



WESTERN  
AUSTRALIAN  
GOVERNMENT

# Gazette

2273



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JOHN A. STRIJK,  
Government Printer.

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**ELECTORAL COMMISSION**


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**EL401****GRAIN MARKETING ACT 1975**

The Grain Pool of WA (Elections) Amendment Regulations (No. 2) 1985

**CERTIFICATE OF RESULTS**

Election of Directors—Zones 6 and 7

I, Ms Lily Krasevac, being the Returning Officer appointed to conduct elections under Regulation 4 (2) of The Grain Pool of WA (Elections) Amendment Regulations (No. 2) 1985 submit the results of the election for the position of Director of Zone 1 of the Grain Pool of WA.

I hereby declare that at the close of nominations on Thursday 1st May, 1997 at 12 noon, the following nominations were accepted for the above positions—

Director—Zone 6—Adams, David John

Director—Zone 7—Hockey, Robert Bruce

I declare David John Adams duly elected unopposed, to the position of Director Zone 6 and Robert Bruce Hockey duly elected unopposed, to the position of Director Zone 7 of The Grain Pool of WA.

Dated 1 May 1997.

Ms LILY KRASEVAC, Returning Officer.

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**HEALTH**


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**HE101***CORRECTION***HEALTH ACT 1911**Health Department of WA,  
Perth, 30 April 1997.

HE401 Gazette No. 54 dated 08/04/97.

The appointment of the following person as an Environmental Health Officer is hereby rescinded.

<b>Officer</b>	<b>Date Effective</b>	<b>Local Authority</b>
Jason Mark Leong	27 March 1997	Shire of Harvey

BRIAN DEVINE, delegate of Executive Director, Public Health.

**HE401****HEALTH ACT 1911**Health Department of WA,  
Perth, 30 April 1997.

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

<b>Officer</b>	<b>Date Effective</b>	<b>Local Authority</b>
Peter Gregory Yapp	2 April 1997 to 30 May 1997	City of Kalgoorlie-Boulder
Caterina Amalfi	2 April 1997 to 1 April 1998	City of Melville
John Edwards	7 April 1997	Shire of Dardanup
Suha Ali	23 April 1997	Town of Albany
Kathleen Rebecca Bloom	2 December 1996	City of Mandurah
Brendan Mark Ingle	24 March 1997	Shire of Manjimup
Robert Mitchell Kelly	16 April 1997 to 28 April 1997	Shire of Kalamunda

The cancellation of the following persons as Environmental Health Officers is hereby notified.

<b>Officer</b>	<b>Date Effective</b>	<b>Local Authority</b>
Jason Mark Leong	7 March 1997	Shire of Dardanup
Russell David Weston	13 February 1997	Town of Albany
Timothy Young Wai Yuen	12 February 1997	Shire of Manjimup
Sarah-Jayne Glassford	22 November 1996	Shire of Manjimup

The cancellation of the following persons as Environmental Health Officers (Meat) is hereby notified.

Officer	Date Effective	Local Authority
Robert Needham	1 March 1997	Shire of Merredin

BRIAN DEVINE, delegate of Executive Director, Public Health.

## HOMESWEST

### HM401

#### 1989 COMMONWEALTH—STATE HOUSING AGREEMENT

The following statement in respect of the operation of the Rental Capital Account (RCA) for Western Australia for the year ended 30 June, 1996 is published in accordance with Clause 38(3) of the Housing Assistance Act (1989).

#### FINANCIAL STATEMENT B5 OPERATION OF RENTAL CAPITAL ACCOUNT (RCA) FOR THE YEAR ENDED 30 JUNE, 1996

SOURCE OF RCA FUNDS		\$	
Funds committed in previous years but not expended .....	(17,075,170)		
Commonwealth untied grants (sub-clause 22(a)(i)) .....	74,867,000		
State Matching Grants (sub-clause 22(a)(iii)) .....	37,200,000		
Other State Grants .....	1,150,000		
Sale of dwelling (not of selling cost (sub-clause 22(a)(v)) .....	42,282,419		
<b>TOTAL .....</b>	<b>138,424,249</b>		
<b>EXPENDITURE OF RCA FUNDS</b>		<b>Expended</b>	<b>Committed</b>
		<b>\$</b>	<b>\$</b>
Construction of rental housing (sub-clause 23(1)(a)) .....	75,041,114		
Acquisition of land (sub-clause 23(1)(b)) .....	35,586,019		
Upgrading of rental housing (sub-clause 23(1)(d)) .....	8,009,786		
Purchase of housing (sub-clause 23(1)(e)) .....	16,362,882		
Principal and interest payments to the Commonwealth (sub-clause 23(1)(j)) .....	21,629,400		
General Allowance .....	16,740,000		
Balance of Funds .....	(34,944,952)		
<b>SUB TOTALS .....</b>	<b>138,424,249</b>		
<b>RECONCILIATION OF RCA SOURCES AND APPLICATIONS</b>			
<b>GRAND TOTAL Expenditure plus current commitment of Funds from RCA .....</b>	<b>138,424,249</b>		
<b>TOTAL RCA FUNDS .....</b>	<b>138,424,249</b>		
<b>APPLICATION OF GENERAL ALLOWANCE</b>			
Payments into the Home Purchase Account (Clause 23(2)(f)) .....	16,740,000		

#### CERTIFICATION

I certify that the above statement, which is supplied pursuant to Clause 38(2)(a)(i) of 1989 CSHA, is correct and that the funds have been applied in accordance with Clause 23. I also certify that funds identified as State Matching Grants were provided in accordance with Clause 13(8).

Dated: 26 November, 1996.

GREG JOYCE, Executive Director,  
State Housing Commission.

#### INDEPENDENT AUDITOR'S REPORT

Pursuant to Section 38(3) of the 1989 Commonwealth State Housing Agreement, the statement in respect of the operations of the Rental Capital Account of the State Housing Commission of Western Australia for the year ended 30 June, 1996 has been submitted to us for audit.

The Rental Capital Account, being a notional account created from the accounts and records of the State Housing Commission of Western Australia has been audited in accordance with Australian Auditing Standards.

In our opinion, the Statement of the Operation of the Rental Capital Account for the year ended 30 June, 1996—

- (a) Is in agreement with the accounts and records of the State Housing Commission of Western Australia; and
- (b) Fairly presents monies received to and expended from the Account, in accordance with the terms and conditions of the 1989 Commonwealth State Housing Agreement.

Dated: 24 March, 1997.

COOPERS and LYBRAND, Chartered Accountants.  
A. H. LEIBOWITZ, Partner.

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## HERITAGE COUNCIL

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HR401

### HERITAGE OF WESTERN AUSTRALIA ACT 1990

#### NOTICE OF ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

Notice is hereby given in accordance with Section 51(2) of the Heritage of Western Australia Act 1990 that, pursuant to directions from the Minister for Heritage, the places described in Schedule 1 have been entered in the Register of Heritage Places on a permanent basis with effect from today.

#### Schedule 1

Name	Location	Description of Place
Masonic Lodge (fmr)	Cnr Dowley & Robinson Streets, Cue	The whole of Lot 52 comprised in Certificate of Title Volume 1673 Folio 202.
Aldgate	7 Aldgate Place, East Fremantle	Lot 16 on Diagram 89642 being the whole of the land comprised in Certificate of Title Volume 2064 Folio 994.
P & O Building	17 Phillimore Street, Fremantle	Lot 2 and the portion coloured brown and marked R.O.W. on Diagram 1264 being the whole of the land comprised in Certificate of Title Volume 1002 Folio 238.
Fmr Cooper's Mill	Cooleenup Island, North Yunderup	Murray Location 1923, being Crown Reserve 23015, and being the whole of the land comprised in Crown Land Record Volume 3103 Folio 264.
Turner Cottage	Cnr South West Hwy & Karnup Road, Serpentine	Lot 23 on Plan 13394, being the whole of the land comprised in Certificate of Title Volume 1701 Folio 482.
St Lawrence's Anglican Church	Viking Road, Dalkeith	Lots 476 and 477 on Plan 3395, being the whole of the land comprised in Certificate of Title Volume 649 Folio 140, and; Lot 478 on Plan 3395, being the whole of the land comprised in Certificate of Title Volume 1018 Folio 282.
Northam Police Station & Courthouse	Cnr Wellington and Gairdner Streets, Northam	Northam Lot 375, being part of Crown Reserve 33594 and being part of the land comprised in Crown Land Record Volume 3046 Folio 122 and Northam Lot 429, being the whole of the land comprised in Certificate of Title Volume 2060 Folio 734.
House at 10 Turner Street	10 Turner Street, Bunbury	Lots on Plan 803, being the whole of the land comprised in Certificate of Title Volume 481 Folio 147.
Cottesloe Civic Centre	109 Broome Street, Cottesloe	Portion of each of Cottesloe Suburban Lots 42 and 115, the subject of Plan 6202, being the whole of the land comprised in Certificate of Title Volume 1131 Folio 203.
Fremantle Esplanade Hotel	Collie Street, Marine Terrace and Essex Street, Fremantle	That portion of Lot 412 on Diagram 68599, being part of the land comprised in Certificate of Title Volume 1707 Folio 30 as is defined in HCWA survey drawing No. 0947 prepared by Steffanoni, Ewing & Cruickshank Pty Ltd.

Schedule 1—*continued*

Name	Location	Description of Place
Sealers' Oven	Waychinicup National Park	That portion of Plantagenet Location 7705, being part of Crown Reserve 27502 and being part of the land in Crown Land Record Volume 3096 Folio 1859, as is depicted on the face sheet of Department of Lands and Surveys file 1651/72 (1012 square metres).
Rosella House	Corner of George and Bayley Streets, Geraldton	Lots 5, 6 and a portion of Lot 4 on Plan 837, being the whole of the land comprised in Certificate of Title Volume 540 Folio 132.

Pursuant to directions from the Minister for Heritage, notice is hereby given in accordance with Section 49 (1) of the Heritage of Western Australia Act 1990 that it is proposed that the places described in Schedule 2 be entered in the Register of Heritage Places. The Heritage Council invites submissions on the proposal; submissions must be in writing and should be forwarded to the following address not later than 20th June 1997.

The Director, Office of the Heritage Council  
108 Adelaide Terrace, East Perth WA 6004.

The places will be entered in the Register on an interim basis with effect from today.

## Schedule 2

Name	Location	Description of Place included in this entry
Wireless Hill Park	Canning Highway, Ardross	Swan Locations 8404 and 8534, being Crown Reserve 29813, and being the whole of the land comprised in Crown Land Record Volume 3046 Folio 218.
Moondah Homestead	Mooliabeenee Road, Gingin	That portion of Lot 120 on Diagram 67478, being part of the land comprised in Certificate of Title Volume 1898 Folio 61 as is defined in HCWA survey drawing No. 3721.
Kent Street Weir	Canning River Regional Park, Kent Street, Wilson	That part of the bed of the Canning River, being Vacant Crown Land, as is defined in HCWA survey drawing No. 4611.
Northam Post Office & Quarters	239-243 Fitzgerald Street, Northam	Lot 1 on Diagram 73095, being the whole of the land comprised in Certificate of Title Volume 1796 Folio 213.
Meerilinga	1186 Hay Street, West Perth	Perth Lot 961, being the whole of the land comprised in Certificate of Title Volume 1880 Folio 607.
Artillery Barracks and Fremantle Harbour Signal Station (fmr)	Cnr Queen Victoria & Burt Streets, Fremantle	Lot 1 on Diagram 65920 being the whole of the land comprised in Certificate of Title Volume 1658 Folio 872.

Dated this 9th day of May 1997.

IAN BAXTER, Director, Office of the Heritage Council.

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**JUSTICE**


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JM401

**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988**

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of the following person as a Member of the Children's Court of Western Australia—

Mrs Susan Glenda Hodson of 26 Bodeguero Way, El Caballo Heights, Wooraloo

RICHARD FOSTER, Executive Director, Court Services.

**JM402****EX OFFICIO JUSTICE OF THE PEACE**

It is hereby notified for public information that Bethel Lilian Walton has been appointed under section 9 of the Justices Act 1902 to be a Justice of the Peace for the Magisterial District of Murchison during her term of office as Shire President.

RICHARD FOSTER, Executive Director, Courts Division.

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**JM403****JUSTICES ACT 1902**

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

Mr David Anthony Carbonell of 25 Marlene Way, Bibra Lake and 29 Gardner Street, Como

Mr Immanuel Stanislav Mensik of 7 Bathurst Street, Dianella

Mrs Karen Esther Newman of 41 Millerick Way, Noranda and 197 St George's Terrace, Perth  
to the office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, Executive Director, Court Services.

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**LAND ADMINISTRATION**

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**LA101\*****CORRECTION**

File No. 2146/1996

File No. MRWA 42-161-L

The Land Resumption notice published in the *Government Gazette* dated 7 January 1997, page 35 is to be amended as follows—

Plan MR No. 96-87

The owner and occupier, Harris Seeds Pty Ltd and Riana Pty Ltd, to be deleted and "Commissioner of Main Roads" inserted.

