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G. L. DUFFIELD, Director.

# PROCLAMATIONS

AA101

## MAIN ROADS ACT 1930 DECLARATION OF CONTROL OF ACCESS PROCLAMATION

WESTERN AUSTRALIA } By His Excellency the Honourable Sir Francis  
FRANCIS BURT, } Theodore Page Burt, Companion of the Order of  
Governor } Australia, Knight Commander of the Most Distinguished Order of Saint Michael and Saint  
[L.S.] } George, Queen's Counsel, Governor of the State  
of Western Australia.

MRD 90-1506-4

Whereas by section 28A of the Main Roads Act 1930, as amended, it is provided that the Governor may on the recommendation of the Commissioner, by proclamation declare that any section or part of a road is subject to Control of Access, and the places only at which it may be entered or departed from; and whereas the Commissioner has recommended that the road sections delineated on the plans specified in Schedule 1 hereto shall be subject to Control of Access. Therefore, I the Governor, acting with the advice and consent of the Executive Council, in exercise of the powers conferred by Section 28A of the Main Roads Act 1930, as amended, and pursuant to the said recommendations do hereby declare the road sections delineated on the plans and as generally described in Schedule 1 hereto shall be subject to Control of Access, and the places only at which it may be entered or departed from shall be as shown on those plans.

### Schedule 1 Control of Access

Highway	Route No.	Local Government	Location of Route	As Delineated on Plan No.
Great Eastern Highway	H6	Shire of Northam	Northam-Meenaar Bypass	8125-259 8125-260 8125-261

Given under my hand and the Public Seal of the said State at Perth this 28th day of August 1990.  
By His Excellency's Command.

PAM BEGGS, Minister for Transport.

GOD SAVE THE QUEEN !

AA102

## TRANSFER OF LAND ACT 1893 TRANSFER OF LAND (REVESTMENT) PROCLAMATION

WESTERN AUSTRALIA } By His Excellency the Honourable Sir Francis  
FRANCIS BURT, } Theodore Page Burt, Companion of the Order of  
Governor } Australia, Knight Commander of the Most Distinguished Order of Saint Michael and Saint  
[L.S.] } George, Queen's Counsel, Governor of the State  
of Western Australia.

File No. 1420/990.

Under section 243 of the Transfer of Land Act 1893, I, the Governor acting with the advice and consent of the Executive Council, do hereby revest in Her Majesty as of her former estate, the land described in the Schedule to this Proclamation.

### Schedule

File No.	Description of Land	Certificate of Title Volume	Folio
1420/990	Portion of Sussex Location 6 and being part of the land on Plan 5399 (sheet 1)	1868	298

Given under my hand and the Seal of the State on 11th September 1990.

By His Excellency's Command,

KAY HALLAHAN, Minister for Lands.

GOD SAVE THE QUEEN !

AA103

**RESERVES AND LAND REVESTMENT ACT 1990**  
**DATE OF COMMENCEMENT OF CERTAIN PROVISIONS**  
**PROCLAMATION**

WESTERN AUSTRALIA }  
 FRANCIS BURT, }  
 Governor. }  
 [L.S.] }

By His Excellency the Honourable Sir Francis  
 Theodore Page Burt, Companion of the Order of  
 Australia, Knight Commander of the Most Disting-  
 uished Order of Saint Michael and Saint  
 George, Queen's Counsel, Governor of the State  
 of Western Australia.

Under section 2 (1) of the Reserves and Land Revestment Act 1990, I, the Governor, acting with the advice and consent of the Executive Council, fix the day of the publication of this proclamation in the *Government Gazette* as the day on which the Reserves and Land Revestment Act 1990, other than sections 15 (1), 16 (2) and 30, comes into operation.

Given under my hand and the Seal of the State on 11th September 1990.

By His Excellency's Command,

KAY HALLAHAN, Minister for Lands.

GOD SAVE THE QUEEN !

## AGRICULTURE

AG401

**AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976**

The Agriculture Protection Board, acting pursuant to sections 15 and 16 of the Agriculture and Related Resources Protection Act 1976 hereby—

- (i) appoints persons whose names are listed below to be members of the authorities for the Zones designated to hold office until 1 August in the years specified—

Bruce Wreford	1B	1993
Eric Farrow	5	1992
Ronald Williss	5	1993
Alan Hunt	5	1991
Antony Richard Maslen	7	1992
Michael Pearce	7	1992
Henry John Stokes	7	1993
Peter John Roberts	7	1993
Max Stone	8	1991
Robert Hayes-Thompson	8	1993

- (ii) appoints the following persons to be deputies of the members for the zones shown—

Ross Robartson to be Deputy for Max Stone Zone 8.  
 Jim Thorn to be Deputy for Robert Hayes-Thompson Zone 8.

Dated 10 September 1990.

M. D. CARROLL, Chairman, Agriculture Protection Board.

AG402

**AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976**

Acting pursuant to the powers granted by section 35 and 36 of the Agriculture and Related Resource Protection Act 1976, the Agriculture Protection Board hereby declares Apple of Sodom (*Solanum linnaeanum*) to be a declared plant assigned to categories P1 and P4 in the Albany region as defined under section 13 of that Act.

Dated 10 September 1990.

M. D. CARROLL, Chairman,  
 Agriculture Protection Board.

**CONSUMER AFFAIRS****CN301****CREDIT ACT 1984**

Order Under Section 19

Made by His Excellency the Governor in Executive Council.

**Citation**

1. This Order may be cited as Credit Order No. 65—The Rural Industries Bank of Western Australia (Visa Cards).

**Commencement and Duration**

2. This Order shall take effect on and from the date of publication in the *Government Gazette*.

**Exemption**

3. Sections 52, 54 (2), 55 (1) (b) and 59 (1) (f) of the *Credit Act 1984* and clause 1 (n) of Schedule 7 of that Act do not have effect in relation to The Rural Industries Bank of Western Australia to the extent that it enters into continuing credit contracts under any Visa Card name.

By His Excellency's Command,

G. PEARCE, Clerk of Council.

**CN302****CREDIT ACT 1984**

Order Under Section 19

Made by His Excellency the Governor in Executive Council.

**Citation**

1. This Order may be cited as Credit Order No. 66—Australia and New Zealand Banking Group Limited.

**Commencement and Duration**

2. This Order shall take effect on and from the date of publication in the *Government Gazette*.

**Exemption**

3. Sections 52, 54 (2), 55 (1), 59 (1) (b) and 59 (1) (f) of the *Credit Act 1984* and clause 1 (n) of Schedule 7 of that Act do not have effect in relation to Australia and New Zealand Banking Group Limited to the extent that it enters into continuing credit contracts under the name of:

(a) Bankcard or

(b) Visa Card (except Visa Gold).

By His Excellency's Command,

G. PEARCE, Clerk of the Council.

**CORPORATE AFFAIRS****CO301****BUSINESS NAMES ACT 1962****BUSINESS NAMES AMENDMENT REGULATIONS 1990**

Made by His Excellency the Governor in Executive Council.

**Citation**

1. These regulations may be cited as the *Business Names Amendment Regulations 1990*.

**Principal regulations**

2. In these regulations the *Business Names Regulations 1962\** are referred to as the principal regulations.

[\*Published in the *Gazette* of 27 September 1962 at pp. 2663-72. For amendments to 9 August 1990 see pp. 195-196 of 1989 *Index to Legislation of Western Australia*.]

**Regulation 8 repealed and  
a regulation substituted**

3. Regulation 8 of the principal regulations is repealed and the following regulation is substituted—

**General requirements for documents  
lodged with Commissioner**

“ 8. A document to be lodged for registration with the Commissioner under the Act or these regulations shall comply with the following requirements—

- (a) the document shall be on paper of medium weight and good quality and of international A4 size;
- (b) the document shall be printed, typewritten or handwritten and shall be clearly legible;
- (c) the document shall not be a carbon copy;
- (d) when the document comprises 2 or more sheets, the sheets shall be bound together securely; and
- (e) the document shall be folded lengthwise and, as so folded, shall have endorsed on the outside—

- (i) on the upper right-hand corner the registered number (if any) allotted by the Commissioner to the business name to which the document relates;
- (ii) the name, address and telephone number of the solicitor or other person by, or on whose behalf the document is lodged; and

(iii) words to the following effect—

“ Lodged in the office of the Commissioner for Corporate  
Affairs on .

Commissioner for Corporate Affairs. ”.

**Regulation 9 amended**

4. Regulation 9 of the principal regulations is amended by deleting “Registrar” and substituting the following—

“ Commissioner ”.

**Regulation 10 repealed and  
a regulation substituted**

5. Regulation 10 of the principal regulations is repealed and the following regulation is substituted—

**Fees**

“ 10. The fees set out in the Third Schedule shall be paid to the Commissioner for the several matters referred to in the Schedule. ”.

**Second Schedule amended**

6. The Second Schedule to the principal regulations is amended in Form 2 by deleting “Registrar of Companies” and substituting the following—

“ Commissioner for Corporate Affairs ”.

**Third Schedule repealed and  
a Schedule substituted**

7. The Third Schedule to the principal regulations is repealed and the following Schedule is substituted—

THIRD SCHEDULE		(Regulation 10)
	Fees	\$
1. Upon lodging a statement pursuant to section 7 (1) of the Act .....		70.00
2. For certificate of registration under section 7 (5) of the Act .....		6.00
3. Upon lodging a statement pursuant to section 11 (1) of the Act .....		60.00
4. On the late lodging of any document under the Act, in addition to any other fee—		
(a) if lodged within one month after the period prescribed by law .....		10.00

		\$
	(b) if lodged more than one month after the period prescribed by law in addition to the fee payable under paragraph (a) .....	20.00
	The Commissioner, if satisfied that just cause existed for the late lodgement, may waive in whole or in part either fee prescribed by this item.	
5.	For every inquiry with respect to any business name specified in the inquiry .....	8.00
6.	For certificate under S.23 (1) (b) of the Act .....	6.00
7.	For every inquiry whether a name proposed to be adopted as a business name does not contravene section 9 (1) of the Act—for each name .....	8.00
8.	For any other act by the Commissioner required or authorized to be done under the Act and for which a fee is not elsewhere prescribed .....	8.00
9.	For every application for consent of the Minister to the use of a business name .....	20.00
10.	For every order of the Minister granting consent to the use of a business name .....	26.00
11.	On a subpoena served on the Commissioner to produce any document in his custody .....	15.00
	And, in addition, if the Commissioner so requires, such other expenses as are reasonably incurred in the production of the document, including the sum of 20 cents for each page or copy of a page of each document so produced.	

Inspection Fees and Supply of Uncertified  
Copies of Statements

12.	(a) For every inspection of a document or documents lodged with the Commissioner in relation to a business name or of any transparency or reproduction of such document or documents .....	8.00
	(b) For the supply of an uncertified copy or print of any document where the fee prescribed by paragraph (a) has been paid— for each page of print .....	1.00
	(c) For the supply of an uncertified copy or print of a document without inspection having been made— for the first 2 pages of the print .....	8.00
	for each additional page .....	1.00

Certified Copies and Extracts

13.	For certifying by the Commissioner under section 23 (1) (a) of the Act a copy of or extract from a document or transparency forming part of the register—	
	(a) where a printed or typewritten copy of or extract from that document or transparency is supplied by the applicant—	
	for one page .....	8.00
	for each additional page .....	1.00
	(b) in any other case—	
	for one page .....	9.00
	for each additional page .....	1.00

By His Excellency's Command,

G. PEARCE, Clerk of the Council.

**CROWN LAW**

CW301

**DISTRICT COURT OF WESTERN AUSTRALIA ACT 1969-1987**

Pursuant to the powers conferred by the District Court of Western Australia Act 1969-1987, and all other powers hereunto enabling, the Judges of the District Court of Western Australia hereby make the following rules.

**AMENDMENTS OF RULES OF THE DISTRICT COURT****Principal Rules**

1. The rules made pursuant to the powers conferred by the District Court of Western Australia Act 1969, reprinted in the *Government Gazette* on 2 July 1982 pursuant to the Reprinting of Regulations Act 1954 and amended by adding the rules published in the *Government Gazette* on 17 December 1982 those published in the *Government Gazette* on 11 July 1986 and those published in the *Government Gazette* on 17 November 1989, are referred to hereinafter as the principal rules.

**Commencement**

2. These amendments shall come into operation on the day on which they are published in the *Government Gazette*.

**0.2 amended**

3. Rule 3 of Order 2 of the principal rules is amended in paragraph (b) by deleting "rules 9 or 10" and substituting "rule 9".

4. The principal rules are amended by adding after rule 5 of Order 2 the following rule—

" 5A.(1) Where in relation to—

(a) proceedings in respect of which the Registrar presides over a pre-trial conference; or

(b) a matter arising from proceedings which is within the jurisdiction of the Registrar under the Act or the rules applicable to the Court, the parties to the proceedings or their solicitors file or tender a written consent to the making of an order in the proceedings or the matter the Registrar may, without referring the matter to or bringing it before a Judge and without any other application, settle, sign and seal an order in accordance with the terms of the consent.

(2) It must be stated in the order referred to in sub-rule (1) that it is made by consent.

(3) An order made in accordance with the requirements of sub-rules (1) and (2) has the same force and validity as if it had been made after a hearing by the Court. "

5. Rule 9 or Order 2 of the principal rules is amended by deleting sub-rule (1) and substituting the following sub-rule—

" (1) A person affected by an order or decision by the Registrar may, except where an appeal lies direct to the Full Court of the Supreme Court, appeal therefrom to a Judge in chambers. "

6. Order 2 of the principal rules is amended by deleting rule 10.

Dated 29 August 1990.

D. C. HEENAN, Chief Judge.

Paul J. HEALY, Judge.

I. R. GUNNING, Judge.

H. H. JACKSON, Judge.

Brian T. O'DEA, Judge.

R. KEALL, Judge.

F. J. WHELAN, Judge.

R. J. VIOL, Judge.

K. J. HAMMOND, Judge.

J. G. BARLOW, Judge.

G. SADLEIR, Judge.

P. J. WILLIAMS, Judge.

A. KENNEDY, Judge.

D. D. CHARTERS, Judge.



CW401

## JUSTICES ACT 1902

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following appointments to the Commission of the Peace for the State of Western Australia.

Kenneth James Adams  
of Southern Cross Caravan Park, Coolgardie Road, Southern Cross

Nigel Jonathan Bolt  
of Lot 11091 Brockman Highway, Nannup

Michael John Heffernan  
of 3 Wilson Street, Nannup  
and 59 Warren Road, Nannup

Mark Chadwick Mitchell  
of Lot 701 Calytrix Street, Kununurra  
and 563 Banksia Street, Kununurra

Meryl Roslyn Nolan  
of 11 Barlee Street, Gingin

Frederick Basil Pike  
of 22 Cobham Avenue, Nollamara  
and University of Western Australia, Mounts Bay Road, Crawley

Peter Ronald Saint  
of Lot 1950 Melaleuca Drive, Kununurra  
and Corner Messmate Way and Konkerberry Drive, Kununurra

D. G. DOIG, Under Secretary for Law.

CW402

FAMILY COURT OF WESTERN AUSTRALIA  
CIRCUIT SITTINGS FOR 1991

Pursuant to Regulation 6 (1) of the Family Court of Western Australia Regulation 1976, I hereby appoint the following sittings for the Family Court of Western Australia at circuit towns for the year 1991.

	Circuit Town	Commencement
Albany	(10.00 am Monday)	11th February 13th May 12th August 11th November
Bunbury	(10.00 am Monday)	18th February 29th April 8th July 23rd September 2nd December
Geraldton	(10.00 am Monday)	11th March 22nd July 4th November
Kalgoorlie	(10.00 am Monday)	18th March 15th July 18th November
Karratha	(10.00 am Monday)	27th May 25th November
Port Hedland	(10.00 am Monday)	25th February 26th August

Dated the 16th day of August 1990.

I. W. P. McCALL, Chief Judge,  
Family Court of Western Australia.

**EDUCATION**

ED401

**MURDOCH UNIVERSITY ACT 1973**Office of the Minister for Education,  
Perth, 1990.

It is hereby notified that His Excellency the Governor in Executive Council acting under the provisions of section 33 (1) of the Murdoch University Act 1973, has approved the Amending Statute (No. 3 of 1990).

G. I. GALLOP, Minister for Education.

**UNIVERSITY OF WESTERN AUSTRALIA ACT 1911**Office of the Minister for Education,  
Perth.

His Excellency the Governor in Executive Council, acting pursuant to the provisions of section 33 of the University of Western Australia Act 1911, has been pleased to approve the Statute made by the Senate of The University of Western Australia which is set out in the schedule hereunder.

G. I. GALLOP, Minister for Education.

**Schedule****Amending Statute No. 3 of 1990****1. Amendments to Statute No. 8—The Faculties**

Sub-Clause 16.(1) is amended by deleting the full-stop at the end of paragraph (j) and replacing it with a semi-colon; and by the addition of a new paragraph (k) to read as follows:

“(k) the Head of the Division of Dentistry and Medicine.”

**2. Amendments to Statute No. 11—Academic Dress**

Paragraph (i) of Sub-Clause 4.(b) is amended by the insertion of the following:

“Management-Buttercup (B.C.C.53)”.

The Common Seal of The University of Western Australia was hereto affixed by authority of the Senate.

Attested by—

FAYE GALE, Vice-Chancellor.

ED402

**MURDOCH UNIVERSITY ACT 1973**Office of the Minister for Education,  
Perth.

It is hereby notified that His Excellency the Governor in Executive Council acting under the provisions of section 25 (1) (b) of the Murdoch University Act 1973, has approved Statute No. 23 (Discipline) and repealed Statute No. 14 (Obligations).

G. I. GALLOP, Minister for Education.

**MURDOCH UNIVERSITY**Statute No. 14: Obligations is to be repealed  
and

Statute No. 23: Discipline is to be introduced.

The Official Seal of Murdoch University was hereto affixed in accordance with Senate Resolution 90/85.

Dated 29 June 1990.

P. J. BOYCE, Vice-Chancellor.  
M. F. MABER, Secretary.

## Statute No. 23—Discipline

The purpose of this Statute is to prescribe the grounds on which a charge of misconduct may be brought against a student, the penalties which may be applied for proven misconduct by a student and the procedures for dealing with such a charge.

## 1. Definitions

In this Statute unless the context otherwise requires, the following definitions apply—

## 1.1 General

1.1.1 “member of the University” means a member of the Senate, a member of Convocation, a member of the University staff or a student enrolled at the University;

1.1.2 “student” means a person enrolled as a student at the University other than a person who is a full-time member of the University staff;

1.1.3 “University officer” means the Chancellor, the Pro-Chancellor, the Vice-Chancellor, a Pro Vice-Chancellor, a Deputy Vice-Chancellor, the Registrar, Deputy Registrar, the University Librarian, a Dean of a School, a head of a University residence or other staff whom the Senate designates for the purposes of this Statute as a University officer whether by appointment held or by name.

1.1.4 “University” when used to describe a locality includes all of the land or buildings over which the Senate exercises control either because the University is the proprietor of the land or building or because University activities are carried out in the land or in the buildings;

1.1.5 reference to any person by the appointment, position or office held, includes reference to any person for the time being acting in the appointment, position or office;

1.1.6 terms in the singular include the plural and terms in the plural include the singular.

## 1.2 Misconduct

1.2.1 Every student has the following obligations to the University and to all other members of the University—

- (a) to act fairly and honestly;
- (b) to respect the freedoms of other members of the University to pursue their academic studies, to participate in the life of the University and to engage in other lawful activities;
- (c) to cooperate with other members of the University and not to harass or to discriminate unfairly against any person in or upon the premises of the University;
- (d) to act in an orderly and proper manner;
- (e) to comply with the provisions of all statutes, regulations and by-laws of the University and all other acts or regulations and by-laws for the time being in force so far as failure to do so will or may affect the University.

and any failure to act in accordance with these obligations constitutes “misconduct” for the purposes of this Statute.

1.2.2 Without limiting the generality of the definition in paragraph 1.2.1 of this section, “misconduct” includes—

- (a) wilfully obstructing or disrupting any University teaching, study, research, examination or test;
- (b) wilfully obstructing or disrupting any official meeting, proceeding or ceremony within the University or any University activity;
- (c) wilfully interfering unduly with the freedom of speech within the University of any member of the University or of any speaker invited by any member of the University to express their views;
- (d) wilfully interfering with the freedom of movement within the University of any member of the University or any guest or visitor;
- (e) entering or remaining on any University building or lands or part of any University building or lands which the student is forbidden to enter or remain on by a University officer or by any Statute, regulation, by-law or Senate resolution or by any rule, direction or order made or given under such Statute, regulation, by-law or resolution;
- (f) acting unfairly or dishonestly in connection with any University or School examination or test or the preparation or presentation of any thesis, dissertation, essay, exercise or other work;
- (g) wilfully obstructing or attempting to obstruct or deter any staff members or employees of the University in the performance of their duties;
- (h) wilfully damaging, or wrongly dealing with any University property, or the property within the University of any person;
- (i) assaulting or attempting to assault any person within the University;
- (j) disobeying or failing to comply with any provision of any University Statute, regulation or by-law, or any Senate resolution or with any rule, direction or order made or given under such Statute, regulation, by-law or resolution;
- (k) failing to comply with any penalty imposed under any University Statute, regulation or by-law, or any Senate resolution.

## 2. Powers and Penalties

2.1 Subject to the rights of appeal provided in this Statute any decision under this Statute that a student has been guilty of misconduct or any imposition of a penalty on a student is final and conclusive.

### 2.2 Penalties

2.2.1 The penalties that may be imposed for misconduct are:

- (a) Fines, to a maximum of the equivalent of the maximum fortnightly living allowance payable to a student under the provisions of AUSTUDY or such other Commonwealth undergraduate student support scheme as may in future replace it howsoever named or described and all other subsequent equivalent schemes.
- (b) Suspension of all or any of a student's rights and privileges, including:
  - (i) suspension from attendance at or exclusion from lectures, seminars, tutorials and other classes;
  - (ii) suspension from the use of or exclusion from laboratories, libraries and any other University facilities or parts thereof;
  - (iii) suspension from attendance at or exclusion from any examination or test or any part of any examination or test;
  - (iv) withholding of the student's results of any examination, test or any other form of assessment or any part of any examination, test or any other form of assessment.
- (c) Cancellation or deprivation of credit for any examination, test or other form of assessment or in part thereof, but only if the misconduct involved acting unfairly or dishonestly in connection with some part of the examination, test or other form of assessment.
- (d) Expulsion from the University.

2.2.2 Any person or body authorised to impose any penalty under any University Statute, regulation or Senate resolution, may caution or reprimand the student instead of or in addition to any other penalty that may be imposed.

2.2.3 Except in respect of the penalty of expulsion from the University, a penalty may be partly of one kind and partly of another.

2.2.4 A penalty other than that of expulsion from the University may be suspended by the person or body imposing it until the time for appealing against it has expired or generally on such terms and conditions, including undertakings by the student, as the person or body granting the suspension thinks fit.

2.2.5 If a penalty consists of or includes suspension of all or any of a student's rights and privileges the commencement of the period of suspension may be deferred by the person or body imposing the penalty until the time for appealing against it has expired or generally on such terms and conditions, including undertakings by the student, as the person or body granting the suspension thinks fit.

2.2.6(a) If the penalty is expulsion from the University, it shall not take effect until after it is confirmed by the Senate, but all of the student's rights and privileges shall be suspended until the Senate has determined whether or not to confirm the expulsion.

- (b) In determining whether or not to confirm the expulsion of a student from the University the Senate shall receive and take account of a statement from the Vice-Chancellor of the reasons for action taken under the provisions of sub-section 2.3.1 (1) of this Statute or the reasons of a Board of Discipline as required by section 5.7 of this Statute together with any submission made to the Senate by the student in the form of a statutory declaration or in such other written form as may be acceptable to the Senate.

2.2.7 A student expelled from the University shall not be re-enrolled except with the authority of the Senate.

### 2.3 Summary Powers

2.3.1 (1) The Vice-Chancellor may for any instance of misconduct by a student pursuant to this Statute

- (a) fine the student an amount as provided for in sub-section 2.2.1 (a) of this Statute;
  - (b) suspend any or all of the student's rights and privileges within the University for a period not exceeding two consecutive semesters;
- or impose a penalty under both paragraphs (a) and (b) of this sub-section, or
- (c) expel the student from the University.

(2) The Registrar shall forthwith confirm by written notice to the student concerned any penalty imposed under this section, and if the penalty is expulsion from the University the provisions of sub-section 2.2.6 shall apply.

2.3.2 (1) A Pro Vice-Chancellor or Deputy Vice-Chancellor may for any instance of misconduct by a student

- (a) fine the student an amount up to a maximum specified from time to time by the Senate and as provided for in sub-section 2.2.1 (a) of this Statute;
- (b) suspend all or any of the student's rights and privileges within the University for a period not exceeding 14 days.

or impose a penalty under both paragraphs (a) and (b) of this sub-section.

(2) The Registrar shall forthwith confirm by written notice to the student concerned any penalty imposed under this sub-section.

2.3.3 (1) The Registrar or Deputy Registrar may for any instance of misconduct by a student

- (a) fine the student an amount up to a maximum specified from time to time by the Senate and as provided for in sub-section 2.2.1 (a) of this Statute;
- (b) suspend all or any of the student's rights and privileges within the University for a period not exceeding 14 days;
- (c) exclude the student from any examination but only if it is necessary to do so to preserve order and decorum in the place where the examination is being conducted;

or impose a penalty under paragraphs (a), (b) and (c) of this sub-section.

(2) The Registrar or Deputy Registrar may suspend all or any of a student's rights and privileges within the University, including the withholding of information concerning the student's results in any course or part of a course, the granting of credit for any course and the award of any degree or diploma unless the Senate decides otherwise—

- (a) if the student does not pay a fine imposed under this Statute or under any other Statute, regulation or by-law within the time specified by the person or the body imposing it, or if no time is specified, within 14 days after the date on which it was imposed or within such extended time as the Registrar or a Deputy Registrar allows; or
- (b) if the student concerned does not pay any other fees or other debts due and payable to the University within such time or extended time as the Registrar or Deputy Registrar allows.

(3) Any suspension imposed under section 2.3.3 (2) of this section shall cease on payment of the overdue fine, fees or other debt in respect of which it was imposed.

(4) The Registrar or Deputy Registrar shall forthwith confirm by written notice to the student concerned any penalty or suspension of rights and privileges imposed under this sub-section.

2.3.4 (1) The Dean of a School may for any instance of misconduct by a student within the School of which that person is the appointed Dean or with respect to any activity conducted by the School for which it is the responsible body within the University—

- (a) fine the student an amount up to a maximum specified from time to time by the Senate and as provided for in sub-section 2.2.1 (a) of this Statute; or
- (b) suspend all or any of the student's rights and privileges within the School for a period not exceeding 14 days;

or impose a penalty under both paragraphs (a) and (b) of this sub-section;

- (c) if the student has acted unfairly or dishonestly in connection with some part of the examination, test or other form of assessment, cancel the student's credit or deprive the student of credit for any examination, test or any other form of assessment or any part of any examination, test or any other form of assessment carried out in the School as the case may be.

(2) The Dean of School shall forthwith—

- (a) confirm by written notice to the student concerned any penalty imposed under this sub-section, and
- (b) report the matter in writing to the Registrar.

2.3.5 (1) The University Librarian may for any instance of misconduct by a student in or in relation to the Library—

- (a) fine the student an amount up to a maximum specified from time to time by the Senate and as provided for in sub-section 2.1.1 (a) of this Statute; or
- (b) suspend all or any of the student's rights and privileges in relation to the Library, including exclusion from the Library premises or any part of such premises for a period not exceeding 14 days;

or impose a penalty under both paragraphs (a) and (b) of this sub-section.

(2) The University Librarian shall forthwith—

- (a) confirm by written notice to the student concerned any penalty imposed under this section, and
- (b) report the matter in writing to the Registrar.

2.3.6 (1) Any officer taking action under the provisions of sub-sections 2.3.1, 2.3.2, 2.3.3, 2.3.4, or 2.3.5 shall

- (a) communicate the details of the charge of misconduct to the student within 14 days of the alleged offence occurring or being discovered and the student shall be required to appear before the officer to answer the charge;
- (b) give the student not less than five days' written notice of the time at which and the place where the charge is to be heard;
- (c) deal with the charge if the student fails to appear after due notice has been given.

(2) An officer taking action under the provisions of this section shall take such advice and seek such information as the officer considers appropriate.

2.3.7 (1) Any member of the academic staff and also any other member of the staff designated from time to time by the Vice-Chancellor for the purpose of this section may for any instance of misconduct by a student in any lecture, seminar, tutorial, laboratory or other class or library session

conducted or supervised by the member of staff suspend all of the student's rights and privileges with respect to and exclude the student from attendance at or participation in the activity concerned for a period not exceeding the next 24 hours.

(2) Any member of staff taking action under the provisions of this sub-section shall report the matter in writing to the Registrar.

2.3.8 For the purposes of the exercise of summary powers by an officer of the University pursuant to this section the officer shall, prior to the exercise of the powers vested in the officer by this section, investigate the allegation of misconduct against the student and shall not regard that allegation as proven nor shall the officer exercise any of the summary powers provided for herein unless the officer is satisfied on the bases of those investigations that, on the balance of probabilities, the student is guilty of the misconduct as alleged.

#### Appeal to the Vice-Chancellor

- 3.1 (1) (a) A student may appeal to the Vice-Chancellor against any penalty imposed under the provisions of sub-sections 2.3.2, 2.3.3, 2.3.4 and 2.3.5 of this Statute and at the Vice-Chancellor's discretion the application of that penalty may be suspended until the student is notified of the Vice-Chancellor's decision.
- (b) An appeal to the Vice-Chancellor must be made within 7 days of the confirmation to the student of any penalty imposed under sub-sections 2.3.2, 2.3.3, 2.3.4 and 2.3.5.
- 3.2 (2) (a) The Vice-Chancellor shall take such advice and seek such information as is considered appropriate to reach a decision on an appeal but the student concerned shall have the right to appear before the Vice-Chancellor, with a person other than a qualified legal practitioner, if the student so wishes, to present his or her case.
- (b) The Vice-Chancellor may appoint a member of the academic or general staff to be present as secretary at any meeting with the appellant.
- (c) The appellant shall be informed of the Vice-Chancellor's decision by written notice within seven days and any penalty imposed thereby shall take effect upon the giving of that notice providing that the Vice-Chancellor may not impose a penalty which is more severe than that originally imposed.

#### 4. Board of Discipline

##### 4.1 Powers and Functions

4.1.1 (1) A student may refer to a Board of Discipline by way of appeal any finding of misconduct and any penalty imposed on that student under the provisions of sub-section 2.3.1 of this Statute or confirmed or imposed by the Vice-Chancellor under the provisions of section 3 of this Statute;

(2) The Vice-Chancellor may, in the name of the University, charge a student with misconduct and refer the charge to a Board of Discipline.

(3) A reference to a Board of Discipline shall be made by notice in writing to the Chairperson of the Board appointed under sub-section (3) of section 4.2.1 of this Statute.

4.1.2 (1) A Board of Discipline shall have power to hear and adjudicate upon any reference to it under section 4.1.1.

(2) In the case of a reference by way of appeal under sub-section 4.1.1 (1) the Board of Discipline shall hear the case from the beginning, and in the event that the Board finds the student guilty of misconduct as charged, may affirm, vary or annul the penalty but in any other event shall dismiss the charge and shall annul any penalty originally imposed.

(3) In the case of a reference under section 4.1.1 (2), the Board of Discipline may find that a charge of misconduct has been proved or it may dismiss the charge, and it may for any instance of proven misconduct impose any penalty which may be imposed under this Statute.

(4) On any reference to a Board of Discipline the burden of proof shall be on the University, unless otherwise expressly provided in the Statute, Regulation or By-law under which the charge is made and the Board shall regard a charge as proven if, on the basis of the evidence available to it, it appears to the Board that, on the balance of probabilities, the student is guilty of the misconduct as alleged.

(5) If a Board of Discipline finds that a charge of misconduct has been proved, it may decline to record a finding of misconduct or to impose a penalty if in its opinion the act of misconduct was trivial or if, for another reason, the Board of Discipline is of the opinion that a finding of misconduct should not be recorded or a penalty should not be imposed.

(6) The decision of a Board of Discipline on an appeal under section 4.1.1 (1) or by reference under section 4.1.1 (2) shall be final and conclusive, except if the penalty is expulsion from the University, in which cases the provisions of section 2.2.5 shall apply.

##### 4.2 Constitution

4.2.1 (1) A Board of Discipline shall be constituted in accordance with this section whenever a matter is referred to a Board of Discipline under section 4.1.2, and in this Statute, "Board of Discipline" or "Board" means a Board of Discipline constituted in accordance with this section.

(2) A Board of Discipline shall consist of—

- (a) a Chairperson appointed by the Senate in accordance with sub-section (3) of this section;
- (b) two members of the academic staff selected in accordance with sub-sections (4) and (7) of this section;
- (c) two students selected in accordance with sub-sections (4) and (7) of this section.

(3) Each calendar year the Senate shall appoint a duly qualified legal practitioner who is not a member of the University to be Chairperson of all Boards of Discipline constituted during that year, and the Senate may appoint during the year one or more duly qualified legal practitioners who are not members of the University to be Deputy Chairpersons, to act as the Chairperson of any Board constituted when the Chairperson is, for any reason, unable to act. In each case, the appointment shall be on such terms and conditions as the Senate sees fit.

(4) Each calendar year, the Registrar shall select by random selection 20 members of the academic staff who shall comprise the Academic Staff Panel and 20 students who shall comprise the Students' Panel. The method of random selection shall be determined by the Registrar who shall report to the Senate on the method used.

(5)(a) If a member of the academic staff wishes to withdraw from the Academic Staff Panel, the member shall apply in writing to the Vice-Chancellor for exemption from membership which the Vice-Chancellor shall give if satisfied that reasonable grounds exist on which the applicant should be permitted to withdraw.

(b) If a student wishes to withdraw from the Students' Panel the student shall apply in writing to the Vice-Chancellor for exemption from membership, which exemption the Vice-Chancellor shall give unless it is considered that there are special circumstances which justify refusal of the application.

(6) If a member of a panel ceases to be a member of the academic staff or a student, or is exempted from membership, that person shall cease to be a member of the Panel and the Registrar shall select by random selection another qualified person to fill the vacancy arising.

(7) Whenever a Board of Discipline is to be constituted, the Registrar shall select by random selection two members of the Academic Staff Panel and two members of the Students' Panel, and the Registrar shall certify that the persons so selected comprise, with the person who is to be the Chairperson of that Board, the members of the Board of Discipline.

(8) If a person is selected as a member of the Board of Discipline and in the opinion of the Chairperson that person should not act as a member due to personal involvement in the case, the Registrar shall select by random selection a replacement from the relevant Panel and issue a new Certificate as to the membership of the Board of Discipline.

(9) If, after the constitution of a Board of Discipline and before it has been made known its decision, it becomes impossible for any reason to obtain a quorum at a hearing, the Board shall be deemed to be dissolved and a new Board shall be selected in accordance with sub-section (7) of this section. The new Board shall deal with the matter from the beginning. A statement in writing by the Chairperson, or if the Chairperson is for any reason incapable of making a statement, by the Vice-Chancellor, that the Board of Discipline has not yet made known its decision, and that it has become impossible to obtain a quorum at a hearing shall establish those facts conclusively.

(10) If, when a Board of Discipline is required, it is found to be impossible to constitute a Board as otherwise provided for in this section, the Chancellor may, for the occasion appoint a Board of Discipline consisting of a Chairperson, who shall be a duly qualified legal practitioner who is not a member of the University, and two members, one of whom shall be a member of the academic staff and the other a student, but in both cases not a member of the existing Academic Staff Panel or Students' Panel, and they shall constitute a Board of Discipline for the purpose of this Statute.

#### 4.3 Proceedings

(1) The quorum of the Board of Discipline shall be three members, of whom one must be the Chairperson. A Board may act and continue to act while a quorum is present notwithstanding the absence of any member or members but a decision shall only be given by not less than three members, including the Chairperson, all of whom have been present throughout the hearing.

(2) The Chairperson shall have a deliberative vote and also, on questions of procedure only, a casting vote.

(3) On the question of whether a charge of misconduct has been proved, if the votes are equally divided the charge shall be deemed not to have been proved. On any question whether an appeal under sub-section 4.1.1 (1) should be allowed, if the votes are equally divided, the appeal shall be upheld.

(4) A Board of Discipline shall continue to act in the matter notwithstanding that after it was constituted new Panels had been selected.

(5) A Board of Discipline constituted to hear and adjudicate on any charge of misconduct made against a student or a reference to it by way of appeal may have referred to it a charge or charges of misconduct made against another student or other students or another charge or charges made against the first-mentioned student or any other appeal or appeals and the Board of Discipline may deal with all of the charges or appeals referred to it provided that—

(a) it shall not deal with more than one charge or appeal at the same hearing unless in its opinion the charges or appeals arise out of instances of alleged misconduct which—

(i) comprise a series of instances of the same or similar character;

(ii) are committed in the furtherance of a common objective; or

(iii) Occurred during group activity by the students charged or on whom penalties have been imposed whether or not with other students.

- (b) if the Board of Discipline forms the opinion at any stage before making known its decision that it should, in the interests of justice, refrain from hearing or desist from proceeding further with any of the charges or appeals, it shall so refrain or desist, and another Board shall be constituted to deal with any such charges or appeals if those charges or appeals are not withdrawn.

## 5. General Procedures of Boards of Discipline.

5.1 The Registrar or a nominee of the Registrar shall be secretary of every Board of Discipline except that neither the Registrar nor a Deputy Registrar having made a finding of misconduct under the provisions of section 2.3.3 may act as secretary of a Board constituted to hear an appeal against that finding of misconduct.

5.2 (1) A reference to a Board of Discipline by way of an appeal under sub-section 4.1.1 (1) must be made within 14 days after notice of the decision from which the appeal is made is given to the student and must contain details of the grounds upon which the appeal is based.

(2) A reference to a Board of Discipline under sub-section 4.1.1 (2) must be made within three calendar months after the act of misconduct is discovered.

(3) The Registrar shall give to a student charged with misconduct or who is a party to an appeal not less than five days' written notice of the hearing by a Board of Discipline. The notice shall contain particulars of—

- (a) the charge, in the case of a charge;
- (b) the time and place of the hearing; and
- (c) the student's rights under sub-section 5.4.

(4) If the student fails to appear and if the Board of Discipline is satisfied that the student has been given notice of the hearing in accordance with this Statute, it may proceed with the hearing in the student's absence or order an adjournment.

5.3 The procedure of a Board of Discipline including the order in which evidence may be called and addresses heard shall be in the discretion of the Board.

5.4 (1) During any hearing by a Board of Discipline the student shall be entitled—

- (a) subject to the provisions of sub-section (3) of this section, to be represented by another student or a member of the academic or general staff who is not a duly qualified legal practitioner;
- (b) to be present with his or her representative throughout the hearing, except when the Chairperson and the members of the Board wish to confer privately among themselves or to consider their decision;
- (c) either personally or by his or her representative to call and examine witness, cross-examine witnesses other than any witness called by or on behalf of him or her and address the Board.

(2) Subject to the provisions of sub-section (3) of this section, the Vice-Chancellor may appoint a member of the academic or general staff who is not a duly qualified legal practitioner to represent the University at a hearing by a Board of Discipline and any person so appointed may call and examine witnesses, cross-examine witness called by or on behalf of the student and address the Board.

(3) The student party to a hearing before a Board of Discipline may apply to the Chairperson to be permitted to be legally represented at the hearing and the Chairperson may allow such representation if, having regard to the circumstances of the case or the severity of the penalty appealed against, the Chairperson considers it desirable that the student be legally represented. If the Chairperson allows legal representation to the student, the University may also be legally represented.

5.5 Hearings of a Board of Discipline shall be open to members of the University unless the student charged or the student appellant elects otherwise, in which event the hearing shall be held in private unless—

- (a) charges against or appeals concerning two or more students are being dealt with together before the Board and any one of them elects a private hearing, in which case the hearing shall be heard in private; and
- (b) the Chairperson of the Board may order that an open hearing be continued in private if order cannot otherwise be maintained.

5.6 At every hearing, the Chairperson of the Board shall have complete authority to keep order and may order the removal of any person, including (notwithstanding the provisions of section 5.4.1 of this Statute) a student in respect of whom the hearing is taking place or the representative of such a student, for unruly conduct.

5.7 Every decision of a Board of Discipline and the reasons for the decision shall be expressed in writing. The secretary of the Board shall forthwith give the student party in the proceedings a copy of the decision and the reasons.

## 6. Miscellaneous Provisions

6.1 (1) A Board of Discipline which has heard a charge of misconduct against a student or an appeal by a student may, if the student has been wholly or partially successful, award the student the whole or part of the student's costs of the hearing before the Board but the student shall not be entitled to costs in respect of any other proceedings or determination under this Statute.



(2) If a Board of Discipline makes an award for payment of costs, it shall fix the amount payable and this amount shall be paid to the student from University funds.

6.2 (1) Any notice or copy of decision required to be given to any person under this Statute shall be sufficiently given to that person directly or sent by registered post addressed to the last address known to the Registrar as that person's place or residence.

(2) Any notice or copy of decision given by post shall be deemed to have been given no later than five days from the date of posting.

6.3 Nothing in this Statute affects the powers or authority of any person or body in the University under—

(a) any Act of Parliament, or

(b) any other Statute, Regulation, By-law or Senate resolution not inconsistent with this Statute.

6.4 The Senate may prescribe by Regulation any necessary procedures or forms required for the purposes of this Statute.

## ELECTORAL COMMISSION

EL401

### FINANCE BROKERS CONTROL ACT 1975

#### NOTICE OF ELECTION

(Regulation 3)

Notice is hereby given that an election of the Elective Members and Deputy members of the Finance Brokers Supervisory Board, as constituted under section 7 of the Finance Brokers Control Act 1975, will take place at the Western Australian Electoral Commission, Perth, on the 15th day of November 1990, closing at 4 o'clock in the afternoon on such date.

The vacancies in the membership of the Board to be filled at such election are those specified hereunder:

1. Two Elective Members
2. Two Deputy Members

Nominations of candidates shall be made in accordance with the Finance Brokers Supervisory Board (Elections) Regulations 1978 (as amended) and must be received by the Returning Officer at her office not later than 12 noon on the 19th October, 1990.

Nomination papers are obtainable from the Returning Officer of the Western Australian Electoral Commission at 4/480 Hay Street, Perth or by telephoning 221 4454.

Dated 12 September 1990.

KRISTINA SEENIKATTY, Returning Officer.

## ENVIRONMENTAL PROTECTION

EP301

### ENVIRONMENTAL PROTECTION ACT 1986

#### ENVIRONMENTAL PROTECTION (GOLDFIELDS MOTOR CYCLE CLUB) EXEMPTION ORDER 1990

Made by the Minister for Environment with the approval of His Excellency the Governor in Executive Council under section 6 of the *Environmental Protection Act 1986*.

#### Citation

1. This Order may be cited as the *Environmental Protection (Goldfields Motor Cycle Club) Exemption Order 1990*.

#### Exemption

2. The Minister for Environment hereby declares that the provisions of Part V of the *Environmental Protection Act 1986* do not apply in respect of acts and things comprising the event being conducted by Goldfields Motor Cycle Club subject to circumstances and conditions specified in the schedule to this order.

