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GOVERNMENT GAZETTE—EASTER 1997

Advertisers are advised to note the following changes to publication dates for Government Gazette over the Easter period 1997.

There will be no edition for TUESDAY 1 APRIL.

EASTER ISSUES:

THURSDAY 27 MARCH (Copy closes Tuesday 25 March at 12.00 noon)

FRIDAY 4 APRIL (Copy closes Wednesday 2 April at 12.00 noon)

Any enquiries should be directed to John Thompson, Phone 426 0010

AGRICULTURE

AG401

MARKETING OF MEAT ACT 1971Agriculture Western Australia,
South Perth WA 6151.

Agric. 860114 V4

I, Monty House, Minister for Primary Industry, acting in accordance with the provisions of section 7 of the Marketing of Meat Act 1971, hereby re-appoint the following as members of the Western Australian Meat Marketing Corporation for terms of office expiring on the dates as listed.

Name	Position	Term	Expiring
Johannes Constantijn (Con) Goosens	Chairman	1 year	3/3/1998
Philip Maurice Drage	Member	3 years	3/3/2000
Richard Simpson	Member	3 years	3/3/2000
Richard Alexander Dickson	Member	2 years	3/3/1999
Peter William Francis Anderton	Member	2 years	3/3/1999
Mark John Bahen	Member	3 years	3/3/2000

MONTY HOUSE, Minister for Primary Industry; Fisheries.

AG402

WESTERN AUSTRALIAN MEAT INDUSTRY AUTHORITY ACT 1976Agriculture Western Australia,
South Perth WA 6151.

Agric. 890491 V2

I, Monty House, Minister for Primary Industry; Fisheries, acting in accordance with the provisions of the Western Australian Meat Industry Authority Act 1976 hereby appoint pursuant to Section 8, the following as members of the Western Australian Meat Industry Authority for a three years term expiring on 3 March 2000.

Name	Position	Representing
Kerry McAuliiffe	Chairman	Minister
Renata Paliskis-Bessell	Member	Agriculture W.A.
John Roediger	Member	Private Abattoirs
Warren Robinson	Member	Meat Industry-Wholesale and Retail
Derek John Marchant	Member	Private Abattoirs
John Pugh	Member	Meat Producers
Malcolm Seymour	Member	Meat Producers
Glenn William Ferguson	Member	Employees (AMIEU)

MONTY HOUSE, Minister for Primary Industry; Fisheries.

AG403

RURAL ADJUSTMENT AND FINANCE CORPORATION ACT 1993Agriculture Western Australia,
3 Baron Hay Court,
South Perth WA 6151.

I, the undersigned Minister for Primary Industry, being the Minister charged with the administration of the Rural Adjustment and Finance Corporation Act, acting in accordance with Sections 6(1)(b) and (c) of the said Act, appoint the following persons as Members of the Rural Adjustment and Finance Corporation for a term of office as specified—

Name	Appointment	Term Expiring
Mr Stephen Lee	Section 6(1)(b)	31/12/1998
Mrs Keryl Enright	Section 6(1)(c)	31/12/1998
Mr Peter Cooke	Section 6(1)(c)	31/12/1998
Mrs Kathy Finlayson	Section 6(1)(c)	28/2/1999
Miss Lisa Featherby	Section 6(1)(c)	2/12/1997

MONTY HOUSE, Minister for Primary Industry; Fisheries.

AG404

CHICKEN MEAT INDUSTRY ACT 1977Agriculture Western Australia,
South Perth WA 6151.

Agric. 1152/86 V2

I, the undersigned Minister for Primary Industry, being the Minister charged with the administration of the Chicken Meat Industry Act 1977, acting in accordance with Sections 7 and 8 of the said Act, appoint the following persons as members of the Chicken Meat Industry Committee for a period ending on 30 June 1998.

1. Mr P. Smetana as member and Chairman of the Committee pursuant to Section 7(1)(a) of the Act.
2. Mr P. J. Manning and Mr M. J. Paton as members' representative of processors pursuant to Section 7(1)(b) and Mr W. I. Hopkinson and Mr B. White respectively as their deputies pursuant to Section 7(3) of the Act.
3. Mr L. S. Brajkovich and Mr H. de Lacy as members representative of growers pursuant to Section 7(1)(c) and Mr P. W. Jeffrey and Mr T. E. Packard respectively as their deputies pursuant to Section 7(3) of the Act.
4. Mr R. Powell and Mr K. W. Fry as independent persons pursuant to Section 7(1)(d) of the Act.

MONTY HOUSE, Minister for Primary Industry; Fisheries.

BUSH FIRES BOARD

BU401*

BUSH FIRES ACT 1954
RESTRICTED BURNING PERIOD
 (Section 18.)

Bush Fires Board,
Perth.

Correspondence No. A88

It is hereby notified that pursuant to the powers contained in Section 18 of the Bush Fires Act 1954 the Bush Fires Board has declared the Restricted Burning Period for the Local Government of the Shire of Gnowangerup for the period prescribed in the schedule below. (The respective declaration made under Section 18 of that Act, as published in the *Government Gazette* of 27 October 1995, is hereby revoked.)

Schedule

Local Government
 Shire of Gnowangerup

Restricted Burning Period
 15 October to 22 March

All dates are inclusive.

Dr C. J. BACK, Chief Executive Officer.

BU402*

BUSH FIRES ACT 1954
SECTION 12

Cancellation of Appointment of Bush Fire Liaison Officer

Bush Fires Board,
Perth.

Correspondence No. A12.

It is hereby notified that the Hon. Minister administering the Bush Fires Act 1954 has approved the cancellation of Anthony Edwin Whitbread's appointment as a Bush Fire Liaison Officer as published in page 210 of the *Government Gazette* of 20 January 1995.

HERITAGE COUNCIL

HR401

HERITAGE OF WESTERN AUSTRALIA ACT 1990

NOTICE OF INTENTION TO ENTER PLACES IN THE REGISTER OF HERITAGE PLACES

The Minister for Heritage has directed pursuant to Section 47 (1) of the Heritage of Western Australia Act 1990 that the places described in Schedule 1 be entered in the Register of Heritage Places on a permanent basis.

Schedule 1

Name	Location	Description of Place
King Cottage	77 Forrest Avenue, Bunbury	Lot 22 on Diagram 73974, being the whole of the land comprised in Certificate of Title Volume 1897 Folio 69.
Picton Inn	Pt Wellington Location 39, Kaeshagen Street, Picton	Portion of Wellington Location 39, being the subject of Diagram 628 and being whole of the land comprised in Certificate of Title Volume 183 Folio 80.
St Mark's Anglican Church	Charterhouse Road, Picton	That portion of Leschenault Location 26, being a portion of the land described in Country Enrolment EC 306 as is defined in HCWA survey drawing No. 0383.
Claremont Museum	66 Victoria Avenue, Claremont	Melville Suburban Lot 142, being Crown Reserve 5659 and being the whole of the land comprised in Certificate of Title Volume 3031 Folio 857.
St John's Anglican Church, Fremantle	Adelaide Street, Fremantle	Portion of Fremantle Town Lot 390a, the subject of Diagram 6431, being the whole of the land comprised in Certificate of Title Volume 834 Folio 199, and that portion of Fremantle Lot 390, described in Town Enrolment ET 871 as is defined in HCWA survey drawing No. 0844.
North Fremantle Town Hall (fmr)	222 Queen Victoria Street, North Fremantle	Lot 2 on Diagram 65819 being the whole of the land comprised in Certificate of Title Volume 1822 Folio 281.
Dilhorn	Cnr Bulwer & Lord Streets, Highgate	Lot 16 on Diagram 17711 being the whole of the land comprised in Certificate of Title Volume 1180 Folio 19.
Woodbridge	Third Avenue, West Midland	Swan Location 8254, being Crown Reserve 29493 and being the whole of the land comprised in Crown Land Record Volume 3046 Folio 113.
Boarding House	155-159 Stirling Street, Bunbury	Lot 2 and part of Lot 3 on Plan 1825, being the whole of the land comprised in Certificate of Title Volume 378 Folio 126.