A. A. SKINNER, Chief Executive.

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**LA102\*****CORRECTION**

File No. 1521/1994

The land description in the Notice of Resumption of land published in the *Government Gazette* dated 14 March 1997, page 1504 is to be amended as follows—

delete Volume 261 Folio 197 and insert "Volume 38 Folio 307".

A. A. SKINNER, Chief Executive.

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**LA103\*****CORRECTION**

File No. 745/1996

The land description in the Land Acquisition notice published in the *Government Gazette* dated 18 March 1997, page 1531 is to be amended as follows—

delete the land description and insert "The Right of Way, as shown coloured blue on Original Plan 2168 adjacent to Lot 125, being part of the land contained in Certificate of Title Volume 166 Folio 106".

delete the area of 917m<sup>2</sup> and insert 30m<sup>2</sup>

A. A. SKINNER, Chief Executive.

## LA401\*

## LAND ACQUISITION AND PUBLIC WORKS ACT 1902

## ORDER (Section 9M(2)(b))

## EXTENSION OF NOTICE OF INTENTION PERIOD

The Minister for Works under Section 9M(2)(b) of the Land Acquisition and Public Works Act, has authorised the extension of the notice of intention for a period of 12 months from expiry of the original notice of intention period for the taking of the land described in the Schedule below:

Locality/Local Government/Region	Use/Purpose	Plan	Job Number/Reference	Original Gazettal Date
Albany (Town)	Reclamation and subdivisional development.	LAWA 1141	941867 1583/1994	27/05/96
Ashburton (Shire)	Sale for inclusion into Onslow Lot 659.	Diagram 92664	941001 1460/1986	27/05/96
Bridgetown / Greenbushes (Shire)	Subdivisional development	LAWA 1188	940366 2160/1984	18/10/96
Broome (Shire)	Grant of a special lease to the Gurrbarlgun Aboriginal Corporation.	Misc. Diagram 251.	930113 2002/1984	23/08/96
Dalwallinu (Shire)	Sale for commercial purposes.	Plan 11483	960026 2602/1971	23/08/96
Derby / West Kimberley (Shire)	Grant a special lease for aquacultural purposes.	LAWA 1162	951119 796/1995	12/07/96
Derby / West Kimberley (Shire)	Subdivision and sale of lots for Light Industrial purposes.	LAWA 1164	941121 3481/1989	23/08/96
Derby / West Kimberley (Shire)	Sale to the Shire of Derby/West Kimberley for residential purposes.	LAWA 1182	950441 2041/1987	23/08/96
Donnybrook / Balingup (Shire)	Sale for inclusion into Noggerup Town Lot 56.	LAWA 1149	960058 1846/1982	12/07/96
East Pilbara (Shire)	1. Grant of a special lease for a term of 10 years (renewable) for residential purposes. 2. Dedication of access road.	LAWA 1180	912916 2103/1993	18/10/96
East Pilbara (Shire)	Grant a lease in perpetuity to the Mirtunkarra Aboriginal Corporation.	LAWA 1166	951132 801/1995	12/07/96
Esperance (Shire)	1. Dedication of Twilight Beach Road. 2. Dedication of Road.	Plans 18242, 18243, 18424, 18425.	914564 3152/1983	17/05/96
Esperance (Shire)	Grant a special lease for light industrial purposes.	LAWA 1157	950836 678/1995	12/07/96
Halls Creek (Shire)	Grant of a special lease for the purpose of "Tourist Development".	LAWA 1181	960209 473/1996	23/08/96
Halls Creek (Shire)	1. Grant a lease in perpetuity to the Munjarl Aboriginal Corporation. 2. Grant of easement for access.	LAWA 1146	930002 1674/1986	27/05/96
Halls Creek (Shire)	Inclusion into Pastoral Lease 3114/1162 (Crown Lease 269/1981)—Sturt Creek Pastoral Station.	LAWA 1167	953546 485/1993	23/08/96
Halls Creek (Shire)	Inclusion into Pastoral Lease 3114/1101 (Crown Lease 202/1978)—Moola Bulla Station.	LAWA 1145	930002 1674/986	27/05/96
Irwin (Shire)	Widening of George Street and extension and widening of Pye Road (Road No. 17911)	LAWA 1151	961184 754/1996	17/05/96
Jerramungup (Shire)	Aged Persons Accommodation—Reservation	LAWA 1175	951632 1725/1972	23/08/96
Laverton (Shire)	Dedication of road.	Plan 19085	940836 2376/1994	17/05/96
Meekatharra (Shire)	Inclusion into Pastoral Lease 3114/1131 (Crown Lease 15/1980) Paroo Station	LAWA 1165	916546 2574/1989	23/08/96
Meekatharra (Shire)	1. Inclusion into Pastoral Lease 3114/1201 (Crown Lease 67/1988) Bulloo Downs Station. 2. Grant of a special lease for grazing and cultivation purposes.	LAWA 1183 & 1184	950083 2964/1989	18/10/96
Merredin (Shire)	Sale for inclusion into Avon Location 18298.	Plan Northam 875	951495 2404/1967	18/10/96
Mundaring (Shire)	Subdivisional development	LAWA 1161	956191 2025/1965	12/07/96
Northampton (Shire)	Sale of lot.	LAWA 1112	953853 9124/1919	12/07/96
Port Hedland (Town)	Sale for inclusion into Port Hedland Town Lot 2501.	LAWA 1136	961330 1194/1994	12/07/96
Port Hedland (Town)	Grant of a special lease for the purpose of an ostrich farm.	LAWA 1129	940345 1820/1994	27/05/96
Port Hedland (Town)	Sale for inclusion into Port Hedland Lot 3.	LAWA 1137	952575 510/1994	27/05/96
Port Hedland (Town)	1. Grant of a special lease for caravan park on Lot 5820. 2. Grant of an easement for sewerage pipe.	LAWA 1187	955057 2475/1995	18/10/96
Ravensthorpe (Shire)	Subdivisional development	LAWA 1140	915759 3734/1980	27/05/96



Locality/Local Government/Region	Use/Purpose	Plan	Job Number/Reference	Original Gazettal Date
Roebourne (Shire)	Inclusion into Reserve 40071 "Equestrian"	LAWA 1169	955046 3294/1969	23/08/96
Roebourne (Shire)	Grant a special lease(s) for iron ore processing plant and related activities	LAWA 1177 & 1178	963091 668/1996	23/08/96
Serpentine / Jarrahdale (Shire)	Extensions and widening of Kingsbury Drive (Road Numbers 2782 and 14873)	Diagram 92293 and Plans 18864-18869 inclusive	917343 1794/1994	17/05/96
Toodyay (Shire)	Sale of lot.	Diagram 90977	917344 2212/1898	12/07/96
Upper Gascoyne (Shire)	Inclusion into Lyons Location 4 set aside as Reserve 31379 "Racecourse"	Misc Diagram 434	914774 5107/1930	18/10/96
West Arthur (Shire)	Dedication of road	LAWA 1176	952763 1591/1995	12/07/96
Wiluna (Shire)	Inclusion into Pastoral Lease 3114/820 (Crown Lease 163/1967) Murchison Downs Station and Pastoral Lease 3114/1177 (Crown Lease 422/1992) Youno Downs Station.	LAWA 1153	951524 4701/1908	12/07/96
Wiluna (Shire)	Inclusion into Pastoral Lease 3114/1177 (Crown Lease 422/1992) Youno Downs Station.	LAWA 1152	916545 2572/1989	12/07/96
Yalgoo (Shire)	Inclusion into Pastoral Lease 398/781(Crown Lease 324/1988) Muralgarra Station.	LAWA 1189	912782 4192/1922	23/08/96
Yilgarn (Shire)	Grant of special leases for the term of 10 years for light industrial purposes.	Southern Cross Plan 48/9	953065 1742/1995	18/10/96
Yilgarn (Shire)	Grant of a special lease for the term of 10 years for light industrial purposes.	Southern Cross Plan 48/9	941191 2389/1994	18/10/96

Dated this 24th day of April 1997.

DOUG SHAVE MLA, Minister for Lands.

#### LA402\*

### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

#### DECLARATION OF PUBLIC STREETS

#### ORDERS OF THE MINISTER FOR LANDS

Made under Section 288

At the request of the local government nominated, the portions of land specified in the Schedule are now declared to be absolutely dedicated as public streets.

#### SCHEDULE

1. City of Bunbury (DOLA File No 2479/995) Clifton Street (Road Widening).
  1. The road widening shown coloured blue on Office of Titles Diagram 17450.
  2. The road widening shown coloured blue on Office of Titles Diagram 10835.
 Public Plan: BG30(2) 1-33
2. City of Cockburn (DOLA File No 455/997) Road No 18982. The whole of Thomas Street shown coloured brown on Office of Titles Plan 2795. Public Plan: BG34(2)12.06
3. Shire of Swan (DOLA File No 2543/995) Road No 18983 Silvereye Lane (Road Widening). The whole of the Pedestrian Accessway shown coloured brown on Office of Titles Plan 20675. Public Plan: BG35(10)4.1

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

#### LA403\*

### LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960

#### DECLARATION OF CLOSURE OF STREETS

Made by the Minister for Lands

Under Section 288A

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

## SCHEDULE

Shire of Esperance (DOLA File No 1330/996; Closure No E 282)

1. The whole of unnamed road, 20.12 metres wide, commencing from the prolongation southwesterly of the westernmost northwestern boundary of Dalyup Agricultural Area Lot 22 and extending easterly along the southern boundary of that lot to terminate at the prolongation southerly of the southernmost eastern boundary of Lot 22.
2. The whole of unnamed road, 20.12 metres wide, commencing from the prolongation southerly of the western boundary of Dalyup Agricultural Area Lot 27 and extending easterly along the southern boundary of that lot to terminate at a northwestern side of Murrays Road.

Department of Land Administration Public Plan: CAITUP 1:50000.

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

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## LOCAL GOVERNMENT

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**LG401****DOG ACT 1976**

Appointment of Dog Registration Officers

At its meeting held on Tuesday 15 April 1997, Council resolved—

- (a) to revoke all previous appointments for Dog Registration Officers.
- (b) That under the provisions of the Dog Act 1976, Council appoint the following persons as Dog Registration Officers—

Michael Steven Tidy  
David William Ashton  
Sharon Lee-Anne McMeeken  
Donna Maree Beling  
Jeanette Marie Bailey  
Paula Maree Keogh  
Grace D Himmelspach  
Kay Elizabeth Chambers  
Donna Marie Fleming  
Larrissa Joy Hayes  
Leonard Allan Welch  
Suzanne Kathleen Armstrong  
Patricia Dawn Welch  
Denise Beryl Webster  
Jodie Deanna D'Cruz  
Kerrylyn Hedger  
Manuela M Nichols

DAVID G. CAREY, Chief Executive Officer.

**LG402****LOCAL GOVERNMENT ACT 1995**

*Shire of Cranbrook*  
(BASIS OF RATES)

Department of Local Government,  
Perth, 9 May 1997.

LG: CB5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the Local Government Act, the Minister for Local Government has determined that the method of valuing the land described in the schedule hereunder shall be gross rental values.

JOHN LYNCH, Executive Director,  
Department of Local Government.

Schedule  
GROSS RENTAL VALUE AREAS  
*Shire of Cranbrook*

**SCHEDULE A**

All that portion of land comprised within Cranbrook Townsite as promulgated in *Government Gazettes* dated 3rd February 1899, page 396; 28th September 1923, page 1929 and 12th June 1925, page 1100. Department of Land Administration Public Plans: BJ28(2) 32.05, 32.06, 33.05 & 33.06.

**SCHEDULE B**

All that portion of land comprised within Tenterden Townsite as promulgated in *Government Gazettes* dated 27th April 1893, page 435; 8th October 1897, page 2058; 1st April 1915, page 1366; 2nd October 1931, page 2199; 5th October 1990, page 5131 and 19th October 1993, page 5755. Department of Land Administration Public Plan: Tenterden Townsite.

**LG403****DOG ACT 1976**

*Shire of Kojonup*

It is hereby notified for public information that—

Jason Rutter

has been appointed to act as Ranger throughout the whole of the Shire of Kojonup and is to be duly appointed as Authorised Officer for the following purposes—

Local Government (Miscellaneous Provisions) Act 1960;

Dog Act 1976, the Dog Act Regulations 1976, Council's By-laws Relating to Dogs, and any amendments that may occur from time-to-time;

Section 449 of the Local Government (Miscellaneous Provisions) Act 1960 relating to Poundkeeping/Rangers;

Litter Act 1979 and Regulations and any amendments;

Control of Vehicles (off road areas) Act 1978 and any amendments;

Council's By-laws Relating to Parking, and to By-laws Relating to Removal of Obstructing Vehicles; and

Council's By-laws Relating to the Removal and Disposal of Animals.

