

# Government Gazette

OF

## WESTERN AUSTRALIA

(Published by Authority at 3.30 p.m.)

No. 33]

PERTH: FRIDAY, 26 APRIL

[1985

IT is hereby notified for public information that His Excellency the Governor has approved the following temporary allocation of portfolios during the absence of the Hon. D. C. Parker, M.L.A., for the period Sunday, 14 April, to Tuesday, 23 April, 1985 inclusive.

The Hon. P. M'C. Dowding, M.L.C. to be Acting Minister for Minerals and Energy, and Minister assisting the Minister Co-ordinating Economic and Social Development.

D. BLIGHT,  
Acting Director-General.

Crown Law Department,  
Perth, 26 April 1985.

THE Honourable Attorney General has approved the appointment of the following persons as Commissioners for Declarations under the Declarations and Attestations Act 1913:—

Adams, Royston John; Riverton.  
Apostoles, Nicholas; Kallaroo.  
Beadsworth, Gene Everitt; Nedlands.  
Carter, Colin Jeffrey; Hamersley.  
Cole, Norman William; Carine.  
Delich, Tony; Wanneroo.  
Fawcett, Robert Charles; Mullaloo.  
Grow, Jill; Stirling.  
Horwood, Mark Peter; Gosnells.  
Kubank, Kym Frederick; Wanneroo.  
Parry, Leona Anne; Duncraig.  
Parry, Robert Griffith Pennant; Duncraig.  
Simpson, Ian John; Karrinyup.  
Storen, Brian; Greenwood.  
Wehr, Alan; Greenwood.  
Williams, Graeme Ross; Greenwood.  
Wood, Christine Marie; Edgewater.

D. G. DOIG,  
Under Secretary for Law.

Crown Law Department,  
Perth, 26 April, 1985.

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

Approved of the following appointments to the Commission of the Peace for the State of Western Australia.

William Alex Bennell, of 1 Paine Road, Esperance and, Esperance Shire Council, Winditch Street, Esperance.

Jennifer Rose Olney, of Unit 8, St. James, 12 Wingfield Avenue, Crawley.

D. G. DOIG,  
Under Secretary for Law.

Crown Law Department,  
Perth, 26 April 1985.

IT is hereby notified for public information that the Honourable Attorney General has accepted the resignation of Mr. Russell Hugh Bresland of 70 Sherington Road, Greenwood, as a Commissioner for Declarations under the Declarations and Attestations Act 1913.

D. G. DOIG,  
Under Secretary for Law.

### EXPLOSIVES AND DANGEROUS GOODS ACT 1961.

#### INTERPRETATION ACT 1984.

NOTICE is hereby given that by reason of section 42 of the Interpretation Act 1984 the Dangerous Goods (Road Transport) Amendment Regulations (No. 3) 1984, published in the *Government Gazette* on 1 February 1985 shall not have effect.

D. G. DOIG,  
Under Secretary for Law.

## STAMP ACT 1921.

## STAMP AMENDMENT REGULATIONS (No. 2) 1985.

MADE by His Excellency the Governor in Executive Council.

- Citation and principal regulations. 1. (1) These regulations may be cited as the Stamp Amendment Regulations (No. 2) 1985.
- (2) In these regulations the Stamp Regulations 1979\* are referred to as the principal regulations.
- Regulation 12A inserted. 2. After regulation 12 of the principal regulations the following regulation is inserted—
- Form of licence under section 109 (6). “ 12A. The prescribed form of licence referred to in section 109 (6) is set out in Form 3 in the Third Schedule. ”.
- Third Schedule amended. 3. The Third Schedule to the principal regulations is amended by inserting after Form 2 the following form—
- Form 3

## STATE TAXATION DEPARTMENT

## STAMP ACT 1921

## Section 109 (6)

## Regulation 12A

Licence Number:

## LICENCE TO SUPPLY CONTINUING LOTTERY TICKETS.

\_\_\_\_\_

\_\_\_\_\_

of \_\_\_\_\_

\_\_\_\_\_

is licensed under section 109 of the Stamp Act 1921 as a licensed supplier of continuing lottery tickets for the purposes of the Act.

\_\_\_\_\_19\_\_\_\_\_

\_\_\_\_\_  
Commissioner ”.

By His Excellency's Command,

R. G. COOPER,  
Clerk of the Council.

\* Published in the *Government Gazette* on 7 December 1979 at pp. 3780-3787 and amended from time to time thereafter.

INDECENT PUBLICATIONS AND ARTICLES  
ACT 1902-1983.

I, RONALD DAVIES, being the Minister administering the Indecent Publications and Articles Act 1902-1983, acting in the exercise of powers conferred by subsection (1) of section 10 of that Act, do hereby determine that the Publications (Printed Matter) specified in the schedule below shall be classified as restricted publications for the purposes of that Act.

Dated this 15th day of April, 1985.

RONALD DAVIES,  
Minister for the Arts.

## Schedule.

Title; Publisher.

Big Boobs, Vol. 3, No. 2 June 1985; Friday Publishing Corp.  
Buf, Vol. 17, No. 3, May 1985; G. & S. Publications Inc.  
High Society, Vol. 10, No. 1, May 1985; High Society Magazine.  
Outlaw Biker, Vol. 1, No. 4, May 1984; Outlaw Biker Enterprises Inc.

INDECENT PUBLICATIONS AND ARTICLES  
ACT 1902-1983.

I, RONALD DAVIES, being the Minister administering the Indecent Publications and Articles Act 1902-1983, acting in the exercise of powers conferred by sub-section (1) of section 10 of that Act, do hereby determine that the Publications (Printed Matter) specified in the schedule below shall be classified as restricted publications for the purposes of that Act.

Dated this 19th day of April, 1985.

RONALD DAVIES,  
Minister for the Arts.

## Schedule.

Title; Publisher.

Australian Penthouse Vol. 6, No. 3, March 1985; PH Editorial Services Pty. Ltd.  
Bathouse Ballin'; Le Salon.  
Best of Sexology Today, The No. 2; Medi-Media Publications Inc.  
Cinema Blue, Vol. 2, No. 4, May 1985; Hudson Communications Inc.  
Club International, Vol. 14, No. 5; Paul Raymond Publications Ltd.

- Couples, Vol. 5, No. 3, March 1985; Ritter/Geller Communications Co.  
 Couples Fantasies, Vol. 5, No. 6, June 1985; Ritter/Geller Communications Co.  
 Couples Today, Vol. 8, No. 3, June 1985; Thomaston Publications Inc.  
 Escort, Vol. 5, No. 4; Paul Raymond Publications Ltd.  
 Eye Ballin' (Voyeur Boys No. 1); —  
 Fiesta, Vol. 19, No. 4; Galaxy Publications Ltd.  
 First Hand, Vol. 5, No. 6, June 1985; First Hand Ltd.  
 Genesis, Vol. 12, No. 11, June 1985; Cycle Guide Publications Inc.  
 Gent—Home of the D-Cups, Vol. 26, No. 5, May 1985; Dugent Publishing Corp.  
 Girls of Penthouse, The No. 13; Penthouse International Ltd.  
 Honcho, Vol. 8, No. 2, May 1985; Modernismo Publications Ltd.  
 Hustler Fantasies, Vol. 3, No. 5, May 1985; Hustler Sex Play Inc.  
 Impulse; —  
 Live! Vol. 5, No. 6, April 1985; Car-Bon Publishers.  
 Live! Vol. 5, No. 7, May 1985; Car-Bon Publishers.  
 Max, Vol. 1, No. 2, May 1985; M M Publications Ltd.  
 Manscape, Vol. 1, No. 8, July 1985; First Hand Ltd.  
 Newlook, Vol. 1, No. 1, May 1985; Newlook International Ltd.  
 Oui Vol. 14, No. 5, May 1985 (Canadian Edition); Laurant Publishing Ltd.  
 Oui Celebrity Nudes, Vol. 4, No. 52; Laurant Publishing Ltd.  
 Oui Letters, Vol. 4, No. 6, June 1985; Laurant Publishing Ltd.  
 Oui Special Issue, Vol. 4, No. 5, Spring 1985—Football '84; Laurant Publishing Ltd.  
 Peek-Show (Voyeur Boys No. 6); —  
 Pleasure, No. 24; SASS-Verlags-GmbH & Co. K. G.  
 Pleasure, No. 35; SASS-Verlags-GmbH & Co. K. G.  
 Pleasure, No. 41; SASS-Verlag-GmbH & Co. K. G.  
 Pleasure, No. 47; SASS-Verlag-GmbH & Co. K. G.  
 Pleasure, No. 59; Pleasure-Verlag-GmbH & Co. K. G.  
 Pleasure, No. 60; Pleasure-Verlag-GmbH & Co. K. G.  
 Pleasure, No. 61; Pleasure-Verlag-GmbH & Co. K. G.  
 Pleasure, No. 62; Pleasure-Verlag-GmbH & Co. K. G.  
 Sexpaper, No. 266; Undercounter Publications.  
 Stag, Vol. 36, No. 4, April 1985; Stag Magazine Corp.  
 Taboo, No. 85; Undercounter Publications.  
 Torso, Vol. 3 Issue, 10 April 1985; Varsity Communications Inc.  
 Torso, Vol. 3 Issue, 11 May 1985; Varsity Communications Inc.  
 Turn-On Letters, Vol. 4, No. 24, April 1985; AJA Publishing Corp.  
 Two On One; —  
 Very Best of High Society, The Vol. 1, No. 2; Mar-Jam Publications.  
 Virile, No. 85; Undercounter Publications.  
 Working Men, Issue 3; Pantheon.

#### WESTERN AUSTRALIAN TURF CLUB.

##### Amendment of By-laws.

I, JOHN CHARLES ROBERTS the Chairman for the time being of the Western Australian Turf Club hereby certify that at a meeting of the Committee of the Club held on 19 February 1985 the following resolutions were passed unanimously by the members of the Committee amending the by-laws of the Club as follows:—

- (1) By-law 2 (a) be amended by deleting the words "Junior members";
- (2) By-law 2 (c) be amended by deleting the words "Junior Members";
- (3) By adding a new By-law 2 (d)

"2 (d) No person shall be eligible to be a member of the Club unless he or she shall have attained the age of eighteen years.";

- (4) By deleting By-law 3 (d);
- (5) By-law 3 (h) be amended by deleting the words "Junior Members";
- (6) By-law 3 (i) be amended by deleting the words "Junior Members"; and
- (7) By deleting By-law 3 (j).

Dated this 7th day of March, 1985.

JOHN CHARLES ROBERTS,  
Chairman.

#### SOCCKER FOOTBALL POOLS ACT 1984.

##### SOCCKER FOOTBALL POOLS REGULATIONS 1985.

MADE by His Excellency the Governor in Executive Council.

Citation. 1. These regulations may be cited as the Soccer Football Pools Regulations 1985.

Application of sub-sections—section 14 (2). 2. The licensee shall pay into the prize fund an amount equal to 50% of the subscriptions received by him.

By His Excellency's Command,

R. G. COOPER,  
Clerk of the Council.

## HEALTH ACT 1911 (AS AMENDED).

Health Department of W.A.,  
Perth, 19 April 1985.

P.H.D. 179/65.

1. The cancellation of the appointment of Mr. Alan F. Osborne as a Health Surveyor to the Shire of Goomalling is hereby notified.

2. The appointment of Mr. Robert Eric Boardman as a Health Surveyor to the Shire of Goomalling is approved.

J. C. McNULTY,  
Executive Director, Public Health  
and Scientific Support Services.

## HEALTH ACT 1911 (AS AMENDED).

Health Department of W.A.,  
Perth, 22 April 1985.

P.H.D. 1289/56.

THE appointment of Mr. Robert Moss as a Relieving Health Surveyor to the town of Kalgoorlie is approved effective from 20 April 1985.

J. C. McNULTY,  
Executive Director, Public Health  
and Scientific Support Services.

## HEALTH ACT 1911 (AS AMENDED).

Health Department of W.A.,  
Perth, 19 April 1985.

P.H.D. 575/84.

THE appointment of Mr. Trevor Phillip Cousins as a Health Surveyor to the Shires of Merredin, Yilgarn, Corrigin, Narembeen, Nungarin, Westonia and Mukinbudin is approved.

J. C. McNULTY,  
Executive Director, Public Health  
and Scientific Support Services.

WESTERN AUSTRALIAN ALCOHOL AND  
DRUG AUTHORITY ACT 1974.

Health Department of W.A.,  
Perth, 23 April 1985.

P.H.D. 1216/74; Ex. Co. No. 1104.

HIS Excellency the Governor in Executive Council has been pleased to appoint under the provisions of section 5 of the Western Australian Alcohol and Drug

Authority Act No. 32 of 1974, as amended, the appointment of Mr. Peter John Sharkey LL.B as Chairman of the Alcohol and Drug Authority for a term expiring on 28 November 1987, *vice* Dr. K. J. M. Carruthers resigned.

BARRY HODGE,  
Minister for Health.

## NAVIGABLE WATERS REGULATIONS.

Water Ski Areas.

Department of Marine and Harbours,  
Fremantle, 2 April 1985.

ACTING pursuant to the powers conferred by Regulation 48A of the Navigable Waters Regulations the Department of Marine and Harbours by this Notice defines and sets aside the following area of navigable waters for water skiing and use by authorised members of the West Australian Water Ski Association, Ski Racing Division, only, from 9.30 a.m. until 1.30 p.m. Sunday 28 April 1985.

A Course commencing from within the Heathcote Ski Area proceeding upstream around Quarry Spit thence downstream around Knot Spit thence Inner Dolphin to Point Resolution around Freshwater Bay to Chidley Point around Point Walter through Lucky Bay around Point Dundas to the finish point at Point Heathcote.

C. J. GORDON,  
Acting General Manager.

## PORT HEDLAND PORT AUTHORITY.

Application for Lease.

TAKE notice that Port Hedland Port Authority hereby invites applications for a lease of portion of the land at Port Hedland vested in the Authority for a term of 21 years at a rental of \$10 per year the particular land being an area of 416 square metres of the harbour bottom situated adjacent to the wharf of Mount Newman Mining Co. Pty. Ltd.

COLLISON & HUNT,  
Solicitors for  
Port Hedland, Port Authority,  
7 Havelock Street,  
West Perth 6005.

## ERRATUM.

EASTERN GOLDFIELDS TRANSPORT BOARD ACT 1984.

EASTERN GOLDFIELDS TRANSPORT BOARD AMENDMENT  
REGULATIONS 1985.

WHEREAS errors occurred under the above headings on pages 1290 and 1292 of *Government Gazette* No. 29 on Friday 12 April 1985 and are amended as follows:—

Page 1290 in Form No. 9 the line reading "SIGNATURE OF ELECTORAL OFFICER" should read "SIGNATURE OF SCRUTINEER".

Page 1292 in Form No. 13 the line reading "BE POSTED TO ME IS—IF SAME AS ABOVE WRITE "AS ABOVE")" should read "BE POSTED TO ME IS—(IF SAME AS ABOVE WRITE "AS ABOVE")".

## FISHERIES ACT 1905.

Notice No. 171.

ACTING in exercise of the powers conferred by sections 9 and 11 of the Act, I hereby prohibit the taking of snapper (*Chrysophrys unicolor*) by means of nets in the waters specified in the schedule hereto.

H. D. EVANS,  
Minister for Fisheries.

Schedule.

The waters of the Indian Ocean and Shark Bay below high water mark lying between the parallels of 24 degrees 30 minutes and 26 degrees 30 minutes of south latitude and east of 112 degrees 30 minutes of east longitude with the exception of those waters within Shark Bay lying south of a line drawn from Cape Inscription on Dirk Hartog Island due east to the mainland.

## FISHERIES ACT 1905.

Notice No. 180.

F. &amp; W. 858/72.

PURSUANT to sections 9 and 11 of the Act I hereby prohibit licensed professional fishermen other than those with written approval of the Director of Fisheries from taking or attempting to take mud crabs (*Scylla spp*) in Western Australian waters within five-hundred metres of high water mark between Christine Point to the north of Derby and the point known locally as Escape Point to the south of Derby including all tidal creeks.

H. D. EVANS,  
Minister for Fisheries.

## FISHERIES ACT 1905.

Notice.

Fisheries Department,  
Perth, 26 April 1985.

F783/75 V.3.

IT is hereby notified for general information that the Hon. Minister for Fisheries has appointed the Officers listed hereunder as Honorary Licensing Officers pursuant to section 5 (1d) of the Fisheries Act 1905.

Hilary Anne Smith,  
Martin De Jongh.

B. K. BOWEN,  
Director.

## NAMING OF COATES RESERVE.

Reserve No. 11619.

Department of Lands and Surveys,  
Perth, 26 April 1985.

File No. 13844/02.

IT is hereby notified for general information that the name of "Coates Reserve" has been applied to the land contained in Reserve No. 11619 (Avon Locations 28580 and 28581) set apart for the purpose of "Recreation" and situated in the Shire of Northam.

(Public Plan Bakers Hill 1:10 000 2.2; Avon 1:10 000 1.2.)

B. L. O'HALLORAN,  
Under Secretary for Lands.

## NAMING OF LOCALITY.

Shire of Manjimup.

Department of Lands and Surveys,  
Perth, 26 April 1985.

Corres. No. 642/984.

IT is hereby notified for general information that the name of Walpole West has been applied to the locality, in the Shire of Manjimup shown bordered in red on Miscellaneous Plan 1490.

B. L. O'HALLORAN,  
Under Secretary for Lands.

## CORRIGENDUM.

LAND ACT 1933.

Department of Lands and Surveys,  
Perth, 26 April 1985.

File No. 2807/983.

THE notice published on page 1249 of the *Government Gazette* dated 4 April 1985 under the heading "Land Act 1933" sub-heading "Reserves" relating to Reserve No. 38980 at Sawyers Valley is amended by substituting "square metres" for "hectares" in line 3.

B. L. O'HALLORAN,  
Under Secretary for Lands.

## LAND ACT 1933.

Notice of Intention to Grant a Special  
lease under section 116.

Department of Lands and Surveys,  
Perth, 4 April 1985.

Corres. No. 977/985, 978/985, 979/985, 2849/964  
V.4.

IT is hereby notified that it is intended to grant leases of Forrest Location 179, 180, 181 and 182 to the Strelley Housing Society Incorporated for a term of 21 years for the purpose of "Housing Agriculture and Grazing".

B. L. O'HALLORAN,  
Under Secretary for Lands.

## LOCAL GOVERNMENT ACT 1960.

Closure of Street.

WHEREAS, Esplanade (Mandurah) Pty. Ltd. and Perpetual Trustees W.A. Ltd., being the owners of the land which adjoins the street hereunder described have agreed to the request of the Shire of Mandurah to close the said street.

Mandurah.

File No. 914/985.

M. 1183. All that portion of Leighton Road bounded by lines starting from a point situate 334 degrees 30 minutes, 27.04 metres from the western corner of Murray Location 1561 and extending 244 degrees 30 minutes, 20.12 metres; thence 334 degrees 30 minutes, 53 metres, then 320 degrees 39 minutes, 21 metres; thence 50 degrees 39 minutes, 20.12 metres; thence 140 degrees 39 minutes, 23.44 metres and thence 154 degrees 30 minutes, 55.44 metres to the starting point. (Subject to Survey).

(Lands and Surveys Plan Mandurah 2 000 05.40.)

And whereas the Council has requested the closure of the said street; and whereas the Governor in Executive Council has approved this request; it is notified that the said street is hereby closed.

B. L. O'HALLORAN,  
Under Secretary for Lands.

TOWN PLANNING AND DEVELOPMENT ACT  
1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme.

Shire of Augusta-Margaret River,

Town Planning Scheme No. 11.

District Zoning Scheme.

T.P.B. 853/6/3/8.

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 approved the Shire of Augusta-Margaret River, Town Planning Scheme No. 11 on 30 January 1985—the Scheme Text of which is published as a Schedule annexed hereto.

A. P. HILLIER,  
President.

K. S. PRESTON,  
Shire Clerk.

Schedule.

Shire of Augusta-Margaret River.

Town Planning Scheme No. 11.

District Zoning Scheme.

Scheme Text.

Part; Clause; Subject.

I—Preliminary.

- 1.1 Objectives of the Scheme.
- 1.2 Scheme Area.
- 1.3 Repeal.
- 1.4 Responsible Authority.
- 1.5 Contents of Scheme.
- 1.6 Arrangement of Scheme.
- 1.7 Interpretation.

II—Development and its Approval.

III—Reserved Land.

IV—Zoned Land and General Provisions.

- 4.1 Zones.
- 4.2 Other Complementary Notations.
- 4.3 Specific Zoning Objectives.
- 4.4 Uses and Development Standards.

Table No. 1.

- 4.5 General Provisions.
- 4.6 Policy Areas A: Areas of Landscape Beauty.
- 4.7 Policy Areas B: Rural.
- 4.8 Special Use Zone.
- 4.9 Provisions Relative to the Rural Zone.
- 4.10 Provisions Relative to the Rural Zone.

River Foreshore Protection Zone.

V—Non-conforming Uses.

- 5.1 Status of Non-Conforming Uses.
- 5.2 Development on Land Used for Non-Conforming Purposes.
- 5.3 Change of Non-Conforming Use.
- 5.4 Compliance with the Use.
- 5.5 Discontinuance of Non-Conforming Use.

VI—Preservation of Buildings, Objects or Places of Architectural, Historic or Scientific Interest and Places of Natural Beauty.

- 6.1 Schedule.
- 6.2 Effect of Inclusion in Schedule No. 2.
- 6.3 Additions to or Deletions from Schedule No. 2.
- 6.4 Compensation and Injurious Affection.

VII—Finance and Administration.

- 7.1 Powers and Authority of Council
- 7.2 Compensation
- 7.3 Enforcement of Provisions
- 7.4 Notices
- 7.5 Collective Provision of Carparking Spaces
- 7.6 Arbitration
- 7.7 Valuations

Adoption.

- Schedule No. 1 Special Rural Zones
- Schedule No. 2 Buildings, Groups of Buildings and Objects or Places of Architectural, Historic or Scientific Interest and Places of Natural Beauty to be Conserved or Preserved under this Scheme
- Schedule No. 3 Special Use Sites
- Appendix No. 1 Form for Application for Planning Approval
- Appendix No. 2 Decision on Application for Planning Approval
- Appendix No. 3 Interpretations
- Appendix No. 4 Additional Use Right

THE Augusta-Margaret River Shire Council under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928 (as amended) hereby makes the following Town Planning Scheme.

PART I—Preliminary.

This Town Planning Scheme may be cited as the Shire of Augusta-Margaret River Town Planning Scheme No. 11 (District Zoning Scheme) hereinafter called "The Scheme".

1.1 Objectives of the Scheme: The objectives of the Scheme are:—

- (a) To reserve land required for public purposes.
- (b) To zone the balance of the land excluding waterways within the Scheme Area for the various purposes described in the Scheme.
- (c) To introduce land-use and development controls for the purpose of securing and maintaining an orderly and properly-planned use and development of land within the Scheme Area and to preserve and enhance the environmental qualities and natural beauty of the area.
- (d) To introduce measures by which places of natural beauty, and places of historic, scientific or architectural interest may be preserved.
- (e) To make provision for other matters authorised by the enabling Act.

1.2 Scheme Area: The Scheme shall apply to the whole of the area of land contained within the inner edge of the broken black line on the Land Use Map and Scheme Map, which area is hereinafter referred to as the "Scheme Area".

The Scheme Area covers the entire Municipality of the Shire of Augusta-Margaret River excluding those portions covered by:—

- Town Planning Scheme No. 2 : Margaret River  
Town Planning Scheme No. 16 : Augusta  
Town Planning Scheme No. 13 : Gnarabup (that portion relating to Sussex Locations 815 and 1295).

1.3 Repeal: Upon publication of final approval to this Scheme in the *Government Gazette*, the following Town Planning Schemes shall be revoked:—

Town Planning Scheme No.	Gazetted On:
7 : Ellis Estate	29/7/1974
8 : Molloy Island (as modified)	9/1/1978
9 : Wallcliffe Wilderness Estate (as modified)	9/8/1975
10 : Boodjidup Brook Estate	14/7/1977
12 : Basildene Park	16/11/1979
14 : Wildflower Estate	12/9/1980

1.4 Responsible Authority: The Authority responsible for the implementation of this Scheme shall be the Council of the Shire of Augusta-Margaret River hereinafter referred to as "the Council".

1.5 Contents of Scheme: The Scheme is comprised of:—

- (i) The Land Use Map
- (ii) The Scheme Map (Sheets 1-5)
- (iii) The Scheme Text

1.6 Arrangement of Scheme: The Scheme Text is divided into the following Parts:—

- Part I—Preliminary.
- Part II—Development and its Approval.
- Part III—Reserved Land
- Part IV—Zoned Land and General Provisions.
- Part V—Non-Conforming Uses.
- Part VI—Preservation of Buildings, Objects or Places of Architectural, Historic or Scientific Interest and Places of Natural Beauty.
- Part VII—Finance and Administration.

1.7 Interpretation: In this Scheme the terms used shall have the respective interpretations set out in Appendix D of the Town Planning Regulations 1967 unless otherwise specified by this Scheme in Appendix No. 3.

#### PART II: Development and Its Approval.

2.1 Except as hereinafter provided, no development shall be commenced or carried out on land within the Scheme Area without the prior consent of the Council. Such consent is hereinafter referred to as "planning approval" and required in addition to a building licence.

2.2 The following classes of development may be undertaken without the planning approval of the Council and are referred to as permitted development:

- (a) The construction, replacement, maintenance or repair, by a Government Agency or Statutory Undertaking of any equipment necessary to provide and maintain a public service;
- (b) The maintenance and repair of any building provided that no works of a structural nature are undertaken and no material change in the external appearance of the building is involved;
- (c) Development within the Rural Zone outside townsites other than that land within 200 metres of the Brockman and Bussell Highway, Caves Road and within 30 metres of any other dedicated road outside the townsite;
- (d) Subject to the zoning provisions of this Scheme, changes in the uses of land and buildings which in the opinion of the Council, do not give rise to:
  - (i) a material change in the appearance of the property concerned;
  - (ii) the need required by the Scheme for additional car parking accommodation, landscaping, or other special site treatments;
  - (iii) significant increases in the amount of traffic attracted to the site;
  - (iv) the need for the provision of significantly improved public services and utilities of any kind.

2.3 Applications for planning approval shall be in the form set out in Appendix No. 1 to this Scheme and shall be accompanied by such plans and/or other explanatory materials as the Council may require to gain a complete understanding of the proposal concerned.

All such applications shall be accompanied by:—

(a) a location plan showing the land the subject of the application and its relationship to surrounding lots and streets; and in the case of an application for the erection of new buildings:

- (b) a site plan showing:
  - (i) the position, type and use of all existing buildings and improvements on the land indicating those to be removed as part of the proposed development;
  - (ii) the position, type and use of any new buildings and improvements on the land;
  - (iii) the position of any trees on the site showing those to be removed and those to be retained;
  - (iv) areas to be landscaped, surfaced for parking or developed for any other purpose within the site;
  - (v) contours and any earthworks to be undertaken as part of the development;

or in the case of an application for a change in the use of land and/or buildings:—

- (c) a site plan and floor plan(s) of the building(s) indicating the uses to be made of the land and the respective portions of the building(s).

2.4 In considering any such application, Council shall have regard to:

- (a) the objectives and provisions of this Scheme;
- (b) the orderly and proper planning of land within the Scheme Area, and may take into account:
  - (i) the nature of the proposed development in relation to the development either existing or proposed on adjoining land;
  - (ii) the size, shape and character of the lot upon which the development is to be carried out and the influence which this may have on the siting and nature of any new building;
  - (iii) the views from any new building and the views which that building may interrupt;
  - (iv) the design and external appearance (including the exterior cladding) of any new building and its effect upon the amenity of existing buildings and the area generally;
  - (v) the representations of any Statutory Bodies or other interested parties with whom it may confer;
  - (vi) the existing and likely future amenity of the Scheme Area;
  - (vii) the nature and condition of roads serving the sites under consideration, the need for car parking, loading and vehicle turning space within the site to adequately serve anticipated development;
- (c) any other matters relevant to town and regional planning, the public interest in general and the locality surrounding the proposed development in particular.

2.5 The Council having considered an application for planning approval may either:—

- (a) refuse to grant its approval giving its reasons, or
- (b) grant approval, or
- (c) grant approval subject to such conditions and requirements as it deems fit.

Without limiting the generality of the foregoing, the Council may, where it deems appropriate, limit the period of validity of any approval granted and may grant approvals for development for a limited period of time.

2.6 The Council shall convey its decision on any such application for planning approval to the applicant in the form set out at Appendix 2 to this Scheme within 60 days of the date upon which it was received at the Council's offices unless the Council shall have first obtained the applicant's approval in writing for an extension of that period and in the event that a decision has not been made within the period or extended period, the application may be deemed to have been refused for the purposes of appeal.

2.7 Enforcement: Failure to comply with the conditions imposed by Council on the grant of a planning approval or failure to carry out development in strict accordance with the plan approved by Council in respect of a particular proposal, shall constitute a contravention of the Scheme and the Council may:—

- (a) By written notice served on the owner and/or occupier of the land, in accordance with Clause 7.4, require the development to be carried out in accordance with the conditions imposed on any approval granted and/or in strict accordance with the plans approved in the grant of any such approval within the period specified in the notice (not being less than 28 days) failing which the Council may enter the land and carry out the work itself and recover any expenses so incurred from the person in default as a simple contract debt in such Court of Civic Jurisdiction as is competent to deal with the amount of the claim.
- (b) Prosecute the owner or occupier of the land as the case may be pursuant to section 10 of the Act.
- (c) Revoke the approval so granted and require the removal of the development carried out as set out in section 10 of the Act.

2.8 Appeals: Any applicant who is aggrieved by any decision made or deemed to have been made by Council exercising any of the discretionary powers available to it under this Scheme may appeal, within 60 days of the date of Council's decision in accordance with Part V of the Act.

#### PART III: Reserved Land.

3.1 Parts of the Scheme Area are included in reserves as set out hereunder:—

- Parks and Recreation Reserves
- Public Purposes Reserves
- State Forest Reserves
- Communications Reserves

3.2 (a) Land set aside under this Scheme for the purposes of a reservation is deemed to be reserved for the purposes indicated on the Scheme Map.

(b) Except as otherwise provided in this Part, a person shall not commence or carry out any development on land reserved under this Scheme, other than the erection of a boundary fence, without first applying for and obtaining from the Council a planning approval pursuant to Part II hereof.

(c) In giving its approval, the Council shall have regard to the ultimate purposes intended for the reserve and shall in the case of land reserved for the purposes of a Public Authority confer with that Authority before giving its approval.

(d) No provision of this Part shall prevent the continued use of land for the purpose for which it was being lawfully used immediately prior to the Scheme having the force of Law, or the repair and maintenance, for which prior consent in writing of the Council has been obtained, of buildings or works lawfully existing on the land.

3.3 (a) Where Council refuses to grant a planning approval for the development of land reserved under the Scheme on the grounds that the land is reserved for public purposes, or grants approval subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected thereby, claim compensation for such injurious affection.

(b) Claims for such compensation shall be lodged at the office of the Council not later than six calendar months after the date of the decision of the Council refusing approval or granting it subject to conditions that are unacceptable to the applicant.

(c) In lieu of paying compensation, the Council may purchase the land affected by such decision of the Council at a price not exceeding the value of the land at the time of the refusal of approval subject to conditions that are unacceptable to the applicant.

#### PART IV—Zoned Land and General Provisions.

4.1 Zones: In addition to land reserved in terms of Part III herein, the Scheme Area is divided into 12 zones as set out hereunder:

1. Residential.
2. Local Shopping.
3. Other Commercial.
4. Light Industry.
5. General Industry.
6. Caravan Park.
7. Private Clubs and Institutions.
8. Private Recreation.
9. Rural.
10. Special Rural.
11. Rural : River Foreshore Protection.
12. Special Use.

4.2 Other Complementary Notations: In addition to the zones listed above, the Scheme also contains the following Policy Areas:

- Policy Area "A" : Areas of Landscape Beauty.
- Policy Area "B" : Rural.

4.3 Specific Zoning Objectives.

4.3.1 This Scheme is directed towards the preservation and proper planning of the rural areas of the Municipal District and contains provisions for six smaller settlements in addition to the special development on Molloy Island.

The Scheme's specific zoning objectives are:

- (a) To foster and encourage the use and development of land for broadacre farming, viticulture and intensive horticulture in all of their facets;



- (b) To oppose developmental and subdivisional proposals which would operate in conflict with the retention of the land for productive rural pursuits. However, where a viable intensive agricultural use has been established and it can be demonstrated that subdivision is necessary to its continued operation then the Council may support an application for subdivision.
- (c) To oppose subdivisional and developmental proposals likely to operate in conflict with the preservation of the attractive rural scenery of the Shire district particularly those within the Policy Areas "A" relating to Areas of Landscape Beauty.

4.3.2 The Rural: River Foreshore Protection Zone is aimed at preserving the existing qualities of the foreshores of the Blackwood and Margaret Rivers and to encourage the regeneration of trees and shrubs within the zone to reduce the incidence of salinity, erosion, pollution or any ecological or environmental damage.