The Minister for Heritage has directed pursuant to Section 47 (1) of the Heritage of Western Australia Act 1990 that the places described in Schedule 2 be entered in the Register of Heritage Places as interim registrations.

The Heritage Council of Western Australia hereby gives notice of the interim registrations and invites submissions on the matter. Submissions must be in writing and should be forwarded to the following address not later than 22nd April 1997.

The Director, Office of the Heritage Council
108 Adelaide Terrace, East Perth WA 6004.

Schedule 2

Name	Location	Description of Place included in this entry
Anglican Church of the Annunciation	Cnr Hamersley & Mary Streets, Broome	Lot 1 on Diagram 64798, being the whole of the land comprised in Certificate of Title Volume 1650 Folio 704.
Christ Church & Rectory, Claremont	Cnr Queenslea Drive & Stirling Highway, Claremont	Lot 5 on Diagram 58620, being the whole of the land comprised in Certificate of Title Volume 1582 Folio 451.

Schedule 2—*continued*

Name	Location	Description of Place included in this entry
Coolgardie Railway Station & Goods Shed	Woodward Street, Coolgardie	Coolgardie Lot 2146, being Crown Reserve 34988 and being the whole of the land comprised in Crown Land Record Volume 3027 Folio 232.
Saint Peter's Catholic Church	Clinch Place, Greenough	Lot 4 on Diagram 55014, being the whole of the land comprised in Certificate of Title Volume 1527 Folio 707.
Faversham House	24 Grey Street, York	Portion of York Lot A2, being part of the land on Diagram 3197 and being the whole of the land comprised in Certificate of Title Volume 1383 Folio 711.
Fmr Sikh Cemetery	Bicentennial Adenia Reserve, Ferndale	That part of Canning Location 921, being part of Crown Reserve 7773 and being part of the land comprised in Crown Land Record Volume 3055 Folio 958 as is defined in HCWA survey drawing No. 4612.

NOTICE OF ADVICE REGARDING REGISTRATION OF CROWN PROPERTY

In accordance with the requirements of Section 47 (5) of the Heritage of Western Australia Act, the Heritage Council hereby gives notice that it has advised the Minister for Heritage that the places listed in Schedule 3 should be entered in the Register of Heritage Places on an interim basis. The Heritage Council hereby gives notice of the interim registrations and invites submissions on the matter; submissions must be in writing and should be forwarded to the following address not later than 22nd April 1997.

The Director, Office of the Heritage Council
108 Adelaide Terrace, East Perth WA 6004.

The place listed in Schedule 3 are vested in the Crown, or in a person on behalf of the Crown, in right of the State.

Schedule 3

Place	Location	Description of Place included in this entry
Sunset Hospital	Birdwood Parade, Dalkeith	Swan Location 9547, being Crown Reserve 1667, and being the whole of the land comprised in Crown Land Record Volume 3047 Folio 572.
Cue Public Buildings	Cnr Post Office & Austin Streets, Cue	Cue Lot 330, being the whole of the land comprised in Certificate of Title Volume 1578 Folio 396, and; Cue Lot 109, being Crown Reserve 2460 and being the whole of the land comprised in Crown Land Record Volume 3006 Folio 668.
Derby Police Gaol	Loch Street, Derby	Those portions of Derby Lot 1316, being part of Crown Reserve 3297 and being part of the land comprised in Crown Land Record Volume 3102 Folio 35 and Derby Lot 1318, being part of Crown Reserve 42924 and being part of the land comprised in Crown Land Record Volume 3101 Folio 281 as together are defined in HCWA survey drawing No. 0692 prepared by W S Hart, Licensed Surveyor.

Dated this 11th day of March 1997.

IAN BAXTER, Director, Office of the Heritage Council.

LAND ADMINISTRATION

LA101*

CORRECTION

DOLA FILE: 3054/1995

In the notice of resumption appearing on page 1388 of the *Government Gazette* dated 4 March 1997 for Trayning (Shire) and Wanneroo (City) in the schedule and under the heading "Plan" substitute "Reserve Diagram 1393" in lieu of "LAWA 1139" and "Plan 19390" in lieu of "LAWA 1172" respectively.

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

LA401***LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960****DECLARATION OF CLOSURE OF STREETS**

Made by the Minister for Lands

Under Section 288A

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

SCHEDULE

1. City of Belmont (DOLA File No. 795/956; Closure No. B1381).

The whole of Copley Road now comprised in Swan Locations 12643 and 12644 as delineated and bordered red on Crown Survey Diagram 92852.

Public Plan: BG34(2) 16.24

2. City of Canning (DOLA File No. 1055/1996; Closure No. C1327).

All that portion of Albany Highway (Road No. 122) as shown bordered blue on Crown Survey Diagram 93027.

Public Plan: BG34(2) 16.20

3. Shire of Merredin (DOLA File No. 972/996; Closure No. M1396).

All that portion of Johnston Road as shown delineated and bordered blue on Crown Survey Diagram 92929.

Public Plan; Westonia (50)

4. Shire of Wyndham-East Kimberley (DOLA File No. 2615/1995 V2; Closure No. W1369).

Those portions of Ivanhoe Road shown bordered red on Crown Survey Plan 19173.

Public Plans: DH79(2) 22.15 & 22.16.

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

LA402**TRANSFER OF LAND ACT 1893
(WA) (CKI)**

Application G142628

Take notice that the Cocos (Keeling) Islands Shire, of Cocos (Keeling) Islands (Indian Ocean) via Perth Mail Exchange WA 6799 has made Application to be registered under the Act as proprietor of an estate in fee simple in possession in the land situated in the Territory of Cocos (Keeling) Islands for the benefit, advancement and well being of the Cocos Islanders resident in the Territory of Cocos (Keeling) Islands and the community formed by the Kampong residents respectively.

being

- (a) the land comprised in the Island known as West Island (also known as Pulu Panjang) (save and except those parts owned by the Commonwealth of Australia) together with the land on adjacent small islands including those islands known as Pulu Kambing and Pulu Maraya and together being Lot 100 on Plan 18500 containing 430 hectares or thereabouts.
- (b) the land comprised in the Island known as Horsburgh Island (also known as Pulu Luar) and being Lot 101 on Plan 18500 containing 105 hectares or thereabouts.
- (c) the land comprised in the Island known as Direction Island (also known as Pulu Tikus) together with the land comprised in the island known as Pulu Pasir and being together Lot 102 on Plan 18500 containing 31.88 hectares or thereabouts.
- (d) the land comprised in the Island known as Home Island (save and except Lot 14 on Plan 18502 and being the whole of the land comprised in Certificate of Title Volume 2019 Folio 204) including the islands known as Cemetery Island (also known as Pulu Gangsa) and Prison Island (also known as Pulu Beres) and being together Lot 103 on Plan 18500 containing 91.3 hectares or thereabouts subject to the certain rights of access to and movement on and across those pieces of land on Home Island in the said Territory, used as a road or path from the Jetty on the Western Side of Home Island to the boundary of the within land all as set out in Memorial Book 1 No. 20.
- (e) the land comprised in the Island known as South Island (also known as Pulu Atas) and the land on adjacent islands between and including those islands known as Pulu Ampang Keehil and Pulu Blan Madar and together being Lot 104 on Plan 18500 containing 430 hectares or thereabouts.
- (f) the land comprised in the Island known as North Keeling Island and being Lot 105 on Plan 18500 containing 150 hectares or thereabouts.

All persons other than the applicant claiming any estate right title or interest in the above land and desiring to lodge in this office on or before 28th April, 1997 being the date of expiry, a caveat forbidding the land brought under the operation of the Transfer of Land Act 1893 (WA) (CKI).

