

WESTERN AUSTRALIAN GOVERNMENT Gazette



PERTH, FRIDAY, 25 JUNE 1999 No. 111

PUBLISHED BY AUTHORITY JOHN A. STRIJK, GOVERNMENT PRINTER AT 3.30 PM

CONTENTS

PART 1

	Page
Fish Resources Management Act 1999—Disallowance of Regulations	2742
Hospitals and Health Services Act 1927—	
Hospitals (Services Charges) Amendment Regulations (No. 2) 1999	2739-40
Hospitals (Services Charges for Compensable Patients) Determination Amendment Notice 1999	2740-1
Water Agencies (Powers) Act 1984—Water Agencies (Charges) Amendment By-laws (No. 3) 1999	2742

PART 2

Fair Trading	2744
Fisheries	2743
Health	2744
Insurance Commission WA	2744
Justice	2745
Local Government	2746-50
Minerals and Energy	2750-3
Parliament	2753
Planning	2754-65
Premier and Cabinet	2765-6
Public Notices—Deceased Estates	2768-9
Racing, Gaming and Liquor	2766-7
Transport	2767-8

NEW FORMAT FOR GENERAL GOVERNMENT GAZETTES

For ease of access to particular notices the general Gazette will be divided into two parts as detailed below. In each part, the notices will appear in alphabetical order of the authorising Department.

Part 1 will contain Proclamations, Regulations, Rules, Local Laws and various other Instruments etc. but not Town Planning Schemes.

Part 2 will contain general notices and information and Town Planning Schemes.

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PUBLISHING DETAILS

The Western Australian *Government Gazette* is published by State Law Publisher for the State of Western Australia on Tuesday and Friday of each week unless disrupted by Public Holidays or unforeseen circumstances (changes to this arrangement will be advertised beforehand on the inside cover).

Special *Government Gazettes* containing notices of an urgent or particular nature are published periodically.

The following guidelines should be followed to ensure publication in the *Government Gazette*.

- Material submitted to the Executive Council prior to gazettal will require a copy of the signed Executive Council Minute Paper and in some cases the Parliamentary Counsel's Certificate.
- Copy should be received by the Manager (Sales and Editorial), State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Postal address:
State Law Publisher
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Perth Business Centre 6849

Delivery address:
State Law Publisher
Ground Floor,
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- Lengthy or complicated notices should be forwarded early to allow for preparation. Failure to observe this request could result in the notice being held over.

If it is necessary through isolation or urgency to fax copy, confirmation is not required by post. *If original copy is forwarded later and published, the cost will be borne by the advertiser.*

ADVERTISING RATES AND PAYMENTS

EFFECTIVE FROM 1 JULY 1998.

Deceased Estate notices, (per estate)—\$17.70

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$41.30

Other articles in Public Notices Section—\$41.30 (except items of an exceptionally large nature. In these instances arrangements will be made for pricing the notice at time of lodging).

All other Notices

Per Column Centimetre—\$8.15

Bulk Notices—\$153.00 per page

Clients who have an account will be invoiced for advertising charges.

Clients without an account will need to pay at time of lodging the notice.

PUBLISHING ALTERATIONS

Periodically the normal *Gazette* publishing times need to be altered to cater for disruption caused by public holidays.

- Easter and Christmas holidays cause disruption each year.
- Australia Day and Anzac Day cause disruption when they fall on a Tuesday or Friday.

In these instances, notices warning of the change are generally published on page 2 for approximately 4 weeks prior to the date.

Readers are urged to check *Gazettes* accordingly, prior to contacting State Law Publisher.

JOHN A. STRIJK, Government Printer.

— PART 1 —

HEALTH

HE301*

Hospitals and Health Services Act 1927

**Hospitals (Services Charges) Amendment
Regulations (No. 2) 1999**

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Hospitals (Services Charges) Amendment Regulations (No. 2) 1999*.

2. Commencement

These regulations come into operation on 1 July 1999.

3. The regulations amended

The amendments in these regulations are to the *Hospitals (Services Charges) Regulations 1984**.

[* Reprinted as at 14 February 1995.

For amendments to 9 June 1999 see 1998 Index to Legislation of Western Australia, Table 4, p. 164, and Gazette 22 January and 28 May 1999.]

4. Schedule amended

(1) Part I of the Schedule is amended as follows:

- (a) in item 1(b)(i) by deleting “\$356.00 per day” and inserting instead —
“ \$376.00 per day ”;
- (b) in item 1(b)(ii) by deleting “\$213.00 per day” and inserting instead —
“ \$216.00 per day ”;
- (c) in item 1(e) by deleting “\$652.00 per day” and inserting instead —
“ \$669.00 per day ”.

- (2) Part II of the Schedule is amended by deleting “\$80.00 per day” and inserting instead —
“ \$90.00 per day ”.
- (3) Part III of the Schedule is amended in item 1(b) by deleting “\$80.00” and inserting instead —
“ \$90.00”.
- (4) Part IV of the Schedule is amended as follows:
- (a) in item (b) by deleting “\$156.00 per day” and inserting instead —
“ \$160.00 per day ”;
 - (b) in item (d) by deleting “\$470.00 per day” and inserting instead —
“ \$560.00 per day ”.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.

HE302*

Hospitals and Health Services Act 1927

Hospitals (Services Charges for Compensable Patients) Determination Amendment Notice 1999

Made by the Minister for Health under section 37(3)(af) of the Act and regulation 5(2) and (3) of the *Hospitals (Services Charges) Regulations 1984*.

1. Citation

This notice may be cited as the *Hospitals (Services Charges for Compensable Patients) Determination Amendment Notice 1999*.

2. Commencement

This notice comes into operation on 1 July 1999.

3. The notice amended

The amendments in this notice are to the *Hospitals (Services Charges for Compensable Patients) Determination 1994**.

[* *Published in Gazette 24 June 1994, pp. 2878-9.*

For amendments to 9 June 1999 see 1998 Index to Legislation of Western Australia, Table 4, pp. 164-5.]

4. Schedule amended

- (1) Part 1 of the Schedule is amended as follows:
 - (a) in item 1 by deleting "\$543 per day" and inserting instead —
" \$629 per day ";
 - (b) in item 2 by deleting "\$525 per day" and inserting instead —
" \$541 per day ";
 - (c) in item 3 by deleting "\$156 per day" and inserting instead —
" \$160 per day ".
- (2) Part 2 of the Schedule is amended by deleting "\$80 per day" and inserting instead —
" \$90 per day ".
- (3) Part 3 of the Schedule is amended as follows:
 - (a) in item 1 by deleting "\$80" and inserting instead —
" \$90 ";
 - (b) in item 2 by deleting "\$80" and inserting instead —
" \$90 ";
 - (c) in item 4 by deleting "\$80" and inserting instead —
" \$90 ".
- (4) Part 4 of the Schedule is amended as follows:
 - (a) in paragraph (a) by deleting "\$525 per day" and inserting instead —
" \$405 per day ";
 - (b) in paragraph (b) by deleting "\$437 per day" and inserting instead —
" \$429 per day ".

JOHN DAY, Minister for Health.

PARLIAMENT

PA301*

FISH RESOURCES MANAGEMENT ACT 1999

DISALLOWANCE OF REGULATIONS

It is hereby notified for public information that the Legislative Council, by resolution passed on Wednesday, June 16, 1999, has disallowed the following Regulations made under the *Fish Resources Management Act 1999* —

That the *Fish Resources Management Amendment Regulations 1999* published in the *Gazette* on March 26, 1999, and tabled in the Legislative Council on April 20, 1999 under the *Fish Resources Management Act 1999*, be and are hereby disallowed

Disallowance is effective on and from the date of resolution.

June 21, 1999.

L. B. MARQUET, Clerk of the Parliaments.

WATER

WA301*

Water Agencies (Powers) Act 1984

Water Agencies (Charges) Amendment By-laws (No. 3) 1999

Made by the Minister under section 34(1) of the Act.

1. Citation

These by-laws may be cited as the *Water Agencies (Charges) Amendment By-laws (No. 3) 1999*.

2. Schedule 2 amended

Schedule 2 to the *Water Agencies (Charges) By-laws 1987** is amended after the line commencing "Dardanup" in the Table to item 3 of Part 2 by inserting —

“

Denham	12.000	12.000
--------	--------	--------

”.

[* Reprinted as at 25 August 1997.

For amendments to 17 June 1999 see 1998 Index to Legislation of Western Australia, Table 4, p. 329-30, and Gazette 7 May 1999.]

KIM HAMES, Minister for Water Resources.

— PART 2 —

FISHERIES

FI401

PEARLING ACT 1990

Section 23(8)

NOTICE OF GRANT OF A PEARL OYSTER FARM LEASE—FRESHWATER BAY

FD 998/98

I, Peter Rogers, the Executive Director of the Fisheries Department of Western Australia, pursuant to section 23 of the Pearling Act 1990 ("the Pearling Act") have granted an application by Paspaley Pearling Company Pty Ltd (ACN 009 591 708) for a pearl oyster farm lease in respect of an area of water of 1.62 square nautical miles—previously part of a larger lease—in the vicinity of Freshwater Bay.

Under section 33(1) of the Pearling Act a person aggrieved by my decision may, within 14 days after publication of this notice in the *Gazette* appeal against this decision by serving on the Minister for Fisheries a statement in writing of the grounds of that appeal.

The statement of the grounds of appeal may be served on the Minister care of the following address—

The Executive Director, Fisheries Department
Third Floor, SGIO Atrium
168-170 St Georges Terrace
Perth WA 6000

Dated this 23rd day of June 1999.

P. P. ROGERS, Executive Director,
Fisheries Department.

FI402

PEARLING ACT 1990

Section 23(8)

NOTICE OF GRANT OF PEARL OYSTER FARM LEASES—MARY ISLANDS

FD 1518/98

I, Peter Rogers, the Executive Director of the Fisheries Department of Western Australia, pursuant to section 23 of the Pearling Act 1990 ("the Pearling Act") have granted an application by Messrs SJ and JD Arrow for pearl oyster farm leases in respect of two areas of water—each previously part of a larger lease—described as "Mary Island A" (3.275 square nautical miles—previously described as "Strickland Bay") and "Mary Island B" (1.520 square nautical miles—previously described as "Gerald Island").

