

WESTERN AUSTRALIAN GOVERNMENT Gazette

41



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

G. L. DUFFIELD, Director.

PROCLAMATIONS

AA101

DEBITS TAX ASSESSMENT ACT 1990

(No. 57 of 1990)

PROCLAMATION

WESTERN AUSTRALIA } By His Excellency Major General Philip Michael
P. M. Jeffery, } Jeffery, Officer of the Order of Australia, Military
Governor. } Cross, Governor of the State of Western
[L.S.] } Australia.

I, the Governor, acting under section 2 (4) of the Debits Tax Assessment Act 1990, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette*, as the day on which Part 4 of that Act comes into operation. Given under my hand and the Public Seal of the State on 4 January 1995.

By His Excellency's Command,

G. M. EVANS, Minister for Finance.

GOD SAVE THE QUEEN !

HEALTH

HE101

CORRECTION HEALTH ACT 1911

Health Department of WA,
Perth, 30 December 1994.

The appointment of the following person as an Environmental Health Officer is approved.

Officer	Date Effective	Local Authority
HE406 Gazette No. 174 dated 9/12/94 should read		
Piotr Zenni	17 October 1994	Shire of Ravensthorpe

The cancellation of the following person as an Environmental Health Officer is hereby notified.

HE405 Gazette No. 174 dated 9/12/94 should read		
John Hardy	10 August 1994	Shire of Upper Gascoyne

BRIAN DEVINE, delegate of Executive Director, Public Health.

HE401

HOSPITALS ACT 1927

Health Department of WA,
Perth, 4 January 1995.

WL 1.9, Ex Co No. 0036

His Excellency the Governor in Executive Council has appointed under the provisions of the Hospitals Act 1927 Lawrence Rose as a member of the Williams Medical Centre Board for the period ending 30 September 1995.

PETER J. BRENNAN, Commissioner of Health.

HE402

HOSPITALS ACT 1927

James T Pollard Convalescent Hospital

Health Department of WA,
Perth, 30 November 1994.

PL 5.1

I Peter G. Foss being the Minister administering the Hospitals Act 1927 declare in accordance with section 3 of the Hospitals Act 1927 that the institution known as James T Pollard Convalescent Hospital is not a public hospital for the purposes of this Act.

PETER G. FOSS, Minister for Health; The Arts; Fair Trading.

HE403

HEALTH ACT 1911

Health Department of WA,
Perth, 30 December 1994.

The appointment of the following persons as Environmental Health Officers is approved.

Officer	Date Effective	Local Authority
Tracy Ann Waddington	26 December 1994	Shire of Dardanup
Craig Andrew Matchett	14 December 1994	City of Geraldton
Marko Pasalich	12 December 1994	City of Wanneroo
Gary Tucker	3 January 1995 to 28 January 1995	Shire of Swan
Bevan Mold	28 December 1994 to 13 January 1995	Shire of Merredin
Brian Davey	1 January 1995 to 31 January 1995	Shire of Toodyay
Leslie Craig Watts	28 November 1994	City of Mandurah

The cancellation of the following person as an Environmental Health Officer is hereby notified.

Officer	Date Effective	Local Authority
Mark Chadwick	16 September 1994	City of Geraldton
Kyle Boardboard	24 October 1994	City of Fremantle

BRIAN DEVINE, delegate of Executive Director, Public Health.

JUSTICE

JM301

SUPREME COURT ACT 1935

DESIGNATION OF ACTING ATTORNEY GENERAL ORDER 1994

Made by His Excellency the Governor in Executive Council under section 154 (3) and (4).

The Honourable Norman Frederick Moore, Minister for Education; Employment and Training; Sport and Recreation; Minister assisting the Minister for Commerce and Trade, is designated for the purposes of section 154 of the *Supreme Court Act 1935* as the Minister of the Crown —

- (a) who may exercise the powers referred to in subsection (3) of that section; and
- (b) by, to or with reference to whom acts may be done under subsection (4) of that section,

during the period from 17 January to 31 January 1995 (both inclusive).

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

LAND ADMINISTRATION

LA401

LAND ACT 1933

DECLARATION THAT PART 1A DOES NOT APPLY

I declare under section 27H of the Land Act 1933 that Part 1A of the Act does not apply to the following proposals affecting the land specified.

Proposal	Land	DOLA File
Vesting of Reserve 27227 in Shire of Morawa WPL for 21 years for Tree and Plant Nursery	Morawa Lot 318	3219/1963
Reservation for "Public Recreation" with automatic vesting in the City of Bayswater	(i) Swan Location 12102 (Lovegrove Way Morley)	(i) 2859/994
Reservation for "Public Recreation" with automatic vesting in the City of Bayswater	(ii) Swan Locations 12103, 12104 (Jailobsons Way Morley)	(ii) 2860/994
Reservation for "Public Recreation" with automatic vesting in the City of Bayswater	(iii) Swan Location 12105 Granger Way/ Bearis Court Morley	(iii) 2862/994
Reservation for "Public Recreation" with automatic vesting in the City of Bayswater	(iv) Swan Location 12106 (Millerick Way Noranda)	(iv) 2864/994
Reservation for "Public Recreation" with automatic vesting in the City of Bayswater	(v) Swan Location 12107 (Hollister Way Noranda)	(v) 2865/994
Reservation for "Public Recreation" with automatic vesting in the City of Bayswater	(vi) Swan Location 12108 (Weld Square West/Fitzgerald Road, Morley)	(vi) 2866/994
Reservation for "Public Recreation" with automatic vesting in the City of Bayswater	(vii) Swan Location 12109 (Irwin Road Embleton)	(vii) 2867/994
Reservation for "Public Recreation" with automatic vesting in the City of Bayswater	(viii) Swan Location 12110 (Hollett Road Morley)	(viii) 2868/994
Reservation for "Public Recreation" with automatic vesting in the City of Bayswater	(ix) Swan Location 12112 (Bunya Street/Key Place Noranda)	(ix) 2869/994
Reservation for "Public Recreation" with automatic vesting in the City of Bayswater	(x) Swan Location 12113 near Leake Street Bayswater	(x) 2861/994
Reservation for "Public Recreation" with automatic vesting in the City of Bayswater	(xi) Swan Location 12114 (Netley Way Morley)	(xi) 2863/994
Vesting in the Shire of Capel for "Sanitary Site".	Reserve 24100 (Boyanup Lot 201).	2907/926
Sale (Section 38)	Serpentine Lots 134 and 135	2738/977

GEORGE CASH, Minister for Lands.

LA701

PUBLIC WORKS ACT 1902

File No. MRWA 42-36-FV2

Ex Co No. 1486

DOLA File 2473/994

LAND RESUMPTION

Road Widening—South Western Highway (20.40-25.20 SLK)

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 Donnybrook-Balingup and Capel Districts 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 27th day of September 1994, been set apart, taken, or resumed for the purposes of the following public work, namely: Road Widening—South Western Highway—Shires of Donnybrook-Balingup and Capel.

