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G. L. DUFFIELD, Director.

CONSTRUCTION INDUSTRY LONG SERVICE LEAVE PAYMENTS BOARD

CI301

**CONSTRUCTION INDUSTRY PORTABLE PAID LONG SERVICE LEAVE
ACT 1985**

**CONSTRUCTION INDUSTRY PORTABLE PAID LONG SERVICE
LEAVE AMENDMENT REGULATIONS 1993**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Construction Industry Portable Paid Long Service Leave Amendment Regulations 1993*.

Regulation 5A amended

2. Regulation 5A of the *Construction Industry Portable Paid Long Service Leave Regulations 1986** is amended by inserting after paragraph (i) the following paragraph —

“

(ia) the *Building and Construction Industry (Portable Long Service Leave) Act 1991* (Queensland);

”

[* *Published in Gazette of 19 December 1986 at pp. 4924-5.*
For amendments to 1 July 1993 see 1992 Index to Legislation of Western Australia, Table 4, p. 46.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

CROWN LAW

CW401

FAMILY COURT OF WESTERN AUSTRALIA

Circuit Sittings for 1994

Pursuant to Regulation 6 (1) of the Family Court of Western Australia Regulations 1976, I hereby appoint the following sittings for the Family Court of Western Australia at circuit towns for the year 1994.

CIRCUIT		COMMENCEMENT
Albany	(10.00 am Monday)	14th March 11th July 14th November
Bunbury	(10.00 am Monday)	7th February 23rd May 22nd August 28th November
Geraldton	(10.00 am Monday)	21st March 18th July 21st November
Kalgoorlie	(10.00 am Monday)	11th April 1st August 28th November
Karratha	(10.00 am Monday)	14th March
Pt Hedland	(10.00 am Monday)	25th July
Broome	(10.00 am Monday)	31st October

Dated this 22nd day of September 1993.

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

CW402

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

His Excellency the Governor in Council has approved the following appointments, as from 29 September 1993 as a casual Magistrate, for a term of three years.

Vicki Laura Stewart
Duncan James McGrath
Naveen Chandra Pillay

P. WILKINS, Executive Officer,
Children's Court of Western Australia.

LAND ADMINISTRATION

LB701

File No. MRWA 42-21-MV2.
Ex. Co. No. 1156.

PUBLIC WORKS ACT 1902**LAND RESUMPTION**

Road Widening—Great Eastern Highway (100.54 SLK)

DOLA 2816/985.

Notice is hereby given, and it is hereby declared, that the said piece or parcel of land described in the Schedule hereto, being in the Northam District has, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 20th day of July 1993, been set apart, taken, or resumed for the purposes of the following public work, namely—Road Widening—Great Eastern Highway—Shire of Northam.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed is shown marked off and more particularly described on the Plan specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent East Perth. The addition information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

And it is hereby directed that the said land shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way, or other easements whatsoever.

Schedule

Plan MRD No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
92-31	James Groves Bird- wood Drake Brock- man	J. G. B. Drake Brockman	Portion of Avon Location 0 now contained in Plan 14943 and being part of the land registered in Memorial IX/1512	1.1547 ha

Certified correct this 14th day of July 1993.

ERIC CHARLTON, Minister for Transport.

Dated this 20th day of July 1993.

FRANCIS BURT, Governor in Executive Council.

LB702

File No. MRWA 41-158-204.
Ex. Co. No. 1409.**PUBLIC WORKS ACT 1902**
LAND RESUMPTION

Road Widening—Canning Highway (13.34 SLK)

DOLA 1893/1993.

Notice is hereby given, and it is hereby declared, that the said piece or parcel of land described in the Schedule hereto, being in the Melville District has, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 31st day of August 1993, been set apart, taken, or resumed for the purposes of the following public work, namely—Road Widening—Canning Highway—City of Melville.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed is shown marked off and more particularly described on the Plan specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent East Perth. The addition information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

And it is hereby directed that the said land shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way, or other easements whatsoever.

Schedule

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
93-25	Heather Maree Loader, Simon David Lazenby and Richard Barry Loader	Commissioner of Main Roads	Portion of Swan Location 70 and being part of Lot 1 on Strata Plan 14222 now contained in Diagram 80678 and being part of the land comprised in Certificate of Title Volume 1747 Folio 159	126 m ²
93-25	The Corporate Body of Strata Plan 14222	Commissioner of Main Roads	Portion of the Common Property now contained in Diagram 80678 and being part of the land comprised in Strata Plan 14222.	126 m ²

Certified correct this 2nd day of August 1993.

ERIC CHARLTON, Minister for Transport.

Dated this 31st day of August 1993.

FRANCIS BURT, Governor in Executive Council.

LB703

File No. MRWA 42-41-F.
Ex. Co. No. 1158.**PUBLIC WORKS ACT 1902**
LAND RESUMPTION

Road Widening—South Western Highway (Armadale-Bunbury Road 51.76-51.87 SLK)

DOLA 887/1942.

Notice is hereby given, and it is hereby declared, that the said piece or parcel of land described in the Schedule hereto, being in the Murray District has, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 20th day of July 1993, been set apart, taken, or resumed for the purposes of the following public work, namely—Road Widening—South Western Highway (Armadale-Bunbury Road)—Shire of Murray.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed is marked off and more particularly described on the Plan specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent East Perth. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

And it is hereby directed that the said land shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way, or other easements whatsoever.

Schedule

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
93-1	Howard Quinton Ellis and Elsie Ray Ellis	Commissioner of Main Roads	Portion of Cockburn Sound Location 16 and being part of Lots 21 and 22 on Plan 4616 now comprised in Diagram 80157 and being part of the land contained in Certificate of Title Volume 1277 Folio 983.	498 m ²

Certified correct this 14th day of June 1993.

ERIC CHARLTON, Minister for Transport.

Dated this 20th day of July 1993.

FRANCIS BURT, Governor in Executive Council.

LB704

File No. MRWA 42-3-L.
Ex. Co. No. 1157.

PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widening—Albany Highway, Mount Barker (356.53-357.30 SLK)

DOLA 1226/1991.

Notice is hereby given, and it is hereby declared, that the said pieces or parcels of land described in the Schedule hereto, being all in the Plantagenet District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 20th day of July 1993, been set apart, taken, or resumed for the purposes of the following public work, namely—Road Widening—Albany Highway—Shire of Plantagenet.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on the Plan specified in the Schedule, which may be inspected at Main Roads Western Australia, Waterloo Crescent East 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.

And it is hereby directed that the said lands shall vest in the Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way, or other easements whatsoever.

Schedule

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
93-07	Doreen Effie Berliner	Commissioner of Main Roads	Portion of Plantagenet Location 419 now comprised in Diagram 90700 and being part of the land comprised in Certificate of Title Volume 122 Folio 18A	152 m ²
93-03	Ronald Martin and Lillian June Martin	Commissioner of Main Roads	Portion of Mount Barker Lot 1 now comprised in Plan 18235 and being part of the land comprised in Certificate of Title Volume 1045 Folio 94	2 m ²

Plan MR No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
93-04	Shire of Plantagenet	Commissioner of Main Roads	Portion of Mount Barker Town Lot 119 now comprised in Plan 18235 and being part of the land comprised in Certificate of Title Volume 1378 Folio 288	195 m ²
93-04	Shire of Plantagenet	Commissioner of Main Roads	Portion of Mount Barker Lot 301 and portion of Mount Barker Town Lot 119 and part of Plantagenet Location 409 and being part of Lot 3 on Diagram 41523 now comprised in Plan 18235 and being part of the land comprised in Certificate of Title Volume 1378 Folio 287	522 m ²
93-08	Plantagenet Road Board	Commissioner of Main Roads	Portion of Plantagenet Location 409 the subject of Diagram 142 now comprised in Plan 18235 and being part of the land comprised in Certificate of Title Volume 627 Folio 19.	67 m ²
93-09	Uniting Church in Australia Property Trust (WA)	Commissioner of Main Roads	Portion of Plantagenet Location 409 and being part of Lot 1 of Section 0 on Plan 749 (Sheet 3) now comprised in Plan 18235 and being part of the land comprised in Certificate of Title Volume 1258 Folio 199	121 m ²
93-06	Beatrice Nixon	Commissioner of Main Roads	Portion of Mount Barker Lot 44 now comprised in Plan 18235 and being part of the land comprised in Certificate of Title Volume 1005 Folio 789	54 m ²
93-02	Edward Bett, Andrew Bett and Silvia Joyce Bett	Commissioner of Main Roads	Portion of Plantagenet Location 7390 now comprised in Plan 18235 and being part of the land comprised in Certificate of Title Volume 1766 Folio 342	37 m ²

Certified correct this 12th day of July 1993.

ERIC CHARLTON, Minister for Transport.

Dated this 20th day of July 1993.

FRANCIS BURT, Governor in Executive Council.

ROAD DEDICATION

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

By Order of the Minister for Lands.

Dated this 12th day of October 1993.

A. SKINNER, Chief Executive.

LB901

File No. 1866/1993.

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

Road and Town Site Extension—Boulder

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 Boulder District, for the purpose of the following public work, namely, road and town site extension—Boulder and that the said pieces or parcels of land are marked off on Hannan 2000 29.33 which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
The Chaffers Gold Mining Company (1913) Limited.	Vacant	Boulder Town Lot 1437 being the whole of the land contained in Certificate of Title Volume 267 Folio 122.	4274m ²

Dated this 30th day of September 1993.

GEORGE CASH, Minister for Lands.

LOCAL GOVERNMENT

LG401

CITY OF BELMONT

It is hereby notified for public information that Simon Alexander Moss has been appointed Ranger effective from 5th October 1993, and authorised to enforce the following Acts, Regulations and Council By-laws.