Under section 33(1) of the Pearling Act a person aggrieved by my decision may, within 14 days after publication of this notice in the *Gazette* appeal against this decision by serving on the Minister for Fisheries a statement in writing of the grounds of that appeal.

The statement of the grounds of appeal may be served on the Minister care of the following address—

The Executive Director, Fisheries Department
Third Floor, SGIO Atrium
168-170 St Georges Terrace
Perth WA 6000

Dated this 23rd day of June 1999.

P. P. ROGERS, Executive Director,
Fisheries Department.

FAIR TRADING

FT401**REAL ESTATE AND BUSINESS AGENTS ACT 1978**

SECTION 101

CODE OF CONDUCT FOR AGENTS AND SALES REPRESENTATIVES

NOTICE OF AMENDMENT

The Real Estate and Business Agents Supervisory Board, acting under Section 101 of the Real Estate and Business Agents Act 1978 as amended, and Regulation 13 thereunder hereby amends, with effect from 1 July 1999, the Code of Conduct for Agents and Sales Representatives (the Code) prescribed on 1 July 1993.

(1) By the addition of the following new Article 16—

- “16 (1) An agent who recommends to a party to a transaction, a settlement agent, finance broker or any other supplier of goods or services, must make a written disclosure to the party of any significant relationship, connection or affinity between the agent and the supplier.
- (2) Where the relationship, connection or affinity between the agent and the supplier is capable of producing a conflict between the interests of the party to the transaction and the agent, the agent shall include in such written disclosure an explanation of the nature of the potential conflict”.

The Common Seal of the Real Estate and Business Agents Supervisory Board was at the time of the abovementioned resolution affixed in the presence of—

D. A. DAWES, Chairman.
R. P. ROSSI, Registrar.

HEALTH

HE401**RADIATION SAFETY ACT 1975**

Health Department of WA,
Perth, 16 June 1999.

1108/99.

The appointment of Mr Timothy John Finney as an authorised officer, under the provision of section 4 (1) of the Radiation Safety Act 1975, is hereby notified.

PAUL PSAILA-SAVONA, Executive Director, Public Health.

INSURANCE COMMISSION WA

IA401**MOTOR VEHICLE (THIRD PARTY INSURANCE) ACT 1943**

In accordance with the requirements of section 3C and 3D of the Motor Vehicle (Third Party Insurance) Act 1943, I give notice that the following amounts will apply for the purposes of those sections with effect on and from 1 July 1999.

Amount A	\$219 000.00
Amount B	\$10 500.00
Amount C	\$33 000.00
Amount D	\$5 000.00

G. M. EVANS, Minister for Finance.

JUSTICE

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 person as a Member of the Children's Court of Western Australia—

Mr Hedley Brooke Fowler of "Bayley Springs" 21 Zilko Road, Williams

RICHARD FOSTER, Executive Director,
Court Services.

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—

Ms Sandra Leigh Brown of 50 Cornwall Street, Lathlain

RICHARD FOSTER, Executive Director,
Court Services.

JM403**JUSTICES ACT 1902**

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

Mrs Cynthia Phyllis Wigham of "Heaven-Lea" 36 Hillside Place, Bullsbrook

Mr Pat Ahern of 264 North Road, Albany

from the Office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, Executive Director,
Court Services.

JM404**JUSTICES ACT 1902**

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

Mr Luka Favro of 95 Britannia Avenue, Beeliar

Mrs Sally Anne Higgins of "Pencarrow", Narrogin

Mr Jerry Masaryk of 27 Denny Way, Alfred Cove

Mr John Leslie McCleary of Lot 335 First Avenue, Onslow

Mr Maximilian Namestnik of Unit 10, 151-155 Brisbane Street, Perth

Mr Sareth Ruos of 15 Staines Street, Lathlain

to the Office of Justice of the Peace for the State of Western Australia.

RICHARD FOSTER, Executive Director,
Court Services.

LOCAL GOVERNMENT

LG401**DOG ACT 1976***Shire of Pingelly*

It is hereby notified for public information that Mrs Beverley Mirian Giles has been appointed as an authorised Dog Control and Registration Officer.

M. J. HOOK, Chief Executive Officer.

LG402**LOCAL GOVERNMENT ACT 1995***City of Gosnells*

(Basis of Rates)

Department of Local Government,
Perth, 25 June 1999.

LG: GS 5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the Local Government Act 1995, the Minister for Local Government has determined that the method of valuing the land described in the schedule hereunder shall be gross rental values for the purposes of rating with effect from 1 July 1999.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule

All those portions of land shown in the schedule below—

Lot Number	Office of Titles Plan/Diagram Number
Pt 1	Dia 12549
2 & Pt 3	Dia 14060
Pt 3	Dia 15781
42-44	Dia 17909
Pt 1	Dia 22715
2	Dia 24096
1, 2	Dia 26875
2	Dia 30231
5 & 6	Dia 34815
1	Dia 45088
2	Dia 45183
Pt 3 & Pt 4	Dia 46313
20	Dia 47834
Pt 1	Dia 48799
5	Dia 49586
5 & 6	Dia 52433
29	Dia 53261
3 & 5	Dia 53366
3	Dia 56029
10	Dia 60531
102	Dia 63707
11 & 12	Dia 63741
501	Dia 64956
500	Dia 64957
3-6	Dia 66373
1	Dia 66389
47	Dia 66950
502	Dia 68142
3	Dia 68311
7 & Pt 8	Dia 68393
35	Dia 71730
1	Dia 71840
1	Dia 71948

Lot Number	Office of Titles Plan/Diagram Number
20	Dia 72295
21 & 22	Dia 72322
25	Dia 73767
100 & 101	Dia 74258
24 & 25	Dia 75090
7 & 8	Dia 75884
101	Dia 76955
10	Dia 78333
2	Dia 78168
4	Dia 78703
85	Dia 79160
491	Dia 79940
14	Dia 82043
1	Dia 83836
435	Dia 84640
100	Dia 87857
202	Dia 88687
20 & 21	Dia 93467
101	Dia 94437
100	Dia 94438
301	Dia 94606
515	Dia 94711
Pt 25	Plan 2499
1117	Plan 2566
1295 & Pt 1296	Plan 2608
Pt 358	Plan 2657
Pt 96 & Pt 97	Plan 2748
1572, 1579, 1584 & 1588	Plan 3316
297, 284, 308, 309, Pt 371, 374, Pt 420 & 431	Plan 3327
1291, 1297, 1298, 1300-1302, 1369, 1385	Plan 3314
1467, Pt 1468, 1482-1485, 1487, 1488	Plan 3314
1489-1497, 1504-1507	Plan 3314
Pt 19 & Pt 26	Plan 3346
5	Plan 15691
11	Plan 16490
172	Plan 17823
91-95, 100	Plan 23049
101-108	Plan 23136
109-124	Plan 23137
125-140, 173	Plan 23138
141-171	Plan 23139

LG403**LOCAL GOVERNMENT ACT 1995***City of Joondalup*

(Basis of Rates)

Department of Local Government,
Perth, 25 June 1999.

LG: JO 5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the Local Government Act 1995, the Minister for Local Government has determined that the method of valuing the land described in the schedule hereunder shall be gross rental values for the purposes of rating with effect from 1 July 1999.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule

All those portions of land shown in the schedule below—

Lot No.	Office of Titles Plan/Diagram No.	Crown Allotment No.	Certificate of Title No. (Volume/Folio)
Pt 6 & Pt 7	Dia 22797		
100	Dia 76844		
303	Dia 80536		
		Pt Swan Loc 709	1426/901 & 2141/458

LG404

LOCAL GOVERNMENT ACT 1995
Shire of Augusta-Margaret River
(Basis of Rates)

Department of Local Government,
Perth, 25 June 1999.

LG: AM 5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the Local Government Act 1995, the Minister for Local Government has determined that the method of valuing the land described in the schedule hereunder shall be gross rental values for the purposes of rating with effect from 1 July 1999.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule

All those portions of comprised in the schedule below—

Lot No.	Office of Titles Plan/Diagram No.	Crown Allotment No.	Certificate of Title No. (Volume/Folio)
—	Diagram 12125	Pt Sussex Loc 58	
1	Diagram 14580		
1	Diagram 18333		
1	Diagram 24416		
3	Diagram 28963		
1	Diagram 31196		
1	Diagram 35770		
1	Diagram 47288		
Pt 1	Diagram 52560		
1	Diagram 74656		
10	Diagram 82556		
11	Diagram 86818		
2	Diagram 88822		
		Pt Sussex Loc 251	2113/46
		Sussex Loc 1711	1385/736
		Pt Sussex Loc 1724	1127/363
		Sussex Loc 3084	1238/685
		Pt Sussex Loc 3127	2095/304
		Sussex Loc 4085 (Reserve 25366)	
		Sussex Loc 4357	1318/601
		Sussex Loc 4417	1317/818
		Sussex Loc 4573	2019/993

LG405

LOCAL GOVERNMENT ACT 1995
Shire of Esperance
(Basis of Rates)

Department of Local Government,
Perth, 25 June 1999.

LG: ES 5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the Local Government Act 1995, the Minister for Local Government has determined that the method of valuing the land described in the schedule hereunder shall be gross rental values for the purposes of rating with effect from 1 July 1999.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule

All those portions of land comprised in the schedule below—

Crown Allotment Number	Certificate of Title Number (Volume/Folio)
Esperance Loc 44	1204/513
Esperance Loc 45	904/60
Esperance Loc 46	1213/201
Esperance Loc 47	1839/749
Esperance Loc 48	1213/200
Esperance Loc 166	380/176A

LG406**LOCAL GOVERNMENT ACT 1995***Shire of Nannup*

(Basis of Rates)

Department of Local Government,
Perth, 25 June 1999.

LG: NP 5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the Local Government Act 1995, the Minister for Local Government has determined that the method of valuing the land described in the schedules hereunder shall be gross rental values for the purposes of rating with effect from 1 July 1999.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedules

SCHEDULE A

All those portions of land the subject of Office of Titles Diagrams 3805, 82584, 84510, 84814 & 88158.

SCHEDULE B

All those portions of land the subject of Office of Titles Plans 14607, 15851, 17386, 18329, 18901, 18917, 19897, 20441, 20442, 20534, 20535, 20786, 22345, 23041 & 23042.

