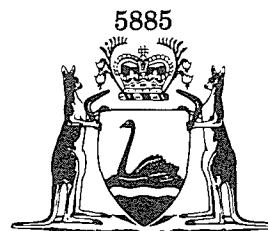


WESTERN
AUSTRALIAN
GOVERNMENT

Gazette



PERTH, FRIDAY, 22 NOVEMBER 1991 No. 140

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PAYMENT OF NOTICES PUBLISHED IN THE GOVERNMENT GAZETTE

As of 7 November 1991, persons or organisations intending to place a notice in the Public Notices Section of the *Government Gazette* and who do not have an established account, must forward a cheque/credit card authorisation at the time of lodgement of the notice.

Confirmation of amounts payable for a notice may be obtained from the State Law Publisher's Office, telephone number 383 8852.

This takes effect for the *Gazette* published on 15 November 1991 and all issues thereafter.

G. L. DUFFIELD, Director.

PROCLAMATIONS

AA102

OFFENDERS COMMUNITY CORRECTIONS ACT 1963

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 Distinguished Order of Saint Michael and Saint George, Queen's Counsel, Governor of the State of Western Australia.

Under section 5M of the Offenders Community Corrections Act 1963, I, the Governor, acting with the advice and consent of the Executive Council, do hereby declare the premises described in the Schedule and known as the Bail Hostel, to be a community corrections centre for the purposes of that Act, as from the day of the publication of this proclamation in the *Government Gazette*.

Schedule

The land and buildings on Reserve No. 3109 (North Fremantle Lot 435).

Given under my hand and the Public Seal of the State on 12 November 1991.

By His Excellency's Command,

J. M. BERINSON, Minister for Corrective Services.
GOD SAVE THE QUEEN !

AA101


METROPOLITAN WATER SUPPLY, SEWERAGE AND DRAINAGE ACT 1909

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 13 (a) of the Metropolitan Water Supply, Sewerage and Drainage Act 1909, I, the Governor, acting with the advice and consent of the Executive Council hereby—

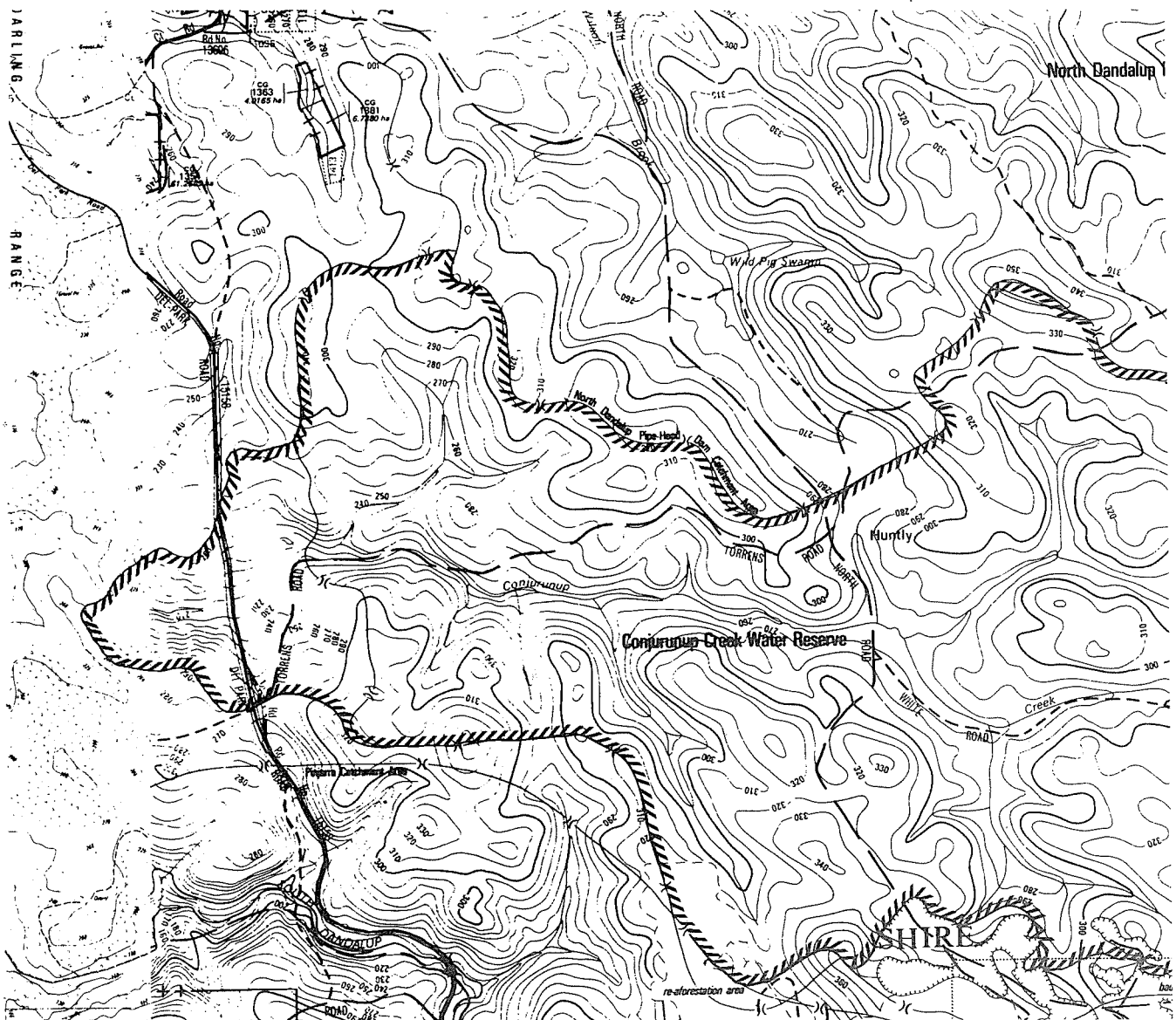
- (1) constitute the Conjurunup Creek Pipehead Dam Catchment Area;
and
- (2) define its boundaries as being in accordance with the symbolized marking  on Water Authority of Western Australia Plan C154, depicted below, the original of which is held by the Water Authority of Western Australia.

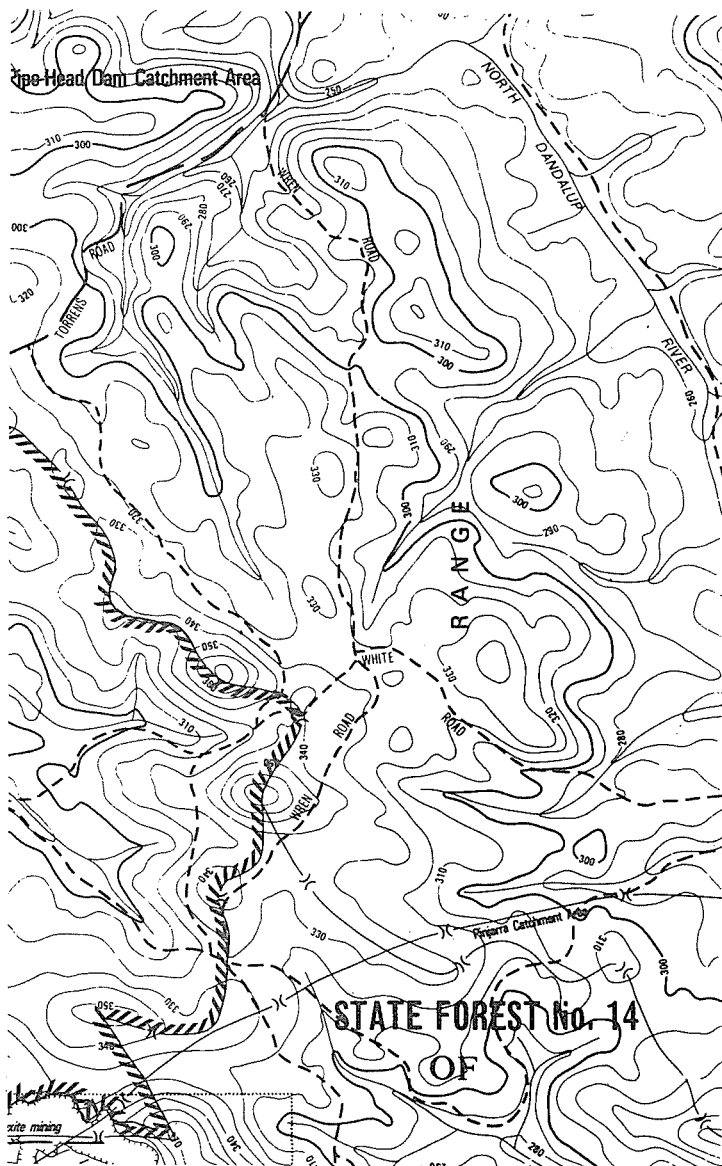
Given under my hand and the Public Seal of the State on 15 October 1991.

By His Excellency's Command,

ERNIE BRIDGE, Minister for Water Resources.

GOD SAVE THE QUEEN !





NORTH POINT



Kilometres



BOUNDARY OF CONJURUNUP PIPEHEAD DAM CATCHMENT AREA



PLAN

CI54

AGRICULTURE

AG401

SOIL AND LAND CONSERVATION ACT 1945**NORTHAM LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 1991**

Made by the Minister for Agriculture.

Citation

1. This Instrument may be cited as the *Northam Land Conservation District (Appointment of Members District Committee) Instrument 1991*.

Interpretation

2. In this Instrument

"Constitution order" means the *Soil and Land Conservation (Northam Land Conservation District) Order 1986*.

"Committee" means the District Committee established by Clause 4 of the Constitution Order.

[*Published in the *Gazette* of April 18, 1986 at pp. 1456-57 and amended in the *Gazettes* of July 12, 1991 at pp. 3211-13 and November 1, 1991 at pp. 5588-89.]

Appointment of Members

3.
 - (1) Under Clause 5(1)(b) of the constitution order Alfred Douglas Morgan of Northam is appointed a member of the Committee on the nomination of the Shire of Northam.
 - (2) Under Clause 5(1)(c) of the constitution order Raymond Milne Head of Northam is appointed a member of the Committee on the nomination of the Town of Northam.
 - (3) Under Clause 5(1)(d) of the constitution order Eric Henry Freind of Bakers Hill is appointed a member of the Committee to represent the Pastoralists and Graziers Association.
 - (4) Under Clause 5(1)(e) of the constitution order
 - (a) John Henry Wilding of Northam
 - (b) Angus John Cooke of Grass Valley
 - (c) Robert Campbell Cooke of Grass Valley
 - (d) Ronald Melville Gibbons of Grass Valley
 - (e) Robert Stanley Barton of Clackline
 - (f) Geoffrey Bruce James of Bakers Hill
 - (g) Edward Seskas of Bakers Hill
 - (h) Ronald Bruce Smart of Northam
 - (i) Joe JuJnovich of Mundaring
 - (j) District Officer, Central Region, Water Authority of Western Australiaare appointed members of the Committee being persons actively engaged in or affected by, or associated with land use in the Northam Land Conservation District.

Term of Office

4. The appointment is made under Clause 5(3) shall be for a term of three years commencing of the day that this instrument is published in the *Gazette*.

ERNIE BRIDGE, Minister for Agriculture.

AG402

SOIL AND LAND CONSERVATION ACT 1945**KENT RIVER LAND CONSERVATION DISTRICT (APPOINTMENT OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 1991**

Made by the Minister for Agriculture

Citation

1. This Instrument may be cited as the *Kent River Land Conservation District (Appointment of Members District Committee) Instrument 1991*.

Interpretation

2. In this Instrument

"Constitution order" means the *Soil and Land Conservation (Kent River Land Conservation District) Order 1984*.

"Committee" means the District Committee established by Clause 5 of the Constitution Order.

[*Published in the Gazette of 2 November 1984 at pp. 3547-3548 and amended in the Gazettes of 3 October 1986 at pp. 3797-3798 and 1 November 1991 at pp. 5590-91.]

Appointment of Members

3. (1) Under Clause 6(1)(b) of the constitution order John Llewellyn Gillam of Tenterden is appointed a member of the Committee on the nomination of the Shire of Cranbrook.
- (2) Under Clause 6(1)(c) of the constitution order Joan Golda Cameron of Rocky Gully is appointed a member of the Committee on the nomination of the Shire of Plantagenet.
- (3) Under Clause 6(1)(d) of the constitution order John Francis Carpenter of Rocky Gully is appointed a member of the Committee to represent the Western Australian Farmers Federation.
- (4) Under Clause 6(1)(f) of the constitution order
- (a) Murray Thomas Hall of Kendenup
 - (b) Chris Parsons of Tenterden
 - (c) Richard Francis Hordacre of Tenterden
 - (d) James Thomas Goodsell of Wanneroo
 - (e) Regional Manager, Department of Conservation and Land Management, Manjimup
 - (f) Regional Services Engineer, Great Southern Region, Water Authority of Western Australia, Albany
- are appointed members of the Committee being persons actively engaged in or affected by, or associated with land use in the Kent River Land Conservation District.

Term of Office

4. The appointment is made under Clause 6(3) shall be for a term of three years commencing of the day that this instrument is published in the *Gazette*.

ERNIE BRIDGE, Minister for Agriculture.

BUSH FIRES BOARD

BU401

**BUSH FIRES ACT 1954
SUSPENSION OF SECTION 25**

Bush Fires Board,
Perth.

Correspondence No. 246

It is hereby notified that I, Graham Edwards administering the Bush Fires Act 1954, hereby revoke all previous orders under section 25B of the said Act with relation to the Wagin Rubbish Disposal Site situated on Reserve 26505 and pursuant to the powers contained in section 25B of the said Act, approve the suspension of the operations of section 25 that related to a fire to be lit, or which is lit, for the purpose of destroying garden refuse or rubbish or any like purpose during the declared Prohibited and Restricted Burning Times on land set aside for the purpose in the Municipal District of the Shire of Wagin. This notice shall have effect until revoked and is issued subject to the following specified conditions:

Wagin Rubbish Disposal Site situated on Wagin Lots 666, 667, 668 and 669.

Specified Conditions

1. That the wire netting fence situated around the site be maintained in a sound condition for the duration of the suspension.
2. That all grass and other flammable material situated within 100 metres radius of the dump site be removed prior to the first fire being lit.
3. That dumping be confined within the area bounded by the wire netting fence.
4. No fires to be lit prior to 5.00 pm daily.

5. The accumulated refuse to be lit regularly, but only by the Shire Council refuse contractor or such other persons specifically authorised to do so by the Shire Council.
6. No fire is to be lit on land subject to this suspension on a day for which the fire danger index issued by the Bureau of Meteorology in Perth in respect of the locality is "Very High" or "Extreme".

GRAHAM EDWARDS, Minister for Emergency Services.

BU402

BUSH FIRES ACT 1954-1987

SECTION 34 (1a)

Bush Fires Board,
201 Kent Street, Kensington 6151.

Correspondence No. 1312P.

It is hereby notified that the Bush Fires Board has ordered that the powers conferred by subsection (1) of section 34 of the Bush Fires Act 1954-1987 shall not be exercised in relation to the following Reserves in the Shire of Manjimup and Denmark.

Reserves: A31362, A19175, A19176, C26583, A13045, C14325, C31468, State Forest No. 42 Hay Loc. 602—Walpole-Nornalup National Park.

J. A. W. ROBLEY, Director.

CROWN LAW

CW301

JUSTICES ACT 1902

**JUSTICES (SERVICE OF SUMMONSES BY POST)
AMENDMENT REGULATIONS (NO. 3) 1991**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Justices (Service of Summonses by Post) Amendment Regulations (No. 3) 1991*.

Schedule amended

2. The Schedule to the *Justices (Service of Summonses by Post) Regulations 1982** is amended by inserting in the appropriate alphabetical order the following —

" Education Act 1928. "

[* *Published in the Gazette of 17 December 1982 at pp.4831-2.*
For amendments to 11 October 1991 see p.292 of 1990 Index to
Legislation of Western Australia and Gazette of 30 August 1991.]

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

CW302

JUSTICES ACT 1902

JUSTICES (INREP) AMENDMENT REGULATIONS (NO. 4) 1991

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Justices (INREP) Amendment Regulations (No. 4) 1991*.

Schedule 1 amended**2. Schedule 1 to the *Justices (INREP) Regulations 1989** is amended —**

- (a) in item 2, in columns 2, 3, 4 and 5 respectively by inserting after paragraph (f) in each column the following paragraphs —

“

(g) Senior Ranger, City of Mandurah	(g) City Manager/ Town Clerk, City of Mandurah	(g) Senior Ranger, City of Mandurah	(g) Senior Ranger, City of Mandurah
(h) Town Clerk, Town of Mosman Park	(h) Town Clerk, Town of Mosman Park	(h) Town Clerk, Town of Mosman Park	(h) Town Clerk, Town of Mosman Park”;

- (b) in item 4, in columns 2, 3, 4 and 5 respectively by inserting after paragraph (c) in each column the following paragraphs —

“

(d) Senior Ranger, City of Mandurah	(d) City Manager/ Town Clerk, City of Mandurah	(d) Senior Ranger, City of Mandurah	(d) Senior Ranger, City of Mandurah
(e) Town Clerk, Town of Mosman Park	(e) Town Clerk, Town of Mosman Park	(e) Town Clerk, Town of Mosman Park	(e) Town Clerk, Town of Mosman Park”;

- (c) in item 5 in columns 2, 3, 4 and 5 respectively by inserting after paragraph (c) in each column the following paragraphs —

“

(d) Senior Ranger, City of Mandurah	(d) City Manager/ Town Clerk, City of Mandurah	(d) Senior Ranger, City of Mandurah	(d) Senior Ranger, City of Mandurah
(e) Town Clerk, Town of Mosman Park	(e) Town Clerk, Town of Mosman Park	(e) Town Clerk, Town of Mosman Park	(e) Town Clerk, Town of Mosman Park”;

- (d) in item 6, in columns 2, 3, 4 and 5 respectively by inserting after paragraph (d) in each column the following paragraphs —

“

(e) Senior Ranger, City of Mandurah	(e) City Manager/ Town Clerk, City of Mandurah	(e) Senior Ranger, City of Mandurah	(e) Senior Ranger, City of Mandurah
(f) Town Clerk, Town of Mosman Park	(f) Town Clerk, Town of Mosman Park	(f) Town Clerk, Town of Mosman Park	(f) Town Clerk, Town of Mosman Park
(g) Security Admin- istrator, City of Wanneroo	(g) Town Clerk, City of Wanneroo	(g) Security Admin- istrator, City of Wanneroo	(g) Security Admin- istrator, City of Wanneroo”;

and

- (e) in item 7 in columns 2, 3, 4 and 5 respectively by inserting after paragraph (c) in each column the following paragraphs —

“

(d) Senior Ranger, City of Mandurah	(d) City Manager/ Town Clerk, City of Mandurah	(d) Senior Ranger, City of Mandurah	(d) Senior Ranger, City of Mandurah
--	--	--	--

(e) Town Clerk,
Town of
Mosman
Park

(e) Town Clerk,
Town of
Mosman
Park

(e) Town Clerk,
Town of
Mosman
Park

(e) Town Clerk,
Town of
Mosman
Park "

[* *Published in the Gazette on 15 December 1989 at pp.4521-24.
For amendments to 17 October 1991 see page 292 of 1990 Index to
Legislation of Western Australia and Gazettes of 1 March, 19 July
and 27 September 1991.*]

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

CW401

Form 39

CREDIT UNIONS ACT 1979

CREDIT UNIONS REGULATIONS 1980

Regulation 43

Dissolution of Credit Union

Name of Credit Union The Independent Co-operative Credit Union Society Ltd.

I hereby notify that I have this day registered the dissolution of the abovenamed credit union and cancelled its registration under the above Act.

Dated at Perth, this 12th day of November, 1991.

JOHN METAXAS, Registrar of Co-operative and Financial Institutions.

CW402

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.

Scott Engelbrecht Dwyer of 30 Renwick Street, South Perth and Boud Avenue, Perth Airport.

Patricia Ruth Floan of "Strandheim", Springdale Road, Munglinup.

Glenyse Dawn Garnett of Barbara Street, Bremer Bay and 3 Gnombup Terrace, Bremer Bay.

David Granger of 78 Laurie Street, Mt Magnet and Mt Magnet District High School, Laurie Street, Mt Magnet.

John Harmsen of 19 Parker Point Road, Rottnest Island.

Douglas Arthur Hope of 21 Howell Street, Marmion and Unit 0, Whitford City Shopping Centre, Hillarys and 322 Hay Street, Subiaco.

Dianne Ray O'Brien of Lot 153 Hepburn Street, Mt Magnet and Lot 487 Criddle Street, Mt Magnet and Mt Magnet Medical Centre, Criddle Street, Mt Magnet.

Ernesto Pirone of 1075 Beaufort Street, Bedford and Mirrabooka Village Shopping Centre, Honeywell Boulevard, Mirrabooka and Ballajura City Shopping Centre, Kingfisher Avenue, Ballajura.

Accepted the following resignations from the Office of Justice of the Peace for the State of Western Australia—

Sydney John Griffith of 463/31 Williams Road, Nedlands.

Jessie Orton of 59 Harborne Street, Wembley.

D. G. DOIG, Under Secretary for Law.

CW403

DECLARATIONS AND ATTESTATIONS ACT 1913

It is hereby notified for public information that the Hon Attorney General has approved the appointment of the following person as a Commissioner for Declarations under the Declarations and Attestations Act 1913—

Gregory Lacey of Applecross

D. G. DOIG, Under Secretary for Law.

EDUCATION

ED401

PUBLIC EDUCATION ENDOWMENT ACT 1909

Office of the Minister for Education,
Perth, 22 November 1991.

It is hereby notified for general information that His Excellency the Governor, in Executive Council acting in accordance with the provisions of section 2 of the Public Education Endowment Act 1909 (as amended) has approved of the appointment of Ms Jane Brazier of 8 King Street, Claremont; Mr Ellis Griffiths of 59 Devon Road, Swanbourne and Mr Eric Strauss of 15 Cromarty Road, Floreat as Trustees of the Public Education Endowment Trust for terms of three years each.

KAY HALLAHAN, Minister for Education.

FISHERIES

FI301

FISHERIES ACT 1905**WEST COAST ROCK LOBSTER LIMITED ENTRY FISHERY AMENDMENT
NOTICE (No. 2) 1991**

Notice No. 523.

FD 145/75.

Made by the Minister under section 32.

Citation

1. This notice may be cited as the *West Coast Rock Lobster Limited Entry Fishery Amendment Notice (No. 2) 1991*.

Principal notice

2. In this notice the *West Coast Rock Lobster Limited Entry Fishery Notice No. 253** is referred to as the principal notice.

[*Published in the Gazette of 10 April 1987, pp. 1312-15. For amendments to 31 August 1991 see—

Notice No.	Date Published in Gazette
286	30 October 1987
292	4 December 1987
356	27 May 1988
377	13 January 1989
385	3 February 1989
413	15 September 1989
429	22 December 1989
456	27 July 1990
463	14 December 1990
467	18 January 1991
467 Erratum	8 February 1991].

Clause 15 amended

3. Clause 15 of the principal notice is amended by deleting subclause (3) and substituting the following subclause—

“(3) No person, unless authorised in writing by the Director, shall—

(a) take or attempt to take rock lobster from;

(b) allow any boat authorised to operate in the fishery, to be used or operated in; or

(c) be in possession of any rock lobster taken from,

the waters described in schedule 3 during the period commencing on 15 November in any year and ending at 1200 hours on 10 February next following.”.