Local Government Act 1960
 Control of Vehicles (Off Road Areas) Act 1978 and Regulations
 Dog Act 1976 and Regulations
 Bush Fires Act 1954 and Regulations
 Litter Act 1979 and Regulations
 Parking Facilities By-laws
 Uniform General By-laws relating to the Parking for Disabled Persons 1988
 Council By-laws

B. R. GENONI, Town Clerk.

LG402

BUSH FIRES ACT 1954

City of Belmont

It is hereby notified for public information that the undermentioned person has been appointed a Fire Control Officer for the City of Belmont, effective from 5th October 1993.

Mr Simon Alexander Moss.

B. R. GENONI, Town Clerk.

PLANNING AND URBAN DEVELOPMENT

PD401

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

Shire of Gingin

Town Planning Scheme No. 8—Amendment No. 18

Ref: 853-3-8-10, Pt. 18.

Notice is hereby given that the Shire of Gingin has prepared the abovementioned scheme amendment for the purpose of changing portion of Swan locations 5925 and 9727 and the whole of Swan location 5492 from Parks and Recreation reservation to Public Use reservation.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 7 Brockman Street, Gingin 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 23 November 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 23 November 1993.

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.

A. W. HORTIN, Shire Clerk.

PD402

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

Shire of Murray

Town Planning Scheme No. 4—Amendment No. 43

Ref: 853-6-16-7, Pt. 43.

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

- (1) Rezoning Lots 20, 21 and 22, Old Mandurah Road, from "Rural" to "Special Development".
- (2) Amending the Scheme Text to insert appropriate provisions relating to the "Special Development" zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra 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 13 December 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 13 December 1993.

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

D. A. McCLEMENTS, Shire Clerk.

PD403

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

Shire of Armadale

Town Planning Scheme No. 2—Amendment No. 95

Ref: 853-2-22-4, Pt. 95.

Notice is hereby given that the City of Armadale has prepared the abovementioned scheme amendment for the purpose of rezoning portion of Lot 100 Forrest Road, Armadale from "Rural D" to "Special Use—Travellers Service Centre/Service Station".

Plans and documents 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 23 November 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 23 November 1993.

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.

PD404

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

City of Armadale

Town Planning Scheme No. 2—Amendment No. 56

Ref: 853-2-22-4, Pt. 56.

Notice is hereby given that the following modification(s) have been made to the abovementioned scheme amendment:

For the Words:

“rezoning Part Lot 7 Fancote Street from Rural ‘E’ to Residential (R15/30) and Parks and Recreation reservation.”

Read:

“rezoning Part Lot 7 Fancote Street from Rural ‘E’ to Residential (R20) and Parks and Recreation reservation.”

Plans and documents 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 November 9, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before November 9, 1993.

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.

A. F. MAXWELL, A/Town Clerk.

PD405

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Nedlands

Town Planning Scheme No. 2—Amendment No. 62

Ref: 853-2-8-4, Pt. 62.

Notice is hereby given that the City of Nedlands has prepared the abovementioned scheme amendment for the purpose of:

- (i) rezoning No. 84 (Lot 195) and Lot 343 Clement Street, Swanbourne from “Parks and Recreation Reserve” to “Residential R60”;
- (ii) adding to Table 1 of the Text the numerals (1) (2) after the words “Notes”, in each case, and add “Note (3)—the provisions of Table 1 relating to Multiple Dwellings in the Residential zone do not apply to development on No. 84 (Lot 195) and Lot 343 Clement Street, Swanbourne.”

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 November 23, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before November 23, 1993.

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.

PD406

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Subiaco

Town Planning Scheme No. 3—Amendment No. 20

Ref: 853-2-12-3, Pt. 20.

Notice is hereby given that the City of Subiaco has prepared the abovementioned scheme amendment for the purpose of amending Appendix 2, Section 2, Restricted Use Permits, of the Scheme Text, by deleting the word "warehouse" from the permitted use column of paragraph 2 and replacing with the words "Salesroom/Warehouse".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 241 Rokeby Road, Subiaco, 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 November 2, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before November 2, 1993.

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.

P. J. WALKER, Town Clerk.

PD701

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME

Town of Northam

Town Planning Scheme No. 4

Ref: 853-4-3-4.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Town of Northam Town Planning Scheme No. 4 on 26 August 1993—the Scheme Text of which is published as a Schedule annexed hereto.

V. S. OTTAWAY, Mayor.
 B. H. WITBER, Town Clerk.

Town of Northam

Town Planning Scheme No. 4 (District Zoning Scheme)

The Northam Town 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.

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PART 1—PRELIMINARY

1.1 Citation

This Town Planning Scheme may be cited as the Town of Northam, Town Planning Scheme No. 4 (District Zoning Scheme), hereinafter called "The Scheme" and shall come into operation on the publication of notice of the Minister's approval thereof and the Scheme Text in the *Government Gazette*.

1.2 Responsible Authority

The Authority responsible for the implementing of the Scheme is the Council of the Town of Northam hereinafter called "The Council".

1.3 Scheme Area

The Scheme applies to the whole of the lands comprising the area within the boundary of the Town of Northam, hereinafter referred to as "The Scheme Area".

1.4 Contents of Scheme

The Scheme comprises—

- (a) This Scheme Text;
- (b) The Scheme Map (Sheets Nos. 1 to 4).

1.5 Arrangement of Scheme Text

The Scheme Text is divided into the following parts—

- PART 1—Preliminary
- PART 2—Reserves
- PART 3—Zones
- PART 4—Non-Conforming Uses
- PART 5—Development Requirements
- PART 6—Planning Consent
- PART 7—Control of Advertising
- PART 8—Administration

1.6 Scheme Objectives

The general objectives of the Scheme are to—

- (a) Provide for the orderly growth and proper planning of the Town of Northam, by establishing appropriate zones, development control standards and policy guidelines.
- (b) Rationalise the existing recreation and public open space reserves set aside within the Town of Northam, to ensure that the reserves to be retained will be of optimum use and benefit to the Town as a whole.

1.7 Revocation of Existing Scheme

The Town of Northam, Town Planning Scheme No. 2 (District Zoning Scheme), as amended, which came into operation by publication of the Minister's approval thereof in the *Government Gazette* on the 14th October, 1977, is hereby revoked.

1.8 Interpretation

1.8.1 Except as provided in Clauses 1.8.2 and 1.8.3, the words and expressions of the Scheme have their normal and common meaning.

1.8.2 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.

1.8.3 Where a word or term is defined in the Residential Planning Codes then notwithstanding anything else in the Scheme that word or term when used in respect of residential development has the meaning given to it in the Residential Planning Codes.

PART 2—RESERVES

2.1 Scheme Reserves

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

2.2 Rationalisation of Reserves

Council may rationalise the existing recreation and public open space reserves set aside within the Town of Northam, to ensure that the reserves to be retained will be of optimum use and benefit to the Town as a whole. Council intends that the funds raised from the disposal of cancelled reserves shall be utilised for the improvement of other public open space reserves retained within the town. The reserves to be cancelled by way of this Scheme are listed under part A of Schedule 2 of the Scheme. The reserves to be retained or created under this Scheme are listed under part B of Schedule 2 of the Scheme.

2.3 Development of Local Reserves

2.3.1 A local reserve may be used without the planning consent of the Council;

- (a) For the purpose for which the land is reserved under the Scheme;
- (b) Where such land is vested in a public authority, for any purpose for which such land may lawfully be used by that authority;

2.3.2 Subject to Clause 2.2.1, a person shall not commence or carry out development of any local reserve, other than the erection of a boundary fence, without first having applied for and obtained the planning consent of the Council under the Scheme.

2.4 Matters to Be Considered By Council

Where an application for planning consent is made with respect to land within a Reserve, the Council shall have regard to the ultimate 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.

2.5 Compensation

2.5.1 Where the Council refuses planning consent for the development of a Reserve on the ground that the land is reserved for Local Authority purposes or for the purposes shown on the Scheme Map, or grants consent subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected thereby, claim compensation for such injurious affection.

2.5.2 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 the planning consent or granting it subject to conditions that are unacceptable to the applicant.

2.5.3 In lieu of paying compensation the Council may purchase the land affected by such decision of the Council at a price not exceeding the value of the land at the time of refusal of planning consent or of the granting of consent subject to conditions that are unacceptable to the applicant.

PART 3—ZONES

3.1 Zones

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

- Residential
- Special Residential
- Commercial
- Industrial
- Community
- Rural
- Special Rural
- Special Use

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

3.2 Zoning Table

3.2.1 The Zoning Table indicates, subject to the provisions of the Scheme, the several uses permitted in the Scheme Area in the various zones such uses being determined by cross reference between the list of Use Classes on the left hand side of the Zoning Table and the list of zones at the top of the Zoning Table.

3.2.2 The symbols used in the cross reference in the Zoning Table have the following meanings:

“P” Means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting planning consent;

“AA” Means that the Council may, at its discretion, permit the use;

“SA” Means that the Council may, at its discretion, permit the use after notice of application has been given in accordance with Clause 6.2.

3.2.3 Where no symbol appears in the cross reference of a Use Class against a zone in the Zoning Table a use of that class is not permitted in that zone.

3.2.4 Where in the Zoning Table a particular use is mentioned it is deemed to be excluded from any other Use Class which by its more general terms might otherwise include such particular use.

3.2.5 If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Council may—

- Determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted, or
- 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.

