

# WESTERN AUSTRALIAN GOVERNMENT Gazette



PERTH, FRIDAY, 14 FEBRUARY 2003 No. 22

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

© STATE OF WESTERN AUSTRALIA

## CONTENTS

### PART 1

	Page
Chattel Securities Act 1987—Chattel Securities Amendment Regulations 2002 .....	467
Health Act 1911—Health (Meat Hygiene) Amendment Regulations 2003.....	468
Midland Redevelopment Act 1999—Midland Redevelopment (Amendment of Redevelopment Area) Regulations 2003.....	468-70

### PART 2

Agriculture .....	471
Education .....	471-2
Health.....	472
Heritage.....	472-3
Minerals and Petroleum .....	473-4
Planning and Infrastructure .....	474-98
Premier and Cabinet.....	474
Public Notices.....	500-1
Racing, Gaming and Liquor .....	498
State Supply Commission.....	499
Water .....	499

## IMPORTANT COPYRIGHT NOTICE

© State of Western Australia

This work is copyright. Apart from any use as permitted under the *Copyright Act 1968*, no part may be reproduced by any process without written permission from the Attorney General for Western Australia. Inquiries in the first instance should be directed to the Government Printer, State Law Publisher, 10 William St, Perth 6000.

## 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.

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 must be lodged with the Sales and Editorial Section, State Law Publisher no later than 12 noon on Wednesday (Friday edition) or 12 noon on Friday (Tuesday edition).

Postal address:

State Law Publisher  
P.O. Box 8448,  
Perth Business Centre 6849

Delivery address:

State Law Publisher  
Ground Floor,  
10 William St. Perth, 6000  
Telephone: 9321 7688 Fax: 9321 7536

- Inquiries regarding publication of notices can be directed to the Editor on (08) 9426 0010.
- 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 2002 (Prices include GST).

Deceased Estate notices, (per estate)—\$21.10

Real Estate and Business Agents and Finance Brokers Licences, (per notice)—\$49.20

Other articles in Public Notices Section—\$49.20 (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—\$9.80

Bulk Notices—\$183.00 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 —

---

---

## CONSUMER AND EMPLOYMENT PROTECTION

---

---

CE301\*

Chattel Securities Act 1987

### Chattel Securities Amendment Regulations 2002

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Chattel Securities Amendment Regulations 2002*.

**2. The regulations amended**

The amendments in these regulations are to the *Chattel Securities Regulations 1988*\*.

[\* Reprinted as at 3 October 2000.

*For amendments to 18 December 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 42.]*

**3. Regulation 3 amended**

Regulation 3 is amended by deleting the definition of “vehicle identification number” and inserting the following definition instead —

“

“**vehicle identification number**” means an identification number marked on a motor vehicle in accordance with rule 52 of the *Road Traffic (Vehicle Standards) Rules 2002*;

”.

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

---



---

## HEALTH

---



---

HE301\*

Health Act 1911

### Health (Meat Hygiene) Amendment Regulations 2003

Made by the Governor in Executive Council.

#### 1. Citation

These regulations may be cited as the *Health (Meat Hygiene) Amendment Regulations 2003*.

#### 2. The regulations amended

The amendments in these regulations are to the *Health (Meat Hygiene) Regulations 2001*\*.

[\* *Published in Gazette 1 June 2001, p. 2749-64.*

*For amendments to 31 December 2002 see 2001 Index to Legislation of Western Australia, Table 4, p. 154, and Gazette 12 March, 13 August and 3 December 2002.]*

#### 3. Schedule 2 amended

Schedule 2 Part 1 item 4 is deleted and the following item is inserted instead —

“

4	Capel .....	0.60	3.52
---	-------------	------	------

”

By Command of the Governor,

ROD SPENCER, Clerk of the Executive Council.

---



---

## MIDLAND REDEVELOPMENT AUTHORITY

---



---

MX301\*

Midland Redevelopment Act 1999

### Midland Redevelopment (Amendment of Redevelopment Area) Regulations 2003

Made by the Governor in Executive Council under sections 4(2) and 67 of the Act, following consultation between the Minister and the City of Swan.

#### 1. Citation

These regulations may be cited as the *Midland Redevelopment (Amendment of Redevelopment Area) Regulations 2003*.

**2. The Act amended**

The amendments in these regulations are to the *Midland Redevelopment Act 1999*\*.

[\* *Act No. 38 of 1999.*]

**3. Schedule 1 amended**

Schedule 1 is amended as follows:

- (a) by deleting “area.” and inserting instead —

“

area, together with 2 additional areas —

- (a) shown as the proposed extensions of the redevelopment area in a supplementary plan, which includes the Minister’s certification that the “plan defines the proposed extensions of the redevelopment area under the *Midland Redevelopment Act 1999*”; and
- (b) further described in this Schedule as “the 2 additional areas”.

”.

- (b) by inserting after the representation of Plan No. 1 —

“

For further guidance, the first of the 2 additional areas is described as the land bounded by a line —

- (a) commencing at a point on the southern boundary of Part Lot 2 on the eastern side of Midland Road at its intersection with Military Road, and extending in a north-easterly direction along the eastern boundary of Part Lot 2 and Lot 4, Military Road;
- (b) then following the northern boundary of Lot 4 and Part Lot 2 in a westerly direction to the junction of the boundary of Part Lot 2 with the eastern boundary of Crown reserve 12473;
- (c) then following the eastern boundary of Crown reserve 12473 approximately 163m north, and extending west at that point approximately 15m to the western boundary of Crown reserve 12473;
- (d) then following the western boundary of Crown reserve 12473 in a southerly direction to its southernmost point;
- (e) then following the southern boundary of Crown reserve 12473 in an easterly direction to its intersection with Part Lot 2;
- (f) then following the western boundary of Part Lot 2 in a southerly direction approximately 63m, and terminating at the commencement point (*i.e. the southern boundary of Part Lot 2 on the eastern side of Midland Road at its intersection with Military Road*).

For further guidance, the second of the 2 additional areas is described as the land bounded by a line —

- (a) commencing at a point on the northern side of Great Eastern Highway at the corner of the intersection of Morrison Road and Great Eastern Highway, and extending along Great Eastern Highway in an easterly direction to the corner at the intersection of Great Eastern Highway and William Street;
- (b) then following the western side of William Street in a northerly direction to the corner of the intersection of William Street and Byers Road;
- (c) then following the southern side Byers Road in a westerly direction to the corner of the intersection of Byers Road and Morrison Road;
- (d) then following the eastern side of Morrison Road and terminating at the commencement point (*i.e. the northern side of Great Eastern Highway at the corner of the intersection of Morrison Road and Great Eastern Highway*).

”.

By Command of the Governor,

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

---

---

---

## — PART 2 —

---

---

### AGRICULTURE

---

---

AG401\*

**BEEKEEPERS ACT 1963****STOCK (IDENTIFICATION AND MOVEMENT) ACT 1970****STOCK DISEASES (REGULATIONS) ACT 1968**

## APPOINTMENTS

Department of Agriculture,  
South Perth WA 6151.

The Governor is pleased to appoint the following as Inspectors pursuant to—

Section 5 of the *Beekeepers Act 1963*Brayley, Deborah Rae  
Burrows, Adam Rodney  
Cook, David Francis  
Poster, Jennifer Lee-Anne  
Iles, John  
Martin, FionaSection 37 of the *Stock (Identification and Movement) Act 1970*Burrows, Adam Rodney  
Harper, Malcolm HarcourtSection 8 (1) of the *Stock Diseases (Regulations) Act 1968*

Harper, Malcolm Harcourt

KIM CHANCE, MLC, Minister for Agriculture,  
Forestry and Fisheries.

---

---

### EDUCATION

---

---

ED401

**UNIVERSITY OF WESTERN AUSTRALIA ACT 1911**

## APPOINTMENTS

It is hereby notified for general information that the Governor in Executive Council has, in accordance with Section 10(a) of the University of Western Australia Act 1911, approved the appointment of Mr Tony Howarth AO as member of the University of Western Australia Senate for a term of office expiring on 13 March 2007.

ALAN CARPENTER, Minister for Education.  
ROD SPENCER, Clerk of the Executive Council.

ED402

**UNIVERSITY OF WESTERN AUSTRALIA ACT 1911**

## AMENDMENT BY-LAWS

It is hereby notified that the Governor in Executive Council, acting under the provisions of Section 16B of the *University of Western Australia Act 1911*, has approved amendments to The University of Western Australia Lands By-Laws as set out in the attached schedule.

ALAN CARPENTER MLA, Minister for Education and Training.

## The University of Western Australia

## THE UNIVERSITY OF WESTERN AUSTRALIA LANDS BY-LAWS

The University of Western Australia, in pursuance of the University of Western Australia Act 1911, hereby makes the following amendments to The University of Western Australia Lands By-Laws, for the purpose of regulating the terms and conditions under which those lands may be visited or used and the conduct of persons when on those lands—

## FIRST SCHEDULE

## 1. PART 1 is amended—

- (a) by replacing 3 and 4 with the following—

**TRINITY**

3. All that portion of Swan Location 3087 and being Lot 18 on Diagram 23550 which is comprised in Certificate of Title Volume 280, Folio 5A and Lot 19 on Diagram 23550 which is comprised in Certificate of Title Volume 1261, Folio 386.

and

- (b) by renumbering 5 to 15 inclusive as 4 to 14.

## 2. PART 2 is amended—

- (a) by renumbering 16 to 41 inclusive as 15 to 40;
- (b) by replacing the heading ARRAS STREET AND MONASH AVENUE above new 18 with ORAL HEALTH CENTRE OF WA AND CHILD CARE CENTRE 5 TO 7 MONASH AVENUE; and
- (c) by amending the heading YULE BROOK RESERVE above new 34 to read ALISON BAIRD RESERVE.

The Common Seal of the University of Western Australia was hereto affixed by authority of the Senate attested by—

DERYCK SCHREUDER, Vice-Chancellor and President.

---



---

## HEALTH

---



---

## HE401

## HEALTH ACT 1911

## APPOINTMENTS

Health Department of WA,  
Perth, 31 January 2003.

In accordance with the provisions of section 28 of the *Health Act 1911*, the appointment of the following persons as Environmental Health Officers is approved.

Environmental Health Officer	Date Effective	Local Government
David Coultas	3 February 2003	Shire of Bridgetown-Greenbushes
Wayne Leslie Harris	15 January 2003	Northern Wheatbelt Health Scheme
Ross Buchanan	30 January 2003	City of Melville
Grayson Robert Hindmarsh	14 January 2003	Shire of Northam
Marius Olsen	24 January 2003	Shire of Wyndham-East Kimberley
Andrew Douglas Melville	3 February 2003	Shire of Kalamunda
Maurice Walsh	28 January 2003	Shire of Cranbrook
Nathan Rogers	29 January - 30 June 2003	City of Nedlands

Dr MARGARET STEVENS, Executive Director, Public Health.

---



---

## HERITAGE

---



---

## HR401\*

## HERITAGE OF WESTERN AUSTRALIA ACT 1990

## ENTRY OF PLACES IN THE REGISTER OF HERITAGE PLACES

Notice is hereby given in accordance with Section 51(2) of the Heritage of Western Australia Act 1990 that, pursuant to directions from the Minister for the Environment & Heritage, the places described in Schedule 1 have been entered in the Register of Heritage Places on a permanent basis with effect from today.

## Schedule 1

**Description of Place**

**Albany Courthouse Complex** at 184-190 Stirling Terrace, Albany; Lt 1442 on DP 192726, being the whole of the land comprised in 2086 F 527.

**Albany Memorial Park Cemetery** at Middleton Road, Albany; Albany Lt 327, 328, 329, S51, 503 & 504, being CR 22406.

**Coolgardie Bowling Pavilion** at Cnr Sylvester & Lefroy Streets, Coolgardie; Lt 2248 on DP 189734 being CR 41891 & being the whole of the land comprised in CLT V 3091 F 284.

**Eastern Railway Deviation** at end of Curve Road, Swan View & John Forrest National Park, Hovea; Those ptns of Swan Loc 10159, being pt of Class "A" CR 7537, & being part of the land comprised in CLT V 3120 F 340 together as are defined in HCWA surveys number 10322-1, 10322-2, 10322-3 & 10322-4 prepared by Fugro Survey.

