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5161



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In all cases notices are published on page 2 and readers are urged to check accordingly prior to contacting State Law Publisher.

JOHN A. STRIJK,
Acting Government Printer.

PROCLAMATIONS

AA101

PRISONERS (INTERSTATE TRANSFER) AMENDMENT ACT 1994

(No. 5 of 1994)

PROCLAMATION

WESTERNAUSTRALIA
P. M. Jeffery,
Governor.
[L.S.]

} By His Excellency Major General Philip Michael
Jeffery, Officer of the Order of Australia, Military
Cross, Governor of the State of Western
Australia.

I, the Governor, acting under section 2 of the Prisoners (Interstate Transfer) Amendment Act 1994, and with the advice and consent of the Executive Council, fix the day after the day on which this proclamation is published in the *Government Gazette* as the day on which that Act comes into operation.

Given under my hand and the Public Seal of the State on 23 October 1995.

By His Excellency's Command,

K. J. MINSON, Minister Assisting the Minister for Justice.
GOD SAVE THE QUEEN !

CENSORSHIP

CS401

INDECENT PUBLICATIONS AND ARTICLES ACT 1902

I, CHERYL LYNN EDWARDES, being the Minister administering the Indecent Publications and Articles Act, 1902, acting in the exercise of the powers conferred by subsection (1) of Section 10 of that Act, do hereby determine that the publications specified in the schedule below shall be classified as restricted publications for the purposes of that Act.

Dated this 26th day of October 1995.

CHERYL LYNN EDWARDES, Attorney General.

Schedule

26 September 1995

Title or Description	Publisher
Australian Rosie Anal, The Jul 1995 No. 1	Rosie Publications Pty Ltd
Bizarre (Silwa Special) No. 3	Silwa Film
Bizarre (Silwa Special) No. 5	Silwa Film
Dressing For Pleasure No. 4	G & M Fashions (Leisure) Ltd
Dressing For Pleasure No. 8	G & M Fashions (Leisure) Ltd
Dressing For Pleasure No. 20	G & M Fashions (Leisure) Ltd
Dressing For Pleasure No. 23	G & M Fashions (Leisure) Ltd
Dressing For Pleasure No. 24	G & M Fashions (Leisure) Ltd
Dressing For Pleasure No. 25	G & M Fashions (Leisure) Ltd
Dressing For Pleasure No. 27	G & M Fashions (Leisure) Ltd
O-Fashion, Fetish & Fantasies 1993 No. 16	Techcom Verlag GMBH
Rubberist No. 6	G & M Fashions (Leisure) Ltd
Shiny No. 36	G & M Fashions (Leisure) Ltd
Shiny Vol 1 Iss 10	Day Publications
Shiny Vol 1 Iss 13	Day Publications
Shiny Vol 1 Iss 18	G & M Fashions (Leisure) Ltd
Shiny Vol 1 Iss 27	G & M Fashions (Leisure) Ltd
Shiny Vol 1 Iss 28	G & M Fashions (Leisure) Ltd
Shiny Vol 1 Iss 34	G & M Fashions (Leisure) Ltd
Shiny Vol 1 Iss 35	G & M Fashions (Leisure) Ltd
Shiny Housewives No. 21	G & M Fashions (Leisure) Ltd
Shiny Housewives No. 23	G & M Fashions (Leisure) Ltd
Shiny Housewives No. 24	G & M Fashions (Leisure) Ltd
Shiny International No. 39	G & M Fashions (Leisure) Ltd
Shiny International No. 46	G & M Fashions (Leisure) Ltd
Shiny International No. 48	G & M Fashions (Leisure) Ltd
Shiny International No. 60	G & M Fashions (Leisure) Ltd
Shiny International No. 64	G & M Fashions (Leisure) Ltd
Shiny International No. 67	G & M Fashions (Leisure) Ltd
Shiny International Iss 81	G & M Fashions (Leisure) Ltd
Shiny Photo Special No. 15	G & M Fashions (Leisure) Ltd

Schedule—*continued*

Title or Description	Publisher
Shiny Photo Special No. 17	G & M Fashions (Leisure) Ltd
Shiny's Rubberist No. 18	G & M Fashions (Leisure) Ltd
Shiny's Rubberist No. 19	G & M Fashions (Leisure) Ltd
Shiny's Rubberist No. 20	G & M Fashions (Leisure) Ltd
Skin Two Iss 14	Tim Woodward Publishing Ltd

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Dated this 26th day of October 1995.

CHERYL LYNN EDWARDES, Attorney General.

Schedule

10 October 1995

Title or Description	Publisher
40 + Mar 1995	Eton Publishing Company
40 + (Special Edition) Jul 1995	Premiere Publishing Inc
40 Plus Vol 4 No. 12	Big Magazines Ltd
Adam May 1995 Vol 39 No. 5	Knight Publishing Corporation
Adam Jul 1995 Vol 39 No. 6	Knight Publishing Corporation
Asian Babes Vol 3 No. 13	Big Magazines Ltd
Asian Beauties Vol 3 No. 6	WBC Publishing
Asian Beauties Presents: Shaved Orientails Vol 2 No. 5	WBC Publishing
Australian Forum Vol 5 No. 10	Forum International Ltd
Australian Hot Talk 1995 No. 49	Gemkilt Publishing Pty Ltd
Australian Penthouse Letters 1995 No. 61	Gemkilt Publishing Pty Ltd
Australian Penthouse (National Edition) Nov 1995 Vol 16 No. 11	Gemkilt Publishing Pty Ltd
Best of 30 + 1995 Vol 1	Eton Publishing Company
Best of 40 + 1995 Vol 1	Eton Publishing Company
Best of Cheri, The (Special Edition #68) Vol 17 No. 9	Cheri Magazine Inc
Best of Genesis (Friends & Lovers) 1995 Vol 17 No. 7	Jakel Corp
Best of Swank (X-Rated Action Guide) Sep 1995	Swank Publications Inc
Best of Swank (Girls of Swank) Nov 1995	Swank Publications Inc
Big & Fat Vol 2 No. 8	Big Magazines Ltd
Big Ones (International) Vol 6 No. 7	Big Magazines Ltd
Buf Sep 1995 Vol 27 No. 5	Buf Publications Inc
Celebrity Sleuth Vol 8 No. 7	Broadcast Communications Inc
Chic Aug 1995 Vol 19 No. 10	LFP Inc
Club Apr 1995 Vol 21 No. 3	Paragon Publishing Inc
Club International Mar 1995 Vol 19 Iss 3	Paragon Publishing Inc
Club International Apr 1995 Vol 19 Iss 4	Paragon Publishing Inc
Club International Jun 1995 Vol 19 Iss 6	Paragon Publishing Inc
Electric Blue Vol 7 No. 7	Power Radio Ltd
Eros Aug 1995 No. 53	Portland Publishing Ltd
Escort (Readers' Wives!) No. 5	Paul Raymond Publications
Escort Vol 15 No. 8	Paul Raymond Publications
Escort Vol 15 No. 9	Paul Raymond Publications
Extreme Special No. 9	Silwa Film
For Men (The Ultimate Collection) Vol 2 No. 3	Portland Publishing Ltd
For Women Vol 4 No. 2	Portland Publishing Ltd
Gem Oct 1995	Gem Publications Inc
Genesis Aug 1995 Vol 23 No. 1	Jakel Corp
Genesis Sep 1995 Vol 23 No. 2	Jakel Corp
Genesis International Vol 2 No. 121	Jakel Corp

Schedule—*continued*

Title or Description	Publisher
Golden Beauties Vol 1 No. 2	Onyx Publishing
Greeting Card - Lick 'N Look (A134)	Hand Print Products
Greeting Card - Lick 'N Look (A142)	Hand Print Products
Greeting Card - Lick 'N Look (A147)	Hand Print Products
Greeting Card - Lick 'N Look (A148)	Hand Print Products
Greeting Card - Lick 'N Look (A662)	Hand Print Products
Greeting Card - Lick 'N Look (A662/L137)	Hand Print Products
Greeting Card - Lick 'N Look (A662/L138)	Hand Print Products
Greeting Card - Lick 'N Look (A663)	Hand Print Products
Greeting Card - Lick 'N Look (A665)	Hand Print Products
Greeting Card - Lick 'N Look (A666)	Hand Print Products
Greeting Card - Lick 'N Look (A668)	Hand Print Products
Greeting Card - Scratch & Peek (427)	Innovisions
Greeting Card - Scratch & Peek (430)	Innovisions
Greeting Card - Scratch & Peek (434)	Innovisions
Greeting Card - Scratch & Peek (435)	Innovisions
Greeting Card - Scratch & Peek (436)	Innovisions
Greeting Card - Scratch & Peek (439)	Innovisions
Greeting Card - Scratch & Peek (446)	Innovisions
Greeting Card - Scratch & Peek (455)	Innovisions
Greeting Card - Scratch & Peek (459)	Innovisions
Hawk Sep 1995 Vol 4 No. 7	Killer Joe Productions Inc
High Society Sep 1995 Vol 20 No. 9	Crescent Publishing Group
Leg Scene (Collector's Issue) Sep 1995 Vol 2 Iss 6	Paradise Magazine
Leg Show Nov 1995 Vol 13 No. 7	Mavety Media Ltd
Mayfair Vol 30 No. 8	Paul Raymond Publications
Men Only Vol 60 No. 8	Paul Raymond Publications
Naughty Neighbors Sep 1995 Vol 1 No. 1	Quad Int'l Inc
Open Door No. 22	Staviss GMBH
Picture Sextra, The No. 25	ACP Publishing Pty Ltd
Pirate No. 33	Private Publications
Playboy Nov 1995 Vol 42 No. 11	Playboy
Playboy's Blondes Oct 1995	Playboy Press
Plumpers and Big Women Aug 1995 Vol 3 Iss 5	Dugent Publishing Corp
Razzle Vol 13 No. 8	Paul Raymond Publications
Shiny International No. 41	G & M Fashions (Leisure) Ltd
Shiny International No. 74	G & M Fashions (Leisure) Ltd
Shiny's Rubberist No. 17	G & M Fashions (Leisure) Ltd
Stag's Original Porn Legends Oct 1995	Stag Publications Inc
Swank Classic (Hot Thrust) Sep 1995	Swank Publications Inc
Swank Desire (200 Uncensored Sex Acts) Nov 1995	Swank Publications Inc
Swank Exposed (44-Plus) Sep 1995	Swank Publications Inc
Swank Exposed (Silk Stockings) Oct 1995	Swank Publications Inc
Swank Exposed (Open Legs & Lace) Nov 1995	Swank Publications Inc
Swank Leisure Series (Shaved) Sep 1995	Swank Publications Inc
Swank Leisure Series (Raw Sex) Oct 1995	Swank Publications Inc
Swank Leisure Series (Plump & Pink) Nov 1995	Swank Publications Inc
Swank Passion (Sex Pleasers) Oct 1995	Swank Publications Inc
Swank Spice (Bra Busters) Nov 1995	Swank Publications Inc
Swank Spotlight (Hot Tails) Oct 1995	Swank Publications Inc
Swank Temptations (Cheeks) Nov 1995	Swank Publications Inc
Swank Uncensored (Swank's Best Porn Action) Sep 1995	Swank Publications Inc
Swank Uninhibited (For Adults Only) Oct 1995	Swank Publications Inc
Swank Unleashed (Shaved Smooth) Sep 1995	Swank Publications Inc
Swank Unleashed (Mature Nymphs) Oct 1995	Swank Publications Inc
Swank Unleashed (Shaved Sex Action) Nov 1995	Swank Publications Inc
Swank's Adult Erotica (Stacked) Oct 1995	Swank Publications Inc
Swank's X-Rated Series (Uncensored Sex Scenes) Sept 1995	Swank Publications Inc
Swank's X-Rated Series (X-Rated Close-Ups) Oct 1995	Swank Publications Inc
Thrills (Nude Readers' Wives) No. 93	Big Magazines Ltd
Transexual Climax Sep 1995 No. 16	Color-Climax Corporation
Transformation Iss 4	Transformation Spartacus Publishing Corp
Transformation Iss 5	Transformation Spartacus Publishing Corp
Transformation Iss 6	Transformation Spartacus Publishing Corp
Triple X No. 7	Private Media Group
Two Blue Vol 1 Iss 9	Galaxy Publications Ltd
Voluptuous Aug 1995 Vol 2 No. 5	Quad International Inc

EDUCATION**ED401****EDITH COWAN UNIVERSITY ACT 1984**

Office of the Minister for Education,
Perth, 1995.

It is hereby notified for general information that His Excellency the Governor in Executive Council has, in accordance with the provisions of Section 9 (1)a of the Edith Cowan University Act 1984 approved the appointment of Mr Ken Wyatt of 33 Glenunga Way, Craigie, as member of the Edith Cowan University Council for a term expiring on 26 September 1998.

N. F. MOORE, Minister for Education.

FISHERIES**FI401****PEARLING ACT 1990**

Whereas, in accordance with an Arrangement between the State of Western Australia ("the State") and the Commonwealth made under Part IIA of the Fisheries Act 1905, the following notices were made in relation to pearling activities in waters adjacent to the State—

1. Pearling (Joint Authority Pearl Oyster Fishery) (Declaration of Zones) Notice 1992.
Made under section 5 of the Act and published in the *Gazette* of 21 February 1992.
2. Pearling (Joint Authority Pearl Oyster Fishery) (Declaration of Pearl Oysters) Notice 1992.
Made under section 6 of the Act and published in the *Gazette* of 21 February 1992.
3. Pearling (Joint Authority Pearl Oyster Fishery) (Minimum Pearl Oyster Shell Size) Notice (No. 2) 1992.
Made under section 21 of the Act and published in the *Gazette* of 1 May 1992.
4. Pearling (Joint Authority Pearl Oyster Fishery) Restriction of Pearling Activities (Pearl Oyster Holding Sites) Notice 1993.
Made under section 19 of the Act and published in the *Gazette* of 21 December 1993.
5. Pearling (Joint Authority Pearl Oyster Fishery) (Annual Fees) Notice (No. 2) 1994.
Made under section 27 (1) (a) of the Act and published in the *Gazette* of 2 December 1994.

and

whereas on 19 December 1994 a further Arrangement was made between the Commonwealth and the State whereby the Commonwealth and the State agreed that, *inter alia*—

- (a) the Arrangement entered into between the Commonwealth and the State in relation to the Pearl Oyster Fishery, published in the *Commonwealth of Australia Gazette* No. GN11 on 20 March 1992 was to be terminated; and
- (b) from 3 February 1995, that part of the pearl oyster fishery previously conducted according to the Arrangement referred to (a) above would thereafter be managed in accordance with the law of the State,

and, by operation of s49 (2) of the Pearling Act 1990, on 2 February 1995, notices made under the terminated arrangement cease to have effect,

now I, Montague Grant House, Minister for Fisheries for the State of Western Australia, for the purpose of that further arrangement, make the following notices.

Dated this 23rd day of October 1995.

MONTY HOUSE, Minister for Fisheries.

PEARLING ACT 1990**PEARLING (DECLARATION OF ZONES) NOTICE 1995**

FD 1/91.

Made by the Minister under section 5.

Citation

1. This notice may be cited as the *Pearling (Declaration of Zones) Notice 1995*.

Declaration of Zones

2. The area of water respectively described and given a zone designation in each item of the Schedule is declared to be a Zone for the purposes of the Act.

Schedule

Item 1

All those waters lying east of 114°10' east longitude, west of 119° east longitude and north of 22°30'33" south latitude, including all of the waters of Exmouth Gulf, are designated as Zone 1.

Item 2

All those waters lying east of 118°10' east longitude, south of 18°14' south latitude and north of 20°23' south latitude are designated as Zone 2.

Item 3

All those waters lying north of 18°14' south latitude and west of 125°20' east longitude including any waters lying south of that part of the northern coastline of the State intersected by that longitude and west of 125°30' east longitude are designated as Zone 3.