	Residential	Special Residential	Commercial	Industrial	Community	Rural	Special Rural	Special Use
Abattoir				SA		SA		
Amusement Parlour			SA					
Betting Agency			P					
Boarding House	SA	SA	SA			SA	SA	
Builder's Storage Yard			AA	P				
Camping Area					AA	AA		
Caravan Park						AA		
Caretaker's Dwelling	AA		AA	AA	AA			
Car Park			P	P	AA	AA		
Cattery	SA					AA	SA	
Civic Building			AA		P	AA		
Civic Use			AA		P	AA		
Club Premises			AA		AA	SA		
Community Home	SA	SA			AA	SA	SA	
Consulting Rooms	AA	AA	P	AA		AA		
Convenience Store	SA		P	AA				
Day Care Centre	SA		SA					
Display Home Centre	AA	AA					AA	
Dog Kennels	SA					AA	SA	
Drive-In Theatre						SA		
Dry Cleaning Premises			P	P				
Educational Establishment					AA	SA		
Factory Unit Building				P				
Family Care Centre	SA		SA					
Fast Food Outlet	SA		P					
Fish Shop			P					
Fuel Depot				P				
Funeral Parlour			AA					
Garden Centre		AA	AA			AA	AA	
Health Studio			P		AA	AA		
Home Occupation	AA	AA				SA	AA	
Hospital					P	SA		
Hospital Special Purposes					AA	SA		
Hostel	SA	SA	P			SA		
Hotel			P			SA		
Industry—Cottage	SA	SA		SA		SA	SA	

Refer to Schedule 3

	Residential	Special Residential	Commercial	Industrial	Community	Rural	Special Rural	Special Use
Industry—Extractive						SA		
Industry—General				P				
Industry—Hazardous				SA		SA		
Industry—Light				P				
Industry—Noxious				SA		SA		
Industry—Rural				P		SA		
Industry—Service				P				
Institutional Building						SA		
Institutional Home	SA					SA		
Kindergarten	SA	SA			AA	SA		
Laundromat			P					
Liquor Store			P					
Lodging House	SA	SA	SA			SA		
Marine Collector's Yard				P				
Market			SA	SA				
Medical Centre			AA		P	SA		
Milk Depot				P		SA		
Mobile Home Park						AA		
Motel	SA		P			SA		
Motor Vehicle/Marine Sales Premises			P	P				
Motor Vehicle Hire Station			P	P				
Motor Vehicle Repair Station			AA	P				
Motor Vehicle Wash Station			AA	P				
Motor Vehicle Wrecking Premises				SA				
Museum			P		AA	AA		
Night Club			SA					
Nursery			P			AA	SA	
Office			P	AA				
Petrol Filling Station	SA		P	SA		AA		
Piggery						SA		
Poultry Farm						SA		
Prison						SA		
Private Hotel	SA		P			SA		
Produce Store	SA		P					
Professional Office			P	AA				
Public Amusement	SA		AA	SA	SA	SA		
Public Recreation	AA	AA		AA	AA	AA	AA	
Public Utility	AA	AA	AA	P	AA	AA	AA	
Public Worship, Place of	SA	SA			AA	AA		
Radio and TV Installation		AA	AA	P	AA	AA	AA	
Reception Centre			AA		SA	SA		
Reformatory						SA		
Restaurant	SA		P		SA	SA		
Rural Pursuit		SA				P	AA	
Salvage Yard				P		SA		
Sawmill				P		SA		
Service Station	SA		P	SA		AA		
Shared Dwelling	SA	SA				SA	SA	
Shop	SA		P					
Showroom			P	AA				
Single Dwelling	P	P				P	P	
Tavern			P			SA		
Trade Display			SA	P		SA		
Transport Depot				P				
Veterinary Consulting Rooms	SA		AA		AA	AA		
Veterinary Hospital			AA		AA	AA		
Warehouse			AA	P				
Wine House			P					
Zoological Gardens						SA		
Any Use Not Mentioned Above	SA	SA	SA	SA	SA	SA	SA	

Refer to Schedule 3

3.3 Special Residential Zone

3.3.1 The Special Residential Zone is a zone intended for subdivision into allotments of a size not less than 0.4ha wherein the carrying out of rural pursuits for recreation, including the keeping of horses, shall be permitted in a town environment wherein proximity to developed town community and commercial facilities will permit the enjoyment of the facilities by the occupants.

3.3.2 Within the Special Residential Zone, with the exception of the areas bounded by a broken line on the Scheme Map, the keeping of horses shall be limited to one (1) horse per allotment, unless a management plan with the objective of retaining a full plant cover on the soil is submitted to the Local Authority, which may, after consultation with the Department of Agriculture, approve the keeping of more than one (1) horse.

3.3.3 The provisions for controlling subdivision, land uses and development on all land within the Special Residential Zone are set out at Clause 5.5 and Schedule 4 of this Scheme.

3.4 Special Rural Zone

3.4.1 The following provisions shall apply to all land included in a Special Rural Zone in addition to any provisions which are more generally applicable to such land under this Scheme—

- (a) The objective of the Special Rural Zone is to select areas wherein closer subdivision of rural land will be permitted to provide for such uses as hobby farms, horse breeding, rural-residential retreats and also to make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas.
- (b) The provisions for controlling subdivision and development in the Special Rural Zone are set out at Clause 5.6 and Schedule 5 of this Scheme.

Before making provision for a Special Rural Zone, Council will prepare, or require the owner(s) of the land to prepare, a submission supporting the creation of the Special Rural Zone and such submission shall include—

- (i) A statement as to the purpose or intent for which the zone is being created.
 - (ii) The reasons for selecting the particular area the subject of the proposed zone.
 - (iii) A plan or plans showing contours at such intervals as to adequately depict the landform of the area and physical features such as existing buildings, rock outcrops, trees or groups of trees, lakes, rivers, creeks, swamps, orchards, wells and significant improvements.
 - (iv) The proposed staging of the subdivision and development and the criteria to be met before successive stages are implemented.
- (c) The Scheme provisions for a specific Special Rural Zone shall include a plan of subdivision showing—
- (i) The proposed ultimate subdivision including lot sizes and dimensions and building envelopes.
 - (ii) Areas to be set aside for Public Open Space, pedestrian accessways, horse trails, community facilities and such other public areas as may be considered appropriate.
 - (iii) Those physical features it is intended to conserve.
 - (iv) The proposed staging of the subdivision where relevant.
- (d) In addition to the plan of subdivision, the Scheme provisions for a specific Special Rural Zone shall specify—
- (i) The facilities which the purchasers of the lots will be required to provide (eg liquid and solid waste disposal system etc).
 - (ii) Proposals for the control of land uses and development which will ensure that the purpose of intent of the zone and the rural environment and amenities are not impaired.
 - (iii) Any special provisions appropriate to secure the objectives of the zone.

PART 4—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

4.2.1 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.

4.2.2 The Council shall not grant planning consent to erect, alter or extend a building or buildings used in conjunction with a non-conforming use where the floor area of such building or buildings would be increased by a factor of more than 10% of the floor area as at the date of the gazettal of this Scheme.

4.3 Change of Non-Conforming Use

Notwithstanding anything contained in the Zoning Table the Council may grant its planning consent to the change of use of any land from a non-conforming use to another use if the proposed use is, in the opinion of the Council, less detrimental to the amenity of the locality than the non-conforming use and is, in the opinion of the Council, closer to the intended uses of the zone or reserve.

4.4 Discontinuance of Non-Conforming Use

4.4.1 When a non-conforming use of any land or building has been discontinued for a period of six months or more such land or building shall not thereafter be used otherwise than in conformity with the provisions of the Scheme.

4.4.2 The Council may effect the discontinuance of a non-conforming use by the purchase of the affected property, or by the payment of compensation to the owner or the occupier or to both the owner and the occupier of that property, and may enter into an agreement with the owner for that purpose.

4.5 Destruction of Buildings

If any building is, at the Gazettal date, being used for a non-conforming use, and is subsequently destroyed or damaged to an extent of 75% 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.

4.6 Subdivision of Land

If a non-conforming use exists on any land or in any building thereon, no person shall, without the planning consent of the Council, carry on such non-conforming use after the subdivision of such land.

4.7 Register of Non-Conforming Uses

4.7.1 The Council shall keep and maintain a register of non-conforming uses.

4.7.2 A person carrying on a non-conforming use shall within six calendar months of the Gazettal date or, within twenty one days after demand in writing by the Council, give to the Council in writing full information of the nature and extent of the non-conforming use.

4.7.3 The Council shall note in the register any change to or discontinuance of a non-conforming use.

4.7.4 For the purpose of the registration of a non-conforming use in the register the Council shall determine the nature of the use and the appropriate use class based upon the Council's assessment of the evidence before it at the time of making the determination.

PART 5—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 obtained the planning consent of the Council under the Scheme.

5.1.2 The planning consent of Council is not required for the following development of land—

- (a) The use of land in a reserve, where such land is held by the Council or vested in a Public Authority—
 - (i) for the purpose for which the land is reserved under the Scheme; or
 - (ii) in the case of land vested in a Public Authority, for any purpose for which such land may be lawfully used by that authority;
- (b) the 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;
- (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 Discretion to Modify Development Standards

If a development, other than a residential development, the subject of an application for planning consent does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this Clause may only be exercised if the Council is satisfied that—

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality 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 requirements or standard will not be unreasonably departed from thereby.

5.3 Residential Development: Residential Planning Codes

5.3.1 For the purpose of this Scheme "Residential Planning Codes" means the Residential Planning Codes set out in Appendix 2 to the Statement of Planning Policy No. 1, together with any amendments thereto.

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

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

5.3.4 The Residential Planning Code density applicable to land within the Scheme Area shall be determined by reference to the Residential Planning Code density numbers superimposed on the particular areas shown on the Scheme Map as being contained within the outer edges of the broken black borders.

5.4 Special Application of Residential Planning Codes

In areas coded R12.5 or R15, the development of attached houses or grouped dwellings, in accordance with the provisions of the R30 Code, may be permitted at Council's discretion subject to the procedures set out at Clause 6.2 of this Scheme.

5.5 Special Residential Zone: Development Requirements

5.5.1 Any proposal to subdivide land zoned Special Residential in this Scheme shall be required to conform to the Special Residential Zones Policy adopted by the State Planning Commission as Policy No. DC 2.5.

5.5.2 Any proposal for the subdivision of land in the Special Residential zone shall be accompanied by separate plans which clearly indicate the nature of the intended subdivision, together with an indication of the manner in which the land might be further subdivided into Residential allotments at some future date.