4.3.3 Land which forms the subject of earlier Town Planning Schemes aimed at providing small rural holdings of varying kinds has been incorporated into the Special Rural Zones of this Scheme. In addition to these areas of land, other selected areas have been included into Policy Areas "B" relating to Small Rural Holdings from which it is envisaged that further Special Rural Zones may be selected and zoned following detailed evaluation of the land concerned proving to Council's satisfaction that the land is suitable for the purpose. The remaining objectives of the Special Rural Zones are included with the detailed land use and development controls in Clause 4.7 of this Part.

#### 4.4 Uses and Development Standards.

4.4.1 Table No. 1 hereunder indicates the uses which, subject to the provision of Part II may be permitted by the Council under this Scheme in the various zones. The Table also indicates the minimum site requirements and development standards to be observed relative to each "Use Class". The suitability of each use and its appropriate site requirements and development standards may be determined by cross reference between the list of "Use and Development Classes" on the left hand side of the Table and the list of "Zones, Minimum Site and Development requirements" along the top of that Table. The specified minimum site requirements and development required in Table No. 1 does not exclude the powers of Council to take other issues into account including those matters referred to under General Provisions.

4.4.2 The symbols used in the cross reference in the Zoning Table have the following meanings:

- P Means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting planning consent;
- AA Means that the Council may, at its discretion, permit the use;
- SA Means that the Council may, at its discretion, permit the use after notice of application has been given in accordance with Clause 4.4.3;
- IP Uses and developments which will not be approved by the Council unless it can be satisfied that the proposed use will form a predominant and incidental function to the predominant use of the land as may be determined by the Council.

Where no symbol appears in the cross reference of a Use Class against a Zone in the Zoning Table, a use of that class is not permitted in that Zone.

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.

#### 4.4.3 Advertising of Applications.

- (a) Where an application is made for planning consent to commence or carry out development which involves an "SA" use, the Council shall not grant consent to that application unless notice of the application is first given in accordance with the provisions of this Clause.
- (b) Where an application is made for planning consent to commence or carry out development which involves an "AA" use, or for any other development which requires the planning consent of the Council, the Council may give notice of the application in accordance with the provisions of this Clause.
- (c) Where the Council is required or decides to give notice of an application for planning consent, the Council shall cause one or more of the following to be carried out:—
  - (i) Notice of the proposed development to be served on the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of planning consent stating that submissions may be made to the Council within twenty-one days of the service of such notice;
  - (ii) 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 days from the publication thereof;
  - (iii) 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 days from the date of publication of the notice referred to in paragraph (b) of this Clause.
- (d) After expiration of twenty-one days 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.

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

- (a) Determine that the use is not consistent with the objectives and purpose of the particular Zone and is therefore not 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 the advertising procedures of Clause 4.4.3 in considering an application for planning consent.

Table No. 1

ZONING, SITE REQUIREMENTS AND DEVELOPMENT STANDARDS  
MINIMUM SITE REQUIREMENTS AND DEVELOPMENT STANDARDS

Use and Development Classes	Residential	Local Shopping	Other Commercial	Light Industry	General Industry	Caravan Park	Private Clubs & Institutions	Private Recreation	Rural	Special Rural	Rural: River Foreshore Protection	Special Use	Minimum Lot Area (m <sup>2</sup> )	Min. Effective Frontage (m)	Site Coverage (%)	Plot Ratio	Setbacks			Minimum Car Parking Requirements (G.F.A.—gross floor area)	Landscaping (% of site)	Special Requirements (See also General Provisions & Schedule 1) (For definitions of Symbols: P, AA, SA, IP and X see Clause 4.4.2)
																	Front (m)	Rear (m)	Side (m)			
<b>RESIDENTIAL, VACATIONAL AND PRIVATE</b>																						
Single Dwelling	P	IP	IP	IP	IP	IP	IP	IP	P†	P†	...	...	...	...	...	...	...	...	...	...	As per Uniform Building By-Laws	
Attached	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	...	...	...	...	...	...	...	...	...	...	As per Uniform Building By-Laws	
Grouped	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	...	...	...	...	...	...	...	...	...	...	As per Uniform Building By-Laws	
Carefaker's Dwelling	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	...	...	...	...	...	...	...	...	...	...	As per Uniform Building By-Laws	
Residential Building, Residential Hotel, Boarding/ Guest/Lodging House	SA	AA	AA	AA	AA	AA	AA	AA	SA	SA	...	...	...	...	...	...	...	...	...	...	As per Uniform Building By-Laws	
Motel	...	SA	SA	SA	SA	SA	SA	SA	SA	SA	...	...	...	...	...	...	...	...	...	...	As per Uniform Building By-Laws	
Caravan Park	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	As per Uniform Building By-Laws	
Holiday Cabins & Chalets	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	As per Uniform Building By-Laws	
Home Occupation	IP	...	...	...	...	...	...	...	IP	IP	...	...	...	...	...	...	...	...	...	...	As per Uniform Building By-Laws	
<b>LICENSED PREMISES</b>																						
Hotel	...	...	SA	SA	SA	SA	SA	SA	SA	SA	...	...	...	...	...	...	...	...	...	...	} Servicing, loading and unloading area and facilities will be as prescribed by Council in each case. } Landscaping may be reduced to 10% at Councils' discretion in Local Shopping.	
Tavern	...	...	SA	SA	SA	SA	SA	SA	SA	SA	...	...	...	...	...	...	...	...	...	...		
Wine Shop	...	...	AA	AA	AA	AA	AA	AA	AA	AA	...	...	...	...	...	...	...	...	...	...		
Licensed Restaurant	...	AA	AA	AA	AA	AA	AA	AA	SA	SA	...	...	...	...	...	...	...	...	...	...	As per Uniform Building By-Laws	
Drive-In Liquor Sales	...	AA	AA	AA	AA	AA	AA	AA	AA	AA	...	...	...	...	...	...	...	...	...	...	As per Uniform Building By-Laws	
Liquor Store	...	AA	AA	AA	AA	AA	AA	AA	AA	AA	...	...	...	...	...	...	...	...	...	...	As per Uniform Building By-Laws	

P†—Permitted except where a dwelling house is proposed on a lot that does not have frontage to a dedicated road reserve, in which case the use is not permitted, unless specially approved at Council's discretion.  
 \* Means standards and requirements to be set by Council in each case.

Table No. 1

ZONING, SITE REQUIREMENTS AND DEVELOPMENT STANDARDS  
MINIMUM SITE REQUIREMENTS AND DEVELOPMENT STANDARDS

Use and Development Classes	ZONING REQUIREMENTS										Special Requirements (See also General Provisions & Schedule 1) (For definitions of Symbols: P, AA, SA, IP and X see Clause 4.4.2)		
	Residential	Local Shopping	Other Commercial	Light Industry	General Industry	Caravan Park	Private Clubs & Institutions	Private Recreation	Rural	Special Rural		Rural: River Foreshore Protection	Special Use
	Minimum Lot Area (m <sup>2</sup> )	Site Coverage (%)	Plot Ratio	Front (m)	Rear (m)	Side (m)	Minimum Car Parking Requirements (G.F.A.—gross floor area)	Landscaping (% of site)					
<b>COMMERCIAL USES</b>													
Shop	P	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Eating House	P	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Take-Away Food Outlet	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Fish Shop	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Open Air Display	P	P	P	P	P	P	P	P	P	P	P	P	P
Car Park	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Service Station/Petrol-filling Station/Motor Repair Station	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Office	P	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Professional Office	IP	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Consulting Rooms	IP	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Medical Clinic	SA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Showrooms	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Warehouse	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Trade Display	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Dry-Cleaning Agency	P	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Laundromat	P	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Funeral Parlour	...	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA
<b>PUBLIC AND COMMUNITY USES</b>													
Day-Care Centre	SA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Pre-School	SA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Educational Establishment	SA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA
Health Centre/Studio	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA
Infant Welfare Clinic	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA
Public Amusements	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA
Public Recreation	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA

\* Means standards and requirements to be set by Council in each case.

Table No. 1  
ZONING, SITE REQUIREMENTS AND DEVELOPMENT STANDARDS  
MINIMUM SITE REQUIREMENTS AND DEVELOPMENT STANDARDS

Use and Development Classes	Residential	Local Shopping	Other Commercial	Light Industry	General Industry	Caravan Park	Private Clubs & Institutions	Private Recreation	Rural	Special Rural	Rural: River Foreshore Protection	Special Use	Minimum Lot Area (m <sup>2</sup> )	Min. Effective Frontage (m)	Site Coverage (%)	Plot Ratio	Setbacks			Minimum Car Parking Requirements (G.F.A.—gross floor area)	Landscaping (% of site)	Special Requirements (See also General Provisions & Schedule 1) (For definitions of Symbols: P, AA, SA, IP and X see Clause 4.4.2)
																	Front (m)	Rear (m)	Side (m)			
Place of Public Worship	AA	SA	SA	...	...	...	AA	...	...	...	...	...	3 000	30	30	0.3	9	7.5	3	1 space per 4 seats in main auditorium	20	Special consideration may apply regarding amenity and/or proximity to landing ground.
Place of Public Assembly	SA	SA	AA	...	...	...	AA	...	...	...	...	...	3 000	30	30	0.3	9	7.5	3	1 space per 4 seats in main auditorium	20	Special consideration may apply regarding amenity and/or proximity to landing ground.
Civic Building	...	SA	AA	...	...	...	AA	...	...	...	...	...	*	*	*	*	*	*	*	*	*	Special consideration may apply regarding amenity and/or proximity to landing ground.
Museum	...	SA	AA	...	...	...	AA	...	...	...	...	...	*	*	*	*	*	*	*	*	*	Special consideration may apply regarding amenity and/or proximity to landing ground.
Institutional Home/Building	...	SA	AA	...	...	...	AA	...	...	...	...	...	*	*	*	*	*	*	*	*	*	Special consideration may apply regarding amenity and/or proximity to landing ground.
Reformatory Institution	...	SA	AA	...	...	...	AA	...	...	...	...	...	*	*	*	*	*	*	*	*	*	Special consideration may apply regarding amenity and/or proximity to landing ground.
Public Utility	P	P	AA	P	P	P	P	P	P	AA	AA	...	*	*	*	*	*	*	*	*	*	Special consideration may apply regarding amenity and/or proximity to landing ground.
Radio/TV Installation	...	...	AA	...	...	...	...	SA	...	...	...	...	*	*	*	*	*	*	*	*	*	Special consideration may apply regarding amenity and/or proximity to landing ground.
Private Club	...	AA	SA	...	...	...	P	SA	...	...	...	...	*	*	*	*	*	*	*	*	*	Special consideration may apply regarding amenity and/or proximity to landing ground.
INDUSTRIAL USES																						
Light Industry	...	AA	IP	P	P	...	...	...	SA	...	...	See Clause 4.8 of Scheme Text	1 000	25	75	0.5	10	5	5 one side	1 space per 50 m <sup>2</sup> G.F.A.	...	Landscaping to be provided along or near the street frontage.
Service Industry	...	AA	AA	P	P	...	...	...	SA	...	...	...	2 000	30	75	0.35	10	5	0 the other	1 space per 50 m <sup>2</sup> G.F.A.	For factory units, Council will prescribe requirements for service yards, refuse disposal areas and staff parking areas.	
General Industry	...	...	...	AA	AA	...	...	...	...	...	...	...	2 000	25	75	0.5	10	5	...	...	Motor Vehicle wrecking storage height limited to 2 metres. Screen (solid) fencing and landscaping to be provided around open storage areas.	
Factory Units	...	...	...	AA	AA	...	...	...	...	...	...	...	2 000	25	50	0.5	10	5	...	...	For Woodyard council will require special screening of such sites.	
Motor Vehicle Wrecking	...	...	...	AA	AA	...	...	...	SA	...	...	...	4 000	40	*	*	*	*	5 one side	...	Motor Vehicle wrecking storage height limited to 2 metres. Screen (solid) fencing and landscaping to be provided around open storage areas.	
Noxious Industry	...	...	...	...	SA	...	...	...	AA	...	...	...	*	*	*	*	*	*	0 the other	...	For Woodyard council will require special screening of such sites.	
Extractive Industry	...	...	...	...	AA	...	...	...	AA	...	...	...	*	*	*	*	*	*	...	...	For Woodyard council will require special screening of such sites.	
Rural Industry	...	...	...	...	AA	...	...	...	AA	...	...	...	*	*	*	*	*	*	...	...	For Woodyard council will require special screening of such sites.	
Saw Mill	...	...	...	...	SA	...	...	...	SA	...	...	...	*	*	*	*	*	*	...	...	For Woodyard council will require special screening of such sites.	
Fuel Depot	...	...	...	...	AA	...	...	...	SA	...	...	...	2 000	25	50	0.5	10	5	...	...	For Woodyard council will require special screening of such sites.	
Woodyard	...	...	...	AA	AA	...	...	...	...	...	...	...	2 000	25	50	0.5	10	5	...	...	For Woodyard council will require special screening of such sites.	
Transport Depot	...	...	...	AA	AA	...	...	...	...	...	...	...	2 000	25	50	0.5	10	5	...	...	For Woodyard council will require special screening of such sites.	
Milk Depot	...	...	...	AA	AA	...	...	...	...	...	...	...	2 000	25	50	0.5	10	5	...	...	For Woodyard council will require special screening of such sites.	
Dry Cleaning Premises	...	...	...	AA	AA	...	...	...	...	...	...	...	2 000	25	50	0.5	10	5	...	...	For Woodyard council will require special screening of such sites.	

\* Means standards and requirements to be set by Council in each case.

Table No. 1

ZONING, SITE REQUIREMENTS AND DEVELOPMENT STANDARDS

ZONING REQUIREMENTS MINIMUM SITE REQUIREMENTS AND DEVELOPMENT STANDARDS

Use and Development Classes	Residential	Local Shopping	Other Commercial	Light Industry	General Industry	Caravan Park	Private Clubs & Institutions	Private Recreation	Rural	Special Rural	Rural: River Foreshore Protection	Special Use	Minimum Lot Area (m <sup>2</sup> )	Min. Effective Frontage (m)	Site Coverage (%)	Plot Ratio	Setbacks			Minimum Car Parking Requirements (G.F.A.—gross floor area)	Landscaping (% of site)	Special Requirements (See also General Provisions & Schedule 1) (For definitions of Symbols: P, AA, SA, IP and X see Clause 4.4.2)
	Front (m)	Rear (m)	Side (m)	Front (m)	Rear (m)	Side (m)	Front (m)	Rear (m)	Side (m)	Front (m)	Rear (m)	Side (m)	Front (m)	Rear (m)	Side (m)	Front (m)	Rear (m)	Side (m)	Front (m)	Rear (m)	Side (m)	Special Requirements (See also General Provisions & Schedule 1) (For definitions of Symbols: P, AA, SA, IP and X see Clause 4.4.2)
<b>RURAL USES</b>																						
Small Holding	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	See Clause 4.5 and Schedule 1 for requirements.
Intensive Agriculture	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	For all rural building, including outbuilding, tanks, stockyards etc. and where practicable, development involving earthworks and dams etc. the minimum setback from Bussell Highway, Brockman Highway and Caves Road alignments shall be 60 metres and 30 metres on all other dedicated roads outside the townsite boundaries.
Kennels	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Veterinary Clinic	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Veterinary Establishment	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Rural Pursuit	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Art and Craft Studio and Sales	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Plant Nursery	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	
Cottage Industry	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	

\* Means standards and requirements to be set by Council in each case.

4.4.5 Additional Uses: Notwithstanding anything contained within the Zoning Table, the land specified in Appendix 4 may, subject to compliance with any condition specified in the Schedule 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 is excluded or modified by a condition specified in that Schedule.

4.4.6 Discretion to Modify Development Standards: If a development, other than a residential development, the subject of an application for planning consent, does not comply with a standard or requirement prescribed by the Scheme with respect to that development, 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;
- (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; and
- (c) The spirit and purpose of the requirement or standard will not be unreasonably departed from thereby.

#### 4.5 General Provisions.

4.5.1 Compliance with Development Standards and Requirements: Subject to the provisions of Clause 4.5.2, except for Molloy Island (see Schedule No. 4), development within the Scheme Area shall conform to the standards set out in:—

- (a) the Zoning and Development Standards Table (Table No. 1),
- (b) the Residential Planning Codes: Country Towns, and
- (c) this Part,

and where no standard is prescribed, shall be carried out in accordance with the requirements which Council may specify in each particular case.

4.5.2 Residential Development: Residential Planning Codes: Country Towns:

- (a) For the purpose of this Scheme, "Residential Planning Codes" means: The Residential Planning Codes: Country Towns, adopted as a policy by the Board on 26 July 1982, together with all amendments or additions thereto or any code, by-law or regulation replacing them and applying or being applicable within the District.
- (b) A copy of the Residential Planning Codes shall be kept and made available for public inspection at the offices of the Council.
- (c) In the event of there being any inconsistency between the Residential Planning Codes identified by Clauses 4.4.3 (a) and 4.4.3 (b), the provisions in the document identified in Clause 4.4.3 (a) shall prevail.
- (d) Unless otherwise provided for in the Scheme, the Development of Land for any of the Residential purposes dealt with by the Residential Planning Codes shall conform to the provisions of those codes and the schedules to those codes.
- (e) The Residential Planning Code density applicable to land within the Scheme Area shall be determined by reference to the Residential Planning Codes density numbers shown on the Scheme Map.

4.5.3 Residential Planning Codes: Variation and Exclusions:

- (a) Setbacks: Residential: Where the R10 development standards apply the minimum setback from street and rear boundaries shall be 7.5 metres.

- (b) Residential: Reduced Lot Sizes: In the area coded R10/R15 the R10 development standards shall apply unless Council is satisfied, in a particular case, that the drainage conditions are suitable to ensure that on-site effluent disposal methods will continue to function effectively on a permanent basis under R15 development standards.
- (c) Multiple Dwellings: Attached or grouped dwelling developments shall be separated by a distance of 140 metres from one another unless otherwise determined by Council.

4.5.4 Irregular Frontages: In instances where Council is satisfied that the road or street alignment is curved, irregular or not at right angles to the side boundaries of the land so that application of the front setback in accordance with the provisions of the Scheme may cause difficulty in the siting of a building(s), an average distance from the front boundary may be maintained pursuant to Clause 11.4 (5) of the Uniform Building By-laws, provided that no portion of the building is closer than 4.5 metres to the front boundary.

4.5.5 Visual Truncations: No portion of a building in any Zone within this Scheme shall project into a 12-metre truncation of a corner lot unless otherwise prescribed by Council.

The visual truncation is the area created by the continuation, in a straight line of each of the lot boundaries, with road frontage, by measuring 12 metres from the point of intersection of the projected boundaries and by connection in a straight line of the two points determined by such measurement.

4.5.6 Carparking: Carparking required pursuant to the provisions of this Scheme shall be provided in accordance with the following:

- (a) a parking bay of 5.5 m x 2.5 m;
- (b) a manoeuvring aisle 6 metres in width serving each parking bay;
- (c) each parking bay being capable of use independently of the other, unless otherwise specified in the Residential Planning Codes;
- (d) compensatory decreases in the width may be permitted where angle parking is provided except that a manoeuvring aisle shall in no case be less than 4 metres in width, and then only where a one-way system is incorporated;
- (e) parking areas unless otherwise permitted by Council shall be sealed with a minimum standard of compacted gravel on a suitable base and arrangements made for:
  - (i) drainage;
  - (ii) marking out the parking area in the manner in which it is designed to be used;
  - (iii) landscaping where large parking areas are involved to effectively screen the paved areas from view;
  - (iv) the construction of the carparking accommodation and the carrying out of landscaping works to Council's satisfaction;
  - (v) where the Council is satisfied that part or all of the required carparking facilities, manoeuvring area, ingress and egress requirements cannot be adequately provided and effectively utilized on site, Council may accept cash payments in lieu of the provision of carparking in accordance with Clause 7.5.

4.5.7 Servicing: For development which requires the despatch or receipt of goods of any kind, loading and unloading space will, where practicable, be required to be provided clear of the street. Council will seek to ensure that servicing vehicles are able to enter and leave the site in a forward direction.

4.5.8 Landscaping: Landscaped areas to be constructed, planted and maintained pursuant to this Scheme will, in general, be located in such positions on a site or sites so as to enhance the appearance of the affected street or streets and to screen from view or

soften the impact of parking areas, open storage areas, drying areas and any other space which, by virtue of its use, is likely to detract from the visual amenity of the townscape and/or landscape.

Landscaping proposals shall be submitted to and approved by Council and any planting designed to act as a screen shall be comprised of plants growing to a variety of heights to achieve the desired result.

4.5.9 Height and Appearance of Buildings: Except as provided for in Sub-clause (b) below:

- (a) Outside of the townsites, no building or structure other than those required for Agricultural use in the Rural Zones shall exceed 11 metres in height and within townsites, no building or structure shall exceed a height of 8 metres above natural ground level;
- (b) Council may permit the erection of a building or structure in excess of the height limitations specified in Sub-clause (a) above provided that:
  - (i) It can be satisfied that justification exists for the proposed building or structure;
  - (ii) It will not adversely affect the amenity of the area or adjoining landowners;
- (c) Council may specify any conditions it deems fit, on any such approval.

For the purposes of this Clause "height" means the vertical measurement from the ground level at the centre point of the smallest rectangle containing the whole of the proposed building or structure.

4.5.10 Provisions for Commercial and Industrial Zones: In determining side and rear boundary setbacks as specified by Table No. 1, Council shall take into account the need for landscaping, carparking, servicing, loading and unloading and open storage of goods and materials.

No open storage of goods, unserviceable vehicles or machinery shall be permitted within 10 metres of the front boundary of any site within another Commercial, Light or General Industrial Zone which area shall be used only for landscaping, carparking, servicing, loading and unloading, or where approved by Council, for trade display. All open storage areas shall be screened by landscaping, by fencing or by other means acceptable to Council to ensure that such storage areas are not exposed to view from nearby roads or other public places.

4.6 Policy Areas A: Areas of Landscape Beauty.

4.6.1 The land included in this Policy Area is shown upon the Scheme Map by a broken hatched border.

4.6.2 To protect the areas the Council shall, as a matter of policy:

- (a) encourage land owners to preserve all natural vegetation on their land, and where possible and consistent with reasonable use of the land for agricultural practice, to encourage, the planting of further trees and shrubs;
- (b) encourage the use of parkland clearing methods and the preservation of those sections of existing vegetation which are of the greatest significance to landscape conservation in instances where land owners desire to bring virgin bushland into rural production.
- (c) prohibit all advertisements except those essential for direction or identification;
- (d) prevent any proposals which would be likely to adversely affect the amenity, rural character and landscape of the area concerned. Where development must be exposed, Council shall encourage the use of materials which are most likely to enhance the rural scene.

4.7 Policy Areas B: Rural.

4.7.1 The land included in this Policy Area is shown upon the Scheme Map by a black stipple.

4.7.2 Policy Areas B: Rural shown on the Scheme Map identifies an area within which Council is prepared to consider applications for rezoning of land from Rural to Special Rural.

4.7.3 Inclusion of land within the Policy Area should not be construed as meaning that all or any of the land will be rezoned from Rural to Special Rural.

4.7.4 Special Rural Zone Provisions: The following provisions shall apply specifically to all land included in the Special Rural Zone in addition to any provisions which are more generally applicable to such land under this Scheme:

- (a) The objective of the Special Rural Zone is to select areas within the rural areas wherein closer subdivision will be permitted to provide for such uses as hobby farms, horse breeding, rural/residential retreats, intensive agriculture including market gardens and viticulture, and also to make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such an area.
- (b) The provisions for controlling subdivision, land uses and development relating to specific Special Rural Zones will be as laid down in Schedule 1 to the Scheme and future subdivision will accord with the Plan of Subdivision for the specified area referred to in the Schedule and such plan of subdivision shall form part of the Scheme.

Before making provisions for a Special Rural Zone, Council will prepare, or require the owner(s) of the land to prepare a submission supporting the creation of the Special Rural Zone and such submission shall include:

- (i) A statement as to the purpose or intent for which the zone is being created;
  - (ii) The reasons for selecting the particular area the subject of the proposed zone with particular reference as to how this relates to the Council's Rural Planning Strategy;
  - (iii) A plan or plans showing contours at such intervals as to adequately depict the landform of the area and physical features such as existing buildings, rock outcrops, groups of trees, lakes, rivers, creeks, swamps, orchards, wells and significant improvements;
  - (iv) Information regarding the method whereby it is proposed to provide a potable water supply to each lot;
  - (v) The proposed staging of the subdivision and development and the criteria to be met before successive stages are implemented.
- (c) The Scheme provisions for a specific Special Rural Zone shall include a Plan of Subdivision showing
- (i) The proposed ultimate subdivision including approximate lot sizes and dimensions;
  - (ii) Areas to be set aside for Public Open Space, pedestrian access ways, horse trails, community facilities etcetera, as may be considered appropriate;
  - (iii) Those physical features it is intended to conserve;
  - (iv) The proposed staging of the subdivision where relevant.
- (d) In addition to the Plan of Subdivision, the Scheme provisions for a specific Special Rural Zone shall specify:
- (i) The facilities which the purchasers of the lots will be required to provide (for example, their own potable water supply, liquid and solid waste disposal systems, etcetera);
  - (ii) Proposals for the control of land uses and development which will ensure that the purpose of intent of the Zone and the rural environment and amenity are not impaired;
  - (iii) Any special provisions appropriate to secure the objectives of the Zone.

- (e) In addition to a Building Licence, the Council's planning approval is required for all development including a private dwelling house and such application shall be made in the form of Appendix 1 to the Scheme and be subject to the provisions of Part II of the Scheme.
- (f) Notwithstanding the provisions of section 11.3 (4) of the Uniform Building By-laws, not more than one private dwelling house per lot shall be erected.
- (g) The Council may, by notice served upon individual landowners or upon a subdivider of land within this Zone, require the preservation of specified groups of trees and thereafter no landowner or subdivider shall cut, remove or otherwise destroy any group of trees so specified unless the Council rescinds the notice or order.
- (h) In addition to such other provisions of the Scheme as may affect it, any land which is included in a "Special Rural Zone" shall be subject to those provisions as may be specifically set out against it in Schedule 1 entitled "Special Rural Zones: Provisions Relating to Specified Areas".
- (i) Notwithstanding the provisions of the Scheme and what may be shown in the Plan of Subdivision specified in Schedule 1 the Town Planning Board may approve a minor variation to the subdivisional design but further breakdown of the lots so created shall be deemed to be contrary to the provisions of the Scheme.

#### 4.7.5 Subdivision Requirements: General.

- (a) Each small rural holding lot shall be provided with frontage to a fully-constructed and sealed road connected by a fully-constructed and sealed road to the fully-constructed and sealed road system in the district.
- (b) Except as may be provided in Schedule 1, no small holding lot to be created pursuant to this Scheme shall have an area of less than 3 hectares.
- (c) In making recommendations to the Board on applications for approval to subdivide, the Council may take into account:
  - the number of similar lots already available for development both within and outside the particular Special Rural Zone;
  - the rate of development of lots existing at the time when the application is current;
  - any other factors relevant to the subdivision of the land for its zoned purpose.

#### 4.7.6 Development Requirements: General

- (a) Each dwelling shall be provided with a supply of potable water either from a reticulated system, an underground bore or a rainwater storage system with a minimum capacity of 92 000 litres to the satisfaction of the Council.
- (b) In addition to dwellings which may be approved by Council pursuant to the foregoing sub-clauses, Council may also approve the erection of such outbuildings that would reasonably be associated with residential or agricultural use or other use as may be approved by Council.
- (c) No lot shall be cleared of more than 30 per centum of its area including the area of buildings on the lot unless Council is satisfied upon receipt of a submission that clearing of land to an extent greater than 30 per centum will not adversely affect the amenity, character and landscape qualities of the area then it may approve such land to be cleared subject to conditions if necessary.
- (d) All applications for planning approval made pursuant to Clause 4.7.4 (e) and Part II for development within a Special Rural Zone shall indicate the entire lot, the areas of natural vegetation, the site contours, the extent of any earthworks, the siting, setbacks, design and external appearance of all new buildings

nominating the reason for the choice of the materials and the manner in which these will assist the integration of the buildings into the natural landscape.

- (e) All applications for planning approval shall embody the basic premise that development and the provision of associated services are secondary to the natural features of the site and therefore shall show the extent of any earthworks and/or clearing.
- (f) The siting and erection of any building, outbuilding, or fence shall not be approved by Council unless or until it is satisfied that the design, construction, materials and position will be in harmony with the rural character of the land within the zone and the area generally.
- (g) So far as is practicable, the rural character of the area shall be maintained and native trees shall be retained.

#### 4.7.7 Land Use.

- (a) No person shall use or permit to be used any lot or any part of a lot for any purpose which would:
  - detract from the rural/residential amenity of adjoining lots;
  - detract from the rural character of the area generally;
  - adversely affect the land by exceeding usual stocking rates with the resultant prospect of soil erosion;
  - adversely affect the established vegetation on the land.
- (b) In granting planning approval, the Council may require each lot owner to undertake a programme of tree planting related to the degree to which the land or buildings are exposed to view and such a programme may be in addition to that carried out as a part of the subdivision of the land. For the purpose of this clause a proposal to allow land to revert to its former natural condition may be acceptable to the Council.
- (c) No lot within a Special Rural Zone shall be used for any other purpose than for residential purposes (rural retreat) or for agricultural purposes (small holding or hobby farm) or for such other use as the Council may approve pursuant to this Scheme.

4.8 Special Use Zone: Schedule 3 lists the Special Use Sites shown upon the Scheme Maps and details the principal uses to which the respective sites may be put. Council at its discretion may permit such other uses to be established where it can be fully satisfied that the additional uses are completely ancillary and incidental to the proper functioning of the approved predominant use.

#### 4.9 Provisions Relative to the Rural Zone.

4.9.1 Within the Rural Zone the Council will permit the erection of a maximum of two single detached dwellings per location greater than 5.0 hectares for private residential or farm management purposes. Alternatively, Council will permit one duplex per lot.

4.9.2 Where Council is satisfied that justification for agricultural or management purposes exists, Council may permit more than two dwellings on any single property.

4.9.3 No development shall be permitted that will, in Council's opinion adversely affect the rural landscape or be contrary to the agricultural use of the land.

#### 4.10 Provisions Relative to the Rural: River Foreshore Protection Zone.

##### 4.10.1 This zone applies to land within:

- (a) 100 metres of the top of the river bank on either side of the Blackwood River and the Margaret River upstream from the water catchment dam, and
- (b) 40 metres of the top of the river bank on either side of the Margaret River downstream from the water catchment dam, except where the land is already contained within an established reserve.



4.10.2 To protect the quality of river systems, the clearance of natural vegetation, the erection of buildings and the use of land in such a manner as to detract from the environmental qualities of the area and the purity of the water entering the river systems is prohibited.

4.10.3 Notwithstanding the provisions of the foregoing Clause, where riverside land is held in small lots and where the Council is satisfied that strict observance of those provisions would cause hardship or render land incapable of reasonable beneficial use to the owner, or that some development is absolutely essential to the well being of the river system the Council may grant special approval for development subject to such conditions as it deems fit.

#### PART V: Non-Conforming Uses.

5.1 Status of Non-Conforming Uses: No provision of the Scheme shall prevent:

- (a) the continued use of any land or building for the purpose for which it was being lawfully used at the time of the coming into force of the Scheme, or
- (b) the carrying out of any development thereon for which, immediately prior to that time, a permit or permits required under the Town Planning and Development Act, 1928 (as amended) and any other law authorising the development to be carried out have been duly obtained and was current.

5.2 Development on Land Used for Non-Conforming Purposes:

- (a) Where in respect of land reserved under Part III of the Scheme, a non-conforming use exists, or was authorised as mentioned in Clause 5.1 of this Part, on that land, all or any erections, alterations or extensions of the buildings thereon or any use thereof shall not be carried out unless the approval of the Council has been obtained in writing.
- (b) Where in respect of land zoned under Part IV of the Scheme a non-conforming use exists, or was authorised as mentioned in Clause 5.1 of this Part, on that land, and provided that planning approval has been obtained in writing in accordance with the provisions of Part II of this Scheme, buildings may be extended by one tenth of the floor space of the building extant at the time of the Gazettal of this Scheme.

5.3 Change of Non-Conforming Use: The Council upon receipt of an application for planning approval may permit the use of any land to be changed from one non-conforming use to another non-conforming use, provided the proposed use is, in the opinion of the Council, less detrimental to the amenity of the neighbourhood than the existing use, or is in the opinion of the Council, closer to the intended uses of the zone.

5.4 Compliance with the Development Standards: In considering any application for planning approval pursuant to Clauses 5.2 and 5.3, nothing shall prevent the Council from requiring compliance with the Development Standards of this Scheme relevant to the existing or proposed use of the land and nothing in this Scheme shall prevent the Council from refusing any such application on the grounds that compliance with the appropriate Use and Development Standards could not be achieved.

5.5 Discontinuance of Non-Conforming Use:

- (a) Notwithstanding the preceding provisions of this Part, except where a change of non-conforming use has been permitted by the Council under Clause 5.3, when a non-conforming use of any land or building has been discontinued, such land or building shall not thereafter be used other than in conformity with the provisions of the Scheme.
- (b) The Council may effect the discontinuance of a non-conforming use, by the purchase of the affected property, or by the payment of compensation to the owner or the occupier of that property, and may enter into an agreement with the owner for that purpose.

#### PART VI: Preservation of Buildings Objects or Places of Architectural Historic or Scientific Interest and Places of Natural Beauty.

