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GOVERNMENT GAZETTE

PUBLISHING DETAILS FOR CHRISTMAS 2004 AND NEW YEAR HOLIDAY PERIOD 2005

NOTE: Due to Tuesday 28th December being a public holiday there will not be a gazette published on that day

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— PART 1 —

PROCLAMATIONS

AA101*

CIVIL LIABILITY AMENDMENT ACT 2003

58 of 2003

PROCLAMATION

WESTERN AUSTRALIA John Sanderson, Governor. [L.S.]	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
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I, the Governor, acting under section 2 of the *Civil Liability Amendment Act 2003*, and with the advice and consent of the Executive Council, fix 1 December 2004 as the day on which sections 9 and 14 of that Act come into operation.

Given under my hand and the Public Seal of the State on 23 November 2004.

By Command of the Governor,

G. GALLOP, Premier.

GOD SAVE THE QUEEN !

AA102*

HUMAN REPRODUCTIVE TECHNOLOGY AMENDMENT ACT 2004

17 of 2004

PROCLAMATION

WESTERN AUSTRALIA John Sanderson, Governor. [L.S.]	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
---	---	--

I, the Governor, acting under section 2 of the *Human Reproductive Technology Amendment Act 2004*, and with the advice and consent of the Executive Council, fix 1 December 2004 as the day on which the provisions of that Act come into operation.

Given under my hand and the Public Seal of the State on 23 November 2004.

By Command of the Governor,

JIM MCGINTY, Minister for Health.

GOD SAVE THE QUEEN !

AA103*

ACTS AMENDMENT (FAMILY AND DOMESTIC VIOLENCE) ACT 2004

38 of 2004

PROCLAMATION

WESTERN AUSTRALIA John Sanderson, Governor. [L.S.]	}	By His Excellency Lieutenant General John Murray Sanderson, Companion of the Order of Australia, Governor of the State of Western Australia.
---	---	--

I, the Governor, acting under section 2 of the *Acts Amendment (Family and Domestic Violence) Act 2004*, and with the advice and consent of the Executive Council, fix 1 December 2004 as the day on which the provisions of that Act, other than section 57, come into operation.

Given under my hand and the Public Seal of the State on 23 November 2004.

By Command of the Governor,

JIM MCGINTY, Attorney General.

GOD SAVE THE QUEEN !

EDUCATION

ED301*

Vocational Education and Training Act 1996

Vocational Education and Training Amendment Regulations 2004

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Vocational Education and Training Amendment Regulations 2004*.

2. The regulations amended

The amendments in these regulations are to the *Vocational Education and Training Regulations 1996**.

[* Reprinted as at 26 May 2000.

For amendments to 22 October 2004 see *Western Australian Legislation Information Tables for 2003, Table 4, p. 400.*]

3. Schedule 1 amended

- (1) Schedule 1 item 5 is deleted and the following item is inserted instead —

“

5. Tuition fee for a category A course for each hour, or part of an hour, of tuition in the course (reg. 12) —
- | | |
|---|------|
| (a) if concessional rate applies under regulation 20(2) or 21 | 0.69 |
| (b) otherwise | 1.32 |

The maximum fee under this item for all category A courses taken by a person in a semester is —

- | | |
|---|--------|
| (i) if concessional rate applies under regulation 20(2) or 21 | 251.85 |
| (ii) otherwise | 481.80 |

”

- (2) Schedule 1 item 8 is amended by deleting “\$21.70” and inserting instead —

“ 22.20 ”.

By Command of the Governor,

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

GOVERNMENT EMPLOYEES SUPER BOARD

GZ301*

State Superannuation Act 2000

**State Superannuation Amendment
Regulations (No. 6) 2004**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *State Superannuation Amendment Regulations (No. 6) 2004*.

2. The regulations amended

The amendments in these regulations are to the *State Superannuation Regulations 2001**

[* *Reprint 1 as at 7 November 2003.*

For amendments to 10 November 2004 see Western Australian Legislation Information Tables for 2003, Table 4, p. 367, and Gazette 25 June 2004.]

3. Regulation 3A inserted

After regulation 3 the following regulation is inserted —

“

3A. Trading name

For the purposes of section 6(3) of the Act “GESB” is prescribed as a trading name that the Board may use and operate under in carrying out its functions.

”.

By Command of the Governor,

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

JUSTICE

JU301*

Spent Convictions Act 1988

**Spent Convictions (Act Amendment)
Regulations 2004**

Made by the Governor in Executive Council.

1. Citation

These are the *Spent Convictions (Act Amendment) Regulations 2004*.

2. *Spent Convictions Act 1988* Schedule 3 amended

The amendments in these regulations are to the *Spent Convictions Act 1988** Schedule 3.

[* *Reprinted as at 1 September 2000.*

For amendments to 2 November 2004 see Western Australian Legislation Information Tables for 2003, Table 1, p. 358 and Acts Nos. 78 of 2003 and 34 of 2004.]

3. Clause 1 amended

(1) Clause 1 is amended as follows:

- (a) by inserting before “The” the subclause designation “(1)”;
- (b) by deleting “clause” and inserting instead —
“ subclause ”.

(2) At the end of the table to clause 1 the following subclause is inserted —

“

- (2) In the case of a person referred to in item 2 to 9, 10B or 12 of the table to subclause (1), the exception in that subclause extends to any other person who —
 - (a) is considering the person for appointment, employment, secondment or engagement or has appointed, employed, seconded or engaged the person; or

- (b) is considering issuing, granting or giving a licence, permit or authorisation to the person or has issued, granted or given a licence, permit or authorisation to the person,

whichever is relevant for the purposes of the item.

”

4. Clause 2 amended

After clause 2(3) the following subclause is inserted —

“

- (4) In the case of a person referred to in an item of the table to subclause (1), the exception in that subclause extends to any other person who —
 - (a) is considering the person for appointment or employment or has employed the person;
 - (b) is considering issuing or granting a licence or permit to the person;
 - (c) is considering the person for participation in a scheme; or
 - (d) is assessing the suitability of the person,

whichever is relevant for the purposes of the item.

”

5. Clause 3 amended

After clause 3(2) the following subclause is inserted —

“

- (3) The exception in subclause (1) extends to any person who is considering another person for employment as referred to in that subclause.

”

By Command of the Governor,

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

JU302*

Statutory Corporations (Liability of Directors) Act 1996

Statutory Corporations (Liability of Directors) (Act Amendment) Regulations 2004

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Statutory Corporations (Liability of Directors) (Act Amendment) Regulations 2004*.

2. Commencement

These regulations come into operation on the day on which the *Electricity Industry (Independent Market Operator) Regulations 2004* come into operation.

3. *Statutory Corporations (Liability of Directors) Act 1996* amended

- (1) The amendments in this regulation are to the *Statutory Corporations (Liability of Directors) Act 1996**.

[* *Reprint 3 as at 7 November 2003.*

For subsequent amendments see Acts Nos. 4 and 20 of 2004.]

- (2) Schedule 1 is amended as follows:

- (a) by deleting the items relating to the Forest Products Commission and the Insurance Commission of Western Australia;
- (b) by inserting after the item relating to the Esperance Port Authority the following item —

“

Forest Products Commission	a commissioner	<i>Forest Products Act 2000</i>
----------------------------	----------------	---------------------------------

”.

- (c) by inserting before the item relating to the Lotteries Commission the following items —

“

Independent Market Operator	a director	<i>Electricity Industry Act 2004</i>
Insurance Commission of Western Australia	a commissioner	<i>Insurance Commission of Western Australia Act 1986</i>

”.

By Command of the Governor,

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

PUBLIC SECTOR MANAGEMENT

PS301*

Public Sector Management Act 1994

Public Sector Management (SES Organisations) Regulations 2004

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Public Sector Management (SES Organisations) Regulations 2004*.

2. Public Sector Management Act 1994 amended

- (1) The amendments in this regulation are to the *Public Sector Management Act 1994**.

[* Reprint 6 as at 14 May 2004.]

- (2) Schedule 2 is amended as follows:
- (a) by deleting items 10, 28A, 44A, 57A and 62;
 - (b) by deleting “College of” in items 3C, 21 and 57;

- (c) after item 36 by inserting the following item —
- “
- 37 Pilbara TAFE established under the
*Vocational Education and Training
Act 1996*”
- (d) after item 47B by inserting the following item —
- “
- 47C Swan TAFE established under the
*Vocational Education and Training
Act 1996*”

By Command of the Governor,

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

— PART 2 —

AGRICULTURE

AG401*

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976 DECLARED ANIMALS

Agriculture Protection Board
South Perth.
Date: 25 August 2004.

Pursuant to Section 37 of the Agriculture and Related Resources Protection Act 1976, the Agriculture Protection Board hereby lists the classes of animals that are for the time being the subject of a declaration made under Section 35 of that Act, together with the matters specified pursuant to subsection (2) of that Section in relation to each class.

The following applies to the list below—

- If a species does not appear in this list and is not an indigenous animal, it is prohibited as a declared animal in categories A1, A2, A3. The meanings of those categories are summarised below. Of these species some (marked *) have been assessed for entry into the state and have been rejected, so they remain prohibited. Prohibited species should be immediately reported.
- If a species does not appear in this list and is an indigenous species, it is not regulated under the *Agriculture and Related Resources Protection Act 1976*, but may be regulated under other legislation.
- It is an offence to liberate or attempt to liberate declared animals or to fail to prevent them being at large.
- Conditions for introduction and keeping of declared animals are specified in the Declared Animals regulations or by Board decision and leaflets are available showing requirements for each species.
- Of the species not subject to declaration that are exempt, some (marked #) occur in a commensal or feral state and advice may be obtained from the Agriculture Protection Board on control or management of problems which they may occasionally cause.

Declaration categories under the *Agriculture and Related Resources Protection Act 1976*

- A1 Entry prohibited.
 A2 Subject to eradication in the wild.
 A3 Keeping prohibited.
 A4 Entry subject to Department of Agriculture permits and/or conditions.
 A5 Numbers will be reduced/controlled.
 A6 Keeping subject to Department of Agriculture permits and/or conditions.
 A7 A management programme for each species outlines the area and conditions under which controls may be applied. Programmes are for the whole of the State or as indicated for each species.

MAMMALS, BIRDS, REPTILES AND AMPHIBIANS LISTED ALPHABETICALLY BY COMMON NAME

Common Name	Scientific Name	Categories and Other Notes
Alpaca	<i>Lama pacos</i>	Exempt from declaration.
Amazon, Blue-fronted; Blue-fronted Parrot	<i>Amazona aestiva</i>	A1,A2,A3*
Amazon, Double yellow-headed; Yellow-headed Parrot	<i>Amazona ochrocephala oratrix</i>	A1,A2,A3*
Amazon, Yellow-naped; Yellow-naped Parrot	<i>Amazona ochrocephala auropalliata</i>	A1,A2,A3*
Axolotl; Mexican Walking Fish	<i>Ambystoma mexicanum</i>	Exempt from declaration.
Bison, American	<i>Bison bison</i>	A4,A5,A6
Blackbird; English Blackbird	<i>Turdus merula</i>	A1,A2,A3
Blackbuck	<i>Antilope cervicapra</i>	A4,A5,A6

Common Name	Scientific Name	Categories and Other Notes
Buffalo	<i>Bubalus bubalis</i>	A1,A2,A3 north of 20° parallel of latitude A5, A6 for remainder of state.
Bulbul, Red-vented	<i>Pycnonotus cafer</i>	A1,A2,A3
Bulbul, Red-whiskered	<i>Pycnonotus jocosus</i>	A1,A2,A3
Bullfinch; Eurasian Bullfinch	<i>Pyrrhula pyrrhula</i>	A1,A2,A3
Caique, Black-headed; Black-headed Parrot	<i>Pionites melanocephala</i>	A2,A4,A6
Caique, White-bellied; White-bellied Parrot	<i>Pionites leucogaster</i>	A2,A4,A6
Camel, Domestic	Camelus dromedarius	Exempt from declaration.
Camel, Feral	Camelus dromedarius	A4,A5,A6
Canary, Common	<i>Serinus canaria</i>	Exempt from declaration.
Canary, Yellow-fronted; Green Singing Finch	<i>Serinus mozambicus</i>	A2,A4,A6
Cardinal, Red-crested	<i>Paroaria coronata</i>	Exempt from declaration.
Cat	<i>Felis catus</i>	Exempt from declaration. (Feral Cat #)
Cattle	<i>Bos taurus & Bos indicus</i>	Exempt from declaration.
Cattle, Banteng	<i>Bos javanicus</i>	A4,A5,A6
Chaffinch	<i>Fringilla coelebs</i>	A4,A5,A6
Chicken; Domestic Fowl; all bantams; Red Jungle Fowl	<i>Gallus gallus</i>	Exempt from declaration.
Cockatoo, Baudin's; Long-billed Black Cockatoo	<i>Calyptorhynchus baudinii</i>	A7 Zones 5,6, and 10, as constituted under Section 13 of the Act.
Cockatoo, Sulphur-crested	<i>Cacatua galerita</i>	A4,A6 (whole of state) A2 (where at large, in areas south of the 20° parallel of latitude)
Conure, Golden-capped	<i>Aratinga auricapilla</i>	A2,A4,A6
Conure, Blue-throated	<i>Pyrrhura cruentata</i>	A1,A2,A3
Conure, Golden	<i>Aratinga guarouba</i>	A1,A2,A3
Conure, Pearly	<i>Pyrrhura lepida</i>	A1,A2,A3 *
Conure, Black-capped	<i>Pyrrhura rupicola</i>	A1,A2,A3
Conure, Green-cheeked	<i>Pyrrhura molinae restricta</i>	A1,A2,A3 *
Conure, Jandaya	<i>Aratinga jandaya</i>	A2,A4,A6
Conure, Crimson-bellied	<i>Pyrrhura rhodogaster</i>	A1,A2,A3 *
Conure, Nanday	<i>Nandayus nenday</i>	A1,A2,A3 *
Conure, Peach-fronted; Golden-crowned Conure	<i>Aratinga aurea</i>	A2,A4,A6
Conure, Sun	<i>Aratinga solstitialis</i>	A2,A4,A6
Cordon-bleu, Blue-breasted; Blue-breasted Waxbill	<i>Uraeginthus angolensis</i>	A2,A4,A6
Cordon-bleu, Blue-capped	<i>Uraeginthus cyanocephala</i>	A2,A4,A6
Cordon-bleu, Red-cheeked	<i>Uraeginthus bengalus</i>	A2,A4,A6
Corella, Little (Kimberley subspecies)	<i>Cacatua sanguinea sanguinea</i>	A7 Shires of Wyndham-East Kimberley and Derby-West Kimberley.
Corella, Little (Pilbara-Murchison and northern wheatbelt subspecies)	<i>Cacatua sanguinea westralensis</i>	A7 Shires of Carnarvon, Greenough, Irwin, Mingenew, Perenjori and Three Springs.
Corella, Western (Lake Muir subspecies)	<i>Cacatua pastinator pastinator</i>	A7 Shires of Boyup Brook, Cranbrook and Manjimup.
Corella, Western (northern and central wheatbelt subspecies)	<i>Cacatua pastinator butleri</i>	A7 Shires of Irwin, Mingenew, Morawa, Mullewa, Perenjori and Three Springs.

Common Name	Scientific Name	Categories and Other Notes
Crow, House; Indian or Ceylon Crow	<i>Corvus splendens</i>	A1,A2,A3
Deer, Fallow	<i>Dama dama</i>	A5,A6
Deer, Red; Wapiti; Elk	<i>Cervus elaphus</i>	A5,A6
Deer, species within the family Cervidae (including hybrids thereof) other than Red and Fallow Deer	<i>Cervidae</i> , (other than <i>Dama dama</i> and <i>Cervus elaphus</i>)	A1, A2, A3
Dingo	<i>Canis familiaris dingo</i>	A7
Dingo-dog hybrids	<i>Canis familiaris dingo</i> x <i>Canis familiaris familiaris</i>	A5
Dog, Domestic	<i>Canis familiaris familiaris</i>	A5 (when running wild in agricultural and pastoral areas)
Donkey, Domestic	<i>Equus asinus</i>	Exempt from declaration.
Donkey, Feral	<i>Equus asinus</i>	A4,A5,A6
Dove, Collared; Collared Turtle-dove; Indian Ring Dove; Barbary Dove (fawn or white variations)	<i>Streptopelia decaocto</i>	A1,A2,A6
Dove, Namaqua; Cape Dove	<i>Oena capensis</i>	A2,A4,A6
Dove, Ruddy Ground; Talpacoti	<i>Columbina talpacoti</i>	A2,A4,A6
Duck, Australian Wood; Maned Goose	<i>Chenonetta jubata</i>	A7 South-west and Eucla Divisions, excluding those municipal districts within the Perth Metropolitan Region.
Duck, domestic breeds only	<i>Anas spp.</i>	Exempt from declaration.
Duck, Mallard; Mallard	<i>Anas platyrhynchos</i>	Exempt from declaration.
Duck, Mandarin	<i>Aix galericulata</i>	A2,A4,A6
Duck, Muscovy	<i>Cairina moschata</i>	Exempt from declaration.
Emu	<i>Dromaius novaehollandiae</i>	A7
Euro	<i>Macropus robustus</i>	A7
Ferret, Domestic	<i>Mustela putorius furo</i>	Exempt from declaration.
Finch, Bamboo Parrot; Tawny-breasted Parrot Finch	<i>Erythrura hyperythra</i>	A2,A4,A6
Finch, Green-faced Parrot	<i>Erythrura viridifacies</i>	A1,A2,A3*
Finch, House	<i>Carpodacus mexicanus</i>	A1,A2,A3
Finch, Pin-tailed Parrot	<i>Erythrura prasina</i>	A1,A2,A3*
Finch, Red-billed Fire	<i>Lagonosticta senegala</i>	Exempt from declaration.
Finch, Red-headed Parrot	<i>Erythrura cyaneovirens</i>	A2,A4,A6
Finch, Red-throated Parrot; Red-faced Parrot Finch	<i>Erythrura psittacea</i>	Exempt from declaration.
Finch, Tri-coloured Parrot; Three-coloured Parrot Finch; Tanimbar Parrot Finch	<i>Erythrura tricolor</i>	A2,A4,A6
Fody, Madagascan Red; Madagascar Weaver	<i>Foudia madagascariensis</i>	A2,A4,A6
Fox; Red Fox	<i>Vulpes vulpes</i>	A5
Galah	<i>Cacatua roseicapilla</i>	A7
Goat, Domestic	<i>Capra hircus</i>	Exempt from declaration.
Goat, Feral	<i>Capra hircus</i>	A4,A5,A6
Goldfinch; Eurasian Goldfinch	<i>Carduelis carduelis</i>	Exempt from declaration.
Goose, Canada	<i>Branta canadensis</i>	A1,A2,A3*
Goose, Egyptian	<i>Alopchen aegyptiacus</i>	A2,A4,A6
Goose, Greylag and All Domestic Strains	<i>Anser anser</i>	Exempt from declaration.
Goose, Swan; Chinese Goose	<i>Anser cygnoides</i>	Exempt from declaration

Common Name	Scientific Name	Categories and Other Notes
Grassquit, Blue-black; Jacarini Finch	<i>Volatinia jacarina</i>	Exempt from declaration.
Grassquit, Cuban; Cuban Finch	<i>Tiaris canora</i>	Exempt from declaration.
Greenfinch Himalayan; Black-headed Greenfinch; Yellow-breasted Greenfinch	<i>Carduelis spinoides</i>	A1,A2,A3*
Greenfinch, Oriental	<i>Carduelis sinica</i>	A2,A4,A6
Greenfinch; European Greenfinch	<i>Carduelis chloris</i>	A1,A2,A6
Grenadier, Purple; Purple Grenadier Waxbill	<i>Uraeginthus ianthinogaster</i>	A1,A2,A3*
Guinea Pig, Domestic	<i>Cavia porcellus</i>	Exempt from declaration.
Guineafowl, Helmeted	<i>Numida meleagris</i>	Exempt from declaration.
Horse	<i>Equus caballus</i>	A5 (when running wild in agricultural and pastoral areas)
Kangaroo, Red	<i>Macropus rufus</i>	A7
Kangaroo, Western Grey	<i>Macropus fuliginosus</i>	A7
Llama	<i>Lama glama</i>	Exempt from declaration.
Lorikeet, Rainbow	<i>Trichoglossus haematodus</i>	A2 (where at large, in areas south of the 20° parallel of latitude, excluding the Perth Metropolitan area)
Lory, Chattering	<i>Lorius garrulus</i>	A1,A2,A3*
Lory, Red	<i>Eos bornea</i>	A1,A2,A3*
Lory, Dusky	<i>Pseudeos fuscata</i>	A2,A4,A6
Lovebird species hybrids	<i>Agapornis spp.</i>	A2,A4,A6
Lovebird, Black-cheeked	<i>Agapornis nigrigenis</i>	A2,A4,A6
Lovebird, Fischer's	<i>Agapornis fischeri</i>	A2,A4,A6
Lovebird, Masked	<i>Agapornis personatus</i>	A2,A4,A6
Lovebird, Nyasa	<i>Agapornis lilianae</i>	A2,A4,A6
Lovebird, Peach-faced	<i>Agapornis roseicollis</i>	A2,A4,A6
Macaw, Blue and Yellow; Blue and Gold Macaw	<i>Ara ararauna</i>	A2,A4,A6
Macaw, Green-winged	<i>Ara chloropterus</i>	A2,A4,A6
Macaw, Red-fronted	<i>Ara rubrogenys</i>	A2,A4,A6
Macaw, Red-shouldered; Hahn's Macaw	<i>Ara nobilis; Diopsittaca nobilis</i>	A1,A2,A3*
Macaw, Hyacinth	<i>Anodorhynchus hyacinthinus</i>	A2,A4,A6
Macaw, Scarlet	<i>Ara macao</i>	A2,A4,A6
Mannikin, Bronze-winged; Bronze Mannikin; Hooded Weaver	<i>Lonchura cucullata</i>	A2,A4,A6
Mannikin, Chestnut; Tri-coloured Mannikin; Black-headed Munia; Black-headed Nun	<i>Lonchura malacca</i>	A1,A2,A6
Mannikin, Nutmeg; Spice Finch; Spotted Munia; Scaly-breasted Munia	<i>Lonchura punctulata</i>	A1,A2,A6
Mannikin, Rufous-backed; Rufous-backed Munia; Red-backed Mannikin; Chestnut Munia; Brown-backed Munia	<i>Lonchura bicolor nigriceps</i>	A1,A2,A3*
Mesia, Silver-eared	<i>Leiothrix argenteauris</i>	A1,A2,A3*
Mouse, House	<i>Mus musculus</i>	Exempt from declaration. #
Munia, White-headed	<i>Lonchura maja</i>	A2,A4,A6
Munia, White-rumped; Bengalese Mannikin	<i>Lonchura striata</i>	A2,A4,A6

Common Name	Scientific Name	Categories and Other Notes
Myna, Common; Indian Myna(h); Indian House Myna(h)	<i>Acridotheres tristis</i>	A1,A2,A3
Ostrich	<i>Struthio camelus</i>	A5 (when running wild in agricultural and pastoral areas)
Parakeet, Alexandrine	<i>Psittacula eupatria</i>	A2,A4,A6
Parakeet, Blossom-headed	<i>Psittacula roseata</i>	A1,A2,A3
Parakeet, Derbyan	<i>Psittacula derbiana</i>	A2,A4,A6
Parakeet, Malabar	<i>Psittacula columboides</i>	A2,A4,A6
Parakeet, Moustached	<i>Psittacula alexandri</i>	A2,A4,A6
Parakeet, Plum-headed	<i>Psittacula cyanocephala</i>	A2,A4,A6
Parakeet, Red-fronted; Red-fronted Kakariki	<i>Cyanoramphus novaezelandiae</i>	A2,A4,A6
Parakeet, Rose-ringed; Indian or African Ringneck Parrot or Parakeet	<i>Psittacula krameri</i>	A2,A4,A6
Parakeet, Yellow-fronted; Yellow-fronted Kakariki	<i>Cyanoramphus auriceps</i>	A2,A4,A6
Parrot, Grey; African Grey Parrot	<i>Psittacus erithacus</i>	A1,A2,A3*
Parrot, Meyer's; Brown Parrot	<i>Poicephalus meyeri</i>	A2,A4,A6
Parrot, Red-bellied	<i>Poicephalus rufiventris</i>	A1,A2,A3*
Parrot, Red-capped; WA King Parrot	<i>Purpureicephalus spurius</i>	A7 Municipal districts of the Shires of Bridgetown-Greenbushes, Capel, Chittering, Donnybrook-Balingup, Harvey, Kalamunda, Manjimup, Mundaring, Murray, Plantagenet, Serpentine-Jarrahdale, Swan, and the City of Armadale.
Parrot, Red-fronted; Jardine's Parrot	<i>Poicephalus gulielmi</i>	A1,A2,A3*
Parrot, Senegal	<i>Poicephalus senegalus</i>	A1,A2,A3*
Parrot, Western Grey; African Grey Parrot	<i>Psittacus erithacus timneh</i>	A1,A2,A3*
Partridge, Chukar; Chukor or Chukka Partridge	<i>Alectoris chukar</i>	A2,A4,A6
Peafowl, Common	<i>Pavo cristatus</i>	Exempt from declaration.
Peafowl, Green	<i>Pavo muticus</i>	Exempt from declaration.
Pheasant, Golden	<i>Chrysolophus pictus</i>	Exempt from declaration.
Pheasant, Himalayan Monal; Impeyan Pheasant	<i>Lophophorus impejanus</i>	Exempt from declaration.
Pheasant, Kalij	<i>Lophura leucomelanos</i>	Exempt from declaration.
Pheasant, Lady Amherst's	<i>Chrysolophus amherstiae</i>	Exempt from declaration.
Pheasant, Reeves'	<i>Syrnaticus reevesii</i>	Exempt from declaration.
Pheasant, Ring-necked	<i>Phasianus colchicus</i>	A2,A4,A6
Pheasant, Siamese Fireback	<i>Lophura diardi</i>	Exempt from declaration.
Pheasant, Silver	<i>Lophura nycthemera</i>	A2,A4,A6
Pheasant, Swinhoe's	<i>Lophura swinhoii</i>	Exempt from declaration.
Pig, Domestic	<i>Sus scrofa</i>	Exempt from declaration.
Pig, Feral	<i>Sus scrofa</i>	A4,A5,A6
Pigeon, Domestic; Rock Pigeon	<i>Columba livia</i>	Exempt from declaration. #
Pigeon, Luzon Bleeding Heart	<i>Gallicolumba luzonica</i>	Exempt from declaration.
Pigeon, White-breasted Ground; Jobi Island Dove	<i>Gallicolumba jobiensis</i>	Exempt from declaration.
Pytilia, Crimson-winged; Aurora Finch	<i>Pytilia phoenicoptera</i>	Exempt from declaration.