#### Schedule

1. Exemption shall apply only on 30 September 1990 between 0800 and 1700 hours.
2. All machines entered for the competition shall undergo noise level emission tests in accordance with the General Competition Rules of the Auto Cycle Council of Australia (ACCA).

3. No machine shall be permitted to be used that does not comply with ACCA noise level emission requirements.
4. Public address systems utilised in connection with the event shall be adjusted such that excessive noise is not created.

BOB PEARCE, Minister for the Environment.

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EP302

**ENVIRONMENTAL PROTECTION ACT 1986**  
**ENVIRONMENTAL PROTECTION (MERREDIN TOURING CLUB)**  
**EXEMPTION ORDER 1990**

Made by the Minister for Environment with the approval of His Excellency the Governor in Executive Council under section 6 of the *Environmental Protection Act 1986*.

**Citation**

1. This Order may be cited as the *Environmental Protection (Merredin Touring Club) Exemption Order 1990*.

**Exemption**

2. The Minister for Environment hereby declares that the provisions of Part V of the *Environmental Protection Act 1986* do not apply in respect of acts and things comprising the event being conducted by Merredin Touring Club subject to circumstances and conditions specified in the schedule to this order.

Schedule

1. Exemption shall apply only on 7 October 1990 between 0800 and 1800 hours.
2. All machines entered for the competition shall undergo noise level emission tests in accordance with the General Competition Rules of the Auto Cycle Council of Australia (ACCA).
3. No machine shall be permitted to be used that does not comply with ACCA noise level emission requirements.
4. Public address systems utilised in connection with the event shall be adjusted such that excessive noise is not created.

BOB PEARCE, Minister for the Environment.

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EP303

**ENVIRONMENTAL PROTECTION ACT 1986**  
**ENVIRONMENTAL PROTECTION (RALLY AUSTRALIA) EXEMPTION**  
**ORDER 1990**

Made by the Minister for Environment with the approval of His Excellency the Governor in Executive Council under section 6 of the *Environmental Protection Act 1986*.

**Citation**

1. This Order may be cited as the *Environmental Protection (Rally Australia) Exemption Order 1990*.

**Exemption**

2. The Minister for Environment hereby declares that the provision of Part V of the *Environmental Protection Act 1986* do not apply in respect of acts and things comprising the event being conducted by Rally Australia subject to circumstances and conditions specified in the schedule to this order.

Schedule

1. Exemption shall apply only on 20 September 1990 to 24 September 1990.
2. Floodlighting at parc-ferme (Langley Park) shall be arranged and oriented such that no direct illumination of any other premises occurs.
3. Public address systems utilised in connection with the event shall be adjusted such that excessive noise is not created.
4. All competing vehicles shall be fitted with efficient silencing devices in compliance with the Vehicles Standards Regulations 1977, Regulation 1008.

BOB PEARCE, Minister for the Environment.

**HEALTH****HE301****POISONS ACT 1964****POISONS (SCHEDULED SUBSTANCES) AMENDMENT ORDER (No. 3) 1990**

Made by His Excellency the Governor in Executive Council under section 21.

**Citation**

1. This order may be cited as the *Poisons (Scheduled Substances) Amendment Order (No. 3) 1990*.

**Commencement**

2. This order shall come into operation on the day that it is published in the *Government Gazette*.

**Appendix A amended**

3. Appendix A\* to the *Poisons Act 1964* is amended—

(a) in the Second Schedule—

(i) by deleting the item “AMMONIATED MERCURY”;

(ii) by deleting the item commencing “CODEINE” and substituting the following item—

“ CODEINE when—

(a) compounded—

(i) with aspirin, paracetamol or any one of their derivatives, and no other analgesic substance in tablets or capsules each containing 10 mg or less of codeine when—

(A) packed in blister or strip packaging or in a container with a child resistant closure; and

(B) in a primary pack containing 25 or less dosage units; or

(ii) with aspirin, paracetamol or any one of their derivatives, and no other analgesic substance in individually wrapped powders each containing 10 mg or less of codeine when in a primary pack containing 25 or less dosage units; or

(iii) with one or more other therapeutically active substances—

(A) in divided preparations containing 10 mg or less of codeine; or

(B) in undivided preparations containing 0.25 per cent or less of codeine; and

(b) labelled with a recommended dose not exceeding 15 mg of codeine. ”;

(iii) by deleting the items commencing “MERCURIC CHLORIDE”, “MERCURIC IODIDE” AND “MERCURIC NITRATE”;

(iv) by deleting the item commencing “MERCURIC OXIDE” and substituting the following item—

“ MERCURIC OXIDE in ointments for ocular use. ”;

(v) by deleting the item commencing “MERCURIC-POTASSIUM IODIDE”;

(vi) by deleting the item “PHENAMAZOLINE”;

(vii) by deleting the item commencing “SPUTOLYSIN”; and

(viii) by deleting the item commencing “TRANS-4- ((3,5-DIBROMO-2-HYDROXYBENZYL)-AMINO) CYCLOHEXANOL HYDROCHLORIDE MONOHYDRATE (Sputolysin)”;

(b) in the Third Schedule by deleting the item commencing “CHLORAL HYDRATE”;

(c) in the Fourth Schedule—

(i) by deleting the item commencing “CHLORAL HYDRATE” and substituting the following item—

“ CHLORAL HYDRATE except in preparations for topical use containing two per cent or less of chloral hydrate. ”;

- (ii) by inserting after the item "FLUSPIRILENE." the following item—
    - " FOLLICLE STIMULATING HORMONE (Animal). ";
  - (iii) by inserting after the item "PRAZEPAM." the following item—
    - " PRAZIQUANTEL for human therapeutic use. ";
  - (iv) by deleting the item commencing "SELENIUM" and substituting the following item—
    - " SELENIUM—for therapeutic use except—
      - (a) when included in the Fifth or Sixth Schedules;
      - (b) as elemental selenium in pellets containing 50 mg/kg or less of selenium for the treatment of animals;
      - (c) in tablets, for the treatment of animals, each—
        - (i) weighing 2 g or more; and
        - (ii) containing 30 micrograms or less of selenium; or
      - (d) in animal feeds containing 0.1 g/tonne or less of selenium. ";
  - (v) by deleting the item "SULFAMETROLE" and substituting the following—
    - " SULPHAMETROLE. ";
  - (vi) in the item commencing "SULPHANILAMIDE" by deleting "SULPHANILAMIDE and its derivatives except—" and substituting the following—
    - " SULPHONAMIDES except— ";
  - (vii) in the item commencing "TRAN-4-((3,5-DIBROMO-2-HYDROXYBENZYL)AMINO)" by deleting "Second" and substituting the following—
    - " Sixth "; and
  - (viii) by deleting the item commencing "VINCA ALKALOIDS";
- (d) in the Fifth Schedule—
- (i) by deleting the item commencing "PHOSPHONIC ACID" and substituting the following item—
    - " PHOSPHONIC ACID (excluding its salts and derivatives) except in preparations containing 10 per cent or less of phosphonic acid ( $H_3PO_3$ ). "; and
  - (ii) by deleting the item commencing "SELENIUM SULPHIDE" and substituting the following—
    - " SELENIUM SULPHIDE in preparations for topical therapeutic use containing 2.5 per cent or less of selenium sulphide. ";
- (e) in the Sixth Schedule—
- (i) in the item commencing "HYDROQUINONE" by inserting after "less" in paragraph (b) the following—
    - " of ";
  - (ii) by deleting the item commencing "SELENIUM" and substituting the following item—
    - " SELENIUM—
      - (a) in preparations containing 2.5 per cent or less of selenium when packed and labelled—
        - (i) for the blueing of gun barrels; or
        - (ii) for photographic purposes;
      - (b) in coated fertilizer granules containing 1 per cent or less of selenium except in fertilizers containing 200 g/tonne or less of selenium;
      - (c) as a drench, paste, stock lick or vaccine containing 2.5 per cent or less of selenium for the treatment of animals;
      - (d) in preparations containing 0.5 per cent or less of selenium when packed and labelled as other injections for treatment of animals;
      - (e) in animal feed premixes containing 2 per cent or less of selenium for the preparation of feeds containing 0.1 g/tonne or less of selenium. "; and

- (iii) after the item commencing "TOLUENE" by inserting the following item—
  - " TRANS-4-((3,5-DIBROMO-2-HYDROXYBENZYL)-AMINO)CYCLOHEXANOL HYDROCHLORIDE MONOHYDRATE (Sputolysin) in oral preparations for the treatment of animals. ";
- (f) the Seventh Schedule—
  - (i) by deleting the item commencing "AROMATIC EXTRACT OILS";
  - (ii) after the item "HEXACHLOROBENZENE" by inserting the following item—
    - " HYDROCARBONS LIQUID AROMATIC (including aromatic extract oils), any fraction of which boils above 350°C except when in solid polymers. "; and
  - (iii) by inserting after the item "SCHRADAN" by inserting the following item—
    - " SELENIUM except—
      - (a) when included in or expressly excluded from the Fourth, Fifth or Sixth Schedules; or
      - (b) as selenium arsenide in photocopier drums. ";
- and
- (g) in the lists at the end of the First, Second, Fourth, Fifth and Sixth Schedules under the heading "Excluding however, the substances hereinafter mentioned when contained in any of the following—" by—
  - (i) deleting the item commencing "Motor, heating" and substituting the following item—
    - " MOTOR, HEATING AND FURNACE FUELS except—
      - (a) when the contrary intention appears in any Schedule;
      - (b) when containing methanol;
      - (c) toy or hobby fuels; or
      - (d) petrol or kerosene when packed in containers having a capacity of 20 litres or less. ";
  - (ii) deleting the item "Paper." and substituting the following item—
    - " PAPER except—
      - (a) when prepared for pesticidal use; or
      - (b) when containing a poison included in the Eighth Schedule. "; and
  - (iii) inserting after the item "Vitreous enamels." the following item—
    - " Writing correction pens which do not allow ingestion of the contents and which contain no scheduled poison other than designated solvents included in the Fifth Schedule. ",

in each list.

[\*Reprinted as at 18 November 1986. For amendments to 30 July 1990 see pp. 116-118 of 1989 Index to Legislation of Western Australia and Gazettes of 25 May and 20 July 1990.]

By His Excellency's Command,

G. PEARCE, Clerk of the Council.

## HE302

## HEALTH ACT 1911

### City of Wanneroo

Pursuant to the provisions of the Health Act 1911 the City of Wanneroo being a local authority within the meaning of the Health Act 1911, having adopted the Model By-laws described as Series "A", made under the Health Act 1911 and as reprinted pursuant to the Reprinting of Regulations Act 1954 in the *Government Gazette* on 11 July 1963 and as amended from time to time, has resolved and determined that the adopted by-laws shall be amended as follows:

### PART VII—FOOD

By-law 54 is revoked.

By-law 55 is repealed and the following By-law is substituted:

55 Every person engaged in the trade of a mobile vendor of food:

- (a) shall cause all food to be protected from contamination by flies and dust and all meat, fish, or other food that is subject to putrefaction to be protected by refrigeration to the satisfaction of a Health Surveyor;

- (b) shall not permit any other person to handle or touch any food on his vehicle;
- (c) shall maintain his clothing and his person at all times in a clean condition.

Passed by resolution at a meeting of the Wanneroo City Council held on the thirtieth day of April 1990.

Dated this second day of August 1990.

The Common Seal of the City of Wanneroo was hereunto affixed by authority of a resolution of the Council in the presence of:

W. W. BRADSHAW, Mayor.

R. F. COFFEY, Town Clerk.

Confirmed—

P. PSAILA-SAVONA, for Executive Director Public Health.

Approved by His Excellency the Governor in Executive Council this 11th day of September 1990.

G. PEARCE, Clerk of the Council.

### HE303

#### HOSPITALS ACT 1927

#### HOSPITALS (SERVICES CHARGES) AMENDMENT REGULATIONS (No. 5) 1990

Made by His Excellency the Governor in Executive Council.

##### Citation

1. These regulations may be cited as the *Hospitals (Services Charges) Amendment Regulations (No. 5) 1990*.

##### Commencement

2. These regulations shall come into operation on 20 September 1990.

##### Schedule amended

3. The Schedule to the *Hospitals (Services Charges) Regulations, 1984\** is amended in Part I by deleting in the items referred to in column 1 of the Table to this regulation the charges respectively set out in column 2 of the Table and substituting in each case the corresponding charge set out in column 3 of the Table.

TABLE		
Column 1 Item	Column 2 Deleted charge	Column 3 New Charge
1 (c)	20.75	22.00
1 (d) (i)	72.90	78.15
1 (d) (ii)	66.90	72.15
3 (a)	58.30	59.55
3 (b)	52.30	53.55
4	18.95	20.05

[\*Published in the Gazette on 27 January 1984 at pages 231-234. For amendments to 30 August 1990 see page 273-74 of 1989 Index to Legislation of Western Australia and Gazettes of 12 April, 25 May and 21 June 1990.]

By His Excellency's Command,

G. PEARCE, Clerk of the Council.

### HE304

#### HEALTH ACT 1911

#### HEALTH (MEAT INSPECTION AND BRANDING) AMENDMENT REGULATIONS (No. 6) 1990

Made by His Excellency the Governor in Executive Council.

##### Citation

1. These regulations may be cited as the *Health (Meat Inspection and Branding) Amendment Regulations (No. 6) 1990*.

**Principal regulations**

2. In these regulations the *Health (Meat Inspection and Branding) Regulations 1950\** are referred to as the principal regulations.

[\*Reprinted in the Gazette of 25 August 1988 at pp. 3243-3270. For amendments to 4 September 1990 see p. 263 of 1989 Index to the Legislation of Western Australia and Gazettes of 2 March, 12 April and 3 and 17 August 1990.]

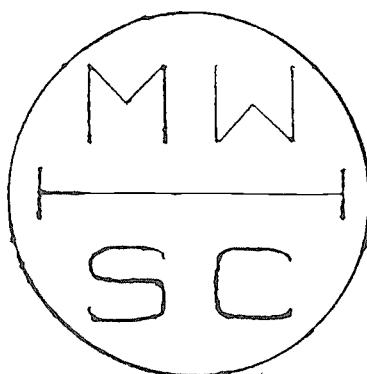
**Regulation 6A amended**

3. Regulation 6A of the principal regulations is amended—

- (a) in the Table to subregulation (1) by inserting after "Regulations 3" the following—  
" , 3A "; and
- (b) in subregulation (2) (a) by inserting after "a penalty which is" the following—  
" not ".

**Schedule A amended**

4. Schedule A to the principal regulations is amended in item 3 by inserting after the diagram labelled "West Arthur Shire Council" the following diagram—



Morawa

**Schedule B amended**

5. Schedule B to the principal regulations is amended by inserting after "Moora Health District" the following—

" Morawa Health District ".

**Schedule C amended**

6. Schedule C to the principal regulations is amended in Table 2—

- (a) under the heading "Fees Payable to Local Authorities" by inserting after the subitem headed "Scale S" the following subitem—

" Scale T

Unit of Livestock	Carcass	Side	Piece
For each sheep, lamb, deer, goat or calf (under 70 kg) .....	\$1.15	57.5c	28.75c
For each swine .....	\$5.75	\$2.875	\$1.437
For each cow, bull, heifer or steer ..	\$9.20	\$4.60	\$2.30
For each carton of meat on which no previous charge has been made under this Schedule .....	(Carton 27kg approx.) \$2.30	—	—

and

- (b) under the heading "Local Authorities to which the scales apply"—
  - (i) under the subheading "Scale G" by deleting "Shire of Bridgetown-Greenbushes";
  - (ii) under the subheading "Scale H" by deleting "Shire of Kojonup";

(iii) under the subheading "Scale J" by inserting the following—

" Shire of Kojonup "; and

(iv) by inserting after the subitem headed "Scale S" the following subitem—

" Scale T

Shire of Bridgetown-Greenbushes ".

By His Excellency's Command,

G. PEARCE, Clerk of the Council.

HE305

# HEALTH ACT 1911

## *Shire of Gingin*

### By-laws

The Shire of Gingin being a local authority under the provisions of the abovementioned Act and having adopted the Model By-laws Series "A" made under the Act in pursuance of the powers conferred upon it by the Act and all other powers enabling it hereby makes and publishes the following by-laws:

1. In these by-laws the Model By-laws Series "A" as amended from time to time adopted by the Shire of Gingin by resolution published in the *Government Gazette* of 17th July 1963 and amended from time to time are referred to as "the principal by-laws".

2. The principal by-laws are amended by deleting by-laws 12, 13, 14, 15, 15A and 16 of Part I and substituting the following:

#### 12. Interpretation

In this by-law and in by-laws 13 to 14 inclusive of this Part unless the context requires otherwise—

"building line" has the meaning given to it in and for the purposes of the Local Government Act, 1960;

"collection day" means the day of the week on which rubbish and refuse is collected and removed by the local authority or its contractor;

"collection time" means the collection time from time to time notified to the occupier of premises by the local authority or its contractor;

"Health Surveyor" means the Health Surveyor of the local authority;

"receptacle" means a polyethylene cart fitted with wheels and a handle and with a lid and of a capacity of 240 or 120 litres or other type of receptacle specified or approved by the local authority;

"street alignment" has the meaning given to it in and for the purposes of the Local Government Act 1960.

#### 13. Refuse to be Deposited in Receptacles

(1) The occupier of every premises within townsites in the district shall—

a. subject to paragraph (c) hereof cause all refuse to be deposited in a receptacle;

b. at all times keep the lid of the receptacle tightly closed except when depositing refuse in or cleaning the receptacle;

c. not deposit or permit to be deposited in a receptacle—

(i) more than 70kg of refuse at any one time;

(ii) any material being or consisting of:

a. hot or burning ashes

b. oil

c. liquid

d. paint

e. solvent

f. bricks, concrete, earth or other like substances

(iii) heavy material;

(iv) an object which is greater in length, width or breadth than the corresponding dimensions of the receptacle or which will not allow the lid of the receptacle to be tightly closed;



- (v) refuse which is or is likely to become offensive or a nuisance or to give off an offensive or noxious odour or to attract flies or cause fly breeding unless it is first wrapped in absorbent or impervious material or placed in a sealed impervious container;
  - d. except on the collection day keep the receptacle on the premises located behind the building line or in a position approved by the Health Surveyor;
  - e. on each collection day—
    - (i) prior to the collection time place the receptacle between 1m and 4m from the street alignment adjacent to the premises, but so that it does not obstruct a footpath, cycleway or other carriageway;
    - (ii) after the contents of the receptacle have been removed, the receptacle on that day shall be replaced on the premises behind the building line;
  - f. at all times keep the receptacle clean and whenever directed by a health surveyor to do so place and keep in the receptacle a deodorant material approved by the health surveyor.
- (2) In the case of residential premises consisting of more than 3 dwellings, units or flats or premises used for commercial or industrial purposes the local authority may require the use of a receptacle or receptacles other than a polyethylene cart fitted with wheels and a handle and the occupier of those premises shall comply with and observe the directions given by the local authority.
- (3) The occupier of every premises in the district who is required under sub by-law (2) of this by-law to use a receptacle other than a polyethylene cart fitted with wheels and a handle shall—
- a. cause all refuse to be deposited in a receptacle in a manner which is compatible with the type of receptacle used;
  - b. take all reasonable steps to prevent fly breeding in and emission of offensive or noxious odour from the receptacle;
  - c. cause the receptacle to be located on the premises in a position where—
    - (i) it is screened so as not to be visible from a street but is readily accessible for the purpose of collection of the contents thereof;
    - (ii) it does not obstruct a driveway, service road or footpath on those premises;
    - (iii) it does not cause a nuisance to the occupiers of adjoining premises;
  - d. at all times keep the receptacle clean and whenever directed by a Health Surveyor to do so place and keep in the receptacle a deodorant material approved by the health surveyor.
  - e. where the premises are used for the manufacture, preparation or sale of food or any putrescible refuse emanates from the premises cause the receptacle to be cleaned with a suitable detergent and treated with a disinfectant at least once per week.
- (4) The Health Surveyor may direct that refuse of the type referred to in paragraph (e) of sub-by-law (3) hereof or which emanates from premises referred to that paragraph be collected and removed more often than once per week.
- (5) Where refuse emanating from premises is of a nature that the Health Surveyor considers requires to be treated before being placed in a receptacle he may give directions as to the manner in which it is to be so treated and the occupier of those premises shall comply with those directions.

#### 14. Collection of Refuse

- (1) A person shall not unless he is authorised by the local authority to do so remove any house or trade refuse or other rubbish from any premises in the district.
- (2) The local authority or its contractor shall ensure that all household and food refuse and putrescible and offensive waste are removed and disposed of at least once per week.
- (3) The local authority or its contractor shall cause all refuse and rubbish collected and removed to be taken to and disposed of at a refuse disposal site approved by the Executive Director of Public Health under the Act.

3. After By-law 14 add the following heading and by-law:

**PRESCRIBED AREAS (SECTION 112A)**

14A (1) The areas specified in Schedule "B" of this Part are the areas in which the provisions of Section 112A of the Act shall operate and have effect.

4. The following Schedule is added after Schedule "A"—

**SCHEDULE "B" PRESCRIBED AREAS (SECTION 112A)**

All that area within the boundaries of the Gingin, Guilderton, Lancelin, Ledge Point and Seabird Townsites as constituted under the Land Act, 1933 and;

5. By-law 18 of Part 1 of the principal by-laws is amended by deleting "cart" in line 2 and substituting "collection vehicle".

Dated the nineteenth day of July 1990.

The Common Seal of the Shire of Gingin was hereunto affixed by authority of a resolution of the council in the presence of—

G. F. DREW, Shire President.

N. H. V. WALLACE, Shire Clerk.

Confirmed—

P. PSAILA-SAVONA, for Executive Director, Public Health.

Approved by His Excellency the Governor in Executive Council the 11th day of September 1990.

G. PEARCE, Clerk of the Council.

HE401

**ERRATUM**

**HOSPITALS ACT 1927**

**HOSPITALS (SERVICES CHARGES) AMENDMENT REGULATIONS (No. 4)  
1990**

Whereas an error occurred in the notice published under the above heading on page 4618 of *Government Gazette* No. 99 dated 4 September 1990 it is corrected as follows.

In the table delete the line:

1 (b) (i) (I)	194	212
1 (b) (i) (II)	138	151

and insert:

1 (b) (ii) (I)	194	212
1 (b) (ii) (II)	138	151

HE402

**CORRIGENDUM**

Health Department of W.A.,  
Perth, 12 August 1990.

967/89 ExCo No. 1704.

In the notice at Page 4651 of the *Government Gazette* dated 7 September 1990, under the heading Mental Health Act 1962, change line three "deceased" to "resigned".

HE404

**HEALTH ACT 1911**

Health Department of WA,  
Perth, 11 September 1990.

8407/88.

1. The cancellation of the appointment of Mr Albert Meyerkort as a Health Surveyor to the Town of Kwinana effective from 25 May 1990 is hereby notified.

2. The appointment of Mr Nicholas Jones as a Health Surveyor to the Town of Kwinana effective from 15 August 1990 is approved.

WAYNE G. JOLLEY, for Executive Director Public Health.

HE405

## HEALTH ACT 1911

Health Department of WA,  
Perth, 11 September 1990.

8440/88.

1. The cancellation of the appointment of Mr Sebastian Camillo as a Health Surveyor to the Shire of Swan effective from 17 August 1990 is hereby notified.
2. The appointment of Mr Colin James Wheadon as a Health Surveyor to the Shire of Swan effective from 17 September 1990 is approved.

WAYNE G. JOLLEY, for Executive Director Public Health.

HE406

## HEALTH ACT 1911

Health Department of WA,  
Perth, 11 September 1990.

212/75.

1. The cancellation of the appointment of Ms Mary Adam as a Health Surveyor to the Shire of Halls Creek effective from 16 March 1990 is hereby notified.
2. The appointment of Mr Terrence Mayor as a Health Surveyor to the Shire of Halls Creek effective from 20 August 1990 is approved.

WAYNE G. JOLLEY, for Executive Director Public Health.

HE407

## HEALTH ACT 1911

Health Department of WA,  
Perth, 5 September 1990.

68/86.

The appointment of Mr Keith Watt as a Health Surveyor to the Narrogin Regional Health Scheme effective from 1 July 1990 is approved.

WAYNE G. JOLLEY, for Executive Director Public Health.

HE408

## ANATOMY ACT 1930

Health Department of WA,  
Perth, 11 September 1990.

57/86/9 ExCo No. 1887

His Excellency the Governor in Executive Council has granted, under the provisions of the Anatomy Act 1930, licences to the persons names in the Schedule hereunder to practise Anatomy at the Curtin University of Technology.

P. PSAILA-SAVONA, for Executive Director, Public Health.

## Schedule

Amor, Natasha  
Ashmore, Linda Maree  
Bailey, Graham Michael  
Barker, Rachel  
Batson, Leonie Marie  
Beard, Rachel  
Beaumont, Gail  
Bechta, Edward

Bedford, Dianne Margaret  
Bellis, Christopher John  
Bellotti, Lorraine  
Bengough, Claire  
Berry, Jacqueline Ruth  
Berry, Lorene Michelle  
Bertolini, Nella  
Bishop, Marian Joy  
Bowron, Helen Lee

Bowron, Karen Elizabeth  
Bradford, Amanda Jane  
Brenton, Jennifer  
Caputi, Sandra May  
Carter, Annabella Bowden  
Case, Heather Jane  
Casey, Christine  
Cave, Joanne Marie  
Cheah, May Choo  
Crarcher, Lauren Valerie  
Crutcher, Jodie Marie  
Curtis, Dean  
Della-Franca, Robyn Fiona  
Donald, Pamela M.  
Draper, Michael Robert  
Durrell, Bernadetta Marie  
Eatts, Judith Dawn  
Egan, Vivien  
Esler, William  
Everett, Marcia Jane  
Feeney, Shauna Francine  
Ferridge, Judith  
Ferro, Anna-Maria  
Flewers, Karen  
Fratel, Anita  
Gamble, Susan Elizabeth  
Gameren, Mark Christopher  
Garritty, Carol  
Gault, Susan Elizabeth  
Goadby, Kerry Ann  
Goldsmith, Irene  
Good, Jennifer May  
Gradisen, Diane Kemele  
Green, Wendy Heather  
Grixti, Maria-Anne  
Gsodam, Paul Julius  
Hammond, Dennis Clark  
Hannah, Christopher James  
Hanson, Gail Grace  
Harrison, Stefania Rozalia  
Hay, Rosanne  
Hill, Arlene  
Himing, Narelle Denise  
How, Christopher Dean  
Hudson, Josephine Frances Elizabeth  
Hughes, John Richard  
Hughes, Nichola Jorene  
Huisman, Rachel Anne  
Jenkins, Elizabeth Anne  
Johnson, Camille Donelle  
Jones, Linda Rebecca  
Jongen, Terry  
Jurat, Helen  
Kanagasabai, Arumugam  
Keyes, Louise Lynley  
Knight, Dale  
Knowles, Rachel Amy  
Knudsen, Kaye  
Konieczek, Josee C.  
Lamat, Saadiah  
Lawson, Steven  
Letts, Kylie  
Lewis, Stephen Mark  
Lobo, Glenda Veronica  
Loe, Shung-Kei  
Lofthouse, Jacqueline Anne  
Lovegrove, Lara  
Lucas, Louise  
Lundy, Leanne Michelle  
Malkin, Andrea  
Mallen, Grainne

Mallon, Michele  
Manley, Sandra Elizabeth  
McCallum, Carolyn Joy  
McDonald, Philip  
McPharlin, Donna Louise  
McShane, Robyn Leslie  
Mills, Genevieve Frances  
Moffat, Sandra  
Moir, Peta Christine  
Molloy, Thomas Noel  
Morgan, Irene Evelyn  
Morgan, Karen Marie  
Nash, David Gordon  
Nicholls, Wendy  
Nicholson, Dianne Patricia  
Norris, Rosalind M.  
O'Higgins, Louise McNally  
O'Neill, Elizabeth Catherine  
Palmer, Caroline Meredith  
Phelps, Stephanie  
Pitts, David  
Powley, Elizabeth Ann  
Radatti, Daniel Angelo  
Rainbow, Angela Margaret  
Rajagopalan, Chellanah  
Ramsden, Phillip David  
Randall, Joanne Mitchell  
Read, Margaret Roslyn  
Reed, Kenneth  
Reif, Tanya  
Reynolds, Carolyn Merle  
Rigby, Robyn  
Roberts, Belinda Lesley  
Robinson, Heidi Ruth  
Roe, Elizabeth  
Rothnie, Margaret  
Russ, Melanie  
Safstrom, Alison  
Savage, Marina Elizabeth  
Seeney, Susan Ann  
Sexstone, Michael Andrew  
Sim, Kate Reynella  
Smith, Pauline Laura  
Southcott, Janice  
Spencer, Alexandra  
Stallard, Jodie Ann  
Steward, Helen  
Stockwell, Jocelyn Ruth  
Strestik, Carol Anne  
Thomas, Melita  
Thompson, Carla Jean  
Thompson, Judith Elizabeth  
Thompson-Turco, Catherine  
Thomson, Kerri-Louise  
Thurstun, Michelle Colleen  
Trew, Bethany Sarah  
Turnbull, Carolyn  
Undegger, Sara Megan  
Voss, Phyll  
Wagenaar, Melissa Tracey  
Wakefield, Patricia Mary  
Warner, Simone Denise  
Warrington, Carol Diane  
Waters, Linley Jane  
White, Gabrielle  
White, Joanne  
Wilkinson, Deirdre G.  
Williamson, Tanya  
Wilson, Heather Joyce  
Wright, Hilda Ellen  
Yu, Suet-Mei

**LAND ADMINISTRATION****LA201****LAND ACT 1933  
ORDER IN COUNCIL  
(Vesting of Reserves)**

By the direction of His Excellency the Governor under section 33 (2), the following reserves have been vested.

DOLA File 1420/990

Reserve No. 41460 (Sussex Location 4895) vested in the Water Authority of Western Australia for the designated purpose of "Drain".

DOLA File 2776/987

Reserve No. 41467 (Ashburton Locations 96, 97 and 98) vested in the State Energy Commission of Western Australia for the designated purpose of "State Energy Commission Purposes".

G. PEARCE, Clerk of Council.

**LA202**

At a meeting of the Executive Council held in the Executive Council Chambers, at Perth, on 11 September 1990 the following Order in Council was authorised to be issued—

**LAND ACT, 1933  
ORDER IN COUNCIL**

File No. 1810/898

Whereas by Section 33 of the Land Act, 1933, it is made lawful for the Governor to direct that any Reserve shall vest in and be held by any person or persons to be named in the Order, in trust for any purpose specified in such Order and with power of leasing:

And whereas it is deemed expedient that Reserve No. 41452 (Northam Lot 419) should vest in and be held be the Town of Northam in trust for the purpose of "Recreation (Motor Cycle Sports)".

Now, therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council, does hereby direct that the beforementioned Reserve shall vest in and be held by the Town of Northam in trust for "Recreation (Motor Cycle Sports)" with power to the said Town of Northam subject to the approval in writing of the Minister for Lands to each and every lease or assignment of lease being first obtained, to lease the whole or any portion thereof for any term not exceeding Twenty One (21) years from the date of the lease, subject nevertheless to the powers reserved to me be Section 37 of the said Act; provided that no such lease or assignment of lease shall be valid or operative until the approval of the Minister for Lands or an officer authorised in that behalf by the Minister, has been endorsed on the Lease Instrument, or Deed to Assignment, as the case may be.

G. PEARCE, Clerk of the Council.

**LA203**

At a meeting of the Executive Council held in the Executive Council Chambers, at Perth, on 11 September 1990 the following Order in Council was authorised to be issued.

**LAND ACT 1933  
ORDER IN COUNCIL**

File No. 1810/98

Whereas by Section 34B(1) of the Land Act 1933, it is made lawful for the Governor to revoke an Order in Council issued pursuant to Section 33 of that Act.

And whereas by Order in Council dated 29 April, 1965 Reserve 5918 was vested in the Town of Northam in trust for the purpose of "Recreation".

Now, therefore, His Excellency the Governor, by and with the advice and consent of the Executive Council, hereby directs that the beforementioned Order in Council be revoked and the Vesting Order cancelled accordingly.

G. PEARCE, Clerk of Council.

LA401

## LOCAL GOVERNMENT ACT 1960

## CLOSURE OF STREETS

Whereas the City of Kalgoorlie-Boulder has requested the closure of the street hereunder described, *viz*:

File No. 1873/973.

Closure No. K995.

## Kalgoorlie-Boulder

(a) All that portion of Hughes Street now comprised in Boulder Lot 4036 shown bordered pink on Department of Land Administration Survey Diagram 88187.

(b) All that portion of Rabbish Place shown bordered green on Department of Land Administration Survey Diagram 88187.

(Public Plan: Kalgoorlie-Boulder 1:2 000 29.36.)

Whereas the Shire of Broome has requested the closure of the street hereunder described, *viz*:

File No. 809/968.

Closure No. B1279.

## Broome

All that portion of Pearl Coast Road (Broome Townsite) passing through Broome Lot 833, extending easterly and southeasterly from a line in prolongation northerly of the southern severance of the eastern boundary of Lot 1780 to its terminus at Lot 652.

(Public Plan: Broome Regional 1:10 000, Sheets 1 and 2.)

Whereas the Shire of Carnarvon has requested the closure of the street hereunder described, *viz*:

File No. 993/990.

Closure No. C1145.

## Carnarvon

The whole of the surveyed road, plus widening, along the northern boundary of Carnarvon Lot 1201 (Reserve No. 34513); from the southeastern side of Robinson Street to its terminus at the northwestern boundary of Lot 648.

(Public Plan: Carnarvon 1:2 000 09.07, 10.07.)

Whereas the Shire of Cue has requested the closure of the street hereunder described, *viz*:

File No. 778/898.

Closure No. C1205.

## Cue

(a) All that portion of Morgan Street now comprised in Tuckanarra Lot 68 shown bordered pink on Department of Land Administration Survey Diagram 89424.

(b) The whole of the surveyed road, plus widenings, along the northeastern boundary of Tuckannara Lot 49 (Reserve 6522); from the southeastern side of Morgan Street to the northwestern side of Boyd Street.

(Public Plan: Tuckannarra Townsite.)

Whereas the Shire of Cue has requested the closure of the street hereunder described, *viz*:

File No. 1720/987.

Closure No. C1206.

## Cue

All those roads and ways shown coloured blue on Department of Land Administration Miscellaneous Diagram No. 216.

(Public Plan: Cue 1:2 000 15.07, 16.07.)

Whereas the Shire of Dalwallinu has requested the closure of the street hereunder described, *viz*:

File No. 1200/989.

Closure No. D744.

## Dalwallinu

All that portion of Pearn Road now comprised in Pithara Lot 109 shown bordered red on Department of Land Administration Survey Diagram 89505.

(Public Plan: Pithara Townsite.)

Whereas the Shire of East Pilbara has requested the closure of the street hereunder described, *viz*:  
File No. 833/984 V2.  
Closure No. E248.

East Pilbara

All those portions of Kalgan Drive shown bordered blue on Department of Land Administration Survey Plan 17443.  
(Public Plan: Newman Regional 1:10 000.)

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Whereas the Shire of Exmouth has requested the closure of the street hereunder described, *viz*:  
File No. 1019/990.  
Closure No. E249.

Exmouth

- (i) The whole of the surveyed road plus widenings passing along the southeastern boundaries of former Lyndon Locations 53 (Land Administration Diagram 71151) and 51 (Land Administration Original Plan 9608) and extending through Exmouth Lot 941 (Reserve 36078) from the prolongation easterly of the southern boundary of former Location 53 to its terminus on the southeastern alignment of Reid Street.
  - (ii) The whole of Road Number 17580 commencing at the northwestern side of the road described in (i) above and extending as delineated and coloured dark brown on Land Administration original Plan 16628, generally northeastward through Exmouth Lot 941 (Reserve 36078) to terminate at the southeastern alignment of Reid Street.
- (Public Plan: Exmouth 1:2 000 15.11  
Exmouth Regional 1:10 000.)

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Whereas the Shire of Kalamunda has requested the closure of the street hereunder described, *viz*:  
File No. 072.  
Document No. E029142.  
Closure No. K997.

Kalamunda

- (a) All that portion of the surveyed road, plus widening, now comprised in Lot 24 of part of Canning Location 859 and Canning Location 915 shown bordered green on Department of Land Administration Office of Titles Diagram 77609.
  - (b) The whole of the widening now comprised in Lot 23 of part of Canning Location 858 shown bordered green on Department of Land Administration Office of Titles Diagram 77608.
- (Public Plan: Perth 1:2 000 30.16.)

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Whereas the Shire of Laverton has requested the closure of the street hereunder described, *viz*:  
File No. 961/00V2.  
Closure No. L130.

Laverton

All those roads and ways within Beria Residential Area.  
(Public Plan: Beria Residential Area.)

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Whereas the Shire of Manjimup has requested the closure of the street hereunder described, *viz*:  
File No. 2240/987.  
Closure No. M1300.

Manjimup

All that portion of Hodgsons Road along the northern boundaries of Nelson Locations 465 and 5971; from the southeastern boundary of Nelson Location 5969 to the prolongation northerly of the eastern boundary of the said Location 5971.  
(Public Plan: Carlotta Brook S.E. 1:25 000.)

And whereas the Minister has approved these requests, it is hereby declared that the said streets be closed.

A. A. SKINNER, Acting Executive Director.

LA402

**PUBLIC WORKS ACT 1902  
LOCAL GOVERNMENT ACT 1960**

Department of Land Administration,  
Perth, 14 September 1990.

It is hereby declared that, pursuant to the resolution of the City of Bunbury passed at a meeting of the Council held on or about June 1, 1988 the undermentioned lands have been set apart, taken, or resumed under section 17 of the Public Works Act 1902, for the purpose of a new road, that is to say—

Bunbury

1023/988

Road No. 17985 (Koombana Drive) (Extension) those portions of Bunbury Lots 355, 362 (Reserve B5275), 458 (Reserve 28032), 460 (Reserve 28034), 463-465 inclusive, 559 (Reserve 28032) and Vacant Crown Land as delineated and coloured dark and mid brown on Land Administration Plan 17371.

Reserve B5275 is hereby resumed by 2.298 8 hectares.

Reserve 28032 is hereby resumed by 1.035 2 hectares.

Reserve 28034 is hereby resumed by 120 square metres.

(Public Plan: Bunbury 1.33, 2.32, 2.33; 1:2 000 B69.4.)

It is hereby declared that, pursuant to the resolution of the Shire of Northam passed at a meeting of the Council held on or about December 18, 1980 the undermentioned lands have been set apart, taken, or resumed under section 17 of the Public Works Act 1902, for the purpose of a new road, that is to say—

Northam

4683/03

Road No. 1625 (Boramin Road) (widening of parts) Those portions of Avon Locations K, 365, 700 and 816 as delineated and coloured dark brown on Land Administration Plan 15315.

Road No. 1625 (Boramin Road) (widening of part) That portion of Avon Location K, being part of the land delineated and coloured dark brown on Land Administration Plan 15316.

Road No. 1626 (Boramin Road) (widening of parts) Those portions of Avon Locations N and K being part of the land delineated and coloured dark brown on Land Administration Plan 15316.

3.501 4 hectares being resumed from Avon Location K.

2 414 square metres being resumed from Avon Location 365.

5 626 square metres being resumed from Avon Location 700.

5 065 square metres being resumed from Avon Location 816.

8 008 square metres being resumed from Avon Location N.

(Public Plan: Grass Valley S.W. 1:25 000; Northam 40 Sheet 4.)

It is hereby declared that, pursuant to the resolution of the Shire of Waroona passed at a meeting of the Council held on or about October 17 1988, the undermentioned lands have been set apart, taken, or resumed under Section 17 of the Public Works Act 1902, for the purpose of a new road that is to say—

Waroona

1408/990

Road No. 492 (Preston Beach Road North) (Deviation) that portion of Reserve 11710 as delineated and coloured dark brown on Land Administration Plan 17471.

Road No. 228 (Extension) that portion of Reserve 11710 as delineated and coloured dark brown on Land Administration Plan 17471.

Road No. 1695 (Preston Beach Road North) (Deviation of Part) That Portion of Reserve 11710 as delineated and coloured dark brown on Land Administration Plan 17470.

Reserve 11710 is hereby reduced by 7.521 5 hectares.

(Public Plan: Lake Clifton N.E. & Pt N.W. 1:25 000; 383A/40.)

It is hereby declared that, pursuant to the resolution of the Shire of Halls Creek passed at a meeting of the Council held on or about June 7, 1989 the undermentioned lands have been set apart, taken, or resumed under Section 17 of the Public Works Act 1902, for the purpose of a new road, that is to say—

Halls Creek

2666/984—P

Road No. 18162 (Roberta Avenue) that portion of Reserve No. 23136 as delineated and coloured dark brown on Land Administration Plan 17370.



Road No. 18163 (Mardiwa Loop) that portion Reserve No. 23136 as delineated and coloured dark brown on Land Administration Plan 17370.

Reserve No. 23136 is hereby reduced by 15.329 9 hectares.

(Public Plan: Halls Creek Regional 7.5 7.6 1:10 000; Gordon Downs)

And whereas His Excellency the Governor had declared that the said lands have been set apart, taken, or resumed for the purpose of the said roads, and that plans of the said lands might be inspected at the Department of Land Administration, Perth, it is hereby notified that the lands described above are now vested in Her Majesty for an estate in fee simple in possession for the public work herein expressed.

By Order of His Excellency.

Dated 17 July 1990.

E. K. HALLAHAN, Minister for Lands

#### Road Dedication

It is hereby notified that the Minister for Lands has approved, pursuant to section 288 of the Local Government Act, the dedication as public street the roads in the various Municipalities as described in the abovementioned resumption notices.

By Order of the Minister for Lands.

Dated 10 August 1990.

A. A. SKINNER, A/Executive Director.

#### LA701

#### LAND ACT 1933 RESERVATION NOTICES

Made be His Excellency the Governor under Section 29. The Crown Land described below has been set apart as public reserves.

DOLA File 1420/990

Reserve No. 41460 comprising Sussex Location 4895 with an area of 2.640 0 hectares on Land Administration Plan 17698 for the designated purpose of "Drain". Public Plan Busselton 1:2 000 23.33, 23.34 and 23.35 Queen Elizabeth Avenue.

DOLA File 2776/987

Reserve No. 41467 comprising Ashburton Locations 96, 97 and 98 with an area of 37.328 1 hectares on Land Administration Plan 15605 for the designated purpose of "State Energy Commission Purposes". Public Plan Yanrey 1:250 000 Road No. 258.

A. A. SKINNER, Acting Executive Director.

#### LA702

#### RESERVE

Department of Land Administration,  
Perth.

His Excellency the Governor in Executive Council has been pleased to set apart as a Public Reserve the land described below for the purpose therein set forth.

File No. 1810/898. Town Northam—No. 41452 14.626 8 hectares "Recreation (Motor Cycle Sports)" Lot No. 419 Diagram 89523 Public Plan: Northam 1:2 000 19.16 and 19.17 (Mitchell Avenue).

A. A. SKINNER, Acting Executive Director.

#### LA801

#### LAND ACT 1933 AMENDMENT OF RESERVES

Made by His Excellency the Governor under Section 37.

The following Reserves have been amended.