6.1 Schedule.

6.1.1 Included within Schedule No. 2 attached to this Part are:

- (a) a description of the building, group of buildings or object or place of architectural, historic or scientific interest or place of natural beauty;
- (b) a precis of the reasons for requiring the preservation of the building, group of buildings, object or place concerned;
- (c) an indication of the extent to which preservation of the building, group of buildings, object or place is required.

6.2 Effect of Inclusion in Schedule No. 2.

6.2.1 Notwithstanding the provision of Clause 2.6 hereof no person shall without the planning approval of the Council in terms of Part 2 of the Scheme:—

- (a) carry out any extension, adaption, demolition or alteration to any land or building;
- (b) carry out any development;
- (c) erect or display any advertisement, on any land listed in Schedule 2 hereof.

In making application any person will supply full details of the proposal and its impact on the qualities in which the building, land or place is preserved.

The Council shall, in considering and determining any such application:

- (a) Take into account the reasons for the inclusion of the particular building, object or place in Schedule No. 2 to this Part and the effects of the proposal thereon;
- (b) Where relevant, consult with the following:
  - The National Trust of Australia (Western Australia)
  - The Heritage Council of Western Australia
  - The Department of Conservation and Environment
 and may take into account the advice given by these authorities;
- (c) Confer with any other authority, body or person able to advise on the effects of the proposed development on the scheduled building, object or place.
- (d) Advertise details of the proposal for public inspection and comment and shall take into account any submissions made.

6.3 Additions to or Deletions from Schedule No. 2.

6.3.1 The Council may by resolution add to or delete from Schedule 2.

6.3.2 Any such resolution shall take effect upon publication in newspapers having both local and statewide circulation and upon notification having been given to the owner and occupier of the property.

Any notice published and any notification sent shall briefly describe the property concerned, the reason for its inclusion or deletion from Schedule No. 2 and the effect of its inclusion or deletion.

6.3.3 Within a period of not more 30 days from the date of the resolution, the Council shall forward to the Town Planning Board of Western Australia, the documents required under the Town Planning Regulations to effect an appropriate amendment to the Town Planning Scheme.

6.4 Compensation and Injurious Affection: Any person whose land or property is injuriously affected by any decision of Council hereof, may, under the provisions of Clause 7.2 of this Scheme, claim compensation.

#### PART VII: Finance and Administration.

7.1 Powers and Authorities of Council.

7.1.1 In carrying out the provisions of the Scheme, the Council shall have the following powers and authorities:

- (a) to enter and inspect at all reasonable times, any land within the Scheme Area by its officers, agents or servants to ascertain any matter relative to the observance of the provisions of the Scheme;

- (b) to enter into agreement with the owners or occupiers or prospective owners or occupiers of any land within the Scheme Area
- (c) to enter into agreements with the Crown and any Department of the state with reference to the carrying out of any of the objectives of this Scheme;
- (d) to purchase land within the Scheme Area and for that purpose to enter into contracts and agreements with owners and thereafter to deal with the land in any way to give effect to the objectives of the Scheme;
- (e) to resume any land for any purpose necessary for effective implementation of the Scheme;
- (f) to deal with, dispose of, transfer or sell any land which it owns or which it has acquired pursuant to this Scheme in accordance with the provisions of the Scheme.

7.2 Compensation: Claims for compensation pursuant to this Scheme shall be made not later than six months from the date on which notice or approval of the Scheme is published in the *Government Gazette*, except in the case of reserved land where the provisions of Part III shall apply.

### 7.3 Enforcement of Provisions.

7.3.1 (a) If any person contravenes or fails or neglects to comply with any of the provisions of the Scheme, the Council may by notice in the manner set out in Clause 7.4 hereof, order such persons to discontinue forthwith any such contravention, and within thirty clear days after the service of such notice to remove, pull down, take up, alter or otherwise make good any work which contravenes the Scheme, or to carry into effect any provisions of the Scheme which are not being complied with and at the same time it may, pursuant to subsection 1 of section 10 of the Act, advise such person that in the event of his failing to comply with the provisions thereof in the time limited for compliance then the Council by its agents will enter such person's property and cause to be done such works and things as shall be specified in such notice.

(b) Any expense incurred by the Council in doing any works pursuant to any default under paragraph (a) hereof may be recovered from the person in default by action for a civic debt recoverable summarily in any court having jurisdiction in respect of the amount involved.

7.4 Notices: Any notice under clauses 2.7 and 7.3 hereof:

- (a) shall be addressed to the owner, occupier or lessee of the land in question;
- (b) shall describe in general terms the matters requiring attention, the remedial action required and shall specify the period (not being less than 28 days), within which the work shall be carried out;
- (c) shall where necessary, advise the person to whom it is addressed that in default of his compliance with such notice, the Council will enter such land and carry out the requirements of such notice itself at the expense of that person;
- (d) any notice required to be given hereunder may be served personally or by pre-paid letter addressed to the person to be served at his address as shown in the rate book of the Council if he shall be a ratepayer or at his last known address (whether he is a ratepayer or not) and such notice shall be deemed to be served on the day following the date of posting.

7.5 Collective Provision of Carparking Spaces: Where the Council so decides it may accept cash payments in lieu of the provision of paved parking spaces but only subject to the following requirements being satisfied:

- (a) the cash-in-lieu payment shall not be less than the estimated cost to the owner or developer of providing and constructing the parking spaces required by the Scheme, plus the value, as estimated by Council of that area of his land which would have been occupied by the parking spaces;
- (b) before the Council agrees to accept a cash payment in lieu of the provision of parking spaces,

the Council must either have purchased land and/or provided a public car park nearby or have firm proposals to provide such a public car park within a period of two years of the time of agreeing to accept the cash payment;

- (c) payments made under this Clause shall be paid into a special fund to be used for the provision of public carparking facilities and the Council may use this fund to provide public parking facilities anywhere within reasonable proximity to the subject land in respect of which a cash-in-lieu arrangement is made;
- (d) if an owner or developer shall object to the amount of the costs or values determined by Council pursuant to sub-clause (a), the matter may be referred to arbitration in accordance with the provisions of Clause 7.6.

7.6 Arbitration: Any dispute or difference in respect of any matter which, by the terms of the Scheme may be determined by arbitration may be referred to the arbitration of a single arbitrator in the manner provided for by the Arbitration Act 1895 or any statutory modification thereof for the time being in force and if the parties fail to agree upon any one single arbitrator, he may be nominated by the President of the Law Society of Western Australia for the time being.

7.7 Valuations: Where it is necessary to ascertain the value of any land for the purpose of the Scheme, the value may be determined by the Valuer General or by a disinterested and licensed valuer appointed by the Council.

If an owner shall object to the value so determined, he may give notice of such objection to the Council within twenty-eight (28) days after having been informed of the said value or the revised value. If the valuer does not agree to change the value to a figure acceptable to the owner, the value shall be determined by arbitration in accordance with the provisions of Clause 7.6.

### Adoption.

Adoption by Resolution of the Council of the Shire of Augusta-Margaret River at the Meeting of the Council held on 27 November 1980.

A. P. HILLIER,  
President.  
K. S. PRESTON,  
Shire Clerk.

Dated 2 December 1980.

### Final Approval.

1. Adopted by resolution of the Council of the Shire of Augusta-Margaret River at the Ordinary Meeting of the Council held on 14 June 1984 and the seal of the Municipality was pursuant to that Resolution hereunto affixed in the presence of:—

[L.S.]  
A. P. HILLIER,  
President.  
K. S. PRESTON,  
Shire Clerk.

This Scheme Text is to be read in conjunction with the approved maps of the Scheme described in Clause 1.5 of this Scheme and to which formal approval was given by the Hon. Minister for Town Planning on the date shown below.

2. Recommended/Submitted for final approval by the Town Planning Board—

M. A. FEILMAN,  
Chairman.

Dated 23/1/85.

3. Final approval granted—

R. PEARCE,  
Minister for Planning.

Dated 30/1/85.

### Schedule 1: Special Rural Zones. Provisions Relating to Specified Areas.

Specified Area of Locality [A]	Special Provisions to Refer to [A]
Sussex Location 842 Caves Road and Boodjidup Road Boodjidup Brook Estate	1. Notwithstanding the provisions of Clause 4.7.3 (b) the minimum lot size shall be 5 ha.

Schedule 2: Schedule of Buildings, Groups of Buildings and Objects or Places of Architectural, Historic or Scientific Interest and Places of Natural Beauty to be Conserved or Preserved under this Scheme

Item No.	Building, Object or Place and Location	Brief Description of Reason for Preservation or Conservation	Date Included or Removed
1.	Alexandra Bridge	Constructed in 1897, Historical Significance	....
2.	Basildene Farmhouse	Constructed in 1912 of Architectural/Constructional Merit and Interest and Historical Significance	..
3.	Cape Leeuwin Lighthouse and Cottages	Constructed in 1895/6 of Architectural/Constructional Merit and Interest and Historical Significance	....
4.	"Deepdene" (8 km N.W. of Augusta off Caves Road)	Of Particular Geological and Historical Significance, a Place of Outstanding Natural Beauty	....
5.	Ellensbrook Farmhouse, Dam and Waterfall	Constructed in 1850s of Architectural/Constructional Merit and Interest and Historical Significance	....
6.	Glenbourne Farmhouse	Constructed in 1890 of Particular Historical Significance	....
7.	Stone Chimney Karridale	Constructed in 1890s of Particular Historical Significance	....
8.	"Wallcliffe House" Prevelly	Constructed in 1865 of Architectural/Constructional Merit and Interest and Historical Significance	....
9.	Waterwheel Cape Leeuwin	Constructed in 1900 of Historical Significance	....

Schedule 3: Special Use Sites.

Lot and Location	Permitted Uses (See Clause 4.8)	
Lot 111 Molloy Island	1. Hotel, Motel, or Guest House and/or Multiple Housing Development as may be approved by Council consistent with the aims and objectives of the Scheme as relating to Molloy Island.	right-of-way nor within 5 metres of a side boundary provided that Council may at its discretion vary such minimum by no more than 30 per centum of the stated minimum distances.
Part Lot 1 of Sussex Location 166, Wallcliffe Road, Prevelly	1. Low density residential development, as may be approved by Council, to harmonise with the nearby Greek Orthodox Church and the landscape of Prevelly Park generally. The development shall satisfy the Local Authority with regard to: Aesthetics Effluent disposal Drainage Landscaping Soil and land form protection Fire management, and Water Supply The development shall be limited to a maximum of 16 units unless, at the discretion of Council, the development of a greater number of units will not prejudice a satisfactory resolution of the above issues.	(c) No building shall be erected below the RL 3.0-metre contour line designated on the Scheme Map. (d) No building shall be erected on any lot until the Owners' Association provided for under Clause 4.7.6 shall have recommended to the Council that the plans, specifications, location, materials and exterior design of the building indicate that it will be in harmony with the bushland environment, and the Council has given written approval. (e) The Owners' Association shall maintain a lot of appropriate building designs for the guidance of intending builders. (f) Subdivision shall be generally in accordance with the design of the Scheme Map and no further subdivision of lots shall occur.
		2. Special Site: Within this zone land shall not be used for any purpose other than the erection of a hotel, motel, or guest house, or for multiple-unit residential accommodation.
		3. Private Recreation: Within this zone land shall only be used for private passive recreation as Common Land for landowners and residents of the Island except that the Council may approve the construction by the Owners' Association of active recreation facilities such as tennis, netball, basketball and similar activities, and may also approve on an unobtrusive site the erection of a building for indoor sports.

Schedule 4: Special Provisions Relating to Molloy Island.

[A] Specified Area of Locality	[B] Special Provisions to Refer to [B]	
Part Sussex Location a Molloy Island	1. Residential Zone: Within this Zone: (a) No person shall use land except for a single family dwelling unit together with such outbuildings that would be reasonably associated with the dwelling unit, given the holiday nature of this location. (b) No building shall be erected within 15 metres of a public	

- 4. Preservation of the Natural Vegetation:
  - (a) No person shall remove any tree in excess of 3 metres in height except to erect an approved building. The home builder shall satisfy the Council that the building could not be erected in any other reasonable location to retain trees.
  - (b) No lot shall be cleared of undergrowth and trees less than 3 metres in height, to a greater area than 25 per centum of the lot size excluding firebreaks required by the Council and the Bush Fires Board, and excluding the gross floor area of approved buildings.
  - (c) No fences shall be erected.
  - (d) No exotic trees or shrubs shall be introduced.
  - (e) No soil, earth, rock or gravel reasonably suspected of being affected by plant disease shall be introduced.
- 5. Provision of Essential Services:
  - (a) Power Supply:
 

No mains electricity system requiring overhead reticulation system shall be established.
  - (b) The use of petrol and diesel driven independent electricity generators is prohibited.
  - (c) Each dwelling unit shall be served by its own water storage tank with a minimum capacity of 25 000 litres.
  - (d) A reserve water supply of 200 kilolitres capacity shall be maintained by the Owners' Association to the satisfaction of the Council.
  - (e) Where a dwelling unit is to be served by its own septic tank and leach drain system, no such system shall be installed below the RL 3.0-metre contour line designated on the Scheme Map.
  - (f) The standard of carriageway construction for both vehicles and pedestrians shall be determined by the Council provided that such standard is in keeping with the aim to preserve the Island as a retreat holiday area.
  - (g) The Owners' Association shall maintain an approved ferry capable of transporting persons, vehicles and materials to and from the Island.
  - (h) The Owners' Association shall be responsible for the collection of litter and household waste and for its disposal at a site approved by the Council.
- 6. No advertising signs are permitted on the Island.
- 7. (a) The Owners' Association shall maintain a fire-fighting appliance and ensure to the satisfaction of the Bush Fires Board and Council, that bush fire risks are kept to a reasonable minimum.
- (b) All buildings constructed shall by virtue of materials and design be reasonably fire resistant.

- (c) Each dwelling unit shall have an approved incinerator.
- 8. Administration.
  - (a) For the purposes of assisting the Council in the administration of the Scheme, the owners of the land shall form and be financial members of an Owners' Association with a constitution approved by the Council dealing with but not limited to the specific matters referred to in the Scheme.
  - (b) All land owners shall jointly and severally agree with the Council by virtue of this Scheme that in the event of any transfer of land the transferee shall be supplied by the transferor with copies of the Scheme Text and the Constitution of the Owners' Association such that the transferee will be aware of his rights and obligations under the Scheme.
  - (c) Applications for development shall in the first instance be directed to the Owners' Association which will forward the application to the Council with a written recommendation where upon the Council shall consider the application in accordance with the Scheme and any applicable by-laws, and advise the Owners' Association of its decision.
  - (d) The Council shall be guided by, but not bound by, the recommendations of the Owners' Association.

Appendix No. 1.  
Town Planning and Development Act 1928  
(as amended).  
**SHIRE OF AUGUSTA-MARGARET RIVER.**  
**FORM FOR APPLICATION FOR**  
**PLANNING APPROVAL.**

1. Surname of Applicant: .....  
Given Names: .....  
Full Address: .....
2. Surname of Landowner  
(if different from above) .....  
Given Names: .....  
Full Address: .....
3. Submitted by: .....
4. Address for Correspondence: .....
5. Locality of Development: .....
6. Title Details of Land: .....
7. Name of Road Serving Property: .....
8. State type of development: .....  
Nature and size of all buildings proposed: .....  
Materials to be used on external surfaces of buildings: .....  
General treatment of open portions of the site: .....  
Details of carparking and landscaping proposals: .....  
Approximate cost of Proposed Development: .....  
Estimate time for construction: .....

.....  
**SIGNATURE OF OWNER**  
.....  
**SIGNATURE OF APPLICANT or AGENT**  
.....

● Both Signatures are required if applicant is not the owner.

This form should be completed and forwarded to the Augusta-Margaret River Shire Council together with 3 copies of detailed plan showing complete details of the development including a site plan showing the relationship of the land to the area generally.

In areas where close development exists, or is in the course of construction, plans shall show the siting of buildings and uses on lots immediately adjoining the subject land.

Appendix No. 2.

Town Planning and Development Act 1928  
(as amended).

SHIRE OF AUGUSTA-MARGARET RIVER.

DECISION ON APPLICATION FOR  
PLANNING APPROVAL.

The Council having considered the application dated ..... submitted by ..... on behalf of ..... hereby advises that it has resolved to:

1. Refuse Planning Approval because:
2. Grant Planning Approval subject to the following conditions/for the following reasons:

Date: ..... Shire Clerk: .....  
Council Minute No. .... Meeting: ..... Date: .....

Appendix No. 3.

Interpretations.

As provided for in Clause 1.6 to this Scheme, the following terms, unless the context otherwise requires, shall have the respective meanings and interpretations set out hereunder:

- "Absolute Majority of Council"—means a total majority of the members for the time being of the Council whether present and voting or not.
- "Act"—means the Town Planning and Development Act 1928 (as amended).
- "Advertisement"—means any work, letter, model, sign, placard, board, hoarding, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part, for the purposes of advertisement announcement or direction and includes any structure, erection or wall converted to such use.
- "Board"—means the Town Planning Board constituted under the Act.
- "Building"—means any structure or appurtenance thereto whether fixed or movable, temporary or permanent, and includes a stall, fence, wall, barrier, hoarding, outbuilding, and a swimming pool.
- "Building Line"—means the line between which and any public place or public reserve a building may not be erected except by or under the authority of an Act.
- "Cabin"—means a cabin as defined in the Local Government Model By-laws (Holiday Cabins & Chalets) No. 18.
- "Caravan Park"—means an area set aside for the parking of caravans in conformity with the Caravan Parks & Camping Grounds Regulation 1974, made pursuant to the provisions of the Health Act 1911 (as amended) and the Local Government By-law (Caravan Parks) No. 2 made pursuant to the powers conferred by the Local Government Act 1960 (as amended) and any amendments to those Regulations or to that Model By-law.
- "Caretaker's Dwelling"—means a building used as a residence by the proprietor or manager of an industry carried out upon the same site or by a person having the care of the building or plant of the industry.
- "Car Park"—means a site or building used primarily for parking private cars or taxis whether as a public or private car park, but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings on or in which cars are displayed for sale.

"Car Parking"—means an area of land or building specifically set aside for parking of wheeled vehicles and treated and subsequently maintained in a manner satisfactory to Council for the purposes.

"Chalet Park"—means a site occupied by buildings or units although constructed in the nature of residential units and not for occupation as permanent dwellings but which are set aside exclusively for occupation on a temporary basis principally for vacation use but also for short-stay and overnight accommodation.

"Civic Building"—means a building designed, or intended to be used by Government Departments, statutory bodies, representing the Crown, or Councils as offices or for administrative or other like purposes.

"Consulting Rooms"—means a building or part of a building (other than a hospital) used in the practice of his profession by a legally-qualified medical practitioner or dentist or by a physio-therapist, a masseur or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments.

"Cottage Industry"—means an industry which produces arts and crafts of a local nature, which cannot be carried out under the classification of a home occupation within the curtilage of the house, that:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury or prejudicial affection due to the emission of noise, vibration, electrical interference, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products;
- (b) does not entail the employment of any person not a member of the occupier's family except in the case of a professional person;
- (c) does not occupy an area greater than 55 square metres, unless special approval is granted by Council;
- (d) does not require the provision of any essential service main of a greater capacity than normally required in the zone in which it is located;
- (e) is restricted in advertisement to a sign not exceeding 0.2 square metres in area; and
- (f) may be carried out from an outbuilding which blends with the character of the area and does not detract from the area;

"Day Care Centre"—means a day care centre as defined by the Child Welfare (Care Centres) Regulations, 1968, published in the *Government Gazette* of 15 July 1968, but does not include a family care centre or an occasional care centre as defined by those Regulations.

"Development"—means the use (including a material change in the use) or development of any land and includes the erection, construction alteration or carrying out as the case may be, of any building, excavation or other works on any land.

"Duplex"—means a building comprising two dwellings each being completely self-contained units, but does not include a building in which the units are constructed one above the other.

"Dwelling House"—means a building used primarily for living purposes as one separate family unit, the term also includes such outbuildings and recreational uses and gardens as are ordinarily used therewith, but does not include a "Residential Building" or part of such a building.

"Eating House"—means any house, building or structure or any part thereof in which meals are served to the public for gain or reward.

The term does not include:

- (a) any premises in respect of which an hotel licence, a limited hotel licence, a tavern licence, a restaurant licence or wine house licence has been granted under the Liquor Act, 1970;
- (b) any boarding house, lodging house or hostel, or
- (c) any building or other structure used temporarily for serving meals to the public at any fair, show, military encampment, races, or other public sports, games or amusements.

“Educational Establishment”—means a school, college, university, technical institute, academy or other educational centre, or a lecture hall but does not include a reformatory 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.

“Existing Use”—means use of any land or building for the purpose for which it was lawfully used immediately prior to the gazettal date of the Scheme, in accordance with the conditions set out in Part 5—Non-Conforming Uses.

“Extractive Industry”—includes the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substance from the land, also the manufacture of products from those materials when the manufacture is carried out on the land from which any of those materials is extracted or on land adjacent thereto.

“Factory Unit”—means each portion of a factory tenement building which is designed or adapted for occupation as a separate undertaking and factoryette shall have the same meaning.

“Fish Shop”—means a shop where the goods kept exposed or offered for sale include wet fish or fish fried on the premises for consumption off the premises.

“Frontage”—means the boundary line between a site and the street which that site abuts, and when the site abuts on more than one street, then the boundary line between the site and the street to which the main building erected thereon, fronts. If no building has been erected, or if the building appears to front on to more than one street, then the frontage shall be the boundary line between the site and the street nominated by the Council.

“Fuel Depot”—means a depot for storage or bulk sale of solid or liquid gaseous fuel, but does not include a service station.

“Funeral Parlour”—means land and buildings occupied by undertakers where bodies are stored and prepared for burial or cremation.

“Gazettal Date”—means the date on which notice of the approval of the Minister to this Town Planning Scheme is published in the *Government Gazette*.

“General Industry”—means any industry other than a hazardous, light, noxious, rural, extractive or service industry.

“Gross Floor Area”—shall have the same meaning as is given to it and for the purposes of the Uniform Building By-laws.

“Health Centre”—means a maternal or X-ray centre, a district clinic, a masseur’s establishment or a medical clinic.

“Health Studio”—means a building designed and equipped for recreation and sporting activities and includes outdoor recreation if especially approved by Council.

“Holiday Cottages”—means two or more detached dwellings on one lot for holiday purposes, none of which is occupied by the same tenant for a continuous period of more than four months.

“Home Occupation”—means a business carried on with the permission of the responsible authority within a house or the curtilage of a house that:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury or

prejudicial affection due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, or waste products.

- (b) does not entail the employment of any person not a member of the occupier’s family except in the case of a professional person;

- (c) does not occupy an area greater than 20 m<sup>2</sup>

- (d) does not require the provision of any essential service main of greater capacity than normally required in the zone in which it is located, and

- (e) is restricted in advertisement to a sign not exceeding 0.2 m<sup>2</sup> in area.

“Hotel”—means land and a building or buildings in respect of which a hotel licence has been granted under the provisions of the Liquor Act 1970.

“Industry”—means the carrying out of any process for and incidental to:

- (a) the making, altering, repairing or ornamentation, painting, finishing, cleaning, packing, or canning or adapting for sale, or breaking up or demolition of any article or part of any article;

- (b) the winning, processing or treatment of minerals;

- (c) the generation of electricity or the production of gas, and

- (d) the manufacture of edible goods for human or animal consumption being a process carried on in the course of trade or business for gain, other than operations connected with:

- (i) the carrying out of agriculture;
- (ii) site work on buildings, works or land; and

- (iii) in the case of the manufacture of goods referred to in sub-paragraph (d) above, the preparation on the premises of a shop of food for sale;

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, and any work of administration or accounting, the sale of goods resulting from the process and the use of land for the amenity of persons engaged in the process.

“Institutional Building”—means a building used or designed for use wholly or principally for the purpose of:

- (a) a hospital or sanatorium for the treatment of infectious or contagious diseases;

- (b) a home or other institution for care of State Wards, orphans, or persons who are physically or mentally handicapped;

- (c) a penal or reformatory institution;

- (d) a hospital for treatment or care of the mentally sick, or

- (e) any other similar use.

“Institutional Home”—means a residential building for the care and maintenance of children, the aged or the infirm, and includes a benevolent institution, but does not include a hospital or a mental institution.

“Intensive Agriculture”—means a horticultural use of rural land which serves to increase production from a given area and includes orchards, vegetable and viticultural production.

“Kennels”—means premises:

- (a) licensed as an approved kennel establishment under the Dog Act 1976; or

- (b) in respect of which an exemption has been granted under Section 26 (3) of that Act, which exemption has not been revoked.

- "Land"—includes air stratum titles, messuages, tenements, hereditaments and any estate in the land, and houses, buildings, works and structures, in or upon the land.
- "Light Industry"—means an industry:
- 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 prejudicially affect the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise, and
  - the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like service.
- "Liquor Store"—means premises in respect of which a liquor store licence has been granted under the Liquor Act 1970.
- "Lot"—has the meaning given to it in and for the purposes of the Act, and allotment has the same meaning.
- "Lodging House"—means a building or structure permanent or otherwise in which provision is made for boarding or lodging more than four persons, exclusive of family members of the keeper thereof, for hire or reward but the terms do not include:
- a motel,
  - premises used as a boarding school approved under the Education Act 1928, or
  - a building containing flats.
- "Marina"—means a safe anchorage for small boats at which provisions, supplies etcetera may be obtained.
- "Material Change in the Use of Land"—means a change in the use of land from one purpose to another which would involve a change from one use classification to another.
- "Medical Clinic"—means premises in which facilities are provided for the practice of more than one medical practitioner or dental practitioner, physiotherapist, chiropractor or masseur.
- "Milk Depot"—means a depot to which milk is delivered for distribution to consumers but in which milk is not processed or pasteurised.
- "Minister"—means the Minister for Planning or such other member of Executive Council as is for the time being charged by the Governor with the administration of the Act.
- "Motel"—means a building, group of buildings or place used or intended to be used to accommodate patrons in a manner similar to an hotel or boarding house but in which special provision is made for the accommodation of patrons with motor vehicles.
- "Motor Repair Station"—means land and buildings used for or in connection with mechanical repairs and overhauls including tyre recapping, retreading, panel beating, spray painting and chassis reshaping.
- "Motor Vehicle Wrecking"—means land and a building or buildings used for or in connection with the collection, storage and wrecking of vehicles and the display and sale of such parts.
- "Museum"—means a place preserving and exhibiting works of nature, art, curiosities, etcetera, also any collection of such objects.
- "Non-conforming Use"—means the use of land which, though lawful immediately prior to the coming into operation of this Scheme is not in conformity with the Scheme.
- "Noxious Industry"—means an industry in which the processes involved constitute an offensive trade within the meaning of the Health Act 1911 (as amended) but does not include fish shops or dry cleaning establishments.
- "Office"—means the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services and services of a similar nature, or where not conducted on the site thereof, the administration of or the accounting in connection with an industry.
- "Open Air Display"—means the use of land as a site for the 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 rent the fee simple of the land, or
  - is a lessee 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.
- "Petrol Filling Station"—means land and buildings used for the supply of petroleum products and automotive accessories.
- "Place of Natural Beauty"—means the natural beauties of the area including lakes and other inland waters, banks of rivers, foreshores of harbours, frontal dunes, and other parts of the seaboard, hill slopes and summits and valleys.
- "Plot Ratio"—has the same meaning as is given to it in and for the purposes of the Uniform Building By-laws.
- "Private Recreation"—means the use of land for parks, gardens, playgrounds, sports arenas, or other grounds for recreation which are not normally open to the public without charge.
- "Professional Office"—means any building used for the purpose of his profession by an accountant, architect, artist, author, barrister, chiropodist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, teacher (other than a dancing teacher or a music teacher) or town planner, and "Professional Person" has a corresponding interpretation.
- "Public Amusement"—means the use of land as a theatre, a cinema, a dance hall, a skating rink, swimming pool or gymnasium or for games.
- "Public Assembly—Place of"—means any land or buildings used as a special place of assembly including grounds for athletics, all sports grounds with spectator provision, race courses, trotting tracks, stadia, or showgrounds.
- "Public Authority"—means a Minister of the Crown acting in his official capacity, a State Government Department, State trading concern, State instrumentality, State public utility and other person or body, whether corporate or not, who or which, under the authority of any Act, administers or carries on for the benefit of the State a social service or public utility.
- "Public Recreation"—means the use of land for a public park, public gardens, foreshore reserve playground or grounds for recreation which are normally open to the public without charge.
- "Public Utility"—means any works or undertaking constructed or maintained by a public authority or municipality as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.
- "Public Worship—Place of"—includes buildings used primarily for the religious activities of a church, but does not include an institution for primary, secondary or higher education or a residential training institution.
- "Radio and T.V. Installation"—means land or a building used for the transmission or reception of radio or television signals and associated activities and includes a radio or television studio, but excludes small scale radio or T.V. aerials fitted to a residence for domestic use.

- “Reformatory Institution”—includes a penal institution.
- “Residential Building”—means a building other than a dwelling house or flats designed for use for human habitation together with such outbuildings as are ordinarily used therewith, and the expression includes a hostel, an unlicensed hotel designed primarily for residential purposes and a residential club.
- “Rural Industry”—means an industry handling, treating, processing, packing or carrying products which have been grown, reared or produced in the locality in which the industry is carried on or a blacksmith’s shop or a workshop servicing plant or equipment used in a rural pursuit in the locality.
- “Rural Pursuit”—means and includes agriculture, horticulture, forestry, pasture farming.
- “Sawmill”—means a mill or premises where logs or large pieces of timber are sawn but does not include joinery works unless logs or large pieces of timber are sawn therein.
- “Service Industry”—means a light industry carried out on land and in buildings having a retail shop front and in which goods may be manufactured only for sale on the premises or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced.
- “Service Station”—means land and buildings used for the supply of petroleum products and automotive accessories and includes greasing, tyre repairs and minor mechanical repairs.
- “Setback Line”—means a line fixed by means of horizontal measured distance from any lot boundary including a street alignment or new street alignment.
- “Shop”—means any building wherein goods are kept exposed or offered for sale by retail and includes a cafe and a restaurant and receiving depot, but does not include a bank, fuel depot, a market, service station, petrol-filling station, milk depot, marine store, timber yard or land and buildings used for the sale of motor and other vehicles, or for any purpose falling within the definition of industry.
- “Showrooms”—means rooms used in connection with warehousing or offices, and intended for display of goods of bulky character.
- “Small Holding”—means a small rural allotment as provided for pursuant to the Scheme used or intended to be used essentially for residential purposes with associated rural activities and includes a hobby farm, a farmlet, a rural retreat and a bushland retreat.
- “Storey”—means that space within a building which is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:
  - (a) such a space in which the only use for which the space is designed, constructed, or adapted is for the accommodation of:
    - (i) lift shafts, stairways, or meter rooms; or
    - (ii) bathrooms, shower rooms, laundries, water closets or other sanitary compartments; or
    - (iii) not more than three vehicles; or
  - (b) a mezzanine, except as provided by sub-by-law (6) of by-law 17.1 of the Uniform Building By-laws,
- “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 so prescribed.
- “Tavern”—means land and building or buildings in respect of which a Tavern Licence has been granted under the provisions of the Liquor Act 1970.
- “Trade Display”—means the controlled and moderate display of goods for advertisement as approved by Council.
- “Transport Depot”—means land used for the garaging of road motor vehicles used or intended to be used for carrying goods for hire or reward or for any consideration, or for the transfer of goods from one such motor vehicle to another or such motor vehicles and includes maintenance and repair of vehicles.
- “Uniform Building By-laws”—means the Uniform Building By-laws 1974 published in the *Government Gazette* No. 96 of 19 December, 1974, and amended from time to time thereafter by notices published in the *Government Gazette*.
- “Veterinary Clinic”—means building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients. No patient may remain on the premises overnight.
- “Veterinary Establishment”—means land and buildings used for, or in connection with, the treatment of sick animals and pets and includes the accommodation of sick animals and pets.
- “Warehouse”—means any building or enclosed land, or part of a building or enclosed land used for storage of goods and the carrying out of commercial transactions involving the sale of such goods by wholesale.
- “Wine Shop”—means land and a building or buildings in respect of which a wine house licence has been granted under the provisions of the Liquor Act 1970.
- “Woodyard”—means an area on which coke and coal are stored, or on which wood is stored, sawn, or cut for use as domestic firewood.
- “Zone”—means a portion of the Scheme Area shown on the map by distinctive colouring, hatching, or edging for the purpose of indicating the restrictions imposed by the Planning Scheme on the erection and use of buildings of the use of land, but does not include land reserved.

Appendix No. 4

(Clause 4.3.5)

ADDITIONAL USE RIGHT

Street	Particulars of Land	Additional Use Permitted and any Specific Conditions of Operation
Cnr Greenhill Road and Jewel Cave Road	Sussex Location 1343 Zoned “Special Rural”	Bulldozing and Cartage Contractor: One only Operator Maximum of two Articulated Vehicles Two Dozers No further buildings or business expansion which would affect this location to be approved unless specified by Council. Screen planting and landscaping to be installed and maintained to Council’s satisfaction.
Arumvale Nursery and Tearoom, Caves Road	Lot 1, Portion Sussex Location 1353 Zoned “Rural” in Policy Area A	Plant Nursery and Tearooms



TOWN PLANNING AND DEVELOPMENT ACT  
1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme.

Shire of Augusta-Margaret River Town Planning  
Scheme No. 16.

T.P.B. 853-6-3-16.

