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G. L. DUFFIELD, Director.

ELECTORAL COMMISSION

EL401

GRAIN MARKETING ACT 1975 THE GRAIN POOL OF W.A. (ELECTIONS) REGULATIONS 1976 (As Amended)(Reg 25)

Election of One Director of the Grain Pool of WA from Electoral Zone 2, the Election of One Director of the Grain Pool of WA from Electoral Zone 3 and the Election of One Director of the Grain Pool of WA from Electoral Zone 4

I certify under the provisions of Regulation 25 of the Grain Pool of WA (Elections) Regulations 1976 (as amended) that, the nominations which closed at 12 noon on Thursday 5 May 1994, resulted in the undermentioned candidates being declared elected, unopposed, as Directors of the Grain Pool of W.A.

From Electoral Zone 2
Sewell, Robert Ian Stanhope.

From Electoral Zone 3
Buegge, Robert Ernest

From Electoral Zone 4
McGlew, Andrew John

HEATHER SULLIVAN, Returning Officer,
Western Australian Electoral Commission,
4th Floor, Fire Brigade Building,
480 Hay Street,
Perth WA 6000.

FISHERIES

FI401

FISHERIES ACT 1905 ABALONE LIMITED ENTRY FISHERY AMENDMENT NOTICE 1994 Notice No. 651

FD149/75

Made by the Minister under section 32.

Citation

1. This notice may be cited as the *Abalone Limited Entry Fishery Amendment Notice 1994*.

Principal Notice

2. In this notice the *Abalone Limited Entry Fishery Notice 1992 Notice No. 542** is referred to as the principal notice.

Arrangement amended

3. The arrangement of the principal notice is amended by—

- (a) renumbering "23" as "24"; and
- (b) inserting in the appropriate order the following—
 - (i) "20A. Transfer of quota"; and
 - (ii) "23. Determination of position by reference to the Australian Geodetic Datum".

Clause 2 amended

4. Clause 2 of the principal notice is amended by inserting in the appropriate alphabetical position the following—

“ “year” means—

- (a) in paragraphs 14(a) and 14(b)—the period commencing each calendar year on 1 March and ending on the last day of February of the following calendar year;
- (b) in paragraph 14(c)—the period commencing each calendar year on 1 May and ending 30 April of the following calendar year;
- (c) in paragraphs 14(d) and 14(e) and clause 20A—the period commencing each calendar year on 1 October and ending on 30 September of the following calendar year;”.

Clause 14 amended

5. Clause 14 of the principal notice is amended—

- (a) by deleting the subclause designation “(1)” and by inserting after “Minister”, the words “or otherwise authorised by this notice”;

- (b) in sub-paragraph 14(a)(ii), by deleting "6,000" and substituting "6,200";
- (c) in sub-paragraph 14(b)(i), by deleting "300" and substituting "500";
- (d) by deleting sub-paragraph 14(d)(i) and substituting—
- “(i) in any year, when operating in the waters of Item 11 of Schedule 1,—
- A. take more than 6,250 kilograms of Roe’s abalone from those waters; nor
- B. continue to take Roe’s abalone when the total catch of Roe’s abalone taken from those waters by persons authorised to operate in Zone 3 has reached 75,000 kilograms whole weight;”;
- (e) by deleting sub-paragraph 14(d)(ii) and substituting—
- “(ii) in any year, when endorsed to operate in the waters of Item 4 of Schedule 1—
- A. take more than 1,000 kilograms whole weight of Roe’s abalone from those waters; nor
- B. continue to take Roe’s abalone when the total catch of Roe’s abalone taken from those waters by persons authorised to operate in Zone 3 has reached 12,000 kilograms whole weight;”;
- (f) by deleting sub-paragraph 14(d)(iii) and substituting—
- “(iii) in any year, when endorsed to operate in the waters of Item 5 of Schedule 1,—
- A. take more than 1,000 kilograms whole weight of Roe’s abalone from those waters; nor
- B. continue to take Roe’s abalone when the total catch of Roe’s abalone taken from those waters by persons authorised to operate in Zone 3 has reached 12,000 kilograms whole weight;”;
- (g) in sub-paragraph 14(d)(iv)—
- (i) by renumbering it as sub-paragraph 14(d)(v); and
- (ii) deleting “and”;
- (h) in sub-paragraph 14(d)(v)—
- (i) by renumbering it as sub-paragraph 14(d)(vi); and
- (ii) deleting “.” and substituting “; and”;
- (i) by adding in order the following as a sub-paragraph to paragraph 14(d)—
- “(iv) when endorsed to operate in the waters of Item 10 of Schedule 1, take more than 750 kilograms whole weight of Roe’s abalone from those waters in any year;”;
- (j) by adding in order the following as a paragraph to clause 14—
- “(e) a person authorised to operate in Zone 3 and endorsed to operate in the waters of Item 10 of Schedule 1—
- (i) may take the quota of Roe’s abalone mentioned in sub-paragraph 14(d)(iv), from the waters of Item 10 or Item 12 of Schedule 1 or both, but so that the total whole weight of Roe’s abalone taken from the waters of Items 10 and 12 of Schedule 1, combined, does not exceed the quota mentioned in that sub-paragraph and provided that when operating from the waters of Item 12 of Schedule 1—
- A. the person is operating from a fishing boat licensed pursuant to the Regulations; and
- B. the taking of abalone is directly supervised by either an Inspector of Fisheries or an officer of the Research Division of the Fisheries Department;
- and
- (ii) shall not take more than 9,000 kilograms whole weight of Roe’s abalone from the waters of the Fishery in any year.”; and
- (k) by repealing subclause (2).

Clause 15 amended

6. Clause 15 of the principal notice is amended—

- (a) in paragraph 15(3)(a) by deleting “7” and substituting “13”; and
- (b) in paragraph 15(3)(b), by deleting “7” and substituting “13”.

Clause 20A added

7. After clause 20 of the principal notice, the following clause is added—

“Transfer of quota

20A. (1) A person authorised to operate in Zone 3 may, for the balance of any year, transfer, swap or exchange, any quota remaining for the balance of that year, being no less than 250kg of quota (or multiple thereof) to any other person authorised to operate in Zone 3, and the licence shall be endorsed accordingly.

(2) A person authorised to operate in Zone 3 shall not, by the transfer, swap or exchange of quota, be entitled to more quota than is authorised by sub-paragraph 14(e)(ii) to be taken by one licensee.

(3) When quota is transferred, swapped or exchanged under subclause (1), the transferee shall take no more than the amount of abalone which the transferor would have been entitled to take for the remainder of the quota year had the transfer, swap or exchange not taken place.”

Clause 23 amended

8. Clause 23 of the principal notice is amended by renumbering it as Clause 24.

Clause 23 added

9. After Clause 22 of the principal notice, the following clause is added—

“Determination of position by reference to the Australian Geodetic Datum

23. (1) Where, for the purposes of this notice it is necessary to determine a position on the surface of the Earth by geographical co-ordinates, 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 shall be taken to be situated at 25°56'54.5515" south latitude and 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.”

Schedule 1 amended

10. Schedule 1 to the principal notice is amended by inserting after Item 10 the following items—

“11. All waters of the west and south coasts of the State lying between 26°54'30" south latitude and Cape Leeuwin.

12. All waters on the west and north coasts of the State lying north of 26°54'30" south latitude.

13. All waters on the west and south coasts of the State lying between 27°15'54" south latitude and 124° east longitude.”

Schedule 2 amended

11. Schedule 2 to the principal notice is amended by adding the following item—

“Eleni Pty Ltd (Bassendean)”.

[*Published in the *Gazette* of 14 August 1992. For amendments to 8 April 1994 see Notice No. 605 published in the *Gazette* of 17 September 1993 and Notice No. 630 published in the *Gazette* of 19 November 1993.]

Dated this 12th day of May 1994.

MONTY HOUSE, Minister for Fisheries.

FI402

FISHERIES ACT 1905
HOUTMAN ABROLHOS REEF OBSERVATION AREAS NOTICE 1994
Notice No. 637

FD 272/90.

Made by the Minister under sections 9 and 10.

Citation

1. this notice may be cited as the *Houtman Abrolhos Reef Observation Areas Notice 1994*.

Interpretation

2. In this notice unless the contrary intention appears—

“attended” means to have either the fishing line or the fishing rod held by the fisher;

“authorised boat” means a boat licensed under the *Fisheries Regulations 1938* and authorised by a limited entry fishery licence issued in accordance with the *West Coast Rock Lobster Limited Entry Fishery Notice 1993* to be used to take rock lobster from zone A of the West Coast Rock Lobster Limited Entry Fishery;

“Houtman Abrolhos Islands” means those islands of A Class Reserve No. 20253;

“Reef Observation Areas” means the waters as described in Schedule 1;

“rock lobster” means all species of fish of the *genus Panulirus*;

“traditional fisher of Beacon Island” means a resident of Beacon Island who has a significant fishing history as determined by the Minister, and who has the written approval of the Minister to fish from the Defined Fishing Area of Beacon Island;

“traditional fisher of Leo Island” means a resident of Leo Island who has a significant fishing history as determined by the Minister, and who has the written approval of the Minister to fish from the Defined Fishing Area of Leo Island; and

"transfer" means the passing of ownership or effective control of the rights, entitlements and obligations attaching to a licence, from one person to another person.

Prohibition on taking fish

3. Subject to the provisions of clause 4, a person shall not take, or attempt to take, any fish by any means from the waters described in Schedule 1.

Exemption from clause 3

4. The prohibition in clause 3 does not apply to—

- (a) the holder of a professional fisherman's licence when operating from an authorised boat when taking rock lobster by means of a rock lobster pot;
- (b) the holder of a recreational fishing licence specifying that the holder may undertake rock lobster fishing, when taking rock lobster by means of a rock lobster pot;
- (c) the licensees of limited entry fishing licences numbered—
 - (i) 1141;
 - (ii) 1375;
 - (iii) 1680,

when resident on Beacon Island during the period 15 March to 30 June in the same year when taking fish for the licensee's own personal consumption and not for sale, barter or exchange, or attempted sale, barter or exchange, from the Defined Fishing Area of the Beacon Island Reef Observation Area as described in Item 1 of Schedule 2 by means of an attended hand line from a boat;

- (d) the licensee of limited entry fishery licence number 1143 when resident on Leo Island during the period 15 March to 30 June in the same year when taking fish for the licensee's own personal consumption and not for sale, barter or exchange, or attempted sale, barter or exchange, from the Defined Fishing Area of the Leo Island Reef Observation Area as described in Item 2 of Schedule 2 by means of an attended hand line from a boat;
- (e) a traditional fisher of Beacon Island when taking fish for his or her own personal consumption and not for sale, barter or exchange, or attempted sale, barter or exchange, from the Defined Fishing Area of Beacon Island as described in Item 1 of Schedule 2 by means of an attended hand line from a boat during the period 15 March in any year to 30 June in the same year;
- (f) a traditional fisher of Leo Island when taking fish for his or her own personal consumption and not for sale, barter or exchange, or attempted sale, barter or exchange, from the Defined Fishing Area of Leo Island as described in Item 2 of Schedule 2 by means of an attended hand line from a boat during the period 15 March in any year to 30 June in the same year; or
- (g) a person using an attended hand line or attended rod, reel and line when fishing from a jetty.

Transfer

5. (1) The exemption granted in paragraphs (c) and (d) of clause 4 shall apply only to the licensee of the specified licence at the date this notice commences operation and shall not be transferred.

(2) The exemption granted in paragraphs (e) and (f) of clause 4 shall not be transferred, shall expire on 30 June each year and may be renewed on 15 March in the following year if the Minister considers it appropriate to do so.

Determination of position by reference to the Australian Geodetic Datum

6. (1) Where for the purposes of this notice it is necessary to determine a position on the surface of the earth by geographical co-ordinates, 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 elevation of 571.2 metres above the ellipsoid referred to in that subclause.

Schedule 1

Reef Observation Areas

1. North Island—All Western Australian waters bounded by a line commencing at the intersection of 28° 19' 22" south latitude and 113° 35' 10" east longitude, thence drawn in an easterly direction to the intersection of 28° 19' 22" south latitude and 113° 36' 38" east longitude, thence in a southerly direction to the intersection of 28° 21' 06" south latitude and 113° 35' 38" east longitude, thence in a westerly direction to the intersection of 28° 21' 06" south latitude and 113° 35' 10" east longitude and thence northerly back to the commencement point.

2. Wallabi Group—All Western Australian waters bounded by a line commencing at the intersection of 28° 27' south latitude and 113° 46' south latitude, thence drawn in an easterly direction to the intersection of 28° 27' south latitude and 113° 49' 36" east longitude, thence in a southerly direction to the intersection of 28° 28' 36" south latitude and 113° 49' 36" east longitude, thence generally in

a southwesterly direction to the intersection of 28° 30' 48" south latitude and 113° 46' 30" east longitude, thence in a northerly direction to the intersection of 28° 28' south latitude and 113° 46' 30" east longitude, thence in a westerly direction to the intersection of 28° 28' south latitude and 113° 46' east longitude, thence in a northerly direction back to the commencement point.

3. Easter Group—All Western Australian waters bounded by a line commencing at the intersection of 28° 38' 24" south latitude and 113° 52' 24" east longitude, thence drawn in an easterly direction to the intersection of 28° 38' 24" south latitude and 113° 53' east longitude, thence in a southerly direction to the intersection of 28° 42' south latitude and 113° 53' east longitude, thence in a westerly direction to 28° 42' south latitude and 113° 51' 12" east longitude, thence in a generally northwesterly direction to the intersection of 28° 40' 13" south latitude and 113° 50' 11" east longitude, thence in a generally northeasterly direction back to the commencement point.

4. Southern Group—All Western Australian waters bounded by a line commencing at the intersection of 28° 51' south latitude and 113° 59' east longitude, thence drawn in an easterly direction to the intersection of 28° 51' south latitude and 114° 02' east longitude, thence in a southerly direction to the intersection of 28° 54' south latitude and 114° 02' east longitude, thence in a generally northwesterly direction back to the commencement point.

Schedule 2

Defined Fishing Areas

1. Beacon Island—All the waters bounded by a line commencing at the eastern most extremity of Beacon island drawn due east for 200 metres, thence due south to the drying shallows of Morning Reef, thence in a generally west-southwesterly direction along the dry shallow edge of Morning Reef to the south western edge of the drying shallows which abut the eastern edge of Goss Passage, thence in a generally northerly direction along the dry shallow edge of the eastern side of Goss Passage to the southwestern tip of Beacon Island, thence along the southern shoreline of Beacon Island back to the commencement point.

2. Leo Island—All the waters bounded by a line commencing at the northwestern extremity of Leo Island, thence drawn due north for 200 metres, thence generally northeasterly to the southwesterly extremity of White Island, thence in a generally south-southwesterly direction to the northeastern extremity of Leo Island, thence in a generally westerly direction along that island's shoreline back to the commencement point.

Dated this 10th day of May 1994.

MONTY HOUSE, Minister for Fisheries.

FI403

FISHERIES ACT 1905 ABROLHOS ISLANDS FISHING METHODS NOTICE 1994 Notice No. 646

FD 283/64.

Made by the Minister under sections 9 and 11.

Citation

1. This notice may be cited as the *Abrolhos Islands Fishing Methods Notice 1994*.

Interpretation

2. In this notice, unless the contrary intention appears—

“drop line” means any fishing line which has more than 3 hooks attached and may be held in the hand, positioned, released, left, or allowed to remain in the water with or without bait and is not a set line; and

“set line” means any fishing line which is set, positioned, released, left or allowed to remain in the water with or without bait and is not held in the hand.

Prohibition

3. The use of a gill net, long line, drop line or set line to take, or attempt to take, fish in the waters specified in the schedule is prohibited at all times.

Revocation

4. The *Abrolhos Islands Gillnet Notice 1990, Notice No. 452* is revoked.

Schedule

1. The waters of the Indian Ocean at the Abrolhos Islands within the baselines declared by proclamation of the Governor General of Australia under section 7 of the *Seas and Submerged Lands Act 1973* and published in the *Commonwealth of Australia Gazette* No. S29 on February 1983.

2. The waters of the Indian Ocean at the Abrolhos Islands on the seaward side of the baselines referred to in Item 1 of this schedule which lie within three nautical miles of those baselines.

Dated this 11th day of May 1994.