F. L. P. CALGINARI, Assistant Registrar of Titles.

LB401***LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1960****DECLARATION OF PUBLIC STREETS
ORDERS OF THE MINISTER FOR LANDS**

Made under Section 288

At the request of the local governments nominated, the portions of land specified in the Schedule are now declared to be absolutely dedicated as public streets.

SCHEDULE

1. City of Perth (DOLA File No. 481/1993 V2) Road No. 18959 (Widening) Royal Street.

All that portion of land as shown coloured mid brown on Crown Survey Diagram 92212.

Public Plan: BG34(2) 14.25.

2. City of Stirling (DOLA File No. 1935/990).

- (a) Road No. 18955. The whole of the Right of Way shown delineated in black and coloured brown on Land Titles Office Plan 3168 Sheet 1 starting from the eastern side of Abbett Street and extending easterly along the northern boundaries of Lots 103 to 107 inclusive of Swan Location 959 to the western side of Burniston Street.
- (b) Road No. 18956. The whole of the Right of Way shown delineated in black and coloured brown on Land Titles Office Plan 3168 Sheet 2 starting from the eastern side of Northstead Street and extending easterly along the northern boundaries of Lots 355 to 357 inclusive of Swan Location 959 and easterly along the northern boundary of Lot 25, as shown on Land Titles Office Diagram 87066, to the western side of Westview Street.
- (c) Road No. 18957. The whole of the Right of Way shown delineated in black and coloured brown on Land Titles Office Plan 2452 Sheet 5 starting from the southern side of Hector Street and extending southerly along the eastern boundaries of Lots 375 to 381 inclusive of Perthshire Location Au and the eastern boundary of Lot 45, as shown on Land Titles Office Diagram 80845, to the northern side of McDonald Street.
- (d) Road No. 18958. The whole of the Right of Way shown delineated in black and coloured brown on Land Titles Office Plan 6497 starting from the prolongation northwesterly of the south-western boundary of Lot 17 of Swan Location V and extending northeasterly, easterly and southeasterly along boundaries of that lot and thence southeasterly along the northeastern boundaries of Lots 16 to 12 inclusive to the prolongation northeasterly of the southeastern boundary of Lot 12.

Public Plans: BG34(2) 08.31, BG34(2) 11.30 & BG34(2) 14.31

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

LB701**LAND ACQUISITION AND PUBLIC WORKS ACT 1902****NATIVE TITLE ACT 1993 (COMMONWEALTH)****NOTICE OF INTENTION**

To Take Land to Grant Estates, Interests and Rights Under Written Law

The Minister for Works gives notice in accordance with section 17(2) of the *Land Acquisition and Public Works Act* that it is intended compulsorily to take under section 17 (1) of that Act the land described in the Schedule ("land") to grant estates, interests and rights under written law. The intended action is authorised by an order of the Governor under section 33C of the *Land Acquisition and Public Works Act*.

SCHEDULE

Locality/Local Government/Region	Description of land affected	Interest holder/Registered native title claimant	Use/Purpose	Plan	Job Number/Reference
Broome (Shire)	Portion of Dampier Location 270 subject of Pastoral Lease 3114/499 (Crown Lease 241/1988) Roebuck Plains (11.8392 hectares).	Crown—Roebuck Plains Holdings Pty Ltd as lessee	1. Inclusion into Dampier Location 351 (Douglas M&V). 2. Grant of easement to Telstra Corporation.	LAWA 1228	970231 1263/1994
Kalgoorlie/Boulder (City)	Vacant Crown land (3.4407 hectares)	1. Crown. 2. CHAMPION Tim on behalf of the Champion, Sambo, Donaldson and Wilson (Gubrun) families (WC95/27). 3. STRICKLAND Marjorie May and NUDDING Anne Joyce (WC94/3).	Inclusion into Hampton Location 271 subject of Special Lease 3116/11644 (Crown Lease 1/1996).	Diagram 92875	964143 861/1996

SCHEDULE—*continued*

Locality/Local Government/Region	Description of land affected	Interest holder/Registered native title claimant	Use/Purpose	Plan	Job Number/Reference
		4. SLATER Judith Ann (WC96/81). 5. GRAHAM Dale Gary (WC96/44).			
Laverton (Shire)	Vacant Crown Land (384.4513 hectares)	1. Crown 2. SULLIVAN Dimple A (WC95/57) 3. TUCKER Quinton Paul (WC95/32) 4. MURRAY Harvey (WC96/17) 5. CANNING Sadie Miriam (WC96/4)	Inclusion into Pastoral lease 3114/854 (Crown Lease 232/1956) Yamarna Station.	LAWA 1197	955214 2906/1965
Meekatharra (Shire)	Vacant Crown land, excluding all rights created by the grant of existing mining tenements under the Mining Act (25 hectares).	1. Crown. 2. SMITH Clarrie on behalf of the Nganawongka people (WC95/72). 3. Clarrie SMITH, Vernon HYLAND, Dinny TUMBLER, Ross SAMBO, Leonard SMITH, Linda RILEY, Gladys LEAKE, Joyce CALYUN and Georgina RILEY (WC95/83).	1. Grant of lease in perpetuity to the Yulga Jinna Aboriginal Corporation. 2. Grant of easement for access.	LAWA 1210	930172 634/1993
Port Hedland (Town)	Portion of Port Hedland Townsite being vacant Crown land (430 square metres).	Crown	Sale for inclusion into Port Hedland Lot 2482.	LAWA 1220	960574 562/1996

The plan(s) listed may be inspected at the Department of Land Administration, Midland Square, Midland 6056, telephone (09) 273 7089.

NATURE OF ACT: The compulsory taking of the land to grant estates, interests and rights under written law for the purpose specified in the Schedule (and ancillary purposes).

COMMENCEMENT OF ACT: The taking of the land is subject to the procedural requirements of Part 2, Division 3, Subdivision B of the *Native Title Act* 1993 (Commonwealth) and section 17(2) of the *Land Acquisition and Public Works Act*. The taking of the land will proceed if—

- (1) there is no “native title party” (as defined by the *Native Title Act*) in relation to the taking of the land or, if there is a native title party, the taking may validly proceed under the *Native Title Act*; and
- (2) the Minister for Works decides to proceed with the taking upon completion of the procedures provided by section 17 (2) of the *Land Acquisition and Public Works Act*.

Native title parties—Any person who is a native title party in relation to the taking of the land or who becomes a native title party within two months of when notice of intention to take the land is given, is entitled to the negotiation and procedural rights provided in Part 2, Division 3, Subdivision B of the *Native Title Act*.

The two months within which persons must become a native title party will close on 28 April 1997.

The expression “native title party” is defined in sections 29, 30 and 253 of the *Native Title Act*. Enquiries regarding becoming a native title party should be directed to the National Native Title Tribunal, 1 Victoria Avenue, Perth, or GPO Box 9973, Perth WA 6001, telephone (09) 268 7272.

Other interest holders—Persons having or claiming other interests in any of the land may under section 17(2) of the *Land Acquisition and Public Works Act*, lodge an objection in writing to the proposed taking with the Department of Land Administration, PO Box 2222, Midland, no later than 28 April 1997. Objections must be in the Form of Objection, copies of which are available from the Department of Land Administration telephone (09) 273 7089 or (09) 273 7293.

TIME DURING WHICH THE ACT WILL CONTINUE TO BE DONE—Following the taking of the land estates or interests to accommodate the use/purpose (as more particularly described in the schedule) will be granted in relation to the land either by public auction, invitation of applications or tenders, private treaty or some other process.

KIND OF DISTURBANCE TO LAND—Disturbance to the land may thereafter be caused by the use and/or construction on the land consistent with the purpose(s) specified in the Schedule by the persons receiving the grants.

Enquiries relating to the proposed taking of the land may be directed to the Native Title Unit, Department of Land Administration, PO Box 2222, Midland 6056 (telephone (09) 273 7089 or (09) 273 7217).

Dated this 14th day of February 1997.

DOUG SHAVE, Minister for Lands.

