



WESTERN AUSTRALIAN GOVERNMENT Gazette

1963



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NEW FORMAT FOR GENERAL GOVERNMENT GAZETTES

For ease of access to particular notices the general Gazette will be divided into two parts as detailed below. In each part, the notices will appear in alphabetical order of the authorising Department.

Part 1 will contain Proclamations, Regulations, Rules, Local Laws and various other Instruments etc. but not Town Planning Schemes.

Part 2 will contain general notices and information and Town Planning Schemes.

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Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

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- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

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Deceased Estate notices, (per estate)—\$17.70

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Per Column Centimetre—\$8.15

Bulk Notices—\$153.00 per page

Clients who have an account will be invoiced for advertising charges.

Clients without an account will need to pay at time of lodging the notice.

PUBLISHING ALTERATIONS

Periodically the normal *Gazette* publishing times need to be altered to cater for disruption caused by public holidays.

- Easter and Christmas holidays cause disruption each year.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

Readers are urged to check *Gazettes* accordingly, prior to contacting State Law Publisher.

JOHN A. STRIJK, Government Printer.

— PART 1 —

JUSTICE

JM101

CORRECTION

CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978

The reprint of the *Control of Vehicles (Off-road Areas) Act 1978*, as at 5 March 1999, is corrected as follows—

On page 39, in section 38(7) delete the word “Mere” and substitute “Where”.

TRANSPORT

TR301*

Road Traffic Act 1974

Road Traffic Code 1975

Road Traffic (Vehicle Standards) Regulations 1977

Road Trains (Roads and Routes) Notice 1999

Made by the Commissioner of Main Roads.

1. Citation

This notice may be cited as the *Road Trains (Roads and Routes) Notice 1999*.

2. Road train roads and routes

The roads and routes set out in Schedule 1 are specified under regulations 1106A and 1401A of the *Road Traffic (Vehicle Standards) Regulations 1977** as roads and routes on which road trains referred to in Schedule 2 may be driven or used in accordance with the conditions set out in Schedule 1 and Schedule 2.

[* Reprinted as at 29 July 1996.

For amendments to 29 March 1999 see 1997 Index to Legislation of Western Australia, Table 4, pp. 237-8, and Gazette 12 May, 23 June and 17 November 1998 and 2 February 1999.]

3. **Exception under regulation 1612 of the *Road Traffic Code 1975***

Under regulation 1612 of the *Road Traffic Code 1975** it is directed that a person shall not drive —

- (a) an articulated vehicle to which any other vehicle is attached; or
- (b) any vehicle to which more than one other vehicle is directly or indirectly attached,

except such a vehicle that is a road train referred to in Schedule 2 on a road or route set out in Schedule 1.

[* *Reprinted as at 23 September 1997.*

For amendments to 29 March 1999 see 1997 Index to Legislation of Western Australia, Table 4, p. 233, and Gazette 6 January 1998 and 5 February 1999.]

Schedule 1 — Roads and routes specified for use of road trains

[r. 2]

Part 1 — Metropolitan roads

Roads and routes	Description or condition	Route type
Abernethy Rd, Kewdale	Between Glassford Rd and McDowell St only	C
	West of Kewdale Rd: inbound from Kewdale Rd only (one way)	C
Albany Hwy, Bedfordale	South-east of Bedfordale Road Train Assembly Area only	C
Alice St, Bassendean		C
Artello Bay Rd, Midvale	No entry from Farrall Rd	C
Bassett Rd, Middle Swan		C
Belmont Ave, Kewdale	Between Noble St and Leach Hwy only	C
Bushmead Rd, Hazelmere	Between Central Ave and Military Rd only	C
Casino St, Welshpool		C
Chisolm Cr, Kewdale	Inbound only (No exit to Roe Hwy)	C
Clayton St, Bellevue	Between Military Rd and the Midland Saleyards only	C
Collier Rd, Bayswater and Bassendean	Between Spencer St and Alice St only	C

Roads and routes	Description or condition	Route type
Daddow Rd, Kewdale	Between Dundas Rd and Newburn Rd only	C
Dowd St, Welshpool	Between Kewdale Rd and Stott Rd only	C
	No entrance to Dowd St from Kewdale Rd	C
	West of Kurnall Rd: outbound to Kewdale Rd only (one way)	C
	No left turn from Kurnall Rd into Dowd St	C
Dundas Rd, Kewdale and Forrestfield	South of Berkshire Rd only	C
Farrall Rd, Midvale	Between Morrison Rd and Great Eastern Hwy only	C
Fenton St, Kewdale	Inbound only (No exit to Kewdale Rd)	C
	No right turn from Kewdale Rd into Fenton St	C
Ferguson St, Kewdale	Between St Barbara Mines gate and Abernethy Rd only	C
Glassford Rd, Kewdale	No exit to Abernethy Rd	C
Great Eastern Hwy Bypass, Hazelmere and Sth Guildford	Between Roe Hwy and Kalamunda Rd only	C
Great Northern Hwy	North of Bassett Rd only	C
Hodgson Wy, Kewdale		C
Jackson St, Bassendean	Between Collier Rd and Railway Pde only	C
Kalamunda Rd, Sth Guildford	Between Great Eastern Hwy Bypass and Great Eastern Hwy only	C
Kewdale Rd, Kewdale and Welshpool	Between Tonkin Hwy and Orrong Rd only	C
Kurnall Rd, Welshpool	No left turn from Kurnall Rd into Dowd St	C
McDowell St, Welshpool	Between Orrong Rd and the railway line only	C
Miles Rd, Kewdale		C
Military Rd, Bellevue and Hazelmere		C
Morrison Rd, Midvale	Between Roe Hwy and Farrall Rd only	C

Roads and routes	Description or condition	Route type
Newburn Rd, Kewdale		C
Noble St, Kewdale	No right turn into Abernethy Rd	C
Norlin St, Kewdale		C
Orrong Rd, Welshpool	Between Kewdale Rd and McDowell St only	C
Roe Hwy	Between Great Northern Hwy and Welshpool Rd only	C
Rothschild Pl, Midvale	No exit to Farrall Rd	C
Sheffield Rd, Welshpool	Between Felspar St and Kurnall Rd only	C
Stirling Cr, Hazelmere	Between Great Eastern Hwy Bypass and Bushmead Rd only	C
Tomah Rd, Kewdale	Between Roe Hwy and Chisolm Cr only	C
	Inbound only (No exit to Roe Hwy)	C
Tonkin Hwy	Between Roe Hwy and Collier Rd only	C
Valentine St, Kewdale		C
Welshpool Rd	Between Roe Hwy and Nexus Transport only	C
	Outbound only (No entry from Roe Hwy)	C

Part 2 — Rural Roads

Roads and routes	Description or condition	Route Type
Ajana – Kalbarri Rd		B
Albany Hwy	South of Bedfordale only	C
Albany – Lake Grace Rd		C
Blowholes Rd		A
Boyup Rd		C
Brand Hwy		C
Bremer Bay Rd		C
Brookton Hwy	from Hyden to Ravensthorpe	C
Broome Rd		A
Broomehill – Jerramungup Rd		C
Bullfinch Rd	from Southern Cross to Bullfinch	C
Burkett Rd		A
Burrup Peninsula Rd		A
Cape Lambert Road		A
Coalfields Hwy	from Roelands Hill Assembly area (15.5 km east of Roelands) to Collie	C

Roads and routes	Description or condition	Route Type
Collie – Lake King Rd		C
Coolgardie – Esperance Hwy		C
Cranbrook Frankland Rd	from Albany Hwy to Frankland	C
Dampier Rd		A
Denbarker Rd		C
Denham Rd		B
Derby Hwy		A
Eyre Hwy		C
Fisheries Rd / Israelite Bay Rd	from Esperance to National Park Boundary	C
Formby South Rd		C
Fortescue Valley Crossing		B
Gibb River Rd	from Derby to Gibb River	A
Goldfields Hwy	• from Meekatharra to Kalgoorlie	A
	• from Kalgoorlie to junction with the Coolgardie-Esperance Highway	B
Great Eastern Hwy	East of Northam only	C
Great Northern Hwy	• North of Wubin only	A
	• from Midland to Wubin	C
Jurien Rd		C
Karjini Dr		A
Kojonup – Pingrup Rd		C
Leonora – Laverton Rd		A
Mallawillup Rd		C
Marandoo Rd		A
Marble Bar Rd		A
Martagallup Rd		C
Mid West Hwy		A
Midlands Rd	from Walebing to Dongara	C
Mingenew - Morawa Rd		C
Minilya – Exmouth Rd		A
Muir Rd	from Rocky Gully to Mount Barker	C
Mullewa – Carnarvon Rd		B
Nanutarra - Munjina Rd		A
Nornalup Rd		C
North West Coastal Hwy	from Geraldton to Carnarvon	B
	from Carnarvon to Great Northern Hwy	A
Northam – Cranbrook Rd	from Cranbrook to Wagin	C
Northam – Pithara Rd	from Northam to Wongan Hills	C
Nunijup	from Stockyard Rd to Martagallup Rd	C