SCHEDULE C

All those portions of land as shown below—

Lot No.	Office of Titles Plan/Diagram No.	Crown Allotment No.	Certificate of Title No. (Volume/Folio)
2	Diagram 48549		
7	Diagram 71640		
3	Diagram 26528		
1 & 2	Diagram 93751		
3	Plan 15023		
5	Plan 12565		
Pt 3	Plan 6402		
		Nelson Loc 1423	1644/627 & 1644/628
		Nelson Loc 7893	1724/584
		Nelson Loc 4497	1982/274
		Nelson Loc 5614	1201/799
		Nelson Loc 804	1708/354

LG407**LOCAL GOVERNMENT ACT 1995***Shire of Shark Bay*

(Basis of Rates)

Department of Local Government,
Perth, 25 June 1999.

LG: SB 5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the Local Government Act 1995, the Minister for Local Government has determined that the method of valuing the land described in the schedule hereunder shall be gross rental values for the purposes of rating with effect from 1 July 1999.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule

All that portion of land comprising North Location 62 contained in Certificate of Title Volume 1729 Folio 171.

LG408**LOCAL GOVERNMENT ACT 1995***Shire of Wanneroo*

(Basis of Rates)

Department of Local Government,
Perth, 25 June 1999.

LG: WS 5-4

It is hereby notified for public information that in accordance with the provisions of section 6.28 of the Local Government Act 1995, the Minister for Local Government has determined that the method of valuing the land described in the schedule hereunder shall be gross rental values for the purposes of rating with effect from 1 July 1999.

JOHN LYNCH, Executive Director,
Department of Local Government.

Schedule

All those portions of land shown in the schedule below—

Lot No.	Office of Titles Plan/Diagram No.	Crown Allotment No.	Certificate of Title No. (Volume/Folio)
6	Dia 15966		
21 & 22	Dia 15996		
1 & 2	Dia 16505		
1	Dia 26339		
Pt 3 & Pt 4	Dia 30949		
Pt 5 & Pt 6	Dia 33343		
48	Dia 61221		
50 & 51	Dia 63292		
21	Plan 7159		
27-29	Plan 7513		
1001	Plan 19619		
Pt 1002	Plan 19620		
Pt 5		Pt Swan Loc 1513	1698/400 1608/760

LG409**BUSH FIRES ACT 1954***Shire of Harvey*

Pursuant to the provisions of the Bush Fires Act 1954, it is hereby advised that the following appointment and cancellation has been made by Council—

Mr Geoff Van Rossum is hereby appointed as Fire Control Officer—Cookernup Fire District.

The appointment of Mr Simon Marston as Fire Control Officer—Cookernup Fire District is hereby cancelled (Mr Simon Marston's position as Deputy Chief Bush Fire Control Officer for the Shire of Harvey remains current.).

KEITH LEECE, Chief Executive Officer.

MINERALS AND ENERGY**MN101***PRINTERS CORRECTION***MINING ACT 1978**

An error occurred in the notice published under the above heading on page 2655 of *Government Gazette* No. 108 dated 18 June 1999 and is corrected as follows.

After the line "70/1867 Australian Imperial Jade Pty Ltd South West" insert the heading " **MINING LEASE** ".

MN401***PETROLEUM PIPELINES ACT 1969**

NOTICE OF APPLICATION FOR A PIPELINE LICENCE

I, Bill Mason, being the person who from time to time, holds, occupies or performs the duties of, the office of Director Petroleum Operations Division in the Department of Minerals and Energy for the State of Western Australia being the Officer for the time being holding certain powers and functions of the Minister in respect of the area specified in the State of Western Australia by virtue of an instrument of delegation dated 4 June 1998 and published in the *Government Gazette* of Western Australia on 16 June 1998, give notice pursuant to Section 8(4) of the Petroleum Pipelines Act, 1969 that application recorded as 5P98-9 has been received from—

EPIC ENERGY (WA) NOMINEES PTY LTD
LEVEL 7, 239 ADELAIDE TERRACE, PERTH WA

for a pipeline licence to accommodate a Compressor Station (CS10 Kwinana) and an interconnection between the DBNGP Kwinana loopline and the Rockingham lateral.

A map showing the position of the proposed Compressor Station and interconnecting lateral maybe examined during public office hours until 2 July 1999 at the Petroleum Operations Division, Department of Minerals and Energy, 11th Floor, Mineral House, 100 Plain Street, East Perth WA.

Dated this 21st day of June 1999.

BILL MASON, Acting Director Petroleum Operations Division.

MN402*

COMMONWEALTH OF AUSTRALIA

PETROLEUM (SUBMERGED LANDS) ACT 1967

(SECTION 119)

PROHIBITION OF ENTRY INTO A SAFETY ZONE

I, Bill Mason, the Acting Director Petroleum Operations Division of the Department of Minerals and Energy of the said State by instrument of delegation dated 4 June 1998, and pursuant to section 119 of the above Act, hereby prohibit all vessels other than vessels under control of the registered holders of Exploration Permit WA-260-P from entering or remaining in the area of the safety zone without the consent in writing of the Director, Petroleum Operations Division. This safety zone extends to a distance of five hundred metres, measured from each point of the outer edge of the wellhead platform, whilst conducting petroleum operations at the Buffalo 3, 4 and 5 wells location (latitude 10°40'20.11" South, longitude 126°06'09.21" East.)

Where an unauthorised vessel enters or remains in the safety zone specified in contravention of this instrument, the owner and the person in command or in charge of the vessel are each guilty of an offence against section 119 of the Act and are punishable, upon conviction, by a fine not exceeding \$100,000 or imprisonment for a term not exceeding 10 years, or both, pursuant to section 119(3) of the Act.

Dated this 22nd day of June 1999.

Made under the Petroleum (Submerged Lands) Act 1967 of the Commonwealth of Australia.

BILL MASON, Acting Director Petroleum Operations Division.

MN403**MINING ACT 1978**

NOTICE OF INTENTION TO FORFEIT

Department of Minerals and Energy,
Perth WA 6000.

In accordance with Regulation 50(b) of the Mining Act 1978, notice is hereby given that unless the rent due on the undermentioned licences and leases is paid on or before 26 July 1999 it is the intention of the Hon. Minister for Mines under the provisions of sections 96A(1) and 97(1) of the Mining Act 1978 to forfeit such for breach covenant, viz, non-payment of rent.

L. C. RANFORD, Director General.

Number	Holder	Mineral Field
	EXPLORATION LICENCES	
08/921	Darkdale Pty Ltd; Macgregor, Katrina Jane; Tenacity Resources Pty Ltd; Yellowmoon Gold Mines Pty Ltd	Ashburton

Number	Holder	Mineral Field
EXPLORATION LICENCES— <i>continued</i>		
08/922	Darkdale Pty Ltd; Macgregor, Katrina Jane; Tenacity Resources Pty Ltd; Yellowmoon Gold Mines Pty Ltd	Ashburton
08/923	Darkdale Pty Ltd; Macgregor, Katrina Jane; Tenacity Resources Pty Ltd; Yellowmoon Gold Mines Pty Ltd	Ashburton
08/924	Darkdale Pty Ltd; Macgregor, Katrina Jane; Tenacity Resources Pty Ltd; Yellowmoon Gold Mines Pty Ltd	Ashburton
08/1033	Johnson, Lionel Gordon; Shanks, Helen Janette	Ashburton
08/1045	Firegold NL; Hunter Exploration NL	Ashburton
08/1046	Firegold NL; Hunter Exploration NL	Ashburton
25/114	GHK Mining Pty Ltd	East Coolgardie
27/83	Fodina Minerals Pty Ltd; Outokumpu Exploration Ventures Pty Ltd	North East Coolgardie
27/112	Treacy, Joseph Allen	North East Coolgardie
29/206	Extract Tailings Pty Ltd; Treacy, Joseph Allen	North Coolgardie
29/296	Western Diamond Corporation NL	North Coolgardie
30/120	Tectonic Resources NL	North Coolgardie
31/102	Mount Kersey Mining NL	North Coolgardie
31/103	Mount Kersey Mining NL	North Coolgardie
31/291	Horizon Mining NL	North Coolgardie
31/334	Western Diamond Corporation NL	North Coolgardie
38/843	Johnson's Well Mining NL	Mount Margaret
38/1003	Navigator Pty Ltd	Mount Margaret
38/1036	Carter, Jeremy	Mount Margaret
39/511	Fewster, Michael Edward	Mount Margaret
46/401	Jonellen Pty Ltd	Pilbara
46/402	Jonellen Pty Ltd	Pilbara
51/534	WMC Resources Ltd	Murchison
53/507	Mines and Resources Australia Pty Ltd	East Murchison
57/357	Gateway Mining NL	East Murchison
57/385	Wirraminna Gold NL	East Murchison
59/734	Aarex Resources NL	Yalgoo
63/317	Central Norseman Gold Corporation Ltd	Dundas
69/1212	Astro Mining NL	Warburton
69/1213	Astro Mining NL	Warburton
74/217	Chaytor, Maxwell Stanley; Dowling, John Francis; Locsei, Janos; Walker, Robert Denis; Wanless, Robert James	Phillips River
77/476	Forrestania Gold NL	Yilgarn
77/863	Australian Gold Resources Ltd	Yilgarn
80/1887	Gardner, Robert Charles	Kimberley

MINING LEASES

04/237	Stella Blast NL	West Kimberley
08/27	Ramirez, Arnold James	Ashburton
20/40	RTS Pty Ltd	Murchison
20/210	RTS Pty Ltd	Murchison
20/258	RTS Pty Ltd	Murchison
21/62	Goldview Corporation Pty Ltd	Murchison
24/16	Centaur Mining and Exploration Ltd	Broad Arrow
24/357	Astro Mining NL	Broad Arrow
24/431	Centaur Mining and Exploration Ltd	Broad Arrow
24/432	Astro Mining NL	Broad Arrow
38/343	Aurora Gold (WA) Pty Ltd	Mount Margaret
38/344	Aurora Gold (WA) Pty Ltd	Mount Margaret
46/152	Consolidated Manganese Pty Ltd	Pilbara
58/239	Nichols, Steven Jeremy Troup; Pemberton, Gary Rex	Murchison
59/275	Waybury Holdings Pty Ltd	Yalgoo
59/390	Yinnex NL	Yalgoo
59/393	Seivwright, Daniel Kevin	Yalgoo
63/172	Australasian Gold Mines NL	Dundas

MN404**MINING ACT 1978**

Department of Minerals and Energy,
Perth WA 6000.