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 the Plans specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent East 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

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
94-53	W.A. Chip & Pulp Co Pty Ltd	Commissioner of Main Roads vide Caveat F188776	Portion of Boyanup Agricultural Area Lot 287 now contained in Plan 18912 and being part of the land comprised in Certificate of Title Volume 1245 Folio 936.	2 202 m ²
94-54	Antonio Carmino Giacci, Mario Michele Giacci and Peter Louis Giacci	A C Giacci, M M Giacci and P L Giacci	Portion of Boyanup Agricultural Area Lot 399 and being Lot 2 on Diagram 41007 now contained in Plan 18911 and being part of the land comprised in Certificate of Title Volume 518 Folio 48A.	582 m ²
94-55	Antonio Carmino Giacci, Mario Michele Giacci and Peter Louis Giacci	A C Giacci, M M Giacci and P L Giacci	Portion of Boyanup Agricultural Area Lot 399 and being Lot 3 on Diagram 41007 now contained in Plan 18911 and being part of the land comprised in Certificate of Title Volume 518 Folio 49A.	1 006 m ²
94-56	Judith Aileen Stanley Haygarth and Judith Elizabeth South	Commissioner of Main Roads vide Caveat F234508	Portion of Boyanup Agricultural Area Lot 399 and being Lot 4 on Diagram 41007 now contained in Plan 18911 and being part of the land comprised in Certificate of Title Volume 518 Folio 50A.	1 101 m ²
94-57	Judith Johnston (one undivided half share)	Commissioner of Main Roads	Portion of Boyanup Agricultural Area Lot 210 now contained in Plan 18911 and being part of the land comprised in Certificate of Title Volume 1499 Folio 663.	1 647 m ²
94-57	Peter Barry Johnston (one undivided half share)	Commissioner of Main Roads	Portion of Boyanup Agricultural Area Lot 210 now contained in Plan 18911 and being part of the land comprised in Certificate of Title Volume 390 Folio 81A.	1 647 m ²
94-58	John Donald Stewart	Commissioner of Main Roads vide Caveat F192918	Portion of Boyanup Agricultural Area Lot 363 and being Lot 3 on Diagram 65274 now contained in Diagram 84804 and being part of the land comprised in Certificate of Title Volume 1650 Folio 822.	576 m ²

Certified correct this 20th day of September, 1994.

ERIC CHARLTON, Minister for Transport.

Dated this 27th day of September, 1994.

MICHAEL JEFFERY, Governor in Executive Council.

PUBLIC WORKS ACT 1902

File No. MRWA 42-43-G
Ex Co No. 1485
DOLA File No. 2448/994

LAND RESUMPTION

Road Widening—South Coast Highway (291.5-292.3 SLK)

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 Denmark 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 27th day of September 1994, been set apart, taken, or resumed for the purposes of the following public work, namely: Road Widening—South Coast Highway—Shire of Denmark.

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 the Plans specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent East 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

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
94-46	Michael Roy Reid and Christine Susanne Reid	Commissioner of Main Roads vide Caveat F495698	Portion of Plantagenet Location 5415 now contained in Diagram 86064 and being part of the land comprised in Certificate of Title Volume 1325 Folio 666.	7913 m ²
94-47	Jean Freda Hanlon	Commissioner of Main Roads vide Caveat F528230	Portion of Plantagenet Location 4603 now contained in Diagram 86064 and being part of the land comprised in Certificate of Title Volume 1325 Folio 665.	1.3080 ha

Certified correct this 20th day of September, 1994.

ERIC CHARLTON, Minister for Transport.

Dated this 27th day of September, 1994.

MICHAEL JEFFERY, Governor in Executive Council.

Schedule No: A27/1994
DOLA 70/1994

**LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
NOTICE OF RESUMPTION OF LAND**

For the purposes of the public work described in the Schedule, the land described in the Schedule ("the resumed land") has been set apart, taken or resumed.

A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland.

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

Schedule

1. Public Work: Extension of Baltimore Parade

Local Authority: City of Wanneroo

Plan/Diagram No. showing Land resumed: L.T.O. Diagram 78505

Council Resolution Date: 28 September 1994

DOLA Ref: 2449/1994

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Smith Corporation Pty Ltd	Smith Corporation Pty Ltd	Part of Lot 3 on Plan 12471 being part of the land contained in Certificate of Title Volume 2000 Folio 171	3029 m ²

2. Public Work: Widening of Coutts Road (Road No. 18688)

Local Authority: Shire of Capel

Plan/Diagram No. showing Land resumed: Diagram 91756

Council Resolution Date: 21 January 1993

DOLA Ref: 734/1993

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Peter James Smith and Jillian Anne Smith	P. J. and J. A. Smith	Portion of Wellington Location 85 being part of the land contained in Certificate of Title Volume 1782 Folio 659	446 m ²

3. Public Work: Widening of Golf Links Road

Local Authority: Town of Albany

Plan/Diagram No. showing Land resumed: Diagram 91985

Council Resolution Date: 27 May 1994

DOLA Ref: 2181/1994

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
The Owners of Strata Plan 12502	The Owners of Strata Plan 12502	Part of the Common Property on Strata Plan 12502	14 m ²

December 22, 1994.

GEORGE CASH, Minister for Lands.

January 4, 1995.

MICHAEL JEFFERY, Governor in Executive Council.

Schedule No: A28/1994

DOLA 70/1994

LOCAL GOVERNMENT ACT 1960**PUBLIC WORKS ACT 1902****NOTICE OF RESUMPTION OF LAND**

For the purposes of the public work described in the Schedule, the land described in the Schedule ("the resumed land") has been set apart, taken or resumed.

A plan and a more particular description of the resumed land may be inspected between 8.00 a.m. and 5.00 p.m. on working days at: Department of Land Administration, Midland Square, Midland.

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

Schedule

1. Public Work: Extension of Ross Ariti Road

Local Authority: Shire of Greenough

Plan/Diagram No. showing Land resumed: L.T.O. Diagram 80443

Council Resolution Date: 31 January 1992

DOLA Ref: 1521/1982

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Commissioner of Main Roads	Commissioner of Main Roads	The land the subject of L.T.O. Diagram 80443 being the whole of the land contained in Certificate of Title Volume 1939 Folio 973	7.2418 ha

2. Public Work: Deviation of Carabin Road (Road No. 6625)

Local Authority: Shire of Wandering

Plan/Diagram No. showing Land resumed: Plan 18606

Council Resolution Date: 16 December 1993

DOLA Ref: 1544/1993

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description of Land	Area (approx.)
Bellah Nominees Pty Ltd	Bellah Nominees Pty Ltd	Portion of Williams Location 12146 being part of the land contained in Certificate of Title Volume 1590 Folio 129	4 652 m ²

December 22, 1994.

GEORGE CASH, Minister for Lands.

January 4, 1995.

MICHAEL JEFFERY, Governor in Executive Council.

ROAD DEDICATION

It is hereby notified that the Minister for Lands has approved, pursuant to Section 288 of the Local Government 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 10th day of January 1995.

A. A. SKINNER, Chief Executive.

LA801

File No. 2309/1994
Ex. Co No. 0010

LOCAL GOVERNMENT ACT 1960

PUBLIC WORKS ACT 1902

LAND ACQUISITION

Right of Way—Town of Vincent

Notice is hereby given, and it is hereby declared, that the piece or parcel of land described in the Schedule hereto, being all in the Perthshire District has, 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 January 1995, been compulsorily taken and set apart for the purposes of the following public work, namely: Right-of-Way—Town of Vincent.

And further notice is hereby given that the said piece or parcel of land so taken and set apart, is shown marked off and more particularly described on Plan 1210 which may be inspected at the Department of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

And it is hereby directed that the said lands shall vest in Town of Vincent 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.)
Richard Pether and Harry Brown	Vacant	Lot 71 on Plan 1210 being the land remaining in Certificate of Title Volume 370 Folio 8.	776 m ²

Certified correct this 22nd day of December 1994.