**Federal Hotel (fmr) Wagin** at Cnr Tudhoe & Tudor Streets, Wagin; That ptn of land being Lts 85, 86 & 87 on P 341, being the whole of the land contained in C/T V 2133 F 572

**Supreme Court Buildings and Gardens, Old Court House, Stirling Gardens** at Barrack Street, Perth; Perth Lt 572 on DP 215419, being CR18392 & being the whole of the land comprised in CLT V 3098 F 871. Lt 571 on DP 215419, being CR 18391 & being the whole of the land comprised in CLT V3117 F118. Perth Lt 761 on CP 5838, being part of CR 1150 & being part of the land comprised in CLR V 3096 F 714. Lt 462 on DP 206176, being CR 10887 & being the whole of the land comprised in CLT V 3062 F 344.

**Walkaway CWA Rooms** at 1 Evans Road, Walkaway; Lt 1 on D 19448 & being the whole of the land comprised in C/T V 1190 F 76.

**Western Australian Police Service Complex** at 2 Adelaide Terrace, East Perth; Lt 831 on P 209566, being CR 31051 & being the whole of the land comprised in CLR V 3062 F 680.

Pursuant to directions from the Minister for the Environment & Heritage, notice is hereby given in accordance with Section 49(1) of the Heritage of Western Australia Act 1990 that it is proposed that the places described in Schedule 2 be entered in the Register of Heritage Places. The Heritage Council invites submissions on the proposal which must be in writing & should be forwarded to the address below not later than 28 March 2003. The places will be entered in the Register on an interim basis with effect from today.

## Schedule 2

**Description of Place**

**Holy Trinity Anglican Church** at 65 Hampton Road, Northampton; Lt 41 on D P 222925 being the whole of the land contained in C/T V 209 F 70. Lot 40 on DP 206878 being the whole of the land contained in C/T V 1222 F 540. Northampton Lt 390 being ptn of the land contained in C/T V 1229 F 205.

**Jarrah Tree, Armadale** at Cnr Third Road & Church Avenue, Armadale; That pt of Lt 14 on Dep P 187801, & being part of the land comprised in C/T V 2204 F 500 as is defined in HCWA survey No. 9009 prepared by Steffanoni Ewing and Cruickshank Pty. Ltd.

**Kooka's Restaurant** at 204-208 Stirling Terrace, Albany; Lt S43 on DP 222034 being the whole of the land contained in C/T V 1488 F 766

**St John's Lutheran Church** at 16 Aberdeen Street, Northbridge; Lt 500 on D 70165 being the whole of the land contained in C/T V 1748 F 730.

14 February 2003.

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

---



---

## MINERALS AND PETROLEUM

---



---

MP401

### MINING ACT 1978

#### APPLICATION FOR AN ORDER FOR FORFEITURE

Department of Industry and Resources,  
Leonora.

In accordance with Regulation 49(2)(c) of the Mining Regulations 1981, notice is hereby given that the following licences are liable to forfeiture under the provisions of Section 96(1)(a) of the Mining Act 1978, for breach of covenant, viz, failure to comply with the prescribed expenditure conditions.

R. BURTON (SM), Warden.

To be heard in the Warden's Court at Leonora on 13th March, 2003.

**MOUNT MARGARET MINERAL FIELD**  
*Mount Malcolm District*  
Prospecting Licence

37/5951—Sir Samuel Mines NL

**MOUNT MARGARET MINERAL FIELD**  
*Mount Morgans District*  
Prospecting Licence

39/3537—McWilliam, Daisy Elizabeth  
39/3796—Johnson, Neale Graeme; Johnson, Chad Graeme  
39/4050—GME Resources Ltd

**NORTH COOLGARDIE MINERAL FIELD**  
*Niagara District*  
Prospecting Licence

P40/978—Golian, Rodolf

---

## PREMIER AND CABINET

---

PC401\*

**INTERPRETATION ACT 1984**  
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 A. J. Carpenter MLA in the period 8 to 17 February 2003 (both dates inclusive)—

Minister for Education and Training; Sport and  
Recreation; Indigenous Affairs

Hon J. C. Kobelke MLA

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

---

## PLANNING AND INFRASTRUCTURE

---

PI401\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*Shire of Brookton*

Town Planning Scheme No. 3—Amendment No. 3

Ref: 853/4/6/3 Pt 3

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 and Infrastructure approved the Shire of Brookton Town Planning Scheme Amendment on 4 February 2003 for the purpose of—

1. Rezoning Lot 99 Williams Street, Brookton, being portion of Reserve 35411, from 'Recreation' to 'Residential R12.5'.
2. Amending the Scheme Map accordingly.

R. L. COPPING, President.  
I. N. CURLEY, Chief Executive Officer.

PI402\*

**TOWN PLANNING AND DEVELOPMENT ACT 1928**  
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT  
*Shire of Broome*

Town Planning Scheme No. 4—Amendment No. 9

Ref: 853/7/2/4 Pt 9

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 and Infrastructure approved the Shire of Broome Town Planning Scheme Amendment on 4 February 2003 for the purpose of amending the Scheme Map by rezoning—

1. Lot 268 Hamersley Street from Local Centre to Residential R40.

2. Lot 1 Hamersley Street from Local Centre to Residential R40.
3. Lot 2 Hamersley Street from Local Centre to Residential R40.
4. Portion of Reserve 41152 (Lot 2630) from Public Purposes (APD) Access, Drainage and Parking to Residential R40.
5. Remaining portion of Reserve 41152 (Lot 2630) from Public Purposes (ADP) Access, Drainage and Parking to Local Centre.
6. Portion of Lot 270 Hamersley Street from Public Purposes (PA) Parking to Local Centre.
7. Remaining portion of Lot 270 Hamersley Street to be reserved for Public Purposes (PA) Parking.
8. Portion of Lot 270 Hamersley Street to be reserved for Public Purposes (M) Museum.

K. A. FONG, President.  
G. S. POWELL, Chief Executive Officer.

**PI403\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of Canning*

Town Planning Scheme No. 40—Amendment No. 109

Ref: 853/2/16/44 Pt 109

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 and Infrastructure approved the City of Canning Town Planning Scheme Amendment on 4 February 2003 for the purpose of—

1. Zoning the seven former rail spur reservations in Welshpool as “General Industry” and “Public Purpose” for the extension of the former Railway Spur No. 2 into the drain located between Kewdale Road and Pilbara Street, north-east of Orrong Road with the exception of areas which cross road reserves.
2. Zoning portion of Lot Pt 55 adjacent to the junction of Rail Spur No. 8 and Sheffield Road to “General Industry”.
3. Zoning portions of 1115 and 1117 Albany Highway (Lots 53 and 52) near the intersection of Palmerston Street to “Highway Commercial”.
4. Zoning portions of 1123 and 1125 Albany Highway (Lots 2 and 3) near the intersection of Coolgardie Street to “Residential R40”, with an extension of the Additional Use Serial No. 9 for “Physiotherapy Rooms and Hydrotherapy Facility”.

M. S. LEKIAS, Mayor.  
I. F. KINNER, Chief Executive Officer.

**PI404\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*City of Gosnells*

Town Planning Scheme No. 6—Amendment No. 12

Ref: 853/2/25/8 Pt 12

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 and Infrastructure approved the City of Gosnells Town Planning Scheme Amendment on 31 January 2003 for the purpose of amending Table 1: Zoning Table such that the use “Showroom” becomes a “D” use within the “Residential Development” zone.

P. M. MORRIS, Mayor.  
S. JARDINE, Chief Executive Officer.

**PI405\*****TOWN PLANNING AND DEVELOPMENT ACT 1928**

## ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT

*Shire of Quairading*

Town Planning Scheme No. 2—Amendment No. 3

Ref: 853/4/26/2 Pt 3

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 and Infrastructure approved the Shire of Quairading Town Planning Scheme Amendment on 31 January 2003 for the purpose of—

**1 IN THE SCHEME TEXT—**

- 1.1 substituting “local government” for “Council” wherever it occurs except where the word is used to refer to the Heritage Council of WA

- 1.2 generally throughout the Scheme Text deleting the words "... planning consent ..." wherever they occur and inserting therein "... planning approval ...".
- 1.3 deleting the heading "ARRANGEMENT OF SECTIONS" and inserting therein "TABLE OF CONTENTS".
- 1.4 in the TABLE OF CONTENTS—
- (a) in 1.8 deleting "Interpretation" and inserting therein "Definitions".
  - (b) inserting in numerical order "1.9 Relationship with Local Laws".
  - (c) in 2.2 inserting "the" between "considered by" and "local government".
  - (d) deleting "2.3 Compensation".
  - (e) deleting "3.3 Rural Residential Zone" and "3.4 Farming Zone" and inserting in numerical order—
    - "3.3 Interpretation of the Zoning Table
    - 3.4 Additional Uses
    - 3.5 Restricted Uses
    - 3.6 Special Use Zones
    - 3.7 Non-conforming Uses
    - 3.8 Extensions and Changes to a Non-conforming Use
    - 3.9 Discontinuance of Non-conforming Use
    - 3.10 Termination of a Non-conforming Use
    - 3.11 Destruction of Non-conforming Use Buildings"
  - (f) deleting Part 4 and inserting therein—
    - "PART 4—GENERAL DEVELOPMENT REQUIREMENTS
    - 4.1 Residential Development—Residential Planning Codes.
    - 4.2 Site Requirements
    - 4.3 Car Parking
    - 4.4 Variations to Site and Development Standards and Requirements
    - 4.5 Development of Lots Abutting Unconstructed Roads
    - 4.6 Retention of Vegetation
    - 4.7 Home Occupation
    - 4.8 Appearance of Buildings
    - 4.9 Residential Zone
    - 4.10 Rural Residential Zone
    - 4.11 Town Centre Zone
    - 4.12 Townsite Zone
    - 4.13 Industrial Zone
    - 4.14 Farming Zone"
  - (g) deleting all of Parts 5 to 7 inclusive and inserting therein—
    - "PART 5—HERITAGE PROTECTION
    - 5.1 Heritage List
    - 5.2 Designation of a Heritage Area
    - 5.3 Heritage Agreements
    - 5.4 Heritage Assessment
    - 5.5 Variations to Scheme Provisions for a Heritage Place or Heritage Area
    - PART 6—SPECIAL CONTROL AREAS
    - 6.1 Operation of Special Control Areas
    - PART 7—DEVELOPMENT OF LAND
    - 7.1 Requirement for Approval to Commence Development
    - 7.2 Permitted Development
    - 7.3 Application for Planning Approval
    - 7.4 Advertising of Applications
    - 7.5 Determination of Application
    - 7.6 Form and Date of Determination
    - 7.7 Term of Planning Approval
    - 7.8 Temporary Planning Approval
    - 7.9 Scope of Planning Approval
    - 7.10 Deemed Refusal
    - 7.11 Unauthorised Existing Developments
    - PART 8—ADMINISTRATION
    - 8.1 Powers of the Local Government
    - 8.2 Removal and Repair of Existing Advertisements
    - 8.3 Person Must Comply with Provisions of Scheme
    - 8.4 Notice for Removal of Certain Buildings
    - 8.5 Compensation
    - 8.6 Purchase or Taking of Land
    - 8.7 Appeals

- 8.8 Local Planning Policies
- 8.9 Delegation of Functions.”

(h) Deleting Schedules 1 and 2 and inserting therein—

- “Schedule 1 Definitions
- Schedule 2 Additional Uses
- Schedule 3 Restricted Uses
- Schedule 4 Special Use Zones
- Schedule 5 Exempted Advertisements
- Schedule 6 Application for Planning Approval
- Schedule 7 Additional Information for Advertisements
- Schedule 8 Notice of Public Advertisement of Planning Proposal
- Schedule 9 Notice of Decision on Application for Planning Approval
- Schedule 10 Rural Residential Zone.”

1.5 in clause 1.5 deleting all of paragraph (b) and inserting “(b) the Scheme Map Sheets I—5”.

1.6 in clause 1.6 deleting—

- “PART 1—PRELIMINARY
- PART 2—RESERVES
- PART 3—ZONES
- PART 4—DEVELOPMENT REQUIREMENTS
- PART 5—NON-CONFORMING USES
- PART 6—PLANNING CONSENT
- PART 7—ADMINISTRATION”

and inserting therein—

- “PART 1—PRELIMINARY
- PART 2—RESERVES
- PART 3—ZONES AND THE USE OF LAND
- PART 4—GENERAL DEVELOPMENT REQUIREMENTS
- PART 5—HERITAGE PROTECTION
- PART 6—SPECIAL CONTROL AREAS
- PART 7—DEVELOPMENT OF LAND
- PART 8—ADMINISTRATION”

1.7 in clause 1.8 deleting the heading “Interpretation” and inserting therein “Definitions”.