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 approved the Shire of Augusta-Margaret River Town Planning Scheme No. 16 on 14 February 1985—the Scheme Text of which is published as a Schedule annexed hereto.

A. P. HILLIER,  
President.

K. S. PRESTON,  
Shire Clerk.

Schedule.

Shire of Augusta-Margaret River Town Planning  
Scheme No. 16: Augusta.

THE Council of the Shire of Augusta-Margaret River under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928 (as amended) hereby makes the following Town Planning Scheme which may be cited as the Shire of Augusta-Margaret River Town Planning Scheme No. 16: Augusta and is hereinafter referred to as "the Scheme".

PART I: Preliminary.

1.1 General Objectives of the Scheme: Pursuant to the provisions of the Act, in particular section 6 and the First Schedule, the general objectives of this Scheme are:

- (a) To reserve land required for public purposes;
- (b) To zone the balance of the land excluding waterways within the Scheme Area for the various purposes described in the Scheme.
- (c) To introduce various land-use and development controls for the purpose of securing and maintaining an orderly and properly-planned use and development of land within the Scheme Area and to preserve and enhance the environmental qualities and natural beauty of the area;
- (d) To introduce measures by which places of natural beauty and places of historic or scientific interest may be preserved.
- (e) To make provision for other matters authorised by the enabling Act.

1.2 Scheme Area: The Scheme shall apply to the whole of the area of land contained within the inner edge of the broken black line on the Land Use Map and Scheme Map, which area is hereinafter referred to as the "Scheme Area".

1.3 Repeal: The Shire of Augusta-Margaret River Town Planning Scheme No. 3 published in the *Government Gazette* on 27 January 1961, and subsequently from time to time amended is hereby revoked.

1.4 Responsible Authority: The Authority responsible for the implementation of this Scheme shall be the Council of the Shire of Augusta-Margaret River hereinafter referred to as "the Council".

1.5 Arrangement of Scheme: The Scheme Text is divided into the following parts:

PART 1: Preliminary.

PART 2: Development and its Approval.

PART 3: Reserved Land.

PART 4: Zoned Land and General Provisions.

PART 5: Non-conforming Uses.

PART 6: Conservation and Preservation of Buildings, Objects or Places of Architectural Historic or Scientific Interest and Places of Natural Beauty.

PART 7: Finance and Administration.

The remaining documents of the Scheme are as follows:

- (i) A Land-Use Map.
- (ii) A Scheme Map.

A complementary Scheme Report has also been prepared.

1.6 Interpretation: In this Scheme the terms used shall have the respective interpretations set out in Appendix "D" of the Town Planning Regulations 1967, unless otherwise specified by this Scheme in Appendix No. 3.

PART 2: Development and its Approval.

2.1 Except as hereinafter provided, no development including a material change in the use of the land, shall be carried out on land within the Scheme Area without the prior consent of the Council. Such consent is hereinafter referred to as "a planning approval" and is required in addition to a building licence.

2.2 Applications for planning approval shall be in the form set out in Appendix No. 1 to this Scheme and shall be accompanied by such plans and/or other explanatory materials as the Council may require to gain a complete understanding of the proposal concerned.

All such applications shall be accompanied by:

- (a) a location plan showing the land the subject of the application and its relationship to surrounding lots and streets;

and in the case of an application for the erection of new buildings:

- (b) a site plan showing:
  - (i) the position, type and use of all existing buildings and improvements on the land indicating those to be removed as part of the proposed development;
  - (ii) the position, type and use of any new buildings and improvements on the land;
  - (iii) the position of any trees on the site showing those to be removed and those to be retained;
  - (iv) areas to be landscaped, surfaced for parking or developed for any other purpose within the site;
  - (v) contours and any earthworks to be undertaken as a part of the development;

or in the case of an application for a change in the use of land and/or buildings:

- (c) a site plan and floor plan(s) of the building(s) indicating the uses to be made of the land and the respective portion of the building(s).

2.3 In considering any such application, Council shall have regard to:

- (i) the objectives and provisions of this Scheme;
- (ii) the orderly and proper planning of land within the Scheme Area,

and may take into account:

- (iii) the nature of the proposed development in relation to the development either existing or proposed on adjoining land;
- (iv) the size, shape and character of the lot upon which the development is to be carried out and the influence which this may have on the siting and nature of any new building;
- (v) the views from any new building and the views which that building may interrupt;
- (vi) the design and external appearance (including the exterior cladding) of any new building and its effect upon the amenity of existing building and the area generally;
- (vii) the representations of any Statutory Bodies or other interested parties with whom it may confer;

- (viii) the existing and likely future amenity of the Scheme Area;
- (ix) the nature and condition of roads serving the sites under consideration and the need for carparking, loading and vehicle turning space within the site to adequately serve anticipated development;
- (x) any other matters relevant to town and regional planning, the public interest in general and the locality surrounding the proposed development in particular.

2.4 The Council having considered an application for planning approval may either:

- (a) refuse to grant its approval giving its reasons, or
- (b) grant approval, or
- (c) grant approval subject to such conditions and requirements as it deems fit.

Without limiting the generality of the foregoing, the Council may, where it deems appropriate, limit the period of validity of any approval granted and may grant approvals for development for limited periods of time.

2.5 The Council shall convey its decision on any such application for planning approval to the applicant in the form set out at Appendix 2 to this Scheme within 60 days of the date upon which it was received at the Council's offices unless the Council shall have first obtained the applicant's approval in writing for an extension of that period and in the event that a decision has not been made within the period or extended period, the application shall be deemed to have been refused.

2.6 The following classes of development may be undertaken without the approval of the Council and are referred to as permitted development:

- (a) The construction, replacement, maintenance or repair by a Government Agency or Statutory Undertaking of any equipment necessary to provide and maintain a public service.
- (b) The maintenance and repair of any building provided that no works of a structural nature are undertaken and no material change in the external appearance of the building is involved;
- (c) Subject to the zoning provisions of this Scheme, changes in the uses of land and buildings which do not give rise to:
  - (i) a material change in the appearance of the property concerned;
  - (ii) the need, as required by this Scheme for additional carparking accommodation, landscaping or other special site treatments;
  - (iii) significant increases in the amount of traffic attracted to the site;
  - (iv) the need for the provision of significantly improved public services and utilities of any kind.

2.7 Enforcement: Failure to comply with the conditions imposed by Council on the grant of planning approval or failure to carry out development so approved in strict accordance with the plan approved by Council in respect of a particular proposal, shall constitute a contravention of the Act and the Council may:

- (a) By written notice served on the owner and/or occupier of the land, in accordance with section 7.4, require the development to be carried out in accordance with the conditions imposed on any approval granted and/or in strict accordance with the plans approved in the grant of any such approval within the period specified in the notice (not being less than 28 days) failing which the Council may enter the land and carry out the work itself and recover any expenses so incurred from the person in default as a simple contract debt in such Court of Civic Jurisdiction as is competent to deal with the amount of the claim.

- (b) Prosecute the owner or occupier of the land as the case may be pursuant to section 10 of the Act.
- (c) Revoke the approval so granted and require the removal of the development carried out as set out in section 10 of the Act.

2.8 Appeals: Any applicant who is aggrieved by any decision made or deemed to have been made by Council exercising any of the discretionary powers available to it under this Scheme may appeal within 60 days of the date of the decision, in accordance with Part V of the Act, to the Hon. Minister for Urban Development and Town Planning or to the Town Planning Appeal Tribunal.

### PART 3: Reserved Land.

3.1 Parts of the Scheme Area are included in reserves as set out hereunder:

Parks and Recreation Reserves.

Public Purposes Reserves.

3.2 (a) Land set aside under this Scheme for the purposes of a reservation is deemed to be reserved for the purposes indicated on the Scheme Map.

(b) Except as otherwise provided in this Part, a person shall not carry out any development on land reserved under this Scheme, other than the erection of a boundary fence, without first applying for and obtaining from the Council a planning approval pursuant to Part 2 hereof.

(c) In giving its approval, the Council shall have regard to the ultimate purposes intended for the reserve and shall in the case of land reserved for the purposes of a Public Authority confer with that Authority before giving its approval.

(d) No provision of this Part shall prevent the continued use of land for the purpose for which it was being lawfully used immediately prior to the Scheme having the force of Law, or the repair and maintenance, for which prior consent in writing of the Council has been obtained, of buildings or works lawfully existing on that land.

3.3 (a) Where Council refuses to grant a planning approval for the development of land reserved under the Scheme on the grounds that the land is reserved for public purposes, or grants approval subject to conditions that are unacceptable to the applicant the owner of the land may, if the land is injuriously affected thereby, claim compensation for such injurious affection.

(b) Claims for such compensation shall be lodged at the office of the Council not later than six calendar months after the date of the decision of the Council refusing approval or granting it subject to conditions that are unacceptable to the applicant.

(c) In lieu of paying compensation, the Council may purchase the land affected by such decision of the Council at a price not exceeding the value of the land at the time of the refusal of approval subject to conditions that are unacceptable to the applicant.

### PART 4: Zoned Land and General Provisions.

4.1 Zones: Land other than land reserved under Part 3 of the Scheme is classified into zones as set out hereunder:

1. Residential.
2. Residential Development.
3. Local Shopping.
4. Other Commercial.
5. Hotel.
6. Motel.
7. Caravan Park.
8. Service Station.
9. Industrial.
10. Place of Public Assembly.
11. Rural.
12. Special Rural.

4.2. Objectives of Zones: The classification of land into the zones described in the foregoing paragraphs has not only taken into account the orderly and proper arrangement of the various uses within the Scheme Area but also seeks to establish certain basic objectives against which existing and proposed uses and development of buildings and land can be evaluated to determine whether they will enhance or detract from the environmental qualities which it is sought to preserve or create within each zone.

The policy objectives for each zone are set out hereunder:

1. Residential Zone: Objective: To provide land suitable for use and development primarily for single family housing but also for other compatible uses.

It is intended that all development in the residential zone shall be of a single, split-level or two-storeyed construction to utilize the existing steeply-sloping nature of most of the land giving outlooks over the Hardy Inlet. It is expected that new uses and the design and construction of new buildings will complement the physical and environmental characteristics of the town and that indigenous vegetation will be conserved and augmented where possible to preserve the appearance of the hillside slopes adjoining the Hardy Inlet.

It is Council's intention that where necessary, development standards shall be relaxed in the Flinders Bay Special Development Area to preserve the unique character of this historic settlement.

To provide land for residential uses of a kind involving densities greater than those envisaged in the Residential Zone. Developments involving the erection of groups and/or terraces of dwellings of three or more units are envisaged for permanent, temporary or vocational use. Such developments will, however, be subject to the limitations brought about by the need to use on-site septic effluent disposal systems.

It is intended that development should not exceed two storeys in height and that every endeavour will be made to integrate new development into the existing townscape thereby preserving its physical, natural and environmental qualities. Carparking areas, outbuildings, and open domestic storage and drying areas will, where possible, be confined to positions which are inconspicuous to view. In pursuing these objectives, development will be in accordance with the Residential Planning Codes: Country Towns.

2. Residential Development Zone: Objective: To indicate areas of land parts of which, subject to detailed study and evaluation, may be suitable for expansion of the town in particular for developments of a single family or higher density housing nature and for other compatible uses such as public open spaces, community uses, and local shopping.

The intention is that before any subdivision or development of any of the land so classified is permitted, an outline development plan should be prepared identifying the land which is unsuitable for development and that which is suitable for the various purposes therein described. It is also envisaged that the Scheme Map should be amended to accord with the tenor of any outline development plan prepared and adopted by the approving authorities. Development standards to be observed would be identical to those mentioned for the preceding two zones except that Council may nominate the areas within which only single-storey or split-level buildings may be erected.

3. Local Shopping Zone: Objective: To provide land primarily for development or use for retail purposes to meet the needs of the community for goods and services. It is intended to foster

such developments and uses with the exception of corner shops, into a compact and convenient shopping centre with ease of access for pedestrians, for persons travelling by car and for servicing purposes.

In these areas it is intended that development in the form of new or converted buildings shall be a single-storeyed construction and undertaken in a manner which will enhance the appearance of the shopping area in particular and the qualities of the town in general.

In isolated positions it is intended that shops will service only the day-to-day needs of the neighbourhoods in which they are located and that adequate carparking accommodation will again be provided in a convenient position nearby.

4. Other Commercial Zone: Objective: To provide land and buildings for use and development for purposes involving the storage and distribution of bulk goods, the sale, storage and ancillary fitting of car parts and accessories and other uses which combine the need for showroom and storage accommodation and ancillary retail and light industrial activities. Such uses would include a petrol-filling station, a car wash and car sales showrooms and yards.

It is envisaged in this Scheme that such land shall be developed or used in a manner which will at all times present a clean and tidy appearance to the streets onto which it fronts or abuts and that open areas in advance of any buildings will be surfaced and sealed or landscaped to achieve this objective. Single storeyed buildings only are envisaged. Apart from car or petrol sales and customer parking, parking areas, it is envisaged that staff parking, cars awaiting or receiving attention and servicing areas shall be confined to the rear of the lots concerned.

5. Hotel Zone: Objective: To provide land for use and development by the erection of licensed premises such as Hotels, Taverns, Drive-in Liquor Outlets, Licensed Restaurants etcetera to cater for the needs of the community for such facilities. The provision of short-stay and tourist accommodation is also envisaged in this zone.

In general it is intended that development shall be of a single-storeyed or split-level nature to avoiding any adverse effects on views and the townscape generally.

Developments within this zone should be provided with all necessary parking and the properties landscaped. In each case, it is envisaged that each property will be developed in such a way as to harmonise with the landform and townscape of Augusta.

6. Motel Zone: Objective: To provide for the use and development of land to service the demand for short-stay and vocational residential accommodation in harmony with the nature and environmental qualities of the town.

It is envisaged that developments will conform generally to the building height limitations previously described and that all necessary parking and landscaping will be provided to achieve attractive, well-equipped tourist and vocational short-stay accommodation which will be available to those requiring such a service.

7. Caravan Park Zone: Objective: To provide land for use and development as caravan parks, chalet parks and camping grounds in such a manner and in such positions to cater for the increasing demand for such accommodation by tourists, vacationers, and short-term workers. It is envisaged that these facilities will be developed to complement the existing townscape by retaining the natural vegetation and augmenting it where appropriate and by keeping advertisements to a minimum.

Land zoned for Caravan Park purposes is located in such positions as to maximise access to the Hardy Inlet and the recreational value of the Blackwood River generally at the same time being convenient to the facilities in the town.

It is anticipated that each Caravan Park will be retained and managed as one undertaking and that facilities for the supply of day-to-day needs only would be established on each site.

8. **Service Station Zone:** Objective: To classify existing Service Stations where such facilities are considered to be appropriately located to provide for the demands of the community of Augusta, its hinterland and the travelling public for fuel, car repairs, accessories and associated services. Single-storeyed buildings only are envisaged.
9. **Industrial Zone:** Objective: To provide an industrial estate capable of satisfying the needs of the community for industrial premises and uses of all but noxious and hazardous types. It is envisaged that the area will be developed with functional buildings of pleasing appearance and that open storage uses will be confined to parts of the sites that are obscured from view by means of screening, landscaping and solid fencing. Each site will be required to provide parking accommodation for staff and customers, loading and unloading accommodation and some landscaping.
10. **Place of Public Assembly Zone:** Objective: To provide for land and buildings for occupation as halls, clubs, and meeting rooms for various groups and community uses. Single-storeyed developments of a high standard are expected together with landscaping and parking.
11. **Rural Zone:** Objective: To safeguard the continued occupation and use of land for non-urban purposes. It is envisaged that endeavours will be made to encourage the preservation of existing broad-acre land uses and existing natural vegetation to retain the very desirable attributes of areas surrounding the Town of Augusta. Applications for Planning Approval and application for approval to subdivide will be assessed in light of the degree to which any proposed development or subdivision is necessary for and complementary to the continued use of the affected land for agriculture. In general, Council will seek to ensure that the existing pattern of land tenure and land use is preserved so far as it is consistent with the objectives set out above.
12. **Special Rural Zone:** Objective: To provide small rural holdings for use as hobby farms, bushland retreats etcetera in areas which because of their locational, natural and physical attributes lend themselves to subdivision and development of this kind. It is envisaged that such holdings will operate under such controls and restrictions as to avoid any detriment to the environmental qualities of the area in which they are located. The goods and services normally expected in urban areas will not be provided in such zones. Intensive and potentially noxious uses such as piggeries, poultry farms etcetera are not anticipated in this zone.

The subdivision of land once completed in accordance with this Scheme will be retained in that form and any applications for approval to further subdivide the resultant lots will be resisted by Council unless some more desirable environmental, town planning or aesthetic advantage can be achieved from such future subdivision.

Council will require the retention of natural vegetation and may, where appropriate, require additional planting and landscaping.

#### 4.3 Uses and Development Standards.

4.3.1 Table No. 1 hereunder indicates the several uses which subject to the provisions of Part 2, may be permitted by the Council under this Scheme in the various zones. The Table also indicates the minimum site requirements and development standards to be observed relative to each "Use Class". The suitability of each use and its appropriate site requirements and development standards may be determined by cross reference between the list of "Use and Development Classes" on the left hand side of the Table and the list of "Zones, Minimum Site and Development Requirements" along the top of that Table. The specified minimum site requirements and development required in Table No. 1 does not exclude the powers of Council to take other issues into account, including those matters referred to under General Provisions.

4.3.2 The symbols used in the cross references in Table No. 1 appended to this Clause have the following meanings:—

"P"—Uses and developments in respect of which the Council's planning approval pursuant to Part 2 can be anticipated subject to compliance in full with the appropriate minimum site requirements and development standards specified in this Scheme.

"AA"—Uses and developments which Council exercising the discretionary powers available to it may approve under this Scheme.

"SA"—Uses and developments which Council exercising the discretionary powers available to it may approve under this Scheme except that such approval may not be granted by the Council until:—

- (a) full details and particulars of the proposal have been advertised by the Council at least twice in a newspaper circulating in the district of the Shire of Augusta-Margaret River. Such advertisement shall specify the manner in which and the period (not being less than 21 days) during which representations may be made to the Council;
- (b) a sign giving the same details as the advertisement referred to in paragraph (a) above has been affixed in a conspicuous position on the land the subject of the proposal for the entire duration of the advertisement period;
- (c) adjoining property owners have been notified of the proposal in writing by the Council;
- (d) the Council has considered any representations made either in support of or in opposition to the proposal.

"IP"—Uses and developments which will not be approved by the Council unless it can be satisfied that the proposed use will form a subservient and incidental function to the predominant use of the land as may be determined by the Council.

"X"—Uses and developments which are not permitted under this Scheme.

4.3.3 In respect of uses and developments which are not specifically mentioned in Table No. 1 and which could not be reasonably determined in Table No. 1 and which could not be reasonably determined as falling within the interpretation of one of the categories mentioned, the Council may either:—

- (a) determine that the proposed use is consistent with the objective of the zone concerned and thereafter act as if it were included among the list of uses which may be permitted by the Council following the "SA" procedures, or
- (b) determine that the proposed use is inconsistent with the objectives of the zone concerned in which case the use shall be deemed to be prohibited.

Table No. 1  
ZONING, SITE REQUIREMENTS AND DEVELOPMENT STANDARDS  
MINIMUM SITE REQUIREMENTS AND DEVELOPMENT STANDARDS

Use and Development Classes	Residential	Residential Development	Local Shopping	Other Commercial	Hotel	Motel	Caravan Park	Service Station	Industrial	Place of Public Assembly	Rural	Special Rural	Min. Lot Area (m <sup>2</sup> )	Min. Effective Frontage (m)	Site Coverage %	Plot Ratio	Setbacks			Minimum Car Parking Requirements (GFS—gross floor space)	Landscaping (% of site)	Where no permitted use is listed the use shall be interpreted as an "X" use (Special Requirements (see also general provisions) (for definitions of symbols): P, AA, SA, IP and X see Clause 4.3.2)
	Residential	Residential Development	Local Shopping	Other Commercial	Hotel	Motel	Caravan Park	Service Station	Industrial	Place of Public Assembly	Rural	Special Rural					Front (m)	Rear (m)	Side (m)			
<b>RESIDENTIAL, VACATIONAL AND PRIVATE</b>																						
Single Dwelling	P	AA									P	P										
Attached	AA	AA									P	P										
Grouped	AA	AA									IP	IP										
Caretaker's Dwelling	IP	IP									IP	IP							*			
Residential Building (to include Residential Hotel, Boarding/Guest/Lodging House)	SA	SA																	*			
Motel					AA	P																
Caravan Parks							P															
Holiday Cabins and Chalets							P															
Home Occupation	IP	IP									IP	IP										
<b>LICENSED PREMISES</b>																						
Hotel																						
Tavern			SA		P	SA												15	10	10	25	
Wine Shop			AA		AA	P												15	10	10	25	
																		3	3	3	10	
Licensed Restaurant			AA		AA	AA												3	3	3	25	
Drive-In Liquor Sales			AA		AA	AA												*	*	*	25	
																		3	3	3	25	
Liquor Store			AA		P													3	3	3	25	

\* means standards and requirements to be prescribed by Council in each case.

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																	Front (m)	Rear (m)	Side (m)			
<b>COMMERCIAL USES</b>																						
Shop	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	200	6	75	0.5	3	3	3	1 space per 15 m <sup>2</sup> G.F.A.*	10	
Eating House	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	200	6	50	0.5	3	3	1 space per 4 seats or 1 for 1 m length of queuing area	10		
Take-Away Food Outlet	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	1 000	40	30	0.3	3	3	3		10		
Fish Shop	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	200	40	50	0.5	3	3	3		10		
Open Air Display	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	1 000	20	*	0.5	3	*	*		10		
Car Park	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	*	40	35	0.35	10	5	5		10		
Service Station	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	1 500	40	35	0.35	10	5	5		10		
Petrol Filling Station	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	1 500	6	75	0.5	10	5	5		10		
Office	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	*	6	75	0.5	10	5	5		10		
Professional Office	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	6	6	75	0.5	10	5		10		
Consulting Rooms	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	6	6	75	0.5	10	5		10		
Medical Clinic	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	6	6	75	0.5	10	5		10		
Show Rooms	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	10	10	75	0.5	3	3		10		
Warehouse	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	25	25	75	0.5	3	3		10		
Trade Display	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	*	*	*	*	*	*		10		
Laundrobar	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	*	*	*	*	*	*		10		
Funeral Parlour	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	AA	*	*	*	*	*	*		10		
<b>INDUSTRIAL USES</b>																						
Light Industry	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	1 000	25	75	0.5	10	5	5		10	
Service Industry	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	2 000	25	75	0.5	10	5	5		10		
General Industry	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	2 000	25	75	0.5	10	5	5		10		
Factory Units	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	2 000	25	50	0.35	10	5	5		10		
Motor Vehicle Wrecking	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	2 000	25	*	*	*	*	*		20		
Rural Industry	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	*	*	*	*	*	*	*		*		
Fuel Depot	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	2 000	25	50	0.5	10	5	5		10		
Woodyard	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	2 000	25	50	0.5	10	5	5		10		
Transport Depot	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	2 000	25	50	0.5	10	5	5		10		
Milk Depot	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	2 000	25	50	0.5	10	5	5		10		
Dry Cleaning Premises	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	IP	2 000	25	50	0.5	10	5	5		10		

\* means standards and requirements to be prescribed by Council in each case.

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																	Front (m)	Rear (m)	Side (m)					
PUBLIC AND COMMUNITY USES	SA	AA	...	...	...	...	...	...	...	AA	...	...	2 000	25	30	0.3	9	...	3	} 1 space per staff member	30	Accommodation for picking up and setting down of children and/or adults will be required in each case and to be prescribed by Council.		
	SA	AA	...	...	...	...	...	...	AA	...	...	2 000	25	30	0.3	9	...	3	30		30			
	SA	AA	...	...	...	...	...	...	AA	...	...	SA	2 000	25	30	0.3	9	...	3		*		*	
Day-Care Centre	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	} 4 spaces per consultant or practitioner	25	Special consideration may apply regarding amenity and/or proximity to landing ground.		
Pre-School	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	25		25			
Educational Establishment	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		*		*	
Health Centre/Studio	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	} 1 space per 4 seats in main auditorium	20	Special consideration may apply regarding amenity and/or proximity to landing ground.		
Infant Welfare Clinic	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		20		20	
Public Amusement	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		*		*	*
Public Recreation	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	} 1 space per 4 seats in main auditorium	20	Special consideration may apply regarding amenity and/or proximity to landing ground.		
Place of Public Worship	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		20		20	
Place of Public Assembly	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		*		*	*
Civic Building	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	} 1 space per 4 seats in main auditorium	20	Special consideration may apply regarding amenity and/or proximity to landing ground.		
Museum	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		*		*	*
Institutional Building	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		*		*	*
Institutional Home	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	} 1 space per 4 seats in main auditorium	20	Special consideration may apply regarding amenity and/or proximity to landing ground.		
Reformatory Institution	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		*		*	*
Zoological Garden	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		*		*	*
Public Utility	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	} 1 space per 4 seats in main auditorium	20	Special consideration may apply regarding amenity and/or proximity to landing ground.		
Private Club	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		*		*	*
Radio/TV Installation	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...		*		*	*

\* means standards and requirements to be prescribed by Council in each case.

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	Residential	Residential Development	Local Shopping	Other Commercial	Hotel	Motel	Caravan Park	Service Station	Industrial	Place of Public Assembly	Rural	Special Rural	Front (m)	Rear (m)	Side (m)							
<b>RURAL USES</b>	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Small Holding	...	...	...	...	...	...	...	...	...	...	AA	AA	...	...	...	...	...	30	*	*	...	See Clause 4.5 and Schedule 1 for requirements.
Market Gardens, Horticulture, Viticulture	...	...	...	...	...	...	...	...	...	...	AA	AA	...	...	...	...	...	30	*	*	...	For all rural building including outbuilding, tanks stock yards etc. and where practicable development involving earthworks and dams etc. the minimum setback from Russell Highway, Brockman Highway and Caves Road alignments shall be 60 metres and 30 metres on all other dedicated roads outside the town-site boundaries.
Piggeries	...	...	...	...	...	...	...	...	...	...	SA	SA	...	...	...	...	...	30	*	*	...	
Poultry Farms	...	...	...	...	...	...	...	...	...	...	SA	SA	...	...	...	...	...	30	*	*	...	
Intensive Stock Rearing	...	...	...	...	...	...	...	...	...	...	SA	SA	...	...	...	...	...	30	*	*	...	
Kennels	...	...	...	...	...	...	...	...	...	...	AA	SA	*	10	30	0.3	...	*	*	*	...	
Veterinary Clinic	...	...	SA	SA	...	...	...	...	...	...	AA	SA	*	*	*	*	...	*	*	*	...	
Veterinary Establishment	...	...	...	...	...	...	...	...	...	...	AA	SA	*	*	*	*	...	*	*	*	...	
Rural Pursuits	...	...	...	...	...	...	...	...	...	...	P	P	*	*	*	*	...	*	*	*	...	
Art and Craft Studio and Sales	...	...	...	...	...	...	...	...	...	...	SA	SA	*	*	*	*	...	*	*	*	...	
Plant Nursery	...	...	...	...	...	...	...	...	...	...	SA	SA	*	*	*	*	...	*	*	*	...	

\* means standards and requirements to be prescribed by Council in each case.



4.3.4 A determination made by Council pursuant to the provisions of Clause 4.3.3 shall, for the purpose of this Scheme, be regarded as the exercise of a discretionary power with the result that appeals may be lodged with the Minister against such determinations.

4.3.5 Additional Use Right: Those portions of the Scheme Area which are specified in Appendix 4 are deemed to have an Additional Use Right. Notwithstanding that a parcel of land described in Appendix 4 is within another zone, the land or any building or structure thereon may be used for the purpose set against that parcel of land in Appendix 4 in addition to the other uses permitted in the Zone in which the land is situated.

4.3.6 Relaxation of Restrictions: Notwithstanding anything herein contained with the exception of Clause 4.4.2 but subject to the provision of the Uniform Building By-laws where applicable the Council may either generally or in any particular case, and on such conditions as it thinks fit, relax the provisions of the Scheme, if the resolution so to do is passed by an absolute majority of the Council.

#### 4.4 General Provisions.

4.4.1 Compliance with Development Standards and Requirements: Subject to the provisions of Clause 4.4.2, except for the Flinders Bay Special Development Area, development shall conform to the standards set out:

- (a) in the Zoning and Development Standards Table (Table No. 1),
- (b) in the Residential Planning Codes: Country Towns, and
- (c) in this Part.

and where no standard is prescribed, shall be carried out in accordance with the requirements which Council may be absolute majority specify in each particular case.

4.4.2 Power to Vary Development Standards and Requirements: Notwithstanding the provisions of the foregoing Clause the Council may in very exceptional circumstances vary the standards set out in this Part and in Table No. 1 by a proportion not exceeding five per cent of the dimensions, ratios and areas specified.

4.4.3 Residential Development: Residential Planning Codes: Country Towns:

- (a) For the purpose of this Scheme, "Residential Planning Codes" means:

The Residential Planning Codes: Country Towns, adopted as a policy by the Board on 26 July 1982, together with all amendments or additions thereto or any code, by-laws or regulations replacing them and applying or being applicable within the District.

- (b) A copy of the Residential Planning Codes shall be kept and made available for public inspection at the offices of the Council.
- (c) In the event of there being any inconsistency between the Residential Planning Codes identified by Clauses 4.4.3 (a) and 4.4.3 (b) the provisions in the document identified in Clause 4.4.3 (a) shall prevail.
- (d) Unless otherwise provided for in the Scheme, the Development of Land for any of the Residential purposes dealt with by the Residential Planning Codes shall conform to the provisions of those codes and the schedules to those codes.
- (e) The Residential Planning Code density applicable to land within the Scheme Area shall be determined by reference to the Residential Planning Codes density numbers superimposed on the particular areas shown on the Scheme Map as being contained within the outer edges of the black borders or, where adjoining, as being contained within the centre lines of those borders.

4.4.4 Residential Planning Codes: Variations and Exclusions:

- (a) In the area Coded R10/15 the R10 development standards shall apply unless Council is satisfied that soils are suitable for on-site effluent disposal in which case Council may apply the R15 development standards.

- (b) Where the R10 development standards apply the minimum setback from the street and rear boundary shall be 9 metres.

4.4.5 Setbacks: In instances where a site has more than one street frontage, the Council may determine which shall be regarded as the front for the purpose of the setbacks prescribed in Table No. 1 and may reduce the setbacks specified in respect of the other street frontages subject to a minimum of 4.5 m.

Subject to the foregoing, where compliance with the setbacks specified in this Part cannot be achieved or where such compliance would, in the Council's view, be unreasonable or undesirable, by virtue of the irregular shape of the site or some physical difficulty of the land or for aesthetic considerations, then the Council may at its discretion permit developments where the average distance from the respective boundaries is not less than the dimensions specified.

4.4.6 Irregular Frontages: In instances where Council is satisfied that the road or street alignment is curved, irregular or not at right angles to the side boundaries of the land so that application of the front setback in accordance with the provisions of the Scheme may cause difficulty in the siting of a building(s), an average distance from the front boundary may be maintained pursuant to Clause 11.4 (5) of the Uniform Building By-laws, provided that no portion of the building is closer than six metres to the front boundary.

4.4.7 Visual Truncations: Notwithstanding the provisions of the Town Planning and Development Act By-laws, no portion of a building in any Zone within this Scheme shall project into a 12-metre truncation of a corner lot unless otherwise prescribed by Council.

The visual truncation is the area created by the continuation, in a straight line of each of the lot boundaries, with road frontage, by measuring 12 metres from the point of intersection of the projected boundaries and by connection in a straight line of the two points determined by such measurement.

4.4.8 Carparking: Carparking required pursuant to the provisions of this Scheme shall be provided in accordance with the following:

- (a) a parking bay of 5.5 m x 2.5 m;
- (b) a manoeuvring aisle 6 metres in width serving each parking bay;
- (c) each parking bay being capable of use independently of the other unless otherwise specified in the Residential Planning Codes;
- (d) compensatory increases in the width may be permitted where angle parking is provided except that a manoeuvring aisle shall in no case be less than 4 metres in width, and then only where a one-way system is incorporated.
- (e) parking areas unless otherwise permitted by Council shall be sealed with a minimum standard of compacted gravel on a suitable base and arrangements made for:
  - (i) drainage;
  - (ii) marking out the parking area in the manner in which it is designed to be used;
  - (iii) landscaping where large parking areas are involved to effectively screen the paved areas from view;
  - (iv) the construction of the carparking accommodation and the carrying out of landscaping works to Council's satisfaction;
  - (v) where the Council is satisfied that part or all of the required carparking facilities, manoeuvring area, ingress and egress requirements cannot be adequately provided and effectively utilized on site, Council may accept cash payments in lieu of the provision of carparking in accordance with Clause 7.5.

4.4.9 Servicing:

- (a) For new uses or development projects which require the despatch or receipt of goods of any kind, loading and unloading space will, where

practicable, be required to be provided clear of the street. Council will seek to ensure that servicing vehicles are able to enter and leave the site in a forward direction.

- (b) Rear Right-of-Way in New Lots: Where it so determines, Council will request the Town Planning Board to require that all new lots be provided with a rear right-of-way of a minimum width of 6.1 metres.
- (c) Rear Right-of-Way, Existing Lots: Where Council so determines, no new buildings will be permitted unless a rear right-of-way of a minimum width of 6.1 metres is provided on lots not yet used or partially used and where no further subdivision has been sought.