GEORGE CASH, Minister for Lands.

Dated this 4th day of January 1995.

MICHAEL JEFFERY, Governor in Executive Council.

LOCAL GOVERNMENT

LG301

DOG ACT 1976

Municipality of the Shire of Kondinin

Dog By-laws

In pursuance of the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 23 February 1994 to—

- A. Repeal all previous By-laws relating to dogs made under the Dog Act 1976 as published in the *Government Gazette* on 9 October 1981 and 31 December 1987.
- B. Make and submit for confirmation by the Governor the following By-laws.

1.0 Citation

1.1 These By-laws may be cited as the Shire of Kondinin Dog By-laws 1994.

2.0 Interpretation

In these By-laws, unless the context otherwise requires—

“Act” means the Dog Act 1976.

“Authorised Person” means a person who is authorised under Section 29 of the Act.

“District” means the Municipality of the Shire of Kondinin.

“Fence” where used in the By-laws shall include walls and screen walls.

“Public Building” has the meaning given to it in Section 173 of the Health Act 1911.

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

“Public Reserve” has the meaning given to it in Section 6 of the Local Government Act 1960.

“Regulation” means the Dog Regulations, 1976.

“Shire Clerk” means the person for the time being employed as the Clerk of the Council.

“Street” includes the highway, road, lane, thoroughfare, carriageway or similar place, or part thereof, which is within the Municipality, which the public are allowed to use and includes every part of the highway, road, lane, thoroughfare, or similar place and other things including the street verge, footpath, bridges and culverts appurtenant to it.

2.1 Words and expressions used in these By-laws have the same meanings respectively given to them in and for the purpose of the Act unless the context otherwise requires or unless it is so otherwise provided herein.

3.0 Impounding of Dogs

3.1 Council may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Act or these By-laws as it deems necessary.

3.2 Charges in relation to the seizure and maintenance of a dog in accordance with Section 29(4) of the Act, and fees payable in relation to a dog having been destroyed at the request of its owner are specified in the First Schedule attached hereto.

3.3 The pound or pounds maintained by Council for the detention of dogs seized shall be attended by an authorised person at such times and on such days as determined from time to time by Council.

3.4 A person liable for the control of a dog, as defined in Section 3(1) of the Act, is not excused from liability under the provisions of the Act, Regulations or these By-laws by virtue of the payment of fees or charges prescribed therein for the seizure, care, detention, or destruction of a dog.

3.5 A dog seized by an officer authorised by the Council may be placed in a pound.

3.6 Where a dog has been seized or placed in a pound the keeper of the pound or other officer authorised by the Council shall, in accordance with Section 29(8) of the Dog Act, if the dog is wearing a registration tag, or the owner is otherwise readily identifiable, notify such person that the dog has been impounded in accordance with the requirements of the Act.

3.7 If the owner or person apparently acting on behalf of the owner of the dog seized or impounded shall claim such dog then, subject to By-law 3.8 upon payment of the fees specified in the First Schedule hereto the dog shall be released to such person.

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

4.0 Dog Exercise Areas

4.1 The lands specified in the Seventh Schedule to these By-laws are designated as dog exercise areas for the purpose of the Act. The exercising of dogs in dog exercise areas are subject to the provisions of the Act.

5.0 Prohibited Places

5.1 A person liable for the control of a dog, as provided for in Section 3(1) of the Act, shall prevent that dog from entering or being in any of the following places, unless that person is blind or partially blind and is accompanied by a *bona fide* guide dog or is a guide dog trainer—

5.1.1 A public building.

5.1.2 A shop or other public business premises, not being where dogs are sold or treated for illness or injury.

5.1.3 House of worship.

5.1.4 A theatre or drive-in premises.

6.0 Fouling of Streets and Public Places and Reserves

6.1 A person liable for the control of a dog who permits that dog to excrete on any street or other public place or public reserve or on any other land within the district without the consent of the occupier commits an offence unless the excreta is removed forthwith and disposed of either on private land with the consent of the occupier or in such other manner as the Council approves.

7.0 Fencing Requirements

7.1 The owner or occupier of premises within the district on which a dog is kept shall—

7.1.1 Ensure that the means exist on the premises for effectively confining the dog within the premises; and

7.1.2 Cause the portion of these premises on which the dog is kept to be fenced in a manner capable of confining the dog to that portion in accordance with the provisions of this by-law.

7.2 Every part of a fence used to confine a dog shall be of a type, height and construction which, having regard to the breed, age, size and physical condition of the dog, shall be capable of preventing the dog, at all times from passing over, under or through it.

7.3 Where a gate forms part of the fence, the gate shall—

7.3.1 be kept closed at all times except when the dog is not kept on the premises;

7.3.2 be fitted with an effective self closing mechanism;

7.3.3 be fitted with an effective self latching mechanism attached to the inside of the gate;

7.3.4 be fitted with a mechanism which enables the gate to be locked.

8.0 Maximum Number of Dogs

The owner or occupier of premises situated within the district shall not, unless the premises 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 excepting that the young of those dogs up to the age of three months of age also be kept.

9.0 Application for Kennel Establishment Licence

9.1 An application for a licence to keep an approved kennel establishment shall be in the form contained in the Third Schedule and shall be accompanied by—

9.1.1 a plan showing the details and specifications of all kennels and yards appurtenant thereto and showing the distances from the kennels to the boundaries of the land the subject of the application and all buildings on the land;

9.1.2 such other information as the Council in any case requires.

9.2 A person seeking the issue of a licence to keep an approved kennel establishment shall—

9.2.1 give notice of the proposed use of the land in writing to the owners and occupiers of all adjoining land and premises.

9.2.2 Advertise the intention to do so in a newspaper having circulation in the area at least 30 days before application is made to Council.

9.3 The letter of notification and the advertisement required in By-law 9.2 shall specify that any submissions regarding the application for establishment of kennels on the property being the subject of the letter or the advertisement are to be lodged with the Shire Clerk within thirty days of the date of the letter or the advertisement.

9.4 Council may not approve or register a kennel until it has considered an objection raised to the establishment, operation and maintenance of the kennel upon the premises.

9.5 A licence to keep an approved kennel establishment shall be in the form of the Fourth Schedule.

9.6 The fees payable for the initial application, registration and renewal of a licence to keep an approved kennel establishment are specified in the First Schedule.

9.7 A licence to keep an approved kennel establishment shall remain valid for a period of twelve (12) months from the date of issue thereof.

9.8 A person seeking the renewal of a licence to keep an approved kennel establishment shall make application to the Council in the form of the Third Schedule.

9.9 Council shall not permit the establishment or maintenance of a kennel which would adversely affect the environment, be a nuisance to other residents, or be detrimental or prejudicial in any way.

