

# WESTERN AUSTRALIAN GOVERNMENT Gazette



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- Easter or Christmas editions etc—these notices appear approximately 4 weeks prior to any change.
- Extraordinary gazettes not circulated to all subscribers—these notices appear in the following general edition of the gazette.

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

JOHN A. STRIJK,  
Government Printer.

## AGRICULTURE

### AG401

#### AGRICULTURAL PRACTICES (DISPUTES) ACT 1995

Agriculture Western Australia  
South Perth WA 6151.

Agric. 969/87

I, the undersigned Minister for Primary Industry being the Minister charged with the administration of the Agricultural Practices (Disputes) Act 1995 appoint, pursuant to Section 7 and Schedule 1 of the said Act, the following—

Name	Position	Term of office expiring
Kenneth Ernest Pech	Member	8 July 1999
Barry James Oates	Member	8 July 2001
Elaine Janet Tyler	Member	8 July 2000
Denyse Lydia Needham	Deputy Member	8 July 2001

to the Agricultural Practices Board.

MONTY HOUSE, MLA, Minister for Primary Industry; Fisheries.

## FIRE AND RESCUE

### FB301\*

#### FIRE BRIGADES ACT 1942

#### FIRE BRIGADES (ONSLOW FIRE DISTRICT) ORDER 1998

Made by the Governor in Executive Council under section 5 of the Act.

#### Citation

1. This order may be cited as the *Fire Brigades (Onslow Fire District) Order 1998*.

#### Onslow Fire District

2. That portion of the Shire of Ashburton coloured yellow on Department of Land Administration Miscellaneous Plan 1987 is constituted as the Onslow Fire District.

#### Second Schedule to Act amended

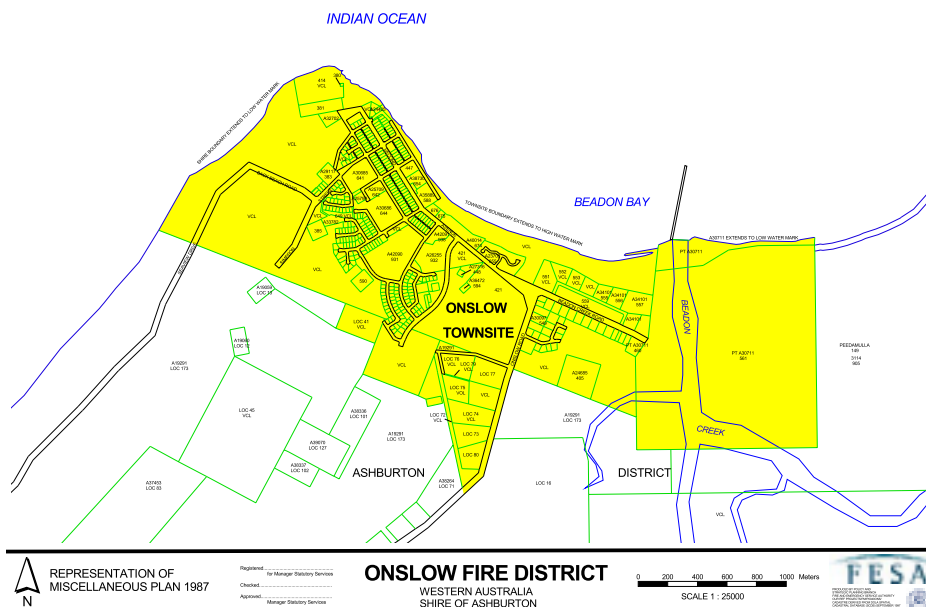
3. The Second Schedule to the *Fire Brigades Act 1942\** is amended in Part IV —
- by inserting in the first column, in the appropriate alphabetical position, the following —  
“ Onslow Fire District ”; and
  - by inserting in the second column, opposite the entry inserted by paragraph (a), the following —  
“ Ashburton ”.

[\* Reprinted as at 17 June 1996.

For subsequent amendments see 1996 Index to Legislation of Western Australia, Table 1, pp. 84-5, Act No. 57 of 1997 and Gazette 17 January and 24 April 1997.]

By Command of the Governor,

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



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**HEALTH**


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**HE401\*****CHIROPRACTORS ACT 1964****CHIROPRACTORS REGISTRATION BOARD (APPOINTMENT OF MEMBERS) INSTRUMENT 1998**

Made by the Governor under section 7 of the Act.

**1. Citation**

This notice may be cited as the *Chiropractors Registration Board (Appointment of Members) Instrument 1998*.

**2. Interpretation**

In this instrument—

“table” means a table in the schedule to this instrument;

“the Act” means the *Chiropractors Act 1964* (WA);

“the Board” means the Chiropractors Registration Board constituted under section 7(1) of the Act.

**3. Appointment of Members**

Each of the persons named in column 1 of the table are appointed to the Board pursuant to the provisions of the Act specified in column 2 of the table adjacent to the name of that person for a period of three years commencing on the date of appointment.

**4. Appointment of Deputies**

Pursuant to section 10(1) of the Act, each of the persons named in column 3 of the table are appointed as deputies to act in the place of the Board members specified in column 1 of the table adjacent to the name of that person.

## Schedule

## TABLE

COLUMN 1 MEMBER	COLUMN 2 Provision of the Act	COLUMN 3 DEPUTY
Mr Stephen Francis Farrell	7(2)(b)	Mr Paul Damien Dillon
Mr Robert Charles Scott	7(2)(b)	Mr Bradley Robert Grant
Mr Kenneth John Spencer	7(2)(c)	Mr Ross Winston Gamble
Mr Graham Bevan Goodreid	7(2)(c)	Mr Andrew Scott Knight

By His Excellency's Command,

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

**HE402\*****MENTAL HEALTH ACT 1996****COUNCIL OF OFFICIAL VISITORS (APPOINTMENT OF MEMBERS)  
INSTRUMENT (No. 3) 1998**

Made by the Minister under section 177 of the Act.

**1. Citation**

This notice may be cited as *Council of Official Visitors (Appointment of Members) Instrument (No. 3) 1998*.

**2. Appointment of Members**

The following members are appointed to the Council of Official Visitors pursuant to section 177(1)(b) of the *Mental Health Act 1996* for a period of three years commencing on the date of appointment—

NAME  
Mrs Jean Ellis  
Mrs June O'Connor  
Dr John Russell Rooney  
Mr Kevin Malcolm Guhl  
Mrs Noreen Mary Paust

JOHN DAY, Minister for Health.

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**JUSTICE**

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**JM401****JUSTICES ACT 1902**

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

Mr Geoffrey James Diver of Lerndale, Yorkrakine  
Mr Ernest John Purser of 55 Hughes Street, Denham  
to the office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, Executive Director, Court Services.

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**JM402****JUSTICES ACT 1902**

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

Mr Angus Malcolm Campbell of 2 Downes Street, Esperance  
Mrs Jocelyn Diane Clark of 1A/133 Drabble Road, City Beach  
Mr Kenneth Desmond Colbung of 17/8 Kathleen Avenue, Maylands  
Reverend Gavin Ernest Collinson of 11 Ocean Shores Edge, Connolly  
Mr Harry Deyl of 209 Lawrence Street, Bedford  
Mr Desmond Alfred Dunning of 3 Kealley Street, Port Augusta  
Mr Eric George Kirk of 32/55 Koolan Drive, Shelley  
Mr Stanley Gilbert Seymour of No. 4, The Lodge, Dandaragan Street, Moora  
from the office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, Executive Director, Court Services.

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**JM403****DECLARATIONS AND ATTESTATIONS ACT 1913**

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

Mrs Susan Alma Coombs of 277 Belmont Avenue, Cloverdale  
Mr Ronald Francis Critchley of 34 Whitely Street, Hamersley  
Mr James Kevin Gorey of 55 Weston Street, Carlisle  
Mr Gavin John Haslam of 49 Naughton Street, Hyden  
Mr Bunthon Kang of U33/126 Peninsula Road, Maylands  
Mrs Sharon Gay Mundy of 4 Petrel Place, Ballajura  
Mr Glenn Robert Nordsvan of 124 York Street, Bedford  
Mr Lesley Robert Patton of 15 Carinya Rise, Quedjinup  
Mrs Edith Patricia Pusey of 1415 Margaret Road, Hovea  
Miss Nicole Joanne Smith of 72 Naughton Street, Hyden

RICHARD FOSTER, Executive Director, Court Services.

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**LOCAL GOVERNMENT**

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**LG301****LOCAL GOVERNMENT ACT 1995**

*Town of Port Hedland*

**STANDING ORDERS**

In pursuance of the powers conferred upon it by the above mentioned Act, the Council of the Town of Port Hedland hereby records having resolved on 27 May 1998, to amend clause 2.7 of the Standing Order Local Law as follows—

**Order of Business**

2.7 The Order of Business at meetings of the Council, shall, unless altered by the Chairperson or by Council resolution, be as nearly as practicable as follows.

- a) apologies and leave of absence;
- b) public question time;

- c) petitions, memorials and presentations (Deputations);
- d) declaration of members and officers interest;
- e) confirmation of minutes;
- f) matters arising from previous minutes;
- g) matters pending;
- h) announcements by the Chairperson without discussion;
- i) reports of officers;
- j) minutes of occasional committees;
- k) Councillor's reports;
- l) late items;
- m) motions of which notice has been given;
- n) notice of motion for consideration of the following meeting;
- o) questions from members without notice;
- p) public question time;
- q) confidential items;
- r) request for leave of absence;
- s) closure.

K. R. DONOHOE, A/Chief Executive Officer.

**LG302\***

**LOCAL GOVERNMENT ACT 1995**

*Shire of Dardanup*

**LOCAL LAW RELATING TO DOGS**

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the Local Government of the Shire of Dardanup hereby records having resolved on the 11th of September 1998 to make the following Local Law relating to Dogs.

PART 1—PRELIMINARY

**Citation**

- 1) This Local Law shall be cited as the Shire of Dardanup Local Law Relating to Dogs.