Roads and routes	Description or condition	Route Type
Onslow Rd	from Onslow to Mt Stuart	A
Pannawonica Rd		A
Paraburdoo Spur Rd		A
Paraburdoo - Tom Price Rd	• from Tom Price to Karijini Dr intersection	A
	• from Karijini Dr intersection to Paraburdoo	B
Perillup Rd		C
Point Samson – Roebourne Rd	from Roebourne to Cape Lambert Rd	A
Port Hedland Rd		A
Rocky Gully Frankland Rd		C
Roebourne – Wittenoom Rd	from Roebourne to Fortescue Valley Crossing	B
Shamrock Rd	from Frankland to Kojonup	C
Shark Bay Rd		B
South Coast Hwy		C
Stockyard Rd		C
Sturdee Rd		C
Telfer Rd		A
Tom Price Spur Rd		A
Victoria Hwy		A
Walkaway Rd		C
Williams – Narrogin Rd		C
Wittenoom - Roy Hill Rd		A
Wongan Hills – Calingiri Rd		C
Wubin – Mullewa Rd	from Morawa to Wubin	C

Part 3 — Rural townsite roads

Town	Road and route and description or condition	Route Type
Albany	(1) Albany Hwy north of intersection (roundabout) with South Western Hwy	C
	(2) Albany - Lake Grace Rd (Chester Pass Rd)	C
	(3) Albany Port Rd into (a) the Harbour, (b) Frenchmans Bay Rd to Woolstores Access Rd	C
Broome	(1) Broome Hwy via Hamersley St, right into Frederick St, continue into Port Dr to Port	A
	(2) Coghlan St, McPherson St	A
	(3) Entrance to Light Industrial Area via Clementson St ONLY (Blackman St entrance not permitted)	A

Town	Road and route and description or condition	Route Type
	(4) Roads in the Light Industrial Area: Pembroke Rd (Clementson St to Guy St), Gregory St, Hunter St (Clementson St to Guy St), Blackman St, Haynes St, Livingstone St, Lucas St, Farrell St, Ord Way	A
	(5) All roads in the Northern Light Industrial Area: entrance via Tanami Dr	A
	(6) Roads in the Port Heavy Industrial Area: Archer St, DeCastilla St, McDaniel Rd	A
Carnarvon	(1) Robinson Rd (North West Coastal Hwy to Babbage Island Rd)	B
	(2) Babbage Island Rd	B
	(3) Iles Rd (Robinson St to Power Station only)	B
	(4) Cornish St (Robinson St to Cleveland St)	B
	(5) North River Rd	B
	(6) Boundary Rd (Robinson St to Cleveland St)	B
	(7) Binning Rd	B
	(8) Silver City Rd	B
Coolgardie	Great Eastern Hwy (Bayley St)	C
Dampier	(1) Dampier Rd via access roads to East Intercourse Island and Parker Point. No travel west of the East Intercourse Island and Parker Point Access Rd	A
	(2) From Dampier Rd to Burrup via Burrup Peninsula Rd	A
Derby	All Road Trains to be broken down to 36.5 m maximum overall combination length in the Road Train Breakdown Area in Derby Rd (opposite MRWA depot) before entering the Townsite. 47.5/53.5 m Road Trains permitted on the following roads only: Loch St, Elder St (Loch St to Clarendon St), Clarendon St (Elder St to Johnston St), Johnston St (Clarendon St to Loch St, Jetty Rd)	A
Esperance	(1) From Norseman via Coolgardie – Esperance Hwy, right into Harbour Rd, right into the Esplanade, left into Williamson Rd and continue to Wharf	C
	(2) From Israelite Bay via Fisheries Rd continue through to Harbour Rd, right into the Esplanade, left into Williamson Rd and continue to Wharf	C
	(3) From Ravensthorpe via South Coast Hwy, Monjingup Rd, right into Harbour Rd, right into the Esplanade, left into Williamson Rd and continue to Wharf	C
	(4) Norseman Rd (Fisheries Rd to Gladstone St)	C
	(5) Gladstone St	C
	(6) Shelden Rd (Norseman Rd to Harbour Rd)	C

Town	Road and route and description or condition		Route Type
	(7) Sims St from Harbour Rd right into Beckwith Rd into Dunn St		C
	(8) Fairfield St		C
	(9) Stable Rd (Norseman Rd to Sinclair St)		C
	(10) Brazier St (Harbour Rd to CBH installation)		C
Geraldton	(1) Flores Rd		B
	(2) Place Rd (North West Coastal Hwy to Anderson St)		B
	(3) All roads within the suburb of Webberton		B
	(4) Portway		A
	(5) Harbour Area bounded by Cream St, Shenton St west of Barker St, Portway, Haigh St, Ocean St, Marine Tce (Ocean St to Cream St), Willcock Dr (Marine Tce to Buccaneers Way), Point St (Haigh St to Marine Tce), Fishermans Wharf Rd		A
Halls Creek	Duncan Rd (Great Northern Hwy to Bridge St), Bridge St (Duncan Rd to Welman Rd), Welman Rd (Bridge St to Neighbour St)		A
Kalgoorlie/ Boulder	(1) Great Eastern Hwy west of Anzac Dr to Throssell St		B
	(2) Anzac Dr		A
	(3) Goldfields Hwy	North of Anzac Dr	A
		South of Anzac Dr	B
	(4) Fimiston St		C
	(5) Gatacre St (Great Eastern Hwy to Wortley St)		B
	(6) West Kalgoorlie Rd to Industrial Area		A
	(7) Industrial Area Roads: Craig Rd, Coath Rd		A
Karratha	(1) North West Coastal Hwy via Dampier Rd, left into Dampier Rd and through to Dampier		A
	(2) Roads within Light Industrial Area: Mooligunn Rd, Coolawanyah Rd, Anderson Rd, Pemberton Way		A
Katanning	(1) Bay St		C
	(2) Drove St		C
	(3) Access to saleyards and CBH site via Drove St, Daping St		C
Kununurra	(1) Victoria Hwy to the Light Industrial Area via (a) Ivanhoe Rd and Bandicoot Dr or (b) Messmate Way		A
	(2) Roads within the Light Industrial Area bounded by Bandicoot Dr, Messmate Way, Dianella Way, Konkerberry Dr, Poinciana St		A
	(3) Weaber Plain Rd from Victoria Hwy through to and including — (a) Co-op Distribution Depot; or (b) Poincettia Way, Carpentaria St, Cocus Way		A

Town	Road and route and description or condition	Route Type
	(4) Ivanhoe Rd (Victoria Hwy to Gascoyne Depot)	A
	(5) Kununurra Airport Reserve Rd	A
Laverton	Beria Rd, Cox St, Crawford St, Heavy Haulage Bypass	A
Leonora	(1) Tower St (Goldfields Hwy)	A
	(2) To Railway Yards from Tower St via Rajah St	A
	(3) To Laverton via Rochester St	A
	(4) To Parking Areas in Otterburn St (Rochester St to Rajah St) from Tower St via Rochester St or Rajah St	A
	(5) Forrest St west of Tower St only	A
	(6) Steel St, Tower St south to Gwalia Ghost Town	A
Meekatharra	(1) Porter St	A
	(2) Douglas St	A
	(3) Roberts St	A
	(4) Connaughton St	A
	(5) Oliver St	A
	(6) Hill St	A
	(7) Darlot St	A
	(8) Campbell Rd	A
	(9) Railway St	A
	(10) Queen Rd	A
	(11) Main St	A
	(12) Marmont St	A
	(13) McLeary St	A
	(14) Savage St	A
	(15) High St (between Darlot St and Railway St only)	A
Moora	(1) Gardiner St	C
	(2) Tootra St	C
Mount Barker	(1) Albany Hwy	C
	(2) McDonald Ave	C
	(3) Marmion St	C
	(4) Manjimup – Mount Barker Rd west of Marmion St only	C
Mount Magnet	(1) Naughton St (Laurie St to Hepburn St)	B
	(2) Laurie St to Criddle St	B
	(3) Welcome St (Criddle St to Laurie St)	B
	(4) Criddle St	B
	(5) Richardson St (West of Warren St)	B
	(6) Warren St (Richardson St to Naughton St)	B

Town	Road and route and description or condition	Route Type
Mullewa	Carnarvon – Mullewa Rd into Warren Rd, into Maitland Rd	B
Newman	(1) Kalgan Dr (Great Northern Hwy to Fortescue Ave), Welsh Dr	B
	(2) Woodstock St, Laver St in the Townsite Light Industrial Area	B
	(3) All roads within the Mine Site Light Industrial Area	B
	(4) To BP Service Centre near Cowra Dr from Great Northern Hwy via Newman Dr	B
Norseman	(1) Prinsep St (Coolgardie - Esperance Hwy)	C
	(2) Roberts St for 200 m south of Eyre Hwy	C
	(3) Delamotte Dr	C
	(4) Okay Rd (Cramp St to Prinsep)	C
Onslow	Onslow Access Rd to junction of Second Ave and Beadon Creek Rd, Second Ave (Beadon Creek to Third St), Third St (Second Ave to Third Ave), Third Ave (Third St to Cameron Ave), Cameron Ave (Third Ave to Second Ave)	A
Paraburdoo	(1) Beasley Rd to Mine	A
	(2) Rocklea Rd (between Camp Rd and the Mine only)	A
	(3) Camp Rd	A
	(4) Mine Rd	A
	(5) Turee Way	A
	(6) Mettawandi Pl	A
	(7) Tom Price Rd	A
Port Hedland	(1) North West Coastal Hwy via Redbank Bridge, Wilson St, Gilbert St and Port Access Rd. No access to depots between Redbank Bridge and Port	A
	(2) North West Coastal Hwy to Finucane Island via Access Rd	A
	(3) All roads within the Wedgefield Light Industrial Area	A
Roebourne	From Carnarvon on North West Coastal Hwy, continue into Cleaverville Rd, Roe St, Carnarvon Tce, left into North West Coastal Hwy	A
Tom Price	(1) Mine Rd (Paraburdoo Access Rd to Mine)	A
	(2) All Light Industrial Area roads	A
	(3) Roebourne – Tom Price Access Rd	A
	(4) Paraburdoo Access Rd. NB: Railway Overbridge on Mine Rd (MAXIMUM OVERALL HEIGHT 4.4 M)	A