I hereby declare in accordance with the provisions of section 99(1)(a) of the Mining Act 1978 that the undermentioned Exploration Licences are forfeited for breach of covenant, viz: non compliance with expenditure conditions with prior right of application being granted to the plaintiff under section 100(2).

NORMAN MOORE, Minister for Mines.

East Murchison Mineral Field

Exploration Licence 53/687—Custodian Holdings Pty Ltd

Exploration Licence 53/688—Custodian Holdings Pty Ltd

Exploration Licence 53/689—Custodian Holdings Pty Ltd

Exploration Licence 53/698—Custodian Holdings Pty Ltd

Exploration Licence 53/704—Custodian Holdings Pty Ltd

Exploration Licence 53/705—Custodian Holdings Pty Ltd

MN405**MINING ACT 1978**

Department of Minerals and Energy,
Perth WA 6000.

I hereby declare in accordance with the provisions of section 99(1)(a) of the Mining Act 1978 that the undermentioned Exploration Licences are forfeited for breach of covenant, viz: non compliance with expenditure conditions with prior right of application being granted to the plaintiff under section 100(2).

NORMAN MOORE, Minister for Mines.

East Murchison Mineral Field

Exploration Licence 53/681—Davallia Pty Ltd; Eureka Stockade Pty Ltd; Geary, John Charles

Exploration Licence 53/682—Davallia Pty Ltd; Eureka Stockade Pty Ltd; Geary, John Charles

Exploration Licence 53/683—Davallia Pty Ltd; Eureka Stockade Pty Ltd; Geary, John Charles

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA

Bills Assented To

It is hereby notified for public information that the Governor has Assented in the name and on behalf of Her Majesty the Queen, on the dates shown, to the undermentioned Bills passed by the Legislative Council and the Legislative Assembly during the Second Session of the Thirty-Fifth Parliament.

Short Title of Bill	Date of Assent	Act No
Acts Amendment (Mining and Petroleum) Bill 1999	15 June 1999	17 of 1999
Weapons Bill 1999	16 June 1999	18 of 1999

June 21, 1999

L. B. MARQUET, Clerk of the Parliaments.

PLANNING

PD401**TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

TOWN OF MOSMAN PARK

TOWN PLANNING SCHEME No. 2—AMENDMENT No. 23

Ref: 853/2/18/4, Pt 23.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Town of Mosman Park Town Planning Scheme Amendment on 14 June, 1999 for the purpose of—

Preliminary—Part 1 of the Scheme

1. Clause 1.3 of the Scheme text is to be deleted and replaced with the following—
 - “1.3 Relationship To Metropolitan Region Scheme
The scheme is complimentary to, and is not a substitute for, the Metropolitan Region Scheme, and the provisions of the Metropolitan Region Scheme continues to have effect. The authority responsible for implementing the Metropolitan Region Scheme is the Western Australian Planning Commission (hereinafter called ‘the Commission’).”
2. Clause 1.2 is to be deleted and replaced with the following—
 - “1.2 Scheme Area
The scheme applies to the municipal district of the Town of Mosman Park as generally shown by the Scheme area boundary on the Scheme Maps.”
3. Clause 1.5 is to be amended by the addition of—
 - “.....and all amendments thereto.....”
 - after the words.... “Gazetted on 23rd June 1972...”
4. Clause 1.8 is to be amended by deleting “.....to permit any new work....” and replaced with “....any new work or permit any new work to be undertaken....”
5. Clause 1.9 is amended by the deletion of all reference to “by-laws” and substituting “Local Laws”.
6. Clause 1.11 is to be deleted and replaced with the following—
 - “1.11 Interpretation
Words and expressions used in the Scheme shall have the respective meanings given to them in Appendix A or elsewhere in the Scheme and the Residential Planning Codes.
Where a word or term is defined in the Residential Planning Codes then that word or term when used in respect of residential development has the meaning given to it in the Residential Planning Codes.
Words and expressions used in the Scheme but not defined in Appendix A, elsewhere in the Scheme or in the Residential Planning Codes shall have their normal and common meanings.”

Reserved Land—Part II of the Scheme

7. Clause 2.1 of the Scheme is to be deleted, and replaced with the following—
 - “2.1 Metropolitan Region Scheme Reserves
The land shown as “Metropolitan Region Scheme Reserves” or “Regional Reserves” on the Scheme Maps is land reserved under the Metropolitan Region Scheme and is shown on the Scheme Maps in order to comply with Metropolitan Region Town Planning Scheme Act 1959, as amended. That land is not reserved by this Scheme. The provisions of the Metropolitan Region Scheme continue to apply to such reserves.
2.1.1 Scheme Reserves
The land shown as Scheme Reserves on the Scheme Map, hereinafter called ‘Local Reserves’ is land reserved under the Scheme for the purposes of Parks and Recreation, and Public Purposes.”
8. Clause 2.3 is amended by deleting “In giving its approval....” and substituting “In considering any application for approval of development on reserved land...”

Zones—Part III of the Scheme

9. Clause 3.1 is amended by the addition of a heading—
 - “Relationship With The Metropolitan Region Scheme”.
10. The following sentence is to be added to the foot of clause 3.2 of the Scheme—
 - “The zones are delineated and depicted on the Scheme Map according to the legend thereon”.
11. The description of the AA use provision of clause 3.3 is to be deleted and replaced with the following—
 - “AA—A use that is not permitted unless the Council has granted planning approval.”

12. Clause 3.3 is amended by the addition of a heading as follows—
 - “3.3 Land Use Classification”
13. Clause 3.3.1 is added, after clause 3.3, as follows—
 - “3.3.1 Definition Of Land Use
Where in the zoning table a particular use is mentioned it is deemed to be excluded from any other use class which by its more general terms might otherwise include such particular use.”
14. Clause 3.3.2 is added after clause 3.3 (and proposed clause 3.3.1) as follows—
 - “3.3.2 Consideration Of Uses Not Listed
If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Council may—
 - (a) determine that the use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of the Scheme
or
 - (b) determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted.”
15. Clause 3.4 of the Scheme is deleted and replaced with the following—
 - “3.4 Additional Uses
Notwithstanding anything contained within the Zoning Table, the land specified in Appendix B may, subject to compliance with any condition specified in the appendix with respect to the land, be used for the purpose set against that land. The use so specified is in addition to the other uses permitted in the Zone in which the land is situated unless any of those uses are excluded or modified by a condition specified in that appendix.”
16. The Zoning Table is proposed to be modified by—
 - (a) deleting use class numbers 2, 9, 44, 47, 48
 - (b) the following inclusions—
 - (i) inserting “Child Day Care Facility” under “Cemeteries and Crematoria” and adding the symbol “X” in all zones with the exception of the “Residential” and “Business” zonings where the symbol “AA” should appear.
 - (ii) inserting “Take Away Food Shop” under “Single House” and adding the symbol “X” in all zones with the exception of the “Business” Zone where the symbol “AA” should appear.
 - (iii) replacing the symbol “AA” with the symbol “P” for the use class “Single House” in the “Development Zone”.
 - (iv) replacing the symbol “X” with the symbol “AA” for the use class “Single House” in the “Business Zone”.
 - (v) inserting “Office” under Noxious Industry and adding symbol “X” in all zones with the exception of the “Business” and “Special Office—Residential” zones where the symbol “AA” should appear.
 - (c) deleting reference to the zone “Business and Residential” and all following use class symbols.
 - (d) deleting reference to the zone “Industrial” and all following use class symbols.
 - (e) renumbering all use classes accordingly.
17. Clause 3.5 of the Scheme is amended by the addition of the following—

Notwithstanding the provisions of the Zoning Table, residential development at a density of Residential R80 may be approved by the Council, subject to the advertising procedures and the residential development controls of the Scheme within the Business zoned land identified as those lots adjacent to the St. Leonard’s Street/Stirling Highway, Glyde Street/Stirling Highway, and Stuart Street/Stirling Highway intersections.

Elsewhere within the Business Zone residential development at a density of up to Residential R50 may be permitted, subject to the advertising procedures and residential development controls of the Scheme.
18. Clause 3.6 of the Scheme is deleted.
19. Clause 3.7 of the Scheme is deleted.
20. Clause 3.8.1 is amended by the addition of a heading as follows—
 - “3.8.1 Intent”
21. Clause 3.8.2 of the Scheme is deleted and replaced with the following—
 - “3.8.2 Land Abutting Riverside Drive
Development of land in this area should make provision, through appropriate building setbacks, for the eventual intended widening of the Riverside Drive road reserve by 2.5m on its north-west (landward) side.”