1.8 inserting a new clause 1.9 after clause 1.8, as follows—

**“1.9 Relationship with Local Laws**

Where a provision of the Scheme is inconsistent with any local law, the provision of the Scheme prevails.”

1.9 in clauses 2.1 and 2.2 substituting the term “Local Reserve” for “Scheme Reserve”.

1.10 in the heading of clause 2.2 inserting the word “the” between the words “by” and “local government”; and deleting the last word “...consent.” and inserting therein “...approval.”

1.11 deleting clause 2.3.

1.12 adding the words ‘AND THE USE OF LAND’ to the heading of Part 3.

1.13 in clause 3.1.1 deleting “Rural Townsite” and inserting there “Townsite”; and inserting “Special Use” after the last entry in the list.

1.14 deleting clauses 3.2.2 to 3.2.6 inclusive and inserting therein—

“3.2.2 The symbols used in the cross reference in the Zoning Table have the following meanings—

“P” means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme.

“D” means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

“A” means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4.

“X” means a use that is not permitted by the Scheme.

3.2.3 A change in the use of land from one use to another is permitted if—

- (a) the local government has exercised its discretion by granting planning approval;
- (b) the change is to a use which is designated with the symbol ‘P’ in the cross-reference to that zone in the Zoning Table and the proposed use complies with all the relevant development standards and requirements of the Scheme;
- (c) the change is an extension of a use within the boundary of a lot which does not change the predominant use of the lot; or
- (d) the change is to an incidental use that does not change the predominant use of the land.

Note: 1. The planning approval of the local government is required for the development of land in addition to any approval granted for the use of land. In normal circumstances one application is made for both the use and development of land.

2. The local government will not refuse a 'P' use because of the unsuitability of the use for the zone but may impose conditions on the use of the land to comply with any relevant development standards or requirements of the Scheme, and may refuse or impose conditions on any development of the land.
3. The local government must refuse to approve any 'X' use of land. Approval to an 'X' use of land may only proceed by way of an amendment to the Scheme."

1.15 deleting clauses 3.3 and 3.4 and inserting new clauses 3.3 to 3.11 as follows—

**“3.3 INTERPRETATION OF THE ZONING TABLE**

3.3.1 Where a specific use is mentioned in the Zoning Table, it is deemed to be excluded from the general terms used to describe any other use.

3.3.2 If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use the local government may—

- (a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
- (b) determine that the proposed use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 7.4 in considering an application for planning approval; or
- (c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

**3.4 ADDITIONAL USES**

Despite anything contained in the Zoning Table, the land specified in Schedule 2 may be used for the specific use or uses that are listed in addition to any uses permissible in the zone in which the land is situated subject to the conditions set out in Schedule 2 with respect to that land.

*There are no Additional Uses which apply to the Scheme*

**3.5 RESTRICTED USES**

Despite anything contained in the Zoning Table, the land specified in Schedule 3 may only be used for the specific use or uses that are listed and subject to the conditions set out in Schedule 3 with respect to that land.

**3.6 SPECIAL USE ZONES**

Special Use Zones are set out in Schedule 4 and are in addition to the zones in the Zoning Table. A person shall not use any land or any structure or buildings on land, in a Special Use Zone except for the purpose set out against that land in Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land.

**3.7 NON-CONFORMING USES**

Except as otherwise provided in the Scheme, no provision of the Scheme shall be deemed to prevent—

- (a) the continued use of any land or building for the purpose for which it was being lawfully used at the gazettal date of the Scheme; or
- (b) the carrying out of any development thereon for which, immediately prior to that time, an approval or approvals, lawfully required to authorise the development to be carried out, were duly obtained and are current; or
- (c) subject to clause 8.2.1, the continued display of advertisements which were lawfully erected, placed, or displayed prior to the gazettal date of the Scheme.

**3.8 EXTENSIONS AND CHANGES TO A NON-CONFORMING USE**

3.8.1 A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use or change the use of land from a non-conforming use to another non-conforming use without first having applied for and obtained planning approval under the Scheme.

3.8.2 An application for planning approval under this clause shall be advertised in accordance with clause 7.4.

3.8.3 Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the local government shall not grant its planning approval unless the proposed use is less detrimental to the amenity of the locality than the existing non-conforming use and is, in the opinion of the local government, closer to the intended purpose of the zone.

**3.9 DISCONTINUANCE OF NON-CONFORMING USE**

When a non-conforming use of any land or building has been discontinued for a period of six months or more such land or buildings shall not thereafter be used otherwise than in conformity with the provisions of the Scheme.

**3.10 TERMINATION OF A NON-CONFORMING USE**

The local government may affect the discontinuance of a non-conforming use by the purchase of the land and buildings, or by the payment of compensation to the owner or the occupier or to both the owner and the occupier of that land, and may enter into an agreement with the owner for that purpose.

## 3.11 DESTRUCTION OF NON-CONFORMING USE BUILDINGS

When a building used for a non-conforming use is destroyed to 75% or more of its value, the buildings shall not be repaired or rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner not permitted by the Scheme, except with the planning approval of the local government."

1.16 in the Zoning Table inserting the symbol "X" where no other symbol occurs; substituting the symbols "D" and "A" for the symbols "AA" and "SA" respectively; substituting "Townsite" for the heading "Rural Townsite" for column 4; substituting "motor vehicle sales" for "motor vehicle sales premises", "motor vehicle repair" for "motor vehicle repair station" and "place of worship" for "public worship—place of"; inserting the following new rows in alphabetical order; deleting the row commencing with "industry—noxious"; and renumbering all rows as appropriate—

	"aquaculture	X	X	X	X	X	A
	intensive agriculture	X	X	X	X	X	A"

1.17 in the heading for Part 4 inserting the word "GENERAL" before the word "DEVELOPMENT".

1.18 deleting clauses 4.1, 4.2, 4.5 4.8 and 4.11 to 4.13; renumbering clauses as follows and inserting them in numerical order—

- existing 4.4 as new 4.1
- existing 4.6 as new 4.5
- existing 4.7 as new 4.6
- existing 4.9 as new 4.2
- existing 4.10 as new 4.3
- existing 4.14 as new 4.8

1.19 in new clause 4.1.4 deleting the words "... within the residential and rural townsite zones..."

1.20 in Table 2 deleting "Rural Townsite in the first column and inserting therein "Townsite"; and substituting the following for the row starting with "Rural Residential"—

Rural Residential	15.0m	10.0m	10.0m
UNLESS OTHERWISE SPECIFIED IN SCHEDULE 10			

1.21 in new clause 4.5 deleting "Notwithstanding.." and inserting therein "Despite..".

1.22 in new clause 4.8.1 deleting "No person shall..." and inserting therein "A person shall not..."

1.23 in new clause 4.8.3 substituting "... clause 4.8.2 ..." for "... clause 4.14.2 ..."

1.24 in new clause 4.8.3 and 4.8.4 deleting "Notwithstanding.." and inserting therein "Despite..".

1.25 deleting new clause 4.8.4 and inserting therein—

"4.8.4 Despite anything elsewhere appearing in the Scheme, the placement of a relocated second-hand dwelling or building shall not be permitted on any lot unless in the opinion of the local government such dwelling or building is in a satisfactory condition and will not detrimentally affect the amenity of the locality."

1.26 inserting in numerical order new clauses 4.4, 4.7, and 4.9 to 4.14 as follows—

"4.4 VARIATIONS TO SITE AND DEVELOPMENT STANDARDS AND REQUIREMENTS

4.4.1 Except for development in respect of which the Residential Planning Codes apply, if a development is the subject of an application for planning approval and does not comply with a standard or requirement prescribed under the Scheme, the local government may, despite that non-compliance, approve the application unconditionally or subject to such conditions as the local government thinks fit.

4.4.2 In considering an application for planning approval under this clause, where, in the opinion of local government, the variation is likely to affect any owners or occupiers in the general locality or adjoining the site which is subject of consideration for the variation, the local government is to—

- (a) consult the affected parties by following one or more of the provisions for advertising uses under clause 9.4; and
- (b) have regard to any expressed views prior to making its determination to grant the variation.

4.4.3 The power conferred by this clause may only be exercised if the local government is satisfied that the non-compliance will not have an adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality."

"4.7 HOME OCCUPATION

4.7.1 An approval to conduct a home occupation is issued to a specific occupier of a particular parcel of land, it shall not be transferred or assigned to any other person and shall not be transferred from the land in respect of which it was granted. Should there be a change of the occupier of the land in respect of which a home occupation approval is issued the approval is cancelled.

4.7.2 An approval to conduct a home occupation is issued subject to an annual permit which may be renewed by application to the local government for planning approval.

#### 4.9 RESIDENTIAL ZONE

##### 4.9.1 Objectives—

- (a) to provide for the predominant form of residential development to be single houses.
- (b) to provide for diversity of lifestyle choice with a range of residential densities.
- (c) to achieve a high standard of residential development.
- (d) to allow for establishment of non-residential uses which are compatible with the predominant residential use and which will not adversely affect local amenities.

##### 4.9.2 Development Plan Required

The local government may require a Development Plan before recommending subdivision or approving development of land. A Development Plan is to contain such detail as, in the opinion of the local government, is required to satisfy planning requirements, and, without limiting the generality of the foregoing, may include the following details—

- (a) the area to which the Development Plan applies;
- (b) key opportunities and constraints including landform, topography, hydrology, landscape, vegetation, soils, conservation and heritage values, ownership, land use, roads, and services;
- (c) the planning context including the neighbourhood structure, relevant strategies, Scheme provisions and policies and where appropriate, indicating how the Development Plan is to be integrated into the surrounding area;
- (d) proposed major land uses, in particular, residential areas, public open space, school sites, civic and community uses, commercial uses, mixed use, industrial uses;
- (e) estimates of future lots, dwellings, population, employment and retail floor space;
- (f) provision for major infrastructure, including main drainage, sewerage, water supply and other key infrastructure services;
- (g) the proposed road network and hierarchy, and bicycle and pedestrian networks;
- (h) the timeframe and staging of subdivision and development, and the method of implementation;
- (i) such other information as may be required by the local government.

##### 4.9.3 Residential Density Coding—

- (a) For land with a dual density code of R10/20 the local government may permit a variation to the R10 density up to a maximum of R20 subject to—
  - (i) any increase in density above R10 being conditional upon the development being connected to reticulated sewerage;
  - (ii) development at a density higher than R10 being located close to services and facilities to the satisfaction of the local government; and
  - (iii) any proposal involving an increase in density above R10 being advertised in accordance with clause 7.4 and the local government being satisfied the proposal, if implemented, will not have an adverse impact on local amenities.
- (b) For land with density code R5/10/20 the following shall apply—
  - (i) the R5 density code shall apply to all land which is not connected to reticulated sewerage; and
  - (ii) the R10/20 density codes may apply to land which is connected to reticulated sewerage subject to paragraph (a) of this clause.

#### 4.10 RURAL RESIDENTIAL ZONES

##### 4.10.1 Objectives—

- (a) to select areas wherein closer subdivision will be permitted to provide for such uses as hobby farms, horse breeding, rural-residential retreats.
- (b) to make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas.
- (c) having regard for the size of the district, the fragile nature of the environment in many places, and the difficulties faced by the local government in providing services away from townsites, the local government will generally favour Rural-Residential zones be located close to the townsites and then only where the environmental impacts are manageable.

##### 4.10.2 General Provisions

The provisions for controlling subdivision and development in specific Rural-Residential Zones shall be as laid down in Schedule 10 and future subdivision will generally accord with the plan of subdivision for the specified area certified by the Chief Executive Officer and approved by the Commission and such plan of subdivision shall show the minimum lot size for subdivision.

#### 4.10.3 Development Requirements

Development in a Rural-Residential Zone shall comply with the requirements of the following—

- (a) planning approval is required for all development including a single house and such application shall be made in accordance with the Scheme;
- (b) not more than one dwelling per lot shall be erected but the local government may, at its discretion, approve ancillary accommodation;
- (c) in order to conserve the rural environment or features of natural beauty all trees shall be retained unless their removal is authorised by the local government;
- (d) in order to enhance the rural amenity of the land in areas the local government considers deficient in tree cover it may require as a condition of any planning approval the planting of such trees and/or groups of trees and species as specified by the local government.
- (e) any person who keeps an animal or animals or who uses any land for the exercise or training of an animal or animals shall be responsible for appropriate measures to prevent noise, odour, or dust pollution or soil erosion to the satisfaction of the local government.
- (f) with the intention of preventing overstocking, erosion and any other practice detrimental to the amenity of a Rural-Residential zone, the local government may take any action which in the opinion of the local government is necessary to reduce or eliminate adverse effects on the environment caused wholly or partly by the stocking of animals; and
- (g) the local government may require provision to be made for bush fire control in accordance with a Local Planning Policy.