Schedule 3 repealed and substituted

4. Schedule 3 to the principal notice is repealed and the following schedule substituted—

“All the waters of the Indian Ocean west of a line commencing at the intersection of 27°30' south latitude and 113°37' east longitude extending in a north westerly direction to the intersection of 21°44' south latitude and 111°09'30" east longitude.”.

Dated this Eleventh day of November 1991.

GORDON HILL, Minister for Fisheries.

FI302

FISHERIES ACT 1905

FISHERIES AMENDMENT REGULATIONS (NO. 7) 1991

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Fisheries Amendment Regulations (No. 7) 1991*.

Regulation 12G amended

2. Regulation 12G (2) of the *Fisheries Regulations 1938** is amended by inserting after "regulations" the following —

" and any notice made under this Act ".

[* Reprinted as at 15 September 1988.
For subsequent amendments to 17 October 1991 see 1990 Index to
Legislation of Western Australia, pp.239-40 and Gazettes of
28 March, 17 May and 28 June 1991.]

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

LAND ADMINISTRATION

LA101

ADDENDA

DOLA File: 2966/67.

In the Notice appearing at page 2760 of the *Government Gazette* dated 13 September 1968 with reference to Reserve No. 29319 insert " Suburban " after the word "Greenmount".

D. MULCAHY, Acting Executive Director.

LA102

DOLA File: 374/67.

In the Notices appearing at pages 575 and 3307 of the *Government Gazette* dated 14 February 1969 and 9 September 1983 respectively, with reference to Reserve 29558 insert " Suburban " after the word "Greenmount" where it appears.

D. MULCAHY, Acting Executive Director.

LA401

LOCAL GOVERNMENT ACT 1960

CHANGE OF NAME OF STREETS

It is hereby notified for general information that the Minister for Lands has been pleased to approve under section 295 (3) (c) (ii) of the Local Government Act 1960, of the change of the name of streets as set out in the hereunder Schedule:

Shire of Bayswater

Seed Place to Lee Place as coloured orange on page 181 of DOLA File: 405/981.

Public Plans: BG34 (2) 15.33 and 15.34.

Shire of Busselton

DOLA File: 2271/983.

Portion of Williamson Road to Tomsett Road as coloured green on page 124. Portion of Dolphin Road to Dolphin Court as coloured pink on page 164. Portion of Stanley Street to Stanley Place as coloured green on page 170. Portion of Cammilleri Street to Cammilleri Court as coloured blue on page 170. Portion of Brockman Road to William Drive as coloured pink on page 176. Portion of Brockman Road to Alan Street as coloured green on page 176. Brockmans Drive to Bell Drive as coloured blue on page 176. Avocet Boulevard to Avocet Boulevard as coloured pink on page 144.

Public Plans: BF29 (2) 21.34, 21.35, 22.34, 22.35, 25.35, 25.36, 26.37 and 2030-IV SW.

Shire of Dandaragan

DOLA File: 3308/981.

Marchagee-Coomallo Road to Marchagee Track as coloured orange on pages 59 and 60. McNamara Street to Reimers Street as coloured orange on page 63.

Public Plans: BF38 (2) Pts. 30.37, 30.38, 31.37 and 31.38 (Badgingarra), 1937-I, 2037-I and 2037-IV.

Shire of Esperance

DOLA File: 2442/970.

Portion of North Road to Phyllis Street as coloured blue on page 262. Portion of McClarty Way to Banksia Street as coloured blue on page 272. Portion of McClarty Way to Jacaranda Drive as coloured pink on page 272.

Public Plans: CG29 (2) 17.15 and 17.16 (Esperance).

City of Mandurah

Portion of Pennington Gardens to Ludstone Court as coloured orange on page 263 of DOLA File 3689/976.

Public Plan: BG32 (2) 04.38.

Shire of Mundaring

Portion of Samson Street to Gumtree Close as coloured orange on page 158 of DOLA File: 1196/971.

Public Plan: BG34 (2) 24.29.

Shire of Northampton

DOLA File: 1352/986.

Stiles Street to Red Bluff Road as coloured pink on page 53. Portion of Grey Road to Red Bluff Road as coloured blue on page 54. Eagle Gorge Road to Airport Road as coloured pink on page 54.

Public Plan: BD46 (2) 25.11, 25.12, (10) Pts. 5.2, 5.3, 6.2 and 6.3, 1742-III and 1742-IV.

Shire of Plantagenet

Settlement of Road East to Waycott Road as coloured pink on page 71 of DOLA File: 1432/983.

Public Plan: 2428-II NW.

Shire of Port Hedland

Cottier Road to Whim Creek Road as coloured yellow on page 32 of DOLA File: 3306/981.

Public Plan: BL66 (10) 5.5.

Shire of Wanneroo

DOLA File: 1036/971.

Portion of Berkley Road to Richenda Court as coloured yellow on page 353. Melia Street to Melia Road as coloured green on page 356. Hawkins Road South to Hawkins Road as coloured blue on page 360. Hawkins Road North to Hawkins Road as coloured orange on page 360. Portion of Mullaloo Drive to Coyle Road as coloured pink on page 364. Portion of Mullaloo Drive to Craigie Drive as coloured green on page 365. Portion of Mullaloo Drive to Kallaroo Place as coloured blue on page 369.

Public Plans: BG34 (2) 12.39, BG35 (2) 06.03, 07.03, 07.04, 07.38, 08.04 and (10) 3.2.

D. MULCAHY, Executive Director.

LA402

LOCAL GOVERNMENT ACT 1960
DECLARATION OF CLOSURE OF STREETS

Made by the Minister for Lands under Section 288A.

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

Schedule.

City of Canning

DOLA File: 3163/990; Closure No. C1238.

All that portion of Ranford Road now comprised in the land the subject of Office of Titles Plan 18255 and 18256.

Public Plan: BG34 (2) 16.10 (Perth).

D. MULCAHY, Acting Executive Director,
Department of Land Administration.

LB101

NAMING OF GULL ISLAND

Reserve No. 22796

Department of Land Administration, Perth.

File No. 3673/968.

It is hereby notified for general information that the name of "Gull Island" has been applied to the land contained in Reserve No. 22796 being set apart for the purpose of "Flora and Fauna" and located in the Shire of Esperance formerly named Gull Island.

Public Plans: Cape Arid 1:250 000 and 1:100 000 Point Jedacorrudup 1:50 000.

D. MULCAHY, Acting Executive Director.

LB102

NAMING OF KARIJINI NATIONAL PARK

Reserve No. 30082

Department of Land Administration, Perth.

File No. 3177/946, V6.

It is hereby notified for general information that the name of "Karijini National Park" has been applied to the land contained in Reserve No. 30082 being set apart for the purpose of "National Park" and located in the Shire of Ashburton formerly named "Hamersley National Park".

Public Plans: Turnee Creek; Ray Hill; Mt. Bruce; Newman 1:250 000.

D. MULCAHY, Acting Executive Director.

LB601

LAND ACT 1933

NOTICE OF INTENTION TO GRANT A LEASE

Department of Land
Administration.

It is hereby notified that it is intended to grant a Special Lease over King Location 427 to Bruce Allan Roebuck and Ronald John Paterson under section 116 of the Land Act for a term of 21 years for the purpose of "Horticulture".

A. A. SKINNER, Executive Director.

October 31, 1991.

LB602

LAND ACT 1933
NOTICE OF INTENTION TO GRANT A LEASE

Department of Land
Administration.

It is hereby notified that it is intended to grant a Special Lease over Swan Locations 11641-11648, Pt 11649 Pt 11650, Pt 11651, 11652 and 11653, Pt 11654, 11656-11659, 11661, 11662 to Ocean Dunes Pty Ltd under section 116 of the Land Act for a term of 50 years for the purpose of Marina, Golf Course, Hotel, Health Club, Commercial and Residential purposes and uses ancillary thereto.

A. A. SKINNER, Executive Director.

LB701

File No. 1499/1991

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902
NOTICE OF INTENTION TO TAKE OR RESUME LAND

Drain—Coast Road—Shire of Swan

The Minister for Works hereby gives notice in accordance with the provisions of section 17 (2) of the Public Works Act 1902 (as amended) 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 Swan District, for the purpose of the following public work, namely, Drain—Coast Road—Shire of Swan and that the said pieces or parcels of land are marked off on Plan L.A., W.A. 844 which may be inspected at the office of the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

No. on Plan L.A., W.A. No. 844	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Garry James Hawkins and Barbara Mavis Hawkings	Garry James Hawkins and Barbara Mavis Hawkins	Portion of Swan Location K and being part of Lot 1 on Diagram 47414 being part of the land contained in Certificate of Title Volume 1387 Folio 497.	742 m ²
	Earle Hills and Yvonne Ada Hills	Earle Hills and Yvonne Ada Hills	Portion of Swan Location K and being part of Lot 26 on Plan 2235 being part of the land contained in Certificate of Title Volume 1769 Folio 960.	1 005 m ²
	Tang Piew Ham	Tang Piew Ham	Portion of Swan Location K and being part of Lot 10 on Plan 2235 being part of the land contained in Certificate of Title Volume 1389 Folio 941.	1 005 m ²
	Alfio Lagana	Alfio Lagana	Portion of Swan Location K and being part of Lot 9 on Plan 2235 being part of the land contained in Certificate of Title Volume 1298 Folio 478.	1 005 m ²

Dated this 18th day of November 1991.

DAVID SMITH, Minister for Lands.

LOCAL GOVERNMENT

LG101

*CORRIGENDUM***LOCAL GOVERNMENT ACT 1960***Shire of Peppermint Grove*

Notice of Intention to Borrow

Proposed Loan (No. 35) of \$54 000

The notice which appeared in the *Government Gazette* on 2 August 1991 is amended as follows—

Loan 35 is to be raised for a term of seven years with repayments of principal and interest due quarterly.

Dated this 15th day of November 1991.

J. D. LIDBURY, President.
G. D. PARTRIDGE, Shire Clerk.

LG304

LOCAL GOVERNMENT ACT 1960*The Municipality of the Town of Kwinana*

By-law Relating to Parking Facilities

In pursuance of the powers conferred upon it by the above mentioned Act and of all other powers enabling it, the Council of the above mentioned Municipality hereby records having resolved on 28 February 1990 and 24 April 1991 to make and submit for confirmation by the Governor the following by-law.

PART I—Definition and Operation

Citation

1. This by-law may be cited as the *Town of Kwinana Parking Facilities By-law*.

Definitions

2. In this By-law unless the context otherwise requires—

“bus” means an omnibus within the meaning of Section 4 of the Road Traffic Act.

“carriageway” means a portion of a road that is improved, designed or ordinarily used for vehicular traffic and includes the shoulders and areas, including embayments at the side or centre of the carriageway, used for the standing or parking of vehicles. Where a road has two or more of those portions divided by a median strip, the expression means each of those portions, separately.

“commercial vehicle” means a vehicle which comes within the description of a motor wagon in the First Schedule to the Road Traffic Act and includes any other vehicle (not being a trailer or a vehicle to which a trailer is attached) constructed primarily for the conveyance therein or thereon of goods.

“Council” means the Council of the Municipality of the Town of Kwinana.

“driver” means any person driving or in control of a vehicle.

“footway” includes every footpath, lane or other place intended for the use of pedestrians only, or habitually used by pedestrians and not by vehicles.

“Form” means a form in the First Schedule to this by-law.

“Inspector” means a Ranger or Parking Inspector appointed by the Council under this By-law and includes a Senior Ranger and Senior Parking Inspector.

“median strip” means any physical provision, other than lines, dividing a road to separate vehicular traffic proceeding in opposing directions or to separate two one-way carriageways for vehicles proceeding in opposing directions.

“motor cycle” means a self propelled vehicle designed to travel on two wheels but shall not include a vehicle to which a side car is attached.

“Municipality” means the Municipality of the Town of Kwinana.

“no parking area” means a portion of a carriageway that lies—

- (a) between two consecutive white signs inscribed with the words “No Parking”, in red lettering and each with an arrow pointing generally towards the other of them; or

- (b) between a white sign inscribed with the words "No Parking", in red lettering and a dead end or an area in which parking is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign.

"no standing area" means a portion of a carriageway that lies:

- (a) between two consecutive white signs inscribed with the words: "No Standing" in red lettering and each with an arrow pointing generally towards the other of them; or
- (b) between a white sign inscribed with the words: "No Standing" in red lettering and a dead end or an area in which standing is prohibited and that lies in the general direction indicated by an arrow inscribed on the sign.

"notice" means a notice in the form of Form 1, Form 2, Form 3 or Form 4 in the First Schedule to this by-law.

"one-way carriageway" has the same meaning as is given to that expression in the Road Traffic Code.

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

"park" means to permit a vehicle, whether attended or not, to remain stationary, except for the purpose of—

- (a) avoiding conflict with other traffic;
- (b) complying with provisions of any law; or
- (c) immediately taking up or setting down persons or goods.

"Parking" has a correlative meaning;

"parking area" means a portion of a carriageway that:

- (a) lies between two consecutive white signs inscribed with the word "Parking" in green lettering and each with an arrow pointing generally towards the other of them; or
- (b) extends from a white sign inscribed with the word "Parking", in green lettering, in the general direction indicated by an arrow inscribed on the sign, to any other sign inscribed with the words, "No Parking", or "No Standing", in white lettering or to a dead end or an area in which the parking or standing of vehicles is prohibited.

"parking facilities" includes land, buildings, shelters, parking stalls and other facilities open to the public generally for the parking of vehicles with or without charge and signs, notices and facilities used in connection therewith.

"parking region" means that portion of the district of the Municipality of the Town of Kwinana that is constituted a parking region, pursuant to this By-law.

"parking stall" means a section of a road or of a parking station which is marked or defined in any way to indicate where a vehicle or vehicles may stand or be parked but does not include a metered space.

"parking station" means any land, building or other structure provided for the purpose of accommodating vehicles with or without charge, but does not include a private garage.

"property line" means the boundary between the land comprising a street and the land that abuts thereon.

"reserve" means public reserve as defined in the Act.

"road" means any highway, road, street, lane, thoroughfare or similar place open to, or used by the public and includes every carriageway, footway, reservation, median strip, traffic island or similar place thereon which is within the parking region.

"Road Traffic Act" means the Road Traffic Act 1974.

"Road Traffic Code" means the Road Traffic Code 1975.

"sign" means a traffic sign, mark, structure or device placed or erected on or near a road or within a parking station or a reserve for the purpose of regulating, guiding or directing the parking of vehicles.

"stand" in relation to a vehicle, means to stop the vehicle and permit it to remain stationary, except for the purpose of—

- (a) avoiding conflict with other traffic, or
 - (b) complying with the provisions of any law,
- and "standing" has a correlative meaning.

"street" has the same meaning as road.

"taxi" has the same meaning as taxi-car in the Road Traffic Act.

"the Act" means the Local Government Act 1960.

"two-way carriageway" has the same meaning as is given to that expression in the Road Traffic Code.

"vehicle" includes any vehicle which comes within the interpretation of that expression in the Road Traffic Act.

Parking Region

3. (1) The whole of the Municipality is constituted as a parking region with the exception of:

- (a) that part of the approach and departure sides to all traffic control signal installations on which the standing or parking of vehicles is prohibited at all times by a sign;
- (b) that part of all bridges and subways on which the standing or parking of vehicles is prohibited at all times by a sign; and
- (c) any roads which are, or may, from time to time, come under the control of the Commissioner of Main Roads.

(2) This by-law applies to the parking region and all parking stations and parking facilities in the parking region other than a parking facility or parking station that—

- (a) is not owned, controlled or occupied by the Municipality; or
- (b) is owned by the Municipality but is leased to another person.

(3) Any sign that—

- (a) was erected by the Commissioner of Main Roads prior to the coming into operation of this by-law within the Municipality; and
- (b) relates to the parking or standing of vehicles within the parking region, shall be deemed, for the purpose of this by-law to have been erected by the Council under the authority of this by-law.

Class of Vehicles

4. For the purpose of this by-law vehicles are divided into classes as follows:—

- (a) buses;
- (b) commercial vehicles;
- (c) motor cycles and bicycles;
- (d) taxis and all other vehicles not otherwise classified.

Application of Signs

5. Where under this By-law the standing or parking of vehicles in a street is controlled by a sign, that sign shall be read as applying to that part of the street which—

- (a) lies beyond the sign;
- (b) lies between the sign and the next sign beyond that sign or a dead end; and
- (c) is the side of the carriageway of the street nearest to the sign.

Parking Stalls and Parking Stations

6. Subject to this By-law, to section 231(3) of the Act and to any regulations for the time being in force under the Road Traffic Act, the Council may constitute, determine and vary and indicate by signs, from time to time—

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

Parking Position in a Parking Stall

7. (1) No person shall stand or park a vehicle in a parking stall which is set out parallel to a kerb in a street, otherwise than:

- (a) parallel to the kerb of that street;
- (b) as close to the kerb as practicable;
- (c) wholly within that parking stall; and
- (d) headed in the direction of the movement of traffic on the side of the street on which the parking stall is situated.

(2) No person shall stand or park a vehicle in a parking stall which is not set out parallel to a kerb otherwise than wholly within that parking stall.

Parking Wholly within a Parking Stall

8. No person shall stand or park a vehicle in a parking station marked out with parking stalls otherwise than wholly within a parking stall unless otherwise directed by an Inspector.

Obstruction of Exits and Entrances

9. No person shall stand or park a vehicle so as to obstruct an entrance to, an exit from, or a roadway or access way within a parking station or beyond the limits of any defined row within a parking station.

No Standing in a Parking Station

10. (1) No person shall stand a vehicle on any part of a parking station, whether or not such part be marked as a parking stall, if a sign is exhibited prohibiting the standing of vehicles on that part except with the permission of the Council or an Inspector.

(2) No person shall park a vehicle on any part of a parking station, whether or not such part be marked as a parking stall, if a sign is exhibited prohibiting the parking of vehicles on that part except with the permission of the Council or an Inspector.

Direction to Move Vehicle

11. No person shall permit a vehicle to stand or park on any part of a parking station, whether or not that part is marked as a parking stall, if an Inspector directs the driver of that vehicle to move the vehicle therefrom.

Parking in Occupied Stall

12. (1) Subject to sub-clause (2), no person shall stand or park or attempt to stand or park a vehicle in a parking stall in which another vehicle is standing or parked.

(2) Sub-clause (1) shall not apply to the parking of a motor cycle and a bicycle together in a stall marked "M/C" if the bicycle is parked in accordance with clause 14.

Loading Zone

13. (1) No person shall permit a vehicle to stand or park in a parking stall which is, at the time, set aside for use by commercial vehicles unless—

- (a) the vehicle is a commercial vehicle;
- (b) a person is continuously engaged in loading or unloading goods into or from the vehicle; and
- (c) the vehicle has a tare weight of 1500kg or more.

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

Parking of Motor Cycles and Bicycles

14. No person shall stand or park or permit to stand or park any motor cycle or bicycle in a parking stall other than:

- (a) a stall marked "M/C"; and
- (b) in the case of a motor cycle as close to the kerb as practicable; and
- (c) in the case of a bicycle parallel to the kerb.

Specified Classes of Vehicles

15. The Council may subject to the provisions of section 231 (3) of the Act, constitute, determine and vary and indicate by signs, from time to time, prohibitions, regulations and restrictions of parking and standing of vehicles generally or of vehicles of a specified class or of specified classes in all streets or specified streets, or in specified parts of streets or reserves or parts of reserves in the parking region at all times or at specified times.

Parking Contrary to Signs

16. (1) No person shall stand a vehicle on any part of a parking station, parking area or street or reserve:

- (a) if that part is set apart for the standing of vehicles of a different class by a sign;
- (b) if the standing of a vehicle on that part is prohibited at all times by a sign;
- (c) during a period in which the standing of vehicles on that part is prohibited by a sign; or
- (d) for more than the maximum time specified by a sign.

(2) No person shall park a vehicle on any part of a parking station, parking area or street:

- (a) if that part is set apart for the parking of vehicles of a different class by a sign;
- (b) if the parking of a vehicle on that part is prohibited at all times by a sign;
- (c) during a period in which the parking of vehicles on that part is prohibited by a sign;
- (d) for more than the maximum time specified by a sign.

Repairs to Vehicle

17. No person shall stand or park a vehicle on any part of a street—

- (a) for the purpose of effecting repairs to the vehicle, other than the minimum repairs necessary to enable the vehicle to be moved to a place other than a street; or
- (b) if the vehicle is being exposed for sale.

Vehicles in Motor Cycle Spaces

18. No person shall stand or park a vehicle in a parking stall marked "M/C" other than a motor cycle or bicycle.

Verge Parking

19. (1) Subject to sub-clause (2), a person shall not stand or park a vehicle so that any portion of the vehicle is between the edge of the carriageway of a road and the boundary of that road nearest to that edge.

(2) The occupier of the premises and any person authorised by the occupier may stand or park a vehicle on that portion of a road adjacent to the premises which is between the edge of the carriageway of the road and the boundary of the road nearest the premises unless the parking or standing of vehicles on that portion is prohibited by a sign.

Authorised Vehicles

20. No person shall stand or park a vehicle on any part of a parking station or road which is by any sign designated "Authorised Vehicles Only" except with the permission of the Council or an Inspector.

Parking Position on Road

21. (1) Subject to sub-clause (2), no person shall stand or park a vehicle or permit a vehicle to stand or park on any road otherwise than

- (a) parallel to the kerb;
- (b) as close to the kerb as practical; and
- (c) headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing unless such road is provided with parking stalls set at an angle.

(2) Sub-clause (1)(c) shall not apply to a vehicle standing or parking in a parking stall which is set out parallel to a kerb.

Parking Position on Carriageway

22. No person shall stand or park a vehicle:

- (a) on a two-way carriageway, unless the vehicle is as near as practicable to and parallel with, the left boundary of the carriageway and headed in the direction of the movement of traffic on the side of the road on which the vehicle is standing or parked;
- (b) on a one-way carriageway, unless the vehicle is as near as practicable to and parallel with, either boundary of the carriageway and headed in the direction of the movement of the traffic on the side of the road on which the vehicle is standing or parked;
- (c) on a carriageway so that any portion of the vehicle is less than 1.2m from any other vehicle, except a motor cycle or bicycle parked in accordance with this By-law;
- (d) on a carriageway so that there is less than 3m between the vehicle and the further boundary of the carriageway or between it and a vehicle standing on the far side of the carriageway;
- (e) on a carriageway so as to cause undue obstruction on the carriageway; or
- (f) On a carriageway marked with parking stalls unless the vehicle is wholly within the confines of a parking stall.

Parking Area

23. No person shall stand or park a vehicle partly within and partly outside a parking area.

Parking

24. (1) Subject to sub-clause (2), no person shall stand or park a vehicle so that any portion of the vehicle is—

- (a) between a vehicle which is parked or standing on a carriageway and the centre of the carriageway;
- (b) adjacent to a median strip;
- (c) in front of a right of way, passage or private driveway or so close thereto as to deny any other vehicle reasonable access to, or egress from the right of way, passage or private driveway.
- (d) in front of a footway constructed across a reserve;
- (e) alongside, or opposite, any excavation in, or obstruction on, the carriageway, if the vehicle would thereby obstruct traffic;
- (f) on, or within 9m of a traffic island;
- (g) on or over any footway or pedestrian crossing;
- (h) (i) between the boundary of a carriageway and double unbroken lines marked on the carriageway; or
(ii) between the boundary of a carriageway and an unbroken line marked on the carriageway,
unless there is a distance of at least 3 metres between the vehicle and the closest unbroken line;
- (i) on a bridge or other elevated structure or within a tunnel or underpass; or
- (j) on an intersection, except adjacent to a carriageway boundary that is not broken by an intersection carriageway.