**Arrangement**

- 2) This Local Law is divided into parts as follows—

- PART I PRELIMINARY
- PART II DELEGATED AUTHORITY
- PART III IMPOUNDING DOGS
- PART IV KEEPING OF DOGS
- PART V REGULATION OF DOG KENNELS
- PART VI GENERAL SCHEDULES

**Definitions**

- 3) In these Local Laws unless the context otherwise requires—

“Act” means the Dog Act 1976 as amended;

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

“CEO” means the Chief Executive Officer of the Shire of Dardanup;

“Council” means the Council of the Shire of Dardanup;

“District” means the district of the Shire of Dardanup;

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

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

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

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

“Public buildings” means each of the following—

- (a) churches;
- (b) cinemas;



- (c) community centres;
- (d) hotel entertainment areas;
- (e) licensed premises;
- (f) public swimming pools;
- (g) schools;

“Regulations” means the Dog Act Regulation 1976;

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

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

#### PART II—DELEGATED AUTHORITY

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

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

#### PART III—IMPOUNDING OF DOGS

5) The Council may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provision of the Dog Act 1976 as amended. The pound to be used by the Shire of Dardanup is established on;—

Part Lot 34 Ferguson Road, DARDANUP

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

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

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

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

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

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

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

13) If the Council destroys or causes the destruction of a dog whether at the request of its owner or not and whether the dog shall have been seized or detained or not, the owner shall pay to the Council when so required, the fees as determined by Council from time to time.

14) No person shall—

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

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

## PART IV—KEEPING OF DOGS

16) The owner or occupier of any premises within the District shall not keep, permit or suffer to remain thereon more than two dogs over the age of three months unless such premises are situated within that area of the district where kennels are permitted under the Shire of Dardanup Town Planning Scheme as amended and unless such premises are licensed as an approved kennel establishment.

17) A person wishing to keep more than two dogs but not more than six dogs on any premises may seek, upon application to Council, exemption for those provisions under section 26(3) of the Act.

18) The owner or occupier of premises within the Shire of Dardanup on which a dog is kept shall cause the portion of those premises on which the dog is kept to be fenced in a manner capable of confining the dog to the portion and in accordance with the provision of this local law. Any owner or occupier failing to comply with this requirement commits an offence.

- (a) The fence used to confine a dog and every part of the fence shall be of a type, height and construction which, having regard to the species, age, size and physical condition of the dog prevents the dog from passing over, under around or through the fence.
- (b) If there is a gate in the fence, the gate shall be kept closed at all times except when the dog is not kept on the premises, but nothing in this local law prevents a person from opening the gate, in order to enter or leave the premises.

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

## PART V—REGULATION OF DOG KENNELS

20) A license to keep an approved kennel establishment may not be granted by the Council until—

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

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

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

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

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

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

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

- (a) Each kennel shall have a yard attached thereto;
- (b) Each kennel and each yard and every part thereof shall not be erected closer to the boundary of a lot than the following distance—
  - (i) from frontage to roads thirty (30) metres;
  - (ii) from all other boundaries twenty (20) metres
- (c) Each kennel and each yard and every part thereof shall be at a distance not less than ten (10) metres from any dwelling;
- (d) Each kennel and each yard and every part thereof shall be at a distance of not less than fifty (50) metres from any church, school room, hall, factory, dairy or premises whatsoever wherein food is manufactured, prepared, packed or stored for human consumption;
- (e) Notwithstanding the provisions of this Section paragraphs (b), (c) and (d) the Council may permit a reduction of a kennel set-back if it is shown to the satisfaction of Council that for reasons of topography or lot configuration the prescribed set-back cannot be adhered to or would be unnecessarily disadvantageous;
- (f) Each yard for any kennel shall be kept securely fenced with a fence constructed of link mesh or netting or other material approved by Council, and shall be of a height capable of retaining the dog within its confines;



- (g) External gates and doors for each yard or kennel shall be fitted with an efficient self closing and latching mechanism;
  - (h) The minimum floor area for each kennel shall be:—
    - (i) Dogs up to 30cm at the shoulders—1.5sq.m
    - (ii) Dogs over 30cm at the shoulders—2.5sq.m
  - (i) The minimum size of any yard shall not be less than twice the area of the kennel or group of kennels;
  - (j) Where a yard is to be floored, the floor shall be constructed in the same manner as the floor or any kennel;
  - (k) The upper surface of a kennel floor shall be at least 10cm above the surface of the surrounding ground and shall be constructed of granolithic cement finished to a surface having a fall of not less than 1 to 100 to a drain which shall be properly laid, ventilated and trapped in accordance with the health requirements of the Council;
  - (l) The walls of each kennel shall be constructed of concrete, brick, stone or framing sheathed internally and externally with good quality new zincalume or new pre-finished colour coated steel sheeting or new fibrous cement sheeting;
  - (m) The lowest internal height of any kennel shall be two (2) metres from the floor.
  - (n) The roof of each kennel shall be constructed of approved impervious material;
  - (o) All external surfaces of each kennel shall be kept in good condition and shall if directed by an Authorised Officer of Council be painted or re-painted with good quality paint;
  - (p) All kennels, yards and drinking vessels shall be maintained in a clean condition and shall be cleaned and disinfected when so requested by an Authorised Officer of Council;
  - (q) Every approved kennel establishment shall be provided with a reticulated water supply in the form of a supported standpipe and hose for the hosing down of the kennels and yards;
  - (r) The holder of a license to keep an approved kennel establishment shall dispose of or cause the disposal of all refuse, faeces and food waste daily into an approved apparatus for the bacteriolytic treatment of sewage;
  - (s) Noise, odours, fleas, flies and vermin must be effectively controlled.
- 27) No kennel shall be erected until plans and specifications together with location plan showing the proposed site for the kennel and yard attached thereto have been approved by the Council.
- 28) A kennel licence shall not be granted by Council before ensuring that a person in charge of the dogs either resides on the premises where the kennel is established, or within reasonable close proximity so as to enable that person to have effective control over the dogs.
- 29) The approved kennel establishment is solely registered to the owner or occupier of the land as specified in the approved application for the kennel establishment licence and is deemed null and void in the event of a change in the owner or occupier of the land on which the kennel establishment is located.

#### PART VI—GENERAL

- 30) The owner or person liable for the control of a dog shall prevent that dog from entering or being in any of the following places—
- (a) A public building;
  - (b) A food shop or other public business premises;
  - (c) Any part of a reserve enclosed as a children's playground;
  - (d) An operational building, construction or demolition site;

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

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

32) Any person who contravenes or fails to comply with any provision of these Local Laws commits an offence and shall upon conviction be liable to a penalty not exceeding \$5000.00.

33) The land Specified in the First Schedule of his Local Law is designated as a dog exercise area for the purpose of the Dog Act 1976.

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

35) (a) Where an Authorised person has reason to believe that a person has committed an offence against this Local Law as prescribed in Section 35 he may serve upon that person an Infringement Notice and the Infringement Notice issued under these Local Laws shall be in the form depicted in Form 2 of Schedule 1 of the Local Government (Functions and General) Regulations 1996.

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

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

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

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

(f) The Prescribed form of Withdrawal of Infringement Notice issued under this Local Law shall be in the form depicted in Form 3 of Schedule 1 of the Local Government (Functions and General ) Regulations 1996.

FIRST SCHEDULE  
*Shire of Dardanup*  
**DOG EXERCISE AREAS**

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

**EATON**

Pratt Road, Reserve 24359. From the prolongation of Foster Street, Northwest to the Collie River Bridge. Between the hours of 5.00am to 10.00am.

Pratt Road, Part of Reserve 25417. From the prolongation of Hands Avenue, North east to the end of the reserve.

**DARDANUP**

Recreation Ground, lot 55 Ferguson Road

**BUREKUP**

Recreation Ground, Lot 2, Russell Road.

SECOND SCHEDULE

*Shire of Dardanup*

**APPLICATION FOR KENNEL ESTABLISHMENT LICENCE**

I/we (full name) .....

Of (postal address) .....

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

.....

Number of dogs to be kept ..... Breed(s) of dogs .....

Attached hereto—

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

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

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

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

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

Signature of Authorised Officer ..... Date .....

## THIRD SCHEDULE

*Shire of Dardanup***KENNEL ESTABLISHMENT LICENCE**

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

Name of occupier .....

Number of dogs .....

Breed(s) of dogs .....

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

The conditions of this Licence are as set out hereunder—

This registration and license shall, unless previously revoked, remain in force until the 31st day of October next. Applications for renewal must be made to the Council during the month of October.

Buildings and yards not complying with Council local Laws relating to Dogs are not covered by this License.

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

Signature of Authorised Officer.....

## FOURTH SCHEDULE

*Shire of Dardanup***RENEWAL OF KENNEL ESTABLISHMENT LICENSE**

I/We (full name) .....

Of (postal address) .....

Hereby apply for the renewal of the registration of a kennel establishment at

(property address) .....

For (breed(s) and number of dogs) .....

I tender herewith the fee of \$.....

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

Signature.....

## FIFTH SCHEDULE

*Shire of Dardanup***MODIFIED PENALTIES**

Item	Section Penalty	Nature of Offence	Penalty
1	14[a]	Attempting to or causing the unauthorised release of a dog from a pound .....	\$100
2	14[c]	Interfering with any pound or any vehicle used for the purpose of catching, holding or conveying dogs .....	\$100
3	18[a]	Failing to provide means for effectively confining the dog ..	\$50
4	26[r]	Failing to dispose of all refuse, faeces, and food waste from a kennel establishment daily in an approved manner .....	\$50
5	26[s]	Failing to take all practical measures for the destruction of fleas, flies and vermin .....	\$50
6	30	Permitting a dog to enter or be in a prohibited place .....	\$100
7	31	Permitting a dog to excrete on a street or other public place or public reserve or on other land and failing to remove and dispose of such excreta in an approved manner on private land with the consent of the occupier of the land .....	\$50

## AFFIXING OF SEAL

Dated this 11th day of September 1998.