Town	Road and route and description or condition	Route Type
Wickham	Roebourne to Cape Lambert via the Point Samson - Roebourne Rd, left into Cape Lambert Rd. No Road Trains permitted in Wickham Townsite	A
Wyndham	(1) Harbour Access Rd via Great Northern Hwy, O'Donnell St, McPhee St	A
	(2) Welch St	A
	(3) Kimberley St	A
	(4) Bonaparte St, Koolama St (Bonaparte St to Timor St), Timor St	A
	(5) Ord St	A
	(6) Sharpe St	A

Schedule 2 — Conditions for use of road trains on specified routes

[r. 2]

1. Interpretation

In this notice —

“rigid motor vehicle” means a motor vehicle, other than a prime mover, with a manufacturer's gross vehicle mass equal to or greater than 22.5 tonnes;

“route type”, in relation to a road or route specified in a Table in Part 1, 2 or 3 of Schedule 1, means the route type (shown as A, B or C) specified in the third column of the Table opposite the name or description of the road or route.

2. Types of road train that may be driven or used on the road or route specified in Schedule 1

- (1) Subject to subclause (1), a road train of the type described in the first column of the Table below may be driven or used on a route type specified in the second column of the following Table opposite the description of the road train.

Table

Road train type	Route type
Prime mover towing a semi-trailer and 2 additional trailers	A
Rigid motor vehicle towing 2 trailers	A, B
Prime mover towing a semi-trailer and one additional trailer	A, B, C

- (2) Subclause (1) does not apply to a road train with 2 or more adjacent triaxle groups.

3. Maximum trailer dimensions

A trailer used for a purpose referred to in the first column of the Table below must not exceed the dimensions set out in the other columns of the Table opposite the description of the purpose.

Table

Purpose for which trailer is used	Maximum length of trailer	Maximum height of trailer	Maximum width of trailer
Carrying livestock	12.5 m	4.6 m	2.5 m
Carrying other cargo	13.7 m	4.3 m	2.5 m

4. Road train lengths and masses

- (1) If a road train consists of a prime mover towing a semi-trailer and one or 2 additional trailers, the length of the road train and each component of the road train, and the mass carried by an axle or axle group, must not exceed the length and the mass in relation to the axle or axle group shown in figure 1.

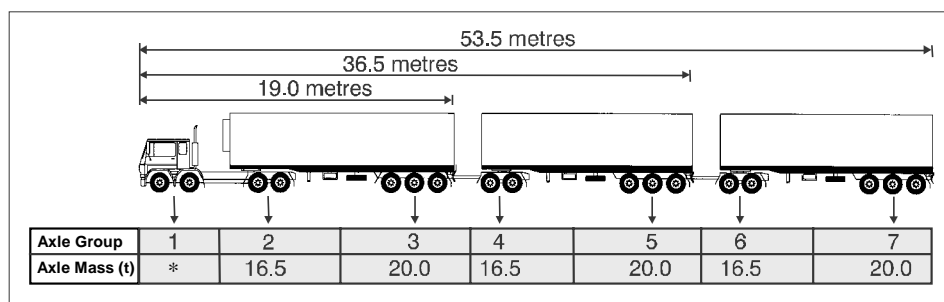


Figure 1

*For the steering axle group (Axle Group 1 in the above diagram):

Load sharing twin steer permissible limit is 11.0 tonnes.

Non load sharing twin steer permissible limit is 10.0 tonnes.

Single steer permissible limit is 6.0 tonnes.

- (2) If a road train consists of a rigid motor vehicle towing 2 trailers, the length of the road train and the rigid motor vehicle, and the mass carried by an axle or axle group, must not exceed the length and mass in relation to the axle or axle group shown in figure 2.

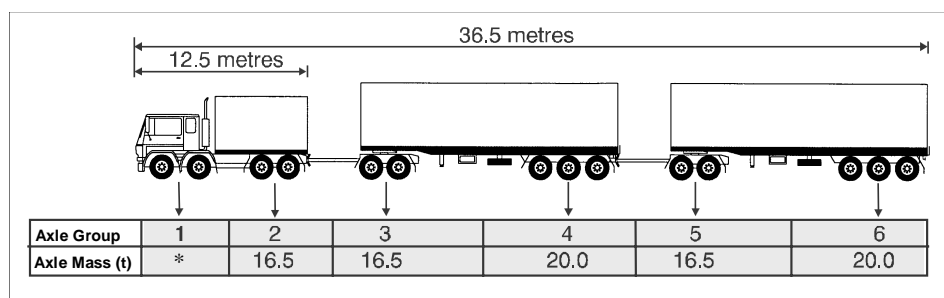


Figure 2

*For the steering axle group (Axle Group 1 in the above diagram):

Load sharing twin steer permissible limit is 11.0 tonnes.

Non load sharing twin steer permissible limit is 10.0 tonnes.

Single steer permissible limit is 6.0 tonnes.

- (3) The gross combination mass of a road train must not exceed the maximum gross combination mass specified by the manufacturer of the prime mover or rigid motor vehicle of the road train for that road train and the application for which it is being used.

5. Operating speed on metropolitan roads

The operating speed of a road train on a metropolitan road listed in Part 1 of Schedule 1 must not exceed the speed specified in the second column of the Table below for the speed limit that applies to the road or route specified in the first column of the Table.

Table

Speed limit	Maximum operating speed for road trains
70 km/hr or greater	10 km/hr below the speed limit
less than 70 km/hr	the speed limit

6. Travelling behind other vehicles

A road train must not travel at a closer distance than 200 m when following another vehicle combination which is displaying a LONG VEHICLE, OVERSIZE or ROAD TRAIN sign, unless —

- the road train is overtaking the other vehicle;
- the other vehicle is stopping;
- there is a separate overtaking lane; or
- the road train is in an urban area where it is not practicable to maintain a distance of 200 m from the other vehicle.

7. Limited travelling times on metropolitan roads

A road train must not travel on a metropolitan road listed in Part 1 of Schedule 1 between the hours of 9.00 a.m. and 6.00 p.m. on a Saturday, Sunday, or a public holiday.

8. Warning signs

- (1) A sign, as illustrated in figure 3, showing the words “ROAD TRAIN” must be displayed on both the front and the rear of a road train.



Figure 3 — Road train warning sign

- (2) The signs must —
- be constructed of weatherproof material;
 - be at least 1 020 mm wide and 200 mm high;
 - bear the words “ROAD TRAIN” in black lettering to Australian Standard AS 1774 on yellow retro-reflective material to Australian Standard AS 1906-1976 Class 1 or Class 2, with the lettering in upper case 180 mm series DN;

- (d) bear the name or trademark of the manufacturer with a statement identifying the class of material used and the standard to which it is manufactured, in block letters not more than 10 mm high;
 - (e) be displayed no lower than the bumper bar or, if there is no bumper bar, no lower than the mudguards; and
 - (f) be kept clean and visible.
- (3) A sign may be divided vertically between the 2 words on it, as shown by the dotted line in figure 3, and mounted on the vehicle in close proximity so as to convey the intended message.

GREG MARTIN, Commissioner of Main Roads.

— PART 2 —

CEMETERIES

CC401

CEMETERIES ACT 1986

BUNBURY CEMETERY BOARD

Scale of Fees and Charges

In pursuance of the powers conferred upon it by section 53 of the Cemeteries Act, the Bunbury Cemetery Board hereby records having resolved on the 29th April 1999 that the following Bunbury Cemetery Board fees and charges shall apply from 1/7/1999.