4.4.10 Landscaping: Landscaped areas to be constructed, planted and maintained pursuant to this Scheme will, in general, be located in such positions on a site or sites so as to enhance the appearance of the affected street or streets and to screen from view or soften the impact of parking areas, open storage areas, drying areas and any other space which, by virtue of its use, is likely to detract from the visual amenity of the townscape.

Landscaping proposals shall be submitted to and approved by Council and any planting designed to act as a screen shall be comprised of plants growing to a variety of heights to achieve the desired result.

#### 4.4.11 Height and Appearance of Buildings:

- (a) Except as hereinafter provided, no building in excess of two storeys or a height of 8 metres above natural ground level shall be erected within the Scheme Area;
- (b) In a Residential Development Zone the Council may prescribe in an Outline Development Plan the areas within which the height of any new buildings shall not exceed one storey or 5 metres above natural ground level.

The "height above natural ground level" for the purpose of the Clauses shall be measured vertically from the centre point (as ascertained by the intersection of diagonal lines) of the smallest rectangle or square containing the whole of the proposed new building.

- (c) Notwithstanding the provisions of paragraphs (a) and (b), the Council may, after following the procedures set out for uses and developments under category "SA" in Clause 4.3.2 approve buildings which exceed the heights specified, where:
  - (i) plans including sections and elevations, photographs and/or models of the proposed development are submitted to the Council in addition to those details required pursuant to Clause 2.2 for applications for planning approval showing:
    - all land in the area likely to be affected by the proposal in terms of views, aspects and impact on the townscape;
    - the effect of the proposed development on neighbouring or nearby properties with regard to view, aspect and impact on the area generally, and,
    - the materials to be used on the external surfaces of the building and any additional external treatment.
  - (ii) the Council, after considering both the information provided pursuant to the foregoing paragraph (c) and Clause 2.2 and any representations made by persons owning or having an interest of any other kind in the future development and growth of Augusta, shall have satisfied itself that the proposed building:
    - (a) will be in harmony with the general character of buildings in the locality;
    - (b) will not adversely affect the beauty, character, quality of environment or the townscape of

Augusta bearing in mind in particular the beauty of the hillside slopes adjacent to the Hardy Inlet;

- (c) bears a satisfactory relationship to the boundaries of the lot on which it is to be constructed and relates satisfactorily to the siting, design and aspect of buildings on other nearby lots;
- (d) will not impair the potential for development of other vacant blocks in the vicinity with particular regard to amenity, aspect and views;
- (e) has been designed in sympathy with the natural land form of the site;

(iii) any such decision is made by an absolute majority of Council.

4.4.12 Provisions for Commercial and Industrial Zones: In determining side and rear boundary setbacks as specified by Table No. 1, Council shall take into account the need for landscaping, carparking, servicing, loading and unloading and open storage of goods and materials.

No open storage of goods, unserviceable vehicles or machinery shall be permitted within 10 metres of the front boundary of any site within a Commercial, Light or General Industrial Zone which area shall be used only for landscaping, carparking, servicing, loading and unloading, or where approved by Council, for trade display. All open storage areas shall be screened to the satisfaction of Council to ensure such areas are not exposed to view from nearby roads or other public places.

4.4.13 Advisory Panel: For the purpose of assisting in evaluating the effects and impacts of prospective developments within the Scheme Area, the Council may appoint an Advisory Committee consisting of the President for the time being of the Council or his nominee, who shall act as Chairman and three other members who shall be architects, town planners, landscape architects or persons trained in the three-dimensional effects of development or in environmental sciences. Such members will, when appropriate, be selected by Council and shall be approved by the Presidents of their respective Institutes and when called upon to do so, shall advise the Council on all matters of design, aesthetics, landscape and environment.

4.5 Special Rural Zone Provisions: The following provisions shall apply specifically to all land included in the Special Rural Zone in addition to any provisions which are more generally applicable to such land under this Scheme:

- (a) The objective of the Special Rural Zone is to select areas within the rural areas wherein closer subdivision will be permitted to provide for such uses as hobby farms, horse breeding, rural/residential retreats, intensive agriculture including market gardens and viticulture, and also to make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such area.
- (b) The provisions for controlling subdivision, land uses and development relating to specific Special Rural Zones will be as laid down in Schedule I to the Scheme and future subdivision will accord with the Plan of Subdivision for the specified area referred to in the Schedule and such plan of subdivision shall form part of the Scheme.

Before making provisions for a Special Rural Zone, Council will prepare, or require the owner(s) of the land to prepare a submission supporting the creation of the Special Rural Zone and such submission shall include:

- (i) A statement as to the purpose or intent for which the zone is being created;
- (ii) The reasons for selecting the particular area the subject of the proposed zone with particular reference as to how this relates to the Council's Rural Planning Strategy.

- (iii) A plan or plans showing contours at such intervals as to adequately depict the landform of the area and physical features such as existing buildings, rock outcrops, groups of trees, lakes, rivers, creeks, swamps, orchards, wells and significant improvements.
- (iv) Information regarding the method whereby it is proposed to provide a potable water supply to each lot.
- (v) The proposed staging of the subdivision and development and the criteria to be met before successive stages are implemented.
- (c) The Scheme provisions for a specific Special Rural Zone shall include a Plan of Subdivision showing:
- (i) The proposed ultimate subdivision including approximate lot sizes and dimensions;
  - (ii) Areas to be set aside for Public Open Space, pedestrian access ways, horse trails, community facilities etcetera, as may be considered appropriate;
  - (iii) Those physical features it is intended to conserve;
  - (iv) The proposed staging of the subdivision where relevant.
- (d) In addition to the Plan of subdivision, the Scheme provisions for a specific Special Rural Zone shall specify:
- (i) The facilities which the purchasers of the lots will be required to provide (e.g. their own potable water supply, liquid and solid waste disposal systems, etc.).
  - (ii) Proposals for the control of land uses and development which will ensure that the purpose of intent of the zone and the rural environment and amenities are not impaired;
  - (iii) Any special provisions appropriate to secure the objectives of the zone.
- (e) In addition to a Building Licence, the Council's prior approval to commence development is required for all development including a private dwelling house and such application shall be made in the form of Appendix 1 to the Scheme and be subject to the provisions of Part 2 of the Scheme.
- (f) Notwithstanding the provisions of section 11.3 (4) of the Uniform Building By-laws, not more than one private dwelling house per lot shall be erected.
- (g) The Council may, by notice served upon individual landowners or upon a subdivider of land within this zone, require the preservation of specified groups of trees and thereafter no landowner or subdivider shall cut, remove or otherwise destroy any group of trees so specified unless the Council rescinds the notice or order.
- (h) In addition to such other provisions of the Scheme as may affect it, any land which is included in a "Special Rural Zone" shall be subject to those provisions as may be specifically set out against it in Schedule 1 entitled "Special Rural Zones: Provisions Relating to Specified Areas".
- (i) Notwithstanding the provisions of the Scheme and what may be shown in the Plan of Subdivision specified in Schedule 1, the Town Planning Board may approve a minor variation to the Subdivisional design but further breakdown of the lots so created shall be deemed to be contrary to the provisions of the Scheme.
- 4.5.1 Subdivision Requirements: General:
- (a) Each small rural holding lot shall be provided with frontage to a fully-constructed and sealed road connected by a fully-constructed and sealed road to the fully-constructed and sealed road system in the district.
- (b) Except as may be provided in Schedule 1, no small holding lot to be created pursuant to this Scheme, shall have an area of less than 3 hectares and generally the lot size within the entire zone shall not exceed 5 hectares.
- (c) In making recommendation to the Board on applications for approval to subdivide, the Council may take into account:
- the number of similar lots already available for development both within and outside the particular Special Rural Zone;
  - the rate of development of lots existing at the time when the application is current;
  - any other factors relevant to the subdivision of the land for its zoned purpose.
- 4.5.2 Development Requirements: General:
- (a) Each dwelling shall be provided with a supply of potable water either from a reticulated system, an underground bore or a rainwater storage system with a minimum capacity of 92 000 litres to the satisfaction of the Council.
- (b) In addition to dwellings which may be approved by Council pursuant to the foregoing sub-clauses, Council may also approve the erection of such outbuildings that would reasonably be associated with residential or agricultural use or other use as may be approved by Council.
- (c) No lot shall be cleared of more than 30 per cent of its area including the area of buildings on the lot.
- (d) All applications for development made pursuant to Clause 4.5 (e) and Part 2 for development within a Special Rural Zone shall indicate the entire lot, the areas of natural vegetation, the site contours, the extent of any earthworks, the siting, setbacks, design and external appearance of all new buildings nominating the reason for the choice of the materials and the manner in which these will assist the integration of the buildings into the natural landscape.
- (e) All applications for development shall embody the basic premise that development and the provision of associated services are secondary to the natural features of the site and therefore shall show the extent of any earthworks and/or clearing.
- (f) The siting and erection of any building, outbuilding or fence shall not be approved by Council unless or until it is satisfied that the design, construction, materials and position will be in harmony with the rural character of the land within the zone and the area generally.
- (g) So far as is practicable, the rural character of the area shall be maintained and native trees shall be retained.
- 4.5.3 Land Use:
- (a) No person shall use or permit to be used any lot or any part of a lot for any purpose which would:
- detract from the rural/residential amenity of adjoining lots;
  - detract from the rural character of the area generally;
  - adversely affect the land by exceeding usual stocking rates with the resultant prospect of soil erosion;
  - adversely affect the established vegetation on the land.
- (b) In approving any application to use or develop land as a small rural holding, the Council may require each lot owner to undertake a programme of tree planting related to the degree to which the land or buildings are exposed to view and such a programme may be in addition to that carried out as a part of the subdivision of the land. For the purpose of this Clause a proposal to allow to revert to its former natural condition may be acceptable to the Council.

- (c) No lot within a Special Rural Zone shall be used for any other purpose than for residential purposes (rural retreat) or for agricultural purposes (small holding or hobby farm) or for such other use as the Council may approve pursuant to this Scheme.

4.6 Provisions Relative to Residential Development Zone: Except as hereinafter provided no development or subdivision shall occur within Residential Development Zones until an Outline Development Plan has been prepared and approved pursuant to the procedure described below.

4.6.1 Outline Development Plans may be prepared by the Council or by the landowners or their agents to Council's satisfaction for the whole of the particular area covered by that zone.

4.6.2 An Outline Development Plan shall be comprised of:

- (i) details and particulars of the studies and evaluations carried out in respect of the topography, physical characteristics, soil characteristics, natural vegetation, the environmental qualities of the area, landscape and any other matter relevant to the planning of the area;
- (ii) plans at suitable metric scales of 1:5 000 and 1:2 000 sufficient to give a broad appreciation of the relationship of the area under study to established development of the town, together with details of the proposals for land within the zone itself.
- (iii) such additional written material, models, photographs and plans etcetera as may be required to give a complete understanding of the proposed planning for the zone.

4.6.3 An Outline Development Plan shall show:

- (i) the topography of the area;
- (ii) the relationship of the land to be subdivided and/or developed land in the area;
- (iii) the location width and status of proposed roads within the planned area and their connection with the road network in the locality;
- (iv) the location, nature and use of all new subdivision and development within the planned area;
- (v) the analysis of the physical, topographical and environmental characteristics of the area leading to the selection of the land considered to be suitable for development;
- (vi) details of the natural vegetation within the area and the extent of clearing which may be necessary to give effect to the plan;
- (vii) details of drainage and other services necessary to serve any new subdivision and development;
- (viii) the suggested zoning for the land which consequent upon the approval of the Outline Development Plan would be pursued by way of an amendment to this Scheme;
- (ix) such other information as may reasonably be required to support the philosophy of approach to the planning of the area.

4.6.4 Following preparation and approval of the Outline Development Plan by the Council, the Council shall:

- (i) forward copies of the Outline Development Plan to the Secretary to the Town Planning Board and the Director for Conservation and Environment drawing attention to the advertisement period referred to in subparagraph (b) below and the ability of those authorities to lodge objections or representations with the Council;
- (ii) then advertise once per week for two consecutive weeks in newspapers having both local and State-wide circulation, details of the Outline Development Plan advising that the Plan is available for inspection at the Council Offices and the Town Planning Department and that objections and/or representations may be made to the Council within a period not being less than four weeks from the date of the first such advertisement;

- (iii) ensure that the advertisement indicates the location, size and extent of the land and general details of the proposal within the zone.

4.6.5 The Council shall, after the expiration of the advertisement period, consider any representations lodged and may:

- (a) adopt the Outline Development Plan either with or without amendment;
- (b) resolve not to proceed with the Outline Development Plan advising the Town Planning Board and affected landowners accordingly;

If the Council shall adopt the Outline Development Plan with or without amendment, it shall then, within a period of four weeks from the date of the expiration of the advertisement period, forward same to the Town Planning Board for approval. Following the grant of approval by the Town Planning Board, the Outline Development Plan shall become effective.

4.6.6 Applications for Approval to Subdivide Land and Applications for Planning Approval to use or develop land in a Residential Development Zone will not normally be recommended for approval or granted as appropriate until an Outline Development Plan has been prepared and approved in accordance with the foregoing procedures. In exceptional circumstances however, the Council may by a decision of an absolute majority grant a planning approval or recommend approval to a plan of subdivision where it can be demonstrated that such development and/or subdivision will not prejudice or adversely affect the subsequent preparation of an Outline Development Plan. In both instances Council may require the submission of plans, details and particulars of the likely planning for the area in order to satisfy itself of the acceptability of the subdivision and/or development from a planning and environmental point of view.

#### PART 5: Non-Conforming Uses.

5.1 Status of Non-Conforming Uses: No provision of the Scheme shall prevent:

- (a) the continued use of any land or building for the purpose for which it was being lawfully used at the time of the coming into force of the Scheme, or
- (b) the carrying out of any development thereon for which, immediately prior to that time, a permit or permits required under the Town Planning and Development Act 1928 (as amended) and any other law authorising the development to be carried out have been duly obtained and was current.

5.2 Development on Land used for Non-Conforming Purposes:

- (a) Where in respect of land reserved under Part 3 of the Scheme, a non-conforming use exists, or was authorised as mentioned in Clause 5.1 of this Part, on that land, all or any erections, alterations or extensions of the buildings thereon or any use thereof shall not be carried out unless the approval of the Council has been obtained in writing.
- (b) Where in respect of land zoned under Part 4 of the Scheme a non-conforming use exists, or was authorised as mentioned in Clause 5.1 of this Part, on that land, and provided that the prior consent of the Council has been obtained in writing in accordance with the provisions of Part 2 of this Scheme, buildings may be extended by one tenth of the floor space of the building extant at the time of the Gazettal of this Scheme.

5.3 Change of Non-Conforming Use: The Council upon receipt of a formal application pursuant to Part 2 hereof may permit the use of any land to be changed from one non-conforming use, to another non-conforming use, provided the proposed use is in the opinion of the Council, less detrimental to the amenity of the neighbourhood than the existing use, or is in the opinion of the Council closer to the intended uses of the zone.

5.4 Compliance with the Use and Development Standards: In considering any application for planning approval pursuant to Clauses 5.2 and 5.3, nothing shall prevent the Council from requiring compliance with

the Use and Development Standards of this Scheme relevant to the existing or proposed use of the land and nothing in this Scheme shall prevent the Council from refusing any such application on the grounds that compliance with the appropriate Use and Development Standards could not be achieved.

#### 5.5 Discontinuance of Non-Conforming Use:

- (a) Notwithstanding the preceding provisions of this Part, except where a change of non-conforming use has been permitted by the Council under Clause 5.3, when a non-conforming use of any land or building has been discontinued, such land or building shall not thereafter be used other than in conformity with the provisions of the Scheme.
- (b) The Council may effect the discontinuance of a non-conforming use, by the purchase of the affected property, or by the payment of compensation to the owner or the occupier of that property, and may enter into an agreement with the owner for that purpose.

### PART 6: Conservation and Preservation of Buildings, Objects or Places of Architectural, Historic or Scientific Interest and Places of Natural Beauty.

#### 6.1 Schedule.

6.1.1 Included within Schedule No. 2 attached to this Part are the descriptions of buildings, groups of buildings and objects or places of architectural, historic or scientific interest and places of natural beauty which are to be preserved or conserved pursuant to this Scheme.

#### 6.1.2 The Schedule includes:

- (i) a description of the building, group of buildings or object or place of architectural historic or scientific interest or place of natural beauty.
- (ii) a precis of the reasons for requiring the preservation or conservation of the building, groups of buildings, object or place concerned;
- (iii) an indication of the extent to which conservation or preservation of the building, group of buildings, object or place is required.

#### 6.2 Effect of Inclusion in Schedule No. 2.

6.2.1 Notwithstanding the provisions of Clause 2.6 of Part 2 of this Scheme, no development of any kind shall be carried out on a property which has been included in Schedule No. 2 unless the prior consent or the approval of Council has been obtained. For the purpose of this Clause the expression 'development' shall also include the erection or display of advertisements and the demolition of buildings, objects or structures.

6.2.2 Any person wishing to alter, extend or adapt any building referred to in Schedule No. 2 shall apply to the Council for Planning Approval in the manner prescribed in Part 2 of this Scheme and additionally shall provide the Council with any details and particulars of internal and external alterations affecting the qualities or merit for which the building, object or place concerned has been scheduled for preservation.

The Council in considering and determining any such application:

- (a) shall take into account the reasons for the inclusion of the particular building, object or place in Schedule No. 2 to this Part and the effects of the proposal thereon;
- (b) may consult with the following:
  - The National Trust of Australia (W.A.),
  - The Heritage Council of Western Australia,
  - The Department of Conservation and Environment,
 and shall take into account the advice given by these authorities;
- (c) may confer with any other authority, body or person able to offer advice or guidance as to the effect of development on a scheduled building, object or place.
- (d) may, if it deems appropriate, advertise details of the proposal for public inspection and comment and may take into account any submissions made.

6.2.3 Pursuant to the coming into operation of this Scheme, no person, unless with the approval of Council, shall alter, add to, damage, deface, demolish, remove or take away or take any other action which would adversely affect a building, object or place included in Schedule No. 2 or which would operate in conflict with their preservation in accordance with the provisions of this Part.

Any person who takes action which is not authorised by the Council pursuant to this Part shall be guilty of an offence and liable to such penalties as are prescribed under the Act.

#### 6.3 Additions to or Deletions from Schedule No. 2.

6.3.1 The Council may resolve that a building, object or place of architectural, historic, or scientific interest or a place of natural beauty should be included within or deleted from Schedule No. 2 to this Part.

6.3.2 Any such resolution shall have effect as if the said building, object or place was included in Schedule No. 2 upon publication of the resolution in newspapers having both local and statewide circulation and upon notification having been given to the owner and occupier of the property.

Any notice published in the newspaper and any notification sent to the owner or occupier pursuant to this clause shall briefly describe the property concerned, the reason, in the Council's view, for including the property in Schedule No. 2 and the effect of its inclusion and shall briefly describe the action to be taken by Council to give final effect to the resolution.

6.3.3 Within a period of not more than 30 days from the date of the resolution, the Council shall forward to the Town Planning Board, the documents required by the Town Planning Regulations to effect an amendment to the Town Planning Scheme by the addition of or a deletion from the list of properties, objects or places contained within Schedule No. 2.

6.3.4 If a Scheme amendment promoted in accordance with the provisions of the Town Planning Regulations and this Part:

- (a) receives the final approval of the Minister, the appropriate addition to or deletion from Schedule No. 2 shall have effect;
- (b) does not receive the final approval of the Minister, the resolution of Council shall cease to have effect.

6.3.5 Nothing in this Part shall affect the validity or cure the invalidity of anything done or omitted to be done prior to the lapse of a resolution pursuant to sub-paragraph (b) of the preceding Clause.

#### 6.4 Compensation and Injurious Affection.

6.4.1 Any person whose property is injuriously affected by:

- (a) the inclusion of this property in Schedule No. 2, or
- (b) by a decision of Council made in respect of an application for planning approval to carry out development of a property or place included in Schedule No. 2, or
- (c) by the effect of a resolution made by Council to include the property in Schedule No. 2, may claim compensation from the Council within six months from:
  - (i) the date of the coming into operation of this Scheme
  - (ii) the date of the decision concerned, or
  - (iii) the date upon which the Council made the relevant resolution.

6.4.2 In lieu of paying compensation, the Council acting in its own right or on behalf of any other body having an interest in the preservation or conservation of the building, object or place concerned may:

- (a) purchase all or part of the property concerned;
- (b) resume all or part of the property concerned;
- (c) enter into agreements with the owner and occupier of the property concerned as to the ways in which any claim for compensation may be settled.

## PART 7: Finance and Administration.

## 7.1 Powers and Authorities of Council.

7.1.1 In carrying out the provisions of the Scheme, the Council shall have the following powers and authorities:

- (a) to enter and inspect at all reasonable times, any land within the Scheme Area by its officers, agents or servants to ascertain any matter relative to the observance of the provisions of the Scheme;
- (b) to enter into agreement with the owners or occupiers or prospective owners or occupiers of any land within the Scheme Area;
- (c) to enter into agreements with the Crown and any Department of the State with reference to the carrying out of any of the objectives of this Scheme;
- (d) to purchase land within the Scheme Area and for that purpose to enter into contracts and agreements with owners and thereafter to deal with the land in any way to give effect to the objectives of the Scheme;
- (e) to resume any land for any purpose necessary for effective implementation of the Scheme;
- (f) to deal with, dispose of, transfer or sell any land which it owns or which it has acquired pursuant to this Scheme in accordance with the provisions of the Scheme.

7.2 Compensation: Claims for compensation pursuant to this Scheme shall be made not later than six months from the date on which notice or approval of the Scheme is published in the *Government Gazette*, except in the case of reserved land where the provisions of Part 3 shall apply.

## 7.3 Enforcement of Provisions:

7.3.1 (a) If any person contravenes or fails or neglects to comply with any of the provisions of the Scheme, the Council may by notice in the manner set out in Clause 7.4 hereof, order such persons to discontinue forthwith any such contravention, and within thirty clear days after the service of such notice to remove, pull down, take up, alter or otherwise make good any work which contravenes the Scheme, or to carry into effect any provisions of the Scheme which are not being complied with and at the same time it may, pursuant to sub-section 1 of section 10 of the Act, advise such person that in the event of him failing to comply with the provisions thereof in the time limited for compliance then the Council by its agents will enter such person's property and cause to be done such works and things as shall be specified in such notice.

(b) Any expense incurred by the Council in doing any works pursuant to any default under paragraph (a) hereof may be recovered from the person in default by action for a civil debt recoverable summarily in any court having jurisdiction in respect of the amount involved.

7.4 Notices: Any notice under Clauses 2.7 and 7.3 hereof:

- (a) shall be addressed to the owner, occupier or lessee of the land in question;
- (b) shall describe in general terms the matters requiring attention, the remedial action required and shall specify the period (not being less than 28 days), within which the work shall be carried out;
- (c) shall where necessary, advise the person to whom it is addressed that in default of his compliance with such notice, the Council will enter such land and carry out the requirements of such notice itself at the expense of that person;
- (d) any notice required to be given hereunder may be served personally or by pre-paid letter addressed to the person to be served at his address as shown in the rate book of the Council if he shall be a ratepayer or at his last known address (whether he is a ratepayer or not) and such notice shall be deemed to be served on the day following the date of posting.

7.5 Collective Provision of Carparking Spaces: Where the Council so decides it may accept cash payments in lieu of the provision of paved parking spaces but only subject to the following requirements being satisfied:

- (a) the cash-in-lieu payment shall not be less than the estimated cost to the owner or developer of providing and constructing the parking spaces required by the Scheme, plus the value, as estimated by Council of that area of his land which would have been occupied by the parking spaces.
- (b) Before the Council agrees to accept a cash payment in lieu of the provision of parking spaces, the Council must either have purchased land and/or provided a public car park nearby or have firm proposals to provide such a public car park within a period of two years of the time of agreeing to accept the cash payment.
- (c) Payments made under this Clause shall be paid into a special fund to be used for the provision of public carparking facilities and the Council may use this Fund to provide public parking facilities anywhere within reasonable proximity to the subject land in respect of which a cash-in-lieu arrangement is made.
- (d) If an owner or developer shall object to the amount of the costs or values determined by Council pursuant to sub-clause (a), the matter may be referred to arbitration in accordance with the provisions of Clause 7.6.

7.6 Arbitration: Any dispute or difference in respect of any matter which, by the terms of the Scheme may be determined by arbitration may be referred to the arbitration of a single arbitrator in the manner provided for by the Arbitration Act 1895 or any statutory modification thereof for the time being in force and if the parties fail to agree upon any one single arbitrator, he may be nominated by the President of the Law Society of Western Australia for the time being.

7.7 Valuations: Where it is necessary to ascertain the value of any land for the purpose of the Scheme, the value may be determined by the Valuer General or by a disinterested and licensed valuer appointed by the Council.

If an owner shall object to the value so determined, he may give notice of such objection to the Council within twenty-eight (28) days after having been informed of the said value or the revised value. If the valuer does not agree to change the value to a figure acceptable to the owner, the value shall be determined by arbitration in accordance with the provisions of Clause 7.6.

## Adoption.

Adopted by Resolution of the Council of the Shire of Augusta-Margaret River at the Meeting of the Council held on the 10th day of March, 1983.

A. P. HILLIER,  
President.

Dated 11/3/83.

K. S. PRESTON,  
Shire Clerk.

Dated 11/3/83.

## Final Approval.

1. Adopted by resolution of the Council of the Shire of Augusta-Margaret River at the Ordinary Meeting of the Council held on the 10th day of January 1985 and the seal of the Municipality was pursuant to that Resolution hereunto affixed in the presence of—

[L.S.]

A. P. HILLIER,  
President.  
K. S. PRESTON,  
Shire Clerk.

This Scheme Text is to be read in conjunction with the approved maps of the Scheme described in Clause 1.5 of this Scheme and to which formal approval was given by the Hon. Minister for Town Planning on the date shown below.

2. Recommended/Submitted for final approval by the Town Planning Board—

M. A. FEILMAN,  
Chairman.

Dated 12/2/85.

3. Final approval granted—

R. PEARCE,  
Minister for Planning.

Dated 14/2/85.

Schedule 1.

Special Rural Zones: Provisions Relating to Specified Areas.

(a) Specified Area of Locality	(b) Special Provisions to refer to (a)
Augusta Townsite 1. Sub-Lots 131-133 inclusive and 135-146 inclusive Jackson, Davies Tattersall 2. Streets and Curtis Avenue	The Town Planning Board may after consultation with the Council, approve applications for subdivision into lots with a minimum area of 4040 m <sup>2</sup> . Notwithstanding the provisions of Table No. 1 no dwelling house or outbuilding shall be constructed within fifteen metres

of the front boundary except where it can be established to the satisfaction of Council due to the topography, the shape of the lot or the existing vegetation, this requirement in unreasonable or undesirable. Council may at its discretion vary the requirement provided such variation does not fall below a minimum setback of 7.5 metres.

- Where lots below 8 000 m<sup>2</sup> in area are to be used for the keeping of a horse or horses then that use shall be limited to the keeping of horses for the personal use and enjoyment of the lot owner.
- The position of any structure on any lot within the zone including distances from lot boundaries shall be determined by the Council, having regard to the need to preserve the rural appearance of the zone.
- Single storey buildings only permitted.
- Notwithstanding the provisions of Clause 4.5.2 (a) each dwelling shall be provided with a supply of water either from a reticulated system, an underground bore with at least a 20 000-litre storage tank or a rainwater-storage system with a minimum capacity of 55 000 litres to the satisfaction of Council.

Schedule 2

Schedule of Buildings, Groups of Buildings and Objects or places of Architectural, Historic or Scientific interest and places of Natural Beauty to be conserved or preserved under this scheme

Item No.	Building, Object or Place and Location	Brief Description of Reason for Preservation or Conservation	Date Included or Removed

Appendix No. 1.

Town Planning and Development Act 1928 (as amended).

SHIRE OF AUGUSTA-MARGARET RIVER.

FORM FOR APPLICATION FOR PLANNING APPROVAL.

- Surname of Applicant: \_\_\_\_\_  
Given Names: \_\_\_\_\_  
Full Address: \_\_\_\_\_
- Surname of Landowner (if different from above) \_\_\_\_\_  
Given Names: \_\_\_\_\_  
Full Address: \_\_\_\_\_
- Submitted by: \_\_\_\_\_
- Address for Correspondence: \_\_\_\_\_
- Locality of Development: \_\_\_\_\_
- Title Details of Land: \_\_\_\_\_
- Name of Road Serving Property: \_\_\_\_\_

8. State type of development: \_\_\_\_\_

Nature and size of all buildings proposed: \_\_\_\_\_

Materials to be used on external surfaces of buildings: \_\_\_\_\_

General treatment of open portions of the site: \_\_\_\_\_

Details of carparking and landscaping proposals: \_\_\_\_\_

Approximate Cost of Proposed Development: \_\_\_\_\_

Estimate time for construction: \_\_\_\_\_

SIGNATURE OF OWNER

SIGNATURE OF APPLICANT or AGENT

Both Signatures are required if applicant is not the owner.

This form should be completed and forwarded to the Augusta-Margaret River Shire Council together with 3 copies of detailed plan showing complete details of the development including a site plan showing the relationship of the land to the area generally.

In areas where close development exists, or is in the course of construction, plans shall show the siting of buildings and uses on lots immediately adjoining the subject land.

## Appendix No. 2.

Town Planning and Development Act 1928  
(as amended).

## SHIRE OF AUGUSTA-MARGARET RIVER.

DECISION ON APPLICATION FOR  
PLANNING APPROVAL.

The Council having considered the application dated \_\_\_\_\_  
submitted by \_\_\_\_\_

on behalf of \_\_\_\_\_ hereby advises  
that it has resolved to:

1. Refuse Planning Approval because: \_\_\_\_\_
2. Grant Planning Approval subject to the following conditions/for the following reasons: \_\_\_\_\_

Date: \_\_\_\_\_ Shire Clerk: \_\_\_\_\_  
Council Minute No. \_\_\_\_\_ Meeting: \_\_\_\_\_ Date: \_\_\_\_\_

## Appendix No. 3.

## Interpretations.

As provided for in Clause 1.6 to this Scheme, the following terms, unless the context otherwise requires, shall have the respective meanings and interpretations set out hereunder:

- “Absolute Majority of Council”—means a total majority of the members for the time being of the Council whether present and voting or not.
- “Act”—means the Town Planning and Development Act 1928 (as amended).
- “Advertisement”—means any work, letter, model, sign, placard, board, hoarding, notice, device or representation, whether illuminated or not, in the nature of and employed wholly or in part for the purposes of advertisement, announcement or direction and includes any structure, erection or wall converted to such use.
- “Amenity Building”—means a building or part of a building that employees or persons engaged in an industry or business use for their personal comfort, convenience or enjoyment or leisure as distinct from the work of the industry or business.
- “Boatel”—means a building, or group of buildings or place used or intended to be used to accommodate patrons in a manner to a hotel or guest house but in which special provision is made for the accommodation of patrons with boats.
- “Board”—means the Town Planning Board constituted under the Act.
- “Building”—means any structure or appurtenance thereto whether fixed or movable, temporary or permanent, and includes a stall, fence, wall, barrier, hoarding, outbuilding and a swimming pool.
- “Building Line”—means the line between which and any public place or public reserve a building may not be erected except by or under the authority of an Act.
- “Caravan Park”—means an area set aside for the parking of caravans in conformity with the Caravan Parks and Camping Grounds Regulations, 1974, made pursuant to the provisions of the Health Act 1911 (as amended) and the Local Government By-law (Caravan Parks) No. 2 made pursuant to the powers conferred by the Local Government Act 1960 (as amended) and any amendments to those Regulations or to that Model By-law.
- “Caretaker’s Dwelling”—means a building used as a residence by the proprietor or manager of an industry carried out upon the same site or by a person having the care of the building or plant of the industry.
- “Car Park”—means a site or building used primarily for parking private cars or taxis whether as a public or private car park, but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings on or in which cars are displayed for sale.

“Car Parking”—means an area of land or building specifically set aside for parking of wheeled vehicles and treated and subsequently maintained in a manner satisfactory to Council for the purposes.

“Car Sales Premises”—means land and buildings used for the display and sale of cars, whether new or second-hand but does not include a workshop.

“Chalet Park”—means a site occupied by buildings or units although constructed in the nature of residential units and not for occupation as permanent dwellings but which are set aside exclusively for occupation on a temporary basis principally for vacation use but also for short-stay and overnight accommodation.

“Civic Building”—means a building designed, or intended to be used by Government Departments, statutory bodies, representing the Crown, or Councils as offices or for administrative or other like purposes.

“Consulting Rooms”—means a building or part of a building (other than a hospital) used in the practice of his profession by a legally-qualified medical practitioner or dentist, or by a physiotherapist, a masseur or a person ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments.

“Day Care Centre”—means a day care centre as defined by the Child Welfare (Care Centres) Regulations, 1968, published in the *Government Gazette* of 15 July 1968, but does not include a family care centre or an occasional care centre as defined by those Regulations.

“Development”—means the use (including a material change in the use) or development of any land and includes the erection, construction alteration or carrying out as the case may be, of any building, excavation or other works on any land.

“Drive-In Theatre”—means an open air cinema that makes provision for the audience or spectators to view the entertainment while seated in motor vehicles.

“Dwelling House”—means a building used primarily for living purposes as one separate family unit, the term also includes such outbuildings and recreational uses and gardens as are ordinarily used therewith but does not include a “Residential Building” or part of such a building.