#### 4.10.4 Development Standards

So as to achieve a high standard of development within a Rural-Residential zone, and to minimise the visual impacts of development the local government will have regard to the following—

- (a) the colour and texture of external building materials;
- (b) building size, height, bulk, roof pitch;
- (c) setback and location of the building on its lot;
- (d) architectural style and design details of the building;
- (e) relationship to surrounding development; and
- (f) other characteristics considered by the local government to be relevant.

### 4.11 TOWN CENTRE ZONE

#### 4.11.1 Objectives—

- (a) to ensure the established town centre in Quairading remains the principal place for retail, commercial, civic, and administrative functions in the district.
- (b) to ensure development will not adversely affect local amenities, and will enhance the character of townsites in the district.
- (c) to provide for the efficient and safe movement of vehicles (including trucks, buses, and caravans) and pedestrians.
- (d) to provide sufficient parking spaces for cars, caravans and buses, without compromising pedestrian movements.
- (e) to provide an increased level of public amenities including public toilets, shaded areas, and street furniture.
- (f) to provide for expansion of commercial activity and community facilities to meet future demands.

#### 4.11.2 Development Requirements—

- (a) development shall not exceed 2 storeys in height except where the local government considers that particular circumstances may warrant an exception being made and provided the local government's objectives are not compromised.
- (b) in considering an application for planning approval for a proposed development (including additions and alterations to existing development) the local government shall have regard to the following—
  - (i) the colour and texture of external building materials; the local government may require the building facade and side walls to a building depth of 3m to be constructed in masonry;
  - (ii) building size, height, bulk, roof pitch;
  - (iii) setback and location of the building on its lot;
  - (iv) architectural style and design details of the building;
  - (v) function of the building;
  - (vi) relationship to surrounding development and;
  - (vii) other characteristics considered by the local government to be relevant.
- (c) landscaping shall be provided to complement the appearance of the proposed development and its setting.

- (d) the layout of car parking shall have regard for traffic circulation in existing parking areas and shall be integrated with any existing and adjoining parking area.

#### 4.12 TOWNSITE ZONE

##### 4.12.1 Objectives

To allow for wide range of land uses such as may be found in a small country town, but subject to preservation of local amenities.

##### 4.12.2 Site Requirements

In accordance with the Residential Planning Codes.

#### 4.13 INDUSTRIAL ZONE

##### 4.13.1 Objectives

- (a) to provide for the needs of industry to support the community.
- (b) to provide appropriate buffers between industry and adjacent land uses, so as to avoid land use conflicts.
- (c) to avoid non-industry related uses establishing in the industrial areas.

##### 4.13.2 Site Requirements

The minimum lot size should be 2,500 square metres to provide for building envelope, on-site effluent disposal, landscaping, and manoeuvring area for all vehicles to enter and leave the lot in a forward gear.

##### 4.13.3 Development Requirements—

- (a) the first 5 metres of the front setback on any lot shall be landscaped to the satisfaction of the local government. Where a lot has frontage to 2 streets the local government may vary the landscaping requirement only where the setback is reduced in which case the whole of the setback so reduced shall be landscaped to the satisfaction of the local government.
- (b) in addition to other requirements of the Scheme an application for planning approval for an industry is to demonstrate compliance with the buffer distance separation from dwellings in accordance with guidelines of the Environmental Protection Authority;
- (c) in determining an application for planning approval for an industry the local government may impose conditions to control industrial liquid, solid or gaseous wastes in accordance with Environmental Protection Authority guidelines and advice from the Department of Environmental Protection;
- (d) where a proposed industry would generate industrial liquid, solid, or gaseous wastes such wastes are to be treated and disposed of in accordance with Department of Environmental Protection advice/guidelines.

#### 4.14 FARMING ZONE

##### 4.14.1 Objectives—

- (a) to ensure the continuation of broad-hectare agriculture in the district encouraging where appropriate the retention and expansion of agricultural activities.
- (b) to provide for intensive agricultural use in suitable areas.
- (c) to consider non-rural uses where they can be shown to be of benefit to the district and non detrimental to the natural resources or the environment.
- (d) to allow for facilities for tourists and travellers, and for recreation uses.
- (e) to have regard to use of adjoining land at the interface of the Farming zone with other zones to avoid adverse effects on local amenities.

##### 4.14.2 General Development Requirements

In considering an application for planning approval the local government will have due regard for the following, in addition to the provisions of the Scheme—

- (a) any sensitive or incompatible uses which may require buffer separation from the proposed use.
- (b) evidence of a sustainable water supply that does not rely on catchment outside the lot, or damming of a stream that will impact on the water availability for another lot or lots.
- (c) soil conditions, slope, soil type, rock, potential for water logging, foundation stability, and how the application has addressed these site characteristics.
- (d) proposals for treatment and disposal of waste products.

##### 4.14.3 Location of Dams

Despite anything contained in the Scheme no dam shall be constructed—

- (a) within 100 metres of the intersection of two or more constructed public roads; or
- (b) within 20 metres of a constructed public road.

unless an application for planning approval has been made in accordance with provisions of the Scheme, and the local government has granted planning approval.”

1.27 deleting Part 5 and inserting a new Part 5—Heritage Protection as follows—

“PART 5—HERITAGE PROTECTION

5.1 HERITAGE LIST

- 5.1.1 The local government is to establish and maintain a Heritage List to identify those places within the Scheme Area which are of cultural heritage significance and worthy of conservation under the provisions of the Scheme, together with a description of each place and the reasons for its entry.
- 5.1.2 In the preparation of the Heritage List the local government is to—
- (a) have regard to the Municipal Inventory prepared by the local government under section 45 of the *Heritage of Western Australia Act 1990*; and
  - (b) include on the List such of the entries on the Municipal Inventory as it considers to be appropriate.
- 5.1.3 In considering a proposal to include a place on the Heritage List, the local government is to—
- (a) notify in writing the owner and occupier of the place and provide them with a copy of the description proposed to be used under clause 5.1.1 and the reasons for the proposed entry;
  - (b) invite submissions on the proposal from the owner and occupier of the place within 21 days of the day the notice is served;
  - (c) carry out such other consultations as it thinks fit; and
  - (d) consider any submissions made and resolve to enter the place on the Heritage List with or without modification or reject the proposal after consideration of the submissions.
- 5.1.4 Where a place is included on the Heritage List, the local government is to give notice of the inclusion to the Commission, the Heritage Council of Western Australia and to the owner and occupier of the place.
- 5.1.5 The local government is to keep a copy of the Heritage List with the Scheme documents for public inspection.
- 5.1.6 The local government may remove or modify the entry of a place on the Heritage List by following the procedures set out in clause 5.1.3.

Note: 1. The purpose and intent of the heritage provisions are—

- (a) to facilitate the conservation of places of heritage value; and
  - (b) to ensure as far as possible that development occurs with due regard to heritage values.
2. A “place” is defined in Schedule 1 and may include works, buildings and contents of buildings.

5.2 DESIGNATION OF A HERITAGE AREA

- 5.2.1 If, in the opinion of the local government, special planning control is needed to conserve and enhance the cultural heritage significance and character of an area, the local government may, by resolution, declare that area to be a Heritage Area.
- 5.2.2 The local government is to—
- (a) adopt for each Heritage Area a Local Planning Policy which is to comprise—
    - (i) a map showing the boundaries of the Heritage Area;
    - (ii) a record of places of heritage significance; and
    - (iii) objectives and guidelines for the conservation of the Heritage Area;and
  - (b) keep a copy of the Local Planning Policy for any designated Heritage Area with the Scheme documents for public inspection.
- 5.2.3 If a local government proposes to designate a Heritage Area, the local government is to—
- (a) notify in writing each owner of land affected by the proposed designation and provide the owner with a copy of the proposed Local Planning Policy for the Heritage Area;
  - (b) advertise the proposal by—
    - (i) publishing a notice of the proposed designation once a week for 2 consecutive weeks in a newspaper circulating within the Scheme Area;
    - (ii) erecting a sign giving notice of the proposed designation in a prominent location in the area affected by the designation; and
    - (iii) such other methods as the local government considers necessary to ensure widespread notice of the proposal;and
  - (c) carry out such other consultations as the local government considers appropriate.
- 5.2.4 Notice of a proposal under clause 5.2.3(b) is to specify—
- (a) the area subject of the proposed designation;
  - (b) where the proposed Local Planning Policy which will apply to the proposed Heritage Area may be inspected; and

- (c) in what form and during what period (being not less than 21 days from the date the notice is published or the sign is erected, as the case requires) submissions may be made.

5.2.5 After the expiry of the period within which submissions may be made, the local government is to—

- (a) review the proposed designation in the light of any submissions made; and  
 (b) resolve to adopt the designation with or without modifications, or not to proceed with the designation.

5.2.6 If the local government resolves to adopt the designation, the local government is to forward a copy of the designation to the Heritage Council of WA, the Commission, and each owner of land affected by the designation.

5.2.7 The local government may modify or revoke a designation of a Heritage Area.

5.2.8 Clauses 5.2.3 to 5.2.6 apply, with any necessary changes, to the amendment of a designation of a Heritage Area.”

### 5.3 HERITAGE AGREEMENTS

The local government may, in accordance with the *Heritage of Western Australia Act 1990*, enter into a heritage agreement with an owner or occupier of land or a building for the purpose of binding the land or affecting the use of the land or building in so far as the interest of that owner or occupier permits.

Note: 1. A heritage agreement may include a covenant intended to run with the land relating to the development or use of the land or any part of the land.

2. Detailed provisions relating to heritage agreements are set out in the *Heritage of Western Australia Act 1990*.

### 5.4 HERITAGE ASSESSMENT

Despite any existing assessment on record, the local government may require a heritage assessment to be carried out prior to the approval of any development proposed in a Heritage Area or in respect of a heritage place listed on the Heritage List.

### 5.5 VARIATIONS TO SCHEME PROVISIONS FOR A HERITAGE PLACE AND HERITAGE AREA

Where desirable to—

- (a) facilitate the conservation of a heritage place entered in the Register of Places under the *Heritage of Western Australia Act 1990* or listed in the Heritage List under clause 5.1.1; or  
 (b) enhance or preserve heritage values in a Heritage Area declared under clause 5.2.1, the local government may vary any site or development requirement specified in the Scheme or the Residential Planning Codes, by following the procedures set out in clause 4.4.”

1.28 renumbering Parts 6 and 7 and all clauses therein as Parts 7 and 8 respectively.

1.29 inserting a new Part 6 Special Control Areas as follows—

#### “PART 6—SPECIAL CONTROL AREAS

##### 6.1 OPERATION OF SPECIAL CONTROL AREAS

6.1.1 The following Special Control Areas are shown on the Scheme Map—

*There are no Special Control Areas which apply to the Scheme.*

6.1.2 In respect of the Special Control Area(s) shown on the Scheme Map, the provisions of the Special Control Area apply in addition to the provisions of the underlying zone(s), reserve(s), and any general provisions of the Scheme.”

1.30 deleting the heading of new Part 7 and inserting therein: ‘DEVELOPMENT OF LAND’.

1.31 deleting new clauses 7.1, 7.5 and 7.6; renumbering new clauses 7.2, 7.3, and 7.4 as 7.4, 7.5 and 7.10 respectively; and inserting in numerical order new clauses 7.1 to 7.3 and 7.6 to 7.9, and 7.11 as follows—

#### “7.1 REQUIREMENT FOR APPROVAL TO COMMENCE DEVELOPMENT

Subject to clause 7.2, all development on land zoned and reserved under the Scheme requires the prior approval of the local government. No person shall commence or carry out any development without first having applied for and obtained the planning approval of the local government pursuant to the provisions of the Scheme.

#### 7.2 PERMITTED DEVELOPMENT

For the purposes of the Scheme the following development does not require the planning approval of the local government—

- (a) the carrying out of any building or works which affect only the interior of a building and which do not materially affect the external appearance of the building unless the building is—
- (i) located in a place that has been registered in the Register of Places under the *Heritage of Western Australia Act 1990*;
- (ii) the subject of an Order under Part 6 of the *Heritage of Western Australia Act 1990*;
- (iii) included on the Heritage List under clause 5.1 of the Scheme.