5.5.3 In submitting plans specified in Clause 5.5.2 above an applicant shall cause to be clearly delineated on that plan a building envelope in respect to each proposed allotment.

5.5.4 A building on a lot must be contained within the building envelope defined on the plan lodged under the provisions of Clause 5.5.2 above except that Council may permit construction of buildings in areas other than the building envelope if it is satisfied that the proposed location thereof will not be detrimental to the landscape or the environment but in any case the distance from the lot boundary will not be less than—

- (i) From the front of a lot 15 metres
- (ii) From the side of a lot 5 metres
- (iii) From the rear of a lot 15 metres

5.5.5 In addition to such other provisions of the Scheme as may affect it, any land which is included in a "Special Residential Zone" shall be subject to those provisions as may be specifically set out under Schedule 4 of this Scheme.

5.6 Development in Special Rural Zones

5.6.1 Development in a Special Rural Zone shall comply with the requirements of the following—

- (a) In addition to a building licence, the Council's prior approval to commence development is required for all development including a single dwelling house and such application shall be made in writing to the Council and be subject to the provisions of Clause 6.1 of the Scheme.
- (b) Not more than one single dwelling house per lot shall be erected.
- (c) In order to conserve the rural environment or features of natural beauty all trees shall be retained unless their removal is authorised by Council.
- (d) Notwithstanding the provisions of the Scheme and what may be shown in the plan of subdivision specified in Clause 3.4.1 (c), the State Planning Commission may approve a minor variation to the subdivisional design, but further breakdown of the lots so created shall be deemed to be contrary to the provisions of the Scheme.
- (e) Building Envelopes and Setbacks—

A building on a lot must be contained within the building envelope defined on the plan lodged under the provisions of Clause 3.4.1 (c), the boundaries of such envelope to be set back from the boundaries of a lot as follows, unless the Council is of the opinion that a reduction in any such setback will enable building to occur on that part of a lot which is most appropriate for building upon—

- (i) From the front of a lot 20 metres
- (ii) From the side of a lot 20 metres
- (iii) From the rear of a lot 20 metres

Furthermore, Council may permit construction of buildings in areas other than the building envelope if it is satisfied that the proposed location thereof will not be detrimental to the landscape or the environment but in any case the distance from the lot boundary will not be less than 10 metres.

5.6.2 In addition to such other provisions of the Scheme as may affect it, any land which is included in a "Special Rural Zone" shall be subject to those provisions as may be specifically set out under Schedule 5 of this Scheme.

5.7 Development Standards

5.7.1 Development standards applicable within the Commercial Zone, Industrial Zone and the Community Zone shall be as set out in the following table—

(a) Commercial Zone	No. car parking spaces	Building setbacks	% Landscaped area
Shops	1 per 23m ² N.L.F.S.	NIL	10%
Offices	1 per 23m ² N.L.F.S.	NIL	10%
Hotel	1 per bedroom PLUS 1 per 5m ² bar area	NIL	10%
Other	Refer to Schedule 6	*	*
(b) Industrial Zone	1 per every 2 employees PLUS 25%	7.5m front 7.5m rear; NIL on one side, 4.0m on the other	10%
(c) Community Zone	*	*	*

(* to be determined by Council)

5.7.2 Developers of land within the Commercial Zone, Industrial Zone and the Community Zone for which a portion of the development site is required to be developed with landscaping under the provisions of Clause 5.7.1 above will be required to enter into a legal agreement with the Council for the maintenance of that landscaping for a period to be determined by the Council, such agreement to be binding on any successors and heirs to the affected property.

5.7.3 Notwithstanding the requirements of Clauses 5.7.1 and 5.7.2, Council may at its discretion accept the payment of cash in lieu of landscaping for development within the Commercial Zone.

5.8 Car Parking

5.8.1 Car parking spaces for residential development shall be provided in accordance with the Residential Planning Codes. Car parking spaces for other than residential development shall be provided in accordance with Schedule 6. Car parking requirements for any use not listed on Schedule 6 shall be determined by Council.

5.8.2 The minimum dimension of any parking space required under the provisions of the Scheme shall be 5.5m x 2.5m excluding all access drives. Acceptable dimensions for a variety of parking layouts are indicated in Appendix 2 to this Scheme.

5.8.3 Where the maximum dimension of any open car parking area exceeds 20m in length or width, garden planting equivalent in area to 10% of the number of parking spaces shall be provided within the parking area for the purpose of visual relief and so long as the garden planting areas shall be maintained in good order the said garden planting areas shall be included in calculations as car parking and not as landscaping.

5.8.4 The car parking layout on any lot within the town centre commercial area shall be designed in conjunction with layouts on adjoining lots so that the total area may ultimately function as an integrated car parking area.

5.8.5 Where the developer can demonstrate to the satisfaction of the Council that there is not the demand for the number of parking spaces specified in the Scheme landscaping may be provided in lieu of car parking spaces not constructed and the said landscaping shall be included in calculations as car parking but not as landscaping.

5.8.6 Council at its discretion may accept the payment of cash in lieu of car parking spaces.

5.9 Historic Buildings

5.9.1 Historic Buildings listed in Schedule 7 are deemed to be places of historic interest worthy of preservation and shall be preserved according to the following categories—

CLASS A—Classified by the National Trust—Worthy of preservation to retain the character of Northam.

CLASS B—Registered on the National Estate—Preservation essential to the heritage of the district.

5.9.2 No person shall intentionally deface modify or demolish any building or structure referred to in Clause 5.9.1 without the express prior consent of the Council.

5.9.3 Where a classified building is threatened by overhead wires the construction of any road or the installation of underground service mains the Council shall investigate the possible relocation of such wires, road or service main.

5.9.4 Where any person or organisation including a Public Authority is desirous of altering the state of any building covered by this Clause an application in writing shall be submitted to a panel for comment. Such panel shall consist of a representative of the Council, an independent Architect nominated by the Western Australian branch of the Royal Australian Institute of Architects and also a member of the National Trust of Australia (WA).

5.9.5 The panel shall recommend to the Council the course of action considered appropriate to seek the preservation or retention of the building or its removal from the classification within the list of historic buildings in Schedule 7; in so doing the panel may recommend a waiver or variation of any Clause within the Scheme or of any By-Law and shall consider the effects of payment of compensation and assess such compensation as would be necessary to secure the retention of the classified building.

5.9.6 The Council shall consider the recommendation of the panel and in determining the application—

- (i) may waive the requirements of any provision of the Scheme,
- (ii) shall where it does not follow the recommendations of the panel state its reasons for not doing so,
- (iii) shall consider financial compensation where development is restricted or refused,
- (iv) the Council shall notify the applicant of its decision together with the owner or occupier of the land upon which the building or place is situated and the National Trust of Australia (WA).

5.9.7 At such time as the Scheme receives the force of Law the Council shall within 28 days inform the owner of each building or structure listed in Schedule 7 together with all other persons known to have a pecuniary interest in the building or structure of that persons obligations under the Scheme.

5.10 Materials of Industrial and Commercial Buildings

On all new commercial or industrial buildings the external cladding of any walls facing a street together with return along side walls where visible from any street shall be constructed of brick, stone, concrete or other approved material.

5.11 Use of Secondhand Materials

5.11.1 The use of secondhand materials to clad the exterior of any building shall only be permitted at the discretion of Council.

5.11.2 Notwithstanding Clause 5.11.1, Council will only permit the external cladding of a building to be constructed of secondhand materials if, in the opinion of Council, such will not detrimentally affect the amenity of the area.

5.12 Use of Asbestos

The use of asbestos building products will not be permitted under any circumstances.

5.13 Transported Buildings

5.13.1 Within the Scheme area a dwelling which has been previously constructed and occupied elsewhere may not be placed on a lot and occupied as a dwelling following transportation as a whole or as parts of a building.

5.13.2 Notwithstanding Clause 5.13.1, Council may permit a transported building to be placed on a lot and used as a dwelling if, in the opinion of Council, such building is in a satisfactory condition and will not detrimentally affect the amenity of the area, or if such a building has been specifically constructed as a transportable dwelling.

5.13.3 An applicant for a building licence for a transported building may be required by Council to enter a contract and provide a bond to reinstate the building to an acceptable standard of presentation within a period of twelve months from the issue of a building licence for such dwelling.

5.14 Building Within Setback Area

Requirements of the Scheme for the setting back of buildings shall exclude garden walls, advertising signs, swimming pools, carparking carports and at the discretion of the Council other structures and trade displays.

5.15 Outbuildings

5.15.1 Within the Residential, Commercial, Industrial and Community Zones, an outbuilding shall not be sited within the building setback to the street frontage as prescribed by this Scheme nor within 6 metres of any other street, unless the Council approves of a lesser distance.

5.15.2 Within the Residential, Commercial, Industrial and Community Zones, an outbuilding shall be separated from the building to which it is appurtenant by a distance of not less than 1800mm.

5.15.3 Within the Residential, Commercial, Industrial and Community Zones, no outbuilding shall be constructed within 600mm of any property boundary.

5.15.4 Within the Residential, Commercial, Industrial and Community Zones, the wall height of any outbuilding shall not exceed 3 metres, unless the Council otherwise approves.

5.15.5 Within the Residential, Commercial, Industrial and Community Zones, the total area of outbuildings on any lot shall not exceed 70 square metres, unless the Council otherwise approves.

5.15.6 Within the Special Residential and Special Rural Zones, the size and location of outbuildings may be subject to Council's discretion, but may not, in any event, be located within the building setback to any street frontage as prescribed by this Scheme.

5.15.7 Notwithstanding any other requirements of this Clause, Council may approve of the siting of an outbuilding that is a carport (being an open-sided garage without doors) in a position other than prescribed by this Clause.

5.16 Storage of Rubbish

Rubbish storage areas shall be screened from view from any public place to the satisfaction of the Council.

5.17 Minimum Floor Levels in Floodplain Management Area

5.17.1 The minimum floor level of all residential, commercial and industrial buildings to be constructed within the Floodplain Management Area depicted upon the overlay to the Scheme Maps shall be 500mm above the 100 year flood level.