Schedule of Fees and Charges

GENERAL CEMETERY

A: IN OPEN GROUND	\$
Interment in grave any depth to 2.13m including registration fee and use of number plate	490.00
Interment of any stillborn child in ground set aside for that purpose	100.00
B: IN PRIVATE GROUND	
Ordinary land for grave 2.44m x 1.22m where directed	630.00
Ordinary land for grave 2.44m x 2.44m where directed	1180.00
Ordinary land for grave 2.44m x 0.30m where directed	260.00
Interment in grave to any depth to 2.13m including registration fee and use of number plate	490.00
Interment of a stillborn child	100.00
C: EXTRA CHARGES	
Interment in open ground, without due notice	250.00
Interment in private ground, without due notice	250.00
Interment not in usual hours, as prescribed	250.00
Interment on a Saturday, Sunday or Public Holiday	280.00
Interment of cremated ashes	100.00
Fee of exhumation	950.00
Re-interment in new grave	490.00
Plaque for stillborn grave	110.00

LAWN CEMETERY

A: Ordinary land for grave 2.44m x 1.22m	630.00
Interment in grave any depth to 2.13m including registration fee and use of number plate	490.00
Interment of a stillborn child	100.00
Limited access graves	450.00
Interment of cremated ashes	100.00
B: EXTRA CHARGES	
Interment without due notice	250.00
Interment not in usual hours as prescribed	250.00
Interment on Saturday, Sunday or Public Holiday	280.00
Fee of exhumation	950.00
Re-interment in new grave	490.00

VAULTS

Standard vault including reservation for two interments (excluding land fee)	4000.00
First interment	490.00
Second interment	490.00
Interment without due notice	250.00
Interment not in usual hours as prescribed	250.00
Interment on Saturday, Sunday or Public Holiday	280.00

MISCELLANEOUS CHARGES

Funeral Director's Annual Licence Fee	200.00
Single Funeral Permit (Funeral Directors Only)	100.00
Single Funeral Permit (Other than Funeral Directors)	300.00
Monumental Mason's Annual Fee	200.00
Single Monument Permit (Monumental Masons Only)	100.00

	\$
Permit to erect a headstone	115.00
Copy of By-laws and regulations	20.00
Copy of Grant of Right of Burial	40.00
Refund of an unexpired Grant of Right of Burial not to exceed the amount originally paid, less an administration fee of	65.00
Renewal of Grant of Right of Burial	130.00
Attendance at Placement of Ashes in any grave—	
Monday to Friday 9.00 am to 4.00 pm, flexible appointment time	\$ nil
Fixed Time appointment	40.00
Weekends and Public Holidays	120.00
Penalty Fees: (Extra to scheduled fee) Late Arrival (By-Laws 28.1)	65.00
CREMATORIUM	
A: CREMATION FEES	
Persons thirteen (13) years or over.	510.00
Child under thirteen (13) years	300.00
Stillborn child	100.00
B: EXTRA CHARGES	
Cremation without due notice	250.00
Cremation not in usual hours as prescribed	250.00
Cremation on a Saturday, Sunday or Public Holiday	280.00
Use of crematorium chapel (service only)	300.00
Penalty Fee: Late arrival/commencement (By-Law)	65.00
C: DISPOSAL OF ASHES	
1: NICHE WALLS	
Placement in single niche including bronze plaque and inscription	280.00
Placement in double niche including bronze plaque and first inscription	380.00
Second inscription	130.00
Plaque for reserved position: Single Niche	120.00
Plaque for reserved position: Double Niche	180.00
2: GARDEN OF REMEMBRANCE	
Interment including chrome plaque and reservation for a second interment	270.00
Second interment and plaque	270.00
2:1 GARDEN OF REMEMBRANCE	
Interment including bronze plaque 76mm x 64mm and reservation for a second interment	270.00
Second interment and plaque	270.00
3: KERBED GARDEN MEMORIALS	
Interment including bronze plaque and reservation for a second interment	270.00
Second interment and plaque	270.00
4: MEMORIAL GARDEN OF REMEMBRANCE	
Interment including bronze plaque and reservation for three additional interments	475.00
Second, third and fourth interments and plaque (each)	275.00
5: MEMORIAL GARDEN	
Interment with Family Rose Bush or Shrub, including 229mm x 184mm bronze plaque and reservation for three additional interments	770.00
Second, third and fourth interments and plaque	310.00
5:1 MEMORIAL GARDEN DUAL POSITION	
Interment with Family Rose Bush or Shrub including bronze plaque 229mm x 184mm and reservation for one additional interment	590.00
Additional interment and plaque	310.00
6: SELECTED FAMILY SHRUBS	
Interment with selected Shrub or Tree including 229mm x 229mm bronze plaque and reservation for three additional interments	1100.00
Second, third and fourth interments and plaque	310.00
7: MEMORIAL WALLS	
Single position including bronze plaque and interment	370.00
Reservation for second position	60.00
8: NATURE SERIES GROUND NICHES	
Interment in selected position including bronze plaque 229mm x 229mm and reservation for one additional interment:	
Bushland Niche	540.00
Parkland Niche	540.00
Lakeside Niche	630.00
9: OTHER FEES	
Interment in family grave	100.00
Scattering to the wind	65.00

	\$
Postage of Ashes within Australia	75.00
Administration and registration fee for collection of Ashes from crematorium	65.00
Transfer of Ashes to a new position (plus cost of plaque if required)	65.00
Acceptance and registration of Ashes from other crematoria	65.00
Storage of cremated remains per month after six months	5.00
Garden position reservation	60.00
Other memorials	By quotation
Attendance at Placement of Ashes—	
Monday to Friday: 9.00 am to 4.00 pm flexible appointment time	\$ nil
Monday to Friday: Fixed time appointments	40.00
Weekends and Public Holidays	120.00

BUNBURY CEMETERY BOARD
SCHEDULE OF PRE-NEED SERVICES

GENERAL CEMETERY

Pre-Need Purchase of Certificate for Grave Site 2.44m x 1.22m	730.00
Reserved Position	160.00
Pre-Need Purchase of Certificate for Interment	540.00

LAWN CEMETERY

Pre-Need Purchase of Certificate for Grave Site 2.44m x 1.22m	730.00
Pre-Need Purchase of Certificate for Interment	540.00

CREMATION

Pre-Need Purchase of Certificate for Cremation	560.00
Single Niche Position and Plaque	330.00
Double Niche Plaque and First Inscription	430.00
Double Niche Plaque and two Inscriptions	590.00
Garden of Remembrance with Chrome Plaque each	320.00
Garden of Remembrance with Bronze Plaque each	320.00
Kerbed Memorial Garden and Bronze Plaque each	320.00
Memorial Garden of Remembrance: 1 interment and Bronze Plaque	525.00
Memorial Garden of Remembrance: 2 interments and Bronze Plaques	840.00
Memorial Garden: 1 interment and Bronze Plaque	830.00
Memorial Garden: 2 interments and Bronze Plaques	1185.00
Family Rose Dual Position: 1 interment and Bronze Plaque	640.00
Family Rose Dual Position: 2 interments and Bronze Plaques	1000.00
Selected Shrub: 1 interment and Bronze Plaque	1170.00
Selected Shrub: 2 interments and Bronze Plaques	1530.00
Memorial Wall Position with Bronze Plaque	420.00
Bushland Niche Position with Bronze Plaque	590.00
Parkland Niche Position With Bronze Plaque	590.00
Lakeside Niche Position with Bronze Plaque	680.00
Refund of a pre-need certificate is not to exceed the amount originally paid, less an administration fee	65.00

If a specific position is selected, a Reservation Fee will apply.

JUDITH M. JONES, Chairman.
P. DEN BOER, Manager.

CENSORSHIP

CS401*

CENSORSHIP ACT 1996

I, CHERYL LYNN EDWARDES, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as refused publications for the purposes of that Act.

Dated this 11th day of May 1999.

CHERYL LYNN EDWARDES, Minister for Labour Relations.

Schedule

27 April 1999

Refused Classification

Title or Description	Publisher
Adult Industry Review Vol 2 No 2	Eros Foundation
Animal Orgy No 17	Color-Climax Corporation
Australian Penthouse (Limited Edition) Jun 1999 Vol 20 No 6	Gemkilt Publishing Pty Ltd
Australian Penthouse (National) Jun 1999 Vol 20 No 6	Gemkilt Publishing Pty Ltd
Australian Penthouse (Plus) Jun 1999 Vol 20 No 6	Gemkilt Publishing Pty Ltd
Babyface Apr 1999 Vol 2 No 4	The Score Group
Candy Girls Apr 1999 Vol 2 No 4	Dowager Inc
Girls of Hustler Presents Hot Couples No 12	LFP Inc
Nugget May 1999 Vol 43 No 5	Dugent Corp
Sex Bizarre No 43	Color-Climax Corporation
Sex Bizarre No 44	Color-Climax Corporation
Sex Bizarre No 52	Color-Climax Corporation

CS402***CENSORSHIP ACT 1996**

I, CHERYL LYNN EDWARDES, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as restricted publications for the purposes of that Act.

Dated this 11th day of May 1999.

CHERYL LYNN EDWARDES, Minister for Labour Relations.

Schedule

27 April 1999

Restricted Classification

Title or Description	Publisher
Anal Lust (Distra Spezial) No 21	Distra GMBH
Australasian Sex Paper May 1999 Vol 11 No 91	ASP Productions Pty Ltd
Australian Penthouse Letters 1997 No 82	Gemkilt Publishing Pty Ltd
Babes No 1	Tanya Hansen
Blue Climax No 71	Color-Climax Corporation
Buf May 1999 No 20	Swank Publications Inc
Busen-Extra Vol 14 No 31	Pleasure Verlags GMBH
Cheeks Jun 1999 No 20	Swank Publications Inc
Cheri May 1999 Vol 23 No 11	Cheri Magazine Inc
Club International Vol 28 No 3	Paul Raymond Publications Ltd
Dolly Buster Vol 8 No 12	Dino
Gent (Home of the D-Cups) May 1999 Vol 41 No 5	Dugent Corporation
High Society May 1999 Vol 24 No 5	The Crescent Publishing Group
Just 18 Jun 1999 No 20	Swank Publications Inc
Leg Action May 1999 No 20	Swank Publications Inc
Live Young Girls May 1999 Vol 19 No 4	Live Periodicals Inc
Lolitas Anal (Silwa Special) No 19	Silwa Film GMBH
Lollipops No 3	MTC GMBH
Naughty Neighbors May 1999 Vol 5 No 5	The Score Group
Petite May 1999 Vol 2 No 3	Dugent Corp
Plumpers and Big Women May 1999 Vol 7 Iss 3	Dugent Corp
Private No 152	Private Media Group
Private Mega Pack	Private Media Group
Private Sex No 19	Private Media Group
Razzle Vol 17 No 3	Paul Raymond Publications Ltd
Score May 1999 Vol 8 No 5	The Score Group
Swank Exposed (44-Plus) May 1999	Swank Publications Inc
Swank X-Rated Series (300 Uncensored Sex Scenes) May 1999	Swank Publications Inc
Very Best of Readers' Wives, The Vol 1 Iss 7	Fantasy Publications Ltd

CS403***CENSORSHIP ACT 1996**

I, CHERYL LYNN EDWARDES, being the Minister administering the Censorship Act 1996, acting in the exercise of the powers conferred by Section 15 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as unrestricted publications for the purposes of that Act.