DOLA File 2762/913

Reserve No. 14498 (Canning District) to comprise Locations 1778, 1910, 2459, 2356 and 3158 and of its area remaining unaltered. Public Plan Perth 1:2 000 21.13 and 21.14 Roberts Way.

File No. 2345/886 V3

The amendment of Reserve No. 420 (Avon District) "Common"

(a) to comprise Avon Location 28163.

(b) to exclude that portion now comprised in Northam Lot 419 as surveyed and bordered red on Land Administration Diagram 89523 and of its area being reduced to 324.265 4 hectares. (Plan Northam 1:2 000 19.16 and 19.17) (Mitchell Avenue.)

A. A. SKINNER, Acting Executive Director.

**LA901****LAND ACT 1933****CHANGE OF PURPOSE OF RESERVES**

Made by His Excellency the Governor under section 37.

The purpose of the following reserves have been changed.

DOLA File 4583/56

Reserve No. 25437 (Swan Location 6857) being changed from "Recreation-Railway Institute Sports Ground" to "Use and Requirements of the Minister for Works". Public Plan Perth 1:2 000 17.27 and 17.28 Belmont Road.

DOLA File 2468/990

Reserve No. 5934 (Bunbury Lot 127) being changed from "Railway (Official's Residence)" to "Use and Requirements of the Minister for Works". Public Plan Bunbury 1:2 000 01.33 Clifton Street.

DOLA File 6911/12

Reserve No. 14607 (Bunbury Lot 126) being changed from "Railway Purposes" to "Use and Requirements of the Minister for Works". Public Plan Bunbury 1:2 000 01.33 Clifton Street.

A. A. SKINNER, Acting Executive Director.

**LB201****CANCELLATION OF RESERVE No. 5918**

Department of Land Administration,  
Perth, 14 September 1990.

File No. 1810/98

His Excellency the Governor in Executive Council has been pleased to approve, under section 37 of the Land Act 1933 of the cancellation of Reserve No. 5918 (Northam) "Recreation".

(Plan Northam 1:2 000 19.17) (Mitchell Avenue)

A. A. SKINNER, Acting Executive Director.

**LB301****PUBLIC WORKS ACT 1902****SALE OF LAND**

File No. LPB 1760/81 "A".

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the 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 Cockburn Sound Location 410 and being part of Lot 4 on Diagram 77195 and part of Lot 5 on Diagram 76210 being part of the land contained in Certificate of Title Volume 1307 Folio 164 as is shown more particularly delineated and coloured green on Plan L.A.,W.A. 635.

Dated this 11th day of September 1990.

A. SKINNER, Acting Executive Director,  
Department of Land Administration.

**LB302****PUBLIC WORKS ACT 1902****SALE OF LAND**

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the 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**

File No. 2185/990.

Lot 14 on plan 9320 which plan is a subdivision of Quairading Lot 147 and portion of Quairading Lot 148 and being the whole of the land contained in Certificate of Title Volume 269 Folio 155A as is shown more particularly delineated and coloured green on plan L.A.,W.A. 653.

**LAND**

File No. 4583/956V2.

Swan Location 6857 held as Reserve 25437 as is shown more particularly delineated and coloured green on plan L.A.,W.A. 654.

Dated this 11th day of September 1990.

A. A. SKINNER, Acting Executive Director,  
Department of Land Administration.

LB401

**LOCAL GOVERNMENT ACT 1960**  
**ORDERS OF THE MINISTER FOR LANDS**

L.A. Corres. 2111/1990.

Whereas by section 288 of the Local Government Act 1960, it shall be lawful for the Minister for Lands, on request by a Council of a Municipal District, by Order published in the *Government Gazette* to declare any lands reserved or acquired for use by the public or used by the public as a street, way, public place, bridge or thoroughfare, under the care, control, and management of the Council, or lands comprised in a private street, constructed and maintained to the satisfaction of the Council, or lands comprised in a private street of which the public has had uninterrupted use for a period of not less than ten years, as a public street and if the Council thinks fit, that the Minister for Lands shall declare the width of the carriageway and footpaths of the public street.

And whereas the City of Rockingham has requested that certain lands named and described in the schedule hereunder, which have been reserved for a street within its municipal district be declared a public street.

Now, therefore, the Minister for Lands by and with the advice does hereby declare the said lands to be a public street, and such land shall, from the date of this Order, be absolutely dedicated to the public as a street within the meaning of any law now or hereafter in force.

Schedule

Road No. 18193 (Livingstone Road) the Right of Way as delineated and shown coloured brown on Office of Titles Plan 9470.

(Public Plans: Peel 1:2 000 6.27, 6.28, 7.27 & 7.28.)

A. A. SKINNER, Acting Executive Director.

LB402

**LOCAL GOVERNMENT ACT 1960**  
**ORDERS OF THE MINISTER FOR LANDS**

L.A. Corres. 1410/1990.

Whereas by section 288 of the Local Government Act 1960, it shall be lawful for the Minister for Lands, on request by a Council of a Municipal District, by Order published in the *Government Gazette* to declare any lands reserved or acquired for use by the public or used by the public as a street, way, public place, bridge or thoroughfare, under the care, control, and management of the Council, or lands comprised in a private street, constructed and maintained to the satisfaction of the Council, or lands comprised in a private street of which the public has had uninterrupted use for a period of not less than ten years, as a public street and if the Council thinks fit, that the Minister for Lands shall declare the width of the carriageway and footpaths of the public street.

And whereas the Town of Mosman Park has requested that certain lands named and described in the schedule hereunder, which have been reserved for a street within its municipal district be declared a public street.

Now, therefore, the Minister for Lands by and with the advice does hereby declare the said lands to be a public street, and such land shall, from the date of this Order, be absolutely dedicated to the public as a street within the meaning of any law now or hereafter in force.

Schedule

Road No. 18194 The Right of Way extending northwards from Hanlin Street to Arthur Street and shown coloured brown on Office of Titles Plan 3717.

(Perth 1:2 000, 08.17.)

A. A. SKINNER, Acting Executive Director.

**LOCAL GOVERNMENT**

LG301

**LOCAL GOVERNMENT ACT 1960**  
**CITY OF MANDURAH (ALTERATION OF COMMON SEAL) ORDER No. 2,**  
**1990**

Made by His Excellency the Governor under section 9 (3) (b) of the Local Government Act.

**Citation**

1. This Order may be cited as the City of Mandurah (Alteration of Common Seal) Order No. 2, 1990.

**Commencement**

2. This Order shall take effect on and from the date of publication in the *Government Gazette*.

**Alteration of Common Seal**

3. The existing Seal of the City of Mandurah is hereby revoked and replaced with the Seal as shown on the attached schedule.

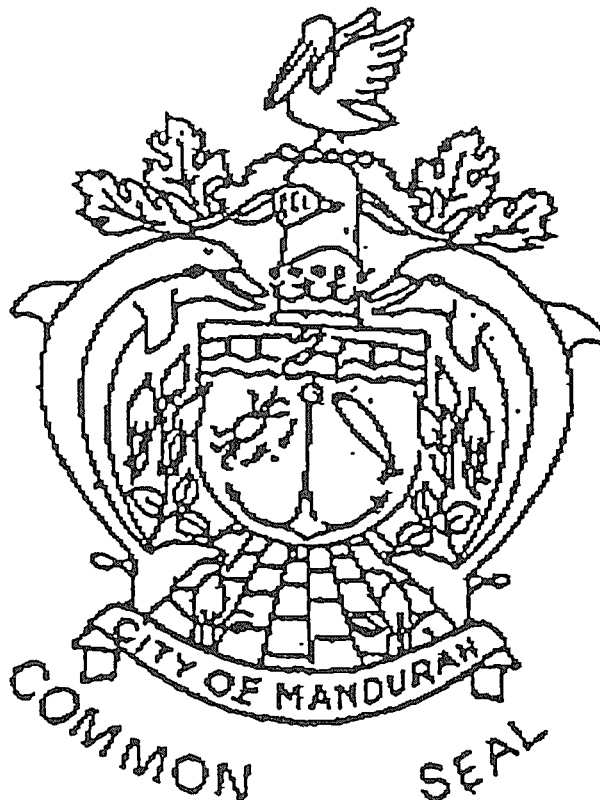
Dated 11th day of September, 1990.

By His Excellency's Command,

G. PEARCE, Clerk of the Council.

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Schedule



LG302

**LOCAL GOVERNMENT ACT 1960***City of Mandurah***By-Law Relating to Reserves and Foreshores**

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 21st day of November 1989 to make and submit the following amendments to the abovementioned By-Law which was published in the *Government Gazette* on the 13th day of July 1984:—

(1) Clause 3: delete Clause 3 and substitute the following:

“ 3. A person shall not without the consent of the Council—

- (a) drive or ride or bring any vehicle onto a reserve or foreshore or permit any person to drive or ride or bring any vehicle onto a reserve or foreshore except on or over such parts of the reserve or foreshore as are set aside as roads or driveways or vehicle parking areas;
- (b) park or stand any vehicle on a reserve except in an area set aside for that purpose;
- (c) park or stand a vehicle on a foreshore except in the course of launching or recovering a boat on a boat ramp set aside by the Council for the launching of boats.

The provisions of clause 3 do not apply to a physically impaired person using a wheelchair. "

(2) Clause 14:

Delete the amount "\$30.00" and substitute " \$50.00 ".

(3) Form 2 in the Schedule:

Delete all references to the amount of "\$30.00" and substitute " \$50.00 ".

Dated this 16th day of July, 1990.

The Common Seal of the City of Mandurah was hereunto affixed in the presence of—

B. P. CRESSWELL, Mayor.  
K. W. DONOHOE, Town Clerk.

Recommended—

GORDON HILL, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 11th day of September, 1990.

G. PEARCE, Clerk of the Council.

LG303

DOG ACT 1976

*The Municipality of the City of Nedlands*

By-Laws Relating to Dogs

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on the 7th day of December 1989 to make and submit for confirmation by the Governor the following amendment to its By-laws Relating to Dogs which was published in the *Government Gazette* on 3 December 1982 and amended from time to time.

The By-laws are amended as follows—

1. Delete the First Schedule and substitute in lieu thereof—

First Schedule	
For the seizure and/or impounding of a dog .....	\$40.00
For the sustenance and maintenance of a dog in a	
Pound per day or part thereof .....	\$20.00
For the destruction of a dog .....	\$20.00 "

Dated this 17th day of May 1990.

The Common Seal of the City of Nedlands was hereunto affixed by Authority of a resolution of Council in the presence of—

C. E. BARNS, Deputy Mayor.  
N. G. LEACH, Town Clerk.

Recommended—

GORDON HILL, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 11th day of September 1990.

G. PEARCE, Clerk of the Council.

LG401

**BUSH FIRES ACT 1954***Shire of Harvey***Firebreak Order**

With reference to section 33 of the Bush Fires Act 1954, you are required to carry out fire prevention work on land owned or occupied by you, in accordance with the provisions of this order.

Details of work required to be completed are detailed hereunder. Work must be completed by 30 November, 1990, and kept maintained until the close of the Restricted Burning Period, 1991.

Persons who fail to comply with the requirements of this Order may be issued with an Infringement Notice (Penalty \$40) prosecuted with an increased penalty, and additionally, Council may carry out the required work at cost to the owner or occupier.

If it is considered to be impractical to clear firebreaks or remove flammable materials as required by this notice, or where:

- (a) compliance with this order may aggravate soil erosion; or
- (b) you consider a more effective system of fire protection can be obtained; or
- (c) natural features render firebreaks unnecessary,

you may apply to the Council or the Area Fire Control Officer, not later than 1 November, 1990, for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land.

If permission is not granted by the Council or the Area Fire Control Officer, you shall comply with the requirements of this notice. If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

**A. Rural Land/Special Rural Land**

Firebreaks not less than two (2) metres wide must be provided in the following positions:

- (a) within 60 metres inside and along the boundaries of all land.
- (b) so as to divide the land into areas of not more than 120 ha (300 acres).
- (c) around all groups of buildings, haystacks (includes two or more round bales placed in a paddock for storage purposes) and fuel installations.
- (d) Irrigation Areas—Owners or occupiers may be exempted from all or part of the requirements of the above. Consult your Area Fire Control Officer.

**B. Urban Land (Residential, Commercial and Industrial land within a townsite or any other area subdivided for residential purposes).**

- (a) Where the area of land is 2 024 sq.m (approximately half acre) or less, remove all flammable material on the land except living standing trees, from the whole of the land;
- (b) Where the area of land exceeds 2 024 sq.m (approximately half acre) provide firebreaks of at least two (2) metres wide.

Note: Myalup and Binningup—The following are accepted in lieu of item (a) of the above requirements:

Firebreaks two (2) metres wide inside and around all boundaries of land are accepted in lieu of item (a) of the above requirements.

- 1. Firebreaks two (2) metres wide inside and around all boundaries of land.
- 2. Slashing of the entire block.
- 3. Removal of isolated fire hazardous materials on the block.

**C. Fuel and/or Gas Depots**

In respect of any land used for the above purpose, you shall maintain the land clear of all flammable materials.

**D. Plantations****(a) Definitions—**

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

**(b) Boundary Firebreaks—**

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

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

## (c) Internal Firebreaks

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

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

## (d) Special Risks

## (i) Public Roads and Railway Reserves

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

## (ii) Power Lines

Firebreaks shall be provided along power lines where they pass through or lie adjacent to planted areas.

The specification of the width and the height of clearing shall be in accordance with State Energy Commission specifications.

## F. Rotary Slashers

The possibility of fires started by rotary slashers being operated in bush or grassland during the summer months, is brought to the attention of landowners. They are asked to take care to avoid fires when slashing in dry or hot conditions.

KEITH J. LEECE, Shire Clerk.

## LG402

## LOCAL GOVERNMENT ACT 1960

*City of Canning*

## Rating of Sporting Associations

At a meeting of the Council of the City of Canning held on 27th August, 1990 it was resolved that under the provisions of section 532(12) of the Local Government Act that the property specified in the schedule hereto be exempted from Municipal Rates with effect from 1st July 1990—

Name of Association; Description of Land.

Club Fiumano Giulano, Lot 627 Welshpool (Wattle Grove Hall).

I. F. KINNER, Town Clerk.

## LG403

## BUSH FIRES ACT 1954

*Shire of Brookton*

## FIREBREAK ORDER

## Notice to Owners and Occupiers of Land in the Shire of Brookton

Pursuant to powers contained in section 33 of the Bush Fires Act 1954 owners and occupiers of property within the Shire of Brookton are hereby required on or before the 14th November, 1990 to plough, cultivate, scarify, chemically spray or otherwise clear and thereafter maintain free of all flammable material until the 15th April, 1991, firebreaks as stipulated in the following positions.

## Schedule

## Rural Land—

- 1.1 Within fifteen (15) metres of the perimeter boundary, whichever is nearer of all buildings and/or haystacks or groups of buildings and/or haystacks, or fuel drums and/or fuel depots, on the land, to completely surround the building or group of buildings. The cleared land is to extend for a distance of not less than five (5) metres.
- 1.2 During any period when harvesting operations are being conducted there shall be provided in the same paddock or within 500 metres of that paddock an operational independent mobile fire fighting unit having a water capacity of not less than 450 litres. The tank of the unit shall be kept full of water at all times during the harvesting operations. The responsibility to supply the unit being that of the landholder.

- 1.3 During the prohibited burning times, all trucks, bulldozers and tractors shall not be operated on rural land unless fitted with a fire extinguisher.

*Definition* "Fire Extinguisher" means a device which comprises:—

- a) a container filled with at least 7.5 litres of water; and
  - b) capable of discharging that water under pressure and which is in a sound working condition;
  - c) an operative chemical extinguisher.
- 1.4 During the prohibited burning time, all internal combustion motors being stationary and unattended shall not be operated unless clear of all flammable material immediately surrounding the said motor for a distance of not less than five (5) metres.

**Townsite Land—**

- 2.1 With an area of less than 1 000 square metres with no buildings, completely clear all flammable material from the whole of the land.
- 2.2 With an area of less than 1 000 square metres with buildings, that all building or group of buildings have an area cleared of flammable material no less than two (2) metres wide not more than fifteen (15) metres from such buildings or group of buildings or to the external boundary of the land, whichever is nearer.
- 2.3 With an area of greater than 1 000 square metres with no buildings, to be completely surrounded by a firebreak of not less than two (2) metres wide as near as possible to the boundary.
- 2.4 With an area of greater than 1 000 square metres with buildings or groups of buildings, have an area cleared of flammable material no less than two (2) metres wide not more than fifteen (15) metres from such building or groups of buildings or to the external boundary of the land, whichever is nearer.

The firebreaks may be inspected shortly after the 14th of November, 1990 and the penalty for failing to comply with this notice is a fine of not more than \$1 000, or a penalty of \$40 may be incurred by the issue of an infringement notice, and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice, if it is not carried out by the owner or occupier by the date required by this notice.

If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act 1954, which includes the necessity for permits to burn during the restricted and prohibited burning season.

Failure to comply with these requirements renders the offenders to the penalties prescribed in the Bush Fires Act 1954.

By Order of the Council.

G. R. THORN, Shire Clerk.

LG404

**SHIRE OF MANJIMUP**

**Fees and Charges**

Notice is hereby given that the following fees and charges were adopted by Council at its meeting of 26 July 1990 and will come into effect as at 1 August 1990.

**Building Application Fees—**

	\$
Residential and Townsites ...	2.00 +
	0.48c/sq m
Rural Outbuildings .....	2.00 +
	0.24c/sq m
Minimum building fee—in all cases (includes \$1 application fee) .....	24.00
Building Bonds (relocated buildings)—	
Minimum .....	825.00
Maximum .....	2 750.00
Kerb Deposits .....	110.00
Standard Specifications (2 copies required each application) .....	11.00
Demolition Licence .....	11.00
Building statistics (monthly) .....	30.00 pa

**Home Occupation and Itinerant Vendors License Fees—**

	\$
Annual Licence Fee .....	185.00
Minutes—	
Copy of Agenda and Minutes—	
per annum .....	100.00
per month .....	12.00

**Photocopying—**

A4 sheet .....	0.20
A3 sheet .....	0.30
Prices for large amounts of copying by negotiation with Acting Shire Clerk or Senior Administration Officer.	

**Private Works and Reinstatements—**

Overheads for private works and reinstatements will be charged at a rate of 200 per cent to Telecom, SEC and WAWA.



Property Information Services—		Commercial and Other Government Departments—	
	\$	Offices—	\$
Property Search Fees—per search .....	5.00	Half Day .....	33.00
Non Ratepayers—minimum .....	10.00	Full Day .....	55.00
		Lockable filing cabinet (each) .....	11.00
Timber Park—		Conference Room—	
Local Residents .....	free	Per Meeting .....	55.00
Adults .....	2.00	Gallery—	
Child/Pensioner .....	1.00	Per Function .....	165.00
Family .....	5.50	For Exhibitions (per week) .....	165.00
Tourist Bureau Lease .....	110.00	Town Planning Scheme—	
Arts and Crafts Lease (per week) .....	120.60	Minor amendment documents supplied .....	440.00
Wedding Photos .....	22.00	Minor amendment documents prepared .....	905.00
All bookings at the Tourist Bureau Commission .....	33.3% takings	Major amendment (plus consultants' fees) .....	425.00
		Copy of scheme gazettal .....	2.40
Town Hall—		Windy Harbour—	
Dances/Weddings .....	110.00	Annual lease Fee including water charge .....	55.00
Cabarets .....	120.00	Conveyancing Fee (including Stamp Duty) .....	90.00
Band/Disco/Travelling Show .....	300.00	Caravan/Camping Site (per day) .....	3.50
Other Day Functions .....	28.00	Works—	
Other Evening Functions, Sunday-Thursdays .....	50.00	Road Closures—fee payable upon Council support of closure .....	242.00
Use of Kitchen .....	22.00	Gate Fees—(per gate per annum) .....	
Bonds—		Plant Hire—Local organisations (Service Clubs, Sporting Organisations, etc.). Plant must be operated by Council staff, cost to organisation is fuel only.	
Hall .....	55.00	Swimming Pool Admission—	\$
Hall and Kitchen .....	110.00	Adults .....	2.50
Function with alcohol .....	440.00	Children .....	1.00
Rehearsals—		Family Season Ticket .....	70.00
Day .....	16.50	Half Season Tickets (mid point being 13/1/91) .....	45.00
Night .....	28.00	Swimming Lessons (vacation classes—2 weeks) .....	25.00
Bookings unconfirmed until full payment of hire fee and bond made.		School Swimming Lessons (Manjimup only—per child—whole season) .....	3.00
No sound testing of bands prior to 5.00 p.m. Monday-Friday.		Not schools outside Manjimup townsite admitted free	
Community Centre Fees—		Spectator .....	free
Community Groups and Community Servicing Government Departments—	\$	Carnivals .....	1.00
Offices—		Lessons .....	1.00
Half Day .....	5.50		
Full Day .....	11.00		
Lockable filing cabinet (each) .....	11.00		
Conference Room—			
Per Meeting .....	16.50		
Gallery—			
Per Function .....	55.00		

The Council reserves the right to alter or amend any of the above charges for any of its facilities, depending upon individual circumstances, as it sees fit.

M. D. RIGOLL, Shire Clerk.

#### LG405

#### Shire of Manjimup

#### Appointment of Dog Control Officer

It is hereby notified for public information that the former Dog Control Officers, Shane Terrence Bradbury and Thomas Edward Healey, are no longer authorised officers for the Shire of Manjimup and that Colin Douglas Brown had been appointed as Dog Control Officer and authorised Litter Inspector for the Shire of Manjimup effective from 24th August 1990 as an authorised officer for the following—

... Section 29 of the Dog Act 1976  
... Litter Act

M. D. RIGOLL, Shire Clerk.

LG406

## LOCAL GOVERNMENT ACT 1960

*City of Rockingham*

## Schedule of Charges—Halls, Ovals and Changerooms

In pursuance of the powers conferred upon it by the abovementioned Act, and of all other powers enabling it, the Council of the abovementioned Municipality resolved at Meetings held on 26 June 1990, 24 July 1990 and 29 August 1990 that the following charges apply in respect of Halls, Ovals and Changerooms under the control of the Council:

FLINDERS HALL		10. Rehearsals		\$
For main hall, including kitchen, supper room and all facilities (except where otherwise specified):		Evening (per hour) .....	27.00	
		Day (per hour) .....	22.00	
		11. For each hour after midnight (all hirers) per hour .....	64.00	
		12. Hire of public address system for any function .....	27.00	
		McLARTY HALL		Reg Charge \$
		For main hall, including kitchen, supper room and all facilities (except where otherwise specified):		
1. Dances, Cabarets		1. Dances, Cabarets		
Evenings—		Evenings—		
Saturday and Sunday .....	159.00	Saturday and Sunday .....	120.00	
Friday .....	159.00	Friday .....	120.00	
Week Nights .....	143.00	Week Nights .....	104.00	
Day and Evening—add charge per hour .....	22.00	Day and Evening—add charge per hour .....	18.50	
2. Travelling Shows, Bingo etc.		2. Travelling Shows, Bingo etc.		
Evenings—		Evenings—		
Saturday and Sunday .....	159.00	Saturday and Sunday .....	120.00	
Friday .....	159.00	Friday .....	120.00	
Week Nights .....	143.00	Week Nights .....	104.00	
Day .....	120.00	Day (per hour) .....	18.50	
Day and Evening—add charge per hour .....	22.00			
3. Wedding Receptions, Birthday Parties		3. Wedding Receptions, Birthday Parties		
Evenings—		Evenings—		
Saturday and Sunday .....	159.00	Saturday and Sunday .....	120.00	
Friday .....	159.00	Friday .....	120.00	
Week Nights .....	143.00	Week Nights .....	104.00	
Day .....	120.00	Day and Evening—add charge per hour .....	18.50	
Day and Evening—add charge per hour .....	22.00	Day per hour .....	18.50	
4. Concerts, Lectures and Film Shows (where charge is made for admission)		4. Concerts, Lectures and Film Shows (where charge is made for admission)		
Evening .....	120.00	Evening .....	104.00	
Day .....	78.00	Day .....	64.00	
5. Lectures, Concerts and Film Shows (where no charge is made for admission and no kitchen facilities are used) ....	78.00	5. Lectures, Concerts and Film Shows (where no charge is made for admission) .....	48.00	
6. Meetings		6. Meetings		
Evening .....	73.00	Evening .....	48.00	
Day .....	55.00	Day .....	40.00	
7. Bazaars, Sales, Auctions		7. Bazaars		
Evening .....	159.00	Evening—		
Day .....	120.00	Saturday and Sunday .....	118.00	
Day and Evening—add charge per hour .....	22.00	Friday .....	118.00	
8. Dancing Classes (Adults)		Weeknights .....	104.00	
Evening (per hour) .....	40.00	Day and Evening—add charge per hour .....	18.50	
Day (per hour) .....	22.00	Day (per hour) .....	18.50	
9. Dancing Classes (Juveniles)				
Evening (per hour) .....	22.00			
Day (per hour) .....	14.00			

8. Dancing Classes (Adults, Hall only)	\$	7. Basketball	\$
Evening (per hour) .....	22.00	Day and Evening (per hour) .....	18.50
Day (per hour) .....	14.00	8. Meetings	
9. Dancing Classes (Juveniles, Hall only)		Evening .....	78.00
Evening .....	18.50	Day .....	73.00
Day (per hour) .....	13.00	9. Bazaars, Sales, Auctions	
10. Rehearsals		Evening .....	173.00
Evening (per hour) .....	22.00	Day .....	173.00
Day (per hour) .....	14.00	Day and Evening—add charge per hour.....	27.00
McLARTY HALL PART "B"			
11. Meetings		10. Dancing Classes (Adults)	
Evening .....	18.50	Evening (per hour) .....	42.00
Day .....	14.00	Day (per hour) .....	40.00
WARNBRO SPORTS COMPLEX "A"			
For main hall, including kitchen, bar and all facilities excluding changerooms (except where otherwise specified)			
	Reg Charge \$	11. Dancing Classes (Juveniles)	
1. Dances, Cabarets		Evening (per hour) .....	27.00
Evenings—		Day (per hour) .....	18.50
Saturday and Sunday .....	173.00	12. Rehearsals	
Friday .....	173.00	Evening (per hour) .....	40.00
Week Nights .....	151.00	Day (per hour) .....	27.00
Day and Evening—add charge per hour .....	27.00	13. For each hour after midnight (all hirers) per hour .....	64.00
2. Travelling Shows, Bingo etc.		14. Hire of public address system for any function .....	27.00
Evenings—		WARNBRO SPORTS COMPLEX "B"—LESSER HALL	
Saturday and Sunday .....	173.00	Excluding use of kitchen and bar facilities	
Friday .....	173.00		Reg Charge \$
Week Nights .....	151.00	15. Dances, Cabarets	
Day .....	151.00	Evenings—	
Day and Evening—add charge per hour .....	27.00	Saturday and Sunday .....	78.00
3. Wedding Receptions, Birthday Parties		Friday .....	78.00
Evenings—		Week Nights .....	64.00
Saturday and Sunday .....	173.00	Day and Evening—add charge per hour .....	18.50
Friday .....	173.00	16. Travelling Shows, Bingo etc.	
Week Nights .....	151.00	Evenings—	
Day .....	151.00	Saturday and Sunday .....	78.00
Day and Evening—add charge per hour .....	27.00	Friday .....	78.00
4. Concerts, Lectures and Film Shows (where charge is made for admission)		Week Nights .....	64.00
Evening .....	120.00	Day .....	64.00
Day .....	104.00	Day and Evening—add charge per hour .....	18.50
5. Lectures, Concerts and Film Shows (where no charge is made for admission and no kitchen facilities are used) ....	78.00	17. Wedding Receptions, Birthday Parties	
6. Badminton		Evenings—	
Day and Evening (4 courts) per hour .....	18.50	Saturday and Sunday .....	78.00
Day and Evening (3 courts) per hour .....	15.00	Friday .....	78.00
Day and Evening (2 courts) per hour .....	10.00	Week Nights .....	64.00
Day and Evening (1 court) per hour .....	8.00	Day .....	64.00
		Day and Evening—add charge per hour .....	18.50
		18. Concerts, Lectures and Film Shows (where charge is made for admission)	
		Evening .....	64.00
		Day .....	48.00
		19. Lectures, Concerts and Film Shows (where no charge is made for admission) .....	40.00

20. Meetings	\$	9. For each hour after midnight (all hirers) per hour	\$
Evening .....	40.00		35.00
Day .....	27.00		
21. Bazaars, Sales, Auctions		BALDIVIS HALL	
Evening .....	78.00	For main hall, including kitchen, supper room and all facilities (except where otherwise specified):	
Day .....	64.00		Reg Charge \$
Day and Evening—add charge per hour.....	18.50		
22. Dancing Classes (Adults)		1. Dances, Cabarets	
Evening (per hour) .....	18.50	Evenings—	
Day (per hour) .....	14.00	Saturday and Sunday .....	120.00
23. Dancing Classes (Juveniles)		Friday .....	120.00
Evening (per hour) .....	14.00	Week Nights .....	88.00
Day (per hour) .....	13.00	Day and Evening—add charge per hour .....	18.50
24. Rehearsals		2. Travelling Shows, Bingo etc.	
Evening (per hour) .....	18.50	Evenings—	
Day (per hour) .....	14.00	Saturday and Sunday .....	120.00
25. For each hour after midnight (all hirers) per hour .....	64.00	Friday .....	120.00
26. For hire of kitchen .....	55.00	Week Nights .....	88.00
27. For hire of bar .....	27.00	Day (per hour) .....	18.50
28. For hire of kiosk .....	36.00	3. Wedding Receptions, Birthday Parties	
		Evenings—	
		Saturday and Sunday .....	120.00
		Friday .....	120.00
		Week Nights .....	88.00
		Day and Evening—add charge per hour .....	18.50
		Day (per hour) .....	18.50
		4. Bazaars, Sales, Auctions	
		Evenings—	
		Saturday and Sunday .....	120.00
		Friday .....	120.00
		Week Nights .....	88.00
		Day and Evening—add charge per hour .....	18.50
		Day (per hour) .....	18.50
		5. Concerts, Lectures and Film Shows (where charge is made for admission)	
		Evening .....	78.00
		Day .....	56.00
		6. Lectures, Concerts and Film Shows (where no charge is made for admission and no kitchen facilities are used) .....	40.00
		7. Meetings	
		Evening .....	40.00
		Day .....	22.00
		8. Dancing Classes (Adults, hall only)	
		Evening (per hour) .....	27.00
		Day (per hour) .....	18.50
		9. Dancing Classes (Juveniles, hall only)	
		Evening (per hour) .....	14.00
		Day (per hour) .....	11.00
		10. Rehearsals (Concerts, etc.)	
		Evening (per hour) .....	18.50
		Day (per hour) .....	13.00
		11. For each hour after midnight (all hirers) per hour .....	64.00
PERON PARK BUILDING "A"			
	Reg Charge \$		
1. Travelling Shows, Bingo etc.			
Evenings—			
Saturday and Sunday .....	35.00		
Friday .....	31.00		
Week Nights .....	27.00		
Day (per hour) .....	5.00		
2. Bazaars			
Evenings—			
Saturday and Sunday .....	35.00		
Friday .....	31.00		
Week Nights .....	38.00		
Day (per hour) .....	5.00		
3. Concerts, Lectures and Film Shows (where charge is made for admission)			
Evening .....	35.00		
Day .....	17.00		
4. Lectures, Concerts and Film Shows (where no charge is made for admission) .....	17.00		
5. Meetings			
Evening .....	14.00		
Day .....	12.00		
6. Dancing Classes (Adults, hall only)			
Evening (per hour) .....	8.00		
Day (per hour) .....	5.00		
7. Dancing Classes (Juveniles)			
Evening (per hour) .....	5.00		
Day (per hour) .....	3.80		
8. Rehearsals (Concerts, etc.)			
Evening (per hour) .....	8.00		
Day (per hour) .....	5.00		

SINGLETON HALL		HILLMAN HALL	
	Reg Charge \$		Reg Charge \$
1. Dances, Cabarets		1. Dances, Cabarets	
Evenings—		Evenings—	
Saturday and Sunday .....	88.00	Saturday and Sunday .....	120.00
Friday .....	88.00	Friday .....	120.00
Week Nights .....	64.00	Week Nights .....	88.00
Day and Evening—add charge per hour .....	13.00	Day and Evening—add charge per hour .....	18.50
2. Travelling Shows, Bingo etc.		2. Travelling Shows, Bingo etc.	
Evenings—		Evenings—	
Saturday and Sunday .....	88.00	Saturday and Sunday .....	120.00
Friday .....	88.00	Friday .....	120.00
Week Nights .....	64.00	Week Nights .....	88.00
Day and Evening—add charge per hour .....	13.00	Day and Evening—add charge per hour .....	18.50
Day (per hour) .....	13.00		
3. Wedding Receptions, Birthday Parties		3. Wedding Receptions, Birthday Parties	
Evenings—		Evenings—	
Saturday and Sunday .....	88.00	Saturday and Sunday .....	120.00
Friday .....	88.00	Friday .....	120.00
Week Nights .....	64.00	Week Nights .....	88.00
Day (per hour) .....	13.00	Day and Evening—add charge per hour .....	18.50
Day and Evening—add charge per hour .....	13.00		
4. Bazaars		4. Bazaars	
Evenings—		Evenings—	
Saturday and Sunday .....	88.00	Saturday and Sunday .....	120.00
Friday .....	88.00	Friday .....	120.00
Week Nights .....	64.00	Week Nights .....	88.00
Day and Evening—add charge per hour .....	13.00	Day and Evening—add charge per hour .....	18.50
Day (per hour) .....	13.00		
5. Concerts, Lectures and Film Shows (where charge is made for admission)		5. Concerts, Lectures and Film Shows (where charge is made for admission)	
Evening .....	56.00	Evening .....	88.00
Day .....	27.00	Day .....	56.00
6. Lectures, Concerts and Film Shows (where no charge is made for admission) .....	27.00	6. Lectures, Concerts and Film Shows (where no charge is made for admission) .....	56.00
7. Meetings		7. Meetings	
Evening .....	27.00	Evening .....	40.00
Day .....	16.00	Day .....	27.00
8. Dancing Classes (Adults, hall only)		8. Dancing Classes (Adults)	
Evening (per hour) .....	27.00	Evening (per hour) .....	27.00
Day (per hour) .....	16.00	Day (per hour) .....	22.00
9. Dancing Classes (Juveniles, hall only)		9. Dancing Classes (Juveniles)	
Evening (per hour) .....	27.00	Evening (per hour) .....	22.00
Day (per hour) .....	16.00	Day (per hour) .....	13.00
10. Rehearsals (Concerts, etc.)		10. Rehearsals (Concerts)	
Evening (per hour) .....	18.50	Evening (per hour) .....	27.00
Day (per hour) .....	13.00	Day (per hour) .....	14.00
11. For each hour after midnight (all hirers) per hour .....	64.00	11. For each hour after midnight (all hirers) per hour .....	64.00

## GOLDEN BAY HALL

	Reg Charge \$
1. Meetings.	
Day and Evening .....	6.50
Cleaning Bond.	

A Cleaning Bond of \$50.00 is required for functions of a "Meeting", "Dancing Class", etc, nature, with a \$150.00 bond for functions of a "Wedding Reception", "Birthday Party", "Travelling Show", etc, nature to be levied.

## OVALS AND CHANGEROOMS

	Reg Charge \$
1. Rockingham Oval.	
1. Sporting fixtures—ground only .....	50.00
2. Sporting fixtures—ground/2 changerooms .....	79.50
3. Sporting fixtures—ground/1 changeroom .....	65.50
4. Changerooms—Meetings and Socials:	
Evening .....	27.00
Day .....	20.00
5. Kiosk facilities—extra charge .....	27.00
6. Training purposes—per Club per hour .....	5.00
2. Shoalwater Oval.	
1. Sporting fixtures—ground only .....	50.00
2. Sporting fixtures—ground/2 changerooms .....	79.50
3. Sporting fixtures—ground/1 changeroom .....	65.50
4. Changerooms—Meetings and Socials:	
Evening .....	27.00
Day .....	20.00
5. Training purposes—per Club per hour .....	5.00
3. Bungaree Oval.	
1. Sporting fixtures—ground only .....	50.00
2. Sporting fixtures—ground/2 changerooms .....	79.50
3. Sporting fixtures—ground/1 changeroom .....	65.50
4. Changerooms—Meetings and Socials:	
Evening .....	13.00
Day .....	20.00
5. Training purposes—per Club per hour .....	5.00
4. Currie Street Reserve—East.	
1. Sporting fixtures—ground only .....	50.00
2. Sporting fixtures—ground/2 changerooms .....	79.50

3. Sporting fixtures—ground/1 changeroom .....	\$ 65.50
4. Kiosks—1 Equipped .....	36.00
—2 .....	27.00
—Kitchen .....	55.00
5. Training purposes—per Club per hour .....	5.00
5. Currie Street Reserve—West.	
As above.	
6. Peron Park Reserve.	
1. Sporting fixtures—ground only .....	31.60
2. Training purposes—per Club per hour .....	5.00
7. Georgetown Drive Reserve.	
1. Sporting fixtures—ground only .....	50.00
2. Sporting fixtures—ground/2 changerooms .....	79.50
3. Sporting fixtures—ground/1 changeroom .....	65.50
4. Changerooms—Meetings and Socials:	
Evening .....	27.00
Day .....	20.00
5. Training purposes—per Club per hour .....	5.00
6. Kiosk facilities—extra charge .....	27.00
8. Anniversary Park West.	
1. Sporting fixtures—ground only .....	50.00
2. Sporting fixtures—ground/2 changerooms .....	79.50
3. Sporting fixtures—ground/1 changeroom .....	65.50
4. Changerooms—Meetings and Socials:	
Evening .....	40.00
Day .....	35.00
5. Kiosk facilities—extra charge .....	55.00
6. Training purposes—per Club per hour .....	5.00
9. Anniversary Park East.	
As above.	
10. Careeba Park.	
1. Sporting fixtures—ground only .....	50.00
2. Kiosk facilities—extra charge .....	27.00
3. Training purposes—per Club per hour .....	5.00
11. June Road Reserve.	
1. Sporting fixtures—ground only .....	50.00
2. Training purposes—per Club per hour .....	5.00
12. Apex Park.	
1. Sporting fixtures—ground only .....	50.00
2. Training purposes—per Club per hour .....	5.00
13. Wilson Park.	
1. Training purposes—per Club per hour .....	5.00
14. Breaden Drive.	
1. Sporting fixtures—ground only .....	44.00
2. Training purposes—per Club per hour .....	5.00

15. Dixon Road Reserve.	\$	2. Sporting fixtures—ground	\$
1. Sporting fixtures—ground only .....	50.00	plus Hall for changerooms .	65.00
2. Training purposes—per Club per hour .....	5.00	3. Training purposes—per Club per hour .....	5.00
16. Torcross Street Reserve.		FLOODLIGHT CHARGES.	
1. Sporting fixtures—ground only .....	50.00	Anniversary Park.	\$
2. Training purposes—per Club per hour .....	5.00	Area 1—15 Lights .....	5.00
		Area 2—15 Lights .....	5.00
17. Dargin Way Reserve.		Total Area—30 Lights .....	10.00
1. Sporting fixtures—ground only .....	50.00	Rockingham Oval.	
2. Training purposes—per Club per hour .....	5.00	15 Lights .....	5.00
18. Baldivis Reserve.		Festivals, Fairs, Concerts.	
1. Sporting fixtures—ground only .....	50.00	Hire Fee .....	200.00
2. Training purposes—per Club per hour .....	5.00	Local Clubs .....	100.00
19. Nettleton Way Reserve.		Ground Restoration .....	500.00
1. Sporting fixtures—ground only .....	50.00	Levy	
2. Training purposes—per Club per hour .....	5.00	Clubs are required to pay a fixture charge for hire of grounds; or a levy of \$0.35 per Junior player or \$0.80 per Senior player per game.	
20. Singleton Sporting Complex.		Local Clubs and Group Concession.	
1. Sporting fixtures—ground only .....	50.00	A concession of 30% will be granted to <i>bona fide</i> local clubs and groups in respect of Hall and Oval Hire fees.	
		Junior Clubs.	
		A charge of 35% of Local Clubs and Group Concession fee will be approved for Junior Clubs.	

## LG407

## LOCAL GOVERNMENT ACT 1960

*Shire of Cunderdin*

It is hereby notified for Public Information that John A. Randall has been appointed as Building Surveyor from August 17th, 1990 pursuant to section 157 (2) of the Local Government Act 1960. The appointment of Frank Buise is cancelled.

N. J. ALCOCK, Shire Clerk.

## LG408

## CEMETERIES ACT 1986

*Shire of Esperance*

It is hereby notified for public information that in accordance with section 53 of the Cemeteries Act 1986 Council has resolved to amend fees relating to the management of the Esperance Public Cemetery.

The revised fees are as follows—

	Amount
	\$
1. Plot Fee (Exclusive Right of Burial 2.4m x 1.2m) .....	225
2. Burial Fee	
2.1 Ordinary Interment .....	175
2.2 Interment of Stillborn & perinatal child .....	40
3. Plaque Fee	
3.1 Size 380 mm x 280 mm .....	162
3.2 Size 560 mm x 305 mm .....	228
3.3 Monumental Permit Fee .....	39
4. Exhumation Fee	
4.1 Re-opening of Grave .....	182
4.2 Re-interment in new Grave .....	130
5. Placement of Ashes Fee	
5.1 Placement in Burial area .....	39
5.2 Placement in ground Niche Garden or Memorial Wall (includes commemorative tablet and reservation for second placement) .....	130
5.3 Scattering to the Winds .....	13

6. Miscellaneous Fees	\$
6.1 Undertakers Annual Licence Fee .....	32
6.2 Additional fee for late arrival at Cemetery .....	20
6.3 For interment of oblong or oversized caskets .....	65
6.4 For interment on a Saturday or Public Holiday .....	78
6.5 Copy of Grant of Right of Burial .....	20

R. T. SCOBLE, Shire Clerk.

LG409

### BUSH FIRES ACT 1954

#### *Shire of Waroona*

Important information relating to your responsibility as a  
landholder in the Shire of Waroona

With reference to section 33 of the Bush Fires Act 1954 you are required to carry out fire prevention work on land owned or occupied by you in accordance with the provisions of this order.

This work must be carried out on or before 30 November 1990, and kept maintained throughout the summer months until the close of Restricted Burning Period 1991.

An inspection of firebreaks and hazard removal will be carried out in all areas of the Shire by authorised Officers on or after 30 November 1990. Persons who fail to comply with the requirements of this order may be issued with an infringement notice (Penalty \$40) or prosecuted with an increased penalty, and additionally, Council may carry out required work at cost to the owner or occupier.

If it is considered for any reason to be impractical to clear firebreaks as required by this Notice or natural features render firebreaks unnecessary, you may apply to the Council or its duly authorised Officer, not later than the 1st day of November 1990 for permission to provide firebreaks in alternative positions (Strategic Breaks) or to take alternative action to abate fire hazards on the land. If permission is not granted by the Council or its duly authorised Officer, you shall comply with the requirements of this Notice. If the requirements of this Notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act. Burning is permitted on Sundays and Public Holidays, at discretion of relevant Fire Control Officer.

#### A. Rural Land

Firebreaks no less than two (2) metres wide must be provided in the following positions—

- (a) within 60 metres inside and along the boundaries of all land including that which is uncleared, so as to form a continuous break around the holding.