“Eating House”—means any house, building or structure or any part thereof in which meals are served to the public for gain or reward.

The term does not include:

- (a) any premises in respect of which an hotel licence, a limited hotel licence, a tavern licence, a restaurant licence or winehouse licence has been granted under the Liquor Act, 1970;
- (b) any boarding house, lodging house or hostel, or
- (c) any building or other structure used temporarily for serving meals to the public at any fair, show, military encampment, races, or other public sports, games or amusements.

“Educational Establishment”—means a school, college, university, technical institute, academy or other education centre, or a lecture hall 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.

“Existing Use”—means use of any land or building for the purpose for which it was lawfully used immediately prior to the gazettal date of the Scheme, in accordance with the conditions set out in Part 5—Non-Conforming Uses.



“Extractive Industry”—includes the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals or similar substance from the land, also the manufacture of products from those materials when the manufacture is carried out on the land from which any of those materials is extracted on or land adjacent thereto.

“Factory Unit”—means each portion of a factory tenement building which is designed or adapted for occupation as a separate undertaking and factoryette shall have the same meaning.

“Fish Shop”—means a shop where the goods kept exposed or offered for sale include wet fish or fish fried on the premises for consumption off the premises.

“Floor Area”—shall have the same meaning as is given to it and for the purposes of the Uniform Building By-laws.

“Frontage”—means the boundary line between a site and the street which that site abuts, and when the site abuts on more than one street, then the boundary line between the site and the street to which the main building erected thereon, fronts. If no building has been erected, or if the building appears to front on to more than one street, then the frontage shall be the boundary line between the site and the street nominated by the Council.

“Fuel Depot”—means a depot for storage or bulk sale of solid or liquid gaseous fuel, but does not include a service station.

“Funeral Parlour”—means land and buildings occupied by undertakers where bodies are stored and prepared for burial or cremation.

“Gazetted Date”—means the date on which notice of the approval of the Minister to this Town Planning Scheme is published in the *Government Gazette*.

“General Industry”—means any industry other than a hazardous, light, noxious, rural, extractive or service industry.

“Hazardous Industry”—means an industry which by reason of the processes involved or the method of manufacture, or the nature of the materials used or produced requires isolation from other buildings.

“Health Centre”—means a maternal or X-ray centre, a district clinic, a masseur’s establishment or medical clinic.

“Health Studio”—means a building designed and equipped for recreation and sporting activities and includes outdoor recreation if especially approved by Council.

“Height”—has the same meaning as is given to it in and for the purposes of the Uniform Building By-laws.

“Holiday Cottages”—means two or more detached dwellings on one lot let for holiday purposes, none of which is occupied by the same tenant for a continuous period of more than four months.

“Home Occupation”—means a business carried on with the permission of the responsible authority within a house or the curtilage of a house that:

- (a) does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury or prejudicial affection due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, or waste products.
- (b) does not entail the employment of any person not a member of the occupier’s family except in the case of a professional person.
- (c) does not occupy an area greater than 20m<sup>2</sup>.

(d) does not require the provision of any essential service main of greater capacity than normally required in the zone in which it is located, and

(e) is restricted in advertisement to a sign not exceeding 0.2 m<sup>2</sup> in area.

“Hospital”—means any building or part of a building whether permanent or otherwise, in which persons are received and lodged for medical treatment or care.

“Hotel”—means land and a building or buildings in respect of which a hotel licence has been granted under the provisions of the Liquor Act 1970.

“Industry”—means the carrying out of any process for and incidental to:

- (a) the making, altering, repairing or ornamentation, painting, finishing, cleaning, packing, or canning or adapting for sale, or breaking up or demolition of any article or part of any article;
- (b) the winning, processing or treatment of minerals;
- (c) the generation of electricity or the production of gas, and
- (d) the manufacture of edible goods for human or animal consumption being a process carried on in the course of trade or business for gain, other than operations connected with,
  - (i) the carrying out of agriculture;
  - (ii) site work on buildings, works or land; and
  - (iii) in the case of the manufacture of goods referred to in subparagraph (d) above, the preparation on the premises of a shop of food for sale;

and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, and any work of administration or accounting, the sale of goods resulting from the process and the use of land for the amenity of persons engaged in the process.

“Institutional Building”—means a building used or designed for use wholly or principally for the purpose of:

- (a) a hospital or sanatorium for the treatment of infectious or contagious diseases;
- (b) a home or other institution for care of State Wards, orphans, or persons who are physically or mentally handicapped;
- (c) a penal or reformatory institution;
- (d) a hospital for treatment or care of the mentally sick, or
- (e) any other similar use.

“Institutional Home”—means a residential building for the care and maintenance of children, the aged or the infirm, and includes a benevolent institution, but does not include a hospital or a mental institution.

“Land”—includes air stratum titles, messuages, tenements, hereditaments and any estate in the land, and houses, buildings, works and structures, in or upon the land.

“Light Industry”—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 prejudicially affect the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise, and

- (b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like service.
- “Liquor Store”—means premises in respect of which a liquor store licence has been granted under the Liquor Act 1970.
- “Lot”—has the meaning given to it in and for the purposes of the Act, and allotment has the same meaning.
- “Lodging House”—means a building or structure permanent or otherwise in which provision is made for boarding or lodging more than four persons, exclusive of family members of the keeper thereof, for hire or reward but the terms do not include:
- (a) a motel;
  - (b) premises used as a boarding school approved under the Education Act 1928, or
  - (c) a building containing flats.
- “Marina”—means a safe anchorage for small boats at which provisions, supplies etcetera may be obtained.
- “Material Change in the Use of Land”—means a change in the use of land from one purpose to another which would involve a change from one use classification to another.
- “Medical Clinic”—means premises in which facilities are provided for the practice of more than one medical practitioner or dental practitioner, physiotherapist, chiropractor or masseur.
- “Milk Depot”—means a depot to which milk is delivered for distribution to consumers but in which milk is not processed or pasteurised.
- “Minister”—means the Minister for Planning or such other member of Executive Council as is for the time being charged by the Governor with the administration of the Act.
- “Motel”—means a building, group of buildings or place used or intended to be used to accommodate patrons in a manner similar to an hotel or boarding house but in which special provision is made for the accommodation of patrons with motor vehicles.
- “Motor Repair Station”—means land and buildings used for or in connection with mechanical repairs and overhauls including tyre recapping, retreading, panel beating, spray painting and chassis reshaping.
- “Museum”—means a place preserving and exhibiting works of nature, art, curiosities, etcetera, also any collection of such objects.
- “Non-conforming Use”—means the use of land which, though lawful immediately prior to the coming into operation of this Scheme is not in conformity with the Scheme.
- “Noxious Industry”—means an industry in which the processes involved constitute an offensive trade within the meaning of the Health Act 1911 (as amended) but does not include fish shops or dry cleaning establishments.
- “Office”—means the conduct of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services and services of a similar nature, or where not conducted on the site thereof, the administration of or the accounting in connection with an industry.
- “Open Air Display”—means the use of land as a site for the 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:
- (a) is entitled to the land for any estate in fee simple in possession, or
  - (b) is a person to whom the Crown has lawfully contracted to rent the fee simple of the land, or
  - (c) is a lessee or licensee from the Crown, or
  - (d) 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.
- “Petrol Filling Station”—means land and buildings used for the supply of petroleum products and automotive accessories.
- “Place of Natural Beauty”—means the natural beauties of the area including lakes and other inland waters, banks of rivers, foreshores of harbours, frontal dunes, and other parts of the seaboard, hill slopes and summits and valleys.
- “Plot Ratio”—has the same meaning as is given to it in and for the purposes of the Uniform Building By-laws.
- “Private Hotel”—means land and buildings in respect of which a limited hotel licence has been granted under the provisions of the Liquor Act 1970.
- “Private Recreation”—means the use of land for parks, gardens, playgrounds, sports arenas, or other grounds for recreation which are not normally open to the public without charge.
- “Professional Office”—means any building used for the purpose of his profession by an accountant, architect, artist, author, barrister, chiropodist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, teacher (other than a dancing teacher or a music teacher) or town planner, and “Professional Person” has a corresponding interpretation.
- “Public Amusement”—means the use of land as a theatre, a cinema, a dance hall, a skating rink, swimming pool or gymnasium or for games.
- “Public Assembly—Place of”—means any land or buildings used as a special place of assembly including grounds for athletics, all sports grounds with spectator provision, race courses, trotting tracks, stadia, or showgrounds.
- “Public Authority”—means a Minister of the Crown acting in his official capacity, a State Government Department, State trading concern, State instrumentality, State public utility and other person or body, whether corporate or not, who or which, under the authority of any Act, administers or carries on for the benefit of the State a social service or public utility.
- “Public Recreation”—means the use of land for a public park, public gardens, foreshore reserve playground or grounds for recreation which are normally open to the public without charge.
- “Public Utility”—means any works or undertaking constructed or maintained by a public authority or municipality as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.
- “Public Worship—Place of”—includes buildings used primarily for the religious activities of a church, but does not include an institution for primary, secondary or higher education or a residential training institution.
- “Redevelopment”—means revision or replacement of an existing land use according to a controlled plan.
- “Reformatory Institution”—includes a penal institution.
- “Residential Building”—means a building, other than a dwelling house or flats designed for use for human habitation together with such outbuildings as are ordinarily used therewith, and the expression includes a hotel, an unlicensed hotel designed primarily for residential purposes and a residential club.
- “Rural Pursuit”—means and includes agriculture, horticulture, forestry, pasture farming.

“Sawmill”—means a mill or premises where logs or large pieces of timber are sawn but does not include joinery works unless logs or large pieces of timber are sawn therein.

“Service Industry”—means a light industry carried out on land and in buildings having a retail shop front and in which goods may be manufactured only for sale on the premises or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced.

“Service Station”—means land and buildings used for the supply of petroleum products and automotive accessories and includes greasing, tyre repairs and minor mechanical repairs.

“Setback Line”—means a line fixed by means of horizontal measured distance from any lot boundary including a street alignment or new street alignment.

“Shire”—means the Shire of Augusta-Margaret River.

“Shop”—means any building wherein goods are kept exposed or offered for sale by retail and includes a cafe and a restaurant and receiving depot, but does not include a bank, fuel depot, a market, service station, petrol-filling station, milk depot, marine store, timber yard or land and buildings used for the sale of motor and other vehicles, or for any purpose falling within the definition of industry.

“Showrooms”—means rooms used in connection with warehousing or offices, and intended for display of goods of bulky character.

“Small Holding”—means a small rural allotment as provided for pursuant to this Scheme used or intended to be used essentially for residential purposes with associated rural activities and includes a hobby farm, a farmlet, a rural retreat and a bushland retreat.

“Sports Ground”—means any land used for any sport, but does not include land within the curtilage of a dwelling, if not used commercially.

“Storey”—means that space within a building which is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

- (a) such a space in which the only use for which the space is designed, constructed, or adapted is for the accommodation of:
  - (i) lift shafts, stairways, or meter rooms; or
  - (ii) bathrooms, shower rooms, laundries, water closets or other sanitary compartments, or
  - (iii) not more than three vehicles; or

- (b) a mezzanine, except as provided by sub-by-law (6) of by-law 17.1 of the Uniform Building By-laws.

“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 so prescribed.

“Tavern”—means land and a building or buildings in respect of which a Tavern Licence has been granted under the provisions of the Liquor Act 1970.

“Trade Display”—means the controlled and moderate display of goods for advertisement as approved by Council.

“Transport Depot”—means land used for the garaging of road motor vehicles used or intended to be used for carrying goods for hire or reward or for any consideration, or for the transfer of goods from one such motor vehicle to another of such motor vehicles and includes maintenance and repair of vehicles.

“Uniform Building By-laws”—means the Uniform Building By-laws, 1974, published in the *Government Gazette* No. 96 of 19 December 1974, and amended from time to time thereafter by notices published in the *Government Gazette*.

“Veterinary Clinic” means building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients. No patient may remain on the premises overnight.

“Veterinary Establishment”—means land and buildings used for, or in connection with, the treatment of sick animals and pets and includes the accommodation of sick animals and pets.

“Vehicle”—includes a tractor.

“Warehouse”—means any building or enclosed land, or part of a building or enclosed land, used for storage of goods and the carrying out of commercial transactions involving the sale of such goods by wholesale.

“Wine Shop”—means land and a building or buildings in respect of which a wine house licence has been granted under the provisions of the Liquor Act 1970.

“Woodyard”—means an area on which coke and coal are stored, or on which wood is stored, sawn, or cut for use as domestic firewood :

“Zone”—means a portion of the Scheme Area shown on the map by distinctive colouring, hatching, or edging for the purpose of indicating the restrictions imposed by the Planning Scheme on the erection and use of buildings or the use of land, but does not include land reserved,

Appendix No. 4  
(Clause 4.3.5)

ADDITIONAL USE RIGHT

Street	Particulars of Land	Additional Use Permitted and any Specific Conditions of Operation
Blackwood Avenue	Lot 12	Holiday Accommodation: Pursuant to relevant Acts, By-Laws or Regulations adopted by Council.
Ellis Street	Lots 6 and 7	Holiday accommodation: Pursuant to relevant Acts, By-Laws, or Regulations adopted by Council.
Corner Molloy and Thelma Streets	Lot 7	Holiday accommodation: Pursuant to relevant Acts, By-Laws, or Regulations adopted by Council.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning  
Scheme Amendment.

City of Canning Town Planning Scheme  
No. 16—Amendment No. 305.

T.P.B. 853-2-16-18, Pt. 305.

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 approved the City of Canning Town Planning Scheme Amendment of 9 April 1985 for the purpose of deleting existing Clause 35 of the Scheme Text, and by substituting the following new Clause 35 in accordance with the Schedule annexed hereto.

E. TACOMA,  
Mayor,  
N. I. DAWKINS,  
Town Clerk.

Schedule.

Amendment No. 305.

35. Parking of Commercial Vehicles in Residential Zones: No person shall on privately-owned land in the residential zone—

- (a) park or allow to remain stationary a commercial or industrial vehicle having a tare weight exceeding 2.0 tonnes for a longer period than is necessary for loading or unloading unless—
  - (i) its overall dimensions including its load, its superstructure and, in the case of a semi-articulated vehicle its trailer, do not exceed 7.0 m in length, 2.5 m in width and 3.0 m in height.
  - (ii) it is garaged, parked or allowed to remain stationary behind the setback distance.
- (b) park or allow to remain stationary more than one commercial or industrial vehicle having a tare weight exceeding 2.0 tonnes for a longer period than is necessary for loading or unloading.
- (c) park or allow to remain stationary—
  - (i) a vehicle used for transporting goods, materials or liquids associated with any one or more of the offensive trades specified in the Second Schedule to the Health Act 1911 (as amended); or
  - (ii) a vehicle used for the transport or disposal of liquid or solid wastes;
 for a longer period than is necessary to complete the service being rendered to the privately-owned land.
- (d) park or allow to remain stationary any commercial or industrial vehicle irrespective of size which in the opinion of an absolute majority of Councillors is likely to adversely affect the residential amenity of the surrounding privately-owned land.

TOWN PLANNING AND DEVELOPMENT ACT  
1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme  
Amendment.

City of Canning Town Planning Scheme No. 16—  
Amendment No. 324.

T.P.B. 853-2-16-18, Pt. 324.

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 approved the City of Canning Town Planning Scheme Amendment on 8 April 1985 for the purpose of rezoning Lot 684, Canning Location 25, at the corner of Herald Avenue and High Road, Willetton, from "S.R.3" to "Private Clubs and Institutions".

E. TACOMA,  
Mayor,  
N. I. DAWKINS,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning  
Scheme Amendment.

City of Cockburn Town Planning Scheme  
No. 1—Amendment No. 175.

T.P.B. 853-2-23-5, Pt. 175.

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 approved the City of Cockburn Town Planning Scheme amendment on 9 April 1985 for the purpose of excising the land within:—

1. Reserve No. 29049, corner of Ceres Place and Ferdinand Crescent, Coolbellup, from Lakes and Drainage Reserve and including that land in the Residential Zone;
2. Reserve No. 29050, corner of Gonzalo Place and Sebastian Crescent, Coolbellup, from Lakes and Drainage Reserve and including that land in the Residential Zone;
3. Portion of Pt. Cockburn Sound Location 552, Coolbellup, from Controlled Access Highway Reserve and including that land in the Residential Zone.

D. MIGUEL,  
Mayor,  
R. W. BROWN,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Notice that a Town Planning Scheme Amendment has  
been Prepared and is Available for Inspection.

City of Cockburn Town Planning Scheme  
No. 1—Amendment No. 176.

T.P.B. 853-2-23-5, Pt. 176.

NOTICE is hereby given that the City of Cockburn in pursuance of its powers under the Town Planning and Development Act 1928 (as amended) has prepared a Town Planning Scheme amendment for the purpose of rezoning Lots 156 and 158 Rockingham Road, Spearwood from Residential to Multi-Residential.

All plans and documents setting out and explaining the amendment have been deposited at Council offices, 9 Coleville Crescent, Hamilton Hill, W.A. 6163 and will be open for inspection without charge during the hours of 9.00 a.m. to 4.00 p.m. on all days of the week except Saturdays, Sundays and Public Holidays until and including 31 May 1985.

The plans and documents have also been deposited at the office of the Town Planning Department, Perth and will similarly be open for inspection for the same period between the hours of 10.00 a.m. and 4.00 p.m.

Any person who desires to make a submission on the amendment should make the submission in writing in the form prescribed by the regulations and lodge it with Town Clerk, City of Cockburn, P.O. Box 21, Hamilton Hill, W.A. 6163 on or before 31 May 1985.

A. J. ARMAREGO,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning  
Scheme Amendment.

Town of Kalgoorlie Kalgoorlie/Boulder Joint  
Town Planning Scheme Amendment No. 41.

T.P.B. 853-11-3-2, Pt. 41.

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 approved the Town of Kalgoorlie Town Planning Scheme Amendment on 9 April 1985 for the purpose of rezoning Lot 165, bounded by Cotter Street, Premier Street and Thurmott Street, from Special Zone—Drive-In Theatre to Residential A Zone.

M. R. FINLAYSON,  
Mayor,  
T. J. O'MEARA,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Notice that a Town Planning Scheme Amendment has been Prepared and is Available for Inspection.

Shire of Busselton Town Planning Scheme  
No. 5—Amendment No. 30.

T.P.B. 853-6-6-6, Pt. 30.

NOTICE is hereby given that the Shire of Busselton in pursuance of its powers under the Town Planning and Development Act 1928 (as amended) has prepared a Town Planning Scheme amendment for the purpose of rezoning:—

1. Lot 102 Albert Street from "Other Commercial and Single Residential" to Hotel, and
2. Part Lot 105 Peel Terrace from "Single Residential" to Hotel.

All plans and documents setting out and explaining the amendment have been deposited at Council offices, Southern Drive, Busselton, W.A. 6280 and will be open for inspection without charge during the hours of 9.00 a.m. to 4.00 p.m. on all days of the week except Saturdays, Sundays and Public Holidays until and including 7 June 1985.

The plans and documents have also been deposited at the office of the Town Planning Department, Perth and will similarly be open for inspection for the same period between the hours of 10.00 a.m. and 4.00 p.m.

Any person who desires to make a submission on the amendment should make the submission in writing in the form prescribed by the regulations and lodge it with Shire Clerk, Shire of Busselton, P.O. Box 84, Busselton, W.A. 6280 on or before the 7 June 1985.

B. N. CAMERON,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Notice that a Town Planning Scheme Amendment has been Prepared and is Available for Inspection.

Shire of Carnarvon Town Planning Scheme  
No. 2—Amendment No. 41.

T.P.B. 853-10-2-3, Pt. 41.

NOTICE is hereby given that the Shire of Carnarvon in pursuance of its powers under the Town Planning and Development Act 1928 (as amended) has prepared a Town Planning Scheme amendment for the purpose of rezoning of portion of Lot 3 of Lots 584 and 585, corner of Robinson Street and Marmion Street and portion of Lot 1024 Iles Road from Drive-In Theatre to Motel; and portion of Lot 3 of Lots 584 and 585 and portion of Lot 1024 from Drive-In Theatre to Light Industry.

All plans and documents setting out and explaining the amendment have been deposited at Council offices, Francis Street, Carnarvon, W.A. 6701 and will be open for inspection without charge during the hours of 9.30 a.m. to 4.00 p.m. on all days of the week except Saturdays, Sundays and Public Holidays until and including 31 May 1985.

The plans and documents have also been deposited at the office of the Town Planning Department, Perth and will similarly be open for inspection for the same period between the hours of 10.00 a.m. and 4.00 p.m.

Any person who desires to make a submission on the amendment should make the submission in writing in the form prescribed by the regulations and lodge it with Shire Clerk, Shire of Carnarvon, P.O. Box 459, Carnarvon, W.A. 6701 on or before 31 May 1985.

S. K. GOODE,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT ACT  
1928 (AS AMENDED).

Advertisement of Approved Town Planning  
Scheme Amendment.

Shire of Esperance Town Planning Scheme  
No. 16—Amendment No. 80.

T.P.B. 853-11-6-11, Pt. 80.

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 approved the Shire of Esperance Town Planning Scheme Amendment on 9 April 1985 for the purpose of adding the following footnote to clauses 5.2 and 5.3, Tables A and B of the Scheme Text:—

The Council may at its discretion permit within the front setback area structures such as swimming pools set above or below ground and fences constructed in brick or any other suitable material where it is satisfied the appearance and amenity of the area will not be adversely affected and a traffic hazard will not be caused.

M. J. ANDRE,  
President.

R. SCOBLE,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning  
Scheme Amendment.

Shire of Esperance Town Planning Scheme  
No. 16—Amendment No. 81.

T.P.B. 853-11-6-11, Pt. 81.

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 approved the Shire of Esperance Town Planning Scheme Amendment on 9 April 1985 for the purpose of rezoning Lot 60 of Locations 38 and 117 from Residential (Single and Duplex) to G.R. 4 Residential.

M. J. ANDRE,  
President.

R. T. SCOBLE,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning  
Scheme Amendment.

Shire of Derby/West Kimberley Town Planning  
Scheme No. 2—Amendment No. 8.

T.P.B. 853-7-4-2, Pt. 8.

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 approved the Shire of Derby/West Kimberley Town Planning Scheme Amendment on 9 April 1985 for the purpose of:—

1. Rezoning and reserving portions of 1326 (Commonage), north of Galvans Way and west of Lennard Road, currently zoned Rural, to Special Rural and Public Open Space.
2. Amending the Scheme Text to insert in Schedule 1 Special Rural Zones, in accordance with the attached schedule.

J. F. O'DRISCOLL,  
President.

B. HARRIS,  
Shire Clerk.

Schedule.  
SHIRE OF WEST KIMBERLEY.  
TOWN PLANNING SCHEME No. 2  
AMENDMENT No. 8.  
DERBY TOWNSITE.

THE Shire of West Kimberley under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928 (as amended), hereby amends the above Town Planning Scheme by:—

1. Rezoning and reserving portions of 1326 (Commonage), north of Galvans Way and west of Lennard Road, currently zoned Rural, to Special Rural and Public Open Space.

2. Amending the Scheme Text to insert in Schedule 1 Special Rural Zones, the following:—

(a) Specified Area or Locality	(b) Special Provisions Referring to (a)
All lots shown on the Scheme Amendment Map.	(1) Subdivision of Special Rural lots to be in accordance with Plan of Subdivision forming the Scheme Amendment.
	(2) Permitted Uses (P) Agriculture, horticulture and other intensive agriculture, agistment of horses, cattle, sheep, goats (but excluding pigs and kennels). Recreational Uses Dwelling and ancillary buildings for the development and maintenance of the predominant.
	(3) Uses Not Permitted (X) Any industrial use including motor repairs and motor wrecking storage of derelict machinery.
	(4) Uses Not Permitted Unless Special Approval is Granted by the Council (AA) Home Occupation not related to the predominant use.
	(5) Uses Incidental to the Predominant Use (IP) Caretakers Flat or House.
	(6) Building Setbacks No structure other than a fence or well or tankstand shall be permitted within: 15 metres of the front boundary. 10 metres from the side boundary. 15 metres from the rear boundary.
	(7) Caravans/Temporary Accommodation Where a caravan or any form of temporary accommodation/shelter is proposed or used during the establishment and development of a rural use, Council may grant approval for such accommodation for a period of up to six calendar months. Extensions to this period may be granted when an applicant shows cause, to the satisfaction of Council, why such extension should be granted.

TOWN PLANNING AND DEVELOPMENT ACT  
1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme Amendment.

Shire of Derby/West Kimberley Town Planning Scheme No. 2—Amendment No. 9.

T.P.B. 853-7-4-2, Pt. 9.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the Shire of Derby/West Kimberley Town Planning Scheme Amendment on 9 April 1985 for the purpose of rezoning portion of Lot 527 being Lot 2 from Public Purposes to Rural.

J. F. O'DRISCOLL,  
President.

B. HARRIS,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT ACT  
1928 (AS AMENDED).

Notice that a Planning Scheme has been Prepared and is Available for Inspection.

Shire of Gingin Town Planning Scheme No. 5—  
Lancelin Townsite.

T.P.B. 853-3-8-9.

NOTICE is hereby given that the Shire of Gingin in pursuance of its powers under the Town Planning and Development Act 1928 (as amended), has prepared a Planning Scheme with reference to the area of land contained within the inner edge of a broken black line on the Scheme Map, and comprises the whole of the Townsite of Lancelin for the purpose of:—

1. Preserving the amenity of the Lancelin Townsite;
2. Controlling Land Development;
3. Other matters authorised by the enabling Act.

All plans and documents setting out and explaining the Planning Scheme have been deposited at Council Offices, 7 Brockman Street, Gingin, W.A. 6503 and will be open for inspection without charge during the hours of 9.00 a.m. to 4.30 p.m. on all days of the week except Saturdays, Sundays and Public Holidays, until and including 26 July 1985.

The maps and other documents have also been deposited at the office of the Town Planning Department, Perth, and will similarly be open for inspection for the same period between the hours of 10.00 a.m. and 4.00 p.m.

Any person who desires to make a submission on the Planning Scheme should make the submission in writing in the form prescribed by the regulations and lodge it with Shire Clerk, Shire of Gingin, 7 Brockman Street, Gingin, W.A. 6503 on or before 26 July 1985.

N. H. WALLACE,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT ACT  
1928 (AS AMENDED).

Notice that a Town Planning Scheme Amendment has been Prepared and is Available for Inspection.

Shire of Greenough Town Planning Scheme No. 4—  
Amendment No. 2.

T.P.B. 853-3-7-6, Pt. 2.

NOTICE is hereby given that the Shire of Greenough in pursuance of its powers under the Town Planning and Development Act 1928 (as amended) has prepared a Town Planning Scheme amendment for the purpose of excluding Lot 34 Aaron Close, Karloo, from the Single Residential R12.5 Zone and Recreation Zone, and including it in the Medium Density Residential R30 Zone.

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, Eastwood Road, Utakarra, W.A. 6530 and will be open for inspection without charge during the hours of 9.00 a.m. to 4.00 p.m. on all days of the week except Saturdays, Sundays and Public Holidays until and including 31 May 1985.

The plans and documents have also been deposited at the office of the Town Planning Department, Perth and will similarly be open for inspection for the same period between the hours of 10.00 a.m. and 4.00 p.m.

Any person who desires to make a submission on the amendment should make the submission in writing in the form prescribed by the regulations and lodge it with the Shire Clerk, Shire of Greenough, P.O. Box 21, Geraldton, W.A. 6530 on or before 31 May 1985.

R. G. BONE,  
Shire Clerk.

#### TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED).

Notice that a Town Planning Scheme Amendment has been Prepared and is Available for Inspection.

Shire of Kalamunda Town Planning Scheme  
No. 2—Amendment No. 3.

T.P.B. 853-2-24-16, Pt. 3.

NOTICE is hereby given that the Shire of Kalamunda in pursuance of its powers under the Town Planning and Development Act 1928 (as amended) has prepared a Town Planning Scheme amendment for the purpose of providing that the use "Veterinary Clinic or Surgery" be an "Additional Use" for Lot 1 (103) Canning/Lyndhurst Roads, Kalamunda.

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 2 Railway Road, Kalamunda, W.A. 6076 and will be open for inspection without charge during the hours of 9.00 a.m. to 4.30 p.m. on all days of the week except Saturdays, Sundays and Public Holidays until and including 31 May 1985.

The plans and documents have also been deposited at the office of the Town Planning Department, Perth and will similarly be open for inspection for the same period between the hours of 10.00 a.m. and 4.00 p.m.

Any person who desires to make a submission on the amendment should make the submission in writing in the form prescribed by the regulations and lodge it with Shire Clerk, Shire of Kalamunda, P.O. Box 42, Kalamunda, W.A. 6076 on or before 31 May 1985.

E. H. KELLY,  
Shire Clerk.

#### TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED).

Notice that a Town Planning Scheme Amendment has been Prepared and is Available for Inspection.

Shire of Kalamunda Town Planning Scheme  
No. 2—Amendment No. 4.

T.P.B. 853-2-24-16, Pt. 4.

NOTICE is hereby given that the Shire of Kalamunda in pursuance of its powers under the Town Planning and Development Act 1928 (as amended) has prepared a Town Planning Scheme amendment for the purpose of amending the Schedule of "Places of Historic Interest" in the Scheme Text to include an additional 50 such "places".

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 2 Railway Road, Kalamunda, W.A. 6076 and will be open for inspection without charge during the hours of 9.00 a.m. to 4.30 p.m. on all days of the week except Saturdays, Sundays and Public Holidays until and including 7 June 1985.

The plans and documents have also been deposited at the office of the Town Planning Department, Perth and will similarly be open for inspection for the same period between the hours of 10.00 a.m. and 4.00 p.m.

Any person who desires to make a submission on the amendment should make the submission in writing in the form prescribed by the regulations and lodge it with Shire Clerk, Shire of Kalamunda, P.O. Box 42, Kalamunda, W.A. 6076 on or before 7 June 1985.

E. H. KELLY,  
Shire Clerk.

#### TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED).

Notice that a Town Planning Scheme Amendment has been Prepared and is Available for Inspection.

Shire of Mundaring Town Planning Scheme  
No. 1—Amendment No. 248.

T.P.B. 853-2-27-1, Pt. 248.

NOTICE is hereby given that the Shire of Mundaring in pursuance of its powers under the Town Planning and Development Act 1928 (as amended) has prepared a Town Planning Scheme amendment for the purpose of rezoning Lot 3 Lance Street, Mount Helena from "Rural" to "Special Rural—Rural Residential".

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 50 Great Eastern Highway, Mundaring, W.A. 6073 and will be open for inspection without charge during the hours of 9.00 a.m. to 4.00 p.m. on all days of the week except Saturdays, Sundays and Public Holidays until and including 25 June 1985.

The plans and documents have also been deposited at the office of the Town Planning Department, Perth and will similarly be open for inspection for the same period between the hours of 10.00 a.m. and 4.00 p.m.

Any person who desires to make a submission on the amendment should make the submission in writing in the form prescribed by the regulations and lodge it with Shire Clerk, Shire of Mundaring, P.O. Box 20, Mundaring, W.A. 6073, on or before 25 June 1985.

M. N. WILLIAMS,  
Shire Clerk.

#### TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED).

Advertisement of Resolution Deciding to Prepare a  
Town Planning Scheme.

Shire of Gingin Town Planning Scheme No. 8.

NOTICE is hereby given that the Council of the Shire of Gingin on 21 March 1985 passed the following resolution:

Resolved that the Council, in pursuance of section 7 of the Town Planning and Development Act 1928 (as amended), prepare the above Town Planning Scheme with reference to an area wholly within the Shire of Gingin and enclosed within the inner edge of a broken black border on a plan now produced to the Council and marked and certified by the Shire Clerk under his hand dated 21 March 1985 as "Scheme Area Map".

Dated this 21st day of March, 1985.

N. H. V. WALLACE,  
Shire Clerk.

#### METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959-1982.

Metropolitan Region Scheme.

Notice of Amendment.

Fitzgerald Street.

Amendment No: 552/33A; File No: 833/2/10/21.

1. In accordance with the provisions of section 33A of the Metropolitan Region Town Planning Scheme Act 1959-1982, The Metropolitan Region Planning Authority on 29 August 1984 resolved to amend the Metropolitan Region Scheme as referred to in the First Schedule hereto.

2. Copies of the map that forms part of the Metropolitan Region Scheme which is being amended are available for public inspection free of charge, during ordinary business hours except on public holidays, at the places mentioned in the Second Schedule hereto.

3. Please note that any person who feels aggrieved by the amendment may appeal against the amendment to the Minister for Planning in the prescribed manner. Forms of Notice of Appeal are available at the places of public inspection.

4. The Notice of Appeal together with full particulars, in the form of a written submission of the grounds upon which the appeal is made, shall be lodged with the Minister for Planning and a copy served on The Metropolitan Region Planning Authority, 22 St. George's Terrace, Perth on or before Friday, 28 June 1985.

R. E. PETERS,  
Acting Secretary,  
Metropolitan Region Planning Authority.

First Schedule.

Metropolitan Region Scheme Map Sheet Number 16 is amended by substituting the zones and reservations shown on amending Map Sheet Number 16/52M for those parts of Map Sheet Number 16.

The purpose of the amendment is to rationalise the Important Regional Road reservation for Fitzgerald Street, between James and Wellington Streets, so that the Metropolitan Region Scheme reflects current road planning requirements.