Item 4

All those waters lying east of 125°20' east longitude and north of 16° south latitude, excluding any waters lying south of that part of the northern coast line of the State intersected by 125°20' east longitude and west of 125°30' east longitude are designated as the Kimberley Development Zone.

Dated this 23rd day of October 1995.

MONTY HOUSE, Minister for Fisheries.

PEARLING ACT 1990**PEARLING (DECLARATION OF PEARL OYSTERS) NOTICE 1995**

FD 1/91.

Made by the Minister under section 6.

Citation

1. This notice may be cited as the *Pearling (Declaration of Pearl Oysters) Notice 1995*.

Declaration of pearl oysters

2. The species of pearl oyster *Pinctada maxima* is declared to be a pearl oyster to which the Act applies.

Dated this 23rd day of October 1995.

MONTY HOUSE, Minister for Fisheries.

PEARLING ACT 1990**PEARLING (MINIMUM PEARL OYSTER SHELL SIZE) NOTICE 1995**

FD 1/91.

Made by the Minister under section 21.

Citation

1. This notice may be cited as the *Pearling (Minimum Pearl Oyster Shell Size) Notice 1995*.

Minimum pearl oyster shell size

2. (1) For the purposes of section 21 (1) of the Act, the minimum size in respect of the species of pearl oyster *Pinctada maxima* is a shell width of—

- (a) 80 mm in all the waters of Exmouth Gulf south of 21°44' south latitude; and
- (b) 120 mm in all other waters.

(2) For the purposes of this clause "shell width" shall mean the width of the shell when measured in a straight line from, and at right angles to, a straight line joining the extremities of the butt to the opposite edge of the lip.

Dated this 23rd day of October 1995.

MONTY HOUSE, Minister for Fisheries.

PEARLING ACT 1990**RESTRICTION OF PEARLING ACTIVITIES (PEARL OYSTER HOLDING SITES) NOTICE 1995**
FD 1/91.

Made by the Minister for Fisheries under section 19.

Citation

1. This notice may be cited as the *Restriction of Pearling Activities (Pearl Oyster Holding Sites) Notice 1995*.

Restriction on pearling activities

2. During the period 1 January 1994 to 31 December 1996, pearling activities shall not be undertaken in that area of water described in Schedule 1 by any person other than the person named in Schedule 2.

Schedule 1

All the waters of the Indian Ocean bounded by a line commencing at the intersection of 17°02'42" south latitude and 122°16'12" east longitude; thence east to the intersection of 17°02'42" south latitude and 122°17'12" east longitude; thence south to the intersection of 17°03'42" south latitude and 122°17'12" east longitude; thence west to the intersection of 17°03'42" south latitude and 122°16'12" east longitude; thence north to the commencement point.

Schedule 2

Maxima Pearling Company Pty Ltd

Dated this 23rd day of October 1995.

MONTY HOUSE, Minister for Fisheries.

PEARLING ACT 1990**PEARLING (ANNUAL FEES) NOTICE 1995**

FD 1/91.

Made by the Minister for Fisheries under section 27 (1) (a).

Citation

1. This notice may be cited as the *Pearling (Annual Fees) Notice 1995*.

Annual fees for farm leases, pearling licences, hatchery licences and permits

2. For the purposes of section 27 (1) (a) of the Act, the annual fee declared for the year ending 31 December 1995 in respect of—

- (a) a farm lease is \$155.00 per square nautical mile or part thereof of the area of the relevant pearl oyster farm and, in the case of an initial farm lease, the costs of preparing diagrams for the purposes of that farm lease;
- (b) a pearling licence is \$1.25 per pearl oyster of the quota of pearl oysters that may be taken under the pearling licence;
- (c) a pearling licence, in addition to the fee specified in paragraph (b) of this clause, shall be \$0.30 per pearl oyster of hatchery option;
- (d) a hatchery licence is \$125.00;
- (e) a pearling permit is \$25.00; or
- (f) a hatchery permit is \$25.00.

Dated this 23rd day of October 1995.

MONTY HOUSE, Minister for Fisheries.

PEARLING ACT 1990**RESTRICTION OF PEARLING ACTIVITIES (PEARL OYSTER HOLDING SITES) NOTICE**
(No. 2) 1995

FD 1/91.

Made by the Minister under section 19.

Citation

1. This notice may be cited as the *Restriction of Pearling Activities (Pearl Oyster Holding Sites) Notice (No. 2) 1995*.

Restriction on pearling activities

2. Pearling activities shall not be undertaken in those areas as are described in the following Schedules by any person other than the person named in each of those Schedules.

Schedule 1**Paspaley Pearling Company Pty Ltd**

Those waters of Zone 2 contained within the area bounded by a line commencing at the intersection of 18°57' south latitude and 121°22.30' east longitude; thence to the intersection of 18°58' south latitude and 121°25' east longitude; thence to the intersection of 19°01' south latitude and 121°22.30' east longitude; thence to the intersection of 19°00' south latitude and 121°22' east longitude; thence in a straight line to the commencement point.

Schedule 2**Pearls Pty Ltd**

Those waters of Zone 2 contained within the area bounded by a line commencing at the intersection of 18°46.5' south latitude and 121°32' east longitude; thence to the intersection of 18°47.6' south latitude and 121°31' east longitude; thence to the intersection of 18°49.3' south latitude and 121°31.3' east longitude; thence to the intersection of 18°48.2' south latitude and 121°33.2' east longitude; thence in a straight line to the commencement point.

Schedule 3**Broome Pearls Pty Ltd**

Those waters of Zone 2 contained within the area bounded by a line commencing at the intersection of 18°37.8' south latitude and 121°34.3' east longitude; thence to the intersection of 18°37.8' south latitude and 121°36.3' east longitude; thence to the intersection of 18°39' south latitude and 121°36.3' east longitude; thence to the intersection of 18°39.8' south latitude and 121°34.3' east longitude; thence in a straight line to the commencement point.

Schedule 4**Stephen John Arrow and John David Arrow**

Those waters of Zone 2 contained within the area bounded by a line commencing at the intersection of 18°49.5' south latitude and 121°29.7' east longitude; thence to the intersection of 18°50.5' south latitude and 121°30.7' east longitude; thence to the intersection of 18°51.5' south latitude and 121°29.7' east longitude; thence to the intersection of 18°50.3' south latitude and 121°28.7' east longitude; thence in a straight line to the commencement point.

Schedule 5**Maxima Pearling Co. Pty Ltd**

Those waters of Zone 3 contained within the area bounded by a line commencing at the intersection of 17°5.5' south latitude and 121°11.5' east longitude; thence to the intersection of 17°4.5' south latitude and 121°11.5' east longitude; thence to the intersection of 17°4.5' south latitude and 121°12.5' east longitude; thence to the intersection of 17°5.5' south latitude and 122°12.5' east longitude; thence in a straight line to the commencement point.

Schedule 6**Australian Sea Pearls Pty Ltd**

Those waters of Zone 3 contained within the area bounded by a line commencing at the intersection of 17°42.2' south latitude and 122°9.7' east longitude; thence to the intersection of 17°42.2' south latitude and 122°10.9' east longitude; thence to the intersection of 17°43.3' south latitude and 122°10.9' east longitude; thence to the intersection of 17°43.3' south latitude and 122°9.7' east longitude; thence in a straight line to the commencement point.

Schedule 7**Clipper Pearls**

Those waters of Zone 3 contained within the area bounded by a line commencing at the intersection of 16°19.5' south latitude and 123°33.5' east longitude; thence to the intersection of 16°22.0' south latitude and 123°36.0' east longitude; thence to the intersection of 16°22.5' south latitude and 123°33.5' east longitude; thence to the intersection of 16°20.0' south latitude and 123°33.0' east longitude; thence in a straight line to the commencement point.

Dated this 23rd day of October 1995.

MONTY HOUSE, Minister for Fisheries.

FAIR TRADING

FT401

ASSOCIATIONS INCORPORATION ACT 1987

Section 35

The Association of Employers of Waterside Labour W.A. Inc.

Notice is hereby given that the incorporation of the abovementioned association has been cancelled as from the date of this notice.

Dated the 31st day of October 1995.

I. MELROSE, A/Assistant Commissioner for Corporate Affairs.

JUSTICE

JM301

PRISONERS (INTERSTATE TRANSFER) ACT 1983

PRISONERS (INTERSTATE TRANSFER) AMENDMENT ORDER 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. This order may be cited as the *Prisoners (Interstate Transfer) Amendment Order 1995*.

Commencement

2. This order shall come into operation on the day on which the *Prisoners (Interstate Transfer) Amendment Act 1994* comes into operation.

Principal order

3. In this order the *Prisoners (Interstate Transfer) Order 1984** is referred to as the principal order.

[* Published in Gazette of 7 December 1984 at p. 1468.
For amendments to 6 July 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 223.]

Schedule repealed and a Schedule substituted

4. The Schedule to the principal order is repealed and the following Schedule is substituted —

“

Schedule
INTERSTATE LAWS

1. *Prisoners (Interstate Transfer) Act 1982* (New South Wales)
2. *Prisoners (Interstate Transfer) Act 1982* (South Australia)
3. *Prisoners (Interstate Transfer) Act 1982* (Tasmania)
4. *Prisoners (Interstate Transfer) Act 1983* (Victoria)
5. *Prisoners (Interstate Transfer) Act 1982* (Queensland)
6. *Prisoners (Interstate Transfer) Act 1983* (Northern Territory)
7. *Prisoners (Interstate Transfer) Act 1993*. (Australian Capital Territory)

A reference to an Act in this Schedule is a reference to that Act as amended as at the date on which the *Prisoners (Interstate Transfer) Amendment Order 1995* was made.

”

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

JM401**CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988**

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

Approved of the appointment of the following persons as Members of the Children's Court of Western Australia—

John Watson of Jarlamadangah Community, Derby.

Victor Harold Browning of 30 Christie Street, Three Springs and 37 Williamson Street, Three Springs.

RICHARD FOSTER, Executive Director, Courts Division.

JM402**DECLARATIONS AND ATTESTATIONS ACT 1913**

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

Arthur Edward Greaves of 50 Hamer Avenue, Wembley Downs.

Peter Silversmith of 13 Ruffian Loop, Willetton and Place (Granny Smith) Pty Ltd, PO Box 33, Laverton.

RICHARD FOSTER, Executive Director, Courts Division.

JM403**JUSTICES ACT 1902**

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

Approved of the following appointments to the Office of Justice of the Peace for the State of Western Australia—

Melvin Kingsley Bristow of Lot 17206 Kondinin Road, Narembeen.

Victor Harold Browning of 30 Christie Street, Three Springs and 37 Williamson Street, Three Springs.

Colin William Ward of 86 Williamson Street, Three Springs and Post Office, Three Springs.

Approved of the following appointment to the Office of Justice of the Peace for the West Kimberley Magisterial District—

John Watson of Jarlamadangah Community, Derby.

RICHARD FOSTER, Executive Director, Courts Division.

LAND ADMINISTRATION**LA401****FORFEITURE'S**

The following Leases and Licences together with all rights, title and interest therein have this day been forfeited to the Crown under the Land Act 1933 for the reasons stated.

Name; Lease or Licence No.; District; Reason; Corres. No.; Plan

Parsons, Keith Marshall and Barbara Ann; 345B/1023; Meekatharra Lot 952; Non Compliance with Conditions; 1246/988; Meekatharra Townsite Sheets 1 & 3.

Balatti, Battista; 332/2047; Plantagenet Loc 7672; Non Payment of Rent; 525/964; Mount Roe S.E. 1:25000.

Australian Laboratory Services Pty Ltd; 345B/2449; Meekatharra Lot 905; Non Payment of Instalments; 3260/988; Diagram 88612.

Australian Laboratory Services Pty Ltd; 345B/2450; Meekatharra Lot 906; Non Payment of Instalments; 3261/988; Diagram 88612.

Date: 30 October 1995.

A. A. SKINNER, Chief Executive Officer.

LOCAL GOVERNMENT**LG301****LOCAL GOVERNMENT ACT 1960***Shire of Ashburton*

(Alteration of Ward Names) Order No. 1 1995

Made by His Excellency the Governor under the provisions of section 12 of the *Local Government Act 1960*.

Citation

1. This Order may be cited as the *Shire of Ashburton (Alteration of Ward Names) Order No. 1 1995*.

Commencement

2. This Order shall take effect on and from the date it is published in the *Government Gazette*.

Alteration of Ward Names

3. The names of the North and South Ashburton Ward and the Tableland-Wittenoom Ward of the Shire of Ashburton are hereby altered to the Ashburton Ward and the Tableland Ward, respectively.

By His Excellency's Command,

Date: 23/10/95

J. PRITCHARD, Clerk of the Council.

LG401**BUSH FIRES ACT 1954***Shire of Gingin*

Hereunder are the Fire Control Officers appointed by the Gingin Shire Council for the 1995/96 Fire Season. Chief Fire Control Officer/Weather Officer Maxwell John Borwick, Deputy Chief Fire Control Officer—George Robert Grant, Inspection and Prosecution Officer—Shire Ranger.

Gingin Fire Area—

H. A. Morris
M. C. Hyne
G. P. Okely

Gingin West Fire Area—

N. E. Dewar
G. R. Grant
M. J. Borwick

Beermullah Fire Area—

B. W. Roe
G. F. Drew
D. H. Wood
E. R. Howard
B. J. Fewster

Nilgen Fire Area—

R. M. Wilson
D. J. Ottaway
T. Rochford

Gingin Townsite—

P. Crowe

Guilderton Townsite—

C. Findlay

Seabird Townsite—

P. W. Glascoe

Ledge Point Townsite—

K. Mol

Lancelin Townsite—

K. Scaddan

Ocean Farm—

R. Osborne

Woodridge—

C. Neave

A. W. HORTIN, Shire Clerk.

LG402**LOCAL GOVERNMENT ACT 1960***Shire of Gnowangerup***Land Exempt from Municipal Rates**

1. It is hereby notified for public information that pursuant to Section 532 (12) of the Local Government Act the Council of the Shire of Gnowangerup resolved on the 18th October 1995 to exempt Assessment Number 436 Location Kojonup 8747 used by a Sporting Association (Golf Club) from Municipal Rates.
2. It is hereby notified for public information that pursuant to Section 532 (12) of the Local Government Act the Council of the Shire of Gnowangerup resolved on the 20th September 1995 to exempt Assessment Number 209 Locations Plantagenet 5228 and 6985 used by a Sporting Association (Golf Club) from Municipal Rates.

MARK CHESTER, Shire Clerk.

LG403**LOCAL GOVERNMENT ACT 1960***Shire of Moora*

It is hereby notified for public information that the following fees and charges have been set by Council resolution 18 October, 1995, in accordance with Section 191A of the Local Government Act 1960.

Caravan Park Charges—

Site Per Week	\$95.00
Site Per Day	\$15.00
Tent Site Per Day	\$9.00

Crossover Construction Charges—

Standard Installation Cost of which the land owner must pay one-half	\$350.00
Non-standard Installation—Council will contribute up to one-half of the actual cost to a maximum of	\$300.00

J. N. WARNE, Shire Clerk.

LG404**LOCAL GOVERNMENT ACT 1960***City of Perth***Schedule of Fees and Charges**

It is hereby notified for public information that in accordance with the abovementioned Act, the Council resolved on the 24th day of October 1995, to amend the following fees and charges—

	\$
Wedding Licences—Per Hour	20.00

GARRY G. HUNT, Chief Executive Officer.

LG405**BUSH FIRES ACT 1954***Shire of Pingelly*

It is hereby notified for public information that the appointment of Nielsen Mitchell as a Fire Control Officer is hereby revoked.

C. M. THOMSON, Acting Shire Clerk.

LG406**DOG ACT 1976***Shire of Pingelly*

It is hereby notified for public information that the appointment of Nielsen Mitchell and Domenic Bono as a Authorised Dog Control Officers and Dog Registration Officers are hereby revoked.

C. M. THOMSON, Acting Shire Clerk.

LG407**BUSH FIRES ACT 1954****(sec. 38)***Shire of Tambellup***FIRE CONTROL OFFICERS**

It is hereby notified for public information that the following persons have been appointed as Fire Control Officers within the Shire of Tambellup district for the 1995/96 fire season.