5.17.2 Notwithstanding the provisions of Clause 5.17.1 Council may, at its discretion, approve of a minimum floor level which is less than that prescribed under Clause 5.17.1, subject to the owner of the land on which the building is to be constructed entering into a legal agreement to the satisfaction of the Council indemnifying the Council against any liability which may arise in the event of any building so approved being flooded.

PART 6—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 8 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 car parking spaces intended to be provided;
 - (v) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site and the means of access to and from those areas;
 - (vi) the location, dimensions and design of any landscaped, open storage or trade display area and particulars of the manner in which it is proposed to develop the same;
- (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 of 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 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 6.2.3(b) shall be in the form contained in Schedule 9 with such modifications as circumstances may require.

6.2.5 After expiration of twenty-one days from the serving of notice of the proposed development, the publication of notice and 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 10 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 is 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 is 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 7—CONTROL OF ADVERTISING

7.1 Power to Control Advertisements

7.1.1 For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior approval of the Council. Such planning consent is required in addition to any licence pursuant to Council's Signs and Hoarding and Bill Posting Bylaws.

7.1.2 Applications for Council's consent pursuant to this Part shall be submitted in accordance with the provisions of Clauses 6.1 and 6.2 of the Scheme and shall be accompanied by a completed Additional Information Sheet in the form set out in Schedule 11 giving details of the advertisement(s) to be erected, placed or displayed on the land.

7.2 Existing Advertisements

Advertisements which—

- (i) were lawfully erected, placed or displayed prior to the approval of this Scheme, or
- (ii) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the approval of this Scheme, hereinafter in this part referred to as "existing advertisements", may, except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.

7.3 Consideration of Applications

Without limiting the generality of the matters which may be taken into account when making a decision upon an application for consent to erect, place or display an advertisement, Council shall examine each such application in the light of the objectives of the Scheme and with particular reference to the character and amenity of the locality within which it is to be displayed, including its historic or landscape significance and traffic safety, and the amenity of adjacent areas which may be affected.

7.4 Exemptions from the Requirement to Obtain Consent

Subject to the provisions of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of Clause 7.1.1, the Council's prior consent is not required in respect of those advertisements listed in Schedule 12 which for the purpose of this Part are referred to as "exempted advertisements". The exemptions listed in Schedule 12 do not apply to places, buildings, conservation areas or landscape protection zones which are either—

- (i) listed by the National Trust;
- (ii) listed on the register of the National Estate;
- (iii) included in local authority town planning schemes because of their heritage or landscape value.

7.5 Discontinuance

Notwithstanding the Scheme objectives and Clause 7.4, where the Council can demonstrate exceptional circumstances which cause an exempted or existing advertisement to seriously conflict with the objectives of this Part, it may by notice in writing (giving clear reasons) require the advertiser to remove, relocate, adapt, or otherwise modify the advertisement within a period of time specified in the notice.

7.6 Derelict or Poorly Maintained Signs

Where, in the opinion of the Council, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, Council may by notice in writing require the advertiser to—

- (i) repair, repaint or otherwise restore the advertisement to a standard specified by Council in the notice, or
- (ii) remove the advertisement.

7.7 Notices

7.7.1 "The advertiser" shall be interpreted as any one or any group comprised of the land owner, occupier or lessee.

7.7.2 Any notice served in exceptional circumstances pursuant to Clause 7.5 or pursuant to Clause 7.6 shall be served upon the advertiser and shall specify—

- (i) the advertisement(s) the subject of the notice;
- (ii) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice;
- (iii) the period, not being less than 60 days, within which the action specified shall be completed by the advertiser.

7.7.3 Any person upon whom a notice is served pursuant to this Part may, within a period of 60 days from the date of the notice, appeal to the Hon Minister for Planning or the Town Planning Appeal Tribunal in accordance with Part V of the Act, and where any such appeal is lodged the effect of the notice shall be suspended until the decision to uphold, quash or vary the notice is known and shall thereafter have effect according to that decision.

7.8 Scheme to Prevail

Where the provisions of this Part are found to be at variance with the provisions of the Council's Signs, Hoarding and Bill Posting Bylaws, the provisions of the Scheme shall prevail.

7.9 Enforcement and Penalties

The offences and penalties provisions specified in Clause 8.2 of the Scheme apply to the advertiser in this Part.

PART 8—ADMINISTRATION

8.1 Powers of the Council

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 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.

8.2 Offences

8.2.1 A person shall not erect, alter or add to or commence to erect alter or add to or commence to erect 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 on 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 building or that part have been and continue to be complied with.

8.2.2 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.

8.3 Act

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

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

8.4 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 when notice of the approval of the Scheme is published in the *Government Gazette*.

8.5 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.

8.6 Power to Make Policies

8.6.1 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 aspects of the control of development.

8.6.2 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 light of any representations made and shall then decide to finally adopt the Draft Policy with or without amendment, or not to 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.

8.6.3 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.

8.6.4 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 1: INTERPRETATIONS

Abattoir: means land and buildings used for the slaughter of animals for human consumption and the treatment of carcasses, offal and by-products.

Absolute Majority: shall have the same meaning as is given to it in and for the purposes of the Local Government Act 1960 (as amended).

Act: means the Town Planning and Development Act, 1928 (as amended).

Advertisement: means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purpose 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 2m² in area relating to the carrying out of building or similar work on land on which it is displayed, not being land which is normally used for those purposes;
- (b) an advertising sign of less than 2m² 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 2m² 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 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 dwelling, attached, grouped or multiple dwelling unit.
 - (d) any building that is the subject of a strata title issued under the provisions of the Strata Titles Act 1985 (as amended).
- Builders' 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.
- 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 on or 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.
- 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 administrative or other like purpose.
- Civic Use:** means the use of land and buildings by a Government Department, 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 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 200m² 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 Town of Northam.
- 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 the public 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 boundary at the minimum distance from the street alignment at which buildings may be constructed and shall be calculated as follows—
- where the site boundaries of a lot are parallel to one another, the length of a line drawn at right angles to such boundaries;
 - 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;
 - 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.
- Floor Area:** shall have the same meaning as is given to it in and for the purposes of the Building Code of Australia, 1990 (as amended).
- 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.
- Gazetted Date:** means the date on which this Scheme is published in the *Government Gazette*.
- Gross Leasable Area:** means in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.
- Health Studio:** means land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation.
- Home Occupation:** means a business or activity carried on with the 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—
- 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 waste or waste products or the unsightly appearance or the dwelling house or domestic outbuilding on or the land on which the business is conducted;
 - does not entail employment of any person not a member of the occupier's family;
 - 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 0.2m² in area;
- (f) in the opinion of 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 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 fueling 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 or care 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, finishing, cleaning, packing or canning or adapting for sale, or the breaking up or demolition of any article or part of an article;
- (c) the generation of electricity or the production of gas;
- (d) the manufacture of edible goods;

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 wastes or waste products;
- (b) where operated in a Residential Zone, does not entail the employment of any person not a member of the occupier's family normally resident on the land;
- (c) is conducted in an out-building which is compatible to the zone and its amenity and does not occupy an area in excess of 55m²;
- (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 0.2m² 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 these materials when carried out on the land from which any of these 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 and includes a piggery and a poultry farm.

Industry—Service: means a light industry carried out on land or in buildings which may have a retail shop front and from which goods may be sold, or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced and the servicing of goods.

Institutional Building: means a building used or designed for use as wholly or principally for the purpose of—

- (a) a home or other institution for care of persons who are physically or mentally handicapped; or
- (b) a rehabilitation centre or home for alcoholics, drug addicts, persons released from prison or other persons requiring treatment as provided by such a centre.

Institutional Home: means a building used for residential purposes for the care and maintenance of children, the aged or the infirm and includes a benevolent institution.

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.

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

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 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 or intended 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 pasteurized.

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:** 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.
- Night Club:** means premises used for entertainment with eating or drinking facilities or both and includes a cabaret.
- Non-Conforming Use:** means a use of land which, though lawful immediately prior to the coming into operating 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 lessee 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 or rivers, foreshores of harbours and other parts of the sea, hill slopes and summits and valleys.
- Plot Ratio:** shall have the same meaning given to it in the Uniform Building By-Laws except for residential dwellings where it shall have the same meaning given to it in the Residential Planning Codes.
- 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, chiroprapist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, teacher (other than a dancing teacher or a music teacher), town planner, or valuer, or a person having an occupation of a similar nature, and Professional Person has a corresponding interpretation.
- Public Amusement:** means land and buildings used for the amusement or entertainment of the public, with or without charge.
- Public Authority:** shall have the same meaning given to it in, and for the purposes of, the Act.
- Public Mall:** means any public street or right-of-way designed especially for pedestrians who shall have 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 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 signals and pictures, both commercial and domestic, but does not include domestic radio and television receivers.
- Reception Centre:** means land and buildings used by parties for functions on formal or ceremonious occasions but not for unhosted use for general entertainment.
- Reformatory:** means land and buildings used for the confinement or detention in custody of juvenile offenders against the law with a view to their reformation.
- Residential Planning Codes:** means the residential planning codes, set out in Appendix 2 to the Statement of Planning Policy No.1 together with any amendments thereto as published in the Government Gazette on December 13, 1991.
- 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 out-buildings and recreational uses and gardens as are ordinarily used therewith, but does not include a private hotel, motel or a boarding house.
- Shop:** means a building wherein goods are kept, exposed or offered for sale, but does not include a bank, a fuel depot, a market, a service station, a milk depot, a marine collector's yard, a timber yard or land and buildings used for the sale of vehicles or for any purpose falling within the definition of industry.
- Showroom:** means a building wherein goods are displayed and may be offered for sale by wholesale and/or by retail 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.
- Special Residential Zone:** is a zone intended for subdivision into allotments of a size not less than 0.4ha wherein the carrying out of rural pursuits for recreation, including the keeping of horses, shall be permitted in a town environment wherein proximity to developed town community and commercial facilities will permit the enjoyment of the facilities by the occupants.