Dated this 11th day of May 1999.

CHERYL LYNN EDWARDES, Minister for Labour Relations.

Schedule

27 April 1999

Unrestricted Classification

Title or Description

H & E Lifestyle No 10

Playboy's Book of Lingerie Mar-Apr 1999

Publisher

New Freedom Publications Ltd

Playboy Press

JUSTICE

JM401**FRIENDLY SOCIETIES ACT 1894**

Form 10 (Reg. 10)

ADVERTISEMENT OF CANCELLING OF REGISTRY

Notice is hereby given that the Registrar of Friendly Societies has, pursuant to the *Friendly Societies Act 1894*, section 10, by writing under his hand, dated 12 May 1999, cancelled the registry of the branches known as West Perth Coventry Lodge No. 347, Osborne Park Lodge No. 121 and Pride of Leederville Lodge No. 341 of the United Ancient Order of Druids at the request of the trustees of the society.

The branches (subject to the right of appeal by the said Act) ceases to enjoy the privileges of a registered branch, but without prejudice to any liability incurred by the branch, which may be enforced against it as if such cancelling had not taken place.

Dated this 12th day of May 1999.

P. G. RICHARDS, Registrar of Friendly Societies.

LOCAL GOVERNMENT

LG401**DOG ACT 1976***Shire of Sandstone*

Appointment of Registration Officers and Authorised Officers

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

Marilyn Davies

Marion Pawsey

Patricia Phie

Jason Bakewell

Alan Snow

Ian Tressidder

Geoffrey Mongoo

Brian Gallop

Trevor Barndon

Becky Snow

All other appointments are hereby cancelled.

MARILYN DAVIES, Chief Executive Officer.

LG402***LOCAL GOVERNMENT ACT 1995**

Section 6.74 Form 6

City of Bunbury
*4 Stephen Street, Bunbury, WA 6230***LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

Regulation 77

**NOTICE OF INTENSION TO APPLY FOR REVESTMENT OF
LAND IN THE CROWN**

TAKE NOTICE that unless Rates of \$5,388.47 outstanding in relation to the land described below ("the Land") are paid by 21st June 1999 the City of Bunbury hereby gives notice of its intention to apply for the Land to be revested in the Crown by reason that the Land is—

- (a) rateable land;
- (b) vacant land; and
- (c) land in respect of which rates have been unpaid for more than three years.

DESCRIPTION OF LAND

Lot 361 Geographe Way, Bunbury in the State of Western Australia being more particularly described as Portion of Wellington Location 41 and being Lot 361 on Plan 12130 together with a right of carriage-way over the portions coloured brown on Plan 3097 as set out in Transfer 2756/1912, and being the whole of land contained in Certificate of Title Volume 1481 Folio 980.

AND FURTHER TAKE NOTICE that payment of the said sum of \$5,388.47 can be made to the City of Bunbury at 4 Stephen Street, Bunbury or an objection can be lodged to the revestment also with the City of Bunbury at its address as aforesaid.

NAMES OF OWNERS AND ALL OTHER PERSONS HAVING AN ESTATE OR INTEREST IN THE LAND AND TO WHOM NOTICE IS GIVEN—

1. Fuego Pty Ltd of 9 Prinsep Street, Bunbury, Western Australia as registered proprietor;
2. Esanda Limited of 263 Adelaide Terrace, Perth, Western Australia (formerly of 16 St George's Terrace, Perth) as equitable mortgagee (Caveat D177112);
3. Australian Securities and Investment Commission (formerly National Companies and Securities Commission) of Level 3, 66 St George's Terrace, Perth, Western Australia (Caveat E27722); and
4. Commissioner of State Revenue of Mount Newman House, 200 St George's Terrace, Perth, Western Australia (Memorial D863415).

G. P. BRENNAN, Chief Executive Officer.

LG403***LOCAL GOVERNMENT ACT 1995**

Section 6.74 Form 6

City of Bunbury
*4 Stephen Street, Bunbury, WA 6230***LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

Regulation 77

**NOTICE OF INTENSION TO APPLY FOR REVESTMENT OF
LAND IN THE CROWN**

TAKE NOTICE that unless Rates of \$12,975.82 outstanding in relation to the land described below ("the Land") are paid by 21st June 1999 the City of Bunbury hereby gives notice of its intention to apply for the Land to be revested in the Crown by reason that the Land is—

- (a) rateable land;
- (b) vacant land; and
- (c) land in respect of which rates have been unpaid for more than three years.

DESCRIPTION OF LAND

Lot 128 Latrielle Road, Bunbury in the State of Western Australia being more particularly described as Portion of Wellington Location 41 on Deposited Plan 2138 and being the whole of the land contained in Certificates of Title Volume 257 Folio 75 and Volume 449 Folio 101.

AND FURTHER TAKE NOTICE that payment of the said sum of \$12,975.82 can be made to the City of Bunbury at 4 Stephen Street, Bunbury or an objection can be lodged to the revestment also with the City of Bunbury at its address as aforesaid.

NAMES OF OWNERS AND ALL OTHER PERSONS HAVING AN ESTATE OR INTEREST IN THE LAND AND TO WHOM NOTICE IS GIVEN—

1. One undivided fourth share—William Waring Mangles as Executor of the Will of Frederick Scott Mangles of 19 Charham Place, Brighton, Sussex, England;
2. One undivided quarter share—Emily Norman of Portland Place, London, England and Ethel Georgiana Mangles of 8 Melcolmbe Place, Howood Square, London, England;
3. As to two undivided ninth shares—Frank Mangles of Stalden Lodge, Alton, England as Executor of the Will of Henry Albert Mangles, deceased;
4. One undivided thirty sixth share—Ross Lowis Mangles of The Lodge, Pirbright, near Woking, Surrey, England and Arthur Wakefield Chapman of Cooksbury, Farnham, Surrey, England, as joint tenants;
5. One undivided quarter share—John Cator Stockley of the Junior United Service Club, Charles Street, St James, London, England and Udysses Latrielle and Fredrick Latrielle both of 263 Gresham House, Old Broad Street, London, England as trustees of the will of William Stanhope Stockley, as joint tenants.

G. P. BRENNAN, Chief Executive Officer.

PLANNING

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

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF GINGIN

TOWN PLANNING SCHEME No. 8—AMENDMENT No. 70

Ref: 853/3/8/10, Pt 70.

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 Gingin Town Planning Scheme Amendment on 11 May, 1999 for the purpose of including Lot 108 Caladenia Road, Wanerie, within Appendix 2 of the Scheme, as follows—

16. (a) Lot 108 Caladenia Road, Wanerie.
- (b) Tourist Park, including the following uses at the discretion of Council—
 - tearooms
 - holiday accommodation
 - public amusement
 - private recreation
- (c) (i) Development to be generally in accordance with the Development Concept Plan dated September, 1998, or such other overall concept plan as may be approved by Council.
- (ii) The design, character and scale of development shall be in keeping with the objectives of the Rural Conservation zone. In considering an application to commence development, Council will have particular regard to landscaping, servicing and amenity.
- (d) The development and use of the land for tourist activities shall only be approved and undertaken in a manner that gives full recognition to the Rural Conservation zoning objectives, provisions and permissible land uses, and in particular, the accepted management practices associated with approved horticultural land uses.

M. E. MOLLER, President.
S. D. FRASER, Chief Executive Officer.**PD402*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF HARVEY

TOWN PLANNING SCHEME No. 1—AMENDMENT No. 28

Ref: 853/6/12/18, Pt 28.

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 Harvey Town Planning Scheme Amendment on 10 May, 1999 for the purpose of—

1. Rezoning part of Pt Lot 36 Wellington Loc 50, from “Commercial—Tourist” to “Service Station” and rezoning part by adding “Additional Use”.

2. Amending Schedule 7—Schedule of Additional Land Uses to include the following—

STREET LOCALITY	PARTICULARS OF LAND	ONLY USE PERMITTED
6. South Western Highway, Wokalup	Pt Lot 36	Reception/Convention Centre and Zoo

J. W. OFFER, President.
K. LEECE, Chief Executive Officer.

PD403*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF ROEBOURNE

TOWN PLANNING SCHEME No. 6—AMENDMENT No. 55

Ref: 853/8/5/4, Pt 55.