Chief Fire Control Officer	Jack Aylmore
Deputy Chief Fire Control Officer	Rob Hilder
Fire Control Officers	Geoff Hams
	Mike Lawrie
	Lance Anderson
	Chris House
	George Hams
	Peter Olden
	Brett Green
	Justin Taylor
	Neil Nazzari
	Mike Reynalds

All previous appointments are hereby cancelled.

R. T. HILTON, Shire Clerk.

LG408**BUSH FIRES ACT 1954***Shire of Yilgarn***FIRE CONTROL OFFICERS**

Notice is hereby given pursuant to section 38 of the Bush Fires Act 1954, that the following is a list of Fire Control Officers appointed for duty within the Shire of Yilgarn for 1995/96. All other appointments are hereby cancelled.

P. M. Capito	M. W. Sanford
W. A. Della Bosca	P. J. Dunbar
G. A. Kent	P. R. Patroni
J. M. Roberts	R. E. Gethin
J. L. Taylor	W. G. Saxby
C. M. Blair	P. L. Goodhill
A. J. Unkovich	R. J. Borona
A. E. Wesley	J. R. Steel
N. E. Eiffler	D. W. Jackson
C. A. Thompson	

C. A. THOMPSON, Chief Executive Officer.

LG409

LOCAL GOVERNMENT ACT 1960*Shire of Pingelly***RATING EXEMPTION**Department of Local Government
Perth 23 October 1995.

LG: PN 5-1

It is hereby notified for public information that His Excellency the Governor, acting pursuant to section 532 (10) of the *Local Government Act, 1960*, has declared exempt from municipal rates the land listed hereunder:

29 Parade Street, Pingelly—Owned by Pingelly CWA
13 Queen Street, Pingelly—Owned by Apex Club
47 Stratford Street, Pingelly—Owned by Masonic Lodge
49 Stratford Street, Pingelly—Owned by Masonic Lodge
23-25 Parade Street, Pingelly—Owned by Pingelly RSL

JOHN LYNCH, Executive Director,
Department of Local Government.

LG410

LOCAL GOVERNMENT ACT 1960**APPOINTMENT OF MEMBERS**Department of Local Government
Perth 23 October 1995.

LG: 62/76

It is hereby notified for public information that His Excellency the Governor, has, under the provisions of section 5 of the *Local Government Grants Act*:

1. terminated the appointment of Mr Peter Campbell as member; and
2. appointed Linton Reynolds as member,

on the Western Australian Local Government Grants Commission for a period expiring on 31 July 1996.

JOHN LYNCH, Executive Director,
Department of Local Government.

LG601

BUSH FIRES ACT 1954*Shire of Waroona***Notice to Owners and Occupiers of Land**

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

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

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

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

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

A. RURAL LAND

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

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

(NOTE: Firebreaks constructed on road verges do not constitute a legal firebreak).

- (b) not more than 100 metres and not less than 20 metres from the perimeter of all groups of buildings, haystacks and fuel installations provided on that land. NOTE 1: 10 round bales constitute a haystack: 5 large oblong bales constitute a haystack: 200 small oblong bales constitute a haystack. NOTE 2: Irrigation Area—owners or occupiers may be exempt from all or part of the requirements of the above if, in the opinion of the Fire Control Officer responsible for the area in which the land is located, there is no need to construct breaks on the irrigated land or non-irrigated land, not exceeding 20 hectares in area if surrounded by irrigated land.

B. RURAL/RESIDENTIAL ZONE

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

C. URBAN LAND (Residential, Special Residential, Commercial, Industrial and Rural Land within Waroona/Hamel townsites)

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

- (a) where the area of land is 2 024 sq.m. (approx. .5 acre) or less, remove all flammable material on the land except living standing trees, from the whole of the land; and
- (b) where the area of land exceeds 2 024 sq.m. (approx. .5 acre) provide firebreaks of at least two (2) metres wide immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land. Where several adjoining lots are held or used by the owner/occupier, the firebreaks may be provided inside, along the external boundaries of the group of lots.

D. PRESTON BEACH TOWNSITE

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

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

Burning off of lots is not recommended.

E. LAKE CLIFTON AREA

Owners and occupiers of lots within the Lake Clifton area may contact the following contractor for firebreaks—

Mr N. Wilkinson, P.O. Box 1007, Mandurah. Telephone (09) 582 2034.

Mr L. Exelby, 36 Glencoe Parade, Halls Head. Telephone (09) 535 8515.

F. FUEL AND/OR GAS DEPOTS

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

G. FIRE PROTECTION OF PRIVATE HARD/SOFTWOOD PLANTATIONS DEFINITIONS AND SPECIFICATIONS

Plantation—Any area of planted Pines or Eucalyptus species exceeding 3 hectares.

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

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

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

Minimum Firebreak Standards

The following firebreak standards will apply for plantations—

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

- Firebreaks clear of all flammable material 6 metres wide should surround compartments of approximately 30 hectares.
- All firebreaks must be maintained in trafficable condition and trees on both sides of breaks progressively pruned to a minimum height of 4 metres to allow unrestricted access of maintenance and fire fighting equipment and so as to maintain an effective width of firebreak.
- Where power lines pass through plantation areas firebreaks as per S.E.C. specifications must be provided.

H. CAMPING AND COOKING FIRES (Section 25 Bush Fires Act)

In accordance with the provisions of Section 25(1a) of the Bush Fires Act 1954, the lighting of fires in the open air in the district, outside of townsites and away from designated barbecue/picnic areas, within the Shire of Waroona for the purpose of camping or cooking is prohibited during the prohibited burning times 15 December to 14 March, inclusive.

Bush Fire Control Officers

Chief Fire Control Officer J. C. Twaddle Telephone 33 1593
Deputy Chief Fire Control Officer R. G. Hull Telephone 33 1301

Brigade

1. North West	F.C.O. D. J. Hodgson	Telephone 33 1360
	Capt. L. G. Snell	Telephone 33 1219
2. North East No. 1	F.C.O. J. Look	Telephone 33 1261
	Capt. P. Ward	Telephone 33 1262
3. North East No. 2	F.C.O. R. G. Hull	Telephone 33 1301
	Capt. F. Hull	Telephone 33 1384
4. Waroona West	F.C.O. G. Lewis	Telephone 39 1013
	Capt. N. Hyde	Telephone 33 1580
5. Wagerup	F.C.O. F. Brown	Telephone 33 1582
6. Town/Central	F.C.O. J. C. Twaddle	Telephone 33 1593
	Capt. A. Alexander	Telephone 33 1496
7. Lake Clifton	F.C.O. G. Sudholz	Telephone 39 1046
	Capt. E. Pegg	Telephone 39 1127
8. Preston Beach	F.C.O. M. Paladini	Telephone 39 1331
9. Nanga Brook	Capt. J. Campbell	Telephone 39 1337
	F.C.O. T. Birmingham	Telephone (09) 538 1172

LG602

BUSH FIRES ACT 1954

Shire of Wickepin

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, owners and occupiers of property within the Shire of Wickepin are hereby required on or before the 31 October 1995 and thereafter to the 1 April 1996 to plow, scarify or otherwise provide and maintain firebreaks clear of all inflammable material at least 2.5 metres wide as follows—

1. Rural Land

- (a) Inside the boundary of all land held by each owner or occupier, their firebreaks need not follow the perimeter of any paddock but will be acceptable following land contours in an endeavour to overcome water erosion; and
- (b) To subdivide each holding into lots of no greater than 200 hectares; and
- (c) To surround the homestead, out buildings and fuel storages on any such land.

2. Townsite Land

All lots within the townsites of Harrismith, Tincurrin, Toolibin, Wickepin and Yealering are required to be cleared and maintained free of all debris or inflammable material. Failure to comply with these requirements renders the owner or occupier liable to a penalty not more than \$400.

B. W. MEAD, Shire Clerk.

LG901**LOCAL GOVERNMENT ACT 1960***Shire of Wickpin***NOTICE OF INTENTION TO BORROW**

Proposed Loans (No. 82) \$100 000.00 and (No. 83) \$35 000.00

Pursuant to Section 610 of the Local Government Act 1960 the Shire of Wickpin hereby gives notice that it proposes to borrow, by the sale of debentures, repayable at the Office of the lender, by equal half yearly instalments of principal and interest, for the following terms and purposes.

Loan No. 82	\$100 000.00
Term	7 years
Purpose	Staff Housing
Loan No. 83	\$35 000.00
Term	5 years
Purpose	Purchase of light industrial shed.

Plans, specifications and estimates as required by Section 609 of the Local Government Act 1960 are available for inspection at the office of the Council during business hours for 35 days after publication of the Notice of Intention to Borrow.

Dated this 23rd day of August, 1995.

H. M. LANG, President.
B. W. MEAD, Shire Clerk.

LG902**LOCAL GOVERNMENT ACT 1960***Shire of York***NOTICE OF INTENTION TO BORROW**

York Bowling Club—Self Supporting Loan No. 54
Amount \$22 000.00

In accordance with Section 610 of the Local Government Act, the Shire of York gives Notice that it intends to borrow money by the sale of debentures on the following terms and for the following purposes:

Purpose:	Improvements to York Bowling Club
Term:	10 years
Repayments:	6 monthly at the Town Hall, Avon Terrace, York (principal and interest)
Plans/Specifications:	Available on request at the Town Hall.

E. R. FISHER Shire Clerk.

MAIN ROADS**MA401**

MRWA 42-30-I

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 Beverley and Brookton Districts, for the purpose of the following public works namely, reconstruction of the Armadale-Ravensthorpe Road (Brookton Highway) SLK Section 71.0-82.0 and that the said pieces or parcels of land are marked off on MRWA Drawings 9509-025 to 9509-030 inclusive, 9509-059-1, 9509-060, 9509-092, 9309-073 and 9309-074 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.	Graeme Ralph Blight	G R Blight	Portion of Avon Location 4618 and being part of the land comprised in Certificate of Title Volume 1582 Folio 684.	2.0438 ha

Schedule—continued

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
2.	Victor John Buckingham	V J Buckingham	Portion of Avon Location 7149 and being part of the land comprised in Certificate of Title Volume 200 Folio 81A.	5 930 m ²
3.	Alexander Ferguson	A Ferguson	Portion of each of Avon Locations 6697 and 7478 and being part of the land comprised in Certificate of Title Volume 1233 Folio 197.	6.9231 ha
4.	Alexander Ferguson	A Ferguson	Portion of Avon Locations 11552 and being part of the land comprised in Certificate of Title Volume 1004 Folio 685.	4 790 m ²
5.	Divich Nominees Pty Ltd	Divich Nominees Pty Ltd	Portion of Avon Location 9848 and being part of the land comprised in Certificate of Title Volume 1815 Folio 690.	1 710 m ²
6.	Edith Brenda Little and Judith Marion Little	E B Little & J M Little	Portion of Avon Location 10304 and being part of the land comprised in Certificate of Title Volume 1924 Folio 912.	2 860 m ²
7.	Blair James Gartrell	Esmæ Jean Johnston vide Caveat F704225 C	Portion of each of Avon Locations 10980 and 9848 together being Lot 1 the subject of Diagram 74593 and being part of the land comprised in Certificate of Title Volume 1815 Folio 689.	6 210 m ²
8.	Blair James Gartrell	Esmæ Jean Johnston vide Caveat F704225 C	Portion of Avon Location 10981 and being part of the land comprised in Certificate of Title Volume 1924 Folio 911.	1 460 m ²
9.	Blair James Gartrell	Esmæ Jean Johnston vide Caveat F704225 C	Portion of Avon Location 5822 and being part of the land comprised in Certificate of Title Volume 1924 Folio 915.	3.5050 ha
10.	Blair James Gartrell	Esmæ Jean Johnston vide Caveat F704225 C	Portion of each of Avon Locations 10304 and 10981 and being Lot 2 the subject of Diagram 80607 and being part of the land comprised in Certificate of Title Volume 1922 Folio 889.	1.7969 ha
11.	Kenneth Gartrell	K Gartrell	Portion of each of Avon Locations 9190, 10219 and 17149 and being part of the land comprised in Certificate of Title Volume 1114 Folio 305.	4.4653 ha
12.	Kenneth Gartrell	K Gartrell	Portion of Avon Location 10220 and being part of the land comprised in Certificate of Title Volume 340 Folio 11A.	4 250 m ²
13.	Kenneth Gartrell	K Gartrell	Portion of Avon Location 5459 and being part of Lot 2 on Diagram 23022 and being part of the land comprised in Certificate of Title Volume 1260 Folio 992.	2 475 m ²
14.	Kenneth Gartrell	K Gartrell	Portion of Avon Location 8201 and being part of the land comprised in Certificate of Title Volume 1460 Folio 789.	1.535 ha

Dated this 31st day of October 1995.

D. R. WARNER, Director Corporate Services.

MINERALS AND ENERGY**MN401****MINING ACT 1978
and Regulations****GUIDELINES FOR MINERAL EXPLORATION REPORTS ON MINING TENEMENTS****GENERAL**

1 The purpose of the guidelines, in accordance with Section 115A, is to specify the format, contents, and standards required in the submission and preparation of mineral exploration reports. A mineral exploration report shall contain information of sufficient standard and detail to substantiate, to the satisfaction of the Minister, the expenditures claimed and the activities undertaken on a mining tenement, as reported in summary on the Form 5 operations report.

2 Under the requirements of Section 115A of the Mining Act 1978, mineral-exploration reports shall be submitted to the Department of Minerals and Energy for the following types of mining tenements:

- Exploration Licences (Es)
- Mining Leases (Ms)
- Prospecting Licences (Ps)
- Retention Licences (Rs)

when the following geoscientific activities have been undertaken in the search for minerals:

- (a) programs involving one or more of the geological sciences;
- (b) drilling programs;
- (c) activities involving the collection and assaying of soil, rock, groundwater, and mineral samples.

3 For each mining tenement held, the holder is required to submit annual, partial surrender and final surrender reports, as appropriate.

The reports to be submitted shall be the Form 5 operations report (as specified in the First Schedule of the Mining Regulations as amended) and the mineral exploration report.

Mineral-exploration reports should accompany the Form 5 operations report, in accordance with Section 115A(2)(a), as the case may require (see Notes 7, 11 and 14).

A summary of technical investigations, which follow from mineral exploration on a mining tenement, should also be included in the mineral-exploration report where expenditure has been claimed on the Form 5 for such other technical investigations: i.e. pre-feasibility studies, feasibility studies, metallurgical studies, hydrogeological (groundwater) studies, geotechnical studies.

4 It is the responsibility of the registered holder of the mining tenement to submit the Form 5 and the accompanying mineral exploration report and a summary of any other technical investigations by the due date, irrespective of who actually carries out the mineral exploration or other technical investigation.

5 Reports shall be submitted to the Director General, Department of Minerals and Energy, 100 Plain Street, East Perth WA 6004.

6 One copy of each report is required.

7 Each mining tenement shall be reported on separately except for certain tenements where approval has been obtained from the Minister to submit one combined mineral exploration report on a group of tenements, in accordance with Section 115A(4) (see Note 14). This approval shall not apply to the submission of Form 5 operations reports (see Notes 10 and 17).

8 Mineral-exploration reports and summaries of other technical investigations shall be typed, not handwritten, hard-copy reports submitted within securely bound covers and/or box files (see Note 26). Tenement holders or operators who wish to submit data on magnetic media or microfiche must first reach agreement with the Director, Geological Survey of Western Australia in regard to the required format.

9 Company prospectuses or annual financial reports will not be accepted as mineral-exploration reports.

SUBMISSION SCHEDULE OF REPORTS

10 Reports in the form of a Form 5 operations report and an accompanying mineral exploration report shall be submitted no later than 60 days after each anniversary date and the date of surrender, forfeiture, expiry, or cancellation of a mining tenement.