LOCAL GOVERNMENT

LG301*

LOCAL GOVERNMENT ACT 1995*SHIRE OF KATANNING*

LOCAL LAWS RELATING TO SALEYARDS

In pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the Shire of Katanning hereby records having resolved on the 23 day of January 1997 to make the following local laws.

1. Purpose and Effect

1.1 The activities of persons making use of or entering the Saleyard shall be conducted in accordance with these Local Laws.

1.2 Any person making use of the Saleyard for the sale or purchase of stock, or for any other purpose, shall comply with these Local Laws.

2. Interpretations

The following interpretations should be used in these Local Laws, unless the context otherwise requires—

“Act” means the Local Government Act 1995

“CEO” means the Chief Executive Officer or Acting Chief Executive Officer for the time being, of the Shire of Katanning

“Council” means the Council of the Shire of Katanning

“authorised person” means a person appointed by the Council to supervise the use and management of the Saleyard under these Local Laws.

“Saleyard” means any land owned, vested in or occupied by the Shire of Katanning and used for the purposes of a Saleyard for the sale of stock.

“stock” means livestock of any kind.

“stock agent” means any person authorised by the owner of any stock to sell that stock on the owner’s behalf at any Saleyard.

3. General

3.1 A person shall not sell any stock at any Saleyard by public auction, private contract or otherwise unless that person is the holder of an auctioneer’s licence to sell stock by auction.

3.2 Where stock is yarded in any Saleyard the stock agent (or if there is no stock agent, the owner) shall—

(a) ensure that the stock is properly cared for; and

(b) if the stock is kept yarded for more than 24 hours, provide the stock with food and water.

3.3 Where stock is brought into a Saleyard for sale or transhipment by a stock agent or owner, that stock agent or owner shall:

(a) within seven days after the date of sale, advise the Council in a written signed statement—

(i) the total number of stock brought into the Saleyard; and

(ii) the date on which the stock was brought into the Saleyard

(b) pay to the Council all fees payable under clause 3.5 of these local laws within 28 days of bringing stock into the Saleyard.

Penalty: \$2,000

3.4 The stock agent shall on demand by the CEO make available to the CEO for inspection such books, documents or records as may be necessary to enable the CEO to verify a statement given under clause 3.3 of these local laws.

Penalty: \$2,000

3.5 The fees payable in respect of stock brought into the Saleyard for sale by public auction, private contract or otherwise are the amounts determined by the Council from time to time.

3.6 Sales shall be conducted at a Saleyard only on such days and at such times as may be determined by a stock agent with the prior approval of the CEO.

3.7 The order in which stock agents shall conduct sales on any day, under Clause 3.6 of these Local Laws, shall be the order agreed by those stock agents, and in default of agreement, shall be determined by the CEO or an authorised person.

4. Delivery of Stock to a Saleyard

4.1 A person delivering stock to a Saleyard shall comply with any direction of an authorised person in relation to the delivery, yarding and removal of the stock.

4.2 No person shall deliver to a Saleyard any stock that is diseased, emaciated, injured or suffering from ill health. In addition to any penalty that may be imposed under Clause 9, it shall be competent for an authorised person to destroy any such stock found within a Saleyard and the owner shall be liable to pay the fees for destruction and removal of such stock as determined by the Council.

4.3 A stock agent shall not offer any stock which is diseased, emaciated, injured or suffering from ill health for sale by auction at the Saleyard.

5. Removal of Stock from a Saleyard

5.1 The purchaser of any stock at a Saleyard shall be responsible for such stock at the fall of the hammer.

5.2 The purchaser of any stock at a Saleyard shall remove such stock from the Saleyard by 5.00 p.m. on the day after the day of sale, or by such later time as may be approved by an authorised person.

5.3 Where a purchaser fails to remove stock within the time allowed under Clause 5.2 of these local laws, the stock may be moved to another place, and the purchaser shall be liable for fees and charges as determined by the Council.

5.4 Where stock is unsold, the responsibility for the care and removal of such stock remains with the stock agent.

6. Control of Dogs

6.1 A person shall not bring into a Saleyard any dog not directly used for working, under supervision, with stock in that Saleyard at any time.

6.2 A person shall not bring or permit to be brought into any Saleyard a dog with mange or which is diseased.

6.3 An authorised person may direct a person in contravention of clauses 6.1 or 6.2 to remove the dog from the Saleyard.

7. General Offences

7.1 A person shall not drive or ride any vehicle in any part of the Saleyard at a speed in excess of 15 kilometres per hour.

7.2 A person shall not in any Saleyard:

- a. behave in a disorderly or indecent manner;
- b. interfere with any locked gateway or any equipment,
- c. paint or post on any structure or erect or place any sign, advertisement or notice without the prior approval of the CEO or an authorised person, and
- d. leave the truck wash bay area in an unclean condition.

7.3 A person who leaves the truck wash bay area in an unclean condition shall be liable for the cost of cleaning this facility in addition to any penalty which may be imposed under clause 9.1.

7.4 A person shall not stand or park a vehicle in the Saleyards:

- a. which is by a sign thereon or adjacent or referable thereto set apart for the standing or parking of vehicles of a different class; or
- b. if by such a sign the standing or parking of vehicles is prohibited.

8. Infringement Notices

8.1 An infringement notice in respect of an offence prescribed in clause 9.2 under these local laws—

- a. may be given under section 9.13 of the Act and shall be in or to the effect of Form 1 of Schedule 1;
- b. may be given under section 9.16 of the Act and shall be in or to the effect of Form 2 in Schedule 1;

8.2 A notice sent under section 9.20 withdrawing an infringement notice shall be in or to the effect of Form 3 in Schedule 1.

9. Penalties

9.1 If the penalty to which a person is liable for committing an offence against these local laws is not specified, the penalty is a fine of Five Hundred Dollars (\$500.00).

9.2 A modified penalty may be imposed by the issue of an infringement notice for the following offences—

- (i) Failure to provide advice in contravention of clause 3.3 (a)
- (ii) Failure to make available for inspection books, documents or records in contravention of clause 3.4.
- (iii) Delivering to a Saleyard any stock which is diseased, emaciated, injured or suffering from ill health in contravention of clause 4.2.
- (iv) Bringing a dog into a Saleyard in contravention of clause 6.1 or clause 6.2
- (v) Driving or riding a vehicle in any part of the Saleyard in excess of 15 kilometres per hour, in contravention of clause 7.1
- (vi) Standing or parking a vehicle in an area reserved for vehicles of a different class or in an area in which parking is prohibited in contravention of clause 7.4

9.3 A modified penalty payable on an infringement notice issued under—

- (a) clause 9.2 (i) and (ii) is Two Hundred Dollars (\$200.00)
- (b) clause 9.2 (iii), (iv), (v) and (vi) is One Hundred Dollars (\$100.00)

10. Saleyard By-Laws Revoked

By-Laws relating to Saleyards published in the Government Gazette on 9 April, 1936, 16 June, 1939, 6 December, 1946 and 18 March, 1949, are hereby revoked.

Dated this 23rd day of January 1997

The Common Seal of the Shire of Katanning)
 was hereunto affixed by authority of a resolution)
 of the Council in the presence of:)

.....
I. R. Bolto, President.

.....
M. S. L. Archer, Chief Executive Officer.
...../...../.....

Date

SCHEDULE 1—FORMS

Form 1

Local Government Act 1995

NOTICE TO OWNER OF VEHICLE INVOLVED IN OFFENCE

Date/...../.....

Shire of Katanning

To: (1)
of: (2)

It is alleged that on/...../..... at (3)
at (4) your vehicle (5)
was involved in the commission of the following offence—

.....
.....
.....
contrary to local law of the (6)

You are required under section 9.13 of the Local Government Act 1995 to identify the person who was the driver or person in charge of the vehicle at the time when the offence is alleged to have been committed.