The amendment is depicted on Metropolitan Region Planning Authority Plan Number 4.0787 and in more detail on supporting Plans Numbered 2.0449 and 2.0450.

Second Schedule.

Public Inspection:

1. Office of the Town Planning Department, 2nd Floor, Oakleigh Building, 22 St. George's Terrace, Perth, W.A. 6000.
2. Office of the Municipality of the City of Perth, 27-29 St. George's Terrace, Perth, W.A. 6000.
3. J. S. Battye Library, Alexander Library Building, Cultural Centre, Perth, W.A. 6000.

METROPOLITAN REGION TOWN PLANNING  
SCHEME ACT 1959-1982.

Metropolitan Region Scheme.

Notice of Amendment.

Mounts Bay Road.

Amendment No. 550/33A; File No. 833/2/10/19.

1. In accordance with the provisions of section 33A of the Metropolitan Region Town Planning Scheme Act 1959-1982, The Metropolitan Region Planning Authority on 29 August 1984 resolved to amend the Metropolitan Region Scheme as referred to in the First Schedule hereto.

2. Copies of the map that forms part of the Metropolitan Region Scheme which is being amended are available for public inspection free of charge, during ordinary business hours except on public holidays, at the places mentioned in the Second Schedule hereto.

3. Please note that any person who feels aggrieved by the amendment may appeal against the amendment to the Minister for Planning in the prescribed manner. Forms of Notice of Appeal are available at the places of public inspection.

4. The Notice of Appeal together with full particulars, in the form of a written submission of the grounds upon which the appeal is made, shall be lodged with the Minister for Planning and a copy served on The Metropolitan Region Planning Authority, 22 St. George's Terrace, Perth on or before Friday, 28 June 1985.

R. E. PETERS,  
Acting Secretary,  
Metropolitan Region Planning Authority.

First Schedule.

Metropolitan Region Scheme Map Sheet Number 15 is amended by substituting the zones and reservations shown on amending Map Sheet Number 15/25M for those parts of Map Sheet Number 15.

The purpose of the amendment is to rationalise the Other Major Highway reservation, Mounts Bay Road between the Narrows Bridge and Winthrop Avenue and return the land no longer reserved for road purposes to the adjacent zone or reservation.

The amendment is depicted on Metropolitan Region Planning Authority Plan Number 4.0785 and in more detail on supporting Plan S Numbered 1.1788 and 1.1789.

Second Schedule.

Public Inspection:

1. Office of the Town Planning Department, 2nd Floor, Oakleigh Building, 22 St. George's Terrace, Perth, W.A. 6000.
2. Office of the Municipality of the City of Perth, 27-29 St. George's Terrace, Perth, W.A. 6000.
3. J. S. Battye Library, Alexander Library Building, Cultural Centre, Perth, W.A. 6000.

PUBLIC WORKS DEPARTMENT

AND

BUILDING MANAGEMENT AUTHORITY

Tenders, closing at West Perth, at 2.30 p.m. on the dates mentioned hereunder, are invited for the following projects. Tenders are to be addressed to the Minister (either for Works or for Water Resources as indicated on the tender document).

C/- Contract Office,  
Public Works Department,  
Dumas House,  
2 Havelock Street,  
West Perth. Western Australia 6005.

and are to be endorsed as being a tender for the relevant project.

The highest, lowest, or any tender will not necessarily be accepted.

PUBLIC WORKS DEPARTMENT

Contract No.	Project	Closing Date	Tender Documents now available at
24077 ....	Broome Sewerage—No. 2 Pumping Station—Civil Works ....	7/5/85	P.W.D., West Perth P.W.D., Broome P.W.D., Kununurra
24080 ....	Geraldton P.W.D. Depot—Laying of Bituminous Concrete (Schedule of Rates Contract)	30/4/85	P.W.D., West Perth P.W.D., Geraldton



Public Works Department and Building Management Authority—*continued.*  
BUILDING MANAGEMENT AUTHORITY

Contract No.	Project	Closing Date	Tender Documents now available at
24078 ....	North Albany High School Stage 2—Electrical Services Installation (Nominated Sub Contract)	7/5/85	B.M.A., West Perth B.M.A., Albany
24076 ....	Bruce Rock District High School—Alterations and Additions 1985	7/5/85	B.M.A., West Perth B.M.A., Merredin
24079 ....	Harvey Hospital—Repairs and Renovations 1985—Electrical Installation	7/5/85	B.M.A., West Perth B.M.A., Bunbury
24081 ....	Registration of Tenderers for Kununurra Hospital—Re-development Stage 1	7/5/85	B.M.A., West Perth B.M.A., Kununurra B.M.A., Derby B.M.A., Broome B.M.A., South Hedland
24082 ....	Eastern Hills Senior High School—Alterations and Additions	14/5/85	B.M.A., West Perth
24083 ....	Registration of Tenderers for Kuninurra New Government Offices—Erection	7/5/85	B.M.A., West Perth B.M.A., Kununurra
24084 ....	Registration of Tenderers for Albany Regional Hospital—Alterations and Additions	7/5/85	B.M.A., West Perth B.M.A., Bunbury B.M.A., Albany

## ACCEPTANCE OF TENDERS

Contract No.	Project	Contractor	Amount
			\$
24002 ....	Hollywood Senior High School—Additions—Media/Drama and Computing	Geo. A. Esslemont & Son ....	622 000
24013 ....	Hollywood Senior High School Additions 1985—Electrical Installation	P. & P. A. Woodward ....	43 447
24009 ....	Pemberton Hospital—Repairs and Renovations	R. Leece ....	85 490
24007 ....	Hollywood Senior High School Additions and Upgrade 1985—Mechanical Services	Endeavour Engineering ....	35 440
24005 ....	Canning Vale Prison—New Personnel Fencing	D.B.S. Fencing ....	28 668
24035 ....	Karratha P.W.D. Depot—Laying of Bituminous Concrete	Pioneer Asphalts Pty Ltd ....	25 740
23794 ....	W.A. Alcohol and Drug Authority—Mount Lawley—Re-development—Mechanical Engineering Services	Bernard Hastie (W.A.) Pty Ltd	175 721
23992 ....	Bunbury Institute of Advanced Education Stage 1A—Erection—General Teaching and Student Services Block—Mechanical Services	W. F. Busby & Company ....	316 656
24015 ....	Samson Primary School—Stage 1—4 Classroom/Pre-Primary, Administration, 4 Classroom Covered Assembly	Scaffidi Developments ....	643 910
24038 ....	G. & A.W.S. West Kellerberrin—Roofing of 22 500 m <sup>2</sup> Excavated Tank	M.P.E.S. Constructions ....	288 552
24036 ....	West Pilbara Water Supply Harding Dam—Relocation of Transportable Buildings	Atco Structures (W.A.) ....	56 325
23789 ....	Mount Lawley Centre—W.A. Alcohol and Drug Authority—Redevelopment	Geo. A. Esslemont & Son ....	863 900
23837 ....	Bunbury Institute of Advanced Education Stage 1A—Erection	Devaugh Building Co. Pty Ltd	2 259 078
23983 ....	Schools General—Transportable Secondary Facilities—Contract 1	Allan Wynne & Quality Builders	1 092 580
23984 ....	Schools General—Cyclonic Transportable Secondary Facilities—Contract 2	Allan Wynne & Quality Builders	564 165
24010 ....	Schools General—Transportable Secondary Facilities—Contract 1—Mechanical Services	Airmex (W.A.) Pty Ltd ....	228 985
24011 ....	Schools General—Cyclonic Transportable Secondary Facilities—Contract 2—Mechanical Services	Airmex (W.A.) Pty Ltd ....	120 233
23991 ....	Kalgoorlie Regional Hospital—Staff Accommodation—Additions	G.K.W. Building Industries Pty Ltd	666 702
24034 ....	Lynwood Senior High School—Alterations and Additions 1985	A. Ravi (Builder) Pty Ltd ....	74 167
24037 ....	Morley—Weld Square Primary School—Pre-Primary Conversion	P. R. Paul & Co. ....	55 100
24012 ....	West Armadale—Cecil Andrews High School Stages 3 and 4—Electrical Installation	Milec Electrical Services Pty Ltd	96 198
24003 ....	Kalgoorlie Regional Hospital—Staff Accommodation—Extension to Hutton Lodge—Electrical Service	K. J. Hall & Co. ....	71 382
23993 ....	Bunbury Institute of Advanced Education Stage 1A—Erection—Electrical Installation	O'Donnell Griffin ....	204 826
23990 ....	South Hedland New Office Building—Erection—P.W.D. Engineering Division	Walsh & Carrick Pty Ltd ....	70 394

E. A. BARKER,  
Acting Under Secretary for Works.

M. J. BEGENT,  
Executive Director,  
Building Management Authority.

## PUBLIC WORKS ACT 1902 (AS AMENDED).

## Sale of Land.

P.W. 2038/81 "A".

NOTICE is hereby given that His Excellency the Governor has authorised under section 29 (7) (a) (ii) of the Public Works Act 1902 (as amended) the sale by public auction or private contract of the land hereunder described, such land being no longer required for the work for which it was acquired.

## Land.

Portion of Swan Location 65 and being part of the land on Plan 701 and being the unresumed portion of land in Certificate of Title Volume 183 Folio 123.

Dated this 23rd day of April, 1985.

E. A. BARKER,  
Acting Under Secretary for Works.

Mr. John Charles Weir.  
Mr. Robert Ernest Tondut.  
Mr. Barry Sylvester Burns.

2. Authorised Officers under the provisions of the Litter Act 1979:

Mr. Raymond Norman.  
Mr. Reginald Gordon Stubbs.

The appointment of the following person is hereby cancelled.

Mr. Rodney Valentine Fisher.

3. Authorised Officers under the provisions of the Control of Vehicles (Off-Road areas) Act 1978.

Mr. Reginald Gordon Stubbs.

The appointment of the following persons are hereby cancelled.

Mr. Francis Harold Kemp.  
Mr. Rodney Valentine Fisher.

B. G. WILLOUGHBY,  
Shire Clerk.

## CITY OF NEDLANDS.

## Administration of By-laws.

IT is hereby notified for general information that Thomas Sydney Pashley has been appointed as Senior Ranger effective from 1 April 1985 and is authorised on behalf of the Council of the City of Nedlands to Administer within the district of the City of Nedlands the following:

By-law 17 relating to animals and vehicles on roads and the deposit of rubbish and other materials on street and public places.

By-law 14 in the relation to the safety, decency, convenience and comfort of persons in respect to bathing.

Authorised to exercise power under the Dog Act 1976 and as amended.

By-law 21 relating to prevention of damage to footpath.

By-laws relating to Parking Facilities.

By-laws relating to the control of Council's Reserves.

By-laws relating to stalls.

Authorised to exercise power as under the Litter Act.

Authorised under section 665B of the Local Government Act 1960-1982 and as amended.

By-law 8 relating to old refrigerators and cabinets.

By-law 20 control and management of council halls.

By-law 23 relating to dogs.

N. G. LEACH,  
Town Clerk.

## SHIRE OF COOLGARDIE.

IT is hereby notified for public information that the undermentioned persons have been appointed as Authorised Officers in the following respects as from 24 April 1985.

1. Authorised Officers under the provisions of the Dog Act 1976:

Mr. Kevin John Woods.  
Mr. Reginald Gordon Stubbs.

The appointment of the following persons are hereby cancelled.

Mr. Francis Harold Kemp.  
Mr. Rodney Valentine Fisher.

## LOCAL GOVERNMENT ACT 1960.

Shires of Goomalling, Cunderdin, Dowerin and York.

IT is hereby notified for public information that the following appointment is confirmed under the provisions of the Local Government Act 1960.

Robert Eric Boardman—Building Inspector.

The appointment of Alan Francis Osborne is hereby cancelled.

G. W. MORRIS,  
Secretary.

## LOCAL GOVERNMENT ACT 1960.

City of South Perth.

Notice of Intention to Borrow.

Proposed Loan (No. 169A) of \$65 000.

PURSUANT to section 610 of the above Act, the City of South Perth hereby gives notice that it proposes to borrow by the sale of Debentures the sum of \$65 000, repayable at the office of the Council by seven equal half-yearly instalments, with a final instalment at the end of four years being re-negotiable (The equal half-yearly instalments are the same as would be required if the loan had a currency of 15 years). The purpose of the Loan is the Construction of Sports Pavilion and Tennis Courts (Challenger Reserve) (part)—\$65 000.

Note: The half-yearly debentures will be repaid by the Manning Tennis Club, and as such the loan will be fully self-supporting to the extent of \$65 000.

Details of the undertaking, together with plans and specifications of the proposed works are open for inspection by ratepayers at the office of the Council during normal office hours for thirty-five (35) days from the date of the publication hereof in the *Government Gazette*.

Dated this 26th day of April, 1985.

J. G. BURNETT,  
Mayor.  
P. A. BENNETTS,  
Town Clerk.

## LOCAL GOVERNMENT ACT 1960.

City of South Perth.

Notice of Intention to Borrow.

Proposed Loan (No. 169B) of \$65 000.

PURSUANT to section 610 of the above Act, the City of South Perth hereby given notice that it proposes to borrow by the sale of Debentures the sum of \$65 000, repayable at the office of the Council by seven equal half-yearly instalments, with a final instalment at the end of four years, being re-negotiable (The equal half-yearly instalments are the same as would be required if the loan had a currency of 15 years). The purpose of the Loan is the Construction of Sports Pavilion and Tennis Courts (Challenger Reserve) (part)—\$65 000.

Details of the undertaking, together with plans and specifications of the proposed works are open for inspection by ratepayers at the office of the Council during normal office hours for thirty-five (35) days from the date of the publication hereof in the *Government Gazette*.

Dated this 26th day of April, 1985.

J. G. BURNETT,  
Mayor.P. A. BENNETTS,  
Town Clerk.

## LOCAL GOVERNMENT ACT 1960.

Shire of Albany.

Notice of Intention to Borrow.

Proposed Loan (No. 101) of \$6 000.

PURSUANT to section 610 of the Local Government Act 1960 the Council of the Municipality of the Shire of Albany hereby gives notice that it proposes to borrow money by the sale of a single debenture on the following terms and for the following purpose: \$6 000 for a period of seven (7) years repayable at the office of the Council by 14 equal half yearly instalments of Principal and Interest. Purpose: Upgrading of Green Range Cricket Ground.

Proposed plans, specifications and estimates of costs as required by section 609 of the Act are available for inspection at the office of Council during normal office hours for a period of 35 days from the publication of this Notice.

Note: Responsibility for all repayments of principal and interest will be met by the Green Range Country Club (Inc.) and therefore, no additional charge will be levied on district ratepayers.

Dated this 17th day of April, 1985.

H. A. RIGGS,  
President.D. J. CUNNINGHAM,  
Shire Clerk.

## LOCAL GOVERNMENT ACT 1960.

Shire of Capel.

Notice of Intention to Borrow.

Proposed Loan (No. 42) of \$48 448.35.

PURSUANT to section 610 of the Local Government Act 1960, the Council of the Shire of Capel hereby gives notice of its intention to borrow money by sale of the debentures on the following terms and for the following purpose: \$48 448.35 for 10 years repayable at

the Office of the Council, Capel, by 20 equal half yearly instalments of principal and interest. Purpose: Roll over of Loan No. 27 for the Capel Country Club Building.

Plans, specifications, estimates and statements required by section 609, are open for inspection by ratepayers at the Shire Office, Capel, during normal office hours for a period of 35 days after publication of this notice.

Repayments of principal and interest will be fully met by the Capel Country Club Inc. and no demands will be made on the ratepayers.

W. A. SPURR,  
President.T. W. BRADSHAW,  
Shire Clerk.

## LOCAL GOVERNMENT ACT 1960.

Shire of Carnamah.

Notice of Intention to Borrow.

Proposed Loan (No. 106) of \$82 000.

Proposed Loan (No. 107) of \$20 000.

PURSUANT to section 610 of the Local Government Act 1960 the Shire of Carnamah hereby gives notice that it proposes to borrow money by the sale of a debenture, repayable at the office of the Lender by equal half-yearly instalments of principal and interest, for the following terms and purpose.

Loan No. 106—\$82 000 repayable over 7 years.  
Purpose: Plant Purchase—Grader.

Loan No. 107—\$20 000 repayable over 10 years.  
Purpose: Recreation Building Equipment and Other Works.

Specifications, estimates and statements as required by section 609 are available for inspection at the office of the Council during business hours for thirty-five (35) days after publication of this notice.

Dated this 19th day of April, 1985.

F. C. G. LUCAS,  
President.R. S. DUTCH,  
Shire Clerk.

## LOCAL GOVERNMENT ACT 1960.

Shire of Kellerberrin.

Notice of Intention to Borrow.

Proposed Loan (No. 101) of \$70 000.

PURSUANT to section 610 of the Local Government Act 1960, the Shire of Kellerberrin hereby gives notice that it proposes to borrow money by the Sale of Debentures on the following terms and for the following purposes: \$70 000 for a period of ten (10) years repayable at the Office of the Shire of Kellerberrin by twenty (20) equal half yearly instalments of Principal and interest. Purpose: Purchase of existing residence for Medical Practitioner Housing.

A copy of the offer and acceptance and estimates of cost as required by section 609 of the Local Government Act are available for inspection at the Office of the Council during normal business hours for thirty-five (35) days after publication of this notice.

Dated this 29th day of March, 1985.

J. K. WALSH,  
President.T. R. BUNNEY,  
Shire Clerk.

LOCAL GOVERNMENT ACT 1960.

Shire of Westonia.

Notice of Intention to Borrow.

Proposed Loan (No. 43) of \$42 000.

PURSUANT to section 610 of the Local Government Act 1960, the Council of the Shire of Westonia hereby gives notice that it proposes to borrow money by the sale of debentures, on the following terms and for the following purpose: Forty-two thousand dollars (\$42 000) for a period of fifteen (15) years, repayable at the office of the Shire of Westonia, Wolfram Street, Westonia, in thirty (30) equal half-yearly instalments of principal and interest. Purpose: Purchase of a Staff Residence.

Plans, specifications and estimates of cost and a statement required by section 609 of the Act are open for inspection at the Council office during normal business hours for a period of thirty-five (35) days after publication of this notice.

Dated this 19th day of April, 1985.

KEN LEACH,  
President.

K. J. TILBROOK,  
Shire Clerk.

LOCAL GOVERNMENT ACT 1960.

Shire of Wyndham-East Kimberley.

Notice of Intention to Borrow.

Proposed Loan (No. 87) of \$15 000.

PURSUANT to section 610 of the Local Government Act 1960, the Council of the Shire of Wyndham-East Kimberley hereby gives notice that it proposes to borrow the sum of \$15 000 for ten (10) years repayable by six-monthly instalments to cover principal and interest, payable at the offices of the Shire, Koolama Street, Wyndham. The purpose for which the loan is to be applied is as follows: Tennis Court Lighting and Construction : Kununurra.

It should be noted that all loan repayments are to be met by the Kununurra Tennis Club (Inc.).

Plans, specifications and estimates of cost will be available for inspection by ratepayers for a period of 35 days from the date of advertisement at the office of the Shire Clerk, Koolama Street, Wyndham during normal working hours Monday to Friday, excluding public holidays.

Dated this 12th day of April, 1985.

B. R. THOMPSON,  
Shire Clerk.

LOCAL GOVERNMENT ACT 1960.

Shire of Albany.

Closure of Private Street.

Department of Local Government,  
Perth, 5 February 1985.

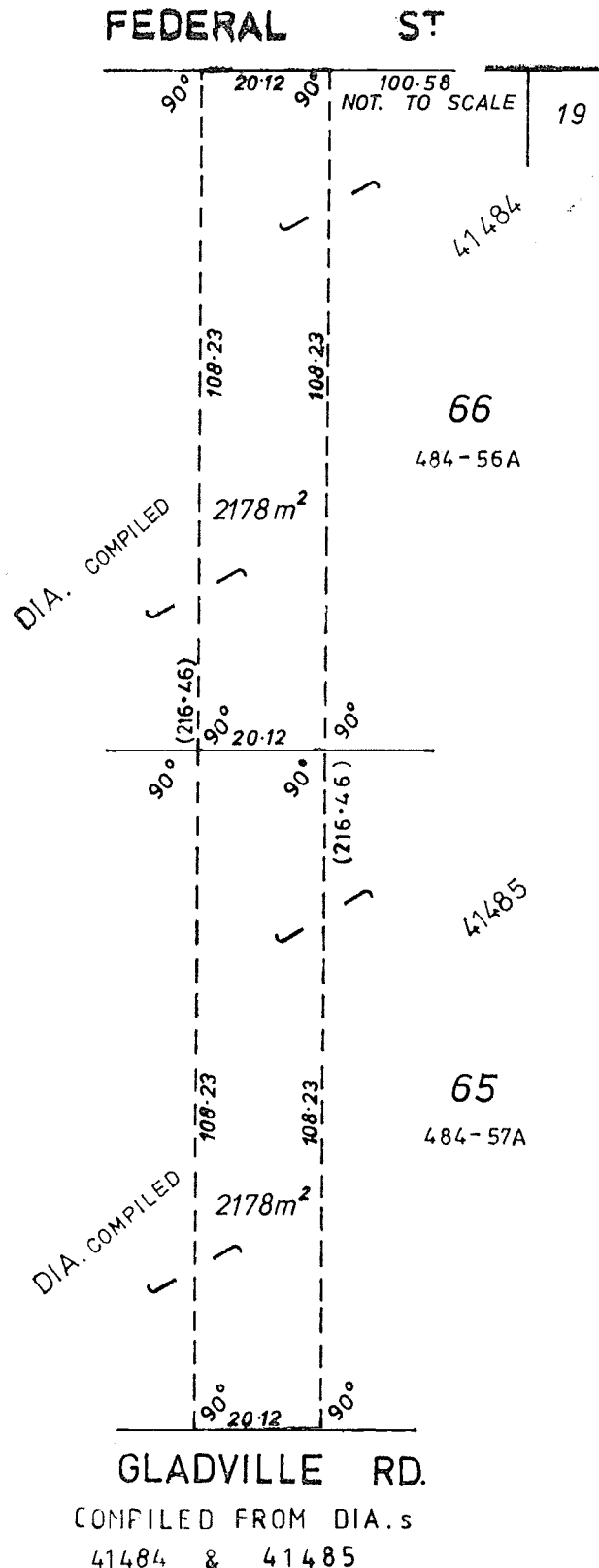
LG: AY-4-12.

IT is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the Shire of Albany that the private street described as portion of Plantagenet Location 377 being part of the land on Plan 267 and comprised in Certificate of Title Volume 901 Folio 48 be closed and the land contained therein be amalgamated with adjoining Lot 66 Federal Street and Lot 65 Gladville Road, Albany as shown in the Schedule hereunder.

M. C. WOOD,  
Secretary for Local Government.

Schedule.

Diagram No. 67898.



## FACTORIES AND SHOPS ACT 1963.

## FACTORIES AND SHOPS EXEMPTION ORDER (No. 16) 1985.

MADE under section 7 by the Minister for Industrial Relations with the approval of His Excellency the Governor in Executive Council.

Citation. 1. This Order may be cited as the Factories and Shops Exemption Order (No. 16) 1985.

Exemption for 26 April 1985. 2. It is hereby declared that the provisions of section 85 (1) (a) of the Factories and Shops Act 1963 do not apply between the hours of 6.00 p.m. and 9.00 p.m. on Friday 26 April 1985.

P. M'C. DOWDING,  
Minister for Industrial Relations.

Approved by His Excellency the Governor in Executive Council.

R. G. COOPER,  
Clerk of the Council.

## FACTORIES AND SHOPS ACT 1963.

## FACTORIES AND SHOPS EXEMPTION ORDER (No. 17) 1985.

MADE under section 7 by the Minister for Industrial Relations with the approval of His Excellency the Governor in Executive Council.

Citation. 1. This Order may be cited as the Factories and Shops Exemption Order (No. 17) 1985.

Exemption from the Operation of Regulations. 2. It is hereby declared that from 2 May 1985 the provisions of Regulation 7 of the Factories and Shops (Asbestos) Regulations 1985 shall not apply to any factory, shop or warehouse where an asbestos process is carried out or where asbestos is present subject to the following conditions.

Conditions of Exemption. 3. A person shall not handle or use or permit another person to handle or use crocidolite or products containing crocidolite, or amosite or products containing more than 2% amosite in any workplace as defined in the Factories and Shops (Asbestos) Regulations 1985, unless—  
(a) approval in writing has been given by the Chief Inspector of Factories and Shops to handle or use crocidolite or products containing crocidolite, or amosite or products containing more than 2% amosite; and  
(b) the handling or use is carried out in accordance with the provisions of those Regulations and any directions given by the Chief Inspector of Factories and Shops.

Cessation of Order. 4. This Order will cease to have effect on 1 May 1986.

P. M'C. DOWDING,  
Minister for Industrial Relations.

Approved by His Excellency the Governor in Executive Council.

R. G. COOPER,  
Clerk of the Council.

## FINANCE BROKERS CONTROL ACT 1975.

## Notice of Exemption.

I, PETER M'CALLUM DOWDING, Minister for Consumer Affairs, and the Minister for the time being responsible for the administration of the Finance Brokers Control Act, and being satisfied that adequate safeguards exist against loss to others by defalcation, hereby pursuant to the provisions of section 5 (2) of the Finance Brokers Control Act, exempt from the meaning of finance broker in and for the purposes of the said Act the following persons all presently being member firms of The Stock Exchange of Perth—

Ray Porter & Partners Pty Ltd.

Kirke Securities Pty Ltd.

upon the conditions that such persons—

- (a) operate a separate trust account in respect of any mortgage loan transactions as distinct from any other dealing in securities conducted by such persons;

(b) comply with section 44 of the said Act in respect of any mortgage loan transaction;

(c) comply with Rule 14 of the Code of Conduct imposed pursuant to section 81 of the said Act;

(d) conduct in conjunction with any requirement for audit imposed by the Securities Industry (Western Australia) Code an audit of the mortgage loan transactions of the person;

(e) maintain fidelity insurance in an amount not less than \$250 000;

(f) permit an examination of books and records relating to such person's mortgage loan transactions by officers of the Finance Brokers Supervisory Board.

Dated this 10th day of April, 1985.

P. M'C. DOWDING,  
Minister for Consumer Affairs.

## STATE TENDER BOARD OF WESTERN AUSTRALIA

*Tenders for Government Supplies*

Date of Advertising	Schedule No.	Supplies Required	Date of Closing
1985			1985
Mar. 22	361A1985	Omnibus Chassis sixty (60) only—M.T.T.	May 2
April 4	3A1985	Brushes for Painters uses (1 year period)—various Govt Depts	May 2
April 4	18A1985	Toothpaste with Fluoride (1 year period)—various Govt Depts	May 2
April 4	74A1985	Steel Tube (1 year period)—various Govt Depts	May 2
April 4	106A1985	Guide Posts and Survey Stakes (1 year period)—various Govt Depts	May 2
April 4	386A1985	Ultrasonic Sludge Density Meters for Subiaco Wastewater Treatment Plant—M.W.A.	May 2
April 4	388A1985	Borehole Pump sets (2 year period) 1985/87—M.W.A.	May 2
April 4	410A1985	Industrial Clothing for Westrail Track Staff—Westrail	May 2
April 4	411A1985	Pens, Ball Point (1 year period)—Govt Stores	May 2
April 12	412A1985	11kV (SF6) Switchboard for Shenton Park Depot—M.W.A.	May 2
April 12	413A1985	3 200 kg GCM (4 x 2) Prime Mover Truck one (1) only and Tandem axle flat deck 20 tonne capacity low loader one (1) only—P.W.D.	May 2
April 12	414A1985	Gamma Camera for Department of Nuclear Medicine—Sir Charles Gairdner Hospital	May 2
April 19	2A1985	Toothbrushes (1 year period)—various Govt Depts	May 2
April 19	7A1985	Thermometers, Clinical centigrade Stubby Bulb (2 year period)—various Govt Depts	May 2
April 19	436A1985	Micro Personal Computer one (1) only—Community Services	May 2
April 19	447A1985	Word Processing System one (1) only—Industrial Affairs Dept	May 2
April 19	4A1985	Y Suction Catheters (1 year period)—various Govt Depts	May 9
April 19	13A1985	Bandages and Dressings etc. (1 year period)—various Govt Depts	May 9
April 19	29A1985	Bread within the Perth Metropolitan Area (1 year period)—various Govt Depts	May 9
April 19	435A1985	Single Side-Band High Frequency Base (fixed) Station Transceivers five (5) approx.—Forests Dept	May 9
April 19	437A1985	Railway Uniforms 1985/86—Westrail	May 9
April 19	438A1985	Automated Offset Presses for M.I.C.R. Cheque Printing two (2) only—Government Printing Office	May 9
April 19	439A1985	Heavy duty Horizontal Milling Machine one (1) only—Education Dept	May 9
April 19	440A1985	Mechanical Services for Shenton Park Depot, M. & E. Administration Building—M.W.A.	May 9
April 19	446A1985	Four-stroke Diesel Water Cooled with Turbo Charger, intercooler 650-700 horsepower engine one (1) only with Marine Hydraulic Gearbox and Propeller for P.V. Abel Tasman—Department of Fisheries and Wildlife	May 9
April 19	448A1985	I.B.M. Compatible Micro Computers five (5) only—Forests Department	May 9
April 26	107A1985	Classroom furniture Desk and Chairs (1 year period)—various Govt Depts	May 16
April 26	465A1985	Compact Four Wheel Drive Diesel Loaders two (2) only—M.W.A.	May 16
Mar. 15	346A1985	Valves and Actuators for the Sludge handling facilities at Subiaco Wastewater Treatment Plant—M.W.A.	May 23
April 26	464A1985	Insertion-type turbine flow meter systems for Subiaco Wastewater Treatment Plant—M.W.A.	May 23
April 26	466A1985	New Private Automatic Branch Exchange for Canning Vale Water and Sewerage Depot—M.W.A.	May 23
April 26	467A1985	Process alarm and analogue monitoring system for Wanneroo Treatment Plant—M.W.A.	May 23
April 4	387A1985	Submersible agitation equipment for the Sludge Handling Facilities at Subiaco M.W.A.	May 30
<i>Service</i>			
April 26	463A1985	Security Staff Service for District Court Building (3 year period)—Crown Law Department	May 16

*For Sale by Tender*

Date of Advertising	Schedule No.	For Sale	Date of Closing
1985			1985
April 4	389A1985	Ropa Mobile Kitchen (UQU 974, PW 68); Oneill Skid Mounted accommodation and ablution unit (PW 159); Baravan two-berth sleeping unit (UQW 380) (PW 208); Baravan two-berth sleeping unit (UQW 454 PW 217) at East Perth	May 2
April 4	390A1985	Pacific Road Broom (MRD 493) (recalled) at East Perth	May 2
April 4	391A1985	16 ft Attwood Alloy Boat with two (2) only 35 h.p. Evinrude Motors and one (1) only trailer (XQU 596) at Fremantle	May 2
April 4	392A1985	1982 Commodore VH Station Sedan (XQO 415) at Carnarvon	May 2
April 4	393A1985	1982 Commodore VH Sedan (XQJ 817); 1982 Gemini TF Sedan (XQP 404) at Karratha	May 2
April 4	394A1985	1980 Holden WB Utility (XQL 531) (recalled) at Wyndham	May 2
April 4	395A1985	1982 Holden WB Utility (XQP 156); 1982 Commodore VH Sedan (XQP 136); 1982 Ford Falcon XE Utility (XQR 073); 1982 Commodore VH Sedan (XQP 928) at Geraldton	May 2

## STATE TENDER BOARD OF WESTERN AUSTRALIA—continued.

For Sale by Tender—continued.