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 Roebourne Town Planning Scheme Amendment on 11 May, 1999 for the purpose of—

1. Adding to "Schedule 5—Additional Uses" the following—

Lot No.	Street	Base Zoning	Additional Use	Special Conditions
3803/ 3804	Dwyer Place	Commercial —Retail	Lodging House	<ul style="list-style-type: none"> • Maximum two storey height limit • No vehicular access is permitted off Gawthorne Drive

2. Inserting a new definition to "Schedule 1—Interpretations", being—

"Lodging House—any, or any part of any, building or structure, permanent or otherwise, in which provision is made for lodging or boarding more than 6 persons, exclusive of the family of the keeper or manager, for hire or reward; and the term includes a serviced apartment and a short term hostel, but does not include—

- (a) premises licensed under the Liquor Licensing Act 1988;
- (b) premises used as a boarding school approved under the Education Act 1928;
- (c) or any building comprising residential flats."

N. TURNER, President.
T. S. RULAND, Chief Executive Officer.

WATER

WA401

WATER AGENCIES (POWERS) ACT 1984

Water Supply Improvements: Shire of Busselton

PROPOSAL TO CONSTRUCT THREE GROUNDWATER PRODUCTION BORES AND
COLLECTOR MAIN

This project will begin in July 1999 and will take approximately 16 weeks to complete. It involves the construction of three groundwater production bores, a collector main and other associated fittings, valves, manholes and pumps.

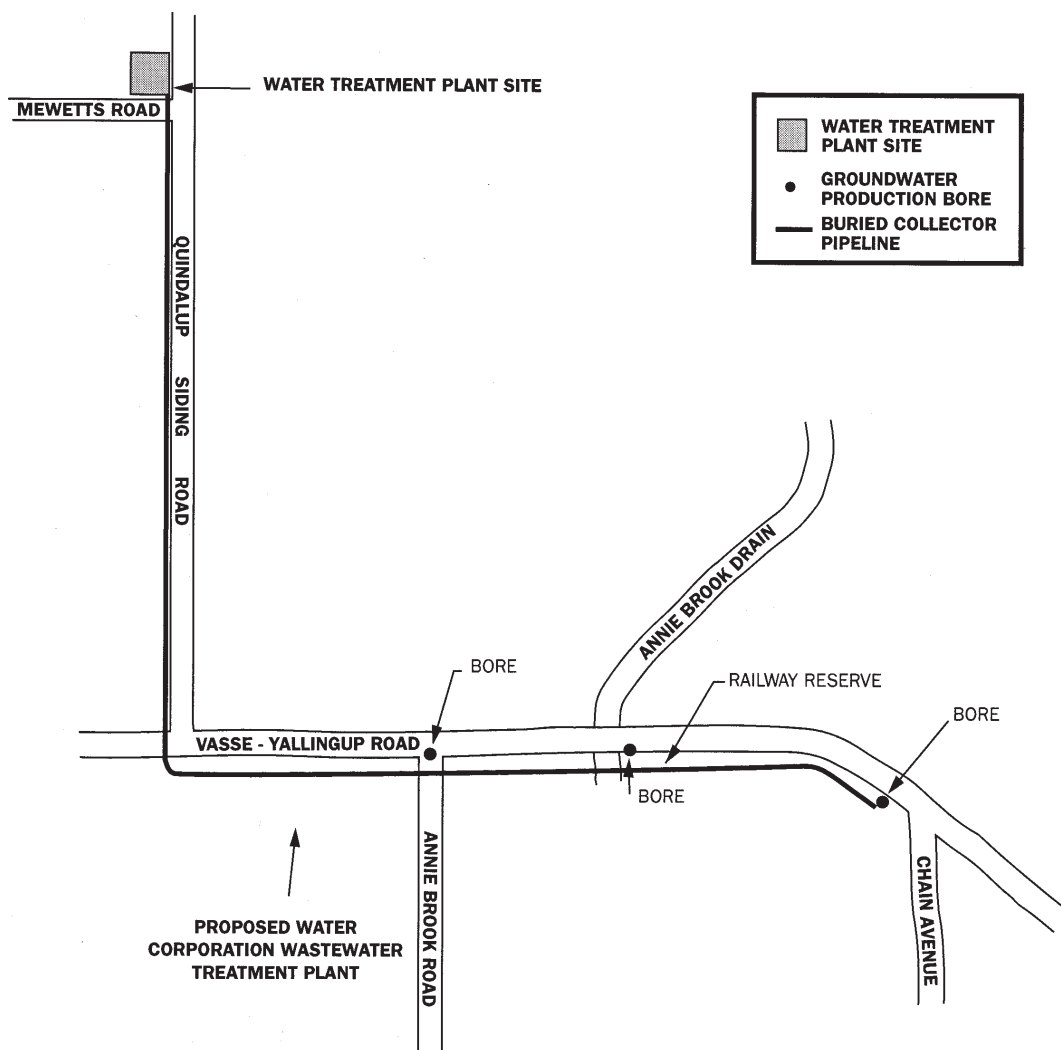
For further information on this essential water supply project please telephone Bob Keegan during normal office hours on 9420 2265.

If you have an objection to the proposed works, please write to—

Bob Keegan
Project Manager
Water Corporation
PO Box 100
Leederville WA 6902

Any objections must be lodged by the close of business on 5 June 1999.

This project is subject to environmental and other approvals.



WA402

WATER AGENCIES (POWERS) ACT 1984

Water Supply Improvements: City of Rockingham-Baldivis PROPOSAL TO CONSTRUCT A CHLORINATION PLANT

This project will begin in June 2000 and will take approximately six months to complete. It involves the construction of a chlorination plant complete with all ancillary equipment.

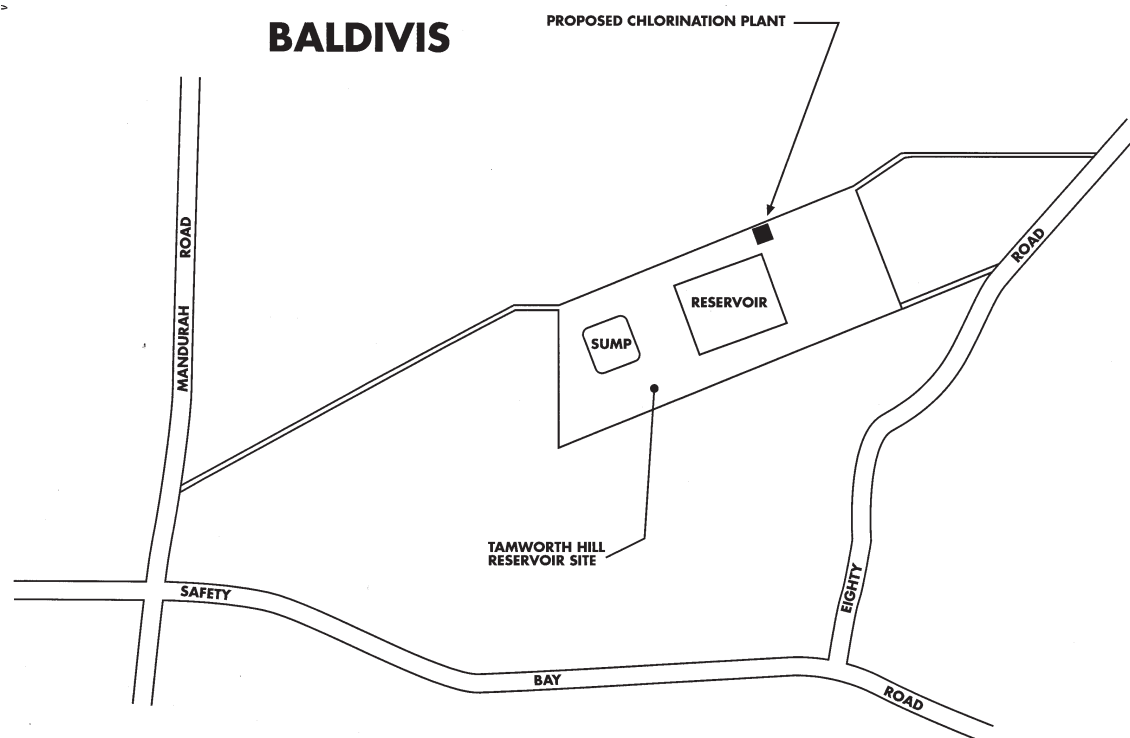
For further information on this essential water supply project please telephone Kevin Brown during normal office hours on 1800 892 837.

If you have an objection to the proposed works, please write to—

Bill Combs
Project Manager
Water Corporation
PO Box 100
Leederville WA 6902

Any objections must be lodged by the close of business on 8 June 1999.

This project is subject to environmental and other approvals.

**WA403****WATER AGENCIES (POWERS) ACT 1984**

Water Supply Improvements: Shire of Harvey

PROPOSAL TO CONSTRUCT CHEMICAL DOSING PLANT

This project will begin in March 2000 and will take approximately 12 months to complete. It involves the construction of a chemical dosing plant comprising lime, carbon dioxide, fluoride and chlorine gas storage and dosing facilities. The plant will treat the water in the proposed Stirling Dam to Tamworth Hill Reservoir Trunk Main.