(2) Sub-clause (1)(c), (f) and (i) shall not apply to a bus that stands in a parking stall marked on the carriageway and set aside for use by buses.

(3) In this clause "intersection" has the same meaning as that word bears in the Road Traffic Code.

Parking near Fire Hydrant and Letter Boxes

25. No person shall stand or park a vehicle so that any portion of the vehicle is—

- (a) within 1m of a fire hydrant or fire plug, or any sign or mark indicating the existence of a fire hydrant or fire plug; or
- (b) within 3m of a public letter pillar box, unless the vehicle is being used for the purpose of collecting postal articles from the box.

Property Line

26. No person shall stand or park a vehicle so that any portion of the vehicle is within 6m of the nearest property line of any road intersecting the road on the side on which the vehicle is standing or parked.

Departure Side of Bus Stalls and Crossings

27. Subject to clause 29, no person shall stand or park a vehicle so that any portion of the vehicle is within 9m of the departure side of—

- (a) a place on the carriageway depicted by a sign as a place for buses to take up or set down passengers unless the vehicle is a bus which has stopped to take up or set down passengers; or
- (b) a pedestrian or children's crossing established on a two way carriageway.

Bus Stalls and Crossings

28. Subject to Clause 29, no person shall stand or park a vehicle so that any portion of the vehicle is within 18m of—

- (a) the approach side of a place on a carriageway depicted by a sign as a place for buses to take up or set down passengers unless the vehicle is a bus which has stopped to take up or set down passengers;
- (b) the approach side of a pedestrian crossing or children's crossing; or
- (c) the nearest rail or a railway level crossing.

Application of Bus Stalls and Crossings

29. Clauses 27 and 28 shall not apply to a vehicle standing or parking in a parking stall established by the Council, or to a bicycle standing in a bicycle rack established by the Council.

Directions by Police Officers and Inspectors

30. No person shall stand or park a vehicle on any part of a street after any Inspector or a member of the Police Force directs the driver of such vehicle to move the vehicle therefrom.

Marking Tyres

31. (1) An Inspector may mark a tyre or tyres of a parked vehicle with chalk or any other non-indelible substance for any purpose connected with or arising out of his duties or powers.

(2) No person shall remove or interfere with any such mark referred to in sub-clause (1) so that the purpose of affixing the same is or is likely to be defeated.

Restrictions on Time

32. (1) Where a vehicle has been standing in a street in an area where by any sign the standing of vehicles is permitted for a limited time no person shall—

- (a) move that vehicle to any position within the same parking area; or
- (b) by arrangement with any person either exchange the space used by the vehicle for space in the same or another area in the street previously occupied by another vehicle,

so that the total time for which the first mentioned vehicle is standing exceeds the maximum time allowed for standing in the space first occupied by that first mentioned vehicle.

(2) Where a vehicle has been parked in a street in an area where by any sign the parking of vehicles is permitted for a limited time no person shall:

- (a) move that vehicle to any position within the same parking area; or
- (b) by arrangement with any person either exchange the space used by the vehicle for space in the same or another area in the street previously occupied by another vehicle.

so that the total time for which the first mentioned vehicle is parked exceeds the maximum time allowed for parking in the space first occupied by that first mentioned vehicle.

Maximum Parking Period

33. Where a maximum parking period is specified in accordance with this By-law in relation to a parking area or a parking station no person shall stand or park that vehicle:

- (a) for longer than that period, or
- (b) again in that parking area or parking station unless that vehicle has first been removed from that parking area or parking station for at least a period equal to the maximum parking period specified in relation to that parking area or parking station.

Parking in Set Aside Parking Stalls

34. (1) The Council may—

- (a) permit a person who requires the use of a parking stall or other space, in order to carry out urgent or essential work, for a longer period or periods than that prescribed as the maximum period for which the stall or space may ordinarily be used, to use that parking stall or space for such longer period or periods for a service charge of Ten Dollars (\$10.00) per day, or part thereof, in each case; and
- (b) prohibit the standing or parking of any other vehicle in that parking stall or space during the period or periods in which the parking stall or space is set aside pursuant to paragraph (a) of this clause.

(2) No person shall stand or park a vehicle in a parking stall or space set aside under this clause except with the permission of the Council.

Parking Without Consent

35. No person shall stand or park or permit a vehicle to stand or park on land which is not a road or parking facility without the consent of the owner or occupier of that land.

Obstruction of Inspector

36. No person shall in any way obstruct or hinder an Inspector in the execution of that person's duty.

Display of Signs

37. No person shall without the authority of the Council, mark, set up or exhibit any sign purporting to be or resembling a sign marked, set up or exhibited by the Council under the authority of this By-law.

Damage to Signs and Parking Stations

38. No person shall damage, deface or misuse any parking station or any part thereof, or remove, damage, deface or misuse any sign set up or exhibited by the Council under the authority of this By-law.

Affixing Signs

39. No person shall without the permission of the Council, affix any board, sign, placard, notice or other thing to or paint or write upon any part of a parking station.

Impersonation of Inspector

40. A person who is not an Inspector shall not in any way assume or attempt to assume the duties of an Inspector.

Infringement Notices

41. (1) A notice served under subsection (2) of section 669C of the Act in respect of an offence alleged to have been committed against this By-law shall be in or to the effect of Form 1 in the First Schedule.

(2) Subject to sub-clause (3) of this clause, an infringement notice served under section 669D of the Act in respect of an offence alleged to have been committed against this By-law shall be in or to the effect of Form 2 in the First Schedule.

(3) An infringement notice served under subsection (2) of section 669D of the Act in respect of an offence against this By-law shall be in or to the effect of Form 3 in the First Schedule.

(4) A notice sent under subsection (5) of section 669D of the Act withdrawing an infringement notice served under that section in respect of an offence alleged to have been committed against this By-law shall be in or to the effect of Form 4 in the First Schedule.

Removal of Notices

42. No person, other than the driver of a vehicle, shall remove from that vehicle any notice affixed thereto or thereon by an Inspector or a member of the Police Force.

Inspector's Certificate of Appointment

43. (1) An Inspector appointed by the Municipality shall be furnished with a certificate of appointment in a form determined by the Council from time to time.

(2) An Inspector is authorised to:

- (a) carry into effect the provisions of this By-law;
- (b) report to the Council on the working effectiveness and functioning of this By-law;
- (c) recommend to the Council the institution of prosecutions; and
- (d) institute and conduct prosecutions as directed by the Council or the General Manager/Town Clerk, of the Municipality from time to time.

Offence

44. Any person who contravenes or fails to comply with any provision of this By-law commits an offence and is liable on conviction to a penalty not exceeding \$80.00.

Modified Penalties

45. The amount appearing in the final column of the Second Schedule directly opposite the offence described in that Schedule is the modified penalty for that offence if dealt with under section 669D of the Act.

Records

46. The Council shall cause adequate records to be kept of all cases in which modified penalties have been inflicted and collected under this By-law.

FIRST SCHEDULE**Form 1****TOWN OF KWINANA****NOTICE REQUIRING OWNER OF VEHICLE TO IDENTIFY DRIVER**

TO:

.....

.....

PARKING INFRINGEMENT NO:

OFFENCE:

.....

DATE: TIME: MODIFIED PENALTY:

REGISTRATION NO: VEHICLE TYPE:

You are hereby notified that it is alleged that the above offence occurred in Kwinana contrary to the Town of Kwinana Parking Facilities By-Law.

- (1) Police Traffic Branch records show you are the owner of the above vehicle. If you were not the driver or person in charge of the vehicle at the time of the alleged offence, you are hereby required within 21 days to inform the General Manager/Town Clerk of the Town of Kwinana in writing:—

- (a) of the identity and address of the person who was the driver or person in charge of the above vehicle at the time of the offence; or
(b) satisfy the General Manager/Town Clerk that the above vehicle had been stolen or unlawfully taken, or was being unlawfully used at the time of the above offence.

Unless you provide the above evidence, you will be deemed to have been the driver or the person in charge of the vehicle.

- (2) If you were the driver or person in charge of the vehicle the matter can be concluded upon payment on or before of the above modified penalty, at the

Failure to do so will result in the matter proceeding to the local Court where costs and penalties may be awarded against you.

GENERAL MANAGER/TOWN CLERK

Form 2

TOWN OF KWINANA PARKING FACILITIES BY-LAW.
INFRINGEMENT NOTICE

TO: SERIAL NO:
..... DATE:

You are hereby notified that it is alleged that on the day of
..... 19..... you did

.....
in contravention of the provisions of Clause No.
of the Town of Kwinana Parking Facilities By-law.

The modified penalty prescribed for this offence is \$
If you do not wish to have a complaint of the above offence heard and determined by a Court you may pay the modified penalty within twenty-one days of the date of the service of this notice.

Unless payment is made within twenty-one days of the date of the service of this notice Court proceedings may be instituted against you.

Payment may be made either by posting this form together with the amount mentioned above, to the General Manager/Town Clerk of the Town of Kwinana or by delivering this form and paying that amount at the

Signature of authorised Officer:

Designation:

Form 3

TOWN OF KWINANA PARKING FACILITIES BY-LAW
INFRINGEMENT NOTICE

TO: SERIAL NO:
..... DATE:

(Not to be completed where notice is attached to or left in or on vehicle)

the owner of a vehicle MAKE: TYPE:
PLATE NO:

You are hereby notified that it is alleged that on the day of
..... 19..... at about you did

.....
in contravention of the provisions of Clause
of the Town of Kwinana Parking Facilities By-Law.

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

If you do not wish to have a complaint of the above offence heard and determined by a Court you may pay the modified penalty within twenty-one days after the date of the service of this notice.

Unless, within twenty-one days after the date of the service of this notice:—

- (a) the modified penalty is paid; or
- (b) you;
 - (i) inform in writing the General Manager/Town Clerk of Kwinana or an authorised officer, as to the identity and address of the person who was the driver or person in charge of the above vehicle at the time of the above offence; or
 - (ii) satisfy in writing the General Manager/Town Clerk of the Town of Kwinana that the above vehicle has been stolen or was being unlawfully used at the time of the above offence.

You will, in the absence of proof to the contrary, be deemed to have committed the above offence and Court proceedings may be instituted against you.

Payment may be made either by posting this form together with the amount of \$..... mentioned above, to the General Manager/Town Clerk of the Town of Kwinana or by delivering this form and paying that amount at the

Signature of authorised Officer

Designation

Form 4

TOWN OF KWINANA PARKING FACILITIES BY-LAW WITHDRAWAL OF INFRINGEMENT NOTICE

TO:

DATE:
INFRINGEMENT NOTICE NO: DATED:

for the alleged offence of Modified Penalty is hereby withdrawn.

Signature of authorised Officer

Designation

SECOND SCHEDULE

Item No.	Clause	Nature of Offence Penalty	Modified
(1)	13(1)	Standing in a Loading Zone	\$ 40
(2)	16(1)(b)	Standing in a No Standing area	40
(3)	17(1)(d)	Standing a vehicle in excess of the specified time: In the case of an offence under clause 16(1)(d) where the specified time referred to in the clause is one half hour or less: (a) Where the vehicle stands on that part of a parking station, street or reserve referred to in that clause for a period of one half hour or less in excess of the specified time. (b) Where the vehicle stands on that part of a parking station, street or reserve for a period of more than one half hour in excess of the specified time—\$15.00 with respect to the first one half hour in excess and \$15.00 with respect to any time thereafter. In the case of an offence under clause 16(1)(d) where the specified time referred to in the clause is one hour: (a) Where the vehicle stands on that part of a parking station, street or reserve for a period of one hour or less in excess of the specified time	15 15

Item No.	Clause	Nature of Offence Penalty	Modified
			\$
		(b) Where the vehicle stands on that part of a parking station, street or reserve for a period of more than one hour in excess of the specified time—\$15.00 with respect to the first hour in excess and \$15.00 with respect to any time thereafter.	
		In the case of an offence under clause 16(1)(d) where the specified time referred to in that clause is two hours:	
		(a) Where the vehicle stands on that part of a parking station, street or reserve referred to in that clause for a period of two hours or less in excess of the specified time.	15
		(b) Where the vehicle stands on that part of a parking station, street or reserve for a period of more than two hours in excess of the specified time—\$15.00 with respect to the first two hours in excess and \$15.00 with respect to any time thereafter.	
(4)	16(2)(b)	Parking in a No Standing Area	40
(5)	16(2)(d)	Parking a vehicle in excess of the specified time:	
		In the case of an offence under clause 16(2)(d) where the specified time referred to in that clause is one half hour or less:	
		(a) Where the vehicle parks on that parking station, street or reserve referred to in that clause for a period of one half hour less in excess of the specified time.	15
		(b) Where the vehicle parks on that part of a parking station, street or reserve for a period of more than one half hour in excess of the specified time—\$15.00 with respect to the first one half hour in excess and \$15.00 with respect to any time thereafter.	
		In the case of an offence under clause 16(2)(d) where the specified time referred to in that clause is one hour:	
		(a) Where the vehicle parks on that part of a parking station, street or reserve referred to in that clause for a period of one hour or less in excess of the specified time.	15
		(b) Where the vehicle parks on that part of a parking station, street or reserve for a period of more than one hour in excess of the specified time—\$15.00 with respect to the first one hour in excess and \$15.00 with respect to any time thereafter.	
		In the case of an offence under clause 16(2)(d) where the specified time referred to in that clause is two hours:	
		(a) Where the vehicle parks on that part of a parking station, street or reserve referred to in that clause for a period of two hours or less in excess of the specified time.	15

Item No.	Clause	Nature of Offence Penalty	Modified
			\$
		(b) Where the vehicle parks on that part of a parking station, street or reserve for a period of more than two hours in excess of the specified time—\$15.00 with respect to the first two hours in excess and \$15.00 with respect to any time thereafter.	
(6)	24(1)(g)	Parking or standing on or over a footway or pedestrian crossing	40
(7)	26	Parking or standing a vehicle within six metres of property line at an intersection ...	40
(8)	30	Failing to remove vehicle when requested ...	40
(9)		All other offences	15

Dated this 30th day of April 1991.

The Common Seal of the Town of Kwinana was hereunto affixed hereto in the presence of—

D. J. NELSON, Mayor.

R. K. SMILLIE, General Manager/Town Clerk.

Recommended—

DAVID SMITH, Minister for Local Government.

Approved by His Excellency the Governor in Executive Council the 3rd day of September 1991.

L. M. AULD, Clerk of the Council.

LG401

BUSH FIRES ACT 1954

Shire of Swan

Notice to Owners and/or Occupiers of Land outside the Metropolitan Fire District in the Shire of Swan

Pursuant to the powers contained in section 33 of the above Act, you are hereby required on or before the 2nd November 1991 to remove from the land owned or occupied by you, all inflammable material or to clear firebreaks in accordance with the following, and thereafter to maintain the land or the firebreaks clear of inflammable material up to and including the 31st day of March 1992.

1. In respect of land owned or occupied by you outside the Metropolitan Fire District you shall on or before the 2nd day of November 1991, or within fourteen days of the date of your becoming owner or occupier should this be after the 2nd day of November 1991—

A. On Rural Land—

- (1) where the area of land is 121 hectares or less, clear all inflammable material from firebreaks to at least 3 metres wide immediately inside of all external boundaries of the land unless you hold written authorisation and an approved plan from the Council for an alternative firebreak and within sixty metres of the perimeter of any haystacks, building or group of buildings, so positioned as to completely surround such haystacks, building or group of buildings; and
- (2) where the area of land is more than 121 hectares, clear of all inflammable material additional firebreaks in such positions as to divide the land into the areas not exceeding 121 hectares, each separate area to be completely surrounded by firebreaks inside all external boundaries of the land.

B. On Townsite Land or Land Subdivided for Residential Purposes—clear of all inflammable material firebreaks at least three metres wide immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land.

C. Fuel Dumps and Depots—remove all inflammable material from all land where fuel drum ramps are located and where fuel dumps, whether containing fuel or not, are stored to a distance of at least four metres outside the perimeter of any drum, ramp or stack of drums.

- D. Land Adjoining Great Northern Highway—You are hereby required on or before the 2nd day of November 1991, to clear all inflammable material, firebreaks at least 4.6 metres wide immediately along the internal boundary of your property where it adjoins the Great Northern Highway. The firebreak is to be maintained clear of all inflammable material up to and including the 31st day of March 1992.

The firebreaks required in this section of this notice are in addition to firebreaks of 3 metres in width required on all other land owned or occupied within the Shire of Swan.

- E. Special Rural Zones—The Shire of Swan Town Planning Scheme No. 9 requires that all lots zoned Special Rural are required to have the standard three metres wide firebreaks as per clause 1A of this notice, except where the scheme requires a strategic firebreak, which shall be in the form of a trafficable track clear of inflammable material not less than six metres wide.

Strategic firebreaks where required are depicted on structure plans annexed to the scheme documents and are included on some lots in the Brigadoon (Millendon), Tilden Park (Gidgegannup) and Chittering Downs (Bullsbrook) development estates.

- F. Pine Plantations—A firebreak of not less than ten metres in width—

- inside and around the perimeter of land in separate ownership on which pines are planted, but this firebreak is not required around unplanted areas; and
- inside and along the boundary of those portions of pine plantations adjoining a formed public road, and
- additionally and in such position that no area of pine plantation shall exceed 200 hectares without being enclosed by a ten metre break.

A firebreak not less than six metres in width in such positions that no part or compartment of a pine plantation shall exceed 28 hectares in area.

All firebreaks referred to in this order shall be constructed and maintained in a condition trafficable by tractors and four wheel drive vehicles, and overhanging trees abutting all breaks shall be pruned to minimise accumulation of litter and allow vehicle access. In addition to the breaks specified pine plantations traversed by SEC power transmission line have additional obligations under the State Energy Commission Act.

- G. Special Purpose Zone—Vines Resort—Alternate and strategic firebreaks as depicted on the Vines Resort Bush Fire Management Plan.

- H. Alternative Firebreaks—Holders of alternative firebreak permissions must clear the approved alternative firebreaks of all inflammable materials for a distance of at least 3 metres wide and must comply with all other conditions endorsed on their letter of permit. Holders of existing alternative firebreak permits need not apply unless a variation is sought to the approved alternative position or alternative action to abate fire hazards.

Application for Alternative Firebreaks—If it is considered to be impracticable for any reason to clear firebreaks or remove inflammable material from the land as required by this notice you may apply to the Council in writing on or before the 15th October 1991, 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, you shall comply with the requirements of this notice.

Penalty—The penalty for failing to comply with this notice is a fine of not more than \$1 000.00 and a person is liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by owner or occupier by the date required by this notice.

Burning—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.

By Order of the Council.

E. W. T. LUMSDEN, Shire Clerk.

LG402

SHIRE OF LAVERTON

Fire Control Officers

It is hereby notified for public information that the following persons have been appointed as Bush Fire Control Officers for the Shire of Laverton.

Chief Bush Fire Control Officer	Mr Noel L. Mason (090) 31 1021 (H) (090) 31 1202 (W)
Deputy Bush Fire Control Officer	Mr Murray G. Thomas (090) 37 5966

Station Control Officers

Bandya Station	Mr M. Boladeras	(090) 37 5957
Minara Station	Mr M. G. Thomas	(090) 37 5966
Lake Wells Station	Mr P. A. Hill	(090) 31 1272
Laverton Downs	Mr M. P. Abbott	(090) 37 5998
Merolia Station	Mr S. Argus	
Mertondale Station	Mr V. R. Taylor	(090) 37 6002
Mt Weld Station	Mr L. K. Polmear	(090) 37 5952

Station Control Officers

Prenti Downs Station	Mr W. R. Linke	(099) 81 1202
White Cliffs Station	Mr M. P. Abbott	(090) 37 5950
Wonganoo Station	Mr M. Boladeras	(090) 37 5957
Yamarna Station	Mr T. J. McCudden	(090) 37 5963
Cosmo Newberry Community	Mr H. Murray	
Glenorn Station	Mr R. Lockyer	(090) 37 6097
Erlistoun Station	Mr R. Grainger	

All other appointments not listed above are hereby cancelled.

N. L. MASON, Shire Clerk.

LG403

DOG ACT 1976

Shire of Laverton

It is hereby notified for public information that the following persons are authorised Registration Officers under the provisions of the Dog Act 1976—

Noel Lesley Mason
Keith Edward Anderson
Kay Lesley Crooks
Josephine Sow Wan Yong

All previous appointments are hereby cancelled.

N. L. MASON, Shire Clerk.

LG404

SHIRE OF LAVERTON

It is hereby notified for public information that the Shire of Laverton has appointed—

Keith Edward Anderson
Walter Vlado Turansky

an authorised officer under the provisions of the Bush Fires Act.

a Poundkeeper and Ranger under section 449 of the Local Government Act.

an authorised person under section 29 of the Dog Act.

an authorised person under the by-laws relating to Control of Hawkers.

an authorised person under the by-laws relating to the Parking of Vehicles.

an authorised person under the by-laws relating to the Removal/Disposal of Obstructing Vehicles or Animals.

an authorised officer under the provisions of the Litter Act.

N. L. MASON, Shire Clerk.

LG405

SHIRE OF WYNDHAM-EAST KIMBERLEY

Dog Control Officer

It is hereby notified for public information that Peter Allan Johnson has been appointed from 22 November 1991 as Dog Control Officer pursuant to the Local Government Act 1960 and Dog Act 1976 for the purposes of seizing, impounding, detaining and destroying of dogs.

M. G. CHEVERTON, Shire Clerk.

LG406

BUSH FIRES ACT 1954*City of South Perth*

Notice to All Owners and/or Occupiers of Land Situated in the City of South Perth

Firebreaks

Pursuant to the powers contained in section 33 of the Bush Fires Act 1954, you are hereby required to clear of inflammable material firebreaks not less than 3 metres in width in the following positions on all land owned or occupied by you and situated within the City of South Perth.

1. Immediately inside all external boundaries of the said land.
2. Immediately surrounding all buildings erected on the said land.

Such firebreaks may be constructed by one or more of the following methods—

Ploughing, cultivating, scarifying, chemical spraying or other approved methods and are to be cleared to the satisfaction of the City's Ranger Service. In addition you may be required to carry out further works which may be deemed necessary by the City's Ranger Service and specified by way of a separate written notice forwarded to the address as shown on the City of South Perth rate records for the land.

In some instances naturally occurring features such as rocky outcrops or landscaping such as reticulated gardens, lawns or driveways may be an acceptable substitute for cleared firebreaks. This option must first be discussed with and approved by the City's Ranger Service.

All firebreaks as designated above must be prepared on or before the 30th day of November, 1991 (or within 14 days of you becoming the owner or occupier should this be after that date) and maintained clear of inflammable material up to and including the 31st day of March, 1992.

Take notice that pursuant to Clause 33 (4) of the Bush Fires Act, where the owner or occupier of land who has received notice fails or neglects to comply with the requisitions of the notice within the time specified, the City of South Perth may, by its officers and with such servants, workmen and contractors vehicles and machinery as the officers deem fit enter upon the land and carry out the requisitions of the notice which have not been complied with and pursuant to Clause 33 (5) of the Bush Fires Act the amount of any costs and expenses incurred may be recovered from you as the owner or occupier of the land.

Burning off within the City of South Perth is against Council Policy and also the Environmental Protection Act. All clearing of bush and disposal of waste should be carried out by other methods than burning.

The penalty for failing to comply with this notice is a fine not exceeding \$1 000 and a person in default is also liable whether prosecuted or not to pay the costs of performing the work directed in this notice if it is not carried out by the owner and/or occupier by the date required by this notice. By order of the Council.

