Registrar within 14 days of receipt of the notification.

(2) If the solicitor or requesting party fails to pay the costs requested within 14 days of the receipt of the notification —

- (a) the requesting party may not take any further action in the proceedings until those costs are paid to the Registrar under subrule (1); and
- (b) the Registrar may take such steps as he or she considers appropriate to enforce the undertaking for payment of those costs.

Evidence of service

8. Where a Registrar receives a certificate of service in accordance with Rule 6 certifying that service of the document to be served was effected on a specified date, the certificate shall be sufficient proof that —

- (a) service of the document was effected, in the manner specified in the certificate, on that date; and
- (b) if the method of service of the document was a particular method requested by the requesting party, that method is compatible with the law in force in the Convention country in which service was effected.

Application of Rules generally

9. To the extent that these Rules (other than the Rules under this Order) are inconsistent with the Rules under this Order, the firstmentioned Rules do not apply to the service of a document to which, under Rule 2, this Order applies.

ORDER 11C

JUDGMENTS IN DEFAULT OF APPEARANCE WHERE ORIGINATING PROCESS IS TRANSMITTED FOR SERVICE UNDER THE HAGUE CONVENTION

Definitions

1. (1) In this Order —

“defendant”, in relation to a request for service abroad of an originating process, means the person on whom that originating process was requested to be served;

“originating process” means a document by which proceedings are commenced;

“proceedings” includes a claim against a third party;

“service abroad of an originating process” means the service under Order 11B in a Convention country, of an originating process in civil proceedings pending before the Court.

(2) In this Order —

- (a) **“Convention country”, “civil proceedings”** and **“Hague Convention”** have the same meaning as in Order 11A; and
- (b) **“designated authority”, “foreign additional authority”** and **“foreign Central Authority”** have the same meaning as in Order 11B.

Application

2. This Order applies to the entry of judgments in default of appearance where an originating process has been transmitted under Rule 5 (1) (b) of Order 11B to a foreign Central Authority or a foreign additional authority.

Power to enter judgment in default of appearance where a certificate of service has been filed

3. (1) Judgment in default of appearance may not be entered unless —

- (a) the originating process was served —
 - (i) by a method of service prescribed by the internal law of the Convention country in which service was effected for the service of documents in domestic actions upon persons who are within its territory;
 - (ii) by some other method requested in the request for service, where such a method is compatible with the law in force in the Convention country in which service was effected and under which the document was actually delivered to the defendant or his residence; or
 - (iii) by delivery to the defendant who accepted it voluntarily; and
- (b) the originating process was served in sufficient time to enable the defendant to defend the proceedings.

(2) In subrule (1) (b), **“sufficient time”** means 42 days or such lesser time as the Court considers, in the circumstances, to be a sufficient time to enable the defendant to defend the proceedings.

Filing of certificate of service deemed to be compliance with certain other Rules

4. The filing of a certificate of service under Rule 6 (a) of Order 11B is deemed to be sufficient compliance with any Rule requiring details of service of an originating process to be endorsed on the originating process.

Power to enter judgment in default of appearance where a certificate of service has not been filed

5. Where, in relation to a request for service abroad of an originating process, a certificate of service has not been received

by the Registrar, the Court may enter judgment in default of appearance by the defendant if the Court is satisfied that —

- (a) the originating process was transmitted to a foreign Central Authority or foreign additional authority under Rule 5 (1) (b) of Order 11B;
- (b) a period that the Court considers adequate in the circumstances of the particular case (being a period of not less than 6 months) has elapsed since the date on which originating process was so transmitted; and
- (c) every reasonable effort has been made to obtain such a certificate from the foreign Central Authority, or foreign additional authority to which the originating process was transmitted, or other competent authority of the Convention country in which service was requested to be effected.

Interlocutory Orders

6. Rule 5 does not limit the Court's powers to make interlocutory, provisional or protective orders.

Setting aside a judgment in default of appearance

7. (1) Where a judgment has been entered under Rule 5 against a defendant who has not appeared, the Court may, on the application of the defendant, set aside the judgment if it is satisfied that the defendant —

- (a) without any fault on the defendant's part, did not have knowledge of the originating process in sufficient time to defend the proceedings; and
- (b) has a *prima facie* defence to the action on the merits.

(2) An application to have a judgment set aside under this Rule may be brought only within such period of time after the defendant acquires knowledge of the judgment as the Court considers reasonable in the circumstances.

(3) Nothing in this Rule affects any other power of the Court to set aside or vary a judgment.

Application of Rules generally

8. (1) Subject to subrule (2), to the extent that these Rules (other than the Rules under this Order) are inconsistent with the Rules under this Order, the firstmentioned Rules do not apply to the entry of judgments in default of appearance to which, under Rule 2, this Order applies.

(2) The power of the Court to enter judgment in default of appearance under this Order against a person who is under a disability is subject to the provisions of these Rules that restrict the Court's power to enter judgment in default of appearance against such a person.

Order 37 amended

6. Order 37 of the principal rules is amended in Rule 8 (1) (b) by deleting paragraph (b) and substituting the following paragraph —

- “ (b) the affidavit shall not, without the leave of the Court, be read or made use of in any proceeding unless both the deponent and the person before whom the affidavit was sworn have initialled the alteration, and, in the case of an

erasure, any words or figures written on the erasure have been re-written in the margin of the affidavit and both the deponent and the person before whom the affidavit was sworn have signed or initialled them. ”.

Order 47 amended

7. Order 47 of the principal rules is amended in Rule 13 (1) by deleting paragraph (b).

Order 63 amended

8. Order 63 of the principal rules is amended in Rule 13 by deleting “transcript” whenever it occurs in Rule 13 and in each place substituting the following —

“ appeal book ”.

Order 65 amended

9. Order 65 of the principal rules is amended in Rule 9 (1) (b) by deleting “2” and substituting the following —

“ 3 ”.

Order 66 amended

10. Order 66 of the principal rules is amended —

(a) by repealing Rule 11 and substituting the following Rule —

Scale of Costs
Cf. W.A. O.LXV, R.17.

“ 11. (1) For the purposes of this Order —

“any relevant scale” means any scale regulating the remuneration of practitioners admitted to practice under the *Legal Practitioners Act 1893* in or for the purposes of proceedings before the Court.

(2) Except when otherwise ordered, solicitors are, subject to these Rules, entitled to charge and be allowed the fees set forth in any relevant scale in respect of the matters referred to in that scale and higher fees shall not be allowed in any case, except such as are by this Order otherwise provided for.

(3) Subject to the provisions of the *Legal Practitioners Act 1893*, permitting a solicitor to make a written agreement as to costs with his client, and to the provisions of these Rules, the fees allowed under any relevant scale shall apply both as between party and party, and solicitor and client; but where additional costs (including expenses and counsel fees) have been incurred which in the opinion of the Taxing Officer are not properly recoverable against the party liable under the judgment or order to pay costs, but have nevertheless been properly incurred, or where costs have been incurred at the special request of the client, or in contesting and reducing a claim, those costs shall be recoverable from the client; and the Taxing Officer is hereby authorized to fix such sum as he thinks reasonable to cover the additional costs.

(4) Subject to the provisions of this Order, and to any order made by the Court and the terms of any relevant scale, the fees prescribed by any relevant scale cover all work done, whether by the solicitor or by counsel.

(5) An allowance to a witness for his attendance at a trial or hearing shall be calculated in accordance with the scale of witness fees in force at the time of the trial or hearing. ”;

- (b) in Rule 12 by repealing subrule (1) and substituting the following subrule —

“ (1) Where the Court is of opinion that a Special Order as to costs should be made by reason of the unusual complexity or importance of the case or for any other good or sufficient reason the Court may order that any particular allowances in any relevant scale be raised or a limit removed and in giving any such direction the Court may fix a limit within which the Taxing Officer may allow such costs. ”;

- (c) in Rule 13 by deleting “the scale in the Fourth Schedule” and substituting the following —

“ any relevant scale ”;

- (d) by repealing Rule 16;

- (e) in Rule 18 (1) and Rule 19 by deleting “the scale in the Fourth Schedule” and substituting in each place the following —

“ any relevant scale ”;

- (f) in Rule 21 —

(i) by deleting “Items 13, 14 (a) and 14 (f) in the scale in the Fourth Schedule apply only where there is a substantial trial.”; and

(ii) by deleting “of such items” and substituting the following —

“ relevant scale ”;

- (g) in Rule 23 by deleting “the scale in the Fourth Schedule” and substituting the following —

“ any relevant scale ”; and

- (h) in Rule 54 by inserting after subrule (4) the following subrule —

“ (5) If a party fails to appear on the taxation the Taxing Officer may, upon an application in that behalf made in writing within 7 days, set aside or vary his certificate of taxation on such terms as he thinks just. ”.

Order 77 amended

11. Order 77 of the principal rules is amended in Rule 4 (2) (b) —

- (a) by deleting “30” and substituting the following —

“ 42 ”; and

- (b) by deleting “Commissioner” and substituting the following —

“ Court ”.

Second Schedule amended

12. The Second Schedule to the principal rules is amended by inserting after Form No. 5 the following forms —

No. 5A

0.11A, R.1.

REQUEST**FOR SERVICE ABROAD OF JUDICIAL OR
EXTRAJUDICIAL DOCUMENTS**

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, 15 November 1965.

Identity and address of the
Applicant

Address of receiving authority

The undersigned applicant has the honour to transmit — in duplicate — the documents listed below and, in conformity with article 5 of the abovementioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,

(identity and address)

- (a) in accordance with the provisions of subparagraph (a) of the first paragraph of article 5 of the Convention*.
- (b) in accordance with the following particular method (subparagraph (b) of the first paragraph of article 5)*:
.....
- (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*.

The authority is requested to return or to have returned to the applicant a copy of the documents — and of the annexes* — with a certificate as provided on the reverse side.

List of documents

.....
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.....
.....
.....
.....

Done at, the

Signature and/or stamp.

*Delete if inappropriate.

No. 5B

DEMANDE

AUX FINS DE SIGNIFICATION OU DE NOTIFICATION A L'ÉTRANGER
D'UN ACTE JUDICIAIRE OU EXTRAJUDICIAIRE

Convention relative à la signification et à la notification à l'étranger des actes
judiciaires ou extrajudiciaires en matière civile ou commerciale,
signée à La Haye, le 15 Novembre 1965.

Identité et adresse du requérant

Adresse de l'autorité destinataire

Le requérant soussigné a l'honneur de faire parvenir—en double exemplaire—
à l'autorité destinataire les documents ci-dessous énumérés, en la priant,
conformément à l'article 5 de la Convention précitée, d'en faire remettre sans
retard un exemplaire au destinataire, à savoir:

(identité et adresse)

a) selon les formes légales (article 5, alinéa premier, lettre a)*.

b) selon la forme particulière suivante (article 5, alinéa premier, lettre a)*: ...

c) le cas échéant, par remise simple (article 5, alinéa 2)*.

Cette autorité est priée de renvoyer ou de faire renvoyer au requérant un
exemplaire de l'acte—et de ses annexes “—avec l'attestation figurant au verso.

Énumération des pièces

.....
.....
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.....
.....

Fait à, le

Signature et/ou cachet

*Rayer les mentions inutiles.

No. 5C

O.11B., R.4 (3).

REQUEST

FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL
DOCUMENTS

Convention on the service abroad of judicial and extrajudicial documents
in civil or commercial matters, signed at The Hague, 15 November 1965.

Identity and address of
the applicant

Address of receiving
authority

1. The undersigned applicant has the honour to transmit — in duplicate — the documents listed below and, in conformity with article 5 of the abovementioned Convention, requests prompt service of one copy thereof on the addressee, i.e.,
(identity and address)
.....
 (a) In accordance with the provisions of subparagraph (a) of the first paragraph of article 5 of the Convention*.
 (b) In accordance with the following particular method (subparagraph (b) of the first paragraph of article 5)*:

 (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)*.
2. The authority is requested to return or to have returned to the applicant a copy of the documents — and of the annexes* — with a certificate as provided on the reverse side.
3. The authority is requested to attempt*/not to attempt* service where the period for entering an appearance has expired.
4. Where the addressee cannot be traced from the address set out in clause 1, additional information regarding the correct address may be obtained from*.
5. Where a certificate referred to in clause 2 is completed by a person or body other than a Central Authority or judicial authority, the certificate is required*/not required* to be countersigned by the Central Authority or a judicial authority.

List of documents

.....

Done at, the

Signature and/or stamp.

* Delete if inappropriate.

No. 5D

O.11A., R.3 (1) (iv).
O.11B., R.4 (1) (d).

SUMMARY OF THE DOCUMENT TO BE SERVED

Convention on the service abroad of judicial and extrajudicial documents in
civil or commercial matters, signed at The Hague, on 15 November, 1965.

Name and address of the requesting authority:
.....
.....

Particulars of the parties*:
.....
.....

JUDICIAL DOCUMENT**

Nature and purpose of the document:
.....
.....

Nature and purpose of the proceedings and,
where appropriate, the amount in dispute:
.....
.....

Date and place for entering appearance**:
.....
.....

Court which has given judgment**:
.....

Date of judgment**:

Time limits stated in the document**:

EXTRAJUDICIAL DOCUMENT**

Nature and purpose of the document:
.....
.....

Time limits stated in the document**:
.....
.....

* If appropriate, identity and address of the person interested in the
transmission of the document.

** Delete if inappropriate.

No. 5E

O.11A, R.6 (a).

O.11B., R.6 (1).

Reverse of the request for service

CERTIFICATE

The undersigned authority has the honour to certify, in conformity with article 6 of the Convention,

(1) that the document has been served*

— the (date)

— at (place, street, number)

— In one of the following methods authorized by article 5 —

(a) in accordance with the provisions of subparagraph (a) of the first paragraph of article 5 of the Convention*.

(b) in accordance with the following particular method*:

.....

(c) by delivery to the addressee, who accepted it voluntarily*.

The documents referred to in the request have been delivered to:

— (Identity and description of person):

— Relationship to the addressee (family, business or other):

(2) that the document has not been served, by reason of the following facts*:

.....

.....

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement*.

Annex II

Documents returned:

.....

.....

In appropriate cases, documents establishing the service:

.....

.....

Done at, the.....

Signature and/or stamp.

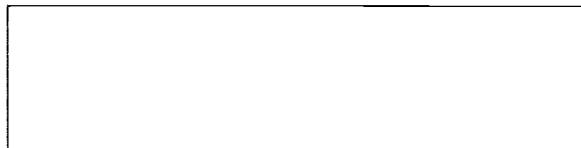
* Delete if inappropriate.

No. 5F

O.11B., R.4 (1) (e).

WARNING STATEMENT

identité et adresse du destinataire
identity and address of the addressee



TRÈS IMPORTANT

LE DOCUMENT CI-JOINT EST DE NATURE JURIDIQUE ET PEUT AFFECTER VOS DROITS ET OBLIGATIONS. LES ÉLÉMENTS ESSENTIELS DE L'ACTE VOUS DONNENT QUELQUES INFORMATIONS SUR SA NATURE ET SON OBJET. IL EST TOUTEFOIS INDISPENSABLE DE LIRE ATTENTIVEMENT LE TEXTE MÊME DU DOCUMENT. IL PEUT ÊTRE NÉCESSAIRE DE DEMANDER UN AVIS JURIDIQUE.

SI VOS RESSOURCES SONT INSUFFISANTES, RENSEIGNEZ-VOUS SUR LA POSSIBILITÉ D'OBTENIR L'ASSISTANCE JUDICIAIRE ET LA CONSULTATION JURIDIQUE SOIT DANS VOTRE PAYS SOIT DANS LE PAYS D'ORIGINE DU DOCUMENT.

LES DEMANDES DE RENSEIGNEMENTS SUR LES POSSIBILITÉS D'OBTENIR L'ASSISTANCE JUDICIAIRE OU LA CONSULTATION JURIDIQUE DANS LE PAYS D'ORIGINE DU DOCUMENT PEUVENT ÊTRE ADRESSÉES:.....

IMPORTANT

THE ENCLOSED DOCUMENT IS OF A LEGAL NATURE AND MAY AFFECT YOUR RIGHTS AND OBLIGATIONS. THE SUMMARY OF THE DOCUMENT TO BE SERVED WILL GIVE YOU SOME INFORMATION ABOUT ITS NATURE AND PURPOSE. YOU SHOULD HOWEVER READ THE DOCUMENT ITSELF CAREFULLY. IT MAY BE NECESSARY TO SEEK LEGAL ADVICE.

IF YOUR FINANCIAL RESOURCES ARE INSUFFICIENT YOU SHOULD SEEK INFORMATION ON THE POSSIBILITY OF OBTAINING LEGAL AID OR ADVICE EITHER IN THE COUNTRY WHERE YOU LIVE OR IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED.

ENQUIRIES ABOUT THE AVAILABILITY OF LEGAL AID OR ADVICE IN THE COUNTRY WHERE THE DOCUMENT WAS ISSUED MAY BE DIRECTED TO:.....

Il est recommandé que les mentions imprimées dans cette note soient rédigées en langue française et en langue anglaise et le cas échéant, en outre, dans la langue ou une des langues officielles de l'État d'origine de l'acte. Les blancs pourraient être remplis soit dans la langue de l'État où le document doit être adressé, soit en langue française, soit en langue anglaise.

It is recommended that the standard terms in the notice be written in English and French and where appropriate also in the official language, or in one of the official languages of the State in which the document originated. The blanks could be completed either in the language of the State to which the document is to be sent, or in English or French.

Dated the 4th day of November 1991.

