



**WESTERN  
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**SHIRE OF MERREDIN**

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LOCAL GOVERNMENT ACT 1995

**BEE KEEPING LOCAL LAW**

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**LOCAL GOVERNMENT PROPERTY LOCAL LAW**

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**ACTIVITIES IN THOROUGHFARES AND PUBLIC  
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DOG ACT 1976

**DOGS LOCAL LAW**

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**CEMETERIES LOCAL LAW**

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BUSH FIRES ACT 1954

**BUSH FIRE BRIGADES LOCAL LAW**



**LOCAL GOVERNMENT ACT 1995****SHIRE OF MERREDIN****BEE KEEPING LOCAL LAW**

Under the powers conferred by the *Local Government Act 1995* and under all other powers, the Council of the Shire of Merredin resolved on 17th September 2002 to make the following local law.

**Citation and application**

1. This local law may be cited as the Shire of Merredin Bee Keeping Local Law and shall apply throughout the district.

**Interpretation**

2. In this local law, unless the context requires otherwise—

“Act” means the *Local Government Act 1995*;

“bee hive” means a hive standing alone or any 2 or more hives standing in a group;

“Crown land” has the meaning given to it in the *Forest Management Regulations 1993*;

“district” means the district of the local government;

“local government” means the Shire of Merredin;

“permit” means a permit issued under this local law;

“permit holder” means a person who holds a valid permit; and

“townsite” means the townsites of Merredin, Burracoppin, Hines Hill, Nangeenan, Muntadgin, Nukarni and Korbel which are—

(a) constituted under section 26(2) of the *Land Administration Act 1997*; or

(b) referred to in clause 37 of Schedule 9.3 of the Act.

**Permit required to keep bees**

3. (1) Subject to the provisions of this clause, a person shall not keep bees or allow bees to be kept on land except in accordance with a valid permit issued in relation to the land.

(2) Subclause (1) does not apply where—

(a) the land is outside the townsite; and

(b) the bees are kept—

(i) at least 500m from a thoroughfare; or

(ii) less than 500m from a thoroughfare but the vegetation or a screen or other barrier on the land is such as to encourage the bees to fly at a height over the thoroughfare as will not create a nuisance to users of the thoroughfare.

(3) Subclause (1) does not apply where an occupier of land keeps bees on the land—

(a) for a continuous period not exceeding 8 weeks in a 12 month period; and

(b) for the purpose of pollinating a crop on the land.

(4) An occupier referred to in subclause (3), in keeping bees under that subclause, shall provide a good and sufficient water supply on the land which is readily accessible by the bees.

(5) Subclause (1) does not apply where a person keeps bees on Crown land.

**Application for a permit**

4. An applicant for a permit shall—

(a) be a person registered as a beekeeper under section 8 of the *Beekeepers Act 1963*;

(b) provide such details as may be required by the local government;

(c) apply in the form determined by the local government; and

(d) pay any application fee imposed and determined by the local government under sections 6.16—6.19 of the Act.

**Determination of application**

5. (1) The local government may—

(a) refuse to determine an application for a permit which does not comply with clause 4;

(b) approve an application for a permit subject to the conditions referred to in clause 6 and to such other conditions as it considers appropriate; or

(c) refuse to approve an application for a permit.

(2) Where an application for a permit is approved subject to conditions, the permit holder is to comply with those conditions or is to cause those conditions to be complied with.

(3) Where the local government approves an application under subclause (1)(b), it is to issue to the applicant a permit in the form determined by the local government.

(4) A permit is valid from the date of issue unless and until it is cancelled under this local law.

#### **Conditions of approval**

6. (1) Without limiting the generality of clause 5(1)(b), an application for a permit may be approved by the local government subject to the following conditions—

- (a) the provision of a good and sufficient water supply on the land which is readily accessible by the bees on the land;
- (b) each bee hive shall be—
  - (i) kept at a distance specified by the local government from any thoroughfare, public place or boundary of the land; or
  - (ii) located near a screen or other barrier so as to prevent the bees flying low over a thoroughfare, public place or adjoining land;
- (c) no more than 2 bee hives are to be kept on land of less than 2,000 square metres in area; and
- (d) no more than 15 bee hives are to be kept on land between 2,000 and 20,000 square metres in area.