L. L. METCALF, Chief Executive.

LG407

TOWN PLANNING AND DEVELOPMENT ACT 1928**ADVERTISEMENT OF RESOLUTION DECIDING TO PREPARE A TOWN PLANNING SCHEME***City of Wanneroo*

Town Planning Scheme No. 20—Clarkson-Butler District Distributor Road Development Scheme

Notice is hereby given that the Council of the City of Wanneroo on 23rd October 1991 passed the following Resolution—

Resolved that the Council, in pursuance of section 7 of the Town Planning and Development Act 1928 prepare the above Town Planning Scheme with reference to an area situated wholly within the City of Wanneroo and enclosed within the inner edge of the broken black border on a plan now produced to the Council and marked and certified by the Town Clerk under his hand dated 23rd October 1991 as "Scheme Area Map".

Dated this 13th day of November 1991.

R. F. COFFEY, Town Clerk.

LG408

WATER BOARDS ACT 1904**BUNBURY WATER BOARD****Memorandum of Imposing Rates**

To Whom it may Concern,

At a Special Meeting of the Bunbury Water Board held on 8 October 1991, it was resolved that the Rates and Charges specified hereunder should be imposed on all Rateable properties within the district of the Bunbury Water Board in accordance with the Water Boards Act 1904 for the Financial Year 1 October 1991 to 30 September 1992.

Schedule of Rates and Charges Levied.

Basic Water Rate—5.70 cents in the dollar on Gross Rental Value.

Excess Water Rates—58 cents per kilolitre.

Rebate Water—1 kilolitre of water be allowed for each 61 cents of basic water rates paid.

Water Supply Fee to Non-rated Premises—\$272.50.

The Basic Water Rate has been increased by 4.0%, the Excess Water Rate and Rebate Water has increased by 5.2% and the Water Supply Fee has increased by 4.0%.

In respect of the whole of the rating year ending 30 September 1992, the maximum amount of basic water rate payable in respect of any land or holding in the Bunbury Water Area shall be an amount that is 40% as much again as the amount that was payable for the whole of the rating year ending 30 September 1991, in respect of the same land or holding.

Dated 20 November, 1991.

E. C. MANEA, Chairman.
V. S. SPALDING, Secretary.

LG901

LOCAL GOVERNMENT ACT 1960

City of Mandurah

Notice of Intention to Borrow

Proposed Loan (No. 214) of \$150 000

Pursuant to section 610 of the Local Government Act, the City of Mandurah hereby gives notice that it proposes to borrow by sale of debentures on the following terms and conditions: Term—Loan to be for a term of 10 years with interest at ruling Treasury rates renegotiable after 2 years at the office of the Council in twenty half yearly instalments of principal and interest.

Purpose—Provision of artesian bore, automatic reticulation and grassing of Bortolo Park.

Specifications and estimates of costs thereof and statement as required under section 609 of the Act to be open for inspection at the Council Offices, Mandurah during office hours for a period of 35 days after publication of the Notice of Intention to Borrow.

D. C. TUCKEY, Mayor.
K. W. DONOHOE, City Manager/Town Clerk.

MAIN ROADS

MA501

MRD 42-52-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 Capel District, for the purpose of the following public works namely, widening of Bunbury-Augusta Road (15.60-22.80 SLK section) and that the said pieces or parcels of land are marked off on Plan MRD WA 9102-0518 to 9102-0530 inclusive, 9102-0541 and 9102-0545 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.	Lindsay John Vollrath	L. J. Vollrath	Portion of Wellington Location 47 and being part of Lot 1 on Plan 16177 and being part of the land comprised in Certificate of Title Volume 1792 Folio 778	4 249 m ²

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx)
2.	Domenico Rocco Guzzomi and Sarina Guzzomi	D. R. and S. Guzzomi	Portion of Wellington Location 187 and being part of Lot 1 on Diagram 48187 on and being part of the land comprised in Certificate of Title Volume 1404 Folio 460	14 000 m ²
3.	Edwin Roland Campbell Roberts	E. R. C. Roberts	Portion of Wellington Location 47 and being part of Lot 16 on Plan 443 and being part of the land comprised in Certificate of Title Volume 1024 Folio 701	24 420 m ²
4.	Western Mineral Sands Pty Ltd	Western Mineral Sands Pty Ltd	Portion of Wellington Location 47 and being part of Lot 14 on Plan 4432 and being part of the land comprised in Certificate of Title Volume 1105 Folio 342	37 330 m ²
5.	Peter Anthony Ellis and Caroline Frances Ellis	P. A. and C. F. Ellis	Portion of Wellington Location 47 and being part of Lot 15 on Plan 4432 and being part of the land comprised in Certificate of Title Volume 1024 Folio 703	23 160 m ²
6.	Grant Forrest Roberts	G. F. Roberts	Portion of Wellington Location 47 and being part of Lot 20 on Plan 4432 and being part of the land comprised in Certificate of Title Volume 878 Folio 86	1 617 m ²
7.	Westralian Sands Limited	Westralian Sands Limited	Portion of Wellington Location 187 and being part of Lot 2 on Diagram 48187 and being part of the land comprised in Certificate of Title Volume 1404 Folio 461	15 980 m ²
8.	Westralian Sands Limited	Westralian Sands Limited	Portion of Wellington Location 1832 and being part of the land comprised in Certificate of Title Volume 1188 Folio 958	5 008 m ²
9.	Western Mineral Sands Pty Ltd	Western Mineral Sands Pty Ltd	Portion of Wellington Location 3719 and being part of the land comprised in Certificate of Title Volume 1057 Folio 527	23 360 m ²
10.	Donald Carlton Batt and Janice Margaret Batt	D. C. and J. M. Batt	Portion of Wellington Location 47 and being part of Lot 6 on Plan 4432 being part of the land comprised in Certificate of Title Volume 1231 Folio 775	6 515 m ²
11.	Ian Robert Newman and Paul Duncan Newman	I. R. and P. D. Newman	Portion of Wellington Location 47 and being part of Lot 7 on Plan 4432 (Sheet 3) and being part of the land comprised in Certificate of Title Volume 1477 Folio 324	622 m ²
12.	Rino Simioni and Gina Simioni	R. and G. Simioni	Portion of Wellington Location 47 and being part of Lot 2 on Plan 16177 being part of the land comprised in Certificate of Title Volume 1792 Folio 779	4 562 m ²

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx)
13.	Harold Richard James Green and Susan Clare Green	H. R. J. and S. C. Green	Portion of Wellington Location 47 and being part of Lot 3 on Plan 16177 being part of the land comprised in Certificate of Title Volume 1792 Folio 780	7 050 m ²
14.	Edwin Roland Campbell Roberts	E. R. C. Roberts	Portion of Wellington Location 47 and being part of Lot 10 on Plan 4432 (Sheet 3) being part of land comprised in Certificate of Title Volume 1879 Folio 30	601 m ²
15.	Westralian Sands Ltd	Westralian Sands Ltd	Portion of Wellington Location 2628 and being part of Lot 6 on Plan 14174 being part of the land comprised in Certificate of Title Volume 1779 Folio 964	5 390 m ²

Dated this 20th day of November 1991.

D. R. WARNER, Director Administration and Finance
Main Roads Department.

MINES

MN401

MINING ACT 1978

Department of Mines,
Perth, 22 November 1991.

I hereby declare in accordance with the provisions of section 97 (1) of the Mining Act 1978 that the undermentioned mining lease is forfeited for breach of covenant, *viz*; non-compliance with expenditure conditions.

GORDON HILL, Minister for Mines.

SOUTH WEST MINERAL FIELD

Mining Lease 70/127—Romel Pty Ltd

MN402

MINING ACT 1904 CHRISTMAS EXEMPTION

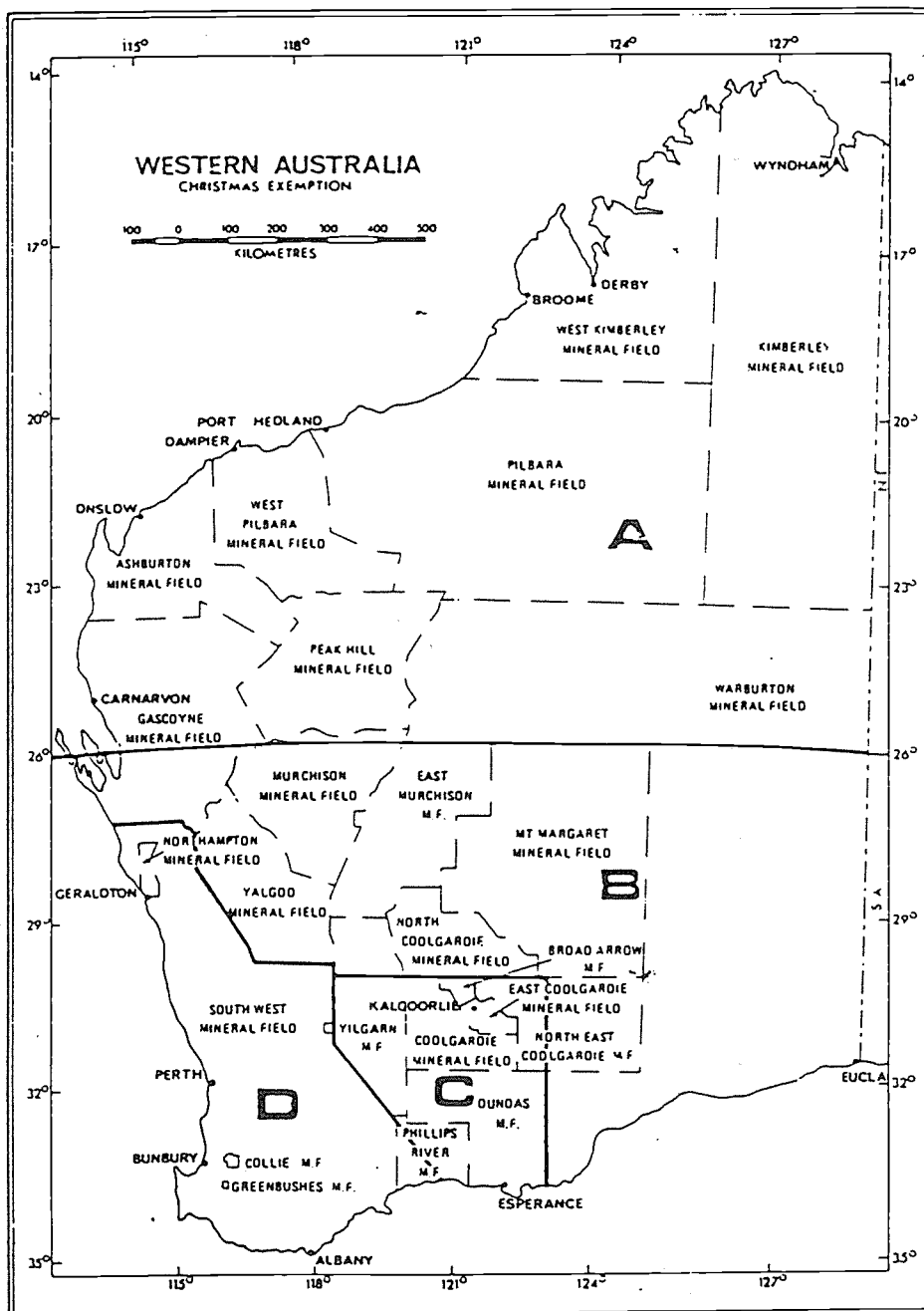
Department of Mines,
Perth, 4 November 1991.

It is hereby notified for public information that general exemption from conditions of work and occupation has been granted on all mining tenements subject to the Mining Act 1904 throughout the State as follows—

On those tenements in areas "A" and "B" as shown on the plan on page 5918—from 10 December 1991 to 20 January 1992 inclusive.

On those tenements in areas "C" and "D" as shown on the plan on page 5918—from 10 December 1991 to 6 January 1992.

D. R. KELLY, Director General of Mines.



MN403

MINING ACT 1978

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines,
Meekatharra, 22 November 1991.

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 provision of section 96 (1) (a) for breach of covenant, *viz.* non payment of rent.

S. A. HEATH, Warden.

To be heard in the Warden's Court, Meekatharra on the 15th January 1992.

MURCHISON MINERAL FIELD

Murchison District

P51/685—Metana Minerals NL.
P51/686—Metana Minerals NL.
P51/1497—Alexander Allon.
Claudia Jane Allon.
Ruby Wells NL.

PEAK HILL MINERAL FIELD

L52/34—Horseshoe Gold Mine Pty. Ltd.

MN404

MINING ACT 1978
NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Mines,
Carnarvon, W.A.

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, Carnarvon on the 20th of December 1991.

ASHBURTON MINERAL FIELD
Prospecting Licences

P08/313—Burce William Duckham.

P08/315—Kevin Prothero.

Ronald William Prothero.

P08/378—Arthur John O'Donahue.

GASCOYNE MINERAL FIELD
Prospecting Licences

P09/213—Rare Resources NL.

P09/266—William Arthur Rose.

PARLIAMENT

PA401

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 Bill passed by the Legislative Council and the Legislative Assembly during the Third Session of the Thirty-Third Parliament.

Short Title of Bill	Date of Assent	Act No.
Daylight Saving Bill 1991	11 November 1991	No. 25 of 1991

L. B. MARQUET, Clerk of the Parliaments.

PLANNING AND URBAN DEVELOPMENT

PD401

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Rockingham

Town Planning Scheme No. 1—Amendment No. 214

Ref: 853-2-28-1, Pt. 214.

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

1. Rezoning Lots 51, 52, 93, 94, Pt 901, Pt 1092 Anstey Road, Secret Harbour and portion of Crown Reserve 20716 from "Rural" to "Development Zone" as depicted on the Scheme Amendment Map; and
2. Inserting provisions in the Scheme Text setting out the manner in which portions of the area may be developed.

Plans and document setting out and explaining the scheme amendment have been deposited at Council Offices, Council Avenue, Rockingham 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 January 3, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 3, 1992.

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. G. HOLLAND, Town Clerk.

PD402**TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***City of Armadale*

Town Planning Scheme No. 2—Amendment No. 80

Ref: 853-2-22-4, Pt. 80.

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

- (1) Lots 1, 62, 63, 64, 65, 100, 103, 104 and 107 Champion Drive, Kelmscott from 'Light Industry' to 'Showroom';
- (2) Lot 60 Champion Drive, Kelmscott from 'Light Industry/Residential R15' to 'Showroom';
- (3) Lot 85 Owen Road, Kelmscott from 'Light Industry/General Industry' to 'Showroom/General Industry'; and
- (4) Lot 200 Keira Street, Kelmscott from 'Special Use—Service Station' to 'Showroom'.

Plans and document setting out and explaining the scheme amendment have been deposited at Council Offices, 7 Orchard Avenue, Armadale 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 January 3, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 3, 1992.

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.

J. W. FLATOW, Town Clerk.

PD403**TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENTS AVAILABLE FOR INSPECTION***City of Armadale*

Town Planning Scheme No. 1—Amendment No. 244

Town Planning Scheme No. 2—Amendment No. 75

Ref: 853-2-22-1 Pt. 244, 853-2-22-4 Pt. 75

Notice is hereby given that the City of Armadale has prepared the abovementioned scheme amendments for the purpose of—

Town Planning Scheme No. 1—Amendment No. 244

amending the scheme boundaries of Town Planning Scheme No. 1 by excising Lot 136 Albany Highway, Armadale.

Town Planning Scheme No. 2—Amendment No. 75

1. amending the scheme boundaries of Town Planning Scheme No. 2 by including Lot 136 Albany Highway, Armadale.
2. amending the zoning of Lot 136 Albany Highway and portion of Lot 264 Fountains Court, Armadale to "Special Use—Service Station".

Plans and documents setting out and explaining the scheme amendments have been deposited at Council Offices, 7 Orchard Avenue, Armadale 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 January 3, 1992.

Submissions on the scheme amendments should be made in writing on Form No. 4 and lodged with the undersigned on or before January 3, 1992.

These amendments are available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

J. W. FLATOW, Town Clerk.

PD404**TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***City of Bunbury*

Town Planning Scheme No. 6—Amendment No. 123

Ref: 853-6-2-9 Pt. 123.

Notice is hereby given that the City of Bunbury has prepared the abovementioned scheme amendment for the purpose of rezoning Lots 29 and 30 Forrest Avenue, Bunbury from "Residential R15" to "Special Use—Computer Consulting Rooms."

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Stephen Street, Bunbury 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 January 3, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 3, 1992.

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.

V. S. SPALDING, Town Clerk.

PD405

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

City of Gosnells

Town Planning Scheme No. 1—Amendment No. 374

Ref: 853-2-25-1 Pt. 374.

Notice is hereby given that the City of Gosnells has prepared the abovementioned scheme amendment for the purpose of rezoning a 1329 sqm site at Lot 201, corner of Alcock Street and Rangeview Court Maddington from Residential A to Residential B at the R.25 density code to accommodate a maximum of 3 units.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2120 Albany Highway, Gosnells 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 January 3, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 3, 1992.

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

D. G. PARKER, Town Clerk.

PD406

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

City of Mandurah

Town Planning Scheme No. 1A—Amendment No. 145

Ref: 853-6-13-9 Pt. 145.

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

1. adding to the Scheme Text and Scheme Map the "Residential (Restrictive/Special—R20)" Zone.
2. excising Pt Lot 6 Murdoch Drive, Greenfields from the "Residential 1" Zone and including the land in the "Residential (Restrictive/Special—R20)" Zone, the "Residential 3" Zone and the "Local Recreation" Reserve as indicated on the Scheme (Amendment) Map.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Mandurah Terrace, Mandurah 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 January 3, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 3, 1992.

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.

E. W. HATTON, Acting Town Clerk.

PD407

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Melville

Town Planning Scheme No. 3—Amendment No. 92

Ref: 853/2/17/10 Pt. 92.

Notice is hereby given that the City of Melville has prepared the abovementioned scheme amendment for the purpose of amending Clause 5.2 Use Class Table by deleting opposite the use class Place of Public Worship the symbol "X" in the Industrial 2 Zone and substituting in lieu thereof the symbol "AA".

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 January 3, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 3, 1992.

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.

J. McNALLY, Acting Town Clerk.

PD408

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Nedlands

Town Planning Scheme No. 2—Amendment No. 41

Ref: 853/2/8/4 Pt. 41.

Notice is hereby given that the City of Nedlands has prepared the abovementioned scheme amendment for the purpose of adding Unit No. 6, No. 80 Mooroo Drive (Regent Park Retirement Village) to Schedule 1 to permit the Additional Use of Medical Consulting Rooms.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 71 Stirling Highway, Nedlands 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 January 3, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 3, 1992.

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.

N. G. LEACH, Town Clerk.

PD409

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Dardanup

Town Planning Scheme No. 3—Amendment No. 36

Ref: 853/6/9/6 Pt. 36.

Notice is hereby given that the Shire of Dardanup has prepared the abovementioned scheme amendment for the purpose of:

1. rezoning BAA lots 300, 313 and 373 Killarney Road and rezoning of BAA lots 314 and 315 Busher Road to Small Holding Zone and adopting an outline subdivision plan.
2. amending the Town Planning Scheme Text to include provisions controlling development and subdivision in accordance with the outline subdivision plan.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 3 Little Street, Dardanup 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 January 3, 1992.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before January 3, 1992.

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.

C. J. SPRAGG, Shire Clerk.

PD501

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Armadale*

Town Planning Scheme No. 2—Amendment No. 70

Ref: 853-2-22-4, Pt. 70.

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 Armadale Town Planning Scheme Amendment on November 18, 1991 for the purpose of amending the showroom zone development tables by—

(i) Deleting the words—

“A showroom shall be combined with a warehouse component of no less than equal floor space.” in the policy statement; and

(ii) Replacing the figure “200 m²” in Clause 4 of the ‘Other Requirements’ column with the figure “ 300 m² ”.

I. K. BLACKBURN, Mayor.

J. W. FLATOW, Town Clerk.

PD502

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Armadale*

Town Planning Scheme No. 2—Amendment No. 64

Ref: 853-2-22-4, Pt. 64.

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 Armadale Town Planning Scheme Amendment on November 18, 1991 for the purpose of—

1. Rezoning portion Lot 33 Champion Drive, corner Third Avenue, Armadale, from “Shopping Zone” to “Special Use Zone—Service Station”; as depicted on plans forming part of this Amendment; and

2. Amending the Scheme Text by adding the following to the Special Use Zone of the Development Table in sequential order of established presentation:

Prescribed Special Use; Requirements; Particulars of Land

Service Station; Nil; Corner portion Lot 33 Champion Drive, Armadale, comprising approximately 3 050 m².

I. K. BLACKBURN, Mayor.

J. W. FLATOW, Town Clerk.

PD503

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Armadale*

Town Planning Scheme No. 2—Amendment No. 39

Ref: 853-2-22-4, Pt. 39.

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 Armadale Town Planning Scheme Amendment on November 14, 1991 for the purpose of rezoning Lot 13 and adjoining public accessway (P.A.W.) from Residential R15 to Shopping Zone for the purpose of amalgamating with the established West Armadale Shopping Centre site which adjoins this site.

I. K. BLACKBURN, Mayor.

J. W. FLATOW, Town Clerk.

PD504

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Bayswater

Town Planning Scheme No. 21—Amendment No. 22

Ref: 853-2-14-25, Pt. 22.

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 Bayswater Town Planning Scheme Amendment on November 12, 1991 for the purpose of rezoning 3 500 m² of Lot 49 Holdhurst Way, Morley from Public Purposes (Religious Institution) to "Medium Density Residential R30".

K. D. HAMES, Mayor.
K. B. LANG, Town Clerk.

PD505

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Bayswater

Town Planning Scheme No. 21—Amendment No. 19

Ref: 853-2-14-25, Pt 19.

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 Bayswater Town Planning Scheme Amendment on November 13, 1991 for the purpose of—

1. Rezoning Lots 22, 23, 24 and 25 of Swan Location W, corner of Guildford Road and Mahdi Street, Bayswater from "Service Station" to "Special Purpose—Car Sales Yard" as depicted on the amending plan adopted by Council on the 11th day of December, 1990.
2. Adding Lots 22, 23, 24 and 25 of Swan Location W to Schedule 1: Special Purpose Zones of the Scheme Text as follows:

Street; Particulars of Land; Only Use Permitted

Guildford Road; Lots 22, 23, 24 and 25 of Swan Loc. W Plan 2085; (1) Car Sales Yard.

K. D. HAMES, Mayor.
K. B. LANG, Town Clerk.

PD506

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Belmont

Town Planning Scheme No. 11—Amendment No. 29

Ref: 853-2-15-10, Pt 29.

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 November 12, 1991 for the purpose of—

(a) Revising Subclause 5.6.1 to read as follows:

5.6.1 Intention—The Business Enterprise Zone is intended to provide for the development of property in commercial, restricted industrial and residential usage which does not generate nuisances detrimental to the amenities of the district or to the health, welfare and safety of its residents, and which are characterised by

(a) permanent, architecturally designed buildings set in pleasant garden surrounds and

(b) limited vehicular access from properties to major roads.

Industrial usage will be restricted to those activities which

(i) do not cause nuisance or annoyance by way of noise or other emissions beyond the site on which they are conducted; and

(ii) do not require the use of external open storage space or the use of open space outside of the premises for the conduct of the activity.

(b) Including within Table 1—Zoning Table a new use class as follows:

“27. Industry—Restricted”, such that the use is AA in the “Business Enterprise Zone” and “Industrial” zone but not permitted in any other zone; and renumbering the remaining use classes in order to secure continuity.