Common Name	Scientific Name	Categories and Other Notes
Pytilia, Green-winged; Melba Finch	<i>Pytilia melba</i>	Exempt from declaration.
Quail, Bobwhite; Northern Bobwhite	<i>Colinus virginianus</i>	A1,A2,A3*
Quail, California	<i>Lophortyx californica</i>	A1,A2,A3
Quail, Japanese	<i>Coturnix japonica</i>	A2,A4,A6
Quelea, Red-billed; Red-billed Weaver; Dioch	<i>Quelea quelea</i>	A1,A2,A3
Rabbit, domestic and commercial breeds, NOT EUROPEAN WILD RABBIT	<i>Oryctolagus cuniculus</i>	A5 (running wild)
Rabbit, European Wild	<i>Oryctolagus cuniculus</i>	A1,A3,A5
Rat, Black	<i>Rattus rattus</i>	Exempt from declaration. #
Rat, Brown	<i>Rattus norvegicus</i>	Exempt from declaration. #
Rat, Long-haired	<i>Rattus villosissimus</i>	A7 Municipal district of the Shire of Wyndham-East Kimberley.
Raven, Australian	<i>Corvus coronoides</i>	A7 Eucla and South-west Divisions, excluding those municipal districts within the Perth Metropolitan Region.
Redpoll	<i>Carduelis flammea</i>	A4,A5,A6
Rhea, Greater	<i>Rhea americana</i>	A4,A5,A6
Ringneck, Australian; Port Lincoln Ringneck; Twenty-eight Parrot	<i>Barnardius zonarius</i>	A7 South-west Division, excluding those municipal districts within the Perth Metropolitan Region and the Cities of Albany, Bunbury and Mandurah.
Robin, Pekin	<i>Leiothrix lutea</i>	A1, A2, A3*
Scaup, New Zealand	<i>Aythya novaeseelandiae</i>	A2,A4,A6
Seed eater, White-rumped; Grey Singing Finch	<i>Serinus leucopygius</i>	A1, A2, A3*
Seed eater Yellow-rumped; Angolan Singing Finch	<i>Serinus atrogularis</i>	A1,A2,A3*
Sheep	<i>Ovis aries</i>	Exempt from declaration.
Shelduck, Australian; Mountain Duck	<i>Tadorna tadornoides</i>	A7 South-west and Eucla Divisions, excluding those municipal districts within the Perth Metropolitan Region.
Shelduck, Paradise	<i>Tadorna variegata</i>	A2,A4,A6
Shelduck, Ruddy	<i>Tadorna ferruginea</i>	A1,A2,A3 *
Silverbill, African	<i>Lonchura cantans</i>	A1,A2,A3
Silverbill, Indian; White-throated Munia; Common Silverbill	<i>Lonchura malabarica</i>	A2,A4,A6
Silvereye	<i>Zosterops lateralis</i>	A7 South-west Division.
Siskin, European; Spruce Siskin	<i>Carduelis spinus</i>	A2,A4,A6
Siskin, Hooded; Yellow Siskin; Black-hooded Yellow	<i>Carduelis magellanica</i>	A2, A4, A6
Siskin, Red; Venezuelan Siskin; Black-hooded Red Siskin	<i>Carduelis cucullata</i>	A2,A4,A6
Sparrow, House	<i>Passer domesticus</i>	A1,A2,A3
Sparrow, Java; Paddy Finch	<i>Padda oryzivora</i>	A4,A5,A6 (In areas south of 26° parallel of latitude) A1,A2,A3 (rest of state)
Sparrow, Paradise; Aberdeen Finch; Red-headed Amadina	<i>Amadina erythrocephala</i>	A2,A4,A6

Common Name	Scientific Name	Categories and Other Notes
Sparrow, Tree; Eurasian Tree Sparrow	<i>Passer montanus</i>	A1,A2,A3
Squirrel, Indian Palm	<i>Funambulus pennanti</i>	A1,A3,A5
Starling, Common	<i>Sturnus vulgaris</i>	A1,A2,A3
Strawberry Finch, Green; Green, Munia; Green Avadavat	<i>Amandava formosa</i>	A2,A4,A6
Strawberry Finch, Red; Red Munia; Red or Indian Avadavat; Tiger Finch; Red Waxbill	<i>Amandava amandava</i>	A2,A4,A6
Swan, Mute; White Swan	<i>Cygnus olor</i>	Exempt from declaration.
Thrush, Song; English Song Thrush	<i>Turdus philomelos</i>	A1,A2,A3
Toad, African	<i>Xenopus laevis</i>	A1,A2,A3
Toad, Cane; Giant Toad	<i>Bufo marinus</i>	A1,A2,A3
Turkey, Common	<i>Meleagris gallopavo</i>	Exempt from declaration.
Turtle-Dove, Laughing	<i>Streptopelia senegalensis</i>	Exempt from declaration. #
Turtle-Dove, Spotted	<i>Streptopelia chinensis</i>	Exempt from declaration. #
Twin-spot, Dybowski's	<i>Euschistospiza dybowskii</i>	A2,A4,A6
Twin-spot, Peters'	<i>Hypargos niveoguttatus</i>	A1,A2,A3*
Wallaby, Agile	<i>Macropus agilis</i>	A7 Municipal districts of the Shires of Wyndham-East Kimberley, West Kimberley, Halls Creek and Broome.
Waxbill, Black-rumped; Red-eared Waxbill	<i>Estrilda troglodytes</i>	A2,A4,A6
Waxbill, Common; St Helena Waxbill	<i>Estrilda astrild</i>	A2,A4,A6
Waxbill, Lavender; Lavender Finch	<i>Estrilda caerulescens</i>	Exempt from declaration.
Waxbill, Orange-cheeked	<i>Estrilda melpoda</i>	A2,A4,A6
Waxbill, Violet-eared; Common Grenadier	<i>Uraeginthus granatina</i>	A1,A2,A3*
Waxbill, Zebra; Golden-breasted Waxbill; Orange-breasted Waxbill	<i>Amandava subflava</i>	Exempt from declaration.
Weaver, Cut-throat; Cut-throat Finch; Ribbon Finch	<i>Amadina fasciata</i>	A2,A4,A6
Weaver, Grenadier; Red Bishop; Orange Bishop Weaver; Northern Red Bishop Weaver	<i>Euplectes orix</i>	A4,A5,A6
Yellowhammer	<i>Emberiza citrinella</i>	A4,A5,A6

INSECTS AND MOLLUSCS LISTED ALPHABETICALLY BY COMMON NAME

Common Name	Scientific Name	Categories and Other Notes
Ant, Argentine	<i>Iridomyrmex humilis</i>	A1,A5
Beetle, Confused Flour	<i>Tribolium confusum</i>	A1,A5
Beetle, Flat Grain	<i>Cryptolestes spp</i>	A1,A5
Beetle, Khapra	<i>Trogoderma granarium</i>	A1,A5
Beetle, Rust-red Flour	<i>Tribolium castaneum</i>	A1,A5
Beetle, Sawtooth Grain	<i>Oryzaephilus surinamensis</i>	A1,A5
Beetle, Warehouse	<i>Trogoderma variabile</i>	A1,A5
Borer, European House	<i>Hylotrupes bajulus</i>	A1,A2,A3
Borer, Lesser Grain	<i>Rhyzopertha dominica</i>	A1,A5
Fly, Mediterranean Fruit	<i>Ceratitis capitata</i>	A1,A2

Common Name	Scientific Name	Categories and Other Notes
Fly, Queensland Fruit	<i>Bactrocera tryoni</i>	A1,A2
Grasshopper, Small Plague	<i>Austroicetes cruciata</i>	A5
Locust, Australian Plague	<i>Chortoicetes terminifera</i>	A5
Moth, Angoumois Grain	<i>Sitotroga cerealella</i>	A1,A5
Moth, Codling	Cydia pomonella	A1,A2
Moth, Indian Meal	<i>Plodia interpunctella</i>	A1,A5
Moth, Warehouse	<i>Ephestia spp</i>	A1,A5
Snail, Green	<i>Helix aperta</i>	A1,A2,A3
Snail, Liver-fluke; Lymnaea Snail	<i>Lymnaea viridis</i>	A1,A3,A5
Snail, Liver-fluke; Lymnaea Snail	<i>Lymnaea auricularia</i>	A1,A3,A5
Snail, Liver-fluke; Lymnaea Snail	<i>Lymnaea peregra</i>	A1,A3,A5
Snail, Liver-fluke; Lymnaea Snail	<i>Austropeplea tomentosa</i>	A1,A3,A5
Snail, Liver-fluke; Lymnaea Snail; American Ribbed Fluke Snail	<i>Pseudosuccinia columella</i>	A1,A3,A5
Termite, Giant	<i>Mastotermes darwiniensis</i>	A1,A5
Trogoderma	<i>Trogoderma spp.</i>	A1,A5
Wasp, European	<i>Vespula germanica</i>	A1,A2,A3
Weevil, Granary	<i>Sitophilus granarius</i>	A1,A5
Weevil, Rice	<i>Sitophilus oryzae</i>	A1,A5

MAMMALS, BIRDS, REPTILES AND AMPHIBIANS LISTED ALPHABETICALLY BY SCIENTIFIC NAME

Scientific Name	Common Name	Categories and Other Notes
<i>Acridotheres tristis</i>	Myna, Common; Indian Myna(h); Indian House Myna(h)	A1,A2,A3
<i>Agapornis fischeri</i>	Lovebird, Fischer's	A2,A4,A6
<i>Agapornis lilianae</i>	Lovebird, Nyasa	A2,A4,A6
<i>Agapornis nigrigenis</i>	Lovebird, Black-cheeked	A2,A4,A6
<i>Agapornis personatus</i>	Lovebird, Masked	A2,A4,A6
<i>Agapornis roseicollis</i>	Lovebird, Peach-faced	A2,A4,A6
<i>Agapornis spp.</i>	Lovebird species hybrids	A2,A4,A6
<i>Agapornis taranta</i>	Lovebird, Black-winged; Abyssinian Lovebird	A2,A4,A6
<i>Aix galericulata</i>	Duck, Mandarin	A2,A4,A6
<i>Alectoris chukar</i>	Partridge, Chukar; Chukor or Chukka Partridge	A2,A4,A6
<i>Alopchen aegyptiacus</i>	Goose, Egyptian	A2,A4,A6
<i>Ambystoma mexicanum</i>	Axolotl; Mexican Walking Fish	Exempt from declaration
<i>Amadina erythrocephala</i>	Sparrow, Paradise; Aberdeen Finch; Red-headed Amadina	A2,A4,A6
<i>Amadina fasciata</i>	Weaver, Cut-throat; Cut-throat Finch; Ribbon Finch	A2,A4,A6
<i>Amandava amandava</i>	Strawberry Finch, Red; Red Munia; Red or Indian Avadavat; Tiger Finch; Red Waxbill	A2,A4,A6
<i>Amandava Formosa</i>	Strawberry Finch, Green; Green, Munia; Green Avadavat	A2,A4,A6

Scientific Name	Common Name	Categories and Other Notes
<i>Amandava subflava</i>	Waxbill, Zebra; Golden-breasted Waxbill; Orange-breasted Waxbill	Exempt from declaration.
<i>Amazona aestiva</i>	Amazon, Blue-fronted; Blue-fronted Parrot	A1,A2,A3*
<i>Amazona ochrocephala auropalliata</i>	Amazon, Yellow-naped; Yellow-naped Parrot	A1,A2,A3*
<i>Amazona ochrocephala oratrix</i>	Amazon, Double yellow-headed; Yellow-headed Parrot	A1,A2,A3*
<i>Anas platyrhynchos</i>	Duck, Mallard; Mallard	Exempt from declaration.
<i>Anas spp.</i>	Duck, domestic breeds only	Exempt from declaration.
<i>Anodorhynchus hyacinthinus</i>	Macaw, Hyacinth	A2,A4,A6
<i>Anser anser</i>	Goose, Greylag and All Domestic Strains	Exempt from declaration.
<i>Anser cygnoides</i>	Goose, Swan; Chinese Goose	Exempt from declaration
<i>Antilope cervicapra</i>	Blackbuck	A4,A5,A6
<i>Ara ararauna</i>	Macaw, Blue and Yellow; Blue and Gold Macaw	A2,A4,A6
<i>Ara chloropterus</i>	Macaw, Green-winged	A2,A4,A6
<i>Ara macao</i>	Macaw, Scarlet	A2,A4,A6
<i>Ara nobilis; Diopsittaca nobilis</i>	Macaw, Red-shouldered; Hahn's Macaw	A1,A2,A3*
<i>Ara rubrogenys</i>	Macaw, Red-fronted	A2,A4,A6
<i>Aratinga aurea</i>	Conure, Peach-fronted; Golden-crowned Conure	A2,A4,A6
<i>Aratinga auricapilla</i>	Conure, Golden-capped	A2,A4,A6
<i>Aratinga guarouba</i>	Conure, Golden	A1,A2,A3 *
<i>Aratinga jandaya</i>	Conure, Jandaya	A2,A4,A6
<i>Aratinga solstitialis</i>	Conure, Sun	A2,A4,A6
<i>Aythya novaeseelandiae</i>	Scaup, New Zealand	A2,A4,A6
<i>Barnardius zonarius</i>	Ringneck, Australian; Port Lincoln Ringneck; Twenty-eight Parrot	A7 South-west Division, excluding those municipal districts within the Perth Metropolitan Region and the Cities of Albany, Bunbury and Mandurah.
<i>Bison bison</i>	Bison, American	A4,A5,A6
<i>Bos javanicus</i>	Cattle, Banteng	A4,A5,A6
<i>Bos icolo & Bos indicus</i>	Cattle	Exempt from declaration.
<i>Branta canadensis</i>	Goose, Canada	A1,A2,A3*
<i>Bubalus bubalis</i>	Buffalo	A1,A2,A3 north of 20° parallel of latitude A5, A6 for remainder of state.
<i>Bufo marinus</i>	Toad, Cane; Giant Toad	A1,A2,A3
<i>Cacatua galerita</i>	Cockatoo, Sulphur-crested	A4,A6 (whole of state) A2 (where at large, in areas south of the 20° parallel of latitude)
<i>Cacatua pastinator butleri</i>	Corella, Western (northern and central wheatbelt subspecies)	A7 Shires of Irwin, Mingenew, Morawa, Mullewa, Perenjori and Three Springs.
<i>Cacatua pastinator pastinator</i>	Corella, Western (Lake Muir subspecies)	A7 Shires of Boyup Brook, Cranbrook and Manjimup.
<i>Cacatua roseicapilla</i>	Galah	A7
<i>Cacatua sanguinea sanguinea</i>	Corella, Little (Kimberley subspecies)	A7 Shires of Wyndham-East Kimberley and Derby-West Kimberley.

Scientific Name	Common Name	Categories and Other Notes
<i>Cacatua sanguinea westralensis</i>	Corella, Little (Pilbara-Murchison and northern wheatbelt subspecies)	A7 Shires of Carnarvon, Greenough, Irwin, Mingenew, Perenjori and Three Springs.
<i>Cairina moschata</i>	Duck, Muscovy	Exempt from declaration.
<i>Calyptrorhynchus baudinii</i>	Cockatoo, Baudin's; Long-billed Black Cockatoo	A7 Zones 5,6, and 10, as constituted under Section 13 of the Act.
Camelus dromedarius	Camel, Domestic	Exempt from declaration.
Camelus dromedarius	Camel, Feral	A4,A5,A6
<i>Canis familiaris dingo</i>	Dingo	A7
<i>Canis familiaris dingo</i> x <i>Canis familiaris familiaris</i>	Dingo-dog hybrids	A5
<i>Canis familiaris familiaris</i>	Dog, Domestic	A5 (when running wild in agricultural and pastoral areas)
<i>Capra hircus</i>	Goat, Domestic	Exempt from declaration.
<i>Capra hircus</i>	Goat, Feral	A4,A5,A6
<i>Carduelis carduelis</i>	Goldfinch; Eurasian Goldfinch	Exempt from declaration.
<i>Carduelis chloris</i>	Greenfinch; European Greenfinch	A1,A2,A6
<i>Carduelis cucullata</i>	Siskin, Red; Venezuelan Siskin; Black-hooded Red Siskin	A2,A4,A6
<i>Carduelis flammea</i>	Redpoll	A4,A5,A6
<i>Carduelis magellanica</i>	Siskin, Hooded; Yellow Siskin; Black-hooded Yellow	A2,A4,A6
<i>Carduelis spinoides</i>	Greenfinch Himalayan; Black-headed Greenfinch, Yellow-breasted Greenfinch	A1,A2,A3*
<i>Carduelis spinus</i>	Siskin, European; Spruce Siskin	A2,A4,A6
<i>Carduelis sinica</i>	Greenfinch, Oriental	A2,A4,A6
<i>Carpodacus mexicanus</i>	Finch, House	A1,A2,A3
<i>Cavia porcellus</i>	Guinea Pig, Domestic	Exempt from declaration.
<i>Cervidae</i> (other than <i>Dama dama</i> and <i>Cervus elaphus</i>)	Deer, species within the family Cervidae (including hybrids thereof) other than Red and Fallow Deer	A1, A2, A3
<i>Cervus elaphus</i>	Deer, Red; Wapiti; Elk	A5,A6
<i>Chenonetta jubata</i>	Duck, Australian Wood; Maned Goose	A7 South-west and Eucla Divisions, excluding those municipal districts within the Perth Metropolitan Region.
<i>Chrysolophus amherstiae</i>	Pheasant, Lady Amherst's	Exempt from declaration.
<i>Chrysolophus pictus</i>	Pheasant, Golden	Exempt from declaration.
<i>Colinus virginianus</i>	Quail, Bobwhite; Northern Bobwhite	A1,A2,A3*
<i>Columba livia</i>	Pigeon, Domestic; Rock Pigeon	Exempt from declaration. #
<i>Columbina talpacoti</i>	Dove, Ruddy Ground; Talpacoti	A2,A4,A6
<i>Corvus coronoides</i>	Raven, Australian	A7 Eucla and South-west Divisions, excluding those municipal districts within the Perth Metropolitan Region.

Scientific Name	Common Name	Categories and Other Notes
<i>Corvus splendens</i>	Crow, House; Indian or Ceylon Crow	A1,A2,A3
<i>Coturnix japonica</i>	Quail, Japanese	A2,A4,A6
<i>Cyanoramphus auriceps</i>	Parakeet, Yellow-fronted; Yellow-fronted Kakariki	A2,A4,A6
<i>Cyanoramphus novaezelandiae</i>	Parakeet, Red-fronted; Red-fronted Kakariki	A2,A4,A6
<i>Cygnus olor</i>	Swan, Mute; White Swan	Exempt from declaration.
<i>Dama dama</i>	Deer, Fallow	A5,A6
<i>Dromaius novaehollandiae</i>	Emu	A7
<i>Emberiza citrinella</i>	Yellowhammer	A4,A5,A6
<i>Eos bornea</i>	Lory, Red	A1,A2,A3*
<i>Equus asinus</i>	Donkey, Domestic	Exempt from declaration.
<i>Equus asinus</i>	Donkey, Feral	A4,A5,A6
<i>Equus caballus</i>	Horse	A5 (when running wild in agricultural and pastoral areas)
<i>Erythrura cyaneovirens</i>	Finch, Red-headed Parrot	A2,A4,A6
<i>Erythrura hyperythra</i>	Finch, Bamboo Parrot; Tawny-breasted Parrot Finch	A2,A4,A6
<i>Erythrura prasina</i>	Finch, Pin-tailed Parrot	A1,A2,A3*
<i>Erythrura psittacea</i>	Finch, Red-throated Parrot; Red-faced Parrot Finch	Exempt from declaration.
<i>Erythrura tricolor</i>	Finch, Tri-coloured Parrot; Three-coloured Parrot Finch; Tanimbar Parrot Finch	A2,A4,A6
<i>Erythrura viridifacies</i>	Finch, Green-faced Parrot	A1,A2,A3*
<i>Estrilda astrild</i>	Waxbill, Common; St Helena Waxbill	A2,A4,A6
<i>Estrilda caerulescens</i>	Waxbill, Lavender; Lavender Finch	Exempt from declaration.
<i>Estrilda melpoda</i>	Waxbill, Orange-cheeked	A2,A4,A6
<i>Estrilda troglodytes</i>	Waxbill, Black-rumped; Red-eared Waxbill	A2,A4,A6
<i>Euplectes orix</i>	Weaver, Grenadier; Red Bishop; Orange Bishop Weaver; Northern Red Bishop Weaver	A4,A5,A6
<i>Euschistospiza dybowskii</i>	Twin-spot, Dybowski's	A2,A4,A6
<i>Felis catus</i>	Cat	Exempt from declaration. (Feral Cat #)
<i>Foudia madagascariensis</i>	Fody, Madagascan Red; Madagascar Weaver	A2,A4,A6
<i>Fringilla coelebs</i>	Chaffinch	A4,A5,A6
<i>Funambulus pennanti</i>	Squirrel, Indian Palm	A1,A3,A5
<i>Gallicolumba jobiensis</i>	Pigeon, White-breasted Ground; Jobi Island Dove	Exempt from declaration.
<i>Gallicolumba luzonica</i>	Pigeon, Luzon Bleeding Heart	Exempt from declaration.
<i>Gallus gallus</i>	Chicken; Domestic Fowl; all bantams; Red Jungle Fowl	Exempt from declaration.
<i>Hypargos niveoguttatus</i>	Twin-spot, Peters'	A1,A2,A3*
<i>Lagonosticta senegala</i>	Finch, Red-billed Fire	Exempt from declaration.
<i>Lama glama</i>	Llama	Exempt from declaration.
<i>Lama pacos</i>	Alpaca	Exempt from declaration.
<i>Leiothrix argenteauris</i>	Mesia, Silver-eared	A1,A2,A3*
<i>Leiothrix lutea</i>	Robin, Pekin	A1, A2, A3*

Scientific Name	Common Name	Categories and Other Notes
<i>Lonchura icolour nigriceps</i>	Mannikin, Rufous-backed; Rufous-backed Munia; Red-backed Mannikin; Chestnut Munia; Brown-backed Munia	A1,A2,A3*
<i>Lonchura cantans</i>	Silverbill, African	A1,A2,A3 *
<i>Lonchura cucullata</i>	Mannikin, Bronze-winged; Bronze Mannikin; Hooded Weaver	A2,A4,A6
<i>Lonchura maja</i>	Munia, White-headed	A2,A4,A6
<i>Lonchura malabarica</i>	Silverbill, Indian; White-throated Munia; Common Silverbill	A2,A4,A6
<i>Lonchura malacca</i>	Mannikin, Chestnut; Tricoloured Mannikin; Black-headed Munia; Black-headed Nun	A1,A2,A6
<i>Lonchura punctulata</i>	Mannikin, Nutmeg; Spice Finch; Spotted Munia; Scaly-breasted Munia	A1,A2,A6
<i>Lonchura striata</i>	Munia, White-rumped; Bengalese Mannikin	A2,A4,A6
<i>Lophophorus impejanus</i>	Pheasant, Himalayan Monal; Impeyan Pheasant	Exempt from declaration.
<i>Lophortyx californica</i>	Quail, California	A1,A2,A3
<i>Lophura diardi</i>	Pheasant, Siamese Fireback	Exempt from declaration.
<i>Lophura leucomelanos</i>	Pheasant, Kalij	Exempt from declaration.
<i>Lophura nycthemera</i>	Pheasant, Silver	A2,A4,A6
<i>Lophura swinhoii</i>	Pheasant, Swinhoe's	Exempt from declaration.
<i>Lorius garrulus</i>	Lory, Chattering	A1,A2,A3*
<i>Macropus agilis</i>	Wallaby, Agile	A7 Municipal districts of the Shires of Wyndham-East Kimberley, West Kimberley, Halls Creek and Broome.
<i>Macropus fuliginosus</i>	Kangaroo, Western Grey	A7
<i>Macropus robustus</i>	Euro	A7
<i>Macropus rufus</i>	Kangaroo, Red	A7
<i>Meleagris gallopavo</i>	Turkey, Common	Exempt from declaration.
<i>Mus musculus</i>	Mouse, House	Exempt from declaration. #
<i>Mustela putorius furo</i>	Ferret, Domestic	Exempt from declaration.
<i>Nandayus nenday</i>	Conure, Nanday	A1,A2,A3 *
<i>Numida meleagris</i>	Guineafowl, Helmeted	Exempt from declaration.
<i>Oena capensis</i>	Dove, Namaqua; Cape Dove	A2,A4,A6
<i>Oryctolagus cuniculus</i>	Rabbit, domestic and commercial breeds, NOT EUROPEAN WILD RABBIT	A5 (running wild)
<i>Oryctolagus cuniculus</i>	Rabbit, European Wild	A1,A3,A5
<i>Ovis aries</i>	Sheep	Exempt from declaration.
<i>Padda oryzivora</i>	Sparrow, Java; Paddy Finch	A4,A5,A6 (In areas south of 26° parallel of latitude) A1,A2,A3 (rest of state)
<i>Paroaria coronata</i>	Cardinal, Red-crested	Exempt from declaration.
<i>Passer domesticus</i>	Sparrow, House	A1,A2,A3
<i>Passer montanus</i>	Sparrow, Tree; Eurasian Tree Sparrow	A1,A2,A3
<i>Pavo cristatus</i>	Peafowl, Common	Exempt from declaration.
<i>Pavo muticus</i>	Peafowl, Green	Exempt from declaration.
<i>Phasianus colchicus</i>	Pheasant, Ring-necked	A2,A4,A6

Scientific Name	Common Name	Categories and Other Notes
<i>Pionites leucogaster</i>	Caique, White-bellied; White-bellied Parrot	A2,A4,A6
<i>Pionites melanocephala</i>	Caique, Black-headed; Black-headed Parrot	A2,A4,A6
<i>Poicephalus gulielmi</i>	Parrot, Red-fronted; Jardine's Parrot	A1,A2,A3*
<i>Poicephalus meyeri</i>	Parrot, Meyer's; Brown Parrot	A2,A4,A6
<i>Poicephalus rufiventris</i>	Parrot, Red-bellied	A1,A2,A3*
<i>Poicephalus senegalus</i>	Parrot, Senegal	A1,A2,A3*
<i>Pseudeos fuscata</i>	Lory, Dusky	A2,A4,A6
<i>Psittacula alexandri</i>	Parakeet, Moustached	A2,A4,A6
<i>Psittacula columboides</i>	Parakeet, Malabar	A2,A4,A6
<i>Psittacula cyanocephala</i>	Parakeet, Plum-headed	A2,A4,A6
<i>Psittacula derbiana</i>	Parakeet, Derbyan	A2,A4,A6
<i>Psittacula eupatria</i>	Parakeet, Alexandrine	A2,A4,A6
<i>Psittacula krameri</i>	Parakeet, Rose-ringed; Indian or African Ringneck Parrot or Parakeet	A2,A4,A6
<i>Psittacula roseata</i>	Parakeet, Blossom-headed	A1,A2,A3 *
<i>Psittacus erithacus</i>	Parrot, Grey; African Grey Parrot	A1,A2,A3*
<i>Psittacus erithacus timneh</i>	Parrot, Western Grey; African Grey Parrot	A1,A2,A3*
<i>Purpureicephalus spurius</i>	Parrot, Red-capped; WA King Parrot	A7 Municipal districts of the Shires of Bridgetown-Greenbushes, Capel, Chittering, Donnybrook-Balingup, Harvey, Kalamunda, Manjimup, Mundaring, Murray, Plantagenet, Serpentine-Jarrahdale, Swan, and the City of Armadale.
<i>Pycnonotus cafer</i>	Bulbul, Red-vented	A1,A2,A3
<i>Pycnonotus jocosus</i>	Bulbul, Red-whiskered	A1,A2,A3
<i>Pyrrhula pyrrhula</i>	Bullfinch; Eurasian Bullfinch	A1,A2,A3
<i>Pyrrhura cruentata</i>	Conure, Blue-throated	A1,A2,A3 *
<i>Pyrrhura lepida</i>	Conure, Pearly	A1,A2,A3 *
<i>Pyrrhura molinae restricta</i>	Conure, Green-cheeked	A1,A2,A3 *
<i>Pyrrhura rhodogaster</i>	Conure, Crimson-bellied	A1,A2,A3 *
<i>Pyrrhura rupicola</i>	Conure, Black-capped	A1,A2,A3 *
<i>Pytilia melba</i>	Pytilia, Green-winged; Melba Finch	Exempt from declaration.
<i>Pytilia phoenicoptera</i>	Pytilia, Crimson-winged; Aurora Finch	Exempt from declaration.
<i>Quelea quelea</i>	Quelea, Red-billed; Red-billed Weaver; Dioch	A1,A2,A3
<i>Rattus norvegicus</i>	Rat, Brown	Exempt from declaration. #
<i>Rattus rattus</i>	Rat, Black	Exempt from declaration. #
<i>Rattus villosissimus</i>	Rat, Long-haired	A7 Municipal district of the Shire of Wyndham-East Kimberley.
<i>Rhea americana</i>	Rhea, Greater	A4,A5,A6
<i>Serinus atrogularis</i>	Seed-eater Yellow-rumped; Angolan Singing Finch	A1,A2,A3*
<i>Serinus canaria</i>	Canary, Common	Exempt from declaration.
<i>Serinus leucopygius</i>	Seed-eater, White-rumped; Grey Singing Finch	A1,A2,A3*
<i>Serinus mozambicus</i>	Canary, Yellow-fronted; Green Singing Finch	A2,A4,A6

Scientific Name	Common Name	Categories and Other Notes
<i>Streptopelia chinensis</i>	Turtle-Dove, Spotted	Exempt from declaration. #
<i>Streptopelia decaocto</i>	Dove, Collared; Collared Turtle-dove; Indian Ring Dove; Barbary Dove (fawn or white variations)	A1,A2,A6
<i>Streptopelia senegalensis</i>	Turtle-Dove, Laughing	Exempt from declaration. #
<i>Struthio camelus</i>	Ostrich	A5 (when running wild in agricultural and pastoral areas)
<i>Sturnus vulgaris</i>	Starling, Common	A1,A2,A3
<i>Sus scrofa</i>	Pig, Domestic	Exempt from declaration.
<i>Sus scrofa</i>	Pig, Feral	A4,A5,A6
<i>Syrnaticus reevesii</i>	Pheasant, Reeves'	Exempt from declaration.
<i>Tadorna ferruginea</i>	Shelduck, Ruddy	A1,A2,A3 *
<i>Tadorna tadornoides</i>	Shelduck, Australian; Mountain Duck	A7 South-west and Eucla Divisions, excluding those municipal districts within the Perth Metropolitan Region.
<i>Tadorna variegata</i>	Shelduck, Paradise	A2,A4,A6
<i>Tiaris canora</i>	Grassquit, Cuban; Cuban Finch	Exempt from declaration.
<i>Trichoglossus haematodus</i>	Lorikeet, Rainbow	A2 (where at large, in areas south of the 20° parallel of latitude, excluding the Perth Metropolitan area)
<i>Turdus merula</i>	Blackbird; English Blackbird	A1,A2,A3
<i>Turdus philomelos</i>	Thrush, Song; English Song Thrush	A1,A2,A3
<i>Uraeginthus angolensis</i>	Cordon-bleu, Blue-breasted; Blue-breasted Waxbill	A2,A4,A6
<i>Uraeginthus bengalus</i>	Cordon-bleu, Red-cheeked	A2,A4,A6
<i>Uraeginthus cyanocephala</i>	Cordon-bleu, Blue-capped	A2,A4,A6
<i>Uraeginthus granatina</i>	Waxbill, Violet-eared; Common Grenadier	A1,A2,A3*
<i>Uraeginthus ianthinogaster</i>	Grenadier, Purple; Purple Grenadier Waxbill	A1,A2,A3*
<i>Volatinia jacarina</i>	Grassquit, Blue-black; Jacarini Finch	Exempt from declaration.
<i>Vulpes vulpes</i>	Fox; Red Fox	A5
<i>Xenopus laevis</i>	Toad, African	A1,A2,A3
<i>Zosterops lateralis</i>	Silvereye	A7 South-west Division.