The Common Seal of the Shire of Dardanup was hereto affixed by the Authority of the Council in the presence of:—

CR MICHEAL T. BENNETT, Shire President.  
MR MARK L. CHESTER, Chief Executive Officer.

**LG303\*****LOCAL GOVERNMENT ACT 1995***Shire of Dardanup***REPEAL OF VARIOUS LOCAL LAWS**

The Council of the Shire of Dardanup records having made the following local law at a meeting held on the 11th day of September 1998.

1.1 The Local Laws detailed below are hereby repealed.

LOCAL LAW	GAZETTAL DATE
• Dogs	13.12.29
• Poundage Fees	25.06.37
• Appointment of Employees	21.08.42
• Buildings	15.06.51
• Straying Stock General	05.09.52
• Long Service Leave	13.11.53
• Clearing of Townsite Blocks within District	28.05.57
• Motels	27.10.60
• General Building (whole district)	06.10.61
• Numbering of Houses and Buildings	31.08.62
• Old Refrigerators & Cabinets—Draft Model By-laws No 8	04.10.62
• Street Lawns and Gardens—Draft Model By-laws No 11	31.12.63
• Extractive Industries—Draft Model By-laws No 9	20.10.67
• Deposit of Refuse and Litter—Draft By-laws No 16	23.01.68
• Holiday Cabins—Draft By-laws	27.11.69
• Holiday Accommodation—Draft By-laws No 18	21.02.75
• Water Conservation	23.03.67
• Roads Under Construction	07.03.69
• Dog Kennels and Keeping of dogs	19.04.73
• Dogs	08.11.74
• Conduct of Proceedings and the Business of Council	29.11.91
• Establishment, Maintenance and Equipment of Bushfire Brigades	05.04.40
• Heavy Traffic	13.03.14
• Clearing of Land & Removal of Refuse Rubbish & Disused Material	19.03.93
• Caravan Parks and Camping Grounds	21.02.75

Dated this 11th day of September 1998.

The Common Seal of the Shire of Dardanup was affixed By authority of resolution of the Council in the presence of:—

M. T. BENNETT, Shire President.  
M. L. CHESTER, Chief Executive Officer.

**LG304\*****DOG ACT 1976***Town of Port Hedland***TOWN OF PORT HEDLAND LOCAL LAW (DOGS)**

In pursuance of the powers conferred upon it by the above mentioned Act, and of all other powers enabling it, the Town of Port Hedland hereby records having resolved on 27 May 1998 to make the following local law:

**PART 1—PRELIMINARY****1.0 Repeal**

The local law of the Town of Port Hedland relating to dogs published in the *Government Gazette* on the 14th October 1983 and all subsequent amendments are hereby repealed.

**2.0 Citation**

This local law may be cited as the “Town of Port Hedland Local Law (Dogs)”.

**3.0 Interpretation**

In this local law, unless the context otherwise requires—

“Act” means the Dog Act 1976, as amended.

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

“Chief Executive Officer” means the person for the time being employed as the Chief Executive Officer of the Council. Such person shall subject to Council resolution exercise general supervision and control over all matters pertaining to this local law and the direction of such person shall in all cases and for all purposes be presumed to be and to have been the directions of the Council.

“district” means the district of the Town of Port Hedland.

“fence” where used in this local law 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.

“Regulation” means the Dog Regulations, 1976, as amended.

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

3.1 Words and expressions used in this local law 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.

#### PART II—IMPOUNDING OF DOGS

**4.0** 4.1 Council may establish and maintain a pound or pounds for the impounding of dogs seized pursuant to the provisions of the Act or this local law as it deems necessary.

4.2 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 as specified by Council from time to time.

4.3 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 the Chief Executive Officer.

4.4 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 this Local law by virtue of the payment of fees or charges prescribed therein for the seizure, care, detention or destruction of a dog.

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

4.6 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)(a) of the Act, if the dog is wearing a registration tag, or the owner or person in charge of the dog is known, notify such person that the dog has been impounded in accordance with the requirements of the Act.

4.7 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 clause 4.8 upon payment of the fees specified by Council from time to time, the dog shall be released to such person.

4.8 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/her authority to take delivery of it. An authorised person may accept such proof as considered satisfactory and no person shall have any right of action against the authorised officer or Council in respect of delivery of a dog in good faith.

#### PART III—DOG EXERCISE AREAS

**5.0** The lands specified in the First Schedule to this local law 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.

#### PART IV—PROHIBITED PLACES

**6.0** 6.1 A person liable for the control of a dog, as defined 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.

6.1.1 A public building.

6.1.2 A shopping Centre.

6.1.3 A shopping mall.

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

6.1.5 A house of worship.

6.2 The land specified in the Fifth Schedule to this local law is designated as areas pursuant to Section 51(b) of the Act where dogs are prohibited absolutely. The prohibition of dogs in these areas shall be subject to the provisions of the Act.

#### PART V—KEEPING OF DOGS

##### **7.0 Application for Kennel Establishment Licence**

7.1 An application for a licence to keep an approved kennel establishment shall be in the form prescribed by Council from time to time and shall be accompanied by—

7.1.1 a plan showing the details and specifications of all kennel 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;



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

7.2 A person seeking the issue of a license to keep an approved kennel establishment shall—

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

7.2.2 advertise the intention to do so in a newspaper having circulation in the area at least 14 days before application is made to Council

7.3 The letter of notification and advertisement required in clause 7.2 shall specify that any submissions regarding the application for establishment of kennels on the property being the subject of such letter or advertisement are to be lodged with the Chief Executive Officer within 14 days.

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

7.5 A license to keep an approved kennel establishment shall be in a form as prescribed by Council from time to time.

7.6 The fees payable for the issue of a licence to keep an approved kennel establishment and for the renewal of such a licence are as specified by Council from time to time.

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

7.8 A person seeking the renewal of a license to keep an approved kennel establishment shall make written application to the Council.

7.9 Council shall not permit the establishment or maintenance of a kennel in any area if in the opinion of the Council such kennel would adversely affect the environment, be a nuisance to other residents, or be detrimental or prejudicial in any way.

#### **8.0 Construction of Kennels**

8.1 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—

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

8.1.2 each kennel and each yard every part thereof shall be at a distance of not less than 10 metres from the boundary of any street and the land the subject of the licence and 10 metre from any other boundary;

8.1.3 each kennel and each yard and every part thereof shall be at a distance of not less than 20 metres from any dwelling, church, school room, hall, factory, diary or any premises wherein food is manufactured, prepared, packed or stored for human consumption;

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

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

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

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

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

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

8.1.10 the upper surface of a kennel floor shall be at least 100mm 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 requirements;

8.1.11 all floor washings shall pass through the drain and shall be disposed of in accordance with the requirements of the Health Act 1911;

8.1.12 the floor area of each kennel shall be an area of not less than 2.5 square metres for every dog kept therein over the age of three months;

8.1.13 the yard of any kennel or group of kennels shall not be less than twice the area of the kennel or group of kennels;

8.1.14 all kennels and yards and all feeding and drinking vessels shall be maintained in a clean, disinfected and sanitary condition and shall be cleansed and disinfected when so ordered by an authorised person or Environmental Health Officer;

8.1.15 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.



**9.0 Duties of the License Holder**

9.1 The holder of a license to keep an approved kennel established shall—

- 9.1.1 maintain the established in a clean, sanitary and tidy condition;
- 9.1.2 dispose of all refuse, faeces and food waste daily in a manner approved by the Environmental Health Officer;
- 9.1.3 take all practical measures for the destruction of fleas, flies and other vermin;

**PART VI—GENERAL****10.0 Fouling of Streets and Public Places and Reserves**

10.1 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.

**11.0 Fencing Requirements**

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

- 11.1.1 ensure that the means exist on the premises for effectively confining the dog within the premises; and
- 11.1.2 cause the portion of the 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 local law.

11.2 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.

11.3 Where a gate forms part of fence, the gate shall be kept closed at all times except when the dog is not kept on the premises; and be fitted with an effective self-closing mechanism; an effective self-latching mechanism attached to the inside of the gate; and a mechanism which enables the gate to be locked.

**12.0 Maximum Number of Dogs**

12.1 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 or are licensed as an approved kennel established under Section 27 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 may also be kept.

**13.0 Penalties**

13.1 A person who contravenes or fails to comply with any provision of this local law is, upon conviction, liable to a penalty not exceeding \$5000 for each offence and if the offence is a continuing one to a further penalty not exceeding \$500 for every day or part of a day during which the offence is continued.

**14.0 Modified Penalties**

14.1 The Council may describe offences as specified in the Second Schedule of the Town of Port Hedland Local Law pursuant to Section 45A of the Act as offences in relation to which a modified penalty applies and prescribe the amount of each modified penalty payable in respect of each offence is dealt with pursuant to this clause.

14.2 Where an authorised person has reason to believe that a person has committed an offence of the kind described by Council pursuant to Clause 14.1 a notice may be served on that person in the form prescribed by Council from time to time (in this clause 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.

14.3 An Infringement Notice may be served on an alleged offender personally or by posting it to that person's address as ascertained from that 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.

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

14.5 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 the 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—

- 14.5.1 appropriate that amount in satisfaction of the penalty and issue an acknowledgment; or
- 14.5.2 withdraw the Infringement Notice and refund the amount so paid.

14.6 An infringement Notice may, whether or not the prescribed penalty has been paid, be withdrawn by the sending as appropriate notice to the alleged offender at the address

specified in the notice or to the person's last known place of residence of 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 be for the purpose of any proceedings in respect of the alleged offence be deemed not to have issued.