MONTY HOUSE, Minister for Fisheries.

FAIR TRADING

FT301

BUILDERS' REGISTRATION ACT 1939**BUILDERS' REGISTRATION (SCHEDULED AREAS) REGULATIONS
(NO. 2) 1994**

Made by His Excellency the Governor in Executive Council under section 3 (2).

Citation

1. These regulations may be cited as the *Builders' Registration (Scheduled Areas) Regulations (No. 2) 1994*.

Schedule amended

2. The Schedule to the *Builders' Registration Act 1939** is amended in item 5 by deleting "Narambeen" and substituting the following —

" Narambeen ".

[* Reprinted as at 3 May 1993.]
For amendments to 7 April 1994 see Gazette of 25 March 1994.]

By His Excellency's Command.

D. G. BLIGHT, Clerk of the Council.

FT302

PAINTERS' REGISTRATION ACT 1961**PAINTERS' REGISTRATION (SCHEDULED AREAS) REGULATIONS
(NO. 2) 1994**

Made by His Excellency the Governor in Executive Council under section 3 (2).

Citation

1. These regulations may be cited as the *Painters' Registration (Scheduled Areas) Regulations (No. 2) 1994*.

Schedule amended

2. The Schedule to the *Painters' Registration Act 1961** is amended in item 3 by deleting "Narambeen" and substituting the following —

" Narambeen ".

[* Reprinted as at 9 May 1991.
For amendments to 7 April 1994 see Gazettes of 5 January 1993 and 25 March 1994.]

By His Excellency's Command.

D. G. BLIGHT, Clerk of the Council.

FT401**RETAIL TRADING HOURS ACT 1987**

RETAIL TRADING HOURS (TOWN OF ALBANY) AMENDMENT ORDER (No. 2) 1994
Made by the Minister for Fair Trading under section 13.

Citation

1. This Order may be cited as the *Retail Trading Hours (Town of Albany) Amendment Order (No. 2) 1994*.

Amendment

2. The *Retail Trading Hours (Town of Albany) Order 1988* [published in the *Gazette* of 2 September 1988 at p. 3461] is amended by deleting—

“Other than the Saturdays 19 February 1994; 2 April 1994; 26 September 1994; and 3, 10, 17, 24, 31 December 1994.”

and inserting in its place the following—

“ Other than the Saturdays 1 October 1994; and 3, 10, 17, 24, 31 December 1994. ”

PETER FOSS, Minister for Health; The Arts; Fair Trading.

FT402

RETAIL TRADING HOURS ACT 1987
PETROL ROSTER AMENDMENT ORDER 1994

I, Peter Foss, Minister for Fair Trading, acting under the provisions of section 14 of the Retail Trading Hours Act 1987 do hereby vary the Petrol Roster Order (No. 3) of 1994 published in the *Government Gazette* on 15 April 1994, by deleting the names of the shops listed in the Order in respect to the dates mentioned under the Zone and Roster specified in the First Schedule to this Order and by adding to that Order the names of the shops and the Zone and Roster specified in the Second Schedule of this Order.

PETER FOSS, Minister for Health; The Arts; Fair Trading.

First Schedule

Shops in Zone No. 12—Collie District

Sunday Roster	7.00 am to 10.00 pm
25 December 1994	
Paul Debenham Motors—9 Throssell Street, Collie	
8 January 1995	
Shell Centre Point—Princep Street, Collie	

Second Schedule

Shops in Zone No. 12—Collie District

Sunday Roster	7.00 am to 10.00 pm
25 December 1994	
Shell Centre Point—Princep Street, Collie	
8 January 1995	
Paul Debenham Motors—9 Throssell Street, Collie	

INDUSTRIAL RELATIONS

IR301**INDUSTRIAL RELATIONS ACT 1979****INDUSTRIAL RELATIONS COMMISSION AMENDMENT REGULATIONS 1994**

PURSUANT to the powers conferred by section 113 of the Industrial Relations Act 1979 (as amended) and all other powers enabling, the Western Australian Industrial Relations Commission makes the following regulations:—

- (1) These regulations may be cited as the Industrial Relations Commission Amendment Regulations 1994.
- (2) In these regulations the Industrial Relations Commission Regulations 1985 (as amended) are referred to as the principal regulations.

2. Amend regulation 3(5) by inserting after the word "regulations" in the last line thereof the following proviso:—
- "Provided that appeal books lodged in relation to appeals under section 49 and section 84 of the Act shall not be deemed documents for the purposes of this sub-regulation".
3. After regulation 3, insert the following regulation 3A:—
- "3A. (1) Subject to sub-regulation (2), the registry shall be open to the public for the transaction of business from 9.00 am until 4.00 pm on Monday to Friday inclusive of each week, except on public holidays and on any other days on which public offices are closed.
- (2) A member of the Commission or the Registrar may, in special circumstances, direct that the registry be open at times outside those prescribed in sub-regulation (1)."
4. Amend regulation 29 as follows:—
- (1) Sub-regulation 29(5) is repealed.
- (2) Insert in sub-regulation 29(10) the figure "14" in the first line thereof in lieu of the figure "7".
- (3) Insert after sub-regulation 29(10)(b) the following sub-regulation (ba):—
- "(ba) a copy of any answer or counter proposal filed in such proceedings;"
5. After regulation 29, insert the following regulation 29A:—
- "29A. The procedure for the listing of matters before the Full Bench in proceedings under section 49 of the Act, shall be as follows:—
- (1) (a) The Registrar shall, upon proof of service of the notice of appeal on the parties required to be served, and after satisfying himself and certifying that regulations 29(10), (11), and (12) have been complied with, transmit the file and all relevant documents as required by the President to the President.
- Provided that the Registrar may be satisfied that regulation 29(10)(e) and (f) have been complied with, and to so certify, upon the appellant expressly stating, in writing, that there has been full compliance with regulation 29(10)(e) and (f).
- (b) At the same time as such file is transmitted to the President aforesaid, the Registrar shall advise the President in writing as to the estimated length of hearing and dates when counsel, solicitors, agents, or the parties in person are available.
- (c) Notwithstanding (1)(a) hereof, the Registrar may forward such file and documents to the President for listing where any time limit imposed by the Act or regulation 29 has not been complied with, and an application to extend time for such compliance has been filed and served.
- (2) (a) Before the President lists the matter for hearing he will advise the Chief Commissioner of the proposed date or dates of hearing of such appeal and request the Chief Commissioner to allocate two Commissioner members to the Full Bench for such hearing.
- (b) The Chief Commissioner shall allocate two Commissioner members as aforesaid and the President shall list the appeal for hearing.
- (c) The President shall cause the parties to be notified of the date of hearing in accordance with Form 24.
- (3) After any such appeal is listed for hearing, a party may upon an application to the Full Bench in accordance with Form 1 and these regulations apply to expedite the hearing of the appeal."
6. Insert the following regulation 72A after Part XI:—
- "PART XIA—APPLICATIONS UNDER SECTION 66
- 72A. (1) Applications made under section 66 of the Act shall be commenced with an application in accordance with Form 1.
- (2) The application, after it has been filed in the registry, shall be transmitted to the President's Associate to be endorsed with directions given by the President as to service, a date of hearing, or any directions hearing.
- (3) The matter will then proceed in accordance with those directions."
7. Before regulation 74, and in Part XIII—Procedure Generally, insert the following regulation 73A:—
- "73A. A notice of answer and counter proposal will specify with particularity the answer and counter proposal and the basis on which the answer and counter proposal is made."

8. Amend regulation 77 by inserting after the word "Commission" in the second line of regulation 77(1) the following " , except upon an appeal to be heard by the Full Bench or the Commission in Court Session,".
9. After regulation 101, insert the following regulation 101A:—
- "101A. (1) An application to the Full Bench for a declaration in accordance with section 72A shall be in writing, shall set out in detail the grounds of such application, and shall be in accordance with Form 1.
- (2) A person who wishes to be heard in relation to such application shall file a notice of application to be heard in triplicate and in accordance with Form 1, and shall at least seven days before the date fixed for hearing of such application serve a copy of the same upon the applicant.
- (3) Such notice shall set out the grounds upon which the person claims sufficient interest to be heard in relation to such application."

Dated the 10th day of May 1994.

P. J. SHARKEY, President.
 W. S. COLEMAN, Chief Commissioner.
 G. G. HALLIWELL, Senior Commissioner.
 G. L. FIELDING, Commissioner.
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 C. B. PARKS, Commissioner.

JUSTICE

JM301

TRUSTEE COMPANIES ACT 1987

TRUSTEE COMPANIES (DESIGNATION OF TRUSTEE COMPANIES) REGULATIONS 1994

Made by His Excellency the Governor in Executive Council under section 4.

Citation

1. These regulations may be cited as the *Trustee Companies (Designation of Trustee Companies) Regulations 1994*.

Schedule 1 to the Act amended

2. Schedule 1 to the *Trustee Companies Act 1987** is amended by —
- (a) deleting "R&I Trustees Limited."; and
- (b) inserting in the appropriate alphabetical position the following trustee company —
- " Trustees of Western Australia Limited. "

[* *Act No. 111 of 1987.*

For subsequent amendments see 1992 Index to Legislation of Western Australia, Table 1, p. 216 .]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

JM401

**DISTRICT COURT OF WESTERN AUSTRALIA ACT 1969
SPECIAL CRIMINAL SITTINGS IN JULY 1994**

Pursuant to the powers conferred by the District Court of Western Australia Act 1969 I hereby direct that the Criminal Sittings of the District Court to be held at Perth during the month of July 1994 shall commence on Monday, 4 July 1994.

Dated the 12th day of May 1994.

DESMOND HEENAN, Chief Judge.

JM402

JUSTICES ACT 1902

It is hereby notified for public information that His Excellency the Governor in Executive Council has—

Approved of the appointment of Liduvina Theresa Undulghumen of Kalumburu Aboriginal Corporation, Kalumburu to the Office of Justice of the Peace for the State of Western Australia.

Accepted the resignation of Gerald Francis Edwards of 65 Bellevue Crescent, Dianella from the Office of Justice of the Peace for the State of Western Australia.

W. ROWE, Executive Director,
Courts Development and Management.

LAND ADMINISTRATION

LA301

LICENSED SURVEYORS ACT 1909

**LICENSED SURVEYORS REGISTRATION AMENDMENT
REGULATIONS 1994**

Made by The Land Surveyors Licensing Board with the approval of His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Licensed Surveyors Registration Amendment Regulations 1994*.

Schedule 1 repealed and a Schedule substituted

2. Schedule 1 to the *Licensed Surveyors Registration Regulations 1990** is repealed and the following Schedule is substituted —

“

SCHEDULE 1

FEEES

The following fees are payable in respect of the matters specified hereunder —

	\$
1. For the registration of a professional training agreement	26.00
2. Application for approval of assignment of professional training agreement	26.00
3. Application to enter examination	47.00

- | | | |
|----|--|--------|
| 4. | Examination fee (for each examination or project) | 26.00 |
| 5. | Application for registration as a Licensed Surveyor | 105.00 |
| 6. | Restoration of name to register otherwise than under section 15 of the Act | 105.00 |
| 7. | Issue of duplicate certificate | 20.00 |
| 8. | Issue of letter of accreditation | 37.00 |
| 9. | Inspection of register | 6.50 |

[* *Published in Gazette of 23 February 1990.
For amendments to 24 March 1994 see 1992 Index to Legislation
of Western Australia, Table 4, p.155.*]

Made by The Licensed Surveyors Licensing Board this Twenty First day of April 1994.

G. E. MARION, Secretary.

Approved by His Excellency the Governor in Executive Council,

D. G. BLIGHT, Clerk of the Council.

LA401

TRANSFER OF LAND ACT 1893

Application F32871.

Take notice that Ronald David Duncan, Phyllis Lynette Duncan and Geoffrey Ronald Duncan all of Walkaway have made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at Walkaway being Victoria Location 177.

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 10 June 1994 a caveat forbidding the land being brought under the operation of the Act.

G. H. SACH, Registrar of Titles.

LA402

TRANSFER OF LAND ACT 1893

Application F521648.

Take notice that Peter John Wiltshire of 10 Festing Street, Albany has made application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated at 10 Festing Street, Albany being the Eastern moiety of Albany Town Lot 172 in Memorial Book 28 Number 780.

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 10 June 1994 a caveat forbidding the land being brought under the operation of the Act.

G. H. SACH, Registrar of Titles.

LA403

LAND ACT 1993

DECLARATION THAT PART 1A DOES NOT APPLY

I declare under section 27H of the Land Act 1933, that Part 1A of the Act does not apply to the following proposals affecting the land specified.

Proposal	Land	DOLA File
Vesting "Drain"	Guilderton Lot 408	2842/982
Reservation for "Recreation and Conservation".	Geraldton lots 1172, 1176, 1178 in certificate of title 1938/690.	3578/947
Reservation for "Use and Requirements of the Shire of Gnowangerup" and freehold.	Ongerup lots 5, 72, 82, 169 and 213.	7354/951
Reservation for "Effluent Disposal Site" with vesting in Minister for housing.	Wiluna Lot 1491 (Reserve 39432).	1878/985
Sale—Section 118A(3)	Portion of closed public Right-of-Way as shown coloured green on Schedule at page 28 for inclusion into Certificate of Title Volume 1925 Folio 771	1168/993
Sale—Section 118A(3)	Portion of closed public Right-of-Way as shown coloured green on Schedule at page 37 for inclusion into Certificate of Title Volume 1867 Folio 678	1561/992
Sale—Section 118A(3)	All those portions of land coloured green on Schedules at pages 47 and 48 for inclusion into Certificates of Title Volume 1316 Folio 642 and Volume 1591 Folio 722	2357/991
Declaration of Public Street—Section 288 of the Local Government Act.	Nanson Street (Road No. 18667). All that portion of land coloured mid brown on Crown Survey Diagram 91520.	2533/993
Sale—Section 118A(3)	All that portion of road now comprised in Office of Titles Diagram 79807.	488/1991
Issue of Lease	Bruce Rock Lot 338	2206/992
To release this portion of land for Special Residential/Recreation as shown in the Broome Planning Strategy August 1993.	Broome Lot 833, 2237, and portion of closed road.	1428/989
Disposal of Crown land to effect the land exchange required for the Dawesville Cut Project	Those parcels of Crown land bordered green on Miscellaneous Plan No. 1848.	2283/984V3
Sale of land to an adjoining owner under Section 118CA	The land shown coloured red and marked Z on Miscellaneous Plan No. 1848 and on OP 18490	2283/984V3
Sale—Section 118A(3) Easement—Section 134B.	Portion of road as shown bordered blue on Crown Survey Diagram 91358 for inclusion into Certificates of Title Volume 1921 Folio 597 and Volume 1921 Folio 596.	1977/1992
Sale—Section 118A(3).	All that portion of closed road coloured green on Schedule at page 66 to be included into Certificate of Title Volume 1488 Folio 585.	2324/984
Sale—Section 118A(3)	Portion of closed public right-of-way as shown coloured green on Schedule at page 19 for inclusion into Certificate of Title Volume 1867 Folio 670	1170/993
Sale—Section 118A(3)	All that portion of land as shown coloured green on Schedule at page 151 for inclusion into Certificate of Title Volume 1530 Folio 582.	2460/984
Lease (Section 116) for "Grazing"	Plantagenet Location 7749	581/967
Lease (Section 116) for "Water Supply"	Nelson Location 13451	2361/987
Lease (Section 116) for "Cropping & Grazing"	Victoria Location 11976	2422/987
Lease (Section 116) for "Grazing"	King Location 781	2777/970 V5
Freehold (Section 45)	Swan Location 7056	1251/994
Freehold (Section 38)	Boulder Lot 4099	1701/993
Freehold (Section 38)	Boulder Lot 4148	1750/993
Freehold (Section 38)	Ledge Point 526	2072/991
Freehold (Section 38)	Jurien Lot 359	2863/981
Freehold (Section 38)	Jurien Lot 1068	2826/989
Freehold (Section 38)	Kwinana Lot M1085	4667/953 V2
Freehold (Section 38)	Kununurra Lot 1742	2915/991