All previous appointments are hereby cancelled.

B. R. THOMPSON, Chief Executive Officer.

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## MAIN ROADS

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**MA401**

MRWA 42-9-8

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

The Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Land Acquisition and Public Works Act 1902, that it is intended to take or resume under section 17 (1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in the Williams District, for the purpose of the following public works namely, widening of the Albany Highway (SLK Section 157.65—158.3) and that the said pieces or parcels of land are marked off on Land Titles Office Diagram 92197 and Crown Plan 8347 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
1.	Murray Neil Ford and Alison Kay Ford	M N Ford & A K Ford	Portion Williams Location D and being part of the land comprised in Certificate of Title Volume 2057 Folio 309.	7 000 m <sup>2</sup>

Schedule—*continued*

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
2.	Rapanui Nominees Pty Ltd	Rapanui Nominees Pty Ltd	Portion of Williams Location 13917 and being part of the land comprised in Certificate of Title Volume 1114 Folio 455.	2 265 m <sup>2</sup>

Dated this 2nd day of May 1997.

D. R. WARNER, Director Corporate Services.

MA402

MRWA 42-435-C

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

The Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Land Acquisition and Public Works Act 1902, that it is intended to take or resume under section 17 (1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in the Nannup District, for the purpose of the following public works namely, widening of the Vasse Highway (Nannup-Pemberton Road SLK Section 0.00-30.00) and that the said pieces or parcels of land are marked off on Land Titles Office Plans 21299, 21300, 21301, 21303, 21304, 21305, Crown Plan 19147 and Diagrams 90677, 90678, 90679, 90680, 90681, 90682 and 90683 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

## Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
1.	Stephen Anthony Winfield	Commissioner of Main Roads vide Caveat G439723	Portion of Nelson Location 11905 now contained in Plan 21305 and being part of the land comprised in Certificate of Title Volume 1876 Folio 131.	962 m <sup>2</sup>
2.	Stephen Anthony Winfield and Bronwyn Anne Winfield	Commissioner of Main Roads vide Caveat G439723	Portion of Nelson Location 6946 now contained in Plan 21305 and Diagram 90678 and being part of the land comprised in Certificate of Title Volume 1876 Folio 132.	575 m <sup>2</sup>
3.	Lawrence Franklin Dickson and Lester James Dickson	Commissioner of Main Roads vide Caveat G206155	Portion of each of Nelson Locations 75 and 127 and being part of Lot 3 on Plan 6402 now contained in Plan 21300 and being part of the land comprised in Certificate of Title Volume 1185 Folio 645.	6 700 m <sup>2</sup>
4.	Lawrence Franklin Dickson	Commissioner of Main Roads vide Caveat F776412	Portion of Nelson Location 127 and being part of Lot 2 on Plan 6402 now contained in Plan 21301 and being part of the land comprised in Certificate of Title Volume 382 Folio 136A.	2 320 m <sup>2</sup>
5.	Lawrence Franklin Dickson	Commissioner of Main Roads vide Caveat F776412	Portion of Nelson Location 3647 now contained in Plan 21299 and being part of the land comprised in Certificate of Title Volume 123 Folio 137A.	368 m <sup>2</sup>

Schedule—*continued*

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
6.	Lawrence Franklin Dickson	Commissioner of Main Roads vide Caveat F776412	Portion of Nelson Location 7160 now contained in Plan 21299 and being part of the land comprised in Certificate of Title Volume 1146 Folio 524.	1 252 m <sup>2</sup>
7.	Terrence William Thomas Dickson	Commissioner of Main Roads vide Caveat G009940	Portion of Nelson Location 3524 and being part of Lot 4 the subject of Diagram 32523 now contained in Diagram 90680 and being part of the land comprised in Certificate of Title Volume 382 Folio 135A.	759 m <sup>2</sup>
8.	Terrence William Thomas Dickson	Commissioner of Main Roads vide Caveat G009940	Portion of Nelson Location 5004 now contained in Plan 21299 and being part of the land comprised in Certificate of Title Volume 1074 Folio 032.	1 016 m <sup>2</sup>
9.	Ian Thomas Wishart	Commissioner of Main Roads vide Caveat F806162	Portion of Nelson Locations 10416, 11207 and 11208 now contained in Diagrams 90681 and 90683 and Plan 21304 and being part of the land comprised in Certificate of Title Volume 1741 Folio 846.	1.1096 ha
10.	Donald Irwin Harrison and Hazel Elizabeth Harrison	Commissioner of Main Roads vide Caveat F714692	Portion of Nelson Location 12388 now contained in Plan 21303 and being part of the land comprised in Certificate of Title Volume 1229 Folio 188.	1 241 m <sup>2</sup>
11.	John Blair Troode	J B Troode	Portion of Nelson Location 11206 now contained in Diagram 90682 and being part of the land comprised in Certificate of Title Volume 1609 Folio 688.	164 m <sup>2</sup>
12.	Jan Denise Elliott Lumsdaine and Venn Stephen Lumsdaine	Commissioner of Main Roads	Portion of Nelson Location 1136 and being part of Lot 1 on Strata Plan 23764 now contained in Diagram 90677 and being part of the land comprised in Certificate of Title Volume 1954 Folio 301.	176 m <sup>2</sup>
13.	Jan Denise Elliott Lumsdaine and Venn Stephen Lumsdaine	Commissioner of Main Roads	Portion of Nelson Location 1136 and being part of Lot 2 on Strata Plan 23764 now contained in Diagram 90677 and the land comprised in Certificate of Title Volume 1954 Folio 302.	136 m <sup>2</sup>
14.	Crown	James Edward McMahon	Portion of Nelson Location 11983 now contained in Crown Plan 19147 and being part of the land comprised in Perpetual Lease No. P999 (Crown Lease 442/1955).	4 306 m <sup>2</sup>
15.	Karin Saalik	Commissioner of Main Roads	Portion of Nelson Location 3559 now contained in Diagram 90679 and being part of the land comprised in Certificate of Title Volume 1876 Folio 133.	556 m <sup>2</sup>
16.	Maitford Vernon Green and Hazel Rosemary Green	M. V. Green and H. R. Green	Portion of Nelson Location 3625 now contained in Plan 21303 and being part of the land comprised in Certificate of Title Volume 1219 Folio 779.	912 m <sup>2</sup>

Dated this 2nd day of May 1997.

D. R. WARNER, Director Corporate Services.

**MA403****LAND ACQUISITION AND PUBLIC WORKS ACT 1902****SALE OF LAND**

MRWA 41-1910-AV2.

Notice is hereby given that his Excellency the Governor has authorised under Section 29(7)(a)(ii) of the Land Acquisition and Public Works Act 1902 the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

**LAND**

Portion of Swan Location 28 and being Lot 1 on Diagram 41610 and being the whole of the land contained in Certificate of Title Volume 562 Folio 142A.

Portion of Swan Location 28 and being Lots 259, 260 and 261 on Plan 1792 and being the whole of the land contained in Certificate of Title Volume 1169 Folio 811.

Portion of Swan Location 28 and being Lot 177 on Plan 1792 and being the whole of the land contained in Certificate of Title Volume 1120 Folio 238.

Portion of Swan Location 28 and being Lot 180 on Plan 1792 and being the whole of the land contained in Certificate of Title Volume 1006 Folio 622.

Portion of Swan Location 28 and being Lot 182 on Plan 1792 and being the whole of the land contained in Certificate of Title Volume 22 Folio 44A.

Portion of Swan Location 28 and being Lot 183 on Plan 1792 and being the whole of the land contained in Certificate of Title Volume 22 Folio 45A.

Dated this 9th day of May 1997.

D. R. WARNER, Director Corporate Services.

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**MINERALS AND ENERGY**


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**MN401****MINING ACT 1978**

Department of Minerals and Energy,  
Perth WA 6000.

I hereby declare in accordance with the provisions of section 99(1)(a) of the Mining Act 1978 that the undermentioned mining lease is forfeited for breach of covenant, viz; non compliance with expenditure conditions, with prior right of application being granted to the plaintiff under section 100.

NORMAN MOORE, Minister for Mines.

**YALGOO MINERAL FIELD**

Mining Lease 59/168      White, Ian Craig Roy

**MN402****MINING ACT 1978****INSTRUMENT OF EXEMPTION**

The Minister for Mines pursuant to the powers conferred on him by section 19 of the Mining Act 1978, hereby exempts all areas of land as described in the schedule hereunder, not being private land or land that is the subject of a mining tenement or of an application therefor, from Divisions 1-5 of Part IV of the Mining Act 1978.

**Schedule**

Primary Number	Graticular Block
Kalgoorlie 374:	j, o, p

Dated this 30th day of April 1997.

NORMAN MOORE, Minister for Mines.

**MN403****MINING ACT 1978**

## NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Minerals and Energy,  
Mt Magnet, 29th April 1997.

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

J. PACKINGTON, Warden.

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To be heard in the Warden's Court, Mt Magnet on the 24th June 1997.

## MURCHISON MINERAL FIELD

*Cue District*

P20/1460—West Australian Metals NL  
 P20/1461—West Australian Metals NL  
 P20/1462—West Australian Metals NL  
 P20/1463—West Australian Metals NL  
 P20/1464—West Australian Metals NL  
 P20/1465—West Australian Metals NL  
 P20/1466—West Australian Metals NL

## YALGOO MINERAL FIELD

P59/1169—Roebuck Resources NL  
 P59/1170—Roebuck Resources NL  
 P59/1171—Roebuck Resources NL  
 P59/1172—Roebuck Resources NL  
 P59/1173—Roebuck Resources NL  
 P59/1174—Roebuck Resources NL  
 P59/1175—Roebuck Resources NL  
 P59/1176—Roebuck Resources NL

**MN404****MINING ACT 1978**

## INSTRUMENT OF EXEMPTION OF LAND

The Acting Minister for Mines pursuant to the powers conferred on her by section 19 of the Mining Act 1978, hereby exempts all areas of land described hereunder from Divisions 1 to 5 of part IV of the Mining Act 1978.

## Description

That portion of land, not being private land or land the subject of a mining tenement or application for a mining tenement, shaded green on the plan at page 72 of Minerals and Energy File 6415/96 and designated "S19-94" on the Departmental Public Plan.

## Area

3 845.0285 ha

Dated at Perth this 23rd day of April 1997.

CHERYL EDWARDES, Acting Minister for Mines.

**MN405****MINING ACT 1978**

## NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Minerals and Energy.

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

A. BLOEMAN, Warden.

To be heard in the Warden's Court, Marble Bar on the 22nd May 1997.

**PILBARA MINERAL FIELD**

*Marble Bar District*

P45/2037—Mullan, Gary Ernest

**PILBARA MINERAL FIELD**

*Nullagine District*

P46/1132—Johnson, James Leslie

*West Pilbara District*

P47/1031—Rundell, Darren Jeffrey; North, Donald Edward

## **PLANNING**

### **PD401**

#### **TOWN PLANNING AND DEVELOPMENT ACT 1928**

#### **ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**

#### *CITY OF SOUTH PERTH*

#### **TOWN PLANNING SCHEME No. 5—AMENDMENT No. 94A**

Ref: 853/2/11/7, Pt 94A.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of South Perth Town Planning Scheme Amendment on April 28, 1997 for the purpose of—

- (a) inserting a new Clause 28A as follows—

**“28A SINGLE HOUSES**

- (1) Notwithstanding the provisions of the Codes Council shall not grant planning consent for the use of land in any zone for a Single House unless the Council is satisfied that the proposed development meets the objectives of Planning Policy No. P29 “Views”, Planning Policy No. P31 “Visual Privacy” and Planning Policy No. P33 “General Design Guidelines for Residential Development”.
- (2) Before determining any application for Planning Consent relating to a proposed Single House Council may require neighbour consultation to be carried out.
- (3) Where neighbour consultation is required by Council, Council shall determine—
  - (a) the manner in which;
  - (b) the extent to which; and
  - (c) the period for which
 such neighbour consultation shall be carried out.
- (4) In determining any application for Planning Consent relating to a proposed Single House Council shall have due regard to any comments received from neighbours as a result of required neighbour consultation and shall not issue Planning Consent until Council has considered the likely effect of the proposed development on the residents or amenity of, or the properties in the neighbourhood.”;

- (b) deleting Clause 29 and substituting the following new Clause 29 therefor—

**“29. GROUPED DWELLINGS**

- (1) Notwithstanding the provisions of the Codes Council shall not grant planning consent for the use of any land in any zone for Grouped Dwellings unless the Council is satisfied that the proposed development meets the objectives of Planning Policy No. P29 “Views”, Planning Policy No. P31 “Visual Privacy” and Planning Policy No. P33 “General Design Guidelines for Residential Development”.
- (2) Before determining any application for Planning Consent relating to proposed Grouped Dwellings Council may require neighbour consultation to be carried out.
- (3) Where neighbour consultation is required by Council, Council shall determine—
  - (a) the manner in which;
  - (b) the extent to which; and
  - (c) the period for which
 such neighbour consultation shall be carried out.
- (4) In determining any application for Planning Consent relating to proposed Grouped Dwellings Council shall have due regard to any comments received from neighbours as a result of required neighbour consultation and shall not issue Planning Consent until Council has considered the likely effect of the proposed development on the residents or amenity of, or the properties in the neighbourhood.”;