14.7 Where a person does not contest an allegation that the person committed an offence of the kind to which this clause applies, the production of an acknowledgment 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  
TOWN OF PORT HEDLAND  
**DOG EXERCISE AREAS**

The reservations described below are designated as Dog Exercise Areas for the purpose of Clause 5.0 of this Local Law:

Port Reserve 8214—Hedland Dog Club

Port Hedland Foreshore—Reserve 30768

(NOTE: Excluding any area within the abovementioned reserves which is defined as a building and further so as not to interfere with any activity or function being conducted with the approval of Council within the reserve).

SECOND SCHEDULE  
TOWN OF PORT HEDLAND  
**MODIFIED PENALTIES**

Item	Section	Nature of Offence	Penalty
1.	6.	Failure to prevent a dog entering or being on a defined premises or area .....	\$ 100
2.	9(1.1)	Failure to maintain a kennel establishment in a clean, sanitary and tidy condition .....	\$ 50
3.	9(1.2)	Failing to dispose of all refuse, faeces and food waste from a kennel establishment daily in approved manner ..	\$ 50
4.	9(1.3)	Failing to take all practical measures for the destruction of fleas, flies and other vermin .....	\$ 50
5.	10.	Failure to remove dog excreta .....	\$ 50
6.	11.	Premises not capable of effectively confining a dog .....	\$ 100

THIRD SCHEDULE  
TOWN OF PORT HEDLAND  
**APPLICATION FOR LICENCE OR RENEWAL OF LICENCE TO KEEP AN APPROVED KENNEL ESTABLISHMENT**

PURSUANT to the Dog Act 1976 and the Town of Port Hedland Local Laws relating to Dogs

I / We

*(Full name)*

of

hereby apply for a licence/ the renewal of a licence (strike out which is not applicable) to keep an approved kennel 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 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) 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 reasonable time to ensure compliance with Council's Local 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 the previous application.

FOURTH SCHEDULE  
TOWN OF PORT HEDLAND

**LICENCE TO KEEP AN APPROVED KENNEL ESTABLISHMENT**

Dog kennels situated on the premises at .....

.....  
are hereby registered with the Town of Port Hedland.

Name of Occupier .....

Number of Dogs ..... Breed of Dogs .....

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

The licence shall, unless previously revoked, remain valid for a period of 12 months from the date of issue hereof. Application for renewal must be made to the Council during the month prior to the expire date.

DATED THIS:.....day of .....19.....

SIGNED.....

(Authorised Officer)

**LG401**

**LOCAL GOVERNMENT ACT 1995  
HEALTH ACT 1911  
COUNTRY TOWNS SEWERAGE ACT 1948**

*Shire of Koorda*

Memorandum of Imposing Rates

At a Meeting of the Koorda Shire Council held on 24th July, 1998, it was resolved that the rates and charges specific hereunder, be imposed on all rateable property within the Shire of Koorda in accordance with the provisions of the Local Government Act 1995, the Health Act 1911 and the Country Towns Sewerage Act 1948.

Dated this 24th day of July, 1998.

V. F. ORCHARD, President.  
G. J. McDONALD, Chief Executive Officer.

Schedule of Rates Levied and Charges Imposed

General Rates—

Rural Land—3.93c in the dollar on the unimproved value of properties.

Kulja, Dukin and Mollerin Town Sites—9.66c in the dollar on the unimproved value of properties.

Koorda Town Site—9.66c in the dollar on the gross rental valuation.

Mining Area's—3.93c in the dollar on the unimproved value, property, tenements and leases.

Minimum Rate—One hundred and thirty dollars (\$130.00) per assessment throughout the Shire.

Discount—A discount of 10% will be allowed on current general Rates for which full payment is received at the offices of the Shire of Koorda by 5.00pm 15th September, 1998. Provided that all arrears and current rates and charges are paid in full.

Instalment Plan—Administration fee \$20.00

Late Payment Interest Rate—A charge of 10% per annum, calculated daily by simple interest from 15th September, 1998.

Due dates for payments of Rates and Service Charges—

Four Instalment plan

15th September, 1998

17th November, 1998

19th January, 1999

23rd March, 1999

Refuse Removal Charge—\$86.00 per annum per 240 litre bin for domestic and commercial premises.  
Eligible Pensioners \$14.00 per annum.

Sewerage Rate—10.17c in the dollar on gross rental values for residential and commercial properties with the sewerage defined area.

Non Rated Properties Connected To Sewer—

Class 1.—First major fixture—\$119.25 per annum

Each additional major fixture—\$52.45 per annum

Class 2.—\$663.05 per connection

Class 3.—\$663.05 per connection

Minimum Rate—Sewerage—

Vacant Land—Properties—\$110.00 per annum

Residential Properties—\$148.85 per annum

Commercial Properties—\$374.90 per annum

#### LG402

### LOCAL GOVERNMENT ACT 1995

*Shire of Koorda*

#### ANNUAL FEE REVIEW 1998/99 Fees and Changes

At its July 1998 Ordinary meeting, Council reviewed and set its fees and charges for the 1998/99 year in accordance with section 6.19 of the Local Government Act 1995.

The Fees and Charges relate to:

- Cemetery Fees and Charges
- Council Building and Equipment Hire, Fees
- Photocopying, Facsimile and Enquiry Charges
- Swimming Pool Fees and Charges
- Dog Pound Fees
- Caravan Park Fees

and are available for public inspection at the Shire Office during normal office hours.

GRAEME McDONALD, Chief Executive Officer.

#### LG403

### BUSH FIRES ACT 1954

*Town of Northam*

#### Bush Fire Control Officers

It is hereby notified for public information that the undermentioned persons have been appointed Fire Control Officers for the Town of Northam—

Terry Little (Chief Bush Fire Control Officer)  
Paul du Boulay (Deputy Bush Fire Control Officer)  
Randall Freshwater  
Barry Sharpe  
Norm Whitburn  
Graham Niemann  
Luc Thirion

D. S. BURNETT, Chief Executive Officer.

#### LG501\*

### BUSH FIRES ACT 1954

*Shire of Swan*

#### FIRE BREAK ORDER

Notice to owners and/or occupiers of land within, the Shire of Swan

Pursuant to Section 33 of the Bush Fires Act 1954 you are hereby required on or before the 2nd November, 1998, or within 14 days of the date of you becoming owner or occupier should this occur after 2nd November, 1998, to remove from the land owned or occupied by you, all inflammable material or to clear firebreaks in accordance with the following requirements and thereafter to maintain the land or the firebreaks clear of inflammable material up to and including the 31st day of March, 1999.

**GENERAL**

1. Where the area of land is less than 100 hectares, clear and maintain firebreaks at least 3 metres wide immediately inside all external boundaries of the land and immediately surrounding all buildings on the land.
2. Where the area of land is greater than 100 hectares, clear and maintain firebreaks:
  - (a) at least 3 metres wide immediately inside all external boundaries of the land and immediately surrounding all buildings on the land, and
  - (b) at least 3 metres wide in such a position so as to divide the land into the areas not exceeding 100 hectares, with each area to be enclosed by such a firebreak.

**FUEL DUMPS**

On all land where fuel drum ramps are located and where fuel dumps, whether containing fuel or not, are stored, clear and maintain a firebreak at least four metres wide around any drum, ramp or stack of drums.

**HAY STACKS**

Clear and maintain a firebreak at least 3 metres wide completely surrounding any hay stack on the land, within 60 metres of the hay stack.

**PINE PLANTATIONS**

1. Clear and maintain a firebreak at least 10 metre wide:
  - (a) immediately surrounding any area of land on which pine trees are planted,
  - (b) along the boundary of those portions of pine plantations which adjoin a formed public road; and
  - (c) in such positions so that the area of pine plantation bounded by each firebreak does not exceed 200 hectares.

In addition, to the firebreaks required by this notice, pine plantations traversed by Western Power transmission lines have additional obligations under the State Energy Commission Act.

**BURNING**

The requirements of this notice to provide a firebreak, other than an alternative or strategic firebreak may be carried out by burning. That burning must be in accordance with the relevant provisions of the Bush Fires Act 1954.

**ALTERNATIVE FIREBREAKS**

1.
  - (a) Should you consider it to be impracticable for any reason to clear firebreaks or remove inflammable material from the land as required by this notice, you may apply to the Council in writing on or before the 15th October, 1998, for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted in writing by the Council prior to 2nd November 1997 you shall comply with the requirements of this notice
  - (b) When written permission to provide alternative firebreaks has been granted, you shall:
    - (i) comply with all conditions endorsed on the permit.
    - (ii) provide firebreaks at least 3 metres wide in the agreed position(s) on the land.
2.
  - (a) Where the Council has, in writing, approved a Fire Management Plan and the Fire Management Plan depicts an array of alternative firebreaks, an owner may as an alternative to the construction of a general firebreak, elect to provide the alternative firebreak depicted on the Bushfire Management Plan. However, where the alternative firebreak is not constructed by the date required by this notice, the general firebreak requirements shall apply.
  - (b) Any alternative firebreak provided for under (c) above shall be of the same width requirements as that applicable to a general firebreak but shall be limited to the extent and location depicted on the Bushfire Management Plan.

**STRATEGIC FIREBREAKS**

(a) Where, under an agreement with the Council, or where depicted on an approved Bushfire Management Plan, strategic firebreaks are required to be provided on the land you are required to clear and maintain firebreaks at least 6 metres wide in the agreed position.

(b) Strategic firebreaks shall be graded to provide a continuous trafficable surface (suitable for 4 wheel drive vehicles) at least 4 metres wide unimpeded by obstructions including boundary or dividing fences unless fitted with approved gates.

**FIREBREAK CONSTRUCTION**

Without affecting the generality of any other provision herein requiring trafficable firebreaks, all firebreaks required by this order on properties greater than 5 hectares in area shall be constructed and maintained in a condition trafficable by 4 wheel drive vehicles. Overhanging trees abutting firebreaks shall be pruned to minimise accumulation of litter and to allow unimpeded access to vehicles up to 4 metres high.