(2) In respect of a particular application for a permit, the local government may vary any of the conditions referred to in subclause (1).

#### **Variation or cancellation of permit and conditions**

7. (1) The local government may vary the conditions of a permit after it has been issued.

(2) The local government may cancel a permit on the request of a permit holder to do so.

(3) Notwithstanding clause 11, a permit shall be cancelled on—

- (a) the permit holder ceasing to be registered as a beekeeper under section 8 of the *Beekeepers Act 1963*; or
- (b) the expiration of a continuous period of 12 months during which the permit holder has not kept any bees on the land to which the permit relates,

without any action required on the part of the local government.

#### **Permit holder to notify of cessation of registration or keeping of bees**

8. (1) In this clause a 'permit holder' includes the holder of a permit cancelled by clause 7(3).

(2) A permit holder is to notify the local government in writing as soon as practicable after—

- (a) the permit holder ceases to be registered as a beekeeper under section 8 of the *Beekeepers Act 1963*; or
- (b) a continuous period of 12 months passes during which the permit holder has not kept any bees on the land described in her or his permit.

(3) A permit holder shall, within 7 days of the local government giving the permit holder a written notice to do so, provide to the local government—

- (a) written proof of her or his registration as a beekeeper under section 8 of the *Beekeepers Act 1963*;
- (b) in respect of land identified by the local government in its notice, a signed statement as to whether or not he or she has kept bees on the land within the 12 months preceding the date of the notice; or
- (c) both.

#### **Permit not transferable**

9. A permit is personal to the permit holder and applies only to the land described in the permit.

#### **Nuisance**

10. A person shall not keep or allow to be kept bees or beehives, or both, on land so as to create a nuisance.

#### **Notice to remove bees**

11. (1) Whenever in the opinion of the local government a person has contravened any provision of the *Beekeepers Act 1963* or of this local law which relates to the keeping of bees or bee hives, the local government may give the permit holder in relation to that land, or if there is no valid permit in relation to that land an owner or occupier of the land a written notice requiring her or him to remove any bees or bee hives, or both, from the land within the time specified in the notice.

(2) Subject to Division 1 of Part 9 of the Act, on the giving of a notice referred to in subclause (1), any valid permit given by the local government relating to the keeping of bees or bee hives on that land is cancelled from the time specified in the notice, being not less than 7 days from the date it is given.

(3) Where a person fails to comply with a notice given under subclause (1), the local government may dispose of the bees or the bee hives or both in such manner as it sees fit and recover the costs of so doing from the permit holder or an owner or occupier, as the case may be, as a debt due to it.

**Offences and penalties**

12. (1) A person who fails to do anything required or directed to be done under this local law, or who does anything which under this local law that person is prohibited from doing commits an offence.

(2) A person who commits an offence under this local law is liable to a penalty of \$5,000 and a daily penalty of \$500 in respect of each day or part of a day during which the offence has continued.

(3) An offence against a clause specified in the Schedule is a prescribed offence for the purposes of section 9.16(1) of the Act.

(4) The amount of the modified penalty for a prescribed offence is that specified adjacent to the clause in the Schedule.

**Forms**

13. For the purposes of this local law—

(a) the form of the infringement notice given under section 9.16 of the Act is that of Form 2 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*; and

(b) the form of the notice sent under section 9.20 of the Act withdrawing an infringement notice is that of Form 3 in Schedule 1 of the *Local Government (Functions and General) Regulations 1996*.

**Objections and appeals**

14. When the local government makes a decision under this local law as to whether it will—

(a) grant a person a permit;

(b) vary or cancel a permit; or

(c) give a person a notice under clause 11(1),

the provisions of Division 1 of Part 9 of the Act and regulations 33 and 34 of the *Local Government (Functions and General) Regulations 1996* shall apply to that decision.