- (b) the erection on a lot of a single house including any extension, ancillary outbuildings and swimming pools, except where the proposal—
  - (i) necessitates the exercise of a discretion by the local government under the Scheme to vary the provisions of the Residential Planning Codes;
  - (ii) is located in a Heritage Area designated under the Scheme;
  - (iii) is on land in the Rural Residential Zone;
  - (iv) is on land which abuts an unconstructed road or which does not have frontage to a constructed road.
- (c) the demolition of any building or structure except where the building or structure is—
  - (i) located in a place that has been entered in the Register of Places under the *Heritage of Western Australia Act 1990*;
  - (ii) the subject of an Order under Part 6 of the *Heritage of Western Australia Act 1990*;
  - (iii) included on the Heritage List under the Scheme;
  - (iv) located within a Heritage Area designated under the Scheme.
- (d) a home office carried out solely within a dwelling by a resident of the dwelling;
- (e) any works which are temporary and in existence for less than 48 hours or such longer time as the local government agrees; and
- (f) any of the exempted classes of advertisements listed in Schedule 5 except in respect of a place included on the Heritage List or in a Heritage Area.

### 7.3 APPLICATION FOR PLANNING APPROVAL

Every application for planning approval shall be made in the form prescribed in Schedule 6 as an application for planning approval and shall be signed by the owner, and accompanied by such plans and other information as is required by the local government.

### 7.6 FORM AND DATE OF DETERMINATION

7.6.1 As soon as practicable after making a decision in relation to the application, the local government shall convey its decision to the applicant in the form prescribed in Schedule 9 and the date of determination shall be the date given in the notice of the local government's decision.

7.6.2 Where the local government refuses an application for planning approval the local government shall give reasons for its refusal.

### 7.7 TERM OF PLANNING APPROVAL

7.7.1 Where the local government grants planning approval, that approval—

- (a) shall be substantially commenced within 2 years, or such other period as specified in the approval, after the date of determination; and
- (b) lapses if the development has not substantially commenced before the expiration of that period.

7.7.2 A written request may be made to the local government for an extension of the term of planning approval at any time prior to the expiry of the approval period in clause 7.7.1 (a).

### 7.8 TEMPORARY PLANNING APPROVAL

Where the local government grants planning approval, the local government may impose conditions limiting the period of time for which the approval is granted.

Note: A temporary planning approval is where the local government grants approval for a limited period, for example, where the land may be required for some other purpose in the future, and is different to the term of the planning approval which is the period within which the development must commence.

### 7.9 SCOPE OF PLANNING APPROVAL

Planning approval may be granted—

- (a) for the use or development for which the approval is sought;
- (b) for that use or development except for a specified part or aspect of that use or development;
- (c) for a specified part or aspect of that use or development.

### 7.11 UNAUTHORISED EXISTING DEVELOPMENTS

7.11.1 The local government may grant planning approval to a use or development already commenced or carried out regardless of when it commenced or carried out, providing the development conforms to the provisions of the Scheme.

7.11.2 Development which was unlawfully commenced shall not be rendered lawful by the occurrence of any subsequent event except the granting of planning approval and the continuation of the development unlawfully commenced shall be deemed to be lawful upon the grant of planning approval.”

Note: 1. Applications for approval to an existing development are made under Part 9.

2. The approval by the local government of an existing development does not affect the power of the local government to take appropriate action for a breach of the Scheme or the Act in respect of the commencement or carrying out of development without planning approval.

- 1.32 in new clause 7.4.1 substituting "... "A"....." for "....."SA"....."
- 1.33 in new clause 7.4.2 substituting "... "a D"....." for "....."an SA"....."
- 1.34 in new clause 7.4.3 paragraphs (a), (b), and (c) substituting "...21....." for ".....twenty-one....."
- 1.35 renumbering new clause 7.4.4 as 7.4.5 and inserting a new clause 7.4.4 as follows—  
 "7.4.4 The notice referred to in clauses 7.4.3 (a) and (b) shall be in the form contained in Schedule 8 with such modifications as considered appropriate by the local government."
- 1.36 deleting new clause 7.5.3.
- 1.37 in new clauses 7.10.1 and 7.10.2 substituting "... clause 7.4 ..." for "...Clause 6.2 ...".
- 1.38 in new clauses 7.10.1 substituting "...60..." for ".....sixty...".
- 1.39 in new clauses 7.10.2 substituting ".....90....." for ".....ninety...".
- 1.40 in new clause 7.10.3 substituting "... 60..." and "...90..." for "...sixty..." and "...ninety..." respectively
- 1.41 in new clause 7.10.3 substituting "... clauses 7.10.1 or 7.10.2 ..." for "... Clauses 6.4.1 or 6.4.2 ..."; and adding the following to the end of the clause "... and that decision shall be regarded as being valid."
- 1.42 deleting the heading of new clause 8.1 and inserting therein: "POWERS OF THE LOCAL GOVERNMENT"
- 1.43 deleting clause 8.4.
- 1.44 renumbering clauses in new Part 8 as follows—  
 existing 8.2 as new 8.3  
 existing 8.3 as new 8.4  
 existing 8.5 as new 8.7  
 existing 8.6 as new 8.8
- 1.45 inserting in numerical order clauses 8.2, 8.5, 8.6 and 8.9 as follows—
- "8.2 REMOVAL AND REPAIR OF EXISTING ADVERTISEMENTS**
- 8.2.1 Where existing advertisements at, or at any time after the coming into force of the Scheme, in the opinion of the local government, conflict with the amenity of a locality, the local government may by notice in writing (giving clear reasons) require the advertiser to remove, relocate, repair, adapt, or otherwise modify the advertisement.
- 8.2.2 Where, in the opinion of the local government, an advertisement has been permitted to deteriorate to a point where it conflicts with the objectives of the Scheme or it ceases to be effective for the purpose for which it was erected or displayed, the local government may by notice in writing require the advertiser to—  
 (a) repair, repaint or otherwise restore the advertisement to a standard specified in the notice; or  
 (b) remove the advertisement.
- 8.2.3 For the purpose of clauses 8.2.1 and 8.2.2 any notice shall be served upon the advertiser and shall specify—  
 (a) the advertisement(s) the subject of the notice;  
 (b) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice; and  
 (c) the period, not being less than 60 days from the date of the local government's decision, within which the action specified shall be completed by the advertiser.
- 8.5 COMPENSATION**
- 8.5.1 A person whose land or property is injuriously affected by the making or amendment of the Scheme may make a claim for compensation under Section 11(1) of the Town Planning Act—  
 (a) in any case, within 6 months of the date of publication of notice of the approval of the Scheme or the amendment, as the case requires, in accordance with the *Town Planning Regulations 1967*; or  
 (b) where the land has been reserved for a public purpose and—  
 (i) an application made under the Scheme for approval to carry out development on the land is refused; or  
 (ii) an application made under the Scheme for approval to carry out development on the land is granted subject to conditions that have the effect of permitting the land to be used or developed for no purpose other than a public purpose,  
 not later than 6 months after the application is refused or the permission granted.
- 8.5.2 A person whose land or property is injuriously affected by the making of a Scheme may not claim compensation for that injurious affection more than once under clause 8.5.1
- Note: A claim for compensation under section 11(1) of the Town Planning Act may be made in the Form No. 7 in Appendix A of the Town Planning Regulations 1967.
- 8.6 PURCHASE OR TAKING OF LAND**
- 8.6.1 If, where compensation for injurious affection is claimed under the Town Planning Act, the local government elects to purchase or take the land compulsorily the local government is to give written notice of that election to the claimant within 3 months of the claim for compensation being made.

- 8.6.2 The local government may deal with or dispose of land acquired by it for the purpose of a Local Reserve upon such terms and conditions as it thinks fit but the land must be used, and preserved, for a use compatible with the use for which it is reserved.

Note: Section 13 of the Town Planning Act empowers the local government to purchase or compulsorily acquire land comprised in a scheme.

#### 8.9 DELEGATION OF FUNCTIONS

- 8.9.1 The local government may, either generally or in a particular case or particular class of case or cases, by resolution passed by an absolute majority of the local government, delegate any power conferred or duly imposed on the local government under the Scheme.

- 8.9.2 A delegation of authority under clause 8.9.1 shall be made pursuant to the provisions of the *Local Government Act 1995*.

1.46 deleting the heading for new clause 8.3 and inserting therein "PERSON MUST COMPLY WITH PROVISIONS OF SCHEME".

1.47 in new clause 8.3.1 paragraph (b) substituting "...approvals..." for "...consents...".

1.48 in new clause 8.3.1 paragraph (c) substituting "...approval..." for "... consent...".

1.49 deleting the heading for new clause 8.4 and inserting therein "NOTICE FOR REMOVAL OF CERTAIN BUILDINGS".

1.50 in new clause 8.7 inserting the words "... Part V of the Act and ..." between the words "... in accordance with ..." and "... the rules and regulations ..."; and deleting the word "... made ...".

1.51 deleting the heading for new clause 8.8 and inserting therein "LOCAL PLANNING POLICIES".

1.52 in new clause 8.8 substituting the words "... Local Planning ..." for "...Town Planning Scheme ..." whenever they occur.

1.53 in new clause 8.8.2 paragraph (a) substituting "... 2..." and "...21..." for "...two..." and "...twenty-one." respectively.

1.54 deleting Schedules 1 and 2 and inserting new Schedules 1 to 10 as follows—

#### "SCHEDULE 1—DICTIONARY OF DEFINED WORDS AND EXPRESSIONS

##### 1. General definitions

In the Scheme—

"**advertisement**" means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or adapted for use, for the display of advertisements. The term includes any airborne device anchored to any land or building and any vehicle or trailer or other similar object placed or located so as to serve the purpose of advertising;

"**amenity**" means all those factors which combine to form the character of an area and include the present and likely future amenity;

"**building envelope**" means an area of land within a lot marked on a plan approved by the responsible authority within which all buildings and effluent disposal facilities on the lot must be contained;

"**conservation**" has the same meaning as in the *Heritage of Western Australia Act 1990*;

"**cultural heritage significance**" has the same meaning as in the *Heritage of Western Australia Act 1990*;

"**floor area**" has the same meaning as in the *Building Code of Australia 1996* published by the Australian Building Codes Board;

"**frontage**", when used in relation to a building that is used for—

- (a) residential purposes, has the same meaning as in the Residential Planning Codes; and
- (b) purposes other than residential purposes, means the road alignment at the front of a lot and, if a lot abuts 2 or more roads, the one to which the building or proposed building faces;

"**Gazettal date**", in relation to a Scheme, means the date on which the Scheme is published in the *Gazette* under section 7(3) of the Town Planning Act;

"**height**" when used in relation to a building that is used for—

- (a) residential purposes, has the same meaning as in the Residential Planning Codes; or
- (b) purposes other than residential purposes, means the maximum vertical distance between the ground level and the finished roof height directly above;

"**incidental use**" means a use of premises which is ancillary and subordinate to the predominant use;

"**local government**" means the Shire of Quairading;

"**Local Planning Strategy**" means the Local Planning Strategy in respect of the Scheme, as endorsed by the Commission under regulation 12B of the *Town Planning Regulations 1967* and amended from time to time;

"**lot**" has the same meaning as in the Town Planning Act but does not include a strata or survey strata lot;

- “**minerals**” has the same meaning as in the *Mining Act 1978*;
- “**net lettable area (nla)**” means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas —
- (a) all stairs, toilets, cleaner’s cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
  - (b) lobbies between lifts facing other lifts serving the same floor;
  - (c) areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
  - (d) areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building;
- “**non-conforming use**” has the same meaning as it has in section 12(2)(a) of the Town Planning Act;
- “**owner**”, in relation to any land, includes the Crown and every person who jointly or severally whether at law or in equity—
- (a) is entitled to the land for an estate in fee simple in possession;
  - (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of that land;
  - (c) is a lessor or licensee from the Crown; or
  - (d) is entitled to receive or is in receipt of, or if the land were let to a tenant, would be entitled to receive, the rents and profits from the land, whether as beneficial owner, trustee, mortgagee in possession or otherwise;
- “**place**”, in Part 7 (Heritage Protection) has the same meaning as it has in the *Heritage of Western Australia Act 1990*;
- “**plot ratio**”, in the case of residential dwellings has the same meaning as in the Residential Planning Codes;
- “**precinct**” means a definable area where particular planning policies, guidelines or standards apply;
- “**predominant use**” means the primary use of premises to which all other uses carried out on the premises are subordinate, incidental or ancillary;
- “**premises**” means land or buildings;
- “**region scheme**” means a regional planning scheme made under the *Western Australian Planning Commission Act 1985*, as amended from time to time;
- “**Residential Planning Codes**” means the Residential Planning Codes in Appendix 2 to the Western Australian Planning Commission Statement of Planning Policy No. 1, as amended from time to time;
- “**retail**” means the sale or hire of goods or services to the public;
- “**substantially commenced**” means that work or development the subject of planning approval has been begun by the performance of some substantial part of that work or development;
- “**Town Planning Act**” and “**Act**” means the *Town Planning and Development Act 1928*;
- “**wholesale**” means the sale of goods or materials to be sold by others;
- “**zone**” means a portion of the Scheme area shown on the map by distinctive colouring, patterns, symbols, hatching or edging for the purpose of indicating the restrictions imposed by the Scheme on the use and development of land, but does not include a reserve or special control area.

