

# Government Gazette

OF

## WESTERN AUSTRALIA

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No. 100]

PERTH: FRIDAY, 18 OCTOBER

[1985

### HOUSING LOAN GUARANTEE ACT 1957-1973.

Declaration Under and Pursuant to Section Seven F of the Housing Loan Guarantee Act 1957-1973.

I, THE Honourable Brian Thomas Burke, M.L.A., the Treasurer, have been requested under the provisions of section Seven F of the Housing Loan Guarantee Act 1957-1973 (in this notice called "the Act") to do so, do by this notice declare the following matters, that is to say—

- (a) the maximum amount which the Treasurer may guarantee under the Act during the period commencing 19 May 1958, and ending 30 June 1986, is the sum of eighty five million dollars (\$85 000 000);
- (b) the maximum amount in respect of which agreements for indemnity may be entered into by the Treasurer during the period commencing 1 January 1962 and ending 30 June 1986, is the sum of seven million dollars (\$7 000 000);
- (c) the maximum rate of interest which an approved institution may charge on a loan to a borrower or on the purchase money to a purchaser in respect of any period whilst an agreement for indemnity is in force in respect of the loan or purchase money, is fourteen and one quarter per centum (14¼ per cent); and
- (d) for the purposes of section Seven B of the Act the maximum amount which an approved institution shall advance to a borrower on the giving of a first mortgage of a new house or the maximum amount of the purchase moneys which an approved institution shall permit to remain payable under a contract for sale and purchase of a new house before an indemnity is given by the Treasurer under the Act, is seventy per centum (70 per cent) of the value of a new house as defined in the Act.

BRIAN BURKE,  
Treasurer.

## Notice to Subscribers

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18 October 1985.

WILLIAM C. BROWN,  
Government Printer.

Western Australia.

FINANCE BROKERS CONTROL ACT 1975.

(Section 24 and 27.)

Application For Finance Brokers Licence by Individual.

To: The Registrar, Finance Brokers Supervisory Board.  
I, ALAN EDSON LEDGER of 7 Browne Avenue, Dalkeith, W.A., 6009 hereby apply for a Finance Brokers Licence under the Finance Brokers Control Act 1975. My address for service of notices in respect of this application is G.P.O. Box U1945, Perth, W.A., 6001.

Dated this 27th day of September, 1985.

(Signed.) A. E. LEDGER.

Appointment of Hearing.

I hereby appoint 6 November 1985 at 9 o'clock in the forenoon as the time for hearing the foregoing application at the Offices of the Finance Brokers Supervisory Board, 600 Murray Street, West Perth.

Objection to the granting of this licence shall be in the approved form and may be served on the applicant and the Registrar at any time prior to seven days before the date appointed for the hearing.

C. A. FITZGERALD,  
Registrar,  
Finance Brokers Supervisory Board.

Western Australia.

FINANCE BROKERS CONTROL ACT 1975.

(Sections 24 and 29.)

Application for Finance Brokers Licence by Corporate Body.

To: The Registrar, Finance Brokers Supervisory Board.  
SHAPIRO HOLDINGS PTY LTD hereby applies for a Finance Brokers Licence under the Finance Brokers Control Act 1975. The address for service of notices in respect of this application is G.P.O. Box U1945, Perth, W.A., 6001.

Dated this 27th day of September, 1985.

(Signed.) A. E. LEDGER,  
Director.

Appointment of Hearing.

I hereby appoint 6 November 1985 at 9 o'clock in the forenoon as the time for hearing the foregoing application at the Offices of the Finance Brokers Supervisory Board, 600 Murray Street, West Perth.

Objection to the granting of this licence shall be in the approved form and may be served on the applicant and the Registrar at any time prior to seven days before the date appointed for the hearing.

C. A. FITZGERALD,  
Registrar,  
Finance Brokers Supervisory Board.

Crown Law Department,  
Perth 18 October 1985.