Proposal	Land	DOLA File
Freehold (Section 117AA)	Boulder Lot R109	6452/902
Freehold (Section 117AA)	Boulder Lot 2636	2175/932
Freehold (Section 117AA)	Bulara Location 38	612/982
Freehold (Section 117AA)	Kalgoorlie Lot 727	451/938
Freehold (Section 117AA)	King Location 349	2653/971 V2
Freehold (Section 117AA)	Norseman Lot 1123	1405/952
Leasing (Section 117) for "Rural Residential"	Grass Patch Lot 81	2016/993
Leasing (Section 117) for "Nature Trail"	Kalbarri Lot 824	2637/983
Freehold (Section 45B)	Northampton Lot 160	3511/989
Freehold (Section 45B)	Boulder Lot 4102	1378/989
Freehold (Section 45B)	Boulder Lot 4110	1383/989
Freehold (Section 45B)	Boulder Lot 4240	2612/988
Freehold (Section 45B)	Broome Lot 2535	2695/989
Freehold (Section 45B)	Newman Lot 2317	1913/992
Freehold (Section 45B)	Margaret River Lot 86	3611/969
Lease (Section 117) for "Noxious Industry"	Gledhow Lot 124	1863/78 V4
Lease (Section 117) for "Telecom Exchange"	Peel Estate Lot 1378	1450/992
Lease (Section 116) for "Telecommunications Site"	Swan Location 11725	648/993
Lease (Section 117) for "Light Industry"	Gledhow Sub Lot 30	2336/993
Lease (Section 116) for "Rubbish & Effluent Disposal"	Ashburton Location 168	4058/989
Lease (Section 117) for "Saw Mill Site" Vesting	Northcliffe Lot 159	1433/983
Amalgamation of portion of Reserves 8704 with Reserves 4080 and 28866.	Reserve 27433	1665/958
Sale—Section 118CA	Portion of Fremantle Town Lot 1514	3541/1893v3
Reservation for "Public Recreation" with vesting	Portion of Reserve 24859 (Kwinana Lot C411)	2831/956
Reservation for "Public Recreation" with vesting	Swan Location 11991	4017/976
Reservation for "Public Recreation" with vesting	Swan Location 11990.	1177/991
Reservation for "Drainage" with vesting	Swan Location 11992	1171/985
Reservation as "Depot Site" with vesting.	Mundrabilla Location 23 and Eucla Lot 194 (Reserve 37493).	2343/978
Reservation for "Gravel" with vesting.	Victoria Location 11979	1575/918
Change of purpose "Ecclesiastical Purposes Church of England" to "Shire Housing" with vesting.	Dalwallinu Lot 114 (Reserve 31167)	2910/914
Declaration of Public Street—Section 288 of the Local Government Act.	Welshpool Road (Extension & Widening) (Road No. 18659) as described in the Notice at page 141.	1207/979
Reservation for "Repeater Station Site" with vesting.	Ularring Location 29.	2817/990

GEORGE CASH, Minister for Lands.

LOCAL GOVERNMENT

LG301

CITY OF PERTH PARKING FACILITIES ACT 1956

CITY OF PERTH PARKING FACILITIES BY-LAW AMENDMENT

In pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it, the Council of the Municipality of the City of Perth hereby records having resolved on 8 March 1994 to submit for approval by the Minister and for subsequent confirmation by the Governor that the City of Perth Parking Facilities By-law be amended as follows—

That the Third Schedule relating to Parking Stations—Descriptions, Periods and Fees be amended—

1. Parking Stations 1, 2, 3 and 25—

(a) by deleting in column 4 the amount "\$4.50" and substituting the amount "\$5.00";

2. Parking Stations 3B and 8—

(a) by deleting in column 4 the amount "\$4.00" and substituting the amount "\$4.50".

Dated this 15th day of March 1994.

The Common Seal of the City of Perth was hereunto affixed in the presence of—
 C. LAWRENCE, Chairman of Commissioners.
 R. F. DAWSON, Chief Executive/Town Clerk.

Recommended—

ERIC CHARLTON, Minister for Transport.

Approved by His Excellency the Governor in Executive Council this 10th day of May 1994.

D. G. BLIGHT, Clerk of the Council.

LG402

LOCAL GOVERNMENT ACT 1960

SECTION 191A

City of Perth

City of Perth Golf Complex—Fees and Charges

It is hereby notified for public information that the Council of the City of Perth resolved on 26 April 1994 to adopt the following fees and charges for the City of Perth Golf Complex, to take effect on 1 July 1994—

(1) Weekends	
18 holes	\$12.00
9 holes	\$8.00
(ii) Weekdays	
18 holes	\$9.50
9 holes	\$6.50
(iii) Pensioners—Weekdays Only (not Public Holidays)	
18 holes	\$6.20
9 holes	\$4.20
(iv) Senior Card Holders—Weekdays Only (not Public Holidays) 9.00 to 11.30 am and 2.00 to 3.30 pm	
18 holes	\$7.20
9 holes	\$5.00
(v) Buggy Hire	\$3.00
(vi) Golf Club Hire	
Half set	\$8.20
Full set	\$17.40
(vii) Driving Range Ball Hire	
Small bucket	\$3.40
Medium bucket	\$5.60
Large Bucket	\$8.40
(viii) Driving Range Club Hire	\$2.50

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

LG403

LOCAL GOVERNMENT ACT 1960

Shire of Greenough

Rates Exemption

It is hereby notified for public information that the Council of the Shire of Greenough resolved on 29 April 1994 to exempt Lot 77 Victoria Location 1106 McCartney Road, Greenough from local authority rates in accordance with section 532 (12) of the Local Government Act 1960.

W. T. PERRY, Shire Clerk.

LG404

LOCAL GOVERNMENT ACT 1960

Shire of Yilgarn
 Authorised Officer

It is hereby notified for public information that effective from Monday, 10 January 1994, Christopher Arthur Thompson has been appointed as Shire Clerk and as an authorised officer in accordance with the various Acts, Regulations and By-laws listed hereunder—

The Local Government Act 1960; the Dog Act 1976; the Litter Act 1979; the Bush Fires Act 1954; Council By-laws and Regulations as prescribed.

The previous appointment of Mr Ian Fitzgerald is hereby cancelled.

R. P. PATRONI, President.

LG405

SHIRE OF WYNDHAM-EAST KIMBERLEY

Sound Equipment Use
 Categories and Costs

COMMUNITY GROUP

Non revenue event single use—outside Leisure Centre for whole system. \$150.00 Hire
 Smaller systems/components charges as stated for alternative combinations \$750.00 Bond
 below

COMMUNITY GROUP

Revenue gaining event single use—outside Leisure Centre for whole system \$200.00 Hire
 \$750.00 Bond

PUBLIC INDIVIDUAL OR ORGANISATION—Non Revenue Gaining

Event—Single use outside Leisure Centre—whole system \$150.00 Hire
 \$750.00 Bond

PUBLIC INDIVIDUAL OR ORGANISATION—Revenue Gaining

Event—Single use outside Leisure Centre—whole system \$200.00 Hire
 \$750.00 Bond

INDIVIDUAL OR ORGANISATION

(Which Can Provide Guarantee)

Use for 5 or more occasions will attract a \$50.00 deposit on use of whole system \$150.00 Hire

INDIVIDUAL OR ORGANISATION

(Community or Public)

Using the complete system for rehearsal in the Leisure Centre and such rehearsal forming part of a preparation for a performance—performances in the Leisure Centre, will only incur cost at the applicable rate at the time of performance \$250.00 Bond

Use of the current 6 channel Yamaha Mixer/Amplifier will be made available at the rate current at the time of booking the Leisure Centre Hall for such purposes as aerobics, quiz nights, or any other occasion where minimum equipment is required \$250.00 Bond

LG406

DOG ACT 1976

Shire of Yilgarn

Appointment of Authorised Persons and Registration Officers

It is hereby notified for public information that the following additional persons have been appointed as authorised officers pursuant to the Dog Act 1976—

Authorised Persons—

Christopher Arthur Thompson

Registration Officers—

Christopher Arthur Thompson

Stephen Martin O'Halloran

Jennifer Denise Mustchin

Felicity Clare Edwards

Carol-Ann Hugging

C. A. THOMPSON, Shire Clerk.

LG901

LOCAL GOVERNMENT ACT 1960*Shire of Yilgarn***NOTICE OF INTENTION TO BORROW**

Proposed Loan No. 93 of \$80 000

Pursuant to Section 610 of the Local Government Act 1960 the Council of the Municipality of the Shire of Yilgarn hereby gives notice that it proposes to borrow money by the sale of debentures on the following terms, and for the following purpose:

\$80 000 for a period of 10 years repayable at the Office of the Shire of Yilgarn by half yearly instalments of principal and interest.

Purpose: Mt. Hampton Dam Construction.

Plans, specifications and estimates of cost are open for inspection at the office of the Council during normal office hours for a period of 35 days from the publication of this notice.

Dated 18th May, 1994.

P. R. PATRONI, President.
C. A. THOMPSON, Shire Clerk.

MAIN ROADS

MA101

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

MRWA 41-38-49VC.

In the notice appearing on page 2027 of the *Government Gazette* dated 13 May 1994, delete "D. R. Warner, Director Corporate Services" and substitute "E. J. Warren, Acting Director Corporate Services".

D. R. WARNER, Director Corporate Services.

MA401

PUBLIC WORKS ACT 1902**SALE OF LAND**

MRWA 41-780-7VB.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (5) of the Public Works Act 1902 the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was taken.

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 18th day of May 1994.

D. R. WARNER, Director Corporate Services.

MA402

PUBLIC WORKS ACT 1902**SALE OF LAND**

MRWA 10-79V4.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902 the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Portion of each of Gascoyne Locations 9 and 20 and being part of Lot 35 on Diagram 18569 and being part of the land comprised in Certificate of Title Volume 1716 Folio 369 as is more particularly shown delineated and coloured green on Plan MR 94-21.

Dated this 18th day of May 1994.

D. R. WARNER, Director Corporate Services.

MA403

**PUBLIC WORKS ACT 1902
SALE OF LAND**

MRWA 42-190-6VB.

Notice is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902 the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

Land

Portion of Wellington Location 1 and being part of Lot 1 on Diagram 58575 and being the whole of the land comprised in Certificate of Title Volume 1933 Folio 692.

Dated this 18th day of May 1994.

D. R. WARNER, Director Corporate Services.

MA404

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

NOTICE OF INTENTION TO TAKE OR RESUME LAND

The Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902, that it is intended to take or resume under section 17 (1) of that Act the pieces or parcels of land described in the Schedule hereto and being all in the Albany District, for the purpose of the following public works namely, widening of Albany Highway (SLK Section 394.2-397.6) and that the said pieces or parcels of land are marked off on MRWA Drawing 8801-114-2 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

Schedule

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
1.	Water Authority of Western Australia	Water Authority of Western Australia	Portion of each of Plantagenet Locations 3325 and 4822 and being part of the land comprised in Certificate of Title Volume 523 Folio 18A	1.7522 ha
2.	Water Authority of Western Australia	Water Authority of Western Australia	Portion of Plantagenet Location 5633 and being part of the land comprised in Certificate of Title Volume 1566 Folio 386	5 935 m ²

Dated this 18th day of May 1994.

D. R. WARNER, Director Corporate Services.

MINERALS AND ENERGY

MN101

**CORRECTION
MINING ACT 1978**

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Notices on page 1893 of the *Government Gazette* dated 6 May 1994 should be amended as follows—

From—

L47/11 Dampier Salt (Operations) Pty Ltd

To—

L47/11 Dampier Salt Limited

MN301

PETROLEUM ACT 1967

PETROLEUM AMENDMENT REGULATIONS 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Petroleum Amendment Regulations 1994*.

Regulation 8 inserted

2. After regulation 7 of the *Petroleum Regulations 1987** the following regulation is inserted —

“

Royalty value — deductible imposts

8. The following imposts are excluded from the definition of “federal duty” in section 144A (3) of the Act —

- (a) all taxes, duties, fees, levies and charges already included in the purchase price of goods or services purchased by the permittee, holder of a drilling reservation, lessee or licensee;
- (b) departure tax;
- (c) fringe benefits tax;
- (d) deductions from salary or wages as required under the *Income Tax Assessment Act 1936* of the Commonwealth to enable income tax to be collected from employees by instalments;
- (e) deductions from prescribed payments as required under the *Income Tax Assessment Act 1936* of the Commonwealth to enable tax to be collected in respect of certain payments for work;
- (f) customs import duty;
- (g) aircraft landing charge;
- (h) training guarantee charge;
- (i) superannuation guarantee charge;

- (j) contributions under Part 4.2 of the *Higher Education Funding Act 1988* of the Commonwealth.

[* *Published in Gazette of 23 October 1987 at pp. 3971-2.*
For amendments to 18 April 1994 see 1993 Index to Legislation of Western Australia, Table 4, pp. 200-1.]

By His Excellency's Command.

D. G. BLIGHT, Clerk of the Council.

MN302

PETROLEUM (SUBMERGED LANDS) ACT 1982
PETROLEUM (SUBMERGED LANDS) AMENDMENT
REGULATIONS 1994

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Petroleum (Submerged Lands) Amendment Regulations 1994*.

Regulation 8 inserted

2. After regulation 7 of the *Petroleum (Submerged Lands) Regulations 1990** the following regulation is inserted —

“

Royalty value — deductible imposts

8. The following imposts are excluded from the definition of “federal duty” in section 145A (3) of the Act —

- (a) all taxes, duties, fees, levies and charges already included in the purchase price of goods or services purchased by the permittee, lessee or licensee;
- (b) departure tax;
- (c) fringe benefits tax;
- (d) deductions from salary or wages as required under the *Income Tax Assessment Act 1936* of the Commonwealth to enable income tax to be collected from employees by instalments;
- (e) deductions from prescribed payments as required under the *Income Tax Assessment Act 1936* of the Commonwealth to enable tax to be collected in respect of certain payments for work;
- (f) customs import duty;
- (g) aircraft landing charge;
- (h) training guarantee charge;
- (i) superannuation guarantee charge;

- (j) contributions under Part 4.2 of the *Higher Education Funding Act 1988* of the Commonwealth.

[* *Published in Gazette of 28 September 1990 at pp. 5105-8.*
For amendments to 18 April 1994 see 1993 Index to Legislation of
Western Australia, Table 4, p. 202.]

By His Excellency's Command.

D. G. BLIGHT, Clerk of the Council.

MN401

MINING ACT 1978

NOTICE OF INTENTION TO FORFEIT

Department of Minerals & Energy,
 Perth WA 6000.

In accordance with Regulation 50 (b) of the Mining Act 1978, notice is hereby given that unless the rent due on the undermentioned licences and leases is paid on or before 13 June 1994 it is the intention of the Hon. Minister for Mines under the provisions of Sections 96A (1) and 97 (1) of the Mining Act 1978 to forfeit such for breach of covenant, *viz.* non-payment of rent.

L. RANFORD, Acting Director General.

Number; Holder; Mineral Field.

Exploration Licences

08/529—Bakarra Pty. Ltd.; Ashburton.
 08/590—Vinton, Carolyn Sarah; Vinton, Frank; Vinton, Gillian Amanda; Vinton, Ingrid Jennifer; Vinton, Kathleen May; Ashburton.
 16/92—Sons of Gwalia Ltd.; Coolgardie.
 16/93—Sons of Gwalia Ltd.; Coolgardie.
 31/134—Eva Holdings Pty. Ltd.; North Coolgardie.
 38/479—Menzies, John Charles, Richmond, William Robert; Mt. Margaret.
 38/514—Dioro Exploration NL; Mt. Margaret.
 38/515—Dioro Exploration NL; Mt. Margaret.
 39/217—Austwhim Resources NL; Leemasawatdigul, Somchan; Mt. Margaret.
 45/1128—Franks, Arnold; Grill, Stefan James; Pilbara.
 46/227—Fimiston Mining Ltd; Pilbara.
 52/289—Curtain Mining NL; Workstar Pty. Ltd.; Peak Hill.
 52/406—West Australian Metals NL; Peak Hill.
 52/501—Peko Exploration Ltd.; Peak Hill.
 52/510—Peko Exploration Ltd.; Peak Hill.
 52/614—Marymia Exploration NL.; Peak Hill.
 52/615—Marymia Exploration NL.; Peak Hill.
 52/616—Marymia Exploration NL.; Peak Hill.
 70/449—West Australian Metals NL.; South West.
 70/450—West Australian Metals NL.; South West.
 70/791—Eldorado Resources NL.; South West.
 70/801—Eldorado Resources NL.; South West.
 70/1043—Peko Exploration Ltd.; South West.
 70/1163—Desertstone NL.; South West.
 70/1234—Rosas Pty. Ltd.; South West.
 77/335—Brown, Ronald William; Hull, Charles; Yilgarn.
 80/1422—Sabminco NL.; Kimberley.
 80/1429—Sabminco NL.; Kimberley.
 80/1509—Jade Creek Exploration NL; Kimberley.