- (5) Whether the symbol "P", the symbol "CP" or the symbol "AA" applies to the Use Class "Grouped Dwellings" in Table No. 1 and notwithstanding the provisions of the Codes or the Zone in which the land is located that land shall not be used for Grouped Dwellings unless at least 50 per centum of those dwellings contain at least 3 bedrooms.;
- (c) modifying Clause 30 by—
- (i) deleting from part (2) the symbol "P" and inserting in its place the symbol "CP";
  - (ii) inserting new parts (3), (4), (5) and (6) as follows—
    - "(3) Notwithstanding the provisions of the Codes Council shall not grant planning consent for the use of any land in any zone for Multiple Dwellings unless the Council is satisfied that the proposed development meets the objectives of Planning Policy No. P29 "Views", Planning Policy No. P31 "Visual Privacy" and Planning Policy No. P33 "General Design Guidelines for Residential Development".
    - (4) Before determining any application for Planning Consent relating to proposed Multiple Dwellings Council may require neighbour consultation to be carried out.
    - (5) Where neighbour consultation is required by council, Council shall determine—
      - (a) the manner in which;
      - (b) the extent to which; and
      - (c) the period for which
 such neighbour consultation shall be carried out.
    - (6) In determining any application for Planning Consent relating to proposed Multiple Dwellings Council shall have due regard to any comments received from neighbours as a result of required neighbour consultation and shall not issue Planning Consent until Council has considered the likely effect of the proposed development on the residents or amenity of, or the properties in the neighbourhood.;"
- (d) modifying Clause 82(1A)(a) and Clause 82(1B) by deleting the words "a Single House and" from each clause; and
- (e) inserting a new Clause 97 as follows—
- "97. PLANNING POLICIES**
- (1) The Council may prepare a planning policy (hereinafter called "a Policy") which may make provision for any matter related to the planning or development of the Scheme Area and which may be prepared so as to apply—
    - (a) generally or is a particular class of matter or in particular classes of matters; and
    - (b) throughout the Scheme Area or in one or more parts of the Scheme Area,
 and may amend or add to or rescind a policy so prepared.
  - (2) A Policy shall become operative only after the following procedures have been completed—
    - (a) The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, and in what form and during what period (being not less than 21 days) submissions may be made.
    - (b) Policies which the Council considers may be inconsistent with other provisions of the Scheme or with State and regional planning policies are to be submitted to the Commission for consideration and advice.
    - (c) The Council shall review the draft Policy in the light of any submissions made and advice received and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.
    - (d) Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.
  - (3) The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.
  - (4) An amendment or addition to a Policy may be made after the Policy has become operative and shall be made in the same manner as provided for the making of a Policy in sub-clause (2).
  - (5) A Policy may be rescinded by—
    - (a) preparation or final adoption of a new Policy pursuant to this clause, specifically worded to supersede an existing Policy; and
    - (b) publication of a formal notice of rescission by the Council twice in a local newspaper circulating in the district.
  - (6) A Policy shall not bind the Council in respect of any application for planning consent but the Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its decision.
  - (7) Any Policy prepared under this clause shall be consistent with the scheme and where any inconsistency arises the Scheme shall prevail.;" and
- (f) modifying Table 1 by—
- (i) deleting the land use control symbol "P" in columns 1, 2, 3, 14 and 15 opposite the Use Class "Single House" and substituting in each case the symbol "CP(11)" therefor;

- (ii) deleting the land use control symbols—
- (A) "P(11)", "AA(12)" and "CP(13)" in column 1;
  - (B) "CP(13)" in column 2; and
  - (C) "P" in columns 3 and 8,
- opposite the Use Class "Grouped Dwellings" and substituting in each case the symbol "CP(12)" therefor;
- (iii) deleting the land use control symbols—
- (A) "P(15)" in column 1; and
  - (B) "P" in columns 2, 3, 6, 8 and 9,
- opposite the Use Class "Multiple Dwellings" and substituting in each case the symbol "CP(13)" therefor; and
- (iv) amending the footnotes by—
- (A) deleting footnote 11 and replacing it with the footnote "(11) Refer to Clause 28A";
  - (B) deleting footnote 12 and replacing it with the footnote "(12) Refer to Clause 29";
  - (C) deleting footnote 13 and replacing it with the footnote "(13) Refer to Clause 30(2), (3) and (4)"; and
  - (D) deleting footnote (15).

J. E. HARDWICK, Mayor.  
L. L. METCALF, Chief Executive Officer.

**PD402**

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*SHIRE OF SERPENTINE-JARRAHDALÉ*  
TOWN PLANNING SCHEME No. 2—AMENDMENT No. 74

Ref: 853/2/29/3, Pt 74.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Serpentine-Jarrahdale Town Planning Scheme Amendment on April 28, 1997 for the purpose of—

1. The Scheme Map be amended by—
  - Rezoning Lot 781 Gull Road, Serpentine from 'Rural' to 'Farmlet' zone, as shown on the Amendment Map.
2. In addition to the 'Farmlet' zone provisions contained within Clause 5.13, the Scheme Text be amended by inserting in Appendix 4C Special Provisions relating to specified areas as follows—

(a)	(b)
Specified Area of Locality.	Special Provisions to Refer to Area listed in Column (A).
Lot 781 Gull Road.	<ol style="list-style-type: none"> <li>1. The following use classes are permitted (P)—               <ul style="list-style-type: none"> <li>• Single Dwelling</li> <li>• Public Recreation</li> <li>• Public Utility</li> </ul> </li> <li>2. The following use classes are discretionary (AA)—               <ul style="list-style-type: none"> <li>• Ancillary Accommodation</li> <li>• Home Occupation</li> <li>• Rural Use</li> <li>• Stables</li> </ul> </li> </ol>

In exercising its discretion in respect to 'AA' uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land does not involve excessive nutrient application or the clearing of land.

- | (a)                         | (b)   |
|-----------------------------|---|
| Specified Area of Locality. | Special Provisions to Refer to Area listed in Column (A).   |
|                             | <ol style="list-style-type: none"><li>3. The subdivider shall, in accordance with the Subdivision Guide Plan for this Estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of the lot(s) to a new owner.</li><li>4. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Local Government.</li><li>5. No indigenous vegetation and trees shall be destroyed or cleared except, but subject to the developer obtaining the prior consent in writing of the Council, where such vegetation and trees are dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence and/or to accommodate the discretionary uses listed in Provision (2).</li><li>6. Notwithstanding the controls specified by Provisions (1) and (2) development and use of the land is subject to the provisions of the Water Authority of Western Australian By-Laws applying to underground water supply and pollution control.</li><li>7. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the Local Government and the Bush Fires Board of WA.</li><li>8. On those lots which contain remnant vegetation, fences shall be erected to protect trees and other vegetation from damage by grazing livestock.</li><li>9. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Consultation with the Department of Environmental Protection and Agriculture, Western Australia shall therefore be undertaken in regard to the application, type and distribution of fertiliser on the land.</li><li>10. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</li><li>11. The subdivider shall drain the land in accordance with the Subdivision Guide Plan for the Estate. Those easements required by the Council shall be provided to Council free of cost at the time of subdivision to provide for the on-going maintenance of the drains.</li><li>12. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system of the modified irrigation area being the required distance above the highest known water table.</li></ol> |

C. H. RANKIN, President.  
N. D. FIMMANO, Chief Executive Officer.

**PD403\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*CITY OF BELMONT*

TOWN PLANNING SCHEME NO. 11—AMENDMENT NO. 92

Ref: 853/2/15/10, Pt. 92.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Belmont Town Planning Scheme Amendment on May 1, 1997 for the purpose of rezoning portion of Lots 131-135 Great Eastern Highway, Redcliffe from "Public Use Reserve—Hospital" to "Residential R20/R40".

P. PASSERI, Mayor.  
B. R. GENONI, Chief Executive Officer.

**PD404\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION  
*CITY OF BUNBURY*

TOWN PLANNING SCHEME NO. 6—AMENDMENT NO. 188

Ref: 853/6/2/9, Pt. 188.

Notice is hereby given that the local government of the City of Bunbury has prepared the abovementioned scheme amendment for the purpose of—

- A Modifying Sub Clause 5.7 (c) of Part 5 Development Standards of the Scheme Text to facilitate removal of the Density Bonus Scheme and replace it with a single medium density code with specific standards for development.
- B Introducing a new Sub Clause 5.7 (d) of Part 5 Development Standards of the Scheme Text to facilitate the adoption and implementation of design guidelines.
- C Introducing a new Sub Clause 5.7 (e) of Part 5 Development Standards of the Scheme Text to facilitate the application of performance bonds for R30 development.
- D Modifying the Scheme Map to nominate specific precincts for R30 development.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Stephen Street, Bunbury and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including June 20, 1997.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before June 20, 1997.

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

G. BRENNAN, Chief Executive Officer.

**PD405\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*CITY OF CANNING*

TOWN PLANNING SCHEME NO. 40—AMENDMENT NO. 56

Ref: 853/2/16/44, Pt. 56.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Canning Town Planning Scheme Amendment on May 1, 1997 for the purpose of rezoning 61-63 Central Road (Lot Pt 33), Rossmoyne, from "Service Station" to "Residential R17.5/R25".

M. S. LEKIAS, Mayor.  
I. F. KINNER, Chief Executive Officer.

PD406

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**  
**SHIRE OF CHITTERING**  
**TOWN PLANNING SCHEME NO. 5—AMENDMENT NO. 40**

Ref: 853/3/4/5, Pt. 40.

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 Chittering Town Planning Scheme Amendment on May 1, 1997 for the purpose of—

Adding to the Scheme Map a new zone—Restricted Residential Zone.

Adding to the Scheme Text a new clause:

3.9.5 Restricted Residential Zone

3.9.5 Objectives and Policies

Council's Objective is to restrict the subdivision and development of land below the 65 metre (AHD) contour line in order that health and environmental risks may be minimised.

Council's Policies will therefore be to—

- (a) not support any further subdivision of land below the 65 metre (AHD) contour line in the Muchea Townsite:
  - (i) permit the erection of a single residence on any lot existing in accordance with the following provisions;
  - (ii) ATU's or Ecomax systems with amended soils be used or other systems with bacterial and nutrient stripping capabilities, for each new domicile;
  - (iii) require a separation of 500mm (using imported fill if required) for the highest known water table to the underside of the disposal system;
  - (iv) that the Environmental, Health and Building Officer (of the Council) nominate the position of the disposal areas;
  - (v) that building envelopes be nominated for vacant properties and verified by qualified surveyors;
  - (vi) that bores be set back a minimum of 30 metres for any irrigation or waste water disposal areas;
  - (vii) that Council's bore water treatment policy be included with the conditions to license all new residents building a residence;
  - (viii) Council may permit a limited range of uses, in accordance with Table 6A providing they do not contribute to the degradation of the environment or constitute a hazard to the health of the occupant of the land.

Adding new table, Table 6 (A) Zoning Table

Table 6A

Zoning Table

Use	Conditions
Single Dwelling Home Occupation ) Cottage Industry ) Nursery ) Rural Pursuit )	Subject to Planning Consent

Rezoning the following lots from Special Residential Zone to Restricted Residential Zone—

- (1) Lots 9-12 (incl), 92, 94, and 139-142 (incl)—between Davern, Ellen, Chittering and Philmore Street;
- (2) Lots 1-8 inclusive, 97 and 98, between Chittering, Carl, Ellen and Philmore Streets;
- (3) Lots 1-4 (incl) 67, 88-91 (incl) and 215-210 (incl) between Ellen, Carl, Archibald and Davern Streets;
- (4) Lots 155-159 Steer Street, 150-159 Philmore Street and 152-158 Carl Street;
- (5) Lots 5-8 and 99 between Dear, Philmore, Carl and Steer Streets,
- (6) Lots 115, 116 and 117 between Carl and Steer Streets;
- (7) Lots 1-4 (incl) and 119 Steer, Dear, Carl and McKenzie Streets;
- (8) Lots 58-61 between Davern, Arbuckle, Archibald and Philmore Streets;
- (9) Lots 7-7 (incl) 101-104 (incl), between Philmore, Carl, Archibald and Arbuckle Streets;
- (10) Lots 132-137 (incl) Steer Street and Brand Highway;
- (11) Part Lot 121 between Steer, Dear, McKenzie Streets and Brand Highway

S. METCALF, President.  
 D. STEWART, A/Chief Executive Officer.

**PD407\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**  
**SHIRE OF EAST PILBARA**

TOWN PLANNING SCHEME NO. 1—AMENDMENT NO. 18

Ref: 853/8/2/2, Pt. 18.

