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G. L. DUFFIELD, Director.

PROCLAMATIONS

AA101

GOVERNMENT EMPLOYEES' HOUSING ACT 1964

PROCLAMATION

WESTERN AUSTRALIA G. A. KENNEDY, Deputy of the Governor. [L.S.]	}	The Honourable Geoffrey Alexander Kennedy, the deputy of the Governor of the State of Western Australia.
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Under section 7 of the Government Employees' Housing Act 1964 I, the deputy of the Governor, acting with the advice and consent of the Executive Council, do hereby vary the Schedule to the proclamation made under that section and published in the *Government Gazette* on 3 May 1991 at p. 1935, and varied under that section as published in the *Government Gazette* on 15 November 1991 and 2 February, 19 March and 23 April 1993—

- (a) by deleting the items "Crown Law Department" and "Department of Corrective Services"; and
- (b) by inserting in the appropriate alphabetical position the following item—
 " Ministry of Justice "

Given under my hand and the Public Seal of the State on 26 October 1993.

By Command of the deputy of the Governor,

RICHARD LEWIS, Minister for Housing.

GOD SAVE THE QUEEN !

AGRICULTURE

AG101

CORRECTION

SOIL AND LAND CONSERVATION ACT 1945

NOTICE OF APPOINTMENT

Whereas an error occurred in the notice published under the above heading on pages 2798-99 of the *Government Gazette* dated 4 June 1993, reference AG402, it is corrected as follows—

Section 3 (6) (e) delete "Environmental Officer, Department of Mines" and insert "Environmental Officer, Department of Minerals and Energy".

M. D. CARROLL, Director General of Agriculture.

AG401

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976

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

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

Name	Zone	Retires
Michael Clinch	1A	1996
Edward Leslie Hill	4	1994

- (ii) cancels all previous appointments of Zone Control Authority Chairman and appoints Roger Lawrence O'Dwyer to be Chairman of the Control Authorities of Zones 2, 3, 7, 8 and 9, Stuart Hugh Wheeler to be Chairman of the Control Authorities for Zones 1A and 1B and Bevan Leslie Uren to be Chairman of the Control Authorities of Zones 4, 5, 6 and 10.

Dated 2 November 1993.

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

FISHERIES

FI401

FISHERIES ACT 1905

WEST COAST ROCK LOBSTER LIMITED ENTRY FISHERY FISHING BOAT LICENCES—
DIRECTIONS TO LICENSING OFFICERS—NOTICE No. 624

FD. 145/75.

Pursuant to section 17 I hereby give Licensing Officers the following directions regarding the renewal and transfer of fishing boat licences issued in respect of boats authorised to be used in the Fishery.

Interpretation

1. For the purpose of these directions, unless the contrary intention appears—
 - “authorised boat” means a boat licensed under regulation 2 of the *Fisheries Regulations 1938** and authorised to be used to take rock lobster in the Fishery;
 - “Fishery” means the West Coast Rock Lobster Limited Entry Fishery declared by Notice under Section 32;
 - “setose rock lobster” means any female western rock lobster that has fine hair-like filaments (*ovigerous setae*) for the attachment of eggs on the branched structures (*biramous endopodites*) forming part of the swimmerets (*pleopods*) underneath its tail; and
 - “tarspot rock lobster” means any female western rock lobster which has a black putty-like mass (*spermatophoric mass*) attached to the underside of the carapace (*ventral sternal plate*) between its hindmost (5th) pair of walking legs.

Conditions on a licence

2. The following conditions shall be placed on fishing boat licences for all boats authorised to operate in the Fishery—

- “ 1. The licence holder shall—
 - (a) not, nor shall the licence holder allow any other person to, when operating from the boat endorsed on this licence, have in his or her possession any setose or tarspot rock lobster;
 - (b) not, nor shall the licence holder allow any other person to, when operating from the boat endorsed on this licence, bring on land or consign any setose rock lobster or tarspot rock lobster between 21°44' south latitude and 34°24' south latitude, but excluding all land on the south coast east of 115°08' east longitude.
 - (c) ensure that all setose rock lobster or tarspot rock lobster taken by any person operating from the boat endorsed on this licence, are released from capture and returned to the sea within 5 minutes of being brought aboard the boat.
2. The licence holder shall—
 - (a) not, nor shall the licence holder allow any other person to, when operating from the boat endorsed on this licence, have in his or her possession any female western rock lobster with a carapace length greater than 115mm;
 - (b) not, nor shall the licence holder allow any person to, when operating from the boat endorsed on this licence, bring on land or consign any female western rock lobster with a carapace length greater than 115mm between 21°136' south latitude and 34°24' south latitude, but excluding all land on the south coast east of 115°08' east longitude; and
 - (c) ensure that any female western rock lobster of a carapace length greater than 115mm taken by any person operating from the boat endorsed on this licence, are released from capture and returned to the sea within 5 minutes of being brought aboard the boat.
3. The licence holder shall—
 - (a) not, nor shall the licence holder allow any other person to, when operating from the boat endorsed on this licence, bring on land or consign any female western rock lobster with a carapace length greater than 105mm between 21°44' south latitude and 30°48' south latitude on the west coast;
 - (b) not, nor shall the licence holder allow any other person to, when operating from the boat endorsed on this licence, have in his or her possession or carry on the boat, any female western rock lobster with a carapace length greater than 105mm, whilst that boat is moored or anchored in the waters of the Fishery between 21°44' south latitude and 30°48' south latitude on the west coast.
4. The licence holder shall not, nor shall the licence holder allow any other person to, consign western rock lobster from any place between 21°44' south latitude and 30°48' south latitude on the west coast, unless, each bag, basket, box or other receptacle containing the rock lobster has securely attached a label, upon which is legibly endorsed—
 - (a) the name and place of abode of the person consigning the rock lobsters;
 - (b) the registered number allotted under regulation 2 of the *Fisheries Regulations 1938** to the fishing boat used in the taking of the rock lobsters;
 - (c) the place of landing of the rock lobster; and
 - (d) the zone from which the rock lobster were taken. ”.

Revocation

3. Direction to Licensing Officers, Notice No. 597, published in the *Gazette* of 26 March 1993 and Notice No. 621 published in the *Gazette* of 2 November 1993 are cancelled.

For the purposes of these directions western rock lobsters are measured along the med-dorsal line from the anterior edge of the pronounced ridge which joins the front of the edges of the rostral horns immediately posterior to the eyestalks, to the posterior margin of the carapace.

[*Reprinted as at 15 September 1988. For amendments to 31 October 1993 see 1992 Index to Legislation of Western Australia, Table 4, pp. 80-1 and Gazettes of 9 March 1993, 23 April, 28 May, 29 June and 19 October 1993.]

Dated this 3rd day of November 1993.

MONTY HOUSE, Minister for Fisheries.

FI402**FISHERIES ACT 1905****WEST COAST ROCK LOBSTER LIMITED ENTRY FISHERY PROFESSIONAL FISHERMAN'S LICENCES—DIRECTIONS TO LICENSING OFFICERS—NOTICE No. 625**

FD 145/75.

Pursuant to Section 17 I hereby give Licensing Officers the following directions regarding the issue and renewal of all professional fisherman's licences.

Interpretation

1. For the purpose of these directions, unless the contrary intention appears—

“authorised boat” means a boat licensed under regulation 2 of the *Fisheries Regulations 1938** and authorised to be used to take rock lobster in the Fishery;

“Fishery” means the West Coast Rock Lobster Limited Entry Fishery established by Notice under Section 32;

“setose rock lobster” means any female western rock lobster that has fine hair-like filaments (*ovigero setae*) for the attachment of eggs on the branched structures (*biramous endopodites*) forming part of the swimmerets (*pleopods*) underneath its tail; and

“tarspot rock lobster” means any female western rock lobster which has a black putty-like mass (*spermatophoric mass*) attached to the underside of the carapace (*ventral sternal plate*) between its hindmost (5th) pair of walking legs.

Determination of position by reference to the Australian Geodetic Datum

2. (1) Where, for the purposes of this notice it is necessary to determine a position on the surface of the earth by geographical coordinates, that position shall be determined on the Australian Geodetic Datum which is defined by an ellipsoid having a semi-major axis (equatorial radius) of 6 378 160 metres and a flattening of 1/298.25 and fixed by the position of the origin being the Johnston Geodetic Station in the Northern Territory of Australia.

(2) The Johnston Geodetic Station referred to in subclause (1) shall be taken to be situated at 25°56'54.5515" south latitude and at 133°12'30.0771" east longitude and to have a ground level elevation of 571.2 metres above the ellipsoid referred to in that subclause.

Conditions on a licence

3. The following conditions shall be placed on every professional fisherman's licence—

“ The licence holder shall—

- (a) not have in his or her possession or carry on any boat authorised to be used in the Fishery any setose rock lobster or tarspot rock lobster;
- (b) not bring onto land or consign any setose rock lobster or tarspot rock lobster between 21°44' south latitude and 34°24' south latitude, but excluding all land on the south coast east of 115°08' east longitude;
- (c) ensure that, when operating in the waters of the Fishery from a boat authorised to be used in the Fishery, all setose rock lobster or tarspot rock lobster are released from capture and returned to the sea within 5 minutes of being brought aboard the boat;
- (d) not have in his or her possession or carry on any boat authorised to be used in the Fishery any female western rock lobster with a carapace length greater than 115 mm in all waters of the Fishery;
- (e) not bring onto land or consign any female western rock lobster with a carapace length greater than 115 mm between 21°44' south latitude and 34°24' south latitude but excluding all land on the south coast east of 115°08' east longitude;

- (f) ensure that, when operating in the waters of the Fishery from a boat authorised to be used in the Fishery, all female western rock lobster with a carapace length greater than 115 mm are released from capture and returned to the sea within 5 minutes of being brought aboard the boat;
- (g) not bring on land or consign any female western rock lobster with a carapace length greater than 105 mm from any place between 21°44' south latitude and 30°48' south latitude on the west coast;
- (h) not, have in his or her possession on any boat, or carry on any boat, any female western rock lobster with a carapace length greater than 105 mm, whilst the boat is anchored or moored in the waters of the Fishery between 21°44' south latitude and 30°48' south latitude on the west coast; and
- (i) not consign western rock lobster from any place between 21°44' south latitude and 30°48' south latitude on the west coast, unless, the bag, basket, box or other receptacle containing the rock lobster has securely attached a label, upon which is legibly endorsed—
 - (i) the name and place of abode of the person consigning the rock lobsters;
 - (ii) the registered number allotted under regulation 2 of the *Fisheries Regulations 1938** to the fishing boat used in the taking of the rock lobsters;
 - (iii) the place of landing of the rock lobster; and
 - (iv) the zone from which the rock lobster were taken. ”.

Revocation

4. Directions to Licensing Officers, Notice No. 598, published in the *Gazette* of 26 March 1993 and Notice No. 622 published in the *Gazette* of 2 November 1993 are cancelled.

For the purposes of these directions western rock lobster are measured along the mid-dorsal line from the anterior edge of the pronounced ridge which joins the front edges of the rostral horns immediately posterior to the eyestalks, to the posterior margin of the carapace.

[*Reprinted as at 15 September 1988. For amendments to 31 October 1993 see 1992 Index to Legislation of Western Australia, Table 4, pp. 80-1 and Gazettes of 9 March, 23 April, 28 May, 29 June and 19 October 1993.]

Dated this 3rd day of November 1993.

MONTY HOUSE, Minister for Fisheries.

FI403

FISHERIES ACT 1905

RECREATIONAL FISHERMAN'S LICENCES (TAKING OF ROCK LOBSTER) DIRECTIONS TO LICENSING OFFICERS—NOTICE No. 626

FD 145/75.

Pursuant to Section 17 I hereby give Licensing Officers the following directions regarding the issue and renewal of recreational fisherman's licences issued to permit the holder to take rock lobster.

Interpretation

1. For the purpose of these directions, unless the contrary intention appears—

“setose rock lobster” means any female western rock lobster that has fine hair-like filaments (*ovigerous setae*) for the attachment of eggs on the branched structures (*biramous-ndopodites*) forming part of the swimmerets (*pleopods*) underneath its tail;

“tarspot rock lobster” means any female western rock lobster which has a black putty-like mass (*spermatophoric mass*) attached to the underside of the carapace (*ventral sternal plate*) between its hindmost (5th) pair of walking legs;

“tail clipping” means the removal of the bottom half of the central segment (telson) of the tail fan by horizontal cut, so that only the upper portion of the telson remains attached to the last (6th) segment of the rock lobster tail;

“tail punching” means the punching of a circular hole of no less than 10 mm in diameter in the central segment of the tail fan (telson) of the rock lobster by any effective means; and

“telson” means the median appendage at the end of the sixth abdominal somite of the rock lobster. The telson has no appendages and forms the central segment of the tail fan. The two appendages either side of the telson are known as uropods. The telson and four uropods form the tail fan of the rock lobster.

Determination of position by reference to the Australian Geodetic Datum

2. (1) Where, for the purposes of this notice it is necessary to determine a position on the surface of the earth by geographical coordinates, that position shall be determined on the Australian Geodetic Datum which is defined by an ellipsoid having a semi-major axis (equatorial radius) of 6,378,160 metres and a flattening of 1/298.25 and fixed by the position of the origin being the Johnston Geodetic Station in the Northern Territory of Australia.

(2) The Johnston Geodetic Station referred to in subclause (1) shall be taken to be situated at 25°56'54.5515" south latitude and at 133°12'30.0771" east longitude and to have a ground level elevation of 571.2 metres above the ellipsoid referred to in that subclause.

Conditions on a licence

3. The following conditions shall be placed on all recreational fisherman's licences which permit the holder to take rock lobster—

“ The licence holder shall—

- (a) not have in his or her possession or carry on any boat any setose rock lobster or tarspot rock lobster in all waters specified in the Schedule;
- (b) not bring any setose rock lobster or tarspot rock lobster onto land between 21°44' south latitude and 34°24' south latitude, but excluding all land on the south coast east of Cape Leeuwin (115°08' east longitude);
- (c) ensure that all setose rock lobster or tarspot rock lobster taken from the waters specified in the Schedule are released from capture and returned to the sea within 5 minutes of being—
 - (i) taken by the licence holder when diving; or
 - (ii) brought aboard a boat by the licence holder;
- (d) not have in his or her possession or carry on any boat any female western rock lobster with a carapace length greater than 115 mm in all waters specified in the Schedule;
- (e) not bring any female western rock lobster with a carapace length greater than 115 mm onto land between 21°44' south latitude and 34°24' south latitude; but excluding all land on the south coast east of Cape Leeuwin (115°08' east longitude);
- (f) ensure that all female western rock lobster with a carapace length greater than 115 mm taken from the waters specified in the Schedule are released from capture and returned to the sea within 5 minutes of being—
 - (i) taken by the licence holder when diving; or
 - (ii) brought aboard a boat by the licence holder;
- (g) not bring any female western rock lobster with a carapace length greater than 105 mm onto land, between 21°44' south latitude and 30°48' south latitude on the west coast;
- (h) not have in his or her possession on any boat, or carry on any boat, any female western rock lobster with a carapace length greater than 105 mm, whilst the boat is anchored or moored in waters of the Indian Ocean between 21°44' south latitude and 30°48' south latitude; and
- (i) when operating—
 - (i) from a boat using rock lobster pots, ensure that any rock lobster taken is tail clipped or tail punched within 5 minutes of capture;
 - (ii) from a boat by diving, ensure that any rock lobster taken are tail clipped or tail punched within 5 minutes of being brought to the boat;
 - (iii) from shore, ensure that any rock lobster taken is tail clipped or tail punched within 5 minutes of landing. ”

Revocation

4. Directions to licensing officers, Notice No. 578 published in the *Gazette* of 10 November 1992 are cancelled.

For the purposes of these conditions western rock lobster are measured along the mid-dorsal line from the anterior edge of the pronounced ridge which joins the front edges of the rostral horns immediately posterior to the eyestalks, to the posterior margin of the carapace.

Schedule

All waters of the Indian Ocean between 21°44' south latitude and 34°24' south latitude, but excluding all waters on the south coast east of 115°08' east longitude.

Dated this 3rd day of November 1993.

MONTY HOUSE, Minister for Fisheries.

GREAT SOUTHERN DEVELOPMENT

GS401

GREAT SOUTHERN DEVELOPMENT AUTHORITY ACT 1987
GREAT SOUTHERN DEVELOPMENT AUTHORITY (APPOINTMENT OF MEMBERS)
INSTRUMENT 1993

Citation

1. This instrument may be cited as the *Great Southern Development Authority (Appointment of Members) Instrument 1993*.

Definitions

2. In this instrument—

“the Act” means the *Great Southern Development Authority Act 1987*;

“the Board” means the board of management established by the Act.

Appointment of members

3. The following persons are appointed to be members of the Board under section 6 (1) of the Act—

(a) Doug Stoney of Manypeaks.

(b) Janet Savage of Ongerup.

for the period 1 October 1993 to 30 September 1995.

(c) Ian Baird of Albany.

(d) Peter Skinner of Mount Barker.

for the period from 1 October 1993 to 30 September 1994.

Appointment of chairman and deputy chairman:

4. Under section 6 (1) of the Act—

(a) John Simpson of Albany is appointed chairman of the Board for the period 1 October 1993 to 30 September 1995.