Mining Leases

04/169—Fichler, Julius; West Kimberley.
 04/192—Jess, Elfriede Martha; Jess, Paul Erich; Jess, Peter Paul; West Kimberley.
 04/204—Brenel Pty. Ltd.; West Kimberley.
 04/276—Carlyon, Karen; Clabburn, Richard; West Kimberley.
 04/281—Reen, Geoffrey; West Kimberley.
 15/20—Rodey Pty. Ltd.; Coolgardie.
 15/232—Heikens, Brigitte; Heikens, Ferdinand; Coolgardie.
 15/308—Mannkal Mining Pty. Ltd.; Coolgardie.
 15/549—Tern Minerals NL.; Coolgardie.
 15/614—Tily-Lauri, Michael John; Tily-Lauri, Eric Ewan; Coolgardie.

15/658—Boyes, Charles Joseph; Coolgardie.
 16/51—Centaur Mining and Exploration Ltd; Coolgardie.
 16/177—Olden, Malcolm Roy; Coolgardie.
 21/50—Bellia, Antoine; Di Nunzio, Phillip Liberato; Murchison.
 26/199—Mannkal Mining Pty. Ltd.; East Murchison.
 29/130—Cock, Frederick John; North Coolgardie.
 29/131—Cock, Frederick John; North Coolgardie.
 38/221—Hill, Gregory Horace; Hill, Patrick John; Mt. Margaret.
 39/247—Dixon, Trevor John; McKnight, Russell Geoffrey; Mt. Margaret.
 39/251—Carpentaria Gold Pty. Ltd.; Mt. Margaret.
 51/461—Csak, Jozsef; Murchison.
 52/265—Dvorak, Vincent; Novak, Vaclav Jaroslav; Paramount Gold Mines Pty. Ltd.; Peak Hill.
 53/85—Barrack Mines Ltd.; East Murchison.
 70/52—Robust Holdings Pty. Ltd.; South West.
 70/53—Robust Holdings Pty. Ltd.; South West.
 70/162—Bristile Ltd.; South West.
 70/357—Silicon Quarries Pty. Ltd.; South West.

MN402

MINING ACT 1978

NOTICE OF APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Minerals and Energy,
 Southern Cross.

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

P. MALONE, Warden.

To be heard in the Warden's Court, Southern Cross on the 15th day of June, 1994.

YILGARN MINERAL FIELD

Miscellaneous Licences

77/81—Golden Valley Mines NL.

Prospecting Licences

77/2998—Richard Read & Associates Pty Ltd.

77/2999—Richard Read & Associates Pty Ltd.

77/3003—North Star Resources NL.

MN403

PETROLEUM (SUBMERGED LANDS) ACT 1982

Section 74I

DECLARATION THAT DIVISION 4A DOES NOT APPLY

I declare under section 74I of the Petroleum (Submerged Lands) Act 1982, that Division 4A—Licence operations, objections based on rights of traditional usage, does not apply to the drilling of the Harriet A9 well to be drilled by Hadson Australia Development Pty Ltd from the existing Harriet A offshore platform into Production Licence TL/1.

Dated 11 May 1994.

GEORGE CASH, Minister for Mines.

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. 12 of 1994)

I, Neil Bartholomaeus, Commissioner for Occupational Health, Safety and Welfare, hereby grant an exemption to:

Lindsey Gould;
 Ron Hayley;
 Perry Heynen; and
 Richard Mariconi

of Ezi-Bins from the requirements of Regulation 1003 (1) of the Occupational Health, Safety and Welfare Regulations 1988 in relation to the operation of an excavator equipped as a crane lifting a load of one Tonne or greater without individually holding a 7-A-2 Certificate of Competency.

This exemption valid until 30 June 1994.

Dated this eleventh day of May 1994.

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

PLANNING AND URBAN DEVELOPMENT

PD401

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Leonora

Town Planning Scheme No. 1—Amendment No. 3

Ref: 853/11/9/1, Pt. 3.

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

1. Extending the Scheme Area as shown on the amending map.
2. Introducing a new zone to the Scheme "Rural A" and with land included in such a zone to be shown on the Scheme Map with a brown border.
3. Zoning Malcolm Locations 42, 51, 52, 53, 54, 55 and 56 "Rural A".
4. Zoning the remainder of the extended Scheme Area "Rural" zone.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Tower Street, Leonora 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 2 August 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 2 August 1994.

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. JACOBS, Shire Clerk.

PD402

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Mandurah

Town Planning Scheme No. 1A—Amendment No. 215

Ref: 853/6/13/9, Pt. 215.

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

1. rezoning Lot 1 of Murray Location 91 Old Coast Road, Falcon from "Tourist", "Rural" and "Landscape Protection Area" to "Residential 3", "Commercial", "Local Recreation" and "Arterial Road".

2. amending the Residential Planning Code Map with the inclusion of the Residential 3 land within the R40 Code.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Mandurah Terrace, Mandurah and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including June 24, 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before June 24, 1994.

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. K. GOODE, Town Clerk.

PD403

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

City of Melville

Town Planning Scheme No. 3—Amendment No. 117

Ref: 853/2/17/10, Pt. 117.

Notice is hereby given that the City of Melville has prepared the abovementioned scheme amendment for the purpose of amending the provisions in the Scheme Text relating to convenience stores.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Almondbury Road, Ardross and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 1 July 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 1 July 1994.

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

G. G. HUNT, City Manager/Town Clerk.

PD404

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

City of Rockingham

Town Planning Scheme No. 1—Amendment No. 248

Ref: 853/2/28/1, Pt. 248.

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

1. rezoning approximately 150.5 ha of Part Lot 12, Dampier Drive, Golden Bay from "Rural" to "Development".
2. transferring approximately 5.48 ha of Part Lot 12 from the "Rural" Zone to the "Public Open Space" Reserve.
3. rezoning approximately 1.13 ha of Reserve 34664 from "Rural" to "Development".
4. transferring approximately 1.3 ha of Reserve 34664 from the "Rural" Zone to the "Public Open Space" Reserve.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Council Avenue, Rockingham and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including 1 July 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 1 July 1994.

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

G. G. HOLLAND, Town Clerk.

PD405

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Northampton

Town Planning Scheme No. 4—Amendment No. 29

Ref: 853/3/14/6, Pt. 29.

Notice is hereby given that the Shire of Northampton has prepared the abovementioned scheme amendment for the purpose of rezoning a 1.8 ha portion of Vacant Crown Land, Nanda Drive, Kalbarri from "Residential Development" and "Rural" to "Public Purpose" (SECWA).

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Hampton Road, Northampton 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 24 June 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 24 June 1994.

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

C. J. PERRY, Shire Clerk.

PD406

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Swan

Town Planning Scheme No. 9—Amendment No. 221

Ref: 853/2/21/10, Pt. 221.

Notice is hereby given that the Shire of Swan has prepared the abovementioned scheme amendment for the purpose of rezoning Portion of Swan Location K, portion of Lots 283, 284, 285, 286, 289 and Lots 287 and 288 bounded by Marshall Road, Beechboro Road, Reid Highway and Tonkin Highway, Beechboro from "General Rural" to "Residential Development" as depicted on the Scheme Amendment Map.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Great Northern Highway (Corner Bishop Road), Middle Swan 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 1 July 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 1 July 1994.

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

E. W. LUMSDEN, Shire Clerk.

PD407

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Town of Kwinana

Town Planning Scheme No. 2—Amendment No. 9

Ref: 853/2/26/3, Pt. 9.

Notice is hereby given that the Town of Kwinana has prepared the abovementioned scheme amendment for the purpose of rezoning Peel Estate Lot 50 Woolcoot Road, Wellard, from Rural to Special Rural.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Corner Gilmore Avenue/Sulphur Road, Kwinana 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 1 July 1994.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 1 July 1994.

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. K. SMILLIE, Town Clerk.

PD408

STATE PLANNING COMMISSION
Notice of Delegation

File No: 970-1-1-3

Notice is hereby given that the State Planning Commission ("the Commission") acting pursuant to the provisions of Section 20 of the State Planning Commission Act 1985 ("the Act") has resolved to:

- (i) delegate its powers and functions to eligible persons and bodies as set out in Schedule 1 of this notice; and
- (ii) amend the delegation arrangements published in the *Government Gazette* (No. 34 of 1994) on March 18, 1994 as set out in Schedule 2 to this notice.

Schedule 1

In Schedule 5 of the Notice of Delegation published in the *Government Gazette* (No. 104 of 1993) a further Clause is inserted as follows—

13. Power to grant approval to plans known generally as outline development plans and similar documents or amendments thereto requiring the approval of the Commission pursuant to the provisions of a town planning scheme.

Schedule 2

Schedule 10 of the Notice of Delegation published in the *Government Gazette* (No. 34 of 1994) on March 18, 1994 is amended as follows—

- (i) deleting paragraph 2.
- (ii) inserting a new paragraph 2 as follows—
 - "2. The powers and functions in:
 - (a) paragraphs 2 (i), (ii) and (iv);
 - (b) paragraph 2 (vi) but subject to a limitation of \$30 000 and compliance in each case with State Supply Commission procedures; and
 - (c) paragraph 2 (ix) but subject to a limitation of \$500;
 of Schedule 9 apply to the officer for the time being occupying the position of Chief Executive Officer of the Department of Planning and Urban Development".

Dated this 5th day of May 1994.

GORDON G. SMITH,
Secretary to the Commission.

PD707

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME
Shire of Perenjori
Town Planning Scheme No. 1

Ref: 853/3/15/1.

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 Perenjori Town Planning Scheme No. 1 on 22 January 1994—the Scheme Text of which is published as a Schedule annexed hereto.

W. L. KING, President.
P. ANDERSON, Shire Clerk.

Schedule
SHIRE OF PERENJORI
Town Planning Scheme No. 1
District Zoning Scheme

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

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PART 1—PRELIMINARY

1.1 CITATION

This Town Planning Scheme may be cited as the Shire of Perenjori Scheme No 1, (one) 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 Perenjori hereinafter called 'the Council'.

1.3 SCHEME AREA

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

1.4 CONTENTS OF SCHEME

The Scheme comprises:

- (a) THIS SCHEME TEXT
- (b) THE SCHEME MAP

1.5 ARRANGEMENT OF SCHEME TEXT

The Scheme Text is divided into the following parts

- PART 1—Preliminary
- PART 2—Reserves
- PART 3—Zones
- PART 4—Non-conforming Uses
- PART 5—Development Requirements
- PART 6—Planning Consent
- PART 7—Administration.

1.6 SCHEME OBJECTIVES

The Council hereby makes the following Town Planning Scheme for the purposes of:—

- (a) Reserving land required for public purposes;
- (b) Zoning the balance of the land within the Scheme Area for the various purposes described in the Scheme;
- (c) Providing development controls for the purpose of securing and maintaining orderly and properly planned use and development of land within the Scheme Area;
- (d) Introducing measures by which places of natural beauty and places of historic, cultural or scientific interest may be conserved;
- (e) Making provisions for other matters authorised by the enabling Act;

1.7 INTERPRETATION

1.7.1 Except as provided in clause 1.7.2 and 1.7.3 the words and expressions of the Scheme have their normal and common meaning.

1.7.2 In the Scheme unless the context otherwise requires, or unless it is otherwise provided herein, words and expressions have the respective meanings given to them in Schedule 1 and the Residential Planning Codes.

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

1.8 GENERAL OBLIGATIONS

Subject to the provisions of the Act and all regulations made thereunder and to part 4 of this Scheme, no person shall depart or permit or suffer any departure from the requirements and provisions of the Scheme, nor shall any person use or permit the use of any land or building or undertake to permit any new work if the use, new work, reconstruction, alteration or modification, does not conform with the Scheme or would tend to delay the effective operation of the Scheme.

1.9 RELATIONSHIP OF SCHEME TO BY-LAWS

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

PART 2—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
Public Purposes
Civic and Cultural
Railway.

2.2 LOCAL RESERVES

2.2.1 PARKS AND RECREATION

The objectives for land shown as Parks and Recreation on the Scheme Map are:—

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

2.2.2 PUBLIC PURPOSES

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

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

2.2.3 CIVIC AND CULTURAL

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

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

2.2.4 RAILWAY

The objectives for land shown as Railway on the Scheme Map are:—

- (a) To set aside land for railway purposes and other uses associated with the operation of loading and unloading of railway freight.
- (b) To ensure that all railway uses of an industrial nature shall be sensitive to the adjacent and surrounding urban uses in terms of amenity and the environment.

2.3 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.

2.4 COMPENSATION

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

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

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

PART 3—ZONES

3.1 ZONES

3.1.1 There are hereby created the seven zones set out hereunder:—

Residential
Town Centre
Industrial
Rural
Pastoral
Special Use
Township.

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

3.2 OBJECTIVES FOR ZONES

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

- (a) To provide sufficient zoned land in appropriate locations to meet the needs of the anticipated population without restricting the choice of sites.
- (b) To promote and safeguard the health, safety, convenience, general welfare and the amenities of residential areas and their inhabitants.

3.2.2 TOWN CENTRE:—The use of land in the Town Centre Zone shall be consistent with the following objectives:—

- (a) To encourage use of a high environmental standard appropriate to a town centre serving both the towns and surrounding rural community.
- (b) Promote convenient and safe shopping facilities and relate these to the social, business and entertainment functions of the town centre.
- (c) Encourage a wide range of compatible uses under one zone including shops, offices, carparks, cultural and community facilities, residential uses, mixed uses and new concepts.

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

- (a) Encourage the consolidation and improvement of industrial use into areas appropriately located and controlled for that purpose.
- (b) Protect the amenity of adjacent areas.

3.2.4 RURAL:—The use of land in the Rural Zone shall be consistent with the following objectives:—

- (a) To identify areas which should be retained for rural uses to conserve the rural landscape and amenity of the locality.

3.2.5 PASTORAL:—The use of land in the Pastoral Zone shall be consistent with the following objectives:—

- (a) To identify areas which should be retained for pastoral uses to conserve the pastoral landscape and amenity of the locality.

3.2.6 SPECIAL USE ZONES:—The use of land in the Special Use Zone shall be consistent with the following objectives:

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

3.2.7 TOWNSHIP ZONE:—The Township Zone is shown diagrammatically on the Scheme Map. The Zone shall deem to apply to all the land within the townsite boundary of the town indicated.

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

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

3.3 ZONING TABLE

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

3.3.2 The symbols used in the cross reference in the zoning table have the following meanings:

- 'P' Means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting planning consent;
- 'AA' Means that the Council may, at its discretion, permit the use;
- 'SA' Means that the Council may, at its discretion, permit the use after the notice of application has been given in accordance with clause 6.2;
- 'IP' Means that the use is not permitted unless such use is incidental to the predominant use of the land as determined by the Council.

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

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

3.3.5 If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use 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.

3.4 ADDITIONAL USES

Notwithstanding anything contained within the Zoning Table the land specified in Schedule 2 may, subject to compliance with any condition specified in the schedule with respect to the land, be used for the purpose set against that land. The use so specified is in addition to the other uses permitted in the zone in which the land is situated unless any of those uses is excluded or modified by a condition specified in that schedule.

3.5 SPECIAL USE ZONE

3.5.1 Where the Council determines that a particular development or use will be incompatible with the predominant use or objectives in the other zones, it may require such development or use to be restricted to a Special Use Zone. Schedule 3 specifies the uses permitted within each Special Use Zone.

3.5.2 No person shall use land or any building or structure thereon in a Special Use 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.

3.6 HOME OCCUPATION/COTTAGE INDUSTRY

3.6.1 No person shall carry out any home occupation or cottage industry without the planning consent of the Council. Any application for planning consent shall include;

- (a) Location of the actual floor area to be used in any building for the proposed home occupation or cottage industry; and
- (b) The times and conditions of the use of the floor area.