If you do not prove otherwise, you will be deemed to have committed the offence unless—

- (a) within 28 days after being served with this notice—
 - (i) you inform the Chief Executive Officer, or another authorised officer, of the local government as to the identity and address of the person who was the driver or person in charge of the vehicle at the time the offence is alleged to have been committed; or
 - (ii) you satisfy the Chief Executive Officer that the vehicle had been stolen, or was being unlawfully used, at the time the offence is alleged to have been committed;
- or
- (b) you were given an infringement notice for the alleged offence and the modified penalty specified in it is paid within 28 days after the notice was given or such further time as is allowed.

Name and title of authorised person giving the notice
.....

Signature

- (1) Name of owner or "owner of (vehicle identification)"
- (2) Address of owner (not required if owner not named)
- (3) Time at which offence allegedly committed
- (4) Place at which offence allegedly committed
- (5) Vehicle identification
- (6) Name of the regulations

FORM 2

Local Government Act 1995
INFRINGEMENT NOTICE

Serial No
Date/...../.....

Shire of Katanning

To: (1)
of: (2)

It is alleged that on/...../..... at (3)
at (4)
you committed the following offence—

.....
.....
.....

contrary to local law of the (5)
The modified penalty for the offence is \$

If you do not wish to have a complaint of the alleged offence heard and determined by a court, the amount of the modified penalty must be paid to an authorised person at (6) within a period of 28 days after the giving of this notice.

Name and title of authorised person giving the notice

Signature

- (1) Name of alleged offender ["owner of (vehicle identification)" suffices if notice given with a notice under section 9.13 of the Act]
(2) Address of alleged offender (not required if notice given with a notice under section 9.13 of the Act)
(3) Time at which offence allegedly committed
(4) Place at which offence allegedly committed
(5) Name of the regulations
(6) Place where modified penalty may be paid.

FORM 3

Local Government Act 1995
NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE

Serial No
Date/...../.....

Shire of Katanning

To: (1)
of: (2)

Infringement Notice No dated/...../..... for the alleged offence of has been withdrawn.

The modified penalty of \$

- has been paid and a refund is enclosed.
• has not been paid and should not be paid.
• delete as appropriate

Name and title of authorised person giving this notice

Signature

- (1) Name of alleged offender to whom infringement notice was given
(2) Address of alleged offender

LG401**LOCAL GOVERNMENT MISCELLANEOUS PROVISIONS ACT 1960**

Section 245A (10)

*Town of Mosman Park***SWIMMING POOL INSPECTION FEE**

In accordance with the Local Government Miscellaneous Provisions Act 1960 Section 245A (10), I hereby notify that at a special meeting of the Town of Mosman Park held on 1st August, 1996, it was resolved that the Swimming Pool Inspection Fee for 1996/97 be \$25.00.

B. H. MOORE, Mayor.

T. J. HARKEN, Chief Executive Officer.

LG402

CITY OF GOSNELLS

Chief Executive Officer

The appointment of Simon Holtby as Chief Executive Officer, City of Gosnells, effective from Saturday 1 March 1997 is advised.

The appointment of Gary Whiteley is cancelled, following his retirement on Friday 28 March 1997.

SIMON HOLTBY, Chief Executive Officer.

LG403

SHIRE OF MERREDIN

It is hereby notified for public information that David Graham Kerr, has been appointed Ranger effective from the 4th day of March, 1997 and is authorised on behalf of the Shire of Merredin to enforce and administer the provisions of the following Acts and Local Laws as an Authorised Officer within the district of the Shire of Merredin—

Local Government Act 1995

Local Government Miscellaneous Provisions Act 1995

Dog Act 1976 and Amendments

Litter Act 1979 and Amendments

Local Laws relating to Dogs

Local Laws relating to Parks, Public Reserves, Sports Grounds or Open Spaced Areas

and any other Local Laws or Regulations administered and enforced by the Shire of Merredin.

W. M. FENSOME, Chief Executive Officer.

MAIN ROADS

MA401

MRWA 41-110-15

MAIN ROADS ACT 1930**LAND ACQUISITION AND 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 Land Acquisition and Public Works Act 1902, that it is intended to take or resume under section 17 (1) of that Act the piece or parcel of land described in the Schedule hereto and being all in the Perth District, for the purpose of the following public works namely, road construction—City Northern Bypass (Mitchell Freeway to East Parade Section) and that the said piece or parcel of land is marked off on MRWA Drawing No. 9425-036-7 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.	Caltex Oil (Australia) Pty Limited	Caltex Oil (Australia) Pty Limited	Portion of Perth Town Lot W88 and being Lots 1 and 2 on Plan 830 and being part of the land comprised in Certificate of Title Volume 1305 Folio 136.	103 m ²

Dated this 6th day of March 1997.

D. R. WARNER, Director Corporate Services.

MA402

MRWA 42-23-F

**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 Harvey District, for the purpose of the following public works namely, widening of the Old Coast Road (Highway H2 Perth-Bunbury SLK Section 135.60-144.20) and that the said pieces or parcels of land are marked off on MRWA Drawings 9302-0914, 9302-0915 to 9302-0919-1, 9302-0920-2 and 9302-921-1 to 9302-0923-1 inclusive 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.	Goodchild Abattoirs Pty Limited	Commissioner of Main Roads vide Caveat F816115	Portion of each of Wellington Locations 22 and 48 and being Lot 26 on Diagram 50356 and being part of the land comprised in Certificate of Title Volume 1446 Folio 001.	9 380 m ²
2.	Executive Director of the Department of Conservation and Land Management	Commissioner of Main Roads vide Caveat F580230	Portion of each of Wellington Locations 1 and 48 and being Lot 3 the subject of Diagram 15695 and being part of the land comprised in Certificate of Title Volume 1279 Folio 142.	3 084 m ²
3.	Executive Director of the Department of Conservation and Land Management	Commissioner of Main Roads vide Caveat F580230	Portion of Wellington Location 1 and being Lot 22 on Plan 10265 and being part of the land comprised in Certificate of Title Volume 1342 Folio 374.	4.079 ha
4.	Executive Director of the Department of Conservation and Land Management	Commissioner of Main Roads vide Caveat F580230	Portion of each of Wellington Locations 22 and 48 and being Lot 28 on Diagram 50356 and being part of the land comprised in Certificate of Title Volume 1446 Folio 003.	8 890 m ²
5.	Executive Director of the Department of Conservation and Land Management	Commissioner of Main Roads vide Caveat F580230	Portion of Wellington Location 1 and being Lot 2 the subject of Diagram 60206 and being part of the land comprised in Certificate of Title Volume 1579 Folio 792.	1.665 ha

Schedule—*continued*

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (Approx.)
6.	Executive Director of the Department of Conservation and Land Management	Commissioner of Main Roads vide Caveat F580230	Portion of Wellington Location 1 and being Lot 204 on Diagram 65505 and being part of the land comprised in Certificate of Title Volume 1673 Folio 873.	1 250 m ²
7.	Executive Director of the Department of Conservation and Land Management	Commissioner of Main Roads vide Caveat F580230	Portion of each of Wellington Locations 22 and 48 and being Lot 27 on Diagram 50356 and being part of the land comprised in Certificate of Title Volume 1678 Folio 466.	7 870 m ²
8.	Executive Director of the Department of Conservation and Land Management	Executive Director of the Department of Conservation and Land Management	Portion of each of Wellington Locations 1 and 48 and being Lot 9 the subject of Diagram 26113 and being part of the land comprised in Certificate of Title Volume 1279 Folio 517.	221 m ²
9.	Morgan George Smith one undivided half share and Paul Morgan George Smith and Janine Clare Smith as joint tenants of one undivided half share	Commissioner of Main Roads vide Caveat F806186	Portion of Wellington Location 48 and being part of the land comprised in Certificate of Title Volume 1969 Folio 606.	1.4828 ha

Dated this 7th day of March 1997.