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**Schedule**  
**PRESCRIBED OFFENCES**

Clause	Description	Modified Penalty \$
3(1)	Failure to obtain permit to keep bees	100
3(4)	Failure to comply with obligation when temporarily keeping bees	100
5(2)	Failure to comply with a condition of a permit to keep bees	100
8(3)	Failure to comply with notice of local government	100
10	Creation of nuisance from keeping of bees or beehives	100
11(1)	Failure to comply with notice to remove bees or bee hives for contravention of local law	100

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

MARTIN MORRIS, Shire President.  
PHILLIP ANASTASAKIS, Chief Executive Officer.

Dated 20th September 2002

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**LOCAL GOVERNMENT ACT 1995****SHIRE OF MERREDIN****LOCAL GOVERNMENT PROPERTY LOCAL LAW**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Merredin resolved on 17th September 2002 to make the following local law.

The Shire of Exmouth Local Government Property Local Law as published in the *Government Gazette* of 10 July 2000, is adopted as a local law of the Shire of Merredin, with the modifications which follow.

**1. Preliminary**

1.1 In construing the following modifications, where a modification requires the renumbering of a clause, subclause or paragraph, subsequent modifications have been drafted on the basis that the renumbering has been effected.

1.2 Wherever the “Shire of Exmouth” is mentioned in the local law substitute “Shire of Merredin”.

**2. Clause 1.4—Application**

Delete subclause 1.4(1) and substitute—

“1.4(1) This local law applies throughout the district.”

**3. Clause 1.5—Repeal**

Delete subclause 1.5(1) and substitute—

“1.5(1) The following local laws are repealed—

- By—laws Relating to Management of Merredin Olympic Swimming Pool, published in the *Government Gazette* of 18 March 1957.”

**4. Clause 3.13—Activities needing a permit**

4.1 In subclause (1)—

- (a) In paragraph (g) subparagraph (ii) delete “stand” and substitute “stop”;
- (b) In paragraph “(n)”, after “,” delete “or”;
- (c) In paragraph “(o)” delete “.” and substitute “; or”; and
- (d) Insert the paragraph—

“(p) conduct or take part in any gambling game or contest, or bet, or offer to bet, publicly.”.

**5. Part 5—Matters Relating to Particular Local Government Property**

5.1 Delete Part 5 Division 2—Beaches.

5.2 Renumber clauses 5.5 to 5.7 inclusive to 5.2 to 5.4 respectively.

5.3 In the heading to Division 3—Fenced or closed property, delete “3” and substitute “2”.

5.4 In the heading to Division 4—Toilet blocks and change rooms, delete “4” and substitute “3”.

5.5 In the heading to Division 5—Aerodrome (airport), delete “5” and substitute “4”.

**6. Part 9—Enforcement**

6.1 In the heading to Part 9—Enforcement, delete “9” and substitute “10”.

6.2 Renumber clauses 9.1 to 9.6 inclusive to 10.1 to 10.6 respectively.

**7. Part 8—Miscellaneous**

7.1 In the heading to Part 8—Miscellaneous, delete “8” and substitute “9”.

7.2 Renumber clauses 8.1 to 8.4 inclusive to 9.1 to 9.4 respectively.

**8. Part 7—Objections and Appeals**

8.1 In the heading to Part 7—Objections and Appeals, delete “7” and substitute “8”.

8.2 Renumber clause 7.1 to 8.1.

**9. Part 7—Saleyards**

Immediately after “Part 6—Fees for Entry on to Local Government Property”, insert the following new Part—

**“PART 7—SALEYARDS***Division 1—Preliminary***Interpretation**

7.1 In this Part—

“**auction**” has the meaning given to it in the *Auction Sales Act 1973*;

“**sale**” means a sale by way of auction;

“**saleyard**” means local government property which is used for the sale of stock;

“**stock**” has the meaning given to “livestock” in the *Auction Sales Act 1973*; and

“**stock agent**” means any person appointed by the owner of stock to sell that stock at a saleyard.