9.10 A licence for an approved kennel establishment, once issued, is not transferable.

10.0 Construction of Kennels

10.1 The occupier of premises licensed as an approved kennel establishment shall ensure that the dogs in the establishment are kept in kennels and yards appropriate to the breed or kind in question and in accordance with the following requirements—

10.1.1 each kennel shall have a yard appurtenant thereto which is capable of retaining the dog within its confines;

10.1.2 each kennel and each yard and every part thereof shall be at a distance of not less than 20 metres from the boundary of any street and the land the subject of the licence and 20 metres from any other boundary of the land;

10.1.3 each kennel and each yard and every part thereof shall be at a distance of not less than 15 metres from any dwelling, church, school room, hall, factory, dairy or any premises wherein food is manufactured, prepared, packed or stored for human consumption;

10.1.4 the walls of each kennel shall be of concrete, brick, stone, steel or timber framing covered with fibre cement sheeting, galvanised iron (or other approved material) internally and externally;

10.1.5 the roof of each kennel shall be constructed of impervious material;

10.1.6 the lowest internal height of the kennel shall be at least two metres from the floor with an average in built height of not less than 2100 mm;

10.1.7 all painted external surfaces of the kennel shall be kept in good condition and well painted;

10.1.8 all gates shall be provided and fitted with proper catches or other means of securing or fastening such gate;

10.1.9 each yard for a kennel shall be securely fenced with a fence not less than two metres in height constructed of material approved by Council;

10.1.10 the upper surface of a kennel floor shall be at least 100 mm above the finished surface of the surrounding ground and shall be constructed of granolithic cement finished to a surface having a fall of not less than 1 in 100 to a drain which shall be properly laid, ventilated and trapped in accordance with the Council's health requirements;

- 10.1.11 all floor washings shall pass through the drain and shall be disposed of in accordance with the requirements of the Health Act 1911;
- 10.1.12 the floor area of each kennel shall be an area not less than 2.5 square metres for every dog kept therein over the age of three months;
- 10.1.13 the yard of any kennel or group of kennels shall not be less than twice the area of the kennel or group of kennels;
- 10.1.14 all kennels and yards and all feeding and drinking vessels shall be maintained in a clean and sanitary condition and shall be cleansed and disinfected when so ordered by an authorised person or Environmental Health Officer;
- 10.1.15 every approved kennel established shall be provided with reticulated water in the form of a supported stand pipe and hose for the hosing down of kennels and yards.

11.0 Duties of the Licence Holder

11.1 The holder of a licence to keep an approved kennel establishment shall—

- 11.1.1 maintain the establishment in a clean, sanitary and tidy condition;
- 11.1.2 dispose of all refuse, faeces and food waste daily in a manner approved by the Environmental Health Officer;
- 11.1.3 take all practical measures for the destruction of fleas, flies and other vermin.

12.0 Penalties

12.1 A person who contravenes or fails to comply with any provision of these By-laws is, upon conviction, liable to a penalty not exceeding \$200 for each offence.

13.0 Modified Penalties

13.1 The offences described in the table set out in the Second Schedule are prescribed pursuant to Section 45A of the Act as offences in relation to which a modified penalty applies and the amount appearing in that table directly opposite an offence is the prescribed modified payment payable in respect of that offence if dealt with pursuant to this sub-by-law.

13.2 Where an authorised person has reason to believe that a person has committed an offence of the kind described in the Second Schedule a notice may be served on that person in the form contained in the Fifth Schedule (in this by-law referred to as "an Infringement Notice") informing the person that if the person does not wish to have a complaint of the alleged offence heard and determined by a Court the person may pay to Council, within the time therein specified, the amount prescribed as the modified penalty.

13.3 An Infringement Notice may be served on an alleged offender personally or by posting it to that person's address as ascertained from the person at the time of or immediately following the occurrence giving rise to the allegation of the offence or as recorded by Council pursuant to the Act.

13.4 Where a person who received an Infringement Notice fails to pay the prescribed penalty within the time specified as allowed by the Council, the person is deemed to have declined to have the allegation dealt with by way of a modified penalty.

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

13.5.1 appropriate that amount in satisfaction of the penalty and issue an acknowledgement; or

13.5.2 withdraw the Infringement Notice and refund the amount so paid.

13.6 An Infringement Notice may, whether or not the prescribed penalty has been paid, be withdrawn by the Council by sending Notice in the form contained in the Sixth Schedule to the alleged offender at the address specified in the Notice or to the person's last known place of residence or business and in that event any amount received by way of modified penalty shall be refunded and any acknowledgement of the receipt of that amount shall for the purpose of any proceedings in respect of the alleged offence be deemed not to have been issued.

13.7 Where a person does not contest an allegation that the person committed an offence of the kind to which this by-law applies, the production of an acknowledgement from the Council that the modified penalty has been paid to the Council is a defence to a charge of the offence in respect of which the modified penalty was paid.

First Schedule
DOG ACT 1976
Municipality of the Shire of Kondinin
By-laws Relating to Dogs

Fees	\$
1. For the seizure and impounding of a dog	40.00
2. For the maintenance of a dog in a pound per day or part of a day	8.00
3. For the destruction of a dog	50.00
4. Initial Application for Licence to establish a kennel	100.00
5. Registration fee of an approved kennel establishment per annum	50.00
6. Renewal of a licence to keep an approved kennel establishment	50.00

Second Schedule
DOG ACT 1976
Shire of Kondinin

Item	By-law	Nature of Offence	Modified \$
1.	5.1	Permitting a dog to enter or be in or on a prohibited place	40.00
2.	6.1	Permitting a dog to excrete on street or on other land and failing to remove and dispose of such excreta in an approved manner on private land with the consent of the occupier of the land	40.00
3.	7.0	Failing to keep premises fenced as required by the By-law	40.00
4.	11.1.1	Failing to maintain a kennel establishment in a clean, sanitary and tidy condition	40.00
5.	11.1.2	Failing to dispose of all refuse, faeces, and food waste from a kennel establishment daily in an approved manner	40.00
6.	11.1.3	Failing to take all practical measures for the destruction of fleas, flies and other vermin	40.00

Third Schedule
DOG ACT 1976
Shire of Kondinin

Application for Licence/Renewal of Licence to Keep an Approved Kennel Establishment Pursuant to the Dog Act 1976, and the Shire of Kondinin By-laws relating to Dogs,

I/We
(full name)

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

Owner (name and address)

Occupier (name and address)

Purpose for which kennel is to be used

Number of Dogs to be kept

Breed of Dogs

Attached hereto:—

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

- (iii) Copy of advertisement placed in newspaper having a circulation in the area;
 (iv) the fee of \$.....

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

Dated this day of 19.....
 Signature of Applicant

NOTE: Items (i) and (ii) may be struck out if the application is for the renewal of a licence and if no change has been made since previous application

Fourth Schedule

DOG ACT 1976

Shire of Kondinin

Licence to keep an Approved Kennel Establishment

.....
 is/are the holder(s) of a licence to keep an approved kennel establishment at

This licence remains valid for a period of twelve months from the date of issue hereof and is not transferable.

Dated this day of 19.....

.....
 Shire Clerk.

Fifth Schedule

DOG ACT 1976

Shire of Kondinin

INFRINGEMENT NOTICE

No.

Date

To
 it is alleged that at day of 19.....
 you committed an offence that you

.....
 (Authorised Person)

You may dispose of this matter:

(a) By payment of a penalty of \$..... within twenty-one days of this Notice to the Council at Gordon Street, Kondinin or;

(b) By having it dealt with by a Court.

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

Sixth Schedule

DOG ACT 1976

Shire of Kondinin

WITHDRAWAL OF INFRINGEMENT NOTICE

No.

Date

To
 Infringement Notice No. dated/...../..... for the alleged offence of

Penalty \$..... is hereby withdrawn.

No further action will be taken/It is proposed to institute Court proceedings for the alleged offence.

.....
 (to be signed by an Authorised Person)

Seventh Schedule
DOG ACT 1976
Municipality of the Shire of Kondinin
By-laws Relating to Dogs

Dog Exercise Areas

The following sites are designated as dog exercise areas within the District:

- (1) Kondinin Oval—Recreation Reserve 16731.
- (2) Kondinin Old Oval—Lots 165, 166, 167.
- (3) Karlgarin—Recreation Reserve Lot 70.
- (4) Hyden—Recreation Reserve Lot 151.