## 2. Land use definitions

In the Scheme—

- “**agriculture—extensive**” means premises used for the raising of stock or crops but does not include agriculture—intensive or animal husbandry—intensive;
- “**agriculture—intensive**” means premises used for trade or commercial purposes, including outbuildings and earthworks, associated with the following —
- (a) the production of grapes, vegetables, flowers, exotic or native plants, or fruit or nuts;
  - (b) the establishment and operation of fruit nurseries; or
  - (c) the development of land for irrigated fodder production or irrigated pasture (including turf farms);
- and does not include aquaculture;
- “**agroforestry**” means land used commercially for tree production and agriculture where trees are planted in blocks of more than one hectare;
- “**amusement parlour**” means premises open to the public, where the predominant use is for amusement by means of amusement machines and where there are more than 2 amusement machines operating within the premises;
- “**ancillary tourist use**” means premises used for—
- (a) recreation or entertainment,
  - (b) consumption of food and/or beverages,

- (c) the sale of produce,
  - (d) the sale of arts and crafts, and/or
  - (e) conducting excursions for tourists,
- where such use is incidental to and directly related to the predominant use of the land;
- “animal establishment”** means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry—intensive or veterinary centre;
- “animal husbandry—intensive”** means premises used for keeping, rearing or fattening of pigs, poultry (for either egg or meat production), rabbits (for either meat or fur production) and other livestock in feedlots;
- “aquaculture”** has the same meaning given to the term in the *Fish Resources Management Act 1994*;
- “bed and breakfast”** means a dwelling, used by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence on a short-term commercial basis and includes the provision of breakfast;
- “betting agency”** means an office or totalisator agency established under the *Totalisator Agency Board Betting Act 1960*;
- “caravan park”** has the same meaning as in the *Caravan Parks and Camping Grounds Act 1995*;
- “caretaker’s dwelling”** means a dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation or plant;
- “car park”** means premises used primarily for parking vehicles whether open to the public or not but does not include any part of a public road used for parking or for a taxi rank, or any premises in which cars are displayed for sale;
- “child care premises”** has the same meaning as in the *Community Services (Child Care) Regulations 1988*;
- “cinema/theatre”** means premises where the public may view a motion picture or theatrical production;
- “civic use”** means premises used by a government department, an instrumentality of the Crown, or the local government, for administrative, recreational or other purposes;
- “club premises”** means premises used by a legally constituted club or association or other body of persons united by a common interest;
- “community purpose”** means the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organizations involved in activities for community benefit;
- “consulting rooms”** means premises used by no more than 2 health consultants for the investigation or treatment of human injuries or ailments and for general outpatient care;
- “convenience store”** means premises—
- (a) used for the retail sale of convenience goods commonly sold in supermarkets, delicatessens or newsagents, or the retail sale of petrol and those convenience goods;
  - (b) operated during hours which include, but may extend beyond, normal trading hours;
  - (c) which provide associated parking; and
  - (d) the floor area of which does not exceed 300 square metres net lettable area;
- “corrective institution”** means premises used to hold and reform persons committed to it by a court, such as a prison or other type of detention facility;
- “educational establishment”** means premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre;
- “exhibition centre”** means premises used for the display, or display and sale, of materials of an artistic, cultural or historical nature, and includes a museum or art gallery;
- “family day care”** means premises used to provide family day care within the meaning of the *Community Services (Child Care) Regulations 1988*;
- “fast food outlet”** means premises used for the preparation, sale and serving of food to customers in a form ready to be eaten without further preparation, primarily off the premises, but does not include a lunch bar;
- “fuel depot”** means premises used for the storage and sale in bulk of solid or liquid or gaseous fuel, but does not include a service station and specifically excludes the sale by retail into a vehicle for final use of such fuel from the premises;
- “funeral parlour”** means premises used to prepare and store bodies for burial or cremation;
- “home business”** means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—
- (a) does not employ more than 2 people not members of the occupier’s household;
  - (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
  - (c) does not occupy an area greater than 50 square metres, except that for land in the Rural zone under the Scheme the local government may permit an area up to 200 square metres;

- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight, except that for land in the Rural zone under the Scheme the local government may permit the presence and use of up to 3 vehicles of more than 3.5 tonnes tare weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone;

**“home occupation”** means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—

- (a) does not employ any person not a member of the occupier’s household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 20 square metres;
- (d) does not display a sign exceeding 0.2 square metres;
- (e) does not involve the retail sale, display or hire of goods of any nature;
- (f) in relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and
- (g) does not involve the use of an essential service of greater capacity than normally required in the zone;

**“home office”** means a home occupation limited to a business carried out solely within a dwelling by a resident of the dwelling but which does not—

- (a) entail clients or customers travelling to and from the dwelling;
- (b) involve any advertising signs on the premises; or
- (c) require any external change to the appearance of the dwelling;

**“home store”** means any shop with a net lettable area not exceeding 100 square metres attached to a dwelling and which is operated by a person resident in the dwelling;

**“hospital”** means premises in which persons are admitted and lodged for medical treatment or care and includes a maternity hospital;

**“hotel”** means premises providing accommodation the subject of a hotel licence under the *Liquor Licensing Act 1988*, and may include a betting agency on those premises, but does not include a tavern or motel;

**“industry”** means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes premises on the same land used for—

- (a) the storage of goods;
- (b) the work of administration or accounting;
- (c) the selling of goods by wholesale or retail; or
- (d) the provision of amenities for employees, incidental to any of those industrial operations;

**“industry—cottage”** means a trade or light industry producing arts and crafts goods which does not fall within the definition of a home occupation and which—

- (a) does not cause injury to or adversely affect the amenity of the neighbourhood;
- (b) where operated in a residential zone, does not employ any person other than a member of the occupier’s household;
- (c) is conducted in an out-building which is compatible with the principal uses to which land in the zone in which it is located may be put;
- (d) does not occupy an area in excess of 50 square metres; and
- (e) does not display a sign exceeding 0.2 square metres in area;

**“industry—extractive”** means an industry which involves the extraction, quarrying or removal of sand, gravel, clay, hard rock, stone or similar material from the land and includes the treatment and storage of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted, but does not include industry—mining;

**“industry—general”** means an industry other than a cottage, extractive, light, mining, rural or service industry;

**“industry—light”** means an industry—

- (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises do not cause any injury to or adversely affect the amenity of the locality;
- (b) the establishment or conduct of which does not, or will not, impose an undue load on any existing or proposed service for the supply or provision of essential services;

- “**industry—mining**” means land used commercially to extract minerals from the land;
- “**industry—rural**” means—
- (a) an industry handling, treating, processing or packing rural products; or
  - (b) a workshop servicing plant or equipment used for rural purposes;
- “**industry—service**” means—
- (a) an industry—light carried out from premises which may have a retail shop front and from which goods manufactured on the premises may be sold; or
  - (b) premises having a retail shop front and used as a depot for receiving goods to be serviced;
- “**lunch bar**” means premises or part of premises used for the sale of takeaway food (in a form ready to be consumed without further preparation) within industrial or commercial areas;
- “**market**” means premises used for the display and sale of goods from stalls by independent vendors;
- “**medical centre**” means premises, other than a hospital, used by one or more health consultant(s) for the investigation or treatment of human injuries or ailments and for general outpatient care (including preventative care, diagnosis, medical and surgical treatment, and counselling);
- “**motel**” means premises used to accommodate patrons in a manner similar to a hotel but in which specific provision is made for the accommodation of patrons with motor vehicles and may comprise premises licensed under the *Liquor Licensing Act 1988*;
- “**motor vehicle, boat or caravan sales**” means premises used to sell or hire motor vehicles, boats or caravans;
- “**motor vehicle repair**” means premises used for or in connection with—
- (a) electrical and mechanical repairs, or overhauls, to vehicles; or
  - (b) repairs to tyres,
- but does not include premises used for recapping or retreading of tyres, panel beating, spray painting or chassis reshaping;
- “**motor vehicle wash**” means premises where the primary use is the washing of motor vehicles;
- “**night club**” means premises—
- (a) used for entertainment with or without eating facilities; and
  - (b) licensed under the *Liquor Licensing Act 1988*;
- “**office**” means premises used for administration, clerical, technical, professional or other like business activities;
- “**park home park**” has the same meaning as in the *Caravan Parks and Camping Grounds Regulations 1997*;
- “**place of worship**” means premises used for religious activities such as a church, chapel, mosque, synagogue or temple;
- “**plantation**” has the same meaning as in the *Code of Practice for Timber Plantations in Western Australia* (1997) published by the Department of Conservation and Land Management and the Australian Forest Growers;
- “**plant nursery**” means premises used for the propagation, rearing and sale of plants and the storage and sale of products associated with horticultural and garden décor.
- “**reception centre**” means premises used for functions on formal or ceremonial occasions but not for unhosted use for general entertainment purposes;
- “**recreation—private**” means premises used for indoor or outdoor leisure, recreation or sport which are not usually open to the public without charge;
- “**residential building**” has the same meaning as in the Residential Planning Codes;
- “**restaurant**” means premises where the predominant use is the sale and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the *Liquor Licensing Act 1988*;
- “**restricted premises**” means premises used for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of—
- (a) publications that are classified as restricted under the *Censorship Act 1996*;
  - (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity;
- “**rural pursuit**” means any premises used for—
- (a) the rearing or agistment of animals;
  - (b) the stabling, agistment or training of horses;
  - (c) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens; or
  - (d) the sale of produce grown solely on the lot,
- but does not include agriculture—extensive or agriculture—intensive;
- “**service station**” means premises used for—
- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental/convenience retail nature; and

- (b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles,  
but does not include premises used for a transport depot, panel beating, spray-painting, major repairs or wrecking;
- “shop”** means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist) but does not include a showroom or fast food outlet;
- “showroom”** means premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping equipment, electrical light fittings, equestrian supplies, floor coverings, furnishings, furniture, household appliances, party supplies, swimming pools or goods of a bulky nature;
- “storage”** means premises used for the storage of goods, equipment, plant or materials;
- “tavern”** means premises licensed as a tavern under the *Liquor Licensing Act 1988* and used to sell liquor for consumption on the premises;
- “telecommunications infrastructure”** means land used to accommodate any part of the infrastructure of a telecommunications network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use in or in connection with, a telecommunications network;
- “tourist accommodation”** means accommodation specifically catering for tourists and includes bed and breakfast accommodation, chalets, farmstay, guesthouses, caravan parks, etc. but does not include hotels, or motels;
- “trade display”** means premises used for the display of trade goods and equipment for the purpose of advertisement;
- “transport depot”** means premises used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one such motor vehicle to another such motor vehicle and includes maintenance, management and repair of the vehicles used, but not of other vehicles, and may include overnight accommodation on-site for the transport workers;
- “veterinary centre”** means premises used to diagnose animal diseases or disorders, to surgically or medically treat animals, or for the prevention of animal diseases or disorders;
- “warehouse”** means premises used to store or display goods and may include sale by wholesale;
- “winery”** means premises used for the production of viticultural produce and may include sale of the produce.