(b) Kenneth Pech of Gnowangerup is appointed deputy chairman of the Board for the period from 1 October 1993 to 30 September 1994.

HENDY COWAN, Minister for Commerce and Trade.

HEALTH

HE401

NURSES ACT 1992

Nurses Board of Western Australia

Health Department of WA,
Perth, 26 October 1993.

1366/93.

I, Peter Gilbert Foss, being the Minister administering the Nurses Act 1992, appoint in accordance with the provisions of section 6 (1) of that Act the following persons as members of the Nurses Board of Western Australia for a period of three years, commencing on 29 October 1993:

Section	Member
6 (1) (a)	Mrs D. Riley
6 (1) (a)	Ms P. Tibbett
6 (1) (c)	Mr D. Vincent

PETER FOSS, Minister for Health; The Arts; Consumer Affairs.

HE402

HEALTH ACT 1911Health Department of WA,
Perth, 30 September 1993.

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

Officer	Date Effective	Local Authority
Alyson Vinciguerra	26 August 1993	Shire of Kalamunda
William Sidebottom	27 September 1993-8 October 1993	Town of Claremont
John Henry Paxman	23 August 1993	City of Nedlands
Ian Kenneth Wilkinson	6 September 1993-6 February 1994	City of Rockingham
Peter Nissen	23 August 1993	Shire of Nannup
Rex Rennick	11 October 1993	Town of Cottesloe
George Stark	28 August 1993	Shire of Carnamah
George Stark	23 August 1993	Shire of Three Springs
George Stark	23 August 1993	Shire of Mingenew

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

Officer	Date Effective	Local Authority
Grant Cosh	1 November 1993	Shire of Carnarvon

BRIAN DEVINE, delegate of
Executive Director Public Health.

HE403

OCCUPATIONAL THERAPISTS REGISTRATION ACT 1980

Occupational Therapists Registration Board

Health Department of WA,
Perth, 26 October 1993.

2183/87, Ex Co No. 1822.

The deputy of the Governor has appointed, in accordance with section 7 (1) of the Occupational Therapists Registration Act 1980 the persons listed below as members of the Occupational Therapists Registration Board for a period of three years ending on 24 November 1996.

Section	Member
7 (1) (a)	Ms L. A. Donaldson
7 (1) (c)	Ms A. E. Passmore
7 (1) (d)	Ms G. Albillos

PETER J. BRENNAN, Commissioner of Health.

LAND ADMINISTRATION

LA401

TRANSFER OF LAND ACT 1893

Application F074074

Take notice that Ross Lyle White and Ella Dora White both of Donns Road, Boallia, made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at Busselton, being Portion of Sussex Location 99 containing 2 860 m².

Bounded on the south by part of the northern boundary of Evans Road measuring 60.75 metres, on the west by the eastern boundary of Sussex location 1065 measuring 47.07 metres, on the north by part of the easternmost southern boundary of Sussex location 2112 measuring 60.75 metres, on the east by part of the western boundary of Sussex location 2113 measuring 47.07 metres.

All persons other than the applicant claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge in this office on or before 26th November 1993 a caveat forbidding the land being brought under the operation of the Act.

G. SACH, Registrar of Titles.

LA402

LOCAL GOVERNMENT ACT 1960
DECLARATION OF CLOSURE OF STREETS

Made by the Minister for Lands
Under Section 288A

At the request of the local government nominated, the street described in the Notice is now declared to be closed.

Notice

Shire of Coorow (DOLA File 2798/983; Closure No. C1266). All that portion of Coorow-Greenhead Road (Road No. 17207) now comprised in Victoria Location 11966 on DOLA Crown Survey Diagram 91278.

Public Plan: Coomallo 1:50,000.

A. A. SKINNER, Chief Executive.

LB601

LAND ACT 1933

Department of Land Administration

It is hereby notified that it is intended to Grant a Special Lease over Swan Location 8796 to Yanhep Sun City Pty Ltd, ACN 008 768 278 under section 116 of the Land Act 1933 for the purpose of "Public Yacht Harbour and Commercial Marina" for a term of 21 years.

A. A. SKINNER, Chief Executive.

LB602

LAND ACT 1933

Department of Land Administration

It is hereby notified that it is intended to Grant a Special Lease over Jaurdi Location 46 to Noel Douglas McKay under section 116 of the Land Act 1933 for the purpose of "Residence, Cropping and Grazing" for a term of eighteen years, one month and sixteen days.

A. A. SKINNER, Chief Executive.

LB603

LAND ACT 1933

Department of Land Administration

It is hereby notified that it is intended to Grant a Special Lease over Fitzroy Locations 209 and 268 to Peter George Lentenegger under section 116 of the Land Act 1933 for the purpose of "Grazing" for a term of twenty-one (21) years.

A. A. SKINNER, Chief Executive.

LB701

File No. 1978/1989
Ex. Co. No. 1770

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Extension—Yelverton Road (Road No. 11802) and Kennedia Close—Shire of Busselton

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Busselton passed at a meeting of the Council held on or about June 12, 1991 the several pieces or parcels of land described in the Schedule hereto, being all in the Sussex District have, in pursuance of the written approval and consent of the deputy of the Governor, acting by and with the advice of the Executive Council, dated the 26th day of October 1993, been set apart, taken or resumed for the purpose of the following public work, namely: Road Extension—Yelverton Road (Road No. 11802) and Kennedia Close—Shire of Busselton.

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 Department of Land Administration Plan 18273 which may be inspected at the Department of Land Administration, Midland. 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 Her Majesty 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

Owner of Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Crown	Department of Conservation and Land Management	Portion of Timber Reserve F139-25.	3.7927 ha

Certified correct this 8th day of October 1993.

GEORGE CASH, Minister for Lands.

Dated this 26th day of October 1993.

G. A. KENNEDY, the deputy of the Governor in Executive Council.

File No. 2379/1984;
Ex. Co. No. 1771

LOCAL GOVERNMENT ACT 1960

PUBLIC WORKS ACT 1902

LAND RESUMPTION

Road Deviations and Widening—Boyd Road—Road No. 1428—Shire of Murray

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Murray passed at a meeting of the Council held on or about September 1992 the several pieces or parcels of land described in the Schedule hereto, being all in the Murray District have, in pursuance of the written approval and consent of the deputy of the Governor, acting by and with the advice of the Executive Council, dated the 26th day of October 1993, been set apart, taken or resumed for the purpose of the following public work, namely: Road Deviations and Widening—Boyd Road—Road No. 1428—Shire of Murray.

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 Department of Land Administration Plans 18067 and 18066 which may be inspected at the Department of Land Administration, Midland. 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 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

Owner of Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Rolf Grunder	R. Grunder	Portion of Murray Location 141 and being part of Lot 3 on Diagram 53628 being part of the land contained in Certificate of Title Volume 1772 Folio 208.	3 882 m ²
Michael Robert Hamilton Holmes a Court	M. R. H. Holmes a Court	Portion of Murray Locations 141 and 68 and being part of Lot 2 on Diagram 37270 being part of the land contained in Certificate of Title Volume 191 Folio 195 'A'.	1 981 m ²
Rolf Grunder	R. Grunder	Portion of Murray Location 68 and being part of Lot 14 on Diagram 67369 being part of the land contained in Certificate of Title Volume 1772 Folio 207.	2 315 m ²

Certified correct this 8th day of October 1993.

GEORGE CASH, Minister for Lands.

Dated this 26th day of October 1993.

G. A. KENNEDY, the deputy of the Governor in Executive Council.

File No. 1946/1990
Ex. Co. No. 1772

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Extension—Clackline-Toodyay Road—Shire of Toodyay

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Toodyay passed at a meeting of the Council held on or about May 28, 1992 the several pieces or parcels of land described in the Schedule hereto, being all in the Avon District have, in pursuance of the written approval and consent of the deputy of the Governor, acting by and with the advice of the Executive Council, dated the 26th day of October 1993, been set apart, taken or resumed for the purpose of the following public work, namely: Road Extension—Clackline-Toodyay Road—Shire of Toodyay.

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 Department of Land Administration Plan 17856 which may be inspected at the Department of Land Administration, Midland. 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 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

Owner of Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
Brian Douglas Wood	B. D. Wood	Portion of Lot 5 of Diagram 239 being part of the land contained in Certificate of Title Volume 942 Folio 162.	842 m ²
Douglas Ernest Wood and Phyllis Lorna Kathleen Wood	D. E. and P. L. K. Wood	Portion of Lot 11 on Diagram 63896 being part of the land contained in Certificate of Title Volume 1690 Folio 761.	7 504 m ²

Certified correct this 6th day of October 1993.

GEORGE CASH, Minister for Lands.

Dated this 26th day of October 1993.

G. A. KENNEDY, the deputy of the 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 2nd day of November 1993.

A. A. SKINNER, Chief Executive.

LB901

File No. 4355/89.

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
NOTICE OF INTENTION TO TAKE OR RESUME LAND
Drain—Shire of Swan

The Minister for Works hereby gives notice in accordance with the provisions of section 17 (2) of the Public Works Act 1902 that it is intended to take or resume under section 17 (1) of that Act, the pieces or parcels of land described in the Schedule hereto, and being all in the Swan District, for the purpose of the following public work, namely, Drain—Shire of Swan and that the said pieces or parcels of land are marked off on Plan L.A., W.A. 1016 which may be inspected at the office of the Department of Land Administration, Midland. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

Schedule

No. on Plan L.A., W.A. No. 1016	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Henry Thomas Rogers and Gladys Audrey Rogers	H. T. and G. A. Rogers	Part of Lot 3 on Diagram 29167 being part of the land contained in Certificate of Title Volume 1278 Folio 582	1 670 m ²
	Rodney Kieth Henderson and Christine Anne Henderson	R. K. and C. A. Henderson	Part of Lot 5 on Diagram 55984 being part of the land contained in Certificate of Title Volume 1526 Folio 73	2 876 m ²

Dated this 21st day of October 1993.

GEORGE CASH, Minister for Lands.

LOCAL GOVERNMENT

LG401

BUSH FIRES ACT 1954

Shire of Brookton

Firebreak Order 1993/94

Pursuant to powers contained in section 33 of the Bush Fires Act 1954 owners and occupiers of property within the Shire of Brookton are hereby required on or before the 14th November 1993 to plough, cultivate, scarify, chemically spray or otherwise clear and thereafter maintain free of all flammable material until the 15th April 1994, firebreaks as stipulated in the following positions.

Schedule

Rural Land

1.1 Within fifteen (15) metres of the perimeter boundary, whichever is nearer of all buildings and/or haystacks or groups of buildings and/or haystacks, or fuel drums and/or fuel depots, on the land, to completely surround the building or group of buildings. The cleared land is to extend for a distance of not less than five (5) metres.

1.2 During any period when harvesting operations are being conducted there shall be provided in the same paddock or within 50 metres of that paddock an operational independent mobile fire fighting unit having a water capacity of not less than 450 litres. The tank of the unit shall be kept full of water at all times during the harvesting operations. The responsibility to supply the unit being that of the landholder.

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

Definition "Fire Extinguisher" means a device which comprises—

- (a) a container filled with at least 7.5 litres of water, and
- (b) be capable of discharging that water under pressure and which is in a sound working condition, or
- (c) an approved operative chemical extinguisher.

1.4 During the prohibited burning time, all internal combustion motors being stationary and unattended shall not be operated unless clear of all flammable material immediately surrounding the said motor for a distance of not less than five (5) metres.

Townsite Land

2.1 With an area of less than 1 000 square metres with not buildings, completely clear all flammable material from the whole of the land.

2.2 With an area of less than 1 000 square metres with buildings, that all buildings or groups of buildings have an area cleared of flammable material no less than two (2) metres wide, not more than fifteen (15) metres from such building or group of buildings or to the external boundary of the land, whichever is nearer.

2.3 With an area of greater than 1 000 square metres with no buildings, to be completely surrounded by a firebreak of not less than two (2) metres wide as near as possible to the boundary.

2.4 With an area of greater than 1 000 square metres with buildings or groups of buildings, have an area cleared of flammable material no less than two (2) metres wide, not more than fifteen (15) metres from such building or groups of buildings or to the external boundary of the land, whichever is nearer.

The firebreaks may be inspected shortly after the 14th of November 1993, and the penalty for failing to comply with this notice is a fine of not more than \$1 000, or a penalty of \$40 may be incurred by the issue of an infringement notice, and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice, if it is not carried out by the owner or occupier by the date required by this notice.

If it is considered to be impracticable for any reason to comply with the provisions of this Notice, application may be made not later than the 1st day of November 1993, to the Council or its authorised officer for permission to provide alternative fire protection measures. If permission is not granted the requirements of this Notice must be complied with.

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

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

By Order of the Council,

IAN CURLEY, Shire Clerk.

LG402

BUSH FIRES ACT 1954

Shire of Brookton

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

Chief Fire Control Officer: L. Eyre.

Deputy Fire Control Officer: G. Bassett.

Fire Control Officers—

(East): R. Walters/N. Turner.

(West): R. Hudleston/B. Hobbs.

(Brookton): L. Eyre/G. Bassett/I. Curley.

Harvest Ban and Fire Weather Officer: L. Eyre.

Deputy Harvest Ban and Fire Weather Officer: G. Bassett.

IAN CURLEY, Shire Clerk.

LG403

LOCAL GOVERNMENT ACT 1960

Town of Mosman Park

Dog Registration Officers

It is hereby notified for public information that the following persons have been appointed Dog Registration Officers for the Town of Mosman Park in accordance with section 9 of the Dog Act—

Theresa Diane Worroll

Suzanne Wendy McDonald

Joanne Therese Scully

Teresa Joan Prewett

Arthur Barrington Gratwick

Bernard Geoffrey Burnett

The appointment of Miss Ranelle Daulby is hereby cancelled.

T. J. HARKEN, Town Clerk.

LG404

LOCAL GOVERNMENT ACT 1960

Section 191A

City of Perth

Beatty Park Aquatic Centre—Admission Charges

It is hereby notified for public information that the Council of the City of Perth resolved on 18 October 1993 to adopt the following admission charges for the Beatty Park Aquatic Centre to take effect on 1 November 1993—

(a) Standard Admissions		1993/94	
A person 15 years of age or above		\$2.70	
A person 5 years of age and under 15 years of age and full-time students under 18 years of age		\$2.00	
A child under the age of 5 years		Free	
Any person attending school who is under instruction by an authorised swimming teacher		\$1.30	
Any person under the control of a City of Perth Licensed swimming coach		\$1.30	
Any person attending school during the "Off Peak" period, May to October exclusive, who is under instruction by an authorised swimming teacher		\$1.00	
A pensioner/senior card holder		\$2.00	
Vacation classes		\$1.30	
Spectator parent attending vacation classes		\$1.50	
Family pass		\$7.00	
Books of Tickets			
Adults (Books of 10)		\$24.00	
Children (Books of 10)		\$15.00	
Aerobics/Aquarobics (Books of 10)		\$45.00	
Adult lessons (splash)		\$5.00	
Adult lessons with pension/senior card (splash)		\$4.50	
Children's lessons		\$5.00	
Aerobics/Aquarobics		\$5.00	
Step Aerobics		\$5.00	
Scuba diving		\$4.50	
Water confidence classes		\$5.00	
Kindyrobics		\$5.00	
Tai Chi Classes		\$5.00	
Synchronised swimming		\$5.00	
Canoes		\$5.00	
Sauna/Spa/Steam Room (inclusive of pool entry)		\$3.70	
Martial arts		\$5.00	
(b) Admission to pool premises only (At all times)			
A parent accompanying a person under instruction of a Licensed coach		Free	
Use of towel		\$1.50	
Custody of lost property		Free	
Creche (per session)		\$1.50	
(c) Admission to a Swimming Carnival			
A person 15 years of age or above		\$2.70	
A person 5 years of age and under 15 years of age and full-time students under 18 years		\$2.00	
Hire of Grandstand			
Attendance	Day	Evening	Weekends
000-750	\$265	\$400	\$777
751-1500	\$330	\$590	\$890
1501-2000	\$530	\$890	\$1 130
2001-2500	\$650	\$1 010	\$1 250
2501-3500	\$770	\$1 130	\$1 850
3501-over	\$1 130	\$1 550	\$2 750
Hire of Electronic Timing			Free

(d) Coaching Licences 1993/94	
Casual (per lane per hour)	\$5.00
Booking Fees	
Carnivals	\$50.00
Seasonal Space (Non refundable)	\$5.00
Hire of Meeting Rooms (per hour)	
Large meeting room only	\$15.00
Small meeting room only	\$8.50
Large meeting room with use of pool (per hour) plus standard admission fee per person	\$7.50
Small meeting room with use of pool (per hour) plus standard admission fee per person	\$4.50
Liquor Permits	
Charge per day	\$15.00
(e) Gymnasium The public gymnasium and fitness areas will offer attractive memberships, discounted off-peak memberships and casual admission fees.	
A membership for 3, 6 or 12 months will include free access to an extensive gymnasium, with super circuit, dry aerobic and aqua-aerobic classes, sauna, spa, casual use of the pool, a professional fitness appraisal and personalised fitness programme. The above services will also be available for a casual fee to non members.	
Gymn/Aerobics/Aqua Aerobics:	
Casual Visit	\$6
3 months	\$199
6 months	\$299
12 months	\$399
Casual Appraisal	\$25
including free casual use of pool, spa and sauna.	
Off Peak (9.00 am-12 Noon and 2.00 pm-4.00 pm):	
Casual visit	\$6
6 months	\$199
12 months	\$299
Corporate Gym Membership:	
Corporate memberships to be arranged by negotiation with the Manager, Recreation and Cultural Services.	