DAVID K. MALCOLM.
G. A. KENNEDY.
W. P. PIDGEON.
B. ROWLAND.
E. M. FRANKLYN.
PAUL SEAMAN.
R. D. NICHOLSON.
TERENCE A. WALSH.
H. WALLWORK.
M. J. MURRAY.
R. ANDERSON.
N. J. OWEN.
K. WHITE.

CW401

COMMISSIONER FOR DECLARATIONS

Notice

It is hereby notified for public information that Jo-Anne Denise Oldfield (formerly Smith) of South Perth whose appointment as a Commissioner for Declarations was notified in the *Government Gazette* of 28 August 1987 on Page 3436 is to be known as Jo-Anne Denise Leeftang.

D. G. DOIG, Under Secretary for Law.

CW402

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 Office of Justice of the Peace for the State of Western Australia—

John Telford Grigson of 525 Peninsula Road, Bridgetown and 127 Hampton Street, Bridgetown.

Marian Eleanor Kirby of "Wongaburra", Beacon.

D. G. DOIG, Under Secretary for Law.

CW403

DECLARATIONS AND ATTESTATIONS ACT 1913

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

Eddie Hoy Poy of Victoria Park.

D. G. DOIG, Under Secretary for Law.

CW404

ASSOCIATIONS INCORPORATION ACT 1987

Section 35 (2)

Albany Trades Hall Social and Leisure Club

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

Dated the 3rd day of February 1992.

J. METAXAS, Acting Commissioner for Corporate Affairs.

ENVIRONMENTAL PROTECTION

EP401

ENVIRONMENTAL PROTECTION ACT 1986

Review of the Environmental Protection Policy for the Control of Sulphur Dioxide in the Air Environment of the Kalgoorlie-Boulder Residential Areas December 1987.

I, Robert John Pearce, being the Minister for the Crown for the time being administering the Environmental Protection Act 1986, acting pursuant to the powers conferred by section 36(1) of that Act, hereby direct the Environmental Protection Authority that the Draft Environmental Protection (Goldfields Residential Areas) (Sulphur Dioxide) Policy and Draft Environmental Protection (Goldfields Residential Areas) (Sulphur Dioxide) Regulations which have been prepared in review of the Environmental Protection Policy for the Control of Sulphur Dioxide in the Air Environment of the Kalgoorlie-Boulder Residential Areas December 1987 shall be available for public comment by 2 March 1992. This date is an extension of one month beyond 1 February 1992 as per my direction by notice of 1 November 1991.

R. J. PEARCE, Minister for the Environment.

FISHERIES

FI301

FISHERIES ACT 1905
KIMBERLEY PRAWN FISHERY AMENDMENT NOTICE 1992
Notice No. 531

FD 496/84.

Made by the Minister under section 9 and 11 of the Act.

Citation

1. This notice may be cited as the *Kimberley Prawn Fishery Amendment Notice 1992*.

Principal Notice

2. In this notice the *Kimberley Prawn Fishery Notice No. 475* is referred to as the principal notice.

Schedule 2 repealed and substituted

3. Schedule 2 to the principal notice is repealed and the following schedule substituted—

“

York Sound

1. All Western Australian waters landward of a line drawn from Cape Pond in York Sound southwest to Ena Island; thence to the southern extremity of Desfontaines Island; thence to the southern extremity of Forbin Island; thence to the southern extremity of Commerson Island; thence south to the high water mark on the northern extremity of High Bluff on the mainland.

Collier Bay

2. All Western Australian waters off the Kimberley coast east of 124°00' east longitude and south of 15°50' south latitude.

Admiralty Gulf

3. All Western Australian waters of Admiralty Gulf on the landward side of a line drawn from a point on the mainland at the intersection of 14°19'32" south latitude and 126°04'30" east longitude drawn due west through Middle Osborne Island to the northern extremity of South West Osborne Island; thence south west to the northern extremity of Crystal Head; thence to the northern extremity of Pickering Point; thence north westerly to a point on the mainland at the intersection of 14°19'30" south latitude and 125°43'30" east longitude. ”.

[Published in the Gazette of 22 February 1991. For amendments to 28 January 1992 see Notice No. 492 published in the Gazette of 19 April 1991.]

Dated this 31st day of January 1992.

GORDON HILL, Minister for Fisheries.

HEALTH

HE301

HEALTH ACT 1911
HEALTH (MEAT INSPECTION AND BRANDING) AMENDMENT
REGULATIONS 1992

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Health (Meat Inspection and Branding) Amendment Regulations 1992*.

- (c) a taxi sign, that is to say, a sign located on the exterior of a vehicle which is a taxi-car within the meaning of the *Taxi-car Control Act 1985*;

"sheet" means unit of area measuring 30" by 40";

"the Company" means Claude Neon Pty Ltd;

"the Director" means the Director, Health Promotion Services Branch, Health Department of Western Australia.

Exemption

3. Subject to the conditions set out in clause 4, the Company and its agents and servants are exempted from the operation of sections 5 and 8 of the *Tobacco Control Act 1990* in respect of the display of outdoor tobacco advertisements by the Company during the period commencing on 8 February 1992 and ending on 30 June 1994.

Conditions

4. (1) The conditions subject to which the exemption referred to in clause 2 is granted are that —

- (a) 23% of the total number of the category A signs displayed by the Company shall cease to be displayed on or before 30 June 1992, another 23% of that total number shall cease to be displayed on or before 30 June 1993 and the remaining 54% of that total number shall cease to be displayed on or before 30 June 1994;
- (b) 44.4% of the total number of the category B signs displayed by the Company (representing not less than 44.4% of the total annual rental value of those category B signs) shall cease to be displayed on or before 30 June 1992, another 33.3% of that total number (representing not less than 33.3% of the total annual rental value of those Category B signs) shall cease to be displayed on or before 30 June 1993 and the remaining 22.3% of that total number shall cease to be displayed on or before 30 June 1994;
- (c) 50% of the total number of category C signs displayed by the Company (representing not less than 50% of the total annual rental value of those category C signs) shall cease to be displayed on or before 30 June 1992, another 42% of that total number shall cease to be displayed on or before 30 June 1993 and the remaining 8% of that total number shall cease to be displayed on or before 30 June 1994; and
- (d) the Company shall, not later than —
 - (i) 7 days after the day on which this notice is published in the *Gazette*, serve on the Director a list, verified by statutory declaration, of all outdoor tobacco advertisements to which this notice relates; and
 - (ii) 56 days before the date on or before which any outdoor tobacco advertisements are required by paragraph (a), (b) or (c) to cease to be displayed, serve on the Director a list, verified by statutory declaration, of all those outdoor tobacco advertisements.

(2) For the purposes of subclause (1) —

- (a) all outdoor tobacco advertisements that were displayed by the Company on 24 August 1989 and are still so displayed on 8 February 1992 shall cease to be displayed on or before 30 June 1992; and
- (b) any outdoor tobacco advertisement that was displayed by the Company on 24 August 1989 but ceased to be so displayed before

8 February 1992 may, if the Company so elects by notice in writing served on the Director before —

- (i) 30 June 1992, be regarded as having ceased to be displayed on 30 June 1992;
- (ii) 30 June 1993, be regarded as having ceased to be displayed on 30 June 1993; or
- (iii) 30 June 1994, be regarded as having ceased to be displayed on 30 June 1994,

when the percentage of the total number, or the total annual rental value, of the signs of the category to which that outdoor tobacco advertisement belongs is being calculated.

KEITH WILSON, Minister for Health.

HE303

TOBACCO CONTROL ACT 1990

TOBACCO CONTROL (EXEMPTION) NOTICE (NO. 6) 1992

Made by the Minister for Health under section 14.

Citation

1. This notice may be cited as the *Tobacco Control (Exemption) Notice (No. 6) 1992*.

Interpretation

2. In this notice —

“category A sign” means outdoor tobacco advertisement which is —

- (a) a 24 sheet illuminated sign;
- (b) a spectacular, that is to say, a sign of 24 sheet area or more other than a super site referred to in paragraph (c);
- (c) a super site, that is to say, a 48 sheet sign; or
- (d) any other sign which requires special technology, that is to say, a neon, electronic or mechanical sign;

“category B sign” means outdoor tobacco advertisement which is a 24 sheet sign or a 6 sheet illuminated sign;

“category C sign” means outdoor tobacco advertisement which is —

- (a) a sign of 6 sheet area or less;
- (b) a shopping centre sign, that is to say, a sign of 4 sheet area or less located within or adjacent to a shopping centre; or

- (c) a taxi sign, that is to say, a sign located on the exterior of a vehicle which is a taxi-car within the meaning of the *Taxi-car Control Act 1985*;

“sheet” means unit of area measuring 30" by 40";

“the Company” means Australian Posters 3M Pty Ltd;

“the Director” means the Director, Health Promotion Services Branch, Health Department of Western Australia.

Exemption

3. Subject to the conditions set out in clause 4, the Company and its agents and servants are exempted from the operation of sections 5 and 8 of the *Tobacco Control Act 1990* in respect of the display of outdoor tobacco advertisements by the Company during the period commencing on 8 February 1992 and ending on 30 June 1994.

Conditions

4. (1) The conditions subject to which the exemption referred to in clause 2 is granted are that —

- (a) 20% of the total number of the category A signs displayed by the Company (representing not less than 20% of the total annual rental value of those category A signs) shall cease to be displayed on or before 30 June 1992, another 20% of that total number (representing not less than 20% of the total annual rental value of those category A signs) shall cease to be displayed on or before 30 June 1993 and the remaining 60% of that total number shall cease to be displayed on or before 30 June 1994;
- (b) 50% of the total number of the category B signs displayed by the Company (representing not less than 50% of the total annual rental value of those category B signs) shall cease to be displayed on or before 30 June 1992, another 25% of that total number shall cease to be displayed on or before 30 June 1993 and the remaining 25% of that total number shall cease to be displayed on or before 30 June 1994;
- (c) 50% of the total number of the category C signs displayed by the Company (representing not less than 50% of the total annual rental value of those category C signs) shall cease to be displayed on or before 30 June 1992, another 25% of that total number shall cease to be displayed on or before 30 June 1993 and the remaining 25% of that total number shall cease to be displayed on or before 30 June 1994; and
- (d) the Company shall, not later than —
 - (i) 7 days after the day on which this notice is published in the *Gazette*, serve on the Director a list, verified by statutory declaration, of all outdoor tobacco advertisements to which this notice relates; and
 - (ii) 56 days before the date on or before which any outdoor tobacco advertisements are required by paragraph (a), (b) or (c) to cease to be displayed, serve on the Director a list, verified by statutory declaration, of all those outdoor tobacco advertisements.

(2) For the purposes of subclause (1) —

- (a) all outdoor tobacco advertisements that were displayed by the Company on 24 August 1989 and are still so displayed on 8 February 1992 shall cease to be displayed on or before 30 June 1992; and

- (b) any outdoor tobacco advertisement that was displayed by the Company on 24 August 1989 but ceased to be so displayed before 8 February 1992 may, if the Company so elects by notice in writing served on the Director before —
- (i) 30 June 1992, be regarded as having ceased to be displayed on 30 June 1992;
 - (ii) 30 June 1993, be regarded as having ceased to be displayed on 30 June 1993; or
 - (iii) 30 June 1994, be regarded as having ceased to be displayed on 30 June 1994,

when the percentage of the total number, or the total annual rental value, of the signs of the category to which that outdoor tobacco advertisement belongs is being calculated.

KEITH WILSON, Minister for Health.

HE304

TOBACCO CONTROL ACT 1990

TOBACCO CONTROL (EXEMPTION) NOTICE (NO. 5) 1992

Made by the Minister for Health under section 14.

Citation

1. This notice may be cited as the *Tobacco Control (Exemption) Notice (No. 5) 1992*.

Interpretation

2. In this notice —

“category A sign” means outdoor tobacco advertisement which is —

- (a) a 24 sheet illuminated sign;
- (b) a spectacular, that is to say, a sign of 24 sheet area or more other than a super site referred to in paragraph (c);
- (c) a super site, that is to say, a 48 sheet sign; or
- (d) any other sign which requires special technology, that is to say, a neon, electronic or mechanical sign;

“category B sign” means outdoor tobacco advertisement which is a 24 sheet sign or a 6 sheet illuminated sign;

“category C sign” means outdoor tobacco advertisement which is —

- (a) a sign of 6 sheet area or less;

- (b) a shopping centre sign, that is to say, a sign of 4 sheet area or less located within or adjacent to a shopping centre; or
- (c) a taxi sign, that is to say, a sign located on the exterior of a vehicle which is a taxi-car within the meaning of the *Taxi-car Control Act 1985*;

“sheet” means unit of area measuring 30" by 40";

“the Company” means Nettlefold Advertising Pty Ltd of 245, City Road, South Melbourne, Victoria;

“the Director” means the Director, Health Promotion Services Branch, Health Department of Western Australia.

Exemption

3. Subject to the conditions set out in clause 4, the Company and its agents and servants are exempted from the operation of sections 5 and 8 of the *Tobacco Control Act 1990* in respect of the display of outdoor tobacco advertisements by the Company during the period commencing on 8 February 1992 and ending on 30 June 1994.

Conditions

4. (1) The conditions subject to which the exemption referred to in clause 2 is granted are that —

- (a) 20% of the total number of the category A signs displayed by the Company (representing not less than 20% of the total annual rental value of those category A signs) shall cease to be displayed on or before 30 June 1992, another 20% of that total number (representing not less than 20% of the total annual rental value of those category A signs) shall cease to be displayed on or before 30 June 1993 and the remaining 60% of that total number shall cease to be displayed on or before 30 June 1994;
- (b) 50% of the total number of the category B signs displayed by the Company (representing not less than 50% of the total annual rental value of those category B signs) shall cease to be displayed on or before 30 June 1992, another 25% of that total number shall cease to be displayed on or before 30 June 1993 and the remaining 25% of that total number shall cease to be displayed on or before 30 June 1994;
- (c) 50% of the total number of the category C signs displayed by the Company (representing not less than 50% of the total annual rental value of those category C signs) shall cease to be displayed on or before 30 June 1992, another 25% of that total number shall cease to be displayed on or before 30 June 1993 and the remaining 25% of that total number shall cease to be displayed on or before 30 June 1994; and
- (d) the Company shall, not later than —
 - (i) 7 days after the day on which this notice is published in the *Gazette*, serve on the Director a list, verified by statutory declaration, of all outdoor tobacco advertisements to which this notice relates; and
 - (ii) 56 days before the date on or before which any outdoor tobacco advertisements are required by paragraph (a), (b) or (c) to cease to be displayed, serve on the Director a list, verified by statutory declaration, of all those outdoor tobacco advertisements.

(2) For the purposes of subclause (1) —

- (a) all outdoor tobacco advertisements that were displayed by the Company on 24 August 1989 and are still so displayed on 8 February 1992 shall cease to be displayed on or before 30 June 1992; and
- (b) any outdoor tobacco advertisement that was displayed by the Company on 24 August 1989 but ceased to be so displayed before 8 February 1992 may, if the Company so elects by notice in writing served on the Director, before —
 - (i) 30 June 1992, be regarded as having ceased to be displayed on 30 June 1992;
 - (ii) 30 June 1993, be regarded as having ceased to be displayed on 30 June 1993; or
 - (iii) 30 June 1994, be regarded as having ceased to be displayed on 30 June 1994,

when the percentage of the total number, or the total annual rental value, of the signs of the category to which that outdoor tobacco advertisement belongs is being calculated.

KEITH WILSON, Minister for Health.

HE305

TOBACCO CONTROL ACT 1990

TOBACCO CONTROL (EXEMPTION) NOTICE (NO. 4) 1992

Made by the Minister for Health under section 14.

Citation

1. This notice may be cited as the *Tobacco Control (Exemption) Notice (No. 4) 1992*.

Exemption

2. Subject to the conditions set out in clause 3, Western Liquor Guide Pty Ltd and its agents and servants are exempted from the operation of sections 5 and 8 of the *Tobacco Control Act 1990* in respect of tobacco advertisements contained in the publication known as the Western Liquor Guide during the period commencing on 8 February 1992 and ending on 30 June 1994.

Conditions

3. The conditions subject to which the exemption referred to in clause 2 is granted are that —

- (a) each tobacco advertisement referred to in that clause shall be accompanied by one of the health warnings set out in the definition of "health warning" in regulation 3 of the *Tobacco Control (General) Regulations 1990*, together with the statement "Health Authority Warning";
- (b) the health warning and statement referred to in paragraph (a) shall —
 - (i) occupy not less than 25% of the area devoted to the display of; and
 - (ii) be placed immediately adjacent to, the tobacco advertisement which they accompany; and
- (c) the letters of the health warning referred to in paragraph (a) shall —
 - (i) appear in black Helvetica Medium Bold capitals on a white background; and
 - (ii) together with the letters of the statement referred to in that paragraph, occupy an area not less than 80% of the area to be occupied by that health warning and statement in accordance with paragraph (b).

KEITH WILSON, Minister for Health.

HE306

TOBACCO CONTROL ACT 1990**TOBACCO CONTROL (EXEMPTION) NOTICE (NO. 3) 1992**

Made by the Minister for Health under section 14.

Citation

1. This notice may be cited as the *Tobacco Control (Exemption) Notice (No. 3) 1992*.

Exemption

2. (1) George L Wall and Company and the agents and servants of that firm are exempted from the operation of sections 5 and 8 of the *Tobacco Control Act 1990* in respect of —

- (a) the central tobacco advertisement during the period commencing on 8 February 1992 and ending on 30 June 1992; and
- (b) the Hay Street tobacco advertisement and the Murray Street tobacco advertisement during the period commencing on 8 February 1992 and ending on 30 June 1994.