INSECTS AND MOLLUSCS LISTED ALPHABETICALLY BY SCIENTIFIC NAME

Scientific Name	Common Name	Categories and Other Notes
<i>Austroicetes cruciata</i>	Grasshopper, Small Plague	A5
<i>Austropeplea tomentosa</i>	Snail, Liver-fluke; Lymnaea Snail	A1,A3,A5
<i>Bactrocera tryoni</i>	Fly, Queensland Fruit	A1,A2
<i>Ceratitus capitata</i>	Fly, Mediterranean Fruit	A1,A2
<i>Chortoicetes terminifera</i>	Locust, Australian Plague	A5
<i>Cryptolestes spp</i>	Beetle, Flat Grain	A1,A5
Cydia pomonella	Moth, Codling	A1,A2
<i>Ephestia spp</i>	Moth, Warehouse	A1,A5
<i>Helix aperta</i>	Snail, Green	A1,A2,A3
<i>Hylotrupes bajulus</i>	Borer, European House	A1,A2,A3
<i>Iridomyrmex humilis</i>	Ant, Argentine	A1,A5

Scientific Name	Common Name	Categories and Other Notes
<i>Lymnaea auricularia</i>	Snail, Liver-fluke; Lymnaea Snail	A1,A3,A5
<i>Lymnaea peregra</i>	Snail, Liver-fluke; Lymnaea Snail	A1,A3,A5
<i>Lymnaea viridis</i>	Snail, Liver-fluke; Lymnaea Snail	A1,A3,A5
<i>Mastotermes darwiniensis</i>	Termite, Giant	A1,A5
<i>Oryzaephilus surinamensis</i>	Beetle, Sawtooth Grain	A1,A5
<i>Plodia interpunctella</i>	Moth, Indian Meal	A1,A5
<i>Pseudosuccinia columella</i>	Snail, Liver-fluke; Lymnaea Snail; American Ribbed Fluke Snail	A1,A3,A5
<i>Rhyzopertha dominica</i>	Borer, Lesser Grain	A1,A5
<i>Sitophilus granarius</i>	Weevil, Granary	A1,A5
<i>Sitophilus oryzae</i>	Weevil, Rice	A1,A5
<i>Sitotroga cerealella</i>	Moth, Angoumois Grain	A1,A5
<i>Tribolium castaneum</i>	Beetle, Rust-red Flour	A1,A5
<i>Tribolium confusum</i>	Beetle, Confused Flour	A1,A5
<i>Trogoderma granarium</i>	Beetle, Khapra	A1,A5
<i>Trogoderma spp.</i>	Trogoderma	A1,A5
<i>Trogoderma variabile</i>	Beetle, Warehouse	A1,A5
<i>Vespa germanica</i>	Wasp, European	A1,A2,A3

References—

1. Christidis, L., and Boles, W. E. (1994). The Taxonomy and Species of Birds of Australia and its Territories. Royal Australasian Ornithologists Union, Monograph 2. RAOU, Melbourne.
2. Barrett, G., Silcocks, A., Barry, S., Cunningham, R., and Poulter, R. (2003). 'The New Atlas of Australian Birds' Birds Australia. Royal Australasian Ornithologists Union.
3. Dickinson, W. C. (Editor). (2003). The Howard & Moore Complete Checklist of the Birds of the World. Revised and Enlarged Third Edition. Princeton University Press, Princeton and Oxford

AG402*

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT, 1976 DECLARED PLANTS

Agriculture Protection Board
South Perth.
25 March 2004.

Pursuant to Section 37 of the *Agriculture and Related Resources Protection Act 1976*, the Agriculture Protection Board hereby lists the classes of plants that are for the time being the subject of a declaration made under Section 35 of that Act, together with the matters specified pursuant to subsection (2) of that Section in relation to each class;

Aquarium Plants (plants of any class used or grown in aquariums unless they are plants that are on premises for the time being accredited by the Chief Agriculture Protection Officer as premises free from any snails capable of acting as intermediate hosts for the fluke *Fasciola hepatica*, or are in the course of being moved from such premises.);

P1; for the whole of the State.

Aquatic Weeds—

Alligator weed (<i>Alternanthera philoxeroides</i>);	P1, P2;	for the whole of the State.
Arrowhead (<i>Sagittaria montevidensis</i>);	P1, P2;	for the whole of the State.
Canadian Pond weed (<i>Elodea canadensis</i>);	P1, P2;	for the whole of the State.
Cabomba (<i>Cabomba caroliniana</i>);	P1, P2;	for the whole of the State.
Hydrocotyl (<i>Hydrocotyle ranunculoides</i>);	P1, P2;	for the whole of the State.
Lagarosiphon (<i>Lagarosiphon spp.</i>);	P1, P2;	for the whole of the State.
Leafy elodea (<i>Egeria densa</i>);	P1, P2;	for the whole of the State.
Parrot's feather (<i>Myriophyllum aquaticum</i>);	P1, P2;	for the whole of the State.
Sagittaria (<i>Sagittaria platyphylla</i>);	P1, P2;	for the whole of the State.

- Salvinia (*Salvinia molesta*); P1, P2; for the whole of the State.
- Senegal tea (*Gymnocoronis spilanthoides*); P1, P2; for the whole of the State.
- Shield pennywort (*Hydrocotyle verticillata*); P1, P2; for the whole of the State.
- Water hyacinth (*Eichhornia crassipes*); P1, P2; for the whole of the State.
- Water lettuce (*Pistia stratiotes*); P1, P2; for the whole of the State.
- Acacias (*Acacia* spp.) all species not native to Australia (except *Acacia farnesiana*);
P1, P2; for the whole of the State.
- African rue (*Peganum harmala*);
P1, P2; for the whole of the State.
- African thistle (*Berkheya rigida*);
P1, P2; for the whole of the State.
- Apple of Sodom (*Solanum linnaeanum*);
P1, P2; for the municipal districts of the City of Albany (except for Plantagenet Locations 4901, 3433, 5154, 3434, 5959 and 3435), Cranbrook, Denmark, Gnowangerup, Jerramungup and Plantagenet.
P1, P3; for Plantagenet Locations 4901, 3433, 5154, 3434, 5959 and 3435.
P1, P4; for the municipal districts of Augusta-Margaret River, Boyup Brook, Bridgetown-Greenbushes, the City of Bunbury, Busselton, Capel, Collie, Dardanup, Donnybrook-Balingup, Harvey, Manjimup, Mandurah, Murray, Nannup, Serpentine-Jarrahdale and Waroona.
- Artichoke thistle or cardoon (*Cynara cardunculus*);
P1, P2; for the whole of the State.
- Arum lily (*Zantedeschia aethiopica*);
P1, P4; for the municipal districts of the City of Albany, Augusta-Margaret River, Boyup Brook, Bridgetown-Greenbushes, the City of Bunbury, Busselton, Capel, Collie, Cranbrook, Dardanup, Denmark, Donnybrook-Balingup, Harvey, Manjimup, Mandurah, Murray, Nannup, Plantagenet, Serpentine-Jarrahdale and Waroona.
- Bathurst burr (*Xanthium spinosum*);
P1; for the whole of the State.
P2; for all municipal districts except the Shire of Coolgardie and the City of Kalgoorlie-Boulder.
P3; for the municipal districts of Coolgardie and the City of Kalgoorlie-Boulder.
- Bellyache bush (*Jatropha gossypifolia*);
P1, P3; for the municipal districts of Broome and Derby–West Kimberley.
- Blackberry (*Rubus fruticosus* agg.);
P1, P2; for the municipal district of Boddington.
P1, P4; for the municipal districts of the City of Albany, Augusta-Margaret River, Boyup Brook, Bridgetown-Greenbushes, the City of Bunbury, Busselton, Capel, Collie, Cranbrook, Dardanup, Denmark, Donnybrook-Balingup, Harvey, Manjimup, Mandurah, Murray, Nannup, Plantagenet, Serpentine-Jarrahdale and Waroona.
- Boneseed (*Chrysanthemoides monilifera*);
P5; for lands in the control of the Government and local authorities in the the whole of the State.
- Broomrape—branched broomrape (*Orobanche ramosa*) and all other *Orobanche* species except *O. minor*;
P1, P2; for the whole of the State.
- Calotropis (*Calotropis procera*);
P1; for all municipal districts in that portion of the of the State North of the 26th parallel of latitude, except the municipal districts of Ashburton, Broome, Halls Creek, Derby-West Kimberley and Wyndham-East Kimberley.
P2; for the municipal districts of Ashburton, East Pilbara, Port Hedland and Roebourne.
- Camelthorn (*Alhagi maurorum*);
P1, P2; for the whole of the State.
- Candle bush (*Senna alata*);
P1, P2; for the whole of the State, except those areas constituted as townsites under Section 26 the *Land Administration Act 1997*.
- Cape tulip, one leaf (*Moraea flaccida*) and cape tulip, two leaf (*Moraea miniata*);
P1; for the whole of the State.
P3; for the municipal districts of Denmark, Kent and Cranbrook, except that area bordered by Albany Highway, Weir Rd, Boyup-Cranbrook Road, Shamrock & Yeriminup Roads & Frankland-Cranbrook Road.

- P4; for the municipal districts of the City of Albany, Augusta-Margaret River, Boddington, Boyup Brook, Bridgetown-Greenbushes, Brookton, Broomehill, the City of Bunbury, Busselton, Capel, Collie, Corrigin, Cuballing, Dardanup, Donnybrook-Balingup, Dumbleyung, Esperance Gnowangerup, Jerramungup, Harvey, Katanning, Kojonup, Mandurah, Manjimup, Murray, Narrogin, Nannup, Pingelly, Plantagenet, Ravensthorpe, Serpentine-Jarrahdale, Tambellup, Wagin, Wandering, West Arthur, Wickepin, Williams, Woodanilling, Waroona and Yilgarn and that area of the Cranbrook Shire bordered by Albany Highway, Weir Rd, Boyup-Cranbrook Road, Shamrock & Yeriminup Roads & Frankland-Cranbrook Road.
- Chinee apple (*Ziziphus mauritiana*);
 P1, P5; for the municipal districts of Broome, Derby—West Kimberley, Halls Creek and Wyndham-East Kimberley.
 P1; for the remainder of the State.
- Cleavers (*Galium aparine*);
 P1, P2; for the whole of the State.
- Cotton bush, narrow leaf (*Gomphocarpus fruticosus*);
 P1, P3; for the municipal districts of Broomehill, Dumbleyung, Gnowangerup, Jerramungup, Katanning, Kent, Kojonup, Tambellup, West Arthur and Woodanilling.
 P1, P4; for the municipal districts of the City of Albany, Augusta-Margaret River, Beverley, Boddington, Boyup Brook, Bridgetown-Greenbushes, Brookton, the City of Bunbury, Busselton, Capel, Collie, Corrigin, Cranbrook, Cuballing, Cunderdin, Dardanup, Denmark, Donnybrook-Balingup, Dowerin, Esperance, Goomalling, Harvey, Kellerberrin, Kondinin, Koorda, Kulin, Lake Grace, Mandurah, Manjimup, Mt Marshall, Murray, Nannup, Narrogin, Northam, the Town of Northam, Pingelly, Plantagenet, Quairading, Serpentine-Jarrahdale, Tammin, Toodyay, Trayning, Wandering, Waroona, Wickepin, Williams, Wyalkatchem and York.
- Creeping knapweed (*Acroptilon repens*);
 P1, P2; for the whole of the State.
- Devil's claw, small fruit (*Martynia annua*) and Devil's claw, purpleflower (*Proboscidea louisianica*);
 P1, P2; for the whole of the State.
- Doublegee (*Emex australis* and *Emex spinosa*);
 P1; for the municipal districts of Augusta-Margaret River, Boyup Brook, Bridgetown-Greenbushes, the City of Bunbury, Busselton, Capel, Collie, Dardanup, Donnybrook-Balingup, Dumbleyung, Harvey, Katanning, Manjimup, Mandurah, Murray, Nannup, Serpentine-Jarrahdale, Tambellup, Wagin, Waroona and Woodanilling.
 P1, P3; for the municipal districts of Broomehill, Kojonup and West Arthur.
 P1, P4; for the municipal districts of Jerramungup, Kent and Ravensthorpe.
 P5; for the municipal districts of Esperance, Gnowangerup, Kondinin, Kulin and Lake Grace.
- Field bindweed (*Convolvulus arvensis*);
 P1; for the whole of the State
 P3; for the municipal district of Esperance.
- Glaucous star thistle (*Carthamus leucocaulos*);
 P1, P3; for the municipal districts of Gnowangerup and Tambellup.
 P1, P4; for the municipal districts of Broomehill, Dumbleyung, Katanning, Kojonup, Wagin, West Arthur and Woodanilling.
- Golden dodder (*Cuscuta campestris*);
 P1, P2; for the whole of the State, except for the municipal districts of the City of Albany, Cranbrook, Denmark and Plantagenet.
 P1, P4; for the municipal districts of the City of Albany, Cranbrook, Denmark and Plantagenet.
- Gorse (*Ulex europaeus*);
 P1, P2; for the whole of State, except for the municipal districts of the City of Albany, Cranbrook, Denmark and Plantagenet.
 P1, P3; for the municipal districts of the City of Albany, Cranbrook, Denmark and Plantagenet.
- Harrisia cactus (*Eriocereus martinii*);
 P1, P2; for the municipal districts of Port Hedland, East Pilbara, Roebourne and Ashburton.
- Heliotrope (*Heliotropium europaeum*);
 P1, P3; for the municipal districts of the City of Albany, Augusta-Margaret River, Boyup Brook, Bridgetown-Greenbushes, Broomehill, the City of Bunbury, Busselton, Capel, Cranbrook, Dardanup, Denmark, Donnybrook-Balingup, Gnowangerup, Kojonup, Manjimup, Plantagenet, Nannup, Woodanilling and West Arthur.
 P1, P4; for the municipal districts of Wagin, Dumbleyung, Katanning and Tambellup.
- Hoary cress (*Cardaria draba*);
 P1, P2; for the whole of the State.

Horehound (*Marrubium vulgare*);

P1, P2; for the municipal districts of the City of Albany, Ashburton, Broome, Broomehill, Carnarvon, Cranbrook, Cue, Denmark, Derby–West Kimberley, Dumbleyung, East Pilbara, Exmouth, Gnowangerup, Halls Creek, Katanning, Leonora, Laverton, Meekatharra, Menzies, Mt Magnet, Murchison, Ngaanyatjarraku, Port Hedland, Roebourne, Sandstone, Shark Bay, Tambellup, Upper Gascoyne, Wagin, West Arthur, Wiluna, Woodanilling, Wyndham-East Kimberley and Yalgoo.

P1, P3; for the municipal district of Plantagenet.

P1, P4; for the municipal districts of Coolgardie, Dundas, Esperance, Jerramungup, the City of Kalgoorlie-Boulder, Kent and Kojonup.

Horsetails—common horsetail (*Equisetum arvense*) and all other plants within the genus *Equisetum*;

P1, P2; for the whole of the State.

Ivy gourd (*Coccinia grandis*);

P1, P2; for the municipal districts of Broome, Derby–West Kimberley, Halls Creek and Wyndham-East Kimberley.

Jointed goatgrass (*Aegilops cylindrica*);

P1, P2; for the whole of the State.

Kochia (*Bassia scoparia*);

P1, P2; for the whole of the State.

Mesquite (*Prosopis* spp.);

P1; for the whole of the State.

P2; for the whole of the State, except for the area on Mardie Station bordered by the coast, the boundary between Mardie and Karratha stations, the North West Coastal Highway, Peter's Creek and the boundary between Yarraloola and Mardie stations.

P4; for the area on Mardie Station bordered by the coast, the boundary between Mardie and Karratha stations, the North West Coastal Highway, Peter's Creek and the boundary between Yarraloola and Mardie stations.

Mexican poppy (*Argemone mexicana* and *Argemone ochroleuca*)

P1; for the whole of the State, except the municipal districts of Ashburton, East Pilbara, Port Hedland and Roebourne.

P2; for the municipal districts of the City of Albany, Armadale, Augusta-Margaret River, Bassendean, Bayswater, Belmont, Beverley, Boddington, Boyup Brook, Bridgetown-Greenbushes, Brookton, Broome, Broomehill, Bruce Rock, the City of Bunbury, Busselton, Cambridge, Canning, Capel, Claremont, Cockburn, Collie, Corrigin, Cottesloe, Cranbrook, Cuballing, Cue, Cunderdin, Dardanup, Denmark, Derby–West Kimberley, Donnybrook-Balingup, Dowerin, Dumbleyung, East Fremantle, Esperance, Fremantle, Gnowangerup, Goomalling, Gosnells, Halls Creek, Harvey, Jerramungup, Joondalup, Kalamunda, Katanning, Kellerberrin, Kent, Kojonup, Kondinin, Koorda, Kulin, Kwinana, Lake Grace, Mandurah, Manjimup, Melville, Meekatharra, Merredin, Mosman Park, Mt Magnet, Mt Marshall, Mukinbudin, Mundaring, Murray, Nannup, Narembeen, Narrogin, Nedlands, Nungarin, Peppermint Grove, Perth, Pingelly, Plantagenet, Quairading, Ravensthorpe, Rockingham, South Perth, Serpentine-Jarrahdale, Stirling, Subiaco, Swan, Tambellup, Tammin, Toodyay, Trayning, Victoria Park, Vincent, Wagin, Wandering, Wanneroo, Waroona, West Arthur, Westonia, Wickpin, Williams, Woodanilling, Wyalkatchem, Wyndham-East Kimberley, Yalgoo, Yilgarn and York.

P3; for the municipal districts of Carnamah, Chapman Valley, Chittering, Coorow, Dandaragan, Dalwallinu, the City of Geraldton, Gingin, Greenough, Irwin, Morawa, Mingenew, Moora, Mullewa, Northam, the Town of Northam, Northampton, Perenjori, Three Springs, Victoria Plains and Wongan-Ballidu.

P4; for the municipal districts of Carnarvon, Coolgardie, Dundas, Exmouth, the City of Kalgoorlie-Boulder, Leonora, Laverton, Murchison, Ngaanyatjarraku, Menzies, Sandstone, Shark Bay, Upper Gascoyne, and Wiluna.

Mintweed (*Salvia reflexa*);

P1, P2; for the municipal districts of Coolgardie and the City of Kalgoorlie-Boulder, Leonora, Laverton, Menzies, Sandstone, Wiluna, and the Shire of Dundas.

Nodding thistle (*Carduus nutans*);

P1, P2; for the whole of the State.

Noogoora burr (*Xanthium strumarium*);

P1; for the whole of the State.

P2; for the whole of the State, except for the municipal districts of Broome, Derby–West Kimberley, Halls Creek and Wyndham-East Kimberley.

P4; for the municipal districts of Broome, Derby–West Kimberley, Halls Creek and Wyndham-East Kimberley.

Parkinsonia (*Parkinsonia aculeata*);

P1, P2; for the municipal districts of Ashburton, Carnarvon, Coolgardie, Cue, Dundas, East Pilbara, Exmouth, the City of Kalgoorlie-Boulder, Leonora, Laverton, Meekatharra, Menzies, Mt Magnet, Murchison, Ngaanyatjarraku, Port Hedland, Roebourne, Sandstone, Shark Bay, Upper Gascoyne, Wiluna and Yalgoo.

P1, P4; for the municipal districts of Broome, Derby—West Kimberley, Halls Creek and Wyndham-East Kimberley.

Parthenium weed (*Parthenium hysterophorus*);

P1, P2 for the whole of the State.

Paterson's curse (*Echium plantagineum*);

P1; for the whole of the State.

P3; for the municipal districts of Augusta-Margaret River, Broomehill, the City of Bunbury, Busselton, Capel, Chittering, Collie, Cranbrook, Dandaragan, Dalwallinu, Dardanup, Denmark, Donnybrook-Balingup, Harvey, Esperance, Gingin, Kent, Kojonup, Mandurah, Moora, Murray, Ravensthorpe, Serpentine-Jarrahdale, Tambellup, Victoria Plains, Waroona, Wongan—Ballidu, Wagin, West Arthur and Woodanilling.

P4; for the municipal districts of the City of Albany, Boddington, Boyup Brook, Bridgetown-Greenbushes, Gnowangerup, Brookton, Bruce Rock, Corrigin, Cuballing, Dumbleyung, Jerramungup, Katanning, Kondinin, Kulin, Lake Grace, Manjimup, Merredin, Mukinbudin, Nannup, Narembeen, Narrogin, Nungarin, Pingelly, Plantagenet, Wandering, Westonia, Wickepin, Williams, Yilgarn and those portions of the municipal districts of Carnamah and Coorow west of the Midlands Road.

Penny cress (*Thlaspi arvense*);

P1, P2; for the whole of the State.

Perennial thistle or Canada thistle (*Cirsium arvense*);

P1, P2; for the whole of the State.

Physic nut (*Jatropha curcas*);

P1; for the whole of the State.

P5; for the municipal districts of Broome, Derby—West Kimberley, Halls Creek and Wyndham-East Kimberley.

Prickly pear (*Opuntia* spp.);

P1; for all municipal districts in that portion of the State North of the 26th parallel of latitude.

P2; for all municipal districts in that portion of the State North of the 26th parallel of latitude except for the municipal districts of Exmouth, Carnarvon, Murchison, Upper Gascoyne and Shark Bay.

P4; for the municipal districts of Exmouth, Carnarvon, Murchison, Upper Gascoyne and Shark Bay.

Ragwort (*Senecio jacobaea*);

P1, P2; for the whole of the State.

Rubber vine (*Cryptostegia grandiflora* and *Cryptostegia madagascariensis*);

P1, P2; for the whole of the State.

Saffron thistle (*Carthamus lanatus*);

P1; for the whole of the State.

P3; for the municipal districts of the City of Albany, Augusta-Margaret River, Broomehill, the City of Bunbury, Busselton, Capel, Carnamah, Collie, Coorow, Cranbrook, Cunderdin, Dardanup, Denmark, Donnybrook-Balingup, Dowerin, Dumbleyung, Gnowangerup, Harvey, Katanning, Kellerberrin, Kojonup, Koorda, Mandurah, Mt Marshall, Murray, Plantagenet, Serpentine-Jarrahdale, Tambellup, Tammin, Trayning, Wagin, Waroona, West Arthur Woodanilling and Wyalkatchem.

P4; for the municipal districts of Ashburton, Beverley, Boddington, Brookton, Broome, Bruce Rock, Carnarvon, Chittering, Coolgardie, Corrigin, Cuballing, Cue, Dandaragan, Dalwallinu, Derby—West Kimberley, Dundas, East Pilbara, Esperance, Exmouth, Gingin, Goomalling, Halls Creek, Jerramungup, City of Kalgoorlie-Boulder, Kent, Kondinin, Kulin, Lake Grace, Laverton, Leonora, Meekatharra, Menzies, Merredin, Moora, Mt Magnet, Mukinbudin, Murchison, Narembeen, Narrogin, Ngaanyatjarraku, Northam, the Town of Northam, Nungarin, Pingelly, Port Hedland, Quairading, Ravensthorpe, Roebourne, Sandstone, Shark Bay, Toodyay, Upper Gascoyne, Victoria Plains, Wandering, Westonia, Wickepin, Williams, Wiluna, Wongan—Ballidu, Wyndham-East Kimberley, Yalgoo Yilgarn, and York.

Sensitive plant, common (*Mimosa pudica*);

P1, P2; for the municipal districts of Ashburton, Broome, Carnarvon, Coolgardie, Cue, Derby—West Kimberley, Dundas, East Pilbara, Exmouth, the City of Kalgoorlie-Boulder, Halls Creek, Laverton, Leonora, Meekatharra, Mt Magnet, Murchison, Ngaanyatjarraku, Menzies, Port Hedland, Roebourne, Sandstone, Shark Bay, Upper Gascoyne, Wiluna, Wyndham-East Kimberley and Yalgoo.

- Sensitive plant, giant (*Mimosa invisa*);
P1, P2; for the whole of the State.
- Sensitive plant, giant (*Mimosa pigra*);
P1 P2; for the whole of the State.
- Siam weed (*Chromolaena odorata*);
P1, P2; for the whole of the State.
- Sicklepod (*Senna tora*);
P1, P2; for the whole of the State.
- Sicklepod, javabean (*Senna obtusifolia*);
P1, P2; for the whole of the State.
- Sida (*Sida acuta* and *Sida cordifolia*);
P1; for all that part of the State north of the 26th parallel of latitude.
- Skeleton weed (*Chondrilla juncea*);
P1, P2; for the whole of the State.
- Stemless thistle (*Onopordum acaulon*);
P1, P2; for the municipal districts of the City of Albany, Boddington, Brookton, Broomehill, Bruce Rock, Corrigin, Cranbrook, Cuballing, Denmark, Dumbleyung, Gnowangerup, Katanning, Kojonup, Merredin, Mukinbudin, Narembeen, Narrogin, Nungarin, Pingelly, Plantagenet, Tambellup, Wagin, Wandering, West Arthur, Westonia, Wickepin, Williams, Woodanilling and Yilgarn.
P1, P3; for the municipal districts of Chapman Valley, City of Geraldton, Greenough, Irwin, Jerramungup, Kent, Kondinin, Kulin, Lake Grace, Mullewa, Northampton and Ravensthorpe.
P1, P4; for the municipal district of Esperance.
- St. John's wort (*Hypericum perforatum*);
P1, P2; for the whole of the state except the municipal districts of Augusta-Margaret River, Beverley, Boddington, Boyup Brook, Bridgetown-Greenbushes, Brookton, Bruce Rock, the City of Bunbury, Busselton, Capel, Collie, Corrigin, Cuballing, Cunderdin, Dardanup, Donnybrook-Balingup, Dowerin, Goomalling, Harvey, Kellerberrin, Koorda, Mandurah, Manjimup, Merredin, Mt Marshall, Mukinbudin, Murray, Nannup, Narembeen, Narrogin, Northam, the Town of Northam, Nungarin, Pingelly, Quairading, Serpentine-Jarrahdale, Tammin, Toodyay, Trayning, Wandering, Waroona, Westonia, Wickepin, Williams, Wyalkatchem, Yilgarn and York.
- Thornapple, common (*Datura stramonium*), thornapple, fierce (*Datura ferox*), thornapple, Leichhardt's or Mexican (*Datura leichhardtii*), thornapple, hairy (*Datura wrightii*), thornapple, downy (*Datura innoxia*) and thornapple (*Datura metel*);
P1; for the whole of the state except the municipal districts of Ashburton, Broome, Derby-West Kimberley, East Pilbara, Halls Creek, Port Hedland, Roebourne and Whyndam-East Kimberley.
P3; for the municipal districts of the City of Albany, Broomehill, Chapman Valley, Collie, Cranbrook, Denmark, Dumbleyung, the City of Geraldton, Greenough, Harvey, Irwin, Jerramungup, Gnowangerup, Katanning, Kent, Kojonup, Mandurah, Mullewa, Murray, Northampton, Plantagenet, Ravensthorpe, Serpentine-Jarrahdale, Tambellup, Wagin, Waroona, West Arthur and Woodanilling.
P4; for the municipal districts of Augusta-Margaret River, Boddington, Boyup Brook, Bridgetown-Greenbushes, Brookton, Bruce Rock, the City of Bunbury, Busselton, Capel, Carnarvon, Chittering, Coolgardie, Corrigin, Cuballing, Cue, Cunderdin, Dandaragan, Dalwallinu, Dardanup, Donnybrook-Balingup, Dowerin, Dundas, Esperance, Exmouth, Gingin, the City of Kalgoorlie-Boulder, Kellerberrin, Koorda, Laverton, Leonora, Manjimup, Meekatharra, Menzies, Merredin, Moora, Mt Magnet, Mt Marshall, Mukinbudin, Murchison, Nannup, Narembeen, Narrogin, Nungarin, Ngaanyatjaraku, Pingelly, Sandstone, Shark Bay, Tammin, Trayning, Upper Gascoyne, Victoria Plains, Wandering, Westonia, Wickepin, Wiluna, Williams, Wongan—Ballidu, Wyalkatchem, Yalgoo and Yilgarn.
- Three-horned bedstraw (*Galium tricorutum*);
P1, P2; for the whole of the State.
- Tutsan (*Hypericum androsaemum*);
P1, P2; for the whole of the State.
- Tutsan, flair (*Hypericum x inodorum*);
P2; for the whole of the State, except lands approved for cultivation by the Chief Officer.
P4; for lands approved for cultivation by the Chief Officer.
- Variegated thistle (*Silybum marianum*);
P1; for the whole of the State.

- P2; for the whole of the State (except for the municipal districts of the City of Albany, Augusta-Margaret River, Boyup Brook, Bridgetown, Busselton, Capel, Chapman Valley, Collie, Cranbrook, Dardanup, Denmark, Donnybrook-Balingup, the City of Geraldton, Greenough, Harvey, Irwin, Mandurah, Manjimup, Mullewa, Murray, Nannup, Northampton, Plantagenet, Serpentine-Jarrahdale and Waroona).
- P3; for the municipal districts of Augusta-Margaret River, Boyup Brook, Busselton, Capel, Chapman Valley, Collie, Cranbrook, the City of Geraldton, Greenough, Harvey, Irwin, Mandurah, Mullewa, Murray, Nannup, Northampton, Serpentine-Jarrahdale and Waroona.
- P4; for the municipal districts of the City of Albany, Bridgetown, Dardanup, Denmark, Donnybrook-Balingup, Manjimup and Plantagenet.
- Yellow burr weed (*Amsinckia* spp.);
 P1, P2; for the whole of the State.