IT is hereby notified for public information that the Hon. Attorney General has approved the appointment of the following person as Commissioner for Declarations under the Declarations and Attestations Act 1913:—

Michael Stanley Orelowitz, of Menora.  
D. G. DOIG,  
Under Secretary for Law.

Crown Law Department,  
Perth, 18 October 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.

Derek Brown, of 57 Hawkesbury Drive, Willetton and Remand Centre, Metropolitan Prison Complex, Nicholson Road, Canning Vale.

Thomas Haldane Talbot, of "Weddburne" South West Highway, Brunswick Junction and Bunbury Aero Club, Bunbury Airport, North Boyanup Road, Picton.

Peter Laurence Tredgett, of 205 Gregory Crescent, Dampier and Hamersley Iron Pty. Ltd., First Aid Department, Dampier.

D. G. DOIG,  
Under Secretary for Law.

ALTERATION OF STATUTORY DESIGNATIONS ACT 1974.

ALTERATION OF STATUTORY DESIGNATIONS ORDER (No. 2) 1985.

MADE by His Excellency the Governor in Executive Council.

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|---|--|
| Citation.   | 1. This Order may be cited as the Alteration of Statutory Designations Order (No. 2) 1985.                         |
| Variation and revocation.   | 2. The Alteration of Statutory Designations Order (No. 4) 1983 is varied by revoking clause 4.                     |
| Construction of references to Chief Secretary and Colonial Secretary. | 3. It is hereby directed that any reference contained in—  |
|   | (a) any law; or  |
|   | (b) any instrument, contract or legal proceeding made or commenced before the coming into operation of this Order, |
|   | to—  |
|   | (c) the Chief Secretary; or  |
|   | (d) the Colonial Secretary,  |
|   | shall be read and construed as a reference to the Minister for Racing and Gaming.                                  |

By His Excellency's Command,  
G. PEARCE,  
Clerk of the Council.

## HEALTH ACT 1911.

Health Department of W.A.  
Perth, 4 October 1985.

797/59.

THE appointment of Mr R. Moss as a Health Surveyor to the City of Nedlands for the period of 30 September 1985 to 16 March 1986 is approved.

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

## HEALTH ACT 1911.

Health Department of W.A.,  
Perth, 16 October 1985.

P.H.D. 1173/57.

THE appointment of Mr. Ron Boucher as a Health Surveyor to the Shire of Broome is approved with effect from 2 October 1985.

R. S. LUGG,  
Acting Executive Director,  
Public Health and Scientific  
Support Services.

## HEALTH ACT 1911.

Health Department of W.A.,  
Perth, 16 October 1985.

P.H.D. 1476/58.

1. The appointment of the following persons listed in the Schedule hereunder as Health Surveyors to the Shire of Wickiepin is approved.

## Schedule.

Harley Fee.  
V. J. Andrich.  
R. J. Green.

2. The cancellation of the appointment of Mr. W. G. Hoffman as a Health Surveyor to the Shire of Wickiepin is notified.

R. S. LUGG,  
Acting Executive Director,  
Public Health and Scientific  
Support Services.

## CHIROPODISTS ACT 1957.

Health Department of W.A.,  
Perth, 18 October 1985.

P.H.D. 104/84/1; Ex. Co. 2836.

HIS Excellency the Governor in Executive Council has approved pursuant to the provision of section 52(1)(b)(c) of the Interpretation Act 1984, the appointment of Mr. Arthur

Hutton Hill as a member of the Podiatrists Registration Board during the leave of absence of Mr. A. M. Ross for the period expiring 5 May 1986.

R. S. LUGG,  
Acting Executive Director,  
Public Health and  
Scientific Support Services.

## HOSPITALS ACT 1927.

Health Department of W.A.,  
Perth, 16 October 1985.

KE 1.9.

HIS Excellency the Governor in Executive Council has appointed under the provisions of the Hospitals Act 1927, Associate Professor C. A. Michael as Deputy Member to Dr. H. Cohen on the Board of the King Edward Memorial Hospital for Women for the period ending 30 June 1988.