(2) In subclause (1) —

“the **central tobacco advertisement**” means the Winfield tobacco advertisement situated above, and at right angles to, the central portion of the pedestrian walkway of the Plaza Arcade, Perth;

“the **Hay Street tobacco advertisement**” means the Winfield tobacco advertisement situated above, and at right angles to, the Hay Street end of the pedestrian walkway of the Plaza Arcade, Perth;

“the **Murray Street tobacco advertisement**” means the Winfield tobacco advertisement situated above, and at right angles to, the Murray Street end of the pedestrian walkway of the Plaza Arcade, Perth.

KEITH WILSON, Minister for Health.

HE307

TOBACCO CONTROL ACT 1990

TOBACCO CONTROL (EXEMPTION) NOTICE (NO. 2) 1992

Made by the Minister for Health under section 14 after consultation with the Minister for Sport and Recreation.

Citation

1. This notice may be cited as the *Tobacco Control (Exemption) Notice (No. 2) 1992*.

Exemption

2. Subject to the conditions set out in clause 3, the body known as the Confederation of Australian Motor Sport and its agents and servants are exempted from the operation of sections 5 and 8 of the *Tobacco Control Act 1990* in respect of the Australian Touring Car Championship (“the Championship”) to be held during the period commencing on 3 June 1992 and ending on 7 June 1992.

Conditions

3. (1) The conditions subject to which the exemption referred to in clause 2 is granted are that —

(a) tobacco advertisements shall be displayed only —

(i) on the uniforms and other clothing of drivers and support personnel participating in the Championship;

(ii) on vehicles and support vehicles participating in the Championship; or

- (iii) when incidentally or accidentally present on the uniforms or other clothing of drivers or support personnel, or on vehicles, featured in photographs used to publicize the Championship;

and

- (b) any trademark or brand name of a tobacco product shall be accompanied by the health warning —

- (i) “SMOKING CAUSES LUNG CANCER”; or

- (ii) “SMOKING CAUSES HEART DISEASE”,

together with the statement “Health Authority Warning”.

- (2) The health warning and statement referred to in subclause (1) (b) shall —

- (a) occupy an area exclusively devoted to their display and not less than 25% of the area devoted to the display of; and

- (b) be placed immediately adjacent to,

the trademark or brand name referred to in that subclause.

KEITH WILSON, Minister for Health.

HE401

HEALTH ACT 1911

Health Department of WA,
Perth 28 January 1992.

8444/90

The Cancellation of the appointment of Mr Rodney Wood as a Health Surveyor to the Shire of Manjimup effective from 13 December 1991 is hereby notified.

The appointment of Mr Denis Doak as a Health Surveyor to the Shire of Manjimup effective from 6 January 1992 is approved.

BRIAN DEVINE, delegate of Executive Director,
Public Health.

HE402

HEALTH ACT 1911

Health Department of WA,
Perth 28 January 1992.

8789/89

The appointment of Mr Jonathon Paul Gibbons as a Health Surveyor to the Eastern Districts Regional Health Scheme effective from 6 January 1992 is approved.

BRIAN DEVINE, delegate of Executive Director,
Public Health.

LAND ADMINISTRATION

LA101

CORRIGENDUM

NATIONAL PARK AND LAND EXCHANGE ASSOCIATED WITH THE CREATION OF THE NATIONAL PARK

In the notice appearing under the above heading on page 387 of *Gazette* No. 11 dated the 24th January 1992 an error occurred and is corrected as follows.

On page 388 in the schedule after the item pertaining to the Shire of Dandaragan insert the following.

No. on Plan L.A., W.A. No. 859	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Crown	Crown	That portion of Reserve 15018 in Victoria District now Contained in DOLA Plan 16473	
	Crown	Shire of Dandaragan as Vestee	Reserve 968 in Victoria District now contained in DOLA Plan 16473	
	Crown	Crown	Vacant Crown land contained in DOLA Plan 16473	
860	Crown	Noel Richmond Grigson and Alan John Grigson	That portion of Victoria Location 11830 being part of the land contained in Pastoral Lease 3114/825, (Crown Lease 334/1966) now contained in DOLA Plan 17834	275.8728 ha contained in DOLA Plan 17834
	Crown	Vacant	That portion of Stock Route Reserve Road No. 301 now contained in DOLA Plan 17834	
	Crown	Crown	Victoria Location 11711 held as Reserve 485 now contained in DOLA Plan 17834	
861	Crown	Noel Richmond Grigson and Alan John Grigson	That portion of Victoria Location 11830 being part of the land contained in Pastoral Lease 3114/825, (Crown Lease 334/1966) now contained in DOLA Plan 17833	540.7544 ha contained in DOLA Plan 17833
	Crown	Vacant	That portion of Road No. 8926 now contained in DOLA Plan 17833	
	Crown	Vacant	That portion of Stock Route Reserve Road No. 301 now contained in DOLA Plan 17833	
862	Crown	Noel Richmond Grigson and Alan John Grigson	Victoria Location 11829 being part of the land contained in Pastoral Lease 3114/825 (Crown Lease 334/1966) now contained in DOLA Plan 17835	90.3871 ha
863	Crown	Crown	Victoria Location 9562 held as Reserve 21576	4.4515 ha
	Crown	Noel Richmond Grigson and Alan John Grigson	Victoria Location 11828 being part of the land contained in Pastoral Lease 3114/825 (Crown Lease 334/1966)	231.9900 ha

Certified correct this 16th day of January 1992.

Dated this 21st day of January 1992.

R. PEARCE, Acting Minister for Lands.

FRANCIS BURT, Governor in Executive Council.

LA201

LAND ACT 1933
ORDER IN COUNCIL
(Vesting of Reserve)

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

DOLA File: 1132/884 V2.

Reserve No. 715 (De Witt Locations 94 and 107) vested in the Nor-West Jockey Club for the designated purpose of "Racecourse and Recreation".

(Local Authority—Shire of Roebourne).

L. M. AULD, Clerk of the Council.

LA202

LAND ACT 1933
ORDER IN COUNCIL
(Vesting of Reserve)

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

DOLA File: 1132/884 V2.

Reserve No. 715 (De Witt Locations 94 and 107) vested in the Nor-West Jockey Club for the designated purpose of "Racecourse and Recreation".

(Local Authority—Shire of Roebourne).

L. M. AULD, Clerk of the Council.

LA203

LAND ACT 1933
ORDER IN COUNCIL
(Revocation of Vesting)

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

DOLA File: 1132/884.

Order in Council gazetted on 28 October, 1977 vesting Reserve No. 715 in the Shire of Roebourne for the designated purpose of "Racecourse and Recreation".

L. M. AULD, Clerk of the Council.

LA401

LOCAL GOVERNMENT ACT 1960
DECLARATION OF CLOSURE OF STREETS

Made by the Minister for Lands under Section 288A.

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

Schedule

Shire of Leonora

DOLA File: 2747/1986; Document No. E793437; Closure No. L148.

All that portion of Trump Street shown coloured blue on page 7 of Road Closure and Disposal Document E793437.

Public Plan: Leonora T/S, 18.04 (2) CF43.

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

LA701

**LAND ACT 1933
RESERVATION NOTICES**

Made by His Excellency the Governor under section 29.

The Crown Lands described below have been set apart as public reserves:

DOLA File: 509/992.

Reserve No. 42038 comprising Katanning Lot 1023 with an area of 2513 square metres on Land Administration Diagram 90428 for the designated purpose of "Use and Requirements of the Minister for Works".

Public Plan: Katanning 2 000 BJ.29/33.32 Daping Street.

Local Authority—Shire of Katanning.

DOLA File: 547/992.

Reserve No. 42043 comprising Fremantle Lot 2066 with an area of 1077 square metres on Land Administration Diagram 90424 for the designated purpose of "Use and Requirements of the Minister for Works".

Public Plans: Perth BG34 (2) Pts. 6.13 and 5.13 Marine Terrace.

Local Authority—City of Fremantle.

D. MULCAHY, Acting Chief Executive Officer.

LA801

**LAND ACT 1933
AMENDMENT OF RESERVES**

Made by His Excellency the Governor under section 37.

The following Reserves have been amended.

DOLA File: 13904/905 V3.

Reserve No. 10422 (Katanning Lots 559 and 920) to exclude that portion now comprised in Lot 1023 on Land Administration Diagram 90428 and of its area being reduced by 2 513 square metres accordingly.

Public Plan: Katanning 2 000 BJ 29/33.32 Daping Street.

Local Authority—Shire of Katanning.

DOLA File: 913/897.

Reserve No. 4472 (Fremantle Townsite) "Public Buildings" to comprise Lot 2067 as shown bordered red on Land Administration Diagram 90424 in lieu of Lot 1383 and of its area being reduced to 942 square metres accordingly.

Public Plan: Perth BG34 (2) Pts 6.13 and 5.13 Marine Terrace.

Local Authority—City of Fremantle.

D. MULCAHY, Acting Chief Executive Officer.

LB701

File No. 761/1975.

Ex. Co. No. 0233.

**LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902
LAND RESUMPTION**

Road Widening and Road Deviation—McGuigan Road—Road No. 15706—Shire of Broome

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Broome passed at a meeting of the Council held on or about November 2, 1989 the several pieces or parcels of land described in the Schedule hereto, being all in the Dampier District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 4th day of February 1992, been set apart, taken or resumed for the purpose of the following public work, namely: Road Widening and Road Deviation—McGuigan Road—Road No. 15706—Shire of Broome.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Plans 17750 and 17752 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality

only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Boonaroo Pty. Ltd.	Portion of Dampier Location 259 being part of the land contained in Pastoral Lease 3114/810 (Crown Lease 243/1972).	14.0507 ha
Crown	Crown Water Authority of W.A. as vestee	Portion of Dampier Location 236 being part of the land held as Reserve 25716. (Coloured Mid Brown on Plans 17750 and 17752)	1.885 ha

Certified correct this 29th day of January 1992.

GORDON HILL, Acting Minister for Lands.

Dated this 4th day of February 1992.

FRANCIS BURT, Governor in Executive Council.

File No. 3057/989.
Ex. Co. No. 0235.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902

LAND RESUMPTION

Road Widenings—South Western Highway—Road Nos 51 and 8636—Shire of Bridgetown-Greenbushes

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Bridgetown-Greenbushes passed at a meeting of the Council held on or about March 20th and 23rd 1989 the several pieces or parcels of land described in the Schedule hereto, being all in the Nelson District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 4th day of February 1992, been set apart, taken or resumed for the purpose of the following public work, namely: Road Widenings—South Western Highway—Road No's 51 and 8636—Shire of Bridgetown-Greenbushes.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken or resumed are marked off and more particularly described on Department of Land Administration Office of Titles Plans 17514 and 17515 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Crown	Portion of State Forest No. 37	2 190 m ²
Crown	Shire of Manjimup as vestee	Portion of Nelson Location 13111 held as part of reserve 29688 (bordered green on Plans 17514 and 17515)	1.3816 ha

Certified correct this 29th day of January 1992.

GORDON HILL, Acting Minister for Lands.

Dated this 4th day of February 1992.

FRANCIS BURT, Governor in Executive Council.

File No. 407/1991.

Ex. Co. No. 0236.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902**LAND RESUMPTION****Road Widening—Burgoyne Road—Town of Albany**

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Town of Albany passed at a meeting of the Council held on or about July 24, 1990 the several pieces or parcels of land described in the Schedule hereto, being all in the Plantagenet District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 4th day of February 1992, been set apart, taken or resumed for the purpose of the following public work, namely: Road Widening—Burgoyne Road—Town of Albany.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 90211 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Reginald Pearson Walker and Barbara Maud Walker	R. P. Walker and B. M. Walker	Portion of Albany Town Lot 457 and being part of Lot 3 on Diagram 5850 being part of the land contained in Certificate of Title Volume 1034 Folio 467 coloured dark brown on DOLA Diagram 90211.	31 m ²

Certified correct this 29th day of January 1992.

GORDON HILL, Acting Minister for Lands.

Dated this 4th day of February 1992.

FRANCIS BURT, Governor in Executive Council.

File No. 1527/1989.

Ex. Co. No. 0237.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902**LAND RESUMPTION****Road and Road Widening—Hawkins Road—Road No. 1821—Shire of Wanneroo**

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the City of Wanneroo passed at a meeting of the Council held on or about March 28, 1990 the several pieces or parcels of land described in the Schedule hereto, being all in the Swan District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 4th day of February 1992, been set apart, taken or resumed for the purpose of the following public work, namely: Road and Road Widening—Hawkins Road—Road No. 1821—City of Wanneroo.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken or resumed are marked off and more particularly described on Department of Land Administration Diagram 90236 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Crown	Portion of State Forest No. 65 shown coloured Mid Brown on Diagram 90236.	7 152 m ²

Certified correct this 29th day of January 1992.

GORDON HILL, Acting Minister for Lands.

Dated this 4th day of February 1992.

FRANCIS BURT, Governor in Executive Council.

File No. 2299/1977.
Ex. Co. No. 0239.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widening—Hackett Drive—Road No. 16194—City of Perth

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the City of Perth passed at a meeting of the Council held on or about July 4, 1988 the several pieces or parcels of land described in the Schedule hereto, being all in the Swan District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 4th day of February 1992, been set apart, taken or resumed for the purpose of the following public work, namely: Road Widening—Hackett Drive—Road No. 16194—City of Perth.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 89686 which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	University of W.A.	Portion of Swan Location 2885 held as Part of Reserve 17331 (coloured Mid Brown on Diagram 89686).	46 m ²

Certified correct this 23rd day of January 1992.

GORDON HILL, Acting Minister for Lands.

Dated this 4th day of February 1992.

FRANCIS BURT, Governor in Executive Council.

Road Dedication

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

By Order of the Minister for Lands.

Dated this 7th day of February 1992.

A. SKINNER, Chief Executive Officer.

LB702

File No. 3221/64 V4.
Ex. Co. No. 0238.

PUBLIC WORKS ACT 1902; LAND ACT 1933
LAND RESUMPTION

Hamersley Range National Park

Notice is hereby given, and it is hereby declared, that the pieces or parcels of land described in the Schedule hereto, being all in the Windell District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 4th day of February 1992, been set apart, taken or resumed for the purpose of the following public work, namely—Hamersley Range National Park.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Plan L.A., W.A. 871, which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description. And it is hereby directed that the said lands shall vest in Her Majesty 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. 871	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Crown	Juna Station Pty Ltd	Windell Location 94 being part of the Land contained in Pas- toral Lease 3114/1191 (Crown Lease 223/84)	10 359 ha

Certified correct this 29th day of January 1992.

GORDON HILL, Acting Minister for Lands.
FRANCIS BURT, Governor in Executive Council.

LB801

File No. 3004/91.
Ex. Co. No. 0234.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902

LAND ACQUISITION

Drainage—Charles Street—Shire of Swan

Notice is hereby given, and it is hereby declared, that the several pieces or parcels 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 the 4th day of February 1992, been compulsorily taken and set apart for the purposes of the following public work, namely—Drainage—Charles Street—Shire of Swan.

And further notice is hereby given that the said pieces or parcels of land so taken and set apart are shown marked off on Plan L.A., W.A. 866, which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

And it is hereby directed that the said lands shall vest in 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. 866	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Benito Pisano and Nella Pisano	B. Pisano and N. Pisano	Portion of Swan Location 15 and being that part of Lot 133 on Plan 2112 now contained in Diagram 80523 being part of the land contained in Certifi- cate of Title Volume 1145 Folio 732.	115 m ²
	Edna Mary Burgess	E. M. Burgess	Portion of Swan Location 15 and being that part of Lot 4 on Strata Plan 21204 now con- tained in Diagram 80523 being part of the land contained in Certificate of Title Volume 1903 Folio 985.	247 m ²

Certified correct this 29th day of January 1992.

GORDON HILL, Acting Minister for Lands.

Dated this 4th day of February 1992.

FRANCIS BURT, Governor in Executive Council.

LOCAL GOVERNMENT

LG101

CORRIGENDUM**SHIRE OF DENMARK**

Notice of Intention to Borrow

Proposed Loan (No. 104) of \$500 000

The notice of intention to borrow as published on page 3626 of the *Government Gazette* dated 19 July 1991 which stated the loan was repayable over 15 years by 30 equal half yearly instalments of principal and interest, should have stated the loan was for a period of fifteen years with repayments to be negotiated every four years and paid half yearly for the term of the loan.

P. DURTANOVICH, Shire Clerk.

LG301

LOCAL GOVERNMENT ACT 1960**SHIRE OF BRUCE ROCK (WARD REPRESENTATION) ORDER No. 2, 1992**

Made by His Excellency the Governor under the provisions of sections 10 and 20 of the *Local Government Act 1960*.

Citation

1. This Order may be cited as the *Shire of Bruce Rock (Ward Representation) Order No. 2, 1992*.

Reduction in the number of offices of councillor for a ward

2. Immediately prior to 2 May 1992 the number of offices of councillor for the Central and Babakin Wards shall be reduced from 2 to 1.

Increase in the number of offices of councillor for a ward

3. On and from 2 May 1992 the number of offices of councillor for the Town Ward shall be increased from 3 to 5.

Elections to be held

4. Elections to fill the 2 additional offices of councillor for the Town Ward shall be held on 2 May 1992.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

LG302

LOCAL GOVERNMENT ACT 1960**SHIRE OF CUE (WARD REPRESENTATION) ORDER No. 2, 1992**

Made by His Excellency the Governor under the provisions of sections 10 and 20 of the *Local Government Act 1960*.

Citation

1. This Order may be cited as the *Shire of Cue (Ward Representation) Order No. 2, 1992*.

Reduction in the number of offices of councillor for a ward

2. Immediately prior to 2 May 1992 the number of offices of councillor for the Daydawn Ward shall be reduced from 3 to 2 councillors.