Note: Firebreaks constructed on road verges do not constitute a legal firebreak.

- (b) not more than 100 metres and not less than 20 metres from the perimeter of all groups of buildings, haystacks and fuel installations provided on that land.

Note 1: 10 round bales constitute a haystack; 5 large oblong bales constitute a haystack; 200 small oblong bales constitute a haystack.

Note 2: Irrigation Area—Owners or occupiers may be exempted from all or part of the requirements of the above if, in the opinion of the Fire Control Officer responsible for the area in which the land is located, there is no need to construct breaks on the irrigated land or non-irrigated land, not exceeding 20 hectares in area if surrounded by irrigated land.

#### B. Special Rural Land

The owners of all existing small rural holdings zoned "Special Rural" under Town Planning Schemes, must maintain clear of all flammable materials, a firebreak not less than two (2) metres wide immediately inside all external boundaries of the land.

#### C. Urban Land (Residential, Commercial, Industrial and Rural land within Waroona/Hamel townsites)

In respect of land owned or occupied by you within the above townsites or any area subdivided for other purposes, you shall—

- (a) where the area of land is 2 024 m<sup>2</sup> (approx. 1/2 acre) or less, remove all flammable material on the land except living standing trees, from the whole of the land; and
- (b) where the area of land exceeds 2 024 m<sup>2</sup> (approx 1/2 acre) provide firebreaks of at least two (2) metres wide immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land. Where several adjoining lots are held or used by the owner/occupier, the firebreaks may be provided inside, along the external boundaries of the group of lots.

#### D. Preston Beach Townsite

Owners and occupiers of lots within Preston Beach Townsite are required to reduce fire hazards by means of slashing vegetation. Contract slashing is available by contacting the following contractor—

Mr R. A. Slee, R.M.B. 718, Waroona 6215. Telephone: (097) 39 1052.

Burning off of lots is not recommended.

#### E. Lake Clifton Area

Owners and occupiers of Lots within the Lake Clifton Area may contact either of the following contractors for firebreaks—

(a) Mr M. Cartledge, R.M.B. 641, Waroona 6215. Telephone: (097) 39 1051.

(b) Mr N. Wilkinson, R.M.B. 677, Waroona 6215. Telephone: (097) 39 1113.



**F. Fuel and/or Gas Depots**

In respect of land owned or occupied by you on which is situated any container normally used to contain liquid or gas fuel, including the land on which any ramp or supports are constructed, you shall maintain the land clear of all flammable materials.

**G. Fire Protection of Private—Hardwood/Softwood Plantations****Definitions and Specifications**

**Plantations**—Any area of planted Pines or Eucalyptus species exceeding 3 ha.

**Windbreaks**—Will be defined as planted areas not exceeding 15 metres in depth with an unrestricted length.

**Firebreaks**—15 metres Boundary Break.

The first row of trees must be at least 15 metres from the outside edge of the break.

The outer 10 metres of the firebreak must be cleared of all flammable material on the ground, and will have a 10 metre vertical clearance, i.e., with no overhanging branches. The remaining 5 metres must be maintained in a low fuel condition, i.e., short grass may be considered a low fuel.

**Minimum Firebreak Standards**

The following firebreak standards will apply for plantations—

Firebreaks constructed 15 metres wide (as per definition) on the boundaries of plantations or on such other location as may be agreed between the Waroona Shire Council and the plantation owner.

Firebreaks clear of all flammable material 6 metres wide should surround compartments of approximately 30 hectares.

All firebreaks must be maintained in trafficable condition and trees on both sides of breaks progressively pruned to a minimum height of 4 metres to allow unrestricted access of maintenance and fire fighting equipment and so as to maintain an effective width of firebreak. Where power lines pass through plantation areas firebreaks as per S.E.C. specifications must be provided.

**Prohibited Burning Times**

The prohibited burning times for the Waroona District are—

Zone 4 Irrigation Area—December 22 to February 14 (inclusive).

Zone 6 (a) Coastal Area—December 15 to February 28 (inclusive).

(b) Central Area—December 15 to February 28 (inclusive).

Zone 6 (a) Dry Sand Area—December 15 to March 14 (inclusive).

(b) Hills Area—December 15 to March 14 (inclusive).

Fire permits must be obtained from your relevant Fire Control Officer for burning off during the following periods—

Zone 4 November 9—December 21

February 15—March 29

Zone 6 November 2—December 14

March 1—April 12

Zone 8 November 2—December 14

March 15—April 26

Prior to commencement of burn you are required to notify the Council Office of times, dates and location numbers.

**Bush Fire Control Officers**

The various Bush Fire Control Officers for the different areas are listed together with their telephone numbers—

Chief Fire Control Officer—J. Twaddle ..... 33 1593

Deputy Chief Fire Control Officer—R. Hull ..... 33 1301

Secretary—R. Lane ..... 33 1474

**Brigade Zone**

1	6	North West No. 1 .....	I. V. Williamson .....(09) 530 3303
			(Captain) D. Hodgson ..... 33 1360
2	4	North West No. 2 .....	R. Caratti ..... 33 1349
			(Captain) L. G. Snell ..... 33 1219
3	8	North East No. 1 .....	P. Ward ..... 33 1262
			(Captain) J. Look ..... 33 1261
4	8	North East No. 2 .....	R. G. Hull ..... 33 1301
			(Captain) J. Higgins ..... 33 1105
5	8	Central East .....	G. Brown ..... 33 1386
			(Captain) V. Pitter ..... 33 1465
6	6	Central West .....	P. Fregon ..... 39 1020
			(Captain) G. Lewis ..... 39 1013
7	6	South West .....	(Captain) W. Blake ..... 33 5015
8	4 and 8	Wagerup .....	K. Power ..... 33 1567
			(Captain) B. Gledhill ..... 33 5164
9	4	Town .....	J. Twaddle ..... 33 1593
			(Captain) A. Alexander ..... 33 1496
10	8	Lake Clifton .....	G. Sudholz ..... 39 1046
			(Captain) D. Renshaw ..... 39 1075
			(Lieutenant) P. Collins ..... 39 1042
			(2nd Lieutenant) L. Osborne ..... 39 1129
10	6	Preston .....	S. Essex ..... 39 1209
			(Captain) A. James ..... 39 1193

N. J. HENDERSON, Acting Shire Clerk.

## LG410

*Shire of Wyndham-East Kimberley*

## Ranger

Notice is hereby given for public information that Anthony Mills has been appointed by the Shire to act as Ranger throughout the whole of the Shire of Wyndham-East Kimberley and to be authorised officer for the following purposes:

Local Government Act 1960  
Dog Act 1976  
Litter Act 1989  
Shire By-laws and Regulations  
Bush Fires Act 1954  
Control of Vehicles (Off-road Areas).

The appointment of Clifford Bruce Griffiths is hereby cancelled.

E. G. SNOW, Acting Shire Clerk.

## LG411

**BUSH FIRES ACT 1954***Shire of Wyndham-East Kimberley*

It is hereby notified for public information that the following person has been appointed "Fire Control Officer" throughout the whole of the Shire of Wyndham-East Kimberley—

Anthony Mills

E. G. SNOW, Acting Shire Clerk.

## LG413

**CORRIGENDUM***Shire of Carnarvon***MUNICIPAL ELECTIONS**

Department of Local Government,  
Perth, 31 August 1990.

An error has been noted in the notice published in the *Government Gazette* of 17 August 1990 on page 4138 relating to an annual election for the Shire of Carnarvon, that error should be corrected by deleting "Gainer" where it appears on the fifth line of that notice and replacing it with "Grainger".

STEVE COLE, Director, Local Government Services.

## LG414

**LOCAL GOVERNMENT ACT 1960**

## Municipal Elections

Department of Local Government,  
Perth, 14 September, 1990.

It is hereby notified, for general information in accordance with section 138 of the Local Government Act 1960, that the following persons have been elected members of the undermentioned Municipalities to fill the vacancies shown in the particulars hereunder—

Date of Election; Member Elected, Surname, First Names; Office; Ward; How Vacancy Occurred;  
(a) Effluxion of time; (b) Resignation; (c) Death; (d) Disqualified; (e) Other; Name of Previous Member; Remarks.

*Shire of Exmouth*

30/8/1990; Passmore, Gary Raymond; Councillor; —; (b); Burkett, R. C.; Extraordinary.

*Shire of Mundaring*

1/9/1990; Lipiec, Henry Anthony; Councillor; Central; (b); Black, A. E.; Extraordinary.

C. WILLIAMS, Acting Secretary for Local Government.

LG415

**LOCAL GOVERNMENT ACT 1960**

*City of Bayswater*  
Closure of Private Street

Department of Local Government  
Perth 30 August 1990.

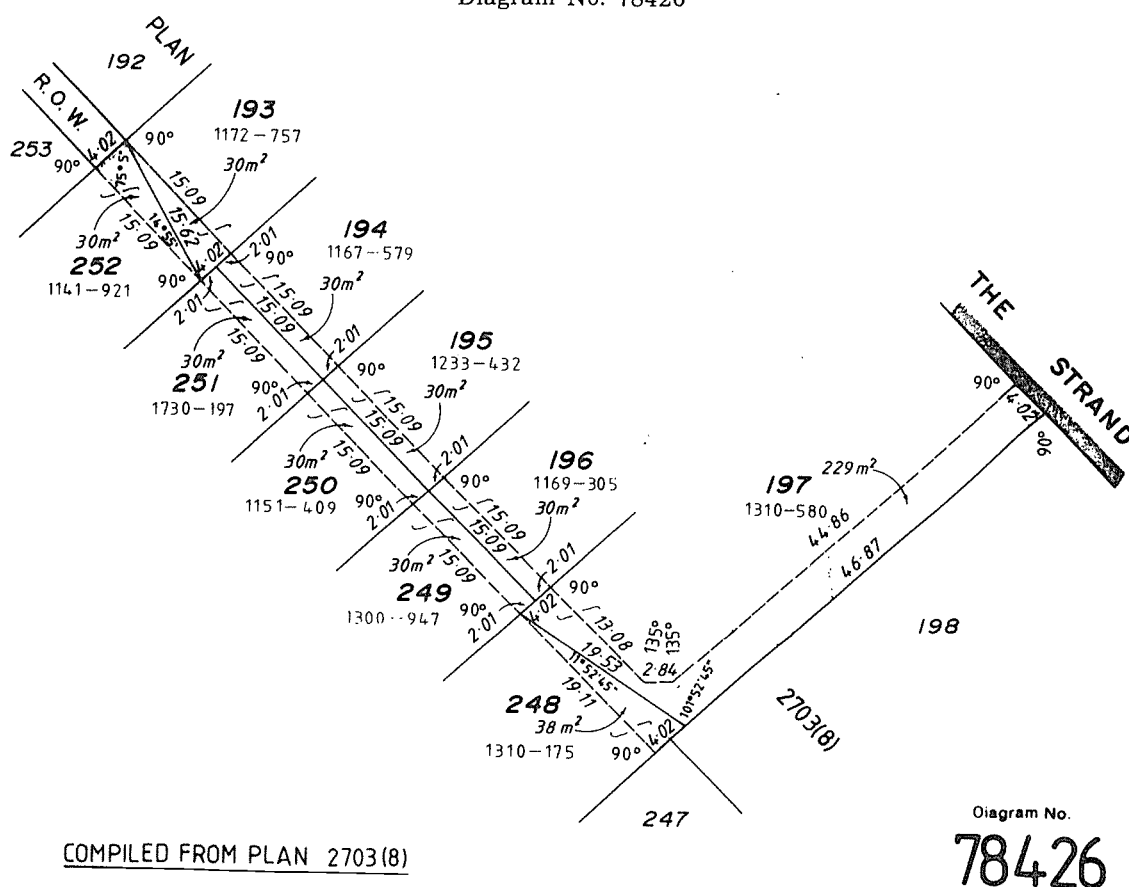
LG: BW 4-13

It is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the City of Bayswater that portion of the private street which is described as being portion of Swan Location 2, being portion of the land coloured brown on Plan 2703 (8) and being part of the land contained in Certificate of Title Volume XXIV Folio 194 be closed, and the land contained therein be amalgamated with adjoining Lots 193 to 197 (inclusive) The Strand and Lots 248 to 252 (inclusive) Shaftesbury Avenue, Bayswater as shown in the Schedule hereunder.

C. WILLIAMS, Acting Secretary for Local Government.

## Schedule

Diagram No. 78426



LG416

**CEMETERIES ACT 1986****CEMETERIES (CUBALLING CEMETERY—DECLARATION AND VESTING OF MANAGEMENT) ORDER 1990**

Made by His Excellency the Governor in Executive Council under sections 4 (1) and 5 (1).

**Citation**

1. This Order may be cited at the *Cemeteries (Cuballing Cemetery—Declaration and Vesting of Management) Order 1990*.

**Commencement**

2. This Order shall take effect on and from the date of publication of this Order in the *Government Gazette*.

**Declaration of Cuballing Cemetery**

3. The land described as Reserve 8405 is declared to be a Cemetery to be known as the Cuballing Cemetery.

**Vesting of Management of Cuballing Cemetery**

4. The care, control and management of the Cuballing Cemetery is vested in the Shire of Cuballing.

By His Excellency's Command,

G. PEARCE, Clerk of the Council.

LG417

**CITY OF KALGOORLIE-BOULDER**

It is hereby notified for public information that Michael Davis Humberstone has been authorised by Council to act under the provisions of the following Acts and By-laws effective from Monday, 17 September 1990.

- (i) An "Inspector" for the purposes of administering Council's By-laws relating to Parking Facilities.
- (ii) An "Authorised Officer" under the Litter Act 1979.
- (iii) An "Authorised Person" and "Authorised Officer" as described in Part XXVIII, Division 2 of the Local Government Act.
- (iv) Dog Control in accordance with the provisions of the Dog Act 1976 (as amended).
- (v) An "Authorised Officer" under the Dog Act 1976 (as amended).

The appointment of Judith Mary O'Loughlin is hereby cancelled.

L. P. STRUGNELL, Town Clerk.

LG418

**SHIRE OF SANDSTONE**

It is hereby notified for public information that Faye Enid Smith has been appointed Acting Shire Clerk effective from 21 July 1990.

V. M. ATKINSON, President.

LG412

**LOCAL GOVERNMENT ACT 1960****City of Armadale**

Notice is hereby given that the Council at its meeting held on 3 September 1990 adopted the following Sports & Recreation Facilities Charges, effective from 1 October 1990. All other fees and charges not listed below remain unchanged.

**A. SPORTING CHARGES—GRASSED RESERVES—SEASONAL BASIS**

(i.e. between 1st October & 31st March—Summer Season 1st April & 30th September—Winter Season)

\* \$39.60 FOR SENIORS (PER PLAYER, PER TEAM, PER SEASON) Seniors 18 and over throughout entire season in each case

\*These charges are subject to a 50% DISCOUNT if only either match play/competition or training is required (\$19.80 for seniors)

Calculated on a per team basis the following are relevant—

Sport	No. in Team	Seniors
Football .....	(x18)	\$712 per team
Rugby Union .....	(x15)	\$593
Rugby League .....	(x13)	\$514
Touch Football .....	(x7)	\$277
Soccer .....	(x11)	\$435
Cricket .....	(x11)	\$435
Hockey .....	(x11)	\$435
Softball/Baseball .....	(x9)	\$357

**B. SPORTING CHARGES—NON-SEASONAL BASIS**

Charges for the following sporting reserves (grass surface) and facilities—

Creyk Park, Cross Park, Frye Park, Gwynne Park, John Dunn, Morgan Park, Rushton Park, William Skeet (formerly Forrestdale No. 1 Oval)

Training	Seniors
Oval only .....	\$22.00
Oval, changeroom facilities .....	\$37.00
B.B.Q. facilities (if applicable) .....	\$22.00
Cricket nets only & part oval per practice .....	\$13.00

**BOB BLACKBURN RESERVE**

Training	Seniors
Oval only .....	\$21.00
Oval and changeroom (dual purpose Aquatic centre changerooms) .....	\$37.00

**KARRAGULLEN PIONEER PARK**

Training	Seniors
Oval only .....	\$21.00
Oval and changeroom facilities (front 2 rooms of Karragullen Hall) .....	\$37.00

NB: All Junior Charges remain unchanged.

PLEASE NOTE—use of all Council reserves for local school usage is free during normal school hours, otherwise junior charges apply.

**C. MINNAWARRA HISTORIC PRECINCT**

	Private/ Commercial	Standard
Church—Wedding .....	\$65.50 ph	
Bookings on an hourly (ph) basis and should additional time be required it be at a minimum half hour rate		
Other hirings .....	\$65.50 ph	\$32.75 ph
Bookings on an hourly (ph) basis and should additional time be required it be at a minimum half hour rate		

**D. COMMUNITY HALLS & BUILDINGS**

Note: ph—per hour

**ARMADALE HALL**

Functions		Private/ Commercial \$	Standard \$
Standard Bond (refundable) .....		175.00	175.00
Main, Lesser & Kitchen .....	Night	179.00	89.50
	Day	154.00	77.00
Main Hall & Kitchen .....	Night	154.00	77.00
	Day	124.00	62.00
Main Hall Only .....	Night	109.00	54.50
	Day	75.00	37.50
Main Hall—Meeting Only .....	Night	61.00	8.20 ph
	Day	48.00	8.20 ph
Lesser Hall & Kitchen .....	Night	89.00	44.50
	Day	61.00	30.50
Lesser Hall Only .....	Night	61.00	30.50
	Day	48.00	24.00
Kitchen .....		48.00	24.00
Stage & Dressing Room—Rehearsal .....	Night	25.00	12.50
	Day	21.00	10.50
Badminton, Volleyball (etc.) Hire over 2 hrs (both courts)	Night	61.00	30.50
	Day	48.00	24.00
Badminton, Volleyball (etc.) Hire under 2 hrs (per court)	Night	12.40 ph	12.40 ph
	Day	8.20 ph	8.20 ph
Dancing, aerobics, yoga, self defence etc. ....	Night	12.40 ph	8.20 ph
	Day	8.20 ph	8.20 ph
After Midnight Surcharge .....		28.10 ph	28.10 ph
Religious Service—Use of Hall Church Services .....	Night		12.40 ph
	Day		8.20 ph
Decorating Main Hall .....	Night	16.40 ph	16.40 ph
	Day	5.90 ph	5.90 ph
Decorating Lesser Hall .....	Night	8.20 ph	8.20 ph
	Day	5.90 ph	5.90 ph
Playgroups, Brownies, Scouts, Guides etc (per 2 hr day-light session) .....			5.90

## HAROLD KING COMMUNITY CENTRE

## Functions

		Private/ Commercial \$	Standard \$
Standard Bond (refundable) .....		175.00	175.00
Main Hall & Kitchen .....	Night	154.00	77.00
	Day	125.00	62.50
Main Hall Only .....	Night	109.00	54.50
	Day	95.00	47.50
Main Hall, Activities & Kitchen .....	Night	176.00	88.00
	Day	147.00	73.50
Main Hall—Meeting Only .....	Night	61.00	8.20 ph
	Day	48.00	8.20 ph
Badminton, Over 2 hrs hire (both courts) .....	Night	61.00	30.50
	Day	48.00	24.00
Badminton—Under 2 hrs hire (per court) .....	Night	12.40 ph	12.40 ph
	Day	8.20 ph	8.20 ph
Dancing, Aerobics, Yoga, Self Defence etc. ....	Night	12.40 ph	8.20 ph
	Day	8.20 ph	8.20 ph
Decorating .....	Night	16.40 ph	16.40 ph
	Day	5.90 ph	5.90 ph
After Midnight Surcharge .....		28.10 ph	28.10 ph
Meeting Room (adjacent to Canteen Servery) .....	Night	12.40 ph	8.20 ph
	Day	8.20 ph	8.20 ph
Activity Room 1 & Kitchen .....	Night	90.00	45.00
	Day	68.00	34.00
Activity Room 1 Only .....	Night	56.00	28.00
	Day	46.00	23.00
Activity Rooms 2 & 3 .....	Half Day	15.00	
	Full Day	25.00	
	Night	5.90	
	Day	5.00	
Activity Room 4 .....	Night	12.40 ph	8.20 ph
	Day	8.20 ph	8.20 ph
Playgroups, Brownies, Scouts, Guides etc (per 2 hr day- light session) .....			5.90
Religious Bodies—Use of Hall Church Services .....	Day		8.20 ph
	Night		12.40 ph

## JOHN DUNN HALL

## Functions

		Private/ Commercial \$	Standard \$
Standard Bond (refundable) .....		125.00	125.00
Seasonal Sports Bond .....			354.50
Main Hall & Kitchen .....	Night	154.00	77.00
	Day	124.00	62.00
Main Hall Only .....	Night	109.00	54.50
	Day	95.00	47.50
Main Hall—Meeting Only .....	Night	61.00	8.20
	Day	48.00	8.20
Kitchen .....	Night	61.00	30.50
	Day	48.00	24.00
Dancing, Aerobics, Yoga, Self Defence etc. ....	Night	12.40 ph	8.20 ph
	Day	8.20 ph	8.20 ph
Decorating .....	Night	16.40 ph	16.40 ph
	Day	5.90 ph	5.90 ph
After Midnight Surcharge .....		28.10 ph	28.10 ph
Playgroups, Brownies, Scouts, Guides etc (per 2 hr day- light session) .....			5.90
Religious Bodies—Use of Hall for Church Services .....	Night		12.40 ph
	Day		8.20 ph

## KELMSCOTT HALL

## Functions

		Private/ Commercial \$	Standard \$
Standard Bond (refundable) .....		175.00	175.00
Main Hall & Kitchen .....	Night	218.00	109.00
	Day	179.00	89.50
Main Hall .....	Night	151.00	75.50
	Day	109.00	54.50
Main Hall—Meeting Only .....	Night	68.00	8.20 ph
	Day	51.00	8.20 ph
Kitchen Only .....	Night	61.00	30.50

		Private/ Commercial \$	Standard \$
Changerooms Only .....	Day	48.00	24.00
	Night or	43.00	21.50
	Day		
Badminton, Volleyball Over 2 hrs hire (all courts x 4) ...	Night	89.00	44.50
	Day	48.00	24.00
Badminton, Volleyball—Under 2 hrs hire (per court) .....	Night		12.40 ph
	Day		8.20 ph
Dancing, Aerobics, Yoga, Self Defence etc. (Min 2 hrs) ...	Night	12.40 ph	8.20 ph
	Day	8.20 ph	8.20 ph
Decorating .....	Night	16.40 ph	16.40 ph
	Day	5.90 ph	5.90 ph
After Midnight Surcharge .....		28.10 ph	28.10 ph
Stage & Dressing Room Foyer .....	Night	25.00 ph	12.40 ph
	Day	20.70 ph	10.40 ph
Religious Bodies—Use of .....	Night		12.40 ph
	Day		8.20 ph
Playgroups, Brownies, Scouts, Guides etc (per 2 hr day-light session) .....			5.90

## ROLEYSTONE HALL

Functions		Private/ Commercial \$	Standard \$
Standard Bond (refundable) .....		175.00	175.00
Main Hall & Kitchen .....	Night	154.00	77.00
	Day	124.00	62.00
Main Hall Only .....	Night	109.00	54.50
	Day	95.00	47.50
Main Hall—Meeting .....	Night	61.00	8.20 ph
	Day	48.00	8.20 ph
Kitchen Only .....	Night	61.00	30.50
	Day	48.00	24.00
Stage & Dressing Room for Rehearsal .....	Night	25.00	12.50
	Day	21.00	10.00
Badminton, Volleyball Hire up to 2 hrs (per court) .....	Night	12.40 ph	12.40 ph
	Day	8.20 ph	8.20 ph
Badminton, Volleyball Hire over 2 hrs (both courts) .....	Night	61.00	30.50
	Day	48.00	24.00
Dancing Classes, Aerobics, Yoga, Self Defence (Min 2 hrs hire) .....	Night	12.40 ph	8.20 ph
	Day	8.20 ph	8.20 ph
Decorating .....	Night	16.40 ph	16.40 ph
	Day	5.90 ph	5.90 ph
After Midnight Surcharge .....		28.10 ph	28.10 ph
Electoral Office .....		47.00	
Playgroups, Brownies, Scouts, Guides etc. (per 2 hr day-light session) .....			5.90
Religious Bodies—Use of Hall for Church Services .....	Night		12.40 ph
	Day		8.20 ph
Meeting Room .....	Night	12.40 ph	8.20 ph
	Day	8.20 ph	8.20 ph

Note: For each of the Halls/Buildings listed above the following shall apply. Where regular all year round bookings are made by non-profit organisations (minimum of one per month) and payment is made in advance for at least three months of those bookings, a discount of 10% on the relevant charge be applied. Relevant organisations would have to already have demonstrated (by a 12 month qualifying period) or pay 12 months in advance to be eligible for this discount.

## E. AQUATIC CENTRES CHARGES (effective from 29 September 1990)

Adults .....	\$1.30
Children .....	.90
Education Concession .....	.50
Concession Ticket—Adults .....	\$1.10
Concession Ticket—Children .....	.75
Play Area only—Adults .....	.60
Play Area only—Children .....	.50
Pensioners and under 5's .....	free

Dated this 14th day of September 1990.

I. K. BLACKBURN, Mayor.  
J. W. FLATOW, City Manager/Town Clerk.

LG501

## LOCAL GOVERNMENT ACT 1960; HEALTH ACT 1911

*Shire of Brookton*

## Memorandum of Imposing Rates 1990/91

To whom it may concern:

At a meeting of the Shire of Brookton held on 16th August, 1990 it was resolved that the rates specified hereunder should be imposed on the rateable property within the district of the Shire of Brookton in accordance with the provisions of the Local Government Act 1960 and the Health Act 1911.

Dated 6th September, 1990.

C. N. MILLS, President.  
G. R. THORN, Shire Clerk.

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Schedule of Rates Levied

West Ward and East Ward—

1.8083 cents in the dollar on Unimproved Values.

Central Ward—

1.8083 cents in the dollar on Unimproved Values.

Central Ward—

10.1248 cents in the dollar on Gross Rental Values.

Minimum Rate—

\$150.00 per assessment on rateable land within the district.

Sewerage Rate—

Central Ward—

Specified Area 8.96 cents in the dollar on Gross Rental Values.

Non-Rateable Properties connected to sewer—

Class 1—An annual charge of \$100.00 for the first and \$44.00 for each additional fixture that discharges waste into the sewer.

Class 2—\$556.00

Class 3—\$556.00

Minimum Sewerage Rate—

Residential—

\$110.00 per assessment on rateable land within the specified area.

Commercial—

\$175.00 per assessment on rateable land within the specified area.

Vacant Land—

\$60.00 per assessment on rateable land within the specified area.

Rubbish Charge—

\$72.00 per annum weekly removal of one 240 litre bin.

LG502

## LOCAL GOVERNMENT ACT 1960

*Shire of Murchison*

## Memorandum of Imposing Rates

To whom it may concern.

At a meeting of the Murchison Shire Council held on 24 August 1990, it was resolved that the rates and charges specified hereunder should be imposed on all rateable property within the district of the Municipality in accordance with the provisions of the Local Government Act 1960 and the Health Act 1911.

Dated this 24th day of August 1990.

W. MITCHELL, President.  
RICHARD A. CHILD, Shire Clerk.



## Schedule of Rates Levied

General Rate—Unimproved Values—11.34 cents in the dollar.

Minimum Rate—\$75 per lot, location or lease.

Rates Discount and Penalty—Section 550 and 550A (2) of the Local Government Act.

It was resolved that Council allow a 10 per cent discount on all current rates paid in full within thirty five days from the date of service, and levies a penalty of 10 per cent on rates unpaid after 31 January 1991.

LG503

## LOCAL GOVERNMENT ACT 1960

## HEALTH ACT 1911

*Shire of Coolgardie*

## Memorandum of Imposing Rates

At a meeting of the Council of the Shire of Coolgardie held on 30 August 1990 it was resolved that the rates specified hereunder should be imposed on all rateable property within the District of the Municipality for the financial year ending 30 June 1991 in accordance with the provisions of the Local Government Act 1960 and the Health Act 1911.

L. E. CARNICELLI, President.

P. J. HUGHSON, Shire Clerk.

## Schedule of Rates and Charges Levied

## General Rates—

8.617 cents in the dollar for Gross Rental Value.

10.057 cents in the dollar for Unimproved Values.

Minimum Rate—\$75 per lot or location.

## Rubbish Charge—

## (a) Domestic Rubbish Charge—

240 litres picked up once weekly .....	\$90.00
Additional service .....	\$85.00

## (b) Commercial Rubbish Charge—

240 litre—	
one service .....	\$90.00
additional service .....	\$85.00

Bulk Bins 1.1m<sup>3</sup>—

Bin Rental .....	\$52.00
One Service .....	\$340.00
Two Services .....	\$680.00
Three Services .....	\$1 020.00

A 50 per cent discount on rubbish charges to apply to those Pensioners who qualify under the Pensioner Rate Rebate Act for a rate rebate.

LG504

## LOCAL GOVERNMENT ACT 1960

## SHIRE OF SANDSTONE

## Memorandum of Imposing Rates

At a Meeting of the Sandstone Shire Council held on the 21 July 1990 it was resolved that the rates and charges specified hereunder be imposed on all rateable property within the district of the Municipality in accordance with provisions of the Local Government Act 1960 for the year ended the 30 June 1991.

V. M. ATKINSON, President.

F. E. SMITH, Acting Shire Clerk.

## Schedule of Rates and Charges

## General Rates—

.035 cents in the dollar on gross rental values in the Townsite area.

.125 cents in the dollar on unimproved values for Prescribed Area East of the Vermin Proof Fence.

.138 cents in the dollar on unimproved values for Prescribed Area West of the Vermin Proof Fence.

.125 cents in the dollar on unimproved values for mining tenements.

**Minimum Rates—**

\$65 per location or tenement.

**Discount on Rates—**

Council shall allow a 10% discount on all current rates paid within thirty-five (35) days of the date of the rate assessment.

**Rubbish Charges—**

Household—\$45.00 per annum.

Commercial—\$80.00 per annum.

**LG601****BUSH FIRES ACT 1954***Shire of Busselton***Important Information Relating to your Responsibility  
as a Landholder in the Shire of Busselton**

With reference to Section 33 of the Bush Fires Act 1954-79, you are required to carry out fire prevention work on land owned or occupied by you in accordance with the provisions of this order. This work must be carried out by December 22, 1990 and kept maintained throughout the summer months until the close of the Restricted Burning Period, 1991.

An inspection of firebreaks and hazard removal will be carried out in all areas of the Shire by an Authorised Officer on or after December 22, 1990.

Persons who fail to comply with the requirements of this Order may be issued with an infringement notice (Penalty \$40) or prosecuted with an increased penalty, and additionally, council may carry out the required work at cost to the owner or occupier.

If it is considered for any reason to be impractical to clear firebreaks as required by this notice or natural features render firebreaks unnecessary, you may apply to the council or its duly authorised officer not later than the 8th day of December 1990, for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land. If permission is not granted by the Council or its duly authorised officer, you shall comply with the requirements of this notice. If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

**A. Rural Land**

(all land other than a pine plantation and that listed as Urban)

1. You shall clear of all inflammable material firebreaks at least 2 metres wide;
  - (a) a firebreak not less than 2 metres wide must be constructed within a perimeter of 20 metres of all homesteads, buildings, haystacks and fuel storage areas on the land.
  - (b) In the case of haystacks the firebreak must not be closer than 6 metres of the haystack.
  - (c) Where the area of the land exceeds 121 hectares (approx. 300 acres), additional firebreaks so as to divide the land into areas of not more than 121 hectares (approx. 300 acres), which are completely surrounded with a firebreak.

**B. Special Rural Land**

The owners of all existing small rural holdings zoned as Special Rural under Town Planning Schemes must maintain clear of all flammable material a firebreak not less than two (2) metres wide immediately inside all external boundaries of the land.

**C. Urban Land**

(Residential, Commercial and Industrial land within a townsite or within any area subdivided for residential purposes)

1. Where the area of land is 2024 sq m (approx 1/2 acre) or less remove all flammable material on the land except living trees, shrubs and plants from the whole of the land, and
2. Where the area of land exceeds 2024 sq m (approx 1/2 acre) clear of all flammable materials firebreaks of at least 2 metres wide, immediately inside all external boundaries of the land and also immediately surrounding all building situated on the land.

**D. Fuel and/or Gas Depots**

In respect of land owner or occupied by you on which is situated any container normally used to contain liquid or gas fuel, including the land on which any ramp or supports are constructed, you shall maintain the land clear of all flammable materials.

**E. Pine Plantations**

Firebreaks not less than 10 metres in width around the perimeter of land on which pines are planted; not less than 10 metres in width along those portions of pine plantations which enjoy a common boundary with a road reserve, and not less than 10 metres in width in such positions that no part or compartment of a pine plantation shall exceed 28 hectares in an area.

**F. Eucalypt and Protea**

Firebreaks not less than 5 metres in width around the perimeter of land on which Eucalypts and Protea are planted; not less than 5 metres in width along those portions of Eucalypt and

Protea plantations which enjoy a common boundary with a road reserve, and not less than 5 metres in width in such positions that no part or compartment of a Eucalypt and Protea plantation shall exceed 28 hectares in an area.

**Special Notice to Land Owners and Occupiers**

The council forwards a copy of this Firebreak Order with rate assessments each year. The notice is also published in the Busselton-Margaret Times.

The aim of the Council is to eliminate destructive bush fires and to this aim, some areas of the Shire are subject to a District Fire Protection Plan where large scale hazard removal and roadside burning is carried out by the Shire's Bush Fire Brigades and Council workforce.

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

The penalty for failing to comply with this notice is a fine of not more than \$1000 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice. If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

**BUSH FIRE PRECAUTIONS  
PROHIBITED BURNING TIMES**

The prohibited Burning Time within this Shire is:

15th December 1990 to 28th February 1991

**RESTRICTED BURNING TIMES**

The restricted burning times within the Shire is:

2nd November 1990 to 14th December 1990

1st March 1991 to 12th April 1991

These dates are subject to slight variation according to seasonal conditions but any alterations will be advertised locally.

By Order of Council.

K. A. WHITE, Acting Shire Clerk.

**LG603**

**BUSH FIRES ACT 1954**

*Shire of Yilgarn*

**Notice to all Owners and Occupiers of Land within the Shire of Yilgarn  
Requirements to Clear Firebreaks**

Pursuant to the powers contained in Section 33 (1) of the Bush Fires Act you are hereby required to plough, cultivate, scarify, burn or otherwise clear firebreaks on all land owned or occupied by you by the 1st of November 1990 and thereafter to keep these firebreaks clear of all flammable material until 15th March 1991.

Firebreaks are required in locations and to the specifications detailed below:

**Land within Townsites**

- (a) On land not exceeding 2023 square metres in area, all flammable material shall be removed.
- (b) On land exceeding 2023 square metres in area, a firebreak 3 metres wide shall be constructed inside and immediately adjoining all external boundaries.
- (c) Firebreaks 3 metres wide shall be constructed immediately surrounding all buildings.
- (d) Haystacks must not be located closer than 20 metres to an external boundary. They shall be surrounded by a 10 metre wide firebreak situated between 10 and 20 metres distant from the stack.
- (e) Stored fuel, oil and flammable materials shall be protected from fire as prescribed in the Explosives and Dangerous Goods Act 1961 and the Flammable Liquids Regulations 1967.

**Rural Land**

- (a) Firebreaks 3 metres wide shall be constructed immediately inside and adjoining all property boundaries and internally in such a manner as to subdivide the area into compartments not exceeding 200 hectares.
- (b) Firebreaks 3 metres wide shall be constructed immediately surrounding all buildings.
- (c) Firebreaks 3 metres wide shall be constructed between 10 and 20 metres distant from and surrounding all haystacks.
- (d) Firebreaks 3 metres wide shall be constructed immediately surrounding all areas of crop.

- (e) Stored fuel, oil and flammable materials shall be protected from fire as prescribed in the Explosives and Dangerous Goods Act 1961 and Flammable Liquids Regulations 1967 and which include that a firebreak 6 metres wide will be provided immediately surrounding storage areas.

#### General

If for any reason it is considered by the owner or occupier of land that it is impractical to comply with the requirements of this notice a request may be made to the Council to approve alternative fire protection measures. Such application shall be accompanied by a sketch or drawing of the proposed variations and should be lodged at the Council Offices not later than 31 October 1990.

Where approval of a proposed variation is not granted by Council you shall comply with the requirements of this notice.

The penalty for non-compliance with this notice is a maximum of \$1 000 and notwithstanding prosecution, Council may enter on the land and carry out the requisite works at the owner/occupiers expense.

By order of the Council.

L. E. HILLS, Shire Clerk.

#### LG901

### LOCAL GOVERNMENT ACT 1960

#### *Shire of Moora*

### NOTICE OF INTENTION TO BORROW

#### Proposed Loan (No. 268) of \$137 000

Pursuant to Section 610 of the Local Government Act 1960 the Council of the Shire of Moora hereby gives notice that it proposes to borrow money by the sale of debentures on the following terms and for the following purposes: \$137 000 for a period of seven (7) years repayable at the office of the Shire of Moora, 34 Padbury Street, Moora by fourteen half-yearly instalments of principal and interest. The interest rate for the first four year period will be fixed. The interest rate for the remaining three year period will be that as negotiated at the expiration of the first four year period.

Purpose: Bitumen Road Reseals and Associated Works.

Plans, specification and estimates of costs as required by Section 609 of the Local Government Act are open for inspection at the office of the Council during normal office hours for a period of thirty five (35) days after publication of this notice.

Dated 12 September 1990.

F. J. LEWIS, President.

J. N. WARNE, Shire Clerk.

#### LG902

### CORRIGENDUM

### LOCAL GOVERNMENT ACT 1960

#### *Shire of Mundaring*

### Notice of Intention to Borrow

#### Proposed Loans 154, 155, 156, 157

The notice which appeared in the *Government Gazette* on Page 3505 on 20th July, 1990, is amended to include the following—

The Loans 154, 155, 156 are to be renegotiated at four yearly intervals and Loan 157 at a two yearly interval, at the interest rate then applicable.

R. F. WAUGH (Dr.), President.

M. N. WILLIAMS, General Manager/Shire Clerk.

**MAIN ROADS****MA401****PUBLIC WORKS ACT 1902****Sale of Land****MRD 41-60-144VC**

Notice is hereby given that His Excellency the Governor has authorised under Section 29 (7) (a) (ii) of the Public Works Act, 1902 (as amended) 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 off Canning Location 14A and being part of Lot 15 on Plan 3346 and being portion of the land comprised in Certificate of Title Volume 1211 Folio 031 (Albany Highway, Maddington).

Portion of Canning Location 14A and being Lots 16 and 17 on Plan 3346 and being portion of the land comprised in Certificate of Title Volume 1163 Folio 804 (Albany Highway, Maddington).

Portion of Canning Location 14A and being lots 16 and 17 on Plan 3346 and being portion of the land comprised in Certificate of Title Volume 1163 Folio 805 (Albany Highway, Maddington).

Dated 12 September 1990.

J. F. ROSE, Acting Director Administration & Finance.

**MA501****MRD 42-14-AV2****MAIN ROADS ACT 1930; 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 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 Coolgardie District for the purpose of the following public works namely, widening Great Eastern Highway and that the said pieces or parcels of land are marked off on Plan MRD WA 8505-28-1,-29-1,-30-2,-31-2, 8605-10 and -11-1 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.	Bernard Michael Scanlon, Nancy Faye Scanlon and Hayden Christopher Scanlon	B M, N F and H C Scanlon	Portion of Pastoral Lease 3114/ 874 (Crown Lease 285/68)	87.8276 ha

Dated this 12th day of September 1990.

J. F. ROSE, A/Director Administration and Finance  
Main Roads Department.

**MA502****MRD 42-22-AV4****MAIN ROADS ACT 1930; 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 Public Works Act 1902 that it is intended to take or resume under section 17(1) the pieces or parcels of land described in the Schedule hereto and being all in the Bunbury District, for the purpose of the following public works namely, the realignment of Bunbury Highway (first stage construction of Australind Bypass Route) and that the said pieces or parcels of land are marked off on Plan MRD WA 8625-89 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.	Crown	Crown	Portion of Ince Road comprised in Plan 2571 Sheet 1.	1 548 m <sup>2</sup>

Dated this 12th day of September 1990.

J. F. ROSE, A/Director Administration and Finance  
Main Roads Department.

MA503

MRD 42-59-A

## MAIN ROADS ACT 1930; 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 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 Kojonup District, for the purpose of the following public works namely, widening the Donnybrook-Kojonup Road (144.15-145.04 and 149.58-152.70 SLK Section) and that the said pieces or parcels of land are marked off on Plan MRD WA 8901-11 and 8901-15 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.	Geoffrey David Jones and John Ross Jones	Hon Minister for Works	Portion of Kojonup Location 55 and being part of the land contained in Certificate of Title Volume 1516 Folio 679.	4 156 m <sup>2</sup>
2.	Robert Sydney Jackson	Hon Minister for Works	Portion of Kojonup Location 2890 and being part of Lot 2 on Diagram 62591 and being part of the land contained in Certificate of Title Volume 1611 Folio 691.	6 440 m <sup>2</sup>
3.	Yeenyellup Pty Ltd	Commissioner of Main Roads (Purchaser <i>vide</i> Caveat E414036)	Portion of Kojonup Location 1268 and being part of the land contained in Certificate of Title Volume 1720 Folio 342.	9 470 m <sup>2</sup>
4.	William Thomas Jones	Commissioner of Main Roads (Purchaser <i>vide</i> Caveat E399968)	Portion of Kojonup Location 217 and being part of the land contained in Certificate of Title Volume 270 Folio 119.	1.322 ha
5.	Leslie James Castle	Commissioner of Main Roads (Purchaser <i>vide</i> Caveat E390814)	Portion of Kojonup Location 3842 and being part of the land contained in Certificate of Title Volume 1691 Folio 577.	1.4742 ha

Dated this 12th day of September 1990.

J.F. ROSE, A/Director Administration and Finance  
Main Roads Department.