D. R. WARNER, Director Corporate Services.

PLANNING

PD401

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF CANNING

TOWN PLANNING SCHEME NO. 40—AMENDMENT NO. 52

Ref: 853/2/16/44, Pt. 52

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Canning Town Planning Scheme Amendment on 27 February, 1997 for the purpose of including the following in Appendix 5—Schedule of Additional Uses—

No.	Lot No.	Address	Additional Purposes for which the Premises may be Used (any or all of the following uses)	Additional Development Requirements
65	10	88 Catalano Road, Canning Vale	Offices directly associated with the warehousing/storage and showroom uses	Maximum gross floor area 600m ² .

M. S. LEKIAS, Mayor.
A. TORRANCE, A/Chief Executive Officer.

PD402*

TOWN PLANNING AND DEVELOPMENT ACT 1928
DISTRICT ZONING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
CITY OF COCKBURN

DISTRICT ZONING SCHEME NO. 2—AMENDMENT NO. 158

Ref: 853/2/23/19, Pt. 158.

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

1. rezoning Jandakot Agricultural Area Lot 221 and being portion of Lot Pt 161, situated west of Tapper Road and south of Lydon Boulevard within the Beeliar Parklands Estate, from Commercial, Residential R30, Residential R40 and Local Reserve Parks and Recreation to Commercial, Residential R30, Residential R40 and Local Reserve Parks and Recreation; and
2. rezoning portion of Jandakot Agricultural Area Lot Pt 215 from Local Reserve Parks and Recreation to Residential R15.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 9 Coleville Crescent, Spearwood 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 April 22, 1997.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before April 22, 1997.

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. M. GREEN, A/Chief Executive Officer.

PD403

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF GOSNELLS

TOWN PLANNING SCHEME NO. 1—AMENDMENT NO. 457

Ref: 853/2/25/1, Pt. 457.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the City of Gosnells Town Planning Scheme Amendment on February 27, 1997 for the purpose of—

SCHEME TEXT

A Amending Clause 5 of the Scheme Text by deleting the definitions of "Caravan Park" and "Building" and adding the following definitions—

"Building" has the same meaning as is given to that term in the Residential Planning Codes.

"Building Envelope" means an area of land within a lot defined on a plan approved by the Council or by means related to measurement to the boundaries of the lot and within which all buildings on the lot must be contained.

"Cabin" means an attached, semi-detached or detached residential type building within a camping area or caravan park that is used or provided to the public at large for holiday accommodation on a non permanent basis in accordance with the requirements of the City of Gosnells Town Planning Scheme, or any relevant Council By-laws or policies, or Statutes of the State of Western Australia.

"Camping Area" means land set aside for the erection of tents and other similar structures for temporary accommodation and camping has a compatible meaning.

"Caravan" means—

- (i) a vehicle (trailer type) that is fitted or designed for habitation for a person in the course of a journey, and to be drawn by another vehicle or by any tractive unit;
- (ii) or a vehicle (motor propelled) that is fitted or designed for habitation for a person in the course of a journey and which is capable of being propelled by its own power—

As defined in the Road Traffic Act 1971 or in any amendment or subsequent enabling Legislation which controls road traffic in the State of Western Australia.

"Caravan Park" means the use of land for the parking of caravans for the purpose of providing non permanent accommodation to members of the public in accordance with the requirements of the City of Gosnells Town Planning Scheme, or any relevant Council By-laws or policies, or Statutes of the State of Western Australia.

"Caravan or Trailer Yard" means any land or building used for—

- (a) the hire and/or sale of caravans, car trailers, non-motorised horse floats and mobile homes; and

(b) the hire and/or sale of tents, camping gear and or other items of a similar nature where such use is incidental to the use falling within (a) above.

“Caretaker’s Dwelling” means a building or portion of a building used as a dwelling by the proprietor or manager of any industry or business carried on upon the same allotment or by a person having the care of the building, plant or site of such industry or business.

“Park Home” means any relocatable structure other than a caravan as defined in this Scheme which is designed and manufactured (with or without wheels) to permit independent occupancy for continuous dwelling purposes and incorporates its own kitchen, bathroom, toilet or laundry facilities.

“Park Home Development” means the use of land for the siting and servicing of park homes for the purpose of providing permanent accommodation to members of the public in accordance with the requirements of the City of Gosnells Town Planning Scheme, or any relevant Council By-laws or policies, or Statutes of the State of Western Australia.

B Amending Clause 13 and Table 2 of the Scheme Text by deleting “14 Caravan parks” and inserting “14 Other uses (Special sites)”

C Amending Clause 15 and Table 3 of the Scheme Text by deleting “Caravan Parks and/or Camping Grounds” and adding “Camping Area”, “Caravan Park”, “Park Home Development”, and “Composite Camping Area and/or Caravan Park and/or Park Home Development” under Use Class 21

SITE REZONING

D Rezoning Part Lot 6 and Part Lot 7, (No. 2460-2470) Albany Highway, Gosnells from “Rural” to “Other Uses (Special Sites)—Park Home Development” with notation “Park Home Development” on the Scheme Maps.

N. J. SMITH, Mayor.

G. WHITELEY, Chief Executive Officer.

PD404*

TOWN PLANNING AND DEVELOPMENT ACT 1928

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

CITY OF SOUTH PERTH

TOWN PLANNING SCHEME NO. 5—AMENDMENT NO. 89

Ref: 853/2/11/7, Pt. 89.

Notice is hereby given that the local government of the City of South Perth has prepared the abovementioned scheme amendment for the purpose of reclassifying Scheme Reserves and zones, and by modifying residential density codes in part of Karawara for redevelopment and estate improvements by Homeswest.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Sandgate Street, South Perth 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 May 12, 1997.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before May 12, 1997.

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.

L. L. METCALF, Chief Executive Officer.

PD405

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

SHIRE OF ALBANY

TOWN PLANNING SCHEME NO. 3—AMENDMENT NO. 147

Ref 853/5/4/5, Pt. 147.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Albany Town Planning Scheme Amendment on March 4, 1997 for the purpose of amending Special Use Zone Code No. 1 by—

- (i) incorporating a drive through liquor outlet, pharmacy and newsagent as additional permitted uses.

- (ii) incorporating additional Special Conditions.
- (3) Landscaping, setbacks, accessways and car parking areas to be coordinated with the adjoining Special Use Zone to Council and the MRD's specification and satisfaction.
 - (4) Building setbacks to Chester Pass Road shall be 20 metres and 15 metres to all other roads.
 - (5) 10% of the site shall be landscaped to Council's satisfaction and shall include a 5 metre wide landscape strip adjacent to all road frontages.
 - (6) Car parking and vehicle loading and unloading areas shall be designed and constructed to Council's specification and satisfaction.
 - (7) All stormwater runoff shall be contained on site and disposed of to Council's specification and satisfaction.
 - (8) Building facades shall be constructed of brick, stone, concrete or glass or a combination of these materials. Other materials may be considered by Council providing it can be demonstrated that they will not detract from the aesthetic appearance of the development.
 - (9) Reciprocal rights of carriageway may be required as a condition of development to facilitate ease of access between adjoining properties.
 - (10) Uses that may conflict with the amenity of adjoining residential areas shall be appropriately setback, buffered, screened and landscaped to Council's specification and satisfaction.
- (iii) incorporating the following definitions of proposed uses—
- | | |
|-------------------|---|
| Liquor Store: | means any land or buildings the subject of a Store Licence granted under the provisions of the Liquor Licensing Act 1988 (as amended). |
| Plant Nursery: | means any land or buildings used for the propagation, rearing and sale of plants and the storage and sale of products associated with horticultural and garden decor. |
| Newsagent: | a shop which sells principally newspapers, magazines, stationery and books. |
| Pharmacy: | a shop which sells principally medical drugs, toilet preparations and dispenses drugs and medicines. |
| Food Retailing: | means premises used for the sale of edible products to the public generally in small quantities from a shop or supermarket, but does not include a fastfood outlet, cafe or restaurant. |
| Food Wholesaling: | means the sale of edible products in bulk or otherwise than to the ultimate consumer. |

K. G. BEECK, President.
R. GERAGHTY, Chief Executive Officer.

PD406*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF DARDANUP
TOWN PLANNING SCHEME NO. 3—AMENDMENT NO. 75

Ref: 853/6/9/6, Pt. 75.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Dardanup Town Planning Scheme Amendment on March 4, 1997 for the purpose of rezoning portions of Leschenault location 19 off Eaton Drive, Eaton from Single Residential Zone (R15 Residential Planning Code) to Single Residential Zone (R30 Residential Planning Code), School Zone, Other Community Zone and Recreation Zone as depicted on the Scheme Amendment Map.