22. Clause 3.8.3 is deleted and replaced with the following—
 “3.8.3 Dual Coded Areas Adjacent To Stirling Highway
 In the area of R20/50 dual coding, development to the higher density shall only be permitted if the development proposal—
 (i) causes a rationalisation and reduction in opportunity for direct vehicle access to Stirling Highway, and
 (ii) incorporates the amalgamation of lots to a minimum area of 1400m².”
- 22A. Clause 3.8.4 is amended by the introduction of a heading—
 “3.8.4 Lots With Dual Frontage To Eastbourne And Glanville Streets.”
23. Clause 3.8.5 is amended by the addition of a heading—
 “3.8.5 Lots With Dual Frontage To Baring And Solomon Streets.”
24. Clause 3.8.6 is deleted, and replaced with the following—
 “3.8.6 R35 Zone Between Fairlight And Victoria Streets
 Other than for the development of a single house, proposals for further lot development within this area should make provision for separate vehicle access from Public Ways wherever possible. In doing so, provision should be made, at the Council’s discretion, for Public Ways to be widened wherever possible.”
25. Clause 3.8.7 is deleted and replaced by the following—
 “3.8.7 R50 Zone Between Fairlight And St Leonards Streets
 Development to the R50 density shall be subject to the availability of vehicle access from Public Ways or streets other than Stirling Highway. In its consideration of applications Council will consider the standard of construction and width of abutting Public Ways and may impose conditions relating to access ways.”
26. Clause 3.8.8 is deleted.
27. Clause 3.8.9 is deleted.
28. Clause 3.8.10 is amended by the addition of a heading as follows—
 “3.8.10 Redevelopment Of Buildings That Currently Exceed Building Height Limitations”
29. Clause 3.8.11 is amended by the addition of a heading as follows—
 “3.8.11 R20/40 Zone, Willis Street”
30. Clause 3.9 is amended by the deletion of “if any of the service station uses discontinue then Council will only support residential development on the sites to a similar standard to surrounding residential areas.”
31. Clause 3.11 is amended by removing “(iii) New development shall complement existing character houses in terms of height, scale, bulk, colour, design and use of materials and shall maintain the residential appearance of the area” and placing it as a separate paragraph after the sub-clause which reads “the enhancement of the streetscape to emphasise Glyde Street as the main entrance to the Town.”
 Sub-clauses (iv) and (v) become (iii) and (iv) respectively.
32. Clause 3.12.1 is amended by the addition of a heading as follows—
 “3.12.1 Intent”
 The numbering of a paragraph as 3.12.2 is deleted
33. Clause 3.12.3 is deleted.
34. 2.5 Non conforming Uses—Part IV of the Scheme
 No changes or alterations are proposed to this section of the Scheme, with the exception of the deletion of the numbering 4.4.1 and 4.4.2 to respective paragraphs.
- General Provisions—Part V of the Scheme
35. Clause 5.1.1 (a) is amended by—
 (i) deletion of the first word “Policy-”
 (ii) replacement of the third word “policy” with “guidelines”
 (iii) “In exercising the policy..” is replaced with “In exercising this control...”
 (iv) “... may depart from this policy...” is replaced with “... may vary this control...”
 (v) “...not be adversely affected.” is amended by the addition of “...as determined if the regular standards of the Scheme were imposed.”
36. Clause 5.1.1 (b) is amended by deleting “The maximum building height shall be measured from the natural ground level at any point on the site to the crown of the roof and shall be—
 single storey roof height 6.0 metres
 two storey wall height 6.0 metres
 roof height 8.5 metres”
 and replacing it with the following paragraph—
 The maximum height of the building shall not exceed 8.5m above natural ground level.”
 “Notwithstanding clause 5.1.1 (c) below, the maximum building height of any building shall be measured from the highest point of the building to a point at natural ground level

immediately beneath that highest point. In determining natural ground level Council shall utilise AHD contours for the district at 1 metre intervals unless it can be proven by licensed survey to the Council's satisfaction, that such contours are not appropriate in a particular instance.

37. Clause 5.1.1 (c) is added as follows—

“5.1.1 (c) The Development Zone And CSR Site—Building Height Restrictions.

Due to the need to re-contour and rehabilitate landholdings within the Development Zone and CSR Site (Downey Drive), Council acknowledges that re-contouring of the land at subdivision application stage may be incorporated.

Following adoption of ground levels as part of a subdivision approval for land in the Development Zone and CSR Site, those adopted levels (defined in relation to the Australian Height Datum) shall be considered natural ground level for the purpose of calculating building height.”

38. Clause 5.1.2 is modified by—

- (i) deleting the heading and replacing it with “5.11.2 General Amenity Considerations”
- (ii) deleting the word “shall” after the word Council in the second line and replace it with the word “may”.
- (iii) deleting sub-clause “(viii)” and substituting the following sub-clause—
 - (viii) “the impact of balconies, verandahs and large viewing windows in floor levels above ground floor level on the amenity of abutting properties.”

39. Clause 5.2.2 (b) is amended by—

- (i) the addition of “For land with density codings of R20 or less.....” before “residence” in the first line.
- (ii) the deletion of the words “to be” after the words “reduced setback”.

40. Clause 5.2.2 (c) is deleted.

41. Clause 5.2.2 (d) is amended by deleting the first paragraph as shown below—

Notwithstanding the provision of the Residential Planning Codes, “Additional Accommodation” as set out in Clause 28 and 29 of the Codes have been replaced by the term “Additional Dwelling” as defined at Appendix A—Planning Scheme Interpretations. Subject to the procedures set out in Part VII of the Scheme, Council may approve an additional dwelling unit in the Residential Zone in accordance with the following provisions.

and replacing it with the following—

“5.2.2 (d) Consideration of an application for “Ancillary Accommodation” shall be assessed in accordance with the adopted policies of Council (which prescribes building form and siting) and the following provisions—

- (i) no person other than a member of the family of the occupier of the main dwelling shall reside in the additional self-contained unit and then only whilst there is a current annual permit granted by the Council in respect of that use. Ancillary Accommodation shall be registered and a permit obtained from 1 July each year. The permit will expire on 30 June each year and an annual permit fee shall be paid of an amount as determined by Council and amended from time to time.
- (ii) within 3 months or within such further time as the Council shall in its absolute discretion decide of the Ancillary Accommodation ceasing to be occupied in accordance with the provisions of sub-paragraph (i) or if the Council fails to renew the annual permit for that use of the residence, the owner of the residence shall effect such modifications to the building as shall restore it to a single tenement residence.”

42. Clause 5.3 (a) is amended by deleting “..in accordance with the Residential Planning Codes, the Development Guide Map, the Zoning provisions of Part III and General Provisions of Part V of this Scheme as they apply and replacing it with the following—

“in accordance with the provisions of the Residential Planning Codes and this Scheme.”

43. Clause 5.3 (b) is deleted and replaced with the following paragraph—

“The business component of the development shall be built in accordance with the development standards of this Scheme.”

44. Clause 5.4.1 is amended by the replacement of “in accordance with the diagram of Appendix C” with—

“in accordance with Appendix C.”

45. At the foot of clause 5.4.2, a new paragraph is added as follows—

“In the case of development proposing multiple land uses, Council may consider reciprocal parking, and complementary land use arrangements to determine on-site parking requirements which may be a lesser figure than if the uses formed part of separate applications to the Council.”

46. Clause 5.4.2 is amended by deleting “... not less than the number of spaces set down in Table II hereunder...” and replacing it with—

“...not less than the spaces setdown in Table II unless otherwise provided for in the Scheme.”

47. Table II is amended as follows—
- (i) the addition of the Use classes “Child Day Care Facility” and “Restaurant” in the column headed Use. Such headings to be inserted in alphabetical order with each use being renumbered accordingly. In the column headed No. of Parking Spaces the following provisions are added—
 1. adjacent to Child Day Care facility a requirement of “1 space per employee or staff member, plus 1 per 4 children allowed under maximum occupancy.”
 2. adjacent to Restaurant a requirement of—
“1 space per 10m² of floor area, with a minimum of 6.”
 - (ii) in the column headed No. of Parking Spaces for Licensed Hotels and Taverns the last sentence being amended by deleting “Council shall require” and adding the words “shall be provided” after the word “accommodate”.
 - (iii) the words “for whom” being deleted from all categories in Table II.
 - (iv) in the column headed No. of Parking Spaces for part 9 “per each” be deleted and substituted with “for every”.
48. Clause 5.4.3 is deleted and replaced with the following—
“Where it is practicable for an owner to comply with the requirements of Table 2 Council may agree to accept a cash payment in lieu of the provision of paved car parking spaces subject to—
- (a) The cash-in-lieu payment being not less than the estimated cost to the owner of providing and constructing the parking spaces required by the Scheme, plus the value, as estimated by a licensed valuer appointed by the Council, of that area of his land which would have been occupied by the parking spaces and manoeuvring area.
 - (b) Payments under this clause being paid into a special fund to be used to provide public parking stations.
 - (c) Council keeping records and a register of details of developments approved, including the use of land and gross space so used, as well as details of parking provided on-site and parking met by way of cash-in-lieu payment.
 - (d) All costs incurred in obtaining the valuation and estimate being borne by the applicant for planning approval.
49. Clause 5.7 is amended by substituting a new heading as follows—
“5.7 Development Standards For Non-Residential Buildings.”
Further, Clause 5.7 is amended by deleting “...residential zone shall apply.” and inserting the following—
“...residential zone may influence the setback requirements to be applied.
The site shall provide landscaped areas in such a way and to such an extent as approved by Council, in order to complement the aesthetics of the development and/or provide buffers between land uses. Subsequent to obtaining Council’s approval, landscaped areas shall be installed and thereafter maintained to the Council’s satisfaction.”
50. Clause 5.9 Outbuildings, is amended by the addition of a new sentence at its end, as follows—
“Proposals for the construction of outbuildings will be considered in accordance with Council’s policy.”
51. Clause 5.11 of the Scheme is deleted, and replaced with a new clause as follows—
“5.11 Variation Of Scheme Provisions
Council may by absolute majority vary the provisions of the Scheme with the exception of those provisions under Part III, to allow for the development of land that does not affect the amenity of the area provided that it conforms with—
 - (i) the General Intent of the Scheme (shown at Clause 1.4).
 - (ii) any policy of the Counciland shall, in considering any application requiring a variation under this clause, require part or all of the advertising procedures of Clause 7.1.5 to be carried out.”
52. Clause 5.12 is deleted and replaced with the following—
“5.12 Planning Policies
- 5.12.1 The Council may prepare a planning policy (herein after called “a Policy”) which may make a provision for any matter related to the planning or development of the Scheme Area and which may be prepared so as to apply—
 - (a) generally or in a particular class of matter or in particular classes of matters; and
 - (b) throughout the Scheme Area or in one or more parts of the Scheme Areaand may amend or add to or rescind a Policy so prepared.
 - 5.12.2 A Policy shall become operative only after the following procedures have been completed—
 - (a) The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, and in what form and during what period (being not less than 21 days) submissions may be made.

- (b) Policies which the Council considers may be inconsistent with other provisions of the Scheme or with State and regional planning policies are to be submitted to the Commission for consideration and advice.
 - (c) The Council shall review the draft Policy in the light of any submissions made and advice received and shall then resolve either to finally adopt the draft Policy with or without modification, or not to proceed with the draft Policy.
 - (d) Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.
- 5.12.3 The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.
- 5.12.4 An amendment or addition to a Policy may be made after the Policy has become operative and shall be made in the same manner as provided for the making of a policy in sub-clause 5.12.2.
- 5.12.5 A Policy may be rescinded by—
- (a) preparation or final adoption of a new Policy pursuant to this clause, specifically worded to supersede an existing Policy; and
 - (b) publication of a formal notice of rescission by the Council twice in a local newspaper circulating in the district.
- 5.12.6 A Policy shall not bind the Council in respect of any application for planning approval but the Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its decision.
- 5.12.7 Any Policy prepared under this clause shall be consistent with the Scheme and where any inconsistency arises the Scheme shall prevail.”
53. A new Clause, being Clause 5.13 is added as follows—
- “5.13 Display Homes
- Council will permit, without a requirement for formal planning approval, a newly constructed residential dwelling to be used for display home purposes, provided Council is satisfied that at all times the use of the home for that purpose will not prejudicially affect traffic movement or the residential amenity of the locality.
- Where a display centre consisting of two or more display homes is proposed, provision shall be made for off-street parking with paving to a standard approved by the Council.
- Display Home advertising shall be in accordance with Council’s Signs, Hoarding and Bill Posting Local Law.”