R. F. DAWSON, Chief Executive/Town Clerk.

LG405

BUSH FIRES ACT 1954

City of South Perth

Firebreak Notice

All owners and occupiers of land within the City of South Perth are reminded that, in accordance with the provisions of the Bush Fires Act 1954, they are required on or before 30 November 1993 or within fourteen days of the date of their becoming the owner or occupier should this be after 30 November 1993, and thereafter until and including 31 March 1994, to have a firebreak, clear of all flammable materials, at least 3 metres wide immediately inside all external boundaries of the land and immediately surrounding all buildings situated on the land.

If it is considered to be impracticable for any reason to clear firebreaks as required by this notice, you may apply to the Council or its duly authorised officers, not later than 26 November 1993, for permission to provide firebreaks in alternative positions on the land. If permission is not granted by the Council or its duly authorised officers, you shall comply with the requirements of this notice.

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

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

For further information on this matter, please contact Council's Rangers on 474 0738 during business hours.

L. L. METCALF, Chief Executive.

LG406

SHIRE OF LAKE GRACE

Authorised Officer

It is hereby notified for public information that Mr Bernard Arthur Walker has been authorised by Council to act under the provisions of the following Acts and Council By-laws as from 27 October 1993.

Dog Act (1976) and regulations.

Litter Act (1979) and regulations.

By-laws, removal and disposal of obstructing vehicles and animals.

The appointment of Charles Britt for all the abovementioned is hereby cancelled.

J. K. McENCROE, Shire Clerk.

LG407

SHIRE OF LAVERTON

Fire Control Officers

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

Chief Bush Fire Control Officer—Mr Alan B. Wright—(090) 31 1021 (H) (090) 31 1202 (W)

Deputy Bush Fire Control Officer—Mr Murray G. Thomas—(090) 37 5966

Station Control Officers

1. Bandy Station—Mr M. Boladeras—(090) 37 5957
2. Minara Station—Mr M. G. Thomas—(090) 37 5966
3. Lake Wells Station—Mr P. A. Hill—(090) 31 1272 (H), Station (090) 37 5962
4. Laverton Downs—Mr M. P. Abbott—(090) 37 5998
5. Maori Downs—Mr S. Argus—Silent
6. Mertondale Station—Mr V. R. Taylor—(090) 37 6002
7. Mt Weld Station—Mr L. K. Polmear—(090) 37 5952
8. Prenti Downs Station—Mr W. R. Linke—(099) 81 2988
9. White Cliffs Station—Mr M. P. Abbott—(090) 37 5950
10. Wonganoo Station—Mr M. Boladeras—(090) 37 5942
11. Yamarna Station—Mr T. J. McCudden—(090) 37 5963
12. Cosmo Newberry Community—Mr H. Murray—RFDS: 5360
13. Glenorn Station—Mr R. Lockyer—(090) 37 6097
14. Erlistoun Station—Mr R. Grainger—(090) 37 5951
15. Banjawarn—Mr J. Warren—(090) 37 5977
16. Delita—Miss B. Hill—(090) 37 5954
17. CALM—Kalgoorlie Office All Hours—(090) 21 2064

All other appointments not listed above are hereby cancelled.

A. B. WRIGHT, Shire Clerk.

LG408

**MAIN ROADS ACT 1930
PUBLIC WORKS ACT 1902**

Shire of Wandering

NOTICE OF INTENTION TO TAKE OR RESUME LAND

The Wandering Shire Council 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 Wandering Shire for the purpose of the following public works namely, construction of a new bridge over the Hotham River and realignment of Carabin Road (0.20-1.20 SLK) and that the said pieces or parcels of land are marked off on MRWA Drawings 9325-24 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth or the Wandering Shire Council Office, Watts Street, Wandering.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx)
1.	Bellah Nominees Pty Ltd	E. R. & J. E. Marsh	Portion of part Williams Location 12146 and being part of the land comprised in Certificate of Title Volume 1590 Folio 129.	4 848 m ²

Dated this 15th day of October, 1993.

D. J. DAWSON, Shire Clerk.

LG409

LOCAL GOVERNMENT ACT 1960

Annulment

Department of Land Administration,
Midland, 3 October 1993.

DOLA File Ref: 541/992.

It is hereby notified that the Declaration of Public Streets appearing at page 5903 of the *Government Gazette* dated 29 October, 1993 under the heading "Shire of Shark Bay", is annulled.

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

LG410

BUSH FIRES ACT 1954

City of Subiaco

NOTICE TO ALL OWNERS/OCCUPIERS OF LAND WITHIN THE CITY OF SUBIACO

Fire Break or Removal of Flammable Materials Order 1993/94

Pursuant to the powers contained in section 33 of the Bush Fires Act 1954, as amended, owners and/or occupiers of property within the City of Subiaco are hereby required on or before 30 November 1993, and thereafter to 31 March 1994, or within fourteen (14) days of the date of becoming owner or occupier. Should this be after 30 November 1993, to maintain a fire break or remove flammable material as follows:—

- (a) Where the land is 2 024 square metres (approximately one half acre) or less, remove all flammable material from the whole of the land (for the purposes of this Notice, flammable material does not include low standing trees, cultivated plants or shrubs in gardens).
- (b) Where the land exceeds 2 024 square metres (approximately one half acre) you shall have a fire break not less than three (3) metres wide and clear of all external boundaries of the land and immediately surrounding all buildings and improvements on the land.

If it is considered impractical for any reason to clear fire breaks, or remove flammable material as required by this Notice, you may apply to the Council or its duly authorised officers not later than 15 November 1993, for permission to provide a fire break in alternative positions, or to take alternative measures to abate fire hazards on the land. If permission is not granted by the Council or its duly authorised officer, you shall comply with the requirements of this Notice.

The penalty for failing to comply with this Notice is an infringement penalty of \$80.00 or a fine of not more than \$1 000 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this Notice, if it is not carried out by the owner/occupier by the date required by this Notice.

PATRICK WALKER, Chief Executive/Town Clerk.

LG901

LOCAL GOVERNMENT ACT 1960
Shire of Pingelly
NOTICE OF INTENTION TO BORROW
Proposed Loan No. 102 of \$100 000

Pursuant to section 610 of the Local Government Act 1960, the Shire of Pingelly hereby gives notice that it proposes to borrow money, by the sale of debenture, repayable at the office of the lender, by equal half yearly instalments of the principal and interest for the following terms and purposes—

Loan No. 102—\$100 000—10 Year Term—Office Extensions.

Plans, specifications and estimates as required by section 609 are available for inspection at the office of the Council during business hours for thirty five (35) days after publication of this Notice.

Dated this 1st day of November 1993.

R. F. O'BRIEN, President.
N. MITCHELL, Shire Clerk.

LG902

LOCAL GOVERNMENT ACT 1960
Shire of Albany
NOTICE OF INTENTION TO BORROW
Proposed Loan No. 136—\$302 000.00

Pursuant to section 610 of the Local Government Act 1960, the Council of the Shire of Albany hereby gives notice that it proposes to borrow money by the sale of a single debenture on the following terms for the following purpose.

\$302 000.00 for a term of ten (10) years repayable at the office of the Council by twenty (20) half yearly instalments of principal and interest. The interest rate is to be re-negotiated after five (5) years.

Purpose: Purchase of Plant.

A specification as required by section 609 of the Act is available for inspection at the office of the Council during working hours for a period of thirty five (35) days after the publication of this notice.

Dated this 2nd day of November 1993.

C. G. P. AYRES, President.
W. F. SCHEGGIA, Chief Executive Officer.

LG903

LOCAL GOVERNMENT ACT 1960
Shire of Albany
NOTICE OF INTENTION TO BORROW
Proposed Loan No. 137—\$140 000.00

Pursuant to section 610 of the Local Government Act 1960, the Council of the Shire of Albany hereby gives notice that it proposes to borrow money by the sale of a single debenture on the following terms for the following purpose.

\$140 000.00 for a term of ten (10) years repayable at the office of the Council by twenty (20) half yearly instalments of principal and interest. The interest rate is to be re-negotiated after five (5) years.

Purpose: Resealing of Airport Runway.

A specification as required by section 609 of the Act is available for inspection at the office of the Council during working hours for a period of thirty five (35) days after the publication of this notice.

Dated this 2nd day of November 1993.

C. G. P. AYRES, President.
W. F. SCHEGGIA, Chief Executive Officer.

MAIN ROADS

MA401

PUBLIC WORKS ACT 1902 SALE OF LAND

MRWA 41/780-7VB.

Notice is hereby given that the pieces or parcels of land hereinafter described are no longer required for the purpose for which they were resumed and are available for sale under the provisions of Section 29 (1) of the Public Works Act 1902.

A person who immediately prior to taking of the land referred to had an estate in fee simple in that land may, within three months after publication of this Notice in the *Gazette* and in accordance with the provisions of Section 29 (3) of the Public Works Act 1902 may apply to the Minister for Transport at the Office of Main Roads, Western Australia for an option to purchase the land but such an application shall be subject to the provisions of Section 29 (3) (ca) of that Act.

Land

Portion of Swan Location L and being part of Lot 19 of Section B on deposited Plan 903 and being part of the resumed land remaining in Certificate of Title Volume 287 Folio 183 as is shown more particularly delineated and coloured green on Plan MR 92-70.

Portion of Swan Location L and being part of Lot 20 of Section B on deposited Plan 903 and being part of the resumed land remaining in Certificate of Title Volume 334 Folio 139 as is shown more particularly delineated and coloured green on Plan MR 92-70.

Dated this 3rd day of November 1993.

D. R. WARNER, Director of Corporate Services.

MINERALS AND ENERGY

MN401

PETROLEUM ACT 1967 SURRENDER OF EXPLORATION PERMIT EP 360

The Surrender of Exploration Permit EP 360 has been registered and will take effect on and from the date this notice appears in the *Government Gazette*.

IAN FRASER, Director Petroleum Division.

MN402

PETROLEUM ACT 1967

INVITATION FOR APPLICATIONS FOR THE GRANT OF EXPLORATION PERMITS AND DRILLING RESERVATIONS UNDER SECTION 30 (1) AND 43A OF THE ACT.

Applications are invited for the grant of exploration permits and drilling reservations within Western Australia's onshore sedimentary Ord Basin only and will be received up until 4.00 pm on 17 December 1993.

Each application for an exploration permit should comprise a single area of contiguous blocks of the applicant's choice. While the Act allows that a maximum of 200 blocks may be applied for in a single application, only applications that propose work programs relative to the whole of the area applied for, shall be considered.

Each application for a drilling reservation shall comprise a block or a contiguous group of blocks containing potential sites of petroleum deposits. A drilling reservation carries a minimum commitment to drill a well within 12 months of being granted.

Not included in this invitation are blocks which, at the time of this notice being published:

- are the subject of exploration permits, production licences or applications therefor;
- are capable of being the subject of an invitation under Section 33 of the Act (surrendered etc. licence and location blocks);
- cover offshore islands.

Plans of 1:1 000 000 series showing the areas available for application are available from the Public Counter located on the first floor of the Department of Minerals and Energy.

Applications for exploration permits are to be made in accordance with Section 31 of the Act, submitted in duplicate and be accompanied by—

(a) Details of—

- (i) the blocks comprising the application by reference to the numbers of the blocks as shown on the Department's 1:1 000 000 series map sheets and by a plan delineating those blocks;

- (ii) the applicant's assessment of the petroleum potential of the area, including a geological and geophysical review and technical assessment of the area, and the concepts underlying the proposed exploration program;
 - (iii) the minimum work program proposed for each of the five years, specifying the number of wells to be drilled, the line kilometres of seismic survey to be carried out and the estimated expenditure. Wells referred to in the work program should not include development wells (the AAPG well classification scheme will be the basis of identification).
- (b) Particulars of—
- (i) the technical qualifications of the applicant and of its employees;
 - (ii) the technical advice available to the applicant;
 - (iii) the financial resources available to the applicant, including evidence of the applicant's ability to fund the work program proposed, and a copy of the latest annual report for each applicant company;
 - (iv) where relevant, the viability of the consortium lodging the application, including evidence that a satisfactory settlement has been, or can be, reached on a Joint Operating Agreement (a copy of a Heads of Agreement dealing will generally suffice);
 - (v) the percentage participating interest of each party to the application; and
 - (vi) a single address for service of notices in respect of the application.
- (c) A fee of \$3 000 (non-refundable) made payable to the Department of Minerals and Energy through an Australian bank or by bank cheque.
- (d) Such other information as the applicant wishes to be taken into account in consideration of the application.

Consideration of an application for the grant of a permit shall take into account the adequacy of the work program for each of the five years of the permit term and the applicant's technical and financial ability to undertake the work. The prior purchase of any speculative or contractor seismic data relevant to the area applied for will be taken into favourable account when considering the adequacy of the work program.

The successful applicant will be required to fulfill the minimum commitment for the first two years without variation. This is known as the firm commitment phase, however, the balance of the program may be re-negotiated based on or taking into consideration the results of prior exploration.

Applications for drilling reservations are to be made in accordance with Section 43B of the Act and shall be submitted in duplicate and be accompanied by—

- (a) Details of—
- (i) the block(s) comprising the application by reference to the number(s) of the block(s) as shown on the Department's 1:1 000 000 series map sheets and by a plan delineating the block(s);
 - (ii) the applicant's proposal for the drilling of a well or wells and other work in respect of the block(s) in the application;
 - (iii) a statement as to size and configuration of the potential petroleum deposit(s) and a geological prognosis of the well(s);
 - (iv) a statement as to an approximate time for the completion of the well(s).
- (b) Particulars of—
- (i) the technical qualifications of the applicant and of its employees;
 - (ii) the technical advice available to the applicant;
 - (iii) the financial resources available to the applicant, including evidence of the applicant's ability to fund the work programme proposed, and a copy of the latest annual report for each applicant company;
 - (iv) where relevant, the viability of the consortium lodging the application, including evidence that a satisfactory settlement has been, or can be, reached on a Joint Operating Agreement (a copy of a Heads of Agreement dealing will generally suffice);
 - (v) the percentage participating interest of each party to the application; and
 - (vi) a single address for service of notices in respect of the application.
- (c) A fee of \$3 000 (non-refundable) made payable to the Department of Minerals and Energy through an Australian bank or by bank cheque.
- (d) Such other information as the applicant wishes to be taken into account in consideration of the application.

Consideration of an application for the grant of a drilling reservation shall take into account the adequacy of the applicant's assessment of the potential petroleum deposit, the well prognosis and its ability both technically and financially to undertake the work.

In situations where a drilling reservation application may be within an area also the subject of an exploration permit application the award will be on the basis of which application offers the most definitive assessment of a petroleum resource. Should such a decision result in a drilling reservation being awarded, the balance of the area (the blocks not the subject of the drilling reservation) may be offered to the applicant for the exploration permit.

When selecting an area of interest in preparation for an application, consideration should be given to the likelihood of other land uses within that area, particularly land the subject of nature reserves or other areas of conservation value. While the occurrence of such land does not necessarily preclude the grant of a title or petroleum operations being conducted, environmental assessment will be necessary.

Applications made on the approved form are to be addressed to—

The Director
Petroleum Division
Department of Minerals and Energy
Level 3, Mineral House, 100 Plain Street
EAST PERTH W.A. 6004
Tel: (09) 222 3291
Fax: (09) 222 3515

Enquiries concerning the availability of the relevant basic exploration data should be addressed as follows—

(a) For microfilm data information to—

The Librarian
Geological Survey Division
Department of Minerals and Energy
Mineral House, 100 Plain Street
EAST PERTH W.A. 6004
Tel: (09) 222 3165
Fax: (09) 222 3633

(b) For full scale data to—

(i) Petroleum Information Energy Services
180 Stirling Highway
CLAREMONT WA 6010
Tel: (09) 389 8499
Fax: (09) 389 8243

(ii) Advanced Reprographic Services
1321 Hay Street
WEST PERTH WA 6005
Tel: (09) 322 2933
Fax: (09) 481 5911

MN403

MINING ACT 1978

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Minerals and Energy,
Mt. Magnet, 26 October 1993.

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

S. A. HEATH, Warden.

To be heard in the Warden's Court Mt. Magnet on the 9th December 1993.

EAST MURCHISON MINERAL FIELD

Black Range District

P57/623—Kjellgren, Gary Herbert; Spraggon, Robin Guy.

MURCHISON MINERAL FIELD

Mt. Magnet District

P58/764—Giles, David Barry; Giles, John Barry.

Cue District

P20/1270—Australmin, Pacific NL

P20/1271—Australmin, Pacific NL

P20/1500—Fraser, Douglas Gordon; Gwilliam, Noel Lawrence; Gwilliam, Paul Lawrence.

P20/1527—Manning, Kathleen Iris.

YALGOO MINERAL FIELD

P59/1134—Shangrilah Gold N.L.

MN404

MINING ACT 1978

Department of Minerals and Energy,
East Perth W.A. 6000.