E. W. T. LUMSDEN, Chief Executive Officer.

**LG502\***

**BUSH FIRES ACT 1954***TOWN OF NORTHAM*

To all Owners and/or Occupiers of Land in the Town of Northam

**FIREBREAK NOTICE 1998-99**

It is hereby notified for public information—

Burning Permits are required between 19th September to 31st October (inclusive)

Burning is prohibited between 1st November to 21st February



Burning Permits are required between 22nd February to 15th April (inclusive)  
Permits are free of charge and available from the Northam Fire Station, Wellington Street, Northam,  
Phone 9622 1071.

If you have any queries, please contact a Bush Fire Control Officer on 9622 1071.

#### Townsite Land—Restrictions

Before 30th October or within fourteen (14) days of the date of you becoming owner or occupier, should this be after 1 November, 1998, you are required to undertake the following—

- (a) Where the area of land is 2,024 square metres or less, all flammable material on the land shall be removed from the whole of the land;
- (b) Where the land exceeds 2,024 square metres in area, firebreaks at least four (4) metres wide shall be cleared of all flammable material immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land;
- (c) Firebreaks to a width of at least fifteen (15) metres around any fuel dump or liquid fuel container.

#### Rural Land

Before 30th October or within fourteen (14) days of the date of you becoming owner or occupier, should this be after 1 November, 1998, you are required to undertake the following—

- (a) Firebreaks at least four (4) metres in width immediately inside and along all external boundaries of the land;
- (b) Firebreaks at least four (4) metres in width within one hundred (100) metres of the perimeter of all buildings and or haystacks or groups of buildings and or haystacks in such manner as to completely encircle the buildings and or haystacks.
- (c) Firebreaks of at least four (4) metres wide immediately inside all boundaries contiguous with any Railway Reserve on which Railway traffic operates.

If it is considered to be impracticable or undesirable to provide firebreaks as required by Council's Local Laws Relating to Firebreaks, the approval of the Council or its duly authorised officer must be obtained in writing for any variations. Approval will only be granted up to and before 16th October in any year. If permission is not granted by the Council or its duly authorised officer, then the owner/occupier shall comply with the requirements of Council's Local Laws Relating to Firebreaks.

Inspections of all properties will be carried out immediately after 1st November and detailed photographs taken as evidence of land which does not comply with the stipulations.

The prohibited burning period will be from 1 November, 1998 to 21 February, 1999.

D.S. BURNETT, Chief Executive Officer.

LG503\*

### BUSHFIRES ACT, 1954

#### SHIRE OF DARDANUP

#### FIRE BREAK NOTICE

#### NOTICE TO ALL OWNERS AND/OR OCCUPIERS OF LAND IN THE SHIRE OF DARDANUP

PURSUANT to the powers contained in Section 33 of the Bushfires Act 1954 as amended YOU ARE HEREBY REQUIRED on or before the 30th day of November, 1998, and thereafter up to and including the 15th day of April, 1999, on all land owned or occupied by you within the Shire of Dardanup, to remove all inflammable material, or to have firebreaks clear of all inflammable matter, in accordance with the following requirements—

#### 1. REQUIREMENTS IN RESPECT OF RURAL LAND

On all that is not within a Gazetted Irrigation district, have firebreaks at least two (2) metres wide clear of all inflammable matter and all bush defined in the Bushfires Act—

- (a) Land Zoned 'Small Holding'
  - (i) Immediately inside and along all external boundaries of the land where the property has an area of 6 ha or less: OR
  - (ii) Where the property has an area of more than 6 ha—immediately inside and along all external boundaries of the land, where that land abuts formed public roads.
 (Note: Henty Brook Estate exempt from these requirements)

- (b) Land Zoned 'General Farming'

Immediately inside and along all external boundaries of the land where that land abuts railways and formed public roads.

- (c) Buildings and Haystacks

Within 20 metres of the perimeter of all buildings or haystacks, or groups thereof, in such a manner so as to completely surround the buildings or haystacks.

#### 2 REQUIREMENTS IN RESPECT OF URBAN AND INDUSTRIAL LAND

On all and—

- (i) where the area of land is 2023m<sup>2</sup> or less and the land is not used for agriculture or grazing purposes, all inflammable materials and all bush as defined in the Bushfires Act, except standing live trees, shall be removed from the whole of the land; OR



- (ii) where the area of the land is in excess of 2023m<sup>2</sup>, or is used for agriculture or grazing purposes, firebreaks at least two (2) metres wide shall be cleared immediately inside all external boundaries of the land also immediately surround all buildings situated on the land.

### 3 REQUIREMENTS IN RESPECT OF PLANTATIONS

#### (a) Definitions

- (i) A plantation is any area of planted pines or eucalyptus species exceeding 3 ha in area.
- (ii) A windbreak is a planted area a maximum of 15 metres wide but with no defined length.

#### (b) Boundary Firebreaks

On the horizontal plane a firebreak shall be provided 15 metres wide and immediately adjoining external boundaries of the planted area. The outer 10 metres will be cleared of all flammable material while the inner 5 metres ie. that portion closest to the trees, may be kept in a reduced fuel state ie. by slashing or grazing grass provided that the height of the grass does not exceed 8 cm .

On the vertical plane a clear space 10 metres high will be maintained above the outer 10 metres of the firebreak.

#### (c) Internal Firebreaks

Plantations shall be subdivided into areas not exceeding 30 ha by firebreaks 6 metres wide which shall be cleared of all flammable material.

On the vertical plane and clearance of a minimum height of 4 metres from ground level will be maintained above the firebreak.

#### (d) Special Risks

##### (i) Public Road and Railway Reserves

Firebreaks 15 metres wide shall be maintained where the planted area adjoins public roads and railway reserves. The specification will be as for "boundary firebreaks" on planted areas.

##### (ii) Powerlines

Firebreaks shall be provided along powerlines where they pass through or lie adjacent to planted areas. The specification of the width and the height of clearing shall be in accordance with Western Power specifications.

### 4. REQUIREMENTS IN RESPECT OF FUEL STORAGE

On all land owned or occupied by you upon which there is situated any drum or drums which are normally used for the storage of automotive fuel, or any ramp or other structure used for the purpose of storage of such drums. YOU MUST have clear of all inflammable matter an all bush as defined in the Bushfires Act, firebreaks at least 6 metres wide immediately surrounding all such drums, ramps or structures.

### 5. GENERAL

If, for any reason, it is considered by the owner or occupier of land that it is impractical to comply with the requirements of this Notice a request may be made to Council to approve alternative fire protection measures. Such applications shall be accompanied by a sketch or drawing of the proposed variations and must be lodged at the Council Offices no later than 20th November, 1998.

Where approval of a proposed variation is not granted by Council, the requirements of this Notice must be complied with.

The penalty for non-compliance with this Notice is a maximum of \$1000 and notwithstanding prosecution, Council may enter onto the land and carry out the requisite works at the owner/ occupiers expense.

### 6. BURNING

If the requirements of this Notice are to be complied with by burning, such burning must be in accordance with the relevant provisions of the Bushfires Act.

By Order of the Council.

MR MARK L. CHESTER, Chief Executive Officer.

LG504\*

#### **BUSH FIRES ACT 1954**

#### *SHIRE OF CARNARVON*

#### NOTICE TO ALL OWNERS AND/OR OCCUPIERS OF LAND IN THE SHIRE OF CARNARVON

#### FIRE BREAK NOTICE 1998-1999

Pursuant to the powers contained in Section 33 of the BUSH FIRES ACT 1954, owners or occupiers of land in the Shire of Carnarvon are hereby required to carry out firebreak work on land owned or occupied by you in accordance with provisions of this order.

"FIRE BREAK" means ground from which all flammable material has been removed and on which no flammable material is permitted during the fire break period.

“FLAMMABLE MATERIAL” defined for the purpose of this notice to include bush (as defined in the Bush Fires Act) boxes, cartons paper and the like flammable materials, rubbish and also any combustible matter but does not include green standing trees, or growing bushes or plants in gardens or lawn.

Owners or occupiers of land in the Shire of Carnarvon are required to have firebreaks constructed prior to the firebreak period which is FROM THE 1ST NOVEMBER 1998 TO THE 30TH APRIL 1999 INCLUSIVE.

Persons who fail to comply with requirements of this order may be issued with an Infringement notice PENALTY \$80 or prosecuted and face a fine of not more than \$1,000. Additionally Council may carry out the required work at cost to the owner or occupier.

If for any reason it is considered impracticable to comply with the provisions of this order, you may make a WRITTEN application for a variation to the order which must reach the Shire Council not less than FOURTEEN DAYS prior to the date by which the firebreak is to be established. Approval to any such variation will only be granted where the Bush Fire Control Officer for the area has first signified his approval to the variation by his signature on the written application. If the application is not approved by the SHIRE COUNCIL you shall comply with the requirements of this notice.

1. TOWNSITE LAND: In respect of land owned or occupied by you in the Townsite of Carnarvon.

- (a) Where the area of land is 2024 square metres or less, remove all flammable material on the land from the whole of the land.
- (b) Where the area of land exceeds 2024 square metres construct firebreaks at least two metres wide immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land.
- (c) In respect of any land owned or occupied by you, which there is situated any containers/installation used for the storage of flammable liquid or gas fuel, you shall clear the land of all flammable material.

2. WATER PUMPING INSTALLATIONS, GASCOYNE RIVER AREA

All owners of water pumping installations with diesel or petrol driven engines for the pumping of water from the Gascoyne River or its bed are required to construct firebreaks six metres wide on all sides of such pumping installations.

3. RURAL LAND (other than townsite land)

- (a) A firebreak shall be constructed not less than 3 metres in width immediately inside and along the whole of the external boundaries of the property or properties owned or occupied by you.
- (b) Where buildings are situated on the property, additional firebreaks not less than three metres in width must be provided within 100 metres of the perimeter of such buildings in such a manner as to completely encircle the building.
- (c) Pastoral Buildings—two firebreaks of not less than three metres in width and not more than 20 metres apart must be provided within 100 metres of the perimeter of such buildings in such a manner as to completely encircle the building.