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 East Pilbara Town Planning Scheme Amendment on May 1, 1997 for the purpose of—

1. Rezoning Lot 1902 Newman from "Rural" zone and "Major Road" reserve to "Special Site—Single Persons Quarters" (SPQ).
2. In Appendix B—Schedule of Special Sites, adding the following—
 

Description of Site	Permitted Uses
Lot 1902 Newman	Single Persons Quarters
3. Amending the Scheme Map accordingly.

A. COCHRANE, President.  
 A. COOPER, A/Chief Executive Officer.

**PD408**

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**  
**SHIRE OF GREENOUGH**

TOWN PLANNING SCHEME NO. 4—AMENDMENT NO. 80

Ref: 853/3/7/6, Pt. 80.

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 Greenough Town Planning Scheme Amendment on May 1, 1997 for the purpose of—

- (1) Rezoning portions of Victoria Locations 2074 and 1878 from General Farming to General Industry.
- (2) Amending the Scheme maps accordingly.
- (3) Insert the following clause into the Other Requirements section of the zoning and Development Table for the "General Industry" zone within the existing Scheme Text—  
 "For Victoria Locations 2074 and 1878 Appendix VIII will apply".
- (4) Including Appendix VIII to the Scheme together with the following—

**APPENDIX VIII GENERAL FARMING ZONES—ADDITIONAL REQUIREMENTS AND MODIFICATIONS**

\* Victoria Locations 2074 and 1878.

If development by Asia Iron Limited has not commenced within five (5) years from the date of Gazettal of Amendment 80, the zoning of the land shall revert to the "General Farming" zone.

J. EDWARDS, President.  
 W. T. PERRY, Chief Executive Officer.

**PD409\***

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION**  
**SHIRE OF MURRAY**

TOWN PLANNING SCHEME NO. 4—AMENDMENT NO. 110

Ref: 853/6/16/7, Pt. 110.

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

1. rezoning Lot 3 McLarty Road, Pinjarra from "Residential (R15)" to "Special Use" zone—Art/Craft Village; and
2. including details of the uses permitted on the subject land within Schedule 5 of the Scheme.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including June 20, 1997.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before June 20, 1997.

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

D. A. McCLEMENTS, Chief Executive Officer.

PD410

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*SHIRE OF SERPENTINE-JARRAHDALE*  
**TOWN PLANNING SCHEME NO. 2—AMENDMENT NO. 36**

Ref: 853/2/29/3, Pt. 36.

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 Serpentine-Jarrahdale Town Planning Scheme Amendment on May 1, 1997 for the purpose of—

1. Rezoning approximately 42.5ha of Peel Estate of Lot 187, corner Thomas and Hopkinson Road, Oakford, from "Rural" to "Rural Living "B".
2. Amending the Scheme Map in accordance with the Scheme Amendment Map.
3. Amending the Scheme Text by inserting in Appendix 4B Special Provisions, the following—

- | (A) Specified Area of<br>Locality                         | (B) Special Provisions to<br>Refer to (A)  |
|---|--|
| 1. Lot 187, corner of Thomas and Hopkinson Roads, Oakford | 1. Within the Rural Living Zone, the following land uses are permitted or are permitted at the discretion of the Council.<br>Use classes permitted (P)—<br>Single Dwelling<br>Public Recreation<br>Public Utility<br>Discretionary Uses (AA)—<br>Ancillary<br>Accommodation<br>Home Occupation<br>Rural Use/Intensive<br>Agriculture |

In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.

2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest known water table.
3. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-laws applying to underground water supply and pollution control.

- | (A) Specified Area of<br>Locality | (B) Special Provisions to<br>Refer to (A)  |
|-----------------------------------|--|
|                                   | <p>4. Notwithstanding the obligations of the subdivider under Clause 5.12.9e of the Scheme, the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate.</p> <p>Those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps.</p> |
|                                   | <p>5. The subdivider shall, in accordance with the Subdivision Guide Plan and the schedule of landscaping for this estate, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.</p>   |
|                                   | <p>6. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the local authority.</p> |
|                                   | <p>7. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specifications and satisfaction of the local authority and the Bush Fires Board of WA.</p>                                     |
|                                   | <p>8. The subdivider is required to place memorials on the Land Titles of each parcel of land affected by the 500m buffer at the time of subdivision, advising that—</p> <p>“The land lies within an existing Landfill Buffer zone and may be subject to some loss of amenity through odour, noise, dust, litter or reduced aesthetic value.”</p>  |
|                                   | <p>9. The subdivider is required to place memorials on the Land Titles of all of the lots at the time of subdivision advising that—</p> <p>“The water quality may not be suitable for human consumption and any person proposing to use the groundwater for such purposes will required such water to be analysed for quality of an appropriate standard.”</p>   |
|                                   | <p>10. At the time of the building application for each lot, a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.</p>  |
|                                   | <p>11. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore, the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.</p>                                   |

C. H. RANKIN, President.  
N. D. FIMMANO, Chief Executive Officer.



PD411

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*SHIRE OF WILLIAMS*

## TOWN PLANNING SCHEME NO. 2—AMENDMENT NO. 10

Ref: 853/4/32/2, Pt. 10.

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 Williams Town Planning Scheme Amendment on May 1, 1997 for the purpose of—

- (i) In Schedule 4 of the Scheme Text deleting the following—

## Particulars of Land

In the Williams townsite: Lots 103 and 104 Gull Str.; Lots 105-109, 111-119, 123-130, 336 and 337 Richmond Street; Lot 120 Clayton Road; Lots 293-297 Channon Street; Lot 328 Olive/Forrest Streets; Lots 298-302, Sub 320 and 327 William Street.

In the Williams townsite: Location 13316 at the corner of Albany Highway and Quindanning Road.

and inserting therein the following—

## Particulars of Land

In the Williams townsite: Lots 123-130, 336 and 337 Richmond Street; Lots 293-297 Channon Street; Lot 328 Olive/Forrest Streets; Lots 298-302 William Street.

In the Williams townsite: Location 13316 at the corner of Albany Highway and Quindanning Road.

- (ii) On Scheme Map Sheets 4 and 5 rezoning Lots 103 and 104 Gull Street, Lots 105 to 109 inclusive and 111 to 119 inclusive Richmond Street, Lot 120 Clayton Street, and Lots 320 and 327 William Street from 'Rural Residential' zone to 'Rural' zone as depicted in the Scheme Amendment Map.

## Requirements of the Zone

1. The land is in an existing subdivision and further subdivision of the existing lots shall not be permitted, but the Council may recommend approval and the Commission may approve the amalgamation of two or more lots, or the adjustment of boundaries between lots which does not result in the creation of an addition lot or lots.
2. A reticulated water supply shall be provided to all lots of less than 2.0 hectares as a condition of subdivision/amalgamation.

1. No further subdivision shall be permitted.

## Requirements of the Zone

1. The Council will not recommend to the Commission support for further subdivision, but this shall not preclude the Council recommending to the Commission support for a rationalisation of lot boundaries provided no additional lots are created and the resultant lot sizes and shapes are to the satisfaction of the Council. The minimum lot size should be no less than 1.0 hectare.
2. A reticulated water supply shall be provided to all lots of less than 2.0 hectares as a condition of subdivision/amalgamation.

1. The Council will not recommend to the Commission support for further subdivision.

G. WARREN, President.  
V. EPIRO, Chief Executive Officer.

**POLICE**

PE401

**ROAD TRAFFIC ACT 1974**

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Road Cycle Race by members/entrants of the Collie Cycle Club Inc on May 11th, 1997 between the hours of 0800 and 1400 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Start/finish: Fisher Road, Collie-Preston Rd, Mumbellup Rd and return.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

**ROAD TRAFFIC ACT 1974**

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Road Cycle Race by members/entrants of the Collie Cycle Club Inc on May 18th, 1997 between the hours of 0800 and 1400 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Start/finish: Fisher Road, south east of Collie-McAlinden Rd, Collie Rd (south east), Wooding Rd, McAlinden Rd and return.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

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**ROAD TRAFFIC ACT 1974**

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Cycle Race—Rockingham Coastal Classic by members/entrants of the Peel District Cycling Club Inc on May 18th, 1997 between the hours of 0800 and 1330 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Rockingham Rd, access lane cnr Victoria/Rockingham Rds, Val St, Esplanade, Hymus St, Safety Bay Rd, Boundry Rd, Arcardia Dve, Safety Bay Rd, Hilda Rd, Warnbro Beach Rd, Safety Bay.

All participants to wear approved head protection at all times.

Dated at Perth this 5th day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

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**ROAD TRAFFIC ACT 1974**

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Road Cycling Race (Mt Barker to Albany) by members/entrants of the Albany Cycling Club Inc on May 24th, 1997 between the hours of 1400 and 1600 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Plantagenet Wines, Mt Barker, Albany Hwy to Coles, Albany Hwy, Albany.

All participants to wear approved head protection at all times.

Dated at Perth this 5th day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

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**ROAD TRAFFIC ACT 1974**

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Road Cycle Race by members/entrants of the Collie Cycle Club Inc on May 25th, 1997 between the hours of 0800 and 1400 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Start/finish: Federal Hotel, Throssell St, Collie-Patterson Rd, Preston Rd, Cardiff Rd, Muja Rd, Lime Rd, Coalfields Hwy, Gibbs Rd, Cameron and return.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

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**ROAD TRAFFIC ACT 1974**

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained

and nominated for the purpose of a Road Cycling Race by members/entrants of the Albany Cycling Club Inc on May 28th, 1997 between the hours of 1400 and 1700 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Start/finish: Lower King Store, left King Rd, left Prideaul Rd, Bon Accord Rd, left at Chester Pass, left Norwood Rd, left Lower King Rd to Lower King Store, Albany District.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

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#### ROAD TRAFFIC ACT 1974

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Road Cycle Race by members/entrants of the Collie Cycle Club Inc on June 1st, 1997 between the hours of 0800 and 1400 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Start/finish: Fisher Road, Collie-McAlinden Rd, Donnybrook/Boyup Brook Rd, Mumballup Rd, Preston Rd and return.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

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#### ROAD TRAFFIC ACT 1974

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Road Cycle Race by members/entrants of the Collie Cycle Club Inc on June 8th, 1997 between the hours of 0800 and 1800 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Start: Federal Hotel, Throssell St, Collie, Preston Rd, Collie (south/east) Rd, McAlinden, Donnybrook/Boyup Brook Rd, Mumballup, Lowden, Mumballup, Preston Rd and finish Lions Park, Collie.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

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#### ROAD TRAFFIC ACT 1974

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Road Cycle Race by members/entrants of the Collie Cycle Club Inc on June 15th, 1997 between the hours of 0800 and 1400 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Start/finish: Ready Mix L.I.A., Collie-Mornington Mill Rd, Gastaldo Rd, turn Coalfields Hwy, Gastaldo Rd, Mornington Mills Rd and return.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

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#### ROAD TRAFFIC ACT 1974

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Road Cycle Race by members/entrants of the Collie Cycle Club Inc on May 4th, June 22nd, 1997 between the hours of 0800 and 1400 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Start/finish: Pony Club, Mungilup Rd, Collie-Palmer Rd, Mungilup Rd and return.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

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#### **ROAD TRAFFIC ACT 1974**

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Road Cycle Race by members/entrants of the Collie Cycle Club Inc on June 29th, 1997 between the hours of 0800 and 1400 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Start/finish: Federal Hotel, Throssell St, Collie-Patterson St, Preston Rd, Cardiff Rd, Muja Rd, Lime Rd, Coalfields Hwy, Gibbs Rd, Cameron Rd, and return.

All participants to wear approved head protection at all times.

Dated at Perth this 2nd day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

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#### **ROAD TRAFFIC ACT 1974**

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Road Cycling Event by members/entrants of the Albany Cycling Club Inc on July 5th, 1997 between the hours of 1400 and 1700 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Start: 'Elleker Loop' Hall, Grassmere Rd, Lower Denmark Rd and return.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

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#### **ROAD TRAFFIC ACT 1974**

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Road Cycling Race by members/entrants of the Albany Cycling Club Inc on August 23rd, 1997 between the hours of 1400 and 1600 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Trotting tracks Lancaster Rd, Albany Hwy, Link Rd, and finish trotting track, Albany District.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

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#### **ROAD TRAFFIC ACT 1974**

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Bunbury Cycle Club Inc on August 24th, 1997 between the hours of 0930 and 1200 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on—Ferguson Rd, left Wellington/Lowden Rd, U/turn at Donnybrook, Boyup Brook Rd, Wellington/Lowden Rd, left Upper Ferguson Rd, left Ferguson Rd, Dardanup Rd, Dardanup.

All participants to wear approved head protection at all times.