MA504

MRD 42-7-G

## MAIN ROADS ACT 1930; 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 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 Woodanilling District, for the purpose of the following public works namely, widening of Perth-Albany Road (214.50-231.60 SLK Section) and that the said pieces or parcels of land are marked off on Plan MRD WA 8809-104 to 8809-109 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.	John Humphris and Barbara Humphris	J. and B. Humphris	Portion of Kojonup Location 7852 and being part of the land contained in Certificate of Title Volume 561 Folio 135A	2.137 0 ha
2.	John Humpris and Barbara Humphris	J. and B. Humpris	Portion of Kojonup Locations 1506 and 4520 and being part of the land contained in Certificate of Title Volume 1768 Folio 239	8 380 m <sup>2</sup>
3.	Thomas James Scanlon, Peter Tyson Scanlon and Charles Murdoch Scanlon	T. J., P. T. and C. M. Scanlon	Portion of Williams Location 10 and being part of the land contained in Certificate of Title Volume 1507 Folio 108	2 345 m <sup>2</sup>
4.	Thomas James Scanlon, Peter Tyson Scanlon and Charles Murdoch Scanlon	T. J., P. T. and C. M. Scanlon	Portion of Kojonup Location 2171 and being part of the land contained in Certificate of Title Volume 561 Folio 132A	7 285 m <sup>2</sup>
5.	Alfred Prideaux Dolling, Judith Marie Dolling and Perry John Dolling	Commissioner of Main Roads (Purchaser <i>vide</i> Caveat E411166)	Portion of Kojonup Locations 7504 and 5162 and being part of the land contained in Certificate of Title Volume 1530 Folio 875	1.103 0 ha
6.	Alfred Prideaux Dolling, Judith Marie Dolling and Perry John Dolling	Commissioner of Main Roads (Purchaser <i>vide</i> Caveat E411166)	Portion of Kojonup Location 5161 and being part of the land contained in Certificate of Title Volume 1778 Folio 161	6 965 m <sup>2</sup>
7.	Brian John Zacher and Estelle Amelia Zacher	Hon Minister for Works	Portion of Kojonup Location 5159 and being part of the land contained in Certificate of Title Volume 1238 Folio 308	7 340 m <sup>2</sup>
8.	Brian John Zacher	Hon Minister for Works	Portion of Kojonup Location 5158 and being part of the land contained in Certificate of Title Volume 1592 Folio 659	5 465 m <sup>2</sup>
9.	Terence Malcolm Williams and Margaret Williams	T. M. and M. Williams	Portion of Kojonup Location 3206 and being part of Part Lot 3 on Diagram 50885 and being part of the land contained in Certificate of Title Volume 1642 Folio 167	7 005 m <sup>2</sup>
10.	Gregory John Hill .....	McKerrow Holdings Pty Ltd and Bertha Pty Ltd (Licencee <i>vide</i> Caveat D578949)	Portion of Kojonup Locations 3674, 3678 and 3675 and being part of the land contained in Certificate of Title Volume 40 Folio 215A	1.294 0 ha
11.	Ivan John Gale .....	I. J. Gale .....	Portion of Kojonup Locations 4705 and being part of the land contained in Certificate of Title Volume 91 Folio 84A	9 660 m <sup>2</sup>
12.	Ivan John Gale .....	I. J. Gale .....	Portion of Kojonup Location 4681 and being part of the land contained in Certificate of Title Volume 83 Folio 109A	6 270 m <sup>2</sup>

## Schedule—continued

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx)
13.	Raymond Conrad Kowald	Hon Minister for Works	Portion of Kojonup Location 6087 and being part of Lot 2 on Diagram 31391 and being part of the land contained in Certificate of Title Volume 495 Folio 164A	4 945 m <sup>2</sup>
14.	Lionel Charles Rendalls and Marje Rendalls	L. C. and M. Rendalls	Portion of Kojonup Location 8198 and being part of the land contained in Certificate of Title Volume 1670 Folio 638	1.168 5 ha

Dated this 12th day of September 1990.

J. F ROSE, Acting Director Administration and Finance,  
Main Roads Department.

## MARINE AND HARBOURS

MH401

### NAVIGABLE WATERS REGULATIONS SWIMMING AREAS

Department of Marine and Harbours,  
Fremantle, 14 September 1990.

Acting pursuant to the powers conferred by Regulation 10A (a) of the Navigable Waters Regulations, the Department of Marine and Harbours, by this notice defines and sets aside the following area of Navigable Waters as an area which shall not be used for any purpose other than swimming and from which boating is excluded.

City of Bunbury—Koombana Bay—All those waters contained within an area commencing on the foreshore immediately east of the Yacht Club Groyne extending east along the foreshore for 300 metres. Thence due north off the foreshore for 45 metres thence west parallel to the foreshore to the Yacht Club Groyne and thence south to the starting point.

J. M. JENKIN, Executive Director.

## MINES

MN301

### PETROLEUM PIPELINES ACT 1969 PETROLEUM PIPELINES (EXEMPTION) ORDER 1990

Made by His Excellency the Governor in Executive Council under section 5 (1) (b).

#### Citation

1. This Order may be cited as the *Petroleum Pipelines (Exemption) Order 1990*.

#### Exemption

2. The temporary pipeline—
  - (a) used for production test purposes by Barrack Energy Management Pty. Ltd.; and
  - (b) specified in the Schedule,
 is hereby declared not to be a pipeline for the purposes of the *Petroleum Pipelines Act 1969*.

#### Schedule

All that portion of pipeline being 1.6 kilometres of pipeline extending between the Beharra Springs gas field No. 1 well and the pipeline—

- (a) operated by West Australian Natural Gas Pty. Ltd.;
- and
- (b) extending between Dongara and Perth.

By His Excellency's Command,

G. PEARCE, Clerk of the Council.



MN401

## MINING ACT 1978

The Minister for Mines pursuant to the powers conferred on him by Section 19 of the Mining Act 1978, hereby gives notice that all Crown land (not being Crown land that is the subject of a mining tenement or an application therefor) described hereunder and situated within the West Kimberley Mineral Field is exempt from Divisions 1 to 5 of Part IV of the Mining Act 1978:

Starting Point is located 2.05 km @ 153° from Reserve 38710.

Thence 1.6 km @ 85°

Thence 1.4 km @ 174°

Thence 1.6 km @ 265°

Thence 1.4 km @ 354°

back to Starting Point.

Public Plan: Clarkson 1:100 000

Dated 9 September 1990.

JEFF CARR, Minister for Mines.

MN402

## MINING ACT 1978

## NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines,  
Southern Cross.

In accordance with Regulation 49 (2) (c) of the Mining Regulations 1981 notice is hereby given that the licences are liable to forfeiture under the provisions of section 96 (1) (a) of the Mining Act 1978 for breach of covenant, *viz.*, non-payment of rent.

G. N. CALDER, Warden.

To be heard in the Warden's Court, Southern Cross on the 25th day of October 1990

## PROSPECTING LICENCES

77/1538—Pilbara Mining & Exploration Pty Ltd and Howard Anthony Tew.

77/1539—Pilbara Mining & Exploration Pty Ltd and Howard Anthony Tew.

77/1560—Gregory John Owens.

77/1561—Gregory John Owens.

77/1562—Gregory John Owens.

77/2314—Tezlyn Mining NL.

77/2315—Tezlyn Mining NL.

## MISCELLANEOUS LICENCES

77/62—Anglo Australian Resources NL; Eric Bernard Carnicelli; Fredrick Patrick.

77/73—Salt Industries Pty Ltd.

MN403

## MINING ACT 1978

## NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines.

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.

Warden.

To be heard in the Warden's Court, Marble Bar, on 19 October 1990.

## PILBARA MINERAL FIELD

*Marble Bar District*

L45/60—Gold Partners NL; Growth Resources NL.

P45/1172—Pact Resources NL; Randolph Resources Ltd.

P45/1390—Juler Pty Ltd.

P45/1391—Juler Pty Ltd.

P45/1392—Juler Pty Ltd.

P45/1393—Juler Pty Ltd.

P45/1394—Juler Pty Ltd.

P45/1395—Juler Pty Ltd.

P45/1396—Juler Pty Ltd.  
P45/1397—Juler Pty Ltd.  
P45/1398—Juler Pty Ltd.  
P45/1399—Juler Pty Ltd.  
P45/1400—Juler Pty Ltd.  
P45/1401—Juler Pty Ltd.

PILBARA MINERAL FIELD

*Nullagine District*

L46/8—Metramar Minerals Ltd; Mulga Mines Pty Ltd.  
P46/716—Allon, Alexander; Player, Eric James Richard; Roewer, Zbigniew.  
P46/717—Allon, Alexander; Player, Eric James Richard; Roewer, Zbigniew.  
P46/718—Allon, Alexander; Player, Eric James Richard; Roewer, Zbigniew.  
P46/932—Herbert, Graeme Alfred.

MN404

MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Mines,  
Kalgoorlie WA 6430.

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

C. D. ROBERTS, Warden.

To be heard in the Warden's Court, Kalgoorlie on the 11th October, 1990.

BROAD ARROW MINERAL FIELD

24/1886—Ascot Holdings Pty Ltd  
24/2276—Capella Holdings Pty Ltd

EAST COOLGARDIE MINERAL FIELD

*Bulong District*

25/885—Capella Holdings Pty Ltd  
Killoran Pty Ltd  
25/886—Capella Holdings Pty Ltd  
Killoran Pty Ltd  
25/908—Platinum Mines of Australia Pty Ltd

*East Coolgardie District*

26/1293—Farrell, John Joseph

NORTH EAST COOLGARDIE MINERAL FIELD

*Kanowna District*

27/716—Golden Eagle Mines NL  
27/847—Golden Eagle Mines NL  
27/849—Golden Eagle Mines NL  
27/850—Golden Eagle Mines NL

*Kunalpi District*

28/665—Halligan, William Arthur  
28/683—Bierberg, William Gene

NORTH COOLGARDIE MINERAL FIELD

*Menzies District*

29/1107—Black Mountain Gold NL  
29/1108—Black Mountain Gold NL  
29/1125—Burton, Ian Geoffrey  
29/1126—Burton, Ian Geoffrey  
29/1130—Roberts, Jonathon Lindsay  
29/1137—John, David Brian

*Yerilla District*

31/927—Metana Minerals NL  
31/928—Metana Minerals NL  
31/929—Metana Minerals NL  
31/930—Metana Minerals NL  
31/931—Metana Minerals NL  
31/932—Metana Minerals NL  
31/933—Metana Minerals NL  
31/934—Metana Minerals NL  
31/935—Metana Minerals NL  
31/936—Metana Minerals NL  
31/937—Metana Minerals NL  
31/938—Metana Minerals NL  
31/939—Metana Minerals NL  
31/940—Metana Minerals NL  
31/1212—Brown, Roy Alexander  
          Watson, Lance Stephen  
31/1248—Baroni, Nikola  
31/1278—Thompson, Brian William George  
31/1309—Bennell, Phillip Eric  
          Lori, Evan Joseph  
31/1310—Bennell, Phillip Eric  
          Lori, Evan Joseph  
31/1311—Bennell, Phillip Eric  
          Lori, Evan Joseph  
31/1313—Bennell, Phillip Eric  
          Lori, Evan Joseph

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**MINING ACT 1978****Notice of Application for an Order for Forfeiture**

Department of Mines,  
Kalgoorlie WA 6430.

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

C. D. ROBERTS, Warden.

To be heard in the Warden's Court, Kalgoorlie on the 11th October, 1990.

**BROAD ARROW MINERAL FIELD**

24/126—Golden Deeps Ltd.

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**MN405****MINING ACT 1978****Notice of Intention to Forfeit**

Department of Mines  
Perth WA 6000

In accordance with Regulation 50 (b) of the Mining Act, 1978, notice is hereby given that unless the rent due on the undermentioned leases and licences is paid on or before 1 October 1990 it is the intention of the Hon. Minister for Mines under the provisions of Sections 97 (1) and 96A (1) of the Mining Act, 1978-1983 to forfeit such for breach of covenant, *viz.* non-payment of rent.

D. R. KELLY, Director General of Mines.

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Number; Holder; Mineral Field.

**Exploration Licences**

04/523; Thornton, Robert Jeffery; West Kimberley.  
04/583; Garton, Alan Norman; Hutton, Stephen Leslie; Tatterson, Timothy Vincent; West Kimberley.  
09/249; Lydia Exploration NL; Gascoyne.  
09/360; Torpex Pty Ltd; Gascoyne.  
09/361; Torpex Pty Ltd; Gascoyne.  
09/362; Torpex Pty Ltd; Gascoyne.  
09/367; McLarty, Peter Richard; McLarty, William James; Gascoyne.

## Number; Holder; Mineral Field.

## Exploration Licences

15/176; Golden State Investments Pty Ltd; Coolgardie.  
28/324; Growth Resources NL; N. E. Coolgardie.  
46/162; Peterson, Graham Richard; Pilbara.  
52/307; Kean, Raymond John; Murchison.  
52/354; Workstar Pty Ltd; Murchison.  
20/128; Yorath Pty Ltd; Murchison.  
59/207; Thornton, Robert Jeffery; Daw, Clive Wickham; Yalgoo.  
63/277; Simmons Holdings Pty Ltd; Dundas.  
63/284; Growth Resources NL; Dundas  
63/288; Megatta Pty Ltd; Dundas  
70/410; Wakefield Holdings Pty Ltd; South West.  
70/600; Diligent Holdings Pty Ltd; South West.  
80/1079; Munro Mining Pty Ltd; Scriven Exploration Pty Ltd; Kimberley.  
80/1142; Fiani, Robert; Greater Consultancies Pty Ltd; Kimberley.

## Mining Leases

08/21; Pool, Michael John; Rowe, Douglas John; Ashburton.  
08/90; Grovestone Pty Ltd; March, James William; Ashburton.  
08/91; Grovestone Pty Ltd; March, James William; Ashburton.  
08/92; Grovestone Pty Ltd; Peck, Stewart; Ashburton.  
15/117; Mrsa, Ivan John; Coolgardie.  
24/34; D'Agistino, Carmello Tony; Halston Pty Ltd; McBride, Clayton Charles; McBride, John Daniel; Broad Arrow.  
24/204; Smith, Frederick John; Broad Arrow.  
24/206; Tezlyn Mining NL; Broad Arrow.  
24/207; Tezlyn Mining NL; Broad Arrow.  
24/241; Forrest, Maxwell William Peter; Scott, Anthony Noel; Broad Arrow.  
24/243; Bolt, William John; Forrest, Maxwell William Peter, Scott, Anthony Noel; Broad Arrow.  
37/21; Wierobiej, Edward Henryk; Mt Margaret.  
37/71; Randwick NL; Mt Margaret.  
38/132; Gindalbie Mining NL; Mt Margaret.  
38/141; Delta Gold NL; Mt Margaret.  
40/67; Wattle Gully Gold Mines NL; North Coolgardie.  
40/68; Wattle Gully Gold Mines NL; North Coolgardie.  
45/440; Dann, George; Pilbara.  
20/75; Falcona Exploration and Mining NL; Western Beryllium Research Pty Ltd; Murchison.  
20/76; Falcona Exploration and Mining NL; Western Beryllium Research Pty Ltd; Murchison.  
20/125; Falcona Exploration and Mining NL; Western Beryllium Research Pty Ltd; Murchison.  
20/126; Falcona Exploration and Mining NL; Western Beryllium Research Pty Ltd; Murchison.  
20/128; Hugill, David; Murchison.  
20/129; Hugill, David; Murchison.  
20/137; Poona Emerald Pty Ltd; Murchison.  
21/35; Radovanovic, Jeffto; Murchison.  
21/42; Radovanovic, Jeffto; Murchison.  
58/101; Marsdens Pty Ltd; San Marino Pty Ltd; Murchison.  
58/102; Marsdens Pty Ltd; San Marino Pty Ltd; Murchison.  
59/26; Bonaventure Resources NL; Yalgoo.  
63/111; Best, Francis Malcolm; Dundas.  
63/176; Intermin Resource Corporation Ltd; Dundas.  
70/263; Amatek Ltd; South West.  
77/268; Kia Ora Gold Corporation NL; Yilgarn.  
77/269; Kia Ora Gold Corporation NL; Yilgarn.  
77/274; McDowall, Peter John; McDowall, Mavis Irene; Yilgarn.  
80/17; Young, Howard Laurence; Kimberley.

## General Purpose Lease

24/14; Broad Arrow Mill Pty Ltd; Broad Arrow.  
24/15; Broad Arrow Mill Pty Ltd; Broad Arrow.  
24/16; Broad Arrow Mill Pty Ltd; Broad Arrow.

MN406

MINING ACT 1978  
NOTICE OF INTENTION TO FORFEIT

Department of Mines,  
Perth, WA 6000

In accordance with Regulation 50 (b) of the Mining Act 1978, notice is hereby given that unless the rent due on the undermentioned leases and licences is paid on or before 28 September 1990 it is the intention of the Hon Minister for Mines under the provisions of sections 97 (1) and 96A (1) of the Mining Act 1978 to forfeit such for breach of covenant, *viz*, non-payment of rent.

D. R. KELLY, Director General of Mines.

## Number; Holder; Mineral Field.

## Exploration Licences

- 04/561; Sorensen, Erik Christian; West Kimberley.  
16/45; Chisholm, John Morrison; Thomas, Stephen; Coolgardie.  
24/47; Dalla-Costa, Melville Raymond; Broad Arrow.  
28/280; Lee, Raymond Sydney; Mulcahy, Francis Joseph; Tucker, Robert; N.E. Coolgardie.  
39/205; Charter Union Gold NL; Mt Margaret.  
39/233; Biggs, Glen Neil; McKnight, Russell Geoffrey; Sullivan, James Noel; Williams, Thomas Geoffrey; Mt Margaret.  
39/234; Discovery Gold Ltd; Mt Margaret.  
45/745; Bamboo Gold Mines NL; Haoma North West NL; Kitchener Mining NL; Pilbara.  
45/776; Dowling, John Francis; Locsei, Janos; Wanless, Robert James; Pilbara.  
45/934; Crawford, William Henry; O'Meara, Denis William; Pilbara.  
52/358; Peregrine Resources Pty Ltd; Peak Hill.  
52/359; Peregrine Resources Pty Ltd; Peak Hill.  
53/174; Lion Exploration NL; East Murchison.  
58/34; Brunswick NL; Murchison.  
58/89; Kirke Prospecting Pty Ltd; Murchison.  
59/73; Minefields Exploration NL; Yalgoo.  
63/147; Taurus Resources NL; Dundas.  
70/562; Dominican Nominees Pty Ltd; Elsbury, Charles Michael; English, Ramon Lawrence; Vost, Collin; South West.  
80/1074; Munro Mining Pty Ltd; Kimberley.  
80/1099; Poseidon Exploration Ltd; Triad Minerals NL; Kimberley.  
80/1115; MacDonald, Stanley Allan; Windale Nominees Pty Ltd.

## Mining Leases

- 15/9; Fogarty, William Edward; Giri, Thomas James; Jarosz, Stephen Brian; Coolgardie.  
15/69; Ellery, Murray Wayne; Coolgardie.  
15/73; Photios, Michael John; Coolgardie.  
15/373; Lubbock Nominees Pty Ltd; Coolgardie.  
15/374; Lubbock Nominees Pty Ltd; Coolgardie.  
16/9; Norris, Thomas Edward; Coolgardie.  
20/57; Nil Desperandum Prospecting NL; Murchison.  
20/123; McLarty, Peter Richard; McLarty, William James; Radovanovic, Jeff; Murchison.  
21/9; Radovanovic, Jeff; Murchison.  
21/22; Johnson, Graham Ross; Murchison.  
24/139; Antico Mines NL; Broad Arrow.  
24/209; Dean, Allan Maxwell; Smith, Frederick Robert; Broad Arrow.  
27/102; Dalla-Costa, Melville Raymond; N.E. Coolgardie.  
27/119; City Resources (WA) Pty Ltd; N.E. Coolgardie.  
27/120; City Resources (WA) Pty Ltd; N.E. Coolgardie.  
27/121; City Resources (WA) Pty Ltd; N.E. Coolgardie.  
28/65; Freeport of Australia Inc.; N.E. Coolgardie.  
30/3; Viking Resources Ltd; North Coolgardie.  
31/11; Downie, Rex; North Coolgardie.  
37/83; Broad Arrow Gold Mines Pty Ltd; Cazour Pty Ltd; Stockwork Gold NL; Mt Margaret.  
38/105; Gindalbie Mining NL; Mt Margaret.  
38/110; Merritt Mining NL; Mt Margaret.  
39/129; Burrows, Gilbert Francis; Lamont, Eugene Gerald; Woolhouse, Graham Albert; Mt Margaret.  
45/251; Racomea Pty Ltd; Pilbara.  
45/252; Great Victoria Gold Ltd; Pilbara.  
45/332; Drexler, Bruno Edward; Pilbara.  
45/347; Mullan, Garry Ernest; Watson, Kenneth Frank; Pilbara.  
45/437; Gallon, Michael John; James, Terence; Knubel, Heinz; Pilbara.  
45/439; Blunt, Kevin James; Pilbara.  
46/24; McGrath, Phillip Noel; Pilbara.  
46/69; McGrath, Phillip Noel; Pilbara.  
46/88; Invincible Gold NL; Pilbara.  
46/91; McGrath, Phillip Noel; Pilbara.  
47/81; Specified Services Pty Ltd; West Pilbara.  
47/97; Quarry Industries Ltd; West Pilbara.  
47/98; Quarry Industries Ltd; West Pilbara.  
47/118; Golden Eagle Mines NL; West Pilbara.  
51/66; Kalgoorlie Resources NL; Metana Minerals NL; Murchison.  
51/282; Wilson, Scott Walter; Durey Pty Ltd; Murchison.  
57/2; Falcona Exploration & Mining NL; Ferrari Pty Ltd; East Murchison.  
57/134; Kimely Pty Ltd; East Murchison.  
57/148; Black Horse Mining NL; Gardner, Robert Charles; East Murchison.  
59/149; Markham, Kenneth Anthony; Mullins, Anthony; Mullins, Brian Charles; Yalgoo.  
70/238; Bebich, Matthew Mark; Bebich, Peter Patrick; Bebich, Yoze; South West.

## Number; Holder; Mineral Field.

## Mining Leases

70/273; Green, Keith Langluis; Green, Pearl McKinnon; South West.  
 70/274; Green, Keith Langluis; Green, Pearl McKinnon; South West.  
 70/326; Stefanelli Developments Pty Ltd; South West.

## General Purpose Leases

30/2; Lubbock Nominees Pty Ltd; North Coolgardie.  
 45/26; Blunt, Kevin James; Pilbara.

**OCCUPATIONAL HEALTH SAFETY AND WELFARE**

OA401

**OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984****OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988**

## Exemption Certificate under Regulation 213

(No. 10 of 1990)

I, Neil Bartholomaeus, Commissioner for Occupational Health, Safety and Welfare hereby grant an exemption to Prestige Group (Australia) Pty Ltd from the requirements of Regulation 601 in relation to Prestige Medical Autoclaves, with a volume of 9 litres and a maximum operating pressure of 130kPa.

Dated 31 August 1990.

NEIL BARTHOLOMAEUS, Commissioner for Occupational Health, Safety and Welfare.

**PLANNING AND URBAN DEVELOPMENT**

PD101

*ERRATUM***TOWN PLANNING AND DEVELOPMENT ACT 1928****SCHEME AMENDMENT AVAILABLE FOR INSPECTION***City of Melville*

Town Planning Scheme No. 3—Amendment No. 60

Ref: 853/2/17/10, Pt. 60.

Whereas an error occurred in the notice published under the above heading on page 4481 of *Government Gazette* No. 97 dated 31 August 1990 it is corrected as follows.

Delete the last line "G. HUNT, Shire Clerk." and insert " G. HUNT, Town Clerk. "

PD401

**TOWN PLANNING AND DEVELOPMENT ACT 1928**

Office of the Minister for Planning,  
 Perth, 14 September 1990.

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

William Edward Maxwell Bateman, of 221 South Terrace, Como;  
 Ashley Raymond Castledine, of 121 Railway Road, Kalamunda;  
 Douglas James Collins, of 20B Purdom Road, Wembley Downs;  
 Dennis Francis Jones, of 120 Brookdale Street, Floreat Park;  
 James Griffith Jordan, of 27 North Street, Mount Lawley;  
 Alan Louis Keil, of 6 Torrens Court, Cottesloe;  
 William Brown Kelliher, of 31 Baldwin Street, Como;  
 Ian Stewart Lindsay McNabb, of 47 Lionel Road, Darlington;  
 Donald Duncan Thomas Montgomery, of 69 Bradford Street, Mount Lawley;  
 Colin Francis Porter, of 3 Villiers Street, Bassendean;  
 Eric Sabin, of 10 Mahonia Place, Duncraig;  
 George Strickland, of Unit 5, 65 The Esplanade, South Perth;  
 Raymond Alfred Ellis Upston, of 54 Smith Street, Dianella;  
 Alan Clayton Wilson, of 74 Swan Road, Attadale,

and the appointment of—

Jennifer Kathleen Archibald, of 160 High Street, Fremantle;  
 Ross Arthur Easton, of 33 Fern Street, Swanbourne;  
 Peter Woodward, of 43 Grebe Street, Stirling;  
 Nada Zuvela, of 42B View Street, Peppermint Grove,

as Members of the Town Planning Appeal Committee for a term expiring on the 15 February, 1991.

KAY HALLAHAN, Minister for Planning.

PD402

**TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*City of Belmont*

Town Planning Scheme No. 11—Amendment No. 22

Ref: 853/2/15/10. Pt. 22.

Notice is hereby given that the City of Belmont has prepared the abovementioned scheme amendment for the purpose of changing the reservation of Lots 70-76 (inclusive) Durban Street, Belmont from Parks and Recreation to Civic and Cultural with the designation Civic and Community Centre.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 215 Wright Street, Cloverdale and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including October 26, 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before October 26, 1990.

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

B. GENONI, Town Clerk.

PD403

**TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)**  
**SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*City of Melville*

Town Planning Scheme No. 3—Amendment No. 52

Ref: 853/2/17/10. Pt. 52.

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

1. Amending Scheme Map 3 by Rezoning portion of Reserve 6066 bounded by Carrington Street, McGregor Road, Lot 1 McGregor Road and Leach Highway from Local Authority Reservation Public Use Reserve to Residential A

2. Amending Scheme Map 3 by deleting the Institutional Precinct boundary and Palmyra 1 Living Area Precinct boundary on McGregor Road between Carrington Street and Baal Street and relocating the boundaries on Leach Highway Palmyra.

3. Amending Clause 4.5.24 Pl- Palmyra by adding a new policy requiring the approval of a development plan conforming to the following criteria.

- a. Overall density not to exceed a density of R20.
- b. Development within the site may be up to R60 providing the overall density does not exceed R20.
- c. A recreational reserve amounting to 30% of the gross lot area be transferred to the Crown either on subdivision or development.
- d. No vehicular access to Leach Highway.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Almondbury Road, Ardross, and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including October 26, 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before October 26, 1990.

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. HUNT, Town Clerk.

PD404

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

*City of Kalgoorlie-Boulder*

Joint Town Planning Scheme—Amendment No. 75

Ref: 853/11/3/2, Pt. 75

Notice is hereby given that the City of Kalgoorlie-Boulder has prepared the abovementioned scheme amendment for the purpose of rezoning all that land bounded by Brookman Street, Porter Street, Outridge Terrace and Egan Street, Kalgoorlie, from the Residential B Zone, the Showroom Office

Warehouse Zone, the Service Station Zone, the Hotel Zone and the Public Purposes Zone to the Central Business Zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Davidson Street, Kalgoorlie and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 26 October 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 26 October 1990.

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.

L. P. STRUGNELL, Town Clerk.

PD405

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

*City of Stirling*

District Planning Scheme No. 2—Amendment No. 133

Ref: 853/2/30/34, Pt. 133

Notice is hereby given that the City of Stirling has prepared the abovementioned scheme amendment for the purpose of rezoning Lots 1383 and 1384, Swan Location Z, Learoyd Street, Mt Lawley from "Low Density Residential R.20" to "Private Institutions".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Civic Place, Stirling and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 26 October 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 26 October 1990.

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.

R. H. FARDON, Town Clerk.

pd406

**TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)  
SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

*City of Stirling*

District Planning Scheme No. 2—Amendment No. 143

Ref: 853/2/20/34 Pt 143

Notice is hereby given that the City of Stirling has prepared the abovementioned scheme amendment for the purpose of rezoning portion of Lot 11 Wishart Street, corner of North Beach Road, Gwelup from "Residential R.35" to "Medium Density Residential R.40" as depicted on the amendment plan.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Civic Place, Stirling and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including October 26, 1990.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before October 26, 1990.

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.

R. H. FARDON, Town Clerk.

PD407

**TOWN PLANNING AND DEVELOPMENT ACT 1928  
APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Belmont*

Town Planning Scheme No. 11—Amendment No. 21

Ref: 853/2/15/10, Pt. 21

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 Belmont Town Planning Scheme Amendment on 6 September 1990 for the purpose of rezoning portion of Lot 17 Daly Street, Belmont from "Tavern" to "Business Enterprise".

P. P. PARKIN, Mayor.  
BRUCE GENONI, Town Clerk.



PD408

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*Shire of Beverley*

Town Planning Scheme No. 1—Amendment No. 15

Ref: 853/4/5/1, Pt. 15

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 Beverley Town Planning Scheme Amendment on 6 September 1990 for the purpose of rezoning portion of Location 452 Lot 12 from "Rural" to "Residential".

R. A. HUTCHINSON, President.  
K. L. BYERS, Shire Clerk.

PD409

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*Shire of Bridgetown-Greenbushes*

Town Planning Scheme No. 4—Amendment No. 3

Ref: 853/6/5/4, Pt. 3.

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 Bridgetown-Greenbushes Town Planning Scheme Amendment on 6 September 1990 for the purpose of—

1. Rezoning Nelson Locations 439 and 1020 from "Rural 2" Zone to "Special Rural" Zone.
2. Adding to Schedule 3 the following—

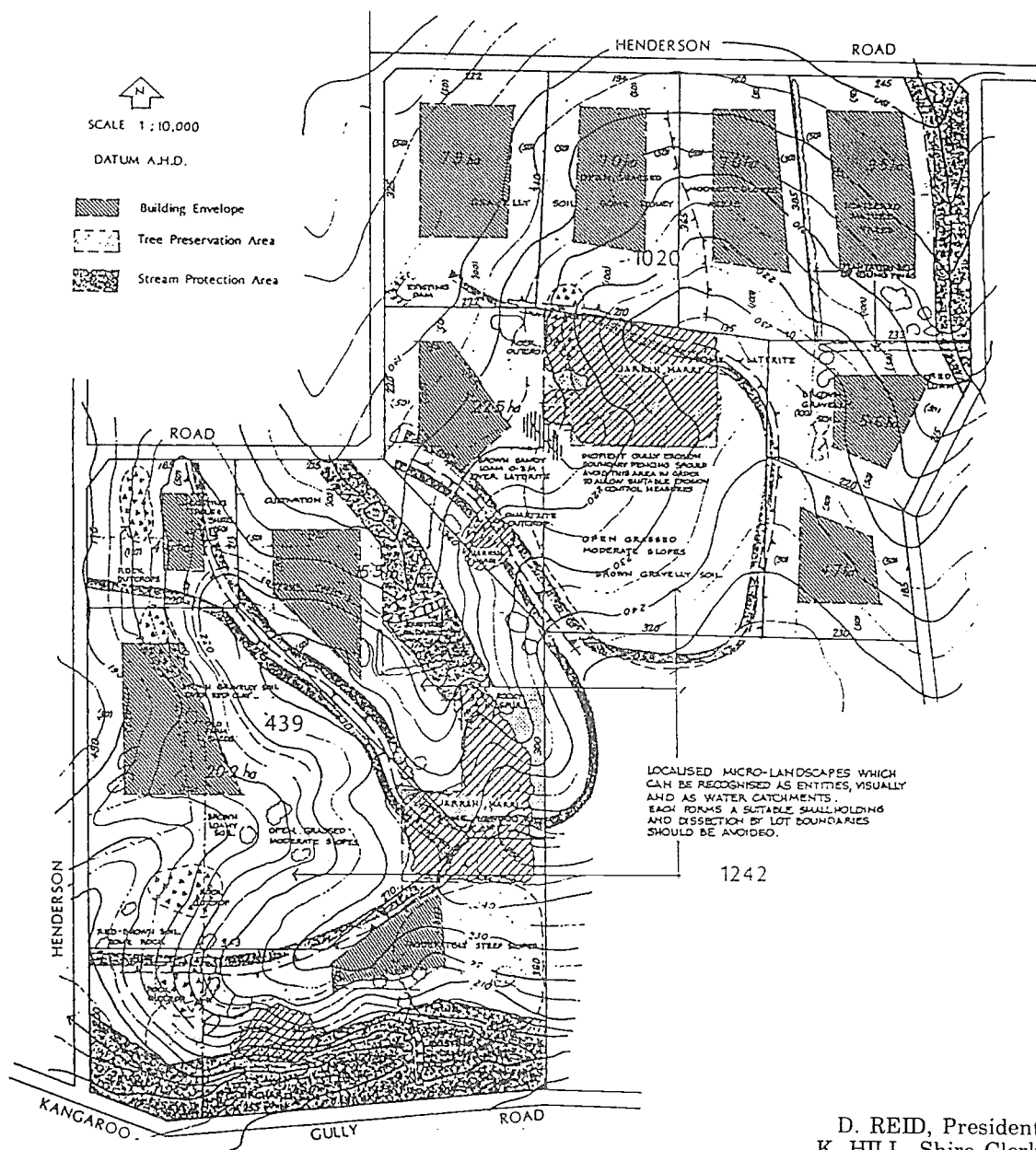
(a) Location of Zone	(b) Permitted Use and Conditions of Development
Special Rural Zone No. 2 Nelson Locations 439 and 1020	<p>(a) Subdivision to be generally in accordance with the Subdivision Guide Plan marked No. 2A and adopted by Council on 16/2/90.</p> <p>(b) The following uses are permitted within the zone—  Single House  Rural Pursuit  Home Occupation  Public Utility  All other uses are not permitted.</p> <p>(c) With the intention of preventing land degradation, Council may with the advice of the Department of Agriculture, require removal of or reduction in the numbers of, stock on any lot within the Zone.</p> <p>(d) Any installation for the disposal of waste water or septic tank effluent shall not be located closer to the centre line of any definable watercourse than a distance of fifty metres.</p> <p>(e) Stream Protection Area  The approved subdivision guideline plan shows a Stream Protection Area. Within this area the following conditions will apply—</p> <p>(i) Dams may not be constructed, nor the flow of water artificially retarded unless with the prior approval of the Western Australian Water Authority (WAWA) and the Council. Dams existing prior to the gazettal of this amendment are to be maintained in a safe condition to the satisfaction of the WAWA and the Council and their use is to remain consistent with that existing prior to the amendment gazettal.</p> <p>(ii) Pumping or diversion of water from the Stream Protection Area is not permitted unless with the prior approval of the WAWA and the Council.</p> <p>(iii) Modification to a stream course, bed or banks is not permitted unless with the prior approval of the WAWA and the Council.</p>

(a)  
Location of Zone(b)  
Permitted Use and Conditions of Development

- (iv) If, in the opinion of the WAWA and the Council the activities of livestock within the Stream Protection Area are contributing to erosion, pollution of the stream or the degradation of vegetation, the landowner may be required to erect and maintain a fence of satisfactory standard in order to protect the area and exclude livestock therefrom.
- (v) Cultivation of land or spraying of pesticides or herbicides, or the application of non-nitrogenous fertiliser is not permitted within 80 metres of any stream unless with the prior approval of the WAWA and the Council, but the provision does not preclude the carrying out of control for weeds or pests in accordance with the requirements of the Agriculture Protection Board.

## PROPOSED SPECIAL RURAL SUBDIVISION

NELSON LOCATIONS 439 and 1020



D. REID, President.  
K. HILL, Shire Clerk.

PD410

**TOWN PLANNING AND DEVELOPMENT ACT 1928  
APPROVED TOWN PLANNING SCHEME AMENDMENT**

*Shire of Busselton*

Town Planning Scheme No. 5—Amendment No. 149

Ref: 853/6/6/6, Pt. 149

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 Busselton Town Planning Scheme Amendment on 6 September 1990 for the purpose of—

1. Rezoning portion of Lot 1 of Sussex Location 136 from "General Farming" to "Single Residential"; and
2. Rezoning Lot 2 of Sussex Location 136 from "General Farming" to "Single Residential" and "Group Residential";

as depicted on the scheme amendment map.

E. SMITH, President.  
B. N. CAMERON, Shire Clerk.

PD411

**CORRIGENDUM**

**TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT**

*Shire of Denmark*

Town Planning Scheme No. 2—Amendment No. 33

Ref: 853/5/7/2 Pt 33

It is hereby notified for public information that the notice under the above Amendment No. 33 published at page 4480 of the *Government Gazette* No. 97 dated August 31 1990 contained an error which is now corrected as follows—

For the words: "2. Amending the Scheme Map, rezoning Portion of Lot 55 from Residential 2 to Local Shopping Centre."

Read "2. Amending the Scheme Map, rezoning Portion of Lot 55 from Residential 2 to Local Shopping".

P. DURTANOVICH, Shire Clerk.

PD412

**TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)  
APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Mandurah*

Town Planning Scheme No. 1A—Amendment No. 130

Ref: 853/6/13/9 Pt 130

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 Mandurah Town Planning Scheme Amendment on September 6, 1990 for the purpose of—

- (a) Rezoning a portion of Part Lot 10 Cockburn Location 16, Oakmount Avenue, Meadow Springs Mandurah, from Rural Zone to Residential 3 Zone (Group Residential) in accordance with the Scheme amendment Map.
- (b) Modifying the Residential Planning Codes Scheme Map by coding a portion of Part Lot 10 Cockburn Location 16, being the land subject of this amendment R40, in accordance with the Residential Planning Codes Scheme Amendment map.

B. CRESSWELL, Mayor.  
K. DONOHOE, Town Clerk.

## PD413

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Mandurah*

Town Planning Scheme No. 1A—Amendment No. 137

Ref: 853/6/13/9, Pt 137.

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 Mandurah Town Planning Scheme Amendment on September 6, 1990 for the purpose of—

- A. Rezoning Lot 13, Mandurah Terrace, Mandurah from "Tourist" to "Service Station".
- B. (a) Including Lots 12 and 13 Mandurah Terrace, Mandurah within the Special Zone.  
 (b) Adding Lots 12 and 13 Mandurah Terrace, Mandurah to the Special Zone Table as follows—

Code No.	Particulars of Land	Base Zone	Special Use	Conditions
14	Lots 12 and 13 Mandurah Terrace Mandurah	Service Station	Convenience Store	None

- C. Inserting after the definition of Convalescent Home in Appendix 9 to the Scheme Text the following—

"Convenience Store—means land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagencies but including the sale of motor fuel, oil and accessories and operated during hours which include but which may extend beyond normal trading hours for a shop".

B. CRESSWELL, Mayor.  
 K. DONOHOE, Town Clerk.

## PD414

**TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Melville*

Town Planning Scheme No. 3—Amendment No. 70

Ref: 853/2/17/10 Pt 70

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Melville Town Planning Scheme Amendment on August 31, 1990 for the purpose of—

- 1. Rezoning Lots Pt. 127, 1 and 6 Ogilvie Road and Lots 3, 4 and 5 Kishorn Road, Mt. Pleasant, from Residential C to Commercial.
- 2. Introducing a new Policy No. 5 to Clause 4.9.1 as follows;
  - "5 The development of the Commercial-zoned land abutting the east side of Ogilvie Road being lots Pt. 127, 1 and 6 and the west side of Kishorn Road being lots 3, 4 and 5 shall comply with the following criteria—
    - (a) maximum two storey height from natural ground level.
    - (b) residential design characteristic
    - (c) 25% of each lot to be landscaping of which 12% should be inground
    - (d) no reflective or mirror glass. "

M. J. BARTON, Mayor  
 G. G. HUNT, Town Clerk.

PD415

**TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)**  
**APPROVED TOWN PLANNING SCHEME AMENDMENTS**

*Town of Narrogin*

Town Planning Scheme No. 1A—Amendment Nos. 19 and 21

Ref: 853/4/2/9 Pts 19 & 21

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 Town of Narrogin Town Planning Scheme Amendments on September 6, 1990 for the purpose of—

Amendment No. 19

Amending Code 3 of the Special Zone Table as follows—

Code No.	Particulars of Land (As shown on Scheme Map)	Base/Zone Area	Special Use	Conditions
			Child Day Care Child Minding Centre Em- ployment Training Youth Drop in Centre	

Amendment No. 21

Rezoning portion of Reserve 22972 Lot 1636 from their existing use "Community" and "Single and Group Housing" to "Office".

J. W. PARRY, Mayor.

P. J. WALKER, Town Clerk.

PD416

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**

*City of Nedlands*

Town Planning Scheme No. 2—Amendment No. 25

Ref: 853/2/8/4, Pt. 25.

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 Nedlands Town Planning Scheme Amendment on September 3, 1990 for the purpose of—

1. Clause 5.1 is revoked and the following clause inserted in place thereof—

“ 5.1 DEVELOPMENT STANDARDS

Applicable Standards

Subject to the Provisions of the Scheme, a person shall not commence to carry out the development of any land—

- (a) within a residential zone, except in accordance with the provisions of the Residential Planning Codes;
- (b) within a zone other than a residential zone except in accordance with the development standards set out in Table 2;
- (c) being land which may be used for an additional purpose pursuant to an approval under Clause 3.7 except in accordance with the development standards set out in Table 3. ”

2. Subclause 5.3.1 is amended by deleting all of the words before paragraph (a) and inserting in place thereof the passage—

“ Notwithstanding the provisions of the Residential Planning Codes and notwithstanding that the Use Class 'Dwelling House Grouped' is designated "AA" in the Residential Zone, the coding designations shown on the Scheme Map shall have the following meanings and effects: ”

3. Clause 5.4 is amended by deleting the passage commencing after the heading "STANDARDS FOR DEVELOPMENT IN OTHER THAN RESIDENTIAL ZONES" and subclause 5.4.1 and by inserting in place thereof the following—

“ 5.4.1 Application of Standards

5.4.1.1 Subject to paragraph 5.4.1.3 the standards set out in Table 2 shall apply to all developments in the district in zones other than the Residential Zone

5.4.1.2 Subject to paragraph 5.4.1.3 the standards set out in Table 3 shall apply to the development of land for use for an additional purpose approved by the Council pursuant to Clause 3.7 of this Scheme.

5.4.1.3 The Council may on application by a person seeking planning approval agree to vary a standard in Table 2 or Table 3.

5.4.1.4 Without limiting the generality of paragraph 5.4.1.3 in the case of development for any purpose other than residential the Council may on application by a person seeking planning approval vary the parking requirements in Schedule 3 hereto, or impose conditions on the location and design of car parking spaces, taking into account:

- (i) the number to be roofed or covered and the manner of roofing or covering;
- (ii) the number to be below natural ground level;
- (iii) the means of access to each space and the adequacy of vehicular manoeuvring areas;
- (iv) the effect on the amenity of adjoining premises, including potential effects if spaces should later be roofed or covered and the suitability or adequacy of proposed screening or natural planting;
- (v) the provision of suitable pickup and setting down bays. "

TABLE 2 (Commercial and Industrial Zones—other than residential zones)

Minimum setback from Boundaries (see note 1 below)	Front:	4.5 metres (see Notes 4)
	Side:	5.0 m where the lot adjoins any Residential zone. 2.5 m where the side boundary of the lot adjoins any other street.
	Rear:	5.0 m where the lot adjoins any Residential zone.

Maximum Plot Ratio 0.75

NOTE (1) In the Light Industry Zone, where development on adjoining lots is set back less than 4.5 m, Council may vary front setback requirements to not less than that of the buildings on the side having the least setback.

NOTE (2) In the case of lots in Hampden Road adjacent to a right-of-way, the rear setback shall be not less than 1.5 m.

NOTE (3) Residential Development in other than Residential zones shall conform with the standards and requirements of the R35 Code. However, Council may vary the requirements of this Code if in the opinion of Council the proposed development is in keeping with the amenity of the area.

NOTE (4) On Stirling Highway the minimum front boundary setback shall be 7.0 m.

TABLE 3 (Land permitted for Additional Purposes)

Minimum setback from Boundaries	Front:	6 metres (see Note 2)
	Side:	5 metres where the lot adjoins any residential zone. Otherwise in accordance with the R Codes.
	Rear:	average of 8 m minimum of 5 m

Maximum Plot Ratio 0.5

NOTE (1) No car parking is permitted in the front setback unless special approval is granted by Council. Rear and side setbacks are to be predominantly landscape buffers.