3.6.2 Where the Council grants planning consent, the applicant shall pay a registration fee as a condition of approval and such registration will be valid for one calendar year only. Approval to continue a home occupation or cottage industry must be obtained and the Council shall charge an annual fee. All approval applications shall be kept in a register by the Council.

TABLE ONE

USE CLASSES	ZONES						
	Residential	Town Centre	Industrial	Special Use	Rural	Pastoral	Township
1. Cafe/Restaurant	—	P	SA	—	—	—	AA
2. Caravan Parks	—	—	—	—	AA	—	—
3. Caretaker's Dwelling	IP	IP	IP	—	IP	IP	IP
4. Car Parks	—	P	P	—	—	—	P
5. Car Sales Premises	—	AA	P	—	—	—	AA
6. Civic Building	SA	P	—	—	—	—	P
7. Club Premises	—	AA	SA	—	—	—	AA
8. Consulting Rooms	SA	AA	—	—	—	—	SA
9. Day Care Centre	SA	SA	—	—	—	—	SA
10. Dry Cleaning Premises	—	SA	P	—	—	—	AA
11. Educational Establishment	AA	AA	—	—	—	—	AA
12. Fast Food Outlet	—	AA	—	—	—	—	SA
13. Fish Shop	—	AA	—	—	—	—	SA
14. Fuel Depot	—	—	P	—	—	—	SA
15. Health Studio	—	AA	—	—	—	—	AA
16. Holiday Accommodation	SA	—	—	—	AA	AA	AA
17. Home Occupation	AA	AA	—	—	AA	AA	P
18. Hotel	—	P	—	—	—	—	AA
19. Industry—General	—	—	P	—	—	—	SA
20. Industry—Light	—	SA	P	—	—	—	SA
21. Industry—Rural	—	—	P	—	AA	AA	AA
22. Industry—Service	—	SA	P	—	—	—	SA
23. Industry—Extractive	—	—	—	—	AA	AA	—
24. Industry—Cottage	AA	AA	P	—	AA	AA	AA
25. Industry—Noxious or Hazardous	—	—	SA	—	SA	SA	—
26. Lodging House	—	AA	—	—	—	—	AA
27. Medical Centre	AA	AA	—	—	—	—	AA
28. Motel	—	AA	—	—	—	—	AA
29. Motor Vehicle Repair Station	—	AA	P	—	—	—	AA
30. Office	—	P	AA	—	—	—	AA
31. Petrol Filling Station	—	AA	AA	—	—	—	AA
32. Public Amusement	—	AA	—	—	—	—	AA
33. Public Recreation	P	P	P	—	P	P	P
34. Public Utility	P	P	P	—	P	P	P
35. Public Worship, Place of	SA	AA	—	—	—	—	AA
36. Residential—Single House	P	AA	—	—	P	P	P
37. Residential—Attached House	AA	AA	—	—	—	—	P
38. Residential—Grouped Dwelling	AA	AA	—	—	—	—	AA
39. Rural Pursuit	—	—	—	—	P	P	AA
40. Service Station	—	P	P	—	—	—	AA
41. Shop	—	P	AA	—	—	—	AA
42. Showroom/Warehouse	—	AA	P	—	—	—	AA
43. Transport Depot	—	—	P	—	—	—	AA

PART 4 NON-CONFORMING USES

4.1 NON-CONFORMING USE RIGHTS

No provisions 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 5—DEVELOPMENT REQUIREMENTS

5.1 DEVELOPMENT OF LAND

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

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

- (a) The use of land in a reserve, where such land is held by the Council or vested in a public authority:
 - (i) For the purpose for which the land is reserved under the Scheme; or
 - (ii) In the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.
- (b) The erection of a boundary fence except as otherwise required by the Scheme;
- (c) The erection on a lot of a single dwelling house, including ancillary outbuildings, in a zone where the proposed use is designated with the symbol 'P' in the cross-reference to that zone in the Zoning Table; except where the dwelling house is not the first erected on the lot.
- (d) The carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act;
- (e) The carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building;
- (f) The carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services.

5.2 DISCRETION TO MODIFY DEVELOPMENT STANDARDS

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

- (a) Approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;
- (b) The non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality; and
- (c) The spirit and purpose of the requirements or standard will not be unreasonably departed from thereby.

5.3 RESIDENTIAL DEVELOPMENT

5.3.1 RESIDENTIAL PLANNING CODES

For the purpose of this Scheme "Residential Planning Codes" means the Residential Planning Codes set out in appendices 2 and 3 to the statement of planning policy No. 1, together with any amendments thereto.

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

5.3.1.2 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.

5.3.1.3 The Residential Planning Code for all land zoned residential shall be R10/30, unless otherwise shown on the Scheme Map.

5.3.1.4 The Residential Planning Code for all land zoned town centre shall be R10/30.

5.3.1.5 In areas where the R10/30 code is applied, the provisions of the R10 code shall apply unless the Council is satisfied that:

- (a) A satisfactory effluent disposal system can be installed which will function effectively on a permanent basis;
- (b) The proposal will not have a detrimental effect on the residential amenity of the locality by reason of streetscape, building form, servicing, privacy, overshadowing, and traffic circulation both on and off site; and
- (c) Any other matter required under the provisions of the appropriate residential planning code is taken into account.

5.3.2 LANDSCAPING

Applications for development of any attached, grouped or multiple dwellings containing more than two dwellings shall be accompanied by a plan showing the proposed landscaping of the site. The landscaping plan shall show the location and nature of planted areas; materials to be used on non-planted areas; any outbuildings; and carparking.

5.4 COMMERCIAL DEVELOPMENT IN A TOWNSITE ZONE

5.4.1 PLOT RATIO

The Council shall permit a building in the town centre to have a plot ratio of 1.0 and may permit an increase of 50% providing that the Council is satisfied on matters relating to access, carparking, servicing, loading and unloading, and any other matter the Council by its absolute majority may take into consideration.

5.4.2 UPPER FLOORS

Where the ground floor of a multi-storey building is used for the purposes of shops or offices, the upper floors of such buildings may be used for the purposes of shops, offices or residential accommodation providing that the residential use is confined to the upper floor.

5.4.3 LOADING AND UNLOADING

Where areas for the loading and unloading of vehicles carrying goods or commodities to or from premises are to be provided, they shall be provided and maintained in accordance with an approved plan.

5.4.4 REAR ACCESS

Where the Council considers it appropriate, rear access shall be provided in order to avoid using the front entrance for service deliveries. Such access may require an appropriate agreement between adjoining landowners where access can only be obtained by crossing adjoining land.

5.4.5 CARPARKING

Where carparking spaces are to be provided they shall be provided, designed and maintained in accordance with clause 5.8 and an approved plan.

5.5 INDUSTRIAL DEVELOPMENT

5.5.1 BUILDING SETBACKS

- (a) Front setbacks shall be a minimum of 7.5 metres from any front boundary;
- (b) Side setbacks shall be determined by the Council. The Council may permit the construction of any factory set to one side boundary providing that vehicle access to both the front and the rear of each unit can be achieved without vehicles backing;
- (c) Rear setbacks shall be a minimum of 7.5 metres.

5.5.2 SITE COVER

No more than 50 percent of any lot shall be built upon without the permission of Council. In such cases where an applicant wishes to exceed this cover, the applicant shall provide to the Council all valid reasons why an extension is sought.

5.5.3 FRONT SETBACKS

The front setback area may be used only for the purpose of landscaping, visitors carparking or access. A minimum area of 10 percent of the front setback is to be set aside for landscaping. Such landscaping shall be established and maintained in accordance with an approved plan.

5.5.3.1 The Council may approved the use of the front setback area for the display of finished goods or goods for sale. Advertising signs shall be in accordance with clause 5.9.

5.5.4 STORAGE AREAS

No dumping, storage of waste or materials, or construction, servicing or maintenance shall be permitted between the front building line and the street frontage. Where an open storage area is visible from a public place or street, and is not of a display nature, the Council will require the area to be satisfactorily screened.

5.5.5 LOADING DOCKS AND ACCESSWAYS

Loading docks and accessways shall be provided sufficient in size to wholly contain delivery vehicles on site or within the building, and to permit the movement of vehicles in a forward motion to and from the street.

5.5.5.1 Where the Council considers it appropriate, rear access shall be provided in order to avoid using the front entrance for service deliveries. Such access may require an appropriate agreement between adjoining land owners where access can only be obtained by crossing adjoining land.

5.5.6 WASTE DISPOSAL

No person shall permit any solid or liquid waste product from leaving the site unless in a container or bin or satisfactory receptacle. Such waste products as oil, greases, chemicals (either pure or diluted) shall be contained on site and prevented from discharging into any drain, water course or pit outside of the lot.

5.5.7 CARPARKING

On site carparking shall be provided, designed and maintained in accordance with clause 5.8 and an approved plan.

5.6 RURAL/PASTORAL DEVELOPMENT

In considering applications for planning consent, subdivision or rezoning within the Rural or Pastoral Zones, the Council shall have regard to:

- (a) The need to ensure that the continuation of rural land use is protected, encouraging where appropriate, the retention and expansion of agricultural activities, and supporting proposals which promote the retention of the predominant lot sizes in the locality;
- (b) The need to preserve the rural character and rural appearance of the land within these Zones;
- (c) The need to protect, preserve and enhance any natural undeveloped land areas throughout the Zones by requiring as conditions on any planning consent issued, the planting of vegetation which will assist in the balancing of the greenhouse effect, provision for shade, prevention of erosion, reduction in salinity, or the provision of habitats for fauna; and
- (d) The Department of Planning and Urban Development's policy DC3.4 "rural Land Use Planning Policy"

5.7 GENERAL DEVELOPMENT PROVISIONS

5.7.1 AMENITY

- (a) All buildings and the use of land shall be maintained to the satisfaction of the Council, in a manner which preserves the amenity of the surrounding locality.
- (b) No person shall, without written consent of the Council, erect a building or structure which by virtue of colour, type of materials, architectural style, height or bulk, ornamental or general appearance, has an external design which is out of character or harmony with existing buildings or the landscape character of the locality.
- (c) Notwithstanding that a building including a dwelling house conforms in all other respects with any provision of the Scheme or any by-law in force, the Council may refuse to issue a building permit if it determines that such building by virtue of its construction or materials would detrimentally affect the amenity of the locality.

5.7.2 DEVELOPMENT ABUTTING A RESIDENTIAL ZONE

Any non-residential development of land abutting a Residential Zone shall conform to such standards as the Council determines having regard to potential detrimental effects on the amenity of the residential area.

5.7.3 DEVELOPMENT OF OTHER STRUCTURES

Within all Zones planning and building approval will be granted to outbuildings appurtenant to a dwelling provided all building setbacks and building separation requirements have been complied with; the buildings are of single storey construction; and are located behind any residence on site.

5.7.3.1 The Council shall determine the development standards, including height, area, setbacks and construction materials for outbuildings; carports or garages; pergolas; shadehouses or conservatories; shed or workshop; and any accommodation intended to house livestock, including kennels, stables, aviaries, fowlhouses or pigeon lofts.

5.7.4 DEVELOPMENT ON LAND SUBJECT TO DAMPNESS OR FLOODING

The Council shall not issue planning consent or a building permit for the construction of any building on land defined by Council as being liable to flooding or inundation.

5.7.4.1 Where the Council is of the opinion that the dampness of a site may affect a building which is proposed to be constructed on the site, it may require the following measures to be carried out:

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

5.7.5 DEVELOPMENT ADJACENT TO WATER COURSES

When determining applications for development adjacent to water courses, the Council may seek the advice of government agencies as considered necessary and may impose conditions which ensure;

- (a) An adequate setback of buildings, structures and septic tanks;
- (b) Avoidance of any modifications to stream flows;
- (c) Clearly defined management responsibilities;
- (d) Stock control in the event of erosion;
- (e) Control of pollutants; and
- (f) Any other environmental; amenity and/or management requirements.

5.7.6 WASTE DISPOSAL

Land within the Scheme Area shall not be used for the purpose of storage or disposal of rubbish, refuse or industrial wastes (whether liquid or solid) without the written approval of the Council.

5.8 CARPARKING**5.8.1 CARPARKING REQUIREMENTS****TABLE TWO**

Use Class	No. of Parking Bays
Cafe/Restaurant	1 for every four seats provided, or 1 for every three square metres, whichever is the greater
Club	1 for every 45 square metres of gross floor area
Consulting Rooms	1 for every 30 square metres of gross floor area plus 1 for each person employed
Day Care Centre	1 for every employee plus visitors bays as determined by the Council
Educational Establishments	1 for every full time employee plus bays for students as determined by the Council
Health Studio	5 for every room
Hotel	1 for every bedroom plus 1 for every 2 square metres of bar and lounge area
Industry General	1 for every 2 employees
Industry Light	1 for every 2 employees
Industry Service	1 for every 2 employees
Medical Centre	3 for every consulting room
Motel	1 for every unit plus 1 for every 25 square metres of service area
Motor Vehicle Repair Station	2 bays for every working bay and 1 for every employee

TABLE 2—*continued*

Use Class	No. of Parking Bays
Office	1 for every 30 square metres leaseable floor area
Public Amusement	1 for every 4 seats
Public Worship, Place of	1 for every 4 seats
Shop	1 for every 15 square metres of retail floor space
Showroom/Warehouse	1 for every 100 square metres floor area

5.8.2 Carparking required to be provided pursuant to the provisions of this Scheme shall be laid out and constructed in accordance with schedule no. 8—car parking layouts. Carparking bays shall be capable of use independently of each other.

5.8.3 All driveways and parking areas shall be:

- (a) Constructed and surfaced to the Council's satisfaction with appropriate provision being made for drainage and stormwater disposal; and
- (b) Provided at the time of the development and thereafter maintained to the satisfaction of the Council.

5.8.4 Where an application is made for development and the purpose for which the land or building is to be used is not specified in table 2, the Council shall determine the number of carparking spaces to be provided on the land having regard to:

- (a) The nature of the proposed development
- (b) The number of employees likely to be on the site;
- (c) The prevention or obstruction of roads and streets; and
- (d) The orderly and proper planning of the locality and the preservation of its amenity.

5.8.5 Notwithstanding the provisions of table 2, the Council may waive a requirement for the provision of on-site parking if it can be demonstrated that adequate carparking is available in close proximity to the proposed development or there is not a demand for the number of carparking bays specified in table 2.

5.8.6 Where the Council so decides, it may accept cash payments in lieu of the provision of parking spaces subject to the following requirements:

- (a) A cash-in-lieu payment shall be not less than the estimated cost to the owner or developer of providing and constructing the parking spaces required by the Scheme, plus the value as estimated by the Council (using a licensed valuer) of that area of the land which would have been occupied by the parking space; and
- (b) Payments made under this clause shall be paid into a special fund to be used for the provision of public carparking facilities anywhere within the immediate vicinity of the site for which cash-in-lieu arrangements have been made.

5.9 CONTROL OF ADVERTISING

5.9.1 POWER TO CONTROL ADVERTISEMENTS

For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior approval of the Council. Such planning consent is required in addition to any licence pursuant to the Council's signs and hoarding and bill posting by-laws.

5.9.1.1 Applications for planning consent pursuant to this part shall be submitted in accordance with the provisions of clause 5.1 of the Scheme and shall be accompanied by a completed additional information sheet in the form set out in schedule no. 9 giving details of the advertisement(s) to be erected, placed or displayed on the land.

5.9.2 EXISTING ADVERTISEMENTS

ADVERTISEMENTS WHICH:

- (a) Were lawfully erected, placed or displayed prior to the approval of this Scheme; and
- (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 to this part referred to as 'existing advertisements', may, except as otherwise provided, continue to be erected and displayed in accordance with the licence or approval as appropriate.

5.9.3 CONSIDERATION OF APPLICATIONS:

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

5.9.4 EXEMPTIONS FROM THE REQUIREMENT TO OBTAIN PLANNING CONSENT

Subject to the provisions of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of clause 5.9.1, the Council's prior consent is not required in respect of those advertisements listed in schedule 8 which for the purpose of this part are referred to as 'exempted advertisements'. The exemptions listed in schedule 8 do not apply to places, buildings, conservation areas or landscape protection Zones which are either:

- (a) Listed by the National Trust;
- (b) Listed on the register of the National Estate;
- (c) Included in the local authority Town Planning Scheme because of their heritage or landscape value.

5.9.5 DISCONTINUANCE

Notwithstanding the Scheme objectives and clause 5.9.5, 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.