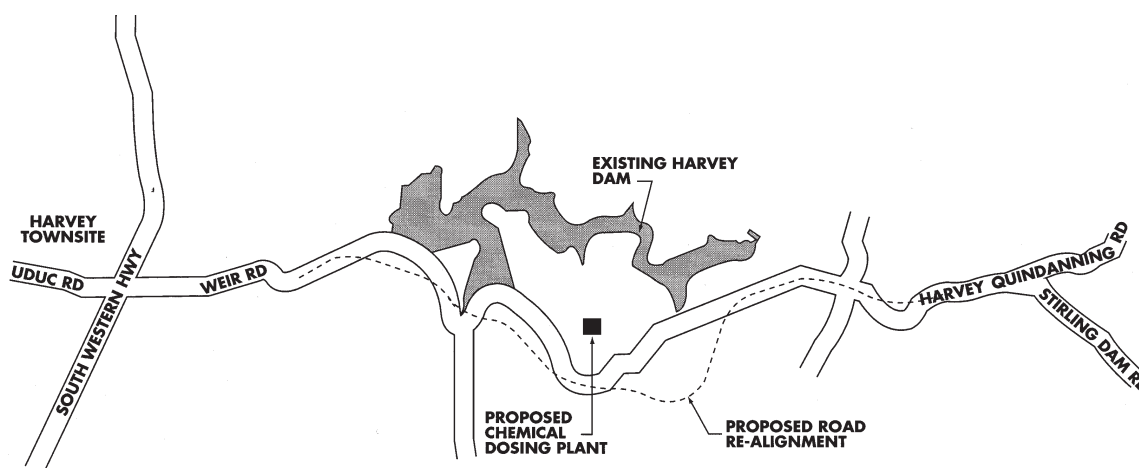
For further information on this essential water supply project please telephone Kevin Brown during normal office hours on 1800 892 837.

If you have an objection to the proposed works, please write to—

David Swallow
Project Manager
Water Corporation
PO Box 100
Leederville WA 6902

Any objections must be lodged by the close of business on 8 June 1999.

This project is subject to environmental and other approvals.



WA404**WATER AGENCIES (POWERS) ACT 1984**

Sewerage Extension: Shire of Donnybrook-Balingup

PROPOSAL TO CONSTRUCT PUMPING STATION No. 1 AND PRESSURE MAIN AND WASTEWATER TREATMENT PLANT

To provide for the disposal of wastewater in the Shire of Donnybrook-Balingup, the Water Corporation proposes to construct—

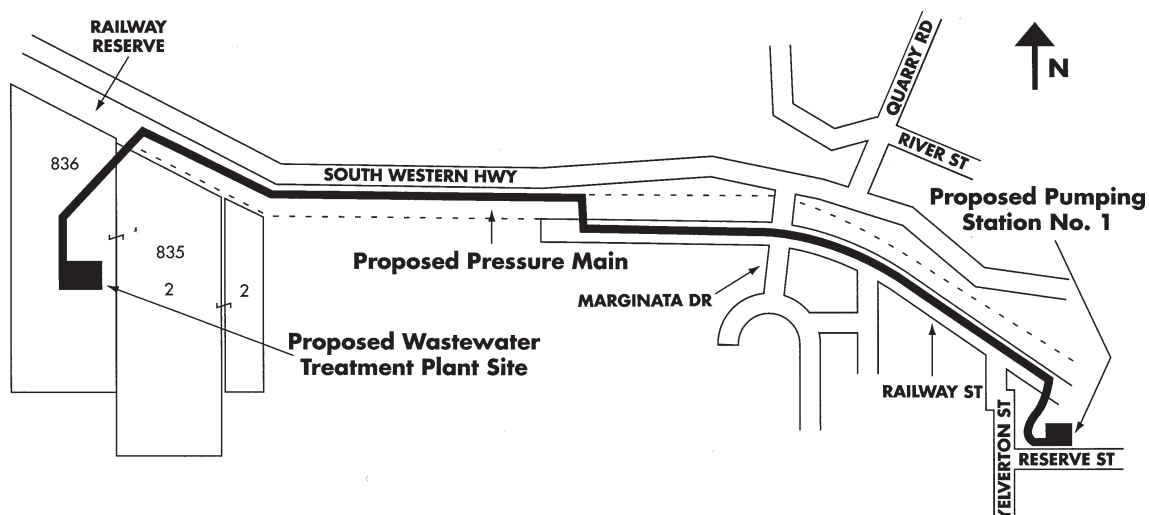
- * Wastewater treatment plant comprising oxidation ponds and woodlot
- * DN200 pressure main approx. 5400 m in length
- * Below ground pumping station

The locations of the proposed works are shown on the plan. Further information may be obtained by contacting Mr Jim Ridgewell, tel (08) 9420 2634, during office hours.

A copy of this plan (referred to as FC63-0-1A) is also available at the Water Corporation's Regional Office, 61 Victoria Street, Bunbury.

It is proposed to commence construction in October 1999 and complete construction within 12 months.

Objections to the proposed works will be considered if lodged in writing to the project manager, Mr Tony D'Ascanio Water Corporation, P.O. Box 100, Leederville, WA, 6902 before the close of business on the 11th June 1999.

**WA405****WATER AGENCIES (POWERS) ACT 1984**

Water Supply Improvements: Shire of Capel-Dalyellup

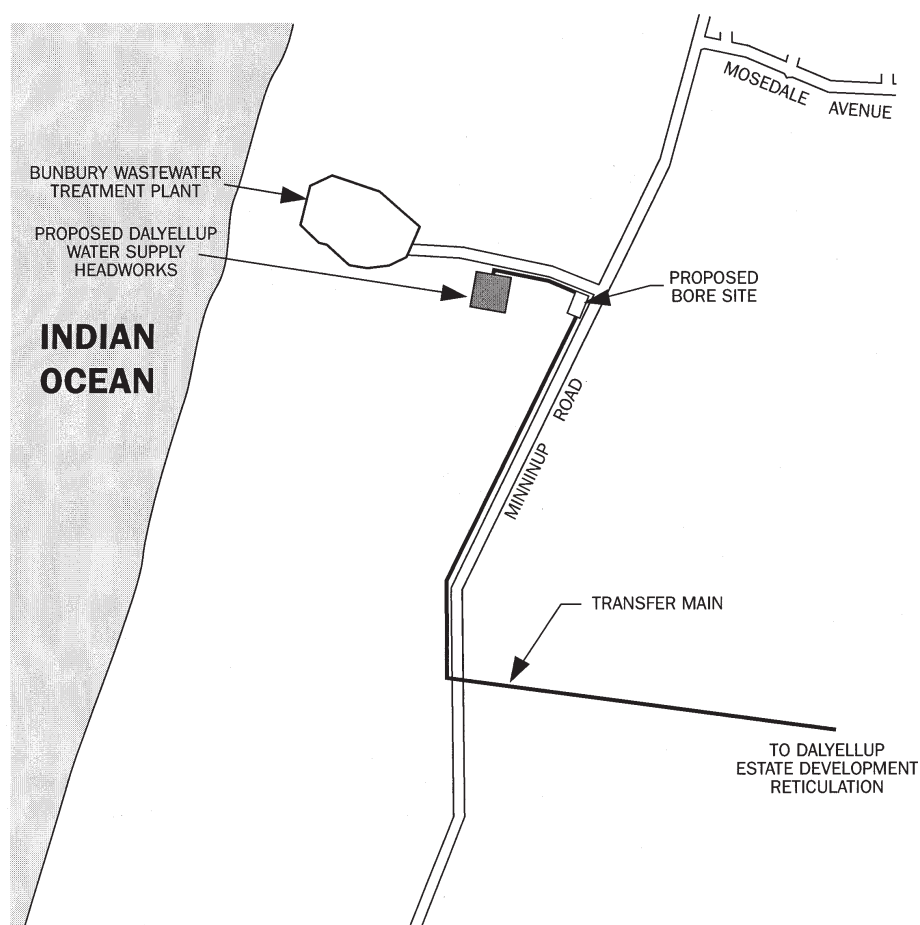
NOTICE OF AUTHORISATION TO CONSTRUCT WATER TREATMENT PLANT

In accordance with the provisions of the Water Agencies (Powers) Act 1984, the Minister for Water resources has authorised the Water Corporation to construct the following works—

- * A ground level water storage tank of approximately 1,000 cubic metres capacity, 20 metres diameter and 3.6 metres wall height, with a metal sheeted roof.
- * A F.R.P filter unit, approximately 25 square metres in base area and 6.5 metres in height.
- * A pump station, approximately 10 square metres in base area, located in a covered pit.
- * A 5 MLD bore to be located in the vicinity of the intersection of Minninup Road and the wastewater treatment plant access road.
- * Associated pipework including valves, metres and concrete valve pits.

The location of the proposed works is on the Bunbury wastewater treatment plant land at Dalyellup as shown on the plan.

The works will provide potable water to the Dalyellup Estate Development.



PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962

Creditor's Notice

Creditors and other persons having claims to which Section 63 of the Trustees Act relates in respect of the estate of Cheryl Ann Boswell, late of 95 Deakin Street, Collie who died on 28 February 1999 are required by the personal representative to send particulars of their claims addressed to the Executor of the Will of Cheryl Ann Boswell of 95 Deakin Street, Collie, deceased care of Young & Young, 5 Spencer Street, Bunbury by the 11th day of June 1999 after which date the personal representative may convey or distribute the assets having regard only to the claims of which the personal representative then has notice.