NOTE (2) On Stirling Highway the minimum front boundary setback shall be 7.0 metres.

NOTE (3) Where possible existing structures are to be retained and the residential use converted to the particular permitted 'Additional Purpose'.

4. Alter subclause 5.5.4 insert the following subclause:

" 5.5.5 Within the Residential zone no person shall without the written approval of the Council construct, alter, repair or carry out any other work on any boat or any recreational vehicle or object unless the boat, recreational vehicle or object is completely housed within a building. "

" 5.12 Parking of Commercial Vehicles

5.12.1 A person shall not park or stand on a road reserve or park or stand or suffer or permit the parking or standing on private property in either case within a residential zone of a commercial vehicle with a tare weight in excess of 2 tonnes for a continuous period in excess of four (4) hours.

5.12.2 A person shall not park or stand or suffer or permit a commercial vehicle of more than 2 tonnes to be parked or allowed to stand on land within the residential zone unless it is garaged or otherwise screened from view from any street.

5.12.3 A person shall not park or stand or suffer or permit the parking or standing on any lot within the residential zone more than one commercial vehicle and shall not park or stand more than one commercial vehicle on a road reserve or any other reserve within the residential zone without the approval in writing of the Council.

5. Clauses 6.1 and 6.2 are revoked and the following inserted in place thereof—

“ 6.1 Planning Approval

6.1.1 No person shall commence or carry out any development on land zoned or reserved under the Scheme and without limiting the generality of the foregoing including the commencement or changing of the use of any land without first applying for and obtaining the Council's planning approval.

6.1.2 Application to the Council for planning approval shall be made in a form similar to Form 1 described in Schedule 4 of the Scheme.

6. A new clause 6.2 is inserted as follows—

“ 6.2 Approval of Existing Development

6.2.1 The Council may give planning approval of a development already commenced or carried out regardless of when it was commenced or carried out. Such approval shall have the same effect for all purposes as if it had been given prior to the commencement or carrying out of the development, but provided that the development complies or is capable through the application of appropriate conditions of the Scheme as to all matters other than the provisions requiring Council's approval prior to the commencement or development.

6.2.2 The application to the Council for approval under subclause 6.2.1 shall be made on or in a form similar to Form 1 described in Schedule 4 of the Scheme or on such other form as the council provides from time to time.

6.2.3 A development which was not permissible under this Scheme at the time it was commenced or carried out may be approved if at the time of approval under this clause it is permissible.

6.2.4 The approval by the Council of an existing development shall not affect the power of the Council to take appropriate action for a breach of the Scheme or the Act in respect of the commencement or carrying out of the development without approval, and the conviction of a person for such breach shall not prevent the Council from giving an approval under this clause in respect of the same development. ”

7. Clause 6.6 is revoked.

8. New clauses 6.6 and 6.7 are inserted as follows—

“ 6.6 Contravention and Non-Compliance

Subject to the Act a person shall not:

- (a) use for a purpose a building which does not conform with a standard or requirement of the Scheme relating to buildings used for that purpose, subject only to any non-conforming use rights;
- (b) erect, alter or add to any building or carry out any other development or use any land contrary to the provisions of the Scheme or contrary to the terms of any approval by the Council or the approved plans, or contrary to any condition attached to such approval;
- (c) do or omit to do any act and in so doing contravene the Scheme; or
- (d) permit or cause any such erection, alteration, addition, development, use, act or omission to be made or done.

9. DELEGATION

“ 6.7.1 The Council may either generally, or in a particular case by resolution delegated to a Committee of the Council or an officer of the Council the authority to deal with an application for planning approval made under this Scheme.

6.7.2 The delegation of authority made by the Council pursuant to subclause 6.7.1 shall have effect for such period as the Council in its resolution stipulates and in the absence of any stipulation shall have effect for the period of twelve months following the resolution.

6.7.3 The Council shall not in any event make a delegation of power in accordance with subclause 6.7.1 to have effect for any period longer than twelve months.

6.7.4 The delegation of power conferred by this clause has effect and may be exercised according to its tenor, but is revocable at the will of the Council and does not preclude the Council from exercising the power. The performance of a function by a delegate under subclause 6.7.1 shall be deemed to be the performance of the function by the Council in all circumstances where the Council is able to delegate its powers. ”

10. Clause 5.9 is revoked and replaced by—

“ 5.9 Conservation and Preservation of Places of Natural Beauty and Historic Buildings and Objects of Historic or Scientific Interest

Appendix 2—Places Buildings and Objects:

5.9.1 Council considers that the places of natural beauty and historic buildings and objects of historical or scientific interest contained in Appendix 2 should be conserved and preserved.

- 5.9.2 If the Council resolves that any place of natural beauty or any historic building or object of historical or scientific interest should be protected by the conservation and preservation provisions of this Clause the Council may initiate an amendment to the Scheme to add the place, building or object to Appendix 2.
- 5.9.3 If the Council at any time considers that any Place, Building or Object should no longer be protected by the conservation and preservation provisions of this Part the Council may initiate an amendment to the Scheme for the deletion of the place, building or object from Appendix 2.
- 5.9.4 No person shall without the consent in writing of the Council commence or carry out or permit or suffer the commencement or carrying out of any development on in or in relation to any Appendix 2 Place, Building or Object and without in any way limiting the generality of the foregoing shall not:
- clear, excavate or fill any land;
  - fell, remove, kill or irreparably damage any tree;
  - erect any fence;
  - commence or carry out any renovation, modification, refitting, decoration or demolition of any building;
  - alter or remove any building or object or any part thereof.
- 5.9.5 The provisions of this sub-clause shall not affect any obligation imposed by other provisions of this Text or by the Metropolitan Region Scheme to apply for and obtain the approval of the Council or of the State Planning Commission prior to the commencement or carrying out of any development, and the written consent of the Council under this sub-clause is required in addition to any such approval to commence or carry out development.
- 5.9.6 If the Council decides to give its written consent to the commencement or carrying out of any development or other work, the Council may give that written consent notwithstanding that the development or work involved does not comply with the Building Regulations 1989 or the Residential Planning Codes or with any requirement or standard specified in or arising out of this Text.
- 5.9.7 The Council when considering an application for its consent in writing pursuant to the provisions of Clause 5.9.4 may:
- give its consent in writing with or without conditions and limit the time for which the consent remains valid prior to completion or substantial commencement of the development or other work; or
  - refuse to give its consent in writing.
- 5.9.8 The Council may purchase or subject to the Act, resume the parcel of land on or in which any Appendix 2 Place, Building or Object is situated, or so much or such interest in that parcel of land as in the opinion of the Council is necessary for the preservation of the Appendix 2 Place, Building or Object.
- 5.9.10 The Council may:
- enter into agreements with the owners or occupiers of land on or in which any Appendix 2 Place, Building or Object is situated, for the purpose of ensuring the preservation or conservation of such place, building or object;
  - enter into agreements with the National Trust of Australia (WA), the Royal Western Australian Historical Society (Inc) or any Government Department, Authority or other body in Western Australia responsible for tourism or with any other Authority, body or person, for the preservation or conservation of any Appendix 2 Place, Building or Object; and
  - enter into agreements relating to the payment of monies and financial arrangements for the purpose of conserving Places, Buildings or Objects listed in Appendix 2.

## APPENDIX 2

## CONSERVATION AND PRESERVATION OF PLACES OF NATURAL BEAUTY AND HISTORIC BUILDINGS AND OBJECTS OF HISTORIC OR SCIENTIFIC INTEREST

Name	Address
1. Gallop House	Reserve 27111 The Esplanade, Nedlands.
2. Directors House & Garden	Lot 65 & 40614 Grainger Dr, Mt. Claremont.
3. Swanbourne Hospital Conservation Area	Lot 171 Heritage Lane, Mt. Claremont.
4. Irwin Barracks Army Magazine buildings	Stubbs Terrace, Mt. Claremont.
5. Oxnam native plant garden	No. 55 Philip Road, Dalkeith.
6. Cork Oak	Karrakatta Cemetery, Railway Road, Karrakatta.
7. Tom Collins House	Reserve A 7804 Allen Park, Swanbourne.
8. Sunset Mens Home	Reserve A 1667 Jutland Parade, Dalkeith.



11. The following clause be inserted after clause 3.6 and the index be amended accordingly.

3.9 Cash in lieu of providing car parking

The Council may agree with an applicant for approval to commence development to accept a cash payment in lieu of the provision of paved car parking spaces, but subject to the requirements of this subclause—

- (a) a cash in lieu payment shall be not less than the estimated cost to the owner of providing and constructing the parking spaces required by this Scheme, plus the value of that area of land which would have been occupied by the parking spaces and manoeuvring area;
- (b) before the Council agrees to accept a cash payment in lieu of the provision of parking spaces, the Council must either have provided a public parking station nearby, or must have firm proposals for providing a public station nearby within a period of not more than twenty four months from the time of agreeing to accept the cash payment;
- (c) payments under this Clause shall be paid into a special fund to be used to provide public parking stations anywhere in the District;

12. That clause 5.11 be revoked and that the following replace it—

“ No site shall be developed or building constructed to contain more than two storeys or to exceed 8.5 metres facing the primary street frontage measured from the average level at where the street and lot boundary meet and the remainder of the building height shall not exceed 10 metres to the highest portion of the building from the mean natural ground level or such other ground level as may be determined by Council.

Council may vary this requirement if in its opinion the development:

- (a) will not significantly restrict sunlight or natural ventilation enjoyed by surrounding properties;
- (b) will not significantly intrude upon the privacy enjoyed by surrounding properties with overview;
- (c) will not significantly diminish views or outlook available from surrounding properties;
- (d) is sympathetic with the scale and character of the immediate locality;
- (e) is consistent with the amenity of the locality. ”

13. That clause 5.10.3 (a) be revoked and replaced with—

- (1) (a) “the Council shall not permit the ground level of any portion of any lot to be raised by an amount greater than 0.5 m above natural ground level whether by means of a retaining wall or not, unless it is satisfied that such changes in level will not unduly affect the amenity of the area including amenity of neighboring properties.”

- (2) That the following be added after 7.5 m in Clause 5.10.3(b)—

“where the 7.5 m setback is a front boundary the provisions of clause 5.3.3(a) shall apply and the setback shall be 9.0 m unless varied by Council.”

- (3) Clause (c) be deleted.

14. That the following be added after Clause 5.3.3 (a)—

“Council may vary this requirement for development within new large scale comprehensively designed subdivisions”.

15. That the Use Class Table (Table 1) be revoked and replaced by the following—

USE CLASS	Office	Residential	Retail/ Shopping	Office/ Showroom	Light Industrial	Hotel	Service Station	Development	Special Purposes Site 1
Amusement Parlour .....	X	X	X	X	X	X	X	X	X
Auction Mart .....	X	X	X	X	AA	X	X	AA	X
Betting Shop .....	AA	X	AA	X	X	AA	X	AA	X
Boarding House .....	X	X	X	X	X	X	X	AA	X
Boat Sales Yard .....	X	X	X	X	AA	X	X	X	X
Cabin or Chalet .....	X	X	X	X	X	X	X	X	X
Camping Area .....	X	X	X	X	X	X	X	AA	X
Caravan or Trailer Yard .....	X	X	X	X	AA	X	X	X	X
Caravan Park .....	X	X	X	X	X	X	X	X	X
Caretakers Dwelling .....	AA	P	IP	AA	IP	AA	X	AA	P
Car Park .....	AA	AA	P	P	P	P	P	AA	P
Car Sales Yard .....	X	X	X	X	AA	X	X	X	X
Car Wash Station .....	X	X	X	X	AA	X	P	AA	X
Child Day Care Centre .....	AA	AA	AA	AA	X	X	X	AA	P
Cinema/Theatre .....	X	X	AA	AA	X	X	X	AA	AA
Civic Building .....	P	X	X	X	X	X	X	AA	P
Club Premises .....	AA	X	AA	AA	X	AA	X	AA	AA

USE CLASS	Office	Residential	Retail/ Shopping	Office/ Showroom	Light Industrial	Hotel	Service Station	Development	Special Purposes Site 1
Construction Yard .....	X	X	X	X	P	X	X	X	X
Consulting Room .....	P	X	P	P	X	X	X	AA	AA
Consulting Rooms .....	P	X	P	P	X	X	X	AA	AA
Drive in Theatre .....	X	X	X	X	X	X	X	X	X
Dwelling House—Single .....	AA	P	X	X	X	X	X	AA	X
Dwelling House—Grouped/Attached .....	AA	AA	X	X	X	X	X	AA	X
Dwelling House—Multiple .....	X	X	X	X	X	X	X	X	X
Educational Establishment .....	AA	X	X	X	X	X	X	AA	P
Fast Food Outlet .....	X	X	X	X	X	X	X	AA	X
Fuel Depot .....	X	X	X	X	AA	X	X	X	X
Funeral Parlour .....	AA	X	AA	AA	AA	X	X	AA	AA
Health Studio .....	AA	X	AA	AA	X	IP	X	AA	AA
Hire Service .....	X	X	AA	X	AA	X	X	AA	X
Home Occupation .....	IP	AA	X	X	X	X	X	AA	X
Horticultural Pursuit .....	X	X	X	X	X	X	X	AA	X
Hospital .....	X	X	X	X	X	X	X	AA	AA
Hostel .....	X	X	X	X	X	X	X	AA	AA
Hotel .....	X	X	X	X	X	P	X	AA	AA
Industrial—extractive .....	X	X	X	X	X	X	X	X	X
general .....	X	X	X	X	AA	X	X	X	X
hazardous .....	X	X	X	X	X	X	X	X	X
light .....	X	X	X	X	P	X	X	X	X
noxious .....	X	X	X	X	X	X	X	X	X
service .....	X	X	X	X	AA	X	X	X	X
Kennels .....	X	X	X	X	X	X	X	X	X
Lunch Bar .....	AA	X	P	AA	AA	X	X	AA	AA
Market .....	X	X	P	X	X	X	X	AA	X
Medical Centre .....	AA	X	P	P	X	X	X	AA	AA
Milk Depot .....	X	X	X	X	P	X	X	AA	X
Motel .....	X	X	X	X	X	AA	X	AA	X
Motor Vehicle Assembly .....	X	X	X	X	AA	X	X	X	X
Museum .....	AA	X	X	AA	X	X	X	AA	P
Night Club .....	X	X	X	X	X	IP	X	AA	AA
Nursery .....	X	X	AA	X	AA	X	X	AA	X
Office—General .....	P	X	IP	P	AA	IP	IP	AA	P
Professional .....	P	X	P	P	AA	X	X	AA	P
Service .....	P	X	P	P	X	X	X	AA	P
Prison .....	X	X	X	X	X	X	X	X	X
Produce Store .....	X	X	AA	X	X	X	X	X	X
Public Assembly .....	X	X	X	X	X	X	X	AA	P
Public Utility .....	AA	AA	AA	AA	AA	AA	AA	AA	AA
Public Worship .....	X	X	AA	AA	X	X	X	AA	AA
Reception Lodge .....	X	X	AA	X	X	IP	X	AA	P
Recreation—Private .....	AA	X	AA	AA	AA	AA	X	AA	P
Public .....	AA	AA	AA	AA	AA	AA	X	AA	P
Reformatory .....	X	X	X	X	X	X	X	X	X
Residential Building .....	X	AA	X	X	X	X	X	AA	AA
Restaurant .....	AA	X	AA	AA	X	IP	X	AA	P
Salvage Yard .....	X	X	X	X	AA	X	X	X	X
Service Station .....	X	X	X	X	X	X	P	AA	X
Shop .....	X	X	P	IP	AA	IP	IP	AA	AA
Shopping Centre .....	X	X	P	X	X	X	X	AA	X
Showroom .....	X	X	AA	P	IP	X	X	AA	X
Storage yard .....	X	X	X	X	AA	X	X	X	X
Tavern .....	X	X	X	X	X	AA	X	AA	AA
Trade Display .....	X	X	X	X	AA	X	X	AA	AA
Transport Depot .....	X	X	X	X	AA	X	X	X	X
Vehicle Wrecking .....	X	X	X	X	X	X	X	X	X
Veterinary Consulting Rooms .....	AA	X	P	AA	X	X	X	AA	AA
Veterinary Hospital .....	X	X	X	X	AA	X	X	AA	X
Warehouse .....	X	X	IP	IP	P	X	X	X	X
Woodyard .....	X	X	X	X	P	X	X	X	X
Any other use not included above (see clause 3.6) .....	AA	AA	AA	AA	AA	AA	AA	AA	AA

NOTE: Group and Attached Dwellings are not permitted in the Residential R10 and R12.5 as per clause 5.3.1

NOTE: Special Purpose Site 1—refers to the Mt. Claremont Historic Precinct on Heritage Lane.

16. That the Definitions/Interpretations Clause 1.8 be revoked and replaced by the following—

- “Amusement Parlour” means any land or building used or provided for use by the public where the predominant use is for indoor games and includes the use of amusement machines and other like equipment where there are more than two amusement machines operating within the premises;
- “Auction Mart” means any land or building on or in which goods are exposed or offered for sale by auction, but does not include a place used for the sale by auction of fresh food, fruit, vegetables or livestock;
- “Betting Shop” means a building operated in accordance with the Totalisator Board Act 1970;
- “Boarding House” means any building or structure, permanent or otherwise, and any part thereof, in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper, for hire or reward, but the term does not include—
- (a) a premises the subject of a Hotel, Limited Hotel or Tavern Licence granted under the provisions of the Liquor Licensing Act 1988;
  - (b) premises used as a boarding school approved under the Education Act 1928 as amended;
  - (c) a building comprising a number of independently occupied residential units in which there is no unit or units operated together in which provision is made for lodging or boarding more than four persons;
- “Boat Sales Yard” means land or a building used for the sale or display for the purposes of sale of new or secondhand boats, boat trailers, marine engines or boating accessories but does not include a boat motor repair workshop or a boat hull repair workshop;
- “Cabin or Chalet” means an attached, semi-detached or detached residential type building that is used or provided for holiday purposes and is available to the public at large or to a part of the public defined by trade, employment, religion or association;
- “Camping Area” means land set aside for the erection of tents and other similar structures for temporary accommodation, and “camping” has a compatible meaning;
- “Caravan or Trailer Yard” means any land or building used for—
- (a) the hire and/or sale of caravans, car trailers, non motorised horse floats and inmobile homes; and
  - (b) the hire and/or sale of tents, camping gear and other items of a similar nature, where such use is incidental to the use falling within (a) above;
- “Caravan Park” means an area set aside for the parking of caravans under the By-laws of the Council or the Health Act (Caravan Parks and Camping Grounds) Regulations 1974, made pursuant to the provisions of the Health Act 1911 or any regulation or by-laws from time to time standing in place of them;
- “Caretakers Dwelling” means a building or part thereof, used as a residence by the proprietor or manager of an industry, business, office building or recreation area carried on or existing on the same site, or by a person having the care of the building plant, equipment or grounds thereof;
- “Car Park” means any land or building used primarily for the parking of private vehicles or taxis whether open to the public or not but does not include any part of a public road which is used for the through movement of traffic or any land or building on or in which vehicles are displayed for sale;
- “Car Sales Yard” means any land or building used for the display and sale or display for the purpose of sale of motor vehicles whether new or secondhand;
- “Car Wash Station” means any land or building used for mechanical vehicle washing. Such uses may or may not be associated with a service station and may include such other uses considered by Council to be ancillary to the predominant use of the land;
- “Child Day Care Centre” means any land or building used for the daily or occasional care of children in accordance with the Child Care Regulations 1968 (as amended);
- “Cinema/Theatre” means any land or building where the public may view a motion picture or theatrical production;
- Civic Building” means a building designed, used, or intended to be used by Government Departments, statutory bodies representing the Crown, or the council alone or in combination with other bodies, as offices or for administrative or other like purposes;
- “Club Premises” means any land or building used by a club or association or other body as a meeting place for formal and/or informal activity, including entertainment and includes any land appurtenant thereto used for recreation and includes a residential club;
- “Commercial Vehicle” has the same meaning as the combination of the terms “motor wagon” and “omnibus” in the First Schedule of the Road Traffic Act 1974;
- “Construction Yard” means any land or buildings used for the storage of building material, pipes or other similar items related to any trade, and may include manufacture, assembly or dismantling processes where incidental to such use;

"Consulting Room" means a building or part of a building (other than a hospital or medical centre) used in the practice of his profession by no more than one practitioner who is a legally qualified medical practitioner, dentist, physiotherapist, chiropractor, masseur, or a person ordinarily associated with a medical practitioner in the prevention investigation or treatment of physical or mental injuries or ailments;

"Consulting Rooms" means a building or part of a building (other than a hospital) used in the practice of the profession of two or more practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors, masseurs, or persons ordinarily associated with a medical practitioner in the prevention investigation or treatment of physical or mental injuries or ailments, and the practitioners may be of the one profession or any combination of professions or practices;

"District" means the municipal district of the City of Nedlands.

"Drive-in Theatre" means land and buildings used to make provision for an audience or group of spectators to view a motion picture while seated in motor vehicles;

"Dwelling" means a building or portion of a building containing at least one living room and includes rooms, outbuildings and other structures attached to or separate from such building but ancillary thereto; such building or portion thereof being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by—

a single person,

a family, or

no more than six (6) persons who do not comprise a single family.

"Dwelling House Single" has the same meaning as is given to that term in the Residential Planning Codes;

"Dwelling House Multiple" or "Multiple Dwelling" has the same meaning as is given to that term in the Residential Planning Codes;

"Educational Establishment" means a school, college, university, technical institute, academy or other educational centre, or a lecture hall, but does not include a Reformatory or an Institutional Home;

"Fast Food Outlet" means land and buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises;

"Fuel Depot" means any land or building used for the storage of, or bulk sale of solid or liquid or gaseous fuel, but does not include a service station;

"Funeral Parlour" means land and buildings occupied by an undertaker where bodies are stored and prepared for burial or cremation;

"Health Studio" means any land and building design and equipped for physical exercises, recreation and sporting activities including outdoor recreation;

"Hire Service" means any land or building used for the offering for hire or rent of items including machines and mechanical equipment;

"Home Occupation" means a business carried on with the permission of the Council within a dwelling house or curtilage to that house in accordance with Council's Home Occupation Policy.

"Horticultural Pursuit" means the use of land for any purpose set out hereunder and the use of buildings normally associated therewith—

(a) the intensive growing of vegetables, fruit, cereals or food crops for commercial purposes;

(b) the growing of trees, shrubs, plants or flowers for replanting;

(c) the sale of produce grown solely on the lot or on any adjoining or nearby lot forming part of the same landholding used for horticultural pursuits;

"Hospital" means any building, whether permanent or otherwise, in which persons are received and lodged for medical treatment or care and (without limiting the generality of the foregoing) includes "C" class hospitals and convalescent homes;

"Hostel" means a public or private residential type development providing board and lodging on a temporary basis to students and staff of educational establishments or members of societies, institutes or associations and common or distinct community groups;

"Hotel" means land and buildings providing accommodation for the public, the subject of an Hotel Licence granted under the provisions of the Liquor Licensing Act 1988 (as amended), but does not include a motel, tavern, or a boarding house the subject of a Limited Hotel Licence granted under that Act;

"Industrial—Extractive" means an industry involving the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substances from land, and includes the manufacture of products from any of those materials when the manufacture is carried out on the land from which any of the materials so used is extracted or on land adjacent thereto, and the storage of such materials or products;

"Industrial—General" means an industry other than extractive, hazardous, noxious, rural or service for the carrying out of any process in the course of trade or business for gain, for and incidental to—

- (a) the winning, processing or treatment of minerals;
- (b) the making, altering, repairing or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale, or the breaking up or demolition of any article or part of an article;
- (c) the generation of electricity or the production of gas;
- (d) the manufacture of edible goods for human or animal consumption;

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of goods resulting from the process, and the use of land for the amenity of persons engaged in the process but does not include—

- (i) the carrying out of agriculture;
- (ii) site works on buildings, work or land;
- (iii) in the case of edible goods the preparation of food for retail sale from the premises;

"Industrial—Hazardous" means an industry which by reason of any process or method of manufacture it involves, or the nature of any materials used or produced in or by it, requires isolation from other buildings;

"Industrial—Light" means an industry—

- (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises, will not cause any injury to, or prejudicially affect the amenity of the locality by reason of the emission of light, noise, vibration, smell, fumes smoke, vapour, steam, soot, ash, dust, waste water, or other waste products whether solid, liquid or gaseous; and
- (b) the establishment of which will not, or the conduct of which does not, impose an undue burden on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities or any other like service;

but does not include vehicle wrecking, panel beating or spray painting;

"Industrial—Noxious" means an industry in which the processes involved constitute an offensive trade within the meaning of the Health Act 1911 (as amended) but does not include wet fish shops or piggeries or a waste disposal process operation carried out by or under the direct management and supervision of the Council;

"Industrial—Service" means a light industry carried out on land or in buildings which may have a retail shop front and in which goods are manufactured only for sale on the premises, or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced;

"Kennels" means any land or building used for the boarding, housing and/or breeding of domestic animals for remuneration, or offered for sale or purchase;

"Lunch Bar" means premises used for the preparation and/or sale of take-away sandwiches and similar foodstuffs within industrial and commercial areas in a form ready to be consumed without further preparation off the premises;

"Market" means land and/or buildings used for a fair or a farmer's or producer's market or a swap-meet in which the business or selling carried on or the entertainment provided is by independent operators or stallholders carrying on their business or activities independently of the market operator save for the payment where appropriate of a fee or rental;

"Mean Natural Ground Level" means those levels as depicted by contour lines at 1 metre intervals on the land and Surveys Department public plans Series B.G. 200034 as applicable to the Scheme Area measured at the geometric horizontal centre of the lot;

"Medical Centre" means a building (other than a hospital or a private hospital) that contains or is designed or intended to contain facilities for use not only by the practitioners as specified under the definition of consulting rooms but also for ancillary services such as chemists, pathologists, radiologists and allied health professions;

"Milk Depot" means land and buildings to which milk is delivered for distribution to consumers but in which milk is not processed or pasteurised;

"Motel" means land and buildings used or intended to be used to accommodate patrons in a manner similar to an hotel or boarding house but in which special provision is made for the accommodation of patrons with motor vehicles;

"Motor Repair Station" means any land or building used for or in connection with mechanical repairs and overhauls, including where incidental to such repairs and overhauls, tyre re-capping, retreading, panel beating, spray painting and chassis reshaping;

"Motor Vehicle Assembly" means the use of any land or building for the assembly of motor vehicle portions and parts into or toward one unit;

"Museum" means any land or building used for the storing and exhibiting of objects illustrative of antiquities, natural history, art, nature and curiosities;

"Natural Ground Level" means those levels as depicted by contour lines at 1 metre intervals on the Lands and Surveys Department public plans Series B.G. 2000 34;

- "Night Club" means any land or buildings used for entertainment and/or eating facilities combined and includes a cabaret;
- "Nursery" means land and buildings used for the propagation, rearing and sale of plants and the storage and sale of products associated with horticultural and garden decor.
- "Office—General" means a building wherein is carried on the business of administration, the carrying on of agencies, typist and secretarial services, and services of similar nature or, where not conducted on the site thereof, the administration of, or the accounting in connection with any industry or other business, the administration of commercial transactions generally, civic and public authority offices, and offices generally, but shall exclude Service Offices and Professional Offices;
- "Office—Professional" means a building used for the purpose of conducting the professional work of an accountant, architect, artist, author, barrister, consular official, engineer, land survey, quantity surveyor, solicitor, teacher (other than a dancing teacher or a music teacher), or town planner of a person having in the opinion of the Council, an occupation of a similar nature, and professional person has a corresponding interpretation;
- "Office—Service" means a building wherein is carried on a predominantly administrative type of business but which is dependent on direct access to the public and without limiting the generality of the foregoing includes an estate agency, insurance agency, insurance office, travel agency, bank, building society, post office and any other public orientated Government agency and a public transport office.
- "Plot Ratio" has the same meaning and definition and that of the Uniform Building By-laws.
- "Prison" has the same meaning as is given to that term in the Prisons Act, 1903 (as amended);
- "Produce Store" means any land or building wherein fodders, fertilizers and grain are displayed and offered for sale;
- "Public Assembly" means any special place of assembly and without limiting the generality of the definition includes grounds for athletics, all sports grounds with spectator provision, race courses, trotting track, stadiums or showgrounds, but does not include club premises;
- "Public Utility" means any works or undertaking constructed or maintained by a public authority or municipality as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services;
- "Public Worship" includes buildings used primarily for the religious activities of a church but does not include an institution for primary, secondary or higher education or a residential trading institution;
- "Reception Lodge" means a building available for the use of parties on formal or ceremonial occasions, but not for unhosted use on general occasions for entertainment purposes;
- "Recreation—Private" means the use of land for parks, gardens, playgrounds, sports arenas or other grounds for recreation which are not normally open to the public without charge;
- "Recreation—Public" means the use of land for a public park, public gardens, playground or grounds for recreation which are normally open to the public without charge;
- "Reformatory" means land and buildings used for the confinement or detention in custody of juvenile offenders against the law with a view to their reformation but shall not include a prison;
- "Residential Building" means a building or portion of a building, together with rooms and outbuildings separate from such building but ancillary thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation—  
temporarily by two or more persons, or  
permanently by seven or more persons,  
who do not comprise a single family; but does not include a hospital or sanatorium, a prison, an hotel, a motel, or a residential school.
- "Residential Building" means a building or portion of a building, together with rooms and outbuildings separate from such building not ancillary thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation—  
temporarily by two or more persons, or  
permanently by seven or more persons,  
who do not comprise a single family; but does not include a hospital or sanatorium, a prison, an hotel, a motel, or a residential school.
- "Restaurant" means a building wherein food is prepared solely for sale and consumption within the building or portion thereof and (without limiting the generality of the foregoing) the expression includes a licensed restaurant, or cafe. The expression also includes a restaurant at which food for consumption outside the building, or portion thereof, is sold where the Council is of the opinion that the sale of food for consumption outside the building is not the principal part of the business. The expression shall also include an outdoor establishment and in that case for the purpose of this definition, the outdoor eating area shall be treated as being within the building of the restaurant;

"Salvage Yard" means land used for the storage or sale of materials salvaged from the erection, demolition, dismantling or renovating, of, or fire or flood damage to structures including (but without limiting the generality of the foregoing) buildings, machinery, vehicles, and boats;

"Service Station" means land and buildings used for the supply of petroleum products and automotive accessories and for carrying out greasing, tyre repairs, and minor mechanical repairs to motor vehicles but does not include panel beating, spray painting, major repairs or wrecking, and may include a roadhouse in a predominantly rural area;

"Shop" means any building wherein goods or services are exposed or offered for sale by retail and without limiting the generality of the foregoing shall include—

shops for the sale of foodstuffs generally, clothing, drapery, furniture and furnishings, footwear, hardware, electrical goods, sporting goods, toys and second-hand goods; jewellers, chemists, stationers, newsagents, variety stores, photographic studios and supplies, florists, dry-cleaning agencies, barbers and hairdressers; and liquor stores;

but shall not include a service office, a general office, a professional office or a market;

"Shopping Centre" means a building or part of a building wherein goods are displayed and offered for sale by wholesale or by retail, including the sale of foodstuffs, liquor or beverages; items of clothing or apparel, fabrics, footwear, magazines, newspapers, books and paper products; medicinal or pharmaceutical products; china, glassware or domestic hardware; items of personal adornment, small electrical goods of a domestic nature; toys and generally items of a cash and carry nature related to daily household and recreational needs and consumption;

"Storage Yard" means any land used for the storage of goods;

"Tavern" means land and buildings the subject of a Tavern Licence, granted under the provisions of the Liquor Licensing Act 1988 (as amended);

"Trade Display" means the use of any land or building for the moderate and controlled display of grade goods and equipment for advertisement as approved by the Council;

"Transport Depot" means any land or building used for the garaging of road motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods of persons from one such motor vehicle to another of such motor vehicles, and including the maintenance and repair of such vehicles, but not other vehicles;

"Vehicle Wrecking" means the use of any land or building for dismantling of motor vehicles or the sale of spare parts derived from such dismantling;

"Veterinary Consulting Rooms" means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients but in which no patient remains on the premises overnight;

"Veterinary Hospital" means any land or building used for, or in connection with the treatment of sick animals and pets and includes the accommodation of such animals and pets. A crematorium for the disposal of animal carcasses or remains may be included with the written consent of the Council;

"Warehouse" means a building used for the storage and/or wholesale sale of goods and can include a bulk store or depot;

"Woodyard" means any land on which wood is stored, sawn, or cut for use as domestic firewood and on which no wood or timber is stored, sawn or cut for any other purpose;

"Any other use not included above."

17. Schedule 1 'Additional Uses' is amended by deleting numbers 27, 28, 40, 43 and 44.

D. C. CRUICKSHANK, Mayor.

N. G. LEACH, Town Clerk.

PD417

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*City of Perth*

City Planning Scheme—Amendment No. 24

Ref: 853/2/10/9, Pt. 24.

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 Perth Town Planning Scheme Amendment on September 6, 1990 for the purpose of—

- (i) Creating two new office/residential zones in the suburban area and to incorporate the area of Town Planning Scheme No. 10—West Perth into the City Planning Scheme.
- (ii) Rezoning the lots fronting the northern side of Herdsman Parade from industrial and residential R20 to OR1 and make the area a precinct within that zone.

C. HOPKINS, Mayor.  
R. DAWSON, Town Clerk.

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**NOTICE OF REVOCATION OF A TOWN PLANNING SCHEME**  
City of Perth Town Planning Scheme No. 10—West Perth

Notice is hereby given that the Council of the City of Perth in pursuance of its powers under the Town Planning and Development Act 1928, and the Metropolitan Region Scheme Act 1959 resolved at the ordinary meeting of the Council held on the twenty first day of May 1990, to revoke Town Planning Scheme No. 10—West Perth and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

Council Seal

CHARLES HOPKINS, Lord Mayor.  
REG DAWSON, Town Clerk.

Recommended/Submitted for Approval

JOHN F. FORBES, For Chairman State Planning Commission.  
Date 22nd August, 1990.

Approval Granted

KAY HALLAHAN, Hon Minister for Planning.  
Date 6th September 1990.

PD418

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*City of Stirling*

District Planning Scheme No. 2—Amendment No. 131

Ref: 853/2/20/34, Pt. 131.

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 Stirling Town Planning Scheme Amendment on 6 September 1990 for the purpose of—

1. Rezoning Lot 7, portion of Perthshire Loc. Au on Diagram 35409 Wanneroo Road, from "Low Density Residential R20" to "Special Use Zones—Service Station and Workshops".
2. Altering Schedule II of the Scheme by the addition thereto of the following—

Wanneroo Road Balga	Portion of Perthshire Loc. Au and being Lot 7 on Diagram 35409	Service Station and Workshops
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J. H. SATCHELL, Mayor.  
RALPH FARDON, Town Clerk.

PD419

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
**APPROVED TOWN PLANNING SCHEME AMENDMENT**  
*Shire of Swan*

Town Planning Scheme No. 9—Amendment No. 139

Ref: 853/2/21/10, Pt. 139.

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 Swan Town Planning Scheme Amendment on 3 September 1990 for the purpose of—

1. amending the Scheme Maps to rezone Lots 50 & 51 West Swan Road, West Swan from "Swan Valley Rural" to "Special Rural".



2. amending the supplementary map by adding an additional "Special Rural Zone" sub-divisional guide plan No. 9.
3. amending the Scheme Text in Appendix 7 by adding the following—

## Appendix 7

## Special Rural Zones—Provisions Relating to Specified Area

Special Rural Zone No. 9—"Swan Valley Special Rural/Residential"	
Specified Area of Special Rural Zone	Special Provisions Other Than Those Referred to in Paragraph 8.2.1.9
<p>Portion of Swan Locations SWG1 and SWH and being Lots 50 and 51, West Swan Road, West Swan.</p> <p>The purpose and intent of this Special Rural Zone is to create a high quality rural residential estate.</p>	<ol style="list-style-type: none"> <li>1. Subdivision of Special Rural Zone No. 9 shall be generally in accordance with the Subdivisional Guide Plan as endorsed by the Shire Clerk and will include the following criteria—               <ol style="list-style-type: none"> <li>(a) Average lot size shall be not less than 1.60 ha.</li> <li>(b) No lot shall have an area of less than 1.40 ha.</li> </ol> </li> <li>2. (a) The following uses are permitted within Special Rural Zone—Swan Valley Special Rural/Residential—"P"—               <p style="margin-left: 40px;">Dwelling House</p> <li>(b) The following uses are not permitted unless Council gives its approval in writing "AA"—                   <p style="margin-left: 40px;">Home Occupation Public Utility Rural Pursuit Stable</p> </li> <li>(c) All other uses not mentioned under (a) and (b) and rural pursuits which require the issue of any licence or permit are not permitted.</li> </li></ol> <li>3. The Council will require a subdivider to commence a tree planting programme to its specification, of Australian native trees on lots it considers require tree cover improvement.               <p style="margin-left: 40px;">The tree planting programme identified on the Subdivision Guide Plan will be undertaken prior to the subdivision of the land.</p> </li> <li>4. Clearing of indigenous vegetation shall be limited to the area shown as Building Envelopes on the Subdivisional Guide Plan. Any clearing outside the Building Envelope shall require the written approval of Council.</li> <li>5. Existing earthworks on the site are to be rehabilitated and the land generally returned to the condition prevailing prior to commencement of these works.</li> <li>6. Outbuildings and structures shall be constructed to the satisfaction of the Council. The Council may refuse permission to construct or order the removal of such buildings, should the buildings be deemed to prevent the maintenance of the intentions of the Scheme as set out in the Introduction.</li> <li>7. No dwelling may be constructed having a roof area of less than 150 m<sup>2</sup>.</li> <li>8. No septic tank or leach drain (or any equivalent effluent disposal system), shall be located within 30 metres of any water course.</li> <li>9. The coverage of each individual lot by buildings shall not exceed 6% of the area of that lot.</li> <li>10. No building shall be constructed closer than 15 metres to a lot boundary or 25 m from West Swan Road, except that Council may approve a lesser distance if it can be shown to be necessary or desirable for reasons of topography or other site conditions. The historic Springvale Homestead is the exception to this requirement.</li>

C. M. GREGORINI, President.  
E. W. LUMSDEN, Shire Clerk.

PD705

**TOWN PLANNING AND DEVELOPMENT ACT 1928****APPROVED TOWN PLANNING SCHEME***Shire of Ashburton*

Town Planning Scheme No. 4—Paraburdoo

Ref: 853/10/3/4.

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 Ashburton Town Planning Scheme No. 4—Paraburdoo on August 1, 1990—the Scheme Text of which is published as a Schedule annexed hereto.

E. ROBBINS, President.  
L. A. VICARY, Shire Clerk.

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Schedule

SHIRE OF ASHBURTON  
TOWN PLANNING SCHEME No. 4  
Paraburdoo

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#### PART I—PRELIMINARY

##### 1.1 Citation

This Town Planning Scheme may be cited as the Shire of Ashburton Town Planning Scheme No. 4—Paraburdoo hereinafter called 'the scheme' and shall come into operation on the publication of the Scheme in the *Government Gazette*.

##### 1.2 Responsible Authority

The Authority responsible for implementing the Scheme is the Council of the Shire of Ashburton hereinafter called 'the Council'.

##### 1.3 Scheme Area

The Scheme applies to Part of the Shire of Ashburton as shown in the Scheme Map by the broken black border and which area is hereinafter called the Scheme Area.

##### 1.4 Contents of Scheme

The Scheme comprises—

- (a) The Scheme Text;
- (b) The Scheme Maps. (Sheets 1 and 2);
- (c) The Land Use Maps

##### 1.5 Arrangement of Scheme Text

The Scheme Text is divided into the following parts—

- Part I Preliminary
- Part II Reserves
- Part III Zones
- Part IV Non-conforming Uses
- Part V Development Requirements
- Part VI Amenity Control
- Part VII Car Parking
- Part VIII Planning Consent
- Part IX Administration

##### 1.6 Scheme Objectives

The Scheme Objectives are as follows—

- (a) to reserve land for public purposes;
- (b) to zone the balance of the land within the Scheme Area for the various purposes described in the Scheme;
- (c) to provide development controls for the purpose of securing land, maintaining an orderly and properly planned use and development of land within the Scheme Area.

##### 1.7 Interpretations

1.7.1 Except as provided in Clause 1.7.2 and 1.7.3 the words and expressions of the Scheme have their normal and common meaning.

1.7.2 In the Scheme unless the context otherwise requires, or unless it is otherwise provided herein, words and expressions have the respective meanings given to them in Appendix 1 and the Residential Planning Codes.

1.7.3 Where a word or term is defined in the Residential Planning Codes then notwithstanding anything else in the Scheme that word or term when used in respect of residential development has the meaning given to it in the Residential Planning Codes.

## PART II—RESERVES

### 2.1 Scheme Reserves

The lands shown as Scheme Reserves on the Scheme Map, hereinafter called 'Reserves' are lands reserved under the Scheme for the purposes shown on the Scheme Map and are listed hereunder—

- Parks and Recreation Reserve
- Public Purposes Reserve (as marked)
- Railway Reserve
- Major Road Reserve

### 2.2 Matters to be Considered by Council

Where an application for Planning Consent is made with respect to land within a Reserve, the Council shall have regard to the ultimate purposes intended for the Reserve and the Council shall, in the case of land reserved for the purposes of a Public Authority, confer with that Authority before granting its consent.

### 2.3 Compensation

2.3.1 Where the Council refuses Planning Consent for the development of a Reserve on the ground that the land is reserved for Local Authority purposes or for the purposes shown on the Scheme Map, or grants consent subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected thereby, claim compensation for such injurious affection.

2.3.2 Claims for such compensation shall be lodged at the office of the Council not later than six months after the date of the decision of the Council refusing Planning Consent or granting it subject to conditions that are unacceptable to the applicant.

2.3.3 In lieu of paying compensation the Council may purchase the land affected by such decision of the Council at a price representing the unaffected value of the land at the time of refusal of Planning Consent or of the grant of consent subject to conditions that are unacceptable to the applicant.

### 2.4 Railway Reserve

Nothing in the Scheme shall prevent the continued use, maintenance, improvement or control of access by Hamersley Iron Pty. Ltd. or its agents to land within the Railway Reserve and any such works, access or improvement shall not require Planning Consent as prescribed in Part VIII of the Scheme.

## PART III—ZONES

### 3.1 Zones

3.1.1 There are hereby created the several zones set out hereunder—

- Residential Zone
- Residential Development Zone
- Town Centre Zone
- Service Trades Zone
- General Industry Zone
- Special Site Zone (as marked)

3.1.2 The zones are delineated and depicted on the Scheme Map according to the legend thereon.

### 3.2 Zoning Table

3.2.1 The Zoning Table indicates, subject to the provisions of the Scheme, the several uses permitted in the Scheme area in the various zones such uses being determined by cross reference between the list of use classes on the left hand side of the Zoning Table and the list of zones at the top of the Zoning Table.

3.2.2 The symbols used in the cross reference in the Zoning Table have the following meanings—

'P' means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting Planning Consent;

'AA' means that the Council may, at its discretion, permit the use;

'SA' means that the Council may, at its discretion, permit the use after notice of application has been given in accordance with Clause 8.2.