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 vehicles used, but not of other vehicles.

Uniform Building By-Laws: means the Uniform Building By-Laws, 1974 (as amended).

Veterinary Consulting Rooms: means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients but in which animals or pets do not remain overnight.

Veterinary Hospital: means a building used in connection with the treatment of sick animals and includes the accommodation of sick animals.

Warehouse: means a building wherein goods are stored and may be offered for sale by wholesale.

Wayside Stall: means a building situated on private land which offers for sale to the general public produce or any commodity which is produced on the land upon which the buildings are located.

Wholesale: means the sale of any goods to any person or persons other than the ultimate consumer of those goods by a person or his trustee, registered as a "wholesale merchant" for Sales Tax purposes under the provisions of the Sales Tax Assessment Act No. 1, 1930 (as amended).

Wine House: means land and buildings the subject of a Wine House Licence granted under the provisions of the Liquor Act, 1970 (as amended).

Zone: means a portion of the Scheme area shown on the map by distinctive colouring, patterns, symbols, hatching, or edging for the purpose of indicating the restrictions imposed by the Scheme on the erection and use of buildings or for the use of land, but does not include reserved land.

Zoological Gardens: means land and buildings used for the keeping, breeding or display of fauna and the term includes Zoo but does not include kennels or keeping, breeding or showing of domestic pets.

SCHEDULE 2 RESERVES

A. RESERVES TO BE CANCELLED

Reserve No.	Location
1920	Day Care Centre, May Street
25702	Scout Hall Site, Suburban Road
37450	Broomhall Road
37451	Frankish Road

B. RESERVES TO BE RETAINED

Reserve No.	Loc/Lot No.	Area	Purpose	Vesting
3294	192-195	1.4569ha	Recreation	Unvested
3303	SUB 99	24.9565ha	Recreation and Sports Ground	Town of Northam
3996	191	3642m ²	Recreation	Unvested
5503	SUB 29	2.7518ha	Recreation	Town of Northam
8313	SUB N4	2.3112ha	Use & Benefit of Aboriginal Inhabitant	Aboriginal Land Trust
11596	228	1.6187ha	Recreation	Town of Northam
17172	502	1.3335ha	Recreation	Unvested
25613	337	6753m ²	Recreation	Town of Northam
25728	28054	28m ²	Sewage Pumping Station	WAWA
27334	28234	1.6137ha	Recreation	Unvested
27706	28266	1540m ²	Children's Playground	Town of Northam
27857	28273	1300m ²	Recreation	Town of Northam
28017	344	4014m ²	Recreation	Town of Northam
30275	354	6523m ²	Recreation	Town of Northam
31312	360	1563m ²	Purslowe Park	Town of Northam
32386	28472	4418m ²	Public Recreation	Town of Northam
33057	28499	1813m ²	Public Recreation	Town of Northam
35531	28620	8.3877ha	Public Recreation	Unvested
35961	28640	12.1731ha	Public Recreation	Unvested

Reserve No.	Loc/Lot No.	Area	Purpose	Vesting
37209	399	2032m ²	Public Recreation	Town of Northam
37518	403	840m ²	Public Recreation	Town of Northam
42594	335	1960m ²	Recreation	Town of Northam
42389	29072/3/4	4.0389ha	Recreation	Town of Northam
42737	97	1.4780ha	Recreation	Town of Northam
—	113	9692m ²	Recreation	Unvested
—	153	7.1159ha	Recreation	Unvested
—	531	2.0000ha	Recreation	Unvested

**SCHEDULE 3
SPECIAL USE ZONES**

Specified Zone	Permitted Uses	Conditions
Portion of Lot 150 Great Eastern Highway Lot 352 Great Eastern Highway	Trade Display Uses permitted within the Industrial Zone as listed on the Zoning Table under Part 3 of the Scheme Text, with the exception of— Dry Cleaning Premises Market Milk Depot Motor Vehicle Wash Station and any Service Industry so determined by the Local Authority as a high wastewater producer	1. Each lot is to be provided with a Health Department approved on-site effluent disposal system 2. The effluent disposal systems to be located outside the 100 year floodplain

**SCHEDULE 4
SPECIAL RESIDENTIAL ZONES**

Specified Area	Special Provisions
All land zoned Special Residential on the Scheme Map	<ol style="list-style-type: none"> 1. Minimum lot size shall be 4000m² 2. Minimum effective frontage shall be 30 metres 3. The approved plan of subdivision defines areas as building envelopes and no dwelling house, outbuilding or structure shall be constructed on a lot unless it is within the area defined as a building envelope 4. No boundary fences shall be constructed of the following materials— Asbestos/fibro cement Metal sheeting Wooden pickets 5. The minimum standard of boundary fencing shall be post and five strand wire, 1.0m to 1.3m high, or post and fabricated fence material, ringlock or similar 6. No person shall remove any trees on the lot between the road reserve boundary and the building envelope 7. No person shall remove any trees from his lot unless the prior consent of Council is first obtained. For trees which have to be removed to make way for any boundary fire-breaks, required under any Act or regulation, buildings and boundary fences, the prior consent of Council shall be deemed to have been granted 8. As a condition of development on lots created, Council will require the planting and maintenance of 50 native trees capable of growing to at least three metres in height on each lot denuded of natural vegetation by previous agricultural clearing or excavation works. The planting shall be concentrated around the proposed buildings and between the road reserve boundary and the building envelope

SCHEDULE 5
SPECIAL RURAL ZONES

Specified Area	Special Provisions
All land zoned Special Rural on the Scheme Map	<ol style="list-style-type: none"> 1. Minimum lot size shall be 1.0 hectare 2. Minimum effective frontage shall be 40 metres 3. The approved plan of subdivision defines areas as building envelopes and no dwelling house, outbuilding or structure shall be constructed on a lot unless it is within the area defined as a building envelope 4. All lots shall be served by a reticulated water supply. 5. No boundary fences shall be constructed of the following materials— <ul style="list-style-type: none"> Asbestos/fibro cement Metal sheeting Wooden pickets 6. The minimum standard of boundary fencing shall be post and five strand wire, 1.0m to 1.3m high, or post and fabricated fence material, ringlock or similar 7. No person shall remove any trees on the lot between the road reserve boundary and the building envelope 8. No person shall remove any trees from his lot unless the prior consent of Council is first obtained. For trees which have to be removed to make way for any boundary fire-breaks, required under any Act or regulation, buildings and boundary fences, the prior consent of Council shall be deemed to have been granted 9. As a condition of development on lots created, Council will require the planting and maintenance of 50 native trees capable of growing to at least three metres in height on each lot denuded of natural vegetation by previous agricultural clearing or excavation works. The planting shall be concentrated around the proposed buildings and between the road reserve boundary and the building envelope

SCHEDULE 6
CAR PARKING STANDARDS

Use	Minimum Number of Parking Spaces
Church, Church Hall	1 for every 4 persons for whom the building is designed to accommodate
Consulting Rooms (includes Dental, Medical, Veterinary Clinics)	At the discretion of Council, but not less than 4
Hospital "C" Class	12 spaces, or 1 for every 3 patient beds provided, whichever is the greater
Hospital—Other	1 for every patient bed provided
Infant Health Centre	4 spaces
Kindergarten, Child Care Centre	1 for every 10 pupils
Lodging House, Boarding House, Hostel	1 for every bedroom
Public Amusement (includes Theatre, Cinema)	1 for every 4 persons for whom the building is designed to accommodate
Reception Room	1 for every 2 guests accommodated
Restaurant (includes "Take Away" Premises)	1 for every 4 seats provided, plus others to be determined by Council
School	1.5 spaces for every classroom
Service Station, Motor Repair Station	At the discretion of Council, but not less than 6
Showrooms and Car Sales Premises	1 space for every 2 employees plus 1 for every 95m ² of open storage space and building floor space
Tavern	1 space for every 10m ² of floor space
Warehouses	1 space for every 95m ² of building floor space, or 1 space for every 2 persons employed, whichever is the greater

SCHEDULE 7
HISTORIC BUILDINGS

CLASS A—CLASSIFIED BY THE NATIONAL TRUST

1. Morby Farm Homestead, Cemetery Road
2. Former Pensioner Cottage, cnr Colbatch Street and Newcastle Road
3. The Club Tavern and Stables (formerly Club Hotel/McCarthy's Hotel)
4. Former Northam Railway Station, Fitzgerald Street
5. Northam Post Office, Fitzgerald Street
6. The Avon Bridge Hotel (formerly Wilding's Hotel/Railway Hotel), Fitzgerald Street
7. The Grand Hotel, Fitzgerald Street
8. Monument to Peter Chidlow and Edward Jones, Gillett Road
9. "Uralia" (excluding additions), Gordon Street
10. Byfield House, Gordon Street
11. Mitchell House, cnr Duke Street and Hawes Street
12. John Morrell's Grave, Quelquelling Road
13. Avon Valley Arts Centre (formerly Northam Post Office), Wellington Street
14. Avon Valley Arts Centre Workshop (formerly Northam Primary School)
15. Northam Court House, Wellington Street
16. Northam Town Hall and Adjacent Hall, Wellington Street
17. Police Station, Wellington Street
18. St John's Church, Wellington Street

CLASS B—REGISTERED ON THE NATIONAL ESTATE

19. The Old Methodist Church, Duke Street
20. The Bank of New South Wales, Fitzgerald Street
21. The Commonwealth Bank, Fitzgerald Street
22. St James' Church, Wellington Street

SCHEDULE 8
TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)
Town of Northam

APPLICATION FOR PLANNING CONSENT

1. Surname of Applicant Given Names
- Full Address
2. Surname of Owner Given Names
- (if different from above)
3. Submitted by
4. Address for Correspondence
5. Locality of Development
6. Title Details of Land
7. Name of Road Serving Property
8. State Type of Development
- Nature and Size of All Buildings Proposed
-
- General Treatment of Open Portions of the Site
-
- Details of Car Parking and Landscaping Proposals
-
- Approximate Cost of Proposed Development
- Estimated Time for Construction

..... Signature of Owner Signature of Applicant or Agent
(Both signatures are required if applicant is not the owner)

Date Date

NOTE: This form should be completed and forwarded to the Town of Northam together with 2 COPIES of detailed plans showing complete details of the development including a site plan showing the relationship of the land to the area generally. In areas where close development exists, or is in the course of construction, plans shall show the siting of buildings and uses on lots immediately adjoining the subject land.