However, the submission schedule for a mineral-exploration report (but not a Form 5) may be varied to a common reporting date, as specified in arrangements at Notes 15 to 22, for one combined mineral-exploration report on two or more tenements in a group, if approval for such a varied schedule has been obtained from the Minister acting through the Director, Geological Survey of Western Australia in accordance with Section 115A(4).

ANNUAL REPORTS

11 The Form 5 operations report and the accompanying mineral exploration report shall be submitted annually for each tenement type (see Note 2) where systematic mineral-exploration activities have been carried out (i.e. geological, geochemical, geophysical, or drilling activities). A mineral exploration report is not required to accompany the Form 5 for particular Prospecting Licences or Mining

Leases where only general prospecting activities have been undertaken. If there has been any development work on a Prospecting Licence or a Mining Lease in addition to general prospecting activities, then brief details of the development should be provided in a statement to accompany the Form 5 operations report.

CONFIDENTIALITY OF REPORTS

12 All information in mineral-exploration reports on any mining tenement, submitted to the Department in accordance with Section 115A, shall remain confidential until the information is eligible for public release, as prescribed in Regulation 96.

PARTIAL SURRENDER AND FINAL SURRENDER REPORTS

13 Mineral-exploration reports on partially surrendered areas of tenements are required for release in accordance with Regulation 96 and with the following Regulations—

Exploration Licence (Regulation 22(1)(iii))

Within 60 days of the surrender of any portion of the licence, either for a compulsory reduction of the tenement after the 3rd and 4th years, or for a voluntary reduction at any other time.

Mining Lease (Regulation 32(1)(c))

Within 60 days of the voluntary surrender of any portion of the lease.

These partial surrender reports should include information on all mineral exploration activities conducted within the ground that is surrendered: i.e. all exploration data that have been obtained during the life of the surrendered portion of an Exploration Licence or Mining Lease.

Tenement holders shall have the choice of supplying such partial surrender information as either—

- (a) a separate partial surrender report, which contains data only on the relinquished portion of the tenement: i.e. the report does not contain confidential information relating to any retained portion of the tenement, or
- (b) a written authorization to release previous annual reports, which contain information for the whole tenement, such authorization shall enable the Department to publicly release to "open file" all information on the tenements, i.e. to release both "open file" information (relinquished portion of a tenement), and "confidential" information (retained portion of a tenement).

14 Mineral-exploration surrender reports will not be required on areas that are surrendered partially or surrendered outright when the relinquished portion of an Exploration Licence has been wholly converted (Sections 65 and 67) to a Mining Lease (or Leases) or when a Prospecting Licence has been converted (Section 49) to a Mining Lease.

COMBINED MINERAL EXPLORATION REPORTS

15 The holder(s) of, or agent for, a group of granted tenements may apply for Ministerial approval, in accordance with Section 115A(4), to submit one combined annual mineral-exploration report on a common date for a group of two or more contiguous (or nearly contiguous) tenements that are being worked in a common exploration program.

An application under Section 115A(4) for combined reporting shall be in the format of the form shown at the end of these guidelines (Note 67).

16 Combined reports shall not be submitted to the Department unless prior written approval has been obtained from the Minister, acting through the Director, Geological Survey of Western Australia.

17 An approval for combined reporting for a combined reporting group shall not apply to the submission of Form 5 operations reports which must be lodged individually for each tenement (see Note 10) in a particular tenement group. Also, when any part of a combined reporting group is surrendered, a separate surrender report is required to provide details of all work done on the relinquished portion of the group (see Note 13).

18 Each application for combined reporting shall include the following—

- (i) a list of the tenements comprising the proposed combined reporting group showing the ownership of each tenement;
- (ii) a map showing the perimeter of the proposed combined reporting group, the boundaries of the constituent tenements in the group, and the simplified solid geology of the area;
- (iii) the proposed 12 month reporting period for the tenement group;
- (iv) the proposed common reporting date for submitting the combined annual mineral-exploration report; such a date shall not be greater than 90 days beyond the end of the proposed 12 month reporting period in Note 18(iii) above, and
- (v) any overdue, or due, mineral-exploration reports on individual tenements in the proposed combined reporting group;

19 If a tenement holder (or operator) wishes to add extra tenements to a combined reporting group that has been previously approved, or wishes to vary the common reporting date, then written consent shall again be sought from the Director of the Geological Survey prior to the submission of the next combined report on that group.

20 When the Director of the Geological Survey considers each request for consent to combined reporting for a tenement group the following factors shall be taken into account:

- (a) The geological target being investigated in a common exploration program:
the combined reporting group should cover a continuous geological unit or continuous zone of adjacent related geological units and involve a search for one of the following seven categories of mineral commodities—
- (i) Iron ore
 - (ii) Bauxite
 - (iii) Heavy mineral sands
 - (iv) Coal
 - (v) Precious metals and Metalliferous minerals (excluding iron ore and bauxite)
 - (vi) Diamonds
 - (vii) Industrial minerals
- NB a combined report should normally refer to only one of the above categories (i.e. bauxite and gold should not normally be reported together, nor should coal and mineral sands, etc).
- (b) The geographical distribution of the tenements:
the tenements in a combined reporting group shall be contiguous or nearly contiguous: tenements should not be greater than 5km apart without adequate justification;
the tenement group shall not extend over very large areas without adequate justification:
a proposed combined reporting group, while having a geological basis (Note 20(a)), should not extend over very large areas. Proposed tenement groups that involve large areas shall be determined on merit at the discretion of the Director of the Geological Survey.
- (c) The previous history of combined reporting on the tenements:
a proposed combined reporting group, or any tenement within that group, shall not be approved for combined reporting if it has recently been cancelled for non-submission of a combined report on a common date (see Note 22) unless all overdue reports on individual tenements have been submitted (see Note 18(v)).
- (d) The common ownership of all tenements in a group:
one common holder has 100% shareholding in all tenements;
one common holder has 100% shareholding in some tenements and a majority shareholding in each of the other tenements;
one common holder has, or has the legal ability to acquire, a controlling interest in each of the tenements;
one common holder has earned a majority interest, or has legal ability to acquire a controlling interest, in each of the tenements.

21 The Minister's approval for combined reporting of a tenement group is only for the purposes of reporting geoscientific mineral-exploration data, and does not relate to expenditure conditions. Expenditure commitments under the Act for each tenement must still be met unless exemption is obtained under Section 102.

22 Combined reporting for a tenement group shall be cancelled, in accordance with Section 115A(5), if the combined annual report for the group is not received within 30 days of the common reporting date (see Note 18(iv)). This will have the effect that individual reports, on each tenement in the group, shall become due within 60 days of the anniversary date of each individual tenement.

FORFEITURE FOR NOT SUBMITTING REQUIRED REPORTS

23 If mineral-exploration reports or operations reports on individual mining tenements are not lodged as required then those tenements are liable to forfeiture. In accordance with the Act:

- Prospecting Licences are liable to forfeiture under Section 96(2)(ba);
- Exploration Licences are liable to forfeiture under Section 63A(ba);
- Mining Leases are liable to forfeiture under Section 82(1)(g), and
- Retention Licences are liable to forfeiture under Section 70K(ba).

If a combined mineral exploration report on a tenement group is not submitted as required, then combined reporting is cancelled (see Note 22) and each individual tenement in the cancelled combined group will be liable to forfeiture unless the annual report for a particular tenement is not yet due to be lodged: i.e. no later than 60 days after the anniversary of the date of that tenement.

CONTENTS AND STANDARDS OF MINERAL EXPLORATION REPORTS

GENERAL

24 Reports shall be complete and internally consistent records of all geoscientific activities carried out and information obtained on the mining tenement(s) during the reporting period.

25 Reports shall be of a standard suitable for copying on to microfiche. Text, tables, appendices, maps, plans and other drawings shall be of sufficient quality to allow clear reproduction from microfiche.

26 Reports shall be submitted as one or several volumes in hard-copy A4 format and all data shall be submitted within securely bound covers and/or box files (dimensions of report covers not to exceed 34 cm x 24 cm). Reports shall be bound in a form suitable for easy dismantling (e.g. spiral or 2-pin binding). Plans, maps, drill sections and other drawings shall be folded to A4 size and included in the report or its appendices.

27 Each report shall include the following:

- (a) Title page (see Note 33)
- (b) Contents list
- (c) Summary of mineral exploration activities (see Note 34)
- (d) Index map of exploration activities (see Note 35)
- (e) Text containing details of exploration activities as appropriate (see Notes 36 to 59)
- (f) Reference list, as appropriate
- (g) Appendices, as appropriate:
 - Tables of assay data
 - Drilling logs
 - Petrographic descriptions
 - Photographs
- (h) Digital data, as appropriate (see also Note 8)
- (i) Maps, plans, drill sections and other drawings, as appropriate.

28 Each report shall state clearly on the title page that the type of report is one of the following:

- (a) annual report
- (b) partial surrender report
- (c) surrender report

A mineral exploration report shall not be described on the title page as “progress report”, or “summary report”, or “operations report”, or simply as “report”.

29 Reports on separate mineral exploration activities, prepared by consultants, shall be submitted only as part of an annual report when the annual report is due: i.e. reports by consultants should not be submitted separately at various times during the reporting period prior to the due date of the annual report.

30 Maps, plans and other illustrations shall be clearly reproducible, preferably in black and white. All maps and plans shall show the following:

- (a) Metric bar scale.
- (b) A north point, or other record of azimuth.
- (c) A tie-in to the Australian Map Grid, or sufficient data to tie in to significant topographic features or mining tenement corners or other surveyed points.

All geological maps and sections shall show, or shall be accompanied by, the following:

- (d) A clear and comprehensive legend, preferably using symbols corresponding to those on the relevant GSWA or AGSO/BMR 1:250 000 or 1:100 000 geological maps.
- (e) All rock units clearly annotated.

31 Metric units shall be used throughout the report.

TITLE PAGE

32 The title page of each report shall show the following:

- (a) Type of report: (annual, partial surrender, surrender)
 - (b) Reporting period: (period covered in the report)
 - (c) Name of operator: (organisation or person preparing and submitting the report)
 - (d) Name of tenement: (prospect name if any), or
Name of combined reporting tenement group
 - (e) Tenement type and number: (for report on single tenement)
or
Tenement types and numbers (for combined report on a tenement group) to be specified as follows:
 - i) specific tenements where exploration activities have been carried out in the reporting period: if all tenements in a group have been worked state “ALL TENEMENTS”
- AND
- ii) tenements belonging to the tenement group, for which combined reporting has been approved by the Minister.
- (f) Due date for submission.

SUMMARY OF ACTIVITIES

33 The summary sheet shall include a brief outline of work carried out and for combined reports shall also specify the particular tenements worked in a tenement group. Where drilling programs have been completed the summary shall include a tabulation showing the number of holes and metres drilled for each prospect or drilling area and a grand total for the tenement group.

All areas of exploration activities in the summary shall be shown on the “exploration index map” (see Note 34).

EXPLORATION INDEX MAP

34 An index map (or maps) at an appropriate scale (e.g. 1:25 000, 1:50 000, 1:100 000) shall be included in each report to show the locations of areas where various exploration activities have been carried out during the reporting period.

Exploration index maps shall show the following areas as polygons:

- (a) Boundaries of tenements covered by the report.
- (b) Boundaries of areas covered by survey grids: NB. it is not necessary to show individual grid lines.
- (c) Boundaries of areas covered by geological mapping (specify the various mapping scales used).
- (d) Approximate boundaries of areas covered by drilling programs (specify type of drilling: DDH, RC, etc).
- (e) Approximate boundaries of areas covered by geochemical surveys (specify type: soil, stream sediment, etc).
- (f) Boundaries of areas covered by airborne and ground geophysical surveys (specify type: magnetics, gravity, SIROTEM etc).
- (g) Boundaries of areas covered by aerial photography.
- (h) Position of identified mineral resources or pre-resource mineralization (see Notes 54 to 56).

TEXT

35 The text of each report shall include details of various exploration activities undertaken, the specifications for which are as follows in Notes 36 to 59.

GEOLOGICAL ACTIVITIES

36 Reports on geological mapping shall comprise compiled rather than raw data (i.e. maps rather than copies of field note-books). Where raw data have been obtained from drilling programs (e.g. drill logs, assay values), they must be accompanied by an adequate explanation (see also Notes 54 to 56).

Details of petrographic or mineragraphic studies of surface samples or subsurface drill samples (core or cuttings) should be included. The locations of surface samples should be shown on geological plans, while the locations of subsurface drill samples should be shown on drillhole location plans or drill sections.

REMOTE SENSING ACTIVITIES

37 Flight diagrams and specifications of aerial photography shall be supplied (i.e. scale, black and white, colour, contractor, date flown, etc) as well as the location and ownership of prints and negatives, in accordance with Regulations 120 P Q R S.

38 Specifications of other remote sensing surveys shall be supplied and the ownership and storage location of any data on magnetic media is to be reported.

39 Results from remote sensing surveys, such as Landsat, airborne multispectral scanner (Geoscan) and radar shall be reported in the text of the report. Images produced may be submitted as 35 mm slides or colour photos and, where practicable, as gridded data files on magnetic tape. Where appropriate, the individual bands included in each image and their colour allocation should be identified. A brief description of the processes used to develop the image should also be provided.

GEOPHYSICAL ACTIVITIES

40 Specifications of surveys and instruments, together with order of accuracy and units of measurement shall be provided so that another operator can extend or re-interpret the survey. Conversion factors shall be included for any units outside the SI system.

Details of downhole geophysical logging should be included in the section of the report which deals with drilling programs (see Note 55(i)).

41 Date of survey and details of any contractor employed shall be included.

42 A map of the area covered by the survey shall be included, showing the position of flight lines etc, and any cultural features (e.g. powerlines) that may affect the results.

43 Basic data should be corrected and levelled, as appropriate, and provided (preferably in digital format) together with contoured or appropriately processed maps (each with adequate tie-in to the ground).

44 Reports on gravity surveys shall include a list of primary data for each gravity station and shall specify the methods and parameters used to calculate the bouguer anomalies.

45 Data from any regional airborne geophysical survey, referred to in Section 155A, should be submitted to the Department within a reasonable period after its completion. The public release of any such data shall be at the discretion of the Minister, with the written authorization of the operator or owner of that data.

GEOCHEMICAL ACTIVITIES

46 These shall be described in sufficient detail to allow them to be reproduced or reinterpreted by a second operator.

47 A map of the surveyed area showing sample locations shall be provided.

48 Assay results should be reported in tables and/or plans as appropriate.

49 Details of sampling procedures shall be reported, such as: material sampled, sample weight, depth of sampling, mesh size analyzed, and sample type (e.g. rock chip, soil, stream sediment etc).

50 Methods of sample preparation shall be reported.

51 Methods of analytical procedures should be reported and should include the following:

- (a) name of analytical laboratory;
- (b) elements, and/or oxides analyzed;
- (c) extraction/digestion techniques, and
- (d) analytical methods with limits of detection and precision.

MINERALOGICAL ACTIVITIES

(Exploration for diamonds, Heavy mineral sands, etc)

52 Reporting requirements are the same as those for geochemical activities (Notes 46 to 51) but, in addition, details of the following shall be provided:

- (a) Mineralogy
- (b) Analyses of indicator minerals and/or other minerals
- (c) Results of bulk sampling

SURVEY GRID ACTIVITIES

53 Where a survey grid layout has been established, as a location control for various exploration activities on the ground, then a grid plan should be included. The plan should show the grid orientation, the grid origin and their relationship to latitude and longitude or the Australian Map Grid.

DRILLING PROGRAMS

54 Descriptions of drilling programs shall include precise locations of drill holes, which shall be shown on plans with adequate tie-in to tenement boundaries and latitude and longitude or the Australian Map Grid.

55 Information supplied in drill logs shall include the following:

- (a) Drilling method (e.g. DDH, PDH, RC, etc) and drill rig type.
- (b) Drill-hole number.
- (c) Azimuth, declination (or inclination) and length of each hole.
- (d) Date of hole completion.
- (e) Geological log showing thickness and nature of each lithology (rock type) penetrated.
- (f) Where available, an estimate of water depth from surface and brief details of water quality and flow.
- (g) Drill sampling and sample splitting methods.
- (h) Results of assays, analyses and tests made on drill samples.
- (i) Results of geophysical and other downhole surveys.
- (j) Location (and ownership) of drill core, following completion of exploration program, and on relinquishment of tenement(s).