'IP' means a use that is not permitted unless such a use is incidental to the predominant use as decided and approved by the Council.

3.2.3 Where no symbol appears in the cross reference of a use class against a zone in the Zoning Table a use of that class is not permitted in that zone.

3.2.4 Where in the Zoning Table a particular use is mentioned it is deemed to be excluded from any other use class which by its more general terms might otherwise include such particular use.

3.2.5 If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes the Council may—

(a) determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted,

or

(b) determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the Zone and thereafter follow the advertising procedures of Clause 8.2 in considering an application for Planning Consent.

TABLE 1—ZONING TABLE

		Zones					
Use Class		Town Centre	Service Trades	Residential	Residential Development	Industry General	Special Site
Commercial	Amusement Facility	AA	AA				
	Car Park	P	P			P	
	Dry Cleaning Premises		P			P	
	Fast Food Outlet	P					
	Funeral Parlour		AA				
	Health Studio	AA	AA				
	Home Occupation			AA			
	Hotel	AA					
	Motel	AA					
	Motor Vehicle & Marine Sales Premises		P			P	
	Motor Vehicle Hire		P			P	
	Office	P	P			IP	
	Office—Professional	P		AA			
	Reception Centre	AA					
	Restaurant	P	AA				
	Service Station		P			AA	
	Shop	P	AA	SA		AA	
	Showroom	AA	P			P	
	Tavern	AA					
	Warehouse		P			P	
Residential	Single House			P	AA		
	Attached House			AA	AA		
	Grouped Dwelling			AA	AA		
	Multiple Dwelling			AA	AA		
	Aged & Dependant Persons Dwelling			AA			
	Caretakers Dwelling	IP	IP			IP	
	Residential Building			AA			
Community	Civic Building	AA					
	Club Premises	AA					
	Consulting Rooms	AA					
	Day Care Centre	AA		SA			
	Dog Kennels, Cattery					AA	
	Educational Establishment	AA			SA	AA	
	Kindergarten	AA		SA	AA		
	Medical Centre	AA					
	Public Utility	P	P	P	P	P	
	Public Worship	AA		AA	AA		
	Radio & TV Installation	SA	AA			AA	
	Veterinary Consulting Rooms		P				

Predominant Use to be Limited to that Specifically Marked on the Scheme Map

TABLE 1—ZONING TABLE —continued

Zones							
Use Class		Town Centre	Service Trades	Residential	Residential Development	Industry General	Special Site
Industrial	Fuel Depot		AA			P	
	Industry—General					P	
	Industry—Light		P			P	
	Industry—Service		P			P	
	Industry—Extractive						
	Industry—Hazardous					AA	
	Industry—Noxious						
	Motor Vehicle—Repair		P			P	
	Motor Vehicle—Wrecking					P	
	Salvage Yard					P	
	Transport Depot		AA			P	
Recreation	Equestrian Centre		P				
	Private Recreation	AA	AA				
	Public Amusement	P	P	P	P	P	
	Public Recreation						
Special Use	Camping Ground						
	Caravan Park						
	Rural Pursuit						
	Stables						

Predominant Use to be Limited to that Specifically Marked on the Scheme Map

#### PART IV—NON-CONFORMING USES

##### 4.1 Non-Conforming Use Rights

No provision of the Scheme shall prevent:

- the continued use of any land or building for the purpose for which it was being lawfully used at the time of coming into force of the Scheme;
- or
- the carrying out of any development thereon for which, immediately prior to that time, a permit or permits, lawfully required to authorise the development to be carried out, were duly obtained and are current.

##### 4.2 Extension of Non-Conforming Use

A person shall not alter or extend a non-conforming use or erect alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the Planning Consent of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the scheme.

##### 4.3 Change of Non-Conforming Use

Notwithstanding anything contained in the Zoning Table the Council may grant its Planning Consent to the change of use of any land from a non-conforming use to another use if the proposed use is, in the opinion of the Council, less detrimental to the amenity of the locality than the non-conforming use and is, in the opinion of the Council, closer to the intended uses of the zone or reserve.

##### 4.4 Discontinuance of Non-Conforming Use

4.4.1 When a non-conforming use of any land or building has been discontinued for a period of six months or more such land or building shall not thereafter be used otherwise than in conformity with the provisions of the Scheme.

4.4.2 The Council may effect the discontinuance of a non-conforming use by the purchase of the affected property, or by the payment of compensation to the owner or the occupier or to both the owner and the occupier of that property, and may enter into an agreement with the owner for that purpose.

#### 4.5 Destruction of Buildings

If any building is, at the gazettal date, being used for a non-conforming use, and is subsequently destroyed or damaged to an extent of 75 per cent or more of its value the land on which the building is built shall not thereafter be used otherwise than in conformity with the Scheme, and the buildings shall not be repaired or rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner or position not permitted by the Scheme.

### PART V—DEVELOPMENT REQUIREMENTS

#### 5.1 Development of Land

5.1.1 Subject to Clause 5.1.2 a person shall not commence or carry out development of any land zoned or reserved under the Scheme without first having applied for and obtained the Planning Consent of the Council under the Scheme.

5.1.2 The Planning Consent of the Council is not required for the following development of land:

- (a) the use of land in a Reserve, where such land is held by the Council or vested in a public authority:
  - (i) for the purpose for which the land reserved under the Scheme;
  - or
  - (ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.
- (b) the carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act;
- (c) the carrying out of any works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building;
- (d) the carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services;
- (e) the use of land in the Railway Reserve, where such land is held by Hamersley Iron Pty. Ltd. for the purpose for which the land is reserved under the Scheme.

#### 5.2 Discretion to Modify Development Standards

If a development, other than a residential development, the subject of an Application for Planning Consent, does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this Clause may only be exercised if the Council is satisfied that:

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality;
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality;
- and
- (c) the spirit and purpose of the requirement or standard will not be unreasonably departed from thereby.

#### 5.3 Residential Development: Residential Planning Codes

5.3.1 For the purpose of the Scheme 'Residential Planning Codes' means the Residential Planning Codes set out in Appendix 3 to the Statement of Planning Policy No. 1 together with any amendments thereto.

5.3.2 A copy of the Residential Planning Codes shall be kept and made available for public inspection at the offices of the Council.

5.3.3 Unless otherwise provided for in the Scheme the development of land for any of the residential purposes dealt with by the Residential Planning Codes shall conform to the provisions of those codes and the schedules to those codes.

5.3.4 The Residential Coding of land shall be in accordance with that shown on the Scheme Map (as bordered).

#### 5.4 Residential Zones

##### 5.4.1 Objectives and Policies

The Residential Zones together with their pattern and allocation throughout the Scheme Area are designed to provide for the development of the Scheme Area in such a way as will:

- (a) provide sufficient land in appropriate locations for residential development to meet the needs of the Scheme Area's anticipated growth and population without unduly restricting the choice of sites;

- (b) promote and safeguard health, safety, convenience, the general public welfare and the amenity of the residential areas.

Notwithstanding that a proposed development conforms in all other respects with the requirements of the Scheme, Council may at its discretion refuse to grant approval if in its opinion such development would by its siting or construction result in a significant deterioration of the amenity or landscape quality of the town.

#### 5.4.2 Residential Planning Codes and Precincts

For the purpose of this Scheme the Council shall apply the following Codes to the Residential Precincts.

##### 5.4.3 Low Density Residential R 15 Code—Precincts 10 to 14 (incl)

Council's objective is to maintain a low density residential character in the existing residential areas and to perpetuate similar high standards of development in new low density residential areas.

##### 5.4.4 Medium Density Residential R 30 Code—Precincts 15 and 16

Council's objective is to encourage the development of residential units to a high standard compatible with the surrounding residential areas.

#### 5.4.5 Landscaping

Any application for development of any residential building other than a single dwelling shall be accompanied by a plan showing the proposed landscaping on the site.

The landscaping plan shall show:

- (a) the location and general nature of planted areas;
- (b) the location and nature of materials to be used on non-planted areas;
- (c) the location and size of any outbuildings or other minor proposed structures.

The applicant shall commence the implementation of the approved landscape plan within six calendar months of the completion of all other approved works. In the R 30 Coded areas all car parking areas shall also be landscaped.

#### 5.5 Residential Development Zone—Precincts 17 and 18

##### 5.5.1 Objectives and Policies

Council's objective is to ensure that the zone develops as a precinct, or precincts for residential and associated compatible uses in a manner which secures a maximum level of residential amenity.

##### 5.5.2 Outline Development Plan

It is the intention of the Council to ensure that subdivision and development of land within the Residential Development Zone takes place only after comprehensive planning ensures the maximum possible benefits of urban design and servicing.

In this regard the Council, before supporting or approving any proposal of land within the zone, shall require the preparation of an Outline Development Plan for the whole of the zone or for any particular part or parts as considered appropriate by the Council with regard to the primary intent of the zone.

Prior to the adoption of an Outline Development Plan Council shall forward the proposal to the State Planning Commission for comment.

Upon adoption of the Outline Development Plan and approval of a plan of subdivision the Council shall initiate rezoning of the land.

##### 5.5.3 General Provisions

The Outline Development Plan shall show:

- (i) the topography of the area
- (ii) existing road system
- (iii) location and standards of any future roads
- (iv) location of shopping, community amenities and recreation areas
- (v) proposed population and residential densities
- (vi) existing and proposed services
- (vii) staging of the development
- (viii) any other information as shall be requested by the Council.

#### 5.6 Town Centre Zone

##### 5.6.1 Objectives and Policies

The Council's objectives for controlling development within the Town Centre Zone are to:

- (a) prepare and adopt an overall Town Centre Strategy Plan which shall take into account appropriate disposition of town centre uses, economic servicing and proper standards of civic design.
- (b) approve permitted uses and development provided these are in accordance with the overall Strategy Plan. Uses permitted by the Scheme will be subject to conformity with the Strategy Plan adopted by Council which may be amended from time to time and in accordance with the provisions of the Scheme.



### 5.6.2 Loading and Unloading

Where areas for the loading and unloading of vehicles carrying goods and commodities to and from the premises are to be provided the same shall be constructed and maintained in accordance with an approved plan relating thereto.

### 5.6.3 Upper Floors

Where the ground floor of a multi storey building is used for the purpose of commerce, the upper floors of such building may be used for such purposes as may be permitted by Council and may include shops, offices or residential development. Residential uses in such circumstances are to be confined to the upper storey only.

### 5.6.4 Site Coverage

The site coverage of up to 100% shall be permitted subject to the satisfaction of the Council on matters relating to access, car parking, loading and unloading and any other matters the Council shall consider relevant.

## 5.7 Industrial Zone and Service Trade Zone

### 5.7.1 Objectives

The Council's objective is to contain industrial uses and development in specific locations where there is the maximum benefit and access by the public and the minimum detrimental effect to the residential areas.

Service Trades uses shall be confined to Precincts 6 and 7.

General Industrial uses shall be confined to Precincts 8 and 9.

### 5.7.2 Development Standards

Development and site requirements shall be in accordance with the following provisions:

Zone	Min Lot Size	Effective Frontage	Building Setbacks			Site Coverage
			Front	Side	Rear	
Service Trades	400 m <sup>2</sup>	15 m	zero	5 m	10 m	50%
General Industry	1000 m <sup>2</sup>	25 m	10 m	5 m	10 m	50%

Council may permit the development of factoryettes and/or tenement buildings with the Service Trades Zone.

Council may permit the construction of any factoryette to one side boundary providing that vehicular access to the rear of the lots is maintained.

### 5.7.3 Landscape Treatment

Where a building is approved upon a lot and is setback from the front boundary of that lot Council shall require the provision of landscape treatment between the frontage of any building and the front boundary. Such landscape treatment may include a car parking area.

Implementation of an approved landscape plan shall occur within six calendar months of;

(a) the completion of any other approved works,

or

(b) the date of occupancy, if occupancy commences prior to the completion of the development.

### 5.7.4 Storage of Materials

No dumping, storage of waste or materials, or construction servicing or maintenance shall be carried out between the front building line and the street frontage.

This shall not prohibit the display of finished goods or goods for sale or ready for delivery.

### 5.7.5 Loading and Unloading

Areas for loading and unloading of vehicles, particularly road trains, carrying goods and commodities to or from a premises within an Industrial Zone shall be provided and maintained in accordance with the approved plan relating thereto.

## 5.8 Special Site Zone

### 5.8.1 Objectives and Policies

The Council's objectives for this Zone are to:

(a) encourage development to a high standard appropriate to the use of the land within the Zone;

and

(b) protect the amenity of the adjoining areas.

### 5.8.2 Special Sites Schedule

A Special Site Schedule shall be in accordance with the Scheme Map and Appendix No.2.

### 5.8.3 Application of Development Standards

Land within the Special Sites Zone may be used for the purposes specified on the Scheme Map as applicable to that site and for no other purpose except for a use that Council deems is incidental to the predominant use.

Council shall apply such development standards to a proposal as it thinks fit providing such standards are not less than pertaining to similar uses permitted under the Scheme.

## PART VI—AMENITY CONTROL

### 6.1 Untidy Sites

To maintain an acceptable standard of amenity the Council may, by written notice as provided for in Clause 9.3 require the owner, occupier, or lessee of that land to undertake such works as may be necessary to restore or upgrade the conditions of that property to a standard commensurate with those generally prevailing in the vicinity.

Where in the opinion of the Council a property is not being maintained in a clean and tidy condition and that the unkempt appearance of the property has a deleterious effect on the amenity of the area in which it is located, the Council shall require the owner or occupier to make good the condition to meet proper standards.

### 6.2 Vehicles, Caravans, Trailers in Residential Areas

Except as hereinafter provided, no person within any lot zoned Residential Zone may without the written approval of the Council:

- (a) allow any commercial vehicle or truck to remain or park for a period of more than forty eight hours consecutively;
- (b) repair, maintain, service or clean a commercial vehicle or truck;
- (c) keep, park, repair or store any boat, trailer, caravan or any material not specifically for the immediate use by the occupant forward of the front setback line.

### 6.3 Transportable Homes

Council may permit the erection or placement of a transportable or prefabricated home on a lot providing that the design of the building is to the satisfaction of the Council and in its opinion does not adversely affect the amenity of other properties in the vicinity.

### 6.4 Derelict Vehicles

Council shall not permit the storage and/or wrecking of any vehicle on any street verge or on any lot other than within the Industrial Zone.

### 6.5 Control of Advertising

The Council in pursuing the objectives of the Scheme may adopt a policy to control advertising, billboards and sign posting. Such policy as adopted by the Council shall be deemed part of this Scheme.

### 6.6 Home Occupations/Cottage Industries

Council shall not permit any home occupation or cottage industry unless:

- (a) Planning Consent is granted in accordance with Part VIII of the Scheme;
- (b) following Council approval the applicant has paid a registration fee in addition to the Planning Consent requirements;
- (c) the applicant provides the following information:
  - (i) location of the home occupation/industry;
  - (ii) the area of the floor space to be devoted to the activity;
  - (iii) the times and conditions of the operation;
  - (iv) demonstrate that there is a demand for the goods and services.

Nothing in the Scheme shall prevent the Council from implementing any by-law which it may amend from time to time to control any home occupation or home industry and where any conflict between those by-laws and this Scheme the by-laws shall prevail.

## PART VII—CAR PARKING

### 7.1 Car Parking Requirements

Any person shall not develop or use land or erect, use or adapt any building for any purpose unless car parking spaces of the number specified in Appendix 3A are constructed and maintained in accordance with the provisions of the Scheme.

### 7.2 Conditions of Planning Consent

When considering an application for Planning Consent the Council shall have regard to, and may impose conditions on the number and location of the car parking spaces to be provided in accordance with Appendix 3A.

In particular the Council shall have regard to:

- (a) the means of access to each parking space,
- (b) the location of the spaces on the site and their effect upon the amenity of the any adjoining properties,

- (c) the extent in which the spaces are located within the building setback areas,
- (d) the location of the spaces other than on the lot if such spaces are to be provided in conjunction with a public car park,
- (e) the location of the proposed public footpaths, vehicular crossings, and the effect of both pedestrian and vehicular traffic movements and safety,

Where a use is not specified in Appendix 3A the Council shall determine the number of car parking spaces to be provided.

#### 7.3 Off Street Parking

Where public off street parking facilities are or are to be located in the near vicinity of land or building being the subject of an application for Planning Consent the Council may approve such application notwithstanding that the required number of car parking spaces is not to be provided subject to:

- (a) the Council being satisfied that off street parking facilities are sufficient to cater for the requirements of the land or buildings,
- (b) the applicant entering into an agreement with the Council to pay for the cost of providing and maintaining the required number of spaces as required.

#### 7.4 Shared or Combined Parking

Where the number of car parking spaces proposed to be provided on land or in a building is less than the number required to be provided pursuant to the Scheme, the Council may approve the application if it can be demonstrated that off street parking facilities in the near vicinity are available to cater for the requirements of the proposal and that arrangements to the satisfaction have been made to enable those facilities to be used for that purpose.

#### 7.5 Standards

The dimensions of car parking spaces, parking angles, driveway widths and landscaping detail shall be in accordance with Appendix 3B. The Council may vary any dimension or requirement by up to 10% where obstructions, site dimensions or topography result in the loss of a car parking space in any run of car parking spaces. This provision shall not be used to modify landscaping, shade tree or driveway access requirements.

#### 7.6 Landscaping, Construction and Maintenance

The owner or occupier of premises on which car parking spaces are provided shall ensure that the parking area is landscaped with shade trees, the car parking is laid out, drained and maintained in accordance with the approved plans relating thereto.

#### 7.7 Town Centre zone

Notwithstanding the intent of Clause 7.1 the following provisions shall apply to uses, developments and redevelopments of land in the Town Centre Zone.

- (a) where public off street parking facilities are to be located in close proximity to land or buildings, the subject of an application for Planning Consent, the Council may approve an application notwithstanding that the number of car spaces is not to be provided subject to Council being satisfied that off street parking is sufficient to cater for the requirements of the land or building;
- or
- (b) the applicant entering into an agreement with the Council to pay into a Car Parking Fund the cost of providing and maintaining the required number of spaces as determined by the Council.

#### 7.8 Car Parking Fund

Within the Town Centre Zone if the council is satisfied that adequate constructed car parking is to be provided in close proximity to a proposed development, it may accept a cash payment in lieu of the provision of car parking spaces but subject to the following requirements:

- (a) a cash-in-lieu payment shall not be less than estimated cost to the owner of providing the car parking spaces required by the Scheme, plus the value as estimated by the Valuer General of Western Australia, of that area of his land which would have been occupied by the car parking spaces.
- (b) before the Council agrees to accept a cash-in-lieu payment of the provision of car parking spaces the Council shall have already provided a public car park nearby or must have firm proposals for providing a public car park within a period of not more than eighteen months from the time of agreeing to accept a cash-in-lieu payment;
- (c) payments made under this Clause shall be deposited into a Special Fund to be used exclusively to provide car parking in the near vicinity.

### PART VIII—PLANNING CONSENT

#### 8.1 Application for Planning Consent

8.1.1 Every application for Planning Consent shall be made in the form prescribed in Appendix 4 to the Scheme and shall be accompanied by such plans and other information as is required by the Scheme.

Every application for Planning Consent shall include:

- (a) A plan or plans to a scale of not less than 1:500 showing:
  - (i) street names, lot number(s), north point and the dimensions of the site;
  - (ii) the location and proposed use of any existing buildings to be retained and the location and use of buildings proposed to be erected on the site;
  - (iii) the existing and proposed means of access for pedestrians and vehicles to and from the site;
  - (iv) the location, number, dimensions and layout of all car parking spaces intended to be provided;
  - (v) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site and the means of access to and from those areas;
  - (vi) the location, dimensions and design of any landscaped, open storage or trade display area and particulars of the manner in which it is proposed to develop the same;
  - (vii) the location of any underground services lines.
- (b) plans, elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain;
- (c) any other plan or information that the Council may reasonably require to enable the application to be determined.

8.1.2 Council may at its discretion waive any particular requirement of an application for Planning Consent if in its opinion that particular requirement does not have relevance to the proposals of the application.

The following classes of development may be undertaken without the Planning Consent of the Council and are referred to as permitted development:

- (a) the maintenance and repair of any building provided that no works of a structural nature are undertaken and no change in the external appearance of the building is involved;
- (b) subject to the zoning provisions of the Scheme, changes in the uses of land and buildings which do not give rise to:
  - (i) a material change in the appearance of the property concerned;
  - (ii) the need, according to the provisions of this Scheme for additional car parking accommodation, loading and unloading accommodation, landscaping or other special site requirements;
  - (iii) significant increase in the amount of traffic attracted to the site;
  - (iv) the need for the provision of significantly improved public services and utilities of any kind.

## 8.2 Advertising of Applications

8.2.1 Where an application is made for Planning Consent to commence or carry out development which involves an 'SA' use the Council shall not grant consent to that application unless notice of the application is first given in accordance with the provisions of this clause.

8.2.2 Where an application is made for Planning Consent to commence or carry out development which involves an 'AA' use, or for any other development which requires the Planning Consent of the Council, the Council may give notice of the application in accordance with the provisions of this clause.

8.2.3 Where the Council is required or decides to give notice of an application for Planning Consent the Council shall cause one or more of the following to be carried out:

- (a) notice of the proposed development to be served on the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of Planning Consent stating that submissions may be made to the Council within twenty-one days of the service of such notice;
- (b) notice of the proposed development to be published in a newspaper circulating in the Scheme area stating that submissions may be made to the Council within twenty-one days from the publication thereof;
- (c) a sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this clause.

8.2.4 The notice referred to in Clause 8.2.3 (a) and (b) shall be in the form contained in Appendix 4 with such modifications as circumstances require.

8.2.5 After expiration of twenty-one days from the serving of notice of the proposed development, the publication of notice or the erection of a sign or signs, whichever is the later, the Council shall consider and determine the application.

## 8.3 Determination of Applications

8.3.1 In determining an application for Planning Consent the Council may consult with any authority which, in the circumstances, it thinks appropriate.

8.3.2 The Council having regard to any matter which it is required by the Scheme to consider, to the purpose for which the land is reserved, zoned or approved for use under the scheme to the purpose for which land in the locality is used, and to the orderly and proper planning of the locality and the preservation of the amenities of the locality, may refuse to approve any application for Planning Consent or may grant its approval unconditionally or subject to such conditions as it thinks fit.

8.3.3 The Council shall issue its decision in respect of an application for Planning Consent in the form prescribed in Appendix 5 to the Scheme.

8.3.4 Where the Council approves an application for Planning Consent under this scheme the Council may limit the time for which that consent remains valid.

#### 8.4 Deemed Refusal

8.4.1 Where the Council has not within sixty days of the receipt by it of an application for Planning Consent either conveyed its decision to the applicant or given notice of the application in accordance with Clause 8.2 the application may be deemed to have been refused.

8.4.2 Where the Council has given notice of an application for Planning Consent in accordance with Clause 8.2 and where the Council has not within ninety days of receipt by it of the application conveyed its decision to the applicant, the application may be deemed to have been refused.

8.4.3 Notwithstanding that an application for Planning Consent may be deemed to have been refused under Clauses 8.4.1 or 8.4.2 the Council may issue a decision in respect of the application at any time after the expiry of the sixty day or ninety day period specified in those clauses, as the case may be.

### PART IX—ADMINISTRATION

#### 9.1 Powers of the Scheme

The Council in implementing the Scheme has, in addition to all other powers vested in it, the following powers—

- (a) the Council may enter into an agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme in respect of any matters pertaining to the Scheme;
- (b) the district pursuant to the provisions of the Scheme or the Act. The Council may deal with or dispose of any land which it has acquired pursuant to the provisions of the Scheme or the Act in accordance with law and for such purpose may make such agreement with other owners as it considers fit;
- (c) an officer of the Council, authorised by the Council for the purpose, may at all reasonable times enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being served.

#### 9.2 Offences

9.2.1 A person shall not erect, alter or add to or commence to erect, alter or add to a building or use or change the use of any land, building or part of a building for any purpose—

- (a) otherwise than in accordance with the provisions of the Scheme;
- (b) unless all consents required by the Scheme have been granted and issued;
- (c) unless all conditions imposed upon the granting and issue of any consent required by the Scheme have been and continue to be complied with;
- (d) unless all standards laid down and all requirements prescribed by the Scheme or determined by the Council pursuant to the Scheme with respect to that building or that use of that land or building or that part have been and continue to be complied with.

9.2.2 A person who fails to comply with any of the provisions of the Scheme is guilty of an offence and without prejudice to any other remedy given herein is liable to the penalties prescribed by the Act.

#### 9.3 Notices

9.3.1 Twenty-eight (28) days written notice is hereby prescribed as the notice to be given pursuant to section 10 of the Act.

9.3.2 The Council may recover expenses under section 10(2) of the Act in a court of competent jurisdiction.

#### 9.4 Claims for Compensation

Except where otherwise provided in the Scheme, the time limit for the making of claims for compensation pursuant to section 11(1) of the Act is six (6) months after the date of publication of the Scheme in the *Government Gazette*.

#### 9.5 Appeals

An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with Part V of the Act and the rules and regulations made pursuant to the Act.

## 9.6 Power to Make Policies

9.6.1 In order to achieve the objectives of the Scheme, the Council may make Town Planning Scheme Policies relating to parts or all of the scheme area and relating to one or more of the aspects of the control of development.

9.6.2 A town planning scheme policy shall become operative only after the following procedures have been completed:

- (a) The Council having prepared and having resolved to adopt a draft town planning scheme policy, shall advertise a summary of the draft policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.
- (b) The Council shall review its draft town planning scheme policy in the light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.
- (c) Following final adoption of a town planning scheme policy, details thereof shall be advertised publicly and a copy kept with the scheme documents for inspection during normal office hours.

9.6.3 A town planning scheme policy may only be altered or rescinded by:

- (a) preparation and final adoption of a new policy pursuant to this clause, specifically worded to supersede an existing policy.
- (b) publication of a formal notice of rescission by the Council twice in a newspaper circulating in the area.

9.6.4 A town planning scheme policy shall not bind the Council in respect of any application for Planning Consent but the Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve before making its decision.

### ADOPTION

Adopted by resolution of the Council of the Shire of Ashburton at the Ordinary Meeting of the Council held on the nineteenth day of April 1988 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

T. BAKER, President.

L. A. VICARY, Shire Clerk.

### FINAL APPROVAL

(1) Adopted by Resolution of the Council of the Shire of Ashburton at the Ordinary Meeting of the Council held on the seventeenth day of October 1989 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

E. ROBBINS, President.

L. A. VICARY, Shire Clerk.

This Scheme Text is to be read in conjunction with the approved maps of the Scheme described in Clause 1.4 of this Scheme and to which formal approval was given by the Hon Minister for Planning on the date shown below.

(2) Recommended/Submitted for final approval by the State Planning Commission.

JOHN F. FORBES, For Chairman of the State Planning Commission.

Date 30 July 1990.

(3) Final approval granted.

KAY HALLAHAN, Hon Minister for Planning.

Date 1 August 1990.

### APPENDICES

#### APPENDIX 1

#### INTERPRETATIONS

"Abattoir" means land and buildings used for the slaughter of animals for human consumption and the treatment of carcasses, offal and by-products.

"Absolute Majority" shall have the same meaning as is given to it in and for the purposes of the Local Government Act 1960 (as amended).

"Act" means the Town Planning and Development Act 1928 (as amended).

"Advertisement" means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements and Advertising Sign shall be construed accordingly but does not include:

- (a) an advertising sign of less than 2m<sup>2</sup> in area relating to the carrying out of building or similar work on land on which it is displayed, not being land which is normally used for those purposes;
- (b) an advertising sign of less than 2m<sup>2</sup> in area announcing a local event of a religious, educational cultural, political, social or recreational character not promoted or carried on for commercial purposes;
- (c) an advertising sign of less than 2m<sup>2</sup> in area relating to the prospective sale or letting of the land or building on which it is displayed;
- (d) an advertising sign exhibited upon any land vested in or owned by the Minister for Railways which is directed only to persons upon or entering a railway station or platform or bus station, and
- (e) directional signs, street signs and other like signs erected by a public authority.

"Amusement Facility" means land and buildings, open to the public, used for not more than two amusement machines where such use is incidental to the predominant use.

"Amusement Machine" means a machine, device or games table, mechanically or electronically powered, that releases or makes available balls, discs or other items for projection in or on the machine by the use of springs, flippers, paddles or cues, or electronic devices which are controlled or partly controlled by computer associated with electronic screen(s) operated by one or more players for amusement or recreation.

"Amusement Parlour" means land and buildings, open to the public, where the predominant use is amusement by amusement machines and where there are more than two amusement machines operating within the premises.

"Battle-axe lot" means a lot having access to a public road by means of an access strip included in the Certificate of Title of that lot.

"Betting Agency" means a building operated in accordance with the Totalisator Agency Board Betting Act 1960 (as amended).

"Builder's Storage Yard" means land and buildings used for the storage of building material, pipes, or other similar items related to any trade; and may include manufacture, assembly and dismantling processes incidental to the predominant use.

"Building" shall have the same meaning as is given to it in and for the purposes of the Residential Planning Codes.

"Building Envelope" means an area of land within a lot marked on a plan forming part of the Scheme outside which building development is not permitted.

"Building Line" means the line between which and any public place or public reserve a building may not be erected except by or under the authority of an Act.

"Building Regulations" means the Building Regulations 1989 as published in the *Government Gazette* on the 28th July 1989.

"Building Setback" means the shortest horizontal distance between a boundary or other specified point and the position at which a building may be erected.

"Camping Area" means land used for the lodging of persons in tents or other temporary shelter.

"Caravan" means a vehicle as defined under the Road Traffic Act 1974-82 maintained in condition suitable for licence under that Act all times and being designed or fitted or capable of use as a habitation or for a dwelling or sleeping purposes.

"Caravan Park" means an area of land specifically set aside for the parking of caravans and park homes or for the erection of camps on bays or tent sites allocated for that purpose.

"Caretaker's Dwelling" means a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site.

"Car Park" means land and buildings used primarily for parking private cars or taxis whether open to the public or not but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings in which cars are displayed for sale.

"Cattery" means the use of an approved out-building constructed in accordance with the Health Act Model By-laws Series 'A' Part One—General Sanitary Provisions (as amended) for the purpose of keeping more than three (3) cats over the age of three (3) months.

"Civic Building" means a building designed, used or intended to be used by a Government Department, an instrumentality of the Crown, or the Council for administrative, recreational or other purpose.

"Civic Use" means land and buildings used by a Government Department, an instrumentality of the Crown, or the Council, for administrative, recreational or other purpose.

"Club Premises" means land and buildings used or designed for use by a legally constituted club or association or other body of persons united by a common interest whether such building or premises be licensed under the provisions of the Liquor Act, 1970 (as amended) or not and which building or premises are not otherwise classified under the provisions of the Scheme.

"Commission" means the State Planning Commission constituted under the State Planning Commission Act 1985.

"Consulting Rooms" means a building (other than a hospital or medical centre) used by no more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors, and persons ordinarily associated with a practitioner, in the prevention or treatment of physical or mental injuries or ailments, and the two practitioners may be of the one profession or any combination of professions or practices.

"Consulting Rooms Group" means a building (other than a hospital or medical centre) used by more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors and persons ordinarily associated with a practitioner, in the prevention, investigation or treatment of physical or mental injuries or ailments, and the practitioners may be of the one profession or any combination of professions or practices.

"Convenience Store" means land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents but including the sale of petrol and operated during hours which include but which may extend beyond normal trading hours and providing associated parking. The buildings associated with a convenience store shall not exceed 200 m<sup>2</sup> gross leasable area.

"Day Care Centre" means land and buildings used for the daily or occasional care of children in accordance with the Child Welfare (care Centres) Regulations, 1968 (as amended).

"Development" shall have the same meaning given it in and for the purposes of the Act.

"District" means the Municipal District of the Shire of Ashburton.

"Dog Kennels" means land and buildings used for the boarding and breeding of dogs where such premises are registered or required to be registered by the Council; and may include the sale of dogs where such use is incidental to the predominant use.

"Drive-In Theatre" means land and buildings used to make provision for an audience to view the entertainment while seated in motor vehicles.

"Dry Cleaning Premises" means land and buildings used for the cleaning of garments and other fabrics by chemical processes.

"Educational Establishment" means a school, college, university, technical institute, academy or other educational centre, but does not include a reformatory or institutional home.

"Effective Frontage" means the width of a lot at the minimum distance from the street alignment at which buildings may be constructed, and shall be calculated as follows:

- (a) where the site boundaries of a lot are parallel to one another, the length of a line drawn at right angles to such boundaries;
- (b) where the side boundaries of a lot are not parallel to one another, the length of a line drawn parallel to the street frontage and intersecting the side boundaries at the minimum distance from the street alignment at which buildings may be constructed;
- (c) where a lot is of such irregular proportions or on such steep grade that neither of the foregoing methods can reasonably be applied, such length as determined by the Council.

"Equestrian Centre" means land and buildings used for the stabling and exercise of horses and includes facilities for events of a competitive nature.

"Factory Unit Building" means an industrial building designed, used or adapted for use as two or more separately occupied production or storage areas.

"Family Care Centre" means land and buildings used for the purpose of a Family Care Centre as defined in Child Welfare (Care Centres) Regulations, 1968 (as amended).

"Fast Food Outlet" means land and buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a fish shop.

"Fish Shop" means a building where wet fish and similar foods are displayed and offered for sale.

"Floor Area" shall have the same meaning given to it and for the purposes of the Building Code of Australia.

"Frontage" means the boundary line or lines between a site and the street or streets upon which the site abuts.

"Fuel Depot" means land and buildings used for the storage and sale in bulk of solid or liquid gaseous fuel, but does not include a service station.

"Funeral Parlour" means land and buildings occupied by an undertaker where bodies are stored and prepared for burial or cremation.

"Garden Centre" means land and buildings used for the sale and display of garden products, including garden ornaments, plants, seeds, domestic garden implements and motorised implements and the display but not manufacture of prefabricated garden buildings.

"Gazettal Date" means the date of which this Scheme is published in the *Government Gazette*.



"Gross Leasable Area" means in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.

"Health Studio" means land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation.

"Home Occupation" means a business or activity carried on with the written permission of the Council within a dwelling house or the curtilage of a house by a person resident therein or within a domestic outbuilding by a person resident in the dwelling house to which it is appurtenant that:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection due to the emission of light, noise, vibration, electrical interferences, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products or the unsightly appearance of the dwelling house or domestic outbuilding or the land on which the business is conducted;
- (b) does not entail employment of any person not a member of the occupier's family;
- (c) does not occupy an area greater than twenty square metres;
- (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located;
- (e) does not display a sign exceeding 0.2 m<sup>2</sup> in area;
- (f) in the opinion of the Council it is compatible with the principal uses to which land in the zone in which it is located may be put and will not in the opinion of the Council generate a volume of traffic that would prejudice the amenity of the area;
- (g) does not entail the presence, use or calling of a vehicle of more than two tonnes tare weight;
- (h) does not entail the presence of more than one commercial vehicle and does not include provision for the fuelling or repairing of motor vehicles within the curtilage of the dwelling house or domestic out-building;
- (i) does not entail the offering for sale or display of motor vehicles machinery or goods (other than goods manufactured or serviced on the premises); and
- (j) does not entail a source of power other than an electric motor of not more 0.373 kilowatts (0.5 h.p.).

"Hospital" means a building in which persons are received and lodged for medical treatment or care and includes a maternity hospital.

"Hospital Special Purposes" means a building used or designed for use wholly or principally for the purpose of a hospital or sanatorium for the treatment of infectious or contagious diseases, or hospital for the treatment of the mentally ill or similar use.

"Hotel" means land and buildings providing accommodation for the public the subject of a Hotel Licence granted under the provisions of the Liquor Act, 1970 (as amended).

"Industry" means the carrying out of any process in the course of trade or business for gain, for and incidental to one or more of the following:

- (a) the winning, processing or treatment of minerals;
- (b) the making, altering, repairing, or ornamentation, painting, finishing, cleaning, packing or canning or adapting, or the breaking up or demolition of any article or part of an article;
- (c) the generation of electricity or the production of gas;
- (d) the manufacture of edible goods;

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of goods, and the use of land for the amenity of persons engaged in the process;

but does not include:

- (i) the carrying out of agriculture
- (ii) site work on buildings, work on land,
- (iii) in the case of edible goods the preparation of food for sale from the premises.

"Industry—Cottage" means an industry which produces arts and crafts goods which cannot be carried out under the provisions relating to a "home occupation" and that:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection, due to the emission of light, noise, vibration, steam, soot, ash, dust, grit, oil, liquid wastes or waste products,
- (b) where operated in a Residential Zone, does not entail the employment of any person not a member of the occupier's family normally resident on the land,
- (c) is conducted in an out-building which is compatible to the zone and its amenity and does not occupy an area in excess of 55m<sup>2</sup>,
- (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located, and;
- (e) does not display a sign exceeding 0.2m<sup>2</sup> in area.

"Industry Extractive" means an industry which involves:

- (a) the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals, or similar substance from the land, and also the storage, treatment or manufacture of products from those materials is extracted or on land adjacent thereto; or
- (b) the production of salt by the evaporation of sea water.

"Industry General" means an industry other than a cottage, extractive, hazardous, light, noxious, rural or service industry.

"Industry Hazardous" means an industry which by reason of the processes involved or the method of manufacture or the nature of the materials used or produced requires isolation from other buildings.

"Industry Light" means an industry:

- (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products, and
- (b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services.

"Industry Noxious" means an industry in which the processes involved constitute an offensive trade within the meaning of the Health Act, 1911-1979 (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, piggery or poultry farm.

"Industry Rural" means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.

"Industry Service" means a light industry carried out on land or in buildings which may have a retail shop front and from which goods manufactured on the premises may be sold; or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced.

"Kindergarten" means land and buildings used as a school for developing the intelligence of young children by object-lessons, toys, games, singing and similar methods.

"Land" shall have the same meaning given to it in and for the purposes of, the Act.

"Laundromat" means a building, open to the public, in which coin-operated or other washing machines, with or without provision for drying clothes, are available for use.

"Liquor Store" means a building the subject of a Store Licence granted under the provisions of the Liquor Act, 1970 (as amended).

"Lot" shall have the same meaning given to it in, and for the purposes of, the Act and "allotment" has the same meaning.

"Marine Collector's Yard" means land and buildings used for the storage of marine stores under the provisions of the Marine Stores Act, 1902 (as amended) and land Marine Dealer's Yard and Marine Store have the same meaning.

"Market" means land and buildings used for a fair, a farmers' or producers' market, or a swap-meet in which the business or selling carried on or the entertainment provided is by independent operators or stall holders carrying on their business or activities independently of the market operator save for the payment where appropriate of a fee or rental.

"Medical Centre" means a building (other than a hospital) that contains or is designed to contain facilities not only for the practitioner or practitioners mentioned under the interpretations of consulting rooms but also for ancillary services such as chemists, pathologists and radiologists.

"Mobile Home" means any vehicle or similar relocatable structure having been manufactured with wheels (whether or not such wheels have been removed) and having no footings other than wheels, jacks or skirtings, and so designed or constructed as to permit independent occupancy for continuous dwelling purposes incorporating its own facilities including bathroom and toilet facilities.

"Motel" means land and buildings used or intended to be used to accommodate patrons in a manner similar to a Hotel or Boarding House but in which special provision is made for the accommodation of patrons with motor vehicles.

"Motor Vehicle and Marine Sales Premises" means land and buildings used for the display and sale of new or second hand motorcycles, cars, trucks, caravans and boats or any one or more of them and may include, the servicing of motor vehicles sold from the site.

"Motor Vehicle Hire Station" means land and buildings used for the hiring out of motor vehicles and when conducted on the same site, the storage and cleaning of motor vehicles for hire but does not include mechanical repair or servicing of such vehicles.

"Motor Vehicle Repair Station" means land and buildings used for the mechanical repair and overhaul of motor vehicles including tyre recapping, retreading, panel beating, spray painting and chassis reshaping.

"Motor Vehicle Wash Station" means land and buildings where vehicles are washed and cleaned by or primarily by mechanical means.

"Motor Vehicle Wrecking Premises" means land and buildings used for the storage, breaking up or dismantling of motor vehicles and includes the sale of second-hand motor vehicle accessories and spare parts.

"Museum" means land and buildings used for storing and exhibiting objects illustrative of antiquities, natural history, art, nature and curiosities.

"Non-conforming Use" means a use of land which, though lawful immediately prior to the coming into operation of this Scheme, is not in conformity with the Scheme.

"Nursery" means land and buildings used for the propagation, rearing and sale of products associated with horticultural and garden decor.

"Office" means a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services, and services of a similar nature.

"Owner" in relation to any land includes the Crown and every person who jointly or severally whether at law or in equity:

- (a) is entitled to the land for an estate in fee simple in possession; or
- (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of the land; or
- (c) is a lessor or licensee from the Crown; or
- (d) is entitled to receive or is in receipt of, or if the land were let to a tenant, would be entitled to receive the rents and profits thereof, whether as a beneficial owner, trustee, mortgagee in possession, or otherwise.

"Park Home" means a movable dwelling, not being a vehicle as defined under the Road Traffic Act 1974 - 1982 but constructed and maintained on its own chassis and wheels and capable of mobility at all times although stabilised by jacks and provided with skirtings and so designed and constructed as to permit independent occupancy for dwelling purposes.

"Park Home Park" means an area of land set aside exclusively for the parking of park homes occupied for residential purposes whether for short or long stay purposes but includes the provision of buildings and uses incidental to the predominant use of the land including ablution blocks, recreation areas, office and storage space and, as approved by Council, a shop or kiosk and refuelling facilities, but the term shall be interpreted to exclude the parking of caravans, camper trailers and the erection of tents or camps.

"Petrol Filling Station" means land and buildings used for the supply of petroleum products and motor vehicle accessories.

"Piggery" shall have the same meaning given to it in and for the purposes of the Health Act, 1911-1979 (as amended).

"Plot Ratio" except for a single house, attached house, grouped dwelling or multiple dwelling where it shall have the same meaning given to it in the Residential Planning Codes, plot ratio means the ratio of the gross total of the areas of all floors to the area of land within the site boundaries, and in calculating the gross total of the areas of all floors the areas shall be measured over any walls provided that lift shafts, stairs, toilets and amenities, external wall thicknesses, plant rooms and the gross floor area of any floor space used for the parking of wheeled vehicles including access to and from that space within the building shall not be included.

"Potable Water" means water in which levels of physical, chemical and bacteriological constituents do not exceed the maximum permissible levels set out in 'International Standards for Drinking Water - Third Edition, World Health Organisation—1971'.

"Poultry Farm" means land and buildings used for hatching, rearing or keeping of poultry for either egg or meat production which does not constitute an offensive trade within the meaning of the Health Act, 1911-1979 (as amended).

"Prison" shall have the same meaning given to it in and for the purposes of the Prisons Act, 1981 (as amended).

"Private Hotel" means land and buildings used for residential purposes the subject of a Limited Hotel Licence granted under the provisions of the Liquor Act 1970 (as amended).

"Private Recreation" means land used for parks, gardens, playgrounds, sports arenas, or other grounds for recreation which are not normally open to the public without charge.

"Produce Store" means land and buildings wherein fertilisers and grain are displayed and offered for sale.