Dated at Perth this 5th day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

**ROAD TRAFFIC ACT 1974**

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Road Cycling Race by members/entrants of the Albany Cycling Club Inc on September 2nd, 1997 between the hours of 1400 and 1700 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder. Racing to be confined to the left hand side of the carriageway on—Start: Cnr Mercer/Chester Pass, South Coastal Hwy to Many Peaks and Chester Pass Rds, Albany District. All participants to wear approved head protection at all times. Dated at Perth this 6th day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

**PE402****ROAD TRAFFIC ACT 1974**

I, Edwin Graeme Lienert, Commander (Traffic and Operation Support) being the delegated officer of the Minister for Transport under section 83(6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83(1) of that Act and the consent of the Local Authorities having been obtained and nominated for the purpose of a Duathlon (Run-Cycle-Run) by members/entrants of the Bunbury Triathlon Club on May 25th, 1997 between the hours of 0830 and 1100 do hereby approve the temporary suspension of the Regulations made under such Act on the carriageway/s mentioned hereunder. Racing to be confined to—Start/finish: Apex Park, along Pratt Rd, Old Coast Rd, Lucy Victoria Ave and return. Dated at Perth this 5th day of May 1997.

E. G. LIENERT, Commander (Traffic and Operation Support).

**PE701****POLICE ACT 1892  
POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed found and stolen property and bicycles will be sold by public auction at Ross's Auctioneers, 241 Railway Parade, Maylands on Saturday 17th May 1997 at 9.00 am. The Auction is to be conducted by Mr Frank Lee.

R. FALCONER, Commissioner of Police,  
West Australian Police Service.

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**RACING, GAMING AND LIQUOR**

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**RA401****LIQUOR LICENSING ACT 1988  
SUMMARY OF LIQUOR LICENSING APPLICATIONS**

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Liquor Licensing Division, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth (Telephone: (08) 9425 1888), or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR TRANSFER OF LICENCE</b>			
1662/96	Gratib Pty Ltd	Application for the transfer of a restaurant licence in respect of premises situated in South Perth and known as Coco's, from West Valley Hospitality.	14/5/97

App. No.	Applicant	Nature of Application	Last Date for Objections
<b>APPLICATIONS FOR TRANSFER OF LICENCE—<i>continued</i></b>			
1663/96	Teakstreet Pty Ltd	Application for the transfer of a special facility licence in respect of premises situated in East Perth and known as Boppers, from Allwest Nominees Pty Ltd.	19/5/97
1665/96	Redville Holdings Pty Ltd	Application for the transfer of a restaurant licence in respect of premises situated in Subiaco and known as Redds Cafe, from Mira Pty Ltd.	19/5/97
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
1028/96	Social Club of Kwinana Inc	Application for the removal of a club restricted licence from Bright Road, Calista to 20 Pace Road, Medina and known as Social Club of Kwinana Inc.	22/5/97
1031/96	Goldbay Pty Ltd	Application for the removal of a tavern licence from 19 Howard Street, Perth to Cnr Francis & Lakes Sts, Northbridge and known as Howard Chambers.	23/5/97
1037/96	Sacred Grounds Pty Ltd	Application for the grant of a restaurant licence in respect of premises situated in West Perth and known as T.B.A.	29/5/97
1038/96	Sayfell Pty Ltd	Application for the grant of a hotel restricted licence in respect of premises situated in Busselton and known as Cape View Beach Resort.	4/6/97

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

G. B. AVES, Director of Liquor Licensing.

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## RAILWAYS

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RB301

### GOVERNMENT RAILWAYS ACT 1904

### GOVERNMENT RAILWAYS AMENDMENT BY-LAWS 1997

Made by The Western Australian Government Railways Commission and approved by His Excellency the Governor in Executive Council.

#### Citation

1. These by-laws may be cited as the *Railways By-laws Amendment By-laws 1997*.

#### Principal by-laws

2. In these by-laws the *Railways By-laws\** are referred to as the principal by-laws.

[\* *Published in Gazette 14 May 1940, p. 789*  
*For amendments to 26 February 1997 see 1995 Index to Legislation of*  
*Western Australia, Table 4, pp. 116-121.]*

**By-law 13 amended**

3. By-law 13 of the principal by-laws is amended by deleting "an authorised employee of the Commissioner" and substituting the following —

" a person authorized by the Commission ".

**By-law 17A amended**

4. By-law 17A of the principal by-laws is amended by deleting "the Commissioner or his duly authorised officers, " and substituting the following —

" a person authorized by the Commission, ".

**By-law 18 amended**

5. By-law 18 of the principal by-laws is amended by deleting "the Guard or other officer of the railway " and substituting the following —

" a person authorized by the Commission ".

**By-law 19 amended**

6. By-law 19 of the principal by-laws is amended by deleting "any officer of the Commissioner," and substituting the following —

" a person authorized by the Commission, ".

**By-law 20 amended**

7. By-law 20 of the principal by-laws is amended by deleting "railway employee on duty," and substituting the following —

" person authorized by the Commission, ".

**By-law 21 amended**

8. By-law 21 of the principal by-laws is amended by deleting "railway employee on duty," and substituting the following —

" person authorized by the Commission, ".

**By-law 22 amended**

9. By-law 22 of the principal by-laws is amended by deleting "railway employee on duty," and substituting the following —

" person authorized by the Commission, ".

**By-law 27 amended**

10. By-law 27 (1) of the principal by-laws is amended —

(a) by deleting "railway employee" and substituting the following —

" person authorized by the Commission ";

(b) by deleting "that employee" and substituting the following —

" that person "; and

(c) by deleting "the employee" and substituting the following —

" the person ".

**By-law 36 amended**

11. By-law 36 of the principal by-laws is amended by deleting "railway employee" and substituting the following —

" person authorized by the Commission ".

**By-law 37 amended**

12. By-law 37 of the principal by-laws is amended by deleting "an authorised employee of the Commissioner," and substituting the following —

" a person authorized by the Commission, ".

**By-law 38 amended**

13. By-law 38 of the principal by-laws is amended by deleting "any employee of the Commissioner." and substituting the following —

" a person authorized by the Commission. ".

**By-law 42 amended**

14. By-law 42 of the principal by-laws is amended by deleting "any authorised employee of the Commissioner." and substituting the following —

" a person authorized by the Commission. ".

**By-laws 80 and 80A repealed and a by-law substituted**

15. By-laws 80 and 80A of the principal by-laws are repealed and the following by-law is substituted —

"

**By-law No. 80 — Government Railways Parking Station By-law****Interpretation**

1. (1) In this by-law, unless the context otherwise requires —

"**ACROD permit**" means a current parking permit issued by ACROD Limited (Western Australian Division) a corporation, being a company limited by guarantee incorporated under the *Companies Ordinance 1962* of the Australian Capital Territory;

"**authorized person**" means a person appointed by the Commission under sub-by-law 19;

"**commercial vehicle**" means a vehicle which comes within the description of a motor wagon as set out in the Second Schedule to the *Road Traffic Act 1974*;

"**driver**" means any person driving or in control of a vehicle;

"**owner**" in relation to a vehicle, means the person who is the holder of the requisite vehicle licence under the *Road Traffic Act 1974* in respect of the vehicle, or, if the vehicle is not licensed under that Act, the person who owns the vehicle or is entitled to the possession of the vehicle;

"**park**" means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of avoiding conflict with other traffic, of complying with provisions of any law or of immediately taking up or setting down persons or goods and "parking" has a correlative meaning;



**“parking space”** means a section or part of a parking station, which is marked or defined by painted lines or by metallic studs or by similar devices for the purpose of indicating where a vehicle may stand or be parked whether on payment of a fee or charge or otherwise;

**“parking station”** means any land, building or other structure provided on a railway for the purpose of accommodating vehicles with or without charge —

- (a) containing a parking space or parking spaces; and
- (b) designated by a sign erected at the entrance to the land, building or other structure as being —
  - (i) a Westrail Car Park; or
  - (ii) a Transperth Park and Ride;

**“secured parking station”** means a parking station which is fenced and to which entry can only be gained through a locked gate or boomgate;

**“stand”**, in relation to a vehicle, means to stop the vehicle and permit it to remain stationary, except for the purpose of avoiding conflict with other traffic or of complying with the provisions of any law and **“standing”** has a correlative meaning.

(2) A reference in these regulations to a Form followed by a designation is a reference to the Form so designated set out in Schedule 2.

### Application

2. (1) This by-law applies to the parking of vehicles in a parking station.

(2) Any sign that —

- (a) was erected by the Commission prior to the coming into operation of this by-law; and
- (b) relates to the parking or standing of vehicles within a parking station,

is deemed, for the purposes of this by-law, to have been erected by the Commission under the authority of this by-law.

### Constitution of parking stations

3. The Commission may constitute, determine and vary, and also indicate by signs, from time to time —

- (a) parking stations;
- (b) parking spaces;
- (c) permitted times and conditions of parking in parking spaces and parking stations depending on and varying with locality;
- (d) permitted classes of vehicles to park in parking spaces and parking stations; and
- (e) the manner of parking in parking spaces and parking stations.

**Parking in specified areas**

4. (1) A person shall not stand a vehicle in a parking space —
- (a) if that parking space is by any sign thereon or adjacent or referable thereto, set apart for the standing of vehicles of a different class;
  - (b) if by such a sign the standing of vehicles in that parking space is prohibited or restricted during any period or periods, during such a period or periods; or
  - (c) if by such a sign the standing of vehicles in that parking space is permitted for a specified time, for longer than that time.
- (2) A person shall not stand a vehicle —
- (a) in a no standing area;
  - (b) in a parking station, except in a manner indicated by the inscription on the sign or signs associated with the parking station and where the parking station includes parking spaces, except as in this by-law provided, with reference to the parking spaces;
  - (c) in a parking station contrary to any limitation in respect of time, days, periods of the day, classes of persons or classes of vehicles indicated by the inscription on the sign or signs associated with the parking station; or
  - (d) in a defined area marked "M/C", unless it is a motor bicycle without a side-car, or bicycle.
- (3) A person shall not stand a motor bicycle without a side-car or a bicycle in a parking space unless the traffic sign "M/C" is marked on that space.

**Parking within parking space**

5. Unless otherwise directed by an authorized person, a person shall not park a vehicle in a parking station otherwise than wholly within a parking space.

**Obstruction**

6. A person shall not stand a vehicle so as to obstruct an entrance to, an exit from, or a roadway within, a parking station or beyond the limits of any defined row within a parking station.

**No standing area**

7. A person shall not stand a vehicle except with the permission of the Commission or an authorized person on any part of a parking station, whether or not that part be marked as a parking space if a sign is exhibited prohibiting the standing of vehicles thereon.

**Direction not to park in area**

8. A person shall not permit a vehicle to stand on any part of a parking station, whether or not that part is marked as a parking space, if an authorized person directs the driver of the vehicle to move the vehicle.

**One vehicle only in parking space**

9. A person shall not stand or attempt to stand a vehicle in a parking space in which another vehicle is standing, but this sub-bylaw does not prevent the parking of a motor bicycle and a bicycle together in a space marked "M/C" if the bicycle or motor bicycle is parked in accordance with sub-bylaw 4 (3).

**Loading zone**

10. (1) A person shall not permit a vehicle to stand in a parking space which is at the time set aside for use by commercial vehicles unless —

- (a) the vehicle is a commercial vehicle; and
- (b) a person is actively engaged in loading or unloading goods to or from the vehicle,

and in any case, for more than a period of 30 minutes.

(2) In this sub-bylaw "goods" means an article, or collection of articles, weighing at least 14 kilograms of which the content is at least 0.2 cubic metre.

(3) A parking space is set aside for use by commercial vehicles if there is a sign thereon or adjacent thereto marked "Loading Zone".

**Identification of parking spaces and vehicles**

11. (1) A parking space set aside for the parking of vehicles of disabled persons shall be identified by —

- (a) the words "Disabled Parking Only" clearly written on the ground within the limits of the parking space; and
- (b) an elevated sign, so located as to identify the parking space to which it relates, on which there appears the symbol described in Australian Standard 1428 as the international symbol for access for the disabled.

(2) The vehicle of a disabled person shall be identified by displaying a current ACROD permit in a prominent position in such a manner as to be clearly visible from the front of the vehicle.

**Disabled parking**

12. A person shall not stand or park a vehicle, other than the vehicle of a disabled person in any parking space which has been set aside for the parking of vehicles of disabled persons.

**Offence**

13. A person other than a disabled person shall not identify or purport to identify a vehicle in accordance with sub-bylaw 11 (2).

**Parking after expiry of time for fee**

14. A person shall not permit a vehicle to remain parked in a secured parking station during a period for which a fee is prescribed after the expiration of the period for which the prescribed fee has been paid.

**Payment of fee**

15. A person shall not remove a vehicle which has been parked in a secured parking station until there has been paid the fee appropriate to the period for which the vehicle has been parked.

**Receipt**

16. A person paying a fee at a secured parking station shall be entitled to receive a receipt showing the period of parking covered by the payment.