Sitting Councillors to go out of office

3. All Councillors holding office for the Daydawn Ward shall go out of office immediately before 2 May 1992.

Increase in the number of offices of councillor for a ward

4. On and from 2 May 1992 the number of offices of councillor for the Town Ward shall be increased from 4 to 5.

Election to be held

5. Elections to fill the offices of councillor for the Daydawn Ward and the additional office of councillor for the Town Ward shall be held on 2 May 1992.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

LG303

LOCAL GOVERNMENT ACT 1960

SHIRE OF DARDANUP (WARD REPRESENTATION) ORDER No. 2, 1992

Made by His Excellency the Governor under the provisions of sections 10 and 20 of the *Local Government Act 1960*.

Citation

1. This Order may be cited as the *Shire of Dardanup (Ward Representation) Order No. 2, 1992*.

Decrease in the number of councillors

2. On and from 2 May 1992 the number of offices of councillor for the Shire shall be decreased from 11 to 10.

Decrease in the number of offices of councillor for the East Ward

3. On and from 2 May 1992 the number of offices of councillor for the East Ward shall be decreased from 3 to 2.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

LG304

DOG ACT 1976

Municipality of the Shire of Mount Magnet

By-Laws Relating to Dogs

In pursuance of the powers conferred upon it by the Dog Act 1976 and of all other powers enabling it; the Council of the Shire of Mount Magnet, hereby records having resolved on 15th day of May, 1989, to repeal the by-laws for the Control of dogs as published in the *Government Gazette* on 7th November, 1972, and to make and submit for confirmation by the Governor the following by-laws.

Part I—Preliminary

1. In these by-laws the term "Council" means the Council of the Shire of Mount Magnet.

Part II—Impounding of Dogs

2. 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.

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

4. Where a dog has been seized or placed in a pound the keeper of the pound or other employees authorised by the Council shall if the dog is wearing a registration tag or owner or person usually in charge of the dog is known to them forthwith notify such person that the dog has been impounded.

5. The pound keeper 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.

6. Subject to by-law 7 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 the dog shall be released to such person.

7. Any person applying for the release of a dog seized or impounded shall prove to the satisfaction of the pound keeper or other employee authorised by the Council the ownership of the dog and provide authority to take delivery of it. The pound keeper or employee may accept such proof as considered satisfactory and no person shall have any right of action against that person or the Council in respect of the delivery of the dog is made in good faith.

8. If a dog shall not be claimed and the said fee paid within 72 hours of it being impounded or if a dog having a collar around its neck with a registration tag for the current year affixed thereto shall not be claimed and the said fees paid within 72 hours of the service of a notice upon the registered owner the pound keeper or other employee authorised by the Council may sell the dog or have it destroyed. Any costs incurred by the Council in seizing or disposing of the dog shall be recoverable by the Council from the owner in a court of competent jurisdiction.

9. Upon the sale of the 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.

10. 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.

11. 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 fees specified in the First Schedule hereto.

12. No person shall—

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

13. No person shall obstruct or hinder a person authorised by the Council or member of the Police Force in the performance of anything authorised by the provisions of the Dog Act 1976 or by the regulations made in pursuance of those provisions or by these by-laws.

14. The payment of fees in respect of the seizure care detention or destruction of a dog shall not relieve the owner of liability to a penalty under any of the provisions of these by-laws.

15. Any person who shall commit a breach of by-laws 2-14 (inclusive) shall upon conviction be liable to a penalty not exceeding one hundred dollars (\$100).

Part III—Keeping Dogs

16. The occupier of premises shall not unless the premises are licensed as an approved kennel establishment or have been granted exemption pursuant to section 26 (3) of the Act keep or permit to be kept on those premises more than two dogs over the age of three months and the young of those dogs under that age if the premises are situated within the townsite of Mount Magnet.

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

- (a) cause the premises or portion thereof on which the dog is kept to be fenced in a manner capable of confining the dog;
- (b) ensure that every gate or door in the fence has a proper latch or other means of fastening;
- (c) maintain the fence and all gates and doors in good order and condition.

18. (1) An application for a licence to keep an approved kennel establishment shall be in writing and shall be in or substantially in the form contained in the Second Schedule and shall be accompanied by evidence that due notice of the proposed use of the land has been given to persons in the locality.

(2) Unless the Council shall otherwise decide, an applicant for a licence shall give notice of the proposed use of the land by—

- (a) Publishing not less than one advertisement in a newspaper circulating in the district; and
- (b) Giving written notice to the owners and occupiers of all adjoining properties at least 30 days before the application is made to the Council.

19. The fee payable for the issue of a licence to keep an approved kennel establishment is that specified in the First Schedule.

20. A licence to keep an approved kennel establishment shall be in or substantially in the form contained in the Third Schedule.

21. The fee payable for the renewal of a licence to keep an approved kennel establishment is that specified in the First Schedule.

22. A person shall not erect an approved kennel establishment unless it complies with the provisions of these by-laws and until plans and specifications and a location plan showing the proposed site for the kennel and of the yard appurtenant thereto have been approved by the Council and the fee for the licence prescribed in the First Schedule has been paid.

23. The owner or occupier of premises which have been licenced as an approved kennel establishment shall provide a kennel or kennels which comply with the following specification—

- (a) Each kennel shall have a yard appurtenant thereto;
- (b) each kennel and each yard and every part thereto shall not be any less distance than 30 metres from the boundaries of the land in the occupation of the occupier;

- (c) each kennel and each yard and every part thereto shall not be any less distance than 30 metres from any road or street;
- (d) each kennel and each yard and every part thereto shall not be any less distance than 20 metres from any dwelling house, or factory;
- (e) the walls shall be rigid, impervious and structurally sound;
- (f) the roof shall be constructed of impervious material or other material approved by Council;
- (g) all untreated external surfaces of kennels shall be painted and kept painted with good quality paint;
- (h) the lowest internal height shall be at least two metres from the floor;
- (i) each yard shall be securely fenced and kept securely fenced with a fence not less than two metres in height constructed of galvanised iron, wood, galvanised link mesh or netting;
- (j) all gates shall be provided with proper catches or means of fastening;
- (k) the upper surfaces of the floor of each kennel shall be set at least 100mm above the surface of the surrounding kennel ground and shall be constructed of granolithic cement finished to a smooth surface and shall be drained in accordance with the health requirements of the Council;
- (l) the floor of a yard shall be constructed in the same manner as the floor of a kennel;
- (m) for each dog kept herein every kennel shall have not less than two square metres of floor space and every yard not less than 2.5 square metres;
- (n) each kennel shall be constructed so far as is practicable with materials which prevent or minimise emission of noise therefrom.

24. A person who keeps or permits dogs to be kept in an approved kennel establishment shall—

- (a) keep dogs in kennels and yards appropriate to the breed or kind in question, sited and maintained in accordance with the requirements of public health and sufficiently secured;
- (b) not permit any dog to escape from the kennel or yard in which it is kept or wander at large except for the purpose of reasonable exercise whilst under effective control; and
- (c) maintain all kennels and yards and all feeding and drinking vessels used by dogs therein in a clean condition and cleanse and disinfect them when required to do so by an authorised person.

25. A right of appeal to local court if conferred by section 27 of the Act where the Council refused the grant of a kennel establishment licence or gives notice of intention to cancel a licence in respect of an approved kennel establishment.

Part IV—General

26. Except for a dog used in guiding a blind person, the owner of a dog shall prevent that dog from entering or being in any of the following places—

- (a) A public building;
- (b) A theatre;
- (c) a house of worship;
- (d) a public swimming pool;
- (e) any shop premises not being a shop where dogs are sold or treated for illness.

27. Any person who shall commit a breach of by-law 26 shall upon conviction be liable to a penalty not exceeding one hundred dollars (\$100). And in the case of a continuing breach not exceeding \$10 for each day that the breach is committed.

28. For the purposes of section 31 and 32 of the Dog Act (as amended) the Council dog exercise areas shall be—

- (a) The area known as the Old Recreation Oval, being Reserve 3572 Naughton Street, Mount Magnet.
- (b) Portion of the area known as the Railway Recreation Centre, being that part of Reserve 38960 south of a line in prolongation with the northern boundary of Naughton Street, Mount Magnet.

First Schedule
FEES AND CHARGES

	\$
Seizure and return of a dog without impounding it	20
Seizure and impounding of dog	30
Maintenance of a dog in pound—per day or part of a day	5
Return of an impounded dog outside normal hours	20
Licence to keep an approved kennel establishment	30
Renewal of a licence to keep an approved kennel establishment	30
Destruction of a dog	30

Second Schedule
Shire of Mount Magnet

Pursuant to the Dog Act 1976, and the by-laws of the Shire of Mount Magnet made herewith.

I/We
of
hereby apply for a licence/the renewal of a licence (strike out whichever is not applicable) to keep an approved kennel establishment at Lot
Street Locality

Attached hereto are:

- (a) a plan of the premises showing the location of the kennels and yards and all other buildings, structures and fences;
- (b) plans and specifications of the kennels;
- (c) evidence of due notice of the proposed use of the premises given to persons in the locality;
- (d) a remittance for the fee of \$

The kennel establishment will be used for breeding/boarding domestic dogs (strike out whichever is not applicable).

The maximum number of dogs over the age of three months that will be kept there at any one time will be Where to be used for breeding the dogs will be and the maximum number of pups that will be kept on the premises at any one time will be

Signature of Applicant

Note: Items (a), (b) and (c) may be struck out if the application is for the renewal of a licence and if no change has been made since the previous application.

Third Schedule
Shire of Mount Magnet
LICENCE TO KEEP AN APPROVED KENNEL ESTABLISHMENT

.....
is/are the holders of a licence to keep an approved kennel establishment at

This licence has effect for a period of twelve months from the date hereof.

Dated this day of 19.....

Dated 16th day of October 1989.

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

J. C. DOWDEN, President.
G. J. McDONALD, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 10th day of December 1991.

L. M. AULD, Clerk of the Council.

LG305

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Mount Magnet

By-Laws Relating to the Management of the Mount Magnet Swimming Pool

In pursuance of the powers conferred upon it by the abovementioned Act and of the other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 15th day of May, 1989, to repeal by-laws for the control of the Mount Magnet Swimming Pool as published in the *Government Gazette* on 16th November, 1966, 25th January, 1972 and 5th March, 1976, and make and submit for confirmation by the Governor the following by-laws.

1. In these by-laws, unless the context otherwise requires the following terms, shall have the meaning set against them hereunder respectively.

"Council" means the Council of the Municipality of the Shire of Mount Magnet.

"Attendant" means an officer, or employee of the Council duly authorised to perform duties in connection with the pool premises.

"Pool Manager" means the person for the time being employed by the Council to control and to manage the pool premises and includes an assistant or deputy.

"Pool Premises" means and includes the swimming pool for the time being under the control and management of the Council and all buildings, structures, fittings, fixtures, machinery, chattels, furniture and equipment forming part of such swimming pool or used in connection therewith.

"Shire Clerk" means the Shire Clerk of the Shire of Mount Magnet.

"Adult" means any person over the age of 17 years who is not a full-time student.

"Child" means any person under the age of 17 years or attending a Senior High School.

2. (a) The pool shall be open for admission of the public during such hours and periods as the Council may from time to time by resolution determine.

(b) The pool premises, or any part thereof, may at any time at the discretion of the Pool Manager, subject to the written approval of the Shire Clerk endorsed by Council, be set aside for the use of certain persons to the exclusion of others.

3. The Council may refuse any person admission to the pool premises at any time and children under the age of five (5) years shall be refused admission unless accompanied by a responsible person over the age of seventeen (17) years.

4. Every person using the pool premises shall obey all reasonable directions of the Pool Manager or attendant with regard to such use.

5. The Pool Manager or attendant may temporarily suspend admission to, or remove from the pool premises, or any part thereof, all or any persons or person if, in his opinion, such action is necessary or desirable.

6. (a) Swimwear as approved by the Pool Manager shall be worn whilst persons are using the pool areas of the pool premises. The Pool Manager shall have the power to vary this by-law if in his opinion circumstances warrant.

(b) If a person shall appear in public and in the opinion of the Pool Manager or attendant, be indecently or insufficiently clad, the Pool Manager or attendant shall direct that person forthwith to resume his or her ordinary clothing and such person shall forthwith comply with that direction.

7. (a) It shall be the duty of the Pool Manager or attendant, who is hereby so empowered and directed, to refuse admission to or remove, or cause to be removed from the pool premises any person who, in the opinion of the Pool Manager or attendant:

(i) is a child under the age of five (5) years and is unaccompanied by a responsible person over the age of seventeen years; or

(ii) commits a breach of any of the provisions of these by-laws; or

(iii) is by his past, or present conduct within or about the pool premises undesirable; or

(iv) is under, or apparently under, the influence of alcohol or drugs; or

(v) is apparently suffering from any contagious infectious offensive disease or skin complaint.

(b) Any such person shall, upon the request of the Pool Manager or attendant withdraw from the pool premises, quietly and peaceably.

8. Any person who has been refused admission to the pool premises or has been requested to leave the pool premises and who feels aggrieved by the action of the Pool Manager or an attendant, may appeal to the Council, by letter addressed to the Shire Clerk, against such action. The Council shall consider the objection and give such direction in the matter as it thinks fit. The right of appeal given by this by-law shall not imply any right of action for damages or other remedy against the Council or Pool Manager or an attendant arising out of such refusal of admission or direction to leave the pool premises.

9. A person shall not for profit, teach, coach or train any persons in the pool premises, unless with the prior written consent of the Council subject to such conditions as it thinks fit.

10. (a) A person, club organiser or association shall not conduct controlled swimming or diving events, carnivals or competitions without the prior written approval of the Council.

(b) The Council may grant such approval subject to such conditions as it thinks fit and may, at any time, withdraw such consent.

(c) A person, club, association or organisation conducting any carnival at the pool premises shall be responsible for the conduct of the competitors and spectators during the carnival and shall prevent overcrowding and ensure that no damage is done to the buildings or fencing or any other portion of the pool premises and that these by-laws are observed by all competitors, officials and spectators attending the carnival.

11. All articles left in the pool premises and not claimed within a period of three (3) calendar months, shall be disposed of by the Council in any manner acceptable at common law.

12. (a) No person shall enter any portion of the pool premises set apart exclusively for the opposite sex, unless authorised or under the age of four (4) years. Nor shall any person, without the consent of the occupier, enter or attempt to enter any bathroom, or dressing box or other compartment which is already occupied.

(b) No person upon the pool premises shall, in any way, interfere with any other person therein or with any other person's use thereof nor throw or push, or attempt to throw or push any person into the swimming pool or throw any stones, sticks or any other matter or thing to the annoyance of any person using the pool premises.

(c) No person or group of persons shall play any ball games or take any action whatsoever which shall in any way limit the enjoyment of the users of the pool premises, provided that nothing herein contained shall apply to the playing of any games or aquatic sports organised and conducted on the pool premises by any club, association or organisation or other person at such time and in such a manner as shall be approved by the Council.

(d) No person liable for the control of an animal with the exception of a dog used for guiding a blind person shall cause or permit such animal to enter or remain in or about the pool premises.

13. No person shall:

(a) Enter the pool premises without the authority of the Pool Manager or attendant, unless that person is an officer or employee of the Council in the course of their duties.

(b) Obstruct the Pool Manager or attendant in carrying out their duties.

(c) Enter or depart from any part of the pool premises except by means of the respective entrances or exists set apart for that purpose.

(d) Dress or undress or remove any part of his or her bathing costume except in a dressing room enclosure provided for the purpose.

(e) Appear in public unless properly attired in a costume of such nature as to preserve public decency and to cover the body so as to prevent indecent exposure of the person.

(f) Enter or be in the pool premises while in an intoxicated condition induced by liquor and/or drugs.

(g) Take into the pool premises, or have in their possession therein,

(i) any drugs

(ii) any intoxicating liquor without prior written approval of the Council.

(h) Use any soap in any part of the pool premises other than in the dressing rooms or shower recess.

(i) Climb up or upon any roof, fence, wall or partition on the pool premises.

- (j) In any part of the pool premises behave in an unseemly, improper, disorderly, riotous or indecent manner, swear or use any indecent, obscene, offensive or abusive language or gamble or misconduct himself or herself.
 - (k) Deposit any filth or rubbish in any part of the pool premises except in places set aside for that purpose.
 - (l) Consume foodstuffs or drinks in any specific area in which consumption is prohibited by notice.
 - (m) Wastefully use the water or leave any taps dripping in the dressing rooms or elsewhere in the pool premises.
 - (n) Spit or expectorate in the swimming pool or on any part of the pool premises or in any way commit any nuisance on or in any part of such premises.
 - (o) Use any substance or preparation whereby the water of the swimming pool may become discoloured or rendered turbid or otherwise unfit for the proper use of bathers.
 - (p) Foul or pollute water in any shower, bath or in the swimming pool, or soil, damage, injure, destroy, use improperly, disfigure or write in or upon any dressing room, closet, or compartment, or other article or equipment therein.
 - (q) Damage, improperly use or interfere with any tap, valve, locker or other fitting or appliance in or about the pool premises.
 - (r) Smoke unless permitted by the Pool Manager, in any building, dressing room or other compartment in the pool premises.
 - (s) Whilst suffering from any contagious, infectious or cutaneous disease, or whilst in an unclean condition, enter or use or attempt to enter or use the swimming pool or the pool premises or any part thereof.
 - (t) Soil or defile or damage any towel or bathing costume.
 - (u) Break, injure, damage or destroy any life saving or other equipment or structure or any locker key or any property of the Council.
 - (v) Take glass containers of any description into the pool premises.
 - (w) Use any equipment or structure provided in the pool premises for any purpose other than that purpose for which such equipment or structure has been provided.
14. Any person offending against any of the provisions of these by-laws shall on conviction be liable to a penalty not exceeding \$200.00.

