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LG302\*

**LOCAL GOVERNMENT ACT 1995***Shire of Nannup*

## STANDING ORDERS AMENDMENT LOCAL LAW 2010

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of Nannup resolved on the 24 June 2010 to make the following local law.

**1. Citation**

This local law may be cited as the *Shire of Nannup Standing Orders Amendment Local Law 2010*.

**2. Principal local law**

In this local law, the *Shire of Nannup Standing Orders Local Law 2010* published in the *Government Gazette* on 4 May 2010 is referred to as the principal local law. The principal local law is amended.

**3. Subclause 7.12(3)**

Repeal subclause 7.12(3).

**4. Clause 8.4**

Delete the words "that meeting" after the words "part in" and insert the words "the debate of the item" in clause 8.4.

**5. Clause 15.7**

Delete the words "A person who breaches a provision of this local law commits an offence. Penalty: \$5,000, and a daily penalty of \$500", and insert the words "Any person guilty of any breach of the Standing Orders or any of the provisions thereof, shall be liable to a penalty not exceeding \$1,000."

Dated: 28 October 2010.

The Common Seal of the Shire of Nannup was affixed by authority of a resolution of the Council in the presence of—

B. DUNNET, Shire President.  
S. COLLIE, Chief Executive Officer.

LG303\*

**DIVIDING FENCES ACT 1961****LOCAL GOVERNMENT ACT 1995***City of Rockingham*

## FENCING AMENDMENT LOCAL LAW 2010

Under the powers conferred by the *Dividing Fences Act 1961*, the *Local Government Act 1995* and under all other powers, the Council of the City of Rockingham resolved on 28 September 2010 to make the following local law.

**1. Citation**

This local law may be cited as the *City of Rockingham Fencing Amendment Local Law 2010*.

**2. Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**3. Principal local law**

In this local law, the *City of Rockingham Fencing Local Law 2000* published in the *Government Gazette* on 21 March 2001 and the *Fencing Amendment Local Law 2002* published in the *Government Gazette* on 1 November 2002 are referred to as the principal local laws. The principal local laws are amended.

**4. Clause 4 amended**

4.1. In the definition "notice of breach" delete "15(1)" replace with "16(1)";

4.2. Insert "secondary setback area" means the land between a building situated on a lot and a secondary thoroughfare (as defined in the Residential Design Codes);

4.3. In the definition "town planning scheme" delete *Town Planning and Development Act 1928* and replace with *Planning and Development Act 2005*.

**5. Clause 6 amended**

5.1 Delete subclause (1) and insert—

- (3) A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless all owners of land which adjoins the relevant boundary agree to erect a fence which though different does not fail to comply with the requirements of a sufficient fence.

5.2 In subclause (2), delete “and (4)”

**6. Clause 7 amended**

6.1 Delete heading and insert—

Fences Within Front and Secondary Setback Areas

6.2 After subclause (3), insert—

- (4) The provision of subclause (2) shall apply to a secondary setback area where a driveway in the secondary setback area is used as the primary driveway access”.

**7. Clause 10 amended**

In subclause (1) insert “and clause 7” after “clause 6”.

**8. Clause 12 amended**

In subclause (3), delete “1950mm” and insert “2000mm”.

**9. Clause 16 amended**

9.1 In subclauses (1) and (2) delete “or occupier”.

9.2 Delete clause 16(3) and insert—

- (3) Should the owners fail to comply with a notice of breach, the City of Rockingham may by its employees, agents or contractors enter upon the lot to which the notice relates and remedy the breach, only if the fence abuts a public thoroughfare, public place or property of the City of Rockingham, and may recover the shared expenses of doing so from the owner of the lot in a court of competent jurisdiction.

**10. Clause 18 amended**

In subclause (2), delete “\$100” and insert “\$125”.

Dated: 28 September 2010.

The Common Seal of the City of Rockingham was affixed by authority of a resolution of the Council in the presence of—

BARRY SAMMELS, Mayor.  
ANDREW HAMMOND, Chief Executive Officer.

**LG304\***

**CEMETERIES ACT 1986**  
**LOCAL GOVERNMENT ACT 1995**  
*City of Rockingham*

**CEMETERIES AMENDMENT LOCAL LAW 2010**

Under the powers conferred by the *Cemeteries Act 1986* and the *Local Government Act 1995* and under all other powers, the Council of the City of Rockingham resolved on 28 September 2010 to make the following local law.

**1. Citation**

This local law may be cited as the *City of Rockingham Cemeteries Amendment Local Law 2010*.

**2. Commencement**

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

**3. Principal local law**

In this local law, the *City of Rockingham Cemeteries Local Law 2000* published in the *Government Gazette* on 21 March 2001 is referred to as the principal local law. The principal local law is amended.

**4. Clause 1.3 amended**

- 4.1. In the definition “ashes” delete “a standard sized cremation urn” and insert “one or more a standard sized cremation urns”.
- 4.2. Insert “guide dog” has the same meaning as defined in the *Dog Act (WA) 1976*.
- 4.3. Insert “temporary marker” means for a period not longer than two years.

**5. Clause 3.4 amended**

Delete "twenty four hours" and insert "one business day".

**6. Clause 4.3 amended**

6.1 Insert the number (1) before the word "Every";

6.2 Insert new paragraph at end of clause "A director wishing to conduct a funeral under a single funeral permit must hold a current certificate of Public Liability Insurance to the value of \$5,000,000."

**7. Clause 5.9 amended**

Delete subclauses (b) and (e) and replace with—

- (b) use its absolute discretion in setting the fee for the conduct of any funeral;
- (e) conduct a funeral despite the failure of a person to make any application or to obtain any consent required under this local law. However, the actual burial cannot take place until all required paperwork has been received by the Board. It is the responsibility of the funeral director or arranger to inform the family where this situation occurs;

**8. Clause 7.19 amended**

Delete subclause (3)

**9. Clause 8.1 amended**

Delete clause 8.1 and insert—

- 8.1 Subject to clause 8.2, a person may bring animals into or permit an animal to enter the cemetery if on an appropriate leash at all times.

Dated: 28 September 2010.

The Common Seal of the City of Rockingham was affixed by authority of a resolution of the Council in the presence of—

BARRY SAMMELS, Mayor.  
ANDREW HAMMOND, Chief Executive Officer.

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## LOTTERIES

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LO301\*

Lotteries Commission Act 1990

### Lotteries Commission (Monday and Wednesday Lotto) Amendment Rules (No. 2) 2010

Made by the Lotteries Commission under section 28(1) of the Act.

**1. Citation**

These rules are the *Lotteries Commission (Monday and Wednesday Lotto) Amendment Rules (No. 2) 2010*.

**2. Commencement**

These rules come into operation as follows —

- (a) rules 1 and 2 — on the day on which these rules are published in the *Gazette*;
- (b) the rest of the rules — on the day after that day.