#### SPECIAL ORDERS—SECTION 33

The requirements of this order are considered to be the minimum standard of fire prevention work required to protect not only individual properties but the district generally. In addition to the requirements of this order, the Shire Council may issue separate special orders on owners or occupiers if hazard removal is considered necessary.

By Order of Council.

B. G. WALKER, Chief Executive Officer.

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## MINERALS AND ENERGY

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MN401

### MINING ACT 1978

Department of Minerals & Energy,  
Perth WA 6000.

I hereby declare in accordance with the provisions of Section 97(1) of the Mining Act 1978 that the undermentioned mining tenement is forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

N. F. MOORE, Minister for Mines.

Number	Holder	Mining Lease	Mineral Field
29/133	Paramount Gold Mines Pty Ltd		North Coolgardie

**MN402**

**MINING ACT 1978**  
NOTICE OF INTENTION TO FORFEIT

Department of Minerals & Energy,  
Perth WA 6000.

In accordance with Regulation 50(b) of the Mining Act, 1978, notice is hereby given that unless the rent due on the undermentioned licence is paid on or before 8 October 1998, it is the intention of the Hon Minister for Mines under the provisions of Section 96A(1) of the Mining Act, 1978-1983 to forfeit such for breach covenant, viz, non-payment of rent.

DIRECTOR GENERAL.

Number	Holder	Exploration Licence	Mineral Field
53/669	Glendower Resources Pty Ltd		East Murchison

**MN403\***

**PETROLEUM (SUBMERGED LANDS) ACT 1982**

Notice of Grant of Production Licence

PRODUCTION LICENCE NO. TL\8 has been granted to Apache Northwest Pty Ltd, Apache Harriet Pty Ltd, Apache Varanus Pty Ltd, Kufpec Australia Pty Ltd, Hardy Petroleum Limited, Novus UK (Harriet) Limited, Tap (Harriet) Pty Ltd and New World Oil & Developments Pty Ltd to have effect for a period of twenty one years from 21 September 1998.

W. L. TINAPPLE, Director Petroleum Operations Division.

**MN404\***

**PETROLEUM ACT 1967**

NOTICE OF RENEWAL OF EXPLORATION PERMITS

EXPLORATION PERMITS EP374, EP375 & EP376 held by Nerdlihc Company Inc. have been renewed to have effect for a period of five (5) years from the 24th day of September 1998

W. L. TINAPPLE, Director Petroleum Operations Division.

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## PLANNING

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**PD401\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*CITY OF BAYSWATER*

TOWN PLANNING SCHEME NO 21—AMENDMENT NO 72

Ref: 853/2/14/25 Pt 72

Notice is hereby given that the local government of the City of Bayswater has prepared the abovementioned scheme amendment for the purpose of amending "Schedule 1 : Special Purpose Zone" in the Scheme Text as follows:

Street:	Camboon Road
Particulars of Land:	Lot 1 Swan Location M1 Diagram 60446 Camboon Road, Noranda
Permitted Uses:	Aged Persons' Accommodation
Discretionary Uses:	"Public Worship"

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 61 Broun Avenue, Morley and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 13 November 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 13 November 1998.

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. J. CAROSELLA, Chief Executive Officer.

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**PD402\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*CITY OF BELMONT*

TOWN PLANNING SCHEME NO 11—AMENDMENT NO 120

Ref: 853/2/15/10 Pt 120

Notice is hereby given that the local government of the City of Belmont has prepared the abovementioned scheme amendment for the purpose of including Lots 5181 and 13 (210-212) Great Eastern Highway, Ascot under Schedule 11 with the additional use permit of "Convenience Store".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 215 Wright Street, Cloverdale and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 13 November 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 13 November 1998.

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.

N. P. HARTLEY, Acting Chief Executive Officer.

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**PD403\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*CITY OF STIRLING*

DISTRICT PLANNING SCHEME NO 2—AMENDMENT NO 330

Ref: 853/2/20/34 Pt 330

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on 23 September 1998 for the purpose of rezoning Lot 5 corner Karrinyup Road and Francis Avenue, Karrinyup from "Service Station" to "Business" and Lot 7 corner Karrinyup Road and Burroughs Road, Karrinyup from "Service Station" to "Special Use Zone—Local Convenience Store" and adding the use to Schedule II of the Scheme.

D. C. VALLELONGA, Mayor.

M. J. WADSWORTH, Chief Executive Officer.

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**PD404**

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF BUSSELTON*

TOWN PLANNING SCHEME NO 5—AMENDMENT NO 346

Ref: 853/6/6/6 Pt 346

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on 23 September 1998 for the purpose of:

1. Rezoning Lots Pt 2, Pt 10, 19 and 20 Bussell/Vasse Highways, Yalyalup, from "General Industry" and "General Farming" to "Restricted Use—Special Residential", "Restricted Use—Local Shopping" and "Recreation" as depicted on the Scheme Amendment Map; and

## 2. Amending the Scheme Text by inserting in "Appendix V—Restricted Use Zone", the following:

Street	Particulars of Land	Only Use Permitted
Bussell Highway and Vasse Highway, Yalyalup	Lots Pt 2, Pt 10, 19 and 20	<p>RESIDENTIAL use subject to the following provisions:</p> <p>1.0 Land Use</p> <p>1.1 Land Use shall be in accordance with the "Single Residential" zone provisions of Appendix 1 Zoning Table 1 with the exception that a duplex is not permitted.</p> <p>2.0 Subdivision Guide Plan</p> <p>2.1 Subdivision to be generally in accordance with the Subdivision Guide Plan dated October 1996 attached to the Scheme Amendment report.</p> <p>3.0 Development</p> <p>3.1 Not more than one dwelling may be constructed on any allotment. The provision shall not exclude the approval by the Council of additional ancillary accommodation, or a "Granny Flat", for the exclusive use of family members, providing such is integral to the house, contains not more than one bedroom, has a shared laundry facility and does not exceed 40m<sup>2</sup> in area</p> <p>3.2 No clearing or felling of any vegetation shall occur within any allotment except for the following:</p> <p>(a) clearing to comply with the requirements of the Bush Fires Act 1954 (as amended);</p> <p>(b) clearing within a 30 metre radius of the centre of a proposed dwelling as may be reasonably required to construct an approved building and curtilage thereto;</p> <p>(c) clearing to gain vehicular access to the curtilage of an approved dwelling;</p> <p>(d) where trees are dead, diseased or dangerous.</p> <p>3.3 On any lot which has been denuded of natural vegetation by previous agricultural clearing. Council may require as a condition of building approval, the planting and maintenance of 20 native trees or shrubs or approved species. The planting shall be concentrated around the proposed buildings and between the road reserve boundary and the buildings.</p> <p>3.4 No livestock is to be kept on any lot other than for domestic purposes. Horses shall not be kept on any lot for any purpose.</p> <p>3.5 Dwelling houses and all ancillary buildings shall be constructed of new non-reflective material (with the exception of glazed areas) shall be to the satisfaction of the Council and shall be of colour(s) and textures which are essentially natural and earthy. Where appropriate, zincalume roofing may be permitted subject to Council approval. All such materials shall be to the satisfaction of the Council and shall be compatible with the rural character of the locality.</p> <p>3.6 Standard minimum building setbacks shall be 10 metres from the front and rear boundary and 5 metres from all other boundaries.</p> <p>3.7 All lots shall be fenced using split hardwood or treated pine, and wire materials or other materials as approved by Council.</p> <p>3.8 Provision of all necessary fire protection arrangements as specified by and to the satisfaction of the Local Authority, are to be made by individual land owners.</p> <p>3.9 All building development is to be contained within a rectangular area that does not exceed 1000m<sup>2</sup> with a minimum width of 24 metres</p> <p>3.10 No building shall be constructed less than 60 metres from Bussell Highway or 40 metres from Vasse Highway provided that the 60 metre setback from Bussell Highway may be reduced to 50 metres at the discretion of Council where site conditions are appropriate.</p>

Street	Particulars of Land	Only Use Permitted
		3.11 Development of lots adjacent to the saleyards on Pt Lot 2 shall be subject to the closure or relocation of the saleyards or establishment of an appropriate buffer if necessary.
		3.12 Provision to be made at the subdivision stage for an area for stormwater retention.
Street	Particulars of Land	Only Use Permitted
Vasse Highway, Yalyalup	Pt Lot 10 (Proposed Lot 201)	LOCAL SHOPPING — Single Residence — Shop — Liquor Store — Take Away Food Outlet — maximum retail NLA of 200m <sup>2</sup> — Service Station

B. MORGAN, President.  
M. W. SWIFT, Chief Executive Officer.

**PD405\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF DALWALLINU*

## TOWN PLANNING SCHEME NO 1—AMENDMENT NO 7

Ref: 853/3/5/1 Pt 7

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Dalwallinu Town Planning Scheme Amendment on 23 September 1998 for the purpose of reclassifying Reserve 27118, Lot 268 bounded by Johnston Street, Clinch Road and Hyde Street, within the boundaries of the Dalwallinu Townsite, from Local Reserve for 'Recreation' to 'Residential', and 'Commercial', as more clearly shown on the Scheme Amendment Map.

W. R. CARTER, President.  
W. T. ATKINSON, Chief Executive Officer.

**PD406\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

*SHIRE OF DANDARAGAN*

## TOWN PLANNING SCHEME NO 6—AMENDMENT NO 12

Ref: 853/3/6/7 Pt 12

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

1. Rezoning a portion of Vacant Crown Land north of the Cervantes townsite from 'Rural' zone to 'Residential' (R12.5 and R30) zone; and
2. Rezoning a portion of Vacant Crown Land north of the Cervantes townsite from 'Tourist' zone to 'Residential' (R12.5) and 'Recreation' zones.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Dandaragan Road, Dandaragan and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 13 November 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 13 November 1998.

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. J. GOLDING, Chief Executive Officer.