AG403*

AGRICULTURAL PRODUCE COMMISSION ACT 1988
REDUCTION IN BEEKEEPING INDUSTRY FEE FOR SERVICE

I, the undersigned Minister for Agriculture, Forestry and Fisheries being the Minister charged with the administration of the Agricultural Produce Commission Act 1988 grant, pursuant to Section 14 of the said Act, implementation of decrease in the Fee for Service for the APC Beekeepers Producers' Committee as follows—

Service charge per beekeeper—\$10.00 per beekeeper per annum.

The above charge to operate from 1 January 2005.

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

ELECTORAL COMMISSION

EC401*

ELECTORAL ACT 1907

(Section 62G)

REGISTRATION OF POLITICAL PARTIES

Notice of Application Public Hospital Support Group

An application has been made for the registration of the Public Hospital Support Group as a political party in Western Australia.

The following information was included in the application—

- (a) Name for political party: **Public Hospital Support Group**
- (b) Abbreviation of name for use on ballot papers: **Public Hospital Support Group**
- (c) Name and address of Secretary of Party: **Keith Woollard**
34/100 Murdoch Drive,
MURDOCH WA 6150

Any elector who believes that the application—

- (i) is not in accordance with Section 62E of the *Electoral Act 1907*; or
- (ii) should be refused under Section 62J of the *Electoral Act 1907*

is invited to submit to the Electoral Commissioner by 29 December 2004, a statement which—

- (a) sets out in detail the grounds for the elector's belief in respect to (i) and (ii) above;
- (b) sets out the elector's residential address and postal address; and
- (c) is signed by the elector.

Any statement submitted will be available for public inspection without fee at the Western Australian Electoral Commission, Level 2, 111 St George's Terrace, Perth WA 6000.

WARWICK GATELY AM, Acting Electoral Commissioner.

JUSTICE

JU401*

CHILDREN'S COURT OF WESTERN AUSTRALIA ACT 1988
APPOINTMENTS

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the appointment of the following persons as a Member of the Children's Court of Western Australia—

Mrs Amanda Iris Milton of Lot 103 Blackbutt Way, Lake Grace
Mr Geoffrey Allan Sabourne of 45 Absolon Street, Lake Grace
Mrs Annette Jane Dix of Piara Way, Dalyellup
Mr Robert Colin Holly of 16 King Street, Harvey

RAY WARNES, A/Executive Director,
Court Services.

JU402*

DECLARATIONS AND ATTESTATIONS ACT 1913
APPOINTMENTS

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

Dr Clinton Neil Kessey of 257 South Street Beaconsfield

RAY WARNES, A/Executive Director,
Court Services.

JU403*

JUSTICES ACT 1902
APPOINTMENTS

It is hereby notified for public information that His Excellency the Governor in Executive Council has approved of the following person to the office of Justice of the Peace for the State of Western Australia;

Mr Richard John Cameron West of 8 Reen Street, St James
Mrs Danuta Palysz of 11-18 Leeder Street, Glendalough

RAY WARNES, A/Executive Director,
Court Services.

JU404*

PRISONS ACT 1981
APPOINTMENTS

It is hereby notified for publication that the Minister for Justice has approved of the following appointments to the office of Visiting Justices for the specified regional prisons for the state of Western Australia—

Mr Ian Norman Lunt JP	Albany Regional Prison
Mr Michael John Patrick Talbot JP	Albany Regional Prison

RAY WARNES, A/Executive Director,
Court Services.

JU405*

PRISONS ACT 1981
RESIGNATIONS

It is hereby notified for public information that the Minister for Justice has accepted the resignation from the Office of Visiting Justice for the specified regional prison for the state of Western Australia.

Mrs Glenys Eileen McDonald

Greenough Regional Prison

RAY WARNES, A/Executive Director,
Court Services.

LAND ADMINISTRATION

LA401

TRANSFER OF LAND ACT 1893
APPLICATION 1618772

Take notice that Gregory Mark Hopkins and Colette Pamela Hopkins of 9 Hill Street, Albany have made application to bring the following land under the operation of the Transfer of Land Act, 1893.

Portion of Albany Suburban Lot 50 and now being described as lot 2 deposited plan 40751 Plan 34934 comprising 1019 square metres and being the whole of the land comprised in Memorial Book XXIX No. 211.

All persons other than the applicant claiming any estate right title or interest in the above land and desiring to object to the application are required to lodge in this office on or before 20 December 2004 a caveat forbidding the land being brought under the operation of the Act.

BRUCE ROBERTS, Registrar of Titles.

LOCAL GOVERNMENT

LG401

LOCAL GOVERNMENT ACT 1995
APPOINTMENTS
Shire of Dalwallinu

It is hereby notified for public information that Mr Neville Anthony Hale has been appointed Chief Executive Officer of the Shire of Dalwallinu from Monday 29 November 2004. The previous appointment of Mr William Thomas Atkinson is hereby cancelled.

R. T. ALLAN, President.

LG402*

DOG ACT 1976
DOG REGISTRATION OFFICER
Shire of Dardanup

It is hereby notified for public information that the following Officer has been appointed by Council as Authorised Dog Registration Officer under the Dog Act 1976, effective immediately, until further notice.

Appointments—Vicki Lingwood

Dated 23 November 2004.

M. L. CHESTER, Chief Executive Officer.

LG403***LOCAL GOVERNMENT ACT 1995**

AUTHORISED PERSONS

Shire of Bridgetown-Greenbushes

It is hereby notified for public information that the following persons have been appointed Authorised Officers in accordance with the relevant Acts hereunder effectively immediately.

1. Dog Act 1976 & Regulations, Control of Off-Road Vehicles Act 1978 & Regulations, Litter Act 1979 & Regulations, Local Government Act 1995, Local Government (Miscellaneous Provisions) Act 1960, Bush Fires Act 1954 & Regulations, Shire of Bridgetown-Greenbushes Local Laws—

Timothy Clynch	Dean Unsworth
Andrew Norris	Peter Royer
David Coultas	Russell Hodgkinson
Bret Howson	Jason Dearle

2. Dog Act 1976—Registration Officers

Michelle Larkworthy	Darren Wilson
Eileen Kneale	Lesa Boni
Stephanie Karafilis	Natalie Copley
Amy Schutz	

3. Health Act 1911, Building Regulations 1989, Caravan Parks and Camping Grounds Act 1995

David Coultas	Russell Hodgkinson
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4. Powers of Entry—Shire of Bridgetown-Greenbushes Town Planning Schemes No. 3 and 4

Timothy Clynch

5. Bush Fires Act 1954—Section 38 (FCO)

Brian Wheatley, Chief Bush Fire Control Officer & Fire Weather Officer
Derek Dilkes, Deputy Chief Bush Fire Control Officer

Rodney Hester	Phillip Prunster
James Gifford	David Jenkins
Tom Tassos	Hugh Browne
Michael Campbell	Rodney Winchombe
Brian Hamence	Michael Woodall
Malcolm McDonald	

6. Bush Fires Act 1954—Section 40 (Dual FCO)

Ian Muir	Richard Gifford
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All previous authorisations are hereby revoked.

TIM CLYNCH, Chief Executive Officer .

LG404**LOCAL GOVERNMENT ACT 1995**

CHANGE OF WARD BOUNDARIES ORDER 2004

Shire of Mundaring

Made by the Governor in Executive Council on the recommendation of the Minister for Local Government and Regional Development.

1. Citation

This order may be cited as the *District of the Shire of Mundaring (Change of Ward Boundaries) Order 2004*.

2. Change of ward boundaries (s. 2.2 (1) (c) of the Act)

(1) On and after the first ordinary elections day after the commencement of this order, the boundaries of the West Ward in the district of Mundaring are changed by excluding from the Ward the portion of land described in the Schedule.

(2) On and after the first ordinary elections day after the commencement of this order, the boundaries of the South Ward in the district of Mundaring are changed by including within the Ward the portion of land described in the Schedule.

3. Consequential directions (s. 9.62 of the Act)

In order to give effect to clause 2, Part 4 of the Act, with any necessary changes, applies to preparing for and conducting the next ordinary elections of the Shire of Mundaring as if changes effected by clause 2 had taken effect on the day this order commenced.

The Local Government Advisory Board having recommended that the order in clause 2 be made, I recommend that it be made.

L. RAVLICH, Minister for Local Government
and Regional Development.

By Command of the Governor,

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

SCHEDULE

TRANSFER OF TERRITORY FROM WEST WARD TO SOUTH WARD

All that portion of land bounded by the lines starting from the intersection of the prolongation southeasterly of the northeastern boundary of Lot 106 as shown on Diagram 89936 with the prolongation northerly of the eastern side of Ruby Street, a point on a present western boundary of the Shire of Mundaring and extending northerly along the prolongation northerly of the eastern side of Ruby Street to the centreline of the Great Eastern Highway; thence generally southeasterly along that centreline to the prolongation northwesterly of the centreline of the northern section of Scott Street; thence southeasterly to and generally southeasterly and generally southwesterly along that centreline and onwards to a southwestern boundary of Swan Location 8943 (Reserve 31196) as shown on Deposited Plan 241700, a point on a present southwestern boundary of the Shire of Mundaring and thence generally northwesterly and northerly along boundaries of that shire to the starting point.

Area: Approx. 30 hectares.

MINERALS AND PETROLEUM

MP401

**MINING ACT 1978
FORFEITURES**

Department of Industry and Resources,
Perth WA 6000.

I hereby declare in accordance with the provisions of Sections 96A(1) and 97(1) of the Mining Act 1978 that the undermentioned mining tenements are forfeited for breach of covenant viz; non payment of rent.

CLIVE BROWN, MLA, Minister for State Development

Number	Holder	Mineral Field
		Exploration Licence
74/288	Kingfisher Resources Pty Ltd; Pheonix (WA) Pty Ltd	Phillips River
		Mining Lease
80/504	Kimberley Gemstones Pty Ltd	Kimberley

MP402

**MINING ACT 1978
FORFEITURES**

Department of Industry and Resources,
Perth WA 6000.

I hereby declare in accordance with the provisions of Sections 96A(1) and 97(1) of the Mining Act 1978 that the undermentioned mining tenements are forfeited for breach of covenant viz; failure to comply with the prescribed expenditure conditions.

CLIVE BROWN, MLA, Minister for State Development

Number	Holder	Mineral Field
		Exploration Licence
29/470	Dalla-Costa, Troy Gavin	North Coolgardie
		Mining Leases
70/1008	Jones, Alan John; Jones, Robert Joseph; Rivers, Roslyn Marie	South West
80/524	Guerinoni, Mick	Kimberley

MP403

MINING ACT 1978
FORFEITURES

Department of Industry and Resources,
Perth WA 6000.

I hereby declare in accordance with the provisions of Sections 97(1) of the Mining Act 1978 that the undermentioned mining lease is forfeited for breach of covenant viz; failure to lodge a bond.

CLIVE BROWN, MLA, Minister for State Development

Number	Holder	Mineral Field
80/352	Jamie Eric Glasfurd; Harry George Schulda	Kimberley

PARLIAMENT

PA401*

PARLIAMENT OF WESTERN AUSTRALIA

Royal Assent To Bills

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

Short Title of Bill	Date of Assent	Act No.
First Home Owner Grant Amendment Bill 2004	November 18 2004	52 of 2004
Finance Brokers Control Amendment Bill 2004	November 18 2004	53 of 2004
Disability Services Amendment Bill 2004	November 18 2004	57 of 2004
Freedom of Information Amendment Bill 2004	November 19 2004	56 of 2004
Young Offenders Amendment Bill 2004	November 22 2004	58 of 2004

Dated: November 23 2004.

L. B. MARQUET, Clerk of the Parliaments.

PA402*

PARLIAMENT OF WESTERN AUSTRALIA

Royal Assent To Bills

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

Short Title of Bill	Date of Assent	Act No.
State Administrative Tribunal Bill 2003	November 23 2004	54 of 2004
Courts Legislation Amendment and Repeal Bill 2003	November 23 2004	59 of 2004
Criminal Appeals Bill 2004	November 23 2004	60 of 2004

Dated: November 23 2004.

L. B. MARQUET, Clerk of the Parliaments.

PLANNING AND INFRASTRUCTURE

PI401*

TOWN PLANNING AND DEVELOPMENT ACT 1928
TOWN PLANNING SCHEME AVAILABLE FOR INSPECTION
Shire of Augusta-Margaret River
District Town Planning Scheme No. 1

Ref: 853/6/3/21

Notice is hereby given that the local government of the Shire of Augusta-Margaret River has prepared the abovementioned Town Planning Scheme for the purpose of—

1. setting out the local government's planning aims and intentions for the Scheme Area;
2. protecting matters of national environmental significance in or impacted by activities within the Scheme Area;
3. protecting the biodiversity of the Shire;
4. setting aside land as reserves for public purposes;
5. zoning land within the Scheme Area for the purposes defined in the Scheme;
6. showing land which may be suitable for development through expansion of various settlements within the Scheme Area where special scrutiny of proposed land uses and development must occur having regard to the Scheme objectives;
7. controlling and guiding land use and development;
8. setting out procedures for the assessment and determination of planning applications;
9. making provision for the administration and enforcement of the Scheme; and
10. addressing other matters contained in the First Schedule to the Town Planning Act.

Plans and documents setting out and explaining the Town Planning Scheme, and Local Planning Strategy, have been deposited at Council Offices, Town View Terrace, Margaret River and at the Western Australian Planning Commission, Albert Facey House, 469 Wellington Street, Perth, and will be available for inspection during office hours up to and including 24 February 2005.

Submissions on the Town Planning Scheme and Local Planning Strategy may be made in writing on Form No 4 and lodged with the undersigned on or before 24 February 2005.

J. TRAIL, Chief Executive Officer.

PI402

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME AMENDMENT
City of Albany

Town Planning Scheme No. 3—Amendment No. 231

Ref: 853/5/4/5 Pt 231

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Albany Town Planning Scheme Amendment on 18 November 2004 for the purpose of—

- (i) Rezoning portion of Lot 5756 from the Rural Zone to the Special Use Zone.
- (ii) In clause 1.6 inserting the following definitions then sort in alphabetic order—
aquaculture—has the same meaning given to the term in the *Fish Resources Management Act 1994*;
private recreation—means premises used for indoor or outdoor leisure, recreation or sport which are not usually open to the public without charge;
- (iii) Amending the Scheme Maps accordingly.
- (iv) Incorporating Special Use Zone No. 15 within Schedule III to the Scheme as follows—

No	Land Particulars	Special Uses	Special Conditions
15	Portion Lot 5756 Millbrook Road, Milbrook	—Microbrewery —Restaurant —Single House —Caretaker's Dwelling —Chalet (6) —Blacksmith Workshop —Private Recreation —Aquaculture —Farmyard Animal Display —Other uses designated as “P” uses in the Rural zone in Table I of the Scheme.	See Below.

Special Conditions**1.0 GENERAL**

- 1.1 All subdivision and development shall generally be in accordance with the Development Guide Plan signed by the Chief Executive Officer along with any variations as may be approved by Council.
- 1.2 All development (including signage) shall be subject to the granting of Planning Consent approval prior to the commencement of construction.
- 1.3 In the case of aquaculture any application shall be determined in accordance with Clause 3.2 of the Scheme.
- 1.4 Applications for Planning Consent shall be accompanied by complete details of colours, finishes, materials and detailed site layout plan/s.
- 1.5 Chalet length of stay shall be limited to 3 months in any 12 month period.

2.0 BUILDING DESIGN AND LOCATION

- 2.1 All buildings shall be set back a minimum distance of 50m from Millbrook Road.
- 2.2 All other setbacks shall be as indicated on the Development Guide Plan along with any variations as may be approved by council.
- 2.3 All buildings shall be designed and constructed along a common theme incorporating natural and/or rustic materials (i.e.; timber, rammed earth, brick, factory coated corrugated metal sheeting) and use tonings; both in keeping with the rural amenity of the area.
- 2.4 council shall refuse to approve walls and rooves constructed of reflective materials (i.e.; unpainted zincalume and/or white/off white colours).
- 2.5 Buildings shall not exceed a height of 7.5 metres, which is measured vertically from the natural ground level.

3.0 LANDSCAPING AND FENCING

- 3.1 Boundary fencing shall of rural construction (such as post and strand) and shall be to the satisfaction of Council. No solid boundary fencing is permitted.
- 3.2 Council shall require the preparation and implementation of a landscaping and tree/shrub planting plan as a condition of development approval.

4.0 SERVICES

- 4.1 Council will require the creation of reciprocal access over the northern site access leg for western portions of Lot 5756 as a condition of subdivision.
- 4.2 Parking shall be provided in the ratio of two bays per chalet. A minimum of 25 bays shall be provided adjacent to the Brewery/Restaurant building.
- 4.3 Stormwater drainage shall be accommodated on site to Council's satisfaction. No direct offsite discharge shall be permitted.

5.0 WASTE WATER EFFLUENT DISPOSAL

- 5.1 All wastewater effluent disposal shall be carried out to Council's satisfaction. ATU's may be required.
- 5.2 Wastewater disposal for the Microbrewery shall comply with the National Water Quality management Strategy: Effluent management Guidelines for Australian Wineries and Distilleries (1998).

6.0 POTABLE WATER SUPPLY

- 6.1 Water tanks shall be painted or coloured an appropriate shade of brown or green or suitably screened with vegetation to the satisfaction of Council.
- 6.2 Where chalet water supply is to consist of rainwater storage only, each chalet is to be provided with a storage tank to Council's satisfaction.
- 6.3 The microbrewery/restaurant operations shall be provided with rainwater storage to Council's satisfaction.

7.0 FIRE SAFETY

- 7.1 All areas remaining under pasture/grass/turf shall be maintained in a low fuel condition.
- 7.2 All buildings shall be provided with a 20m wide low fuel area.
- 7.3 Alternative emergency egress shall be available at all times via a strategic fire break linking to Millbrook Road to the satisfaction of Council and FESA, as generally shown on the Development Guide Plan.
- 7.4 Strategic firebreaks shall be constructed to a standard suitable for all year access by heavy duty fire appliances and two wheel drive vehicles within a 6m wide alignment including a 3m wide running surface.
- 7.5 In cases where only part of the zone is developed, an interim firebreak system or strategic fire break system shall be prepared and put in place, to the satisfaction of Council and FESA.
- 7.6 The strategic fire break network is to be appropriately maintained at all times to the satisfaction of Council.
- 7.7 Each chalet is to be provided with an approved fire blanket and domestic fire extinguisher.
- 7.8 A hardstand draughting point is to be provided at the lake to provide adequate fire emergency water supplies.

7.9 Council may request the preparation and implementation of a detailed bushfire protection plan at the subdivision and/or development stage.

A. E. GOODE, Mayor.
P. MADIGAN, Acting Chief Executive Officer.

PI403*

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

Town Planning Scheme No. 6—Amendment No. 22

Ref: 853/3/6/7 Pt 22

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Dandaragan Town Planning Scheme Amendment on 15 November 2004 for the purpose of—

1. Inserting a new Special Condition 7 to Appendix 7—Special Development Zone as follows—

7. Environmental Requirements

7.1 Structure Plans, Development Plans and Detailed Site Plans shall be prepared and implemented in accordance with the following environmental objectives and requirements.

7.2 The key environmental objectives are—

- To promote environmental sustainability;
- To conserve biological diversity;
- To prevent adverse effects on interdependent elements of natural systems;
- To prevent pollution;

in creating a project which departs from conventional metropolitan styles of urbanisation in preference for nodes of development within a natural setting incorporating principles of environmental sustainability.

7.3 In meeting these objectives, the following environmental requirements apply—

(a) Implement and manage development in a manner that is consistent with the following documents and their updates—

- Strategy for Nature Conservation and Biodiversity (October 2001).
- Targeted Flora Survey (26 November 2001).
- Water Management Plan.
- Turquoise Coast Development—Jurien Bay.

(b) Implement and manage development in a manner that retains natural and semi natural areas in addition to those identified in the Strategy for Nature Conservation and Biodiversity, through the detailed planning process. Open spaces in this category may include some recreational space that retains bushland; semi natural areas required by management plans such as the Water Management Plan to protect key ecosystem processes; and, following more detailed planning studies, additional coastal foreshore reserves and wetland buffer areas and buffer areas around any dunes that are to be retained to accommodate any sand blow that may affect residential amenity, and movements, if any, of those dunes.

(c) Implement and manage development in a manner that is consistent with the purposes of the Jurien Bay Marine Park.

(d) Implement and manage development in a manner which—

- promotes reduced car use,
- encourages public transport use,
- creates activity nodes,
- provides jobs near residences,
- produces a lot layout conducive to solar energy utilisation and the provision of natural light,
- maintains the healthy functioning of key ecological processes and key areas of natural ecosystems,
- protects biodiversity,
- limits greenhouse gas and other emissions damaging to air quality,
- reduces the use of materials and energy in infrastructure, transport, communities, services, housing etc. compared with conventional development and promotes the use of renewable energy and recycled materials,

- manages waste by minimising its production and promoting recycling, ensuring environmentally acceptable locations are available to process wastes from the development,
 - reduces the demand for fresh water compared with conventional development and promote the reuse of water,
 - protects the community from pollution and adverse amenity impacts, and
 - promotes a vision for environmentally sensitive development and the development of a community ethos that supports sustainable development and caring for the local environment.
- (e) Prepare and implement Management Plans for the Conservation Reserves in a timely fashion.
2. Renumbering existing Special Conditions 7 to 9 inclusive of Appendix 7—Special Development Zone, 8 to 10 inclusive.

G. SNOOK, President.
I. F. RENNIE, Acting Chief Executive Officer.

PI404*

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

City of Kalgoorlie-Boulder

Town Planning Scheme No. 1—Amendment No. 70

Ref: 853/11/3/6 Pt 70

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Kalgoorlie-Boulder Town Planning Scheme Amendment on 9 November 2004 for the purpose of rezoning part of Boulder Lot 4788, Great Eastern Highway, Kalgoorlie from “Parks and Recreation” Reserve to “General Industry” zone.

R. S. YURYEVICH, Mayor.
I. FLETCHER, Chief Executive Officer.

PI405*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME AMENDMENT NO. 1072/33

North Forrestdale

Outcome of Amendment

It is hereby notified for public information that the *North Forrestdale* Amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament in accordance with the provisions of section 33 of the Metropolitan Region Town Planning Scheme Act.

This amendment, as depicted on Western Australian Planning Commission plan number 3.1687/3, is effective in the Metropolitan Region Scheme on and from 22 September 2004.

IAN PATTERSON, Secretary, Western Australian Planning Commission.

PI406*

METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959
METROPOLITAN REGION SCHEME AMENDMENT NO. 1065/33

Edith Cowan University Campus, Churchlands

Outcome of Amendment

It is hereby notified for public information that the Edith Cowan University Campus, Churchlands Amendment to the Metropolitan Region Scheme has been submitted before both Houses of Parliament in accordance with the provisions of section 33 of the *Metropolitan Region Town Planning Scheme Act*.

This amendment, as depicted on Western Australian Planning Commission plan number 3.1679, is effective in the Metropolitan Region Scheme on and from 15 September 2004.

IAN PATTERSON, Secretary, Western Australian Planning Commission.

PI407*

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

Town Planning Scheme No. 7—Amendment No. 13

Ref: 853/6/7/7 Pt 13

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Capel Town Planning Scheme Amendment on 22 November 2004 for the purpose of—

1. Rezoning Boyanup Agricultural Area Lot 167 from the 'Rural' zone to the 'Special Rural' zone as depicted on the amending map adopted by the Council of the Shire of Capel.
2. Amending the Scheme Text by including in "Appendix 6, Special Rural Zone Areas—Specific Provisions (Clause 5.6.2)", additional Provisions in Area No 2—Gelorup as follows—
 - (i) Including within Specific Provision (d), after the words "Plan No 3 (dated August 2002, Plan No 99104P-06)" the words "and Plan No 4 (dated April 2004, Plan No 99116P-09)".
 - (ii) Including new Specific Provisions (n), (o) and (p) which reads as follows—
 - “(n) No building development shall occur within 500 metres of an active extractive industry as determined by Council.
 - (o) To prepare a Fire Management Strategy Plan and Building Envelope Plan in conjunction with the Vegetation and Land Use Management Plan prior to final subdivision approval being granted. The Vegetation and Land Use Management Plan is to include details as specified in (m).
 - (p) Notification in the form of a 70A notification to be placed on the Certificates of Title of Lots, created by the subdivision, advising of the landowners obligations in relation to the Vegetation and Land Use Management Plan, Fire Management Strategy Plan and Building Envelope Plan in accordance with the Transfer of Land Act 1893 (as amended), and notice of this restriction to be included on the Diagram or Plan of Survey, to the satisfaction of the Western Australian Planning Commission and at the applicant's cost.”

M. T. SCOTT, President.

P. F. SHEEDY, Chief Executive Officer.

PI408*

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

District Planning Scheme No. 2—Amendment No. 210

Ref: 853/2/24/16 Pt 210

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the Shire of Kalamunda Town Planning Scheme Amendment on 22 November 2004 for the purpose of—

1. Rezoning portion of Lot 1311 (25) Worrell Avenue, High Wycombe from Special Purpose (Business) zone to Residential R15 and Residential R20.
2. Adding a new clause as follows—
 - 6.34 Areas Subject to Aircraft Noise

In areas subject to aircraft noise in excess of 20 ANEF (350 000 movements)—

 - (a) development is required to incorporate noise attenuation measures to the satisfaction of the Council; and
 - (b) in respect of subdivision of land, Council will recommend to the Western Australian Planning Commission that all new lots be the subject of memorials on titles, warning of the potential for aircraft noise affecting such lots.

E. TAYLOR, President.

G. H. PARSLOW, Acting Chief Executive Officer.

PD701*

TOWN PLANNING AND DEVELOPMENT ACT 1928
ADVERTISEMENT OF APPROVED TOWN PLANNING SCHEME

City of Bayswater

Town Planning Scheme No. 24

Ref: 853/2/14/29

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act, 1928 (as amended) that the Minister for Planning and Infrastructure approved the City of Bayswater Town Planning Scheme No. 24 on 2 November 2004, the Scheme Text of which is published as a Schedule annexed hereto.

L. J. MAGRO, Mayor.
M. J. CAROSELLA, Chief Executive Officer.

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PART 1 PRELIMINARY

1.1 Citation

This Town Planning Scheme may be cited as the City of Bayswater District Zoning Scheme No. 24 (hereinafter called 'The Scheme') and shall come into operation on the publication of the Scheme in the *Government Gazette*.

1.2 Responsible Authority

The authority responsible for implementing the Scheme is the Council of the City of Bayswater (hereinafter called 'the Council').

1.3 Scheme Area

The Scheme applies to the municipal district of the City of Bayswater as generally shown by the Scheme Area boundary on the Scheme Map. The boundary of the Scheme is indicated where necessary by a broken black line. (That area is herein after referred to as 'The Scheme Area').

1.4 Contents of Scheme

The Scheme comprises—

- (a) This Scheme Text
- (b) The Scheme Map (Sheets 1-2)
- (c) The Schedules and Appendices of the Scheme Text.

1.5 Arrangement of Scheme Text

The Scheme Text is divided into the following parts—

- Part 1—Preliminary
- Part 2—Administration
- Part 3—Use and Development of Land
- Part 4—Non-conforming Uses
- Part 5—Heritage and the Control of Advertisements
- Part 6—Reserves
- Part 7—Zones
- Part 8—General Development Requirements
- Part 9—Development—Other Zones

1.6 Scheme Objectives

The general objectives of the Scheme are—

- (a) To zone the Scheme Area for the purposes described in the Scheme so as to strategically promote the orderly and proper development of land by making suitable provisions for the use of land within the Scheme Area;
- (b) To secure the amenity, health and convenience of the Scheme Area and the inhabitants thereof;
- (c) To set aside land for future public use as reserves;
- (d) To make provisions as to the nature and location of buildings and the size of lots when used for certain purposes;
- (e) To make provisions for the conservation and preservation of places of historic interest;
- (f) To encourage the use of modern land planning and design techniques so as to realise the economic, social and aesthetic advantage of combining different types of land uses in a coordinated community design;
- (g) To promote aesthetic control and design guidelines at all levels of land use and development;
- (h) To promote coordinated development proposals and vehicular circulation systems;
- (i) To protect coordinated development proposals from ad hoc and inconsistent development proposals;
- (j) To create a pedestrian, traffic and landscape environment which complements the wide range of activities carried on or proposed within the Scheme Area;
- (k) To make provision for other matters incidental to town planning and land use.

1.7 Revocation of Existing Scheme

1.7.1 The City of Bayswater District Zoning Scheme No 21 published in the *Government Gazette* on 16 September 1988 and all amendments thereto are hereby revoked.

1.7.2 The City of Stirling District Planning Scheme No 2 published in the *Government Gazette* on 13 September 1988, in so far as it applied to those areas of Mt Lawley and Maylands transferred to the City of Bayswater from the City of Stirling in 1998 and all amendments thereto are hereby revoked.