56 Geological interpretations from drilling programs should be shown on cross sections and/or longitudinal sections, accompanied by an adequate geological legend.

MINERAL RESOURCES AND ORE RESERVES

57 When estimates of pre-resource mineralization, identified mineral resources, or ore reserves, have first been established full details of these should be reported, together with accompanying plans and sections showing ore blocks and ore outlines, and included as a separate appendix or volume to the mineral exploration report. Later annual updates and revisions of resource or reserve estimates should be provided only in summary form (see Note 62).

58 Reporting requirements for identified resources, in the categories of indicated or measured resources or for ore reserves, shall be those recommended in the "Australasian Code for Reporting of Identified Mineral Resources and Ore Reserves" as issued by the Joint Ore Reserves Committee (JORC) of The Australian Institute of Mining and Metallurgy, Australian Institute of Geoscientists, and Australian Mining Industry Council, in September 1992, or as these requirements may be revised from time to time.

59 Reporting requirements for pre-resource mineralization, or identified resources in the category of inferred mineral resources, shall be of a lesser standard than those required by the JORC reporting code for reporting (Note 58) in that a person preparing the report should be a qualified geoscientist who need not be a "competent person" as specified in the code.

REPORTING OF MINING OPERATIONS

60 Where mining operations are being carried out on Mining Leases, or Special Mining Leases where Mining Act reporting conditions apply, the above guidelines are supplemented or amended as follows in Notes 61 to 64.

61 An annual summary report on the geology of the mine area shall be provided, together with appropriate maps and sections and descriptions of mineralization and ore controls. Where such descriptions have been previously supplied or published in a form normally available through technical libraries, they shall be referenced and updated on an annual basis.

62 Identified mineral resources and/or ore reserves shall be reported annually in summary form, based on the recommendations of JORC on the reporting of mineral resources and ore reserves (see Note 58).

63 Drill holes shall be reported in full where their main purpose was to discover or define future ore reserves for the mine. Drilling done within blocks of proven ore for the purpose of mine planning need not be reported unless such reports are specifically requested by the Department.

64 A full list of geological, geotechnical, metallurgical, geochemical, and geophysical investigations undertaken with respect to the mining operations during the year shall be supplied as part of the annual summary report (Note 61).

REPORT REVISION

65 Any mineral-exploration report which does not conform to these guidelines shall be rectified within a reasonable period of time by the tenement holder or operator, following a written request from the Minister, acting through the Director, Geological Survey of Western Australia. Reporting requirements shall not be fulfilled until such a report has been rectified.

66 For any geoscientific data that are subject to copyright, these should be included in a mineral-exploration report in an interpreted format in order to overcome any copyright restrictions that may apply when the report is to be released in accordance with Regulation 96.

APPLICATION FORM FOR COMBINED REPORTING

67 Applications for combined reporting in accordance with Section 115A shall be in the format of the following form.

Minister for Mines

C/- The Director

Geological Survey of Western Australia

Department of Minerals and Energy

100 Plain Street

East Perth WA 6004

C

Dear Sir

COMBINED REPORTING REQUEST FOR A TENEMENT GROUP

New application ☒ Amendment ☐ (Please tick)

Name of tenement group/project: _____

Combined reporting date: _____ (Date for submitting report)

Combined reporting period: _____ to _____ (Period covered in report)

Name of operator: _____ (Organization or person preparing and submitting report)

Address of operator: _____

Telephone Number: _____ Contact Name: _____

Consent is requested for the operator/holder to submit a combined mineral-exploration report each year for the following group of mining tenements.

TENEMENT NUMBER

HOLDER

_____	_____
_____	_____
_____	_____
_____	_____

(Please attach list if there is insufficient space above)

A map showing the above tenement group and generalized geological boundaries is enclosed.

Yours faithfully

Date: _____

MN402

MINING ACT 1978

Notice of Application for an Order for Forfeiture

Department of Minerals and Energy.

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

Date 19/10/95.

(Sgd.) WARDEN.

To be heard in the Warden's Court, Marble Bar on the 17th November 1995.

PILBARA MINERAL FIELD

Marble Bar District

P45/2274—McKenzie, Carmel Rose.

P45/2332—Nelson, Thomas Charles.

PLANNING

PD401

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

Shire of Brookton

Town Planning Scheme No. 3—District Zoning Scheme

Ref: 853/4/6/3

Notice is hereby given that the Shire of Brookton has prepared the abovementioned town planning scheme for the purpose of encouraging and controlling the continued orderly development of the Brookton Townsite and its surrounds and to protect the general amenity of the area.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 14 White Street, Brookton and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 5 February 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 5 February 1996.

I. N. CURLEY, Shire Clerk.

PD402

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

City of Armadale

Town Planning Scheme No. 2—Amendment No. 90

Ref: 853/2/22/4 Pt 90

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Armadale Town Planning Scheme Amendment on 26 October, 1995 for the purpose of rezoning the land identified as the Canning Contour Channel between Hawkstone Road and Contour Road, Roleystone from 'Public Purpose Reserve' (Water Authority) to 'Residential R5'.

R. C. STUBBS, Mayor.
J. W. FLATOW, City Manager/Town Clerk.

PD403

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

City of Armadale

Town Planning Scheme No. 2—Amendment No. 104

Ref: 853/2/22/4 Pt 104

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Armadale Town Planning Scheme Amendment on 26 October, 1995 for the purpose of—

Including the following clauses and interpretations into the Scheme—

PART 1—PRELIMINARY

"Conservation" means, in relation to any place or Heritage Precinct, the management of that place or precinct in a manner that will—

- (a) enable the cultural heritage significance of that place or precinct to be retained; and

- (b) yield the greatest sustainable benefit for the present community without diminishing the cultural heritage significance of that place or precinct, and may include the preservation, stabilisation, protection, restoration, reconstruction, adaptation and maintenance of that place or precinct in accordance with relevant professional standards, and the provision of an appropriate visual setting;

"Cultural heritage significance" means, in relation to a place or heritage precinct, the relative value which that place or precinct has in terms of its aesthetic, historic, scientific or social significance, for the present community and future generations.

"Heritage precinct" means an area of heritage value having a distinctive nature, which may contain elements of only minor individual significance but heightened collective significance, where controls may be necessary to retain and enhance its character.

"Heritage List" means the Municipal Inventory, as amended from time to time, prepared by the Council pursuant to Section 45 of the Heritage of Western Australia Act 1990.

"Place" means an area of land sufficiently identified by survey, description or otherwise as to be readily ascertainable, and includes:

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

PART 5—GENERAL PROVISIONS

5.8 Heritage Provisions

Conservation of Buildings and places of heritage significance

5.8.1 Purpose and Intent

The purpose and intent of the heritage provisions are:

- (a) to ensure the conservation of any place, area, building, object or structure of heritage value;
- (b) to afford the opportunity for existing traditional uses to be continued or allow for the approval of alternative uses which are compatible with the heritage values and amenity of the locality;
- (c) to ensure that development or redevelopment within or adjacent to places of heritage value has due regard to the heritage value of the place and is in harmony with the character of the locality.

5.8.2 Heritage List

5.8.2.1 The Council shall establish and maintain a Heritage List of buildings, objects, structures and places considered by the Council to be of heritage significance and worthy of conservation.

5.8.2.2 The Council shall keep copies of the Heritage List with the Scheme documents for public inspection during normal office hours.

5.8.3 Designation of Heritage Precincts

5.8.3.1 The Council may designate an area of land to be a heritage precinct where, in the opinion of the Council, special planning control is needed to conserve and enhance the heritage values and character of the area.

5.8.3.2 The Council shall adopt for each heritage precinct a policy statement which shall comprise:

- (a) a map showing the boundaries of the precinct;
- (b) a list of any buildings, objects, structures or places of heritage significance;
- (c) objectives and guidelines for the conservation of the precinct.

5.8.3.3 The Council shall keep a copy of the policy statements for any designated heritage precincts with the Scheme documents for public inspection during normal office hours.

5.8.3.4 The provisions of clause 5.7.1 of the Scheme apply to policy statements for heritage precincts.

5.8.3.5 The Council shall before designating a heritage precinct:-

- (a) advertise notice of Council's intention in a newspaper circulating in the district, erect a sign in a prominent location in the area affected by the designation, and use such other methods as the Council considers necessary to ensure widespread notice of the proposal, describing the area the subject of the proposed designation;
- (b) invite submissions on the Council's proposal to designate the heritage precinct within 28 days of the date specified in the notice in (a) above;
- (c) carry out such other consultations as it thinks fit, including notification of owners of land within the proposed heritage precinct who will be affected by the designation of the heritage precinct;
- (d) consider any submissions made and resolve to designate the heritage precinct with or without modification or reject the proposal;
- (e) forward notice of its decision to the Heritage Council of WA and the WA Planning Commission.

- 5.8.3.6 The Council may modify or may cancel a heritage precinct by following the procedures set out in clause 5.8.3.5 above.

5.8.4 Applications for Development Approval

- 5.8.4.1 In dealing with any matters which may affect a heritage precinct or individual entry on the Heritage List, including any application for development approval, Council shall have regard to any relevant policy of the Council.
- 5.8.4.2 The Council may, in considering any application that may affect a heritage precinct or individual entry on the Heritage List, solicit the views of the Heritage Council of WA, the Australian Heritage Commission, the National Trust of Australia (WA) and those of any other relevant bodies, and take those views into account when determining the application.
- 5.8.4.3 Notwithstanding any existing assessment on record, Council may require a heritage assessment to be carried out prior to the approval for any development proposed in a Heritage Precinct or place listed on the Heritage List.
- 5.8.4.4 Notwithstanding any other provision of the Scheme, no person shall commence or carry out any development affecting any building, object, structure or place listed on the Heritage List or contained within a heritage precinct without first having applied for and obtained the planning approval of the Council pursuant to the provisions of clauses 7.1 and 7.2 of the Scheme.
- 5.8.4.5 Notwithstanding any other provision of the Scheme, no person shall do any act or thing in relation to any building, object, structure or place entered in the heritage list or contained within a heritage precinct that—
- (a) is likely to change the character of the place or the external appearance of any building; or
 - (b) would constitute an irreversible alteration to the fabric of any building;
- without first having applied for and obtained the planning approval of the Council pursuant to the provisions of clauses “7.1 “ and “7.2” of the Scheme.

5.8.5 Formalities of Application

- 5.8.5.1 In addition to the application formalities prescribed in clause 5.8.4 of the Scheme and any requirements relating to development applications contained in any other provision of the Scheme, the Council may require an applicant for development approval, where the proposed development may affect a place of cultural heritage significance or a heritage precinct, to provide one or more of the following to assist the Council in its determination of the application.
- (a) Street elevations drawn to a scale not smaller than 1:100 showing the proposed development and the whole of the existing development on each lot immediately adjoining the land the subject of the application, and drawn as one continuous elevation;
 - (b) side and rear elevations of the proposed development, drawn to a scale of not smaller than 1:100;
 - (c) in addition to a site plan, a plan of the proposed development site showing existing and proposed ground levels over the whole of the land the subject of the application, and the location, type and height of all existing structures and of all existing vegetation exceeding 2 metres in height, and marking any existing structures and vegetation proposed to be removed; such plan shall be drawn to the same scale as the site plan;
 - (d) an assessment of the cultural significance of any existing buildings and the development site itself according to policy guidelines adopted by the Council in relation to the precinct or place which may be affected;
 - (e) a detailed schedule of all finishes, including materials and colours of the proposed development, and unless the Council exempts the applicant, a detailed schedule of all finishes, including materials and colours, of existing developments on the development site and on each lot immediately adjoining the development site; and
 - (f) any other information which the Council considers relevant.

5.8.6 Power to Determine Application

- 5.8.6.1 Without affecting the generality of any other provision of the Scheme specifying the manner in which the Council is obliged or permitted to deal with an application for development approval, the Council in dealing with any application for development approval may for reasons related to the conservation of a place of cultural heritage significance or a heritage precinct:
- (a) refuse approval;
 - (b) grant approval without conditions; or
 - (c) grant approval with conditions including conditions relating to conservation of the place or precinct.

5.8.7 Conservation Incentives

- 5.8.7.1 In considering an application for development approval concerning or affecting a place of cultural heritage significance or a Heritage Precinct, the Council may for the purpose of conserving or enhancing the place or precinct give a special approval, benefit, allowance or incentive, including but not limited to the granting of density bonuses, transfer of development rights and entering into special agreements.
- 5.8.7.2 Where in the opinion of the Council the granting of a conservation incentive is likely to affect owners or occupiers of land in the locality or adjoining the place or precinct the subject of consideration for the incentive, the Council shall consult those owners or occupiers by advertising the incentive in the manner set out in clause "7.2.2" of the Scheme and shall have regard to any submissions received from such owners or occupiers prior to making a decision in relation to the incentive.
- 5.8.7.3 In granting a conservation incentive under clause 5.8.7.1 the Council may enter into a heritage agreement under Part 4 of the Heritage of Western Australia Act 1990 with an owner who would benefit from the incentive. The agreement may specify the owner's obligations and contain covenants noted on relevant Certificates of Title.

5.8.8 Density Bonuses

- 5.8.8.1 Within a heritage precinct, the Council may permit on a residential lot an increase up to 50% of the maximum permitted dwelling density applicable pursuant to the Residential Planning Codes. The density bonus shall only be granted where the increased dwelling density would not adversely affect the cultural heritage significance, character or amenity of the place, the streetscape or precinct, and if one or more of the following circumstances apply:
- (a) provision is made for the preservation of significant landscape features, including significant trees or other vegetation; or
 - (b) provision is made for the carrying out of conservation works approved by the Council on a heritage place.
- 5.8.8.2 In a case where, pursuant to clause 5.8.8.1, the Council has permitted an increase in dwelling density, the standards and provisions of the higher density coding set out in the Residential Planning Codes shall apply.

R. C. STUBBS, Mayor.
J. W. FLATOW, City Manager/Town Clerk.

PD404

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

Town Planning Scheme No. 2—Amendment No. 118

Ref: 853/2/22/4 Pt 118

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Armadale Town Planning Scheme Amendment on 26 October, 1995 for the purpose of—

1. Including the following definition within the list of interpretations—

"Bed & Breakfast Establishment means a private dwelling additionally used for overnight or short stay accommodation for not more than four adults or one family whereby the establishment contains a maximum of two guest bedrooms and one guest bathroom, located under the main roof of the dwelling house."
2. Including "Bed & Breakfast Establishment" as an "AA" use within the following zones—
 - Rural A-X
 - General Rural
 - Rural (Agricultural Protection)
 - Residential.

R. C. STUBBS, Mayor.
J. W. FLATOW, City Manager/Town Clerk.

PD405**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Armadale*

Town Planning Scheme No. 3—Amendment No. 4

Ref: 853/2/22/6 Pt 4

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Armadale Town Planning Scheme Amendment on 26 October, 1995 for the purpose of—

1. Including the following definition within the list of interpretations—

“Bed & Breakfast Establishment means a private dwelling additionally used for overnight or short stay accommodation for not more than four adults or one family whereby the establishment contains a maximum of two guest bedrooms and one guest bathroom, located under the main roof of the dwelling house.”

2. Including “Bed & Breakfast Establishment” as an “AA” use within the following zones—

Residential

Office.

R. C. STUBBS, Mayor.
J. W. FLATOW, City Manager/Town Clerk.

PD406**TOWN PLANNING AND DEVELOPMENT ACT 1928**
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*City of Canning*

Town Planning Scheme No. 40—Amendment No. 30

Ref: 853/2/16/44 Pt 30

Notice is hereby given that the City of Canning has prepared the abovementioned scheme amendment for the purpose of including 15 Augusta Street (Lot 501), Willetton, in Appendix 5, Schedule of Additional Uses, for “Office(s)”, with the additional development requirements of “maximum gross floor area of “Office(s)”—90 m²”.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 15 December 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 15 December 1995.