"Professional Office" means a building used for the purposes of his profession by an accountant, architect, artist, author, barrister, chiropodist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, teacher (other than a dancing teacher or a music teacher), town planner, or valuer, or a person having an occupation of a similar nature, and professional Person has a corresponding interpretation.

"Public Amusement" means land and buildings used for the amusement or entertainment of the public, with or without charge.

"Public Authority" shall have the same meaning given to it in and for the purposes of the Act.

"Public Mall" means any public street or right-of-way designed especially for pedestrians who shall have the right of way and vehicle access shall be restricted to service vehicles at times specified by the Council.

"Public Recreation" means land used for a public park, public gardens, foreshore reserve, playground or other grounds for recreation which are normally open to the public without charge.

"Public Utility" means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.

"Public Worship—Place Of" means land and buildings used for the religious activities of a church but does not include an institution for primary, secondary, or higher education or a residential training institution.

"Radio and T.V. Installation" means land and buildings used for the transmission, relay and reception of signals and pictures, both commercial and domestic, but does not include domestic radio and television receivers.

"Reception Centre" means land and buildings used by parties for functions on formal or ceremonious occasions, but not for unhosted use for general entertainment purposes.

"Reformatory" means land and buildings used for the confinement or detention in custody of juvenile offenders against the law with a view to their reformation.

"Residential Building" means a building or portion of a building, together with rooms and outbuildings separate from such building but ancillary thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation—

- temporarily by two or more persons, or
- permanently by seven or more persons,

who do not comprise a single family; but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school.

"Residential Planning Codes" means the Residential Planning Codes, set out in Appendix 3 to the Statement of Planning Policy No.1 together with any amendments thereto as published in the *Government Gazette* on January 30, 1985.

"Restaurant" means a building wherein food is prepared for sale and consumption within the building and the expression shall include a licensed restaurant, and a restaurant at which food for consumption outside the building is sold where the sale of food for consumption outside the building is not the principal part of the business.

"Restoration" means any work or process on at or in respect of a building structure or place which wholly or partly brings back the building structure or place to its original condition or which reinstates its historic or natural character either by rebuilding or repairing its fabric or by removing accretions or additions.

"Restricted Premises" means any premises, part or parts thereof, used or designed to be used primarily for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of:

- (a) publications that are classified as restricted publications pursuant to the Indecent Publications and Articles Act 1902 (as amended); or
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity.

"Rural Pursuit" means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:

- (a) the growing of vegetables, fruit, cereals or food crops;
  - (b) the rearing or agistment of goats, sheep, cattle or beasts of burden;
  - (c) the stabling, agistment or training of horses;
  - (d) the growing of trees, plants, shrubs, or flowers for replanting in domestic, commercial or industrial gardens;
  - (e) the sale of produce grown solely on the lot;
- but does not include the following except as approved by the Council:
- (i) the keeping of pigs;
  - (ii) poultry farming;
  - (iii) the processing, treatment or packing of produce;
  - (iv) the breeding, rearing or boarding of domestic pets.

"Salvage Yard" means land and buildings used for the storage and sale of materials salvaged from the erection, demolition, dismantling or renovating of, or fire or flood damage to structures including (but without limiting the generality of the foregoing) buildings, machinery, vehicles and boats.

"Schedule" means a schedule to the Scheme.

"Service Station" means land and buildings used for the supply of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs and minor mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use, but does not include transport depot, panelbeating, spray painting, major repairs or wrecking.

"Shop" means a building wherein goods are kept, exposed or offered for sale by retail, but does not include a bank, fuel depot, market, service station, milk depot, marine collector's yard, timber yard or land and buildings used for the sale of vehicles or for any purpose falling within the definition of industry.

"Showroom" means a building wherein goods are displayed and may be offered for sale by wholesale and/or by retail of: foodstuffs, liquor or beverages; items of clothing or apparel, magazines, books or paper products; medical or pharmaceutical products; china, glassware or domestic hardware; and items of personal adornment.

"Stables" means land and building used for the housing and keeping of horses.

"Tavern" means land and buildings the subject of a Tavern Licence granted under the provisions of the Liquor Act, 1970 (as amended).

"Trade Display" means land and buildings used for the display of trade goods and equipment for the purposes of advertisement.

"Transport Depot" means land and buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one such motor vehicle to another of such motor vehicles and includes maintenance, management and repair of the vehicles used, but not of other vehicles.

"Transportable Home" means any structure designed for human habitation that is partly or wholly prefabricated at any place other than on the lot upon which it is to be erected.

"Veterinary Consulting Rooms" means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients but in which animals or pets do not remain overnight.

"Veterinary Hospital" means a building used in connection with the treatment of sick animals and includes the accommodation of sick animals.

"Warehouse" means a building wherein goods are stored and may be offered for sale by wholesale.

"Wayside Stall" means a building situated on private land which offers for sale to the general public produce or any commodity which is produced on the land upon which the buildings are located.

"Wholesale" means the sale of any goods to any person or persons other than the ultimate consumer of those goods by a person or his trustee, registered as a 'wholesale merchant' for Sales Tax purposes under the provisions of the Sales Tax Assessment Act No. 1 1930, (as amended).

"Wine House" means land and buildings the subject of a Wine House Licence granted under the provisions of the Liquor Act 1970, (as amended).

"Zone" means a portion of the Scheme area shown on the map by distinctive colouring, patterns, symbols, hatching, or edging for the purpose of indicating the restrictions imposed by the Scheme on the erection and use of buildings or for the use of land, but does not include reserved land.

"Zoological Gardens" means land and buildings used for the keeping, breeding or display of fauna and the term includes Zoo but does not include kennels or keeping, breeding or showing of domestic pets.

## Appendix No. 2

## SPECIAL SITES SCHEDULE

Lot No.	Road	Purpose
607	Ashburton Avenue	Church
609-611 + extended area	Ashburton Avenue	Community/Civic Use
621	Rocklea Road	Service Station
622	Rocklea Road	Hotel/Motel/TAB
620	Camp Road	Cinema
1	Camp Road	Caravan Park
Un-numbered	Meharry Road	Church

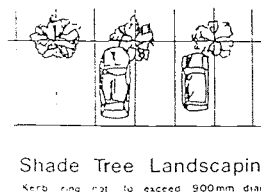
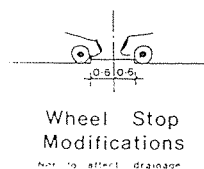
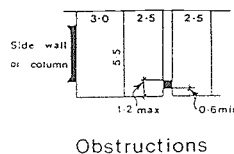
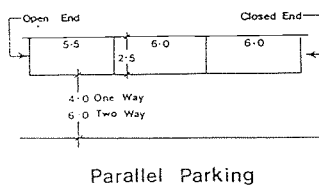
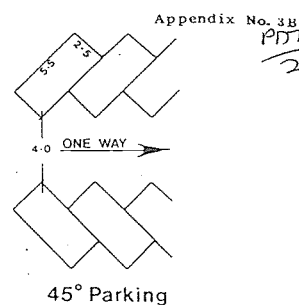
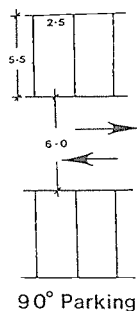
## Appendix No. 3A

## CAR PARKING REQUIREMENTS

Use	Number Parking Spaces
Single House	As prescribed within the provisions of the Residential Planning Codes
Attached House	
Grouped dwelling	
Shop	1 for every 15m <sup>2</sup> retail floor space
Office	1 for every 40m <sup>2</sup> leaseable floor space
Warehouse/Showroom	1 for every 250m <sup>2</sup> floor area

TABLE 1—ZONING TABLE—*continued*  
CAR PARKING REQUIREMENTS—*continued*

Use	Number Parking Spaces
Industry	—Service 1 for every 20m <sup>2</sup> retail floor space 1 for every 50m <sup>2</sup> service area —Light 1 for every 50m <sup>2</sup> floorspace —General 1 for every 50m <sup>2</sup> floorspace —Factoryette 3 for every unit
Licensed Hotel	1 for every bedroom + 1 for every 4m <sup>2</sup> public bar/lounge floor area
Motel	1 for every bedroom + 1 for every 25m <sup>2</sup> gross floor area of service building.
Tavern	1 for every 4m <sup>2</sup> public floor area.
Private Lodging House	1 for every bedroom. or Boarding House
Eating House/Restaurant	1 for every 4 seats.
Private Club	1 for every 4 persons accommodated.
Church	1 for every 4 persons accommodated.
Hospital	1 for every 4 beds provided + 1 for every person employed.
Health Clinic/Consulting Rooms	3 for every consulting room.
Motor Repair Station/Service Station	2 for every working bay + 1 for each employee
Squash Court	3 for every court.
Library/Museum	1 for every 35m <sup>2</sup> floor area.
Fast Food Outlet	1 for every 10m <sup>2</sup> retail floor area.
T.A.B.	1 for every 10m <sup>2</sup> floor area.



90° & 45° Parking 5.5m x 2.5m  
Parallel Parking 6.0m x 2.5m  
OR 5.5m x 2.5m where Open Ended  
Driveway Widths 90° 6.0m access  
45° 4.0m one way access  
Parallel 4.0m one way  
6.0m two way

CARPARKING LAYOUTS

## APPENDIX No. 4

## TOWN PLANNING AND DEVELOPMENT ACT 1928

*Shire of Ashburton*

## Form For Application for Consent to Commence Development

1. Surname of Applicant ..... Given Names .....

Full Address .....

2. Surname of Landowner ..... Given Names .....

(if different from above) .....

Address .....

3. Submitted by .....

4. Address for Correspondence .....

5. Locality of Development .....

6. Title Details of Land .....

7. Name of Road Serving Property .....

8. State type of Development .....

Materials to be used on External Surface of Buildings .....

General Treatment of Open portions of the Site .....

Details of Car Parking and Landscaping Proposals .....

Approximate Cost of Proposed Development .....

Estimate Time for Construction .....

Signature of Owner ..... Signature of Applicant or Agent .....

(Both signatures are required if applicant is not the owner)

Date..... Date.....

NOTE: This form should be completed and forwarded to the Ashburton Shire Council together with 2 COPIES of detailed plans showing complete details of the development including a site plan showing the relationship of the land to the area generally.

In areas where close development exists, or is in the course of construction, plans shall show the siting of buildings and uses on lots immediately adjoining the subject land.

All applications shall be accompanied by:

- (a) a location plan showing the land the subject of the application and its relationship to surrounding lots and streets;

and in the case of an application for the erection of new buildings:

- (b) a site plan or plans showing:
- (i) the position, type and use of all existing buildings and improvements on the land; indicating those to be removed as part of the proposal;
  - (ii) the position, type and use of any new buildings and improvements proposed on the land;
  - (iii) the position of any trees on the site showing those to be removed and those to be retained
  - (iv) areas to be landscaped, surfaced for parking or developed for any other purpose within the site;
  - (v) contours and any earthworks to be undertaken as a part of the development;
  - (vi) the location and description of any buildings, places or objects (vide Section 2.4);
  - (vii) the method by which stormwater run-off is to be contained on the site or discharged from the site;

or in the case of an application for a change in the use of land and or buildings:

- (c) a site plan and, where applicable, floor plan(s) of the existing building(s) indicating the uses to be made of the land and the respective buildings or portions of the building(s).

### Decision on Application for Planning Consent

The Council or its delegated officer having considered the application dated .....  
submitted by .....  
on behalf of .....  
.....  
hereby advise that it has decided to:

Refuse/Grant Approval: ☐ TO COMMENCE DEVELOPMENT  
☐ TO DISPLAY AN ADVERTISEMENT

subject to the conditions for the following reasons:—

# POLICE

PE401

## POLICE AUCTION

Under the provisions of the Police Act 1892-1983 unclaimed stolen and found property will be sold by public auction at the Property Tracing Section, Police Complex, Clarkson Road, Maylands, on Tuesday, October 16, 1990 at 9.00 am.

Auction to be conducted by Mr K. Treloar, Government Auctioneer.

B. BULL, Commissioner of Police.

## PREMIER AND CABINET

PR401

PARLIAMENT OF WESTERN AUSTRALIA

## Bills Assented To

It is hereby notified for public information that His Excellency the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Bills passed by the Legislative Council and the Legislative Assembly during the Second Session of the Thirty-Third Parliament.

Short Title of Bill; Date of Assent; Act No.

Mining Amendment Act; 28 August 1990; No. 22 of 1990; Registration of Births, Deaths and Marriages Amendment Act; 28 August 1990; No. 23 of 1990:

Dated this 4th day of September 1990.

L. B. MARQUET, Clerk of the Parliaments.

PR402

## TEMPORARY ALLOCATION OF PORTFOLIOS

It is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolios during the absence of the Hon. C. M. LAWRENCE, M.L.A. for the period 8-16 September 1990 inclusive.

Acting Premier; Treasurer;  
Minister for Public Sector Management

HON. I. F. TAYLOR, M.L.A.

Acting Minister for the Family;  
Women's Interests

Hon. E. K. HALLAHAN, M.L.C.

Acting Minister for Aboriginal Affairs;  
Multicultural and Ethnic Affairs

Hon. P. A. BUCHANAN, M.L.A.



It is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolios during the absence of the Hon. Y. D. HENDERSON, M.L.A. for the period 28 September-14 October 1990 inclusive.

Acting Minister for Consumer Affairs

Hon. G. C. EDWARDS, M.L.C.

Acting Minister for Housing

Hon. K. J. WILSON, M.L.A.

It is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolios during the absence of the Hon I. F. TAYLOR, MLA for the period 17-24 September 1990 inclusive.

Acting Minister for Finance and Economic Development;  
Trade

Hon. J. M. BERINSON, M.L.C.

Acting Minister for Goldfields

Hon. P. A. BUCHANAN, M.L.A.

It is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolios during the absence of the Hon J. P. CARR, M.L.A. for the period 29 September-14 October 1990 inclusive.

Acting Minister for Mines;  
Fuel and Energy; Mid West; Small Business.

Hon. G. L. HILL, M.L.A.

G. C. PEARCE, Chief Executive Department of the Premier.

PR403

#### APPOINTMENT OF THE DEPUTY OF THE GOVERNOR

Department of the Premier,  
Perth, 14 September, 1990.

It is hereby notified for public information that His Excellency the Governor has with the consent of Executive Council under the provisions of clause XVI of the Letters Patent passed by Warrant under the Queen's Sign Manual and dated 14 February 1986 appointed the Hon David Kingsley Malcolm to be the Deputy of the Governor and in that capacity to perform and exercise, for the period from 1 October to 31 October 1990 (both dates inclusive), all of the duties, powers and functions of the Governor.

G. PEARCE, Clerk of the Council.

### RACING AND GAMING

RA301 1-2

#### BETTING CONTROL ACT 1954

#### BETTING CONTROL AMENDMENT REGULATIONS 1990

Made by His Excellency the Governor in Executive Council.

##### Citation

1. These Regulations may be cited as the *Betting Control Amendment Regulations 1990*.

##### Principal regulations

2. In these regulations the *Betting Control Regulations 1978\** are referred to as the principal regulations.

[\*Published in the Gazette of 22 June 1978 at pp. 1991-2014. For amendments to 14 August 1990 see p.189 of the 1989 Index to Legislation of Western Australia.].

##### Regulation 51 amended

3. Regulation 51 of the principal regulations is amended by repealing subregulation (2).

##### Regulation 64 amended

4. Regulation 64 of the principal regulations is amended—

- (a) by inserting after the regulation designation "64." the subregulation designation "(1)"; and
- (b) by deleting paragraph (a).

**Regulation 65 amended**

5. Regulation 65 of the principal regulations is amended by deleting subregulation (1) (a).

**Appendix amended**

6. (1) Before the heading "Rules of Betting" that follows regulation 69 of the principal regulations the following heading is inserted—

"Appendix".

(2) The rules of Betting in the Appendix to the principal Regulations are amended in rule 6—

(a) in subrule (1), by inserting before "as part" the following—

"whether or not";

(b) in subrule (2), by inserting after "place bet" the following—

"whether or not"; and

(c) in subrule (4), by inserting before "comprised" the following—

"other than as part of an each way bet shall be settled at the odds given by the bookmaker and a winning place bet".

By His Excellency's Command.

G. PEARCE, Clerk of the Council.

**RAILWAYS**

RB401

**WESTERN AUSTRALIAN GOVERNMENT RAILWAYS**

Railways Working Account for Quarter Ended June 30 1990 (as required by section 59 of the Government Railways Act).

1.	Revenue and Expenditure	\$000
	Revenue	81 922
	Expenditure	95 792
	Deficit	13 870
2.	Fixed Assets	
	Gross Value	931 847
	Less depreciation (as at June 30, 1990)	260 829
		671 018

J. I. GILL, Commissioner of Railways.

**TREASURY**

TY401

**CO-OPERATIVE AND PROVIDENT SOCIETIES ACT 1903**

Form 12 (Regulation 12)

Advertisement of Cancelling

Notice is hereby given that the Registrar of Friendly Societies has, pursuant to the Co-operative and Provident Societies Act 1903, this day cancelled the Registry of the following societies on the ground that the societies no longer exist:

- Collie Industrial Co-operative Society Limited (Register No. 5)
- Perth Co-operative Distribution Society Limited (Register No. 6)
- West Australian Co-operative Society Limited (Register No. 7)
- Austral Land Settlement Co-operative Society Limited (Register No. 8)
- Northern Farmers Co-operative Society Limited (Register No. 10)
- Nelson Co-operative Timber Society Limited (Register No. 17)
- The Goldfields Co-operative Society Limited (Register No. 21)
- Gwalia Leonora Industrial Co-operative Society Limited (Register No. 33)
- The Fremantle and District Industrial Co-operative Society Limited (Register No. 38)

Westralian Markets Co-operative Society Limited (Register No. 39)  
 Yilgarn and District Co-operative Society Limited (Registrar No. 46)  
 The Geraldton and District Co-operative Society Limited (Register No. 47)  
 The Dairymen's Co-operative Society Limited (Register No. 48)  
 W.A. Workers' Co-operative Society Limited (Register No. 49)  
 Blind, Limbless and Incapacitated Soldiers Co-operative Society Limited (Register No. 51)  
 The Maylands Co-operative Society Limited (Register No. 54)  
 The Frankland-Gordon Transport Co-operative Society Limited (Register No. 55)  
 Northcliffe Group Settlement Co-operative Society Limited (Register No. 58)  
 Perth Co-operative Society Limited (Register No. 60)  
 Roleystone Co-operative Society Limited (Register No. 61)  
 Metropolitan Rochdale Co-operative Society Limited (Register No. 62)  
 Norseman Co-operative Society Limited (Register No. 64)  
 Mt. Manypeaks Co-operative Society Limited (Register No. 67)  
 Eastern Goldfields Co-operative Society Limited (Register No. 68)  
 West Australian Co-operative Consumers Society Limited (Register No. 71)  
 Beacon Co-operative Society Limited (Register No. 77)  
 Kwinana and Rockingham Co-operative Society Limited (Register No. 82)  
 Bardi Co-operative Society Limited (Register No. 118)  
 T.B.A. Retailers' Co-operative Society Limited (Register No. 127)  
 Pilbara Bulk Buying Society Limited (Register No. 140)

These societies cease to enjoy the privileges of a registered society, but without prejudice to any liability incurred by a society which may be enforced against it as if such cancelling had not taken place.

Dated 6 September 1990.

JOHN METAXAS, Registrar of Friendly Societies.

## WATERWAYS COMMISSION

WB401

### WATERWAYS CONSERVATION ACT 1976

For the purpose of making appointments to the Peel Inlet Management Authority His Excellency the Governor acting pursuant to powers conferred by sections 16 and 19 of the Waterways Conservation Act 1976 as amended and on the recommendation of the Minister for the Environment has been pleased on the 28th day of August 1990 to appoint—

Owen Hobart Tuckey as Chairperson  
 Geradus Tewes as Member  
 George Thomas Halpin as Member  
 Bruce William Tatham as Member  
 Griselda Hitchcock as Member  
 Gaylia J. Mitcham as Member  
 John Edward Hughes as Member

G. PEARCE, Clerk of the Council.

## TENDERS

ZT201

### MAIN ROADS DEPARTMENT

#### *Tenders*

Tenders are invited for the following projects.

Tender documents are available from the Contracts Clerk, Ground Floor, Main Roads Department, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date
		1990
44/90 ....	Bituminous sealing and resealing, Kalgoorlie Division.....	Wednesday, October 3
18/90 ....	Supply and delivery of litter bins and stands.....	Thursday, October 4
55/90 ....	Supply and delivery of 14 mm Crushed Granite Aggregate —Geraldton Division.....	Thursday, September 20

## ZT202

*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount
			\$
192/89...	Construction of Bridge 1221 across the railway on the Kalgoorlie-Boulder Bypass	Tricon Engineering .....	615 212.11
154/89...	Construction of Reid Highway stage 1, Mirrabooks Avenue to Beechboro Road and Tonkin Highway-Reid Highway to Benara Road	Highway Construction P/L	13 664 695.39
16/90.....	Asphalt Surfacing-Channelisation and minor works	All tenders accepted	As required

D. R. WARNER, Director, Administration and Finance.

## ZT301

## STATE TENDER BOARD OF WESTERN AUSTRALIA

*Tenders Invited*

Tender forms and full particulars of the Schedule hereunder may be obtained on application at the State Tender Board, 815 Hay Street, Perth, 6000.

TELEPHONE No. 327 0741

FACSIMILE No. 321 7918

Date of Advertising		Description	Date of Closing
August 31	22A1990	Supply of Vegetables, Fresh Prepared, to Various Government Departments for a one year period (with an option of a one year extension)—Group Class No. 8915 .....	September 20
Sept 14	137A1990	Cable, Power, Electrical (one year period with an option to extend a further year) for various Govt Departments—Group Class No. 6145 .....	October 4
Sept 14	566A1990	Supply of Trucks for Westrail—Group Class No. 2320 .....	October 4
Sept 14	565A1990	One (1) Bus to Westrail—Group Class No. 2310 ...	October 18
<i>For Service</i>			
Sept 7	199A1990	Purchase and Removal of Used Old and Discarded X-Ray Films (Two year period)—Ex Health Department of WA SECWA Code: ADAM.....	September 27
Sept 14	575A1990	For the provision of preparing, booking and charging of Classified and Display Categories for specified newspapers on behalf of the Western Australian Government—SECWA Code: ADAN.	October 11
Sept 14	576A1990	For the provision of preparing, and/or preparing, booking and charging of Composite Employment Advertisements for newspapers on behalf of the Western Australian Government—SECWA Code: ADAN.....	October 11
<i>For Sale</i>			
August 31	554A1990	1988 Nissan Navara King Cab Van (MRD 2714) for the Main Roads Department—Welshpool .....	September 20
August 31	555A1990	1988 Mitsubishi Express Van 4WD (MRD A069), 1989 Nissan Navara King Cab Utility (MRD A367), 1989 Nissan Navara King Cab Utility (MRD A502), 1989 Ford Falcon Panel Van (MRD A719), 1989 Ford Falcon Utility (MRD B018) and 1989 Mitsubishi Triton Utility (MRD A686) for the Main Roads Department—Welshpool .....	September 20

STATE TENDER BOARD OF WESTERN AUSTRALIA—*continued**For Sale—continued*

Date of Advertising		For Sale	Date of Closing
August 31	556A1990	1989 Ford Falcon Utility (MRD A714) and 1988 Nissan Navara King Cab Utility (MRD 2431) for the Main Roads Department—Welshpool .....	September 20
August 31	557A1990	1988 Ford Falcon Utility (MRD A059) for the Main Roads Department—Welshpool .....	September 20
August 31	558A1990	1983 Ford Van F350 (MRD 7056) for the Main Roads Department—Welshpool .....	September 20
August 31	559A1990	1985 Toyota Landcruiser 4x4 Tray Back (6QI 256) and 1989 Toyota Corolla 4x4 Station Wagon (6QS 865) for the Dept of Conservation & Land Management—Mundaring .....	September 20
August 31	560A1990	1982 John Deere Tractor 1040 4x4 with Front End Loader (XQQ 391) for the Dept of Conservation & Land Management—Collie .....	September 20
August 31	561A1990	1988 Nissan Navara King Cab Ute (MRD 2491)—RECALL for the Main Roads Department—Welshpool—Previously Schedule No. 496A1990 .....	September 20
August 31	562A1990	1989 Ford Falcon XF (MRD A691) for the Main Roads Department—Welshpool .....	September 20
August 31	563A1990	1982 Nissan Utility (Unlicensed) at Derby for the Crown Law Department .....	September 20
August 31	564A1990	Purchase and Removal of Surplus Rice Milling Equipment for the Department of Agriculture at Kununurra .....	September 20
Sept 7	567A1990	1980 Chamberlain Rubber Tyred Tractor (MRD 4625) for the Main Roads Department—Welshpool.....	September 27
August 17	489A1990	One (1) only complete and unused T-Type Purse Seine Net for Small Sardine for the Fisheries Department at Fremantle.....	September 27
August 17	515A1990	For the purchase and removal of the Ministry of Education Vessel—"Evening Star II" (Replica of a nineteenth century brigantine) at Fremantle..	September 27
Sept 7	568A1990	1989 Ford Courier 4x4 Super Cab Utility (6QU 971), 1985 Toyota Landcruiser 4x4 Tray Back (6QG 454), 1987 Nissan Navara 4x4 Dual Cab Utility (6QN 195), 1988 Holden Jackaroo 4x4 Station Wagon (6QR 656), 1979 Massey Ferguson 188 Multi Power Tractor (XQH 874) & 1988 Holden Commodore Station Wagon (6QL 389) for Dept of Conservation & Land Management—Mundaring.....	September 27
Sept 7	569A1990	1987 Nissan Pintara Sedan (6QO 993) for the Dept of Conservation and Land Management Mundaring.....	September 27
Sept 14	570A1990	1982 FM215J Mitsubishi Tip Truck (XQQ 201) for the Dept of Conservation and Land Management—Busselton.....	October 4
Sept 14	571A1990	1989 Holden Commodore VN Sedan (7IO 191) for the Geraldton Mid-west Development Authority.	October 4
Sept 14	572A1990	1989 Ford Falcon Panel Van (MRD A537) for the Main Roads Department—Welshpool.....	October 4
Sept 14	573A1990	1988 Nissan Navara Crew Cab Tray Top Utility (MRD A309) for the Main Roads Department—Welshpool.....	October 4
Sept 14	574A1990	1980 Chamberlain Rubber Tyred Tractor MK4 (MRD 4626) for the Main Roads Department—Welshpool.....	October 4
Sept 14	577A1990	Disposal of Surplus Equipment at Derby for the Department of Agriculture—Derby.....	October 4

Tenders, addressed to the Chairman, State Tender Board, 815 Hay Street, Perth 6000 will be received for the abovementioned tenders until 10.00 am on the date of closing.

Tenders must be properly endorsed on envelopes otherwise they are liable to rejection. No tender necessarily accepted.

L. W. GRAHAM, Chairman, State Tender Board.

## STATE TENDER BOARD OF WESTERN AUSTRALIA—continued

## Accepted Tenders

Schedule No.	Particulars	Contractor	Rate
<i>Supply and Delivery</i>			
18A1990	Supply and Delivery of Food Containers and Packaging Materials (1-2 Year Period) for Various Govt. Depts. Group Class No.7300	Bunzl Ltd .....	Items 21, 22, 32, 40, 41, 42 Details On Request
26A1990	Supply and Delivery of Moulded Plastic Bins and Buckets (Initial One Year Period) for Various Govt. Depts. Group Class No. 7240	Australian Hostess Industries Sulo MGB Aust. P/L ..... Prestige Group (Aust) P/L...	Items 1, 2, 5, 6 Item 3 Item 4 Details On Request
<i>Service</i>			
179A1990	Application of Fertilizer to Metropolitan School Grounds for the Ministry of Education Service Code: AKAE	C.H. Bailey & Son .....	\$379.35 per Tonne Bulk Application (Incl. all Hand Spreading)
191A1990	Provision of a State Government Courier Service for a One Year Period Group Class No. 9999	Action Couriers P/L Casselan P/L (Courier Aust.) Mayne Nickless Courier Systems T & C Couriers Skippers Transport P/L	Details on Application to G. Thatcher On 327 0772
<i>Purchase and Removal</i>			
539A1990	1988 Nissan Navara 4x4 Crew Cab Utility (6QS 631)	Olympic Motor Co. ....	Item 2 \$13 061.00
	1988 Nissan Pintara Station Wagon (6QR 950)	Chris Armstrong .....	Item 3 \$10 487.00
	1987 Nissan MQ Patrol 4x4 Tray Back (6QJ 720)—Mundaring	Kevin Davis Carworld .....	Item 4 \$9 690.00
541A1990	1985 Toyota Landcruiser 4x4 Tray Back (6QG 452)	Olympic Motor Co. ....	Item 2 \$10 881.00
	1988 Nissan Navara 4x4 King Cab Utility (6QP 906)—Mundaring	Olympic Motor Co. ....	Item 4 \$12 241.00
543A1990	1983 125CT Honda Motorcycle (UQ 387)	Peter John Jenkins .....	Item 1 \$607.00
	1983 125CT Honda Motorcycle (UQ 385)—Ludlow	Terrence McGregor .....	Item 2 \$607.00
544A1990	1988 Ford Falcon XF Panel Van 4.1L (MRD A184)—Welshpool	William Wood Motors .....	\$6 739.00

ZT401

## WATER AUTHORITY OF WESTERN AUSTRALIA

## Tenders

Tenders are invited for the projects listed below and will be accepted up to 2.30 pm on the closing date specified.

Tender documents are available from the Supply Services Branch, Level 2, Entry 4, John Tonkin Water Centre, 629 Newcastle Street, Leederville, WA 6007.

Tender documents must be completed in full, sealed in the envelope provided and placed in the Tender Box located at the above Leederville address.

The lowest or any tender may not necessarily be accepted.

Contract No.	Description	Closing Date
		1990
AP 902042	Supply of Ultra-Sonic Flow Metering Equipment 1990-1993 .....	2 October
AP 902043	Supply of Level Transmitters 1990-1993 .....	2 October
AP 902044	Supply of Pressure Transmitters 1990-1993 .....	2 October

## ZT501

MARINE AND HARBOURS ACT 1981  
Mandurah Ocean Entrance Dredging/Excavating 1990/91

Contract No.	Project	Closing Date	Tender Documents From:
E 097....	Mandurah Entrance Dredging/excavation	18/9/90 2.30 p.m.	Administration Assistant Engineering Division

Dredging/excavating of approximately 30 000 cubic metres of sand at Mandurah Ocean Entrance.

Tender documents available from Monday, 10 September on payment of a non-refundable deposit of \$15.00

J. M. JENKIN, Executive Director.

## PUBLIC NOTICES

## ZZ201

### PUBLIC TRUSTEE ACT 1941

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

Name of Deceased; Occupation; Address; Date of Death; Date Election Filed.

Ryan, Ella Mary; Spinster; Dianella; 9/6/90; 3/8/90.  
Stanley, Harry Perham; Retired Roller Driver; Hamilton Hill; 1/5/90; 3/8/90.  
Stockley, Clare Harriett; Widow; Bentley; 30/5/90; 3/8/90  
Webber, Ruby Elizabeth Dudley; Widow; Doubleview; 11/2/90; 3/8/90.  
White, William Stanley; Retired Manager; Nedlands; 2/7/90; 3/8/90.  
Wilson, John Edward; Retired Metal Worker; Mount Lawley; 20/3/90; 3/8/90.  
Eatt, Joseph Rueben; Retired Watchman; Shenton Park; 6/11/88; 3/8/90.  
Machich, Annie; Widow; Fremantle; 2/9/89; 3/8/90.  
Boyce, Derek; Invalid Pensioner; Nedlands; 27/1/90; 3/8/90.  
Canning, Frank; Retired Miner; Como; 14/5/90; 3/8/90.  
Chambers, Arthur; Retired Labourer; Victoria Park; 20/4/90; 3/8/90.  
Dunneman, Jack Frederick; Divorcee; Midland; 4/2/90; 3/8/90.  
Geddes, Thomas Albert; Invalid Pensioner; Mount Claremont; 2/6/90; 3/8/90.  
Green, Edward Joseph; Miner; Kalgoorlie; 16/3/90; 3/8/90.  
Kenny, Henry Charles; Retired Bricklayer; Mount Lawley; 8/3/90; 3/8/90.  
Klein, Achim Thomas; Carpet Layer; Hamersley; 9/5/90; 3/8/90.  
Knezevic, Milenko; Retired Labourer; Kalgoorlie; 2/11/89; 3/8/90.  
Rogers, Michael Carlos; Retired Chef; Subiaco; 18/4/90; 3/8/90.  
Wayne, Arthur Eric Machale; Retired Fisherman; Onslow; 29/7/89; 3/8/90.  
Weldon, Cyril; Retired Labourer; Shenton Park; 17/1/90; 3/8/90.  
Williams, Ronald Charles; Retired Labourer; Waverley (Tasmania); 13/7/89; 3/8/90.  
Wood, Peter; Metal Worker; Port Hedland; between 15/2/90 and 22/2/90; 3/8/90.  
Lee, Eileen Mary; Widow; Lesmurdie; 29/4/90; 10/8/90.  
Stoitis, Nicholas George; Retired Chef; Perth; 7/7/89; 27/8/90.  
Harris, Samuel Frederick; Retired Marine Officer; Victoria Park; 11/5/90; 27/8/90.  
Fowler, Elliott Arthur; Retired Farmer; Wongan Hills; 23/5/90; 27/8/90.  
Wasley, Marjorie; Married Woman; Inglewood; 10/6/90; 27/8/90.  
Thornett, Job Stanley; Retired Storeman; Bentley; 30/6/90; 27/8/90.  
Scrogie, David; Retired Farm Hand; Victoria Park; 15/6/90; 27/8/90.  
Salter, William James; Retired Cleaner; Maddington; 26/5/90; 27/8/90.  
Oates, Henry John; Retired Proof Reader; Mount Lawley; 8/7/90; 27/8/90.  
Lawrence, Eunice Ellen Roxborough; Spinster, Bayswater; 6/7/90; 27/8/90.  
Heal, Doris May; Divorcee; Bicton; 2/7/90; 27/8/90.  
Duschka, Violet Mary; Married Woman; Leederville; 7/10/84; 1/8/90  
Bellanger, George Edmund Joseph; Retired Fund Organiser; Nedlands; 3/5/90; 3/8/90  
Cross, Alfred James; Retired Railway Officer; Balcatta; 9/5/90; 3/8/90.  
Davis, Lilian May; Married Woman; Como; 7/5/90; 3/8/90.  
Davis, Ruth Mary; Married Woman; Nollamara; 31/3/90; 3/8/90.  
Lavrick, Arthur Edward; Retired Miner; Esperance; 8/4/90; 3/8/90.  
McCammon, Joan Marjore; Married Woman; Morley; 20/5/90; 3/8/90.  
O'Dea, Lorna Leonie; Widow; Coolgardie; 9/5/90; 3/8/90.  
Paparone, Calogero; Retired Miner; Dianella; 5/5/90; 3/8/90.

Dated at Perth the 4th day of September 1990.

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

ZZ202

## TRUSTEES ACT 1962

## Notice to Creditors and Claimants

Dorothy May Kendrick of 106 Albert Street Osborne Park, requires 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 person to send particulars of their claims to her by the date stated hereunder, after which she may convey or distribute the assets having regard only to claims of which she then has notice.

Last Day for Claims: 25 October 1990.

Keith Francis, late of 5 Findon Crescent Balga, Council Worker, died 16 July 1990.

ZZ203

## 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 12th day of October 1990, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bader, Elsie Jocelyn, late of Leighton Nursing Home, 40 Florence Street, West Perth, died 19/8/90.

Bell, Sydney, late of 212 Geographe Bay Road, Quindalup, died 13/7/90.

Buchanan, William Francis, late of Tinetti Lodge, Wilson Street, Kalgoorlie, died after 14/7/90.

Carrigg, Freda Alice, late of Mt Henry Hospital, Cloister Avenue, Como, died 28/6/90.

Clarke, Florence, late of 50 Ada Steet, Waterman, died 5/8/90.

Jenkins, Gladys Mary Thurza, late of Charles Jenkins Hospital, Rowethorpe, Bentley, died 25/8/90.

Johnson, Arthur Percival, late of 5 Gordon Way, Bentley, died 25/7/90.

Khan, Herbert, late of 22 Saunders Street, Collie, died 30/5/90.

Miniken, Beryl Alice, late of Bentley Lodge, Mills Street, Bentley, died 14/7/90.

Moore, Alfred Sylvester, late of 23 Kingsbridge Road, Warnbro, died 15/3/88.

Nelson, Albert Henry, formerly of 23 Second Avenue, Claremont, late of Hamersley Hospital, 441 Rokeby Road, Subiaco, died 11/8/90.

Norris, Thelma Agnes, late of 2 Fraser Road, Applecross, died 12/8/90.

Guidera, Betty Laurel Joyce, late of 40 Plantation Drive, Bentley, died 23/8/90.

Parolo, Lina, late of 27 Kalgoorlie Street, Mount Hawthorn, died 23/8/90.

Pettersen, John Harold, late of 88 Waterloo Street, Joondanna, died 20/8/90.

Rainbird, Eileen Gladys, formerly of 71 Caledonian Avenue, Maylands, late of Archbishop Goody Hostel, 29 Goderich Street, East Perth, died 31/7/90.

Renoug, William Anzac, formerly of Unit 1/10 Rutland Avenue, Lathlain, late of Hollywood Hospital, Monash Avenue, Nedlands, died 25/7/90.

Riessen, Ina Gertrude, formerly of 121 Fourth Avenue, Mount Lawley, late of 53 Second Avenue, Mount Lawley, died 17/7/90.

Suraski, Dulcie Sarah, late of 490 Canning Highway, Attadale, died 28/8/90.

Watkins, Frederick Thomas, late of 42 Star Street, Carlisle, died 23/8/90.

Dated 10 September 1990.

K. E. BRADLEY, Public Trustee,  
Public Trust Office, 565 Hay Street, Perth.

ZZ204

## TRUSTEES ACT 1962

Letitia, Sibbald Austin, late of 77 James Street, Guildford, Widow 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 4 April 1990 are required by the Executor of



care of Stables & Co., 8 St George's Terrace, Perth to send particulars of their claims to him by 17 October 1990, after which date the Executor may convey or distribute the assets having regard only to the claims of which he then has notice.

STABLES & COMPANY.

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ZZ205

**TRUSTEES ACT 1962**

Creditors and other persons having claims in respect of the estate of Antonio Alberto Musca, late of 69 Ruby Street, North Perth, in the State of Western Australia to which section 63 of the Trustees Act 1962 applies, are required to send particulars of claims to the Executor, Leone Musca of 15 Laga Court, Balcatta, care of Irdi and Associates, Suite 6, 284 Oxford Street, Leederville, by the 14th day of October 1990 after which date the said Executor may convey or distribute the assets having regard only to the claims of which they have notice and the said Executor shall not be liable to any person of whose claim they have had no notice at any time of administration or distribution.

Dated 14th day of September 1990.

IRDI AND ASSOCIATES for the Executor.

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ZZ401

**COMPANIES (WESTERN AUSTRALIA) CODE  
NOTICE TO SUBMIT PARTICULARS OF DEBTS OR CLAIMS**

Australian Sea Farms Ltd (In Liquidation)

Take notice that creditors of the company, whose debts or claims have not already been admitted, are required on or before the 30th day of September 1990 to submit particulars of their debts or claims and of any security held by them to me and, if subsequently required by notice in writing from me, shall formally prove their debts or claims and establish any title they may have to priority by statement in writing. In default of complying with this notice they will be excluded from the benefit of any distribution made before their debts or claims are proved or their priority is established and from objecting to the distribution.

Dated 11 September 1990.

ALAN DESMOND TRELOAR, Liquidator.

A. D. Treloar, Chartered Accountant, Suite 16, 3rd Floor, 326 Hay Street, Perth WA 6000.

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ZZ402

**PARTNERSHIP ACT 1985  
NOTICE OF DISSOLUTION OF PARTNERSHIP**

Masciantonio Plumbing Service

Lorraine Vyvyan Masciantonio of 26 Wallangarra Court, Kingsley in the State of Western Australia hereby gives notice that the partnership subsisting between her and Antonio Joseph Masciantonio carrying on the business of plumbing contractors under the firm name of Masciantonio Plumbing Service is and was dissolved as from the 1st day of December 1989. the firm will be carried on from that date under the same name from unit 5, 45 Wilcock Avenue, Balcatta in the said state by Antonio Joseph Masciantonio.

## CUSTOMERS

Customers please note the publication sales outlet at  
Alexander Library will be closing down at  
**5pm FRIDAY 21st SEPTEMBER 1990.**

In order to better service your needs a more comprehensive  
range of publications and other Government information  
will be offered by the

### INFORMATION CENTRE

Ground Floor, Supply House,  
815 Hay Street (cnr King St), Perth  
8am to 5pm Telephone: 327 0716 or 327 0727

In addition copies of Government publications can also be  
purchased from

The **STATE PRINT PUBLICATIONS SALES** outlet  
22 Station Street, Wembley

8am to 5pm Telephone: 383 8854 or 383 8855

G. L. DUFFIELD  
DIRECTOR

## Loose Statutes for 1990

Acts passed by State Parliament in the Second Session of  
the Thirty-third Parliament

Act No.	Title
1	Parks and Reserves Amendment Act
2	Coal Mines Regulation Amendment Act
3	Supply Act
4	Treasurer's Advance Authorisation Act
5	Offenders Probation and Parole Amendment Act
6	Acts Amendment (Perth Market Authority) Act
7	State Planning Commission (Amendment and Validation) Act
8	Justices Amendment Act
9	Collie Coal (Western Collieries) Agreement Amendment
10	Acts Amendment (Gold Banking Corporation) Act
11	Land Tax Assessment Amendment Act
12	Acts Amendment (Petroleum) Act
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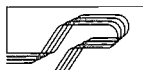
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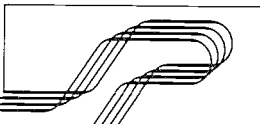
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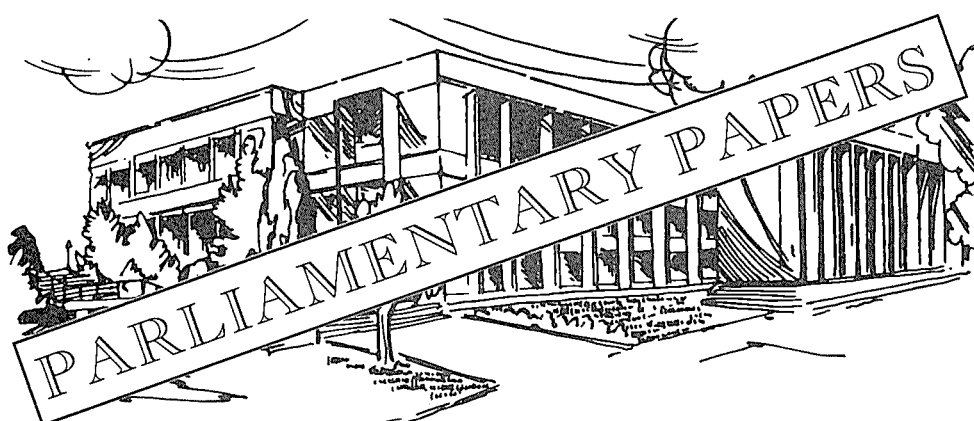
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