I hereby declare in accordance with the provisions of section 96A (1) and 97 (1) in the Mining Act 1978 that the undermentioned mining tenements are forfeited for breach of covenant *viz*; non-payment of rent.

GEORGE CASH, Minister for Mines.

Number; Holder; Mineral Field.
EXPLORATION LICENCES

04/645—Terrex Resources NL; West Kimberley.
04/646—Terrex Resources NL; West Kimberley.
04/647—Terrex Resources NL; West Kimberley.
09/521—Bridgedale Holdings Pty. Ltd.; Gascoyne.
09/522—Bridgedale Holdings Pty. Ltd.; Gascoyne.
70/1175—Heltess Pty. Ltd.; Taylor, Richard Keith Agar; South West.

MINING LEASE

16/131—Hoskin, Garry William; Tinetti, Robert Wayne; Coolgardie.

OCCUPATIONAL HEALTH, SAFETY AND WELFARE

OA401

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984
OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988
Exemption Certificate Pursuant to Regulation 213

(No. 24 of 1993)

I, Neil Bartholomaeus, Commissioner for Occupational Health, Safety and Welfare, hereby grant an exemption to the Health Department of Western Australia from the requirements of Regulation 823 of the Occupational Health, Safety and Welfare Regulations 1988 in relation to the removal of woven chrysotile oven door seals from 10 ovens located in the central wheatbelt health region, subject to the following conditions—

- (i) the person removing the seals has been adequately trained;
- (ii) adequate personal protective equipment is worn; and
- (iii) the removal procedure proposed by the Regional Director, Central Wheatbelt Health Region is followed.

This exemption is valid until 30 November 1993.

Dated this twenty ninth day of October 1993.

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

OA402

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984
OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988
Exemption Certificate Pursuant to Regulation 213

(No. 25 of 1993)

I, Neil Bartholomaeus, Commissioner for Occupational Health, Safety and Welfare, hereby grant an exemption to the Department of Marine and Harbours from the requirements of Regulation 960 of the Occupational Health, Safety and Welfare Regulations 1988 in relation to diving to a depth not exceeding 30 metres to retrieve the mooring chain of the Fairway Buoy, situated approximately 5 kilometres from Geraldton Harbour, without a recompression chamber on site, provided the dive profile is planned for a no decompression dive and all other provisions of AS 2299-1979 are complied with.

This exemption is valid from 2 November 1993 to 5 November 1993.

Dated this first day of November 1993.

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

PLANNING AND URBAN DEVELOPMENT

PD401

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959**METROPOLITAN REGION SCHEME**

Notice of Major Amendment

South West Corridor (Stage B)

City of Rockingham

File No. 809-2-28-5.

Amendment No. 937/33.

1. It is hereby notified for public information that the Metropolitan Planning Council at its meetings held on October 6, 1993 and October 27, 1993, resolved in accordance with the provisions of section 33 of the Metropolitan Region Town Planning Scheme Act 1959 (as amended) to propose an amendment to the Metropolitan Region Scheme and the Hon Minister for Planning has consented to public submissions being sought in respect of the proposed amendment outlined in the First Schedule hereunder.

2. Copies of the maps that form part of the Metropolitan Region Scheme that are proposed to be amended will be available from Monday, November 8, 1993 to Friday, February 11, 1994 for public inspection free of charge during normal office hours, at each of the places mentioned in the Second Schedule hereunder.

3. Any person who desires to make a submission either supporting or objecting to any provisions of the proposed amendment may do so on the prescribed Form 6A. Submission forms are available on request from the display locations and must be lodged with the Secretary, State Planning Commission, c/- Department of Planning and Urban Development, 469-489 Wellington Street, Perth WA 6000, on or before 4.30 p.m. Friday, February 11, 1994.

GORDON G. SMITH, Secretary.

First Schedule

The Metropolitan Region Scheme is proposed to be amended by substituting the Zones and Reservations by substituting Amendment Map Sheet Numbers 27/30m, 31/20m and 35/4m for those parts of Map Sheet Numbers 27, 31 and 35.

The effect of the proposed amendment is to transfer land in the City of Rockingham between the Urban, Urban Deferred, Industrial, Central City Area and Rural Zones, and the Public Purposes (SU and TS), Parks and Recreation, Important Regional Roads, Controlled Access Highways, Other Major Highways, State Forests and Railways Reservations.

The purpose of the amendment is to give statutory effect in the Metropolitan Region Scheme to planning proposals for the City of Rockingham contained in the South West Corridor Structure Plan.

The amendment is depicted on State Planning Commission Plan Number SP 394/2 and in more detail on Plan Numbers 3.0712-3.0727, 2.0716-2.0721, 1.2186/1, 1.2187/1, 1.2895, 1.2897-1.2898, 1.2999/1-1.2901/1, 1.2902-1.2909, 1.2910-1.2921, 1.2940/1, 1.2942-1.2943 and 1.2944/1.

Second Schedule**Public Inspection (during normal office hours)**

The Amendment Plan Number SP 394/2 and detail Plan Numbers 3.0712-3.0727, 2.0716-2.0721, 1.2186/1, 1.2187/1, 1.2895, 1.2897-1.2898, 1.2999/1-1.2901/1, 1.2902-1.2909, 1.2910-1.2921, 1.2940/1, 1.2942-1.2943 and 1.2944/1 will be available for inspection from Monday, November 8, 1993 to Friday, February 11, 1994 at each of the following places—

(a) Department of Planning and Urban Development
1st Floor Albert Facey House
469-489 Wellington Street
Perth WA 6000

(b) Council Offices of the municipalities of—

(i) City of Perth
27 St George's Terrace
Perth WA 6000

(ii) City of Fremantle
Corner Newman and William Street
Fremantle WA 6160

(iii) City of Rockingham
Council Avenue
Rockingham WA 6168

- (iv) City of Cockburn
9 Coleville Crescent
Spearwood WA 6163
- (v) City of Mandurah
Mandurah Terrace
Mandurah WA 6210
- (vi) Town of Kwinana
Cnr Gilmore Avenue and Sulphur Road
Kwinana WA 6167
- (c) J. S. Battye Library
Alexander Library Building
Cultural Centre
Francis Street
Northbridge WA 6003

PD402

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME

The Foothills

Amendment No. 925/33.

File: 809-2-1-23, P V 3.

1. It is hereby notified for public information that the Metropolitan Planning Council, for and on behalf of the State Planning Commission and acting under delegated powers, having considered all submissions received in respect of the Amendment to the metropolitan region Scheme No. 925/33, first published in the *Government Gazette* on 9 July 1993, has determined that the Amendment be modified as detailed in the First Schedule hereto.
2. The Amendment, as modified, has been approved by His Excellency, the Governor, in accordance with the provisions of the Metropolitan Region Town Planning Scheme Act 1959.
3. The Minister for Planning has determined that copies of the modified Amendment and the accompanying report be made available for public inspection as from Monday, 8 November 1993 to Friday, 17 December 1993 during normal office hours at places mentioned in the Second Schedule hereto.

GORDON G. SMITH, Secretary, State Planning Commission.

First Schedule

Metropolitan Region Scheme Map Sheet Numbers 16, 17 and 20 are amended by substituting the proposed zones and reservations as shown on amendment Map sheet Numbers 16/139m, 17/34m and 20/90m.

The purpose of the Amendment is to transfer land between the Rural, Urban, Urban Deferred and Industrial Zones and the Public Purposes and Parks and Recreation Reservations in the City of Gosnells and the Shire of Kalamunda, Mundaring and Swan to give statutory effect to the Foothills Structure Plan.

The modified Amendment is depicted on State Planning Commission Plan Number 1.2823/7 and for information of the public on detailed Plan No.'s 3.0676/1, 3.0677, 3.0678, 3.0679/1, 3.0680/3, 3.0681, 3.0682, 3.0683/1, 3.0694 and 4.1264.

Second Schedule

The Modified Plans can be viewed at—

1. Department of Planning and Urban Development, 469-489 Wellington Street, Perth WA 6000.
2. The Offices of the Municipalities of—
 - (i) City of Perth
27-29 St George's Terrace
Perth WA 6000
 - (ii) City of Fremantle
William Street
Fremantle WA 6160
 - (iii) City of Gosnells
2120 Albany Highway
Gosnells WA 6110

- (iv) Shire of Swan
Corner Great Northern Highway and Bishop Road
Middle Swan WA 6056
 - (v) Shire of Mundaring
7000 Great Eastern Highway
Mundaring WA 6073
 - (vi) Shire of Kalamunda
2 Railway Road
Kalamunda WA 6076
3. J. S. Battye Library, Alexander Library Building
Cultural Centre
Francis Street
Northbridge WA 6000

PD403

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME

Transferring Various Separate Areas of Land Between the Rural, Urban and Urban Deferred Zones,
Shire of Mundaring

Amendment No. 924/33.

File: 809-2-27-4.

1. It is hereby notified for public information that the Metropolitan Planning Council, for and on behalf of the State Planning Commission and acting under delegated powers, having considered all submissions received in respect of the Amendment to the Metropolitan Region Scheme No. 924/33, first published in the *Government Gazette* on May 21, 1993, has determined that the Amendment be modified as detailed in the First Schedule hereto.

2. The Amendment, as modified, has been approved by His Excellency the Governor, in accordance with the provisions of the Metropolitan Region Town Planning Scheme Act 1959.

3. The Minister for Planning has determined that copies of the modified Amendment and the accompanying report be made available for public inspection as from Monday November 8, 1993 to Friday December 17, 1993 during normal office hours at places mentioned in the Second Schedule hereto.

GORDON G. SMITH, Secretary, State Planning Commission.

First Schedule

Metropolitan Region Scheme Map Sheet Numbers 13, 14, 16 and 17 are amended by substituting the proposed zones as shown on amendment Map Sheet Numbers 13/20m, 14/9m, 16/137m and 17/33m.

The purpose of the Amendment is to transfer various separate areas of land between the Rural, Urban and Urban Deferred Zones in the Shire of Mundaring to complement Council's proposed District Zoning Scheme No. 3.

The modified Amendment is depicted on State Planning Commission Plan Numbers 1.2820/2 and 1.2821/2 and for the information of the public on detailed Plan Nos. 4.1246/1, 4.1247/1, 4.1248/2 and 4.1253/1.

Second Schedule

The Modified Plans can be viewed at—

1. Department of Planning and Urban Development, 469-489 Wellington Street, Perth WA 6000.
2. The Offices of the Municipalities of—
 - (i) City of Perth, 27-29 St George's Terrace, Perth WA 6000.
 - (ii) City of Fremantle, William Street, Fremantle WA 6160.
 - (iii) Shire of Mundaring, 7000 Great Eastern Highway, Mundaring WA 6073.
3. J S Battye Library, Alexander Library Building, Cultural Centre, Francis Street, Northbridge WA 6000.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION
City of Canning

Town Planning Scheme No. 30—Amendment No. 11

Ref: 853/2/16/33, Pt. 11.

Notice is hereby given that the City of Canning has prepared the abovementioned scheme amendment for the purpose of adding sub-clauses (5), (6) and (7) to existing Clause 42 to clarify that land in the Special Business Area is liable to have Scheme Costs re-assessed if developed for residential purposes, the basis of such re-assessment and method of disposal of any moneys resulting.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington, 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 December 3, 1993.

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

I. F. KINNER, Town Clerk.

PD405

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

Town Planning Scheme No. 21—Amendment No. 40

Ref: 853/2/14/25, Pt. 40.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning approved the City of Bayswater Town Planning Scheme Amendment on October 31, 1993, for the purpose of rezoning part Lots 1 and 2 No. 92 Railway Parade, corner of Coode Street, from "Service Station" to "Public Purposes" for car parking and landscaping.

J. B. D'ORAZIO, Mayor.

K. B. LANG, Town Clerk.

PD406

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

Town Planning Scheme No. 6—Amendment No. 139

Ref: 853/6/2/9, Pt. 139.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning approved the City of Bunbury Town Planning Scheme Amendment on October 30, 1993, for the purpose of rezoning Lot 1 Corner Turner and Money Streets, from Residential R15 to Residential R60.

E. C. MANEA, Mayor.

G. P. BRENNAN, Town Clerk.

PD407

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Bunbury

Town Planning Scheme No. 6—Amendment No. 145

Ref: 853/6/2/9, Pt. 145.

Notice is hereby given that the City of Bunbury has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 5 Pt. Lot 1, Boyanup Road from Rural to an appropriate zoning for the continued use of the site as an abattoir and approved processing of meat products. Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 45 Stephen Street, Bunbury, and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including December 17, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 17, 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.

G. P. BRENNAN, Town Clerk.

PD408

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Canning

Town Planning Scheme No. 16—Amendment No. 619

Ref: 853/2/16/18, Pt. 619.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended), that the Hon Minister for Planning approved the City of Canning Town Planning Scheme Amendment on October 31, 1993 for the purpose of—

1. Rezoning 1429-1431 Albany Highway (Lot 24), Cannington, from "GR 4" to "Showroom/Warehouse" as depicted on the amending plan adopted by the Council on the 28th day of January 1992; and
2. Adding the following Serial 87 to Appendix 2 (Schedule of Special Zones)—

Serial No.	Lot No.	Loc.	Address	Additional Purpose for which the Premises May be Used
87	24	Can. 2	1429-1431 Albany Highway, Cannington	Office, and Vehicle Sales Premises

M. S. LEKIAS, Mayor.

I. F. KINNER, Town Clerk.

PD409

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Gosnells

Town Planning Scheme No. 1—Amendment No. 395

Ref: 853/2/25/1, Pt. 395.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning approved the City of Gosnells Town Planning Scheme Amendment on October 30, 1993, for the purpose of enabling the extinguishment or variation of certain restrictive covenants by inserting the following new clause—

23A Restrictive Covenants

- (1) Subject to the further provisions of this Clause, a restrictive covenant affecting any land in the Residential A or Residential B zones whereby, or the effect of which is that, the number of residential units which may be constructed on the land is less than the number permitted by the Scheme, is hereby extinguished or varied to the extent that the covenant is inconsistent with the provisions of the Scheme, as the case may require.

- (2) Where land is subject to a restrictive covenant which may be extinguished or varied pursuant to the provisions of this Clause, an application for approval under Clause 17 of the Scheme shall not be submitted to Council unless—
- (a) the owner of the land or the applicant has—
 - (i) provided written notice of the proposed development, in a form approved by the Council, to the owners of all lots adjoining the land and any other persons who, in the opinion of Council, are entitled to the benefit of or to enforce the restrictive covenant or who would have been so entitled but for the operation of this Clause and is likely to be affected by the proposed development; and
 - (ii) placed and maintained for a period of at least 21 days, in a location on the land so as to be conspicuous and capable of being read from the front fence line, a sign advertising the proposed development; and
 - (iii) included in every notice and sign a statement that any person who may be affected by the proposed development may make a submission, in writing, to the Council within 21 days of the date of service of the notice or placement of the sign.
 - (b) Plans of the proposed development on the land include a plan or plans showing the locations of all buildings on all abutting lots and positions of the windows and uses of rooms, in those buildings, facing the land.
- (3) For the purpose of this Clause, persons likely to be affected by the proposed development shall include, but not necessarily be limited to, the owners of—
- (i) the four properties nearest the land as are on the same side of the street or streets as the land; and
 - (ii) the three properties nearest the land as are on the opposite side of the same street or streets;
 - (iii) the three properties behind the land as are the nearest to the rear boundary of the land.
- (4) Council shall not grant planning approval for a proposed development on land subject to a restrictive covenant which may be extinguished or varied pursuant to the provisions of this Clause until—
- (a) the owner or the applicant satisfies the Council that Clause 23A(2)(a) has been complied with in every respect;
 - (b) the Council has considered all submissions by any of the persons defined in Clause 23A(3);
 - (c) the Council is satisfied that the proposed development on the land will not be out of character with or prejudicial to the amenity of the locality by reason of the appearance design or height of, or the materials used in, or the finishes of, the building or buildings thereon;
 - (d) the Council has considered any other matters it considers appropriate.

O. SEARLE, Mayor.

D. G. PARKER, Acting Town Clerk.

PD410

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Melville

Town Planning Scheme No. 3—Amendment No. 110

Ref: 853/2/17/10, Pt. 110.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Melville Town Planning Scheme Amendment on 30 October 1993, for the purpose of including Lot 99 on Diagram 83224 within the Parks and Recreation reservation.

M. J. BARTON, Mayor.

G. G. HUNT, Town Clerk.

PD411

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION
City of Nedlands

Town Planning Scheme No. 2—Amendment No. 68

Ref: 853/2/8/4, Pt. 68.

Notice is hereby given that the City of Nedlands has prepared the abovementioned scheme amendment for the purpose of adding to Schedule 1 the additional use—Two (2) Senior Persons Dwellings for Lot 188 Neville Road, Dalkeith.

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 17 December 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 17 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.

N. G. LEACH, Town Clerk.

PD412

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

Town Planning Scheme No. 1—Amendment No. 240

Ref: 853/2/28/1, Pt. 240.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Rockingham Town Planning Scheme Amendment on 30 October 1993, for the purpose of rezoning Lot 100 Parkin Street, Rockingham, from "Development Zone" to "Business Local".