5.9.6 DERELICT OR POORLY MAINTAINED SIGNS

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

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

5.9.7 NOTICES

'The advertiser' shall be interpreted as any one or any group comprised of the owner, occupier, licensee or other person having interest in or drawing benefit from the display of the advertisement concerned.

Any notice served in exceptional circumstances pursuant to clause 5.9.6 or pursuant to clause 5.9.7 shall be served upon the advertiser and shall specify:

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

5.9.7.1 Any person upon whom a notice is served pursuant to this part may within a period of 60 days from the date of the notice appeal to the Hon Minister for Planning or the Town Planning Appeal Tribunal in accordance with part 5 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.

5.9.8 SCHEME TO PREVAIL

Where the provisions of this part are found to be at variance with the provisions of the Council's signs, hoarding and bill posting by laws, the provisions of the Scheme shall prevail.

5.9.9 ENFORCEMENT AND PENALTIES

The offences and penalties specified in clause 7.2 of the Scheme shall apply to the advertiser in this part.

PART 6—PLANNING CONSENT

6.1 APPLICATION FOR PLANNING CONSENT

6.1.1 Every application for planning consent shall be made in the form prescribed in schedule 5 to the Scheme and shall be accompanied by such plans and other information as is required by the Scheme.

6.1.2 Unless the Council waives any particular requirement every application for planning consent shall be accompanied by:—

- (a) A plan or plans to a scale of not less than 1:500 showing:
 - (i) Street names, lot number(s), north point and the dimensions of the site;
 - (ii) The location and proposed use of any existing buildings to be retained and the location and use of buildings proposed to be erected on the site;
 - (iii) The existing and proposed means of access for pedestrians and vehicles to and from the site;
 - (iv) The location, number dimensions and layout of all car parking spaces intended to be provided;

- (v) The location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods or commodities to and from the site and the means of access to and from those areas;
- (vi) The location, dimensions and design of any landscaped, open storage or trade display area and particulars of the manner in which it is proposed to develop the same;
- (b) Plans, elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain;
- (c) Any other plan or information that the Council may reasonably require to enable the applications 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 6 with such modifications as circumstances require.

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

6.3 DETERMINATION OF APPLICATIONS

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

6.3.2 The Council having regard to any matter which it is required by the Scheme to consider, to the purpose for which the land is reserved, zoned or approved for use under the Scheme, to the purpose for which land in the locality is used, and to the orderly and proper planning of the locality and the preservation of the amenities of the locality, may refuse to approve any application for planning consent or may grant its approval unconditionally or subject to such conditions as it thinks fit.

6.3.3 The Council shall issue its decision in respect of an application for planning consent in the form prescribed in schedule 7 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 remain valid.

6.4 DEEMED REFUSAL

6.4.1 Where the Council has not within sixty days of the receipt by it of an application for planning consent either conveyed its decision to the applicant or given notice of the application in accordance with clause 6.2 the application may be deemed to have been refused.

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

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

PART 7—ADMINISTRATION

7.1 POWERS OF THE SCHEME

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

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

7.2 OFFENCES

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

- (a) Otherwise than in accordance with the provisions of the Scheme;
- (b) Unless all consents required by the Scheme have been granted and issued;
- (c) Unless all conditions imposed upon the grant and issue of any consent required by the Scheme have been and continue to be complied with;
- (d) Unless all standards laid down and all requirements prescribed by the Scheme or determined by the Council pursuant to the Scheme with respect to that building or that use of that 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 ACT

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 5 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 Policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft policy may be inspected and where, in what form, and during what period (being not less than 21 days) representation may be made to the Council.
- (b) The Council shall review its draft Town Planning Scheme Policy in the light of any representation 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 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 similar structure used, or adapted for use, for the display of advertisements; and Advertising Sign shall be construed accordingly but does not include:

- (a) an advertising sign of less than 2m² in area relating to the carrying out of building or similar work on land on which it is displayed;
- (b) an advertising sign of less than 2 m² in area announcing a local event of a religious, educational, cultural, political, social or recreational character not promoted or carried on for commercial purposes;
- (c) an advertising sign of less than 2m² in area relating to the prospective sale or letting of the land or building on which it is displayed;
- (d) an advertising sign exhibited upon any land vested in or owned by the Minister for Railways which is directed only to persons upon or entering a railway station or platform or bus station, and;
- (e) directional signs, street signs and other like signs erected by a public authority.

Amusement Facilities: means land and buildings, open to the public, used for not more than two amusement machines where such use is incidental to the predominant use.

Amusement Machines: means a machine, device or games table, mechanically or electronically powered, that releases or makes available balls, discs or other items for projection in or on the machine by use of springs, flippers, paddles or cues, or electronic devices which are controlled by computer associated with the electronic screen(s) operated by one or more players for amusement for recreation.

Amusement Parlour: means land or buildings open to the public, where the predominant use is amusement by amusement machines and where there are more than two amusement machines operating within the premises.

Battle-axe lot: means a lot having access to a public road by means of an access strip included in the Certificate of Title of that lot.

Betting Agency: means a building operated in accordance with the Totalisator Agency Board Betting Act 1960 (as amended).

Boarding House: means a building in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper, for hire or reward, but does not include;

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

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

Building: shall have the same meaning as is given to it and for the purpose 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.
- Cafe/Restaurant:** means land and buildings used for the sale of prepared food and drinks for consumption.
- Camping Area:** means land used for the lodgings of persons in tents or other temporary shelter.
- Caravan Park:** means land and buildings used for the parking of caravans under the By-laws of the Council or the Caravan Parks and Camping Grounds Regulations, 1974 (as amended) made pursuant to the provisions of the Health Act, 1911-1979 (as amended).
- Caretakers 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.
- Car Sales Premises:** means land and buildings used for the display and sale of cars whether new or second-hand, but does not include a workshop.
- Civic Building:** means a building designed, used or intended to be used by a Government Department, an instrumentality of the Crown, or the Council as offices or for the administrative or other like purpose.
- Civic Use:** means land and building used by a Government Department, an instrumentality of the Crown, or the Council, for administrative, recreational or other purpose.
- Commission:** means the State Planning Commission constituted under the State Planning Commission Act 1985.
- 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.
- Community Home:** means a building used primarily for living purposes by a group of physically or intellectually handicapped or socially disadvantaged persons living together with or without paid supervision based organisation, a recognised voluntary charitable or religious organisation, a government department or instrumentality of the Crown.
- Consulting Rooms:** means a building (other than a hospital or medical centre) used by no more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors and persons ordinarily associated with a practitioner, in the prevention, investigation or treatment of physical or mental injuries or ailments, and the practitioner may be of the one profession or any combination of professions or practices.
- Convenience Store:** means land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents but including the sale of petrol and operated during hours which include but which may extend beyond normal trading hours and providing associated parking. The buildings associated with a convenience store shall not exceed 200m² gross leasable area.
- Day Care Centre:** means land and buildings used for the daily or occasional care of children in accordance with the Child Welfare (Care Centres) Regulations, 1968 (as amended)
- Development:** shall have the same meaning given to it in and for purposes of the Act.
- Display Home Centre:** means a group of two or more dwellings which are intended to be open for public inspection.
- District:** means the Municipal District of the Shire of Perenjori.
- Dog Kennels:** means land and buildings used for the boarding and breeding of dogs where such premises are registered or required to be registered by the Council; and may include the sale of dogs where such use is incidental to the predominant use.
- Drive-In Theatre:** means land and buildings used to make provision for an audience to view the entertainment while seated in motor vehicles.
- Dry Cleaning Premises:** means land and buildings used for the cleaning of garments and other fabrics by chemical processes.
- Education Establishment:** means a school, college, university, technical institute, academy or other educational centre, but does not include a reformatory or institutional home.
- Effective Frontage:** means the width of a lot at the minimum distance from the street alignment at which buildings may be constructed, and shall be calculated as follows:
- (A) where the side boundaries of a lot are parallel to one another, the length of a line drawn at right angles to such boundaries;
 - (B) where the side boundaries of a lot are not parallel to one another, the length of a line drawn parallel to the street frontage and intersecting the side boundaries at the minimum distance from the street alignment at which buildings may be constructed;
 - (C) where a lot is of such irregular proportions or on such a steep grade that neither of the foregoing methods can reasonably be applied, such length as determined by the Council;

Factory Unit Buildings: means an industrial building designed, used or adapted for use as two or more separately occupied production or storage areas.

Family Care Centre: means land and buildings used for the purpose of a Family Care Centre as defined in the Child Welfare (Care Centres) Regulations, 1969 (as amended).

Fast Food Outlet: means land and buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a fish shop.

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

Floor Area: shall have the same meaning given to it in and for the purposes of the Uniform Building By-Laws 1974 (as amended).

Frontage: means the boundary line or lines between a site and the street or streets upon which the site abuts.

Fuel Depot: means land and buildings used for the storage and sale in bulk of solid or liquid gaseous fuel, but does not include a service station.

Funeral Parlour: means land and buildings occupied by an undertaker where bodies are stored and prepared for burial or cremation.

Garden Centre: means land and buildings used for the sale and display of garden products, including garden ornaments, plants, seeds, domestic garden implements and motorised implements and the display but not manufacture of prefabricated garden buildings.

Gazettal Date: means the date of which this Scheme is published in the *Government Gazette*.

Gross Leasable Area: means in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.

Health Studio: means land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation.

Holiday Accommodation: means land used exclusively for the provision of temporary holiday accommodation in the form of cabins and for chalets as defined in the Local Government Model By-Laws (Holiday Cabins and Chalets) No. 18 or as a caravan park.

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

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection due to the emission of light, noise, vibration, electrical interference, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid waste or waste products or the unsightly appearance of the dwelling house or domestic outbuildings 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 0.2m² 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;
- (i) does not entail the offering for sale or display of motor vehicles machinery or goods (other than goods manufactured or serviced on the premises); and
- (j) does not entail a source of power other than an electric motor of not more than 0.373 kilowatts (0.5hp).

Hospital: means a building in which persons are received and lodged for medical treatment or care and includes a maternity hospital.

Hospital Special Purposes: means a building used or designed for use wholly or principally for the purpose of a hospital or sanatorium for the treatment of infectious or contagious diseases, or hospital for the treatment of the mentally ill or similar use.

Hotel: means land and buildings providing accommodation for the public the subject of an Hotel Licence granted under the provisions 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, 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 that 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 or land.
- (iii) in the case of edible goods the preparation of food for sale from the premises,
- (iv) panel beating, spray painting or motor vehicle wrecking.

Industry—Cottage: means an industry which produces arts and craft goods which cannot be carried out under the provisions relating to a 'home occupation' and that:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection, due to the emission of light, noise, vibration, steam, soot, ash, dust, grit, oil, liquid wastes or waste products.
- (b) where operated in a Residential Zone, does not entail the employment of any persons not a member of the occupiers family normally resident on the land.
- (c) is conducted in an out-building which is compatible to the Zone and its amenity and does not occupy an area in excess of 55m².
- (d) does not require the provision of any essential service main of a greater capacity than normally required in the Zone in which it is located, and;
- (e) does not display a sign exceeding 0.2m² in area

Industry—Extractive: means an industry which involves:

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

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

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

Industry—Light: means an industry;

- (a) in which the processes carried on, the machinery used, and 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, noises, 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 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, laundromat, piggery or poultry farms.

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 retail shop front and used as a depot for receiving goods to be serviced.

Intensive Livestock Feedlot: means where livestock are kept enclosed in a confined space and hand fed.

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

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

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

Liquor Store: means a building the subject of a Store Licence granted under the provisions of the Liquor Act, 1970 (as amended).

- Lodging House:** shall have the same meaning as is given to it in and for the purposes of the Health Act, 1911-1979 (as amended).
- Lot:** shall have the same meaning given to it in and for the purposes of, the Act and "allotment" has the same meaning.
- Marine Collectors Yard:** means land and buildings used for the storage of marine stores under the provisions of the Marine Stores Act, 1902 (as amended) and Marine Dealers Yard and Marine Store have the same meaning.
- Market:** means land and buildings used for a fair, a farmers or producers market, or swapmeet in which the business or selling carried on or the entertainment provided is by independent operators or stallholders carrying on their business or activities independently of the market operators save for the payment where appropriate of a fee or rental.
- Medical Centre:** means a building (other than a hospital) that contains or is designed to contain facilities not only for the practitioner or practitioners mentioned under the interpretations of consulting rooms but also for ancillary services such as chemists, pathologists and radiologists.
- Mobile Home:** means any vehicle or similar re-locatable structure having been manufactured with wheels (whether or not such wheels have been removed) and having no footings other than wheels, jacks or skirtings, and so designed or constructed as to permit independent occupancy for continuous dwelling purposes incorporating its own facilities including bathroom and toilet facilities.
- Mobile Home Park:** means land upon which two or more mobile homes, occupied for dwelling purposes, are located regardless of whether or not a charge is made for such accommodation.
- Motel:** means land and buildings used or intended to be used to accommodate patrons in a manner similar to an Hotel or Boarding House but in which special provision is made for the accommodation of patrons with motor vehicles.
- Motor Vehicle and Marine Sales Premises:** means land and buildings used for the display and sale of new or second hand motorcycles, cars, trucks, caravans and boats or any one or more of them and may include, the servicing of motor vehicles sold from the site.
- Motor Vehicle Hire Station:** means land and buildings used for the hiring out of motor vehicles and when conducted on the same site, the storage and cleaning of motor vehicles for hire but does not include mechanical repair or servicing of such vehicles.
- Motor Vehicle Repair Station:** means land and buildings used for the Mechanical repair and overhaul of motor vehicles including tyre recapping, retreading, panel beating, spray painting and chassis re-shaping.
- Motor Vehicle Wash Station:** means land and buildings where vehicles are washed and cleaned by or primarily by mechanical means.
- Motor Vehicle Wrecking Premises:** means land and buildings used for the storage, breaking up or dismantling of motor vehicles and includes the sale of second-hand motor vehicle accessories and spare parts.
- Museum:** means land and buildings used for storing and exhibiting objects illustrative of antiquities, natural history, art, nature and curiosities.
- Non-Conforming Use:** means a use of land which, though lawful immediately prior to the coming into operation of this Scheme, is not in conformity with the Scheme.
- Nursery:** means land and buildings used for the propagation, rearing and sale of products associated with horticultural and garden decor.
- Office:** means a building used for the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services and services of a similar nature.
- Owner:** in relation to any land includes the Crown and every person who jointly or severally whether at law or in equity:
- (a) is entitled to the land for an estate in fee simple in possession; or
 - (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of the land; or
 - (c) is a lessor or licensee from the Crown; or
 - (d) is entitled to receive or is in receipt of, or if the land were let to a tenant, would be entitled to receive the rents and profits thereof, whether as a beneficial owner, trustee, mortgagee in possession, or otherwise.
- Petrol Filling Station:** means land and buildings used for the supply of petroleum products and motor vehicle accessories.
- Figgery:** shall have the same meaning given to in and for the purpose of the Health Act, 1911-1979 (as amended).
- Places of Natural Beauty:** means the natural beauties of the area including rivers, lakes and other inland waters, banks or rivers, foreshores or harbours and other parts of the sea, hill slopes and summits and valleys.
- Plot Ratio:** shall have the same meaning given to it in the Uniform Building By-laws except for Residential dwellings where it shall have the same meaning given to it in the Residential Planning Codes.