1.8 Relationship to Metropolitan Region Scheme

The Scheme is complementary to, and is not a substitute for, the Metropolitan Region Scheme, and the provisions of the Metropolitan Region Scheme, as amended, continue to have effect. The authority responsible for implementing the Metropolitan Region Scheme is the Western Australian Planning Commission (herein after called 'The Commission').

1.9 Relationship of Scheme to Local Laws

The provisions of the Scheme shall have effect notwithstanding any Local Law made under the Local Government Act 1995 (as amended) for the time being in force in the City; and where the provisions of the Scheme are inconsistent with the provisions of any local law, the provisions of the Scheme shall prevail.

1.10 Interpretation

1.10.1 Words and expressions used in the Scheme shall have the respective meanings given to them in Appendix 1 or elsewhere in the Scheme and the Residential Design Codes.

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

1.10.3 Words and expressions used in the Scheme but not defined in Appendix 1, elsewhere in the Scheme or in the Residential Design Codes shall have their normal and common meanings.

PART 2—ADMINISTRATION

2.1 Powers of the Scheme

The Council in implementing the Scheme has, in addition to all other powers vested in it, the following powers as referred to in sub-clause 2.1.1. to 2.1.3.

2.1.1 Agreements

The Council may enter into any agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme in respect of any matters pertaining to the Scheme.

2.1.2 Acquisition and Disposal of Land

The Council may acquire any land or buildings within the district pursuant to the provisions of the Scheme or the Act. The Council may deal with or dispose of any land which it has acquired pursuant to the provision of the Scheme or the Act in accordance with the law and for such purpose may make such agreements with other owners as it considers fit.

2.1.3 Authorised Entry

An employee of the local government authorized by the local government may, at all reasonable times and with such assistance as may be required, enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

2.2 Offences

2.2.1 No person shall depart from or permit or suffer any departure from the requirements and provisions of the Scheme, nor shall any person use or suffer or permit the use of any land or building or undertake or suffer or permit the undertaking of any development within the Scheme Area—

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

2.2.2 The Council may by notice in writing—

- (a) serve on a person who is undertaking any development in or partly in the Scheme Area without the approval of the Council or in contravention of a condition attached to a development approval, direct the person forthwith to cease such development; or
- (b) serve on a person who has undertaken any development in or partly in the Scheme Area without the approval of the Council or in contravention of a condition attached to a development approval, direct the person within such period, being not less than 21 days after service of a notice, as is specified in the notice, to remove, pull down, take up, rebuild, or alter any development undertaken without approval or in contravention of a condition, or the Council may give both such directions to a person in a single notice.

2.2.3 Any person who fails to comply with any of the provisions of the Scheme is guilty of an offence and without prejudice to any other remedy given herein is liable to such penalties as are prescribed by section 10 of the Act.

2.3 Compensation

2.3.1 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.

2.3.2 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 2.3.1.

2.4 Purchase or Taking of Land

2.4.1 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.

2.4.2 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 purpose for which it is reserved.

2.5 Rights of Appeal

2.5.1 An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power under the Scheme may appeal in accordance with Part V of the Act and the rules and regulations made pursuant to the Act.

2.6 Planning Policies

2.6.1 The Council may prepare a planning policy (herein after called 'a Policy') which may make a provision for any matter related to the planning or development of the Scheme Area and which may be prepared so as to apply—

- (a) generally or in a particular class of matter or in particular classes of matters; and
- (b) throughout the Scheme Area or in one or more parts of the Scheme Area

and may amend or add to or rescind a Policy so prepared.

2.6.2 A Policy shall become operative only after the following procedures have been completed—

- (a) The Council having prepared and adopted a draft Policy shall publish a notice once a week for two consecutive weeks in a local newspaper circulating within the Scheme Area giving details of where the draft Policy may be inspected, and in what form and during what period (being not less than 21 days) submissions may be made.
- (b) Policies which the Council considers may be inconsistent with other provisions of the Scheme or with State and regional planning policies are to be submitted to the Commission for consideration and advice.
- (c) The Council shall review the draft Policy in the light of any submissions made and advice received and shall then resolve either to finally adopt the draft Policy with or without modifications, or not to proceed with the draft Policy.
- (d) Following final adoption of a Policy, notification of the final adoption shall be published once in a newspaper circulating within the Scheme Area.

2.6.3 The Council shall keep copies of any Policy with the Scheme documents for public inspection during normal office hours.

2.6.4 An amendment or addition to a Policy may be made after the Policy has become operative and shall be made in the same manner as provided for the making of a Policy in sub-clause 2.6.2.

2.6.5 A Policy may be rescinded by—

- (a) preparation or final adoption of a new Policy pursuant to this clause, specifically worded to supersede an existing Policy; and
- (b) publication of a formal notice of rescission by the Council twice in a local newspaper circulating in the district.

2.6.6 A Policy shall not bind the Council in respect of any application for planning approval but the Council shall have due regard to the provisions of the Policy and the objectives which the Policy is designed to achieve before making its decision.

2.6.7 Any Policy prepared under this clause shall be consistent with the Scheme and where any inconsistency arises the Scheme shall prevail.

2.7 Delegation of Functions

2.7.1 The local government may, in writing and either generally or as otherwise provided by the instrument of delegation, delegate to a committee or the CEO, within the meaning of those expressions under the Local Government Act 1995, the exercise of any of its powers or the discharge of any of its duties under the Scheme, other than this power of delegation.

2.7.2 The CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under clause 2.7.1.

2.7.3 The exercise of the power of delegation under clause 2.7.1 requires a decision of an absolute majority as if the power had been exercised under the Local Government Act 1995.

2.7.4 Sections 5.45 and 5.46 of the Local Government Act 1995 and the regulations referred to in section 5.46 apply to a delegation made under this clause as if the delegation were a delegation under Division 4 of Part 5 of that Act.

2.8 Amendments to the Scheme

2.8.1 The Council shall keep the Scheme under constant review and where appropriate carry out investigations and study with a view to maintaining the Scheme as an up-to-date and efficient means for pursuing community objectives regarding development and land use.

2.8.2 The Council may, from time to time, initiate an amendment to the Scheme in accordance with the Act and Regulations and shall give consideration to any application to have the Scheme amended.

2.8.3 In the case of a proposed amendment to the zoning of land other than requested by the owner, the Council shall, before initiating any amendment to the Scheme, invite comment from the owner of land concerned.

2.9 Notice for Removal of Certain Buildings

2.9.1 Twenty eight (28) days written notice is hereby prescribed as the notice to be given pursuant to section 10 of the Act for the removal of certain buildings.

2.9.2 Council may recover expenses under section 10(2) of the Act in a court of competent jurisdiction.

2.10 Restrictive Covenants

2.10.1 Subject to the provisions of sub-clause 2.10.2, a restrictive covenant affecting any land in the Scheme Area whereby or the effect of which is that the number of residential units that may be constructed on the land is limited or restricted to a number less than that permitted by the Scheme, is hereby extinguished or varied to the extent that it is inconsistent with the provisions of the Residential Design Codes which apply under this Scheme.

2.10.2 Where sub-clause 2.10.1 operates to extinguish or vary a restrictive covenant the Council shall not grant planning approval to the development of the land which would but for the operation of sub-clause 2.10.1 have been prohibited unless the application has been dealt with as an 'D' or 'A' use and has complied with all of the advertising requirements of sub-clause 3.3.2.

2.10.3 A restrictive covenant affecting any land in the Scheme Area whereby, or the effect of which is that, the development is inconsistent with the Scheme, is hereby extinguished or varied to the extent that it is inconsistent with the provisions of the Scheme as the case requires.

PART 3—USE AND DEVELOPMENT OF LAND

3.1 Requirement for Planning Approval

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

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

- (a) The use of land in a reserve, where such land is held by the Council or vested in a public authority;
 - (i) for the purpose for which the land is reserved under the Scheme; or
 - (ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.
- (b) The use of land which is a permitted ('P') use in the zone in which that land is situated provided it does not involve the carrying out of any building or other works and complies with all relevant development standards.
- (c) The erection of a boundary fence except as otherwise required by the Scheme.
- (d) The erection on a lot of a single dwelling house, including ancillary outbuildings, in a zone where the proposed use is designated with the symbol 'P' in the cross reference to that zone in the Zoning Table, except where otherwise provided by the Scheme.
- (e) The carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act.
- (f) The carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building except where the building is—
 - (i) located in a place that has been entered in the Register of Heritage 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; or
- (iii) included on the Heritage List under clause 5.1.2 of the Scheme.
- (g) 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 Section 5.1 of the Scheme; or
 - (iv) located within a heritage area designated under the Scheme.
- (h) The carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services.

3.1.3 Notwithstanding that a single house does not require the prior approval of the Council pursuant to the Scheme, any person who wishes Council to vary any particular provision of the R-Codes relating to the erection of a single house shall, at the time of lodging an application for a building licence or earlier, apply in writing to Council, seeking Council's approval for the variation.

The Council may approve the variation with or without conditions or may refuse to approve the variation. The Council shall, before granting its approval, satisfy itself that—

- (a) the variation requested is one which the Council has the power to approve; and
- (b) approval of that variation would not compromise the objectives of the R-Codes.

3.2 Application for Planning Approval

3.2.1 In addition to a Building Licence, the Council's approval to commence development, carry out development or change the use of land (in this Scheme, referred to as 'Development Approval') is required for any development on or partly on any land zoned or reserved under the Scheme except those referred to in clause 3.1.2. and with those exceptions no person shall commence or carry out any development unless the Council's approval has first been obtained.

3.2.2 Any application for approval to commence development shall be made in the form prescribed by the Metropolitan Region Scheme for such application. The application shall be submitted to the Council in duplicate together with such plans and other information as the Council reasonably requires.

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

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

3.3 Advertising of Applications

3.3.1 Where an application is made for planning approval to commence or carry out development which involves an 'A' use, or any other development which requires the planning approval of the Council, the Council may give notice of the application in accordance with the provisions of sub-clause 3.3.2.

3.3.2 Where the Council is required or decides to give notice of an application for planning approval the Council shall cause one or more of the following to be carried out—

- (a) Notice of the proposed development to be served on the owners and occupiers who in the opinion of Council likely to be affected by the granting of planning approval stating that submissions may be made to the Council within twenty-one (21) days or a time period stipulated by the Council upon the service of such notice.
- (b) Notice of the proposed development to be published in a newspaper circulating in the Scheme area stating that submissions may be made to the Council within twenty-one (21) days from the publication thereof.
- (c) A sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one (21) days from the date of publication of the notice referred to in paragraph (b) of this sub-clause.
- (d) The Council may use any other method or media to ensure widespread notice of the proposal.

3.3.3 Any person may inspect the application for planning approval referred to in the notice and the material accompanying that application at the offices of the local government.

3.3.4 After expiration of twenty-one (21) days, or any other time period stipulated by Council, from the serving of notice of the proposed development, the publication of notice or the erection of a sign or signs, whichever is the later, the Council shall consider and determine the application.

3.4 Procedure for Dealing with Applications

3.4.1 An application for planning approval in respect of land which is wholly within a regional reserve shall be referred by the Council to the Commission for determination in accordance with the Metropolitan Region Scheme. No separate determination of the application shall be made by the Council.

Note—

Under the provisions of the Metropolitan Region Scheme, an application for planning approval in respect of land which is wholly within the management area of the Swan River Trust is to be referred by the local government to the Swan River Trust for determination by the Minister responsible for the Swan River Trust Act 1988.

An application for planning approval in respect of land which is zoned under the Metropolitan Region Scheme and is—

- (a) affected by a gazetted notice of resolution made by the Commission under Clause 32 of the Metropolitan Region Scheme;*
- (b) within or partly within a planning control area declared by the Commission under Section 35 C of the Metropolitan Region Town Planning Scheme Act 1959 or Section 37 B of the Western Australian Planning Commission Act 1985;*
- (c) partly within the management area of the Swan River Trust or which abuts waters that are in that area;*
- (d) affected by a notice of delegation published in the Gazette by the Commission under Section 20 of the Western Australian Planning Commission Act 1985 and is not of a type which may be determined by the local government under that notice,*

is to be referred by Council to the Commission in accordance with the requirements of the Metropolitan Region Scheme and notice of delegation. Separate determinations are made by the Council under the Scheme and the Commission under the Metropolitan Region Scheme.

3.4.2 Where that Notice of Delegation requires the application to be determined by the Commission, the procedure is as follows—

- (a) One copy of the application and supporting papers submitted by the applicant shall, within seven days of receipt of the application, be forwarded by the Council to the Commission for determination by the Commission pursuant to the provisions of the Metropolitan Region Scheme; and
- (b) The Council shall retain the other copy of the application and supporting papers and determine the application in accordance with the provisions of the Scheme.
- (c) The Council may, within 42 days of receipt of that application (or such further period as the Commission may allow), forward to the Commission its recommendation as to the manner in which the application should be determined.

3.5 Consultation with other Authorities

3.5.1 In determining any application for planning approval the Council may consult with any other statutory, public or planning authority and with any other party it considers appropriate.

3.5.2 In the case of land reserved under the Scheme for the purposes of a public authority, the Council shall consult that authority before making its determination.

3.6 Matters to be Considered by Local Government

3.6.1 The local government in considering an application for planning approval is to have due regard to such of the following matters as are in the opinion of the local government relevant to the use or development the subject of the application:

- (a) The aims and provisions of the Scheme and any other relevant town planning schemes operating within the Scheme area (including the Metropolitan Region Scheme);
- (b) The requirements of orderly and proper planning including any relevant proposed new town planning scheme or amendment, or region scheme or amendment, which has been granted consent for public submissions to be sought;
- (c) Any approved statement of planning policy of the Commission;
- (d) Any approved environmental protection policy under the Environmental Protection Act 1986;
- (e) Any relevant policy or strategy of the Commission and any relevant policy adopted by the Government of the State;
- (f) Any Local Planning Policy adopted by the local government under Clause 2.6, any heritage policy statement for a designated heritage area adopted under Clause 5.2, and any other plan or guideline adopted by the local government under the Scheme;
- (g) In the case of land reserved under the Scheme, the ultimate purpose intended for the reserve;

- (h) The conservation of any place that has been entered in the Register within the meaning of the Heritage of Western Australia Act 1990, or which is included in the Heritage List under clause 5.1, and the effect of the proposal on the character or appearance of a heritage area;
- (i) The compatibility of a use or development with its setting;
- (j) Any social issues that have an effect on the amenity of the locality;
- (k) The cultural significance of any place or area affected by the development;
- (l) The likely effect of the proposal on the natural environment and any means that are proposed to protect or to mitigate impacts on the natural environment;
- (m) Whether the land to which the application relates is unsuitable for the proposal by reason of it being, or likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk;
- (n) The preservation of the amenity of the locality;
- (o) The relationship of the proposal to the development on adjoining land or on other land in the locality including but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the proposal;
- (p) Whether the proposed means of access to and egress from the site are adequate and whether adequate provision has been made for the loading, unloading, manoeuvring and parking of vehicles;
- (q) The amount of traffic likely to be generated by the proposal, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (r) Whether public transport services are necessary and, if so, whether they are available and adequate for the proposal;
- (s) Whether any public utility services are available and adequate for the proposal;
- (t) Whether adequate provision has been made for access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
- (u) Whether adequate provision has been made for access by disabled persons;
- (v) Whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (w) Whether the proposal is likely to cause soil erosion or land degradation;
- (x) The potential loss of any community service or benefit resulting from the planning approval;
- (y) Any relevant submissions received on the application;
- (z) The comments or submissions received from any local authority consulted under clause 3.5.1;
- (aa) Any other planning consideration the local government considers relevant.

3.7 Determination of Applications

In determining an application for planning approval the local government may—

- (a) grant its approval with or without conditions; or
- (b) refuse to grant its approval.

3.8 Form and Date of Determination

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

3.8.2 Where the local government refuses an application for planning approval the local government is to give reasons for its refusal.

3.9 Term of Planning Approval

3.9.1 Where the local government grants planning approval for the development of land—

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

3.9.2 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 3.9.1.

3.10 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.

3.11 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;
or
- (c) for a specified part or aspect of that use or development.

3.12 Approval Subject to Later Approval of Details

3.12.1 Where an application is for a development that includes the carrying out of any building or works, the local government may grant approval subject to matters requiring the subsequent planning approval of the local government. These matters may include the siting, design, external appearance of the buildings, means of access, landscaping, and such other matters as the local government thinks fit.

3.12.2 In respect of an approval requiring subsequent planning approval, the local government may require such further details as it thinks fit prior to considering the application.

3.12.3 Where the local government has granted approval subject to matters requiring the later planning approval of the local government, an application for approval of those matters must be made not later than 2 years after the date of the determination of the first approval, or such other period as is specified in the approval.

3.13 Deemed Refusal

3.13.1 Subject to clause 3.13.2, an application for planning approval is deemed to have been refused if a determination in respect of that application is not conveyed to the applicant by the local government within 60 days of the receipt of the application by the local government, or within such further time as is agreed in writing between the applicant and the local government.

3.13.2 An application for planning approval which is the subject of a notice under clause 3.3 is deemed to be refused where a determination in respect of that application is not conveyed to the applicant by the local government within 90 days of the receipt of the application by the local government, or within such further time as is agreed in writing between the applicant and the local government.

3.13.3 Despite an application for planning approval being deemed to have been refused, the local government may issue a determination in respect of the application at any time after the expiry of the period specified in clause 3.13.1 or 3.13.2, as the case requires, and that determination is as valid and effective from the date of determination as if it had been made before the period expired.

3.14 Appeals

An applicant aggrieved by a determination of the local government in respect of the exercise of a discretionary power under the Scheme may appeal under Part V of the Town Planning Act.

3.15 Approval of Existing Developments

3.15.1 The Council may grant approval to a development already commenced or carried out regardless of when it commenced or was carried out. Such approval shall have the same effect for all purposes as if it had been given prior to the commencement or carrying out of the development, but provided that the development complies with the provisions of the Scheme, with or without the exercise of a discretion provided in the Scheme, as to all matters other than the provisions requiring Council's approval prior to the commencement of development.

3.15.2 The application to the Council for approval under sub-clause 3.15.1 shall be made on the form prescribed under the Metropolitan Region Scheme for such purpose or a similar form prescribed by the Council for the purpose.

3.15.3 A development which was not permissible under this Scheme at the time it was commenced or carried out may be approved if at the time of approval under this clause it is permissible.

3.16 Amending or Revoking a Planning Approval

The local government may, on written application from the owner of land in respect of which planning approval has been granted, revoke or amend the planning approval, prior to the commencement of the use or development subject of the planning approval.

PART 4—NON-CONFORMING USES

4.1 Non-Conforming Uses

Except as otherwise provided in the Scheme, no provision of the Scheme is to be taken to prevent—

- (a) the continued use of any land for the purpose for which it was being lawfully used immediately prior to the Gazettal date;
- (b) the carrying out of any development on that land for which, immediately prior to the Gazettal date, an approval or approvals, lawfully required to authorize the development to be carried out, were duly obtained and are current; or
- (c) subject to clause 5.6.2, the continued display of advertisements which were lawfully erected, placed or displayed prior to the Gazettal date.

Note—

“Land” has the same meaning as in the Town Planning Act and includes houses, buildings and other works and structures.

4.2 Extensions and Changes to a Non-Conforming Use

4.2.1 A person must not—

- (a) alter or extend a non-conforming use;
- (b) erect, alter or extend a building used in conjunction with or in furtherance of a non-conforming use; or
- (c) 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.

4.2.2 An application for planning approval under this clause is to be advertised in accordance with clause 3.3.

4.2.3 Where an application is for a change of use from an existing non-conforming use to another non-conforming use, the local government is not to 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.

4.3 Discontinuance of Non-Conforming Use

Where a non-conforming use of any land has been discontinued for a period of 6 months, the land must not be used after that period otherwise than in conformity with the provisions of the Scheme.

4.4 Termination of a Non-Conforming Use

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

Note—

Section 13 of the Town Planning Act enables the local government to purchase or, with the consent of the Governor, compulsorily acquire land for the purpose of a town planning scheme, subject to Part 9 of the Land Administration Act 1997, the provisions of that Section 13 and the Scheme.

4.5 Destruction of Non-Conforming Use Buildings

If a building used for a non-conforming use is destroyed to 75% or more of its value, the building is not to be repaired, 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.

4.6 Subdivision of Land

If a non-conforming use exists on any land or in any building thereon, no person shall, without the consent of the Council carry on such non-conforming use after the subdivision of such land. Nothing herein shall be construed to limit the powers of the Western Australian Planning Commission under the Act.

PART 5—HERITAGE AND THE CONTROL OF ADVERTISEMENTS

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 Heritage 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 Appendix 1 and may include works, buildings and contents of buildings.

5.2 Designation of 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, designate that area as 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 an area as 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 in the Scheme area;
 - (ii) erecting a sign giving notice of the proposed designation in a prominent location in the area that would be affected by the designation; and
 - (iii) such other methods as the local government considers appropriate to ensure widespread notice of the proposal; and
- (c) carry out such other consultation 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 in what period (being not less than 21 days from the day 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 modification, 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 Western Australia, 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 insofar 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 Or 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 designated under clause 5.2.1,

the local government may vary any site or development requirement specified in the Scheme or the Residential Design Codes by following the procedures set out in clause 3.3.

5.6 Control of Advertisements

5.6.1 Power to Control Advertisements

5.6.1.1 For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior approval of the Council.

5.6.1.2 Applications for Council's planning approval pursuant to this Part shall be submitted in accordance with the provisions of Clause 3.2 of the Scheme and shall be accompanied by a completed Additional Information Sheet in the form set out at Appendix 7 giving details of the advertisement(s) to be erected, placed or displayed on the land.

5.6.2 Existing Advertisements

Advertisements which—

- (a) were lawfully erected, placed or displayed prior to the approval of this Scheme; or
- (b) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the approval of this Scheme;

hereinafter in this Clause referred to as 'existing advertisements', may, except as otherwise provided, continue to be displayed or to be erected and displayed in accordance with the licence or approval as appropriate.

5.6.3 Consideration of Applications

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

5.6.4 Exemptions from the Requirement to Obtain Planning Approval

Subject to the provisions of Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provision of clause 5.7.1.1, the Council's prior planning approval is not required in respect of those advertisements listed in a schedule in Appendix 8 which for the purpose of this Clause are referred to as 'exempted advertisements'. The exemptions listed in the schedule do not apply to land, buildings, objects, structures and places included on the Heritage List or within a heritage precinct established or designated under Clause 5.1 and 5.2 of the Scheme.

5.6.5 Discontinuance

Notwithstanding the scheme objectives and sub-clause 5.6.4, where the Council can demonstrate exceptional circumstances which cause an exempted or existing advertisement to seriously conflict with the objectives of this clause, it may by notice in writing (giving clear reasons) require the advertiser to remove, relocate, adapt, or otherwise modify the advertisement within a period of time specified in the notice.

5.6.6 Derelict or Poorly Maintained Signs

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

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

5.6.7 Notices

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

5.6.7.2 Any notice served in exceptional circumstances pursuant to sub-clause 5.6.5 or 5.6.6 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, within which the action specified shall be completed by the advertiser.

5.6.7.3 Any person upon whom a notice is served pursuant to this Clause may within a period of 60 days from the date of the notice appeal to the Town Planning Appeal Tribunal in accordance with Part V of the Act, and where any such appeal is lodged the effect of the notice shall be suspended until the decision to uphold, quash or vary the notice is known and shall thereafter have effect according to that decision.

5.6.8 Scheme to Prevail

Where the provisions of this Clause are found to be at variance with the provisions of the Council's Signs, Hoardings and Bill Posting Local Laws, the provisions of the Scheme shall prevail.

5.6.9 Enforcement and Penalties

The offences and penalties specified in Clause 2.2 of the Scheme apply to the advertiser in this Clause.

PART 6—RESERVES

6.1 Metropolitan Region Scheme Reserves

The land shown as 'Metropolitan Region Scheme Reserves' or 'Regional Reserves' on the Scheme Map are lands reserved under the Metropolitan Region Scheme and are shown on the Scheme Map in order to comply with the Metropolitan Region Town Planning Scheme Act 1959, as amended. Those lands are not reserved by this Scheme. The provisions of the Metropolitan Region Scheme continue to apply to such reserves.

6.2 Local Authority—Scheme Reserves

The land shown as 'Scheme Reserves' on the Scheme Map, hereinafter called 'Local Reserves' are lands reserved under the Scheme for the purposes shown on the Scheme Map.

6.3 Development of Local Reserves

Subject to clause 6.4, a person shall not commence or carry out any development on a local reserve, other than the erection of a boundary fence, without first applying for and obtaining Council's planning approval.

6.4 Matters to be Considered by Council

In deciding whether or not to grant its planning approval under clause 6.3 above, Council shall in addition to the matters specified in clause 3.6.1, have regard to the ultimate purpose intended for the reserve and shall in the case of land reserved for the purposes of a public authority confer with that authority.

PART 7—ZONES

7.1 Classification

7.1.1 There are hereby created the zones set out hereunder.

Residential Zones

- Residential
- Medium Density Residential

Commercial Zones

- Hotel
- Business
- Office
- Service Station
- Showroom/Warehouse

Industrial Zones

- Light Industry
- General Industry

Other Zones

- Mixed Use
- Special Purpose
- Special Foreshore Development
- Private Institutions

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

7.2 Zoning Table

7.2.1 The Zoning Table (Table 1) indicates, subject to the provisions of the Scheme, the uses permitted in the Scheme area in the various zones. The permissibility of any uses is determined by cross reference between the list of use classes on the left hand side of the Zoning Table and the list of zones at the top of the Zoning Table.

7.2.2 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 3.3;
- 'X' means the use is not permitted by the Scheme.

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

7.2.4 If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes the Council may—

- (a) determine by Absolute Majority that the use is consistent with the objectives and purpose of the particular zone and is therefore permitted; or
- (b) determine by Absolute Majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow procedures of clause 3.3 in considering an application for planning approval; or
- (c) determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted.

7.3 Additional Uses

An Additional Use is a land use that is permitted on a specified portion of land in addition to the uses already permitted in the zone that applies to the land.