L. E. SMITH, Mayor.
 J. S. GREEN, Acting Town Clerk.

PD413

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

District Planning Scheme No. 2—Amendment No. 142A

Ref: 853/2/20/34, Pt. 142A.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Stirling Town Planning Scheme Amendment on 30 October 1993, for the purpose of—

1. Rezoning Lot 138 on the corner of Karrinyup Road and Grindleford Drive, Stirling from "Special Use Zone—Reception Centre" to "Special use Zone—Medical Centre".
2. Altering Schedule 2 of the Scheme by the deletion therefrom of the following—

Karrinyup Road, Stirling	Portion of Perthshire Location Au and being Lot 138 on Diagram 61999	Reception Centre
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3. Altering Schedule 2 of the Scheme by the addition thereto of the following—

Karrinyup Road, Stirling	Portion of Perthshire Location Au and being Lot 138 on Diagram 61999	Medical Centre
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A. A. SPAGNOLO, Mayor.
 P. A. DUNN, for Town Clerk.

PD414

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Wanneroo

Town Planning Scheme No. 1—Amendment No. 634

Ref: 853/2/30/1, Pt. 634.

Notice is hereby given that the City of Wanneroo has prepared the abovementioned scheme amendment for the purpose of rezoning Swan Location 3071 corner Dundobar Road and Griffiths Road, Wanneroo from "Rural" to "Residential Development R20" and "Special Residential".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Boas Avenue, Joondalup, 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 December 17, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 17, 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.

R. F. COFFEY, Town Clerk.

PD415

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Wanneroo

Town Planning Scheme No. 1—Amendment No. 570

Ref: 853/2/30/1, Pt. 570.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on October 31, 1993, for the purpose of—

1. Rezoning portion of Lot 1000 Burns Beach Road, Iluka from "Reserve for Parks and Recreation" to "Residential Development R20".
2. Recoding portion of Reserve 11630 Burns Beach Road, Burns and Portion of Lot 1000 Burns Beach Road, Iluka from "R20" to "R40".

G. A. MAJOR, Mayor.

A. ROBSON, A/Town Clerk.

PD416

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Busselton

Town Planning Scheme No. 5—Amendment No. 253

Ref: 853/6/6/6, Pt. 253.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on 31 October, 1993, for the purpose of—

Rezoning Lot 130 Abbey, Simon & South Streets from 'Single Residential' to 'Restricted Use' and to amend the Scheme Text, Appendix V—Restricted Use Zones by the addition of the following—

Street	Particulars of Land	Only Uses Permitted
Abbey, Simon & South Streets	Lot 130	Aged Person's Housing Maximum Density to the R40 Code (grouped dwellings) of the Residential Planning Codes and all relative provisions to the satisfaction of the Council.

R. TOGNELA, President.

I. STUBBS, Shire Clerk.

PD417

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Busselton

Town Planning Scheme No. 5—Amendment No. 238

Ref: 853/6/6/6, Pt. 238.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Busselton Town Planning Scheme Amendment on 30 October, 1993, for the purpose of rezoning Lot 30 Kent Street from "Single Residential" to "Short Stay Residential".

R. TOGNELA, President.
I. STUBBS, Shire Clerk.

PD418

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Kalamunda

District Planning Scheme No. 2—Amendment No. 125

Ref: 853/2/24/16, Pt. 125.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Kalamunda Town Planning Scheme Amendment on 31 October, 1993, for the purpose of—

Inserting in Appendix D to the Scheme Text—

(i) Under column "Particulars of Land"

"(264) Kalamunda Road, Maida Vale
Lot 62, Swan Location 2159"

(ii) Under column "Additional Use"

"Professional Offices and Consulting Rooms—Group"

B. R. WILLMOTT, President.
E. H. KELLY, Shire Clerk.

PD419

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Augusta-Margaret River

Town Planning Scheme No. 17—Amendment No. 4

Ref: 853/6/3/17, Pt. 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 has approved the Shire of Augusta-Margaret River Town Planning Scheme Amendment on October 29, 1993, for the purpose of—

1. Recoding Lots 49 to 58 inclusive, Coronation Street from R15 to R17.5.
2. Rezoning a portion of Pt Location 941 and a portion of Pt Location 942 from "Industry" zone to "Parks and Recreation" Reserve.
3. Rezoning Lot 24 Le Souef Street; from "Public Purposes" Reserve, Telecom; to "Residential" zone R15.
4. Recoding Lots 202 to 208 inclusive, Stewart Street; from R15 to R5.
5. Amending the scheme maps accordingly.

L. W. SHEPHERDSON, President.
L. J. CALNEGGIA, Shire Clerk.

PD420

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Serpentine-Jarrahdale

Town Planning Scheme No. 2—Amendment No. 11

Ref: 853/2/29/3, Pt. 11.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act, 1928 that the Hon Minister for Planning approved the Shire of Serpentine-Jarrahdale Town Planning Scheme Amendment on October 30, 1993, for the purpose of—

APPENDIX 4 Special Rural Zone

Provisions relating to Specified Areas (continued)

(1) Adding a new Clause 17 to Appendix 4 of the Scheme Text as follows—

“ 17 ‘Soldiers Road, Cardup’ Lots Pt. 1 and AA 116 as delineated on the Scheme Map.

17.1 The minimum lot size shall be 2 hectares.

17.2 The total number of lots created shall not exceed 8 so that subdivision and development of the land shall not create a density of more than the equivalent of one standard single residential septic tank system per 2.2726 hectares based on the gross area of the land.

17.3 On-site effluent disposal systems servicing development on the lots shall be to the specifications and satisfaction of the Council. The use of “non-standard” effluent disposal systems may be required and in any event the following requirements shall be satisfied—

(i) A 2 metre separation is achieved between the base of the leach drain and the highest recorded groundwater level or bedrock;

(ii) At least a 100 metre horizontal separation is achieved between the disposal system and existing/proposed drains, water courses and/or water bodies;

(iii) The area around each effluent disposal system shall be planted with indigenous trees and shrubs by the landowners and be maintained to the satisfaction of the Local Authority;

(iv) Prevention of direct movement of wastewater and nutrient from the locality of each disposal area; and

(v) If necessary, soil amendment around and under each disposal area.

17.4 No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage systems and/or driveways.

17.5 The developer of the estate shall within the “Tree Planting Area” depicted on the Subdivision Guide Plan plant indigenous and native trees and shrubs of a species and at a density and distribution to be determined by the Council following consultation with the Environmental Protection Authority. Tree planting shall occur and be undertaken to the satisfaction of Council prior to the endorsement of the State Planning Commission of Diagrams of Survey to create the lots depicted on the Subdivisional Guide Plan.

17.6 The developer of the estate shall maintain the trees and shrubs planted within the “Tree Planting Area” and vegetation to be retained on each lot to the satisfaction of the Council until the land as a whole or in lots is sold. Thereafter the new landowner(s) shall be responsible for the maintenance and the replacement (if and where necessary) of those trees and shrubs planted by the developer and vegetation retained on each lot to the satisfaction of the Council.

17.7 Within this Special Rural estate land uses other than a single residence, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when the Council is satisfied following consultation with the Environmental Protection Authority that the land use does not involve excessive nutrient application or the clearing of the land.

17.8 Notwithstanding Clause 5.9.6 (b) of the Scheme any residence and all other outbuildings shall only be constructed within the Building Envelope shown on the Subdivisional Guide Plan.

17.9 To ensure adequate control of bushfires, the following requirements shall be implemented or provided by the developer of the estate—

(i) A Fire Management Plan to the satisfaction of the Shire of Serpentine-Jarrahdale and Bush Fires Board which addresses Council and environmental concerns and management objectives of remnant bushland, whilst reducing the bushfire threat to a manageable level.

- (ii) A perimeter firebreak cleared to a minimum of 5 metres width around the total site, and provision of a building envelope firebreak plan.
 - (iii) A strategic firebreak of 3 metres width between the building envelope and the native vegetation—any dead wood to be burnt or removed before release of title.
 - (iv) Removal of understorey vegetation (excluding trees) from the entire building envelope on each lot; and
 - (v) Council shall provide land on the Reserve located on Part Lots 31 and 32 Karbro Drive corner Soldiers Road, Cardup, for the purposes of provision by the developer of an on-site static water facility of 50 000 litres capacity, fed by a bore and windmill or suitable alternative, for fire fighting purposes. The facility shall be constructed to the specifications of the Bush Fires Board and the Council.
- 17.10 Signs hoardings or advertisements shall not be erected without the prior written approval of the Council.
- 17.11 At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours existing trees and stands of vegetation those trees and vegetation to be removed and retained and proposals for tree planting and maintenance.
- 17.12 The keeping of horses, sheep, goats and other grazing animals shall be subject to the prior approval of the Council and these animals shall be restricted to the area within the Building Envelope. Approval to keep animals shall not exceed the stocking rates recommended by the Department of Agriculture for the applicable pasture types.
- No clearing outside the building envelopes of either trees or understorey shall be permitted.
- Council may approve the grazing of animals outside of the Building Envelope provided that the Council is satisfied that nutrient input to the land can be controlled to the satisfaction of the Environmental Protection Authority and that such will not result in the removal or damage of the vegetation and trees or result in soil erosion and dust pollution. As a condition of approval the Council may require the animals to be stabled or corralled.
- No stocking will be allowed in the bush behind the strategic firebreaks.
- Where in the opinion of the Council the continued presence of animals on any portion of land in the estate is likely to contribute, or is contributing to the dust pollution or soil erosion, notice may be served on the owner of the said land, requiring the immediate removal of those animals specified in the notice for a period specified in the notice.
- When notice has been served on a landowner in accordance with this Clause the Council may also require the land to be fully rehabilitated within 3 months of the serving of the notice.
- 17.13 Stormwater drainage shall be contained on-site to the satisfaction and specifications of the Council who shall have regard to the recommendations of the Environmental Protection Authority. The developer of the estate shall obtain the approval of the Water Authority and the Council for drainage proposals prior to commencement of site works.
- 17.14 The drainage system shall not be altered without the prior approval of the Council. Council shall, when considering a request to obstruct or dam any part of the drainage system through a private property, have regard to the effects on the drainage system, impacts on the land and environment generally and shall consult with any agency deemed necessary prior to determining whether to approve the request.
- 17.15 With the intention of preserving the existing natural vegetation and mature trees and preventing land use practices detrimental to the amenity of the locality the approval of the Council is required for any intensive agricultural pursuit. The Council will have regard to limits on stocking the limited groundwater resources, tree and vegetation preservation and the effects on the environment of the locality and residents of the estate when considering the application and may, should approval be granted, impose any conditions the Council deems fit and may modify or vary such conditions to take account of seasonal changes.
- 17.16 The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore the application, type and distribution of fertiliser to the land shall be subject to the prior approval of the Council who shall consult the Environmental Protection Authority before approval is granted.

- 17.17 The land is situated within the Serpentine Groundwater Area and a well licence for a bore must be obtained from the Water Authority of Western Australia. The siting of bores shall be to the requirements of the Authority having regard to the location of any effluent disposal systems, water bodies, drains and neighbouring bores. The licence will contain a number of conditions including the quantity of water that can be pumped each year. Under current management guidelines 1500 kilolitres per year is allocated. The allocation of 1500 kilolitres if efficiently used is sufficient for domestic use and the irrigation of up to 0.1 hectares.
- 17.18 Fencing outside of the building envelope shall be subject to the prior approval of Council and will require to be justified and shall be stock proof.
- 17.19 A sign (1m x 600mm) shall be created at the entrance to the subdivision detailing all rezoning conditions as advised by Council. "
- (2) Amending the Scheme Maps by rezoning Lots Pt 1 and AA 116 Soldiers Road, Cardup from "Rural" to "Special Rural Zone".

F. SENIOR, President.

N. D. FIMMANO, Shire Clerk.

PD421

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

Shire of Chittering

Town Planning Scheme No. 5—Amendment No. 23

Ref: 853/3/4/5, Pt. 23.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Chittering Town Planning Scheme Amendment on 30 October 1993, for the purpose of—

1. Adding to the face of the Scheme Map and to the legend thereof a symbol to represent the easements for the Natural Gas pipelines as shown on the amendment maps.
2. Adding to clause 3.4.2 after line (g) the following—

Notwithstanding the above exceptions the Consent of Council is required for any proposed development on land directly abutting the easements for the Natural Gas pipelines and in considering its consent Council will refer the matter to the State Energy Commission of Western Australia (SECWA).

M. TAYLOR, President.

P. L. FITZGERALD, Shire Clerk.

PD422

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

Shire of Gingin

Town Planning Scheme No. 8—Amendment No. 16

Ref: 853/3/8/10, Pt. 16.

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

- (i) Rezoning portion of Lot 323 from the Parks and Recreation Reserve to the Commercial Zone.
- (ii) Zoning accessways providing frontage to Lots 437, 438 and 439 and 442, 443 and 444 to the Commercial Zone.

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 17 December 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 17 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.

A. W. HORTIN, Shire Clerk.

PD423

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Murray

Town Planning Scheme No. 4—Amendment No. 38

Ref: 853/6/16/7, Pt. 38

Notice is hereby given that the Shire of Murray has prepared the abovementioned scheme amendment for the purpose of including Part 12 to include reference to the Serpentine River Flood Study and re-positioning reference to the Murray River Flood Plains and other matters related thereto within Part 12.

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 December 10, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 10, 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.

PD424

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Greenough

Town Planning Scheme No. 4—Amendment No. 39

Ref: 853/3/7/6, Pt. 39

Notice is hereby given that the Shire of Greenough has prepared the abovementioned scheme amendment for the purpose of rezoning Lot 7, Victoria Locations 1235 and 1114 Evans Road, Walkaway from General Farming to Low Density Residential R5 and Special Rural and modifying Appendix III by adding portion of Lot 7 to the Walkaway Special Rural Area and by including an additional requirement regarding development below the 26 metre contour.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Corner Geraldton/Walkaway and Geraldton/Mt. Magnet Roads, Uta Karra, 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 December 17, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 17, 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.

W. T. PERRY, Shire Clerk.

PD425

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Murray

Town Planning Scheme No. 4—Amendment No. 41

Ref: 853/6/16/7, Pt. 41

Notice is hereby given that the Shire of Murray has prepared the abovementioned scheme amendment for the purpose of deleting the words "30 months" in subclause 6.8.3 of the Scheme Text and substituting the words "54 months".

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 December 17, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 17, 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.

PD426

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

Town Planning Scheme No. 10—Amendment No. 12

Ref: 853/10/2/12, Pt. 12

Notice is hereby given that the Shire of Carnarvon has prepared the abovementioned scheme amendment for the purpose of rezoning portion of Reserve No. 19145 (Location 203) in Carnarvon from "Reservation-Public Purpose" to "Intensive Horticulture".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Francis Street, Carnarvon, 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 December 3, 1993.

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

B. G. WALKER, Shire Clerk.

PD427

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

Town Planning Scheme No. 1—Amendment No. 4

Ref: 853/5/19/1, Pt. 4

Notice is hereby given that the Shire of Jerramungup has prepared the abovementioned scheme amendment for the purpose of rezoning portion of Reserve 27494 (Recreation) from Local Reserves—Recreation to the Residential R15 Zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Vasey Street, Jerramungup, 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 December 17, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before December 17, 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.

F. J. PECZKA, Shire Clerk.

PD428

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

Town Planning Scheme No. 3—Amendment No. 45

Ref: 853/2/13/3, Pt. 45.

Notice is hereby given that the Town of Bassendean has prepared the abovementioned scheme amendment for the purpose of:

1. Deleting Pt. Lot 2 Anstey Road and Pt. Lot 4 Hyland Street, Bassendean from Area B and including the land within Area C as shown on the Amendment Map.
2. Deleting Pt. Lot 4 Hyland Street, Bassendean from New Roads and Footways and including the land within Area C as shown on the Amendment Map.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 48 Old Perth Road, Bassendean 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 17 December 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 17 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.

S. SMITH, Town Clerk.

PD429

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town of Bassendean

Town Planning Scheme No. 4A—Amendment No. 14

Ref: 853/2/13/4, Pt. 14.

Notice is hereby given that the Town of Bassendean has prepared the abovementioned scheme amendment for the purpose of:

1. Rezoning portion of Lot 2 Anstey Road from "Recreation Zone" to "Group Residential R25 Zone" as shown on the Amendment Map.
2. Rezoning portion of Lot 4 Hyland Street from "Recreation Zone" to "Group Residential R25 Zone" as shown on the Amendment Map.
3. Rezoning Lot 3 and Pt. Lot 2 Anstey Road from "Single Residential R20 Zone" to "Group Residential R25 Zone" as shown on the Amendment Map.
4. Including that portion of Lot 4 Hyland Street shown as Road Reservation within the "Group Residential R25 Zone" as shown on the Amendment Map.
5. Including that portion of Lot 7 Hyland Street shown as Road Reservation within the "Single Residential R20 Zone" as shown on the Amendment Map.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 48 Old Perth Road, Bassendean 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 17 December 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 17 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.

S. SMITH, Town Clerk.

PD703

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME

Shire of Kent

Town Planning Scheme No. 2

Ref: 853/5/13/4.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Hon Minister for Planning approved the Shire of Kent Town Planning Scheme No. 2 on October 3, 1993—the Scheme Text of which is published as a Schedule annexed hereto.