**PD407\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*SHIRE OF DENMARK*  
 TOWN PLANNING SCHEME NO 3—AMENDMENT NO 54

Ref: 853/5/7/3 Pt 54

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Denmark Town Planning Scheme Amendment on 23 September 1998 for the purpose of:

1. Altering the interpretation of "Winery" in Appendix 1 to insert after the word "products" the following: "and includes Cellar Sales."
2. Inserting the interpretation of "Cellar Sales" into Appendix 1 after "Caretaker's Dwelling" to read as follows:  
 "Cellar Sales— means the demonstration and/or sale of wine products derived from an established vineyard and/or orchard on the owner's property and includes the sale of ancillary products."
3. Inserting the Use Class "Cellar Sales" after "Caravan Park" in Table One (Zoning Table) and insert the "SA" classification in the "Rural" and "Tourist" Zone columns and leave all other Zone columns blank.

H. J. VERSLUIS, President.  
 P. DURTANOVICH, Chief Executive Officer.

**PD408\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION  
*SHIRE OF SERPENTINE-JARRAHDAL*  
 TOWN PLANNING SCHEME NO 2—AMENDMENT NO 89

Ref: 853/2/29/3 Pt 89

Notice is hereby given that the local government of the Shire of Serpentine-Jarrahdale has prepared the abovementioned scheme amendment for the purpose of:

1. Modification of Clause 5.1.2(d)  
 Requirement for approval of a single dwelling in Jarrahdale Heritage Policy Precincts A and B and Special Use Zone—Appendix 2 (Section 3)
2. Addition of Section 5.16  
 Jarrahdale Heritage Policy Precincts A & B
3. Additional Appendix 14  
 Heritage Precinct : Policy Areas A and B
4. Additional Appendix 15  
 Tree Preservation—oak and camphor laurel species  
 Lots 11, 12, 15, 22 Jarrahdale Road  
 Lot 22 Craig Street, Jarrahdale.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 6 Paterson Street, Mundijong and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 13 November 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 13 November 1998.

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

I. M. BODILL, Chief Executive Officer.

**PD409\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
 TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION  
*SHIRE OF WILLIAMS*  
 TOWN PLANNING SCHEME NO 2—AMENDMENT NO 12

Ref: 853/4/32/2 Pt 12

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

1. introducing a new Special Use zone;
2. rezoning land bounded by William, Forrest, Channon, and Lavender Streets, Williams to Industrial;

3. rezoning Lots 13303-13309 Pinjarra-Williams Road, Williams to Rural-Residential zone;
4. rezoning Lots 4 and 51 William Street, Williams to Special Use with provisions for motel and caravan park.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Brooking Street, Williams and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 13 November 1998.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 13 November 1998.

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.

V. EPIRO, Chief Executive Officer.

## PD410

### TOWN PLANNING AND DEVELOPMENT ACT 1928

#### APPOINTMENT

Office of the Minister for Planning,  
Perth.

It is hereby notified for general information that His Excellency the Governor in Executive Council acting in accordance with Section 40 of the Town Planning and Development Act 1928, has approved the appointment of—

Christopher John O'Neill of 28 Ropele Drive, Parkwood

as a Member of the Town Planning Appeal Committee for a term expiring on 31 December 1998.

GRAHAM KIERATH, Minister for Planning.

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## RACING, GAMING AND LIQUOR

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### 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: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
1453/98	Jurg Muggli & Sandra Fay Hancock	Application for the grant of a Wholesale licence in respect of premises situated in Margaret River and known as Hesperos Wines.	11/10/98
1457/98	EIC Australia	Application for the grant of a Wholesale licence in respect of premises situated in Osborne Park and known as EIC Australia.	27/10/98
1460/98	Liesa Marie Thorson	Application for the grant of a Restaurant licence in respect of premises situated in Woodvale and known as The Good, the Bad, & the Ugly Restaurant—Woodvale.	26/10/98
1463/98	Proregal Securities Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Fremantle and known as Marcy's Grill.	21/10/98
1464/98	Alan William Wetton	Application for the grant of a Liquor Store licence in respect of premises situated in Thornlie and known as Spencer Wine Cellars.	23/10/98
<b>APPLICATION FOR THE REMOVAL OF A LICENCE</b>			
15/98	Michael Dene Rasheed	Application for the removal of a Tavern licence from premises situated in East Perth to a new site in Northbridge and known as Mustang Bar.	26/9/98

App. No.	Applicant	Nature of Application	Last Date for Objections
977/98	Glistenere Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Joondalup and known as Joondalup Inn.	19/10/98

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

G. B. AVES, Director of Liquor Licensing.

## RA402

### BETTING CONTROL ACT 1954

#### SECTION 4B

#### NOTICE OF APPROVAL FOR SPORT BETTING EVENTS AND CONTINGENCIES

Notice is hereby given that the Betting Control Board, acting in accordance with section 4B(2) of the *Betting Control Act 1954*, has approved the following sports betting on which betting by licensed book-makers is permitted in accordance with the Betting Control Act.

Approved Events—	AFL Football Matches NRL Rugby League Matches
New Contingency—	A nominated team to be leading a nominated match at a nominated time during that match.

BARRY A. SARGEANT, Chairman, Betting Control Board.

## TRANSPORT

### TR401\*

#### NAVIGABLE WATERS REGULATIONS

#### WATER SKI AREA

#### MANDURAH

Department of Transport,  
Fremantle WA, 25 September 1998.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations, the Department of Transport by this notice revokes the notice published in the *Government Gazette* on 23 December 1997 relating to waters ski area at the City Mandurah-Comet Bay and substitutes the following:

#### (10) CITY OF MANDURAH—COMET BAY

All those waters of Comet Bay between Robert Point and Becher Point excluding the following:

- a) All those waters within 200 metres of the shore except that area from a marked point at the seaward prolongation of the boundary between Lot 10 and Lot 11 Ormsby Terrace, Silver Sands, to a point approximately 160 metres in a South Westerly direction being the seaward prolongation of the boundary between Lot 3 and Lot 42 Ormsby Terrace, which may be used as a take off and landing area.
- b) All those waters within a radius of 800 metres of the seaward end of the Mandurah Estuary entrance groynes.
- c) All those waters within 100 metres of the Bight Reef.

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

**TR402\***

**NAVIGABLE WATERS REGULATIONS**  
**PARASAILING AREA**  
**MANDURAH**

Department of Transport,  
Fremantle WA, 25 September 1998.

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations, the Department of Transport by this notice revokes the notice published in the *Government Gazette* on 23 December 1997 relating to the parasailing area at Comet Bay, Mandurah and substitutes the following:

**CITY OF MANDURAH—COMET BAY**

Parasailing may be conducted in those waters of Comet Bay between Robert Point and Becher Point excluding the following:

- a) All those waters within 200 metres of the shore except that area from a marked point at the seaward prolongation of the boundary between Lot 10 and Lot 11 Ormsby Terrace, Silver Sands, to a point approximately 160 metres in a South Westerly direction being the seaward prolongation of the boundary between Lot 3 and Lot 42 Ormsby Terrace, which may be used as a take off and landing area.
- b) All those waters within a radius of 800 metres of the seaward end of the Mandurah Estuary entrance groynes.
- c) All those waters within 100 metres of the Bight Reef.

Between the hours of sunrise and sunset only; and providing that no vessel towing a parasail is permitted within 100 metres of any other vessel, person or object in the water or within 100 metres of the foreshore, except in the approved water-ski take off area.

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

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**TR403\***

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**CLOSURE OF NAVIGABLE WATERS—PERSONAL WATERCRAFT**  
*Shire of Murray*

Department of Transport,  
Fremantle WA, 25 September 1998.

Acting pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982 the Department of Transport by this notice closes the waters of the Murray River, upstream of the Ravenswood Bridge; and the Serpentine River, upstream of the Barragup Bridge to navigation of personal watercraft.

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

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**TR404\***

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**CLOSURE OF NAVIGABLE WATERS—PERSONAL WATERCRAFT**  
*Shire of Harvey and Waroona*

Department of Transport,  
Fremantle WA, 25 September 1998.

Acting pursuant to the powers conferred by Section 66 of the Western Australian Marine Act 1982 the Department of Transport by this notice closes all the waters of the Logue Brook and Waroona Dams to navigation of personal watercraft; **UNLESS** water skiing within the gazetted water ski area.

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

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**TR405\***

**WESTERN AUSTRALIAN MARINE ACT 1982**  
**RESTRICTED SPEED AREAS—ALL VESSELS**  
**VESSEL DEMONSTRATION AND WATER SKI AREA**  
**MANDURAH WATER SPORTS AND BOAT SHOW**

Department of Transport,  
Fremantle WA, 29 September 1998

Acting pursuant to the powers conferred by Section 67 of the Western Australian Marine Act 1982, the Department of Transport, by this notice revokes paragraph (d) (19) of the notice published in the *Government Gazette* of 25 October 1991 relating to speed limits in the Mandurah Estuary, provided

that this revocation will only apply to authorised bona fide vessels approved by the Mandurah Off-shore Fishing Club Boat Show Committee between the hours of 1300 and 1600 on Saturday 17 October and Sunday 18 October 1998 within the following area;

**MANDURAH ESTUARY**

All the waters of Mandurah Channel between the Government Fisherman's service jetty and the upstream entrance to Mandurah Ocean Marina.

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

**TR406\***

**NAVIGABLE WATERS REGULATIONS**

DEFINED AREA SET ASIDE FOR SPECIFIC USE  
VESSEL DEMONSTRATION AND WATER SKI AREA  
MANDURAH WATER SPORTS AND BOAT SHOW

Department of Transport,  
Fremantle WA, 30 September 1998

Acting pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations, the Department of Transport, by this notice defines and sets aside the following area of Navigable Waters for the purpose of vessel demonstration and Water Skiing providing that this area is confined to authorised bona fide vessels approved by the Mandurah Offshore Fishing Club Boat Show Committee and will only apply between the hours of 1300 and 1600 on Saturday 17 October and Sunday 18 October 1998;

**MANDURAH ESTUARY**

All the waters of Mandurah Channel between the Government Fisherman's service jetty and the upstream entrance to Mandurah Ocean Marina.