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

TABLE NO 1—ZONING TABLE

Zones	Use classes												Special Purpose
	Residential	Medium Density Residential	Hotel	Business	Office	Showroom / Warehouse	Service Station	Light Industry	General Industry	Mixed Use	Special Foreshore Development	Private Institutions	
Amusement Parlour	X	X	A	D	X	D	X	D	D	X	D	X	AS PER APPENDIX THREE CONTAINED IN SCHEME
Automotive Panel Beating / Spray Painting	X	X	X	X	X	X	X	D	P	X	X	X	
Automotive Repairs	X	X	X	X	X	D	P	D	P	X	X	X	
Automotive Wrecking	X	X	X	X	X	X	X	X	D	X	X	X	
Automotive & Marine Sales & Repairs	X	X	X	D	X	D	X	D	D	X	X	X	
Betting Agency	X	X	P	D	P	D	X	X	X	X	X	X	
Builders Yard	X	X	X	X	X	X	X	P	P	X	X	X	
Car Park	D	D	D	P	P	P	D	P	P	D	D	X	
Car Wash	X	X	X	D	X	D	P	P	P	X	X	X	
Caravan Park / Camping Area	X	X	X	X	X	X	X	X	X	X	A	X	
Caretaker's Dwelling	P	P	D	D	D	D	X	D	X	D	P	D	
Child Day Care Centre	D	D	X	D	D	D	X	D	X	D	X	D	
Cinema / Theatre	X	X	X	D	X	X	X	D	D	X	D	X	
Civic Buildings	D	D	X	P	P	D	X	D	D	D	D	X	
Club Premises	A	A	D	D	D	D	X	D	D	D	D	X	
Consulting Rooms (Medical)	D	D	X	P	P	D	X	D	D	D	X	X	
Convenience Store	X	X	X	D	X	X	D	D	D	X	D	X	
Corner Store	D	D	X	D	D	X	X	X	X	D	D	D	
Display Home Centre	P	P	X	X	X	X	X	X	X	X	X	X	
Dry Cleaning/Laundry Premises	X	X	X	D	D	D	X	P	P	X	X	X	
Dwellings—													
Single House	P	P	X	X	X	X	X	X	X	P	P	X	

Use classes	Zones												Special Purpose
	Residential	Medium Density Residential	Hotel	Business	Office	Showroom / Warehouse	Service Station	Light Industry	General Industry	Mixed Use	Special Foreshore Development	Private Institutions	
Grouped Dwelling	P	P	X	X	X	X	X	X	X	P	D	X	
Aged or Dependent Persons	P	P	X	X	X	X	X	X	X	P	D	D	
Multiple Dwelling	P	P	X	X	X	X	X	X	X	P	D	X	
Educational Establishment	D	D	X	D	D	D	X	D	D	D	D	D	
Extractive Industry	X	X	X	X	X	X	X	X	D	X	X	X	
Factory	X	X	X	X	X	X	X	P	P	X	X	X	
Factory Tenement Building	X	X	X	X	X	X	X	P	P	X	X	X	
Fast Food Outlet	X	X	D	P	X	D	D	D	D	X	X	X	
Fuel Depot	X	X	X	X	X	D	D	D	P	X	X	X	
Funeral Parlour	X	X	X	D	D	D	X	D	D	X	X	X	
Garden Centre	X	X	X	X	X	D	X	D	D	X	X	X	
General Industry	X	X	X	X	X	X	X	D	P	X	X	X	
Health Studio	X	X	X	D	D	D	X	D	D	D	D	X	
Hire Service (Industrial)	X	X	X	X	X	D	X	P	P	X	X	X	
Hire Service (Non-Industrial)	X	X	X	D	X	D	X	D	D	X	X	X	
Home Occupation	D	D	X	X	X	X	X	X	X	D	X	X	
Hospital	D	D	X	X	X	X	X	X	X	D	D	D	
Hostel	A	A	X	X	X	X	X	X	X	A	A	A	
Hotel	X	X	P	X	X	X	X	X	X	X	A	X	
Industry	X	X	X	X	X	D	X	D	P	X	X	X	
Infant Health Clinic	D	D	X	D	D	D	X	D	D	D	X	X	
Kiosk	X	X	X	D	D	X	X	D	D	D	P	X	
Light Industry	X	X	X	X	X	X	X	P	P	X	X	X	
Lodging House	X	A	X	X	X	X	X	X	X	A	X	X	
Lunch Bar	X	X	X	P	P	D	X	D	D	X	D	X	
Medical Centre	X	X	X	P	P	D	X	D	D	X	X	X	
Motel	X	A	P	P	X	X	X	X	X	X	A	X	
Noxious Industry	X	X	X	X	X	X	X	X	D	X	X	X	
Occasional Uses	D	D	D	D	D	D	D	D	D	D	D	X	
Office	X	X	D	P	P	D	D	D	D	D	D	X	
Open Air Display	X	X	X	X	X	D	D	D	D	X	P	X	
Public Amusement	X	X	X	D	X	D	X	D	D	X	P	X	
Public Assembly	X	X	X	D	X	X	X	X	X	X	P	X	
Public Utility	P	P	P	P	P	P	P	P	P	P	P	P	
Public Worship	A	A	X	D	X	X	X	D	D	D	X	D	
Radio Equipment	A	A	D	D	D	D	D	P	P	A	A	D	
Radio & Television Installations	X	X	X	D	D	D	X	P	P	X	D	X	
Reception Lodge	X	X	P	P	X	D	X	X	X	X	D	X	
Recreation Facility (Private & Public)	X	X	D	P	D	D	X	D	D	D	P	X	
Residential Building	A	A	X	X	X	X	X	X	X	A	X	X	
Restaurant	X	X	P	P	X	D	X	X	X	D	P	X	
Restricted Premises	X	X	X	X	X	X	X	X	X	X	X	X	

AS PER APPENDIX THREE CONTAINED IN SCHEME

Use classes	Zones												
	Residential	Medium Density Residential	Hotel	Business	Office	Showroom / Warehouse	Service Station	Light Industry	General Industry	Mixed Use	Special Foreshore Development	Private Institutions	Special Purpose
Retirement Village	D	D	X	X	X	X	X	X	X	D	D	D	
Service Industry	X	X	X	D	D	D	D	P	P	X	X	X	
Service Station	X	X	X	D	X	D	P	D	D	X	X	X	
Shop	X	X	X	P	X	X	X	X	X	X	A	X	
Showroom	X	X	X	X	X	P	X	P	P	X	X	X	
Showroom / Warehouse	X	X	X	X	X	P	X	D	D	X	X	X	
Storage Yard	X	X	X	X	X	X	X	D	D	X	X	X	
Tavern	X	X	P	D	X	D	X	D	D	X	A	X	
Trade Display	X	X	X	X	X	X	X	D	D	X	X	X	
Transport Depot	X	X	X	X	X	X	X	D	D	X	X	X	
Veterinary Consulting Rooms	D	D	X	D	X	D	X	P	P	D	X	X	
Veterinary Hospital	X	X	X	X	X	D	X	D	D	X	X	X	
Warehouse	X	X	X	X	X	P	X	P	P	X	X	X	
Zoological Gardens	X	X	X	X	X	X	X	X	X	X	P	X	

PART 8—GENERAL DEVELOPMENT REQUIREMENTS

8.1 Development Standards Table

The Development Standards Table contained in Table No 2 identifies the development standards applicable to the various uses specified in the Table. Subject to the provisions of this Scheme, no person shall develop or use any land or building in any zone within the Scheme Area for any of the purposes mentioned in the Zoning Table unless such development or building is in conformity with the provisions of the Scheme and the standards set out in the Development Standards Table.

Where a particular requirement is not readily determined from the Table, such requirement shall be determined by the Council in accordance with Clause 8.2.1.

8.2 Discretion to Modify Development Standards

8.2.1 Except for development in respect of which the Residential Design Codes apply under this Scheme, if a development the subject of an application for planning approval does not comply with a development standard prescribed by the Scheme with respect to minimum lot sizes, building height, setbacks, site coverage, car parking, landscaping and related matters, the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this clause may only be exercised if the Council is satisfied that—

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality; and
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality.

8.3 General Development Standards

8.3.1 Height Restrictions

No person shall construct a building of more than two storeys on any land within the Scheme Area unless the Council considers the building will not disrupt the amenity of the surrounding area.

TABLE NO. 2—DEVELOPMENT STANDARDS TABLE

1 Nature of use of Purpose	2 Min. Lot Area	3 Min. Street Frontage	4 Minimum Setbacks			5 Parking (Min requirement)	6 Max. site coverage %	7 Max. Plot Ratio	8 Special Conditions	9 Landscaping (Min)
			Street	Side	Rear					
Club Premises	2000 sqm	30 m	13.5	3.0 m	9.0 m	1 bay per 10 sqm of floor space available to the public	50	0.5	Sewer connection	10% of lot area to include 2 m wide strip provided to street frontage
Convenience Store	1500 sqm	30 m	13.5	3.0 m	3.0 m	6 bays per 100 sqm plus 1 bay per bowser	50	0.5		10% of lot area to include 2 m wide strip provided to street frontage
Consulting Rooms (Medical)	1000 sqm	20 m	6 m (Resident- ial zones) 13.5 m (Business zones)	1.5 m	6.0 m	5 bays per practitioner and 1 bay per staff member	30	0.3		10% of lot area to include 2 m wide strip provided to street frontage
Fast Food Outlets			13.5	3.0 m	6.0 m	10 spaces per 100 sqm of GLA or a min of 6— whichever is greater	30	1.0	Sewer connection	10% of lot area to include 2 m wide strip provided to street frontage
Factory/ Factory Units	2000 sqm	30 m	13.5	6.0 m Nil side setback for parapet walls	3.0 m Nil setback for parapet walls	4 spaces/100 sqm of GLA or 1 space/ employee whichever is greater	50	0.5	Min gross floor area of 100 sqm	10% of lot area to include 2 m wide strip provided to street frontage.
Health Studio	2000 sqm	30 m	13.5 m	0	0	1 bay per 15 sqm of floor area and 1 bay per staff member	50	0.5	Sewer connection	10% of lot area to include 2 m wide strip provided to street frontage
Hotel			15.0 m	10.0 m	10.0 m	1 bay per bedroom plus 1 for every 5 sqm bar and public area			Sewer connection	10% of lot area to include 2 m wide strip provided to street frontage

1 Nature of use of Purpose	2 Min. Lot Area	3 Min. Street Frontage	4 Minimum Setbacks			5 Parking (Min requirement)	6 Max. site coverage %	7 Max. Plot Ratio	8 Special Conditions	9 Landscaping (Min)
			Street	Side	Rear					
Houses of Worship, Church, Public Hall	2000 sqm	30 m	13.5 m	3.0 m	3.0 m	1 bay for every 10 sqm of total floor area	30	0.3	Sewer connection	10% of lot area to include 2 m wide strip provided to street frontage
Infant Health Clinic	1000 sqm	20 m	13.5 m	3.0 m	6.0 m	1 bay per staff member and 5 bays for visitor cars	30	0.3		10% of lot area to include 2 m wide strip provided to street frontage
Kindergarten or Child Care Centre		20 m	6.0 m	3.0 m	6.0 m	1 bay per staff member and 1 bay per 5 children attending	30	0.3		10% of lot area to include 2 m wide strip provided to street frontage
Lodging House, Hostel	1000 sqm	20 m	6.0 m	3.0 m	6.0 m	1 bay per Bedroom and 1 bay per staff member	50	0.5	Sewer connection	10% of lot area to include 2 m wide strip provided to street frontage.
Medical Centres	2000 sqm	30 m	13.5 m	0	0	6 bays per practitioner + 1 per staff member	50	0.5	Sewer connection	10% of lot area. 2 m wide strip provided to street frontage
Motels	4000 sqm	30 m	13.5 m	5.0 m	10.0 m	1 bay for each unit (+ 1 bay for 4 persons proposed to be accommodated in restaurant)	50	1.0	Sewer connection	10% of lot area. 2 m wide strip provided to street frontage
Offices			13.5 m	0	0	4 spaces per 100 sqm of GLA	60	1.0		10% of lot area. 2 m wide strip provided to street frontage
Primary School		30 m	13.5 m	6.0 m	6.0 m	14 bays per 100 students	25	0.25	Sewer connection	
Private Hospital & Rest Home	2000 sqm	20 m	15.0 m	4.5 m	4.5 m	1 bay per staff member and 1 visitors bay for every 4 beds	40	0.5	Sewer connection	10% of lot area. 2 m wide strip provided to street frontage

1 Nature of use of Purpose	2 Min. Lot Area	3 Min. Street Frontage	4 Minimum Setbacks			5 Parking (Min requirement)	6 Max. site coverage %	7 Max. Plot Ratio	8 Special Conditions	9 Landscaping (Min)
			Street	Side	Rear					
Reception Lodge	2000 sqm	20 m	13.5 m	3.0 m	6.0 m	1 bay per 10 sqm GLA	30	0.3	Sewer connection	10% of lot area. 2 m wide strip provided to street frontage.
Recreation facility	2000 sqm	30 m	13.5 m	6.0 m	7.5 m	1 bay per 10 sqm of GLA	50	1.0	Sewer connection	10% of lot area. 2 m wide strip provided to street frontage
Restaurant	1000 sqm	20 m	13.5 m	3.0 m	6.0 m	10 bays per 100 sqm of GLA	50	1.0	Sewer connection	10% of lot area. 2 m wide strip provided to street frontage.
Secondary School		200 m	13.5 m	6.0 m	6.0 m	14 bays per 100 students	25	0.25	Sewer connection	
Service Station	1500 sqm	30 m	9 m to canopy	3.0 m	3.0 m	8 bays	30	0.3		2 m wide strip provided to street frontage
Shop			13.5 m	0	0	7 bays per 100 sqm or 6 bays per 100 sqm when over 5000 GLA	50	1.0	Sewer connection	10% of lot area. 2 m wide strip provided to street frontage
Showroom	1000 sqm	20 m	13.5 m	0	0	4 bays per 100 sqm GLA	50	0.5		10% of lot area. 2 m wide strip provided to street frontage
Tavern	4000 sqm	40 m	15 m	10.0 m	10.0 m	1 bay for every 5 sqm bar and public area	35	0.35	Sewer connection	10% of lot area. 2 m wide strip provided to street frontage
Warehouse	1000 sqm	20 m	13.5 m	0	0	4 bays per 100 sqm GLA	50	0.5		10% of lot area. 2 m wide strip provided to street frontage

8.3.2 Traffic Entrances

8.3.2.1 The Council may—

- (a) refuse to permit more than one vehicular entrance or exit to or from any lot;
- (b) require separate entrances and exits; or
- (c) require that entrances and exits be placed in positions nominated by it so as to avoid or to reduce traffic hazards.

8.3.2.2 Primary Regional Roads, Other Regional Roads and other Major Roads

Access for vehicles shall not be permitted directly to or from Primary Regional Roads or Other Regional Roads nor other major roads determined by the Council, where access is available from side or rear streets or from rear rights-of-way. An unpaved right-of-way shall be paved and drained at the cost of the developer to the extent considered necessary by the Council. Council will determine the location of access and egress points in order to preclude or reduce traffic hazards. Where, by virtue of the configuration or disposition of the lesser road, or where the applicant proves that the insistence of such a condition will cause undue hardship, the Council may recommend to the Western Australian Planning Commission that access and egress to and from a Primary Regional Road or Other Regional Road, in the particular situation, should be permitted.

8.3.3 Setbacks to Primary Regional Roads & Other Regional Roads

Where a lot has a frontage to a road reserved under the Metropolitan Region Scheme as amended, the Council may allow all or part of any existing or proposed widening of that road reservation to be included within the prescribed setback area if—

- (a) The portion of the lot required for the widening of the road reservation is transferred to the Crown free of all costs;
- (b) The portion of the lot within the prescribed setback area is only used for the purposes of pedestrian access, landscaping and as a means of access to the lot; and
- (c) Only the landscaped area of the prescribed setback area between the building and the new street alignment is included as landscape provision.

8.3.4 Corner Lot Setbacks

The prescribed front setback on a lot at the corner of two or more streets shall be to the more important road and the prescribed side setback to the less important road unless otherwise determined by Council. Consideration shall be given to the type of development proposed, the extent of traffic movement generated, the importance of the abutting roads, the shape of the lot and other related considerations in determining the more important road.

8.3.5 Visual Truncation of Corner Lots and Vehicular Access ways

Notwithstanding any policy adopted by the Commission dealing with the ceding of site truncations from corner lots, Council may, having due regard to amenity, safety or any other matter relevant to orderly and proper planning determine that—

- (a) A visual truncation shall be provided on a corner lot in accordance with the diagram as depicted in Appendix 4 where either road verge width is less than 5 m or the roads intersect other than at right angles.
- (b) No building, wall or landscaping greater than 0.75 metres in height, measured from the natural ground level at the boundary, shall be constructed or planted on a corner lot within the visual truncation as depicted in Appendix 4.

8.3.6 Sewerage Connection

Notwithstanding anything elsewhere appearing in the Scheme, all residential development shall be connected to a comprehensive sewerage system. However, where no such connection is available, no residential development other than the erection of a single house shall be approved unless—

- (a) The Public Health Department recommends to the Council that there are exceptional circumstances to warrant a variation from the requirement to connect to a sewer; or
- (b) The lot the subject of the application has been approved for development for residential purposes in excess of a single house under the provisions of a City of Bayswater Planning Scheme previously published, and redevelopment is only being carried out to an equivalent or lesser extent as previously approved under that Scheme.

8.3.7 General Appearance of Buildings and Preservation of Amenity

The Council may refuse to approve the commencement or carrying out of any development involving any building or other work if, in its opinion, the proposed building or other work would have an adverse affect on the amenity of the locality. In exercising its discretion under this clause, the Council shall apply the provisions of sub-clause 3.6.1 in so far as they are applicable, and in addition shall have regard to—

- (a) The external appearance of the building and any associated structures and landscaping;
- (b) The dimensions and proportions of the building or structure;
- (c) The materials used in the construction of the building taking into consideration texture, scale, shape and colour;
- (d) The effect of the building or works on nearby properties, and on the occupants of those buildings;

- (e) The effect of the building on existing and future services and community facilities. In particular, drainage, sewerage, water reticulation and existing or proposed community facilities such as schools, parks, civic buildings, malls and pedestrian links;
- (f) The effect on the landscape and environment generally; and
- (g) Any other matter which in the opinion of the Council is relevant to the amenity of the locality.

8.3.8 Disposal of Wastes

A person shall not without the approval of Council use any privately owned land for any of the following purposes—

- (a) The disposal of factory wastes;
- (b) The disposal or dumping of rubbish;
- (c) The disposal or dumping of building materials or materials from demolished or partly demolished buildings; and
- (d) The disposal or dumping of organic waste matter.

8.4 Parking Standards

8.4.1 General Off Street Parking Requirements

The following general requirements shall apply when off street parking is required.

- (a) No building or land the subject of the application for approval to commence development shall be occupied until all required parking and loading facilities have been provided to the satisfaction of Council.
- (b) Any off-street parking or loading facility which is permitted but not required by this Scheme, shall comply with the standards herein governing the location, design, improvement and operation of such facilities.
- (c) When the use of any land or building is changed to a use which under the Scheme requires a greater number of parking spaces, additional parking spaces shall, unless otherwise approved by the Council, be provided to meet the new requirements.
- (d) When a development on any land is enlarged, additional parking spaces to meet the requirements shall be provided in respect of the enlarged portion only.
- (e) All permitted or required parking and loading facilities shall be provided on the same site as the building or use served, except where Council considers off-site location to be appropriate due to varying physical and economic conditions.
- (f) Parking facilities shall not be used for the storage of—
 - (i) vehicles for sale;
 - (ii) recreational vehicles;
 - (iii) commercial vehicles, trucks or trailers (unless the parking facilities used to store such commercial vehicles are specifically depicted on the approved plan), nor shall parking facilities be used for the repair of vehicles.
- (g) If the Scheme does not specify the number of parking spaces required in respect of any particular use, then the number of parking spaces to be provided shall be determined by the Council.
- (h) Special spaces may be provided for small cars only. These spaces shall have the dimensions as described in this Scheme. However, no credit shall be granted for small spaces towards the satisfaction of numerical parking requirements. Small spaces may be provided in excess of the minimum requirement for the use in question.

8.4.2 Joint Use of Parking Facilities

Parking facilities may be provided jointly subject to the satisfaction of the requirements contained hereunder. When there is an overall deficiency in the number of spaces provided, parking facilities for an adjoining use, where peak hours of operation are substantially different, may be provided jointly. Such joint usage shall be subject to the satisfaction of the following conditions—

- (a) The submission of sufficient evidence to demonstrate that no substantial conflict will exist in the principal hours or peak demand of the buildings or uses for which the joint use is proposed;
- (b) The number of parking spaces which may be credited against the requirements of each building or use involved shall not exceed the number of spaces reasonably anticipated to be available during the hours of operation;
- (c) Parking spaces designated for joint use shall be easily accessible and no further than 200 metres in distance from an appropriate entrance of the building which the spaces are proposed to serve; and
- (d) The Council may require an agreement to be entered into between the owners and occupiers of the adjoining properties as to the terms and conditions of the joint use of the parking facilities and providing for the creation of easements or other rights in order to ensure the continued availability of a specified number of parking spaces for the use of each of those properties.

8.4.3 General Design Requirements for Off-Street Parking

The general design requirements for off-street parking facilities are as follows—

- (a) All parking spaces shall have adequate access by means of manoeuvring lanes with spaces designed so that it is not necessary to back directly into a public street to enter or leave a parking area;
- (b) Adequate entry and exits to and from the parking area by means of clearly defined drives shall be provided for all vehicles. Circulation within a parking facility shall be such that—
 - (i) A vehicle using the parking area need not enter the same street to reach another aisle within the same facility;
 - (ii) All parking spaces, garages and carports shall be accessible and useable for the full number of parking spaces required whenever the building or use which they serve is in operation;
 - (iii) Continuous kerbs and/or headers shall be used instead of individual 'Wheel Stops'; and
 - (iv) The entire parking area, including parking spaces and manoeuvring lanes required under the Scheme shall be paved with either asphaltic, concrete or brick paved surfacing in accordance with specifications approved by the Council. In situations considered appropriate by Council, this provision may be varied.

8.4.4 Specific Design Requirements for Off-Street Parking

Plans for the layout and making of off-street parking facilities shall be in accordance with Appendices 5 and 6 to the Scheme. The following provisions also apply—

- (a) In all parking areas containing 21 or more spaces, the aisles, approach lanes, and manoeuvring areas shall be clearly marked with directional arrows and lines to expedite traffic movements. Once a parking area has been marked in accordance with the approved site plan, the marking shall be permanently maintained;
- (b) Spaces designated for small cars shall be provided only for parking angles greater than 30 degrees. Such small car spaces shall be a minimum of 2.4 metres in width;
- (c) For parking angles greater than 59 degrees, up to 0.6 metres of the space depth may be provided in overhang beyond the front kerb; and
- (d) Where car parking stalls are covered or adjoin a solid wall or other obstacle, the minimum width of the car spaces shall be increased to 3 metres.

8.4.5 Landscaping for Off-Street Parking

Boundary landscaping shall be provided for parking facilities visible from any public street and interior landscaping shall be provided for open parking facilities with 21 or more parking spaces. Landscaping shall comply with the following requirements—

- (a) All areas between parking facilities and adjoining streets shall have a minimum of 2 m wide permanent landscape area. In addition, the Council may also require permanent landscaping between the parking facilities and all other side and rear property lines; and
- (b) For open parking areas, with 21 or more parking spaces, there shall be provided a minimum of 1 square metre of permanent landscaping for every 10 square metres of parking bay area. Such landscaping shall be in addition to any other landscaping required by this Scheme.

8.4.6 Cash Payment in Lieu of Providing Parking Spaces

In accordance with subclause 8.1, the Council may agree with an applicant for an approval to commence development to accept a cash payment in lieu of the provision of paved car parking spaces, but subject to the requirements of this subclause—

- (a) A cash-in-lieu payment shall be not less than the estimated cost to the owner of providing and constructing the parking spaces required by this Scheme, plus the value, as estimated by a licensed valuer, of that area of this land which would have been occupied by the parking spaces and manoeuvring area;
- (b) Before the Council agrees to accept a cash payment in lieu of the provision of parking spaces, the Council must either have provided a public parking station nearby, or must have firm proposals for providing a public station within the District;
- (c) Payments under this clause shall be paid into a special fund to be used to provide public parking stations anywhere in the District; and
- (d) All costs incurred in obtaining the valuation shall be borne by the applicant.

8.5 Development—Residential

8.5.1 General

This Clause applies to the development of all residential dwelling units and other uses which are or may be permitted by the Council in the residential zone.

8.5.2 Residential Development—Residential Design Codes

8.5.2.1 A copy of the Residential Design Codes is to be kept and made available for public inspection at the offices of the local government.

8.5.2.2 Unless otherwise provided for in the Scheme, the development of land for any of the residential purposes dealt with by the Residential Design Codes is to conform with the provisions of those Codes.

8.5.2.3 The Residential Design Codes density applicable to land within the Scheme area is to be determined by reference to the Residential Design Codes density number superimposed on the particular areas contained within the borders shown on the Scheme Map or where such an area abuts another area having a Residential Design Code density, as being contained within the area defined by the centreline of those borders.

8.5.3 Residential Zones

The residential zones created under Part 7 of the Scheme Text are set out hereunder—

- (a) Residential—incorporating the R17.5 Code and R20 Code.
- (b) Medium Density Residential—incorporating the R25, R30, R40, R50 and R60 Codes.

These zones are depicted and coloured on the Scheme Map according to the reference appended thereto.

8.5.4 Dual Coding

8.5.4.1 Where an area is designated with an R-Code of R17.5/30, R17.5/25 or R20/25, development to the density and standards of the higher code shall only be permitted subject to the following—

- (a) The property is required to be connected to reticulated sewer;
- (b) In the opinion of the Council, the proposed development has a high degree of compliance with adopted policies of the Council, which have been endorsed by the Commission, and provide for development at the higher codes in dual coded areas;
- (c) The existing dwelling/s are to be of a standard equivalent to that of the proposed new dwelling/s. To achieve this, the Council may require that the existing dwelling/s be upgraded as a condition of development approval.

8.5.4.2 R17.5/30

No lot which has frontage to Guildford Road and is designated on the Scheme Maps by the R17.5/30 R Code shall be developed such that the total number of dwellings on the lots exceeds that permitted by the R17.5 Code unless that lot has satisfactory alternative public vehicular access as determined by Council.

8.5.4.3 R17.5/25 and R20/25

In cases where development or subdivision proposals are presented to Council for residential development based on the higher density code in a dual coded area and the proposal meets the requirements of clause 8.5.4.1, such proposals may be approved by the Council providing the following process is adhered to—

- (a) An advertisement/notice is placed on the development site setting out details of the proposal and that public comment is invited.
- (b) An advertisement is placed in the local newspaper circulating in the district advising the public of the proposal and that an opportunity exists for comment.
- (c) Affected landowners adjoining and near the proposed development site are advised in writing by the Council setting out details of the proposal and inviting comment.
- (d) That a twenty one (21) day advertisement period apply.
- (e) That the costs associated with the public consultation procedure be borne by the applicant.

8.5.4.4 Council reserves the right to modify the procedures set out in clause 8.5.4.3 as it considers appropriate, dependant upon the merits of the particular application.

8.5.5 Character Protection Areas

8.5.5.1 The purpose of a Character Protection Area is to ensure that development in these areas, as shown on the Scheme Map, is sympathetic to the prevailing character and streetscape of the locality.

8.5.5.2 Development within a Character Protection Area shall, in the opinion of Council, demonstrate a high degree of compliance with the following—

- (a) The intention of the Council specified under Clause 8.5.5.1 of the Scheme;
- (b) In the case of redevelopment in excess of a single house, unless otherwise approved by Council, such redevelopment shall reflect those architectural elements and features of existing buildings which contribute significantly to the streetscape or character of an area; and
- (c) Any relevant Policies adopted by the Council.

8.5.6 Building Materials

The ground floor level of all buildings, other than outbuildings, shall be constructed from brick, stone or concrete. Ground and first floor levels may be constructed of lighter framed materials if the materials, design and anticipated final appearance of these structures is approved by the Council.

8.5.7 Home Occupations

8.5.7.1 A person may, with the approval of the Council, conduct a home occupation in or from a dwelling. An approval to conduct a home occupation—

- (a) is issued to a specific occupier of a particular parcel of land;
- (b) shall not be transferred or assigned to any other person; and
- (c) shall not be transferred from the land in respect of which it was granted.

8.5.7.2 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.

8.5.7.3 If, in the opinion of Council, a home occupation is causing a nuisance or annoyance to owners or occupiers of land in the locality Council may rescind the approval.

8.5.7.4 In making its decision on an application for approval for a home occupation the Council shall take into consideration the following matters—

- (a) The provisions of any Town Planning Scheme including this Scheme affecting the land the subject of the application or any Scheme affecting land in the vicinity;
- (b) The nature of the proposed home occupation in relation to the development of any other land in the vicinity;
- (c) The size, shape and character of the parcel of land to which the application relates and the nature and siting of the proposed building, the view from the building and the interruption of view likely to be caused by the proposed building;
- (d) Any representations which may be made by any statutory authority;
- (e) The existing and likely future amenity of the neighbourhood, including (but without limiting the generality of the foregoing) the question of whether the proposed home occupation is likely to cause injury to such amenity including injury due to the emission of noise, vibration, light, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or other waste products;
- (f) The nature of the roads giving access to the land;
- (g) What parking facilities are available or proposed, and the likely requirements for parking; and
- (h) Any other matters the Council considers relevant.

8.5.8 Parking of Commercial Vehicles

8.5.8.1 A person may park one commercial vehicle in the residential zone if all of the following requirements are met—

- (a) No part of the vehicle is parked on any portion of a right of way or public road contiguous with the lot;
- (b) The vehicle forms an essential part of the lawful occupation of an occupant of the dwelling and that occupation if carried upon the lot does not contravene the Scheme;
- (c) The vehicle does not exceed 3 metres in height or 8 metres in length;
- (d) The vehicle is not brought to or taken from the lot between the hours of midnight or 6.00 am;
- (e) Major repairs to the vehicle are not undertaken on the lot;
- (f) Any minor repairs, servicing or cleaning of the vehicle are carried out in an area which is effectively screened from view from outside of the lot;
- (g) Operation of the vehicle does not adversely impact on the amenity of the neighbourhood due to noise or other emissions;
- (h) The vehicle is parked behind the front building line; and
- (i) The vehicle is effectively screened, through fencing, landscaping, outbuildings or other measures, from outside the lot and from neighbouring properties.

8.5.8.2 The Council may, in writing, permit a relaxation of the provisions contained in Clause 8.5.8.1, if in the opinion of Council the proposal will not have an adverse effect on the amenity and character of the residential area. Prior to permitting such relaxation, Council shall write to owners and occupiers of surrounding land and invite their comments on the proposal.

8.6 Development—Industrial

8.6.1 Preliminary

This Clause applies to development in all Industrial zoned areas.

8.6.2 Sale of Goods

In the General Industry and Light Industry Zones, a person may offer goods for sale by wholesale, but may only offer goods for retail sale providing—

- (a) The goods or produce are manufactured, processed or repaired on the lot;
- (b) Not more than 50% of the total area of the occupancy is used for the display and sale of the goods or produce and the remaining space is used for related purposes of an industrial nature; and
- (c) The goods or produce sold are not foodstuffs, liquor or beverages, items of clothing or personal adornment, magazines, newspapers, books or paper products, medicinal or pharmaceutical products, china, glassware, small electrical goods of a domestic nature, toys and generally items of a cash and carry nature related to daily household and recreational needs and consumption unless those goods are manufactured on site.

8.6.3 Industrial Use Adjoining Residential Use

In the General Industry or Light Industry Zone a person shall not use land which adjoins a lot zoned for residential purposes unless—

- (a) The industrial or light industrial use is screened from the residential lot by a wall or fence not less than 2 metres in height;

- (b) Any building on the industrial zoned lot is setback a minimum of 6 metres from the boundary that abuts the Residential zoned lot;
- (c) Any building on the land and the openings of the building are so designed and located as to minimise visual and noise disruption; and
- (d) Landscaping is provided to minimise the impact of the building on the adjoining residential lot/s.

8.6.4 Industrial Building Standards

8.6.4.1 Minimum Development Standards

Subject to the provisions of the Scheme, a person shall not develop or use land or a building in the General Industry or Light Industry Zone unless the development or use is in accordance with the provisions of this clause and the standards specified in Table 2.

8.6.4.2 Setback Requirements—Corner Lots

Where a lot in a Light Industry or General Industry Zone has frontage to two streets, the prescribed front setback of 13.5 metres shall apply to the more important road and the setback of 6 metres shall apply to the less important road, unless otherwise determined by the Council.