Dated this 16th day of October 1994.

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

J. M. HINCK, President.
M. J. JONES, Shire Clerk.

Recommended—

PAUL OMODEI, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 20th day of December 1994.

M. C. WAUCHOPE, Clerk of Council.

LG401

LOCAL GOVERNMENT ACT 1960

City of Wanneroo

At meetings of Council on 9 and 23 November 1994 and 21 December 1994, in accordance with section 669DA of the Local Government Act 1960, the following Honorary Parking Inspectors were appointed for a 12 month period for their respective shopping centres as detailed hereunder—

9 November 1994—Glen Alan Hill and Philip Frederick Rice, Warwick Grove Shopping Centre, Warwick.

23 November 1994—Alan McGregor Everington and Geoffrey Colin Hansen, Glengarry Shopping Centre, Duncraig.

21 December 1994—Graham John Lewis, Whitfords City Shopping Centre, Hillarys.

In accordance with the provisions of the Justices Act 1902, the above Honorary Parking Inspectors were authorised to make complaints and act under and enforce the City of Wanneroo Parking Facilities By-laws No. 19 and the Local Government Uniform General (Parking for Disabled Persons) By-laws 1988 within the confines of their respective shopping centres.

R. F. COFFEY, Town Clerk.

PLANNING AND URBAN DEVELOPMENT

PD401

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Bunbury

Town Planning Scheme No. 6—Amendment No. 149

Ref: 853/6/2/9, Pt. 149.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the City of Bunbury Town Planning Scheme Amendment on December 30, 1994 for the purpose of—

1. Rezoning Lots 5, 6, 7, 8, 9, 10, 11, 12 and 13 Austral Parade, Bunbury from 'Residential R15' to 'Special Use'.
2. Amending the Scheme Text by inserting the following into 'Appendix IV—First Schedule Special Uses'—

Description of Land	Permitted Uses	Development Conditions
Lots 5, 6, 7, 8, 9, 10, 11, 12 & 13 Austral Parade	Residential R40	Development shall be in accordance with a comprehensive development plan approved by Council and addressing the issues of access, landscaping, visual amenity, building height and building bulk.

E. C. MANEA, Mayor.
G. P. BRENNAN, Town Clerk.

PD402

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Wanneroo

Town Planning Scheme No. 1—Amendment No. 670

Ref: 853/2/30/1, Pt. 670.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on December 30, 1994 for the purpose of—

1. rezoning Lot 58 (1) Parkin Way Marangaroo (portion of Lot 106 Berkley Road) from "Residential Development R20" to "Residential Development, Special Zone (Additional Use) Corner Store"; and
2. including an appropriate reference to the Special Zone in Section 1 of Schedule 1.

H. M. WATERS, Mayor.
R. F. COFFEY, Town Clerk.

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Rockingham

Town Planning Scheme No. 1—Amendment No. 252

Ref: 853/2/28/1, Pt. 252.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the City of Rockingham Town Planning Scheme Amendment on December 31, 1994 for the purpose of rezoning Lot 31, Safety Bay Road, Shoalwater, from "Residential SR3" zone to "Business Local" zone.

F. W. GARDINER, Mayor.
G. G. HOLLAND, Town Clerk.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Gosnells

Town Planning Scheme No. 1—Amendment No. 426

Ref: 853/2/25/1, Pt. 426.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the City of Gosnells Town Planning Scheme Amendment on December 31, 1994 for the purpose of adding to the Fifth Schedule—Additional Use Zones—the following—

Street	Particulars of Land	Additional Use Permitted
Reservoir Road, Orange Grove	Lot 456	Restaurant incidental to vineyard and wine sales establishment

O. SEARLE, Mayor.
G. N. WHITELEY, Town Clerk.

PD405

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Armadale

Town Planning Scheme No. 2—Amendment No. 92

Ref: 853/2/22/4, Pt. 92.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the City of Armadale Town Planning Scheme Amendment on December 31, 1994 for the purpose of—

1. Rezoning Pt Lot 50, Lot 51 & Lot 7 Churchman Brook Road, Bedforddale being portion of Canning Location 32 from Rural "X" to "Special Use Zone", and
2. Amending the Scheme Text in appropriate numerical order accordingly by inserting a new entry in the Special Use Development Table as follows—

Prescribed Special Use	Requirements	Particulars of Land
Rural/Residential • Community Centre • Public Utility • Dwelling House • Public Recreation • Associated car parking in relation to these uses The Council may at its discretion, permit the following uses: • Home Occupation • Private Recreation • Arts, Crafts & Handicrafts • Shop, if and as allocated on the Subdivision Guide Plan	<ol style="list-style-type: none"> 1. Subdivision & development shall be generally in accordance with the Subdivision Guide Plan prepared in accordance with Clause 5.2.1 of the Scheme and shall observe the following standards: <ul style="list-style-type: none"> • overall maximum No. of lots—254 • minimum POS—23% • minimum lot size—3000m² 2. All lots shall be provided with a reticulated water supply system. 3. The following Clauses of the Scheme are applicable to the land, with the exception of the areas nominated on the Subdivision Guide Plan for roadways and public utilities: <ul style="list-style-type: none"> • Clause 5.1.1 (j) • Clause 5.2.2 (b) • Clause 5.2.2 (e) • Clause 5.7.8 • Clause 5.7.9 • Clause 5.7.10 4. Only one dwelling shall be permitted on a lot. 5. The keeping of cats, poultry, livestock and horses is prohibited. 6. Development shall comply with the Rural Zone, Development Standards Table of the Scheme. 7. No further subdivision shall be permitted. 8. All other uses mentioned in the Scheme are not permitted. 	Portion of Canning Loc. 32 being Pt Lot 50, Lot 51 & Lot 7 Churchman Brook Road, Bedforddale.

R. C. STUBBS, Mayor.
J. W. FLATOW, City Manager/Town Clerk.

PD406

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Melville

District Planning Scheme No. 3—Amendment No. 119

Ref: 853/2/17/10, Pt. 119.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the City of Melville Town Planning Scheme Amendment on December 31, 1994 for the purpose of—

- (i) Amending the Scheme map by rezoning from "Hotel" zone to "Residential C-R50", Lots 7-13 (29-41) Foss Street and rezoning to "Residential C-R30" Lots 14-20 (18-6) Point Walter Road Bicton;
- (ii) Amending the Scheme map by rezoning the existing private Right of Way between Lot 6 (27) Foss Street and Lots 2-5 (326) Canning Highway from "Local Road" to "Hotel" zone; and
- (iii) Amending the Scheme text to add to Appendix 5 the following serial—
 - 18. Permit the additional use Fast Food/Restaurant on Lots 2-5 (326) Canning Highway and Lot 6 (27) Foss Street, Bicton.
- (iv) Amending the Scheme text to add to Appendix 5 the following serial:
 - 19. An additional permitted use on Lot 1 (326) Canning Highway, Bicton may be a Tavern; Clause 5.7.4 (3) of Town Planning Scheme No. 3 shall not restrict the development of a Tavern on the land.
- (v) Amending Appendix 4 of the Scheme to show the minimum lot size for a licensed Hotel to read 9 000 m².