Administration and Finance—Part VII of the Scheme

54. Clauses 7.1.1, 7.1.2 and 7.1.3 are deleted, and replaced with the following—

“7.1 Requirement For Planning Approval

7.1.1 Obligation

In order to give full effect to the provisions and objectives of this Scheme, all development, including a change in the use of land, except as otherwise provided, requires the prior approval of the Council in each case. Accordingly, no person shall commence or carry out any development, including a change in the use of any land, without first having applied for and obtained the planning approval of the Council pursuant to the provisions of this Part.

7.1.2 Exemption

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

- (a) The use of land in a reserve, where such land is held by the Council or vested in a public authority—
 - (i) for the purpose for which the land is reserved under the Scheme; or
 - (ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.
- (b) The use of land which is a permitted (P) use in the zone in which that land is situated provided it does not involve the carrying out of any building or other works.
- (c) The erection of a boundary fence except as otherwise required by the Scheme.
- (d) The carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act.
- (e) The carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building.
- (f) The carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services.

7.1.3 Referral To Other Agencies

Notwithstanding that any development by reason of the preceding paragraphs does not require the approval of the Council, an application must nevertheless be submitted to the Council for referral to the Western Australian Planning Commission for

determination in accordance with the Metropolitan Region Scheme or the Metropolitan Region Town Planning Scheme Act 1959 if the land the subject of the application is wholly or partly within an area duly declared by the Western Australian Planning Commission to be a planning control area pursuant to Section 35C of the Metropolitan Region Town Planning Scheme Act.

Applications for approval which fall within the area of control of Clause 32 and 32A of the Metropolitan Region Scheme Text shall be referred to the Western Australian Planning Commission and/or Swan River Trust for determination, as the case may be.

In such cases, Council's position will be that of providing advice to the determining authority to arrive at the most appropriate decision.

The Council may also refer proposals lodged under this Scheme to any other statutory, public or planning authority and with any other party it considers appropriate.

7.1.4 Application For Planning Approval

Every application for planning approval shall be made in the form prescribed in Appendix E to the Scheme and shall be accompanied by such plans and other information as is required by the Scheme.

Unless Council waives any particular requirement every application for planning approval shall be accompanied by—

- (a) a plan or plans to a scale of not less than 1:500 showing—
 - (i) street names, Lot number(s), north point and the dimensions of the site;
 - (ii) the location and proposed use of the site, including any existing building to be retained and proposed buildings to be erected on the site;
 - (iii) the existing and proposed means of access for pedestrians and vehicles to and from the site;
 - (iv) the location, number, dimensions and layout of all car parking spaces intended to be provided.
 - (v) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods, or commodities to and from the site and the means of access to and from those areas;
 - (vi) the location, dimensions and design of any open storage or trade display area and particulars of the manner in which it is proposed to develop the same; and
 - (vii) the nature and extent of any open space and landscaping proposed for the site.
- (b) plans, elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain; and
- (c) any other plan or information that the Council may reasonably require to enable the application to be determined."

55. Clause 7.1.4, 7.1.5 and 7.1.6 are deleted and replaced with the following—

"7.1.5 Advertising Of Development Applications

7.1.5.1 Consideration Of Discretionary "AA" Uses

Before approving a development involving an "AA" use the Council may require that a notice of sufficient size, to be visible and readable from the street, be erected in a prominent position on the land explaining the proposed use. The notice shall be exhibited for a period of not less than 21 days and shall state that submissions may be lodged with the Council before a specified date, being not less than 21 days after the erection of the notice.

7.1.5.2 Referral To Neighbours

In relation to the submission of a development application, Council may advise, in writing, any adjoining owner that plans of the proposal are available at Council's Offices during normal office hours for inspection. The advice to the adjoining landowners shall be forwarded within seven days of lodging the application with the Council. Written comments shall be invited to be forwarded within 7 days of the date of receiving the advice, or such extended period as may be specified by Council.

7.1.5.3 Additional Advertising

Council may also do or require the following to occur, depending upon the significance of the application—

- (a) cause to be advertised or require the applicant to advertise one or more times in a newspaper circulating in the district notice of the Council's intention to consider the application for the proposed use and any such advertisement shall state that submissions may be lodged with the Council before a specified date, being not less than 21 days after the first publication of the notice;
- (b) use any other methods or media to ensure widespread notice of the proposal.

7.1.6 Approval Of Existing Developments

The Council may grant approval to a development already commenced or carried out regardless of when it commenced or was carried out. Such approval shall have the same effect for all purposes as if it had been given prior to the commencement or carrying out of the development, but provided that the development complies with the provisions of the

Scheme, with or without the exercise of a discretion provided in the Scheme, as to all matters other than the provisions requiring Council's approval prior to the commencement of development."

56. Insert new Clause 7.1.7 as follows—

7.1.7 Deemed Refusal

- (a) Subject to subclause 7.1.7 (b), any application for planning approval shall be deemed to have been refused where a decision in respect of that application is not conveyed to the applicant by the Council within 60 days of the receipt of it by the Council, or within such further time as agreed in writing between the applicant and the Council.
- (b) An application for planning approval which is subject of a notice under clause 7.1.5 shall be deemed refused where a decision in respect of that application is not conveyed to the applicant by the Council within 90 days of the receipt of it by the Council, or within such further time as agreed between the applicant and the Council.
- (c) Notwithstanding that an application for planning approval may be deemed refused under subclauses 7.1.7 (a) and 7.1.7 (b), the Council may issue a decision in respect of the application at any time after the expiry of the 60 day or 90 day period specified, and that decision shall be regarded as being valid.

57. Clause 7.4 and 7.5 of the Scheme are deleted, and replaced with the following—

"7.4 Compensation

Except as otherwise provided, the time limit for the making of claims for compensation for injurious affection pursuant to Section 11 of the Act resultant from the making of, or the making of an amendment to the Scheme, is six (6) months from the date of publication the Scheme or the Scheme Amendment in the *Government Gazette*.

Where, in respect of any application for planning approval to commence and carry out development on land reserved under this Scheme, the Council, or any appellate body thereafter, refuses or grants approval subject to conditions such that the effect of the decision is to permit the land to be used or developed for no purpose other than a public purpose, the owner of the land may, within six (6) months of the date of the relevant decision, claim compensation from the Council for injurious affection.

7.5 Election to Purchase and Valuation

- 7.5.1 Where compensation for injurious affection is claimed pursuant to clause 7.4, the Council may, at its option elect to acquire the land so affected instead of paying compensation.

Where the Council elects to acquire the land in respect of which the claim for compensation for injurious affection is made, the Council shall give notice of that election to the claimant by notice in writing within three (3) months of the claim for compensation being made.

Where the Council elects to acquire land as provided in this clause, if the Council and the owner of the land are unable to agree as to the price to be paid for the land by the Council, the price at which the land may be acquired by the Council shall be the value of the land as determined in accordance with sub-clause 7.5.2.

- 7.5.2 The value of the land referred to in sub-clause 7.5.1 shall be the value thereof on the date that the Council elects to acquire the land and that value shall be determined—

- (a) by arbitration in accordance with the Commercial Arbitration Act 1985; or
- (b) by some other method agreed upon by the Council and the owner of the land, and the value shall be determined without regard to any increase or decrease, if any, in value attributable wholly or in part to this Scheme.

- 7.5.3 The Council may deal with or dispose of land acquired for a Local Reserve or pursuant to the preceding sub clause 7.5.2 upon such terms and conditions as it thinks fit provided the land is used for, or preserved for, a use compatible with the use for which it was reserved."

58. Clause 7.7 of the Scheme is amended by the addition of the following—

- (i) the words "contravenes or" after the word "who" in the first line.
- (ii) "7.7.1 Notice To Comply.

Twenty eight (28) days written notice is hereby prescribed as the notice to be given pursuant to Section 10 of the Act for the removal of certain buildings or the carrying out of an action.

- 7.7.2 Council may recover expenses under Section 10 (2) of the Act in a court of competent jurisdiction as a simple contract debt."

59. Clause 7.8 is deleted and replaced with the following—

"7.8 Delegation Of Powers

- 7.8.1 The Council may, either generally or in a particular case or particular class of case or cases, by resolution passed by an absolute majority of council, delegate to—

- (a) a Committee of the Council comprising Council members and officers of the Council;
or
 - (b) an officer of the Council;
- any power conferred or duly imposed on the Council under this Scheme.