8.6.4.3 Use of Setback Areas

A person shall not in the General Industry or Light Industry Zone, use the land between the street alignment and the setback distance for any purpose except one or more of the following—

- (a) A means of access and egress;
- (b) The parking of vehicles used by customers and employees;
- (c) The loading and unloading of vehicles;
- (d) Open air display if such display does not cover more than one fifth of the setback area, is not within 3 metres of the street alignment and does not reduce the area set aside for landscaping, parking and manoeuvring areas;
- (e) Landscaping; or
- (f) The display and sale of motor vehicles where Council approval has been granted.

8.6.5 Landscaping

A person shall not carry out any development in the Light Industry or General Industry Zone unless provision is made for garden areas in accordance with the following requirements—

- (a) The required landscaping shall cover a minimum of 10% of the total site area in the form approved by the Council. Such landscaping should include a landscaped area of not less than 2 metres wide adjoining all street boundaries;
- (b) Any landscaped area shall be separated from an adjacent vehicular area by a wall or kerb at least 150 mm higher than the adjacent vehicular area or in some other manner be protected from vehicular damage; and
- (c) Landscaping areas provided under this subclause shall be planted in accordance with an approved plan, and within 30 days of practical completion of the development, or any relevant part thereof, as determined by the Council or at such later time as may be agreed in writing by the Council.

8.6.6 Off Street Parking

Provision shall be made for off-street parking of motor vehicles for all developments in the General Industry and Light Industry Zones in accordance with Clauses 8.4.1, 8.4.3 and 8.4.4. Parking bays shall be clearly indicated on development plans.

8.6.7 Facades

All facades of all buildings in the General Industry or Light Industry Zones within 20 metres of the road frontage shall be constructed of—

- (a) brick, stone, concrete or glass or a combination of one or more of those materials or similar materials; and
- (b) other materials of a type and to a design approved by the Council may be permitted on a facade which extends 2.7 m above ground level.

8.6.8 Factory Tenement Buildings and Factory Units

A person shall not construct, occupy or use a factory tenement building unless the following requirements are complied with—

- (a) The floor area per unit is not less than 100 square metres;
- (b) Neither the width nor length of any unit is less than 6 metres;
- (c) There is not more than one occupancy per unit; and
- (d) There is provision for a bin area of not less than 10 square metres and shall be in such a position that vehicles have direct access to it by a paved internal service road.

8.6.9 Panel Beating, Spray Painting & Automotive Repairs

A person shall not occupy or use an industrial unit in the Light Industry Zone for the purposes of automotive panel beating, spray painting, or automotive repairing without the approval of the Council. The Council may grant approval where—

- (a) The use carried on in adjoining units will not be detrimentally affected by the proposed use;

- (b) The number of paved parking spaces allocated to the unit is satisfactory to accommodate the proposed use; and
- (c) No vehicles or parts of vehicles are stored or worked upon or equipment, machinery, tools of trade or materials connected with the process are stored, either temporarily or permanently, on any part of the lot other than within the industrial unit.

8.6.10 Refuse, Storage and Service Areas

8.6.10.1 Provision shall be made for service storage and service areas whereby the access way shall be so constructed that vehicles using it may return to a street in forward gear.

8.6.10.2 A refuse or storage area shall be screened from view from any public street and enclosed by a wall of masonry or other approved building material and being of not less than 1.8 metres in height.

8.7 Development—Commercial

8.7.1 Specific Application

This clause applies to the development of uses of a commercial nature which are permitted or may be permitted by Council in any of the Commercial Zones listed in Clause 8.7.2.

8.7.2 Classification

The Commercial Zones are—

- Business
- Hotel
- Office
- Showroom/Warehouse
- Service Station

8.7.3 Commercial Building Standards

8.7.3.1 Minimum Development Standards

Subject to the provisions of the Scheme a person shall not, develop or use any land or building in a Commercial Zone unless the development or use is in accordance with the provisions of this Clause and standards specified in Table 2 (Development Standards Table).

8.7.3.2 Off-Street Parking

Subject to the requirements of Clause 8.4.1, 8.4.3 and 8.4.4, provision shall be made for off-street parking of motor vehicles for all developments in a Commercial Zone in accordance with the requirements of Table 2.

8.7.3.3 Setback Requirements

The setback requirements for all developments in a commercial zone shall be in accordance with the provisions of Table 2. Subject to the provisions of this clause the Council may permit a commercial development in a Commercial Zone to have no side or rear setback if it is of the opinion that this will not prejudicially affect the amenity of surrounding properties.

Where a commercial development is proposed to be located adjacent to a lot within a residential zone, the side and rear setbacks shall not be less than the distance set out hereunder—

- (a) 3 metres for buildings of one storey; or
- (b) 6 metres for buildings of two storeys.

This provision shall be interpreted to allow the progressive setting back of the building.

8.7.3.4 Corner Lots

Where a lot in a Commercial Zone has frontage to two streets, the prescribed front setback of 13.5 metres shall apply to the more important road and the setback of 6 metres to the less important road, unless otherwise determined by Council.

8.7.3.5 Facades

Having regard to the provisions of clause 8.3.7, all facades of buildings in the Commercial Zones shall be constructed of brick, stone, concrete or glass or a combination of one or more of those materials or similar materials. Any other material must be approved by Council.

8.7.4 Use of Setback Areas

A person shall not, in a Commercial Zone, use the land between the street alignment and the setback distance for any purpose other than one or more of the following—

- (a) A means of access and egress;
- (b) The parking of vehicles used by employees and customers;
- (c) The loading and unloading of vehicles;
- (d) Open air display where approved by the Council; and
- (e) Landscaping.

8.7.5 Service Access

Provision shall be made for service access to the shop, showroom/warehouse, restaurant or other commercial premises for the purpose of loading and unloading of goods unless, in the opinion of Council, circumstances do not warrant provision of such access. The service access shall be provided in accordance with the provisions set out hereunder—

- (a) The access way shall be constructed such that vehicles using it may return to a street in forward gear;

- (b) If there exists a right-of-way to the rear or side of the lot, an area shall be paved on the lot so that vehicles when loading or unloading shall not remain in the right-of-way and the area shall be of such size that if no alternative route exists, vehicles may turn so as to return to a street in forward gear;
- (c) Except as hereinafter mentioned the access way shall be not less than 4.5 metres in width for one way access and 6 metre for two way access, but if the size of the lot makes the provision of a 4.5 metre wide access way impracticable or unreasonable, the Council may permit an access way of a lesser width, but in no case less than 3.5 metres for one way access;
- (d) The access way as required above should be designed so as to segregate service vehicles, both moving and stationary, from parking areas and access ways provided for customer parking; and
- (e) Where alternative service access is provided and such access is considered acceptable by the Council, the Council may waive this requirement.

8.7.6 Refuse & Storage Areas

Provision shall be made for one or more areas for the storage of cartons, containers or refuse in any development in a commercial zone. The refuse or storage areas shall be not less than 10 square metres and—

- (a) Screened from view from every public street and enclosed by a masonry wall or other approved building material of not less than 1.8 metres in height;
- (b) Located not less than 10 metres from any residential building which is situated on an adjoining lot unless the area is fully enclosed; and
- (c) Accessible to service vehicles.

8.7.7 Landscaping

8.7.7.1 Within any development in a commercial zone a minimum of ten percent (10%) of the total site area shall be provided as landscaping in the form approved by the Council and principally as landscaped buffers to adjacent properties as approved by the Council, of a minimum width of 2 metres and as shade and screen planting within parking areas. The area of the site required to be provided under this Clause shall not include areas which would normally be set aside for pedestrian movement.

8.7.7.2 Landscaped areas provided under sub-clause 8.7.7.1 shall be planted in accordance with an approved landscape plan, and within thirty (30) days of practical completion of the development, or part thereof, as determined by the Council.

8.7.8 Showroom/Warehouse Development

8.7.8.1 A landowner may construct a showroom/warehouse or showroom/warehouse units on a lot in the Showroom/Warehouse Zone providing—

- (a) The showroom component is no greater than half the area of the overall area of the building with which it is associated; and
- (b) The showroom component is partitioned from the warehouse component. The partition must be—
 - (i) At least 1.8 metres in height;
 - (ii) Constructed across the full width of the building with access way(s) to allow the movement of goods between the showroom and warehouse prior to the building being occupied.

8.7.8.2 If it is established to the satisfaction of the Council that a particular requirement or standard specified in parts (a) to (b) inclusive of sub-clause 8.7.8.1 is unreasonable or undesirable in a particular circumstance of the case, the Council may at its discretion modify the requirement or standard subject to such conditions as it thinks fit.

8.7.9 Sale of Goods in the Showroom/Warehouse Zone

8.7.9.1 In the Showroom/Warehouse Zone a person may offer for sale from a site goods by retail or wholesale to the public provided the goods are of a bulky nature or are sold in bulk (large quantities per order).

8.7.9.2 Where goods of a bulky nature are displayed and sold, non-bulky goods may also be displayed and sold providing these goods are in the opinion of Council ancillary to the bulky goods on display; required to be sold in conjunction with the sale of bulky goods, and providing the predominant activity carried out on site is the display and sale of bulky goods.

8.7.9.3 Offering for sale or rental of non-bulky goods other than those sold in bulk or required to be sold in conjunction with the sale of bulky goods is not permitted.

PART 9—DEVELOPMENT—OTHER ZONES

9.1 Mixed Use Zone

9.1.1 The Mixed Use Zone is intended to accommodate a mixture of residential development with small businesses in a primarily residential scale environment. The predominant non-residential uses will be office, consulting, dining and limited retail uses occupying the street frontage.

9.1.2 The Mixed Use Zone will provide an intermediate stage between Residential and Commercial or Business zone areas. A high level of pedestrian amenity should be provided.

9.1.3 The objectives of the Mixed Use Zone are to—

- (a) provide a diversity of land use and housing types compatible with the maintenance of residential amenity;
- (b) allow appropriate businesses to locate and develop in close proximity to residential areas;
- (c) allow for services to be provided locally.

9.2 Special Purpose Zone

9.2.1 The purpose and intent of the Special Purpose zone is to allow the Council to make provision for a special use or combination of uses on a particular parcel/s of land where the provisions of the Zoning Table are not sufficiently adequate or comprehensive to achieve the same objective. The Council shall only make such provision by way of creating a Special Purpose Zone where it considers that the provisions—

- (a) will satisfy a specific need in the locality where the subject land is situated;
- (b) would enhance the amenity and the interest of orderly and proper planning of the locality; or
- (c) would, for some other reason, be specifically appropriate or desirable.

9.2.2 No person shall use any land, or any building or structure thereon in a Special Purpose Zone, except for the purpose set against that land in Appendix 3 and subject to compliance with any conditions specified in the Appendix with respect to the land as approved by the Council.

APPENDICES

APPENDIX 1	Interpretations
APPENDIX 2	Schedule of Additional Uses
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APPENDIX 1

INTERPRETATIONS

Absolute Majority: has the same meaning as given to it in the Local Government Act 1960.

Act: means the Town Planning and Development Act 1928 (as amended).

Advertisement: means any word, letter, model, sign, placard, board, notice, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or 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.

Amusement Machine: means any machine, game or device whether mechanical or electronic or a combination of both operated by one or more players for amusement and recreation.

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

Ancillary Use: means a use which is incidental to the predominant use of land and buildings.

Appendix: means an appendix to the Scheme.

Auction Mart: means any land or building in which goods are exposed or offered for sale by auction, but does not include a place used for the sale by auction of fresh food, fruit, vegetables or livestock.

Authorised Officer: means an officer of the Council, authorised by the Council to exercise all or some of the powers of the Council under this Scheme.

Automotive Panel Beating/Spray Painting: means the use of land and buildings for the purpose of chassis reshaping, minor and major body repairs and automotive spray painting.

Automotive Repairs: means the use of land and buildings for the purpose of conducting mechanical repairs and overhauls to vehicles and machinery including tyre recapping and retreading.

Automotive Wrecking: means the use of land and buildings for the storage, breaking up or dismantling of vehicles and includes the sale of second-hand automotive accessories and spare parts.

Automotive & Marine Sales: means the use of land and buildings for the display, sale and repair of new or second-hand motorcycles, cars, trucks, caravans or boats and includes the sale of parts and accessories associated with the activity.

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

Betting Agency: means an office or totalisator agency established under the Totalisator Agency Board Betting Act 1960.

Builder's Yard: means the use of land or building for the storage, assembly or dismantling of building materials.

Building Code of Australia: means the Building Code of Australia 1988 (as amended).

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.

Building Line: means the line between which any public place or public reserve a building may not be erected except by or under the authority of an Act.

Building Setback: means the shortest horizontal distance between a boundary or other specified point and the position at which a building may be erected.

Bulky Goods: are goods which due to their size, mass, or volume are not readily or comfortably able to be moved, relocated or transported by a customer on or within a sedan motor vehicle.

Camping Area: means any land used for the lodging of persons in tents or other temporary shelter.

Car Park: means land or buildings used primarily for parking private cars or taxis whether open to the public or not but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings in which cars are displayed for sale.

Car Wash: means the use of premises for the washing or cleaning of the external surfaces of motor vehicles by mechanical means.

Caravan: means a vehicle as defined under the Road Traffic Act 1974 (as amended) maintained in a condition suitable for licence under that Act at all times and being designed or fitted or capable of use as a habitation or for dwelling or sleeping purposes.

Caravan Park: means an area of land set aside specifically for the parking of caravans and park homes or for the erection of camps or tent sites allocated for that purpose.

Caretaker's Dwelling: means a building used as a dwelling by a person having the care of the building, plant, equipment or grounds associated with an industry, business, office or recreation area carried on or existing on the same site.

Child Day Care Centre: means land and buildings used for the daily or occasional care of children in accordance with the Community Services (Child Care) Regulations 1988).

Cinema/Theatre: means any land or building where the public may view a motion picture or theatrical production.

Civic Building: means a building designed, used or intended to be used by a Government Department, an instrumentality of the Crown, or the Council as offices or for administrative, recreational or other like purposes.

Clause: means a clause of the Scheme.

Club Premises: means any land or buildings used or designed for use by a legally constituted club or association or other body of persons united by a common interest whether such building or premises be licensed under the provisions of the Liquor Licensing Act 1988 (as amended) or not and which building or premises are not otherwise classified under the provisions of the Scheme.

Commercial Vehicle: means a vehicle whether licensed or not and which is used in conjunction with a trade or profession and shall include trailers, tractors and their attachments, buses and earthmoving machines whether self propelled or not but shall not include a passenger car derivative as defined by the Vehicle Sales Regulations 1976 (as amended), a van, utility or light truck which is rated by the manufacture as being suitable to carry loads of up to 1.5 tonnes.

Commission: means the Western Australian Planning Commission constituted under the Western Australian Planning Commission Act 1985 (as amended).

Community Purpose: means the use of land or buildings designed or adapted primarily for the provision of educational, social and recreational facilities or services by organisations involved in activities for community benefit.

Conservation: has the same meaning as in the Heritage of Western Australia Act 1990.

Consulting Rooms: means premises used by no more than two 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 extent 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.

Corner store: means a shop used for the sale of daily grocery needs to persons in the immediate locality, with a gross floor area not exceeding 100m², attached to a dwelling in residential zones and which is operated as an additional use thereto by the permanent tenants of the dwelling.

Council: means the executive body of the City of Bayswater.

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

Cultural Use: means any use aimed at the improvement or refinement of people by entertainment and/or education.

Curtilage: in relation to a dwelling means the yard of the dwelling, or an area in the immediate vicinity of the dwelling on the same lot used for purposes ancillary to the dwelling. The curtilage shall not include the area located between the street frontage of the lot and the dwelling thereon except with the special approval of the Council. The term shall have a like meaning in relation to land around buildings other than dwellings.

Development: shall have the same meaning given to it in and for the purposes of the Act but shall also include—

“in relation to any building, object structure or place entered in the Heritage List or contained within a heritage precinct, any act or thing that—

(a) is likely to change the character of the place or the external appearance of any building;

or

(b) would constitute an irreversible alteration to the fabric of any building.”

Display Home Centre: means a group of two or more dwellings which are intended to be open for public inspection.

District: means the Municipal District of the City of Bayswater.

Dog Kennels: means any land or buildings used for the boarding and breeding of dogs where such premises are registered or required to be registered by the Council; and may include the sale of dogs where such use is incidental to the predominant use.

Dry Cleaning Premises: means any land or buildings used for the cleaning of garments and other fabrics by chemical processes.

Dwelling—

“**Aged or Dependent Persons Dwelling**” has the same meaning as is given to that term in the Residential Design Codes;

“**Attached House**” has the same meaning as is given to that term in the Residential Design Codes but for the purpose of this Scheme does not include a dwelling on a battle-axe lot;

“**Dwelling**” means a building or portion of a building containing at least one living room and includes rooms and outbuildings separate from such building but ancillary thereto; such building or portion thereof being used or intended, adapted or designed to be used for the purpose of human habitation on a permanent basis by—

(a) a single person

(b) a family, or

(c) no more than six (6) persons who do not comprise a single family;

“**Grouped Dwelling**”: has the same meaning as is given to that term in the Residential Design Codes;

“**Multiple Dwelling**”: has the same meaning as is given to that term in the Residential Design Codes but for the purpose of the Scheme also means a dwelling unit within a building containing two or more such dwelling units, where one or more dwelling units are placed wholly or partly above another dwelling unit;

“**Single House**”: has the same meaning as is given to that term in the Residential Design Codes.

Dwelling Unit: shall have the same meaning as is given to that term in the Residential Design Codes, but for the purpose of the Scheme they shall also have the same meaning as the term “Dwelling”.

Educational Establishment: means premises used for the purposes of education and includes a school, tertiary institution, business college, academy or other educational centre, but does not include a reformative institution or institutional home.

Effective Frontage: means the width of the lot at the minimum distance from the street alignment at which buildings may be constructed, and shall be calculated as follows—

(a) Where the site boundaries of a lot are parallel to one another, the length of a line drawn at right angles to such boundaries;

(b) Where the side boundaries of a lot are not parallel to one another, the length of a line drawn parallel to the street frontage and intersecting the side boundaries at the minimum distance from the street alignment at which buildings may be constructed;

(c) Where a lot is of such irregular proportions or on such a steep grade that neither of the foregoing methods can reasonably be applied, such length as determined by the Council.

Facade: means the exposed faces of a building towards roads or open space or the frontal outward appearance of the building.

Factory Tenement Building: means a building or structure, or a group of buildings or structures on one lot, in which are carried on two or more separate industries, or in which provision is made for the carrying on of two or more separate industries.

Factory Unit: means a portion of factory tenement building which is the subject of a separate occupancy.

Family Day Care: means premises used to provide family day care within the meaning of the Community Services (Child Care) Regulations 1988, but does not include a Child Day Care Centre.

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

Floor Area: has the same meaning as in the Building Codes 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 Design 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.

Fuel Depot: means any land or building 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 the final users vehicle of such fuel from the premises.

Funeral Parlour: means premises used to prepare and store bodies for burial or cremation.

Garden Centre: means land and buildings used for the growing or storage of trees, plants, shrubs or flowers for replanting in domestic, commercial or industrial gardens or the sale of such plants and associated garden supplies.

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

Gross Floor Area: shall have the same meaning as Floor Area in the Building Code of Australia.

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

Health Centre: means any buildings used as a maternity or x-ray centre, a district clinic, a masseur's establishment, or a medical clinic and can include ancillary services such as pathologists, radiologists and paramedical.

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

Height: when used in relation to a building that is used for—

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

Heritage Precinct: means a precinct of heritage value having a distinctive nature, which may contain elements of only minor individual significance but heightened collective significance, and within whose boundaries controls may be necessary to retain and enhance its character.

Heritage List: means the Municipal Inventory, as amended from time to time, prepared by the Council pursuant to Section 45 of the Heritage of Western Australia Act 1990 (as amended), or such parts thereof as described in the Heritage List.

Hire Service (Industrial): means any land or building used for offering for hire or rent of bulky items including machines and mechanical equipment.

Hire Service (Non-Industrial): means any land or building used for the offering for hire or rent of goods of a non-bulky nature which does not include large mechanical devices or equipment.

Home Occupation: means an occupation carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which—

- (a) entails the conduct of a business, office, a workshop only, and does not entail the retail sale or display of goods of any nature;
- (b) does not cause injury to or prejudicially affect the amenity of the neighbourhood;
- (c) does not detract from the residential appearance of the dwelling house or domestic outbuilding;
- (d) does not entail employment of any person not a member of the occupier's household;
- (e) does not occupy an area greater than 20m²;
- (f) does not display a sign exceeding 0.2m² in area;
- (g) in the opinion of the Council is compatible with the principal uses to which land in the zone in which it is located may be put;
- (h) will not result in the requirement for a greater number of parking facilities than normally reserved for a single dwelling, and will not result in a substantial increase in the amount of vehicular traffic in the vicinity;

- (i) does not entail the presence, parking and garaging of a vehicle of more than two (2) tonnes tare weight;
- (j) does not include the provision for the fuelling, repair or maintenance of motor vehicles;
- (k) Does not in the opinion of Council constitute a use that would be more appropriately located in a zone other than a residential zone.

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

Hostel: means a public or private residential type development providing board and lodging on a temporary basis to students and staff of educational establishments and members of societies, institutes or associations and common or distinct community groups.

Hotel: means any land or buildings providing accommodation for the public the subject of a hotel licence granted under the provisions of the Liquor Licensing Act 1988 and may include a betting agency operated in accordance with the Totalisator Agency Betting Board Act 1960, but does not include a motel, tavern or boarding house the subject of a limited hotel licence or other licence granted under that Act.

Incidental Use: means a use of premises which is ancillary and subordinate to the predominant use.

Industry: means the carrying out of any process in the course of trade or business for gain, for and incidental to one or more of the following—

- (a) the winning, processing or treatment of minerals;
- (b) the making, altering, repairing, or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale, or the breaking up or demolition of any article or part of an article;
- (c) the generation of electricity or the production of gas;
- (d) the manufacture of edible goods;

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of, or the incidental sale of goods resulting from the process, and the use of land for the amenity of persons engaged in the process; but does not include;

- (i) the carrying out of agriculture;
- (ii) on-site work on buildings or land; and
- (iii) in the case of edible goods the preparation of food for retail sale from the premises.

Industry—Extractive: means an industry which involves—

- (a) the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals, or similar substance from the land, and also includes the management of products from any of those materials when the manufacture is carried out on the land from which any of the materials so used is extracted or on land adjacent thereto, and the storage of such materials or products;
- (b) the production of salt by the evaporation of salt water.

Industry—General: means an industry other than a cottage, extractive, hazardous, light, noxious, 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, will not cause any injury to, or will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products; and
- (b) the establishment of which will not, or the conduct of which does not, impose an undue load on any existing or proposed service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services.

Industry—Noxious: means an industry which is subject to licensing as “Prescribed Premises” under the Environmental Protection Act 1986 (as amended).

Industry—Service: means a light industry carried out on land or in buildings which may have a retail shop front and from which goods manufactured on the premises may be sold; or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced.

Infant Health Clinic: means premises where examination, testing, weighing and measuring infants takes place, and advice is given to parents on the health, growth and development of the child.

Kiosk: means light, out-of-door or indoor structure used for the sale of newspapers, food, etc.

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

Landscape, Landscaping or Landscaped Area: refers to land developed with, or by planting of lawns, garden beds, shrubs and trees and includes such features as rockeries, ornamental ponds, swimming pools, barbecue areas or children's playgrounds and any other such area approved of by the Council as landscaped area.

Laundromat: means any land or building, open to the public in which washing machines, with or without provision for drying clothes, are available for use.

Local Government: means the City of Bayswater.

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.

- Lodging House:** shall have the same meaning as is given to that term in and for the purposes of the Health Act 1911, (as amended).
- Lot/Allotment:** has the same meaning as in the Town Planning Act but does not include a strata or survey strata lot.
- 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, but does not include a Fast Food Outlet.
- Market:** means premises used for the display and sale of goods from stalls by independent vendors.
- Manufacture:** means the making of articles or materials by human, mechanical or electronic power.
- 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 for general outpatient care (including preventative care, diagnosis, medical and surgical treatment and counselling).
- Metropolitan Region Scheme:** means the Metropolitan Region Scheme made pursuant to the Metropolitan Region Town Planning Scheme Act 1959 published in the *Government Gazette* of August 9, 1963 and as amended from time to time.
- Minerals:** has the same meaning as in the Mining Act 1978.
- Minister:** means the Minister for Planning or the Minister of the Western Australian Government responsible for town planning.
- Motel:** means any land or buildings used or intended to be used to accommodate patrons in a manner similar to a hotel but in which special provision is made for the accommodation of patrons with motor vehicles and to which a licence under the Liquor Licensing Act 1988 has been granted.
- Motor Vehicle Hire:** means any land or buildings used for the hiring out of motor vehicles and when conducted on the same site, the storage and cleaning of motor vehicles for hire but does not include mechanical repair or servicing of such vehicles.
- Museum:** means any land or buildings used for storing and exhibiting objects and artefacts illustrative of history, natural history, art, nature and culture.
- Net Lettable Area (nla):** means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas—
- all stairs, toilets, cleaners cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
 - lobbies between lifts facing other lifts serving the same floor;
 - area set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
 - 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.
- Night Club:** means any land or buildings used for the entertainment and/or eating facilities and to which a licence under the provisions of the Liquor Licensing Act 1988 has been granted.
- Non-Conforming Use:** has the same meaning as it has in section 12(2)(a) of the Town Planning Act.
- Occasional Uses:** means the use of land or buildings on an occasional basis for the purposes of recreation, entertainment or other community activity which does not prejudice the integrity of the Scheme, and includes a swap-meet market or fair, the profits of which (if any) are to be employed for charitable or community purposes.
- Office:** means premises used for administration, clerical, technical, professional or other like business activities.
- Open Air Display:** means the use of land for display and/or sale of goods and equipment.
- Owner:** in relation to any land, includes the Crown and every person who, jointly or severally whether at law or in equity:—
- is entitled to the land for any estate in fee simple in possession; or
 - is a person to whom the Crown has lawfully contracted to grant the fee simple of the land; or
 - is a lessor or licensee from the Crown; or
 - is entitled to receive or is in receipt of, or, if the lands were let to a tenant, would be entitled to receive, the rents and profits thereof, whether as a beneficial owner, trustee, mortgagee in possession or otherwise.
- Place:** in Part 7 (Heritage Protection) has the same meaning as it has in the Heritage of Western Australia Act 1990;
- Plant Nursery:** means any land or buildings used for the propagation, rearing and sale of plants and the storage and sale of products associated with horticultural and garden decor.
- Plot Ratio:** shall have the same meaning given to the term in the Building Code of Australia except for residential dwellings where the term shall have the same meaning given to it in the Residential Design 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.

- Processing:** means the altering, producing or treating of an article or articles, but does not include the repackaging of food items purchased in bulk into smaller packages, and sale direct to the consumer.
- Public Amusement:** means any land or buildings used for the amusement or entertainment of the public, with or without charge.
- Public Authority:** shall have the same meaning given to it in and for the purposes of the Act.
- Public Assembly—Place of:** means any special place of assembly including grounds for athletics, all sports grounds with spectator provision, racecourse, trotting track, stadium or showground.
- Public Parking Station:** means any land or building or part of a building open to the public generally for the parking of vehicles for which payment of a fee or charge may be required, and includes the use of the land or building for that purpose.
- Public Utility:** means any work or undertaking constructed or maintained by a public authority or the Council as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.
- Public Worship—Place of:** means any land or buildings used primarily for religious activities but does not include an institution for primary, secondary, or higher education, or a residential training institution.
- Public Open Space—Restricted Access:** means the use of land for a public park, public gardens, foreshore reserve, playground or grounds or buildings for recreation where a charge may be levied for the use and occupation of the land and where certain members of the public may be excluded.
- Radio Equipment:** means masts, aerials and other associated equipment used for the transmission and reception of radio signals for hobby or commercial purposes.
- Radio & Television Installations:** means land, buildings, devices or structures used for the transmission or receiving of signals or pictures or both but does not include domestic radio and television receivers.
- Reception Lodge:** means any land or buildings used by parties for functions on formal or ceremonial occasions, but not for un-hosted use for general entertainment purposes.
- Recreation Private:** means land used for parks, gardens, playgrounds, sports arenas, or other grounds for recreation which are not usually open to the public without charge.
- Recreation Public:** means land used for public park, public gardens, foreshore reserve, playground or other grounds for recreation which are usually open to the public without charge.
- Reserve:** means any land reserved for public purpose.
- Recreation Facility:** means land and buildings designed, used or adapted for use for the purpose of public or private tennis courts, swimming pools, gymnasias or other active uses and classes for painting, cooking, drama, instruction, and other similar activities.
- Residential Building:** means a building or portion of a building, together with rooms and outbuildings separate from such building but ancillary thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation
- (a) temporarily by two or more persons, or
 - (b) permanently by seven or more persons,
- who do not comprise a single family; but does not include a hospital or sanatorium, a prison, a hotel, a motel, or a residential school.
- Residential Design Codes:** means the Residential Design Codes, in Appendix 2 to the Western Australian Planning Commission Statement of Planning Policy No. 1, as amended from time to time.
- 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 any land or building, part or parts thereof, used or designed to be used primarily for the sale of retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or deliver of—
- (a) publications that are classified as restricted publications pursuant to the Indecent Publications and Articles Act 1902 (as amended); or
 - (b) materials, compounds or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity.
- Retail:** means the sale or hire of, goods or services to the public.
- Retirement Village:** means a development containing accommodation for aged persons together with ancillary facilities.
- Salvage Yard:** means any land or buildings used for the storage and sale of materials salvaged from the erection, demolition, dismantling or renovating of, or fire or flood damage to structures including (but without limiting the generality of the foregoing) buildings, machinery, vehicles and boats.
- Sawmill:** means any land or buildings where logs or large pieces of timber are sawn but does not include a joinery works.