M. J. BARTON, Mayor.
J. McNALLY, City Manager/Town Clerk.

PD407

TOWN PLANNING AND DEVELOPMENT ACT 1928
REVOCATION OF APPROVED TOWN PLANNING SCHEME

City of Cockburn Town Planning Scheme No. 1

Phoenix Park Scheme

Ref: 853/2/23/4, Vol. 2.

Notice is hereby given that the Council of the City of Cockburn in pursuance of its powers under section 7 (4) (c) of the Town Planning and Development Act 1928 resolved at the ordinary meeting of Council held on 6 April 1994 to revoke Town Planning Scheme No. 1 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of—

R. LEES, Mayor.
R. BROWN, City Manager/Town Clerk.

Recommended for approval—

EVAN JONES, for Chairman, State Planning Commission.

Dated 15th December 1994.

Approval granted—

RICHARD LEWIS, Hon Minister for Planning.

Dated 30th December 1994.

PD408

TOWN PLANNING AND DEVELOPMENT ACT 1928
REVOCATION OF APPROVED TOWN PLANNING SCHEME
City of Cockburn Town Planning Scheme No. 1
Gerald Road Scheme

Ref: 853/2/23/1, Vol. 3.

Notice is hereby given that the Council of the City of Cockburn in pursuance of its powers under section 7 (4) (c) of the Town Planning and Development Act 1928 resolved at the ordinary meeting of Council held on 6 April 1994 to revoke Town Planning Scheme No. 1 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of—

R. LEES, Mayor.
R. BROWN, City Manager/Town Clerk.

Recommended for approval—

EVAN JONES, for Chairman, State Planning Commission.

Dated 15th December 1994.

Approval granted—

RICHARD LEWIS, Hon Minister for Planning.

Dated 30th December 1994.

PD409

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION
Shire of Boddington
Town Planning Scheme No. 1—Amendment No. 11

Ref: 853/6/15/1, Pt. 11.

Notice is hereby given that the Shire of Boddington has prepared the abovementioned scheme amendment for the purpose of extending the Town Planning Scheme Area boundary to include Location 15245 Newmarket Road, Boddington, zoning Location 15245 "Special Rural" Zone and including Special Rural provisions for the location in the Scheme Text.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 43 Bannister Road, Boddington and at the State Planning Commission/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 February 21, 1995.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before February 21, 1995.

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

B. JONES, Shire Clerk.

PD410

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Swan
Town Planning Scheme No. 9—Amendment No. 189

Ref: 853/2/21/10, Pt. 189.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the Shire of Swan Town Planning Scheme Amendment on December 30, 1994 for the purpose of rezoning Lots 25 and 26 Great Northern Highway, Viveash from 'Service Station' to 'Residential 1 R20'.

C. M. GREGORINI, President.
E. W. LUMSDEN, Chief Executive Officer/Shire Clerk.

PD411

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Kalamunda

District Planning Scheme No. 2—Amendment No. 144

Ref: 853/2/24/16, Pt. 144.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the Shire of Kalamunda Town Planning Scheme Amendment on 30 December 1994, for the purpose of:

Rezoning Lot 15, Lewis Road, Forrestfield from "Rural" to "Special rural", and inserting in Appendix "C" the following:

Column (a)

Special Rural Zone Area No. 67, Lot 15 (283) Lewis Road Forrestfield. Swan Location 1126.

Column (b)

-
- (1) Subdivision of Special Rural Zone Area No. 67 is to be generally in accordance with Subdivision Guide Plan No. 67.
 - (2) (a) Within Special Rural Zone Area No. 67 the following uses are permitted (P): Dwelling House.
(b) The following uses are not permitted unless specific approval is granted by Council (AA): Home Occupation, Public Utility, Rural Pursuit, Stable, Nursery, Additional Accommodation (granny flat).
(c) All other uses not mentioned under (a) and (b) above are not permitted (X).
 - (3) A reticulated public water supply shall be provided to all lots of less than 2 hectares as a condition of subdivisional approval.
 - (4) In order to enhance the rural amenity of the land in areas Council considers deficient in tree cover, it may require as a condition of any planning approval within Special Rural Zone Area No. 67 the planting of such trees and/or groups of trees and species as specified by Council.
 - (5) The creek and its environs shall be retained in its present natural state.
 - (6) All development proposals shall be referred to the Water Authority of Western Australia for flood plain management assessment.
 - (7) Notwithstanding anything appearing elsewhere in the Scheme, Council shall not permit the erection of any building on an area other than within the building envelopes as depicted on Subdivision Guide Plan No. 67.

O. F. McGRATH, President.

D. E. VAUGHAN, Shire Clerk.

PD412

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Kalamunda

District Planning Scheme No. 2—Amendment Nos. 146, 147 & 148

Ref: 853/2/24/16, Pts. 146, 147 & 148.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the Shire of Kalamunda Town Planning Scheme Amendments on December 30, 1994 for the purpose of—

Amendment No. 146

Rezoning Pt Lot 50 (3) Varley Street, Lesmurdie from "Residential R5" zone to "Private Clubs and Institutions" zone.

Amendment No. 147

1. In Appendix C to the Scheme Text.

- (i) in column (a) inserting:

"Special Rural Zone Area No. 68 (Victoria Road area, Wattle Grove) Lot 500 Canning Location 12."

- (ii) in column (b) commencing on the same line, inserting:

"(1) Subdivision of Special Rural Zone Area No. 68 to be generally in accordance with Subdivisional Guide Plan No. 68.

- (2) (a) Within Special Rural Zone Area No. 68 the following uses are permitted (P):
single house
- (b) The following uses are not permitted unless specific approval is granted by the Council (AA):
additional accommodation (granny flat)
home occupation
public utility
rural pursuit
stable
nursery
- (c) All other uses not mentioned under (a) and (b) are not permitted (X).
- (3) A reticulated public water supply shall be provided to all lots of less than 2 hectares as a condition of subdivision approval.
- (4) In order to enhance the rural amenity of the land in areas Council considers deficient in tree cover, it may require as a condition of any planning approval within Special Rural Zone Area No. 68 the planting of such trees and/or groups or trees and species as specified by the Council."

2. Rezoning Lot 500 Canning Location 12 Victoria Road, Wattle Grove from "Rural" to "Special Rural" as depicted in the Scheme Amendment Map.

Amendment No. 148

In Appendix D to the Scheme Text deleting:

"KALAMUNDA ROAD, MAIDA VALE
Reserve 27074—Hillview Golf Course

Tavern subject to the following conditions:

- (i) No Bottle Shop/Liquor Store activity being permitted.
(ii) The hours of operation of the Tavern being limited to 11 am to 8 pm seven days a week unless otherwise approved by Council and the Licensing Court."

and inserting therein:

"KALAMUNDA ROAD, MAIDA VALE
Reserve 27074—Hillview Golf Course

Tavern subject to no bottle shop/liquor store activity being permitted."

O. F. McGRATH, President.
D. E. VAUGHAN, Shire Clerk.

PD413

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Mundaring

Town Planning Scheme No. 3—Amendment No. 1

Ref: 853/2/27/3, Pt. 1.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Mundaring Town Planning Scheme Amendment on 30 December 1994 for the purpose of rezoning the land surplus to road reserve requirements at the corner of Alison Street and Cook Street, Mt Helena, from "Local Authority Reservations—Local Roads" to "Residential R5", in accordance with the Scheme Amendment Map.