- Potable Water:** means the water in which the level of physical, chemical and bacteriological constituents do not exceed the maximum permissible levels set out in 'International Standards for Drinking Water—Third Edition, World Health Organisation—1971'.
- Poultry Farm:** means the land and buildings used for hatching, rearing or keeping of poultry for either eggs or meat production which does not constitute an offensive trade within the meaning of the Health Act, 1911-1979 (as amended).
- Prison:** shall have the same meaning given to it in and for the purposes of the Prisons Act, 1981 (as amended).
- Private Hotel:** means land and buildings used for Residential purposes the subject of a Limited Hotel Licence granted under the provisions of the Liquor Act 1970 (as amended).
- Private Recreation:** means land used for parks, gardens, playgrounds, sport arenas, or other grounds for recreation which are not normally open to the public without charge.
- Produce Store:** means land and buildings wherein fertilisers and grain are displayed and offered for sale.
- Professional Office:** means a building used for the purpose of his profession by an accountant, architect, artist, author, barrister, chiropodist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, teacher (other than dancing teacher or a music teacher), town planner, or valuer, or a person having an occupation of a similar nature, and Professional Person has a corresponding interpretation.
- Public Amusement:** means land and buildings used for the amusement or entertainment of the public, with or without charge.
- Public Authority:** shall have the same meaning given to it in and for the purposes of the Act.
- Public Mall:** means any public street or right-of-way designed especially for pedestrians who shall have right of way and vehicle access shall be restricted to service vehicles at times specified by the Council.
- Public Recreation:** means land used for a public park, public gardens, foreshore reserve, playground or other grounds for recreation which are normally open to the public without charge.
- Public Utility:** means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.
- Public Worship Place of:** means land and buildings used for the religious activities of a church but does not include an institution for primary, secondary, or higher education, or a residential training institution.
- Radio and TV Installation:** means land and buildings used for the transmission, relay and reception of signals and pictures, both commercial and domestic, but does not include domestic radio and television receivers.
- Reception Centre:** means land and buildings used by parties for functions on formal or ceremonial occasions, but not for unhosted use for general entertainment purposes.
- Residential Planning:** means the Residential Planning Codes, set out in Appendices 2 and 3 to Statement of Planning Policy No. 1 together with any amendments thereto as published in the *Government Gazette* on January 30th, 1985.
- Residential Buildings:** means a building or portion of a building, together with rooms and outbuildings separate from such buildings but ancillary thereto: such building being used or intended, adapted or designed to be used for the purpose of human habitation:—
—temporarily by two or more persons, or
—permanently by seven or more persons,
- who do not comprise of a single family; but does not include a hospital or sanatorium, a prison, a hotel, a motel, or a residential school.
- Restaurant:** means a building wherein food is prepared for sale and consumption within the building and the expression shall include a licensed restaurant, and a restaurant at which food for consumption outside the building is sold where the sale of food for consumption outside the building is not the principal part of the business.
- Restoration:** means any work or process on at or in respect of a building structure or place which wholly or partly brings back the building structure or place to its original condition or which reinstates its historic or natural character either by rebuilding or repairing its fabric or by removing accretions or additions.
- Rural Pursuit:** means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:
- (a) the growing of vegetables, fruit cereals, or food crops
 - (b) the rearing or agistment of goats, sheep, cattle or beasts of burden
 - (c) the stabling, agistment or training of horses
 - (d) the growing of trees, plants, shrubs, or flowers for replanting in domestic commercial or industrial gardens
 - (e) the sale of produce grown solely on the lot
- but does not include the following except as approved by Council;
- (i) the keeping of pigs

- (ii) poultry farming
- (iii) intensive livestock feedlots
- (iv) the processing, treatment or packing of produce
- (v) the breeding, rearing or boarding of domestic pets

Salvage Yard: means land and buildings used for the storage and sale of materials salvaged from the erection, demolition, dismantling or renovating of, or fire or flood damage to structures including (but without limiting the generality of the foregoing) buildings, machinery, vehicles and boats.

Schedule: means a schedule to the Scheme.

Service Station: means land and buildings used for the supply of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs and minor mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use; but does not include transport depot, panel beating, spray painting, major repairs or wrecking.

Shop: means a building wherein goods are kept, exposed or offered for sale by purpose falling within the definition of industry.

Showroom: means a building wherein goods are displayed and may be offered for sale by wholesale and/or by retail, excluding the sale by retail of: foodstuffs, liquor or beverages, items of clothing or apparel, magazines, books or paper products; medical or pharmaceutical products; china, glassware or domestic hardware; and items of personal adornment.

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

Trade Display: means land and buildings used for the display of trade goods and equipment for the purposes of advertisement.

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

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

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

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

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

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

SCHEDULE 2
ADDITIONAL USES

Land Particulars	Permitted Uses	Development Standards/Conditions
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SCHEDULE 3
SPECIAL USE ZONE

Land Particulars	Permitted Uses	Scheme Map Designation
26910 Lot 137 Cnr North/Crossing Roads, Perenjori	Caravan Park	CP
21775 Lot 47 Cnr Crossing Road/Fowler Street, Perenjori	Church	CH
Lot 2, Cnr Old Well Road/Perenjori-Carnamah Road, Perenjori	Church & Hall	CH

SCHEDULE 4

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

Shire of Perenjori

TOWN PLANNING SCHEME No. 1

APPLICATION FOR PLANNING CONSENT

1. SURNAME APPLICANT GIVEN NAMES

FULL ADDRESS

2. SURNAME OF LAND OWNER (if different from above) GIVEN NAMES

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

DATE

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

SCHEDULE 5

Shire of Perenjori

TOWN PLANNING SCHEME No. 1

Notice of Public Advertisement

Of Application for Planning Consent

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/TOWN CLERK DATE

SCHEDULE 6

TOWN PLANNING AND DEVELOPMENT ACT, 1928 (AS AMENDED)

Shire of Perenjori

TOWN PLANNING SCHEME No. 1

DECISION ON APPLICATION FOR PLANNING CONSENT

The Council having considered the application

Dated
Submitted by
On behalf of

hereby advise that it has decided to:

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

Subject to the following conditions/for the following reasons.

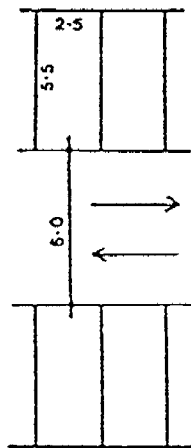
SHIRE/TOWN CLERK
DATE

NOTE:

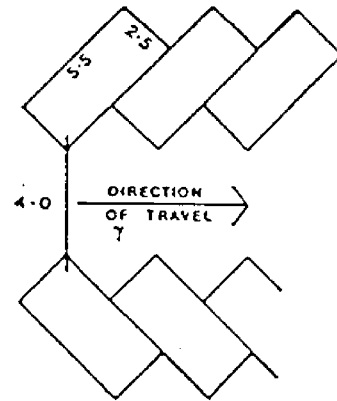
1. Any Council decision to grant approval is valid for a period of two (2) years from the date shown on the decision, unless otherwise stated on the decision.
2. It is the responsibility of the Owner/Developer to ensure that the provisions of the Aboriginal Heritage Act 1972-80 are complied with, by contacting the Department of Aboriginal Sites, Western Australia Museum, prior to the commencement of any development.

SCHEDULE 7

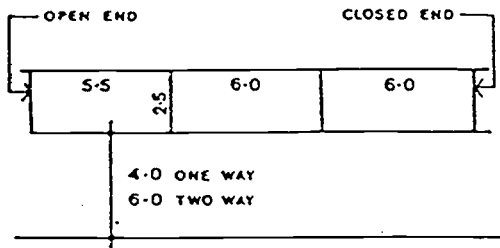
SCHEDULE 7—CAR PARKING LAYOUTS



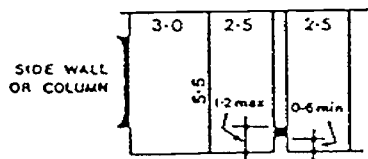
90° PARKING



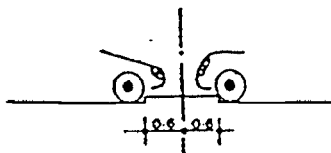
45° PARKING



PARALLEL PARKING

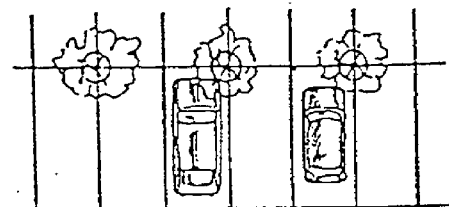


OBSTRUCTIONS



WHEEL STOP MODIFICATIONS

Not to affect drainage



SHADE TREE LANDSCAPING

Kerb ring not to exceed 900mm diam

- 90° & 45° Parking - 5.5m x 2.5m
- Parallel Parking - 6.0m x 2.5m
- OR 5.5m x 2.5m where OPEN ENDED
- Driveway Widths 90° - 6.0m access
- 45° - 4.0m one way •
- Parallel - 4.0m one way •
- 6.0m two way •

SCHEDULE 8

SCHEDULE 8—EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 5.9.4

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	Maximum Area of Exempted Sign
Dwellings.	One Professional name-plate as appropriate.	0.2m ²
Home Occupation.	One advertisement describing the nature of the home occupation.	0.2m ²
Places of Worship, Meeting Halls and Places of Public Assembly.	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m ²
Cinemas, Theatres and Drive-in Theatres.	Two signs (illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each advertisement sign not to exceed 5m ²
Shops, Showrooms and other uses appropriate to a Shopping Area.	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to 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.	Total area of any such advertisements shall not exceed 15m ² Maximum permissible total area shall not exceed 10m ² and individual advertisement signs shall not exceed 6m ²
Showroom, Race Courses, Major Racing Tracks, Sports Stadia, Major Sporting Grounds and Complexes.	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned either from other private land or from public places and streets.	N/A
Public Places and Reserves.	(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of government a public authority or council of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and	N/A
	(b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the council of a municipality, and	N/A
	(c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any Statute or regulation or the like made pursuant to powers contained within a statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	N/A

Schedule 8—Exempted Advertisements Pursuant to Clause 5.9.4—*continued*

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (includes the change of posters on poster signs and applies to non-illuminated signs unless otherwise stated)	Maximum Area of Exempted Sign
Railway Property and Reserves.	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon a railway station.	No sign shall exceed 2m ² in area.
Advertisements within buildings.	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	N/A
All classes of buildings other than single family dwellings.	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m ²
Temporary Signs	Exempted Sign Type and Number (all non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
Building Construction Sites (advertisement signs displayed only for the duration of the construction) as follows:		
(i) Dwellings	One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2m ²
(ii) Multiple Dwellings, shops, commercial and Industrial Projects.	One sign as for (i) above.	5m ²
(iii) Large Development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height.	One sign as for (i) above.	10m ²
Sales of Goods or Live-stock.	One additional sign showing the name of the project builder.	5m ²
	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 .

Schedule 8—Exempted Advertisements Pursuant to Clause 5.9.4—*continued*

Temporary Signs	Exempted Sign Type and Number (all non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
(c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5 ha.	One sign as for (a) above.	Each sign shall not exceed an area of 10m ² .
Display Homes. Advertisement signs displayed for the period over which homes are on display for public inspection.	(i) One sign for each dwelling on display. (ii) In addition to (i) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	2m ² 5m ²

SCHEDULE 9

SCHEDULE 9—CONTROL OF ADVERTISEMENTS

ADDITIONAL INFORMATION SHEET FOR ADVERTISEMENT APPROVAL:

(to be completed in addition to Application for Approval to Commence Development Form 1)

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 or 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:
.....
.....
.....

NB. 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—details in 6 above.

Signature of Advertiser(s):
(If different from land owners)

Date:

Adoption—

Adopted by Resolution of the Council of the Shire of Perenjori at the meeting of the Council held on the seventeenth day of October 1991.

W. L. KING, President.

Date: 16 December 1993.

P. ANDERSON, Shire Clerk.

Date: 16 December 1993.

Final approval—

1. Adopted by Resolution of the Council of the Shire of Perenjori at the Ordinary meeting of the Council held on the sixteenth day of September 1993 and the seal of the Municipality was pursuant to the Resolution hereunto affixed in the presence of—

W. L. KING, President.
P. ANDERSON, Shire Clerk.

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

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

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

Date: 19 January 1994.

3. Final approval granted—

RICHARD LEWIS, Hon Minister for Planning.

Date: 22 January 1994.

POLICE

PE401

PUBLIC 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 Tuesday, 14 June 1994 at 9.00 am.

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

B. BULL, Commissioner of Police.

RACING AND GAMING

RA401

LIQUOR LICENSING ACT 1988

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

App. No.	Applicant	Nature of Application	Last Day for Objections
TRANSFER OF LICENCE			
606	David Chin and Eng Muah OO	Application for the transfer of a restaurant licence in respect of premises situated in Morley and known as the Honk Konh Chinese Restaurant, from Alan Pong Ping and Cathy Sau Kuen Au.	22/5/94
607	John Bazelmans and Michael Bazelmans	Application for the transfer of a restaurant licence in respect of premises situated in East Victoria Park and known as the Presidential Suite, from Kevin Higgins.	24/5/94
608	Dampier Salt Pty. Ltd.	Application for the transfer of a special facility licence in respect of premises situated via Carnarvon and known as Texada Mines from, Dampier Salt Operations Pty. Ltd.	31/5/94
609	Westland Wealthy Pty. Ltd.	Application for the transfer of a restaurant licence in respect of premises situated in Perth and known as Ocean Palace Restaurant, from Honning Pty. Ltd.	26/5/94
610	Resort Management Australia Pty. Ltd.	Application for the transfer of a restaurant licence in respect of premises situated in Como and known as Chatterbox Cafe, from Chatterbox Cafe Pty. Ltd.	25/5/94
611	Dan Sholdar, James Sholdar and Chris Sholdar	Application for the transfer of a restaurant licence in respect of premises situated in Cottesloe and known as Napoleons Cafe, from Waterline Investments Pty. Ltd.	27/5/94
405	Boyup Brook Football and Sporting Club Inc.	Application for the grant of a club restricted licence in respect of premises situated in Boyup Brook and known as the Boyup Brook Football and Sporting Club Inc.	19/6/94
406	The Aviation Institute WA Inc.	Application for the grant of a club restricted licence in respect of premises situated in Redcliffe and known as the Aviation Institute WA Inc.	8/6/94
408	Croatian Club Caversham Inc.	Application for the grant of a club restricted licence in respect of premises situated in Caversham and known as the Croatian Club Caversham Inc.	10/6/94

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

G. B. AVES, Director of Liquor Licensing.

WATER AUTHORITY

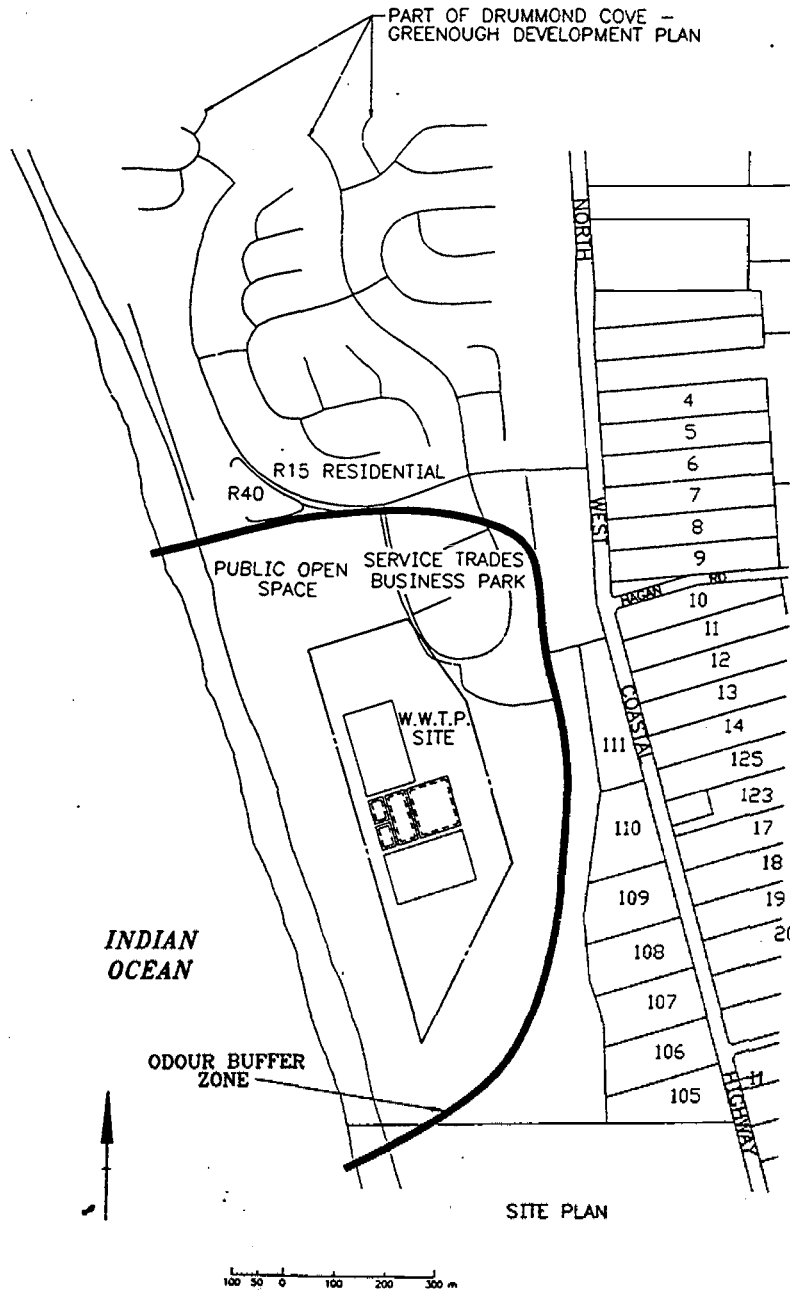
WA401

WASTEWATER IMPROVEMENTS
City of Geraldton
GLENFIELD BEACH DISTRICT

Notice of Intention to Construct a Wastewater Treatment Plant

To provide wastewater treatment facilities for Geraldton Suburbs located north of Chapman River, the Water Authority proposes to commence construction of a Wastewater Treatment Plant at the location shown on the attached plan. Ultimately this plant is expected to treat wastewater discharges for around 40 000 people but the first stage lagoon system will be for 1 500 people. Treated effluent is proposed to be reused for irrigation and ocean discharge is not under consideration.