ZZ203

TRUSTEES ACT 1962

NOTICE TO CREDITORS AND CLAIMANTS

Leonard Sabin, deceased, late of 45 Sporing Way, Hillarys, Western Australia.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on 2 April 1999 are required by the Trustee ANZ Executors & Trustee Company Limited (ACN 006 132 332) of Level 9, 77 St George's Terrace, Perth WA 6000 to send particulars of their claim to him by 18 June 1999 after which the Trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

ZZ202*

IN THE HIGH COURT OF AUSTRALIA
SITTING AS THE COURT OF DISPUTED RETURNS
PERTH OFFICE OF THE REGISTRY

No. P22 of 1999

between

FREDERICK HENK RUDOLPHY

Petitioner

and

PHILIP ROSS LIGHTFOOT

Respondent

ELECTION PETITION

Date of Document: 11 May 1999

Office Seal

Filed on Behalf of: Petitioner

Date of Filing: May 1999

Prepared By—

WOJTOWICZ KELLY
Barristers and Solicitors
5 Ord Street
WEST PERTH WA 6005

Tel: 9322 2203
Fax: 9322 2204
Ref: JC/AG/8730
DATA/JC/PLEAD/8730election petition

This petition concerns the election held on 19 May 1997 for the vacant place in the Senate of the Commonwealth Parliament caused by the death of Senator John Forrest Panniza.

RETURN OF WRIT

No writ for the election was returned. Pursuant to S15 Commonwealth of Australia Constitution Act this election was held on 19 May 1997 at a Joint Sitting of the Legislative Council and the Legislative Assembly of Western Australia.

ENTITLEMENT TO FILE THIS PETITION

The petitioner is entitled to file this petition because he is a person qualified to vote at Senate elections in the State of Western Australia at the date of the choice or appointment of the respondent namely 19 May 1997.

STATEMENT OF FACTS

There are two bases upon which the petitioner brings this petition against the respondent.

A. Legislative Council of Western Australia not constituted in accordance with S5 Constitution Acts Amendment Act 1899

1. On 21 May 1996 pursuant to S1 Agent-General's Act 1895 the Governor issued a Commission to Clive Edward Griffiths appointing him to be Agent-General for Western Australia for the period 1 January 1997 to 31 December 1998.

2. There was a General Election in Western Australia on 6 December 1996. The new members were to take their seats on 22 May 1997.

3. On 24 December 1996 the Governor purported to cancel Clive Edward Griffiths' appointment and purported to issue a new Commission appointing him to be Agent-General for Western Australia for the period 2 June 1997 to 1 June 1999.

4. The Governor had no power pursuant to S4 Agent-General's Act or S52 Acts Interpretation Act, to cancel the appointment. The new Commission was invalid and the only Commission on foot was the first one and consequently the appointment of Clive Edward Griffiths was for the period 1 January 1997 to 31 December 1998.

5. This was the consequence of S34(1)(a) Constitution Acts Amendment Act which automatically disqualified Clive Edward Griffiths from being a member of the Legislative Council from 1 January 1997 to 21 May 1997.

6. On 19 May 1997 and pursuant to the Constitution Acts Amendment Act 1899—

- (a) Clive Edward Griffiths was not a member of the Legislative Council pursuant to S34(1)(a).
- (b) His seat was vacant pursuant to S38(b).
- (c) There had been no election to fill the vacancy pursuant to S10.
- (d) The Legislative Council did not consist of 34 elected members contrary to S5.
- (e) There was no resolution passed by both Houses pursuant to S39(2).

7. During the period 1 January 1997-21 May 1997 and on 19 May 1997 and pursuant to Part IVA Electoral Act 1907—

- (a) Clive Edward Griffiths' seat in the Legislative Council was vacant within the meaning of the word "vacancy" defined by S156A(1).
- (b) The Governor did not receive or take notice of the vacancy pursuant to S156B.

- (c) The Governor did not inform the Electoral Commission of the vacancy pursuant to S156C.
- (d) The Electoral Commissioner did not perform his duty pursuant to S156C & D.
- (e) The vacancy was not filled pursuant to S156D.
- (f) With respect to S156E(1) the Governor—
 - (i) did not receive notice of a vacancy under S156B(1) & (2).
 - (ii) did not take notice of a vacancy under S156B(3).
 - (iii) did not inform the Electoral Commissioner of the vacancy under S156C(1).
 - (iv) did not receive a notice under S156C(1)(b).
 - (v) did not receive a notice under S156D(2).
 - (vi) did not receive a notice under S156D(13).
 - (vii) did not by warrant under his hand direct the Clerk of the Writs to issue a writ for an election in the South Metropolitan Region to fill the vacancy.
- (g) The deeming provision in S156(2) did not come into operation because the necessary conditions precedent under S156E(1) did not occur.

8. The vacancy in Clive Edward Griffiths' seat in the Legislative Council was not filled pursuant to Part IVA Electoral Act 1907.

9. The constitution of the Legislative Council was not changed from 34 elected members to 33 elected members pursuant to S73(1) Constitution Act 1889.

10. Both during the relevant period and on the material date the Legislative Council was not constituted pursuant to S5 Constitution Acts Amendment Act 1899.

11. There was a joint sitting of the Legislative Council and Legislative Assembly on 19 May 1997 pursuant to S15 Commonwealth Constitution for the purpose of choosing Philip Ross Lightfoot to fill a casual Senate vacancy.

12. S15 Commonwealth Constitution creates the procedure for the filling of a casual Senate vacancy by the Houses of Parliament "sitting and voting together". The Legislative Council was not capable of sitting and voting together with the Legislative Assembly on 19 May 1997 because it was not constituted pursuant to S5 Constitution Acts Amendments Act 1899. The purported election of Philip Ross Lightfoot by the joint sitting on 19 May 1997 was not valid.

B. Respondent not Entitled to be Nominated

13. The Commonwealth Electoral Act 1918 provides—

- (a) S162 requires a person to be "duly nominated" to be capable of being elected as a senator.
- (b) S164 states that a person who is "at the hour of nomination" a Member of the Parliament of a State is not capable of being nominated as a Senator.
- (c) The "nomination" referred to in S162 & 164 is a nomination relevant to S15 Commonwealth Constitution. Hansard records the joint sitting on 19 May 1997 on the basis that—
 - (i) the President (Clive Edward Griffiths who was there invalidly in any event) states at 10.02am: "I now call for nominations to fill the vacancy".
 - (ii) the Premier moved at 10.03am ("the hour of nomination") that Philip Ross Lightfoot "being a person who is *eligible* to be chosen pursuant to S15 of the Commonwealth of Australia Constitution Act be chosen to hold the vacant place in the Senate ...".
 - (iii) the President (Clive Edward Griffiths) states at 12.02pm "there being no further nominations I declare that Philip Ross Lightfoot has been elected to fill the vacancy in the Senate".

14. By reason of S164 the respondent was not capable of being nominated as a Senator by the Premier at 10.03am because the respondent was a member of the State Parliament and therefore could not be "duly nominated" pursuant to S162.

15. Hansard records the respondent as a member of the Legislative Council from 6 March 1997 to 21 May 1997. He was purportedly elected to the Senate on 19 May 1997. Consequently he was on that date a Member of the Parliament of Western Australia and was not capable of being nominated pursuant to S164 and therefore could not be "duly nominated" pursuant to S162.

16. S355(e) Commonwealth Electoral Act 1918 creates a 40 day limitation period. This petition was issued within 40 days of the legal notice of the issue being given to the petitioner by reason of the following facts—

- (a) The petitioner stood trial in the District Court of Western Australia on 19/20 April 1999 (with others) charged with an offence under S55 Criminal Code to the effect that on 15 May 1997 he (with others) by force interfered or attempted to interfere with the free exercise by Clive Edward Griffiths a Member of the Legislative Council of his duties or authority as such a Member.
- (b) On 20 April 1999 the trial judge directed the jury to acquit the petitioner (with others) on the basis that on 15 May 1997 Clive Edward Griffiths was not a Member of the Legislative Council of Western Australia because he was the Agent-General of Western Australia.
- (c) The petitioner did not become aware of the legal consequences of that ruling by the trial judge until after 20 April 1999.
- (d) Time began to run for the purposes of S355(e) Commonwealth Electoral Act 1918 on 20 April 1999.

PRAYER FOR RELIEF

The petitioner asks the Court to make the following orders and declarations—

1. That on 19 May 1997 the Legislative Council of Western Australia was not constituted pursuant to S5 Constitution Acts Amendment Act 1899.
2. That on 19 May 1997 there was no valid joint sitting between the Legislative Council of Western Australia and the Legislative Assembly of Western Australia.
3. That on 19 May 1997 the purported choice of the respondent to hold the place in the Senate of the Commonwealth of Australia rendered vacant by the death of Senator John Panniza was invalid.
4. That at the hour of nomination on 19 May 1997 the respondent was a Member of the Parliament of Western Australia and was not capable of being nominated as a Senator.
5. That on 19 May 1997 the respondent was not duly nominated and not capable of being elected as a senator pursuant to S15 Commonwealth Constitution Act.

Dated: 11 May 1999.

FREDERICK HENK RUDOLPHY
Signed by the petitioner

In the presence of—

(Sgd.)

Signed by witness

ALISON GILCHRIST

Name of witness

LEGAL SECRETARY

Occupation of witness

5 ORD STREET, WEST PERTH

Address of witness

(Sgd.)

Signed by witness

RONACE COCKRAM

Name of witness

LEGAL SECRETARY

Occupation of witness

5 ORD STREET, WEST PERTH

Address of witness

To: The respondent

The petitioner's address for service is Wojtowicz Kelly of 5 Ord Street, West Perth.

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