M. T. BENNETT, President.
M. L. CHESTER, Chief Executive Officer.

PD407*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
SHIRE OF DENMARK
TOWN PLANNING SCHEME NO. 3—AMENDMENT NO. 29

Ref: 853/5/7/3, Pt. 29.

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

1. rezoning portion of Lot 569 corner of Scotsdale and Sutton Roads, Denmark from "Rural" to "Special Rural" and "Tourist Zone";

2. including portion of Lot 569 within Appendix 13 Schedule of Tourist Zones to place appropriate conditions of use; and
3. including portion of Lot 569 within Appendix 6—Special Rural zones to place appropriate provisions to guide landuse and development.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Strickland Street, Denmark 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 April 22, 1997.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before April 22, 1997.

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

P. DURTANOVICH, Chief Executive Officer.

PD408*

TOWN PLANNING AND DEVELOPMENT ACT 1928

DISTRICT PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

SHIRE OF KALAMUNDA

DISTRICT PLANNING SCHEME NO. 2—AMENDMENT NO. 175

Ref: 853/2/24/16, Pt. 175.

Notice is hereby given that the local government of the Shire of Kalamunda has prepared the abovementioned scheme amendment for the purpose of rezoning portion of Lot 3 Lesmurdie Road, Lesmurdie, from Residential (R10) to Shopping as depicted in the Scheme Amendment Map.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2 Railway Road, Kalamunda 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 April 22, 1997.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before April 22, 1997.

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. VAUGHAN, Chief Executive Officer.

PD409*

TOWN PLANNING AND DEVELOPMENT ACT 1928

TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION

SHIRE OF KALAMUNDA

DISTRICT PLANNING SCHEME NO. 2—AMENDMENT NO. 182

Ref: 853/2/24/16, Pt. 182.

Notice is hereby given that the local government of the Shire of Kalamunda has prepared the abovementioned scheme amendment for the purpose of inserting into Appendix D an additional use for Lot 430 Pauls Valley Road, Pauls Valley to allow a tourist facility—Camel Farm.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 2 Railway Road, Kalamunda 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 April 22, 1997.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before April 22, 1997.

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. E. VAUGHAN, Chief Executive Officer.

PD410*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF MUNDARING

TOWN PLANNING SCHEME NO. 3—AMENDMENT NO. 5

Ref: 853/2/27/3, Pt. 5.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Hon Minister for Planning approved the Shire of Mundaring Town Planning Scheme Amendment on February 11, 1997 for the purpose of rezoning Part Location 1807 Rosedale Road, Chidlow, from "Rural Landscaping Living" to "Rural Landscape Living 2/4".

R. DULLARD, President.
M. N. WILLIAMS, Chief Executive Officer.

PD411*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
SHIRE OF SWAN

TOWN PLANNING SCHEME NO. 9—AMENDMENT NO. 294

Ref: 853/2/21/10, Pt. 294 .

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

1. re-classifying portion of Reserve No. 33237 Tresidder Road, Lockridge, from 'Local Reserve - Recreation' to 'Residential 1' (R30).
2. re-coding existing residential development at Bates, Cato and Rudge Places, Lockridge from 'Residential 3' (R80), to 'Residential 1' (R30).

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Great Northern Highway (Corner Bishop Road), Middle Swan and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including April 22, 1997.

Submissions on the scheme amendment may be made in writing on Form No. 4 and lodged with the undersigned on or before April 22, 1997.

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

E. W. LUMSDEN, Chief Executive Officer.

PD412

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
SHIRE OF TOODYAY

TOWN PLANNING SCHEME NO. 1—AMENDMENT NO. 40

Ref: 853/4/28/2, Pt. 40.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and development Act 1928 (as amended) that the Hon Minister for Planning approved the Shire of Toodyay Town Planning Scheme Amendment on March 3, 1997 for the purpose of—

1. Adding an additional use to Lot 47 Clarkson Street by placing an asterisk on the lot on the Scheme Map.
2. Adding to Schedule D—Additional Uses—the following—

No.	Land Particulars	Base Zone	Additional Use	Development Standards/Conditions
2	Lot 47 Clarkson St West Toodyay	Urban 6	Theme Park (Private Recreation) Shop	(i) Development to be in accordance with plans approved by Council. (ii) Use of a shop will be restricted to the sale of craft goods and souvenirs.

No.	Land Particulars	Base Zone	Additional Use	Development Standards/Conditions
				(iii) The size of the shop to be no larger than 100m ² ; and (iv) Landscaping and a vegetation buffer to be established in accordance with plans approved by Council. G. LUDEMANN, President. R. J. MILLAR, Chief Executive Officer.

PREMIER AND CABINET

PR401

MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that His Excellency the Governor in accordance with Section 52(1)(b) of the Interpretation Act 1984 has approved the following temporary appointment in the place of the Hon A. K. R. Prince MLA in the period 12 to 20 April 1997 inclusive—

Minister for Heath—Hon C. L. Edwardes MLA

M. C. WAUCHOPE, Chief Executive.

PUBLIC TRUST

PT301

PUBLIC TRUSTEE ACT 1941**PUBLIC TRUSTEE AMENDMENT REGULATIONS 1997**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Public Trustee Amendment Regulations 1997*.

Second Schedule amended

2. The Second Schedule to the *Public Trustee Regulations 1942** is amended —

- (a) in item 1 (1) (a) (iii) by deleting “3.75%” and substituting the following —
 - “ 4% ”;
- (b) in item 1 (1a) —
 - (i) by deleting “subparagraph (a) of paragraph (1) of this item” and substituting the following —
 - “ subitem (1) (a) ”; and

- (ii) by deleting paragraph (a) and substituting the following paragraph —

“

- (a) where the estate includes —

- (i) a residential property that was the principal place of residence of the deceased person; or
- (ii) an interest as a tenant in common in a residential property of the kind described in subparagraph (i),

and that asset is transferred to the spouse or a child (within the meaning of the *Inheritance (Family and Dependants Provision) Act 1972*) of the deceased person, the fee payable on that part of the estate is 1% of the gross capital value of that asset;

”;

- (c) by inserting after item 1 (1a) the following subitem —

“

(1b) In subitem (1a) (a) the reference to the spouse of the deceased person includes a person who at the time of the deceased person's death was living with the deceased person in a marriage-like relationship, although not legally married to the deceased person.

”;

- (d) in item 1 (2) (a) and (b) by deleting “paragraph (1) of this item” and substituting in each case the following —

“ subitem (1) ”;

- (e) by deleting item 2 (1) and substituting the following subitems —

“

(1) Subject to this item, the fee payable on the gross capital value of assets realized or moneys collected by the Public Trustee in relation to the estate of a represented person is 4% of that value.

(1a) Where the assets realized by the Public Trustee include the principal place of residence of the represented person, the fee payable in respect of that asset is 2% of its gross capital value.

(1b) The fee prescribed under subitem (1) does not apply to moneys withdrawn by the Public Trustee from a cheque account or savings account held with a bank or other financial institution.

”;

- (f) by deleting items 3A and 3B and substituting the following items —

“

Fee payable in respect of investment outside Common Fund

3A. (1) Subject to subitem (2), on income earned, or on a distribution to an estate, from an investment outside the Common Fund under section 37 (1) of the Act, the fee payable is 6% of the income earned or amount distributed, as the case may be.

(2) The fee prescribed under subitem (1) does not apply to any capital gain resulting from the realization of an investment referred to in that subitem.