---

**Schedule 2**  
ADDITIONAL USES

No.	Description of Land	Additional Use	Conditions

---

**Schedule 3**  
RESTRICTED USES

No.	Description of Land	Restricted Use	Conditions
1	Quairading Lot 336, Lot 10 Location 8133, and Portion Location 8133, Ashton Street, Quairading		

**Schedule 4**  
SPECIAL USE ZONES

No.	Description of Land	Special Use	Conditions
1	Lot 12 Jennaberring Road and Lot 8 Loudon Street, both of Quairading Town Lot 59, Quairading.	Motel	

**Schedule 5**  
EXEMPTED ADVERTISEMENTS

LAND USE AND/OR DEVELOPMENT	EXEMPTED SIGN TYPE AND NUMBER (includes the change of posters or poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA
Dwellings	One professional nameplate as appropriate.	0.2m <sup>2</sup>
Home Business or Home Occupation	One advertisement describing the nature of the home business or home occupation.	0.2m <sup>2</sup>
Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m <sup>2</sup>
Cinemas, Theatres and Drive-In Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each advertisement sign not to exceed 5m <sup>2</sup>
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to compliance with the requirements of the Signs Hoarding and Bill Posting Local Laws.	Not Applicable
Industrial and Warehouse Premises	A maximum of four advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building and excluding signs which are connected to a pole, wall, or other building.  A maximum of two free-standing advertisement signs not exceeding 5 metres in height above ground level.	Total area of such advertisements shall not exceed 15m <sup>2</sup>  Maximum permissible total area shall not exceed 10m <sup>2</sup> and individual advertisement signs shall not exceed 6m <sup>2</sup> .
Showroom, racecourses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned either from other private land or from public places and streets.	Not Applicable
Public Places and Reserves	(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of Government, a public authority or the local government excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and  (b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or	Not Applicable  Not Applicable

LAND USE AND/OR DEVELOPMENT	EXEMPTED SIGN TYPE AND NUMBER (includes the change of posters or poster signs and applies to non-illuminated signs unless otherwise stated)	MAXIMUM AREA
	<p>exhibited by or at the direction of a Government department, public authority or the local government, and</p> <p>(c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.</p>	Not Applicable
Railway Property and Reserves	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon railway station.	No sign shall exceed 2m <sup>2</sup> in area.
Advertisements within Buildings	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings.	Not Applicable
All classes of buildings other than single family dwellings	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2m <sup>2</sup>

TEMPORARY SIGNS	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA
<p>Building Construction Sites (advertisement signs displayed only for the duration of the construction) as follows—</p> <p>(a) Dwellings</p> <p>(b) Multiple dwellings, shops, commercial and industrial properties</p> <p>(c) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding three (3) storeys in height</p>	<p>One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.</p> <p>One sign as for (a) above.</p> <p>One sign as for (a) above</p> <p>One additional sign showing the name of the project builder.</p>	<p>2m<sup>2</sup></p> <p>5m<sup>2</sup></p> <p>10m<sup>2</sup></p> <p>5m<sup>2</sup></p>
Sales of goods or livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2m <sup>2</sup>
Property transactions Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows—		

TEMPORARY SIGNS	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA
(a) Dwellings	One sign per street frontage for each property relating to the Sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign shall not exceed an area of 2m <sup>2</sup>
(b) Multiple dwellings, shops, commercial and industrial properties	One sign as for (a) above.	Each sign shall not exceed an area of 5m <sup>2</sup>
(c) Large properties comprised of shopping centres, buildings in excess of four (4) storeys and rural properties in excess of five (5) hectares.	One sign as for (a) above	Each sign shall not exceed an area of 10m <sup>2</sup>
Display Homes Advertisement signs displayed for the period over which homes are on display for public inspection	(a) One sign for each dwelling on display. (b) In addition to (a) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	2m <sup>2</sup> 5m <sup>2</sup>

---

**Schedule 6**

APPLICATION FOR PLANNING APPROVAL

**OWNER DETAILS—**

Name .....

Address..... Post Code.....

Phone (work)..... (home)..... Fax..... E-Mail.....

Contact Person.....

Signature..... Date.....

Signature..... Date.....

*The signature of the landowner(s) is required on all applications. This application will not proceed without that signature.*

**APPLICANT DETAILS:**

Name .....

Address..... Post Code.....

Phone (work)..... (home)..... Fax..... E-Mail.....

Contact Person for correspondence .....

Signature..... Date.....

**PROPERTY DETAILS—**

Lot No..... House/Street No. .... Location No. ....

Diagram or Plan No..... Certificate of Title No. .... Folio .....

Diagram or Plan No..... Certificate of Title No. .... Folio .....

Title Encumbrances (eg, easements, restrictive covenants) .....

Street Name ..... Suburb.....

Nearest Street Intersection .....

Existing Building/Land Use .....

Description of proposed development and/or use .....

.....

Nature of any existing buildings and/or use.....

.....

Approximate cost of proposed development.....

Estimated time of completion.....

OFFICE USE ONLY

Acceptance Officer's Initials ..... Date Received.....
Local government Reference No. ....

Schedule 7

ADDITIONAL INFORMATION FOR ADVERTISEMENTS

(NOTE: TO BE COMPLETED IN ADDITION TO THE APPLICATION FOR PLANNING APPROVAL FORM)

- 1. Description of property upon which advertisement is to be displayed including full details of its proposed position within that property—
2. Details of Proposed Sign—
(a) Type of structure on which advertisement is to be erected (i.e. freestanding, wall mounted, other)—
(b) Height: ..... Width: ..... Depth: .....
(c) Colours to be used: .....
(d) Height above ground level —(to top of advertisement): ..... —(to the underside): .....
(e) Materials to be used .....
Illuminated: Yes/No If yes, state whether steady, moving, flashing, alternating, digital, animated or scintillating and state intensity of light source:
3. Period of time for which advertisement is required: .....
4. Details of signs (if any) to be removed if this application is approved—

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

Signature of Advertiser(s): .....
(if different from landowners)
Date:.....

Schedule 8

Shire of Quairading

TOWN PLANNING SCHEME NO. 2

NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL

The local government has received an application to use and/or develop land for the following purpose and public comments are invited.

LOT NO. .... STREET.....
SUBURB.....
PROPOSAL .....

Details of the proposal are available for inspection at the local government office. Comments on the proposal may be submitted to the local government in writing on or before the.....day of.....

Chief Executive Officer
Date

**Schedule 9**

*Shire of Quairading*

TOWN PLANNING SCHEME NO. 2

NOTICE OF DECISION ON APPLICATION FOR PLANNING APPROVAL

LOCATION: .....  
 LOT:..... PLAN/DIAGRAM: .....  
 VOL: NO:..... FOLIO NO: .....  
 Application Date:..... Received on: .....  
 Description of proposed development: .....

The application for planning approval is—

- granted subject to the following conditions:
- refused for the following reason(s):

CONDITIONS/REASONS FOR REFUSAL:

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

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the decision, the approval shall lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant is aggrieved by this decision there is a right of appeal pursuant to the provisions of Part V of the Town Planning Act. An appeal must be lodged within 60 days of the local government’s decision.

.....  
 Chief Executive Officer

.....  
 Date

**Schedule 10**

RURAL RESIDENTIAL ZONE

PARTICULARS OF LAND	REQUIREMENTS OF THE ZONE
Lots 94 to 105 inclusive, 213 and 214 bounded by Coraling Street, Forrest Street, section of closed road, and Cubbine Road, Quairading.	
Portion of Crown Reserve 21459 fronting Loudon Street and portion of Crown Reserve 13002 fronting Coraling Street, Quairading.	1. The minimum recommended lot size should be 2 hectares. 2. The first application for planning approval for a use or development on a lot shall also nominate for the local government’s approval the position of a building envelope on the lot. A building envelope shall have an area of not more than 2,000 square metres.”

**2 ON THE SCHEME MAP FOR THE QUAIRADING TOWNSITE AND ENVIRONS AS DEPICTED ON THE SCHEME AMENDMENT MAP**

- 2.1 amending the residential density code throughout the townsite from R10 to R10/20.
- 2.2 amending the residential density code from R5 to R5/10/20 for the land bounded by Forrest Street, Coraling Street, Loudon Street, and Jennaberring Road.
- 2.3 rezoning Lot 12 Jennaberring Road and adjoining Lot 8 Loudon Street from Residential to Special Use for ‘Motel’.
- 2.4 reclassifying Lot 1 TL 135 (HN 5) McLennan Street, Quairading from Local Reserve for Public Purpose to Residential zone with “R10/20” density code.
- 2.5 reclassifying portion of Crown Reserve 20494 south of Jennaberring Road from Local Reserve for Public Purpose to Industrial zone.

2.6 reclassifying Lot 1 Locations 8518, 8520, 25333, and 25334 from Farming zone to Local reserve for Public Purpose (WSD).

2.7 deleting reference to lot area from the Rural Residential zone.

2.8 reclassifying Quairading Lot 336, Lot 10 Location 8133, and Portion Location 8133 from Local Reserve for Road and Farming zone to Industrial zone with Restricted Use for Grain Handling Depot.

2.9 reclassifying portion of Closed Road at the corner of Parker Street and Ashton Street from Farming zone to Local Reserve for Road.

2.10 including on the Legend symbols 'A' and 'R' to designate Additional Uses and Restricted Uses respectively.

2.11 including on the Legend a new zone 'Special Use' designated with a solid red border.

2.12 in the Legend substituting "Townsite" zone for "Rural Townsite" zone.

B. E. LAYCOCK, President.  
G. A. FARDON, Chief Executive Officer.

---

## RACING, GAMING AND LIQUOR

---

RG401

### 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 Department of Racing, Gaming & Liquor, 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
<b>APPLICATIONS FOR THE GRANT OF A LICENCE</b>			
9607	Neville John Ham & Catherine Mary Ham	Application for the grant of a Restaurant licence in respect of premises situated in Albany and known as the Torbay Anchorage	9/3/03
9611	Platinum Pacific Pty Ltd	Application for the grant of a Restaurant licence in respect of premises situated in Perth and known as Aoi Hoshi	13/3/03
9615	Beechboro Bombers Senior Football Club	Application for the grant of a Club Restricted licence in respect of premises situated in Ballajura and known as Beechboro Bombers Senior Football Club	11/3/03
9616	Anthony & Sons Pty Ltd	Application for the grant of a Special Facility—Packet/Transport licence in respect of premises situated in Perth and known as MV Queen of the Valley	10/3/03
9617	ECS Gumala Pty Ltd	Application for the grant of a Special Facility—Canteen licence in respect of premises situated in Paraburdoo and known as Eastern Range Construction Village	27/2/03
<b>APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS</b>			
14902	Salmon Point Hlds Pty Ltd A/T/F Fish Trust	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Northbridge and known as Rise Danceclub	23/2/03
14942	Richard James Chadwick	Application for the grant of an extended trading permit—ongoing extended hours, in respect of premises situated in Albany and known as Cape Agencies	2/3/03

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

H. R. HIGHMAN, Director of Liquor Licensing.

## STATE SUPPLY COMMISSION

SZ401\*

### STATE SUPPLY COMMISSION ACT 1991 AMENDED SUPPLY POLICY

It is hereby notified for general information that, pursuant to section 28(3) of the State Supply Commission Act 1991, the State Supply Commission has re-issued the following amended supply policy, which is effective from 14 February 2003 and is applicable to all public authorities—

- Open and effective competition

Dated this 11<sup>th</sup> day of February 2003.

JENNI BALLANTYNE, Chairman,  
State Supply Commission.

## WATER

WA401\*

### WATER AGENCIES (POWERS) ACT 1984 WASTEWATER IMPROVEMENTS *Shire of Manjimup—Walpole*

Notice of Proposal to Construct an Effluent Storage Dam, Pump Station and Pipeline

To improve the disposal of effluent from the existing Walpole Wastewater Treatment Plant, the Water Corporation proposes to construct: an effluent storage dam of approximately 40,000m<sup>3</sup> capacity; a new effluent pump station on the existing wastewater treatment plant site; and a DN 150 effluent pipeline between the storage dam and pump station.