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

I. F. KINNER, Town Clerk.

PD407**TOWN PLANNING AND DEVELOPMENT ACT 1928**
APPROVED TOWN PLANNING SCHEME AMENDMENT*City of Cockburn*

Town Planning Scheme No. 2—Amendment No. 113

Ref: 853/2/23/19 Pt 113

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Cockburn Town Planning Scheme Amendment on 26 October, 1995 for the purpose of—

1. amending the definition of Industry—Special “A” Zone by inserting the words “or other crustacea, shell fish or wet fish” following the words “rock lobster” in clause (c) of the definition.
2. inserting into the definition of Industry—Special “A”, clause “(e)” — “the manufacture of edible goods”.
3. introducing “Edible Goods” to the Seventh Schedule (Interpretations) of District Zoning Scheme No. 2 with the definition “has the same meaning given to ‘food’ as defined in the Health Act 1911.”

4. amending the Scheme Maps by transferring the Industry—Special "C" Zone to the Parks and Recreation and Railways Reservation in accordance with the Metropolitan Region Scheme.
5. deleting all reference in the Scheme Text and Scheme Map to the Industry—Special "C" Zone.

R. A. LEES, Mayor.
R. W. BROWN, City Manager/Town Clerk.

PD408

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Gosnells

Town Planning Scheme No. 1—Amendment No. 439

Ref: 853/2/25/1 Pt 439

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Gosnells Town Planning Scheme Amendment on 26 October, 1995 for the purpose of rezoning three portions of Lot Pt 1166 Fremantle Road, Gosnells, from Residential 'A' (R17.5) to Residential 'B' (R30).

O. SEARLE, Mayor.
G. N. WHITELEY, Town Clerk.

PD409

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Gosnells

Town Planning Scheme No. 1—Amendment No. 452

Ref: 853/2/25/1 Pt 452

Notice is hereby given that the City of Gosnells has prepared the abovementioned scheme amendment for the purpose of rezoning a 1908m² portion of Lot 27 Albany Highway Maddington from "Residential A" to "Residential B" at the R30 density code.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2120 Albany Highway, Gosnells and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 15 December 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 15 December 1995.

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. WHITELEY, Town Clerk.

PD410

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of South Perth

Town Planning Scheme No. 5—Amendment No. 87

Ref: 853/2/11/7 Pt 87

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of South Perth Town Planning Scheme Amendment on 26 October, 1995 for the purpose of deleting the "X" symbol from the column headed "Civic Uses" opposite the Use Class "Educational Establishment", and substituting the "P" symbol in lieu thereof.

J. E. HARDWICK, Mayor.
L. L. METCALF, Chief Executive/Town Clerk.

PD411

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF SCHEME AMENDMENT AVAILABLE FOR INSPECTION
City of Stirling

District Planning Scheme No. 2—Amendment No. 256

Ref: 853/2/20/34 Pt 256

It is hereby notified for public information that the period in which to lodge submissions on the above Amendment No. 256, published at page 4899 of the *Government Gazette* No. 141 dated October 20, 1995 has been extended up to and including December 1, 1995.

G. S. BRAY, Town Clerk.

PD412

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

Town Planning Scheme No. 3—Amendment No. 21

Ref: 853/2/12/3 Pt 21

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Subiaco Town Planning Scheme Amendment on 26 October, 1995 for the purpose of amending the Scheme Text as follows—

1. Adding at the end of Clause 4.3.10 the following—

In addition to the above, all residential development shall have regard to the following—

- i) City of Subiaco Design Guidelines for Single Houses;
- ii) City of Subiaco Residential Design Guidelines;
- iii) The City of Subiaco Precincts Policy;
- iv) any other policy adopted by Council.

A. V. COSTA, Mayor.

P. D. CHAPMAN, A/Chief Executive/Town Clerk.

PD413

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

Town Planning Scheme No. 1—Amendment No. 584

Ref: 853/2/30/1 Pt 584

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on 26 October, 1995 for the purpose—

1. rezoning portion Lot 962 Marmion Avenue, Mindarie to Commercial, Civic, Special Zone (Restricted Use) Medical Centre, Special Zone (Restricted Use) Fast Food, Mixed Business, Service Station and Special Zone (Additional Use) Corner Store;
2. including reference to the Special Zone (Restricted Use) Medical Centre and Special Zone (Restricted Use) Fast Food in Section 2 of Schedule 1 of the Scheme Text;
3. including reference to the Special Zone (Additional Use) Corner Store in Section 1 of Schedule 1 of the Scheme Text;
4. amending the Fifth Schedule of the Scheme Text to include a figure of 500m² being the gross leasable area that will be used for retail purposes on the condition that the retail development shall be staged so that no retail floorspace shall be constructed and commerce trading prior to 1 January 1998;
5. including the following additional clause to Schedule 7 of the Scheme Text—
“(j) Department stores and discount department stores shall not be permitted and only one supermarket of a size that is not greater than 500m² gross leasable area shall be permitted.”

A. V. DAMMERS, Mayor.
R. F. COFFEY, Town Clerk

PD414

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

Town Planning Scheme No. 1—Amendment No. 599

Ref: 853/2/30/1 Pt 599

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on 26 October, 1995 for the purpose—

1. rezoning Lots 2 and 4 Priest Road, Landsdale from "Rural" to "Residential Development";
2. amending the Residential Density Code Map to code the subject area R20.

A. V. DAMMERS, Mayor.
R. F. COFFEY, Town Clerk.

PD415

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

Town Planning Scheme No. 1—Amendment No. 723

Ref: 853/2/30/1 Pt 723

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Wanneroo Town Planning Scheme Amendment on 26 October, 1995 for the purpose of deleting reference in Section 1 of "Fresh Fruit and Vegetable Market—Sales and Storage Area not Exceeding 400m²" and substituting "Fresh Fruit and Vegetable Market and Incidental Shop—Sales and Storage Area not Exceeding 400m²".

A. V. DAMMERS, Mayor.
R. F. COFFEY, Town Clerk.

PD416

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

Town Planning Scheme No. 2—Amendment No. 122

Ref: 853/7/2/3 Pt 122

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

1. rezoning Lot 1847, 464 Scott Street, Broome, Lots 358, 359, 360 Forrest Street, Broome and Lots 361, 829, 830 Dora Street, Broome from 'Noxious Industry' and reclassify Lot 2635 Clementson Street, Broome from 'Local Reserve Parks and Recreation' to 'Special Sites' (Single Residential, Grouped and Multiple Dwellings, Holiday Accommodation, Tourist Development).
2. amending Schedule B Special Sites and the Scheme Map accordingly.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Weld Street, Broome and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 8 December 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 8 December 1995.

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. S. POWELL, Shire Clerk.

PD417**TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***Shire of Busselton*

Town Planning Scheme No. 5—Amendment No. 372

Ref: 853/6/6 Pt 372

Notice is hereby given that the Shire of Busselton has prepared the abovementioned scheme amendment for the purpose of rezoning Lots 84 and 85 Layman Road, Wonnerup from "Restricted Use—Holiday Complex" and "Recreation" to "Restricted Use—Residential R5" and "Recreation".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Southern Drive, Busselton and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 15 December 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 15 December 1995.

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

I. STUBBS, Chief Executive Officer.

PD418**TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT***Shire of Murray*

Town Planning Scheme No. 4—Amendment No. 37

Ref: 853/6/16/7 Pt 37

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 Murray Town Planning Scheme Amendment on 26 October, 1995 for the purpose of—

Including Part 9 in the Scheme Text concerning the Peel-Harvey Coastal Plain Catchment and the relevant Provisions of the State Planning Commission's Statement of Planning Policy No. 2, and amending other sections related thereto.

(1) Amend the CONTENTS by—

(a) adding:

PART 9—THE PEEL HARVEY COASTAL PLAIN CATCHMENT

9.1 General

9.2 Stocking Rates

(b) adding:

"2. Peel-Harvey Coastal Plain Catchment Boundary" under Figures.

(2) Amend Table No. 1—Zoning Table by—

(a) deleting the following uses and their designations in all columns:

Rural Industry

Intensive Agriculture

Piggeries

Poultry Farms

Kennels

Veterinary Clinic

Veterinary Establishment

Stables

Rural Pursuit

Rabbit Farm

(b) substituting the following uses and designations in Table No. 1—Zoning Table:

Uses & Development Classes	Residential	Residential Development	Canal Development	Town Centre	Commercial	Industry	Hotel/Motel	Private Clubs	Private Rec.	Rural	Special Rural	Cara/Chalet Park	Special Use
Rural Pursuit	X	AA	X	X	X	X	X	X	X	P	AA	X	X
Intensive Agriculture	X	X	X	X	X	X	X	X	X	AA	X	X	X
Rural Industry	X	X	X	X	X	AA	X	X	X	AA	X	X	X
Veterinary Clinic	X	X	X	AA	AA	X	X	X	X	AA	X	X	X
Veterinary Hospital	X	X	X	X	X	X	X	X	X	AA	X	X	X
Stables	X	X	X	X	X	X	X	X	X	AA	AA	X	X
Kennels	X	X	X	X	X	X	X	X	X	SA	X	X	X
Rural Produce Stalls	X	X	X	X	X	X	X	X	X	AA	X	X	X

(3) Amend Schedule 4 by—

deleting subclauses (ii) and (iii) in column (B) corresponding with "South Yunderup Special Rural Zone" and substituting the following subclauses:

(ii) The following use is permitted—

Single House.

(iii) The following uses may be permitted at the discretion of the Council—

Home Occupation;

Rural Pursuit;

Stables.

(4) Add the following Part:

PART 9—THE PEEL HARVEY COASTAL PLAIN CATCHMENT

9.1 General

9.1.1 For the purposes of this Scheme—

"Peel-Harvey, Coastal Plain Catchment" means all of the land in the municipal district of the Shire of Murray that is within the administrative boundary of the Peel-Harvey Coastal Plain Catchment, as set out in the State Planning Commission's Statement of Planning Policy No. 2 or any amendments thereto, and depicted in Figure 2;

"Statement of Planning Policy No. 2" means the State Planning Commission Statement of Planning Policy No. 2 (The Peel-Harvey Coastal Plain Catchment) published in the *Government Gazette* of 21 February 1992, together with any amendments thereto; and

"Intensive Agriculture" shall have the meaning given to it in Appendix No. 1—Interpretations.

9.1.2 The Council shall be guided by the objectives and policies contained in the Statement of Planning Policy No. 2 and by the Environmental Protection (Peel-Harvey Estuarine System) Policy of the Environmental Protection Authority published in March 1992.

9.1.3 A copy of the Statement of Planning Policy No. 2 and the Environmental Protection (Peel-Harvey Estuarine System) Policy shall be kept and made available for public inspection at the offices of the Council.

9.1.4 Intensive Agriculture shall be deemed to be a material change of use requiring the approval of the Council.

9.1.5 In considering an application to develop land for Intensive Agriculture within the Peel-Harvey Coastal Plain Catchment the Council shall—

(i) take account of soil types, slope, groundwater flows, surface water drainage and proximity to the Peel-Harvey Estuary;

(ii) take account of the objectives of the Statement of Planning Policy No. 2 with respect to the potential impact of the development on the environment and water quality; and

(iii) consult with the Department of Agriculture and the Department of Environmental Protection and take account of any advice in making its determination or defer its decision pending a formal assessment by the Environmental Protection Authority under Part IV of the Environmental Protection Act.

9.2 Stocking Rates

9.2.1 Excepting where otherwise specified in the Scheme, the numbers of livestock permitted within any landholding shall not exceed the rates recommended by the Department of Agriculture for the applicable pasture type and grazing systems in consultation with surrounding farmers unless the approval of Council has been obtained.

9.2.2 Stock shall be deemed to have the following animal equivalents:

1 large horse	=	10 dry sheep
1 pony	=	8 dry sheep
1 milking cow	=	10 dry sheep
1 heifer	=	8 dry sheep
1 breeding ewe	=	1.5 dry sheep
1 dairy goat	=	2 dry sheep
1 cashmere goat	=	1 dry sheep
1 angora goat	=	0.8 dry sheep
1 deer	=	1 to 2 dry sheep

9.2.3 The stocking rates recommended by the Department of Agriculture as a guideline to safe stocking levels are as follows;

- a) Non-irrigated subterranean clover based pastures on clays, loams, gravelly soils or coloured sands. 10 dry sheep/ha
- b) Non-irrigated subterranean clover based pastures on winter wet low lying sandy areas (usually annual pastures but containing some perennial clovers and grasses). 7-10 dry sheep/ha
- c) Non-irrigated subterranean clover pastures on deep dry sands (annual pastures of short season subterranean clovers and grasses; they also contain other legumes). 2-5 dry sheep/ha
- d) Non-irrigated grass pastures on deep dry sand (clovers are difficult to establish and often perennial veldt grass and sandplain lupins are the only species to survive). 2 dry sheep/ha

(5) Amend Appendix No. 1 by—

(a) adding the following definition:

“Aquaculture”—means any fish farming operation for which a fish farm licence issued pursuant to the provisions of Part V of the Fisheries Act 1905 (as amended) and the Fisheries Regulations 1938 (as amended) is required.

(b) deleting “Intensive Agriculture” and substituting the following definition:

“Intensive Agriculture”—means the use of land for the purposes of trade, commercial reward or gain, including such buildings and earthworks, normally associated with the following—

- (a) the production of grapes, vegetables, flowers, exotic and native plants, fruit and nuts;
- (b) the establishment and operation of plant and fruit nurseries;
- (c) the development of land for irrigated fodder production and irrigated pasture (including turf farms);
- (d) the keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production), and other livestock in feed lots, including cattle feed lots, or the development of land for this purpose.
- (e) dairy milking sheds;
- (f) the development of land for the keeping, rearing or fattening of other livestock above those stocking rates recommended by the Department of Agriculture for the applicable pasture type and grazing systems, in consultation with surrounding farmers;
- (g) aquaculture.

(c) delete “Rural Pursuit” and substitute the following definition:

“Rural Pursuit”—means agriculture, animal husbandry, arboriculture and silviculture without irrigation, and hydroponics, but not including any use defined as Intensive Agriculture.

(d) under Appendix No. 1—Interpretations, delete the following definitions:

Intensive Stock Rearing
Market Garden
Piggeries
Poultry Farms
Rabbit Farm
Smallholding

(e) delete the definition of “Veterinary Clinic” under Appendix No. 1 and substitute the following definition:

“Veterinary Clinic”—means premises in which a veterinary surgeon treats the ailments of domestic animals and household pets but in which animals and pets do not usually remain overnight.

- (f) delete the definition of "Veterinary Establishment" and substitute the following definition:
"Veterinary Hospital"—means premises used by a veterinary surgeon for the treatment and lodgement of sick animals.
- (g) add the following definitions to Appendix No.1:
- "Garden Centre"—means land and buildings used for the display and sale of plants and seeds, domestic gardening goods and implements, and prefabricated garden sheds.
- "Saddlery"—means a building used by a saddler for the manufacture and sale of saddles, trappings and ancillary goods.
- "Stockfeed Supplier"—means land and buildings used for the storage and sale of fodder and ancillary goods.
- "Rural Produce Stalls"—means land or buildings used or adapted for use for the purposes of retail or produce grown on the subject lot only and should generally not exceed 50m² of retail floor area.

J. W. CRABB, A/President.
D. A. McCLEMENTS, Shire Clerk.

PD419

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Murray

Town Planning Scheme No. 4—Amendment No. 59

Ref: 853/6/16/7 Pt 59

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 Murray Town Planning Scheme Amendment on 26 October, 1995 for the purpose of—

1. Rezoning portion of Lot 217 Hougham Road Barragup, from "Rural Zone" to "Special Rural Zone" and "Public Recreation/Conservation Reserve" in accordance with the Scheme Amendment Map.
2. Inserting within the Scheme Text at the end of "Schedule 4 Special Rural Zone" the following:

"Column (A) Specified Land

Portion of Lot 217 Hougham Road, Barragup.