(c) Including within Schedule I—Interpretations after “Industry—Noxious” the following:

Industry—Restricted: Means a light or service industry as defined in the Scheme the conduct of which is restricted to the interior of a building and in which the external storage of goods and products either produced or used in conjunction with the processes carried out in the building is prohibited.

P. P. PARKIN, Mayor.
R. S. TAME, Town Clerk.

PD507

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Bunbury

Town Planning Scheme No. 6—Amendment No. 103

Ref: 853-6-2-9, Pt 103.

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 Bunbury Town Planning Scheme Amendment on November 14, 1991 for the purpose of amending Part 5 Development Standards, Clause 5-7 Residential Planning Codes, Variations and Exclusions: by inserting subclause:

“ (d) In the areas zoned Residential R12.5, R15, R20 or R25 Council may allow a development to have a potential increase equivalent to Residential R30 coding where it is satisfied that the development substantially complies with the City of Bunbury Residential Design Guidelines as adopted by Council. ”

Development applications for an increase in residential density shall be advertised according to the SA provisions of Clause 4.7 and have the following prerequisite:

1. Fully serviced subdivision with power, water, deep sewerage and telephone.
2. Minimum lot area of 900 square metres for land zoned Residential R15, R20 and R25 and 1100 square metres for land zoned R12.5
3. Current zoning of Residential R12.5, R15, R20 or R25.

E. C. MANEA, Mayor.
V. S. SPALDING, Town Clerk.

PD508

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Canning

Town Planning Scheme No. 16—Amendment No. 597

Town Planning Scheme No. 31—Amendment No. 10

Ref: 853-2-16-18, Pt 597; 853-2-16-32, Pt 10.

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 Canning Town Planning Scheme Amendments on November 18, 1991 for the purpose of—

Town Planning Scheme No. 16—Amendment No. 597 rezoning the land in the area bounded by Nicholson Road, Ranford Road, Wilfred Road and Clifton Road, Canning Vale, with the exclusion of the “Public Purposes” Reserve, from “Special Rural A” to “SR 3”, as depicted on the amending plan adopted by the Council on the 24th day of June, 1991.

Town Planning Scheme No. 31—Amendment No. 10 deleting from the Scheme the land to the east of Wilfred Road and to the south of Ranford Road, Canning Vale, by realigning the Scheme Boundary as depicted on the amending plan adopted by the Council on the 24th day of June, 1991.

C. M. GREGORINI, Commissioner.
I. F. KINNER, Town Clerk.

PD509

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Subiaco

Town Planning Scheme No. 3—Amendment No. 16

Ref: 853-2-12-3, Pt 16.

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 Subiaco Town Planning Scheme Amendment on November 12, 1991 for the purpose of—

- A. Amending the Scheme Map to designate Lot 92 and Pt. Lot 91 of ptn. of Perth Suburban Lot 214 on the north west corner of Thomas Street and Barker Road, Subiaco with the notation "Additional Use Permit".
- B. Amending the Scheme Text by including in Appendix 2—Additional and Restricted Use Permits the following particulars under their respective headings.

Street; Particular of Land; Permitted Use;

Thomas Street, Barker Road; Lot 92 and Pt. Lot 91 ptn. of Perth Suburban Lot 214 contained in C/T vol. 1163 Folio 661 and vol. 1598 Folio 054; Office subject to such use being confined to the existing building and on the lot and any additions that may subsequently be approved by Council and not to any redevelopment which may subsequently be permitted.

H. E. PASSMORE, Mayor.
J. F. McGEOUGH, Town Clerk.

PD510

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Wanneroo

Town Planning Scheme No. 1—Amendment No. 523

Ref: 853-2-30-1, Pt 523.

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 Wanneroo Town Planning Scheme Amendment on November 13, 1991 for the purpose of amending the Residential Density Code Map to recode Lot 1 Lurgan Place, Merriwa from R20 to R40.

W. H. MARWICK, Mayor.
R. F. COFFEY, Town Clerk.

PD511

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Wanneroo

Town Planning Scheme No. 1—Amendment No. 525

Ref: 853-2-30-1, Pt 525.

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 Wanneroo Town Planning Scheme Amendment on November 13, 1991 for the purpose of rezoning Lot 1009 corner Prendiville Avenue/Marmion Avenue, Ocean Reef from Residential Development to Service Station.

W. H. MARWICK, Mayor.
R. F. COFFEY, Town Clerk.

PD512

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Wanneroo

Town Planning Scheme No. 1—Amendment No. 583

Ref: 853-2-30-1, Pt 583.

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 Wanneroo Town Planning Scheme Amendment on November 18, 1991 for the purpose of—

1. rezoning Portion Lot Pt. 4 Connolly/Currambine from "Residential Development" and "Private Recreation/Clubs" to "Special Zone (Restricted Use) Golf Course";
2. rezoning Portion Lot 531 Country Club Boulevard, Connolly from "Residential Development" to "Private Recreation/Clubs";
3. adding a reference to "Special Zone (Restricted Use) Golf Course" to Section 2 of Schedule 1 of the Scheme Text.

W. H. MARWICK, Mayor.
R. F. COFFEY, Town Clerk.

PD513

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Swan

Town Planning Scheme No. 9—Amendment No. 156

Ref: 853-2-21-10, Pt 156.

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 October 30, 1991 for the purpose of rezoning Lots 106, 107 and 108 Great Northern Highway, Midland from "Service Station" to "Residential 2" (R40).

C. M. ZANNINO, President.
E. W. T. LUMSDEN, Shire Clerk.

PD514

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Swan

Town Planning Scheme No. 9—Amendment No. 158

Ref: 853-2-21-10, Pt 158.

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 November 13, 1991 for the purpose of substituting the Subdivisional Guide Plan dated May 1989 with the revised Subdivisional Guide Plan dated March 1991, which provides for the subdivision of Lots 142 to 146 into lots of not less than 1 hectare.

C. M. ZANNINO, President.
E. W. T. LUMSDEN, Shire Clerk.

PD515

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Swan

Town Planning Scheme No. 9—Amendment No. 132

Ref: 853-2-21-10 Pt 132.

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 November 18, 1991 for the purpose of the following.

1. Amending Paragraph 2.3.1.3 by deleting the words "paragraph 3.1.11.3" and inserting in lieu thereof the words " subclause 2.5.8 ".

2. Deleting the whole of cl. 2.5 of the Scheme Text, including the heading, and inserting in place thereof the following—

“ 2.5 CONSERVATION AND ENHANCEMENT OF PLACES OF CULTURAL HERITAGE SIGNIFICANCE

2.5.1 Purpose and Intent

The purpose and intent of the provisions in this clause is, with a view to securing the amenity of the Scheme Area—

- (a) to provide for conservation of places of cultural heritage significance;
- (b) to designate conservation precincts;
- (c) to provide for the conservation and/or enhancement of the character including (but without limiting the generality of the term) the architectural integrity of conservation precincts, and places and objects of cultural heritage significance.

2.5.2 Classification of Conservation Precinct

2.5.2.1 The Council may classify an area of land to be a conservation precinct where in the opinion of the Council special planning control is required for the purpose of the cultural heritage conservation of the whole or any part of the area or any place or thing within the area.

2.5.2.2 A conservation precinct is deemed to be classified as such by the Council if it has satisfied all of the requirements under subclause 2.5.5 relating to the procedure for declaring a conservation precinct.

2.5.3 Policy Statement

2.5.3.1 The Council shall adopt for each conservation precinct a policy statement which shall comprise—

- (a) a map showing the exact boundaries of the precinct;
- (b) where appropriate a list of any of the specific places of cultural significance within the precinct;
- (c) a statement of the precinct's significance; and
- (d) objectives for the conservation of the precinct.

2.5.3.2 In dealing with any matters which may affect a conservation precinct, including any application for development approval, Council shall have regard to the policy statement adopted for that precinct pursuant to paragraph 2.5.3.1.

2.5.3.3 The Council may adopt a statement of cultural significance and conservation objectives for any place of significance within a conservation precinct.

2.5.4 Amendment and Rescission

The Council may add to, delete from or otherwise modify, or may rescind a conservation precinct or any policy statement which relates to it provided that any such modification or rescission is made in accordance with the procedure in subclause 2.5.5.

2.5.5 Procedure

The procedure for the Council's classification of a conservation precinct, adoption of a policy statement or any other matter referred to in the preceding subclauses shall be as follows—

- (a) The Council shall notify in writing each owner of land affected by the proposal, or use other method(s) to ensure widespread notice of the proposal;
- (b) The Council shall invite submissions to be made within a period of not less than 28 days from the date of notification under item (a);
- (c) The Council shall consider any submission made and resolve to adopt with or without amendments or reject the proposal after consideration of such submission; and
- (d) The Council shall forward its final adoption to the Commission.

2.5.6 Amendment to Scheme Map

The boundaries of a conservation precinct classified pursuant to subclause 2.5.2, and any subsequent modifications, shall be shown on the Scheme Map.

2.5.7 Applications for Development Approval

Notwithstanding any provision of the Scheme which excuses, exempts or qualifies the obligation to obtain Council approval before commencing or carrying out any development—

- (1) no development affecting a place of cultural heritage significance; and
- (2) no development within a conservation precinct

shall be commenced or carried out without the Council's Development Approval given pursuant to the provisions of Clause 2.3.

Without affecting the generality of the foregoing, and without limiting the meaning of the term, "development" for the purpose of Clause 2.5 shall include—

- (a) the erection on a lot of a single dwelling house whether or not it will be the only building on the lot;
- (b) the erection or demolition of an outbuilding or appurtenance associated with an existing building on the lot;
- (c) the clearing of any vegetation which in the Council's opinion contributes to the character or amenity of the place or precinct and is entered in the Municipal Inventory;
- (d) the erection of any fence or retaining wall;
- (e) the carrying out of any works on, in or under a street or road by a public authority acting pursuant to the provisions of any statute;
- (f) the excavation or filling of any land or the dumping, placing or storage of any material on land other than material reasonably required for the maintenance or beautification of the land;
- (g) any work which is likely to change the character of a place or the external appearance of any building; and
- (h) in relation to a building entered in the Municipal Inventory, any work which would constitute an irreversible alteration to the fabric of the building.

2.5.8 Exemption

2.5.8.1 The Council may grant a general exemption from the requirement of development approval pursuant to subclause 2.5.7 for certain classes of development if it is of the opinion that such development would not affect the cultural heritage significance of a place or precinct.

2.5.8.2 A person who proposes to commence or carry out a development which by reason only of the provisions of subclause 2.5.7 would require the development approval of the Council may apply to the Council for an exemption from the requirement of development approval on the grounds that the proposed development would not affect the cultural heritage significance of the place or precinct.

2.5.8.3 The Council may grant an exemption referred to in paragraph 2.5.8.2 by letter or other writing if in its opinion the proposed development would not affect the cultural heritage significance of the place or precinct.

2.5.8.4 An exemption granted under subclause 2.5.8 shall not exempt or in any way affect the obligation to obtain development approval arising under Clause 2.3 or any other clause of this Scheme.

2.5.9 Formalities of Application

In addition to the application formalities prescribed in paragraph 2.3.1.2 and any formalities or requirements associated with development applications contained in any other provision of the Scheme, the Council may require an applicant for development approval where the proposed development may affect a place of cultural heritage significance or a conservation precinct to provide one or more of the following to assist the Council in its determination of the application—

- (a) Street elevations drawn to a scale not smaller than 1:100 showing the proposed development and the whole of the existing development on each lot immediately adjoining the land the subject of the application, and drawn as one continuous elevation;
- (b) side and rear elevations of the proposed development, drawn to a scale of not smaller than 1:100;
- (c) in addition to a site plan, a plan of the proposed development site showing existing and proposed ground levels over the whole of the land the subject of the application, and the location, type and height of all existing structures and of all existing vegetation exceeding 2 metres in height, and marking any existing structures and vegetation proposed to be removed; such plan shall be drawn to the same scale as the site plan;
- (d) an assessment of the cultural significance of any existing buildings and the development site according to policy guidelines adopted by the Council;
- (e) a detailed schedule of all finishes, including materials and colours of the proposed development, and unless the Council exempts the applicant from the requirement or any part of it, also the existing developments on the subject lot and on each lot immediately adjoining the subject lot; and
- (f) any other information which the Council indicates that it considers relevant.

2.5.10 Council Assistance

An applicant may request, and the Council may in its discretion agree to provide the assistance of its officers or consultants in satisfying any requirement of the Council under subclause 2.5.9 either at the expense of the Council or for a charge or on some other basis agreed between the Council and the applicant.

2.5.11 Power to Determine Application

Without affecting the generality of any other provision of the Scheme specifying the manner in which the Council is obliged or permitted to deal with an application for development approval, the Council in dealing with any application for development approval may for reasons related to the conservation of a place of cultural heritage significance or a conservation precinct—

- (a) Refuse approval;
- (b) Grant approval without conditions; or
- (c) Grant approval with conditions including conditions aimed at the conservation of the place or precinct.

2.5.12 Variations to Scheme Provisions

The Council may approve any development which involves the conservation of the whole or part of any place of cultural heritage significance or conservation precinct or its replacement if accidentally destroyed, notwithstanding the proposed works do not comply with the Residential Planning Codes or any provision, standard or requirement of the Scheme.

2.5.13 Conservation Incentives

2.5.13.1 In dealing with any application concerning or affecting a place of cultural heritage significance or a conservation precinct, the Council may for the purpose of conserving or enhancing the place or precinct give a special approval, benefit, allowance or incentive, including but not limited to, the granting of density bonuses and the transfer from a place of cultural heritage significance or a conservation precinct to another place within the district of unused development rights.

2.5.13.2 Where in the Council's opinion the granting of a conservation incentive is likely to affect any owners or occupiers in the general locality or adjoining the site which is the subject of consideration for the incentive, the Council shall consult the affected parties by following one or more of the provisions dealing with advertising "SA" uses pursuant to paragraph 2.3.7.2 and shall have regard to any expressed views prior to making its decision to grant the incentive.

2.5.13.3 In granting a conservation incentive under this subclause, the Council may enter into an agreement with an owner who would benefit from the incentive which may specify the owner's obligations and contain covenants capable of being noted on relevant Certificates of Title, or otherwise capable of being protected by Caveat.

2.5.14 Density Bonuses

2.5.14.1 Within a conservation precinct, the Council may permit on a residential lot an increase up to 50% of permitted dwelling density which otherwise would apply on that lot under the Residential Planning Codes, where the increased development would not adversely affect the cultural heritage significance or character or amenity of the place, the streetscape or precinct, and if one or more of the following circumstances apply—

- (a) Provision is made for the preservation of significant landscape features, including significant trees or other vegetation;
- (b) Provision is made for the carrying out of conservation works approved by the Council on a heritage place; or
- (c) A cash contribution is made to a fund set up by the Council for the purpose of heritage conservation.

2.5.14.2 In any case where the Council has allowed under paragraph 2.5.14.1 an increase in the permitted dwelling density, the standards and provisions of the higher density code applicable to that permitted dwelling density shall apply.

2.5.15 Transfer of Development Rights

The Council may approve the transfer of development rights from a residential lot within a conservation precinct to a recipient's lot provided that—

- (a) The recipient site is not or does not include a place of cultural heritage significance, and is not within a conservation precinct;
- (b) The recipient site has a lot size of not less than 850 square metres;
- (c) The increase in the permitted dwelling density of the recipient site does not amount to more than 25% and in any case does not exceed two additional units;
- (d) Where an increased dwelling density is permitted on a recipient site, the standards applicable to the resulting density code shall apply;
- (e) The increased development density on the recipient site will not have an adverse impact on the locality of that site; and
- (f) With the exception of the increased density under item (c), the development complies with the provisions of the Scheme and all other applicable written laws.

2.5.16 Municipal Inventory

The Council shall compile with proper public consultation and maintain an inventory of heritage places, including but not limited to buildings, gardens and archaeological sites, which in the Council's opinion are, or may become, of cultural heritage significance.

2.5.17 Agreements

For the purpose of conserving or enhancing a place of cultural heritage significance or a conservation precinct, and without affecting the generality of any other provision in this clause, the Council may—

- (a) Enter into agreements with any applicant or owner or occupier of land;
- (b) Enter into agreements with the Heritage Council of Western Australia incorporated under the Heritage of Western Australia Act 1990, the National Trust of Australia (WA), the Royal Western Australian Historical Society (Inc) or any Government Department, authority or any other body or person; and
- (c) Generally enter into agreements relating to the payment of money or financial arrangements or the provision of incentives or disincentives in relation to the development of land.

2.5.18 Advisory Committee

The Council may establish an Advisory Committee pursuant to subclause 2.6.11 to advise it on any matter arising under this clause. The membership of the Advisory Committee may include at least one person nominated by the National Trust and/or the Heritage Council of Western Australia, a person having experience or expertise relevant to the conservation or adaptation of places of cultural heritage significance, and a person representing the community within a conservation precinct. ”.

3. Deleting subclause 3.1.11 including the heading.

4. Amending Schedule 1 Definitions by adding the following words and expressions and their assigned meanings inserting in alphabetical order—

“adaptation” means modifying a place to suit proposed compatible uses where the modification does not substantially detract from its cultural significance;

“conservation” means, in relation to any place or conservation precinct, the management of that place or precinct in a manner that will—

- (a) enable the cultural heritage significance of that place or precinct to be retained; and
- (b) yield the greatest sustainable benefit for the present community without diminishing the cultural heritage significance of that place or precinct,

and may include the preservation, stabilization, protection, restoration, reconstruction, adaptation and maintenance of that place or precinct in accordance with relevant professional standards, and the provision of an appropriate visual setting;

“conservation precinct” means an area declared to be a conservation precinct pursuant to subclause 2.5.2;

“cultural heritage significance” means, in relation to a place or conservation precinct, the relative value which that place or precinct has in terms of its aesthetic, historic, scientific or social significance, for the present community and future generations;

“place” means an area of land sufficiently identified by survey, description or otherwise as to be readily ascertainable, and includes—

- (a) an area of land situated below low water mark on the seashore or on the bank of tidal waters, or in the bed of any watercourse, lake or estuary;
- (b) any works or buildings situated there, their contents relevant to the purposes of this Scheme, and such of their immediate surroundings as may be required for the purposes of the conservation of those works or buildings; and
- (c) as much of the land beneath the place as is required for the purposes of its conservation. ”.

5. Amending Schedule 1 Definitions by deleting the passage, “Residential Planning Codes” and inserting in place thereof, “ Town Planning and Development Act 1928 (as amended) ”.

6. Deleting the whole of Schedule 2 Places of Natural Beauty and Historic Buildings and Objects of Historical or Scientific Interest.

7. Deleting the whole of Appendix 5 Guildford Design Control Area.

8. Amending Clause 1.8 (e) General Objects by deleting “places of natural beauty, and of historic buildings and objects of historical or scientific interest” and inserting in lieu thereof

“ places and objects of cultural heritage significance ”.

C. M. ZANNINO, President.
E. W. LUMSDEN, Shire Clerk.

PD516

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Toodyay

Town Planning Scheme No. 1—Amendment No. 21

Ref: 853-4-28-2, 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 Shire of Toodyay Town Planning Scheme Amendment on November 14, 1991 for the purpose of—

1. At Clause 3.1, replacing the Figure 13 with the Figure 14 and addition after the line "Urban 6—Future Urban" a new line to read Urban 7—Special Residential.
2. Adding a new clause to follow Clause 3.15, as follows:

3.16 URBAN 7—SPECIAL RESIDENTIAL

3.16.1 Objective & Policies

Council's objective is to provide, within the Toodyay townsite, for residential needs on an alternative range of lot sizes appropriate to the landscape of the area.

3.16.2

Land uses permitted in the zone are set down in Table 13 and in addition, the following provisions shall apply:

 - (a) The minimum lot size for subdivision shall be 4 000 square metres.
 - (b) A Subdivision Guide Plan for the zone shall be prepared and adopted by Council, and subdivision shall be generally in accordance with that plan.
 - (c) In order to conserve the landscape of the locality, all existing groups of trees shall be retained unless removal is authorised by Council.
 - (d) No building shall be constructed within 15 metres of the front or rear boundaries nor within 5 metres of a side boundary of a lot.
 - (e) No building shall be constructed of such design or materials as would, in the opinion of Council, prejudice the semi-rural landscape character of the area.
 - (f) Not more than one single dwelling house shall be constructed on a lot.
 - (g) In order to prevent practices detrimental to the amenity of the zone, intensive agricultural pursuits are not permitted unless with the prior written approval of the Council and, in granting approval under this paragraph, the Council may impose limits to animal stocking rates and any other conditions it thinks fit.
 - (h) The new lots shall be connected to a reticulated water supply.
 - (i) Notwithstanding the provisions of the Scheme and what may be shown in the Subdivision Guide Map, the State Planning Commission may approve a minor variation to the subdivisional design, but further breakdown of the lots so created shall be deemed contrary to the provisions of the Scheme.

Table 13

Use	Conditions
Residential	Subject to the conditions of this clause and to the standards of the R2.5 Residential Planning Code.
—Single Family Dwelling House	
—Attached/Grouped Dwelling	Subject to consideration of the merits of the proposal.
Public Utility	
Public Recreation	
Educational Establishment	
Health Centre	
Cottage Industry	
Office	
Rural Pursuit	

3. Renumber Clauses 3.16 and 3.16.1 to read 3.17 and 3.17.1.
4. Adding a new zone "Urban 7—Special Residential" to the legend of the Scheme Map, coloured in accordance with the Scheme Amendment Map.
5. Rezoning part of Avon Loc. U3 from Rural 1 to Urban 7—Special Residential as shown on the Scheme Amendment Map.

R. SOMERS, President.
 R. J. MILLAR, Shire Clerk.

PD517

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of West Arthur

Town Planning Scheme No. 1—Amendment No. 2

Ref: 853-5-17-2, Pt 2.

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 West Arthur Town Planning Scheme Amendment on November 14, 1991 for the purpose of amending the Scheme Text under Part V—Development Requirements by inserting clause 5.4.5 as follows:

5.4.5 For the area contained within the R12.5 Code designated the provisions of the R20 Code may apply for Attached Houses and Group Dwellings where Council is satisfied that the land the subject of an application for development is suitable for on site effluent disposal.

D. M. JOHNSTON, President.
K. T. O'CONNOR, Shire Clerk.

PD601

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME—S.33A AMENDMENT
Approved Amendment

Various Lots Eighty Road and Clyde Avenue, Baldivis

No. 851/33A

File: 833-2-28-33

The Hon Minister for Planning has approved, without modification, the abovementioned amendment to the Metropolitan Region Scheme.

The amendment, as shown on Plan No. 4.1169, shall have effect as from the date of publication of this notice in the *Gazette*.

The plan as approved can be viewed at:

1. Office of the Department of Planning and Urban Development, 469-489 Wellington Street, Perth WA 6000.
2. J. S. Battye Library, Alexander Library Building, Cultural Centre, Francis Street, Northbridge, WA 6000.
3. Office of the Municipality of the City of Rockingham, Council Avenue, Rockingham, WA 6168.

GORDON G. SMITH, Secretary.

PD602

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME—S.33A AMENDMENT
Approved Amendment

Various Lots Between Brookton Highway and River Road, Kelmscott

No. 846/33A

File: 833-2-1-3 Vol 3

The Hon Minister for Planning has approved, without modification, the abovementioned amendment to the Metropolitan Region Scheme.

The amendment, as shown on Plan No. 4.1162, shall have effect as from the date of publication of this notice in the *Gazette*.