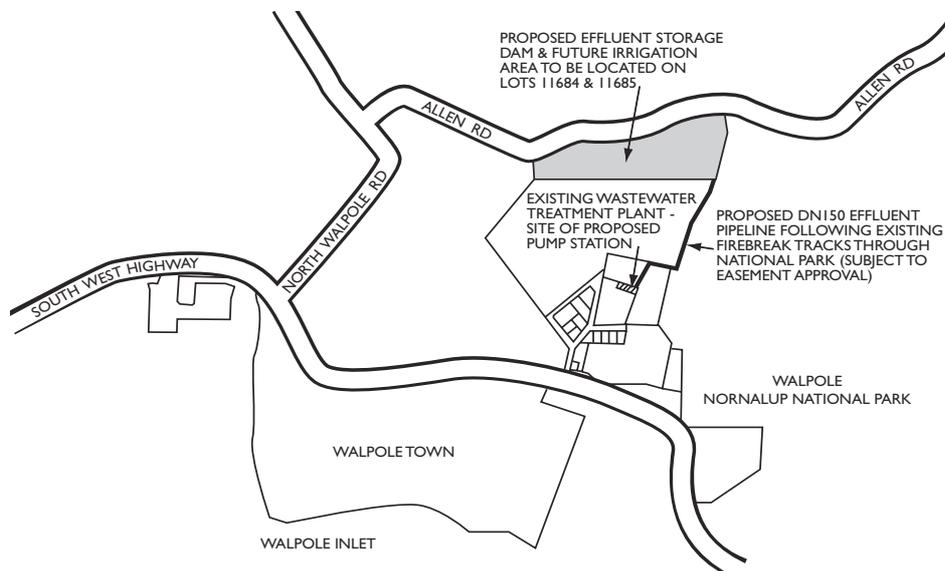
Construction of the effluent pipeline through National Park areas will be restricted to existing fire break tracks (subject to easement approval) and will be open trench excavation, which will be backfilled and restored.

The proposed works are scheduled to commence in April 2003 and will continue for a duration of approximately three months.

A copy of this Notice of Proposal (referred to as GM86-0-1) is available for viewing, during office hours, at the Water Corporation's Perth Region Business Office, 13 South St (Cnr Bannister Rd), Canning Vale and the South West Business Office, Bunbury Tower, 61 Victoria St, Bunbury.

Further information may also be obtained by contacting the Project Manager, Roger Nilson, telephone (08) 9845 1661.

Objections to the proposed works should be lodged in writing to the Project Manager, Roger Nilson, PO Box 1201, Albany WA 6331, before the close of business on 17 March 2003.



---

**PUBLIC NOTICES**

---

**ZZ201****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Jean Gwendlene Clayton, late of 12 West Street, Busselton in the State of Western Australia.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of the abovenamed deceased, who died on the 18th day of April 2002, are required by the trustees Ronald Charles Clayton and Carol Evelyn Williams of care of Beere May & Meyer, Solicitors of 37 Kent Street, Busselton in the said State, to send particulars of their claims to the Executor by the 14th day of February 2003 (the date which is 28 days after publication of this notice), after which date the trustee may convey or distribute the assets, having regard only to the claims of which the Executor then has notice.

BEERE MAY & MEYER, Barristers & Solicitors,  
37 Kent Street, Busselton WA 6280.  
Phone: (097) 52 4166 Fax: (097) 54 1732.

---

**ZZ202****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Florence Mary Teasdale, late of 32 Golf Road, Merredin, Western Australia, Home Duties.

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962, relates) in respect of the estate of the deceased, who died on the 13th day of August 1994, are required by the personal representative, Alexander Peter Granich, care of Granich Partners of Level 1, 87 Colin Street, West Perth, Western Australia to send particulars of their claims to him by the 21st day of March 2003, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

---

**ZZ203****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## Notice to Creditors and Claimants

Creditors and other persons having claims (to which Section 63 of the Trustees Act 1962 relates) in respect of the estate of the deceased person Nelson Jacob D'Souza late of Unit 20, 444 Marmion Street, Myaree, Western Australia who died on 19 September 2002 are required by the personal representative, Joseph Fernandes of care of Peter J. Griffin & Co., Solicitors of Suite 4, 1st Floor, 48 Kishorn Road, Applecross, Western Australia, to send particulars of their claims to him within 31 days from the date of advertisement hereof, after which date the personal representative may convey or distribute the assets, having regard only to the claims of which he then has notice.

PETER GRIFFIN.

---

**ZZ204****TRUSTEES ACT 1962**  
**DECEASED ESTATES**

## 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 14th March 2003 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Alford, Edna Mary, late of Cabrini Nursing Home, 111 Guildford Road, Maylands, died 12/1/03, (DE30223425EM23)

Arthur, Geraldine May, late of 6 Victoria Court, Thornlie, died 9/12/02, (DE19960250EM26)

- Atkins, Constance, late of St George's Home, 2 Essex Street, Bayswater, formerly of 56 Normanby Road, Inglewood, died 6/9/02, (DE19590499EM15)
- Beadle, Jean, late of James Brown House, Albert Street, Osborne Park, died 19/1/03, (DE19960331EM26)
- Black, Donald William, late of Kingsley High Care Facility, 41 Renegade Way, Kingsley, formerly of 6 Balwarra Avenue, Dianella, died 5/12/02, (DE19662416EM13)
- Brealey, Glenys, late of 36 Morphett Crescent, Bateman, died 4/11/02, (DE19952506EM27)
- Cocking, Doris Alma, late of Unit 17/101 Francis Street, Geraldton, died 16/1/03, (DE19691072EM22)
- Faraday, Norma, late of Unit 7/9 MacDonald Road, Applecross, died 29/12/02, (DE20000671EMI2)
- Felstead, Iris Edith Blanche, late of Frank Prendergast House, 27 Pearson Drive, Success, died 24/11/02, (DE30325571EM15)
- Flanagan, Edwin Mayhew Joseph, late of 15 Alaric Court, Parkwood, died 25/11/02, (DE19470367EM27)
- Fuller, Anna Michele, late of 34 Houston Avenue, Dianella, died 13/12/02, (DE19711080EM12)
- Goehler, Jean Mary, late of 1B Herndon Close, Cannington, died 18/1/03, (DE19764085EM34)
- Gowdy, Friedel Alicia, late of 117 Bradford Street, Coolbinia, died 29/1/03, (DE19781823EM15)
- Haimes, Edna May, late of 18 Kanowna Avenue, Ascot, died 19/1/03, (DE19772946EM37)
- Harding, James Hewitt, late of 49 Tanderra Place, South Yunderup, died 22/1/03, (DE19942265EM32)
- Kock, Ronald Otto, late of Franciscan House, 16 Hampton Street, Victoria Park, died 26/12/02, (DE31051946EM22)
- Linczmayer, Frank also known as Linczmayer, Ferenc and Linczmayer, Francisk, late of Foley Village, 84 Collick Street, Hilton, died 14/1/03, (DE20000055EM16)
- Millar, John Dean, late of 33 Kathleen Street, Cottesloe, died 22/1/03, (DE19711011EM23)
- Oswald, Muriel Aileen, late of Lefroy Hostel, 22 Lefroy Road, Bull Creek, died 23/10/02, (DE19710951EM34)
- Russell, Valmay, late of 82 Oakmont Avenue, Meadow Springs, died 31/12/02, (DE19742334EM16)
- Shutt, Irene, late of 6 Lemnos Street, Shenton Park, formerly of Hollywood Senior Citizens Village, 118-120 Monash Avenue, Nedlands, died 13/1/03, (DE19931828EM17)
- Waters, Yvonne Philomena, care of St Rita's Nursing Home, 32 Queens Crescent, Mount Lawley, died 30/1/03, (DE19960337EM27)
- Wright, Gladys Ivy, late of St Francis Nursing Home, 163 Healy Road, Hamilton Hill, died 16/1/03, (DE19611464EM32)
- Yearsley, Anthony also known as Yearsley, Tony, late of 32 Wentworth Way, Padbury, died 16/1/03, (DE19884074EM36)

ANTONINA ROSE McLAREN, Public Trustee,  
Public Trust Office, 565 Hay Street, Perth WA 6000.  
Telephone: 9222 6777

ZZ401

#### DISPOSAL OF GOODS ACT 1970

The Salvation Army, Harry Hunter Rehabilitation Centre wishes to advise that any items left on the property by ex clients and visitors between January 1999 and June 2002 will be disposed of under Part III of the Disposal of Goods Act 1970. Any Items belonging to such a person maybe picked up at 2498 Albany Highway, Gosnells before March 1, 2003. Items include clothing, small personal items and books.

WESTERN AUSTRALIA

## FREEDOM OF INFORMATION ACT 1992

\*Price: \$21.65 counter sales

Plus postage on 300 grams

\* Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

## **INDUSTRY AND TECHNOLOGY DEVELOPMENT ACT 1998**

**Price: \$8.20 counter sales  
Plus postage on 108 grams**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

## **BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT 1998**

**Price: \$15.05 counter sales  
Plus postage on 209 grams**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

## **RAIL SAFETY ACT 1998**

**Price: \$17.25 counter sales  
Plus postage on 245 grams**

\*Prices subject to change on addition of amendments.

WESTERN AUSTRALIA

## **FIRE AND EMERGENCY SERVICES AUTHORITY OF W.A. ACT 1998**

**Price: \$19.45 counter sales  
Plus postage on 506 grams**

\*Prices subject to change on addition of amendments.

***STATE LAW PUBLISHER***

# **INDUSTRIAL GAZETTE**

*NOW AVAILABLE ON-LINE*

*“Free Trial” available by contacting our help desk (see below).*

---

SUBSCRIBERS HAVE ACCESS TO GAZETTES AT THE TIME OF PUBLISHING

---

ACCESS TO ARCHIVED INDUSTRIAL GAZETTES PUBLISHED SINCE JANUARY 1996

---

SUBSCRIPTION FEES ARE \$110 IF YOU MAINTAIN A PAPER COPY SUBSCRIPTION OR \$220 FOR ELECTRONIC ACCESS ONLY

---

SITE LICENCES ARE ALSO AVAILABLE IF CLIENTS WISH TO NETWORK THIS SERVICE WITHIN THEIR OFFICE

---

**Contact Our Help Desk Officer  
Marinko Novak Ph: 9426 0051 or Email  
mnovak@dpc.wa.gov.au  
for more information**

## CLAIMS FOR MISSING ISSUES

(SUBSCRIPTION ITEMS)

For a claim to be recognised as valid, written notification must be lodged at State Law Publisher, 10 William Street, Perth 6000 within 28 days of publication of the missing item.

Claims lodged after this date will attract payment in full.

## STATE LAW PUBLISHER

**SUBSCRIPTION CHARGES 2003**

All subscriptions are for the period from 1 January to 31 December 2003. Subject to certain limitations, refunds may be allowed if a subscription is cancelled during the year. The prices quoted include postage by surface mail unless stated otherwise.

**GOVERNMENT GAZETTE**

General *Government Gazettes* are published on Tuesday and Friday of each week, unless disrupted by public holidays or unforeseen circumstances.

Special *Government Gazettes* are published periodically.

<b>All Gazettes</b>	\$
Within WA .....	781.00
Interstate .....	797.50
Overseas (airmail) .....	1,089.00
<b>Bound Volumes of full year</b> .....	1,039.50

**Electronic Gazette Online**

(includes all Gazettes from Jan 1998)

Existing hard copy subscriber .....	178.20
Electronic Subscription only .....	594.00
<i>Gazettes on CD ROM from 1998</i> (per year) .....	711.70

**INDUSTRIAL GAZETTE**

Industrial Gazette is published monthly.

	\$
Within WA .....	339.90
Interstate .....	404.80
Overseas (airmail) .....	515.00

**Electronic Gazette Online**

(includes all Gazettes from Jan 1996)

Existing hard copy subscriber .....	110.00
Electronic Subscription only .....	220.00
<i>Gazettes on CD ROM from 1998</i> (per year) .....	308.00

**HANSARD**

Hansard is printed and distributed weekly during parliamentary sessions.

	\$
Within WA .....	741.40
Interstate .....	906.40
Overseas (airmail) .....	854.00

**Bound Volumes of Hansard**

Within WA .....	731.50
Interstate .....	742.50
<i>Hansards on CD ROM from 1999</i> (per year) .....	759.00

**STATUTES****Bound Statutes**

Bound volumes are posted during March of the following year.

	\$
Within WA .....	265.10
Interstate .....	293.70
Overseas .....	272.00
Half Calf Bound Statutes .....	729.30

**Bound Volumes on CD ROM from 1998**

(per year) .....

	264.00
--	--------

**Loose Statutes**

Statutes are posted weekly as they become available.

	\$
Within WA .....	283.80
Interstate .....	293.70
Overseas (airmail) .....	382.00

**Sessional Bills**

Bills are posted weekly as they become available.

	\$
Within WA .....	390.50
Interstate .....	409.20
Overseas (airmail) .....	555.00

**Electronic Statutes Online**

Includes all Acts, Regulations, Bills, Acts by year, Index to Statutes, Hansard, etc

	\$
1st user .....	697.40
2nd and each additional user (each) .....	348.70
More than 4 users—site licenses apply— please contact our sales staff for rates	

Data on CD's is fully indexed and is searchable. Other CD ROM products with legislation or other statutory information can be packaged to individual requirements. Prices are available on request.