- Service Station:** means any land or buildings used for the retail sale of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs, minor mechanical repairs to motor vehicles but does not include a transport depot, panel beating, spray painting, major repairs or wrecking.
- Shop:** means any building wherein goods are kept, exposed or offered for sale by retail, or within which services of a personal nature are provided (including a hairdresser, beauty therapist or manicurist) but does not include a showroom, fast food outlet or any other premises specifically defined elsewhere in this part.
- Showroom:** means any building or part of a building used or intended for use for the purpose of displaying or offering for sale by wholesale or retail, automotive parts and accessories, camping equipment, electrical light fittings, floor coverings, furnishings, furniture, household appliances, party supplies, swimming pools, hardware or goods of a bulky nature but does not include the sale by retail of foodstuffs, liquor or beverages, items of clothing or apparel, magazines, newspapers, books or paper products, china, glassware or domestic hardware, or items of personal adornment.
- Showroom/Warehouse:** means a building or part of a building the predominant use of which is for warehousing and storage purposes but which contains a showroom intended for the display and sale of goods provided that such goods are bulky goods or commodities sold as adjuncts thereto, or goods which are sold by wholesale in large quantities per order.
- Sign:** means a notice, message or display by means of a freestanding or fixed sign or hoarding.
- Sports Ground:** means any land used for any sport; but does not include land within the curtilage of a dwelling, if not used commercially.
- Squash Courts:** means a building or portion of a building wherein persons may participate in or view the game of squash and includes auxiliary facilities thereto.
- Street Alignment:** means the boundary between the land comprising a street and the land that abuts thereon, but where a new street alignment is prescribed, means the new street alignment as prescribed.
- Storage Yard:** means any land used for the storage of goods.
- Structure Plan:** means a plan which indicates broad land use options for the development and subdivision of an area and provides a policy framework for such future subdivision and development.
- Substantially Commenced:** means that work or development the subject of a planning approval has been begun by the performance of some substantial part of that work or development.
- Tavern:** means any premises licensed as a Tavern under the provisions of the Liquor Licensing Act 1988 and used to sell liquor for consumption on the premises.
- Town Planning Act:** means the Town Planning and Development Act 1928.
- Trade Display:** means any land and/or buildings used for the display of trade goods and equipment for the purposes of advertisement.
- Transport Depot:** means any land or buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one motor vehicle to another of such motor vehicle and includes maintenance, management and repair of the vehicles used, but not of other vehicles.
- Veterinary Consulting Room:** means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients but in which animals or pets do not remain overnight, and may include a dispensary of medications incidental thereto.
- Veterinary Hospital:** means a building used in connection with the treatment of animal injuries and ailments, and includes the care and accommodation of animals during or after such treatment.
- Warehouse:** means a building wherein goods are stored and may be offered for sale by wholesale.
- Waterway:** shall have the same meaning given to it in and for the purposes of the Act.
- Wholesale:** means the sale of any goods to any person or persons other than the ultimate consumer of those goods by a person or his trustee, registered as a 'wholesale merchant' for Sales Tax purposes under the provisions of the Sales Tax Assessment Act No 1 1930 (as amended).
- Zone:** means 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.
- Zoological Gardens:** means any land or buildings used for the keeping, breeding or display of fauna and the term includes Zoo but does not include kennels or keeping, breeding or showing of domestic pets.
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APPENDIX 2

SCHEDULE OF ADDITIONAL USES

No.	Description of land	Additional use	Conditions

APPENDIX 3

SPECIAL PURPOSE ZONES

STREET	PARTICULARS OF LAND	PERMITTED USES	DISCRETIONARY USES
Beechboro Road / Incana Place	Lot 63 Swan Loc M1 Diagram 73300	(1) Non-Retail Commercial	
Benara Road Near Garson Court	Lot 2 Swan Loc M1 Diagram 60446	(1) Medical Centre	
Benara Road	Lot 1 Diagram 60446	(1) Petrol Station	
Camboon Road / Noranda Place	Lot 1 Swan Loc. M1 Diagram 74031	(1) Aged Persons' Accommodation	
Camboon Road/ Thornber Place	Lot 2 Swan Loc M1 Diagram 74032	(1) Nursery	
Coode Street / Walter Road West / Kennedy Street	Lot 423 Swan Loc U Plan 25969	(1) Bowling Centre	
Guildford Road	Lots 4, 5 & 7 Swan Loc W Diagram 2875	(1) Car Sales Yard	
Guildford Road/ Mahdi Street	Lot 27 & 28 Swan Loc. V Diagram 2212	(1) Car Sales Yard	
Guildford Road	Lot 9 Swan Loc V Diagram 84610	(1) Hire Cars	
Guildford Road	Lot 4 Plan 1588	(1) Medium Density Residential R50 (2) Office (3) Storage	

STREET	PARTICULARS OF LAND	PERMITTED USES	DISCRETIONARY USES
Guildford Road / Garratt Road	Lot 201 Diagram 88814	(1) Car Sales Yard	
Slade Street / Guildford Road	Lot 26 & 101 Swan Loc U Diagram 35697, Diagram 92749	(1) Tavern (2) Local Shopping	
Vera Street / Wellington Road	Lot 10 Swan Loc 1233 Diagram 55194	(1) Real Estate Office	
Walter Road East / Beechboro Road North (south east corner)	Lot 2, 511, 513 Swan Loc Q1 Diagram 63188, Plan 9997	(1) Offices (2) Medical Centre	Betting Agency Educational Establishment Health Studio Hire Service (non-industrial) Infant Health Clinic Recreation Facility Restaurant Showroom / Warehouse Veterinary Consulting Rooms
NOTE: 'Discretionary Uses' Lot 25 Walter Road, corner Beechboro Road, Bayswater: In the case of an application for Council's approval for a Betting Agency, Health Studio or Restaurant, the Council shall, in dealing with such an application, cause the application to be advertised for public comment for a period of twenty one days, pursuant to the provisions of Clause 3.3.			
Guildford Road / Roberts Road	Lot 50 & 292 Diagram 53415, Plan 2683	(1) Medical Centre	
Garson Court	Lot 323 Swan Loc M1 Diagram 58387	(1) Car Park (2) Occasional Uses (3) Public Amusement (4) Public Worship (5) Sports Ground (6) Infant Health Clinic (7) Open Air Display (8) Public Assembly (9) Recreation Facility	

STREET	PARTICULARS OF LAND	PERMITTED USES	DISCRETIONARY USES
King William Street / Slade Street	Lot 50 and portion of Lots 13, 12, 9, 8, Pt 4	(1) Bird Sanctuary / Refuge (2) Public Recreation (3) Ablution Facilities (4) Interpretive Centre (5) Car Park	
Garratt Road	Lots 20, 28 & 29 Diagram 2212	(1) Parking of Rental Cars	
Leake Street	Lot 2 No 73-87	(1) Aged Persons Accommodation Occupancy of each dwelling unit on the property shall be restricted so that no more than one permanent occupant can be under fifty five (55) years and subject to that person being a partner of the older person.	
Guildford Road / Mahdi Street	Lot 51 Swan Loc W Plan 2085 Diagram 82180	(1) Car Sales Yard	
Collier Road / Embleton Avenue	Lot 71 Swan Loc Q1 Diagram 31770	Offices-restricted to the existing building and any additions the Council may subsequently approve.	
McWhae Gardens	Lot 40 Plan 21472	(1) Residential R20	
Cnr Salisbury Street and Dennison Street	Lot 50451 Diagram 86158	(1) Aged Persons' Accommodation Occupancy of each dwelling unit on the property shall be restricted so that no more than one permanent occupant can be under fifty five (55) years and subject to that person being a partner to the older person.	
Railway Parade	Lot 72 Diagram 83262	(1) Aged Persons' Accommodation	

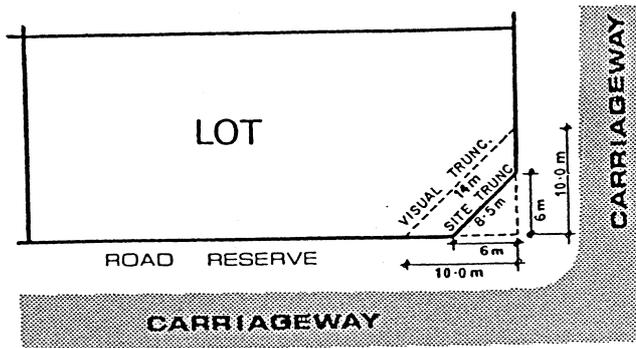
STREET	PARTICULARS OF LAND	PERMITTED USES	DISCRETIONARY USES
Rose Avenue	Lot 81 Plan 25092	(1) Hotel / Motel Units (2) Hotel In accordance with the concept plan dated May 1999 Ref 93139MP03	
Walmsley Drive	Swan Location 12684	(1) Aged Persons' Accommodation	
Broun Avenue Corner Collier Road	Lot 4, 5, 6, 8 Swan Loc T Diagram 46995 Diagram 26572	(1) Petrol Station (2) Convenience Store (3) Fast Food Outlet	
Thirlmere Road / Ellesmere Road, Mt Lawley	Lot 803 Swan Loc Z Plan 28393	(1) Hospital	
Guildford Road / Rowlands Street Maylands	Lot 88 Perth Shire Loc Y Diagram 85170	(1) Fast Food Outlet	
Guildford Road / Caledonian Avenue Maylands	Lot 50 Perth Shire Loc X Diagram 45130	(1) Take Away / Fast Food Outlet	
Guildford Road and Central Avenue, Maylands	Lot 70 No 142 Diagram 95215	(1) Institutional Buildings (2) Residential R50	
Guildford Road Mt Lawley	Lot 573 Perth Shire Loc X Plan 2165	(1) Medium Density Residential R50 (2) Office (3) Consulting Rooms	

STREET	PARTICULARS OF LAND	PERMITTED USES	DISCRETIONARY USES
Benara Road, Morley Cnr of Beechboro Road	Lot 20 Swan Loc M1 Plan 6314	(1) Hire Service (Non-Industrial) (2) Medical Centre (3) Offices (4) Showroom / Warehouse (5) Veterinary Consulting Rooms	(1) Shop (2) Lunch Bar <i>Conditions—</i> <i>1. The amount of GLA floorspace for the “Shop” use is not to exceed 1200m² on this site.</i> <i>2. The amount of GLA floorspace for the “Lunch Bar” use is not to exceed 150m² on this site.</i> <i>3. Development of the land the subject of this Special Purpose zone shall not be progressed until an Outline Development Plan (ODP) has been prepared and approved at the discretion of the Council. The ODP is to address matters including access to and from the site, bin storage / waste collection, vehicle parking and circulation on the site, impacts on the amenity of the adjoining residential development, built form, materials and colours.</i>

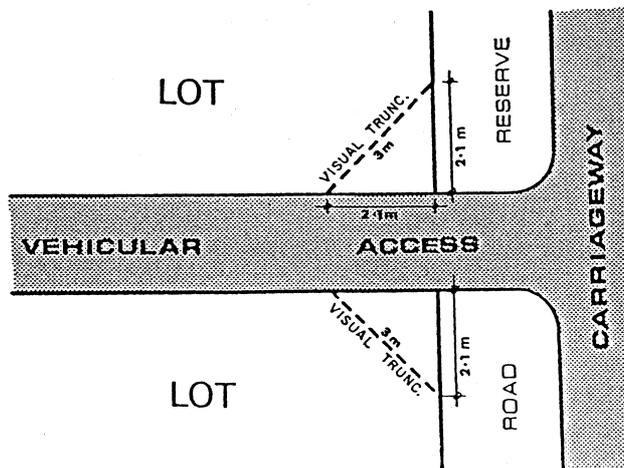
APPENDIX 4

VISUAL TRUNCATIONS

VISUAL TRUNCATION - CORNER LOTS



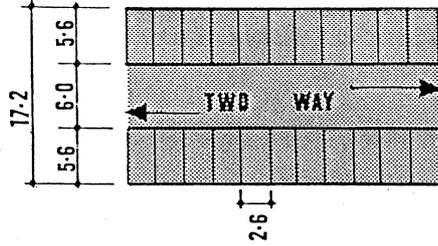
VISUAL TRUNCATION - VEHICULAR ACCESS WAY



APPENDIX 5

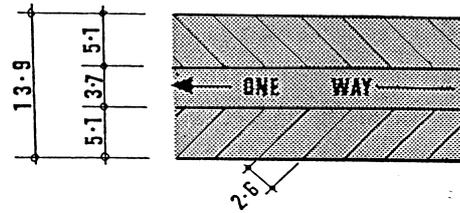
PARKING STANDARDS

90° PARKING

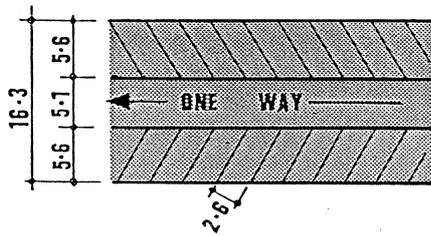


ALL DIMENSIONS IN METRES

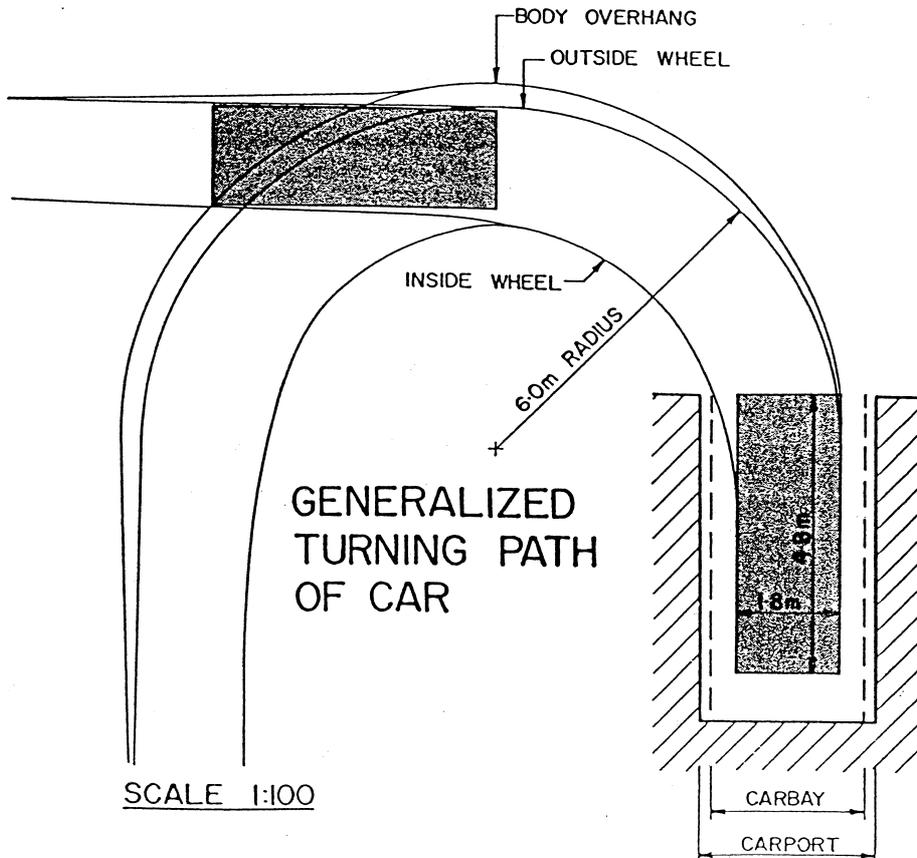
45° PARKING



60° PARKING

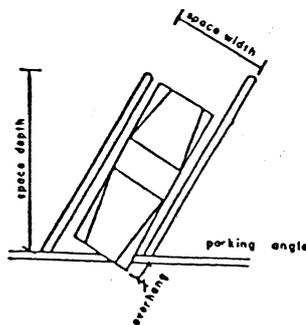
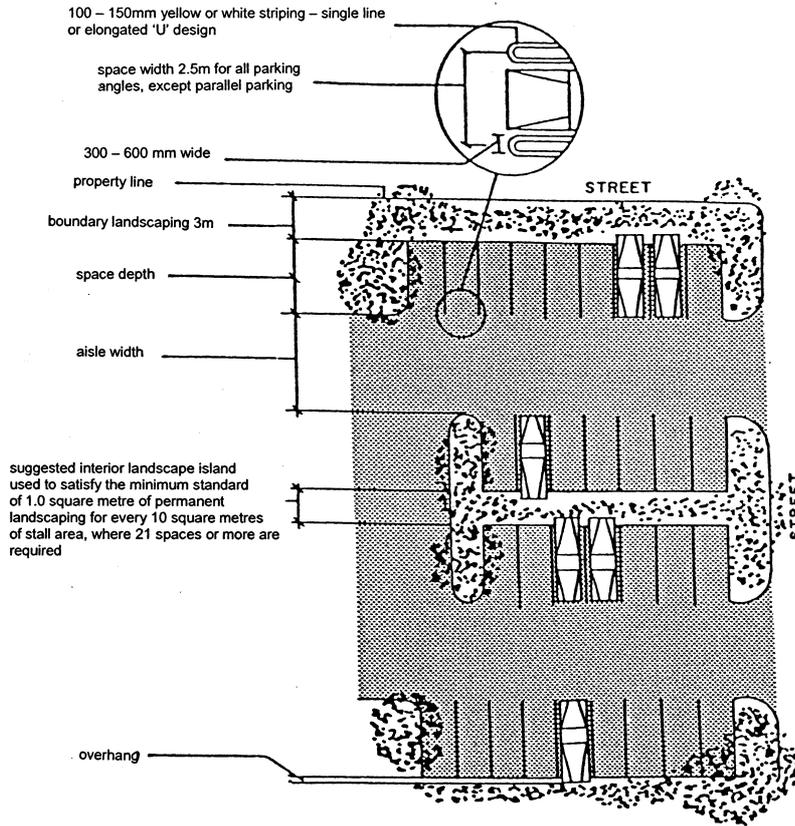


NOTE: Where cars are to be covered, the width of the car bay is to be increased to 3m

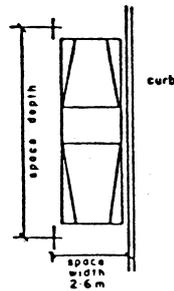


APPENDIX 6

PARKING FACILITY DESIGN REQUIREMENTS



Angled Parking



Parallel Parking

SPACE DEPTH

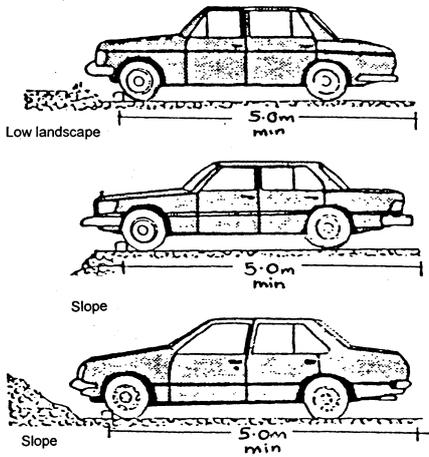
Minimum Depth of 5.5m if spaces are paved with at least 2.4m of no parking area between points. Otherwise, the minimum space depth shall be 7m

APPENDIX 6 (cont)

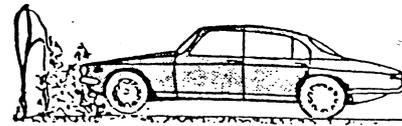
PARKING FACILITY PROJECTION & MINIMUM DIMENSION

In measuring the depth of paving required for uncovered parking spaces, allowance may be made to accommodate vehicular projection, beyond the bumper or tyre stop, if such projection does not interfere with screening or pedestrian use. See illustration below for example of permitted paving allowances.

permitted

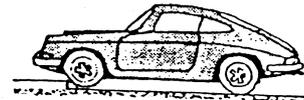


not permitted



Required screening

The maximum overhang for parking angles greater than 59 degrees shall be 0.61m



Pedestrian walkway

APPENDIX 7

**ADDITIONAL INFORMATION SHEET
FOR SIGNAGE APPLICATIONS**

ADDITIONAL INFORMATION SHEET (To accompany all signage applications)	
1	Description of property upon which advertisement is to be displayed, including full details of its position within that property—
2	Details of proposed sign (<i>complete all details below</i>)
	Type of Structure of which advertisement is to be erected (<i>i.e. freestanding, wall mounted, other</i>)
	Height
	Width
	Depth
	Colours to be used
	Height above ground level to top of advertisement
	Height above ground level to underside
	Materials
	Illumination (<i>If illuminated, state whether steady, moving, flashing, alternating, digital, animated, scintillating and state intensity of light source</i>)
3	Period of time for which advertisement is required—
4	Details of signs (if any) to be removed if this application is approved—
Note:	<i>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 4 above.</i>
Signature of applicant—	Date:
Signature of landowner— (if not applicant)	

APPENDIX 8

EXEMPTED ADVERTISEMENTS

Exempt Advertisement Type	Zone or Type of Development / Use	Conditions of Exemption

APPENDIX 9

**NOTICE OF DETERMINATION
ON APPLICATION FOR PLANNING APPROVAL**

Town Planning Act 1928

City of Bayswater

Determination 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—	
<input type="checkbox"/> Granted subject to the following conditions <input type="checkbox"/> Refused for the following reasons	
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 determination, 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 determination there is a right of appeal under Part V of the Town Planning Act 1928. An appeal must be lodged within 60 days of the determination.
Signed—	Dated:
For and on behalf of the City of Bayswater	

ADOPTION

Adopted by Resolution of the Council of the City of Bayswater at the Ordinary Meeting of the Council held on the 29th day of August 2000.

L. J. MAGRO, Mayor.

Date: 24/8/04.

M. J. CAROSELLA, Chief Executive Officer.

Date: 24/8/04.

FINAL APPROVAL

1. Adopted by Resolution of the Council of the City of Bayswater at the Special Meeting of the Council held on the 20th day of November 2002, and the seal of the Municipality was pursuant to that Resolution hereunto affixed in the presence of—

L. J. MAGRO, Mayor.

M. J. CAROSELLA, Chief Executive Officer.

(This Scheme Text is to be read in conjunction with the approved maps of the Scheme and to which formal approval was given by the Hon Minister for Planning and Infrastructure on the date given below.)

2. Recommended/Submitted for final approval by the Western Australian Planning Commission.

R. KOHN, Delegated Under S.20 of WAPC Act 1985.

Date: 20/10/04.

3. Final approval granted.

ALANNAH MacTIERNAN, Minister for Planning
and Infrastructure.

Date: 2/11/04.

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 and 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
APPLICATIONS FOR THE GRANT OF A LICENCE			
10519	Action Industrial Catering Pty Ltd	Application for the grant of a Special Facility—Canteen licence in respect of premises situated in Hyden and known as Cosmic Boy	05/12/2004
10520	Avon Hockey Association Inc	Application for the grant of a Club Restricted licence in respect of premises situated in Northam and known as Avon Hockey Association Inc	10/12/2004
10524	Traxley Doherty and Diane Doherty	Application for the grant of a Wholesaler's licence in respect of premises situated in Bunbury and known as Emperor's Reign	13/12/2004
10529	BD and DL Roberts	Application for the grant of a Producer's licence in respect of premises situated in Margaret River and known as BD and DL Roberts	07/12/2004
10530	Peter Heenan	Application for the grant of a Producer's licence in respect of premises situated in Wundowie and known as Chedaring Farm	07/12/2004
10531	Matrix Ocean Adventures Pty Ltd	Application for the grant of a Special Facility—Tourism licence in respect of premises situated in Henderson and known as Matrix Ocean Adventures	22/12/2004
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
21763	Palmerville Pty Ltd	Application for the grant of an extended trading permit - ongoing extended hours, in respect of premises situated in Kambalda West and known as Giants Liquor Kambalda Motor Hotel	09/12/2004
21803	Warehouse Liquor Pty Ltd	Application for the grant of an extended trading permit - ongoing extended hours, in respect of premises situated in Osborne Park and known as Op's Tavern	07/12/2004
21823	Megan Mary James	Application for the grant of an extended trading permit - ongoing extended hours, in respect of premises situated in Piawaning and known as Piawaning Trading Agency.	09/12/2004
21903	David Evans and Graeme Miller	Application for the grant of an extended trading permit - ongoing extended hours, in respect of premises situated in Merredin and known as Commercial Hotel	12/12/2004

App. No.	Applicant	Nature of Application	Last Date for Objections
APPLICATIONS FOR EXTENDED TRADING PERMITS—ONGOING EXTENDED HOURS			
<i>—continued</i>			
21923	WARSA Pty Ltd	Application for the grant of an extended trading permit - ongoing extended hours, in respect of premises situated in Yerecoin and known as Yerecoin Tavern	13/12/2004

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

Dated: 24 November 2004.

H. R. HIGHMAN, Director of Liquor Licensing.

PUBLIC NOTICES

ZZ201

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Rodney William Nicholson late of "Bonnie Doon", Moorine Rock, Farmer deceased.

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 30 August 2004 are required by the Executrix of care of Stables Scott, 8 St George's Terrace, Perth to send particulars of their claims to her by no later than 30 December 2004 after which date she may convey or distribute the assets having regard only to the claims of which she then has notice.

ZZ202

TRUSTEES ACT 1962
DECEASED ESTATES

Notice to Creditors and Claimants

Notice to Creditors and Claimants of Patrick Joseph Gallagher late of St John of God Villa, 9 McCourt Street, West Leederville, Western Australia, Retired Plant Operator deceased.

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 23 October 2004 are required by ANZ Executors & Trustee Company Limited (ABN 33 006 132 332) of Level 21, 530 Collins Street, Melbourne Vic 3000 to send particulars of their claim to them by 31 December 2004 after which date the Trustee 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

Creditor and other persons having claims (to which Section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 26th December 2004 after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Bell Violet Ivy, late of 31 Woodville Street North Perth, died 14/11/2004, (DE19570736EM32)

Candy Errol Roy also known as Roy Candy, late of RSL War Veterans Home 51 Alexander Drive Menora, died 1/11/2004, (DE20010592EM36)

Cook Harriet May, late of Unit 4B Wanbi Place Greenfields, died 24/10/2004, (DE19915861EM34)

- Crocker Alice May, late of Wearne House 7 Leslie Street Mandurah, died 12/10/2004, (DE19510630EM26)
- Dunn Michael James, late of 75 Kathleen Street Bassendean, died 9/9/2004, (DE19720558EM35)
- Elson Margret Rose, late of 82B Doolette Street Spearwood. died 25/10/2004, (DE19871664EM27)
- Finnerty Sylvia Evelyn, late of Unit 1/64 Petra Street Palmyra formerly of Carinya of Bicton Nursing Home 220 Preston Point Road Bicton, died 18/11/2004, (DE19751330EM38)
- Holland Maria Karoline, late of Braemar House Windsor Road East Fremantle formerly of 44 Bawdan Street Willagee, died 18/10/2004, (DE19891057EM26)
- Hulme Mary, late of 14A Carrington Street Kalgoorlie, died 22/9/2004, (DE19742931EM38)
- Keasberry Benjamin David, late of Lady McCusker Home Room 8 House 3/27 Beddi Road Duncraig, died 23/10/2004, (DE19850630EM17)
- Moodie Kathleen Annie, late of 100 Guildford Road Maylands formerly of 22 Whitlock Street Kalgoorlie, died 15/10/2004, (DE19873709EM26)
- Peet John, late of Mandurah Care Facility 1 Hungerford Avenue Mandurah, died 31/10/2004, (DE19970201EM27)
- Platt Dean John, late of 193 William Street Beckenham, died 5/11/2004, (DE19993193EM15)
- Rehn Josephine Kathleen, late of Lady McCusker Nursing Home Beddi Road Duncraig, died 26/10/2004, (DE19820083EM35)
- Sewell Derek, late of 131 Kingsway Court Madeley formerly of Unit 3/15 Herdsman Parade Wembley, died 20/7/2004, (DE19732171EM26)
- Solomko Gertrud, late of 25 Unicorn Street Wagin died 1/8/2004, (DE31055711EM34)
- Stephens Constance Margaret, late of Trinity Hostel Hillview Terrace Bentley, died 24/4/2004, (DE19811893EM17)
- Sutcliffe Denis, late of 1/72 Deanmore Road Scarborough, died 7/11/2004, (DE19570712EM12)
- Unbun Maggie, late of Numbala Nunga Nursing Home Sutherland Street Derby, died 12/2/2004, (DE3305499EM36)
- Van Hamburg Helena, late of 406A/93 Thomas Street Subiaco, died 28/8/2004, (DE33034385EM27)
- Wentzel Nuala Philomena also known as Philomena Wentzel late of Little Sisters of the Poor 2 Rawlings Street Glendalough, died 5/10/2004, (DE19981284EM22)
- Williams Ronnie, late of Numbala Nunga Nursing Home Sutherland Street Derby, died 22/4/2002, (DE30229671EM36)

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Public Trust Office,
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