*Division 2—Sale of stock***Requirements of auctioneer’s licence**

7.2 A person shall not sell by way of auction any stock at a saleyard unless that person is the holder of an auctioneer’s licence to sell stock under the *Auction Sales Act 1973*.

**Sale times to be approved**

7.3 Sales are to be conducted at a saleyard only on such days and at such times as may be appointed by a stock agent with the prior approval of the CEO.

**Order of sales**

7.4 The order in which stock agents conduct sales on any day under clause 7.3 is to be the order agreed to by those stock agents, and in default of agreement, as directed by the CEO or an authorized person.

*Division 3—Care of and responsibility for stock***Diseased and injured stock**

7.5 (1) A person shall not—

- (a) offer for sale any stock which is diseased, emaciated, injured or suffering from ill health for sale at a saleyard; or
- (b) deliver to any saleyard any stock which is diseased, emaciated, injured or suffering from ill health.

(2) Where in the opinion of an authorized person stock at a sale yard is diseased, emaciated, injured or suffering from ill health, the authorized person may direct the stock agent of the stock, or if there is no stock agent, the owner or the person apparently in control of that stock, to remove that stock immediately from the saleyard.

**Care of stock**

7.6 Where the stock is yarded in any saleyard the stock agent (or if there is no stock agent, the owner) shall—

- (a) ensure that the stock is properly cared for; and
- (b) if the stock is kept yarded for more than 24 hours, provide the stock with adequate food and water.

**When purchaser becomes responsible for stock**

7.7 The purchaser of any stock yarded in a saleyard is responsible for such stock from the time the contract of sale is entered into.

**Time limit for removal of stock**

7.8 The purchaser of any stock at a saleyard is to remove such stock from the saleyard by 5.00pm on the day after the day of sale, or by such later time as may be allowed by an authorized person.

**Removal of unsold stock**

7.9 Where stock yarded in a saleyard remain unsold, the stock agent or, if there is no stock agent, the owner of the stock is responsible for the care and removal of such stock from the saleyard.

**Removal of dead or maimed stock**

7.10 Stock which have died or which have been maimed shall be immediately removed from the saleyard where the stock—

- (a) are unsold, by the stock agent, or if there is no stock agent, the owner; or
- (b) have been sold, by the purchaser.

*Division 4—Payment of fees***Payment of yard fees**

7.11 Where stock is brought into a saleyard for a sale or any other purpose by a stock agent or owner, that stock agent or owner shall—

- (a) within 7 days of bringing the stock into a saleyard, give the local government a written statement signed by the stock agent or owner advising—
  - (i) the total number of stock by class brought into the saleyard; and
  - (ii) the date on which the stock was brought into the saleyard; and
- (b) within 28 days of bringing the stock into a saleyard, pay the local government the applicable yard fees set by the local government.

**Documents may be inspected**

7.12 The stock agent or owner shall, on demand by the CEO, make available to the CEO for inspection such documents as may be necessary to enable the CEO to verify a statement given under clause 7.11.

*Division 5—Control of dogs***Only working dogs allowed**

7.13 A person shall not bring into a saleyard any dog which will not be used for working with stock in that saleyard on the day which it is brought in.

**Diseased dogs prohibited**

7.14 A person shall not bring or permit to be brought into a saleyard a dog which is diseased.”

**10. Schedule 1—Prescribed offences**

10.1 Under the heading “CLAUSE”, delete the clause and subclause designations 5.5, 5.6, 5.7(1), 5.7(2), 5.7(3) and 9.1 inclusive and substitute “5.2”, “5.3”, “5.4(1)”, “5.4(2)”, “5.4(3)” and “10.1” respectively.

10.2 Delete the “CLAUSE”, “DESCRIPTION” and “MODIFIED PENALTY for the clause 5.4.

**11. Schedule 2—Determinations**

11.1 Delete determination 1.3 relating to the Speed of Vehicles on Recreation Grounds.

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

MARTIN MORRIS, Shire President.  
PHILLIP ANASTASAKIS, Chief Executive Officer.