R. P. DULLARD, President.
M. N. WILLIAMS, Shire Clerk.

PD414

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

Town Planning Scheme No. 5—Amendment No. 301

Ref: 853/6/6/6, Pt. 301.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928, that the Hon Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on December 30, 1994 for the purpose of—

1. Rezoning Lot 403 Wattle Bird Court and portions of Lot 7 Collins Road, Busselton from "Single Residential" to "Restricted Use—Residential R30".

2. Rezoning a portion of Lot 7 Collins Road, Busselton from "Recreation" to "Restricted Use—Residential R30".
3. Adding the following to Appendix V—Restricted Use Zones—of the Scheme Text—

Street	Particulars of Land	Only Use Permitted
Wattle Bird Court Collins Road	Lot 403 Portions of Lot 7	Residential Development R30 as may be permitted by the R30 Code in the Residential Planning Codes. For the purpose of the Scheme "Residential Planning Codes" means the Residential Planning Codes set out in Appendix 3 to the Statement of Planning Policy No. 1, together with any amendments thereto.

M. C. SULLY, President.
K. LANG, A/Shire Clerk.

PD415

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Harvey

Town Planning Scheme No. 10—Amendment No. 79

Ref: 853/6/12/14 Pt 79

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 that the Hon Minister for Planning approved the Shire of Harvey Town Planning Scheme Amendment on December 30, 1994 for the purpose of rezoning Lot 419 Burcham Drive, Binningup, from "Residential" to "Public Purpose—Public Utilities".

J. L. SABOURNE, President.
K. J. LEECE, Shire Clerk.

PD416

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Broome

Town Planning Scheme No. 2—Amendment No. 112

Ref: 853/7/2/3, Pt. 112.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Broome Town Planning Scheme Amendment on 31 December 1994 for the purpose of—

1. Rezoning Lot 121 Robinson Street from "Residential (R10/20)" to "Residential (R30)".
2. Amending the Scheme Maps accordingly.

R. J. JOHNSTON, President.
G. S. POWELL, Shire Clerk.

POLICE

PE301

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC CODE AMENDMENT REGULATIONS 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Road Traffic Code Amendment Regulations 1995*.

Commencement

2. These regulations come into operation on the day Part 6 of the *Taxi Act 1994* comes into operation.

Regulation 103 amended

3. Regulation 103 of the *Road Traffic Code 1975** is amended by deleting the definition of "taxi" and substituting the following definition —

"

"taxi" means a taxi within the meaning of the *Taxi Act 1994* or a taxi-car within the meaning of section 47Z of the *Transport Co-ordination Act 1966*;

".

[* Reprinted in the Gazette of 25 October 1983 at pp4315-58.
For amendments to 21 December 1994 see 1993 Index to Legislation of Western Australia, Table 4, pp 228-29 and Gazettes of 18 March, 26 April, 16 September and 13 December 1994.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

PE302

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (LICENSING) AMENDMENT REGULATIONS 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Road Traffic (Licensing) Amendment Regulations 1995*.

Commencement

2. These regulations come into operation on the day on which Part 6 of the *Taxi Act 1994* comes into operation.

Regulation 22 amended

3. Regulation 22 of the *Road Traffic (Licensing) Regulations 1975** is amended —

- (a) by repealing subregulation (1) and substituting the following subregulation —

“

(1) The Board shall provide and issue identification plates or number plates in respect of every vehicle that is licensed under Part III of the Act other than —

- (a) a vehicle which is being, or is to be, operated as a taxi using taxi plates issued under the *Taxi Act 1994*;
- (b) a taxi-car licensed under the *Transport Co-ordination Act 1966*; and
- (c) an omnibus licensed under the *Transport Co-ordination Act 1966* (not being an omnibus operated by the Western Australian Government Railways Commission).

”;

and

- (b) in subregulation (7) (a) by deleting “taxi-cars” and substituting the following —

“ taxis ”.

[* Reprinted as at 5 October 1994.]

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

PE303

ROAD TRAFFIC ACT 1974**ROAD TRAFFIC (DRIVERS' LICENCES) AMENDMENT
REGULATIONS 1995**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Road Traffic (Drivers' Licences) Amendment Regulations 1995*.

Commencement

2. These regulations come into operation on the day Part 6 of the *Taxi Act 1994* comes into operation.

Principal regulations

3. In these regulations the *Road Traffic (Drivers' Licences) Regulations 1975** are referred to as the principal regulations.

[* Reprinted in the Gazette of 2 July 1986 at pp. 2263-75.
For amendments to 21 December 1994 see 1993 Index to
Legislation of Western Australia, Table 4, p. 230 and Gazette of 13
December 1994.]

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

- (a) in item A (i) by deleting “except where the motor car comes within Class G or Class H of this classification”;
- (b) by deleting item G;
- (c) in item H by deleting “, taxi-car or private taxi-car”; and
- (d) by inserting after item N the following item —

“
 T. Any vehicle being operated as a taxi under the
 Taxi Act 1994 or the *Transport Co-ordination Act*
 1966.

”.

Regulation 4 amended**5. Regulation 4 of the principal regulations is amended —**

- (a) in subregulation (4) by inserting after “Class F” the following —
 “ or Class T ”; and
- (b) by inserting after subregulation (4) the following subregulations —

“
 (5) The holder of a driver's licence appropriate to
 Class T is only entitled to drive a vehicle which is
 being operated as a taxi if he is also the holder of a
 driver's licence appropriate to the class, other than
 Class T, to which that vehicle belongs.

 (6) An applicant for a licence to drive a Class T
 vehicle shall have been the holder of a driver's licence
 appropriate to the class, other than Class T, to which
 the vehicle being, or to be, operated as a taxi belongs,
 for a period of not less than 12 months.

”.

Regulation 5 amended**6. Regulation 5 of the principal regulations is amended —**

- (a) by deleting the item relating to Class G; and
- (b) by adding after the item relating to Class N the following item —
 “ Class T.....21 years ”.

By His Excellency's Command,

M. C. WAUCHOPE, Clerk of the Council.

PE304

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (INSPECTION OF VEHICLES) AMENDMENT
 NOTICE 1995

Made by the Minister under section 29 of the Act.

Citation

1. This notice may be cited as the *Road Traffic (Inspection of Vehicles) Amendment Notice 1995*.

Commencement

2. This notice comes into operation on the day Part 6 of the *Taxi Act 1994* comes into operation.

Clause 4 amended

3. Clause 4 (a) (ii) of the *Road Traffic (Inspection of Vehicles) Notice 1994** is amended by deleting "or Division 2 of Part IV of the *Taxi-Car Control Act 1985*".

[* *Published in the Gazette of 29 July 1994 at p. 3859.*]

R. L. WIESE, Minister for Police.

PE305

ROAD TRAFFIC ACT 1974**ROAD TRAFFIC (INSPECTION OF CERTAIN TAXI VEHICLES)
NOTICE 1995**

Made by the Minister under section 29.

Citation

1. These regulations may be cited as the *Road Traffic (Inspection of Certain Taxi Vehicles) Notice 1995*.

Commencement

2. This notice comes into operation on the day Part 6 of the *Taxi Act 1994* comes into operation.

Certain taxi vehicles to be examined before issue or renewal of licence

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

Application of notice

4. The provisions of this notice apply —
- (a) in respect of any vehicle which is being, or is to be, operated as a taxi using taxi plates issued under the *Taxi Act 1994*; and
 - (b) throughout the State.

R. L. WIESE, Minister for Police.

PE401

POLICE AUCTION

Under the provisions of the Police Act 1892, unclaimed stolen bicycles will be sold by public auction at the Department of State Services, State Supply Disposal Centre, 21 Pilbara Street, Welshpool on Tuesday, 7 February 1995 at 9.00 a.m.