The plan as approved can be viewed at:

1. Office of the Department of Planning and Urban Development, 469-489 Wellington Street, Perth WA 6000.
2. J. S. Battye Library, Alexander Library Building, Cultural Centre, Francis Street, Northbridge, WA 6000.
3. Office of the Municipality of the City of Gosnells, 2120 Albany Highway, Gosnells, WA 6110.

GORDON G. SMITH, Secretary.

PD603

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME—S.33A AMENDMENT

Approved Amendment

Land at the corner of Mends Street and Mill Point Road, South Perth

No. 857/33A

File: 833-2-11-12

The Hon Minister for Planning has approved, without modification, the abovementioned amendment to the Metropolitan Region Scheme.

The amendment, as shown on Plan No. 4.1176, shall have effect as from the date of publication of this notice in the *Gazette*.

The plan as approved can be viewed at:

1. Department of Planning and Urban Development, 469 Wellington Street, Perth WA 6000.
2. J. S. Battye Library, Alexander Library Building, Perth Cultural Centre, Francis Street, Northbridge, WA 6000.
3. Office of the Municipality of the City of South Perth, Sandgate Street, South Perth, WA, 6151.

GORDON G. SMITH, Secretary.

PD704

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME

Shire of Coolgardie

Town Planning Scheme No. 4—District Scheme

Ref: 853-11-4-6.

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 Coolgardie Town Planning Scheme No. 4—District Scheme on September 23, 1991—the Scheme Text of which is published as a schedule annexed hereto.

L. E. CARNICELLI, President.

P. J. HUGHSON, Shire Clerk.

Shire of Coolgardie

Town Planning Scheme No. 4
(District Scheme)

The Coolgardie Shire Council, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended) hereinafter referred to as 'the Act', hereby makes the following Town Planning Scheme for the purposes laid down in the Act.

SHIRE OF COOLGARDIE

Town Planning Scheme No. 4
(District Scheme)

The Coolgardie Shire Council, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended) hereby makes the following Town Planning Scheme for the purpose of:

- (a) setting aside land for future public use as reserves;
- (b) controlling development;
- (c) other matters authorised by the enabling Act.

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Part I Preliminary

1.1 Citation

This Town Planning Scheme may be cited as the Shire of Coolgardie Scheme No. 4 hereinafter called 'the Scheme' and shall come into operation on the publication of the notice of the Minister's final approval thereof in the *Government Gazette*.

1.2 Responsible Authority

The Authority responsible for implementing the Scheme is the Council of the Shire of Coolgardie, hereinafter called 'the Council'.

1.3 Scheme Area

The Scheme applies to the whole of the District of the Shire of Coolgardie, as delineated on the Scheme Map by the broken black border.

1.4 Contents of Scheme

The Scheme comprises:

- (a) this Scheme Text;
- (b) the Scheme Maps.

1.5 Arrangement of Scheme Text

The Scheme Text is divided into the following parts:

- Part I Preliminary
- Part II Local Reserves
- Part III Zones
- Part IV Non-Conforming Uses
- Part V Development Requirements
- Part VI Planning Consent
- Part VII Administration

1.6 Scheme Objectives

The intent of the Scheme is to direct and control development in the Scheme Area in such a way as shall promote and safeguard health, safety, convenience and economic and general welfare of its inhabitants and the amenities of the area.

1.7 General Obligations

Subject to the provisions of the Town Planning and Development Act, 1928 (as amended) and all regulations made thereunder, and to the provisions of this Scheme, no person shall depart or permit or suffer any departure from the requirements and provisions of the Scheme, nor shall any person use or permit the use of any land or building or undertake or permit any new work if the use, new work, reconstruction, alteration or modification does not conform with the Scheme or would tend to delay the effective operation of the Scheme.

1.8 Relationship of the Scheme to By-Laws

The provisions of the Scheme shall have effect, notwithstanding any by-law for the time being in force in the area and, where the provisions of the Scheme are at variance with the provisions of any by-law, the provisions of the Scheme shall prevail.

1.9 Interpretation

1.9.1 Except as provided in Schedule 1 or Clause 1.9.2 the words and expressions of the Scheme have their normal and common meaning.

1.9.2 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 Schedule 1 and the Residential Planning Codes.

1.9.3 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.

1.10 Revocation of Existing Schemes

1.10.1 The Shire of Coolgardie Town Planning Scheme No. 1 (Coolgardie Townsite) as amended, which came into operation by publication in the *Government Gazette* on 18 May, 1984 is hereby revoked.

1.10.2 The Shire of Coolgardie Town Planning Scheme No. 2 (Kambalda Townsite) as amended, which came into operation by publication in the *Government Gazette* on 18 May, 1984 is hereby revoked.

1.10.3 The Shire of Coolgardie Town Planning Scheme No. 3 (Kambalda West Townsite) as amended, which came into operation by publication in the *Government Gazette* on 21 September, 1984 is hereby revoked.

Part II Local Reserves

2.1 Local Authority Scheme Reserves

The lands shown as Local Authority Scheme Reserves on the Scheme Map, hereinafter called 'Local Reserves' are lands reserved under the Scheme for local authority purposes or for the purposes shown on the Scheme Map.

These local reserves are set out hereunder:

- (a) Recreation
- (b) Public Purposes
- (c) Civic and Cultural

2.2 Matters to be Considered by the Council

Where an Application for Planning Consent is made with respect to land within a Local Reserve, the Council shall have regard to:

- (a) the objectives as outlined below; and
- (b) the ultimate purpose 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 Objectives

2.3.1 The objectives for land shown as Recreation on the Scheme Map are:

- (a) To secure and reserve land for public access and recreation.
- (b) To maintain public recreation areas for the use of sporting and recreation bodies.
- (c) To preserve areas of natural vegetation worthy of retention.
- (d) To provide visual or noise buffer areas between incompatible uses.
- (e) To reflect and protect areas already set aside for National Parks or Crown Reserves.

2.3.2 The objectives for land shown as Public Purposes on the Scheme Map are:

- (a) To protect areas already set aside for public purposes by Crown Reserves.
- (b) To enable the Council to control development in public purpose reserves.

2.3.3 The objectives for land shown as Civic and Cultural on the Scheme Map are:

- (a) To set aside land for community, civic and cultural uses.

2.4 Compensation

2.4.1 Where the Council refuses planning consent for the development of a local 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.

2.4.2 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.

2.4.3 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.

Part III Zones

3.1 Zones

3.1.1 There are hereby created the several zones set out hereunder:

- (i) Residential
- (ii) Commercial
- (iii) Light Industrial
- (iv) Industrial
- (v) Special Use
- (vi) Townsite
- (vii) Rural/Mining

3.1.2 The zones are delineated and depicted on the Scheme Map according to the legend thereon.

3.2 Objectives

3.2.1 Residential Zone

The use of land in the Residential Zone shall be consistent with the following objectives:

- (a) The zone shall be predominantly residential.
- (b) Non-residential uses shall be compatible in character, scale and operation with the predominant residential use.
- (c) A non-residential use shall only be permitted if the use does not detract from the amenity of the area.

3.2.2 Commercial Zone

The use of land in the Commercial Zone shall be consistent with the following objectives:

- (a) To provide a variety of service functions, predominantly commercial, service, and administrative uses.
- (b) To maintain a compact and accessible centre.
- (c) To centralise commercial and service functions.
- (d) To maintain safety and efficiency of traffic flows and provide for adequate facilities for the storage and circulation of vehicles.
- (e) To preclude the storage of bulky and unsightly goods where they may be in public view.
- (f) To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.
- (g) To provide sheltered places for pedestrians.
- (h) To restrict industrial type uses to service or low impact, labour intensive industries that relate to the centre functions.
- (i) To reduce uses attracting large volumes of truck traffic other than to service retail outlets.

- (j) To provide for residential uses only where the uses are combined with a commercial use, e.g. hotel, or where the residential uses occupy a floor level where it is impracticable or inappropriate to establish a shop or office.

3.2.3 Light Industrial Zone

The use of land in the Light Industrial Zone shall be consistent with the following objectives:

- (a) to provide a location for light and service industries which operate as an integral part of the function of a town centre;
- (b) to provide a location for outlets that provide a service to the community and are compatible with the scale and operation of the town centre and surrounding areas.

3.2.4 Industrial Zone

The use of land in the Industrial Zone shall be consistent with the following objectives:

- (a) To provide a location for diverse industries that would otherwise have a detrimental impact on the other uses in the town.
- (b) To provide a location where separate vehicular access is provided.
- (c) To provide a location for depots, warehouses, and large vehicle parking and servicing areas.

3.2.5 Special Use Zone

The use of land in the Special Use Zone shall be consistent with the following objectives:

- (a) To provide an area where special uses can be operated under the specific control of the Council in order to maintain the safety, health and welfare of surrounding users.
- (b) To enable the Council to impose specific conditions to restrict the use and operation of any development that would normally not fit within the ambit of any other zone in this Scheme.

3.2.6 Townsite Zone

The Townsite Zone is shown diagrammatically on the Scheme Map. The zone shall deem to apply to all the land within the Townsite Boundary of the town indicated.

The use of land in the Townsite zone shall be consistent with the following objectives:

- (a) To maintain a small town atmosphere.
- (b) To maintain the status quo of uses within the zone.
- (c) To allow a variety of uses necessary to service the normal functions of a small townsite.

3.2.7 Rural/Mining Zone

The use of land in the Rural/Mining Zone shall be consistent with the following objectives:

- (a) The zone shall consist of predominantly rural and mining uses.
- (b) To protect land from urban uses that may jeopardise the future use of that land for other planned purposes which are compatible with the zoning.
- (c) To protect the land from closer development which would detract from the rural character and amenity of the area.
- (d) To prevent any development which may affect the viability of a holding.
- (e) To provide for and monitor mining activities and its associated works, however restricting the residential component of the activities to the townsites of the Shire.

3.3 Zoning Table

3.3.1 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 Table and the list of zones at the top of the Zoning Table.

3.3.2 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 6.2.

3.3.3 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.

3.3.4 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.

3.3.5 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 6.2 in considering an Application for Planning Consent.

3.4 Additional Uses

Notwithstanding anything contained within the Zoning Table the land specified in Schedule VI may, subject to compliance with any condition specified in the Schedule with respect to the land, be used for the purpose set against that land. The use so specified is in addition to the other uses permitted in the zone in which the land is situated unless any of those uses is excluded or modified by a condition specified in that Schedule.

3.5 Special Use Zone

No person shall use land or any building structure thereon in a special use zone, except for the purpose set against that land in Schedule II and subject to compliance with any conditions specified in the Schedule with respect to the land.

Table 1 Zoning Table

Use Classes	Zones						
	Residential	Commercial	Industrial	Light Industrial	Special Use	Townsite	Rural/Mining
1. Additional Accommodation	AA					AA	AA
2. Aged and Dependent Persons' Dwelling	AA					AA	
3. Caravan Park							
4. Caretaker's Dwelling	P	AA	AA	AA		AA	AA
5. Car Park	AA	AA	AA	AA		AA	AA
6. Car Sales Premises		P	AA	AA		AA	AA
7. Cemeteries/Crematoria						AA	AA
8. Civic Building		AA				AA	
9. Consulting Room	SA	AA		AA		AA	
10. Drive-In Theatre							
11. Dry Cleaning Premises		AA	AA	AA		AA	
12. Educational Establishment						AA	
13. Fast Food Outlet		P	SA	AA		AA	
14. Fish Shop		AA	AA	AA		AA	
15. Fuel Depot			P	AA		AA	
16. Funeral Parlour		AA	AA	AA		AA	
17. Health Centre		P		AA		AA	
18. Home Occupation	AA	AA		AA		AA	AA
19. Hospital				AA			
20. Hotel/Tavern		P				AA	
21. Industry Cottage	AA	P	P	P		AA	
22. Industry Extractive			SA			SA	SA
23. Industry General			AA			SA	
24. Industry Hazardous							
25. Industry Light			P	P		AA	
26. Industry Noxious							SA
27. Industry Rural			P	AA		AA	AA
28. Industry Service		SA	P	P		AA	
29. Milk Depot			P	P		AA	
30. Motel		AA				AA	
31. Motor Repair Station		AA	P	P		AA	
32. Office		P	AA	P		AA	
33. Petrol Filling Station		AA	P	P		AA	
34. Professional Office		P		P		AA	
35. Public Amusement		P				AA	
36. Public Assembly		P				AA	
37. Public Recreation	P	P	P	P		P	P
38. Public Utility	AA	AA	P	P		AA	AA
39. Public Worship	SA					AA	AA
40. Radio/TV. Installation	SA	AA	AA	AA		AA	AA
41. Reception Centre		P		SA		AA	
42. Residential Building	AA	AA				AA	
43. Residential							
Single House	P	AA				P	P
Attached House	AA					AA	
Grouped Dwelling	AA	AA				AA	
44. Restaurant		P				AA	
45. Rural Pursuit	AA						P
46. Service Station		AA	P	P		AA	

Uses as determined by the Council as per Schedule II and the Scheme Map

Table 1 Zoning Table

Use Classes	Zones						
	Residential	Commercial	Industrial	Light Industrial	Special Use	Townsite	Rural/Mining
47. Shop		P		AA		AA	
48. Showroom		P	P	P		AA	
49. Sportsground						P	P
50. Stables				SA			AA
51. Trade Display		AA	P	P		AA	
52. Transport Depot			P	AA		AA	
53. Veterinary Consulting Rooms		AA	AA	P		AA	AA
54. Zoological Gardens							AA

Part IV Non-Conforming Uses

4.1 Non-Conforming Use Rights

No provision of the Scheme shall prevent:

- (a) 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
- (b) 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 one 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% 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 development of land in a local reserve, where such land is held by the Council or vested in a public authority;
 - (i) for the purpose for which the land is reserved under the Scheme; or
 - (ii) in the case of land vested for a public utility, for any purpose for which such land may be lawfully used by that authority.

- (b) The erection of a boundary fence except as otherwise required by the Scheme;
- (c) The erection on a lot of a single dwelling house, including ancillary outbuildings, in a zone where the proposed use is designated with the symbol 'P' in the cross-reference to that zone in the Zoning Table, except where the single dwelling house is not the first erected on the lot;
- (d) 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;
- (e) The carrying out of 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;
- (f) 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.

5.2 Special Design Areas

The following provisions shall apply to all land included in the area designated on the Scheme Maps as a Special Design Area in addition to any other provisions which are more generally applicable to such land under this Scheme.

Prior to considering any development proposal in a Special Design Area the Applicant will provide the Council with adequate information and drawings to;

- (a) ensure that the proposal will be compatible in scale, design and setback to the adjacent buildings;
- (b) ensure that the building materials, textures and colours are sympathetic to the appropriate existing structures in the Special Design Area.
- (c) ensure that existing facades, considered by the Council to be of architectural, historic or heritage value, are retained and enhanced.
- (d) provide suitable shelter for pedestrians using the footpaths along the frontage of land within the Special Design Area.

The Council may request any additional information that it considers necessary to properly assess the proposal.

5.3 Development on Land Subject to Dampness or Flooding

5.3.1 Where, in the opinion of the Council, the dampness of the site on which a building is proposed to be constructed so warrants, the Council may require that one or all of the following measures shall be carried out;

- (a) the subsoil shall be effectively drained;
- (b) the surface of the ground beneath the building shall be regraded or filled and provided with adequate outlets to prevent any accumulation of water beneath the building;
- (c) the surface of the ground beneath the building shall be covered with an approved damp-resisting material.

5.3.2 A building shall not be constructed upon any land defined by the Council as being liable to flooding or inundation.

5.4 Development Table

Any development that is permitted under the provisions of Part II and Part III of this Scheme shall conform to the requirements for that use as specified in Table II Development Table, or in the Residential Planning Codes for residential development.

Table II

USE	CONTROLS			Maximum Plot Ratio	Minimum Land-scaped Area %	Minimum Number of Car Parking Bays
	Front	Rear Average	Sides			
Club	*	*	*	0.5	*	1 for every 45 m ² of gross floor area.
Consulting Room	*	*	*	0.4 in Res Zone 0.5 Elsewhere	30 in Res Zone	1 for every 30 m ² of gross floor area, plus 1 for each person employed.
Day Care Centre	7.5	7.5	*	*	*	1 for every employee.
Educational Establishment	9.0	7.5	5.0	*	30	1 per full time employee, plus bays for students as determined by the Council.
Fast Food Outlet	*	*	*	*	*	*
Funeral Director	*	*	*	*	10	As determined by the Council (minimum 6).
Hall	*	*	*	*	10	1 to every 4 persons whom the building is designed to accommodate.

Table II

USE	CONTROLS			Maximum Plot Ratio	Minimum Land-scaped Area %	Minimum Number of Car Parking Bays
	Front	Rear Average	Sides			
Hospital	9.0	7.5	5.0	0.5	20	1 per 4 beds and 1 per employee.
Hostel	7.5	7.5	*	*	30	1 per dwelling.
Hotel/Tavern	*	*	*	*	10	1 for every bedroom plus 1 per 4 m ² of bar and lounge area.
Industrial—Service	7.5	7.5	*	*	10	1 per 2 employees.
Industrial—Light	7.5	7.5	*	*	10	1 per 2 employees.
Industrial—General	7.5	7.5	*	*	15	1 per 2 employees.
Motel	9.0	7.5	3 per storey	1.0	30	1 per unit, plus 1 space per 25 m ² of service area.
Office	*	*	*	*	*	1 for every 30 m ² plot ratio area.
Professional Office	*	*	*	0.5	*	1 for every 30 m ² plot ratio area.
Reception Centre	*	*	*	0.5	30	1 for every 4 persons whom the building is designed to accommodate.
Restaurant	*	*	*	*	*	1 for every 10 m ² of gross floor area or 1 for every 4 seats provided, whichever is the greater.
Service Station	7.5	7.5	*	*	5	1 for every working bay, plus 1 for each person employed on site.
Shop	*	*	*	*	*	1 for every 15 m ² of gross floor area.
Showroom	*	*	*	*	10	1 for every 100 m ² of gross floor area.
Vehicle Sales	*	*	*	*	5	1 for every 250 m ² of sales area, plus 1 for every person employed on site.
Veterinary Consulting Rooms	*	*	*	*	30	1 for every 10 m ² gross floor area, plus 1 for each person employed.

Notes

- (i) * means 'to be determined by the Council' in each particular case.
(ii) Landscaping to be generally at street frontage.

5.4.1 Development Requirements

Where requirements for a particular use are not set out in this Scheme, the development shall conform to the provisions for the predominant use of the zone in which it is situated, as determined by the Council, or where such provisions are inappropriate, to such requirements as the Council shall determine.

For the purposes of this Clause, the predominant uses in zones and local reserves shall be deemed to be as outlined in their respective objectives.

5.4.2 Combined Uses

Where two or more uses are combined in a single development, the development shall conform to the requirements for each use respectively, or where such requirements are inappropriate, to such requirements as the Council shall determine.

5.5 Development of Land Subject to Non-Conforming Use Rights

5.5.1 Except where otherwise provided, development of non-conforming uses shall be in conformity with the provisions of the Scheme relevant to that use. In a particular case, the Council may require that a non-conforming use comply with the setbacks and other provisions set out for the predominant use of that zone.

5.5.2 Any change of use or development shall be in accordance with Table I provided that the Council may permit:

- minor repairs or maintenance necessary to ensure the safety and health of the public and users of the property;
- an extension of the buildings subject to the non-conforming use by up to 20% of the floor area of the building existing at the time of gazettal of the Scheme, or by such greater proportion which the Council considers will not prejudice the objectives of this Scheme, provided always that such extension is within the limits of the setbacks in this Scheme.

5.6 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:

- approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities 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 or upon the likely future development of the locality; and

(c) the spirit and purpose of the requirement or standard will not be unreasonably departed from thereby.

5.7 Residential Development

5.7.1 Development in the Residential Zone shall comply with the objectives for that Zone as outlined in Part III and the Residential Planning Codes.

5.7.2 (a) For the purpose of the Scheme 'Residential Planning Codes' means the Residential Planning Codes set out in Appendices 2 and 3 to the Statement of Planning Policy No. 1, together with any amendments thereto.

(b) A copy of the Residential Planning Codes, as amended, shall be kept and made available for public inspection at the offices of the Council.

(c) Unless otherwise provided for in the Scheme, development of land for any of the residential purposes dealt with by the Residential Planning Codes shall conform to the provisions of those Codes.

5.7.3 (a) The Residential Planning Code for land zoned Residential and Commercial shall be R10/R30.

(b) Residential development shall be permitted at the R10 density, however, the Council may approve developments up to the R30 density as an 'AA' use.

(c) Any development proposed at a density greater than R10, subject to clause (b) above, will only be considered by the Council if it can be proven that an effective method of effluent disposal, satisfactory to the Council's requirements, can be provided. If this cannot be provided, development of residential use shall be permitted to the R10 code.

(d) Notwithstanding the right to develop a single house on an existing lot, residential development in the 'Rural/Mining' Zone shall comply with the specific requirements of the Council, however these shall not be lesser than those specified for the Residential Planning Code 'R2'.

(e) The Residential Planning Code for land zoned Townsite shall be R10. The Townsite Zone includes the Townsites of Kunanalling, Bulla Bulling, Widgiemooltha and Higginsville.

5.8 Development on Land Abutting a Residential Zone

Any non-residential development on land abutting a Residential Zone shall conform to such standards as the Council determines. These standards shall be assessed on the basis of the potential nuisance of the proposed development on the residential area.

5.9 Commercial Development

5.9.1 Commercial development in the Commercial Zone shall comply with the requirements of Table II and the objectives for that Zone as outlined in Part III.

5.9.2 Loading Docks and access ways shall be provided sufficient in size to wholly contain delivery vehicles on site or within the building and to permit the passage of vehicles from and to the street without backing.

5.9.3 Where the Council considers it appropriate, rear access shall be provided to each tenement, in order to avoid using the front entrance, another tenement or an arcade for service deliveries.

5.10 Industrial Development

5.10.1 Industrial Development in the Industrial Zone shall comply with the requirements of Table II and the objectives for that Zone as outlined in Part III.

5.10.2 The front setback area may be used only for the purposes of landscaping, visitors carparking or access. The Council may approve the use of the front setback area for display or for loading and unloading of vehicles. No material or product may be stored within the front setback area.

5.10.3 Where an open storage area is visible from a public place or street, and is not of a display nature, it shall be screened to the satisfaction of the Council.

5.10.4 Street setback areas shall be landscaped, including an area of not less than one metre wide adjacent to each side boundary, except where an access is shared between adjacent lots. Areas other than the front setback that are visible from a public street or place shall be developed with landscaped open space or screened to the approval of the Council.

5.10.5 Loading Docks and access ways shall be provided sufficient in size to wholly contain delivery vehicles on site or within the building and to permit the passage of vehicles from and to the street without backing.

5.10.6 Where the Council considers it appropriate, rear access shall be provided to each tenement, in order to avoid using the front entrance, another tenement or an arcade for service deliveries.

5.10.7 The Council may require a bond or bank guarantee from a developer to ensure that landscaping and/or other development works are designed and carried out to the satisfaction of the Council. In the case of planting, the works shall be brought to a standard considered by the Council to be properly established.

5.11 Special Use Development

5.11.1 Where Council considers a particular development or use to be incompatible with the predominant uses in other zones, it may require such a development or use be restricted to the Special Use Zone.

5.11.2 Schedule II outlines the restricted uses allowed in the Special Use Zone.

5.11.3 Development in a Special Use Zone shall be permitted in accordance with the requirements of Table II for the use specified on the Scheme Map and outlined in Schedule II, and with any other requirements specified by the Council.