Date of Advertising	Schedule No.	For Sale	Date of Closing
1985			1985
April 4	396A1985	1982 Commodore VH Sedan (XQN 303) at Kununurra	May 2
April 4	397A1985	Crankshaft Grinder, Drill Sharpening Machine at East Perth	May 2
April 4	398A1985	1974 Chamberlain Tractor (MRD 138) at East Perth	May 2
April 4	399A1985	1982 Holden WB Panel Van (MRD 5929); 1982 Commodore VH Sedan (MRD 5886); 1983 Holden WB Panel Van (MRD 6623); 1983 Holden WB Utility (MRD 6625); 1983 Holden WB Panel Van (MRD 6599) at East Perth	May 2
April 4	400A1985	1982 Ford Falcon XE Station Wagon (XQN 456) at Wyndham	May 2
April 4	401A1985	Ford F350 Custom Truck (XQI 613) (recalled) at Derby	May 2
April 4	402A1985	Chamberlain Mark IV Rubber Tyred Tractor (MRD 194) at East Perth	May 2
April 4	403A1985	1983 Holden WB Panel Van (MRD 6741); 1975 International Tray Top Truck (MRD 1484) at East Perth	May 2
April 4	404A1985	1977 Evinrude 85 h.p. Outboard Motor at Wyndham	May 2
April 4	405A1985	1981 Holden Gemini TE Sedan (XQM 172) at Halls Creek	May 2
April 4	406A1985	1982 Toyota HJ47 Landcruiser Van (XQI 559); Yamaha Motor Cycle 100 (UQ 049) at South Hedland	May 2
April 4	407A1985	Surplus Materials at North Fremantle	May 2
April 4	408A1985	1969 VEE Section Patrol Launch "Melville" one (1) only and Perkins V8-510 Marine Diesel engine at Fremantle	May 2
April 4	409A1985	1982 Commodore VH SL Sedan (XQP 129) at Carnarvon	May 2
April 19	415A1985	1980 Holden WB Utility (XQK 643) at Ludlow	May 9
April 19	416A1985	1981 D/100 Yamaha Motor Cycle (UQ 268) at Kalgoorlie	May 9
April 19	417A1985	1983 Sigma G.L. Sedan (XQR 555) at Geraldton	May 9
April 19	418A1985	Commodore VH Sedans (XQQ 986, XQQ 992, XQQ 966); 1982 Commodore VH Station Wagon (XQP 382); 1983 Toyota KE70 Corolla Station Wagon (XQQ 980) at Kununurra	May 9
April 19	419A1985	Surplus equipment and Caravan at Carlisle	May 9
April 19	420A1985	Scrap Steel (recalled) at Kununurra	May 9
April 19	421A1985	1975 Toyota FJ40 Landcruiser 4 x 4 S.W.B. (UQR 564) (recalled) at Mundaring Weir	May 9
April 19	422A1985	1981 Holden WB Utility (XQM 752); 1979 Holden HZ (XQM 974); 1978 Toyota FJ55 Landcruiser Station Wagon 4 x 4 (XQK 719); 1981 Toyota Hilux Tray Top (XQN 360) at Mundaring Weir	May 9
April 19	423A1985	McCulloch Chainsaws two (2) only; McCulloch Parts; and Stihl Chainsaws five (5) only at Collie	May 9
April 19	424A1985	1982 Commodore VH Sedan (XQJ 072) at Carnarvon	May 9
April 19	425A1985	1978 Molner Two-post 2.5 Tons Garage Hoist at Geraldton	May 9
April 19	426A1985	Wacker plate compactor (PW 4330) at Derby	May 9
April 19	427A1985	Commodore VH Sedans (XQR 023, XQR 024); 1982 Commodore VH Station Sedan (XQR 019); 1982 Falcon Sedan (6MP 354) and 1979 Sigma Station Sedans (XQJ 099, XQJ 100, XQJ 105) at South Hedland	May 9
April 19	428A1985	1978 Holden HZ Utility (XQL 544); 1980 Holden WB Utility (XQK 645); 1981 Holden WB Utility (XQM 748); 1978 Toyota Dyna 2 tonne double cab (XQF 495); 1982 Mitsubishi L200 Utility (XQN 981); 1981 Falcon XD Sedan (XQN 164) at Mundaring Weir	May 9
April 19	429A1985	1981 Holden WB Utilities (XQM 317, XQM 751); 1981 Toyota Hilux 4 x 2 Utility (XQM 931) at Harvey	May 9
April 19	430A1985	1981 Holden WB Utilities (XQM 533, XQM 747, XQM 858, XQM 951); 1978 Toyota Dyna D/C 4 x 2 (XQG 576) at Ludlow	May 9
April 19	431A1985	1979 Toyota FJ55 4 x 4 Station Wagon (XQP 060) at Manjimup	May 9
April 19	432A1985	Bolton Mess Caravan (MRD 487) at East Perth	May 9
April 19	433A1985	Ebsray 300 Newco Bitumen Transfer Pump (MRD 547) at East Perth	May 9
April 19	434A1985	Steel Framed Beale Piano at Applecross	May 9
April 19	441A1985	Arcus 13 cubic foot Deep Freeze (PW 4026) at East Perth	May 9
April 19	442A1985	1981 Ford F100 Style Side Utility (XQL 335) at Karratha	May 9
April 19	443A1985	Surplus equipment at South Hedland	May 9
April 19	444A1985	1982 Holden WB Utility (XQN 451); 1982 Holden WB Utility (XQQ 964) at Kununurra	May 9
April 19	445A1985	1978 Toyota FJ45 Landcruiser Van (XQF 532); 1982 Ford Falcon XE Station Wagon (XQP 758) at South Hedland	May 9
April 19	449A1985	1983 Holden VH Commodore Sedan (XQQ 998) at Kununurra	May 9
April 19	450A1985	Finsbury Centrifugal Pump (PW 4673) at Derby	May 9
April 19	451A1985	1983 Holden WB 1 tonne Utility (XQR 550) at Geraldton	May 9
April 19	452A1985	1982 Mitsubishi Sigma GJ Station Wagon (XQP 757) at Kalgoorlie	May 9
April 19	453A1985	1982 Ford Falcon XE Sedan (XQP 930) at Geraldton	May 9
April 19	454A1985	Surplus equipment at Carlisle	May 9
April 19	455A1985	1982 Toyota Station Sedan (XQJ 803) at Broome	May 9
April 19	456A1985	1978 Toyota FJ45 Landcruiser Van (XQH 577) at Broome	May 9
April 19	457A1985	1982 Commodore VH Station Wagon (XQJ 075) at Geraldton	May 9
April 19	458A1985	1979 Dodge D5N 67D Tip Truck (MRD 3468) at East Perth	May 9

STATE TENDER BOARD OF WESTERN AUSTRALIA—*continued.*  
*For Sale by Tender—continued.*

Date of Advertising	Schedule No.	For Sale	Date of Closing
1985			1985
April 19 ....	459A1985 ....	1980 Mitsubishi FM2155 Flat Top Truck (MRD 5342) fitted with a Tico 3 tonne Crane (MRD 428) at East Perth	May 9
April 19 ....	460A1985 ....	1981 Gemini TE Panel Van (XQK 586); 1979 Holden HZ Panel Van (XQJ 605) at Mundaring Weir	May 9
April 19 ....	461A1985 ....	1982 Ford Falcon XE Sedan (XQR 257) at Kalgoorlie	May 9
April 19 ....	462A1985 ....	1981 Toyota 4 x 2 Utilities (XQM 930, XQQ 635, XQN 505); Holden Utilities (XQM 744, XQK 395, XQJ 369) and 1982 Mitsubishi L200 utility 4 x 2 (XQN 199) at Manjimup	May 9

Tenders addressed to the Chairman, State Tender Board, 815 Hay Street, Perth. will be received for the abovementioned schedules until 10 a.m. on the dates of closing.

Tenders must be properly endorsed on envelopes otherwise they are liable to rejection.

Tender forms and full particulars may be obtained on application at the Tender Board Office, 815 Hay Street, Perth and at points of inspection.

No Tender necessarily accepted.

B. E. CORBOY,  
 Chairman, Tender Board.

*ACCEPTED TENDERS*

Schedule No.	Particulars	Contractor	Rate
<i>Supply and Delivery</i>			
42A1984	Arc Welding Electrodes and Welding Wire (1 year period)—various Govt Depts	Various	Details on application
880A1984	Item 1: One (1) only 100-tonne Press Brake	Hugh W. Brown	\$24 000
	Item 2: One (1) only 13 mm Mild Steel Plate Hydraulic Plate Shears—Education Dept	Phoenix Machinery	\$37 500
882A1984	Item 1: Sixteen (16) only VHS Video Duplicators—Education Dept	G.E.C. Automation & Control	\$1 355
227A1985	Hydrogen Peroxide (2 year period)—M.W.A.	Interox Chemicals Pty Ltd	\$1 690 tonne
275A1985	Crushed Aggregate at Kalgoorlie Division—M.R.D.	The Readymix Group; N. B. Little & Son P/L	Details on Application
289A1985	High Voltage Cables at the Fremantle Fishing Boat Harbour—P.W.D.	Cable Makers Aust Pty Ltd	\$45 678.86
306A1985	Electroencephalography Machine (EEG) one (1) only—R.P.H.	Medical Applications Pty Ltd	\$45 658
323A1985	Black Lace-up Shoes (3 000 pairs approx.)—Prisons Dept:	Julius Marlow	
	Item 1		\$39 pair
	Item 2		\$41 pair
362A1985	One (1) only Experimental Sheep House and Sheep Penning—Agriculture Dept	Boral Cyclone	\$93 500
376A1985	Aluminium Patrol Vessel 6.7 metres Mounted on a Double Axle Trailer—Marine and Harbours	Penguin Marine Centre	\$22 300
<i>Purchase and Removal</i>			
298A1985	Tandem Axle Caravan (UQW 684, PW 245); Sleeping Unit Caravan (UQW 443, PW 219); Sleeping Unit Caravan (UQW 444, PW 220)—P.W.D. at East Perth	M. Corry Waldemar Investments P/L Waldemar Investments P/L	\$2 226 \$1 000 \$1 000
369A1985	1982 Ford Falcon XE Utility (XQQ 888)—P.W.D. at Carnarvon	Bay City Motors	\$5 177
370A1985	1978 Toyota FJ40 Landcruiser (XQI 114)—P.W.D. at Karratha	R. J. Bongiorro	\$3 503
371A1985	1982 Holden Commodore VH Sedan (XQS 042)—P.W.D. at Carnarvon	H. Sieradzki	\$6 511
373A1985	1982 Holden WB 1 tonne Utility (MRD 6389)—P.W.D. at East Perth	Bay City Motors	\$4 877
375A1985	Gemini TE Panel Van (MRD 6889)—P.W.D. at East Perth	L. W. & G. F. Wright	\$3 109
<i>Decline of Tenders</i>			
298A1985	Item 1: Ropa Mobile Kitchen Caravan (UQW 428, PW 67)—P.W.D. at East Perth		
<i>Cancellation of Contract</i>			
986A1985	Item 3: Lithgow Single Shot Rifle	Century Arms and Anglers Supply Co.	



## APPOINTMENT.

(Under section 6 of the Registration of Births, Deaths and Marriages Act, 1961-1979.)

Registrar General's Office,  
Perth, 18 April 1985.

R.G. No. 402/70.

IT is hereby notified for general information, that Mr. Clifford Phillip Roycroft has been appointed as Assistant District Registrar of Births, Deaths and Marriages for the Fremantle Registry District to maintain an office at Rockingham during the absence on leave of Mr. C. S. Mason. This appointment dates from 15 April 1985.

D. G. STOCKINS,  
Registrar General.

## MINING ACT 1978-1983.

Notice of Application to Forfeit.

Department of Mines,  
Perth, 22 April 1985.

IN accordance with Regulation 42 (2) (c) of the Mining Act 1978-1983, notice is hereby given that unless the rent due on the undermentioned Prospecting Licences is paid before 10.00 a.m. on 15 May 1985, the licences are liable to forfeiture under the provisions of section 96 (1) for breach of covenant, viz., non-payment of rent.

D. REYNOLDS,  
Warden.

## CORRIGENDUM.

MINING ACT 1978-1983.

THE notice appearing in the *Government Gazette* No. 29 dated 12 April 1985, under the heading Mining Act 1978-1983.

Page 1312 under the subheading Mount Margaret Mineral Field, Mt. Morgans District, amend 39/434 Kununalling Exploration and Mining Pty Ltd to read 39/434 Ivey, Gordon; Ivey, Edwin Bennett; Ivey, Grant Neil.

D. R. KELLY,  
Director General of Mines.

To be heard in the Warden's Court, Norseman, on 15 May 1985.

## DUNDAS MINERAL FIELD.

Prospecting Licence.

- 63/65—Termeil Pty Ltd.
- 63/82—Windsor Resources NL.
- 63/83—Windsor Resources NL.
- 63/204—Australis Mining NL.

DIAMOND (ARGYLE DIAMOND MINES JOINT VENTURE)  
AGREEMENT ACT 1981.DIAMOND (ARGYLE DIAMOND MINES JOINT VENTURE)  
(DESIGNATED AREAS) ORDER 1985.

MADE by His Excellency the Governor in Executive Council under section 15.

- |                                |   |
|--------------------------------|---|
| Citation.                      | 1. This Order may be cited as the Diamond (Argyle Diamond Mines Joint Venture) (Designated Areas) Order 1985.   |
| Commencement.                  | 2. This Order shall take effect on 30 April 1985.   |
| Designated Area No. 1 revoked. | 3. The Diamond (Argyle Diamond Mines Joint Venture) (Designated Areas) Order 1982* is amended in Part I of the Schedule thereto by deleting the reference to Designated Area No. 1 (Upper Smoke Creek) and the description thereof. |

By His Excellency's Command,  
R. G. COOPER,  
Clerk of the Council.

\*Published in the *Government Gazette* on 31 December 1982 and thereafter amended.

## DISSOLUTION OF PARTNERSHIP.

NOTICE is hereby given that the Partnership heretofore subsisting between Garry Chalwell, Business Proprietor, of 12 Homestead Avenue, Bibra Lake, in the State of Western Australia, and Orense Pty. Ltd., of 11 Peters Court, Bibra Lake, in the said State, under the registered business name of "Bibra Lake Bike Hire" has been dissolved by mutual consent as from 22 December 1984.

And further take notice that all debts due to and owing by the said late firm will be received and paid by the said Orense Pty. Ltd., who will continue to carry on the business at the same place namely, 11 Peters Court, Bibra Lake, in the said State.

Dated the 8th day of February, 1985.

D'ANGELO TROWELL,  
Solicitors for Orense Pty. Ltd.

## DISSOLUTION OF PARTNERSHIP.

Fleetwood Store, Tuart Hill.

NOTICE is given that with effect from 4 March 1985 the business formerly carried on by the partnership of Paul Rodger Youngman, Deborah Susan Youngman, Gary Alfred Rayment and Robyn Anne Rayment was dissolved and that from that date the business has been conducted solely by Paul Rodger Youngman and Deborah Susan Youngman.

WARRAN McDONALD FRENCH & HARRISON.

## UNCLAIMED MONEYS ACT 1912.

Wigmores Tractors Pty. Ltd.

Register of Unclaimed Moneys 31 December 1984.

Name and last known address of owner on books;  
Total amount due to owner; Description of Unclaimed Money; Date of last claim.  
John Gresley, 60A Lester Place, Thornlie; \$39.00;  
Wages 5/5/78.

R. B. MACPHERSON,  
Secretary.

## UNCLAIMED MONEYS ACT 1912.

Mobil Oil (Aust.) Ltd.

Unclaimed Moneys Subsidiary Ledger Report.

1. J. Andrews; 22 Carmel Road; Carmel 6076; \$28.43; Unpresented cheque; 28/8/78.
2. G. Barnes; Mandurah 6210; \$15.00; Drum Refund; 17/8/78.
3. P. Beech; 17 Duke Street; Karrinyup 6018; \$13.13; Credit Balance Refund; 20/12/78.
4. Mr. Devereaux; \$105.00; Drum Refund; 7/12/78.
5. Mr. Fitzgerald; Roebourne 6718; \$150.00; Drum Refund; 21/6/78.
6. G. Grey; C/o P.O.; Badgingarra 6500; \$238.22; Credit Balance Refund; 18/4/78.
7. V. Issacs; Bellevue 6026; \$30.00; Unpresented cheque; 28/8/78.

8. J. & J. Maslem; 133 Great Eastern Highway, Guildford 6055; \$45.00; Unpresented cheque; 21/11/78.
9. C. McLennon; 39 Bruce Street; Nedlands 6009; \$15.00; Unpresented cheque; 27/2/78.
10. T. S. Plant Hire; 67 Scarborough Beach Road, Osborne Park 6017; \$22.50; Unpresented cheque; 21/9/78.
11. H. J. Rodgers; Boyup Brook 6244; \$12.10; Unpresented cheque; 26/4/78.
12. Clarry Ryans Motors; 31 Ewen Street, Scarborough 6019; \$35.00; Unpresented cheque; 2/2/78.
13. R. V. Sanpead; 9 Nickeltown Crescent, Kambalda 6442; \$65.16; Unpresented cheque; 23/6/78.
14. C. Smeathers; 40 Collier Street; Manjimup 6258; \$15.00; Unpresented cheque; 22/12/78.
15. D. Stevenson; Katamundrar; Midvale 6056; \$15.00; Drum Refund; 20/9/78.
16. Top Tipppers; P.O. Box 92 Wyndham 6432; \$20.34; Credit Balance Refund; 15/12/78.
17. Mrs. Walker; 2 Miller Street; Boulder 6432; \$30.00; Drum Refund; 4/1/78.
18. J. Watson; Northam 6401; \$18.94; Unpresented cheque; 18/10/78.
19. Westonia Farmers Ltd; Westonia 6423; \$229.65; Unpresented cheque; 1/9/78.
20. Whyteman Pty Ltd; \$40.71; Unpresented cheque; 11/1/78.
21. Mr. Wright; Derby 6728; \$15.00; Drum Refund; 28/8/78.
22. J. Wright; Main Roads Department; Derby 6728; \$209.86; Unpresented cheque; 25/8/78.

M. B. HOLTHAM,  
State Accountant.

#### PUBLIC TRUSTEE ACT 1941-1984.

(Section 40; Subsection 4.)

Common Fund Interest Rates.

Public Trust Office,  
Perth 18 April 1985.

NOTICE is hereby given that the rates of interest payable to the respective estates and trust, the moneys of which are held in the Common Fund have, as from 1 April 1985, been fixed as follows:—

Court Trusts, Minor Trusts, Workers' Compensation, Agency Trusts, Deceased and Uncared-for Property (in the state of trusteeship or where considered necessary by the Public Trustee) and not otherwise prescribed, Incapable Patients' and Infirm Persons' Estates; at the rate of 13.75% per annum.

Deceased and Uncared-for Property (in course of administration or whilst under investigation); at the rate of 9.5% per annum.

S. H. HAYWARD,  
Public Trustee.

Approved—

J. M. BERINSON,  
Attorney General.

#### PUBLIC TRUSTEE ACT 1941 AND AMENDMENTS.

NOTICE is hereby given that pursuant to section 14 of the Public Trustee Act 1941 and amendments the Public Trustee has elected to administer the estates of the undermentioned deceased persons.

Dated at Perth the 22nd day of April, 1985.

S. H. HAYWARD,  
Public Trustee,  
565 Hay Street,  
Perth, W.A. 6000.

Name of Deceased; Occupation; Address; Date of Death; Date of Election Filed.

Page, Evelyn Margaret; Married Woman; Embleton; 30/11/84; 10/4/85.

- Nicol, Hugh; Retired Prospector; Nedlands; 14/10/84; 15/4/85.
- Lloyd, Mary Elizabeth; Widow; Manning; 10/12/84; 15/4/85.
- Dennis, Aileen Mary; Married Woman; Maylands; 27/2/85; 15/4/85.
- Bickerton, Elsie Caroline; Widow; South Perth; 15/2/85; 15/4/85.
- Linkson, Clarence William Neville; Labourer; Boulder; 16/1/85; 15/4/85.
- Cowie, Alexander; Retired Labourer; Subiaco; 2/12/84; 15/4/85.
- Aspinall, Olive Madge; Married Woman; Subiaco; 10/7/84; 15/4/85.
- Hart, Verena Joan; Widow; Craigie; 25/5/84; 15/4/85.
- Dimovitis, Jovan; Retired Cleaner; North Perth; 31/7/84; 15/4/85.

#### TRUSTEES ACT 1962.

Notice to Creditors and Claimants.

CREDITORS and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the Estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before 27 May 1985, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Breen, Lancelot Joseph, late of 60 Boundary Road, Mandurah died 8/4/85.

Brew, Clarice Edna, late of Parry House, Warlingham Drive, Lesmurdie died 19/3/85.

Brunskill, Olive Muriel Veronica, late of 103 Tower Street, Leederville died 6/4/85.

Elphick, William, late of 47 Douglas Street, Carnarvon died 1/6/84.

Gorodnaski, Roy, late of 46 Foyle Road, Bayswater died 27/2/85.

Hammond, Isabella Madge, late of John Wesley Lodge, Rowethorpe, Bentley died 8/3/85.

Harwood, Hilda May, late of 7 Moir Street, Perth died 12/4/85.

Hoult, Warren Frederick, late of 44 Stuart Street, Carnarvon died 3/8/84.

Little, Monica Margaret, late of 31B Buckingham Road, Kelmscott died 3/3/85.

McInness, Audrey Norma, late of Unit 41/48 Mount Street, Perth died 4/4/85.

Matus, Anastasia, late of Marshall Park Nursing Home, 2 Bayley Street, West Midland died 5/4/85.

Park, Elizabeth May, late of Charles Jenkins Hospital, Rowethorpe, Bentley died 7/3/85.

Randell, Martin Kenneth, late of 19 Clifton Street, Scarborough died 11/3/85.

Sain, Peter, late of 20 Bradshaw Road, Byford died 19/1/85.

Thomas, Margaret Norah, late of 177 Ninth Avenue, Inglewood died 10/3/85.

Thompson, Walter Henry, late of 52 Toowong Street, Bayswater, died 22/3/85.

Wallal, Tommy, late of Port Hedland Nursing Home, Port Hedland, died 25/2/85.

Warneford, Thomas William, late of 10 Vaux Street, Palm Beach, died 12/1/75.

Williams, George Herbert, formerly of 60 Victoria Street, St. James, late of East Victoria Park Nursing Home, Alday Street, East Victoria Park, died 4/4/85.

Dated this 19th day of April, 1985.

S. H. HAYWARD,  
Public Trustee,  
Public Trust Office,  
565 Hay Street, Perth.

## TRUSTEES ACT 1962.

CREDITORS and other persons having claims in respect of the estate of Theodor Wychlo late of 13 Fielder Street, Bunbury, to which section 63 of the Trustees Act 1962 as amended applies are required to send particulars of their claims to the Executrix Ludwina Wychlo of 13 Fielder Street, Bunbury, care of Young & Young, 5 Spencer Street, Bunbury, by the 26 May 1985, after which date the said Executrix may convey or distribute the assets having regard only to the claims of which they have notice and the said Executrix shall not be liable to any person of whose claim they have had no notice at any time of administration or distribution.

Dated this 23rd day of April, 1985.

YOUNG & YOUNG,  
For the Executrix.

Dolman, Kenneth Harold, late of 50 Joyce Street, Lesmurdie, Chartered Engineer, died 19/3/85.

Moore, Arthur Ernest, late of care of Chrystal Halliday Homes, 61 Jeanes Road, Karrinyup, Retired Accountant, died 21/2/85.

Motzel, Alan Andrew, late of 23 Norseman Road, Esperance, Retired Grader Driver, died 14/1/85.

Stewart, Beverley, late of "Malladup" Broomehill, Spinner, died 1/3/85.

Wright, Arthur William, late of 253 Eighth Avenue, Inglewood, Lifter, died 14/3/85.

Dated at Perth this 23rd day of April, 1985.

L. C. RICHARDSON,  
General Manager.

## TRUSTEES ACT 1962.

Notice to Creditors and Claimants.

WEST AUSTRALIAN TRUSTEES LIMITED of 135 Saint George's Terrace, Perth requires creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the Estates of the undermentioned deceased persons, to send particulars of their claims to it by the date stated hereunder, after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice.

Last Date for Claims: 27/5/85.

Couper, Winifred Amy, late of 54 Caledonian Way, Maylands, Married Woman died 7/3/85.

WEST AUSTRALIAN TRUSTEES LIMITED  
ACT 1893.

NOTICE is hereby given that pursuant to section 4A of the West Australian Trustees Limited Act 1893 West Australian Trustees Limited has elected to administer the Estates of the undermentioned deceased persons:—  
Couper, Mrs. Winifred Amy, Married Woman late of 54 Caledonian Way, Maylands. 7/3/85, 19/4/85.

Motzel, Alan Andrew, Retired Grader Driver, late of 23 Norseman Road, Esperance. 14/1/85, 18/4/85.

Dated at Perth this 23rd day of April, 1985.

L. C. RICHARDSON,  
General Manager.

## RIGHTS IN WATER AND IRRIGATION ACT 1914.

## CARNARVON IRRIGATION DISTRICT AMENDMENT BY-LAWS 1985.

MADE by the Minister for Water Resources acting as the Irrigation Board for the Carnarvon Irrigation District and approved by His Excellency the Governor in Executive Council.

Citation. 1. These regulations may be cited as the Carnarvon Irrigation District Amendment By-laws 1985.

Principal by-laws. 2. In these by-laws the Carnarvon Irrigation District By-laws\* are referred to as the principal by-laws.

By-law 3 amended. 3. By-law 3 of the principal by-laws is amended by deleting paragraphs (a) and (b) and substituting the following—

“District” means the Carnarvon Irrigation District constituted under the Act;

“property” means one or more pieces of land owned or occupied by a consumer for which he is allocated in accordance with these by-laws a quantity of water for irrigation thereof;

“rating year” means a period of 12 months appointed by the Minister as a rating year for the purposes of the District. ”.

By-law 3A amended. 4. By-law 3A of the principal by-laws is amended in sub-by-law (5) by deleting “section 3” and substituting the following—

“ sections 3 and 4 ”.

By-law 20 amended. 5. By-law 20 of the principal by-laws is amended in sub-by-law (4) by deleting “13,”.

By-law 27 amended. 6. By-law 27 of the principal by-laws is amended by deleting “£20” and “five pounds” and substituting the following respectively—

“ \$1 000 ” and “ \$250 ”.

ARTHUR TONKIN,  
Minister for Water Resources.

Approved by His Excellency the Governor in Executive Council this 23rd day of April, 1985.

R. G. COOPER,  
Clerk of the Council.

\* Published in the *Government Gazette* on 2 July 1962 at pp. 1695-1698 and amended from time to time thereafter.

**DIGEST OF  
WESTERN AUSTRALIAN  
ARBITRATION REPORTS**

Volumes 1 to 14—1901-1920

Prices:—

Counter Sales—\$5.00

Mailed plus postage on 400 grams

**DIGEST OF  
WESTERN AUSTRALIAN  
INDUSTRIAL GAZETTES**

Volumes 1 to 10—1921-1930

Prices:—

Counter Sales—\$5.00

Mailed plus postage on 400 grams

**RELIGIOUS EDUCATION IN THE  
GOVERNMENT SCHOOLS OF  
WESTERN AUSTRALIA JULY 1977**

Chairman Mr. W. E. Nott, S.M.

Prices:—

Mailed plus postage on 500 grams

**WESTERN AUSTRALIAN  
LEGISLATIVE COUNCIL  
STATISTICS RELATING TO THE  
GENERAL ELECTION 19/2/83**

Prices:—

Counter Sales—\$1.00

Mailed plus postage on 250 grams

**WESTERN AUSTRALIAN  
LEGISLATIVE ASSEMBLY  
STATISTICS RELATING TO THE  
GENERAL ELECTION 19/2/83**

Prices:—

Counter Sales—\$1.00

Counter Sales—\$1.90

Mailed plus postage on 250 grams

**REPORT OF COMMITTEE TO  
ENQUIRE  
INTO THE PROVISIONS OF WELFARE  
SERVICES BY LOCAL GOVERNMENT IN  
WESTERN AUSTRALIA, MAY 1981.**

CHAIRMAN MR. L. F. O'MEARA

Prices:—

Counter Sales—\$3.50

Mailed plus postage on 1 kg

Report of an Analytical Study of the proposed Corridor Plan for Perth and possible alternative approach to a regional plan for the Metropolitan area, 4th August, 1971, to 31st January, 1972 by Paul Ritter

Prices:—

Counter Sales—\$5.00

Mailed plus postage on 500 grams

**REPORT ON COMMITTEE OF  
INQUIRY INTO RESIDENTIAL  
CHILD CARE, SEPTEMBER, 1976**

CHAIRMAN—BERYL GRANT

Prices:—

Counter Sales—\$2.50

Mailed plus postage on 1 kg

**REPORT OF THE COMMITTEE OF  
INQUIRY INTO THE RATE OF  
IMPRISONMENT IN W.A.—1981**

Chairman—O. F. Dixon

Prices:—

Counter Sales—\$4.60

Mailed plus postage on 1 kg

**REPORT OF THE  
JUDICIAL ENQUIRY INTO THE  
WORKERS' COMPENSATION ACT  
OF  
WESTERN AUSTRALIA**

SEPTEMBER 1978-JANUARY 1979

CHAIRMAN B. J. DUNN

Counter Sales—\$2.00

Mailed plus postage on 400 grams

**SPECIAL NOTICE.****LOCAL GOVERNMENT ACT No. 84  
OF 1960-1984.**

The 4th Reprint of the Local Government Act is now available—in two formats.

1. **SOFT COVER**—as usually supplied with Amendments, when necessary (as currently issued).  
Price \$13.50, plus Postage on 3 kg.
2. **A NEW VERSION**—Loose Leaf System in a fabric four post binder, with replacement Amendment pages, when necessary. The loose Leaf System, with replacement Amendment pages will be available on a "Standing Order" basis. By recording your "Standing Order" in writing with the Government Printer, "Parliamentary Papers", 9 Salvado Road, Wembley, 6014 or (P.O. Box 38, Wembley, 6014).

**THE "STANDING ORDER" IS APPLICABLE ONLY TO ITEM 2 OF THIS NOTICE.**

The price of Item 2, Loose Leaf System. Price \$28.20 including replacement amendment pages No. 1 February 1984, amendment pages No. 2 September 1984, amendment pages No. 3 January 1985, and amendment pages No. 4 March 1985 plus Postage on 3 kg.

The replacement Amendment pages, when necessary, will be forwarded and the cost, including postage, will be debited to your account under your "Standing Order".

**REVIEW OF  
FIREARM LEGISLATION  
OF WESTERN AUSTRALIA—1981**  
By O. F. DIXON

Prices:—

Counter Sales—\$3.00  
Mailed plus Postage on 1 kg

**REPORT OF THE SELECT COMMITTEE  
OF THE  
LEGISLATIVE COUNCIL  
ON  
NATIONAL PARKS—1981**  
(Hon. A. A. LEWIS, M.L.C.—CHAIRMAN).

Prices:—

Counter Sales—\$5.00  
Mailed plus postage on 1 kg

**REPORT OF THE ROYAL  
COMMISSION "FREMANTLE  
PRISON" 1973**

(Commissioner: His Honour Robert E. Jones.)

Prices:—

Counter Sales—\$1.50  
Mailed plus postage on 1 kg

**COMMISSION OF THE PEACE FOR  
W.A.—AUGUST 1983**

Prices:—

Counter Sales—\$4.50 (with amendments)  
Mailed plus postage on 400 grams

Available only from Marine and Harbours Department, 6 Short Street, Fremantle.  
Phone 335 0888.

Navigable Waters Regulations, 1958.  
Regulations for Preventing Collisions at Sea.  
Regulations for the Examination of Applicants for Masters, Mates, Coxswain, Engineers, Marine Motor Engine Drivers and Marine Surveyors.

**SPECIAL NOTICE**

Concerning "Government Gazette" notices for publication lodged at the Government Printer's Wembley Office—notice must be lodged with "Parliamentary Papers" 9 Salvado Road, Wembley prior to 3.00 p.m. on the Wednesday before publication.

**WILLIAM C. BROWN, J.P.**  
Government Printer.

**REPORT ON THE INQUIRY INTO  
THE BUILDING INDUSTRY OF  
WESTERN AUSTRALIA, 1973-74**  
(Enquirer, Charles Howard Smith, Q.C.)

Prices:—

Counter Sales—\$1.00  
Mailed plus postage on 400 grams

**REPORT 1983  
OF THE  
HONORARY ROYAL COMMISSION  
INTO THE SUITABILITY OF  
PRESENT LAWS RELATING TO  
RACING AND TROTTING  
IN WESTERN AUSTRALIA**

In their application to the allocation of surplus T.A.B. moneys as provided in the Totalisator Agency Betting Board Act 1960-1973 in Particular and other related Acts and Issues.  
(Commissioner—Hon. N. E. Baxter)

Prices:—

Counter Sales—\$2.50  
Mailed plus postage on 400 grams

**REPORT OF THE SELECT COMMITTEE  
APPOINTED BY THE LEGISLATIVE  
COUNCIL TO INQUIRE INTO AND  
REPORT UPON THE  
CURRENT POSITION OF NATIONAL  
PARKS WITHIN THE STATE**

Presented by the Hon. A. A. Lewis, M.L.C.,  
27th November, 1979.

Prices:—

Counter Sales—\$0.50  
Mailed plus postage on 86 grams

**POST SECONDARY EDUCATION  
IN  
WESTERN AUSTRALIA  
REPORT 1976**

Chairman—Professor P. H. Partridge

Prices:—

Counter Sales—\$3.00  
Mailed plus postage on 500 grams

**REPORT BY THE PETROL PRICES  
ADVISORY COMMITTEE  
TO THE MINISTER  
FOR CONSUMER AFFAIRS  
THE HON. A. TONKIN, M.L.A.  
JULY 1983.**

Chairman—K. M. Lehane.

Prices:—

Counter Sales—\$2.30  
Mailed plus postage on 500 grams

**CURRENT RELEASE  
GAMING IN WESTERN AUSTRALIA  
REPORT OF THE  
GOVERNMENT GAMING INQUIRY  
COMMITTEE—DECEMBER 1984**

and

Extracts from—Report of the Government  
Gaming Inquiry Committee  
Chairman:—Dan Mossenson.

Price:—

Counter Sales—\$1.80 per set  
Mailed plus postage on 300 grams

**WESTERN AUSTRALIA 1829-1979  
REPORT ON THE CELEBRATIONS  
TO THE PARLIAMENT OF  
WESTERN AUSTRALIA BY THE  
150th ANNIVERSARY BOARD**

Executive Chairman—

Slade Drake-Brockman, C.M.G.

Prices:—

Counter Sales—\$10.00  
Mailed plus postage on 1 kg

**PROPOSED  
INDUSTRIAL RELATIONS ACT**

AS PREPARED BY  
E. R. KELLY, ESQ.,

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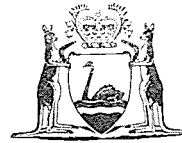
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