B. J. MORRELL, President.

B. E. JONES, Shire Clerk.

Schedule

Shire of Kent

Town Planning Scheme No. 2

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

Contents

Part I Preliminary

Part II Reserves

Part III Zones

Part IV Non-Conforming Uses

Part V Development Requirements

Part VI Planning Consent

Part VII Administration

Schedules

1. Interpretations
2. Zoning Table
3. Special Site Zones
4. Places of Heritage Value
5. Exempted Advertisements Pursuant to Clause 5.10.4
6. Application for Planning Consent
7. Notice of Public Advertisement of Development Proposal
8. Decision on Application for Planning Consent
9. Additional Information Sheet for Advertisement Approval

Part 1—Preliminary

1.1 Citation

This Town Planning Scheme may be cited as the Shire of Kent Town Planning Scheme No. 2 hereinafter called "The Scheme" and shall come into operation on the publication of the Scheme in the *Government Gazette*.

1.2 Responsible Authority

The authority responsible for implementing the Scheme is the Council of the Shire of Kent hereinafter called "The Council".

1.3 Scheme Area

The Scheme applies to the Nyabing and Pingrup townsites as outlined on the Scheme Map.

1.4 Contents of Scheme

The Scheme Comprises—

- (a) This Scheme Text
- (b) The Scheme Maps (sheets 1 and 2)

1.5 Arrangement of Scheme Text

The Scheme Text is divided into the following parts—

- Part I Preliminary
- Part II Reserves
- Part III Zones
- Part IV Non-conforming Uses
- Part V Development Requirements
- Part VI Administration
- Schedules

1.6 Scheme Objectives

The Scheme objectives are—

- to reserve land for public purposes;
- to set aside land for the various purposes described in the Scheme;
- to guide and control the use and development of land within the Scheme area in such a way as shall promote the general amenity, health, safety, economic and general welfare of its inhabitants.

1.7 Revocation of Existing Scheme

The Shire of Kent Scheme No. 1 (Nyabing) and Shire of Kent Scheme No. 1 (Pingrup) as amended, which came into operation by publication in the *Government Gazette* on 10 March 1972 are hereby revoked.

1.8 Interpretation

1.8.1 Except as provided in Clause 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 II—Reserves

2.1 Scheme Reserves

The land shown as scheme reserves on the Scheme Map, hereinafter called "Reserves" are lands reserved under the Scheme for the purposes shown on the Scheme Map and are listed hereunder—

- Parks and Recreation Reserve
- Public Purposes Reserve (as marked)
- Railways Reserve
- Major Roads Reserve

2.2 Matters to be Considered by Council

Where an application for Planning Consent is made with respect to land within a Reserve, the Council shall have regard to the ultimate purpose intended for the reserve and the Council shall, in the case of land reserved for the purposes of a public authority, confer with that authority before granting its consent.

2.3 Compensation

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

2.3.2 Claims for such compensation shall be lodged at the office of the Council not later than six months after the date of the decision of the Council refusing planning consent or granting it subject to conditions that are unacceptable to the applicant.

2.3.3 In lieu of paying compensation, the Council may purchase the land affected by such decision of the Council, at a price representing the unaffected value of the land at the time of refusal of planning consent or of the grant of consent subject to conditions that are unacceptable to the applicant.

Part III—Zones

3.1 Zones

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

- Residential Zone
- Commercial Zone
- Industrial Zone
- Rural Residential Zone
- Rural Zone
- Special Site Zone (as marked).

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

3.2 Zoning Table

3.2.1 The zoning table in Schedule 2 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;
- "IP" A use that is not permitted unless such use is incidental to the predominant use of the land as determined by Council;
- "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—

- (a) determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted; or
- (b) determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of Clause 6.2 in considering an application for planning consent.

3.3 Special Site Zone

No person shall use land or any building or structure thereon in a special site zone, except for the purpose set against that land in Schedule 3 and subject to compliance with any conditions specified in the Schedule with respect to the land.

Part IV—Non-Conforming Use

4.1 Non-Conforming Use Rights

No provision of the Scheme shall prevent—

- (a) The continued use of any land or building for the purpose for which it was being lawfully used at the time of coming into force of the Scheme; or
- (b) The carrying out of any development thereon for which, immediately prior to that time, a permit or permits, lawfully required to authorise the development to be carried out, were duly obtained and are current.

4.2 Extension of Non-Conforming Use

A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the planning consent of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme.

4.3 Change of Non-Conforming Use

Notwithstanding anything contained in the zoning table the Council may grant its planning consent to the change of use of any land from 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 building shall not be repaired or rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner or position not permitted by the Scheme.

Part V—Development Requirements

5.1 Development of Land

5.1.1 Subject to Clause 5.1.2 a person shall not commence or carry out development of any land zoned or reserved under the Scheme without first having applied for and obtained the planning consent of the Council.

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

- (a) The use of land in a reserve, where such land is held by the Council or vested in a public authority—
 - (i) for the purpose for which the land 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 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

5.2.1 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 sees 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 Codes shall be in accordance with those shown on the Scheme Map.

5.4 Commercial Development

5.4.1 Objectives

The Council's objectives for the Commercial Zone are—

- (i) to provide for a mix of commercial, service, administrative and residential uses; and
- (ii) to encourage the development of a distinctive character and a focal point for the surrounding rural community.

5.4.2 Provisions

The following provisions shall apply to the Commercial zone—

- (i) All new development in the Commercial zone shall have regard to the existing character of the general streetscape in terms of scale, height, materials, setbacks, street alignment and design of facades.
- (ii) Service Industry, Storage Yards and similar uses shall be restricted to low impact uses and shall only be permitted where they are considered compatible with adjoining uses and the character of the existing Commercial Zone.

(iii) The storage of bulky and unsightly goods shall be screened to Council's specification and satisfaction.

(iv) Where appropriate Council may require rear access to be provided for service deliveries.

5.5 Industrial Development

5.5.1 Objectives

The Council's objective for the Industrial zone is to provide for a diverse range of industries in locations where such uses will not have a detrimental impact on the amenity of nearby uses or the environment.

5.5.2 Provisions

The following provisions shall apply to the Industrial zone—

- (i) All sites shall be screened and landscaped to the satisfaction of Council.
- (ii) Car parking, loading bays and accessways shall be designed to enable all vehicles to enter and leave the site in forward gear.
- (iii) All effluent and waste products shall be retained within the site and disposed of to the satisfaction of Council.

5.6 Rural Residential Development

5.6.1 Objectives

The Council's objective for the Rural Residential zone is to select areas wherein closer subdivision 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.

5.6.2 Provisions

- (a) Before making provision for a Rural Residential Zone, Council will prepare, or require the owner/s of the land to prepare, a submission supporting the creation of the Rural Residential 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 land form of the area and physical features such as existing buildings, rock outcrops, trees or groups of trees, lakes, rivers, creeks, swamps, wells and significant improvements;
 - (iv) information regarding the method whereby it is proposed to provide a potable water supply to each lot; and
 - (v) the proposed staging of the subdivision and development and the criteria to be met before successive stages are implemented.
- (b) The Scheme provisions for a specific Rural Residential Zone shall include a plan of subdivision showing—
 - (i) the proposed ultimate subdivision including lot size and dimensions;
 - (ii) areas to be set aside for public open space, pedestrian accessways, horse trails, community facilities etc. as may be considered appropriate;
 - (iii) those physical features it is intended to conserve; and
 - (iv) the proposed staging of the subdivision where relevant.
- (c) The following provisions shall apply to land zoned Rural Residential in the Scheme Area—
 - (i) In addition to a building licence, the Council's prior planning consent is required for all development including a single house and such application shall be made in writing to the Council and be subject to the provisions of Clause 5.1 of the Scheme.
 - (ii) No more than one single house per lot shall be erected.
 - (iii) The minimum lot size shall be 2 hectares.
 - (iv) No building shall be constructed within 15 metres of the front or rear boundary of a lot nor within five metres of a side boundary.
 - (v) In order to conserve the rural environment or features of natural beauty no indigenous trees or substantial vegetation shall be felled or removed unless their removal is authorised by the Council except where—
 - (a) trees are dead, diseased or dangerous;
 - (b) the establishment of a firebreak is required under a regulation or by-law;
 - (c) access to and including a building site is required and approved; and
 - (d) an area up to one metre in width for the purpose of erecting and maintaining a fence line is required and approved by Council. In these areas the land shall be slashed with a view to preventing soil erosion.

- (vi) Council may require, as a condition of planning consent or subdivision, that the landowner plant and maintain endemic native trees of species and in locations approved by Council.
- (vii) No dwelling shall be constructed or approved for construction unless a minimum of 92 000 litre water storage tank or a reticulated water supply or an alternative supply of potable water and an approved method of effluent disposal has been incorporated into the approved plans, and no dwelling shall be considered fit for human habitation unless such supply of water and method of effluent disposal has been installed and is operating.
- (viii) With the intention of preventing overstocking, erosion or any other practices, detrimental to the amenity within that zone, intensive agricultural pursuits and the breeding or keeping of animals for commercial gain shall not be permitted, without the approval in writing of Council. The Council may impose limits on stocking or any other conditions as it sees fit and may vary such conditions in the light of prevailing seasonal conditions.
- (ix) The siting, design and external appearance of any building shall be to the satisfaction and approval of the Council.
- (x) Firebreaks shall be maintained as required by Council regulation or by-laws.

5.7 Untidy Sites

5.7.1 To maintain an acceptable standard of amenity the Council may, by written notice as provided for in Clause 7.3 require the owner, occupier or lessee of that land to undertake such works as may be necessary to restore or upgrade the conditions of that property to a standard commensurate with those generally prevailing in the vicinity.

5.8 Transportable Homes

5.8.1 Council may permit the erection or placement of a transportable or prefabricated home on a lot providing that the design of the building is to the satisfaction of the Council and in its opinion, does not adversely affect the amenity of other properties in the vicinity.

5.9 Places of Heritage Value

5.9.1 The places described in Schedule No. 4 are considered by the Council to be of historic, architectural, scientific, scenic or other value and should be retained in their present state or restored to their original state or to a state acceptable to the Council.

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

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

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

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

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

5.10 Control of Advertisements

5.10.1 Power to Control Advertisements

5.10.1.1 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 an approval of planning consent is required in addition to any licence pursuant to Council's Signs and Hoarding and Bill Posting by-laws.

5.10.1.2 Applications for Council's consent pursuant to this part shall be submitted in accordance with the provisions of clause 6.1.1 of the Scheme and shall be accompanied by a completed additional information sheet in the form set out at Schedule 9 giving details of the advertisement/s to be erected, placed or displayed on the land.

5.10.2 Existing Advertisements

Advertisements which—

- (a) were lawfully erected, placed or displayed prior to the approval of this Scheme; or
- (b) 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.

5.10.3 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 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, the amenity of adjacent areas which may be affected and traffic safety.

5.10.4 Exemptions from the Requirement to Obtain Consent

Subject to the provision of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of Clause 5.10.1.1 the Council's prior consent is not required in respect of those advertisements listed in Schedule 5 which for the purpose of this part are referred to as "Exempted Advertisements". The exemptions listed in Schedule 5 do not apply to places, conservation areas or buildings listed by the National Trust and/or the Register of the National Estate, or included in local authority town planning schemes because of their heritage or landscape value.

5.10.5 Discontinuance

Notwithstanding the Scheme objectives and Clause 5.10.4 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.

5.10.6 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—

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

5.10.7 Notices

5.10.7.1 "The Advertiser" shall be interpreted as any one or any group comprised of the landowner, occupier or licensee.

5.10.7.2 Any notice served in exceptional circumstances pursuant to Clause 5.10.5 or pursuant to Clause 5.10.6 shall be served upon the advertiser and shall specify—

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

5.10.7.3 Any person upon whom a notice is served pursuant to this clause 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.

5.10.8 Scheme to Prevail

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

5.10.9 Enforcement and Penalties

The offences and penalties provisions specified in Clause 7.2 apply to the advertiser in this part.

5.11 Development on Land Subject to Dampness or Floodings

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

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

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

Part VI—Planning Consent

6.1 Application for Planning Consent

6.1.1 Every application for planning consent shall be made in the form prescribed in Schedule 6 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 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 these areas; and
 - (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 one or more of the following to be carried out—

- (a) notice of the proposed development to be served on the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of planning consent stating that submissions may be made to the Council within twenty-one days of the service of such notice.
- (b) Notice of the proposed development to be published in a newspaper circulating in the Scheme area stating that submissions may be made to the Council within twenty-one days from the publication thereof.

- (c) a sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this clause.

6.2.4 The notice referred to in Clause 6.2.3 (a) and (b) shall be in the form contained in Schedule 7 with such modification as circumstances require.

6.2.5 After expiration of twenty-one days from the serving of notice of the proposed development, the publication of notice or the erection of a sign or signs, whichever is the later, the Council shall consider and determine the application.

6.3 Determination of Applications

6.3.1 In determining an application for planning consent the Council may consult with any authority which, in the circumstances, it thinks appropriate.

6.3.2 The Council having regard to any matter which it is required by the Scheme to consider, to the purpose for which the land is reserved, zoned or approved for use under the Scheme, to the purpose for which land in the locality is used, and to the orderly and proper planning of the locality, and the preservation of the amenities of the locality, may refuse to approve any application for planning consent or may grant its approval unconditionally or subject to 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 8 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 receipt by it of an application for planning consent, either conveyed its decision to the applicant or given notice of the application in accordance with Clause 6.2, the application may be deemed to have been refused.

6.4.2 Where the Council has given notice of an application for planning consent in accordance with Clause 6.2 and where the Council has not, within ninety days of receipt by it of the application, conveyed its decision to the applicant, the application may be deemed to have been refused.

6.4.3 Notwithstanding that an application for planning consent may be deemed to have been refused under Clauses 6.4.1 or 6.4.2, the Council may issue a decision in respect of the application at any time after the expiry of the sixty day or ninety day period specified in those clauses, as the case may be.

Part VII Administration

7.1 Powers of the Scheme

The Council, in implementing the Scheme, has in addition to all other powers invested in it the following powers:

- (a) The Council may enter into any agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme in respect of any matters pertaining to the Scheme.
- (b) The Council may acquire any land or buildings within the district pursuant to the provisions of the Scheme or the Act. The Council may deal with or dispose of any land which it has acquired pursuant to the provisions of the Scheme or the Act in accordance with law and for such purpose may make such agreements with other owners as it considers fit.
- (c) An officer of the Council, authorised by the Council for the purpose, may at all reasonable times enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

7.2 Offences

7.2.1 A person shall not erect, alter or add to or commence or erect, alter or add to a building or use or change the use of any land, building or part of a building for any purpose:

- (a) Otherwise than in accordance with the provisions of the Scheme;
- (b) Unless all consents required by the Scheme have been granted and issued;
- (c) Unless all conditions imposed upon the grant and issue of any consent required by the Scheme have been and continue to be complied with; and
- (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 part have been and continue to be complied with.

7.2.2 A person who fails to comply with any of the provisions of the Scheme is guilty of an offence and without prejudice to any other remedy given herein is liable to the penalties prescribed by the Act.

7.3 Notices

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

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

7.4 Claims for Compensation

Except where otherwise provided in the Scheme, the time limit for the making of claims for compensation pursuant to Section 11 (1) of the Act is six (6) months after the date of publication of the Scheme in the *Government Gazette*.

7.5 Appeals

An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme, may appeal in accordance with Part V of the Act and the rules and regulations made pursuant to the Act.

7.6 Power to make Policies

7.6.1 In order to achieve the objectives of the Scheme, the Council may make Town Planning Scheme policies relating to parts or all of the Scheme Area and relating to one or more of the aspects of the control of development.

7.6.2 A Town Planning Scheme Policy shall become operative only after the following procedures have been completed:

- (a) The Council having prepared and having resolved to adopt a draft town planning scheme policy, shall advertise a summary of the draft policy once a week for two consecutive weeks in a newspaper circulating in the Scheme area giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.
- (b) The Council shall review its draft town planning scheme policy in the light of any representations made and shall then decide to finally adopt the draft policy with or without amendment, or not proceed with the draft policy.
- (c) Following final adoption of a town planning scheme policy, details thereof shall be advertised publicly and a copy kept with the Scheme documents for inspection during normal office hours.

7.6.3 A town planning scheme policy may only be altered or rescinded by:

- (a) preparation and final adoption of a new policy pursuant to this clause, specifically worded to supersede an existing policy.
- (b) publication of a formal notice of rescission by the Council twice in a newspaper circulating in the area.

7.6.4 A town planning scheme policy shall not bind the Council in respect of any application for planning consent but the Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve before making its decision.

Schedule No. 1

Interpretations

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

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

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

Advertisement: means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements.

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.

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 house, grouped or multiple dwelling.

(d) Any building that is the subject of a Strata Title issued under the provisions of the Strata Titles Act 1985 (as amended).

Builder's Storage Yard: means land and buildings used for the storage of building material, pipes, or other similar items related to any trade; and may include manufacture, assembly and dismantling processes incidental to the predominant use.

Building: shall have the same meaning as is given to it in and for the purposes of the Residential Planning Codes.

Building Envelope: means an area of land within a lot marked on a plan forming part of the Scheme outside which building development is not permitted.

Building Line: means the line between which, and any public place or public reserve, a building may not be erected except by or under the authority of an Act.