Dated 20th September 2002

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## LOCAL GOVERNMENT ACT 1995

## SHIRE OF MERREDIN

**ACTIVITIES IN THOROUGHFARES AND PUBLIC PLACES AND  
TRADING LOCAL LAW**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Merredin resolved on 17th September 2002 to make the following local law—

The Shire of Kojonup Activities On Thoroughfares And Trading In Thoroughfares and Public Places Local Law as published in the *Government Gazette* of 16 May 2000, is adopted as a local law of the *Shire of Merredin*, with the modifications which follow:—

**1. Preliminary**

1.1 In construing the following modifications, where a modification requires the renumbering of a clause, subclause or paragraph, subsequent modifications have been drafted on the basis that the renumbering has been effected.

1.2 Wherever the “Shire of Kojonup” is mentioned in the local law substitute “*Shire of Merredin*”.

1.3 Delete the title of the local law wherever it is mentioned and substitute “Activities In Thoroughfares and Public Places and Trading Local Law”.

**2. Clause 1.2—Definitions**

2.1 In the definition of “built-up area” delete “1975” and substitute “2000”.

2.2 Delete the definition of “carriageway” and substitute—

“**“carriageway”** has the meaning given to it in the *Road Traffic Code 2000*;”.

2.3 Delete the definition of “footpath” and substitute—

“**“footpath”** has the meaning given to it in the *Road Traffic Code 2000*;”.

2.4 In the definition of “intersection” delete “1975” and substitute “2000”.

2.5 In the appropriate alphabetical position insert the definition—

“**“thoroughfare”** has the meaning given to it in the Act, but does not include a private thoroughfare which is not under the management control of the local government;”.

2.6 Delete the definition of “townsite” and substitute—

“**“townsite”** means the townsites of Merredin, Muntadgin, Hines Hines, Burracoppin, Korbelt, Nukarni and Nangeenan which are—

- (a) constituted under section 26 (2) of the *Land Administration Act 1997*; or
- (b) referred to in clause 37 of Schedule 9.3 of the Act;”.

**3. Clause 1.4—Repeal**

3.1 After clause 1.3, insert the clause designation “1.4” before the heading “**Repeal**”.

3.2 Delete subclause 1.4(1) and substitute—

“1.4(1) The following local laws are repealed—

- Numbering of Houses, published in the *Government Gazette* of 30 May 1941;
- Removal of Obstructing Animals or Vehicles published in the *Government Gazette* of 26 October 1962, as amended by publication in the *Government Gazettes* of 10 June 1965 and 13 November 1992;
- Prevention of Damage to Streets, published in the *Government Gazette* of 23 June 1965;
- Street and Footpath Obstructions, published in the *Government Gazette* of 12 October 1966;
- Street Lawns and Gardens, published in the *Government Gazette* of 23 March 1967, as amended by publication in the *Government Gazettes* of 5 September 1975, and 14 July 1978;
- Control of Hawkers, published in the *Government Gazette* of 31 October 1975; and
- Street Trading, published in the *Government Gazette* of 19 March 1993.”

4. In the heading to **PART 2**, delete “**ON**” and substitute “**IN**”.

**5. Clause 2.1—General Prohibitions**

5.1 In paragraph (a) delete “6m” and substitute “10m”.

5.2 In paragraph (g) after “any” insert “bicycle,”.

**6. Clause 2.2—Activities allowed with a permit—general**

In subclause (1)—

(a) in paragraph (b) after “only” insert “in accordance with the terms and conditions and”;  
and

(b) in paragraph (i) after “installing” insert “, or in order to maintain,”.

**7. Clause 2.8—Permissible verge treatments**

In subclause (2) paragraph (b) (i) after “thoroughfare” in the second place where it occurs, insert “or using a driveway on land adjacent to the thoroughfare for access to or from the thoroughfare”.

**8. Clause 5.7—Designation of special environmental areas**

In paragraph (a) delete “as” and insert “has”.

**9. Clause 6.1—Interpretation**

In the definition of “trading” in paragraph (g), align the start of the last line with the alignment of other lines in the paragraph and insert “only” before “sold”.