**Production of receipt**

17. A driver of a vehicle in a secured parking station shall, on demand, produce to an authorized person a receipt showing that the appropriate parking fee has been paid in respect of that vehicle.

**Removal of vehicles**

18. (1) Where —

- (a) a vehicle is left in a part of the parking station in such a manner as to obstruct the proper use of the parking station; or
- (b) a vehicle is left in a secured parking station for a period in excess of 24 hours without payment of the charge prescribed in item 1 of Schedule 1,

an officer or servant of the Commission may remove the vehicle to a place appointed by the Commission.

(2) The Commission is to cause a record to be kept of each vehicle removed under this sub-by-law including —

- (a) a description of the vehicle;
- (b) details of the date and time of removal; and
- (c) details of the place from which the vehicle was removed.

(3) Where a vehicle has been removed under this sub-by-law —

- (a) the vehicle may be recovered on payment of the charges prescribed in item 2 of Schedule 1; and
- (b) the Commission may hold the vehicle until the charges prescribed in item 2 of Schedule 1 have been paid.

**Appointment of authorized persons**

19. (1) The Commission may appoint persons to control parking in a parking station.

(2) The Commission shall issue to every authorized person a certificate of his or her appointment in a form from time to time determined by the Commission.

(3) An authorized person shall produce his or her certificate of appointment whenever requested to do so when exercising a power or performing a duty under this by-law.

**Personation of authorized person**

20. A person who is not an authorized person shall not in any way assume the duties of or personate an authorized person.

**Obstruction of authorized person**

21. A person shall not in any way obstruct or hinder an authorized person in the execution of his or her duty.

**Powers of authorized person**

22. Authorized persons are authorized —

- (a) to carry into effect the provisions of this by-law;
- (b) to report to the Commission on the working, effectiveness and functioning of this by-law; and
- (c) to recommend to the Commission the institution of prosecutions.

**Owner to reveal identity of driver**

23. (1) The owner of a vehicle shall, if required by an authorized person, inform the authorized person of the name and address of the driver of the vehicle at the time when an offence is alleged to have been committed against this by-law by the driver of the vehicle (in this sub-by-law and in sub-by-law 28 referred to as "the relevant time").

(2) If the owner of the vehicle does not —

- (a) inform the authorized person of the name and address of the driver of the vehicle at the relevant time; or
- (b) satisfy the authorized person that at the relevant time the vehicle had been stolen or was being unlawfully used,

the owner is, in the absence of proof to the contrary, deemed to be the driver of the vehicle.

**Erection of signs**

24. A person shall not, without the authority of the Commission —

- (a) mark, set up or exhibit any sign purporting to be or resembling a sign marked, set up or exhibited by the Commission under the authority of this by-law; or
- (b) affix any board, sign, placard, notice or other thing to, or paint or write upon, any part of a parking station.

**Damage to parking station and removal of tickets**

25. (1) A person shall not remove, damage, deface or misuse any parking station or any part thereof.

(2) No person other than the driver of the vehicle shall remove any notice attached to a vehicle by an authorized person.

**Offences and penalties**

26. (1) Subject to this sub-by-law, a person who contravenes or fails to comply with a provision of this by-law commits an offence and is liable on conviction to a penalty not exceeding \$200.

(2) A person who does not contest an allegation that he or she committed an offence against —

- (a) this by-law other than sub-by-law 12, may pay to the Commission a modified penalty of \$50.00; and
- (b) sub-by-law 12, may pay to the Commission a modified penalty of \$100.00.

(3) Where the Commission is of the opinion that an alleged offence cannot be adequately punished by the payment of the modified penalty it may refuse to accept payment of the modified penalty and may take proceedings against the alleged offender in any court of competent jurisdiction.

(4) Where an alleged offender on being served with a notice under this by-law does not pay the modified penalty in relation to the offence referred to in the notice within the time prescribed by this by-law the Commission may take proceedings against the alleged offender in a court of competent jurisdiction.

#### **Infringement notices**

27. (1) An authorized person may leave in or on a vehicle, the driver of which is alleged to have committed an offence, a notice in the form of Form 1.

(2) The driver of the vehicle at the time of the commission of the alleged offence specified in the notice who does not wish to contest the allegation that he has committed the offence specified in the notice shall —

- (a) complete the notice by filling in the particulars required by notice to be given by the driver and sign the notice; and
- (b) forward the notice together with the amount of the modified penalty to the Commission within 28 days from the date of the notice.

(3) Production by a person of an acknowledgment by the Commission of due payment of the modified penalty is a defence to a charge of the offence in respect of which the modified penalty was paid.

#### **Owner deemed to be driver**

28. Where an offence against this by-law is alleged to have been committed by the driver of a vehicle and the modified penalty payable with respect to the offence has not been paid within the time specified in the notice served under sub-by-law 27 the Commission may cause a notice in the form of Form 2 addressed to the owner of the vehicle at the relevant time to be served on the owner or left in or on the vehicle by an authorized person and unless within 14 days of the date on which the notice was so served or left —

- (a) the owner informs the Commission or an authorized person, in writing, as to the identity and address of the offender or furnishes information to the Commission or an authorized person that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed; or
- (b) the modified penalty is paid to the Commission,

the owner is deemed to be the person who committed the offence and is liable to pay the penalty prescribed for the offence.

#### **Record of infringement notices to be kept**

29. The Commission shall cause adequate records to be kept of all infringement notices served and modified penalties received in respect of offences against this by-law.

#### **Recovery of penalty**

30. A penalty for an offence against this by-law (not being a modified penalty) may be recovered by the Commission by taking proceedings against the alleged offender in a court of competent jurisdiction.

#### **Service of notices**

31. Except as provided in this by-law, any notice relating to an offence against this by-law may be served by posting it by pre-paid post addressed to the alleged offender at his or her usual or last known address, or, if the alleged offender is in business, at his or her usual or last known business address.



- (b) by delivering this form and paying the amount of \$ . . . at any Railway Booking Office at such times as that office is open for regular business.

Signature of authorized person . . . . .  
 Designation . . . . .  
 Authority No. . . . .

\_\_\_\_\_  
 Name. . . . .  
 Address. . . . .  
 . . . . . Post Code. . . . .

[ If your name and address do not appear in this notice please complete the above details to enable a receipt to be forwarded.]

**Form 2**

[Sub-bylaw 28]

Government Railways Parking Station By-law 80

**NOTICE REQUIRING OWNER OF VEHICLE TO IDENTIFY DRIVER**

To . . . . . Serial No. . . . .  
 (not to be completed  
 . . . . .  
 where notice is attached  
 . . . . . Date. . . . .  
 to or left in or on vehicle)

the owner of vehicle make . . . . . Type. . . . .  
 Plate No. . . . .

You are hereby notified that it is alleged that on . . . . .  
 the . . . . . day of . . . . . at about . . . . .  
 the driver of the vehicle specified above did. . . . .

. . . . .  
 . . . . .  
 in contravention of the provisions of sub-bylaw . . . . . of Government  
 Railways Parking Station By-law No. 80.

The modified penalty prescribed for this offence is \$ . . .

Unless within 14 days after the date of the service of this notice: —

- (a) you —
  - (i) inform the Commission or. . . . .  
 (designation(s) of authorized person(s))  
 of the identity and address of the person who was the  
 driver of the above vehicle at the time of the above  
 offence; or
  - (ii) satisfy the Commission that the above vehicle had  
 been stolen or was being unlawfully used at the time  
 of the offence is alleged to have been committed; or

(b) the modified penalty is paid,

you will be deemed to have committed the above offence and court proceedings may be instituted against you.



Payment may be made either —

- (a) by posting this form together with a cheque, money order or postal note for the amount of \$ . . . , to the Western Australian Government Railways Commission, G.P.O. Box S1422, Perth 6845; or
- (b) by delivering this form and paying the amount of \$ . . . at any Railway Booking Office at such times as that office is open for regular business.

Signature of authorized person . . . . .  
 Designation . . . . .  
 Authority No. . . . .

TO: The Western Australian Government Railways Commission

The identity and address of the driver or person in charge of the above vehicle at the time of the above offence is as follows —

Name . . . . .

Address . . . . .

. . . . .

Signed  
(Owner of vehicle)

. . . . .

(Date)

”

**By-law 81 amended**

16. By-law 81 of the principal by-laws is amended by deleting the heading to the by-law and substituting the following heading —

“ Regulation of Traffic at Approaches to Railway Stations ”.

**By-law 93 amended**

17. By-law 93 (1) (b) of the principal by-laws is amended —

- (a) in subparagraph (i) —
  - (i) by deleting “railway employee,” and substituting the following —  
 “ person authorized by the Commission, ”; and
  - (ii) by deleting “railway employee’s” and substituting the following —  
 “ person’s ”; and
- (b) in subparagraph (iv) by deleting “railway employee;” and substituting the following —  
 “ person authorized by the Commission; ”.

The Common Seal of The Western Australian Government Railways Commission was hereunto affixed in the presence of—

ROSS DRABBLE, Commissioner.  
 H. G. D. CLARKE, Secretary.

Approved by His Excellency the Governor in Executive Council.

J. PRITCHARD, Clerk of the Executive Council.

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**WATER**

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WA301

WATER BOARDS ACT 1904

**WATER BOARDS (BUNBURY) REGULATIONS 1996**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Water Boards (Bunbury) Regulations 1996*.

**Definition**

2. In these regulations —

“**Bunbury Water Board**” means the Water Board for the Water Area that was constituted as the Bunbury Water Area by Order in Council published in the *Gazette* on 5 January 1906.

**Membership of Bunbury Water Board**

3. On and after 1 July 1996 —

- (a) the Bunbury Water Board, as constituted by the appointment of the members by the Governor under the *Water Boards (Bunbury Water Board Constitution) Order 1996*, shall consist of 6 members; and
- (b) each member shall hold office for such period, not exceeding 3 years, as is fixed by the member's instrument of appointment, being a period fixed so that 2 members go out of office by effluxion of time every year.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

WA302

WATER SERVICES COORDINATION ACT 1995

**WATER SERVICES COORDINATION (EXTENSION OF ENACTMENTS) (SWIMCO) REGULATIONS 1997**

Made by the Lieutenant-Governor and deputy of the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Water Services Coordination (Extension of Enactments) (SWIMCO) Regulations 1997*.

**Commencement**

2. The commencement of these regulations is governed by section 46 of the Act.

**Interpretation**

3. In these regulations —

“operating area” means the controlled area, or the part of a controlled area, to which the operating licence held by SWIMCO applies;

“SWIMCO” means the licensee known as South West Irrigation Management Cooperative Limited.

**Prescribed licensee, s. 45 (1)**

4. SWIMCO is prescribed for the purposes of Parts 1 and 5 of Schedule 2 to the Act.

**Modification of certain enactments**

5. In relation to SWIMCO, the enactments specified in the first column of Schedule 1 are modified in the manner described in the second column of that Schedule.

**Enactments which do not apply**

6. The enactments specified in Schedule 2 do not apply in relation to SWIMCO.

**Claims for injury, loss or damage**

7. (1) Any claim for compensation in respect of injury, loss or damage arising from the exercise or purported exercise by SWIMCO of a power under the *Water Agencies (Powers) Act 1984* may be determined by arbitration in accordance with its operating licence.

(2) In subregulation (1) —

“damage” includes damage referred to in section 62 (1) of the *Water Agencies (Powers) Act 1984*.

**Construction of certain references**

8. (1) In an enactment which applies in relation to SWIMCO, a reference to a Schedule 1 enactment is to be read as a reference to the Schedule 1 enactment as modified by operation of regulation 5.

(2) An enactment which applies in relation to SWIMCO and which contains a reference to a Schedule 2 enactment is to be read as if the reference to the Schedule 2 enactment were excluded.

(3) In this regulation —

“Schedule 1 enactment” means an enactment specified in the first column of Schedule 1;

“Schedule 2 enactment” means an enactment specified in Schedule 2.

**SCHEDULE 1 — MODIFICATION OF ENACTMENTS**

[Regulation 5]

Enactment	Modification
<i>Water Agencies (Powers) Act 1984</i>	
s. 3 (1) (definition of “officer”)	In paragraph (b), delete “engaged under section 15 of the <i>Water Corporation Act 1995</i> ”.