Building Setback: means the shortest horizontal distance between a boundary or other specified point and the position at which a building may be erected.

Camping Area: means land used for the lodging of persons in tents or other temporary shelter.

Caravan: means a vehicle as defined under the Road Traffic Act 1974-82 maintained in condition suitable for licence under that Act at all times and being designed or fitted or capable of use as a habitation or for dwelling or sleeping purposes.

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

Caretaker's Dwelling: means a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site.

Car Park: means land and buildings used primarily for parking private cars or taxis, whether open to the public or not, but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings in which cars are displayed for sale.

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

Civic Use: means land and buildings used by a Government Department, an instrumentality of the Crown, or the Council, for administrative, recreational or other purpose.

Club Premises: means land and buildings used or designed for use by a legally constituted club or association or other body of persons united by a common interest, whether such building or premises be licensed under the provisions of the Liquor Act 1970 (as amended) or not, and which building or premises are not otherwise classified under the provisions of the Scheme.

Commission: means the State Planning Commission constituted under the State Planning Commission Act 1985.

Consulting Rooms: means a building (other than a hospital or medical centre) used by no more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors, and persons ordinarily associated with a practitioner, in the prevention or treatment of physical or mental injuries or ailments, and the two practitioners may be of the one profession or any combination of professions or practices.

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 and for the purposes of the Act.

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

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.

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.

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 fish shop.

Fish Shop: means a building where wet fish and similar foods are displayed and offered for sale.

Floor Area: shall have the same meaning given to it and for the purposes of The Building Code of Australia 1988 (as amended).

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.

Gazettal 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.

Holiday Accommodation: means accommodation comprising two or more cabins, apartments, chalets, cottages or flats which, by way of trade or business, or for the purpose of any trade or business, is held out as being available or is made available for holiday purposes for occupation by persons other than the proprietor.

Home Occupation: means a business or activity carried on with the written permission of the Council within a dwelling or the curtilage of a dwelling by a person resident therein or within a domestic outbuilding by a person resident in the dwelling to which it is appurtenant that:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection due to the emission of light, noise, vibration, electrical interference, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products or the unsightly appearance of the dwelling or domestic outbuilding on or the land on which the business is conducted;
- (b) does not entail employment of any person not a member of the occupier's family;
- (c) does not occupy an area greater than twenty square metres;
- (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located;
- (e) does not display a sign exceeding 0.2 m² in area;
- (f) in the opinion of the Council, it is compatible with the principal uses to which land in the zone it is located, may be put and will not, in the opinion of the Council, generate a volume of traffic that would prejudice the amenity of the area;
- (g) does not entail the presence, use or calling of a vehicle of more than two tonnes tare weight;
- (h) does not entail the presence of more than one commercial vehicle and does not include provision for the fuelling or repairing of motor vehicles within the curtilage of the dwelling 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 treatments or care and includes a maternity hospital.

Hotel: means land and buildings providing accommodation for the public and subject of an hotel licence granted under the provisions of the Liquor Act 1970 (as amended).

Industry: means the carrying out of any process in the course of trade or business for gain, for and incidental to one or more of the following:

- (a) The winning, processing or treatment of minerals;
- (b) The making, altering, repairing, or ornamentation, painting, fishing, cleaning, packing or canning or adapting for sale, or the breaking up or demolition of any article or part of an article;
- (c) The generation of electricity or the production of gas;
- (d) The manufacture of edible goods;

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of goods resulting from the process, and the use of land for the amenity of persons engaged in the process;

but does not include:

- (i) the carrying out of agriculture;
- (ii) site work on buildings, work on land;
- (iii) in the case of edible goods the preparation of food for sale from the premises; and
- (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 outbuilding which is compatible to the zone and its amenity and does not occupy an area in excess of 55 m²;
- (d) Does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located; and
- (e) Does not display a sign exceeding 0.2 m² in area.

Industry—Extractive: means an industry which involves:

- (a) The extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substances from the land, and also the storage, treatment or manufacture of products from those materials on the land from which any of those materials is extracted or on land adjacent thereto; or
- (b) The production of salt by the evaporation of salt water.

Industry—General: means an industry other than a cottage, extractive, hazardous, light, noxious, rural or service industry.

Industry—Hazardous: means an industry which by reason of the processes involved or the method of manufacture or the nature of the materials used or produced, requires isolation from other buildings.

Industry—Light: means an industry:

- (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products; and
- (b) the establishment of which will not, or the conduct of which does not, impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services.

Industry—Noxious: means an industry in which the processes involved constitute an offensive trade within the meaning of the Health Act 1911-1979 (as amended) but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, piggery or poultry farm.

Industry—Rural: means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.

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

Kindergarten: means land and buildings used as a school for developing the intelligence of young children by object lessons, toys, games, singing and similar methods.

Land: shall have the same meaning given to it in and for the purposes of the Act.

Laundromat: means a building open to the public, in which coin operated or other washing machines, with or without the provision for drying clothes, are available for use.

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.

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 Machine Sales Premises: means land and buildings used for the display and sale of new or secondhand motorcycles, cars, trucks, tractors, farm machinery, caravans and boats or any one or more of them and may include, the servicing of motor vehicles sold from the site.

Museum: means land and buildings used for storing and exhibiting objects illustrative of antiquities, natural history, art, nature and curiosities.

Non-Conforming Use: means a use of land which, though lawful immediately prior to the coming into operation of this Scheme, is not in conformity with the Scheme.

Nursery: means land and buildings used for the propagation, rearing and sale of products associated with horticultural and garden decor.

Office: means a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typists and secretarial services, and services of a similar nature.

Figgery: shall have the same meaning given to it in and for the purposes of the Health Act 1911-1979 (as amended).

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".

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.

Public Amusement: means land and buildings used for the amusement or entertainment of the public with or without charge.

Public Recreation: means land used for a public park, public gardens, foreshore reserve, playground or other grounds for recreation which are normally open to the public without charge.

Public Utility: means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.

Public Worship—Place of: means land and buildings used for the religious activities of a church but does not include an institution for primary, secondary or higher education, or a residential training institution.

Radio and Television Installation: means land and buildings used for the transmission, relay and reception of signals and pictures, both commercial and domestic, but does not include domestic radio and television receivers.

Reception Centre: means land and buildings used by parties for functions on formal or ceremonious occasions, but not for unhosted use for general entertainment purposes.

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 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; and
- (iv) the breeding, rearing or boarding of domestic pets.

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.

Shop: means a building wherein goods are kept, exposed or offered for sale by retail, but does not include a bank, fuel depot, market, service station, milk depot, marine collector's yard, timber yard or land and buildings used for sale of vehicles or for any purpose falling within the definition of industry.

Showrooms: 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.

Tavern: means land and buildings the subject of a tavern licence granted under the provisions of the Liquor Act 1970 (as amended).

Transport Depot: means land and buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one such motor vehicle to another of such motor vehicle and includes maintenance, management and repair of the vehicles used, but not of other vehicles.

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

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

Zone: means a portion of the Scheme Area shown on the Scheme Map by distinctive colouring, patterns, symbols, hatching, or edging for the purpose of indicating the restrictions or the use of land, but does not include reserved land.

Schedule No. 2

Shire of Kent

Town Planning Scheme No. 2

ZONING TABLE

Use Classes		Residential	Commercial	Industrial	Rural	Rural Residential	Special Site
Residential	Caretakers Dwelling		1P	1P	1P		
	Grouped Dwelling	AA	AA				
	Residential Building	AA	AA		AA		
	Single House	P	AA		P	P	
	Boarding House	AA	AA		AA	AA	
	Lodging House	AA	AA		AA	AA	
Commercial	Builders Storage Yard		SA	P			
	Car Park		P	P			
	Caravan Park/Camping Area				AA		
	Dog Kennels				AA	SA	
	Fast Food Outlet		P				
	Holiday Accommodation	AA	AA		AA	AA	
	Home Occupation	AA	AA		AA	AA	
	Hotel/Tavern		SA		SA		
	Liquor Store		SA				
	Motel		SA		SA		
	Museum		P		AA		
	Nursery		AA	AA	AA	AA	
	Office		P	1P			
	Restaurant		P				
	Service Station		AA	P			
	Shop		P	1P			
Vehicle/Machinery Sales		SA	P				
Industry	Cottage Industry	SA	AA	P	SA	SA	
	Extractive Industry				SA		
	Fuel Depot			P			
	General Industry			P			
	Light Industry			P			
	Noxious Industry			SA			
	Rural Industry		SA	P	P	AA	
	Rural Pursuit				P	AA	
	Service Industry		SA	P			
	Showroom		AA	AA			
	Transport Depot			P			
	Warehouse		AA	P			
Community	Civic Buildings		AA		AA		
	Club Premises		AA		AA		
	Consulting Rooms	AA	P				
	Day Care Centre/Kindergarten	AA	P		AA		
	Educational Establishment	AA	AA		AA		
	Hospital		AA		SA		
	Public Utility			P	AA		
	Public Worship	SA	AA		SA	SA	
Radio and Television Installation	SA		AA	AA	SA		

Uses as Determined by Council as per Schedule 3 and the Scheme Map.

Schedule No. 3
Shire of Kent
 Town Planning Scheme No. 2
 Special Site Zone

No.	Land Particulars	Permitted Uses	Development Standards/ Conditions
1.	Lots 60, 61 and 68 Sanderson Street, Pingrup	Caravan Park, Museum, Reception Centre and associated tourist uses.	All development shall be designed and landscaped to Council's specification and satisfaction.

Schedule No. 4
Shire of Kent
 Town Planning Scheme No. 2
 Places of Heritage Value
 Clause 5.9

Name	Location	Description
Old Wheat Silo	Reserve 40279 Lot 68 Sanderson Street, Pingrup.	An early example of a corrugated iron wheat silo.
Nyabing Soak	Reserve 9446 Lot 50 Bin Road, Nyabing.	Site of the original soak, officially discovered in 1904.
Tree	Nyabing Car Park, Richmond Street, Nyabing.	Large Salmon Gum.

Schedule No. 5
Shire of Kent
 Town Planning Scheme No. 2

EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 5.10.4

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (all non-illuminated 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

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (all non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning, below a line measured at 5 metres from the ground floor level of the building subject to a compliance with the requirements of the Signs Hoarding and Bill Posting By-laws.	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.	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.	Not applicable
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	Not applicable
	(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	Not applicable
	(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.	Not applicable
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.	Not applicable
All classes of buildings other than single family dwelling	One advertisement sign containing the name, number and address of the building, the purpose of 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:		
(1) Dwellings	One advertisement per street frontage containing details of the project and professional consultants and the contractors undertaking the construction work.	2m ²
(2) Multiple dwellings, shops, commercial and industrial projects	One sign as for (1) above	5m ²
(3) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height	One sign as for (1) above One additional sign showing the name of the project builder	10m ² 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
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 Advertising signs displayed for the period over which the homes are on display for public inspection		
(1) One sign for each dwelling on display		2m ²
(2) In addition to (1) 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

Schedule No. 6

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

Shire of Kent

Town Planning Scheme No. 2

APPLICATION FOR PLANNING CONSENT

1. Surname of Applicant Given Names
- Full Address
2. Surname of Land Owner Given Names
- (if different to 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
- Materials to be Used on External Surfaces of Buildings
- 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

NOTE: This form should be completed and forwarded to the Council together with 2 COPIES of the 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 No. 7
Shire of Kent

Town Planning Scheme No. 2

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____.

..... Shire Clerk

..... Date

Schedule No. 8
TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

Shire of Kent

Town Planning Scheme No. 2

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— PLANNING CONSENT

APPROVAL TO DISPLAY AN ADVERTISEMENT

subject to the following conditions/for the following reasons.

Shire Clerk

Date

Schedule No. 9

Shire of Kent

Town Planning Scheme No. 2

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

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

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

Signature of Advertiser(s):
(if different from owners)
Date

ADOPTION

Adopted by Resolution of the Council of the Shire of Kent at the Ordinary meeting of the Council held on the 16th day of September 1992.

A. G. ADDIS, President.

Dated 8 October 1992.

B. E. JONES, Shire Clerk.

Dated 6th September 1993.

FINAL APPROVAL

1. Adopted by Resolution of the Council of the Shire of Kent at the Ordinary meeting of the Council held on the 19th day of May 1993 and the seal of the Municipality was pursuant to that Resolution hereunto affixed in the presence of—

B. J. MORRELL, President.

B. E. JONES, Shire Clerk.

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

2. Recommended/submitted for the Final Approval by the State Planning Commission.

PETER DRISCOLL, for the Chairman, State Planning Commission.

Dated 29th September 1993.

3. Final Approval granted.

RICHARD LEWIS, Hon. Minister for Planning.

Dated 3rd October 1993.

POLICE**PE401****POLICE AUCTION**

Under the provisions of the Police Act 1982, unclaimed and stolen property will be sold by Public Auction at the premises of Rumens & Co of 95 Forrest Avenue, Bunbury on December 11, 1993 at 9.30 am.

The Auction will be conducted on behalf of Fuller Auctions by John Fisher, Auctioneer.

B. BULL, Commissioner of Police.

PE402**POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed Stolen bicycles will be sold by public auction at the Department of State Services, State Supply Disposal Centre, 21 Pilbara Street, Welshpool on Tuesday, December 14, 1993 at 9.00 am.

Auction to be conducted by Mr K. Treloar, Government Auctioneer.

B. BULL, Commissioner of Police.

PE403**POLICE AUCTION**

Under the provisions of the Police Act 1892, unclaimed Found and Stolen property will be sold by public auction at the Department of State Services, State Supply Disposal Centre, 21 Pilbara Street, Welshpool on Thursday, December 9, 1993 at 9.00 am.

Auction to be conducted by Mr K. Treloar, Government Auctioneer.

B. BULL, Commissioner of Police.

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 Mini Triathlon by members/entrants of the Bunbury Triathlon Club on December 19th, 1993 and January 9th, 1994 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 Dalyellup Road, Minninup Road, Bunbury.

Dated at Perth this 27th day of October 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 Bicycle Time Trial by members/entrants of the Australian Time Trials Association on December 19th, 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 Ennis Road, Elanora Drive, Ennis Road to Mandurah Road for 20 km and return.

All participants to wear approved head protection at all times.

Dated at Perth this 27th day of October 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 Cycle Races by members/entrants of the W.A. Tandem Cycling Advisory Council on November 7th, 1993 between the hours of 1045 and 1430 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 Federal St, Egerton St, Williams Rd, Narrakine Rd, Felspar St, Federal St, Kipling St, Garfield St, Great Southern Hwy, Campbell St, Altone St, Grt Southern Hwy, Campbell St.

All participants to wear approved head protection at all times.

Dated at Perth this 27th 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 Cycle Race by members/entrants of the Albany Cycle Club on February 2nd, 9th, 16th and 23rd, 1994 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 Frenchmans Bay Road and Woolstores access road.

All participants to wear approved head protection at all times.

Dated at Perth this 25th 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 Cycle Race by members/entrants of the Collie Cycle Club on November 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 Rowlands Rd, Collins St, Troutman Rd, Morrison Way, Collie.

All participants to wear approved head protection at all times.

Dated at Perth this 27th 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 Triathlon Races by members/entrants of the Mandurah Triathlon Club on November 28th, December 19th, 1993 and January 8th and February 6th, 1994 between the hours of 0900 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 Halls Head Pde, Leighton Rd, Janis, Clipper, McLarty, Peelwood, Casuarina, Old Coast Rd, Mary St, Mandurah.

Dated at Perth this 27th 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 Triathlon Races by members/entrants of the Goldfields Harriers Triathlon Club on December 4th, 11th, 18th, 1993 between the hours of 1600 and 1800 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 MacDonald St, Wilson St, Lionel St, Frank St, Federal Rd, Boulder Rd, Cheetham St, Cassidy St, Kalgoorlie.

Dated at Perth this 27th 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 Triathlons by members/entrants of the Fitness First on November 27th and 28th, 1993 between the hours of 0700 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 Riverside Rd, Preston Point Rd, Angwyn St, Andrews St, Wauhop Rd, Preston Point Rd, Point Walter Rd, Burke Dve, (Dual use path to be used were applicable).

Dated at Perth this 27th 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 North Albany Senior High School on November 19th, 1993 between the hours of 1000 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 Cunningham St, Emu Point Dve, Golf Link Rd.

All participants to wear approved head protection at all times for Cycle Leg.

Dated at Perth this 3rd day of November 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 Senior High School on November 11th, 1993 between the hours of 1100 and 1300 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 Cunningham St, Boongarrie St, Mermaid Ave, Emu Point Dve, Golf Links Rd and return.

All participants to wear approved head protection at all times during Cycle Leg.

Dated at Perth this 3rd day of November 1993.

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

RACING AND GAMING**RA301****CASINO CONTROL ACT 1984****CASINO CONTROL (AUTHORIZED GAMES) AMENDMENT NOTICE (No. 2) 1993**

Given by the Gaming Commission of Western Australia under section 22 (1).

Citation

1. This notice may be cited as the *Casino Control (Authorized Games) Amendment Notice (No. 2) 1993*.

Principal notice amended

2. The *Casino Control (Authorized Games) Notice 1992** given under section 22 (1) of the *Casino Control Act 1984* is amended by inserting in the list of authorized games, in the appropriate alphabetical position, the following game—

“ Super Pan 9 ”.