**10. Clause 6.4—No permit required to sell newspaper**

After “newspaper” insert “only”.

**11. Clause 6.5—Relevant considerations in determining application for permit**

11.1 Remove the “or” at the end of 6.5(2)(c)(iii) and renumber existing 6.5(2)(d) to 6.5(2)(e).

11.2 Insert as paragraph 6.5(2)(d)—

“that the needs of the district, or the part for which the permit is sought, are adequately catered for by established shops or by persons who have valid permits to carry on trading or to conduct a stall; or”.

**12. Conduct of stallholders and traders**

12.1 Renumber paragraphs 6.8(2) (a) (b) (c) and (d) to (b) (c) (d) and (e) respectively.

12.2 Insert as paragraph 6.8(2)(a)—

“attempt to conduct a business within a distance of 300m of any shop or permanent place of business that is open for business and has for sale any goods or services of the kind being offered for sale by the stallholder or trader;”.

**13. Clause 6.13—Cancellation of permit**

Delete “local government” and substitute “CEO”.

**14. Clause 6.21—Temporary removal of Facility may be requested**

In subclause (1) delete “in the event of an emergency”.

**15. Clause 7.10—Cancellation of permit**

Delete subclause (1) and substitute—

“(1) Subject to clause 8.1, a permit may be cancelled by the local government if the permit holder has not complied with a—

(i) condition of the permit; or

(ii) provision of any written law which may relate to the activity regulated by the permit.”.

**16. Schedule 1—Prescribed Offences**

16.1 In the “**DESCRIPTION**” column, alongside the clause designation 2.1 (a) delete “6m” and substitute “10m”.

16.2 In the “**CLAUSE**” column, after the clause designation 2.2 wherever it occurs, insert the subclause designation “(1)” before each paragraph designation.

**17. Forms**

Delete Forms 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12.

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

MARTIN MORRIS, Shire President.  
PHILLIP ANASTASAKIS, Chief Executive Officer.

Dated 20th September 2002

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## LOCAL GOVERNMENT ACT 1995

## SHIRE OF MERREDIN

**STANDING ORDERS LOCAL LAW**

Under the powers conferred by the *Local Government Act 1995*, the Council of the Shire of Merredin resolved on the 17th September 2002 to adopt the Model Local Law (Standing Orders) 1998 published in the *Government Gazette* on 3 April 1998 with such modifications as are here set out—

**Clause 3.2 (1)**

Repealed and the following sub-clause is substituted—

“Unless otherwise decided by the Council the order of business at any ordinary meeting of the Council is to be as follows—

- (a) Official opening
- (b) Public question time
- (c) Apologies and leave of absence
- (d) Disclosure of financial interest
- (e) Petitions and presentations
- (f) Confirmation of minutes
- (g) Announcements by the person presiding without discussion
- (h) Matters for which meeting may be closed
- (i) Receival of minutes of committee meetings
- (j) Reports
- (k) Motions of which previous notice has been given
- (l) Questions by members of which due notice has been given
- (m) Urgent business approved by the person presiding or by decision
- (n) Matters behind closed doors
- (o) Closure”

The Standing Orders of the Shire of Merredin published in the *Government Gazette* on the 21 June 1962 are repealed.

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

MARTIN MORRIS, Shire President.  
PHILLIP ANASTASAKIS, Chief Executive Officer.

Dated 20th September 2002

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LOCAL GOVERNMENT ACT 1995

## SHIRE OF MERREDIN

**FENCING LOCAL LAW**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Merredin resolved on 17th September 2002 to make the following local laws.

The Shire of Dandaragan Local Laws Relating to Fencing as published in the *Government Gazette* on 9 May 2001 are adopted as local laws of the Shire of Merredin, with the modifications which follow—

**1. Preliminary**

1.1 Wherever the “Shire of Dandaragan” is mentioned in the local laws substitute “Shire of Merredin”.

1.2 Delete reference to the year “19” wherever it is mentioned in Form 1 and Form 2 and substitute “20”.

**2. Clause 2—Repeal**

Delete the whole of clause 2 and insert—

“The Shire of Merredin By—laws Relating to Fencing, published in the *Government Gazettes* of 7 November 1980, 13 November 1992 and 26 May 1995, are repealed.”