The Common Seal of the Shire of Mount Magnet was hereunto affixed by authority of a resolution of Council in the presence of:

J. C. DOWDEN, President.
G. J. McDONALD, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 7th day of January, 1992.

D. G. BLIGHT, Clerk of the Council.

LG306

LOCAL GOVERNMENT ACT 1960

The Municipality of the Shire of Mount Magnet By-Laws Relating to Standing Orders

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 15th May, 1989 to make and submit for confirmation by the Governor the following by-laws—

Part I—Preliminary

The proceedings and business of the Council shall be conducted according to these by-laws which are referred to as the "Standing Orders".

Interpretation

1. In these by-laws unless the context otherwise requires;
"Act" means the Local Government Act 1960 (as amended).

"Council" means the Council of the Municipality of the Shire of Mount Magnet.

"District" means the District of the Municipality of the Shire of Mount Magnet.

"Officer" has the same meaning as that given in Section 6 of the Local Government Act 1960 (as amended).

"President" shall in the absence of the President include the Deputy President or the member chosen to preside at any Meeting of the Council.

Part II—Standing Orders

Absence of Quorum

2. If at any meeting a quorum be not present within half an hour after the time appointed for that meeting the President or in the Presidents absence the majority of the Councillors present, or any one Councillor if only one be present, or the Clerk if no Councillor be present, may adjourn the meeting to any date not later than seven days from the date of the adjournment.

3. If at any time during any meeting of the Council a quorum is not present the President shall thereupon suspend the proceedings of the meeting for a period of two minutes, and if a quorum be not present at the expiration of that period, the meeting shall be deemed to have been counted out, and the President shall adjourn it to some future date.

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

Open Doors—Except as Provided

5. (1) Upon the carrying of a resolution under By-law 78 the President shall direct all persons other than members and employees of the Council to leave the Council Chambers and every person shall forthwith comply with such direction.

(2) Any person failing to comply with a direction made pursuant to sub-by-law may by order of the President, be removed from the Council Chambers.

(3) After the carrying of a resolution made under By-law 78, the business at that Meeting of the Council shall proceed behind closed doors until the Council, by resolution, decides to proceed with open doors.

(4) While a resolution made under By-law 78 is in force the operation of By-law 28 shall be suspended unless the Council, by resolution, otherwise decides.

(5) Any resolution mentioned in this by-law may be moved without notice.

Disturbance by Strangers

6. (1) A person, not being a Councillor, shall not at any Meeting of the Council interrupt the proceedings of the Council.

(2) Any person interrupting the proceedings of the Council shall when so directed by the President, forthwith leave the Council Chambers.

(3) Any person who, being ordered to leave the Council Chambers, fails to do so may, by order of the President, be removed from the Council Chambers.

Order of Business at Ordinary Meeting

7. (1) The order of business at any Ordinary Meeting shall be as follows or as near thereto as shall be practicable, that is to say:—

(a) Confirmation of Minutes.

(b) Applications for Leave of Absence.

(c) Business arising from the Minutes and which does not appear subsequently in the Agenda.

(d) Any business left over from the previous Meeting.

(e) Petitions, Memorials and Deputations.

(f) Reports of Committees and Delegates.

(g) Reports from Officers.

(h) Questions from which due notice has been given without discussion.

(i) President's Report.

(j) Motions of which previous notice has been given.

(k) Correspondence not elsewhere in the Agenda.

(l) Papers.

(m) Notice of Motions for consideration at the following Meeting.

(n) Motions without notice by permission of the Council.

(2) For the greater convenience of Council at any particular Meeting thereof the Order of Business may be altered by resolution to that effect.

Order of Business at Special Meeting.

8. The Order of Business at any Special Meeting shall be the order in which that business stands in the notice of the meeting.

Minutes.

9. The pasting or otherwise permanent affixing of the Minutes to the leaves of a book shall be sufficient recording of the Minutes in the Minute Book and the reading of the Minutes of the previous Meeting at the next Ordinary Meeting may be dispensed with when members have been supplied with copies of those Minutes at least 3 days before that next Meeting.

10. The Minutes of any preceding Meeting, whether of an Ordinary or a Special Meeting, not previously confirmed, shall be submitted as the first business at a Meeting of the Council in order to proceed to their confirmation, and discussion, other than discussion as to their accuracy as a record of the proceedings shall not be permitted, and when confirmed, the Minutes shall thereupon be signed by the President in accordance with Section 188 of the Act.

Questions.

11. (1) Any Councillor desiring to ask a question at any Meeting of the Council not relating to an item on the Agenda or on the notice of Meeting shall give notice thereof to the Clerk at least eight hours before the hours fixed for the commencement of the Meeting and if such question is in the opinion of the President in order, the question and answer shall, as far as practicable, be read at the Meeting.

(2) Where any Councillor wishes to put any question on any matter or urgency, that Councillor may with the consent of the President, put such question, without the necessity of complying with sub-bylaw (1) of this by-law.

Questions and Answers to be Brief.

12. All questions and answers shall be submitted as briefly and concisely as possible and no discussion shall be allowed thereon.

Questions not to Involve Argument or Opinion.

13. In submitting any question, no argument or expression of opinion shall be used or offered, nor any facts stated except so far as may be necessary to explain such question.

No Discussion on Questions.

14. No discussion or further questions shall be allowed on any question or the answer thereto, unless with the consent of the President.

Correspondence.

15. (1) Subject to sub-bylaw (2) of this by-law, the Clerk shall send each member a summary of the correspondence which in the Clerk's opinion should be presented at any Meeting of the Council or a Committee. The summary shall be sent at least twenty four hours before such Meeting and shall contain information, remarks, suggestions and recommendations which in the opinion of the Clerk may be necessary or desirable to submit to the Council or Committee.

(2) In cases of extreme urgency or other special circumstances, correspondence additional to that set out in accordance with the provisions of sub-bylaw (1) of this by-law may, with the consent of the President or Chairman of the Committee as the case may be, be read and ordered upon.

Notice of Motion.

16. (1) A Councillor may bring forward at a Meeting such business as that Councillor considers advisable, in the form of a Motion, of which notice has been given in writing to the Clerk, either at the last previous Meeting or at any time thereafter, being not less than six clear days before the Meeting at which it is brought forward.

(2) Every notice of Motion shall relate to some question affecting the constitution, administration, or condition of the Municipality or the Council.

(3) The President shall rule out of order any Motion which does not comply with sub-bylaw (2) of this by-law.

(4) Every such Motion shall lapse unless the Councillor who gave the notice thereof, or some other Councillor authorised by that Councillor in writing, be present to move the same when such Motion shall be called on.

Deputations.

17. (1) A person or persons wishing to be received as a Deputation by the Council, shall in the first instance, send to the Clerk a Memorial, setting out in concise terms the subject matter to be raised by the Deputation.

(2) Where the Clerk receives a Memorial in terms of the sub-by-law (1) of this by-law the Clerk shall lay the Memorial:

(a) before the Committee concerned or;

(b) where there is no Committee concerned, before the President.

(3) A Committee or the President receiving a Memorial may either receive the Deputation or lay the Memorial before the Council.

(4) Where a Memorial is laid before the Council the Council may, if it so resolves receive the Deputation.

(5) A Deputation shall not exceed three in number and the matters raised shall not be further considered by the Council or the Committee until the Deputation has withdrawn.

Conduct of Debate.

Councillors to Address the President.

18. A Councillor moving a Motion or Amendment, or taking part in the discussion thereon, shall address the President.

Point of Order.

19. A Councillor who is addressing the President shall not be interrupted except upon a point of order, in which event the Councillor shall refrain from speaking until the Councillor raising the point of order has been heard thereon and the question of order has been disposed of, whereupon the Councillor so interrupted may, if permitted, proceed.

20. A Councillor expressing a difference of opinion with or contradicting a speaker shall not be recognised as raising a point of order.

Nature of Motion to be Stated.

21. A Councillor desirous of proposing an original Motion or Amendment shall state its substance before addressing the Council thereon and, if so required by the President, shall put the Motion or Amendment in writing.

Unopposed Business.

22. Upon a Motion being moved the President may ask the Meeting if any Councillor opposes it. If no one signifies opposition to the Motion or opposition to the Motion being treated as unopposed business, the President may declare the Motion carried without debate and without taking a vote thereon. Any Motion declared carried under this by-law shall for all purposes be deemed a resolution of the Council.

23. If a Councillor signifies opposition to a Motion or a Motion being treated as unopposed business the Motion shall be dealt with according to the following by-laws.

Motion and Amendments to be Seconded.

24. Except as provided by By-law 22, no Motion or Amendment shall be discussed or put to the vote of the Council or passed unless it be seconded.

Titles to be Used.

25. At Meetings of the Council, speakers in referring to others present thereat shall designate them by their separate titles of President or Councillor, as the case may be.

Priority of Speakers.

26. If two or more Councillors speak at the same time the President shall decide which is entitled to priority.

President to be Heard.

27. Whenever the President indicates an intention to speak during a debate any Councillor then speaking is to cease speaking and the Council is to be silent, so that the President may be heard without interruption.

Councillor not to Speak Twice.

28. No Councillor shall speak twice on the same question except by way of explanation, or in reply, upon any original Motion of which a Councillor was the mover or as the mover of any Amendment last carried, and no Councillor shall speak to any question after the mover shall have been permitted to reply provided that the Council may by resolution suspend the operations of this by-law during the debate of any Motion.

Calling to Order for Speaking Twice.

29. The President shall, without waiting for the intervention of the Council, call to order any Councillor proceeding to speak a second time on the same question.

Personal Explanation.

30. A Councillor making a personal explanation shall confine it to a succinct explanation of a material part of the Councillors former speech which may have been misunderstood, and to the explanation itself, and shall not advert to matters not strictly necessary for that purpose nor seek to strengthen any former argument by new matter or by replying to other Councillors.

No Speaking After Motion Put.

31. No Councillor may speak to any question after the same has been put from the Chair.

Mover or Seconder to be Held to Have Spoken.

32. A Councillor moving or seconding a Motion or Amendment shall be held to have spoken thereon, but a Councillor merely seconding a Motion 'pro forma' shall not be held to have spoken upon it.

Limit of Speeches.

33. A Councillor shall not speak upon any Motion or Amendment or in reply for a longer period than 10 minutes without the consent of the Council which shall be signified without debate.

34. An extension shall not be permitted under By-law 33 beyond a further 5 minutes.

Speaking in Reply.

35. A Councillor speaking in reply shall not introduce any new matter, but shall strictly confine themselves to answering previous speakers.

Division of Motions.

36. The President may, by discretion, or the Council may by Motion without debate, order a complicated Motion to be divided and put in the form of two or more Motions.

Withdrawal of Motions.

37. A Motion or Amendment may be withdrawn by the mover, with the consent of the Council, which shall be signified without debate and it shall not be competent for any Councillor to speak upon the Motion or Amendment after the mover has asked permission for its withdrawal unless that permission is refused.

Production of Documents.

38. The President or any Councillor may of right require the production of any of the documents of the Council relating to the question or matter under discussion.

No Digression.

39. A Councillor shall not speak otherwise than upon or digress from the question then before the Council, except to make a personal explanation.

No Adverse Reflection on Council.

40. A Member of the Council shall not reflect adversely upon a resolution of the Council, except on a Motion that the resolution be rescinded.

No Adverse Reflection on Councillor.

41. A Member of the Council shall not reflect adversely upon the character or actions of another Member nor impute any motive to a Member unless the Council resolves, without debate, that the question then before the Council cannot otherwise be adequately considered.

42. A Member may require the Clerk to take down any particular words used by another Member immediately upon those words being used if such words are considered by the Member to be in contravention of Clause 41.

Withdrawal of Offensive Expression.

43. A Councillor who shall use any expression which in the opinion of the President reflects offensively on any Member of the Council or Officer of the Shire shall when required by the President unreservedly withdraw such expression and make a satisfactory apology to the Chair, and if that Councillor declines or neglects to do so the President may refuse to hear such Councillor further upon the matter then under discussion and call upon the next speaker.

Disturbance by Councillors.

44. A Councillor shall not make any noise or disturbance in the Council Chamber nor shall a Councillor, except to raise a point of order, converse aloud while any other person is addressing the Council.

Continued Irrelevance.

45. The President may call the attention of the Council to continued irrelevance, tedious repetition, unbecoming language or any breach of order or decorum on the part of a Councillor, and may direct such Councillor, if speaking, to discontinue to speak and thereupon such Councillor shall cease speaking.

Crossing Council Chamber.

46. When the President is putting any question no Councillor shall leave or cross the Council Chamber, nor shall any Councillor, whilst any other Councillor is speaking, pass between the Speaker and the Chair.

President May Call to Order.

47. The President shall preserve order, and may on the President's own Motion call any Councillor to order whenever, in the President's opinion, there shall be cause for so doing.

Definition of Order.

48. Any Member of the Council who shall do anything or behave in any manner which is forbidden by any by-law of these Standing Orders shall be deemed to be out of order.

Infraction of Standing Orders.

49. A Councillor shall be entitled to direct the attention of the President to any infraction of the Standing Orders by any Member of the Council.

Ruling by President.

50. (1) The President shall decide all points of order or practice, and argument or comment shall not be permitted thereon, and the President's decision shall be final in that particular case, unless a majority of the Councillors then present shall, upon Motion proposed forthwith, resolve that a different ruling be substituted for that of the President.

(2) Whenever the President has decided that any Motion, Amendment or other matter before the Council is out of order, it shall be rejected and whenever anything said or done in the Council, by any Councillor, is similarly decided to be out of order, that Councillor shall be called upon by the President to make such explanation, retraction or apology, as the case may require.

Continued Breach of Order.

51. Where a Councillor persists in any conduct which the President decides is out of order, or refuses to make any explanation, retraction or apology required by the President under sub-bylaw (2) of By-law 50, the President may direct that Councillor to refrain from taking any further part in the then Meeting of the Council, other than by recording the Councillors vote, and the Councillor shall comply with such direction.

Serious Disorder.

52. (1) If at a Meeting of the Council the President is of the opinion that by reason of disorder or otherwise the business of the Council cannot effectively be continued, the President may adjourn the Meeting for a period of fifteen minutes, whereafter the Council shall re-assemble and decide whether business is to be proceeded with; and that question shall be decided forthwith and without debate.

(2) Where after any proceedings under sub-bylaw (1) of this by-law the President is again of the opinion that the business of the Council cannot effectively be continued, the President may close or adjourn the Meeting.

Order of Debate

Motions and Amendments.

53. (1) Subject to sub-bylaw (2) of this by-law, when a Motion is under debate, no further Motion shall be proposed except a Motion:—

- (a) that the Motion be amended;
- (b) that the Council do adjourn;
- (c) that the debate be adjourned;
- (d) that the question be now put;
- (e) that the Council do proceed with the next business;
- (f) that the Council do sit behind closed doors; or
- (g) that the Meeting be now closed.

(2) Where the question before the Council is a recommendation from a Committee of the Council, whether such recommendation be in relation to new matters or matters previously referred by the Council to such Committee, the only Motions which shall be entertained by the Council thereon shall be:—

- (a) that the recommendation be adopted; or;
- (b) that the recommendation be not adopted; or
- (c) that the recommendation, or any part thereof, be referred back to the responsible Committee for further consideration; or
- (d) that the recommendation be amended.

Presentation of Reports.

54. (1) Reports of Committees shall be presented to the Council by the Chairperson of each Committee concerned, or in the Chairpersons absence, a member of the Committee, in the form of a Motion "That the recommendations (or certain of them) of the report be received and adopted". Debate on any such Motion shall be confined to matters arising out of the report.

(2) On the adoption of a Committee report or recommendation by the Council either with or without amendment or modification, the report or recommendation so adopted shall be deemed to be a resolution of the Council.

- (a) "That the Motion be Amended".

Relevancy of Amendment.

55. Every amendment shall be relevant to the Motion on which it is moved.

To be Read or Stated.

56. Every amendment shall be read or stated before being moved.

One Amendment at a Time.

57. Only one amendment shall be discussed at a time. As often as an amendment is lost another amendment may be moved before the original Motion is put to the vote. Where an amendment is carried, one further amendment to the original Motion, as amended, and no more, may be moved.

58. In speaking to an amendment a Councillor may give notice of the intention to move a further amendment.

59. Where an amendment is carried, the original Motion as amended shall for all purposes of subsequent debate and subject only to By-law 57 be treated as an original Motion.

- (b) "That the Council do Adjourn".

Time to Move.

60. A Councillor may, at the conclusion of the speech of any other Councillor or on the conclusion of any business, move, without notice, that the Council do adjourn and the Motion shall state the time and date to which the adjournment is to be made.

Procedure Before Further Motion.

61. If on any Motion for adjournment of the Council being put the Motion be negatived, the subject then under consideration or the next on the notice paper, or any other that may be allowed precedence, shall be discussed before any subsequent Motion for adjournment shall be entertained.

Question Adjourned to Next Meeting.

62. On a resolution for adjournment, the question (if any) under debate when the Motion for adjournment was made shall stand adjourned to the next Meeting.

One Motion Only.

63. At the same sitting no Councillor may move or second more than one Motion for the adjournment of the Council.

Adjournment of Meetings for Meals.

64. In the event of a Meeting of the Council or of a Committee of the Council not having been completed prior to any usual meal hour the Meeting (unless adjournment to another day) shall be adjourned for a reasonable meal period after which the Meeting shall be resumed. A meal shall be provided by the Council for the Councillors present at the Meeting.