SCHEDULE 9

Town of Northam

Town Planning Scheme No. 4

Notice of Public Advertisement of Development Proposal

It is HEREBY NOTIFIED for public information and comment that the Council has received an application to develop land for the purpose described hereunder—

LAND DESCRIPTION

Lot No. Street
Proposal

Details of the proposal are available for inspection at the Council office. Comments on the proposal may be submitted to the Council in writing on or before the day of 19

.....
Town Clerk Date

SCHEDULE 10

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

Town of Northam

DECISION ON APPLICATION FOR PLANNING CONSENT

The Council having considered the application

Dated
Submitted by
On behalf of

hereby advises that it has decided to:

REFUSE/GRANT APPROVAL— TO COMMENCE DEVELOPMENT
TO DISPLAY AN ADVERTISEMENT

subject to the following conditions/for the following reasons.

Town Clerk
Date

SCHEDULE 11

CONTROL OF ADVERTISEMENTS

ADDITIONAL INFORMATION SHEET FOR ADVERTISEMENT APPROVAL
(to be completed in addition to Application for Planning Consent—Schedule 8)

- Name of Advertiser
(if different from owner)
- Address in full
- Description of Property upon which advertisement is to be displayed, including full details of its proposed position within that property:
.....
.....
.....
- Details of Proposed Sign:
Height: Width: Depth:
Colours to be used:
Height above ground (a) to top of advertisement:
(b) to underside:
Illuminated? YES/NO
If yes, state whether steady, moving, flashing, alternating, digital, animated, scintillating etc:
.....
If yes, state intensity of light source:
- State period of time for which advertisement is required:
.....

6. Details of signs, if any, to be removed if this application is approved:

.....

N.B. Application should be supported by a photograph or photographs of the premises showing superimposed thereon the proposed position for the advertisement and those advertisements, if any, to be removed detailed in 6 above.

Signature of Advertiser(s):
 (if different from landowner)

Date

SCHEDULE 12
EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 7.4

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (Includes the change of posters on poster signs and applies to non- illuminated signs unless otherwise stated)	Maximum Area of Exempted Sign
Dwellings	One professional name-plate as appropriate.	0.2m ²
Home Occupation	One advertisement describing the nature of the home occupation.	0.2m ²
Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m ²
Cinemas, Theatres and Drive-In Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each advertisement sign not to exceed 5m ²
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to compliance with the requirements of the Signs Hoarding and Bill Posting Bylaws.	Not applicable
Industrial and Warehouse Premises	A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building whether or not those signs are connected to a pole, wall or other building. A maximum of two free-standing advertisement signs not exceeding 5m in height above ground level.	Total area of any such advertisements shall not exceed 15m ² Maximum permissible total area shall not exceed 10m ² and individual advertisement signs shall not exceed 6m ²
Showroom, race courses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned either from other private land or from public places and streets.	N/A
Public Places and Reserves	(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of government, a public authority or council of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and	N/A

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (Includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	Maximum Area of Exempted Sign
	(b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the council of a municipality, and	N/A
	(c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	N/A
Railway Property and Reserves	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon a railway station.	No sign shall exceed 2m ² in area.
Advertisements within buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	N/A
All classes of buildings other than single family dwellings	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m ²
Temporary Signs	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
Building Construction Sites (advertisement signs displayed only for the duration of the construction as follows:		
(i) Dwellings	One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2m ²
(ii) Multiple Dwellings, Shops, Commercial and Industrial projects	One sign as for (i) above	5m ²
(iii) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height)	One sign as for (i) above	10m ²
	One additional sign showing the name of the project builder	5m ²
Sales of Goods or Livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2m ²

Temporary Signs	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
Property Transactions		
Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows:		
(a) Dwellings	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign shall not exceed an area of 2m ²
(b) Multiple Dwellings, Shops, Commercial and Industrial Properties	One sign as for (a) above	Each sign shall not exceed an area of 5m ²
(c) Large properties comprised of shopping centres, buildings in excess of 4 storeys and rural properties in excess of 5ha	One sign as for (a) above	Each sign shall not exceed an area of 10m ²
Display Homes		
Advertisement signs displayed for the period over which the homes are on display for public inspection		
	(i) One sign for each dwelling on display	2m ²
	(ii) In addition to (i) above, one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display	5m ²

ADOPTION

Adopted by Resolution of the Council of the Town of Northam at the meeting of the Council held on the 25th day of March 1992.

V. S. OTTAWAY, Mayor.
B. H. WITBER, Town Clerk.

Dated 30th November 1992.

FINAL APPROVAL

1. Adopted by Resolution of the Council of the Town of Northam at the Ordinary meeting of Council held on the 11th day of August 1993 and the seal of the Municipality was pursuant to that Resolution hereunto affixed in the presence of—

V. S. OTTAWAY, Mayor.
B. H. WITBER, Town Clerk.

This Scheme Text is to be read in conjunction with the approved maps of the Scheme described in Clause 1.4 of this Scheme and to which formal approval was given by the Hon. Minister for Planning on the date shown below.

2. Recommended/submitted for final approval by the State Planning Commission.

M. R. ALLEN, for Chairman, State Planning Commission.

Dated 23rd August 1993.

3. Final approval granted.

RICHARD LEWIS, Hon. Minister for Planning.

Dated 26 August 1993.

POLICE**PE401****ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of the Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Peel District Cycle Club on December 4th, 1993 between the hours of 0900 and 1400 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Old Coast Road, Mary Street, McLarty Road, Old Coast Road, Mandurah.

All participants to wear approved head protection at all times.

Dated at Perth this 30th day of September 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of the Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Melville/Fremantle Cycling Club on November 7th, 14th, 21st, 28th 1993 between the hours of 0830 and 10.30 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Wittenburg Drive, Canvale Place, Canning Vale.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of the Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Melville/Fremantle Cycling Club on December 4th, 11th, 18th, 1993 between the hours of 1500 and 1700 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Wittenburg Drive, Canvale Place, Canning Vale.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of the Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Melville/Fremantle Cycling Club on January 2nd, 9th, 16th, 30th, 1994 between the hours of 0830 and 10.30 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Wittenburg Drive, Canvale Place, Canning Vale.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of the Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Melville/Fremantle Cycling Club on February 6th, 13th, 20th, 27th, 1994 between the hours of 08.30 and 10.30 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Wittenburg Drive, Canvale Place, Canning Vale.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of the Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Peel District Cycle Club on October 17, and November 14th, 1993 between the hours of 0830 and 1200 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Lloyd Street, Rodoreda Crescent, Carter Street, Nancarrow Way, Ravenswood.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of the Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Peel District Cycle Club on October 17, and November 14th, 1993 between the hours of 0830 and 1200 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Lloyd Street, Rodoreda Crescent, Carter Street, Nancarrow Way, Ravenswood.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of the Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Central Gt. Southern Enterprise Agency on October 16th, 1993 between the hours of 1630 and 1730 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Albany Highway from Broome Hill Road to Pensioner Road, Kojonup.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of the Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Peel District Cycle Club on October 24th, and November 28th, 1993 between the hours of 0830 and 1200 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Baker Street, Butler Street, Cox Street, Phillips Street, Pinjarra.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of the Act and the consent of the local authorities having been obtained and nominated for the purpose of a Cycle Race by members/entrants of the Avon Valley Cycling Club on October 20th, 27th, November 3rd, 10th, 1993 between the hours of 1730 and 1830 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Wellington Street, Spencers Brook Road for 8 kms then return to Northam.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

PE402

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Triathlon by members/entrants of the Albany Triathlon Club on October 24th, 31st, November 7th, 14th, 1993 between the hours of 0900 and 1130 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Barker Road, Graham Street, Sanford Street, North Road, Albany Highway, Barker Road, Albany.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Triathlon by members/entrants of the Albany Triathlon Club on November 21st, 28th, and December 6th 1993, January 16th 1994 between the hours of 0900 and 1130 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Barker Road, Graham Street, Sanford Street, North Road, Albany Highway, Barker Road, Albany.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Triathlon by members/entrants of Triathlon W.A. on November 21st, between the hours of 0745 and 1000 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Marine Terrace, Cliff Street, Phillimore Street, Elder Place, Beach Street, Victoria Quay Road, Mouat Street, Fremantle.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Triathlon by members/entrants of Triathlon W.A. on February 6th, 1994 between the hours of 0730 and 0900 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Honour Avenue, Burke Drive, Hislop Road, Kingsall Road, Attadale.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Triathlon by members/entrants the Triathlon W.A. on December 12th, between the hours of 0730 and 0900 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Deep Water Point, The Esplanade, Brentwood Avenue, Orana Crescent, Brentwood. (Dual use paths where applicable).

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Triathlon by members/entrants the Triathlon W.A. on December 12th, between the hours of 0730 and 0900 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Deep Water Point, The Esplanade, Brentwood Avenue, Orana Crescent, Brentwood. (Dual use paths where applicable).

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Mini Triathlon by members/entrants of the Bunbury Triathlon Club Inc. on November 7th, between the hours of 0730 and 1000 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Pratt Road, Old Coast Road, Lucy Victoria Avenue, Clifton Park.

Dated at Perth this 30th day of September 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

PE403

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Fun Run by members/entrants of the Womens Sport Foundation of W.A. on October 24th, 1993 between the hours of 0830 and 1100 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Alderbury Street, Oceanic Drive, Underwood Avenue, Brookdale Street, Floreat Park.