5.12 Rural Development

Development in the Rural/Mining Zone shall comply with the objectives for that Zone as outlined in Part III, and with such requirements as the Council shall see fit relative to the proposed use.

5.13 Development of Other Structures

Development standards, including the height, area, setbacks and construction materials, for the following structures shall be determined by the Council; an out-building; carport or garage; pergola; shadehouse or conservatory; shed or workshop; any accommodation designed to house livestock, including a kennel, stable, aviary, fowlhouse and pigeon loft.

5.14 Car Parking

5.14.1 Car Parking required to be provided pursuant to the provisions of this Scheme shall be laid out and constructed in accordance with the layouts of parking bays and manoeuvring aisles shown in Schedule IV. Car Parking Layouts, except that where the angles of car parking vary from those shown, Council may determine the width of the manoeuvring aisle which in no case shall be less than four metres. Car Parking bays shall be capable of use independently of each other.

All driveways and parking areas shall be—

- (a) constructed and surfaced to the Council's satisfaction with appropriate measures for drainage and the disposal of surface water, and,
- (b) provided at the time of the development and thereafter maintained to the satisfaction of Council.

5.14.2 Where the Council so decides, it may accept cash payments in lieu of the provision of paved parking spaces but only subject to the following requirements being satisfied—

- (a) the cash-in-lieu payment shall not be less than the estimated cost to the owner or developer of providing and constructing the parking spaces required by the Scheme, plus the value, as estimated by Council of that area of his land which would have been occupied by the parking space.
- (b) Payments made under this Clause shall be paid into a special fund to be used for the provision of public car parking facilities and the Council may use this Fund to provide public parking facilities anywhere within the proximity of the site in respect of which a cash-in-lieu arrangement is made.
- (c) If an owner or developer shall object to the amount or the costs or values determined by Council pursuant to sub-clause (a), the matter may be referred to arbitration.

5.15 Places of Heritage Value

5.15.1 The places described in Schedule No. V are considered by the Council to be of historic, architectural, scientific, scenic or other value and should be retained in their present state or restored to their original state or to a state acceptable to the Council.

5.15.2 A person shall not without the special approval of the Council at or on a place of heritage value carry out any development including, but without limiting the generality of the foregoing—

- (a) the erection, demolition or alteration of any building or structure (not including fencing, wells, bore or troughs and minor drainage works ancillary to the general pursuits in the locality);
- (b) clearing of land or removal of trees associated with a building of Heritage Value;
- (c) the erection of advertising signs;
- (d) clearing of land.

5.15.3 The Council may give its special approval to development at or on a Place of Heritage Value if the development—

- (a) complies with the land use requirements of the zone in which the development is proposed; and
- (b) complies with the requirements of any policy or code in respect of a Place of Heritage Value.

5.15.4 The Council may give its special approval to the restoration of a Place of Heritage Value notwithstanding that the work involved does not comply with the Residential Planning Codes or with the provisions of the Zoning and Development Table for the zone or area in which the place exists.

Part VI Planning Consent

6.1 Application for Planning Consent

6.1.1 Every Application for Planning Consent shall be made in the form prescribed in Schedule III(a) to the Scheme and shall be accompanied by such plans and other information as is required by the Scheme.

6.1.2 Unless Council waives any particular requirement every Application for Planning Consent shall be accompanied by:

- (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 carparking 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;
- (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.

6.2 Advertising of Applications

6.2.1 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 in this Clause.

6.2.2 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.

6.2.3 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.

6.2.4 The notice referred to in Clause 6.2.3(a) and (b) shall be in the form contained in Schedule III(b) with such modifications as circumstances require.

6.2.5 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.

6.3 Determination of Applications

6.3.1 In determining an Application for Planning Consent the Council may consult with any authority which, in the circumstances, it thinks appropriate.

6.3.2 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.

6.3.3 The Council shall issue its decision in respect of an Application for Planning Consent in the form prescribed in Schedule III(c) to the Scheme.

6.3.4 Where the Council approves an Application for Planning Consent under this Scheme the Council may limit the time for which that consent remains valid.

6.4 Deemed Refusal

6.4.1 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 6.2 the Application may be deemed to have been refused.

6.4.2 Where the Council has given notice of an Application for Planning Consent in accordance with Clause 6.2 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.

6.4.3 Notwithstanding that an Application for Planning Consent may be deemed to have been refused under Clauses 6.4.1 or 6.4.2 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 VII Administration

7.1 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 any 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 Council may acquire any land or buildings within 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 agreements 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.

7.2 Offences

7.2.1 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 grant 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.

7.2.2 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.

7.3 Notices

7.3.1 Twenty-eight (28) days written notice is hereby prescribed as the notice to be given pursuant to Section 10 of the Act.

7.3.2 The Council may recover expenses under Section 10(2) of the Act in a Court of competent jurisdiction.

7.4 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*.

7.5 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.

7.6 Power to Make Policies

7.6.1 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.

7.6.2 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.

7.6.3 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.

7.6.4 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.

Schedule I 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 2 m² in area relating to the carrying out of building or similar work on the land on which it is displayed, not being land which is normally used for those purposes;
- (b) an advertising sign of less than 2 m² 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 2 m² 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 the 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).

Boarding House: means a building 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 does not include:

- (a) premises the subject of an Hotel, Limited Hotel or Tavern Licence granted under the provisions of the Liquor Act, 1970 (as amended);
- (b) premises used as a boarding school approved under the Education Act, 1928 (as amended);
- (c) a single or attached house, grouped or multiple dwelling;
- (d) any building that is the subject of a strata title issued under the provisions of the Strata Titles Act, 1985 (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 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.

Car Sales Premises: means land and buildings used for the sale and display of cars, whether new or second-hand, but does not include a workshop.

Caravan Park: means land and buildings used for the parking of caravans under the By-Laws of the Council or the Caravan Parks and Camping Grounds Regulations, 1974 (as amended) made pursuant to the provisions of the Health Act, 1911-1979 (as amended).

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 outbuilding 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.

Cemeteries/Crematoria: means land and buildings used for the storage and disposal of bodies by burning or burial, or both.

Civic Building: means a building designed, used or intended to be used by a Government Department, an instrumentality of the Crown, or the Council as offices or for the administrative or other like 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.

Community Home: means a building used primarily for living purposes by a group of physically or intellectually handicapped or socially disadvantaged persons living together with or without paid supervision or care and managed by a constituted community based organisation, a recognised voluntary charitable or religious organisation, a government department or instrumentality of the Crown.

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 sq.m. 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 to it in and for the purposes of the Act.

Display Home Centre: means a group of two or more dwellings which are intended to be open for public inspection.

District: means the Municipal District of the Shire of Coolgardie.

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 a steep grade that neither of the foregoing methods can reasonably be applied, such length as determined by the Council.

Factory Unit Building: means an industrial building designed, used or adopted 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.

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 motorized 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.

Harbour Installations: means land and buildings used for and incidental to the purposes of loading, unloading and maintaining ships.

Health Studio/Centre: 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 interference, 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 on 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 sq.m. in area.
- (f) in the opinion of the Council it is compatible with the principal uses to which land in the zone 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 outbuilding;
- (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 than 0.373 kilowatts (0.5hp).

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.

Hostel: means a lodging house which is not open to the public generally but is reserved for use solely by students and staff of educational establishments, members of societies, institutes or associations.

Hotel: means land and buildings providing accommodation for the public the subject of an 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, fishing, 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;

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 work on buildings, work on land;
- (iii) in the case of edible goods the preparation of food for sale from the premises;
- (iv) panel beating, spray painting or motor vehicle wrecking.

Industry—Cottage: means an industry which produces arts and craft 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 waste 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 outbuilding which is compatible to the zone and its amenity and does not occupy an area in excess of 55 m²;
- (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 0.2 m² 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).

Lodging House: shall have the same meaning as is given to it in and for the purposes of the Health Act, 1911-1979 (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.

Marina: means premises at which berths or pens, and fuelling, servicing, repairing, storage (including storage on land) and other facilities for boats are provided, with or without the sale of boating gear and equipment, and includes all jetties, piers, embankments, quays and moorings appurtenant thereto and all offices and storerooms used in connection therewith.

Marine Collectors Yard: means land and buildings used for the storage of marine stores under the provisions of the Marine Stores Act, 1902 (as amended) and Marine Dealer's Yard and Marine Store have the same meaning.

Marine Filling Station: means land and buildings used for the storage and supply of liquid fuels and lubricants for marine craft, but in which no industry is carried on; but does not include a service station.

Market: means land and buildings used for a fair, a farmer's or producer's market, or a swapmeet 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.

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.

Milk Depot: means land and buildings to which milk is delivered for distribution to consumers but in which milk is not processed or pasturised.

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.

Mobile Home Park: means land upon which two or more mobile homes, occupied for dwelling purposes, are located regardless of whether or not a charge is made for such accommodation.

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 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/Motor 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 re-shaping.

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.

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).

Places of Natural Beauty: means the natural beauties of the area including rivers, lakes and other inland waters, banks of rivers, foreshores of harbours and other parts of the sea, hill slopes and summits and valleys.

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 but shall not include lift shafts, stairs or stair landings, machinery rooms, air conditioning, equipment rooms, non-habitable floor space in basements, areas used exclusively for the parking of wheeled vehicles at or below ground level, lobbies or amenities common to more than 1 dwelling or private open balconies of not more than 2.4m depth;

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 the 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 Assembly-Place of: means any special place of assembly including grounds for athletics, all sports grounds with spectator provision, racecourses, trotting tracks, or show-grounds.

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 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 TV 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.

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.

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.

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.

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.

Sawmill: means land and buildings where logs or large pieces of timber are sawn but does not include a joinery works unless logs or large pieces of timber are sawn therein.

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, panel beating, spray painting, major repairs or wrecking.

Shared Dwelling: means a building used primarily for living purposes by not more than five persons residing therein as a single household; the term also includes such outbuildings and recreational uses and gardens as are ordinarily used therewith, but does not include a private hotel, motel or boarding house.

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 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, excluding the sale 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.

Sports Ground: means any land used for any sport; but does not include land within the curtilage of a dwelling, if not used commercially.

Stables: means land, buildings and appurtenances thereto used for the keeping and agistment of livestock.

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 vehicle and includes maintenance, management and repair of the vehicles used, but not of other vehicles.

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 Scheme 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 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.

Lot Description	Permitted Special Use	Scheme Map Designation
Lots 206 and 2107 Bayley Street, and lots 103, 104 and 2108 Woodward Street, COOLGARDIE	Caravan Park and ancillary uses	CP
Lots 2109, 2154 & 2031 Renou/Londonderry Sts, COOLGARDIE	Caravan Park and ancillary uses.	CP
Ptn Loc 37 Great Eastern Highway, COOLGARDIE	Caravan Park and ancillary uses	CP
35500/Lot 2126 Lefroy/Hunt Sts, COOLGARDIE	Aged Persons' Homes	APH
Untitled area between Lefroy and Hunt Sts, COOLGARDIE	Aged Persons' Homes	APH
Lot 959 Salmon Gum and Bluebush Rds, KAMBALDA WEST	Aged Persons' Homes	APH
Lots 2030 & 2153 Bayley Street, COOLGARDIE	Motel	M
Lot 967 Salmon Gum/Bluebush Rds, KAMBALDA WEST	Motel	M
Lot 971 Kambalda/Marianthus Rds, KAMBALDA WEST	Service Station	SS
Lots 379 and 380 Lindsay St., COOLGARDIE	Church	Ch
Lots 139 and 140 Lefroy/Lindsay Sts COOLGARDIE	Church	Ch
Lot 362 Lindsay St, COOLGARDIE	Church	Ch
Lot 437 Larkin St, KAMBALDA	Church	Ch
31470 (lot 1149) Callitris and Salmon Gum Rds, KAMBALDA WEST	Church	Ch
Lot 57 Kambalda Rd, KAMBALDA WEST	Country Club	CC

NOTE: A separate application is required to be submitted to the Council for a building licence (where applicable).

Schedule III (b)
SHIRE OF COOLGARDIE
Town Planning Scheme No. 4
Notice of Application for Planning Consent

TO THE OCCUPIER/OWNER

IN ACCORDANCE with the provisions of this Scheme the Council of the Shire of Coolgardie hereby gives you notice that an Application for Planning Consent has been received as detailed below. The Council invites submissions from interested parties concerning the proposal within twenty-one (21) days of the service of this notice. The Council will duly consider such submissions prior to determining the Application.

Application submitted by
Location of proposal

The type of development and the nature of the proposed buildings are as follows:

.....
.....
.....
.....
The estimated time of completion is
The approximate number of persons to be employed when the development is completed is
Interested parties may request further details from the Council office in Coolgardie.
Submissions shall be received within 21 days from the date indicated below.

.....
Date

.....
Shire Clerk

Schedule III (c)
Shire of Coolgardie Town Planning Scheme No. 4
PLANNING APPROVAL*
REFUSAL OF PLANNING APPROVAL*

Application Dated: Owner of Land:
Applicant:

Details of Land:

Lot No Street Loc No
Certificate of Title Volume Folio
Conditions of Approval (where applicable):

Signed Date
Shire Clerk Date

This Approval is valid for a period ofmonths only.

* Delete as applicable

Diagram of a continuous beam with three spans. The left end is labeled "OPEN END" and the right end is labeled "CLOSED END". The spans are labeled 5.5, 6.0, and 6.0. A vertical dimension line indicates a height of 2.5. Below the beam, a horizontal dimension line indicates a width of 4.0 ONE WAY and 6.0 TWO WAY.

Diagram of a three-bay frame structure. The bays are labeled with widths: 3.0, 2.5, and 2.5. The vertical member is labeled "SIDE WALL OR COLUMN". The horizontal members are labeled "5.5", "1.2 max", and "0.6 min".

Kerb ring not to exceed 900 mm diam

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 "
Parallel - 4.0m one way "
- 6.0m two way "

Schedule V—Places of Heritage Value

A BUILDINGS AND STRUCTURES OF HISTORIC OR ARCHITECTURAL VALUE

ITEM	PROPERTY LOCATION
1 Public Buildings	
Post Office Building	Bayley Street
Mines Office	Bayley Street
Hospital	Hunt Street
Warden Finnerty's Cottage	2 McKenzie Street
Town Hall	Cnr Lefroy and Bayley Streets
Railway Station	Woodward Street
Primary School	Hunt Street
St. Mary's Church	Lefroy Street
St. Anthony's Convent of Mercy	Lindsay Street
Masonic Hall	Lindsay Street
Water Supply Office	Taylor Street
2 Hotels	
Denver City	Cnr Lefroy and Bayley Streets
Railway (now Railway Lodge)	Cnr Lefroy and Bayley Streets
Cremorne (now Pre Primary)	Bayley Street
Marvel Loch (now RSL)	Bayley Street
White Hart (now derelict)	Hunt Street
3 Residential	
Residence	22 Bayley Street
Residence	87 Bayley Street
Residence	3 Forrest Street
Residence	9 King Street
Residence	5 McDonald Street
Residence	2 Shaw Street
Residence	13 Shaw Street
Residence	14 Shaw Street
Residence	15 Shaw Street
Residence	32,33,34 Woodward Street
4 Commercial	
Moran's Store	Bayley Street
4 Shops (opp. Town Hall)	Bayley Street

B PLACES AND OBJECTS OF HISTORIC OR OTHER VALUE

ITEM	PROPERTY LOCATION
1 Places and Objects	
COOLGARDIE	
Exhibition Building Ruins	Bayley Street
Park	Bayley Street
Mercy Taylor Monument (in Park)	Bayley Street
Stone Paved ROW's (cobble stones)	rear Bayley Street
Old Cemetery	Forrest
Pavilion (in bowling club area)	Sylvester Street
Toorak Hill and Reservoir	1.5 kilometres north of Town
State Battery	Southeast of Town
Fly Flat	Grt Eastern Hwy northeast of Town
KAMBALDA	
John Morgan Well	George Cowsill Street.

Schedule VI—Additional Uses

Lot Description	Additional Uses	Special Conditions
Lot 253 Larkin	Day Care Centre	
Street, COOLGARDIE		

Adoption

Adopted by Resolution of the Council of the Shire of Coolgardie at the ordinary meeting of the Council held on the 13th day of December 1990.

Dated 18 December 1990.

L. E. CARNICELLI, President.

Dated 18 December 1990.

P. J. HUGHSON, Shire Clerk.

Final Approval

1. Adopted by Resolution of the Council of the Shire of Coolgardie at the ordinary meeting of the Council held on the 16th day of May 1991 and the seal of the Municipality was pursuant to that Resolution hereunto affixed in the presence of:

L. E. CARNICELLI, President.

Dated 16 May 1991.

P. J. HUGHSON, Shire Clerk.

Dated 16 May 1991.

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.

G. KLEM, for Chairman,
State Planning Commission.

Dated 18 September 1991.

3. Final approval granted.

DAVID SMITH, Hon. Minister for Planning.

Dated 23 September 1991.

POLICE

PE301

ROAD TRAFFIC ACT 1974

ROAD TRAFFIC (FEES FOR VEHICLE LICENCES) REGULATIONS
(NO. 2) 1991

Made by his Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Road Traffic (Fees for Vehicle Licences) Regulations (No. 2) 1991*.

Interpretation

2. In these regulations —

“Second Schedule” means the Second Schedule to the *Road Traffic Act 1974*.*

[* Reprinted as at 4 April 1991.
For subsequent amendments see Act No. 19 of 1990 and Gazette
23 August 1991.]

Specified day

3. For the purposes of section 28A of the Act, the specified day in relation to the amendments effected by these regulations shall be 1 January 1992.

Second Schedule amended

4. Part III of the Second Schedule is amended in Section AA by deleting items 1 and 2 and substituting the following items —

“ 1. (1) For a motor car with an engine other than a rotary type — \$1.48 per power unit plus \$2.84 per 100 kg unit or part thereof of tare weight.

(2) For a motor car with a rotary type engine — \$5.38 per 100 kg unit or part thereof of tare weight.

2. For a motor wagon —

- (a) with tare weight not exceeding 1 600 kg — \$1.77 per power unit plus \$3.44 per 100 kg unit or part thereof of tare weight;
- (b) with tare weight exceeding 1 600 kg but not exceeding 2 600 kg — \$2.32 per power unit plus —
 - (i) \$76.69 for the first 1 700 kg or part thereof of tare weight; and
 - (ii) \$4.52 for each additional 100 kg unit or part thereof of tare weight;
- (c) with tare weight exceeding 2 600 kg but not exceeding 3 100 kg — \$2.84 per power unit plus —
 - (i) \$149.63 for the first 2 700 kg or part thereof of tare weight; and
 - (ii) \$5.54 for each additional 100 kg unit or part thereof of tare weight.

By His Excellency's Command,

L. M. AULD, Clerk of the Council.

PORT AUTHORITIES**PH401****GERALDTON PORT AUTHORITY****Applications to Lease Land**

Applications are invited from persons or companies interested in leasing land with and without improvements from the authority for fishing industry purposes.

Land vested in the authority under the Geraldton Port Authority Act No. 10 of 1968 may be leased for any term not exceeding twenty one years, as yards or sites for—

- (a) shipbuilding, boatbuilding, storing of goods
- (b) the erection of workshops or foundries
- (c) other purposes connected with shipping

Vacant land is available within Reserve 20606 adjacent to Steelform Hydraulics Lease, the sheds situated on Lease No. 5 which was previously leased to the Geraldton Fishermen's Co-operative will be available from 1 December 1991 for short term lease pending redevelopment and an application is invited from the Geraldton Fishermen's Co-operative for the existing boat storage areas plus a 1200 square metre extension. Details can be obtained from the undersigned.

Applications close at 5pm Friday 29 November 1991 with—

L. W. Graham
General Manager
Geraldton Port Authority
PO Box 1856
Geraldton WA 6530

No application will necessarily be accepted.

PREMIER AND CABINET**PR401****MINISTERIAL ACTING ARRANGEMENTS**

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 G. J. Edwards, MLC for the period 15-25 November 1991 inclusive—

Acting Minister for Police; Emergency Services; Sport and Recreation—Hon G. I. Gallop, MLA.
M. C. WAUCHOPE, Acting Chief Executive.
Department of the Premier.

PR402

MINISTERIAL ACTING ARRANGEMENTS

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 P. A. Beggs, MLA for the period 15-23 November 1991 inclusive—

Acting Minister for Transport	Hon Y. D. Henderson, MLA.
Acting Minister for Racing and Gaming	Hon J. M. Berinson, MLC.
Acting Minister for Tourism	Hon E. K. Hallahan, MLC.

M. C. WAUCHOPE, Acting Chief Executive,
Department of the Premier.

RACING AND GAMING

RA401

SUMMARY OF LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Liquor Licensing Division, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth (telephone: 425 1888), or consult a solicitor or relevant industry organisation.

Application No.	Applicant	Nature of Application	Last day for Objections
TRANSFER OF LICENCE			
105	Carmellia Holdings Pty Ltd	Application to Transfer Special Facility Licence in respect of The Esplanade Manor, Fremantle, from Ashdoor Pty Ltd.	20/11/91
106	Gransmoor Pty Ltd	Application to Transfer Restaurant Licence in respect of the Greek Taverna, Northbridge, from Thirtieth Dekro Pty Ltd.	21/11/91
107	Robert K. Jackson	Application to Transfer Tavern Licence in respect of the Broadway Tavern, Nedlands, from Broadway Fair Pty Ltd.	21/11/91
108	Ogden Holdings Pty Ltd	Application to Transfer Tavern Licence in respect of the Medina Tavern, Medina, from Ross S. Norgard (R&M).	23/11/91
NEW LICENCE			
48A/91	Kimley Pty Ltd	Application for Special Facility Licence in respect of Carnegie Station, Gunbarrell Hwy, via Wiluna.	24/12/91
49A/91	The Westralian Caterer Pty Ltd	Application for Special Facility Licence in respect of Single Persons Quarters Woodie Woodie.	31/12/91

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

G. B. AVES, Director of Liquor Licensing.

TRANSPORT

TR401

PORT HEDLAND PORT AUTHORITY ACT

Office of the Minister for Transport,
Perth.

It is hereby notified for your general information that His Excellency the Governor, in Executive Council, has approved the re-appointment of Messrs Derek Miller and Kenneth Farrell as Members of the Port Hedland Port Authority for a period expiring on 31 October 1993, and the re-appointment of Mr Kevin Watters and the appointment of Mr Bernardus Ziegelaar as Deputy Members of the Port Hedland Port Authority for a period expiring on 31 October 1993. These appointments are in accordance with sections 6, 7 and 8 of the Act.

PAM BEGGS, Minister for Transport.

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
120/91	Asphalt surfacing, Mitchell Freeway, Loftus to Hutton Street, new northbound carriageway	Tuesday Dec. 3, 1991

ZT202*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount
			\$
16/91	Supply and delivery of Class 170 residual bitumen for the period 1/11/91-31/10/92	BP Australia	3 914 726.00
		The Shell Co. of Australia P/L	2 792 989.00
75/91	Asphalt surfacing Kwinana Freeway Metropolitan Division	Pioneer Asphalts P/L	150 514.00
63/91	Asphalt surfacing Albany, Leach Highways Perth-Lancelin Road	Boral Asphalt	125 200.00
17/91	Construction of bridge No. 5006 and approaches over the Preston River on the Australind Bypass Bunbury	Thiess Contractors	1 315 051.91
213/90	Supply of precast concrete drainage pipes	Amatek Rocla	As Required
		CSR Humes P/L	As Required
214/90	Supply of precast concrete box culverts	Wembley Cement Industries	As Required

D. R. WARNER, Director, Administration and Finance.

ZT301**STATE SUPPLY COMMISSION***Tenders Invited*

Tender forms and full particulars of the Schedule hereunder may be obtained on application at the State Supply Commission, 815 Hay Street, Perth, 6000.