- (c) "That the Debate be Adjourned".

Time to Move.

65. A Councillor may, at the conclusion of the speech of another Councillor move without previous notice, that the debate be adjourned to a later hour of the same day or to any other day.

No Discussion.

66. No discussion shall be allowed upon a Motion for the adjournment of a debate.

Mover to Speak First.

67. On resuming an adjourned debate the Councillor who moved its adjournment shall be entitled to speak first.

One Motion Only.

68. At the same sitting no Councillor shall move or second more than one Motion for adjournment of the same debate.

Resumption of Debate After Count Out.

69. If a debate on any Motion moved and seconded be interrupted by the Council being counted out, such debate may be resumed at the resumption of the adjourned Meeting at the point where it was so interrupted.

(d) "That the Question be Now Put".

Time to Move.

70. A Councillor may, at the conclusion of the speech of any other Councillor move without comment, that the question under consideration be now put and upon the Motion being seconded, the same shall immediately be put, without debate.

Majority.

71. A Motion that the consideration of the question be now put shall not be decided in the affirmative or take effect without the consent of the Members of the Council present.

Speaking in Reply.

72. Whenever it is decided by Council that the question under consideration shall be put, the mover of the question under consideration shall, if debate has ensued and if otherwise entitled to do so, be permitted to speak in reply before the question is put.

Motion to be Put at Once.

73. Should the Motion be carried, the Motion or Amendment under debate shall be put at once.

Question Includes Amendment.

74. Whenever it is decided by the Council that the question under consideration shall be put, the question to be so put from the Chair shall be construed and taken to mean and include the main question as well as any Amendment thereto.

(e) "That the Council do proceed with the Next Business"

75. It shall be competent for any Councillor at the close of the speech of any other Councillor to move without notice that the Council do proceed to the next business, and if the Motion be seconded, it shall be put forthwith.

Question to be Dropped.

76. When a Motion be carried that the Council do proceed to the next business, the question under discussion shall be considered as dropped.

Further Motion.

77. During the same debate, a second Motion that the Council do proceed with the next business shall not be made within one hour after a similar Motion has been negatived.

(f) "That the Council do Sit Behind Closed Doors".

Time to Move.

78. It shall be competent for any Councillor at any time to move without notice that the Council do sit behind closed doors, and if the Motion is seconded, it shall be put forthwith.

79. On the Motion that the Council do sit behind closed doors being carried the speaker (if any) who was interrupted at the time the Motion was proposed shall resume.

(g) "That the Meeting is now Closed".

80. A Councillor may, at the conclusion of the speech of any other Councillor, or on the conclusion of any business move, without notice, that the Meeting of the Council be now closed.

81. If a Motion that the Meeting of the Council be closed is negatived, a similar Motion shall not be proposed until after the question then under discussion or the next on the Motion paper, or any other which may be allowed precedence, has been disposed of.

82. (1) A Councillor who has spoken on the question then before the Council shall not propose that the Meeting be closed.

(2) A Councillor shall not at the same Meeting of the Council, propose or second more than one Motion that the Meeting be closed.

83. On a Motion that the Meeting be closed being carried, the debate on the question (if any) under debate when that Motion was proposed shall stand adjourned to its place on the notice paper for the next Meeting of Council.

84. On a Motion that the Meeting be closed being carried, a record shall be taken of all those who have spoken on the subject under consideration up to the closing of the Meeting and they shall not be permitted to speak on any subsequent consideration of the same subject, but this by-law does not deprive a proposer of the right of reply.

Confidential Business.

85. Every matter dealt with by, or brought before the Council sitting otherwise than with open doors, or before any Committee of the Council, shall be treated as strictly confidential, and shall not without the authority of the Council or of the Committee (as the case may be) be disclosed to any person other than the President, Councillors or the Officers or Servants of the Council (and in the case of Servants only so far as may be necessary for the performance of their duties) prior to the discussion of that matter at a Meeting of the Council held with open doors.

Negatived Motions.

86. A Motion to the same effect as any Motion which has been negatived by the Council shall not again be entertained within a period of three months, except with the consent of a majority of the Council, unless otherwise provided in these by-laws.

Suspension of Standing Orders.

87. In cases of urgent necessity, any of these Standing Orders may be suspended on Motion duly made and seconded, but that Motion shall not be declared carried unless a majority of members of Council, present and voting on the question, whichever is the lesser number, have voted in favour of the Motion.

88. Any Councillor moving the suspension of a Standing Order shall state the object of the Motion, but discussion shall not otherwise take place thereon.

Part III—Committees.

Standing Committees.

89. (1) In addition to such Occasional Committee as may be from time to time appointed, there shall be a Standing Committee for Finance and a Standing Committee for Town Planning and other such Standing Committees as the Council may from time to time appoint.

(2) Subject to subclause (3) of this by-law, the Members of each Standing Committee shall be appointed for each year, at the first Meeting of the Council held after the Annual Election and shall hold office until the first Sunday after the fourth Saturday in May in any year.

(3) The Council may, by resolution carried pursuant to the notice of Motion, by a simple majority, change the membership of any Committee or appoint substitutes for Councillors absent pursuant to leave granted by the Council.

90. The Council shall, by resolution carried pursuant to a notice of Motion, by a simple majority, determine the duties of a Standing Committee, and may amend the duties of a Standing Committee from time to time.

Occasional Committees.

Advisory Committees and Managing Committees.

91. The Council may appoint Occasional Committees to perform any duty which may lawfully be entrusted by it to a Committee. When the Council appoints an Occasional Committee or an Advisory or Managing Committee under Section 180 or 181 of the Act, the powers, duties and responsibilities of any such Committee shall be determined by the Council at the time of appointment of the Committee.

Divisions of Functions.

92. A Standing Committee shall not interfere in any matter which has for the time being been entrusted to an Occasional Committee.

Convening of Committee Meetings.

93. The Shire Clerk shall call a Meeting of any Committee when requested so to do by the President or any two Members of such Committee.

Quorum.

94. (1) At a Meeting of a Committee unless otherwise determined by the Council a quorum shall consist of one-half of the total membership of the Committee, or, if the total number of Members of Council is an odd number, is the integer nearest to but greater than one-half of that total. Every Meeting shall proceed to business so soon after the time stated as there shall be a sufficient number of Members in attendance to constitute a quorum.

(2) If there is not a quorum present at the time stated for the holding of a Meeting and such lack of a quorum continues for more than one half-hour, the Meeting shall stand adjourned until a time and day to be fixed by the President.

Minutes.

95. The Minutes of each Meeting shall be confirmed at the following Ordinary Meeting of the Committee and signed by the Chairman.

Standing Orders.

96. These Standing Orders shall apply to Meeting of Committees, and shall be observed, with the exception that:—

- (a) the restriction on Councillors speaking more than once, as set out in By-law 28, shall not apply;
- (b) the Committees shall meet behind closed doors unless and until the Council otherwise determines.

Meeting of Electors.

97. (1) The Standing Orders apply, so far as is practicable, to any Meeting of electors, but where there is any inconsistency between the provisions of this by-law and the provisions of section 171 of the Act, the latter prevails.

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

Meeting of Ratepayers.

98. (1) The Standing Orders apply, so far as is practicable, to any Meeting of Ratepayers, but where there is inconsistency between the provisions of this by-law and the provisions of section 171 of the Act.

(2) A person who is not a ratepayer is not entitled to a vote at a Meeting of Ratepayers and those persons may not take any part in any discussion at that Meeting, unless the Meeting, by a Motion, requests those persons to do so.

Part IV—Administration.

Common Seal.

99. form of the Common Seal of the Municipality of the Shire of Mount Magnet is that approved for the time being under the provisions of subsection (3) of section 9 of the Act.

100. The form of the sealing clause of the Shire of Mount Magnet is:—The Common Seal of the Shire of Mount Magnet was hereunto affixed by authority of a resolution of Council in the presence of:

.....
President.

.....
Shire Clerk.

101. The Shire Clerk is responsible for the care of the Common Seal and shall keep it in safe custody.

102. The Common Seal shall not be affixed to any document unless the Council has, at any Meeting of the Council, directed that the Common Seal be affixed to that document or has given general approval of the Seal being affixed to documents of a specified nature.

Council Records.

103. (1) All records including deeds, books, papers, documents, files, vouchers, maps and tape recordings, which are not declared to be confidential within the meaning of sub-bylaw (3) of this by-law shall be made available for inspection by any Member upon request within the business hours of the Council.

(2) No Member shall, unless authorised to do so by the Council, remove any record including deeds, papers, documents, files, vouchers, maps or tape recordings from the Council offices.

(3) Except for such books, accounts and records as are subject to inspection under the Act, the Council may from time to time by resolution declare any correspondence, letter or similar communication to be confidential for a period not exceeding two months with the right of extending such period by subsequent resolutions.

(4) Nothing in this by-law shall affect the operation of By-law 38.

Penalty.

104. Any person committing a breach of these by-laws is liable, on conviction, to a penalty not exceeding One Hundred Dollars (\$100).

Enforcement of Standing Orders.

105. The President shall be responsible for the enforcement of these Standing Orders and Council may prosecute for any breach thereof.

Revocation of By-laws.

106. The by-laws of the Mount Magnet Road Board published on pages 999-1011 of the "Government Gazette" on 18th June, 1937 are hereby revoked.

Dated this 16th day of October 1989.

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

J. C. DOWDEN, President.

G. J. McDONALD, Shire Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 10th day of December 1991.

L. M. AULD, Clerk of the Council.

LG401

SHIRE OF BODDINGTON

It is hereby notified for public information that the cancellation of the appointment of Mr Peter L. Fitzgerald as Shire Clerk is effective from 1 January 1992.

It is hereby notified for public information that Mrs Jennifer M. Barnes has been appointed Shire Clerk effective from 1 January 1992.

F. G. STEVENS, President.

LG402

LOCAL GOVERNMENT ACT 1960

FORM No. 30

Shire of Donnybrook/Balingup

Sale of Land for Rates

(Section 584)

Notice is hereby given the default in the payment of rates for a period of not less than three years having occurred, the Shire of Donnybrook/Balingup, acting under the powers conferred by subsection C of Division 6 of Part XXV of the Local Government Act 1960, will offer for sale, by Public Auction, at Shire Function Room, Bentley Street, Donnybrook, on the 25th day of March 1992 the pieces of land specified in the Schedule hereto—

J. R. ATTWOOD, Shire Clerk.

Schedule

Description of Land and Lot	Title	Area	Description	Name	Rates
Noggerup Lot 19	Vol. 300 Fol. 150A	0.1644 ha	Townsite	D. G. Acford	\$884.00
Noggerup Lots 9 and 10	Vol. 1188 Fol. 461	0.2682 ha	Townsite	W. H. Miller (Deceased)	\$956.78
Noggerup Lots 15 and 16	Vol. 585 Fol. 19	0.2100 ha	Townsite	A. M. Teare	\$983.93
Noggerup Lot 55	Vol. 491 Fol. 65	0.1341 ha	Townsite	W. Simpson	\$970.12

LG901

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

Proposed Loan (No. 92) \$50 000

Pursuant to section 610 of the Local Government Act 1960, the Shire of Dowerin hereby gives notice of its intention to borrow \$50 000 by the issue and sale of a debenture on the following terms:

The Loan will be repaid on a repayment term of five (5) years as negotiated with the lender at the office of Council, 13 Cottrell Street, Dowerin.

Purpose of Loan: Purchase of Plant.

Specifications and estimates of costs thereof and the statements required by section 608 are open for inspection at the office of the Council during normal office hours, for thirty five (35) days after the publication of this notice.

W. K. JONES, President.
ALEX READ, Shire Clerk.

MAIN ROADS

MA501

MRD 42-92-A

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

The Minister for Works hereby gives notice, in accordance with the provisions of section 17(2) of the Public Works Act 1902, that it is intended to take or resume under section 17(1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in the Merredin District, for the purpose of the following public works namely, widening of the Goomalling-Merredin Road (SLK Section 167.9-169.5) for road verge rehabilitation and that the said pieces or parcels of land are marked off on Plan MRD WA 9110-149 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	C. E. Jarvis Pty Ltd	R. M. Jarvis Caveator <i>vide</i> Caveat D846676 R. M. Jarvis Caveator <i>vide</i> Caveat D902440	Portion of Avon Location 12577 and being part of the land contained in Certificate of Title Volume 1344 Folio 686.	3.1400 ha.

Dated this 5th day of February 1992.

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

MARINE AND HARBOURS

MH401

WESTERN AUSTRALIAN MARINE ACT 1982 NAVIGABLE WATERS REGULATIONS

Department of Marine and Harbours,
Fremantle W.A. 7 February 1992.

(A) Restricted Speed Areas—All Vessels

(B) Water Ski Areas

Acting pursuant to the powers conferred by section 67 of the Western Australian Marine Act 1982 and Section 48A of the Navigable Waters Regulations the Department of Marine and Harbours by this notice:

- (A) Revokes paragraph (d) (6) (iii), relating to speed limits in the Blackwood River Augusta, of the notice published in the *Government Gazette* of 25 October 1991, and,
- (B) Defines and sets aside the following area of navigable waters for the purpose of water skiing:

Blackwood River—Augusta, all those waters of the Hardy Inlet lying downstream of a line drawn across the Inlet from the prolongation of Green Street to Jackson Street to a line drawn due north across the Inlet from the prolongation of Cygnet Court to the end of Tattersall Street.

Providing however that such revocation and setting aside of the Water Ski Area will only apply between the hours of 9am and 5pm on Saturday 21 and Sunday 22 March 1992 and is applicable only to those *bona fide* participants involved in the Augusta Aquatic Activities.

J. M. JENKIN, Executive Director.

MH402

NAVIGABLE WATERS REGULATIONS WATER SKI AREAS

Department of Marine and Harbours,
Fremantle W.A. 7 February 1992.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations, the Department of Marine and Harbours by this notice defines and sets aside the following area of navigable waters for the purpose of water skiing:

Shire of Wyndham/East Kimberley—Ord River.

All those waters of the Ord River situated downstream of the Lake Argyle Dam to the eastern boundary of Ski Beach, providing however that this area is set aside for *bona fide* competitors of the Dam to Dam Regatta and is only applicable on Sunday 15 March 1992 between the hours of sunrise and sunset.

J. M. JENKIN, Executive Director.

MINES

MN401

MINING ACT 1978**NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE**

Department of Mines.

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

Warden.

To be heard in the Warden's Court Kununurra on the 26th February 1992.

Kimberley Mineral Field

Mason Spargo—P80/1172

Jamie Eric Glasfurd and Kay Schulda—P80/1171

Hunt Contracting Co. PL—P80/943

MN402

MINING ACT 1978

The Minister for Mines pursuant to the powers conferred on him by section 19 of the Mining Act 1978, hereby gives notice that all the Crown Land (not being Crown Land that is the subject of a mining tenement or an application therefor) contained within the boundaries as hereunder described is exempt from Divisions 1 to 5 of Part IV of the Mining Act 1978.

DESCRIPTION

Locality: Southgate Dunes—7 km south of Geraldton Townsite.

Starting Point: Being South West corner of Victoria Location CG 2453.

Thence approx 500 m @ 90° along southern boundary of LOC 2453 to the western boundary of LOC 1268.

thence approx 1200 m @ 180° along the western boundaries of LOC 1268 and LOC 1925 to the south west corner of LOC 1925.

thence approx 150 m @ 90° along the south boundary of LOC 1925 to the western boundary of LOC 4201.

thence approx 425 m @ 180° along the western boundary of LOC 4201 and LOC 708 to the south west corner of LOC 708.

thence approx 150 m @ 270° to the coastline being at the lowest astronomical tide and along the northern boundary of Reserve 20995.

thence approx 3400 m following the coastline in a Northerly and North Westerly direction to the intersection with the western boundary of LOC 5843.

thence approx 250 m @ 188° to the south west corner of LOC 5843 thence approx 200 m @ 90° along the southern boundary of LOC 5843 to its south east corner.

thence approx 175 m @ 360° along the eastern boundary of LOC 5843 back to the starting point.

Dated at Perth this 31st day of January 1992.

GORDON HILL, Minister for Mines.

OCCUPATIONAL HEALTH SAFETY AND WELFARE

OA401

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984**OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988****Exemption Certificate Under Regulation 213**

(No. 1 of 1992)

I, Neil Bartholomaeus Commissioner of Occupational Health, Safety and Welfare, hereby grant an exemption to Frankipile Australia Pty. Ltd. from the requirements of Regulation 506 (2) of the Occupational Health, Safety and Welfare Regulations 1988 in relation to the fitting of a load indicator to mobile crane, Registration No. B5469, while used in pile driving operations.

This exemption is granted on condition that the crane driver is informed in writing of:

(a) the maximum mass of any piles that are to be lifted; and

(b) the effective mass at the jib head of the pile driving unit.

The information is to be readily available at all times while the pile driving operation is in progress, and all other operations shall require the use of a load cell as per Regulation 505 (2).

Dated this 28th day of January, 1992.

NEIL BARTHOLOMAEUS, Commissioner for Occupational Health, Safety and Welfare.

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

Town Planning Scheme No. 16—Amendment Nos 615 & 616

Ref: 853/2/16/18 Pts 615 & 616

Notice is hereby given that the City of Canning has prepared the abovementioned scheme amendments for the purpose of—

Amendment No. 615—

rezoning 68-70 Bannister Road (Lot 279), Canning Vale, from "Hotel" to "Industrial Service".

Amendment No. 616—

rezoning 27 Mills Street (Lot 48), Cannington, from "SR 2" to "GR 4".

Plans and documents setting out and explaining the scheme amendments have been deposited at Council Offices, 1317 Albany Highway, Cannington and the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 20, 1992.