Enactment	Modification
s. 3 (1) (definition of "works")	<p>Delete "includes waterworks, sewerage works, drainage works and irrigation works", substitute the following —</p> <p>" means works, ".</p> <p>Delete "plant", substitute the following —</p> <p>" plant, ".</p> <p>Delete "water services or by the Commission for the assessment, control or management of water resources", substitute the following —</p> <p>" providing the water services specified in its operating licence ".</p>
s. 34 (3)	<p>In paragraph (b), delete "of the Commission or", substitute the following —</p> <p>" under the control or management of ".</p> <p>In paragraph (i) (ii), delete "property of", substitute the following —</p> <p>" property under the control or management of ".</p> <p>In paragraph (k), delete "the Corporation's".</p>
s. 62 (1)	Delete "the Act or".
s. 70	<p>In subsections (1) and (2), delete ", premises or thing" in each place it occurs.</p> <p>Insert after subsection (4), the following subsections —</p> <p>" (5) Where an owner or occupier of land wishes to make a claim for trespass against SWIMCO in respect of the exercise of a power of entry conferred by this Part, the owner or occupier may refer the claim for arbitration in accordance with the operating licence.</p> <p>(6) On a referral under subsection (5), the arbitrator is to determine whether the exercise of the power of entry was unlawful and the compensation (if any) payable to the owner or occupier. "</p>
s. 71	<p>In subsection (1), delete "this Act and any relevant Act", substitute the following —</p> <p>" its functions under its operating licence ".</p>

Enactment	Modification
	In subsection (1) (a) (ii) delete "of the Commission or", substitute the following — <p style="margin-left: 40px;">" under the control or management of "</p>
s. 72 (1), (2), (3), (6) & (7)	In subsections (1) (a) and (b) and (3), delete ", premises or thing" in each place it occurs. Delete ", premises or thing" in each place it occurs.
s. 73 (1) (b)	Delete from "the works" to the end of the paragraph, substitute the following — <p style="margin-left: 40px;">" works; "</p>
s. 83 (1)	Delete "this Act or a relevant Act", substitute the following — <p style="margin-left: 40px;">" its operating licence "</p> Delete paragraph (a), substitute the following paragraph — <p style="margin-left: 40px;">" (a) enter upon any land or street and acquire, provide or construct —</p> <p style="margin-left: 80px;">(i) irrigation works; or</p> <p style="margin-left: 80px;">(ii) non-potable water supply works,</p> <p style="margin-left: 40px;">and may do all such things as may be necessary or convenient for the construction, maintenance, repair, alteration, replacement, use, discontinuance or removal of such works and any ancillary works; "</p>
s. 83 (2)	Delete "this Act or a relevant Act", substitute the following — <p style="margin-left: 40px;">" its functions under its operating licence "</p> In paragraph (a), delete ", 93, 94, 112 and 112A", substitute the following — <p style="margin-left: 40px;">" and 93 "</p>
s. 86 (definition of "exempt works")	In paragraph (c), delete "vested in the Commission or", substitute the following — <p style="margin-left: 40px;">" under the control or management of "</p>
s. 102 (2)	Delete "during the office hours of the Corporation", substitute the following — <p style="margin-left: 40px;">" after reasonable notice has been given by the interested person "</p>

Enactment	Modification
<i>Rights in Water and Irrigation Act 1914</i>	
s. 33	Delete "any irrigation district", substitute the following — " its operating area ".
s. 36	Delete "and of the <i>Water Agencies (Powers) Act 1984</i> ".
s. 37	Delete "under the provisions of the <i>Commercial Arbitration Act 1985</i> .", substitute the following — " in accordance with the operating licence. "
s. 42 (1)	Delete "the Irrigation District", substitute the following — " an operating area " Delete "alone". In the proviso — (a) insert after "for such purposes," the following — " as are authorized by its operating licence "; (b) delete "or beyond the boundaries of an irrigation district", substitute the following — " its operating area "; (c) insert after "other persons," the following — " subject to its operating licence, "; (d) delete "the by-laws and payment of the prescribed charges", substitute the following — " its operating licence "
s. 42A (1)	Delete "the provisions of this Act", substitute the following — " its operating licence "
s. 71	Delete "vested in or under the control of the Commission or", substitute the following — " under the control or management of " Delete "and to be imprisoned for any period not exceeding 6 months".

## SCHEDULE 2 — ENACTMENTS WHICH DO NOT APPLY

[Regulation 6]

*Water Agencies (Powers) Act 1984*

s. 41	s. 63
s. 41B	s. 67 (10)
s. 41E	s. 67A
s. 41F	s. 67B
s. 41G	s. 68
s. 41GA	s. 69
s. 41H	s. 69A
s. 41J	s. 69B
s. 41K	s. 70 (3) (c)
s. 41M	s. 83 (1) (b)
s. 62 (2)	s. 84 (2)

*Rights in Water and Irrigation Act 1914*

s. 38	s. 41 (3)
s. 39E	s. 42 (2)
s. 39G	s. 63
s. 39I	s. 69

By Command of the Lieutenant-Governor and deputy of the Governor,

J. PRITCHARD, Clerk of the Executive Council.

**TENDERS****ZT201**MAIN ROADS  
WESTERN AUSTRALIA*Tenders*

Advertised from 30/4/97 to 6/5/97

Tenders are invited for the following projects.

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

Tender No.	Description	Closing Date
		1997
724/96	Laboratory testing of soil and crushed rock for a twelve month period .	May 21
743/96	Ground maintenance to Main Roads office and depot area at lot 626 Wodehouse Street, Derby and staff housing as required .....	May 16
750/96	Cleaning of Main Roads office, Derby .....	May 16
788/96	Supply and delivery of school zone traffic signs and sign supports .....	May 16
96D71	Disposal of plate compactor, concrete cutter, high pressure cleaner, tractor, rock drill, brush cutter, Welshpool .....	May 15

**ZT202***Acceptance of Tenders*

Contracts Awarded from 30/4/97 to 6/5/97

Contract No.	Description	Successful Tenderer	Amount \$
495/96	Road construction, Marandoo-Great Northern Highway Road, Western Jump-Up Section (15.20-43.92 SLK)	Henry Walker Contracting Pty Ltd	9 905 837.87
638/96	Provision of a limited cadastral survey, Eyre Highway, Norseman to Cocklebidy	John Bullock and Associates	114 000.00

MAIN ROADS—*continued*  
*Acceptance of Tenders—continued*  
 Contracts Awarded from 30/4/97 to 6/5/97

Contract No.	Description	Successful Tenderer	Amount \$
683/96	Refurbishment of a laboratory caravan, Materials Engineering Branch	Fabco Pty Ltd .....	44 130.00
986/96	Provision of cleaning of Main Roads Brand Street office and Wedgefield depot laboratory, Pilbara Region	Unicorn Carpet Care & General Cleaners	35 560.56

Director Corporate Services.

**ZT301**

DEPARTMENT OF CONTRACT AND MANAGEMENT SERVICES  
*Accepted Tenders*

Schedule No.	Particulars	Contractor	Rate
<i>Provision of Service</i>			
RFT 310/97	Application Database Administrator for the Western Australian Department of Training's College Management Information System (CMIS)	Execom Resources .....	\$65 per hour
344A1996	Cleaning Service for Central Metropolitan College of TAFE—Perth Campus, WA School of Art & Design, 6 & 14 Aberdeen St and 1 Museum St	Golden West Corporate Pty Ltd	\$404 735 p.a.
344B1996	Cleaning Service for Central Metropolitan College of TAFE—Leederville Campus, St Brigids Annexe & 9 Salvado Road	Prestige Property Services	\$251 703.22 p.a.
344C1996	Cleaning Service for Central Metropolitan College of TAFE—Mt Lawley Campus, Claremont School of Art & Fremantle Prison Annexe	Prestige Property Services	\$191 816.03 p.a.
RFT 183/97	Refurbishing & Manufacture of Leather Jackets for the WA Police Service	Sinikka for Leather .....	Details on request

May 7, 1997.

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## PUBLIC NOTICES

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**ZZ101****TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 9th June 1997, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Adams, Kenneth Francis, late of 1 Fife Gardens, Ocean Reef, died 8/4/97. (DEC 300923 DC4)

Bailey, Elsie May Louisa, late of Agmaroy Nursing Home, 115 Leach Highway, Wilson, died 14/3/97. (DEC 300807 DL4)



- Benjamin, Bertha, late of Maurice Zeffert Memorial Centre, Cresswell Road, Dianella, died 9/3/97. (DEC 300357 DA4)
- Botica, Edward, late of 9/117 Royal Street, Tuart Hill, died 6/4/97. (DEC 300629 DA3)
- Carter, Erica, late of Adelphi Nursing Home, Neville Street, Bayswater, died 1/3/97. (DEC 299957 DA4)
- Danyeje, Andre Marinus, late of 1/13 Bungaree Road, Wilson, died 27/2/97. (DEC 299589 DA4)
- Farrington, Arthur, late of 45 Roseberry Avenue, South Perth, died 29/1/97. (DEC 298887 DD3)
- Frost, Henry James, late of 191 Kew Street, Kewdale, died 18/4/97. (DEC 300869 DA2)
- Goodsell, Winifred Marion, late of Archbishop Goody Hostel, 29 Goderich Street, East Perth, died 8/4/97. (DEC 300804 DC4)
- Gould, Alfred Frederick, late of Vincentian House, 2 Bayley Street, West Midland, died 10/4/97. (DEC 300584 DC4)
- Green, Arthur Errol, late of 56 Penguin Road, Safety Bay, died 21/3/97. (DEC 300812 DS3)
- Greene, Lambert Maurice, late of Fremantle Nursing Home, 162 Holland Street, Fremantle, died 24/4/97. (DEC 300928 DA3)
- Jones, David William, late of 86 Queen Street, Bentley, died 9/4/97. (DEC 300730 DC4)
- Lawrence, James Rutherford Forbes, late of 24 Woodley Crescent, Melville, died 4/4/97. (DEC 300814 DC2)
- Louizos, Helen, late of St Michael's Nursing Home, 53 Wesley Street, North Perth, died 2/10/96. (DEC 296624 DS3)
- Nikitin, Anna, formerly of Room 16 Braemar Lodge, Preston Point Road, Bicton, late of Carinya Nursing Home, 41 Bristol Avenue, Bicton, died 8/4/97. (DEC 300783 DL4)
- Puharich, Mathew, late of Eltins Singlemens Quarters, Boddington, died 12/2/96. (DEC 300863 DD3)

K. E. BRADLEY, Public Trustee,  
Public Trust Office, 565 Hay Street, Perth WA 6000.  
Telephone: 222 6777.

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**ZZ201****TRUSTEES ACT 1962**  
**NOTICE TO CREDITORS**

In the Estate of Luca Kostic, late of 25 Campbell Way, Rockingham, Western Australia, Retired, deceased.

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 16th January 1997 are required by the Personal Representatives, Bosiljka Balazic of 56 Leeuwin Parade, Rockingham, Western Australia and Marija Stojic of 60 Stainer Avenue, Rockingham, Western Australia, to send particulars of their claims to them by the date being one month from the publication of this notice after which date the Personal Representatives may convey or distribute the assets, having regard only to the claims of which they then have notice.

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**ZZ202****TRUSTEES ACT 1962**  
**NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of Amy Peat, late of Bunbury Nursing Home, Hayes Street, Bunbury in the State of Western Australia who died on 5th November 1996 are required by the personal representative to send particulars of their claims addressed to the Executor of the Will of Amy Peat deceased care of Young & Young, 5 Spencer Street, Bunbury by the 5th day of June 1997 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**

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the Estate of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Ltd of 89 St George's Terrace, Perth, to send particulars of their claims to the Company, by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Baker, Eileen, late of Mosman Park Nursing Home, 59 Palmerston Street, Mosman Park WA 6012, Married Woman, died 22 April 1997.

Dawbarn, Richard Bunbury, late of Melvista Nursing Home, 20 Betty Street, Nedlands WA 6009, Retired Bank Manager, died 7 April 1997.

Fenton, Kenneth Alexander, late of 61 Cypress Road, Forrestfield WA 6058, Retired Proprietor, died 13 April 1997.

Fraser, Robert James, late of Lot 4 Crossman Road, Boddington WA 6390, Shire Foreman, died 2 March 1997.

Smith, Gertrude Lee-Downs, late of McDougall Park Nursing Home, Ley Street, Como WA 6152, Widow, died 14 April 1997.

Sweeting, Maurice Gilbert Fullaway, late of Bert England Lodge, 111 Woodbridge Drive, Cooloongup WA 6168, Retired Waterside Worker, died 20 April 1997.

Tinetti, Tanya Joy, late of 2 Ripley Place, Embleton WA 6062, Counsellor, died 11 April 1997.

Dated this 7th day of May 1997.

P. J. HOLLAND, Senior Manager, Private Client Division.

**ZZ204****TRUSTEES ACT 1962****NOTICE TO CREDITORS AND CLAIMANTS**

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estates of the undermentioned deceased persons, are required to send particulars of their claims to Trustees of Western Australia Limited of Level 22, 108 St George's Terrace, Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice.

Bloomfield, Elsie Lilian, late of Shoalwater Nursing Home, Fourth Avenue, Shoalwater, Widow, died 13th February 1997.

Russell, Frederick Alfred, late of Unit 28, 73 Mill Point Road, South Perth, Retired Civil Servant, died 27th February 1997.

White, Joseph Leonard, late of Unit 15, 5 Elliott Road, Claremont, Retired Company Director, died 28th March 1997.

Dated this 6th day of May 1997.

ADRIAN J. HALL, Manager—Trusts.

WESTERN AUSTRALIA

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