**3. Clause 4—Interpretation**

In the definition of “dangerous”, in relation to any fence, in paragraph (a) delete “Part 6” and substitute “Part 5”.

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

MARTIN MORRIS, Shire President.  
PHILLIP ANASTASAKIS, Chief Executive Officer.

Dated 20th September 2002

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LOCAL GOVERNMENT ACT 1995

## SHIRE OF MERREDIN

**PARKING & PARKING FACILITIES LOCAL LAW**

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Merredin resolved on 17th September 2002 to make the following local laws.

The City of Belmont Parking & Parking Facilities Local Law as published in the *Government Gazette* on 22 August 2002 are adopted as local laws of the Shire of Merredin, with the modifications which follow—

**1. Preliminary**

Wherever the City of Belmont is mentioned in the local laws substitute Shire of Merredin.

**2. Clause 1.2—Repeal**

Delete the whole of clause 1.2 and insert—

“The following local laws are repealed—

- The Shire of Merredin Parking of Commercial Vehicles on Street Verges Local Law, published in the *Government Gazette* of 22 February 1972, as amended by publication in the *Government Gazette* of 5 September 1975; and
- The Shire of Merredin Parking Facilities Local Law, published in the *Government Gazette* of 22 June 1984, as amended by publication in the *Government Gazette* of 6 March 1992.”

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

MARTIN MORRIS, Shire President.  
PHILLIP ANASTASAKIS, Chief Executive Officer.

Dated 20th September 2002

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## LOCAL GOVERNMENT ACT 1995

## SHIRE OF MERREDIN

## EXTRACTIVE INDUSTRIES LOCAL LAW

Under the power conferred by the *Local Government Act 1995* and under all other powers, the Council of the Shire of Merredin resolved on 17th September 2002 to make the following local law.

The Shire of Dandaragan Extractive Industries Local Law published in the *Government Gazette* on 9 May 2001 is adopted as a local law of the Shire of Merredin, with the alterations which follow—

**1. Preliminary**

1.1 Delete “Shire of Dandaragan” wherever it occurs and substitute “Shire of Merredin”.

**2. Clause 1.1—Definitions**

2.1 In the definition of “carry on an extractive industry”, delete “shellgrit, limesands, limestone, marl”.

2.2 Insert, in the appropriate alphabetical position, the following definitions—

“land”, unless the context otherwise requires, means the land on which the applicant proposes carrying on the extractive industry to which the licence application relates;

“occupier” has the meaning given to it in the Act;

“owner” has the meaning given to it in the Act; ”.

**3. Repeal**

Delete clause 1.3.

**4. Clause 2.3—Application for Licence**

4.1 In subclause (1), delete “and shall forward the application duly completed and signed by both the applicant, and the owner of the land” and substitute “and must forward the application duly completed and signed by each of the applicant, the owner of the land and any occupier of the land”.

4.2 Delete clause 2.3(3) and substitute—

“Where in relation to a proposed excavation—

(a) the surface area is not to exceed 2000m<sup>2</sup>; and

(b) the extracted material is not to exceed 2000m<sup>3</sup>;

the local government may exempt a person making application for a licence under subclause (1) from supplying any of the data specified in paragraphs (b), (d), (e) and (i) of subclause (1).”

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

MARTIN MORRIS, Shire President.  
PHILLIP ANASTASAKIS, Chief Executive Officer.

Dated 20th September 2002

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**DOG ACT 1976****SHIRE OF MERREDIN****DOGS LOCAL LAW**

Under the powers conferred by the *Dog Act 1976* and under all other powers enabling it, the Council of the Shire of Merredin resolved on 17th September 2002 to make the following local law—

The Shire of Moora Dogs Local Law as published in the *Government Gazette* of 29 November 1999, is adopted as a local law of the Shire of Merredin with the modifications which follow—

**1. Preliminary**

Wherever the Shire of Moora is mentioned in the local law substitute “Shire of Merredin”.