Submissions on the scheme amendments should be made in writing on Form No. 4 and lodged with the undersigned on or before March 20, 1992.

These amendments are available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

I. F. KINNER, Town Clerk.

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

Town Planning Scheme No. 1—Amendment No. 47

Ref: 853/3/2/1 Pt 47

Notice is hereby given that the City of Geraldton has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 383 Fifth Street, Wonthella from Area 2—Residential to Area 4—District Centre.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Cathedral Avenue, Geraldton and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 20, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 20, 1992.

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

G. K. SIMPSON, Town Clerk.

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Stirling

District Planning Scheme No. 2—Amendment No. 171

Ref: 853/2/20/34 Pt 171

Notice is hereby given that the City of Stirling has prepared the abovementioned scheme amendment for the purpose of rezoning various lots in Westview and Gildercliffe Streets, Scarborough, from low density residential R20/40 to Civic.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Civic Place, Stirling and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 20, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 20, 1992.

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

G. S. BRAY, Town Clerk.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Wanneroo

Town Planning Scheme No. 1—Amendment No. 551

Ref: 853/2/30/1 Pt 551

Notice is hereby given that the City of Wanneroo has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 277 Prindiville Drive and Lot 225 Dellamarta Road, Wangara from "Light Industrial" to "Mixed Business".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Boas Avenue, Joondalup and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 20, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 20, 1992.

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

R. F. COFFEY, Town Clerk.

PD405

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Northampton

Town Planning Scheme No. 4—Amendment No. 14

Ref: 853/3/14/6 Pt 14

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

1. Rezoning land from the Residential Development Zone to Residential and applying appropriate Residential Planning Codes to the rezoned land;
2. Rezoning Lot 671 from the Residential Development Zone to Park and Recreation Reserve.
3. Amending the Development and Precincts Planning Codes Map.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Hampton Road, Northampton and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 6, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 6, 1992.

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

C. J. PERRY, Shire Clerk.

PD406

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Northampton

Town Planning Scheme No. 4

Amendment No. 20

Ref: 853/3/14/6 Pt 20.

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

1. Rezoning various portions of land from 'Residential Development' to 'Residential' and 'Parks and Recreation'.
2. Rezoning various portions of land from 'Residential Development' and 'Parks and Recreation' to 'Public Purpose' and 'Special Site'.
3. Modifying Appendix 5.
4. Modifying the 'Planning Codes Map'.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Hampton Road, Northampton and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 20, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 20, 1992.

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

C. J. PERRY, Shire Clerk.

PD407

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Shark Bay

Town Planning Scheme No. 2—Amendment No. 29

Ref: 853/10/5/3 Pt 29

Notice is hereby given that the Shire of Shark Bay has prepared the abovementioned scheme amendment for the purpose of providing for Council discretion to approve the development of Service Stations and Petrol Filling Stations in the Industrial Zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Hughes Street, Denham and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 20, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 20, 1992.

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

M. G. OLIVER, Shire Clerk.

PD408

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town of East Fremantle

Town Planning Scheme No. 2—Amendment No. 21

Ref: 853/2/4/2 Pt 21

Notice is hereby given that the Town of East Fremantle has prepared the abovementioned scheme amendment for the purpose of amending the Scheme Map to show the whole of Part Lots 4, 5 and 6 Wolsely Road and the rear portions of Lots 2 and 3 Alexandra Road as "Additional Use Area"; and amending Appendix VI Schedule of Additional Uses of the Scheme Text.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 135 Canning Highway, East Fremantle and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 20, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before March 20, 1992.

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

F. M. COLEY, Town Clerk.

PD409

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENTS AVAILABLE FOR INSPECTION

Town of Mosman Park

Town Planning Scheme No. 2—Amendment Nos 8 & 9

Ref: 853/2/18/4 Pts 8 & 9

Notice is hereby given that the Town of Mosman Park has prepared the abovementioned scheme amendments for the purpose of—

Amendment No. 8—

Removing the Lots bounded by Swan Street, Solomon Street, and Harvey Street, Mosman Park from the R17.5 coded area as depicted on the Development Guide Map and including the land within the R20 coded area.

Amendment No. 9—

Amending Clause 5.11 of the Scheme Text.

Plans and documents setting out and explaining the scheme amendments have been deposited at Council Offices, Bay View Terrace, Mosman Park and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including March 20, 1992.

Submissions on the scheme amendments should be made in writing on Form No. 4 and lodged with the undersigned on or before March 20, 1992.

These amendments are available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

T. J. HARKEN, Town Clerk.

PD501

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Gosnells

Town Planning Scheme No. 1—Amendment No. 351

Ref: 853/2/25/1 Pts 351

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Acting Hon Minister for Planning approved the City of Gosnells Town Planning Scheme Amendment on January 24, 1992 for the purpose of rezoning Lot 4 Attfield Street, Maddington from "Service Station" zone to "Centre Development Zone".

B. J. BRADSHAW, Acting Mayor.
G. N. WHITELEY, Town Clerk.

PD502

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Gosnells

Town Planning Scheme No. 1—Amendment No. 364

Ref: 853/2/25/1 Pt 364

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Acting Hon Minister for Planning approved the City of Gosnells Town Planning Scheme Amendment on January 31, 1992 for the purpose of removing Pt Lot 3, 4, 63 and 64 Yale Road, Thornlie, from the "Public Purposes (High School)" Reserve and including the lots in the "Residential A (R17.5)" zone.

B. J. BRADSHAW, Acting Mayor.
G. N. WHITELEY, Town Clerk.

PD503

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Gosnells

Town Planning Scheme No. 1—Amendment No. 365

Ref: 853/2/25/1 Pt 365

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Acting Hon Minister for Planning approved the City of Gosnells Town Planning Scheme Amendment on January 24, 1992 for the purpose of—

Adding to the Fifth Schedule the following information—

STREET	PARTICULARS OF LAND	ADDITIONAL USE PERMITTED
22 Albany Hwy, Beckenham	Lot 500	A lunch bar of 100 sqm maximum floor area.

B. J. BRADSHAW, Acting Mayor.
G. N. WHITELEY, Town Clerk.

PD504

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Nedlands
Town Planning Scheme No. 2—Amendment No. 43

Ref: 853/2/8/4 Pt 43

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Acting Hon Minister for Planning approved the City of Nedlands Town Planning Scheme Amendment on January 31, 1992 for the purpose of rezoning Lot 299 Boronia Avenue, Nedlands from "Residential R.10" to "Residential R.20" and by amending the Scheme Map accordingly.

D. C. CRUICKSHANK, Mayor.
N. G. LEACH, Town Clerk.

PD505

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Stirling
District Planning Scheme No. 2—Amendment No. 157

Ref: 853/2/20/34 Pt 157

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Acting Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on January 31, 1992 for the purpose of—

Replacing clause 2.3.7 Sewerage Connection Requirements, with the following new clause—

“2.3.7 Sewerage Connection Requirements

2.3.7.1 Sewerage Connection—

All new residential development other than a single house is required to be connected to a comprehensive sewerage system except where such development—

- (a) Complies with the provisions of the Sewerage Policy—Perth Metropolitan Region (as amended):

or

- (b) Replaces an existing development approved under the provisions of the City of Stirling District Planning Scheme published in the *Government Gazette* of the 17th October 1974 and the redevelopment is only being carried out to an equivalent or lesser density as the existing development subject to on-site effluent disposal facilities being upgraded to the satisfaction of Council.

2.3.7.2 Areas Designated with Dual R-Codes—

Subject to the provisions of Clause 2.3.7.1 and the Sewerage Policy—Perth Metropolitan Region (as amended), no lot within any area designated on the Scheme Maps by the R-Coding “20/30”, “20/40”, “20/60” or “20/80” shall be developed such that the total number of dwellings on the lot exceeds that permitted by the R-Code R20 or R30, as the case may be, unless all the dwellings on the lot are connected to a comprehensive sewerage system.”

J. G. McNAMARA, Mayor.
G. S. BRAY, Town Clerk.

PD506

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Wanneroo

Town Planning Scheme No. 1—Amendment No. 426

Ref: 853/2/30/1, Pt. 426.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Acting Hon Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on 31 January 1992 for the purpose of—

1. rezoning Lot 328 and Portion Lot 327 Wanneroo Road, Greenwood from "Residential Development" to "Residential Development, Special Zone (Additional Use) Service Industry excluding building yard, dry cleaning premises, funeral parlour, hall (church, public dance, concert or youth), health studio, light industry, lunch bar, milk depot, motor repair station, petrol filling station, public amusement, public worship, service station, transport depot and vehicle sales premises";
2. adding reference to "Residential Development, Special Zone (Additional Use) Service Industry excluding building yard, dry cleaning premises, funeral parlour, hall (church, public dance, concert or youth), health studio, light industry, lunch bar, milk depot, motor repair station, petrol filling station, public amusement, public worship, service station, transport depot and vehicle sales premises" in section 1 of Schedule 1 of the Scheme Text.

G. A. MAJOR, Acting Mayor.
R. F. COFFEY, Town Clerk.

PD507

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Swan

Town Planning Scheme No. 9—Amendment No. 150

Ref: 853/2/21/10 Pt 150

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended), that the Acting Hon Minister for Planning approved the Shire of Swan Town Planning Scheme Amendment on January 31, 1992 for the purpose of rezoning Lots 40 and 41 Great Eastern Highway Bellevue, from "Residential 2-R40" zone to "Service Station" zone in accordance with the Scheme Amendment Map.

C. M. ZANNINO, President.
E. W. LUMSDEN, Shire Clerk.

PD508

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of West Arthur

District Planning Scheme No. 1—Amendment No. 3

Ref: 853/5/17/2 Pt 3

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Acting Hon Minister for Planning approved the Shire of West Arthur Town Planning Scheme Amendment on January 23, 1992 for the purpose of rezoning Lot 276 Arthur Street from Public Purposes Reserve to Industrial Zone and the Scheme map is hereby amended accordingly.

D. M. JOHNSTON, President.
K. T. O'CONNOR, Shire Clerk.

PD509

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Wyndham-East Kimberley
Town Planning Scheme No. 4—Amendment No. 23

Ref: 853/7/5/6 Pt 23

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Acting Hon Minister for Planning approved the Shire of Wyndham-East Kimberley Town Planning Scheme Amendment on January 31, 1992 for the purpose of—

rezoning part of the new residential subdivision in Lakeside, Kununurra, from Residential Development Zone to

- (a) Residential 1 Zone (R 12.5/20) and Residential 2 Zone (R50)
- (b) Lot 1688 to Public Purposes Reserve (Primary School),
- (c) Lot 1689 to Public Open Space Reserve,
- (d) Lots 1686 and 1687 to Public Purposes Reserve (Drainage)

B. RAICEVIC, President.
M. CHEVERTON, Shire Clerk.

PD510

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Town of Claremont
Town Planning Scheme No. 3—Amendment No. 34

Ref: 853/2/2/3 Pt 34

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 (as amended) that the Acting Hon Minister for Planning approved the Town of Claremont Town Planning Scheme Amendment on January 31, 1992 for the purpose of—

- (a) Deleting all of subclause 85 (2) after paragraph (e) and,
- (b) Adding the following,
 - (f) any statement of planning policy adopted by the Council relating to specific areas or building types may refuse any application for planning approval. Where Council grants its approval, it may do so subject to such conditions as it may deem fit.

P. H. WEYGERS, Mayor.
D. H. TINDALE, Town Clerk.

PD601

STATE PLANNING COMMISSION ACT 1985
NOTICE OF DELEGATION

File No. 970-1-1-3.

Notice is hereby given that the State Planning Commission ("the Commission") acting pursuant to the provisions of section 20 of the State Planning Commission Act 1985 ("the Act") has resolved to delegate its powers and functions as follows:—

- (a) The powers and functions set out in Schedule 1 hereto are delegated to those eligible persons and bodies set out in Schedule 2 hereto.
- (b) The power and functions set out in Schedule 5 of the Notice of Delegation published in the *Government Gazette* on 26th April 1991 are further delegated by adding after the wording at "Co-ordinator South West Branch Office" the office designated "Manager: Local Planning—South West Branch Office", and amending the condition to read "[but confined to those matters related to land within the South West Region of the State together with the municipal districts of the Shires of Murray and Boddington and the City of Mandurah]".

Schedule 1—Powers Delegated

Subject to compliance in each case with published Commission policy, all powers and functions of the Commission as set out in:

- (i) Section 7B, 19, 20, 20C, 21, 24 and 25 of the Town Planning and Development Act 1928.
- (ii) Town Planning Regulations 1967.
- (iii) State Planning Commission Regulations 1962.

- (iv) Strata Titles Act 1985.
- (v) Strata Titles General Regulations 1985.
- (vi) Section 295 (2a) and Section 297A (6) (a) of the Local Government Act.
- (vii) Section 18 (1) (c) of the State Planning Commission Act 1985.
- (viii) Power to advise the Hon Minister for Planning on any appeal or matter arising therefrom pursuant to Part V of the Town Planning and Development Act and to defend or otherwise deal with appeals lodged with the Town Planning Appeal Tribunal.
- (ix) Power to prepare and submit to the Commission for approval, Statements of Planning Policy pursuant to Section 5AA of the Town Planning and Development Act and other Policy Statements relating to planning matters and/or the functions of the Commission.

Schedule 2—Application of Delegation

The delegation of the powers and functions set out in Schedule 1 apply to the Interim South West Region Planning Committee being a Committee by that name established by the Commission under section 19 of the Act having responsibility for that area of the State comprising the South West Region as defined in Schedule 1 to the State Planning Commission Act 1985 together with the municipal districts of the Shires of Murray and Boddington and the City of Mandurah.

Dated 21 January 1992.

GORDON G. SMITH, Secretary.

POLICE

PE301

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC CODE AMENDMENT REGULATIONS (No. 2) 1991

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Road Traffic Code Amendment Regulations (No. 2) 1991*.

Principal regulations

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

[* *Reprinted in the Gazette of 25 October 1983 at pp. 4315-58.*
For amendments to 28 October 1991 see 1990 Index to Legislation of Western Australia, pp. 350-3.]

Regulation 1104 amended

3. Regulation 1104 of the principal regulations is amended by inserting after subregulation (2) the following subregulation —

“ (2a) Subregulations (1) (g) and (h) do not apply to, or in relation to, a special purpose vehicle being used by a member of the Police Force for the purpose of patrolling an area. ”.

Regulation 1603 amended

4. Regulation 1603 of the principal regulations is amended in subregulation (1a) —

(a) by deleting “or” at the end of paragraph (e);

- (b) by deleting the full stop at the end of paragraph (f) and substituting the following —
- “ ; or ”; and
- (c) by inserting after paragraph (f) the following paragraph —
- “ (g) a member of the Police Force driving a special purpose vehicle in the course of patrolling an area. ”.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

PE401

POLICE AUCTION

Under the provisions of the Act 1892-1893 Unclaimed and Stolen Property will be sold by Public Auction at the premises of Ronald Scott, trading as Snowball Auctions, Auctioneer of 89 Frederick Street, Albany at approximately 9.15 am on Friday March 27, 1992.

Auction to be conducted by Ronald Scott, Auctioneer.

B. BULL, Commissioner of Police.

PREMIER AND CABINET

PR401

MINISTERIAL ACTING ARRANGEMENTS

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. Y. D. Henderson, for the period 20 January-2 March 1992 inclusive:—

Acting Minister for Productivity and Labour Relations: Hon. E. S. Ripper.

Acting Minister for Consumer Affairs: Hon. J. Watson.

M. C. WAUCHOPE, Acting Chief Executive.

RACING AND GAMING

RA401

LIQUOR LICENSING ACT 1988

SUMMARY OF LIQUOR LICENSING APPLICATIONS

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

App. No.	Applicant	Nature of Application	Last Day for Objections
TRANSFER OF LICENCE			
192	M. H. Mapleson	Application to Transfer Hotel Licence in respect of the London Hotel, Albany, from, S. G. Lorrigan.	10/2/92
193	R. J. Neil and M. A. Cook	Application to Transfer Hotel Licence in respect of the Bridgetown Hotel, Bridgetown, from, R. S. Ryding.	13/2/92
194	Belbay Nominees Pty Ltd	Application to Transfer Restaurant Licence in respect of the Yacht Club, North Beach, from, Belbay Nominees Pty. Ltd.	13/2/92

App. No.	Applicant	Nature of Application	Last Day for Objections
NEW LICENCE			
109B/91	Balcatta Cricket Club Inc.	Application for a Club Restricted Licence in respect of the Balcatta Cricket Club Inc., Jones Paskin Reserve, Balcatta.	5/3/92
110B/91	L. Silby and M. A. Gibson	Application for a Restaurant Licence in Respect of Chelsea Pizza Co., 145 Stirling Hwy Nedlands.	20/2/92
112B/91	Alexander Park Indoor Sports Social Club	Application for a Club Restricted Licence in respect of the Alexander Park Indoor Sports Social Club, 500 Alexander Drive, Malaga.	26/2/92
65A/91	C. A. Hunter	Application for a Special Facility Licence in respect of the Historic Cornwall Hotel, 25 Hopkins Street, Boulder.	21/2/92

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

G. B. AVES, Director of Liquor Licensing.

TRANSPERTH

TP401

METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST ACT 1957

MEMBERSHIP OF TRUST

I, Pamela Anne Beggs, being the Minister administering the Metropolitan (Perth) Passenger Transport Trust Act 1957 appoint in accordance with the provisions of section 7 (2) of that Act:

1. Peter William Geoffrey Newman as a Member of the Metropolitan (Perth) Passenger Transport Trust for a further period of one year to 14 January 1993.
2. Raymond James Ellis as a Member of the Metropolitan (Perth) Passenger Transport Trust for a further period of one year to 14 January 1993.