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

R. FALCONER, Commissioner of Police.

PE402**POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed found and stolen property will be sold by public auction at the Department of State Services, State Supply Disposal Centre, 21 Pilbara Street, Welshpool on Tuesday, 14 February 1995 at 9.00 a.m.

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

R. FALCONER, Commissioner of Police.

PE501**POLICE AUCTION**

Under the provisions of the Police Act, 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 9.00 am on Friday, 27 January 1995.

Auction will be conducted by Ronald Scott, Auctioneer.

R. FALCONER, Commissioner of Police.

PREMIER AND CABINET**PR401****APPOINTMENT OF DEPUTY OF THE GOVERNOR**

It is hereby notified for public information that the Governor in Executive Council, under clause XVI of the Letters Patent relating to the Office of Governor of Western Australia dated 14 February 1986, has appointed the Senior Puisne Judge, Honourable Geoffrey Alexander Kennedy AO, to be deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor for the period 13-22 January 1995 (all dates inclusive).

M. C. WAUCHOPE, Chief Executive and
Clerk of the Executive Council.

PR402**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 from office of the Hon D. L. Edwardes, MLA at any time in the period 17 to 31 January 1995 inclusive—

Acting Minister for Womens Interests; Parliamentary and Electoral Reform—Hon N. F. Moore, MLC.

M. C. WAUCHOPE, Chief Executive.

TRANSPORT**TR401****WESTERN AUSTRALIAN COASTAL SHIPPING COMMISSION (STATESHIPS)**

Office of the Minister for Transport—Perth

It is hereby notified for general information the His Excellency the Governor in Executive Council has approved the appointment of Mr Chris Dayton as Acting General Manager of Stateships for a four month period ending 5 May 1995.

The appointment is in accordance with section 23 of the Western Australian Coastal Shipping Commission Act 1965.

E. J. CHARLTON, Minister for Transport.

WATER AUTHORITY

WA401

PERMANENT WATER SUPPLY HEADWORKS

Shire of Augusta-Margaret River

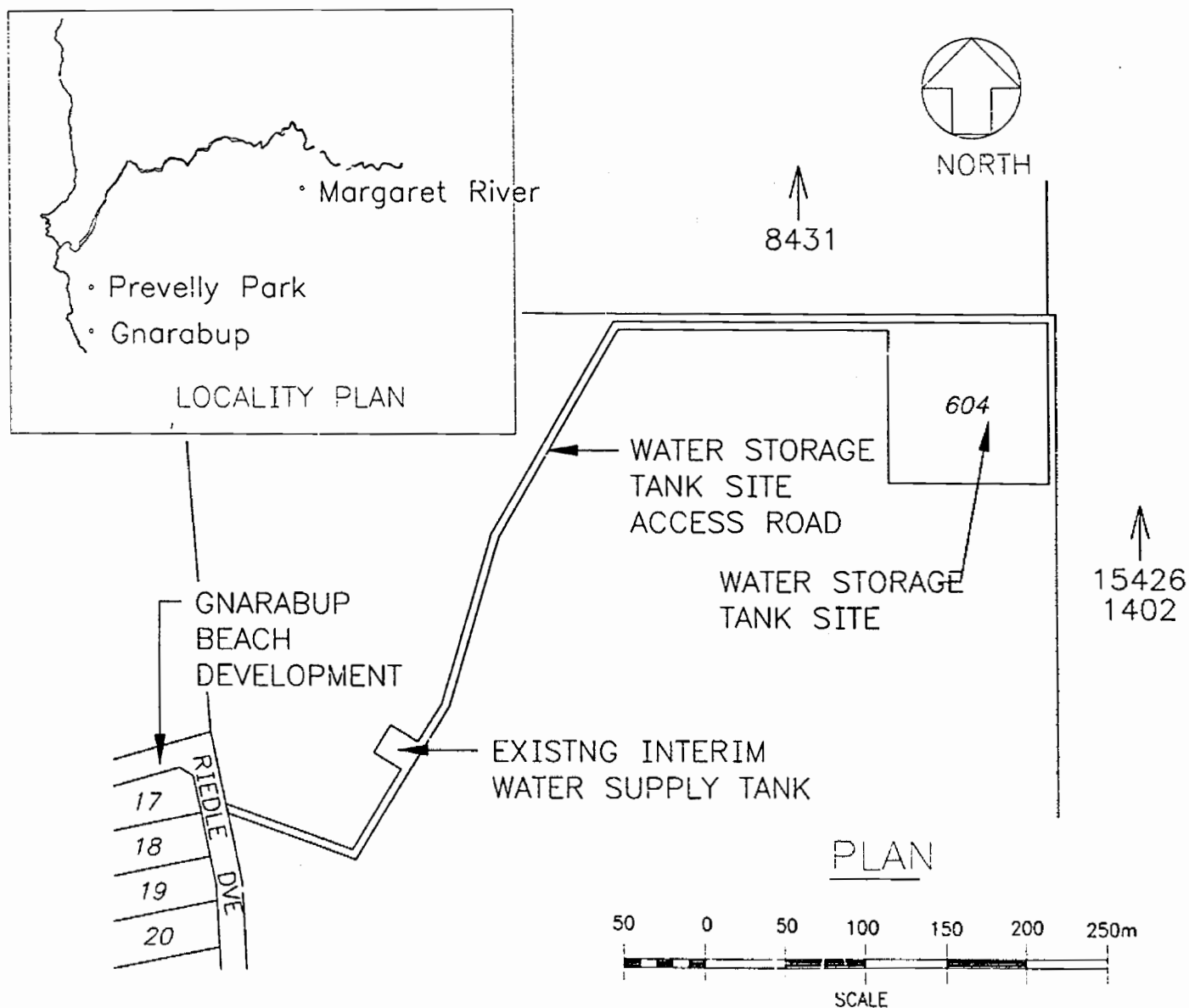
SUSSEX LOCATION 815

Notice of Authorisation to Construct a 1 500 m³ Storage Tank

In accordance with the provisions of the Water Authority Act 1984, the Minister for Water Resources has authorised the Proponent of the Gnarabup Beach Development to construct the following works—

- A 1 500 cubic metre water storage tank
- A bunded overflow pit
- Associated pipework
- Associated siteworks including fencing

The location of the works are as shown on the plan. The works are intended to supply water to the Gnarabup Development and, potentially, Prevelly Park and the wider community.



PUBLIC NOTICES**ZZ301****INQUIRY AGENTS LICENSING ACT 1954****APPLICATION FOR LICENSE IN THE FIRST INSTANCE**

To the Court of Petty Sessions at Joondalup.

I, Jonathan David Bowerman, born 31 January 1945, of 18 Trieste Court, Mindarie, Western Australia, telephone (09) 407 7167, Occupation, Business Manager, having attained the age of twenty-one years, hereby apply on my own behalf for a license under the above mentioned Act.

The principal place of business will be at 18 Trieste Court, Mindarie, Western Australia.

Dated the 4th day of January 1995.

J. D. BOWERMAN, Signature of Applicant.

APPOINTMENT OF HEARING

I hereby appoint the 8th day of February 1995 at 10.00 o'clock in the forenoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Joondalup Courts, 21 Reid Promenade, Joondalup 6027.

Dated the 4th day of January 1995.

A. JAKOBSON, Clerk of Petty Sessions.

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

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