The approximate location of the associated odour buffer zone is also shown on the attached plan. Further information and inspection of the plan is available at the Authority's Customer Services counter at the S.G.I.O. building at the corner of Cathedral Avenue and Chapman Road in Geraldton. Information may also be obtained by contacting Mr Jim Coten telephone (099) 23 4988. Objections to the proposed works will be considered if lodged in writing at the above Water Authority office before the close of business on 9 June 1994.



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
		1994
183/93	Construction of retaining wall RW1, 61.2 metres, Stirling Link Road, Osborne Park.	20 May
171/93	Production and Delivery of 19 000 tonnes crushed aggregate and 44 000 tonnes rock spalls, East Kimberley.	8 June
93Q57	Supply, installation, configuration, testing and commissioning of a token ring hub system.	20 May
187/93	Supply and delivery of (1) one only Flat Top Truck with Hydraulic Crane in accordance with specification P401-4.	1 June
180/93	Litter collection and disposal, Carnarvon Division.	2 June
188/93	Supply and delivery of one (1) to two (2), two berth domestic type caravan sleeper and kitchens.	1 June
142/93	Traffic counting, various roads, Narrogin.	31 May
186/93	Tree lopping and pruning, Albany Highway, from Tunney to Kojonup.	30 May
172/93	Construction of extruded kerbing and minor drainage structures, Doon Doon-Dunham Hill section of Great Northern Highway.	31 May
10/94	Cleaning of Main Roads Rivervale offices.	8 June
11/94	Cleaning of Main Roads Derby office.	1 June

ZT202*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount
			\$
93Q50	Supply and delivery of one (1) only HP Designjet Plotter, Model 650C with RS232C serial interface and 5 metre cable	Computer Corp	12 838.00
93Q42	Provision of audit of Main Roads divisional office at Northam	Stanton Partners	8 000.00
136/93	Supply and delivery of plant trailers	North West Engineering PTE Australia	69 112.00 26 150.00
150/93	Supply and delivery of three four wheel drive loaders	CJD Equipment P/L .	377 409.00
153/93	Supply and delivery of one (1) only SAA 95 tandem drive grader with trade-in	CJD Equipment P/L .	144 330.00
170/93	Supply and delivery of one (1) only SAA Class 60 tandem drive grader	CJD Equipment P/L .	144 060.00

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

FACSIMILE No. 321 7918

Date of Advertising	Schedule No.	Description	Date of Closing
1994			1994
April 29	190A1994	State Government Corporate Credit Card Facilities for the State of Western Australia for a two (2) year period with an option to extend for three (3) further twelve (12) month periods	May 26
May 6	516A1994	Delivery and installation of one (1) only Mobile Ultrasound Scanner for King Edward Memorial Hospital for Women	May 26
May 13	521A1994	Acquisition, Processing and Supply of Airborne Magnetometer and Gamma-Ray Spectrometer Survey Data from the Glengarry/Peak Hill area of Western Australia for the Department of Minerals and Energy	May 26
May 6	515A1994	One hundred (100) only 486DX 33MHz Personal Computers to WorkCover	June 2
April 22	075A1994	Photocopying Machines, Facsimile Machines, Photocopier Consumables and Maintenance Services	June 2
May 20	091A1994	Wound Drainage Units for a "Whole of Health" requirement	June 9
May 20	527A1994	Hospital Beds for WA Health Services (approx. 120 Beds Initially with the possibility of additional orders)	June 9
May 20	530A1994	Ten (10) only Apple Powermacs—Model 6100AV for the WA Dept. of Training	June 9
<i>Invitation to Register Interest</i>			
April 29	ITRI 16/94	Financial Management Information Systems for Treasury Department	May 26
<i>Service</i>			
May 6	182A1994	Hire of Rotary Wing Aircraft (with Pilots) for Prescribed Burning Operations and other Aerial Work	May 26
May 6	277A1994	Printing of the 1995 Handbook for the Department of Training	May 26
May 6	306A1994	Publication of Land Titles Practice Manual—Third Edition for a two (2) year period with three (3) further twelve (12) month options, exercisable by the Commission	May 26
May 6	307A1994	Request for Proposal for the Provision of Aerial Photography for the State Land Information Capture Program for the Department of Land Administration	May 26
May 6	472B1994	(Recall) Consultancy of Resource Utilisation and Benchmarking Studies for Derby Regional Hospital	May 26
April 29	511A1994	Consultancy Service to Examine the Proposal to Establish a National Institute of Aboriginal Culture on behalf of the Department of Arts	Extended June 2
May 20	049A1994	Lease of a Haematology Analyser for the State Health Laboratory Services, Health Dept. of WA	June 9
May 20	058A1994	Maintenance and Repair of Computer Hardware for the Dept. of Minerals & Energy	June 9
May 20	308A1994	Laundry & Linen Service to Broome District Hospital .	June 9
May 20	522A1994	Consultancy Service for "Quality Specification for Transmission of Natural Gas in Pipelines in Western Australia" for the Energy Policy and Planning Bureau	June 2
May 20	528A1994	I.T. Consultants for the Dept. of Training's College Management Information System	June 9
May 20	529A1994	Consultancy Service for "Proposed Customer Survey" for the Dept. of Commerce and Trade	June 9

STATE SUPPLY COMMISSION—continued
Tenders Invited—continued

Date of Advertising	Schedule No.	Description	Date of Closing
1994		<i>For Sale</i>	1994
May 6	517A1994	1986 JCB Backhoe (MR 8295) (6QD 236) for Main Roads, Welshpool	May 26
May 6	518A1994	1986 Kobelco Loader 4WD (MR 9147) (6QI 193) for Main Roads, Welshpool	May 26
May 6	519A1994	1992 Subaru Stn Wgn (7QH 273) for the Department of Agriculture, Kununurra	May 26
May 13	520A1994	(Recall) Surplus Fenitrothion and Other Chemicals for the Agriculture Protection Board	June 2
May 20	524A1994	Aquamarine S650 Shore Conveyor for the Waterways Commission Albany	June 9
May 20	525A1994	1989 Mazda Flat Top Truck (MR A819)(6QX 210) for Main Roads, Welshpool	June 9
May 20	526A1994	1989 Daihatsu Delta Flat Top Truck (MR A941)(6QX 621) for Main Roads, Welshpool	June 9
May 20	531A1994	1988 Daihatsu Delta Tip Truck (MR 2912)(6QR 991) for Main Roads, Welshpool	June 9
May 20	532A1994	1983 Massey Ferguson Tractor 4WD (MR 6756)(XQY 406) for Main Roads, Derby	June 9
May 20	533A1994	1991 Nissan Station Sedan 4x4 (7QF 392) for the Building Management Authority, Kununurra	June 9
May 20	534A1994	1991 Toyota Landcruiser Station Wagon (7QG 397) for the WA Dept. of Training, Karratha	June 9

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>	
RFP 8/94	Personal Computers, Local Area Network, Associated Facilities and Software for the Great Southern Development Commission, Albany.	Storm Business Machines	Details on request
467A1994	Chemical Analysis for the Menzies and Leonora Regions for the Dept. of Minerals and Energy	Amdel Laboratories Ltd.	Details on request
469A1994	Supply, delivery, installation & commissioning of a 64 Communications Channel Magnetic Tape Recording Facility for the Police Operations Centre, Police Headquarters	Racal Australia P/L	\$68 409.00
480A1994	37 x Personal Computers for the Office of Racing & Gaming	Fujitech (WA) P/L	\$98 864.00 total
		<i>Provision of Service</i>	
115A1993	Storage of Magnetic Tapes and Associated Documents for the Dept. of Minerals & Energy	Seismic Supply Int. P/L	Details on request
450A1994	Facilities Management Services, Computing Hardware and Software to the Ministry of Fair Trading	Random Access (WA) P/L	Details on request
468A1994	Consultancy Service for Financial Services—Health Services Contracts Bureau	KPMG Management Consulting	\$107 000.00
		<i>Purchase and Removal</i>	
508A1994	1984 Mitsubishi Flat Top Truck (MRWA 7824)(56QC 519) for Main Roads, Welshpool	South City Truck Sales	\$8 169.00

ZT401**WATER AUTHORITY OF WESTERN AUSTRALIA***Tenders*

Tenders are invited for the projects listed below and will be accepted up to 2.30 pm on the closing date specified.

Tender documents are available from the Supply Services Branch, Level 1, Entry 4, John Tonkin Water Centre, 629 Newcastle Street, Leederville, WA 6007.

Tender documents must be completed in full, sealed in the envelope provided and placed in the Tender Box located at the above Leederville address.

The lowest or any tender may not necessarily be accepted.

Contract No.	Description	Closing Date
		1994
AM 40618	The Design, Construction and Installation of Piles and Associated Caps for Claisebrook Wastewater Pumping Station.	31 May
AS 40712	Consultancy for Nitrogen Application Limits for Various Land Use.	7 June
OM 41015	Supply of Butterfly Valves for West Pilbara Water Supply Section Line Valves Replacement—94/95.	7 June
AV 43308	Supply of one only 79 000 GVM 6x4 Prime Mover in accordance with Specification 94V/03.	24 May

W. COX, Managing Director.

ZT501**MARINE AND HARBOURS***Tenders*

Contract No.	Project	Closing Date	Tender Document from
E132	Port of Perth Office Building	7 June 1994	Administrative Assistant, Coastal & Management Facilities

Tender documents are available from Monday 9 May, 1994 on payment of a non-refundable deposit of \$15.00.

M. J. PAUL, Coastal & Facilities Management.

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 20 June 1994, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Braun, Hildergard, formerly of 44 Webber Street, Willagee, late of St Francis Nursing Home, 163 Healy Road, Hamilton Hill, died 18/2/94.

Britton, Mabel Evelyn, late of Homes of Peace, Thomas Street, Subiaco, died 3/4/94.

Collings, Cyril, late of 32 Montrose Street, Lynwood, died 23/4/94.

Grogan, David Barry, late of 27 Counsel Road, Coolbellup, died 19/3/94.

Hansen, Edward Norman, late of 168 Penguin Road, Safety Bay, died 5/2/94.

Hart, Margaret, late of 7/203 North Beach Drive, Tuart Hill, died 23/2/94.

Jecks, Mark, late of Jewel House, 180 Goderich Street, East Perth, died 12/2/94.

Kirk, Daphne, late of 3 Bodmin Avenue, City Beach, died 7/2/94.

Mellor, Harriet Honora, late of 33 Armadale Road, Rivervale, died 23/4/94.

Merson, Frank Alexandra, formerly of 75 Gregory Street, Wembley, late of St George's Nursing Home, Walter Road, Inglewood, died 17/4/94.

O'Rourke, Michael William, formerly of 32 Andrew Street, Kalamunda, late of Homes of Peace, Walter Road, Inglewood, died 14/4/94.

Ricketts, Betty Tolfery, late of 29B Collins Road, Willetton, died 13/4/94.

Roberts, Jack, 14 Malcolm Street, North Beach, died 25/10/93.

Scarlett, Trevor Lloyd, late of 20 First Avenue, Bassendean, died 17/3/88.

Secombe, Dorothy Maud Marion, late of Subiaco Uniting Church Hospital, 13 Heytesbury Road, Subiaco, died 27/3/94.

Slater, Kathleen, late of 47 Janet Road, Safety Bay, died 13/4/94.

Terry, Alfred Ernest, late of Unit 2/20 Ogilvie Road, Mount Pleasant, died 18/4/94.

Western, Shirley Joy, late of 161 Holbeck Street, Doubleview, died 28/3/94.

Williams, Molly, Ngurra Narnpi Aboriginal Nursing Home, Park Street, Kalgoorlie, died 4/4/94.

Dated this 20th day of May 1994.

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

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 estates of the undermentioned deceased persons, are required to send particulars of their claims to Trustees of Western Australia Limited of 5th Floor, 54-58 Barrack Street, Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice:—

Box, Betty Eveline late of 18 Beatrice Avenue, Shelley, Widow died 5 April 1994.

Butt, Gladys Mary late of 33 Mayne Way, Clifton Park, Bunbury, Widow died 16 April 1994.

Halpin, Eleanor Joan late of Villa 6, 8 Peel Street, Pinjarra, Married Woman died 30 March 1994.

Pearce, George William Foster late of Bunbury Nursing Home, Hayes Street, Bunbury, Retired Storeman died 23 March 1994.

Ward, Ronald Edgar late of Ocean Star Hostel, Ocean Drive, Bunbury formerly of 169 Railway Parade, Yarloop, Retired Timber Worker died 15 February 1994.

Dated this 20th day of May, 1994.

A. J. HALL, Trust Manager.

ZZ301

INQUIRY AGENTS LICENSING ACT 1954

APPLICATION FOR LICENCE IN THE FIRST INSTANCE

To the Court of Petty Sessions at Fremantle.

I, William Frederick John Martin, of 21 Riggs Way, Hamilton Hill, Phone Number—H (09) 337 8278, W (09) 388 3898, Investigator, having attained the age of twenty-one years, hereby apply on my own behalf for a licence under the abovementioned Act. The principal place of business will be at 21 Riggs Way, Hamilton Hill.

Dated the 28th day of April 1994.

W. F. J. MARTIN, Signature of Applicant.

Appointment of Hearing

I hereby appoint the 30th day of June 1994, at 10 o'clock in the forenoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Fremantle.

Dated the 29th day of April 1994.

I. DYE, Clerk of Petty Sessions.

Objection to the granting of the application may be served on the applicant and the Clerk of Petty Sessions at any time prior to seven days before the date appointed for the hearing.

ZZ401

CORPORATIONS LAW

Notice of Final Meeting of Members pursuant to Section 509

Craftsman Pre-Cuts Pty Ltd (In Liquidation)

A.C.N. 008 677 629

Notice is hereby given that a meeting of the members of Craftsman Pre-Cuts Pty Ltd (In Liquidation) will be held on Tuesday 7 June 1994 at 5.00 p.m. at Unit 4, 31 The Esplanade, South Perth, for the purpose of having an account laid before them showing the manner in which the winding up has been conducted and the property of the company disposed of and of hearing any explanation that may be given by the Liquidator and also resolving the manner in which the books, accounts and documents of the company and of the Liquidator thereof shall be disposed of.

Dated at Perth this 9th day of May 1994.

GRANT WOODLEY-PAGE, Liquidator.

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

Navigable Waters Regulations, 1958.

Regulations for Preventing Collisions at Sea.

Regulations for the Examination of Applicants for Masters, Mates,
Coxswain, Engineers, Marine Motor Engine Drivers and Marine
Surveyors.**NOW AVAILABLE !!****Order your Bound Volumes
of Government Gazette 1994**

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The Gazettes will be bound in black cloth with gold foil lettering on the spine and personalised by the addition of the client's name in gold lettering on the front cover.

PLEASE NOTE

On the rare occasion where extra gazettes are published in one quarter, a fifth volume may be required. In this instance an invoice will be issued to recoup the binding costs only of \$105.00 over and above the subscription.

For further information please contact:
State Law Publisher, State Print
Telephone: 383 8851

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