**2. Clause 1.2—Repeal**

Delete Clause 1.2 and substitute—

“The Shire of Merredin By—law Relating to Dogs, published in the *Government Gazette* of 22 July 1988, is repealed.”

**3. Clause 5.1—Places where dogs are prohibited absolutely**

In Clause 5.1(1)—

- (a) delete paragraph (a) and substitute—“(a) a public building, unless permitted by a sign;”;
- (b) delete paragraphs (e)(i), (e)(ii) and (e)(iii) and substitute—“(e)(i) Apex Park.”.

**4. Clause 5.2—Places which are dog exercise areas**

In Clause 5.2(1) delete paragraphs (a), (b) and (c) and substitute—

“(a) Merredin Peak Reserve.”

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

MARTIN MORRIS, Shire President.  
PHILLIP ANASTASAKIS, Chief Executive Officer.

Dated 20th September 2002

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CEMETERIES ACT 1986

## SHIRE OF MERREDIN

**CEMETERIES LOCAL LAW**

Under the powers conferred by the *Cemeteries Act 1986*, the Council of the Shire of Merredin resolved on the 17th September 2002 to adopt the Model Local Law (Cemeteries) 1998 published in the *Government Gazette* on 12 May 1998 with the modifications which follow—

**1. Preliminary**

Delete reference to the year “19” wherever it is mentioned in the Schedules or Forms and substitute “20”.

**2. Clause 1.3—Repeal**

Delete Clause 1.3 and substitute—

“The Shire of Merredin By—law Relating to the Merredin Public Cemeteries, published in the *Government Gazette* of 9 March 1972 as amended, is repealed.”

**3. Clause 1.4**

Insert the following new clause—

**“1.4 Application**

Unless otherwise provided, these local laws apply to each of the Board's public cemeteries within the Shire of Merredin.”.

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

MARTIN MORRIS, Shire President.  
PHILLIP ANASTASAKIS, Chief Executive Officer.

Dated 20th September 2002

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**BUSH FIRE ACT 1954****SHIRE OF MERREDIN****BUSH FIRE BRIGADES LOCAL LAW**

Under the powers conferred by the *Bush Fires Act 1954* and under all other powers enabling it, the Council of the Shire of Merredin resolved on 17th September 2002 to make the following local law:—

The Bush Fire Brigades Local Law of the Shire of Bridgetown-Greenbushes published in the *Government Gazette* of 20 October 2000, is adopted as a local law of the *Shire of Merredin* with the modifications which follow:—

**1. Preliminary**

1.1 Wherever the “Shire of Bridgetown-Greenbushes” is mentioned in the local law substitute “*Shire of Merredin*”.

1.2 In clause 1.2 delete the definition of “Bush Fire Management Committee”.

1.3 Wherever “Bush Fire Management Committee” or “Management Committee” are mentioned in the local law substitute “Bush Fire Advisory Committee” and “Advisory Committee” respectively.

**2. Clause 1.3—Repeal**

Delete clause 1.3 and substitute—“The By—laws of the Merredin Road Board Relating to the Establishment, Maintenance and Equipment of Bush Fire Brigades for the Road District of Merredin, published in the *Government Gazette* of 24 November 1944 are repealed.”.

**3. First Schedule—Rules Governing The Operation of Bush Fire Brigades**

3.1 Clause 2.4—Applications for membership

- (a) Delete “of that in Appendix I” and substitute “determined by the local government from time to time.”.
- (b) Delete “of that in Appendix II” and substitute “determined by the local government from time to time.”.
- (c) Delete “of that in Appendix III” and substitute “determined by the local government from time to time.”.

3.2 Clause 2.9—Existing liabilities to continue

In subclause (1) delete “2.6” and substitute “2.7”.

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

MARTIN MORRIS, Shire President.  
PHILLIP ANASTASAKIS, Chief Executive Officer.

Dated 20th September 2002

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