Dated at Perth this 30th day of September 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Fun Run by members/entrants of the W.A. Marathon Club on November 14th, 1993 between the hours of 0730 and 0930 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on The Esplanade, Phillimore Street, Elder Place, Cliff Street, Beach Street, Victoria Quay Road, Marine Terrace, The Esplanade.

Dated at Perth this 30th day of September 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Fun Run by members/entrants of the Canning Get Around Committee on November 7th, 1993 between the hours of 0820 and 1000 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on The Esplanade, Mt. Henry Bridge dual use path to Canning Bridge, The Esplanade dual use path to Deep Water Point.

Dated at Perth this 30th day of September 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Fun Run by members/entrants of the Bunbury Life Saving Club on October 24th, 1993 between the hours of 0800 and 1100 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Ocean Drive, Clifton Street, Victoria, Stirling, Spencer, Minninup, Hastie, Ocean Drive, Stockely Road, Phillip Drive, Bunbury.
Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

PE404

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Marathon by members/entrants of the Attadale Rotary Club on October 17th, 1993 between the hours of 0900 and 1130 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to Riverside Road, Wauhob Road, Preston Point Road, Point Walter Road, Honour Avenue, Moreing Road, Wichman Road, Hislop Road, Burke Drive (duel use paths to be used where applicable).

Dated at Perth this 30th day of September 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

PE405

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Regularity Run by members/entrants of the York Flying Fifty Speed Classic on November 14th, 1993 between the hours of 0900 and 1700 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Howick Street, Macartney Street, Low Street, South Street, Avon Terrace, Joaquina Street, Railway Street, South Street, Howick Street, York.

All participants to wear approved head protection at all times.

Dated at Perth this 30th day of September 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

PE406

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Go-Kart Race by members/entrants of the 1st Kojonup Scouts on October 30th, 1993 between the hours of 0900 and 1500 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Church Avenue, Pensioner Road, McLeod Street, George Street, Gregory Street, Kojonup.

All participants to wear approved head protection at all times.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

PE407

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of a Wheelbarrow Race by members/entrants of the Corrigin District High School on October 21st, 1993 between the hours of 0930 and 1230 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Corrigin School Grounds, Goyder Street, Brookton Highway to Kunjin Emu Farm, Corrigin.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

PE408

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Commander (Metropolitan Traffic) being the delegated officer of the Minister for Police under section 83 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act and the consent of the local authorities having been obtained and nominated for the purpose of an Ultra Marathon by members/entrants of TVW Channel 7 on October 17th, 1993 between the hours of 0300 and 1000 do hereby approve the temporary suspension of regulations made under such Act on the carriageway/s mentioned hereunder.

Racing to be confined to the left hand side of the carriageway on Rockingham Road, Cockburn Road, Hampton Road, Stirling Highway, Thomas Street, Kings Park Road, Milligan Street, James Street, Northbridge.

Dated at Perth this 6th day of October 1993.

A. R. PILKINGTON, Commander (Metropolitan Traffic).

STATE TAXATION

SX401

PAY-ROLL TAX ASSESSMENT ACT 1971**NOTICE OF EXEMPTION OF CHARITABLE BODY**

Notice is hereby given under the provisions of section 10 (3) of the Pay-roll Tax Assessment Act, that South West Employment Incorporated is declared to be exempt for the purposes of section 10 (1) (k) of the Act, in relation to its charitable objects.

G. M. EVANS, Minister for Finance.

SX402

PAY-ROLL TAX ASSESSMENT ACT 1971**NOTICE OF EXEMPTION OF CHARITABLE BODY**

Notice is hereby given under the provisions of section 10 (3) of the Pay-roll Tax Assessment Act, that Musica Viva Australia is declared to be exempt for the purposes of section 10 (1) (k) of the Act, in relation to its charitable objects.

G. M. EVANS, Minister for Finance.

SX403

PAY-ROLL TAX ASSESSMENT ACT 1971**NOTICE OF EXEMPTION OF CHARITABLE BODY**

Notice is hereby given under the provisions of section 10 (3) of the Pay-roll Tax Assessment Act, that Midland Skills Training Association Incorporated is declared to be exempt for the purposes of section 10 (1) (k) of the Act, in relation to its charitable objects.

G. M. EVANS, Minister for Finance.

WESTRAIL**WB401****WESTERN AUSTRALIAN GOVERNMENT RAILWAYS**

Railways Working Account for quarter ended 30 June, 1993 (as required by section 59 of the Government Railways Act).

1. Revenue and Expenditure	
	\$'000
Revenue	105 611
Expenditure	102 524
	\$3 087
2. Fixed Assets	
	\$'000
At cost less depreciation	923 410
(as at 30 June, 1993)	

J. I. GILL, Commissioner of Railways.

TENDERS**ZT501****MARINE AND HARBOURS**

Tenders Invited

Contract No.	Project	Closing Date	Tender Document from
E128	Kalbarri Murchison River Ocean Entrance Dredging 1993/94	26 October 1993	Administrative Assistant, Technical Services.

Tender documents are available from Monday, 11 October 1993, on payment of a non-refundable deposit of \$15.00.

D. BILETIC for M. J. PAUL, Director Technical Services.

PUBLIC NOTICES**ZZ201****PUBLIC TRUSTEE ACT 1941**

Notice is hereby given that pursuant to section 14 of the Public Trustee Act 1941 and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 5th day of October 1993.

K. E. BRADLEY, Public Trustee,
565 Hay Street, Perth WA 6000.

Name of Deceased; Address; Date of Death; Date Election Filed.

Bright, Barry James; Derby; 16/6/93; 30/9/93.

Djennawooding, Norman; Port Hedland; 2/5/90; 1/10/93.

Humphries, Anne; Carlisle; 11/6/93; 30/9/93.

Kirby, Florence Edna; Willagee; 31/7/93; 1/10/93.

Marshall, George; Como; 1/6/93; 1/10/93.

Western, James Peter; Brisbane; 17/5/84; 30/9/93.

Yarrie, Nellie; Marble Bar; 8/10/89; 30/9/93.

ZZ202

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 8 November 1993, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Alford, Albert John, late of 58 Moran Street, Boulder, died 28/6/90.

Atwell, Henry, formerly of 42 Talbot Avenue, Como, late of Lefroy Hostel, 22 Lefroy Road, Bullcreek, died 27/8/93.

Barkla, Ralph Denis Preston, late of Lemnos Hospital, Stubbs Terrace, Shenton Park, died 18/8/93.

Bell, Sarah Townsley Robinson, late of Carlisle Nursing Home, Star Street, Carlisle, died 15/9/93.

Benzie, Alfred Charles, late of 47 Mark Street, Geraldton, died 1/9/93.

Bronsard, Claude, late of 1171A Kwinana Street, Wyndham, died 28/6/93.

Clayton, Colin Leslie, late of 23 Ullapool Road, Applecross, died 29/8/93.

Critchley, Agnes, late of 78 Queen Street, Bayswater, died 9/9/93.

Dimond, George Henry, late of 42 Noyes Place, Munster, died 6/8/93.

Fishlock, Peter William, late of 10 Sweetman Road, Karratha, died 30/8/93.

Galins, Rita Anna, late of 53 McKinley Street, Collie, died 12/9/93.

George, Leonard Alfred, late of Howard Solomon Masonic Hostel, 91 Hybanthus Road, Lynwood, died 19/8/93.

Green, Edna, late of 32 Carvie Street, Hillman, died 12/9/93.

Harris, Zilpah, late of 84 Plantation Drive, Bentley, died 9/7/93.

Homer, Norman James, late of 7/15 Westbrook Way, Girrawheen, died 29/3/93.

Jordan, Shirley Romona, (also known as Johnston, Shirley Romona) late of 33 Cavendish Street, Highgate, died 5/6/93.

King, Walter Pendred, late of 74 Hayward Road, Martin, died 3/9/93.

Liddell, Vera Gladys, late of Lathlain Nursing Home, 63 Archer Street, Lathlain, died 10/9/93.

Lumsden, Grace Gladys, late of Unit 7 Palm Courts, 253 High Street, Fremantle, died 30/8/93.

Lyon, Stanley John, late of 29/83 Phoenix Road, Spearwood, died 8/9/93.

Margetts, Dianne, (also known as Margetts, John) late of Mt Henry Hospital, Cottage 9, Cloisters Avenue, Como, died 12/6/93.

Miller, Maria, late of 8/76 Kent Street, Rockingham, died 8/9/93.

Morse, Douglas Victor, late of 1/5 Merope Close, Rockingham, died 4/9/93.

Obst, Olive Elenor, (also known as Mariak, Olive Elenor) late of 4/1-9 Rupert Street, Subiaco, died 6/9/93.

Oliver, Dulcie Lillas, late of St George's Home, 2 Essex Street, Bayswater, died 10/9/93.

Prosser, Eileen, late of Narrogin Cottage Homes, Felspar Street, Narrogin, died 21/8/93.

Taplin, Raymond, late of U508/112 Goderich Street, East Perth, died 14/1/93.

Taylor, Albert Sydney, late of Foley Village, 84 Collick Street, Hilton, died 30/8/93.

Tyas, Ivy Olive, late of Belmont Community Nursing Home, 5 Kemp Place, Rivervale, died 12/9/93.

Dated this 8th day of October, 1993.

K. E. BRADLEY, Public Trustee,
Public Trust Office, 565 Hay Street, Perth WA 6000.

ZZ401

ARCHITECTS ACT 1922

The Architects Board of Western Australia has removed from the register for non-payment of subscription (due January 1993) the following natural persons—

Registration No.	Name
374	J. C. Cullen
391	W. E. Kierath
1355	H. E. Meinel
984	N. R. Ross
1088	E. F. Samec
1232	C. W. Spencer
1317	G. D. Trethewey
697	I. N. Tucker
1087	B. Wilkes

and the following architectural corporation—

987	Larin Pty. Ltd.
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