TELEPHONE No. 222 8491 or 222 8241

FACSIMILE No. 321 7918

Date of Advertising	Schedule No.	Description	Date of Closing
1991			1991
Nov. 8	120A1991	Supply of Thermodilution Catheters to the Royal Perth and Fremantle Hospitals for a one (1) year period with an option to extend for a further one (1) year	Nov. 28
Nov. 8	541A1991	Supply and delivery of eighteen (18) Road Trail Motorcycles for use by the WA Police Department	Nov. 28
Nov. 15	297A1991	Supply and delivery of Teaching Peripherals—Whiteboards, Electronic Whiteboards, Overhead Projectors, Projection Panels and specified Consumables to various Government Departments for a one (1) year period with the option of a further twelve month period	Dec. 12
Nov. 22	116A1991	Financial Systems Software for Country Hospitals and Healthcare Units and some Statewide services	Jan. 16 '92

STATE SUPPLY COMMISSION—continued

Tenders Invited

Date of Advertising	Schedule No.	Description	Date of Closing
1991		<i>For Sale</i>	1991
Nov. 15	546A1991	1990 Holden Commodore Sedan (6QN 631) at Karratha	Dec. 5
Nov. 15	547A1991	1987 Toyota 4x4 Landcruiser Trayback (6QM 381) at Kununurra	Dec. 5
Nov. 15	548A1991	1988 Toyota 4x4 Landcruiser Trayback Ext Cab (6QS 807) at Derby	Dec. 5
Nov. 15	549A1991	1980 Massey Ferguson 290 Tractor (XQR 286) at Ludlow	Dec. 5
Nov. 15	550A1991	1980 Massey Ferguson 290 Tractor (6QK 677) at Collie	Dec. 5
Nov. 15	551A1991	1990 Mitsubishi 4x4 Express Van (MRD B300), 1987 Toyota 15 Seater Bus (MRD 9916) at Welshpool	Dec. 5
Nov. 15	552A1991	John Deere 670A Grader (MRD 6668) at Welshpool	Dec. 5
Nov. 15	553A1991	John Deere 570A Grader (MRD 5953) at Welshpool	Dec. 5
Nov. 15	554A1991	John Deere 570A Grader (MRD 5950) at Welshpool	Dec. 5
Nov. 22	555A1991	1989 Mitsubishi Triton Tray Back (6QX 269) at Kununurra	Dec. 12
Nov. 22	556A1991	1981 Isuzu SBR 4x2 Dual Cab Truck at Manjimup	Dec. 12
Nov. 22	557A1991	6 Tonnes Scrap Aluminium at State Print Wembley	Dec. 12
Nov. 22	558A1991	Tractor Mounted Road Broom at Welshpool	Dec. 12

Tenders, addressed to the Chairman, State Supply Commission, 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 Supply Commission.

ZT302

Accepted Tenders

Schedule No.	Particulars	Contractor	Rate
	<i>Supply</i>		
495A1991	Supply Materials to be used by the Building Management Authority for the Encapsulation of various Asbestos Cement Roofs	Various Suppliers	Details on Request
496A1991	Supply of Micro Computers for the Agriculture Department	STR Computers Cadgraphics	Details on Request
	<i>Purchase and Removal</i>		
517A1991	1976 Aveling Barford Steel Wheel Roller (MRD 1969)—Welshpool	Soltoggio Bros.	Item 1 \$2 589.00
535A1991	1989 Commodore Sedan (6QU 364)—Geraldton	Young Motors P/L	Item 1 \$12 420.00
536A1991	1989 Mitsubishi Triton Extra Cab Utility (6QX 403)—Kununurra	Mrs Ingrid Harvey	Item 1 \$7 950.00
538A1991	1988 Mitsubishi Pajero 4x4 Wagon (MRD 2175)—Welshpool	The Julian Car Co.	Item 1 \$14 001.00
539A1991	1988 Toyota Dyna Crew Cab (MRD 2434)	East Side Cars	Item 1 \$10 486.00
	1989 Ford Falcon Utility (MRD A540)	Alex Krawzow	Item 2 \$8 232.00
	1989 Ford Falcon Utility (MRD A956)	William Wood Motors	Item 3 \$7 329.00
	1989 Holden Commodore Station Wagon (MRD B134)	John Morrow Motors	Item 4 \$12 867.00
	1987 Toyota Landcruiser 4x4 Utility (MRD 9485)	East Side Cars	Item 5 \$12 486.00
	1987 Toyota Landcruiser 4x4 Utility (MRD 9906)—Welshpool	Keith Outram	Item 6 \$13 111.00
540A1991	Sleeper/Kitchen Caravan (MRD 1504)—Welshpool	Michael Kaspy	Item 1 \$457.00

ZT501

MARINE AND HARBOURS ACT 1981
BATAVIA COAST MARINA
 Removal of Concrete Footings and Sundry Concrete

Contract No.	Project	Closing Date	Tender Document from
E106	Batavia Coast Marina Removal of Concrete Footings and Sundry Concrete	3/12/91 2.30pm	Administrative Assistant Engineering.

Tender documents available from Monday 18 November on payment of a non-refundable deposit of \$15.00.

M. J. PAUL, Director Engineering.

ZT502

MARINE AND HARBOURS ACT 1981
CERVANTES GROUYNE CONSTRUCTION

Contract No.	Project	Closing Date	Tender Document from
E087	Cervantes Groyne Construction	24/12/91 2.30pm	Administrative Assistant Engineering.

Tender documents available from Monday 25 November 1991 on payment of a non-refundable deposit of \$15.00.

M. J. PAUL, Director Engineering.

PUBLIC NOTICES

ZZ201

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 23rd December 1991, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Anderton, Frank Robert, late of 18 Parmelia Drive, Australind, died 30/7/91.

Atkinson, Norman Wadham, late of 42 Fitzroy Street, Rivervale, died 27/9/91.

Bender, Ernest Jack, late of 102 Shakespeare Street, Mount Hawthorn, died 7/7/87.

Cahill, Hazel Marjorie, late of Concorde Nursing Home, 25 Anstey Street, South Perth, died 7/10/91.

Chandler, Peter William George, late of 14 Frome Way, Cooloongup, died 15/8/91.

Cook, Joseph, late of 16 Boulder Street, Bentley, died 16/9/91.

Eden, Bettine Elizabeth, late of Dean Lodge Nursing Home, Bull Creek Drive, Bull Creek, died 7/10/91.

Fenn, Doris, late of St Catherine's Nursing Home, Nedlands, died 4/11/91.

Ferries, Annie Gladys Mary, formerly of Unit 7, 27 Falkirk Avenue, Maylands, late of Homes of Peace, Walter Road, Inglewood, died 17/10/91.

Finucane, Kevin John, late of Selby Lodge, Lemnos Street, Shenton Park, died 3/10/91.

Groessler, John Edward, formerly of 13 Senate Street, Claremont, died 23/9/91.

Inajetovic, Sinan, late of Romily House, Shenton Road, Claremont, died 14/5/91.

Lang, William Reyborn, late of Rowethorpe Nursing Home, Hillview Terrace, Bentley, died 6/9/91.

Long, Derrick Stephen, late of 5 Merley Way, Lynwood, died 1/9/91.

McLennan, Kathleen Mary, late of 38 Canavan Crescent, Manning, died 1/10/91.

Moldrich, Aloysius Granville Elmo, late of 11/8 Hewett Street, Balga, died 4/5/91.

Moxham, Ronald, late of Unit 1/170 North Beach Road, Tuart Hill, died 15/6/91.
Plumpton, John William, late of Agmaroy Nursing Home, 115 Leach Highway, Wilson, died 28/5/91.
Ring, John Mark, late of 69 Gladstone Road, Rivervale, died 28/9/91.
Rosevere, Ethel Kate, late of Mount Henry Hospital, Cloister Avenue, Como, died 31/8/91.
Scales, Jim Nelson, late of Unit 28, 1-10 Forrest Street, Fremantle, died 17/8/91.
Waters, Boronia Clare, late of Little Sisters of the Poor, Rawlings Street, Mount Hawthorn, died 23/10/91.
Young, William John Francis, late of 2 Barton Parade, Bassendean, died 2/10/91.
Dated this 18th day of November 1991.

K. E. BRADLEY, Public Trustee,
Public Trust Office, 565 Hay Street, Perth.

ZZ401**NOTICE OF DISSOLUTION OF PARTNERSHIP**

Notice is hereby given that the partnership previously subsisting between Deborah Lynette Wild and Paul Victor Doust carrying on business as adult product retailers at 72 Maritana Street, Kalgoorlie, Western Australia, under the style of Frany's has been dissolved as from the 1st day of August, 1991.

McKENZIE LALOR, Solicitors, Kalgoorlie.

ZZ402**CATALANO'S GRADING PTY LTD**

A.C.N. 008 963 611

Notice is hereby given of the Final General Meeting of Shareholders of the abovenamed company to be held at the Cnr. Edward and Parkfield Streets, Bunbury W.A. on the 8th day of January 1992 at 10.00 am.

Dated this 15th day of November 1991.

R. J. CONNOLLY, Secretary.

ZZ403**NOTICE OF FINAL MEETING OF MEMBERS**

Finer Veneers Pty. Ltd.

(In Liquidation)

Notice is hereby given that a meeting of the members of the company will be held at the offices of Bird Cameron Partners, Chartered Accountants, 8 St. George's Terrace, Perth, on Monday, 6th January, 1992 at 10.30 a.m.

Agenda

1. To lay before the meeting the Liquidator's account showing how the winding up has been conducted and how the property of the company has been disposed of, and giving any explanation thereof.

2. To approve the Liquidator's remuneration.

Dated this 15th day of November, 1991.

D. D. NEWMAN,
Liquidator for Fine Veneers Pty. Ltd.

ZZ501**NOTICE OF APPOINTMENT**

Whereas:

- A. An event of default has occurred under the instrument of security described in the Schedule (hereinafter called "the Instrument") executed by Farmers Tractors Australia Pty Ltd (hereinafter called "the Mortgagor") in favour of Alex Peter Wahlsten, Brian John Read and James Donald Lambert (hereinafter called "the Mortgagee") in that the Commonwealth Bank of Australia (formerly known as the Commonwealth Trading Bank has made demand upon the Mortgagee and the Mortgagor is unable to pay to the Mortgagee the principal sum referred to in the Schedule to the Instrument.
- B. Such default still continues.
- C. The Mortgagor has requested the Mortgagee to appoint Geoffrey Frank Totterdell as the receiver and manager pursuant to the Instrument.

The Mortgagee gives notice that the Mortgagee in pursuance and exercise of the powers and authorities vested in or conferred upon the Mortgagee under or by virtue of the Instrument and also of all and every other power and authority in that behalf the Mortgagee thereunto enabling hereby appointed Geoffrey Frank Totterdell as and from the date hereof to be the receiver and manager of the property of the Mortgagor described in the Schedule (hereinafter called "the Property") and the Mortgagee confers upon and vests in Geoffrey Frank Totterdell during the term of his appointment hereunder all and every powers and authorities and discretion vested in the Mortgagee under or by virtue of the Instrument (other than the power of appointing a receiver and manager) so far as the same may be lawfully delegated together with all and every powers and authorities and discretions conferred upon a receiver and manager as well as by the Instrument has by statute and otherwise howsoever.

Schedule

1. Instrument:

A Deed made the 26th day of July, 1985 between Farmers Tractors Australia Pty Ltd as "the Grantor" and Alex Peter Wahlsten, Brian John Read and James Donald Lambert as "the Grantee" and registered in the office of the Commissioner for Corporate Affairs and allocated No. 06246.

2. The Property:

- 1 Pacific Milling Machine F T 2
- 1 Pacific Milling Machine F U 2
- 1 Cazeuve Lathe 8292-137
- 1 Straight Line Cutter Plate Mate 883-63
- 1 Stick Welder 06 74 440 Liquid Arc
- 1 Stick Welder 5010
- 1 Stick Welder 06 74 453
- 1 Radial Arm Drill 12775 Ajax
- 1 Mig Welder WIA 6504-4
- 1 Mig Welder WIA 3302-7
- 2 Oxy Sets CIG
- 1 Model 68H Series 2 John Heine Bender
- 1 Sedgewick Press 570A Y100

Drawing Stand
Drawing Table
Drawing M/C
Photocopier
Office Furniture
Gas Unit Including Charge Container Tasco TUW 150
and Manifold CMU 303
Leak Defector LD 780
Holden Ute 8M80LA L528 022B
Land Shear 35 4L KUSH
2 Air Conditioners
Shelving—Store
Air Compressor AML 106379 Auto Man
Timer Clock Simplex LD 4048
Transportable Toilet JENQUIP
Pedstal Drill 00158

- 1 Oxy Set C.I.G.
- 1 Drawing Stand
- 1 Drawing Table
- 1 Drawing Machine
- 1 Drawing Printing Machine
- 26 Mercury Vapour Lights
- 3 Stand Lights
- 1 Cutting Off Saw
- 1 Ryobil Circular Saw
- Various Electrical Tools
- Various Air Tools
- 2 Bottle Jacks
- 2 Trolley Jacks
- 1 Refrigerator
- 1 Steel Filing Cabinet

The Southern most Hangar situated in King Street, Merredin and not including any other property of Farmers Tractors Australia Pty Ltd.

Dated the 12th day of November 1991.

Signed by the said Peter Alex Wahlsten in the presence of Donald Robert Manning, 20 McDonald Street, Merredin, Salesman.

Signed by A. P. WAHLSTEN.

Signed by the said James Donald Lambert in the presence of Donald Robert Manning, 20 McDonald Street, Merredin, Salesman.

Signed by J. D. LAMBERT.

Signed by the said Brian John Read in the presence of Laurence Colin Phillips, 7 Lewis Way, Merredin, Businessman.

Signed by A. P. WAHLSTEN under power of attorney.

ZZ601

WESTERN AUSTRALIAN TROTTING ASSOCIATION ACT 1946

BY-LAWS OF TROTTING

Notice of Amendment

Notice is hereby given that a meeting of the Committee of the Western Australian Trotting Association held at Gloucester Park, East Perth on the 10th day of September 1991, it was resolved by an absolute majority of the Committee of the Association that the By-laws of Trotting made under the Western Australian Trotting Association Act 1946 ("the Act") be amended as follows—

- 4A. In addition to the number of members comprising the Committee as outlined in By-law 4, for a period of three years commencing at the close of the 1991 Annual General Meeting and until the close of the Annual General Meeting in 1994 the President of the Fremantle Trotting Club (Incorporated) or subject to the written approval of a simple majority of the Committee, his nominee, shall be a member of the Committee. The provisions of By-laws 4, 5, 6, 7, 8, 9 and 10 shall not apply to the President of the Fremantle Trotting Club (Incorporated) or his nominee as a member of the Committee so far as the same relate to the nomination, candidacy, election and retirement of members of the Committee. Such person must be a financial member of the Association at all times during his term of officer as a member of the Committee.

Dated 10 September 1991.

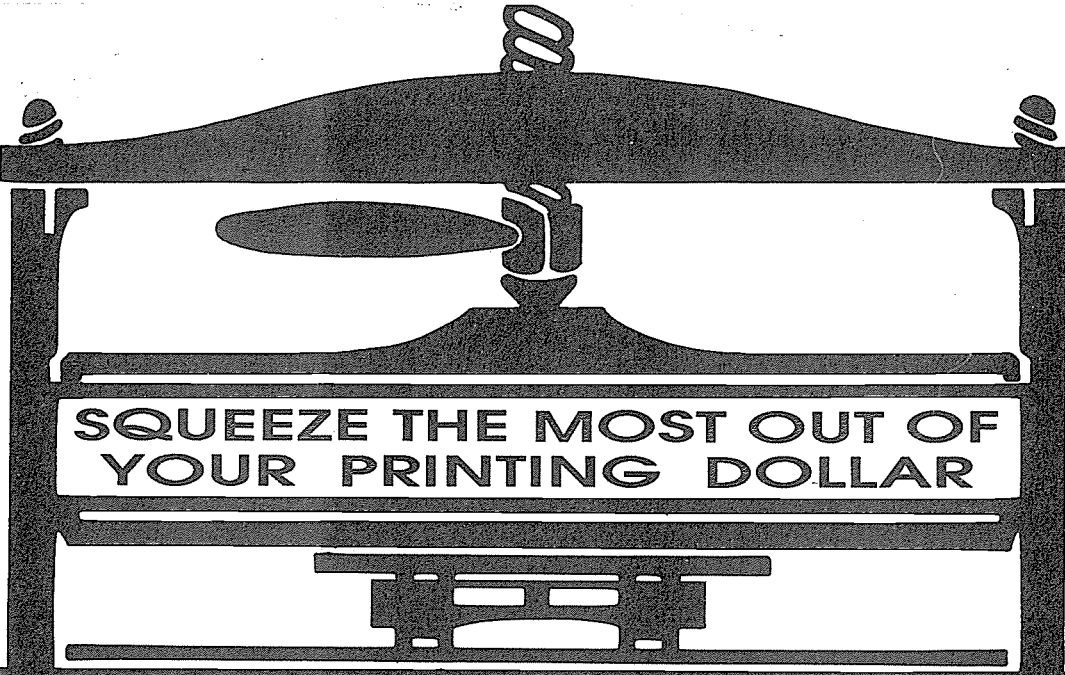
M. LOMBARDO, President.

**Available from Marine and Harbours Department,
1 Essex Street, Fremantle.
Phone 335 0888.**

Navigable Waters Regulations, 1958.

Regulations for Preventing Collisions at Sea.

**Regulations for the Examination of Applicants for Masters, Mates,
Coxswain, Engineers, Marine Motor Engine Drivers and Marine
Surveyors.**



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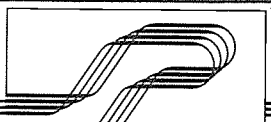
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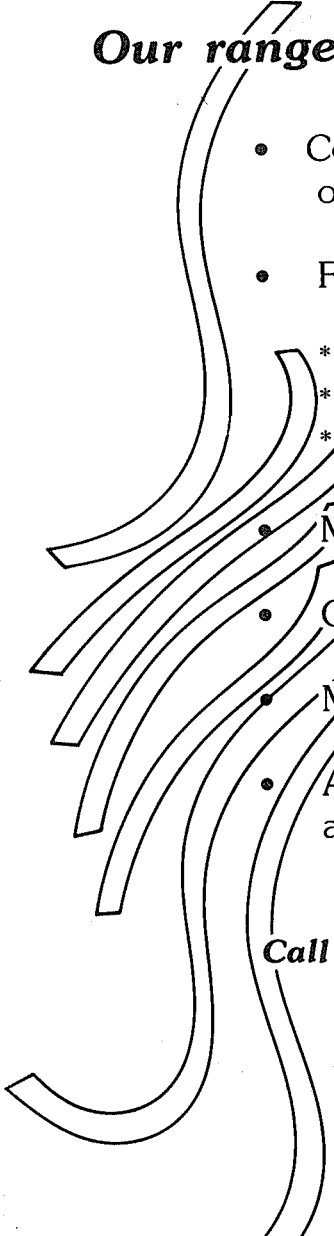


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DEPARTMENT OF STATE SERVICES

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Reprinted Statutes

Individual Acts are from time to time reprinted under the *Reprints Act 1984* incorporating all amendments up to a particular date. This program is managed by the Crown Law Department.

A standing order may be placed with State Print for all Reprints that become available. Where this is done, a charge will be made for each Reprint at the time of supply.

If a customer wishes to be placed on the mailing list, send written notification to:

State Print
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Statutes Reprinted in 1989

Amendment of Deeds of Grant Act 1884 — \$1.70
Anglican Church of Australia (Diocesan Trustees) Act 1888 — \$1.70
Art Gallery Act 1959 — \$2.20
Bail Act 1982 — \$3.30
Casino Control Act 1984 — \$3.30
City of Perth Act 1925 — \$1.70
City of Perth Act 1914, City of Perth Act Amendment Act 1917 — \$1.70
City of Perth Superannuation Fund Act 1934 — \$2.80
Constitution Acts Amendment Act 1899 — \$3.30
Electoral Act 1907 — \$7.70
Fremantle Port Authority Act 1902 — \$3.30
Gas Standards Act 1972 — \$2.20
Grain Marketing Act 1975 — \$3.30
Judges Retirement Act 1937 — \$1.70
Municipality of Fremantle Act 1925 — \$2.80
Occupational Health, Safety and Welfare Act 1984 — \$3.30
Parliamentary Commissioner Act 1971 — \$2.80
Pay-Roll Tax Act 1971 — \$2.80
Queen Elizabeth II Medical Centre Act 1966 — \$2.80
Salaries and Allowances Act 1975 — \$2.20
Stamp Act 1921 — \$6.60
Standard Survey Marks Act 1924 — \$1.70
Superannuation and Family Benefits Act 1938 — \$7.70
Technology and Industry Development Act 1983 — \$2.20
The Newspaper Libel and Registration Act 1884 — \$1.70
The Newspaper Libel and Registration Act 1884 Amendment Act 1888 — \$1.70
Town Planning and Development Act 1928 — \$4.40
Western Australian Aged Sailors, Soldiers and Airmen's Relief Fund Act 1932 — \$1.70

Statutes Reprinted in 1990

Anglican Church of Australia School Lands Act 1896 — \$1.70
Artificial Breeding of Stock Act 1965 — \$2.80
Child Welfare Act 1947 — \$6.60
Royal Agricultural Society Act 1926, Royal Agricultural Society Act Amendment Act 1929 — \$1.70
Town Boundary Marks Ordinance 1853 — \$1.70
Veterinary Surgeons Act 1960 — \$3.30

Statutes Reprinted in 1991

These Statutes are in the process of being reprinted and will be available during this year.
Industrial Relations Act 1979 (available \$8.00)
Government Employees Superannuation Act 1987
Mines Regulation Act 1946 (available \$4.40)
Change of Names Regulation Act 1923 (available \$1.70)
Painters Registration Act 1961 (available \$2.80)
Gas Undertakings Act 1947 (available \$2.20)
University Medical School Teaching Hospitals Act 1955 (available \$1.70)
Credit Unions Act 1979 (available \$9.00)
Criminal Code Compilation Act 1913 (available \$15.00)
Road Traffic Act 1974 (available \$9.00)
Health Act 1911 (available \$11.00)
Bunbury Port Authority Act 1909 (available \$3.30)
Edith Cowan University Act 1984 (available \$2.80)
Financial Administration and Audit Act 1985
Beekeepers Act 1963
Perth Market Act 1926
Parliamentary Superannuation Act 1970
Totalisator Agency Board Betting Act 1960
Plant Diseases Act 1914
Commercial Tenancy (Retail Shops) Agreements Act 1985
Workers Compensation and Rehabilitation Act 1981
Bail Act 1982
*Prices Subject to Change

WESTERN AUSTRALIA

LOTTERIES COMMISSION ACT 1990

**Price: \$2.20 Counter Sales
Plus Postage on 100 grams**

WESTERN AUSTRALIA

**HEALTH (ROTTNEST ISLAND)
BY-LAWS 1989**

**Price: \$2.80 Counter Sales
Plus Postage on 150 grams**

WESTERN AUSTRALIA

JETTIES ACT REGULATIONS 1940

**Price: \$2.80 Counter Sales
Plus Postage on 150 grams**

WESTERN AUSTRALIA

HEALTH (PET MEAT) REGULATIONS 1990

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