- 7.8.2 Any delegation made under sub-clause 7.8.1 shall have effect for the period of twelve (12) months following the resolution unless the Council stipulates a lesser or greater period in the resolution.
- 7.8.3 A delegation of authority pursuant to the provisions of this clause has effect and may be exercised according to its tenor, but is revocable at the will of the Council and does not preclude the Council from exercising the power.
- 7.8.4 A resolution to revoke or amend a delegation under this clause shall be passed by an absolute majority.
- 7.8.5 A committee or officer exercising the power delegated pursuant to the provisions of this clause shall comply with the provisions of the Scheme governing the exercise of the power by the Council, insofar as such provisions are reasonably applicable.
- 7.8.6 A person who is or has been a delegate of the Council is not personally liable for anything done or omitted to be done in good faith in, or in connection with, the exercise or purported exercise of any powers conferred, or the carrying out of any duty imposed on the Council by this Scheme.
60. Clause 7.9 is amended by the addition of the word “or” after the word “building” and the words “of any building or structure” after the word “part” in the first line.
61. Appendix A of the Scheme is amended by the insertion of the following introductory paragraph—
“Together with the definitions included in the Residential Planning Codes, the following definitions apply in respect of this Scheme.”
62. The following definitions are deleted, as they appear in the Scheme text—
- (i) additional dwelling
 - (ii) Building Code of Australia
 - (iii) dwelling house
 - (iv) private hotel
 - (v) zoo
- and the definitions appearing in the Residential Planning Codes shall apply.
63. A new definition “Ancillary Accommodation” is added after amenity building as follows—
“Ancillary Accommodation” means self contained living accommodation on the same site as a single dwelling.
64. The definition of “Amenity” is deleted and replaced with the following—
“Amenity” means the quality and characteristics of an urban environment, in the opinion of the Council.
65. The definition of “Caravan Park” is deleted and replaced with the following—
“Caravan Park” shall have the meaning given to the term in and for the purposes of the Caravan Parks and Camping Grounds Act 1995.
66. A new definition of Child Day Care Facility is added after “Cemetery”, as follows—
“Child Day Care Facility” means a building used for the conduct of childminding facilities which, by its scale of operation, would exceed the parameters of the “Home Occupation” definition.
67. A new definition for “Display Home” is added after the definition of “Crematorium”—
“Display Home” means a dwelling or dwellings intended to be open to the public for inspection for the purpose of marketing services and/or dwellings for a particular builder or building company.
68. The definition of “Hotel” is amended by deleting “Publican’s General License” and “or a Wayside House”, and substituting “Special Facility Licence, Caberet Licence or”.
69. A new definition, for “Minor Works”, is added after the definition of milk depot as follows—
“Minor Works”, when used in connection with a development proposal means works which are not extensive in scope as to warrant the lodgement of a development application in the opinion of the Council.
70. The definition “open air display” is amended by the addition of “in the open air” after the word “equipment”.
71. The definition of “Petrol Filling Station” is deleted and replaced with the following—
“Petrol Filling Station” means land and buildings used for the retail sale of petroleum products and motor vehicle accessories and may include the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents. The buildings associated with retail sales shall not exceed 300m² gross leasable area.
72. The definition of Residential Planning Codes is amended by deletion of the existing definition, and replacement with a new definition as follows—
“Residential Planning Codes” means the Residential Planning Codes in Appendix 2 to the West Australian Planning Commission Statement of Planning Policy No. 1.
73. The definition of Restaurant is deleted and a new definition added, as follows—
“Restaurant” means a building wherein food is prepared solely for sale and consumption within the building or portion thereof and (without limiting the generality of the foregoing) the expression includes a licensed restaurant cafe or night club. The expression also includes a restaurant at which food is sold for consumption outside the building, where Council is

of the opinion that the sale of food for consumption outside the building is not the principal part of the business. In such a case, and for the purpose of assessing an application, outside dining areas shall be treated as being part of the restaurant building.

74. The definition of "Service Station" is deleted and replaced with the following—
"Service Station" means land and buildings used for the following purposes—
- (i) the retail sale of petroleum products and motor vehicle accessories;
 - (ii) carrying out greasing, tyre repairs, minor mechanical repairs but does not include a transport depot, panel beating, spray painting, major repairs or motor vehicle wrecking;
 - (iii) only where the premises continue to be used for the fuelling of motor vehicles, the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents. The buildings associated with retail sales shall not exceed 300m² gross leaseable area.
75. The definition of Shop is deleted and a new definition added, as follows—
"Shop" means any building wherein goods are kept exposed or offered for sale by retail, but does not include a bank, fuel depot, market, service station, petrol filling station, milk depot, marine store, timber yard, or land and buildings used for the sale of motor and other vehicles or for any purpose falling within the definition of industry.
76. A new definition for "Take Away Food Shop" is added under the definition of "Sub Clause" as follows—
"Take Away Food Shop" means land or buildings used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation primarily off the premises.

Appendix B—Schedule of Added Uses

77. Appendix B is proposed to be modified by—
- (a) deleting reference to lots 206, 207, 208 and 5 of Mosman Park Townsite, Boundary Road and the Special Conditions related thereto.
 - (b) deleting reference to lot 303 of Swan location 82 Glyde Street and the Special Conditions related thereto.
 - (c) deleting reference to lot 3, St Leonards Street and the Special Conditions related thereto.
 - (d) deleting reference to sub lot 216 of Mosman Park Townsite, Boundary Road and the Special Conditions relating thereto.
 - (e) deleting reference to Part Lot 2 of Location III Glyde Street—Veterinary Clinic.
 - (f) adding new additional use for Lot 2 (No. 62) Location III Glyde Street—offices.

Appendix C—Parking Modules Generally

78. Appendix C is modified by the incorporation of the following introductory paragraph—
"The design of carparking spaces shall accord with a standard specified by the Council in each case, derived from—
1. relevant Australian Standards
 2. the provisions of the Residential Planning Codes, and/or
 3. the following diagram."

Contents Page

79. A new content section is to be added at the head of the Scheme text, and the existing content pages are deleted.
80. Proposed Scheme Atlas modifications are shown at Maps 1 to 11 illustrating existing and proposed zoning, and density codings where appropriate.
Map 12 illustrates proposed amendments to the Scheme Atlas cover sheet, to reflect textual amendments shown in section 2.0.

B. H. MOORE, Mayor.
T. J. HARKEN, Chief Executive Officer.

PD402*

TOWN PLANNING AND DEVELOPMENT ACT 1928

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF ARMADALE

TOWN PLANNING SCHEME NO 2—AMENDMENT NO 149

Ref: 853/2/22/4 Pt 149

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 Armadale Town Planning Scheme Amendment on 16 June, 1999 for the purpose of:

1. rezoning Lot 13 Albany Highway, Kelmscott from 'Residential R10' to the 'Special Use Zone—Indoor Sports, Fitness and Health Centre';

2. modifying the Prescribed Special Use for Lot 51 Albany Highway, Kelmscott to 'Indoor Sports, Fitness and Health Centre';
3. modifying the Town Planning Scheme Maps accordingly;
4. amending the Scheme text so that existing Special Use Zone No 6 and associated Development Table reads as follows—

Prescribed Special Use	Requirements	Particulars of Land
Indoor Sports, Fitness & Health Centre	1. Development, including the building disposition, car parking, landscaping, and vehicle access should be undertaken generally in accordance with a coordinated land use plan adopted by the Council.	Lots 51 and 13 Albany Highway, Kelmscott
Discretionary Uses	2. The overall development of the site should be of a high quality unified architectural design that reflects a level of integration and consistency with the surrounding built environment.	
<ul style="list-style-type: none"> • private recreation • health studio • public amusement • caretakers dwelling 	3. Building design and construction materials to incorporate noise attenuation features and special treatments to roof, ceiling and roof ventilation openings to prevent noise breakout to the specification of Council.	
Council may also permit incidental consulting rooms and retail/kiosk facilities, which are directly related and complimentary services to the primary function of the Indoor Sports/Fitness & Health Centre.	4. Car parking spaces abutting any residential lot shall be screened by a masonry wall and landscaping strip to the specification of Council.	

R. C. STUBBS, Mayor.
R. S. TAME, Chief Executive Officer.

PD403***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF COCKBURN

DISTRICT ZONING SCHEME NO 2—AMENDMENT NO 200

Ref: 853/2/23/19 Pt 200

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 Cockburn Town Planning Scheme Amendment on 9 June, 1999 for the purpose of rezoning Lot 42 Jean Street, Hamilton Hill from "Residential (R15)" to "Residential (R40)" and amending the Scheme Maps accordingly.

J. F. DONALDSON, Chairman of Commissioners.
D. M. GREEN, For Chief Executive Officer.

PD404***TOWN PLANNING AND DEVELOPMENT ACT 1928**

ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

CITY OF ROCKINGHAM

TOWN PLANNING SCHEME NO 1—AMENDMENT NO 319

Ref: 853/2/28/1 Pt 319 Vol 2

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 Rockingham Town Planning Scheme Amendment on 16 June, 1999 for the purpose of amending the Scheme Map by rezoning lots 573, 574, 575 and 730 Sixty-Eight and Eighty Roads, Baldivis from no designated zoning to the 'Development Zone'.

C. S. ELLIOTT, Mayor.
G. G. HOLLAND, Chief Executive Officer.

PD405*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
CITY OF STIRLING
DISTRICT PLANNING SCHEME NO 2—AMENDMENT NO 344

Ref: 853/2/20/34 Pt 344

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 Stirling Town Planning Scheme Amendment on 16 June, 1999 for the purpose of:

1. Rezoning portions of Lots 1, 2 9N, 10N and 10S North Beach Road, Gwelup from "Rural" to "Low Density Residential R20 and R30" as depicted on the Amendment Plan.
2. Rezoning Lot Pt 11 Settlers Court from "Rural" to "Low Density Residential R20".
3. Rezoning portion of Lot 9S North Beach Road, Gwelup from "Rural" to "Low Density Residential R20".
4. Rezoning the rear portions of Lots 1, 2, 9N, 9S, 10N and 10S North Beach Road, Gwelup from "Rural" to "Public Open Space" as depicted on the Amendment Plan.

D. C. VALLELONGA, Mayor.
M. J. WADSWORTH, Chief Executive Officer.

PD406*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AMENDMENT AVAILABLE FOR INSPECTION
SHIRE OF MANJIMUP
TOWN PLANNING SCHEME NO 2—AMENDMENT NO 82

Ref: 853/6/14/20 Pt 82

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

1. Including Lots 156, 157, 160 and 159 Main Road, Northcliffe in an 'Additional Use' zone to allow the continued operation of sawmills at these locations.
2. Including land generally bounded by Betsworth, Francis, Stewart and Colin Streets in a 'Service Industrial' zone with appropriate development conditions.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 36 Rose Street, Manjimup 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 6 August, 1999.

Submissions on the scheme amendment may be made in writing on Form No 4 and lodged with the undersigned on or before 6 August, 1999.

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. FITZGERALD, Chief Executive Officer.

PREMIER AND CABINET

PR401

MINISTERIAL ACTING ARRANGEMENTS

It is hereby notified for public information that 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 C. L. Edwardes MLA in the period 12 to 18 July 1999 inclusive—

Minister for the Environment; Labour Relations—Hon A. K. R. Prince MLA.

M. C. WAUCHOPE, Director General,
Ministry of the Premier and Cabinet.

PR402**MINISTERIAL ACTING ARRANGEMENTS**

It is hereby notified for public information that 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 J. H. Day MLA in the period 26 June to 15 July 1999 inclusive—

Minister for Health—Hon P. D. Omodei MLA.