MICHAEL LINLAY HARRIS, Acting Director General of Transport.

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## **WATER**

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**WA401**

**WATER BOARDS ACT 1904**

**BUSSELTON WATER BOARD**

**Preliminaries to Construction**

**Notice of Intention**

Notice is hereby given pursuant to Section 41(c) of the above Act, of the intention to undertake the construction of the following works within the Busselton Water Area.

Description and locality of Proposed Works—

- (i) The drilling of a hydrostratigraphic hole at Plant No. 4 (Bussell Highway).
- (ii) If a suitable water resource is tapped to develop a new production bore on site.
- (iii) If the hydrostratigraphic hole proves unsuccessful it is the intention of the Board to relocate the drilling rig from Plant No. 4 to Plant No. 3 (Hobson Street) and develop a new production bore at that site.

Plans and specifications may be inspected at the Board's offices, Unit 1, 8-10 Prince Street, Busselton for one month on and after the publication of this notice, between the hours of 10 am and 4 pm.

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

## TENDERS

### ZT201

MAIN ROADS  
WESTERN AUSTRALIA

*Tenders*

Tenders are invited for the following projects.

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

Tender No.	Description	Closing Date
		1998
128C98	Pavement Repairs, Cement Stabilisation and Primer Sealing, Various Roads, Goldfields-Esperance Region .....	12 October
312C98	Cement Stabilisation of Pavement Failures, Various Roads, Great Southern Region .....	13 October
326C98	Maintenance Grading, Marble Bar Road and Woodie Woodie Road, Pilbara Region .....	12 October
327C98	Maintenance Grading, Woodie Woodie Road, Pilbara Region .....	12 October
338C98	Supply and Spray Bitumen Emulsion, Enrichment Seal, Brookton Highway, Shire of Kondinin .....	7 October
339C98	Supply and Delivery of Fill Material (Sand) for North Dandalup to Fairbridge Section of South Western Hwy, Shire of Murray .....	14 October
356C98	Construction of Preload Embankments for the Approach Roadworks to the Proposed New Narrows Bridge, Metropolitan Area .....	16 October

D. R. WARNER, Executive Director Corporate Services.

### ZT202

*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount \$
63C98	Materials Searching and Proving Service for the Mt Magnet to Sandstone Road, 35.00 to 70.00 SLK, Mid West Region.	Golder Associates	95 780.00
263C98	Maintain and Install Pavement Markings, South West Region.	<ul style="list-style-type: none"> <li>• Corporate Administration Road Services )</li> <li>• Country Linemarking )</li> <li>• D &amp; JR's Linemarking &amp; Road Painting )</li> <li>• Road &amp; Traffic Services )</li> <li>• West Oz Linemarking )</li> </ul>	Joint Award
98D4	Purchase and Removal of a Dual Bar Bitumen Sprayer with Prime Mover at Welshpool.	Malatesta Road Paving & Hotmix	225 000.00

D. R. WARNER, Executive Director Corporate Services.

## PUBLIC NOTICES

### ZZ101

**PUBLIC TRUSTEE ACT 1941**

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

Name of Deceased	Address	Date of Death	Date Election Filed
Turvey, Hubert (DEC 313002 DC4)	Carlisle	25/3/96	8/9/98
Provis, Lily Graham (DEC 313696 DL4)	Shenton Park	17/8/98	11/9/98



Name of Deceased	Address	Date of Death	Date Election Filed
Saunders, Mary Kathleen (DEC 300871 DS4)	Claremont	11/4/97	14/9/98
Hodges, George Arthur (DEC 313316 DP4)	Bull Creek	5/8/98	23/9/98
Ross, Eva Maude (DEC 312968 DP4)	Maylands	17/7/98	23/9/98
Taylor, Phillip Ormond (DEC 311519 DC3)	Northbridge	21/5/98	23/9/98
O'Brien, Monica Clare (DEC 308932 DC3)	Warialda, NSW	22/10/85	23/9/98

Dated at Perth the 25th day of September 1998.

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

## **ZZ102**

### **TRUSTEES ACT 1962**

#### Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 2 November 1998 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- Bannon, Gladys Esther Anne, late of Craigwood Nursing Home, 29 Gardner Street, Como, died 9/9/98. (DEC 313831 DL4)
- Browning, Christina Henderson Dempster Gardiner McLelland, late of Illawong Hostel, 1 Rodd Place, Hamilton Hill, died 11/9/98. (DEC 313965 DC4)
- Dvoretzky, Ruby Pauline Sheila, also known as D'Voretzky, Ruby Pauline Sheila, late of Leighton Nursing Home, 40 Florence Street, West Perth, died 18/9/98. (DEC 313942 DS3)
- Eakins, Constance Muriel, late of Mt St Camillus Nursing Home, Lewis Road, Forrestfield, died 19/7/98. (DEC 312718 DP3)
- Egan, Roderic Edward, late of Trinity Lodge, Rowethorpe, Hill View Terrace, Bentley, died 31/8/98. (DEC 314001 DP4)
- Gardner, Flossie May, late of Carinya Nursing Home, 20 Plantation Street, Mount Lawley, died 16/9/98. (DEC 313943 DP4)
- Haagensen, May Kathleen, late of Brightwater Nursing Home, Walter Road, Inglewood, died 4/9/98. (DEC 313974 DG2)
- Hammond, Robert, late of St Vincents Hostel, 224 Swan Street, Guildford, died 24/4/98. (DEC 310264 DG4)
- Heath, David Frank, late of 8F O'Reilly Close, Beaconsfield, died 9/9/98. (DEC 314006 DC3)
- Holder, Leonard, late of 325 Hallett Road, Parkerville, died 13/11/96. (DEC 314051 DP3)
- Lee, Jean Eleanor, late of St David's Nursing Home, 1719 Lawley Crescent, Mount Lawley, died 10/9/98. (DEC 313358 DG4)
- Letch, Lynn Arthur Clairs, late of Sandstrom Nursing Home, 44 Whatley Crescent, Mount Lawley, died 27/8/98. (DEC 313921 DP1)
- McCrea, Margaret Ellen Mary, late of Shoalwater Nursing Home, 72 Fourth Avenue, Shoalwater, formerly of Unit 6/4 Pape Place, Shoalwater, died 31/8/98. (DEC 314050 DC2)
- McGillvray, Maxine Leslie, late of 4 Bullara Place, South Hedland, died 21/8/98. (DEC 313342 DA1)
- McGuire, Bernard Francis, late of Belmont Community Nursing Home, 5 Kemp Place, Rivervale, died 5/8/98. (DEC 313004 DL3)
- Patchett, Brenda, late of 6 Donald Way, Bayswater, died 1/9/98. (DEC 313935 DP3)
- Piggott, Clive Meredith, late of 290 Cape Street, Yokine, died 12/9/98. (DEC 314012 DG3)
- Pritchard, Olivia Amerst, late of Sandstrom Nursing Home, 44 Whatley Crescent, Mount Lawley, died 31/8/98. (DEC 313603 DA3)
- Purves, John Clifford, late of 330 Harbourne Street, Glendalough, died 17/9/98. (DEC 314056 DA2)
- Read, Joyce Valentine, late of Tinetti Lodge, Wilson Street, Kalgoorlie, died 14/10/98. (DEC 313977 DG1)
- Robinson, Josephine Dolores, late of Two Pines Nursing Home, Clarkson Road, Maylands, died 2/9/98. (DEC 314033 DP4)

Taplin, Neil Reginald, late of 9/56 Kent Street, Rockingham, died 25/6/98. (DEC 313126 DG3)

White, George, late of Unit 3/8 Caprice Place, Willetton, died 18/9/98. (DEC 314053 DS3)

White, Lloyd George, late of Kitchener Avenue, Victoria Park, died 5/9/98. (DEC 313914 DC4)

K. E. BRADLEY,  
Public Trustee,  
Public Trust Office,  
565 Hay Street,  
Perth WA 6000.  
Telephone: 9222 6777.

**ZZ201**

NOTICE TO CREDITORS  
WESTERN AUSTRALIA

In the Supreme Court of Western Australia Probate jurisdiction

In the matter of the will of Graeme McDonald Woods (also known as Graeme Woods) of 9 Aberfoyle Place, Hamersley Western Australia, Sales Representative, deceased.

Notice is hereby given that all persons having claims or demands against the estate of the abovenamed Graeme McDonald Woods (also known as Graeme Woods, deceased) are requested to send particulars thereof in writing to the executrix, Mrs R. Woods of 9 Aberfoyle Place, Hamersley in the said State, Accounts Officer, within one month from the date of this publication after which date the executrix will proceed to distribute the assets of the deceased among the persons entitled thereto having regard only to the claims and demands of which he shall then have notice.

SUMMERS PARTNERS,  
Level 3,  
190 St Georges Terrace,  
Perth WA 6000.

WESTERN AUSTRALIA

**RETIREMENT VILLAGES ACT 1992**

**Price: \$23.50 Counter Sales  
Plus Postage on 695 grams**

**RETIREMENT VILLAGES REGULATIONS 1992**

**\*Price: \$3.90 Counter Sales  
Plus Postage on 25 grams**

\* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

**FREEDOM OF INFORMATION ACT 1992**

**\*Price: \$15.50 Counter Sales  
Plus Postage on 365 grams**

\* Prices subject to change on addition of amendments.

## WESTERN AUSTRALIA

**NURSES ACT 1992**

\*Price: \$6.70 Counter Sales  
Plus Postage on 150 grams

**NURSES RULES 1993**

\*Price: \$6.70 Counter Sales  
Plus Postage on 80 grams

\* Prices subject to change on addition of amendments.

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For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this date will attract payment in full.

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