Fee payable for administration of certain trusts

3B. Where the Public Trustee has completed duties as the executor or administrator of an estate but continues to hold assets of the estate as trustee (including as trustee of a perpetual charitable trust), the fee payable for work performed in connection with the administration of the trust is \$100 per hour (or part of an hour).

”;

- (g) in item 4 (2) —
- (i) by deleting “fees” and substituting the following —
“ fee ”; and
- (ii) by inserting after “\$2 000 or more” the following —
“
or the person on whose behalf the fund is held has other funds or investments with a total value of \$2 000 or more
”;
- (h) in item 9A (1), (4) and (5) by deleting “paragraphs” and substituting in each case the following —
“ subitems ”;
- (i) in item 9A (3) and (4) by deleting “paragraph” and substituting in each case the following —
“ subitem ”;
- (j) by deleting item 9C and substituting the following item —
“
Fee payable for management of represented person’s estate
9C. (1) In this item, unless the contrary intention appears —
“value” means gross capital value on 30 June in the financial year in respect of which the fee is payable.

(2) Subject to subitems (3) and (4), the annual fee payable to the Public Trustee for management of the estate of a represented person is the amount specified in the Table to this subitem corresponding to the value of those assets of the estate that are under the day to day care of the Public Trustee.

TABLE

Value of estate \$	Fee \$
Not more than 5 000	50
5 001 to 15 000	100
15 001 to 25 000	150
25 001 to 50 000	200
50 001 to 100 000	300
100 001 to 500 000	500
500 001 to 1 000 000	1 000
More than 1 000 000	2 500

(3) The annual fee referred to in subitem (2) is to be calculated on a *pro rata* basis for the first financial year in respect of which the fee is payable, unless administration of the estate commences on 1 July in that year.

(4) If the Public Trustee ceases to administer the estate of a represented person on a day other than 30 June in a particular financial year —

(a) the annual fee referred to in subitem (2) is to be calculated on a *pro rata* basis for that year; and

(b) for that purpose the value of the assets referred to in subitem (2) is their gross capital value on the day on which administration of the estate ceases.

”

(k) by deleting item 9E and substituting the following item —

“

Next of kin searches

9E. (1) Subject to subitem (2), the fee payable to the Public Trustee in respect of work done for the purpose of establishing the next of kin of a deceased person is to be calculated at the rate of \$20 for every search of records conducted, or certificate, certified copy or other document obtained, whether in this State or elsewhere.

(2) The minimum fee payable under this item is \$200.

”

and

(l) by inserting after item 9F the following item —

“

Fees payable for certain services

9G. The following fees are payable to the Public Trustee for services provided in the management of an estate —

(a) \$100 per hour (or part of an hour) for the preparation of a tax return by an officer who is a registered tax agent under the *Income Tax Assessment Act 1936* of the Commonwealth;

(b) \$100 for the arrangement of a lease in respect of land or premises that form part of the estate.

”

[* Reprinted as authorized 17 January 1979.
For amendments to 7 January 1997 see 1995 Index to Legislation
of Western Australia, Table 4, p. 230.]

By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

WATER

WA401

File No. A27528
Ex. Co. No. 0192

LAND ACQUISITION AND PUBLIC WORKS ACT 1902
WATER AGENCIES (POWERS) ACT 1984
LAND ACQUISITION

Quindalup Water Bore 1/93

Notice is hereby given, and it is hereby declared, that the land described in the schedule hereto being in the Quindalup district have, in pursuance of the written approval of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 25th day of February 1997 been

compulsorily taken and set apart for the purposes of the following public work, namely: Quindalup Water Bore 1/93.

And further notice is hereby given that the said land so taken and set apart is shown marked off and more particularly described on Water Corporation Land Plan A2934 which may be inspected at the Water Corporation Office, 2nd Floor, 629 Newcastle Street, Leederville. The additional information contained in the Schedule after the land description is to define locality only and in way derogates from the Transfer of Land Act description.

And it is hereby directed that the said land shall vest in Water Corporation of 629 Newcastle Street, Leederville for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way, or other easements whatsoever.

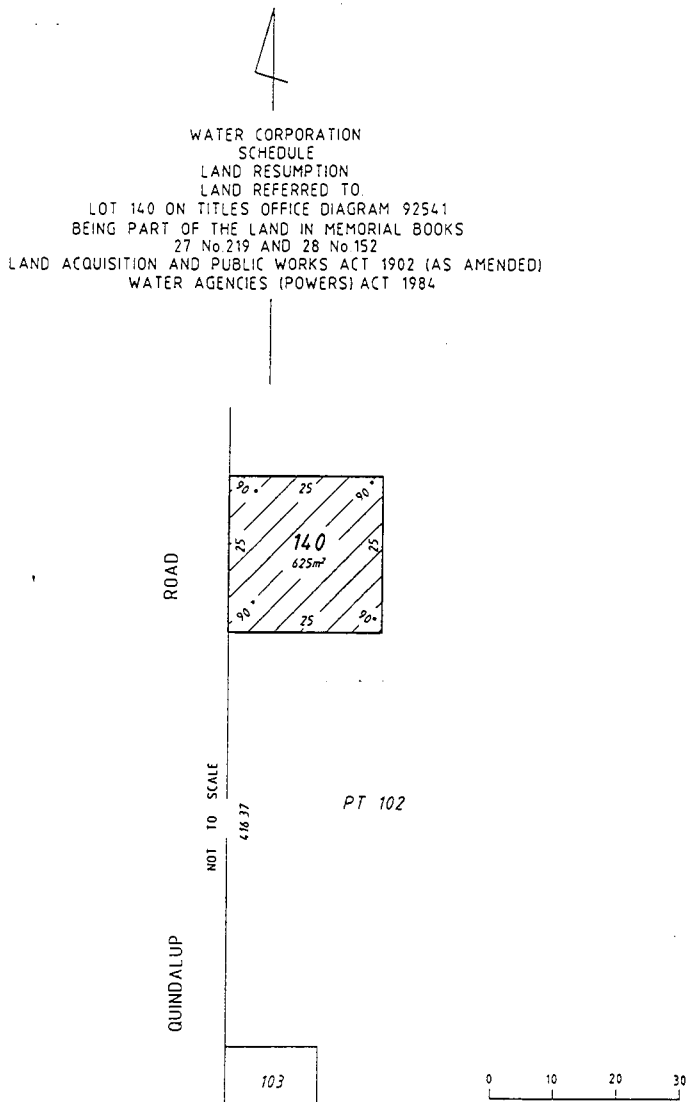
No. on Plan	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
A2934	K.D. Power Pastoral Co. Pty. Ltd.	K.D. Power Pastoral Co. Pty. Ltd.	Portion of Sussex Location 13 and being Lot 140 on Diagram 92541 and being part of the land contained in Memorial Book 27 No. 219 and Memorial Book 28 No. 152	625 m ²

Certified correct this 25th day of February 1997.

MICHAEL JEFFERY, Governor in Executive Council.

Dated this 25th day of February 1997.

KIM HAMES, Minister for Water Resources.



The land to be taken for the purposes of QUINDALUP WATER BORE 1/93 is the land on this plan shown hachured, the same being more particularly described in the notice relating thereto and bearing even date herewith

PUBLIC NOTICES

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

To the Court of Petty Sessions at Perth.

I, Peter Michael Carr of 5 Carmil Place, Alexander Heights WA 6064, Phone number Home 247 1377, Work 041 924 7137, Security Guard (Lic. 1030/94) having attained the age of twenty-one years, hereby apply on my own behalf for a license under the abovementioned Act. The principal place of business will be at 5 Carmil Place, Alexander Heights WA 6064.

Dated the 5th day of March 1997.

PETER MICHAEL CARR, Signature of Applicant.

Appointment of Hearing

I hereby appoint the 8th day of April 1997 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.

Dated the 5th day of March, 1997.

(Sgd.), 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.

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