M. C. WAUCHOPE, Director General, Ministry of the Premier and Cabinet.

PR403**APPOINTMENT OF DEPUTY OF THE GOVERNOR**

It is hereby notified for public information that His Excellency the Governor, under clause XVI of the Letters Patent relating to the Office of Governor of the State of Western Australia dated 14 February 1986, has appointed the following to be deputy of the Governor and in that capacity to perform and exercise all the powers and functions of the Governor for the following periods (both dates inclusive)—

Lieutenant-Governor, the Honourable David Kingsley Malcolm AC— 24 to 30 July 1999
4 and 5 August 1999

Honourable David Andrew Ipp—6 to 10 August 1999

M. C. WAUCHOPE, Director General, Ministry of the Premier and Cabinet.

RACING, GAMING AND LIQUOR

RA401**LIQUOR LICENSING ACT 1988****SUMMARY OF LIQUOR LICENSING APPLICATIONS**

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Liquor Licensing Division, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth, Telephone: (08) 9425 1888, or consult a solicitor or relevant industry organisation.

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR THE GRANT OF A LICENCE			
1618/1998	Keith Battersby as trustee for Darling Range Sub Branch RSL	Application for the grant of a club restricted licence in respect of premises situated in Kalamunda and known as Darling Range Sub Branch RSL.	16/7/99
1621/1998	Michael Italiano, Giasone Italiano & Domenico Italiano	Application for the grant of a wholesaler's licence in respect of premises situated in Midvale and known as Valley Fresh Trading Company.	20/7/99
1622/1998	Victor James Barker & Lynn Barker	Application for the grant of a restaurant licence in respect of premises situated in Merredin and known as Merredin Olympic Hotel.	20/7/99
1623/1998	Saret Thach & Sina Chon	Application for the grant of a restaurant licence in respect of premises situated in Perth and known as Han's Cafe.	21/7/99
APPLICATIONS FOR THE REMOVAL OF A LICENCE			
31/1998	Moonstar Nominees Pty Ltd	Application for the removal of a special facility licence from premises situated in Fremantle to a new site in Fremantle and known as Bennys Cafe.	19/7/99

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
1122/1998	Harem Pty Ltd	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Mount Barker and known as Plantagenet Hotel.	12/7/99

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

G. B. AVES, Director of Liquor Licensing.

TRANSPORT

TR401

MOORING REGULATIONS 1998

NOTICE OF DETERMINATION OF FEES

Pursuant to the *Mooring Regulations 1998*, the Department of Transport hereby gives notice that, in respect of the mooring control areas in the waters of the State detailed in the schedule to the notice, it has been determined that as of 1 July 1999 until further notice, the fee payable for hiring a swing mooring control site shall be the amount calculated in accordance with the schedule.

The Schedule

Location	Annual Fee
Canning River	\$195 Payment of swing mooring fees entitles the hirer to a free use of any service jetty in the mooring control area for loading and unloading the vessel.
Swan River	\$195 Payment of swing mooring fees entitles the hirer to a free use of any service jetty in the mooring control area for loading and unloading the vessel.

Note: In addition to the above fee a charge of \$40 will be incurred for any of the following—

- Application for mooring licence [r. 9(1)(c)];
- Late fee (r. 13);
- Exchange of mooring licence [r. 15(2)(b)];
- Application for transfer of mooring licence [r. 16(2)(b)];
- Substitution of licenced vessel [r. 25(5)]; and
- Application to register an additional vessel [r. 27(e)].

Dated this 17th day of June 1999.

M. L. HARRIS, Acting Director General of Transport.

TR402

SHIPPING AND PILOTAGE (MOORING CONTROL AREA) REGULATIONS 1983

NOTICE OF DETERMINATION OF FEES

Pursuant to the *Shipping and Pilotage (Mooring Control Area) Regulations 1983*, the Department of Transport hereby gives notice that, in respect of the mooring control areas in the waters of the State detailed in the schedule to the notice, it has been determined that as of 1 July 1999 until further notice, the fee payable for hiring a swing mooring control site shall be the amount calculated in accordance with the schedule.

The Schedule

Location	Annual Fee (For registered vessels—the registered length of the vessel. For unregistered vessels—per metre of length or part thereof.)
Albany—Princess Royal Boat Harbour	\$48
Bremer Bay, Fishery Beach	\$90
Bunbury—Casuarina Boat Harbour	\$30
Carnarvon Fishing Boat Harbour (Inner Harbour)	\$53
Emu Point Boat Harbour, Albany	\$48
Esperance (Bandy Creek) Boat Harbour	\$53
Exmouth Boat Harbour	
Annual fee (within Harbour Breakwater)	\$100
Annual fee (outside Harbour Breakwater)	\$50
Jurien Boat Harbour (Inner Harbour)	\$48
Kalbarri Boat Harbour (Inner Harbour)	\$62
Mandurah Ocean Marina	\$30
Onslow/Beadon Creek Boat Harbour	\$22
Point Samson (Johns Creek Boat Harbour)	\$22
Port Denison Boat Harbour	
Annual fee for Commercial Vessels (per vessel)	\$415
plus	\$44
Pleasure Vessels	\$44

Note: Payment of swing mooring fees entitles the hirer to a free use of any service jetty in the mooring control area for loading and unloading of vessel.

In respect of the mooring control areas at Bremer Bay, Carnarvon, Jurien, Kalbarri, Onslow/Beadon Creek, Point Samson, Port Denison and Exmouth—

Annual fee paid monthly	10% of the annual fee per month
Monthly fee	20% of the annual fee per month
Daily fee	1% of annual fee per day
(Daily fee Port Denison)	\$10.00 per vessel (day or part thereof)

Dated this 17th day of June 1999.

M. L. HARRIS, Acting Director General of Transport.

TR403**SHIPPING AND PILOTAGE ACT 1967**

Office of the Minister for Transport
Perth.

It is hereby notified for general information that His Excellency the Governor, in Executive Council has approved in accordance with Section 4 of the *Shipping and Pilotage Act 1967*—

- the appointment of Adam David McPhail as a Pilot for the Cape Cuvier facility at the Port of Carnarvon.

This appointment is in accordance with the *Shipping and Pilotage Act 1967*.

MURRAY CRIDDLE, Minister for Transport.

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 26th July 1999, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Batty, Lawrence Francis, late of 4/43 Harrison Street, Rockingham, died 18/3/99 (DEC 318060 DG4).

Best, Stanley Bruce, late of 57/11 Petterson Avenue, Samson, died 23/5/99 (DEC 319963 DP4).
Boult, Carmen, late of Kwinana Village Nursing Home, 44 Chilcott Street, Calista, died 6/5/99 (DEC 319872 DC4).
Carlson, Violet, late of Little Sisters of the Poor, Rawlins Street, Glendalough, died 27/5/99 (DEC 319915 DL4).
Cox, Irene, late of Guildford Village, 30-34 Swan Street, Guildford, died 13/6/99 (DEC 319953 DC3).
Faul, Eunice Mabel, late of Brightwater Nursing Home, 41 Renegade Way, Kingsley, died 14/5/99 (DEC 319932 DP3).
Gibson, Roy George, late of 155 Coode Street, Bedford, died 11/4/99 (DEC 318778 DS4).
Guthrie, William James, late of Freshwater Bay Nursing Home, 67 Palmerston Street, Mosman Park, died 27/5/99 (DEC 319971 DS3).
Harmer, Charles Edward, late of Hamersley Nursing Home, 441 Rokeby Road, Subiaco, died 10/6/99 (DEC 319864 DC4).
Harris, William Leonard, late of 5 Central Avenue, Maylands, died 19/5/99 (DEC 319525 DP3).
John, Paul Robert, late of 4 Jenkinson Street, Gosnells, died 23/5/98 (DEC 319826 DG3).
Kelly, Francis, late of 16 Morrison Road, South Perth, died 25/5/99 (DEC 319922 DL3).
Lester, Edward, late of Unit 4/17 Wheatley Street, Gosnells, died 19/5/99 (DEC 319546 DL3).
McKellar, Edith, late of Wyndham District Hospital, PO Box 230, Wyndham, died 1/7/98 (DEC 319674 DS4).
Mummery, Frances Beatrice, late of James Brown House, 171 Albert Street, Osborne Park, died 28/4/99 (DEC 319227 DL4).
Mitchell, Joseph Obediah, late of 24 Alexandra Place, Bentley, died 10/5/99 (DEC 319945 DL4).
Regan, Keith, late of Kwinana Village, 44 Chilcott Street, Calista, died 8/6/99 (DEC 319822 DC3).
Robins, Doris May, late of Tandara Nursing Home, Jarrah Road, Bentley, died 24/5/99 (DEC 319837 DG2).
Rodgers, Alexander Keith, also known as Rodgers, Keith, late of 23 Pimlott Street, Dianella, found 20/5/99 (DEC 319866 DP4).
Rose, Olga Rita, late of 129 Southern Cross Circle, Ocean Reef, died 7/6/99 (DEC 320023 DS2).
Rowles, William Michael, late of Shire Depot, Exmouth, died 20/3/98 (DEC 317808 DA2).
Tingana, Rosie, late of Numbala Nunga Nursing Home, Derby, died 17/2/97 (DEC 318231 DL4).
Watkins, Frank Clarence Kinsey, late of 61 Crimea Street, Morley, died 28/5/99 (DEC 319886 DG4).
Wilke, Hendrika, late of 78 Talbot Road, Swan View, died 1/6/99 (DEC 319868 DS4).

K. E. BRADLEY, Public Trustee,
Public Trust Office
565 Hay Street
Perth WA 6000
Telephone 9222 6777.

ZZ201

TRUSTEES ACT 1962

STATUTORY NOTICE TO CREDITORS

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 and amendments thereto relate) in respect of the estates of the undermentioned deceased persons are required by the personal representatives of care of Messrs. Corsers, 1st Floor, 256 Adelaide Terrace, Perth to send particulars of their claims to them within one month from the date of publication of this notice at the expiration of which time the personal representatives may convey or distribute the assets having regard only to the claims of which they have then had notice—

Bathern, Dorothy Joyce, late of 29 Keane Street, Wembley, Western Australia, Home Duties, died on 17 May 1999.

Ife, Alan Lloyd, late of 20 Morrison Street, Como, Western Australia, Retired, died on 8 June 1999.

Dated this 18th day of June 1999.

CORSERS.

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