PAM BEGGS, Minister for Transport.

WORKERS COMPENSATION AND REHABILITATION

WC201

At the meeting of the Executive Council held in the Executive Council Chamber, at Perth, this 21st day of January 1991 the following Order in Council was authorised to be issued:

WORKERS' COMPENSATION AND REHABILITATION ACT 1981-1991

ORDER IN COUNCIL

Whereas it is enacted by section 168 of the Workers' Compensation and Rehabilitation Act 1981-1991 that where an employer which is exempt under section 164 of the Act applies to the Minister for revocation of such exemption the Governor may then cancel the exemption.

Now therefore, His Excellency the Governor, acting with the advice and consent of the Executive Council and in the exercise of the powers conferred by section 168 of the said Act doth hereby cancel the exemption granted to John Deere Ltd. from the operation of section 164 of the said Act.

M. C. WAUCHOPE, Clerk of the Council.

TENDERS

ZT301

STATE SUPPLY COMMISSION

Tenders Invited

Tender forms and full particulars of the Schedule hereunder may be obtained on application at the State Supply Commission, 815 Hay Street, Perth, 6000.

TELEPHONE No. 222 8491 or 222 8241

FACSIMILE No. 321 7918

Date of Advertising	Schedule No.	Description	Date of Closing
1992			1992
Jan. 10	013A1992	Bandages, Cotton Products and Dressings for the Health Department and other Departmental Institutions initially for two (2) years with an option to extend for a further twelve (12) months	Feb. 13
Jan. 10	244A1992	Video and Associated Equipment for the Police Department	Feb. 13
Jan. 24	310A1992	Supply and Delivery of One (1) to Three (3) Heavy Duty Tandem Drive Graders in accordance with Specification P189-5 for the Main Roads Department	Feb. 13
Jan. 24	311A1992	Supply and Delivery of One (1) to Nine (9) Motor Grades in accordance with Specification P53-8 for the Main Roads Department	Feb. 13
Jan. 24	312A1992	Supply and Delivery of One (1) to Five (5) Skid Steer Four Wheel Drive Loads in accordance with Specification P8-7 for the Main Roads Department	Feb. 13
Dec. 28	584A1991	Supply, free delivery and commissioning of a Railway Spike Pulling Machine for Westrail	Feb. 13
Jan. 24	114A1992	Sterile Dressing Packs for the Health Department and other Government Departmental Institutions initially for one (1) year with an option to extend for a further twelve (12) months	Feb. 20
Feb. 7	119A1992	Double and Triple Central Venous Catheters for the Whole of Health Requirements; for a period of 12 months with an option exercisable by the Commission to extend for a further 12 months	Feb. 27
Feb. 7	308A1992	Supply and delivery of approximately 300 Hospital Beds for the Health Department to various hospitals throughout the State of Western Australia	Feb. 27
Feb. 7	325A1992	Supply and delivery of one (1) to two (2) Crawler Dozer Class 105C in accordance with Specification P74-8 for the Main Roads Department	Feb. 27
Feb. 7	326A1992	One (1) to Two (2) Crawler Dozers Class 60C in accordance with Specification P554 for the Main Roads Department	Feb. 27
Feb. 7	327A1992	One (1) to Four (4) Self Propelled Smooth Drum Vibrating Rollers in accordance with Specification P280-6 for the Main Roads Department	Feb. 27
Jan. 31	328A1992	Supply, delivery, site planning, installation, commissioning, maintenance, operational support and supplies for a Whole Body Magnetic Resonance (MR) Scanner for clinical Imaging in the Radiology Department of Royal Perth Hospital	Feb. 27
Feb. 7	329A1992	Supply and delivery of a Folding, Inserting and Pressure Sealing Machine for the State Print	Feb. 27
<i>For Sale</i>			
Jan. 24	314A1992	1977 Ford Louisville M8000 4x2 Prime Mover (XQ1 501) at Conservation and Land Management—Ludlow	Feb. 13
Jan. 24	315A1992	1982 Deutz 4WD Tractor Intrac 2004 (XQQ 586) at Conservation and Land Management—Manjimup	Feb. 13
Jan. 31	318A1992	Hyster 15 Tonne Grid Roller (MRD 3641)—Welshpool	Feb. 20
Jan. 31	319A1992	Hanomic 33C 4WD Loader (MRD 8373)—Welshpool	Feb. 20
Jan. 31	320A1992	Labelco LK500 Loader (MRD 7445)—Welshpool	Feb. 20
Jan. 31	321A1992	Mitsubishi FK115J16 Flat Top Truck (MRD 7331)—Welshpool	Feb. 20
Jan. 31	322A1992	John Deere 570A Grader (MRD 5995)—Welshpool	Feb. 20

STATE SUPPLY COMMISSION—*continued*
For Sale—*continued*

Date of Advertising	Schedule No.	Description	Date of Closing
1992			1992
Jan. 31	323A1992	J.C.B. 3CX Backhoe (MRD 7413)—Welshpool	Feb. 20
Jan. 31	324A1992	Hanomag 33C Loader (MRD 7443)—Welshpool	Feb. 20
Feb. 7	331A1992	1980 Fiat 1300DT 4x4 Tractor (MRD 4720)—Welshpool	Feb. 27
Feb. 7	332A1992	1979 Coates 15 Tonne Grid Roller (MRD 3639), 1980 ANI 15 Tonne Grid Roller (MRD 4710)—Welshpool	Feb. 27
Feb. 7	333A1992	1990 Ford Fairmont Sedan (Crown Law)—Port Hedland	Feb. 27
Feb. 7	334A1992	1987 Toyota HJ75 4x4 Landcruiser (Diesel)—Agriculture Department	Feb. 27

Tenders, addressed to the Chairman, State Supply Commission, 815 Hay Street, Perth 6000 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 Supply Commission.

ZT302

Accepted Tenders

Schedule No.	Particulars	Contractor	Rate
	<i>Supply</i>		
055A1991	Supply and Delivery of Glove, Patient Examining and Treatment for whole of Health Requirement for a period of twelve (12) months	Ansell International Promedica P/L	Details on Request
	<i>Disposal</i>		
303A1992	290 x Manley boxes with Combes	J. A. and J. J. Ligman ..	\$8.00
	35 x New Manley Boxes		\$5.00
	97 x Manley Frames		\$0.50
	40 x Four Frame Nucleus Boxes	Ronald Owen Pollard	\$15.00
	18 x Drone Catching Boxes	Donald Wilson Smith	\$5.00

ZT402

WATER AUTHORITY OF WESTERN AUSTRALIA

Accepted Tenders

Contract	Particulars	Contractor	Price
AP 12041	Supply of Cleaning Rags and Cloths for a Twelve (12) Month Period	Kimberley Clark Aust., Clean Cloth, Johnson and Johnson Australia Pty. Ltd., Windsor Wipers Sales., State-wide Cleaning Supp., Bunzl Ltd. (6 Tenderers)	Schedule of Rates
AP 12042	Supply of Copper and Copper Alloy Pipe Fittings for a Twelve (12) Month Period	Galvin Engineering Pty. Ltd., Mania Nicholson P/L	Schedule of Rates
AP 12043	Supply of Welding Tips, Rods and Associated Products for a Twelve (12) Month Period	Atkins Carlyle Ltd., Burnback Welding Equi., Liquidarc Pty. Ltd., CIG Weld, Johnson Matthey (Aust.), Lincoln Electric Comp., Welding Industries of Aust. (7 Tenderers)	Schedule of Rates

W. COX, Managing Director.

PUBLIC NOTICES**ZZ201****TRUSTEES ACT 1962****Notice to Creditors and Claimants**

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 9th March 1992, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Clarke, Bernard Kevin, late of 30B Nineham Avenue, Spearwood, died 29/10/91.

Dyer, Grace Maud, formerly of 159 Bourke Street, Kalgoorlie, late of Tinetti Lodge 173 Wilson Street, Kalgoorlie, died 22/12/91.

Hanham, Rodney George, late of 10 Ivanhoe Place, Gosnells, died 17/12/91.

Hazlitt, Samuel Thomas, late of Whitby Falls Hostel, South West Highway, Mundijong, died 25/1/91.

King, Paul Raymond, late of 85 Lincoln Road, Essendon, Victoria, died 14/7/91.

Kirby, Eileen Maud, late of 1 Mace Street, Northam, died 18/9/91.

Knuckey, William, late of 9 Swan Street, South Perth, died 24/12/91.

McCaffrey, Andrew Hamilton, late of Unit 2 Third Avenue, Mandurah Retirement Village, Mandurah, died 10/12/91.

Mackrill, Annette Sheree, late of 4 Dolium Court, Heathridge, died 28/12/91.

Maclean, Harry Neville, late of Unit 11 5 Dourd Road, South Fremantle, died 14/9/91.

Mason, Coraleen Dora, late of 6 Moylan Way, Busselton, died 11/10/91.

Peachey, John, late of Unit 30/12 Tenth Avenue, Maylands, died 4/12/91.

Robinson, Beatrice Violet, late of 19 Railway Avenue, Kelmscott, died 6/12/91.

Robinson, Herbert Wilson, late of 14 Fyfe Circle, Bull Creek, died 24/9/91.

Spencer, Jack Percy Septimus, late of 16 Roberts Street, Kalgoorlie, died 7/11/91.

Waters, Charles Edgar, late of 42/285 Walcott Street, Mount Lawley, died 1/10/91.

Willesmere, May Alexandra, late of Alfred Carson Nursing Home, 30 Bay Road, Claremont, died 8/1/92.

Wojas, Erich Otto, late of Success Hill Lodge 1 River Street, Bassendean, died 17/12/91.

Wynne, Alfred Richard, late of 58 Alfred Road, Graylands, died 3/1/92.

Dated this 3rd day of February 1992.

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

ZZ202**TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estates of the undermentioned deceased persons, are required to send particulars of their claims to R & I Trustees Limited of 5th Floor, 54-58 Barrack Street, Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice—

Bone, Sarah Elizabeth, late of 80 Hamilton Street, Cannington, Widow died 15/12/91.

Coffen, Isabel Mary, late of 194 Hay Street, Subiaco, Widow died 3/11/91.

Dare, George Henry, late of Bunbury Nursing Home, 39 Hayes Street, Bunbury, Retired Public Works Department Employee died 29/11/91.

Herma, Ladislav, late of Unit 2, 1 Sherry Street, Bunbury, Aged Pensioner died 14/12/91.

McMerrin, Diane Kay, late of 26 Collier Street, Wembley, Home Duties died 18/12/91.

Oleksak, Kunegunda, late of 169 Crawford Road, Inglewood, Aged Pensioner died 15/12/91.

Ussher, Thomas Burke, late of Unit 15, 750 Canning Highway, Applecross, Army Major died 29/11/91.

Dated this 3rd day of February 1992.

A. J. HALL, Business Development Officer.

ZZ203

PUBLIC TRUSTEE ACT 1941

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

Dated at Perth the 7th day of February 1992.

Eaton, Charles James, Retired Railway Storeman, Dianella, 31/8/91, 13/1/92.

Cockram, Hilda Cordon, Widow, Bayswater, 18/11/91, 13/1/92.

Carr, Edith, Widow, Beverley, 15/9/91, 13/1/92.

Bell, Catherine, Widow, Applecross, 23/10/91, 13/1/92.

Hawkins, John Edward, Retired Truck Driver, Wilson, 30/10/91, 13/1/92.

Hynes, Gwenlleean Elizabeth Mary, Spinster, Nedlands, 25/10/91, 13/1/92.

Guillaume, Tanya Maria, Meat Packer, Tuart Hill, 5/8/91, 24/1/92.

Marriner, Constance Louis, Widow, Bicton, 12/11/91, 24/1/92.

Scobbie, Annie, Retired Nursing Sister, Midurge, 22/11/91.

Tudor, Lucie Yvonne, Married Woman, Naremburn, 29/8/91, 24/1/92.

Duffy, Gwendoline, Widow, Victoria Park, 29/9/91, 24/1/92.

Colmer, Evelyn May, Widow, Bunbury, 17/11/91, 24/1/92.

Budd, Ruby Olive, Widow, Subiaco, 30/11/91, 24/1/92.

Atkin, Doris Ella, Widow, Joondanna, 8/11/91, 24/1/92.

Tempany, Edith Florence, Inglewood, 5/3/91, 23/5/91.

Fickling, Louisa May, West Perth 10/9/90, 1/5/91.

Western, William Wallace, Mukinbudin, 7/11/86, 1/5/91.

Lewis, Lucy Jean, Nannup 10/1/90, 1/5/91.

K. E. BRADLEY, Public Trustee.

ZZ301

INQUIRY AGENTS LICENSING ACT 1954**Application for Licence in the First Instance**

To the Court of Petty Sessions at Rockingham, I, Justin Leonard Thorne of Postal—P.O. Box 217, Kwinana 6167; Home—14 Burrows Place, Parmelia, Telephone (H) 439 1358, (W) 439 1358, Supp/Parent Pension since 1983 and since 1983 run own small Introduction Agency, Voluntary, DSS was supplied all information having attained the age of twenty-one years, hereby apply on my own behalf for a licence under the abovementioned Act. The principal place of business will be at No. 14 Burrows Place, Parmelia.

Dated the 3rd day of February 1992.

J. L. THORNE, Applicant.

Appointment of Hearing

I hereby appoint the 24th day of March 1992 at 9.30 o'clock in the forenoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Rockingham.

Dated the 3rd day of February 1992.

R. W. STEVENSON, Clerk of Petty Sessions.

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

ZZ401

UNCLAIMED MONEYS ACT**R & I BANK OF W.A. LTD.****Unclaimed Deposits**

Name; Date of Last Transaction; Type of Account; Amount.

Krinte, Z.; 23/8/85; Unknown; \$357.24.

Spargo, L. V.; 25/10/85; C/A; \$1 272.13.

Spiro, J. G. & R. G.; 5/12/85; C/A; \$3 164.80.

Tee, E. M.; 3/4/85; C/A; \$1 295.59.

Green, K. H.; 19/7/85; Unknown; \$299.69.

Pritchett, A. E.; 30/7/85; C/A; \$117.31.

Betho Nominees Pty. Ltd.; 3/12/85; C/A; \$2 154.55.

Charles, J. E.; 3/10/85; C/A; \$215.47.

Flukes, T. S.; 20/10/85; C/A; \$6 868.00.

Kelly, J.; 25/10/85; C/A; \$481.15.

Roberts, J. D. & F. M.; 13/12/85; Unknown; \$142.29.

Buntine Holdings Pty. Ltd.; 28/6/85; Unknown; \$254.50.

Total: \$17 252.72.

UNCLAIMED MONEYS ACT—continued

R & I BANK OF W.A. LTD.—continued

Unidentified Deposits

Date Received; Name on Deposit; Amount.

31/1/85; Chin Tek Poh: DLC Deposit; \$200.00.
12/2/85; Unknown; \$119.00.
25/3/85; Unknown; \$305.40.
10/4/85; Unknown; \$100.00.
14/6/85; Davis, A. G.; \$100.00
16/10/85; Nal Kit Nominees; \$387.50.
24/10/85; Cash Found; \$100.00.
18/12/85; Unknown; \$325.00.
31/12/85; Out of Balance Unidentify; \$1 156.00.

Total: \$2 792.90.

Uncleared Bank Cheques

Payee; Date Issued; Amount.

G. Guidale; 7/1/85; \$359.07.
Ext. Estate Norman James; 24/1/85; \$122.50.
Ext. Estate Norman James; 1/2/85; \$122.50.
L. R. Richamn; 15/2/85; \$127.67.
V. A. Properjohn; 14/3/85; \$175.90.
Manning Hotel; 20/3/85; \$182.00.
Unknown; 4/4/85; \$120.00.
B. S. Butterfield; 10/4/85; \$258.14.
R. & M. Butterfield; 11/4/85; \$204.83.
J. Baty; 24/4/85; \$170.00.
Boat Torque Cruises; 3/5/85; \$1 200.00.
D. E. Kelly; 6/5/85; \$100.00.
Old Sports Specialists; 27/6/85; \$147.00.
Mailsin Nominees; 10/7/85; \$1 370.00.
Unknown; 1/8/85; \$106.53.
Ian James S. Riley; 5/8/85; \$241.88.
Dun & Bradstree; 16/8/85; \$198.50.
World Vision; 22/8/85; \$120.00.
M. Malone; 26/8/85; \$100.00.
Police Dept; 29/8/85; \$211.00.
HLIC; 2/9/85; \$100.00.
Westpac Alice Springs; 13/9/85; \$200.00.
J. B. Atherden; 19/10/85; \$188.60.
Kim Bono; 2/10/85; \$318.00.
Kidz; 4/10/85; \$200.00.
F. A. I. Insurance; 7/10/85; \$106.40.
World Vision; 14/10/85; \$126.00.
Toodyay Shire Council; 15/10/85; \$149.00.
Aust. Guarantee Corp.; 17/10/85; \$100.00.
N. L. Harrison; 7/11/85; \$130.00.
Karrakatta Cemetery Board; 9/11/85; \$310.00.
EH Dealer Team; 15/11/85; \$127.00.
MRM D'Offay; 18/11/85; \$103.04.
M. & J. Wauters Pty. Ltd.; 19/11/85; \$106.89.
M. & J. Wasnes; 3/12/85; \$124.40.
I. N. F. Joy Ellis; 3/12/85; \$272.16.
Elimata Homes; 4/12/85; \$184.00.
Picton Warlow; 18/12/85; \$270.00.
Ingrim Corp.; 20/12/85; \$240.19.

Total: \$8 993.20.

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