Column (B) Special Provisions Relation to (A)

1. The subdivision of portion of Lot 217 Hougham Road, Barragup, shall be in accordance with the approved Subdivision Guide Plan or any variation to that plan approved by the State Planning Commission.
2. Each lot shall be not less than 2 hectares in area and contain a building envelope the area of which shall not exceed 2,000m².
3. In order to conserve the landscape, trees and other indigenous vegetation shall not be felled or cleared without the prior written approval of the Council except where required for the erection of a single house, outbuildings, effluent disposal system, access ways, fences and firebreaks.
4. Within the building envelope, an area of not more than 1,000m² may be cleared of vegetation to allow for the construction of a single house and outbuildings.
5. Buildings shall not be constructed within 20 metres of any boundary.
6. The floor level of all buildings shall be not less than 2 metres above the highest known groundwater level as determined at the time of application for a building licence to construct a single house.
7. (a) The following uses are permitted ("P"):
Single House
Outbuilding
Public Utility

- (b) The following uses may be permitted at the discretion of the Council ("AA"):
Home Occupation
 - (c) All other uses are not permitted ("X")
 - (d) Discretionary (AA) uses:
Keeping of livestock for non-commercial purposes; and
Stables
8. Land uses, other than a Single House, that are permitted or may be permitted by the Council pursuant to the Scheme shall only be permitted when Council is satisfied, following consultation with the Department of Environmental Protection that the land use does not involve excessive nutrient application or the clearing of the land.
 9. All fencing shall be of open post and rail or post and wire construction and shall be maintained to the satisfaction of the Council.
 10. Fences shall be erected to protect trees and other vegetation from damage by grazing livestock where required.
 11. Each dwelling shall be provided with a supply of potable water from either an underground bore or a rainwater storage tank with a capacity of not less than 92,000 litres being connected to a roof catchment with an area of not less than 120m² in projected plan area.
 12. The drainage system shall not be altered without the prior approval of the Council in writing. In considering any proposal to obstruct or dam any part of the drainage system the Council shall have regard to the effect on the drainage system and the impact on the land and the environment in general, and shall consult with any appropriate authority prior to granting approval.
 13. Drainage shall be contained sufficiently to retain stormwater from a 1 in 10 year storm event on-site for between three to four days, as rainfall of this magnitude has the most potential to export nutrients into the Peel-Harvey Estuarine System.
 14. Water Supply Provisions:
 - (a) The subdivider shall make arrangements satisfactory to the Council for prospective purchasers to be advised that a reticulated water supply cannot be provided by the Water Authority of Western Australia.
 - (b) The land is subject to the provisions of the Water Authority of Western Australia's By-laws applicable to underground water supply and pollution control. The subdivider shall inform all prospective purchasers in writing of the Water Authority of Western Australia's requirements mentioned in (c) and (d) below.
 - (c) A well licence must be obtained prior to construction of a well or bore to draw groundwater. Groundwater may be drawn from each of the lots to supplement household water supply and to supply water for irrigated development of an area of not more than 1,000m². The maximum amount of groundwater permitted to be drawn shall be 1,500 cubic metres annually.
 - (d) Activities carried out on this land shall not contravene the Water Authority of Western Australia's By-laws applicable to underground water pollution control.
 15. The subdivider shall submit a landscape plan to the Council showing site contours, stands of existing trees and vegetation to be retained, and proposals for tree planting and maintenance at the time of making an application for subdivision.
 16. The subdivider shall, in accordance with the landscape plan approved by the Council, plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the sale of the land.
 17. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement of those trees and shrubs planted by the subdivider to the satisfaction of the Council.
 18. No dwelling shall be approved by Council unless it is connected to an alternative domestic wastewater treatment system with an adequate phosphorous retention capacity, as approved by the Health Department of Western Australia, and with the base of the system or modified irrigation area being above the highest known water table to the satisfaction of the Council.
 19. The keeping or agistment of livestock shall be limited to a dry sheep equivalent per lot in accordance with the type, number of livestock and pasture as recommended by the Department of Agriculture. Individual landowners shall be responsible for organising and meeting all costs associated with obtaining advice from the Department of Agriculture where the keeping of any stock is proposed. Notwithstanding the foregoing, Council may require the stocking rates to be reduced where, in the opinion of the Department of Agriculture, they are excessive or the land is subjected to significant additional nutrient application.
 20. Prior to the sale of any subdivided lots the subdivider shall make arrangements satisfactory to Council to ensure that prospective purchasers of the lots created are advised of those provisions of the Shire of Murray Town Planning Scheme No. 4 which relates to the use and management of the land.
 21. Firebreaks shall be established and maintained to the specifications and satisfaction of the Council.

N. H. NANCARROW, President.
D. A. McCLEMENTS, Shire Clerk.

PD420**TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***Shire of Murray*

Town Planning Scheme No. 4—Amendment No. 72

Ref: 853/6/16/7 Pt 72

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

1. rezoning Pt Lot 13 and Lot 331 Pinjarra Road, Ravenswood from "Rural" zone to "Special Development Zone" and "Public Recreation Conservation".
2. including new provisions into Schedule 7 to control land use and development on Pt Lot 13 and Lot 331 Pinjarra Road, Ravenswood.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 2 January 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 2 January 1995.

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

D. A. McCLEMENTS, Shire Clerk.

PD421**TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION***Shire of Murray*

Town Planning Scheme No. 4—Amendment No. 78

Ref: 853/6/16/7 Pt 78

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

1. rezoning Murray Location 491 and portion of Murray Location 643, Hines Road, North Dandalup from "Rural" to the "Hills Landscape Protection" Zone; and
2. incorporating the land within Schedule 7 of the Scheme Text and including Special Provisions relating to it.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Pinjarra Road, Pinjarra and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 15 December 1996.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before 15 December 1995.

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

D. A. McCLEMENTS, Shire Clerk.

PD422**TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT***Shire of Serpentine-Jarrahdale*

Town Planning Scheme No. 2—Amendment No. 48

Ref: 853/2/29/3 Pt 48

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Serpentine-Jarrahdale Town Planning Scheme Amendment on 26 October, 1995 for the purpose of—

1. Rezoning Cockburn Sound Location 786, 787 and 788 Karnup Road and Walker Road, Serpentine, from "Rural" to "Rural Living A".

2. Amending the Scheme Map in accordance with the Scheme Amendment Map.

3. Amending the Scheme Text by inserting in Appendix 4A Special Provisions, the following:

b) SPECIFIED AREA OF LOCALITY

Cockburn Sound Location 786,
787, 788 Karnup Road, Walker
Road, Serpentine.

b) SPECIAL PROVISIONS TO REFER TO b)

1. Within the Rural Living zone the following land uses are permitted or are permitted at the discretion of the Council.

Use classes permitted (P):

- * Single House
- * Public Recreation
- * Public Utility

Discretionary Uses (AA):

- * Ancillary Accommodation
- * Home Occupation.
- * Rural Use/Intensive Agriculture

All other uses classes are prohibited.

In exercising its discretion in respect to AA uses, the Council having regard to the Planning Guidelines for Nutrient Management shall only permit such uses when it is satisfied following consultation with Government Agencies that the land use does not involve excessive nutrient application or the clearing of the land.

2. No dwelling shall be approved by the Council unless it is connected to an alternative domestic wastewater treatment system as approved by the Health Department of WA with an adequate phosphorus retention capacity, as determined by the Department of Environmental Protection, and with the base of the system or the modified irrigation area being the required distance above the highest know water table.
3. No indigenous vegetation or trees shall be destroyed or cleared except, but subject to the developer of the estate/landowner obtaining the prior consent in writing of the Council, where such vegetation is dead, diseased or where the clearing is required for the purpose of a firebreak, dwelling, outbuilding, fence, drainage, systems and/or driveways, to accommodate a "Rural Use" or "Intensive Agriculture".
4. The subdivider shall, in accordance with the Subdivision Guide Plan and the Schedule of Landscaping for this estate plant indigenous trees and shrubs of a species and at a density and distribution to the satisfaction of the Council prior to the transfer of a lot(s) to a new owner.
5. The subdivider shall either maintain the trees and shrubs planted until the land is sold, or shall plant sufficient numbers of trees and shrubs to allow for natural loss. Thereafter, the owners of the subdivided lots shall be responsible for the maintenance and replacement (if and where necessary) of those trees and shrubs planted by the subdivider to the satisfaction of the Council.
6. The subdivider shall prepare and implement a Fire Management Plan that identifies the need for and the construction requirements relative to strategic firebreaks, water supplies and equipment and any other fire management requirements that may be deemed necessary, to the specification and satisfaction of the local authority and the Bush Fire Board of WA.
7. Notwithstanding the controls specified by Provision 1, development and use of the land is subject to the provisions of the Water Authority of Western Australia By-Laws applying to underground water supply and pollution control.

b) SPECIFIED AREA OF LOCALITY

b) SPECIAL PROVISIONS TO REFER TO b)

8. Notwithstanding the obligations of the subdivider under clause 5.12.9e of the Scheme the subdivider shall drain the land and provide drainage sumps in accordance with the Subdivision Guide Plan for the estate. Those easements required by the Council shall be provided to the Council free of cost at the time of subdivision to provide for the ongoing maintenance of the drains and sumps.
9. At the time of the building application for each lot a plan of the site shall be submitted by the applicant to the satisfaction and specifications of the Council which shall show site contours, existing trees and stands of vegetation, those trees and vegetation to be removed and retained, and proposals for tree planting and maintenance.
10. The land is situated within the catchment of the Peel-Harvey system where nutrient control through fertiliser application is to be promoted. Therefore the application type and distribution of fertiliser to the land shall be the subject to the prior approval of the Council who shall consult the Department of Environmental Protection before approval is granted.

D. J. HADDOW, President.
N. D. FIMMANO, Shire Clerk.

PD423

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Town of Albany

Town Planning Scheme No. 1A—Amendment No. 74

Ref: 853/5/2/15 Pt 74

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Town of Albany Town Planning Scheme Amendment on 26 October, 1995 for the purpose of—

1. Modifying and deleting Clauses 4.34 and 4.35 respectively of the Scheme Text and replacing it with a new clause as follows:

“Land included in the Future Urban Zone is recognised by the Council as being suitable for urban purposes in the future. Council shall initiate zoning changes to allow for development and promote subdivision proposals where the subdivision and/or development proposal put forward is in accordance, or will not conflict, with a Local Structure Plan approved by Council and submitted in a form consistent with Commission Guidelines for approval of the Western Australian Planning Commission.”

2. Rezoning

- (a) Plantagenet Location 243, Range Road
- (b) Portion of Lot 323 and Lot C, Target Road
- (c) Portion of Lot 322, Chester Pass Road
- (d) Part Lot 10, Galle Street and
- (e) Lots 1 to 23, inclusive, Butts Road

all in Yakamia, from Future Urban to Residential, and the scheme maps are amended accordingly.

A. G. KNIGHT, Mayor.
M. A. JORGENSEN, Town Clerk.

PD424

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Town of Mosman Park

Town Planning Scheme No. 2—Amendment No. 18

Ref: 853/2/18/4 Pt 18

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Town of Mosman Park Town Planning Scheme Amendment on 26 October, 1995 for the purpose of rationalising the boundaries of the Development Zone and the Parks and Recreation Reservation to accord with the boundaries of the Urban Zone and Parks and Recreation Reservations contained within the Metropolitan Region Scheme.

B. H. MOORE, Mayor.
T. J. HARKEN, Town Clerk.

PD501

WESTERN AUSTRALIAN PLANNING COMMISSION
METROPOLITAN REGION SCHEME (SEC.33 AMENDMENT)
CALL FOR PUBLIC SUBMISSIONS
"Fremantle Regional Strategy"

File: 809-2-5-3

Amendment No.: 970/33

The Metropolitan Region Scheme (the Scheme) is proposed to be amended for various portions of land in the Fremantle, North Fremantle, South Fremantle and Mosman Park localities of the Perth metropolitan region. The proposals are intended to implement recommendations contained in the "Fremantle Regional Strategy" released in December 1994. The "Fremantle Regional Strategy" provides the basis for coordinating planning and Government investment in regional infrastructure and is a reflection of the identification of Fremantle as a strategic regional centre in the "Metropolitan Centres Policy". That Strategy, which provides a guide for future planning of integrated transport, land use and port facilities, is being implemented by way of this Metropolitan Region Scheme amendment proposal.

The procedure for amending the Scheme, as set out in section 33 of the Metropolitan Region Town Planning Scheme Act, is to be used to advertise this proposal. Public submissions are invited and the amendment will eventually be put to Parliament for final approval. In accordance with the procedure in section 33, the Hon Minister for Planning has approved the amendment for public display and for the calling of submissions.

Copies of the maps showing the proposed changes to the zones and reservations of the Scheme and the Commission's Technical Report on the amendment proposals will be available for the public inspection at each of the places listed hereunder.

The amending plan 1.3208/2 and detail plans will be available for inspection from Monday October 30, 1995 to Friday February 2, 1996 at each of the following places—

- (a) Ministry for Planning
1st Floor
Albert Facey House
469-489 Wellington Street
Perth WA 6000
- (b) Council Offices of the municipalities of—
 - (i) City of Perth
Westralia Square
141 St Georges Terrace
Perth WA 6000
 - (ii) City of Fremantle
Corner Newman and William Street
Fremantle WA 6160
 - (iii) City of Cockburn
9 Coleville Cres
Spearwood WA 6163
 - (iv) Town of Cottesloe
109 Broome Street
Cottesloe WA 6011
 - (v) Town of East Fremantle
135 Canning Hwy
East Fremantle WA 6158
 - (vi) Town of Mosman Park
Administration Centre
Bay View Tce
Mosman Park WA 6012

(vii) Shire of Peppermint Grove
1 Leake St
Peppermint Grove WA 6011

(c) J S Battye Library
Alexander Library Building
Cultural Centre
Francis Street
Northbridge WA 6003

Any person who desires to make a submission either supporting or objecting to any provisions of the proposed amendment may do so on the Form 6A. Submission forms are available on request from the display locations and must be lodged with the—

A/Secretary
Western Australian Planning Commission
Ministry for Planning
469-489 Wellington Street
Perth WA 6000

on or before 4.30 pm Friday February 2, 1996.

PETER MELBIN, A/Secretary,
Western Australian Planning Commission.

POLICE

PE501

POLICE ACT 1982 POLICE AUCTION

Under the provision of the Police Act 1982, unclaimed and stolen property will be sold by Public Auction at the premises of Fuller Auctions, of 95 Forrest Avenue, Bunbury on the 9th December 1995 at 9.30 am.

R. FALCONER, Commissioner of Police.

PREMIER AND CABINET

PR301

PUBLIC SECTOR MANAGEMENT ACT 1994

PUBLIC SECTOR MANAGEMENT (ENTITIES WHICH ARE NOT ORGANIZATIONS) REGULATIONS (No. 2) 1995

Made by His Excellency the Governor in Executive Council under section 108 (1) (a).

Citation

1. These regulations may be cited as the *Public Sector Management (Entities which are not Organizations) Regulations (No. 2) 1995*.

Schedule 1 amended

2. Schedule 1 to the *Public Sector Management Act 1994** is amended by inserting after item 18 the following item —

“

19. Western Australian Greyhound Racing Association established by the *Western Australian Greyhound Racing Association Act 1981*.

”

[* Act No. 31 of 1994.

For subsequent amendments see 1994 Index to Legislation of Western Australia, Table 1, p. 226, and Act No. 103 of 1994, and Gazette of 7 February, 2 and 30 May and 23 June 1995.]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

STATE TAXATION

SX301

FINANCIAL INSTITUTIONS DUTY ACT 1983

FINANCIAL INSTITUTIONS DUTY AMENDMENT REGULATIONS
(No. 2) 1995

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Financial Institutions Duty Amendment Regulations (No. 2) 1995*.