[*Published in the Gazette of 20 December 1985 at p. 4825. For amendments to 14 October 1993 see 1992 Index to Legislation of Western Australia, Table 4, p. 31 and Gazette of 26 February 1993.]

Dated 2 November 1993.

For the Gaming Commission of Western Australia.

M. J. EGAN, Chief Casino Officer.

TRANSPORT**TR401****ALBANY PORT AUTHORITY ACT 1926**Office of the Minister for Transport,
Perth.

It is hereby notified for your general information that His Excellency the Governor in Executive Council has approved the appointment of Mr Terence Enright, Member of the Albany Port Authority, to the position of Chairman for the remainder of his term expiring on 31 October 1994, and the appointment of Mr Russell Harrison and Mr Wayne Robins as Members of the Albany Port Authority for two year periods expiring on 31 October 1995.

These appointments are in accordance with section 4 of the Albany Port Authority Act 1926.

ERIC CHARLTON, Minister for Transport.

TR402**PORT HEDLAND PORT AUTHORITY ACT**Office of the Minister for Transport,
Perth.

It is hereby notified for general information that His Excellency the Governor in Executive Council, has approved the appointment of Mr Peter Hardie as Chairman of the Port Hedland Port Authority for a three year period expiring on 31 October 1996. He has also approved the appointments of Messrs Derek Miller and Mel Howe as members for three year periods expiring on 31 October 1996, Mr Arnold Carter for a two year period expiring on 31 October 1995 and Mr Ben Ziegelaar for a one year period expiring on 31 October 1994.

ERIC CHARLTON, Minister for Transport.

WATER AUTHORITY

WA401

RIGHTS IN WATER AND IRRIGATION ACT 1914
APPLICATION TO TAKE WATER FROM SWAN RIVER SYSTEM

Water Authority of Western Australia

Notice under section 13 of the Act
(Regulation 14 (1))

The applications in the following schedule have been received for licences to divert, take and use water from the Swan River System.

Any owner or occupier of land within 4.8 kilometres of the applicants land and contiguous to the water course may object to that application.

Objections should be sent to reach me at the following address—

Water Authority of Western Australia
PO Box 265
Northam WA 6401

prior to November 27, 1993, by certified mail.

PETER ARMANASCO, A/Regional Manager, Central Region.

Schedule

S. C. McWhirter	131 Alderside Road Piesse Brook WA 6076	Swan Location 1255 Bookine Road, Gingin
T. J. E. Streeter	2 Cockram Road Gingin WA 6503	Swan Location 529 Cockram Road, Gingin
B. E. and M. J. Chambers	28 Norwood Road Maida Vale WA 6057	Swan Location 402 Cockram Road, Gingin
Westralian Fruits Pty Ltd	PO Box 102 Gingin WA 6503	Swan Location 108 Lennards Road, Gingin
Westralian Fruits Pty Ltd	PO Box 102 Gingin WA 6503	Swan Location 386, Parts 3 and 4 Lennards Road, Gingin
Westralian Fruits Pty Ltd	PO Box 102 Gingin WA 6503	Swan Location 437, Parts 1 and 2 Lennards Road, Gingin
R. C. and M. J. Bradstreet	PO Box 80 Gingin WA 6503	Swan Location 3311 Lennards Road, Gingin
A. P. and T. L. Harley	PO Box 3 Gingin WA 6503	Swan Location 721 Cockram Road, Gingin
G. T. Harley	PO Box 3 Gingin WA 6503	Swan Location M1899 Lennards Road, Gingin
D. M. and P. H. Robertson	PO Box 103 Gingin WA 6503	Swan Location 448 Lennards Road, Gingin
J. and M. L. Gaulard	PO Box 86 Gingin WA 6503	Swan Location 379 Lennards Road, Gingin
I. Atkinson	PO Box 15 Gingin WA 6503	Swan Location 150 Lennards Road, Gingin
G. W. Chrystal	PO Box 110 Gingin WA 6503	Swan Location 778 Lennards Road, Gingin
Camross Nominees Pty Ltd	PO Box 6113 East Perth WA 6829	Swan Location 519 Lennards Road, Gingin
Camross Nominees Pty Ltd	PO Box 6113 East Perth WA 6829	Swan Location 520 Lennards Road, Gingin
M. and I. O'Doherty	C/- Post Office Gingin WA 6503	Swan Location 403 Ashby Road, Gingin
M. and I. O'Doherty	C/- Post Office Gingin WA 6503	Swan Location 404 Ashby Road, Gingin
M. and I. O'Doherty	C/- Post Office Gingin WA 6503	Swan Location 477 Ashby Road, Gingin

WATERWAYS COMMISSION**WB201****WATERWAYS CONSERVATION ACT 1976****ORDER IN COUNCIL**

Pursuant to the provisions of section 10 of the Waterways Conservation Act 1976, and on the recommendation of the Minister for the Environment, the Deputy of the Governor, acting with the advice and consent of the Executive Council, hereby declares the area of the State containing the Avon River and the waters and associated lands of the river system's inner catchment to be a management area for the purposes of the Waterways Conservation Act 1976 and—

- (a) assigns to that area the name "Avon River Management Area";
- (b) constitutes the Avon River Management Authority for that area;
- (c) defines as the boundaries of the waters and associated land comprised in that area, the boundaries shown marked in black on Avon River Management Authority Area Sheets 1 to 26 (both inclusive) held at the offices of the Avon River Management Authority; and,
- (d) places that area under the control and management of the Avon River Management Authority.

D. G. BLIGHT, Clerk of the Council.

WB401**WATERWAYS CONSERVATION ACT 1976**

For the purpose of making appointments to the Avon River Management Authority the Deputy of the Governor acting pursuant to powers conferred by sections 14, 16 and 19 of the Waterways Conservation Act 1976 as amended, and on the recommendation of the Minister for the Environment has been pleased on the 26th day of October 1993 to appoint—

Mr A. D. Morgan	Chairman	30 June 1996
Mr T. Boyle	Deputy Chairman	30 June 1996
Mr C. W. Liddle	Member	30 June 1995
Mr M. Howard	Member	30 June 1995
Ms C. Howell	Member	30 June 1994
Mr J. H. Wilding	Member	30 June 1995
Mr W. C. Clarke	Member	30 June 1994
Mr T. E. Richards	Member	30 June 1996
Mr F. Bremner	Member	30 June 1996
Mr E. E. Rowley	Member	30 June 1996
Mr R. Underwood	Member	30 June 1996
Mr P. Moore	Member	30 June 1996
Mr D. Brewin	Deputy Member	30 June 1996
Mr K. Wallace	Deputy Member	30 June 1996
Mr L. Leith	Deputy Member	30 June 1996

to the positions and for the periods shown.

D. G. BLIGHT, Clerk of the Council.

TENDERS**ZT201****MAIN ROADS***Tenders*

Tenders are invited for the following projects.

Tender documents are available from the Contracts Clerk, Supply Branch, Ground Floor, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date
		1993
101/93	Supply and delivery of two Prime Movers	24 Nov.
99/93	Supply and delivery of crushed aggregate Geraldton Division	12 Nov.

ZT202

MAIN ROADS—*continued*
Acceptance of Tenders

Contract No.	Description	Successful Tenderer	Amount
			\$
52/93	Bituminous sealing and resealing various roads, Kimberley Division	Pioneer Road Services	679 724.44
63/93	Supply and delivery of crushed aggregate, Kalgoorlie Division	Little Transport and Processing Industries	196 022.00
93Q7	Supply and delivery of two only ice making machines	Arcus Australia	9 700.00
1/93	Supply and delivery of crushed aggregate, Geraldton Division	All Tenders Rejected	
93Q6	The design and development of a suite of software products encompassing the Position Data Forms Database	Australian Technology Resources	28 800.00
37/93	Supply and installation of lighting on the Roe/Tonkin Highways	Electrical Construction and Maintenance Pty Ltd	644 590.50

D. R. WARNER, Director, Corporate Services.

ZT301

STATE SUPPLY COMMISSION
Tenders Invited

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

TELEPHONE No. 222 8491 or 222 8241

FACSIMILE No. 321 7918

Date of Advertising	Schedule No.	Description	Date of Closing
1993			1993
October 22	001A1993	Patient Dispersive Electrodes (Formerly Electrosurgical Patient Plates) for a two (2) year period with an option to extend for a further twelve (12) months for various Government Depts.	Nov. 11
October 22	048A1993	Theatre Masks to meet a Whole of Health Requirement for a period of two (2) years with an option exercisable by the Commission, to extend for a further twelve (12) months	Nov. 11
October 22	453A1993	Joint Venture for the Supply, Delivery, Installation & Commissioning of Welding Equipment & Support Services for Welding Technology Centre	Nov. 11
November 5	095A1993	Haemodialysis Products to Royal Perth and Sir Charles Gairdner Hospitals for a period of twelve (12) months with an option, exercisable by the State Supply Commission, to extend for a further twelve (12) month period	Nov. 18
<i>Provision of Service</i>			
October 29	286B1993	Cleaning of Hedland College—Newman Campus	Nov. 11
October 29	159A1993	Cleaning of State Print for a twelve (12) month period with an option, exercisable by the State Supply Commission, to extend the Contract for a further twelve (12) month period. Inspection: Monday, 8/11/93 at 10.00 am. Attendees are required to meet at the main entrance of State Print (off Station Street) and register with the representative from Contract & Purchasing Services. Please ensure that identification cards are worn at all times during the inspection	Nov. 18

STATE SUPPLY COMMISSION—*continued*
Tenders Invited—*continued*

Date of Advertising	Schedule No.	Description	Date of Closing
1993			1993
		<i>Invitation to Register Interest</i>	
October 22	ITRI 11/93	Motor Vehicle Fleet Maintenance for Police Department—A Briefing Session for the above contract will be held 2.00pm on 8/11/93; Dept of State Services, Training Room—14th Floor, Supply House, 815 Hay Street, Perth	Nov. 25
November 5	ITRI 14/93	Outsourcing Arrangement for Computing Support Services for the Public Service Commission.	Dec. 2
		<i>For Sale</i>	
October 22	459A1993	Miscellaneous Unclaimed Vehicles, Vehicle Engines, Parts and Trailers for the WA Police Dept.	Nov. 11
October 22	460A1993	1991 Ford Falcon Sedan EB (6QH 088) for the Kimberley Development Commission, Derby	Nov. 11
October 29	462A1993	Two (2) only 1987 Mazda F/Top Trucks (MR 2162 and MR 2273) (6QN 079 and 6QM 602) for Main Roads, Welshpool	Nov. 18
October 29	463A1993	1968 Triple Axle Low Loader Freighter (MR 0486) (UQW 502) for Main Roads, Welshpool	Nov. 18
October 29	464A1993	1983 John Deere Tractor (MR 6706) (XQX 892) for Main Roads, Welshpool	Nov. 18
October 29	465A1993	1986 John Deere Grader (MR 9135) (6QH 528)—Complete with Road Broom (MR 4576) for Main Roads, Welshpool	Nov. 18
November 5	467A1993	1991 Holden Jackaroo Wagon (7QD 189) for the Building Management Authority, Derby	Nov. 18
November 5	468A1993	Potato Washing Machine for the WA Potato Marketing Authority	Nov. 25

Tenders addressed to the Chairman, State Supply Commission, 815 Hay Street, Perth 6000 will be received for the abovementioned tenders until 10.00 am on the date of closing.

Tenders must be properly endorsed on envelopes otherwise they are liable to rejection. No tender necessarily accepted.

L. W. GRAHAM, Chairman, State Supply Commission.

ZT302

Accepted Tenders

Schedule No.	Particulars	Contractor	Rate
		<i>Supply and Delivery</i>	
436A1993	Drop Side Tipping Truck (Diesel) for the Swan River Trust	Skipper Trucks	\$77 162.00
452A1993	Provision of a Recognised Attest Audit Methodology for the Office of the Auditor General	Arthur Andersen	Details on Request
		<i>Provision of Services</i>	
444A1993	Production of ten (10) one hour "Talk About" Live Interactive Television Programs to be broadcast via satellite through the Golden West Network (GWN)	Telepro Video Productions P/L	Details on Request
		<i>Purchase and Removal</i>	
446A1993	Item 2: 5 000 Litre above-ground Diesel Fuel Tank	Fremantle Plumbing	\$100.00
	Item 3: 15 000 Litre under-ground Petrol Fuel Tank		\$50.00
	For the Swan River Trust		

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

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 5th December 1993, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Brennan, Catherine, late of 9 Tate Street, South Perth, died 24/8/93.

Dixon, Dorothy Maud, late of 53 Hooley Road, Midland, died 17/7/93.

Freeman, Lance Edward, late of 54 Tareena Street, Nedlands, died 19/7/91.

Harley, Reginald McKenna, late of 7 Gowman Way, Ravenswood, died 27/8/93.

Holmes, Marjorie Cayley, late of 6 Megalong Road, Hollywood, died 13/9/93.

Jameson, Elizabeth Helen Isobel, formerly of 74 Grant Street, Cottesloe, late of Unit 27/19 Bulrush Drive, Bibra Lake, died 15/10/93.

Keith-Magee, Lillian Edith, late of 137 Heytesbury Road, Subiaco, died 28/8/93.

Littlefair, Keith, late of F711-69-71 King George Street, Victoria Park, died 16/9/93.

MacKay, William, late of Sunset Hospital, Birdwood Parade, Dalkeith, died 23/7/93.

Oliver, Jane, late of 60A Newton Street, Spearwood, died 8/9/93.

Teske, Elizabeth Anne, late of 902 Queens Road, Meekatharra, died 6/9/93.

West, Jeanne Florence (also known as West, Jean Florence), late of Marist Lodge, 12 Lapage Street, Belmont, died 3/10/93.

Williams, Jessie May, late of 148 Wood Street, Inglewood, died 25/9/93.

Yates, Wilfred, late of Unit 22/31 East Street, East Fremantle, died 26/7/93.

Dated this 5th day of November, 1993.

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

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

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the Estate of the undermentioned deceased person are required to send particulars of their claims to me on or before 5 December 1993, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Carter, Frederick George, late of 2 Bocaccio Close, Sorrento, Western Australia.

D. C. PIMM, Executor of Deceased Estate,
15 Buchan Place, Hillarys 6025.

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

Robert Geoffrey McCutcheon, late of Collier Park Village, 16 Morrison Street, Como, Western Australia, died on 14 September 1993 and creditors and other persons having claims (to which section 63 of the Act relates) in respect of his estate are required to send particulars of their claims to the executor of the estate c/- Jackson McDonald, solicitors, GPO Box M971, Perth 6001, ref: EJC by 7 December 1993, after which date he may convey or distribute the assets of the estate, having regard only to the claims of which he then has notice.

ZZ203**TRUSTEES ACT 1962**

Beryl Mary Lyall, late of 6 Baryna Street, Armadale, Widow deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased who died on 17 July 1993 are required by the Executors of care of Stables Scott, 8 St. George's Terrace, Perth, to send particulars of their claims to them by 6 December 1993 after which date the Executors may convey or distribute the assets having regard only to the claims of which they then have notice.

ZZ204**TRUSTEES ACT 1962**

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the undermentioned deceased person are required by the personal representatives of care of Minter Ellison Northmore Hale of Allendale Square, 77 St George's Terrace, Perth to send particulars of their claims to them by the 17th day of December 1993 after which date the personal representatives may convey or distribute the assets having regard only to the claims of which they then have notice.

Lewis, Ernest John, late of 56 Manchester Street, Victoria Park, Storeman. Died 21st day of September 1967.

ZZ205**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 by ANZ Executors & Trustee Co. Ltd. of 41 St. George's Terrace, Perth to send particulars of their claims on or before the 6th December 1993 after which date the said Company may convey or distribute the assets having regard only to the claims of which the Company then has notice.

Crichton, Sidney Franklin, late of 51 Alexander Drive, Mount Lawley, died 5th August 1993.

Hall, Robert McKenzie, late of Bassendean Nursing Home, 27 Hamilton Street, Bassendean, died 8th October 1993.

Brennan, Patrick John, late of 5 Robertson Street, Carnamah, died 26th October 1993.

Dated this 5th day of November 1993.

ANZ Executors & Trustee Co. Ltd.
A.C.N. 006 132 332.

WALLY PERZYLO, Manager, Trust Services.

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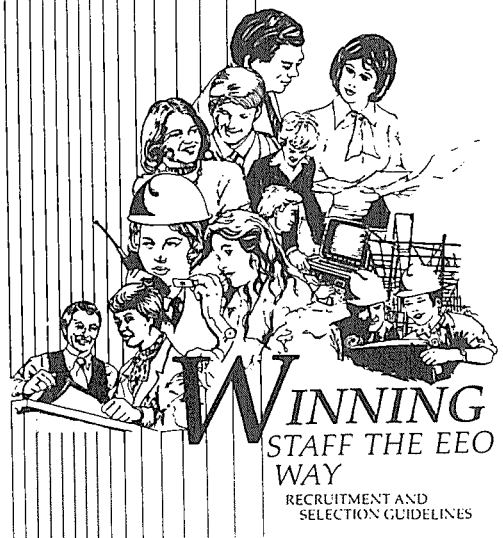
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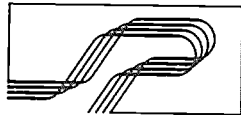
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