Principal regulations

2. In these regulations the *Financial Institutions Duty Regulations 1984** are referred to as the principal regulations.

[* *Published in Gazette of 20 January 1984 at pp. 126-8.*
For amendments to 27 September 1995 see 1994 Index to Legislation of Western Australia, Table 4, p. 81, and Gazette of 28 April 1995.]

Regulation 5 amended

3. Regulation 5 of the principal regulations is amended —

(a) in subsection (2) —

(i) by deleting “or” after paragraph (b);

(ii) in paragraph (c) by deleting “Commonwealth.” and substituting the following —

“ Commonwealth; ”; and

(iii) by inserting after paragraph (c) the following —

“

(d) a domiciliary nursing care benefit under the *National Health Act 1953* of the Commonwealth; or

(e) a pension paid by the Department of Social Security of the United Kingdom.

”;

and

(b) by inserting after subregulation (4) the following subregulation —

“

(4a) Where —

(a) as a result of —

(i) the closure or amalgamation of a branch or branches of a registered financial institution;

(ii) any conversion, updating or relocating of data processing systems within a registered financial institution; or

(iii) the loss of a customer's electronic banking card,

an amount is credited to a loan account with a registered financial institution solely for the purpose of the closure of that loan account; and

- (b) a new loan account for that amount is established by that registered financial institution in the same customer's name,

the credit referred to in paragraph (a) is prescribed under section 10 (4) (r) of the Act as a receipt to which the Act does not apply.

”

Regulation 7F amended

4. Regulation 7F of the principal regulations is amended by deleting “, T.C.S. Computer Services Pty. Ltd. and Cuatm Pty Ltd are persons prescribed” and substituting the following —

“ is prescribed as a person ”.

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

TRANSPORT

TR401

WESTERN AUSTRALIAN MARINE ACT 1982

RESTRICTED SPEED AREAS—ALL VESSELS

Lower Leschenault Inlet

Department of Transport,
Fremantle, 3 November 1995.

Acting pursuant to the powers conferred by section 67 of the Western Australian Marine Act 1982 the Department of Transport by this notice revokes sub paragraph b (6) of the notice published in the *Government Gazette* on 25 October 1991 relating to restricted speed areas for all vessels on the Lower Leschenault Inlet.

Providing that this revocation will apply only to official bonafide competitors competing in the Bunbury Speedboat Club racing event between the hours of 1000 and 1500 on Sunday 19 November 1995 and will not apply to normal traffic.

After 1500 hours on Sunday 19 November 1995 the speed limits will be re-established in accordance with the terms of the *Gazettal* notice issued on 25 October 1991.

STUART HICKS, Director General of Transport.

TR402

WESTERN AUSTRALIAN MARINE ACT 1982

RESTRICTED SPEED AREAS—ALL VESSELS

Jurien Bay Boat Harbour

Department of Transport,
Fremantle, 3 November 1995.

Acting pursuant to the powers conferred by section 67 of the Western Australian Marine Act 1982 the Department of Transport by this notice—

Revokes sub paragraph (c) (3) of the notice published in the *Government Gazette* on 25 October 1991 relating to restricted speed areas for all vessels in the Jurien Bay Boat Harbour.

Providing that this revocation will apply only to official bona fide competitors competing in an approved aquatic event of the Jurien Marine Expo between the hours of 1300 and 1500 on Saturday 4 November 1995 and will not apply to normal traffic.

STUART HICKS, Director General of Transport.

TR403**METROPOLITAN (PERTH) PASSENGER TRANSPORT TRUST ACT 1957***Membership of Trust*

I, Eric Charlton, being the Minister administering the Metropolitan (Perth) Passenger Transport Trust Act 1957, appoint in accordance with the provisions of section 7 (4) (a) of that Act, Robert Charles Wells as a Member of the Metropolitan (Perth) Passenger Transport Trust from 30 June 1995 to 30 June 1996.

ERIC CHARLTON, Minister for Transport.

WATER AUTHORITY**WA401****WATER BOARDS ACT 1904****BUSSELTON WATER BOARD***Preliminaries to Construction**Notice of Intention*

Notice is hereby given pursuant to Section 41(c) of the Water Boards Act No. 4 of 1904 of the intention of the Board to undertake the construction of the following works within the Busselton Water Board Area.

Description and Locality of Proposed Works—

- (i) drilling of a hydrostratigraphic hole to an estimated depth of 1 500 metres on Location S.19.
- (ii) dependant on the results of (i) above, to construct and equip a Bore (Bore No. 18) at the same location.

The times and places at which the plans and estimates may be inspected—

At the Office of the Busselton Water Board, Unit 1, 8-10 Prince Street, Busselton, for one month on and after 6 November 1995 between the hours of 10.00 am and 4.00 pm.

J. F. PRITCHARD, Chairman.
D. G. McCUTCHEON, Executive Officer.

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

Tenders forms and full particulars of the Schedule hereunder may be obtained on application at the State Supply Commission, 6th Floor, 441 Murray Street, Perth, 6000.

TELEPHONE No. 365 8491

FACSIMILE No. 321 7918

Date of Advertising	Schedule No.	Description	Date of Closing
1995			1995
		<i>Supply and Delivery</i>	
October 20	561A1995	One (1) only 4WD Articulated Frame 80kw Wheel Loader for the Department of Conservation and Land Management—Dwellingup	November 9
September 22	071A1995	Portable and Notebook Personal Computers to various Government Departments	November 14
October 27	238A1995	Manufacture and Supply of Shirts for the WA Police Services	November 30
		<i>Expression of Interest</i>	
October 27	EOI49/95	Three (3) Residential Respite Services for People with Disabilities on behalf of the Disability Services Commission. A briefing session shall be held Monday November 6, 1995 at 10.00am Conference Room 1, level 4, 53 Ord St, West Perth	November 9
October 27	EOI48/95	Management and Technical Support of Information Technology for the WA Museum	November 16

Tenders Invited—continued

Date of Advertising	Schedule No.	Description	Date of Closing
1995			1995
<i>Request for Proposal</i>			
October 13	RFP45/95	For the supply of two (2) similar Interactive Road Safety Exhibitions; one (1) exhibition to be installed at Scitech Discovery Centre, West Perth, WA and the other exhibition to be mounted on to a Community Mobile Road Safety Unit (CMRSU) for the Traffic Board of W.A.	November 9
October 13	RFP46/95	Redevelopment of the Core Processing Systems and the Provision of an Integrated Software and Hardware Platform for the WA Electoral Commission	November 16
November 3	RFP50/95	For the provision of services for the Administration of Training Agreement—WA Dept of Training. Information briefing session held 9.30-11.30 am at the Advanced Manufacturing Technologies Centre, 140 Royal Street, East Perth. Vendors attending are requested to ring Ms Anne Rose for pre-registration on 426 8877	November 30
<i>Provision of Service</i>			
October 27	285A1995	Psychological Counselling Service for the Central Metropolitan College of TAFE	November 9
October 20	562A1995	Provision of an Automatic Irrigation System including Mainline and Cabling Extensions. Driving Range and Practice Putting Area for the Burswood Park Board	November 9
October 27	202A1995	Cleaning of Karratha College	November 16
October 6	550A1995	Provision of Software and Services in a Prime Contracting Role to meet DOLA's Land Information System Requirements—SmartPlan® Project	November 16
October 13	557A1995	A Regular Shipping Service to the Kimberley Region of WA for the Department of Transport	November 16
October 27	564A1995	Consultancy of Aboriginal and Torres Strait Islander Recruitment and Career Development Strategy for the Ministry of Justice	November 16
October 27	565A1995	Provision of an Alpha/VMS Support Officer for the Dept of Training	November 16
October 27	566A1995	Market Segmentation Research for the Central Metropolitan College of TAFE	November 16
November 3	269A1995	Cleaning of Pundulmurra College. An inspection of the College will be held Wednesday, 8 November 1995 at 10.00 am	November 16
November 3	571A1995	Supply of maintenance programming services for support of student management module of the Dept of Training—College Management Information System	November 16
November 3	274A1995	Printing of the "Western Fisheries" magazine for the Western Australian Fisheries Department	November 23
November 3	570A1995	Printing and supply of the 1996/97 edition of "Best of the West" brochure on behalf of the WA Tourism Commission	November 23
November 3	454B1995	Software development and maintenance resources Govt Employees Superannuation Board	November 30
<i>Purchase and Removal</i>			
October 20	560A1995	One (1) only 1992 Toyota 11 Seat Personnel Carrier for the Education Department	November 9
October 20	563A1995	Stateships' Owned Shipping Container at Fremantle .	November 9

Tenders addressed to the Chairman, State Supply Commission, 6th Floor, 441 Murray Street, Perth WA 6000, before 10.00 am on the nominated closing date.

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

CRAIG LAWRENCE, Chairman, State Supply Commission.

ZT302*Accepted Tenders*

Schedule No.	Particulars	Contractor	Rate
<i>Provision of Service</i>			
533A1995	Review the Office of State Administration's Human Resources Services Branch	Maitland Consulting Group Pty Ltd	\$32 000.00
<i>Purchase and Removal</i>			
551A1995	Surplus Agricultural Machinery (6QF 615) (XQX 585) (XQS 550) for the Agricultural Protection Board	Chris Grey	\$920.00

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

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 4th December 1995, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- Abitbol, Judyth Anne, late of 59 Glanton Way, Dianella, died 12/8/95. (DEC 287688 DL3)
- Abbott, Mary, late of Homes of Peace, Walter Road, Inglewood, died 25/9/95. (DEC 287682 DG4)
- Attwood, Alexander James, late of 10 Oakland Close, Woodvale, died 11/9/95. (DEC 287486 DS2)
- Bennett, William Edward, late of 2/54 Whatley Crescent, Mount Lawley, died 28/9/95. (DEC 287623 DC4)
- Cohan, Brian Sean, late of Single Quarters, Leinster, died between 19/5/95 to 5/7/95. (DEC 285461 DE3)
- Cox, Eileen Mary, late of Lakeside Villas, Unit 18 "Huron", 6 Lewington Gardens, Bibra Lake, died 22/9/95. (DEC 288017 DC2)
- Goodrich, Anthony Eric, late of 1/171 Augustus Street, Geraldton, died 6/7/95. (DEC 286322 DA3)
- Hardwick, Joan, late of Leighton Nursing Home, 40 Florence Street, West Perth, died 10/2/95. (DEC 280373 DC2)
- Hall, Louis Albert, formerly of Timbertop Caravan Park, 6 Peel Street, Mandurah, late of Unit 1/63 Rockford Street, Mandurah, died 25/9/95. (DEC 287846 DP4)
- Lance, Annie Edna May, late of 12/76 Kent Street, Rockingham, died 6/10/95. (DEC 287967 DA2)
- Lenton, Leslie Ernest, formerly of 11 Yarruk Street, Yokine, late of Room 12 Jacaranda Lodge, Belgrade Road, Wanneroo, died 26/9/95. (DEC 287863 DG4)
- McKell, Ronald, Grenville, late of 13 Murray Road, Palmyra, died 25/6/95. (DEC 287608 DS2)
- McQueen, Beatrice Leonora, late of Two Pines Nursing Home, 61 Clarkson Road, Maylands, died 2/8/95. (DEC 287547 DA4)
- Nguyen, Noong, Thi, late of 93 Mirrabooka Avenue, Girrawheen, died 3/4/95. (DEC 287584 DE3)
- Plucinski, Edward, late of 30B Dodd Street, Hamilton Hill, died 25/7/95. (DEC 286771 DE2)
- Schilling, Ray August, late of Tuohy Nursing Home, 22 Morrison Road, Midland, died 20/7/95. (DEC 287524 DA3)
- Walker, Edina Florence, late of Bunbury Nursing Home, 39 Hayes Street, Bunbury, died 3/7/95. (DEC 285334 DL4)
- Wilson, John Noel, late of 554 High Street, Thornbury, Victoria, died 16/7/92. (DEC 267783 DA2)
- Winnett, James Richard, late of R A A F, Gordon Lodge Hostel, Room 30 Bullcreek Drive, Bullcreek, died 4/10/95. (DEC 287964 DA3)
- Witkiss, Lena Lydia, late of Gracehaven Hostel, 2 Westralia Gardens, Rockingham, died 26/9/95. (DEC 288133 DS4)

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

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

Creditors and other persons having claims in respect of the Estate of the late Eric Benjamin Bolton who died on 27th day of July 1995 at Mt Lawley are requested to send particulars of their claims to the Executor, Erica May Finlen, c/- Michael Whyte & Co, Barristers & Solicitors, Level 1, 41-43 Ord Street, West Perth 6005 within one (1) month from the date of this notice after which date the Executor may distribute the assets having regard only to the claims of which they have then had notice and the said Executor shall not be liable to any person of whose claim they have had no notice at any time of administration or distribution. (Reference: MT951197)

ZZ202**TRUSTEES ACT 1962**

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the Estate of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Ltd of 89 St George's Terrace, Perth, to send particulars of their claims to the Company, by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

Blythe, Norman Richard, late of 290 Walcott Street, Mount Lawley WA 6050, Retired Accountant, died 28 September 1995.

Fisher, Ormond Douglas, late of 8 Hutton Street, Collie WA 6225, Retired Miner, died 11 September 1995.

Griffin, Rona Joyce, late of St David's Retirement Centre, 19 Lawley Crescent, Mt Lawley WA 6050, Widow, died 18 September 1995.

Kennedy, Marjorie Magdalene, late of 3 Timms Place, Morley WA 6062, Retired Nurse, died 2 August 1995.

McCracken, Leonard James, late of 7/175 Hector Street, Osborne Park WA 6017, Retired, died 15 October 1995.

Price, George Victor, late of 8 Kingsley Drive, South Guildford WA 6055, Retired Electrician, died 5 October 1995.

Stanley, Brenda, late of 10 Yaringa Way, City Beach WA 6015, Home Duties, died 25 October 1995.

Tilbrook, James, late of 71 Lawler Street, North Perth WA 6006, Retired Galvaniser, died 24 October 1995.

Dated this 1st day of November 1995.

D. R. CLARK, State Manager.

ZZ301**INQUIRY AGENTS LICENSING ACT 1954****APPLICATION FOR LICENCE IN THE FIRST INSTANCE**

To the Court of Petty Sessions at Perth.

I, Michael James Te of 10 Camboon Road, Morley, Phone Number—H 375 2454 W 375 2454, Insurance 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 10 Camboon Road, Morley.

Dated the 13th day of October 1995.

M. TE, Signature of Applicant.

Appointment of Hearing

I hereby appoint the 21st day of November 1995 at 2.15 o'clock in the afternoon as the time for the hearing of the foregoing application at the Court of Petty Sessions at Perth, 30 St George's Terrace.

Dated the 13th day of October 1995.

M. MEE, 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**NOTICE OF DISSOLUTION OF PARTNERSHIP**

Notice is hereby given that the partnership heretofore subsisting between Joseph James Dwyer of 42 Gemini Way, Carlisle, Terry Gordon Willison of 19 Rochester Way, Dianella and David George Harrison of 122 Oats Street, Carlisle carrying on the business of lawn mower manufacturing repair and retail under the style or firm of Dwyer and Felton Engineering has been dissolved. All debts due to and owing by the said partnership will be received and paid by July Investments Pty Ltd as Trustee for the D. G. and S. M. Harrison Family Trust who will continue to carry on business under the name described above.

Dated the 31st day of October 1995.

Signed: JOSEPH JAMES DWYER.

Signed: TERRY GORDON WILLISON.

Signed: DAVID GEORGE HARRISON.

IMPORTANT NOTICE

Periodically notices are gazetted indicating a variation in normal publishing arrangements, e.g. Easter or Christmas editions.

If the publishing date is varied the closing time for accepting copy will also vary. The onus remains with the client to be aware of these alterations.

Notices are published at least four weeks prior to the variation and appear on the inside cover, i.e. page two.

Clients are urged to check accordingly prior to contacting State Law Publisher.

JOHN A. STRIJK,
Acting Government Printer.

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