J. C. McNULTY,  
Commissioner of Health.

## HOSPITALS ACT 1927.

Health Department of W.A.,  
Perth, 16 October 1985.

PM 1.9.

HIS Excellency the Governor in Executive Council has appointed under the provisions of the Hospitals Act 1927, the following persons as members of the Board of the Princess Margaret Hospital For Children:

Mr. L. G. Fletcher.  
Mr. T. A. Lang.  
Hon. Justice Kennedy.  
Ms. K. J. Carter.  
Mrs. M. T. Delaney.  
Ms. M. Nowak.  
Mr. D. S. Philip.  
Dr. F. Stanley.  
Professor L. I. Landau.

for a period of three years ending 31 December 1988 and Mr. D. Clements.

Dr P. J. Chauvel as deputy member to Mr. D. Clements for a period of one year ending 31 December 1986.

J. C. McNULTY,  
Commissioner of Health.

## HOSPITALS ACT 1927.

Health Department of W.A.  
Perth, 16 October 1985.

SC 1.9.

HIS Excellency the Governor in Executive Council has appointed under the provisions of the Hospitals Act 1927, Mrs. V. M. Della Bosca as a member of the Southern Cross District Hospital Board for the period ending 30 September 1986, *vice* Mr. P. J. Mahar resigned.

J. C. McNULTY,  
Commissioner of Health.

## POISONS ACT 1964.

POISONS (SCHEDULED SUBSTANCES) AMENDMENT ORDER  
(No. 6) 1985.

MADE by His Excellency the Governor in Executive Council.

1. This Order may be cited as the Poisons (Scheduled Substances) Amendment Order (No. 6) 1985.

2. This Order shall come into operation on 1 December 1985.

3. Appendix A\* to the Poisons Act 1964 is amended—

(a) in the First Schedule—

(i) by deleting the item commencing "COMFREY" and substituting the following item—

" COMFREY (*Symphytum*) being any part of the dried plant, its extracts and preparations, for human internal use. "; and

(ii) by deleting the item commencing "HYDROCYANIC ACID" and substituting the following item—

" HYDROCYANIC ACID and CYANIDES in preparations for therapeutic use except when included in the Second Schedule. ";

- (b) in the Second Schedule—
- (i) by inserting in their appropriate alphabetical positions, the following items—
- “ ALOXIPRIN.  
 CREOSOTE, for therapeutic use, except in preparations containing 3 per cent or less of phenols included in this Schedule.  
 IRON COMPOUNDS for human internal use except—
- (a) when included in the Fourth Schedule;
- (b) in divided preparations containing 5 mg or less of iron per unit dose;
- (c) in liquid oral preparations containing 0.1 per cent or less of iron.
- NITRIC ESTERS of polyhydric alcohols for therapeutic use. ”;
- (ii) by deleting the item commencing “ERYTHRITYL TETRANITRATE” and substituting the following item—
- “ ERYTHRITYL TETRANITRATE for therapeutic use. ”;
- (iii) by deleting the item commencing “FERROUS SULPHATE”;
- (iv) by deleting the item commencing “GLYCERYL TRINITRATE” and substituting the following item—
- “ GLYCERYL TRINITRATE for therapeutic use except when included in the Fourth Schedule. ”;
- (v) by deleting the item commencing “GUAIPHENESIN” and substituting the following item—
- “ GUAIPHENESIN—
- (a) in liquid preparations containing 2 per cent (200 mg/10 ml) or less of guaiphenesin;
- (b) in divided preparations containing 120 mg or less of guaiphenesin in each dosage unit. ”;
- (vi) by deleting the item commencing “HYDROCYANIC ACID” and substituting the following item—
- “ HYDROCYANIC ACID and CYANIDES in preparations for therapeutic use containing the equivalent of 0.15 per cent or less of hydrocyanic acid. ”;
- (vii) by deleting the item “ISOSORBIDE DINITRATE” and substituting the following item—
- “ ISOSORBIDE DINITRATE for therapeutic use. ”;
- (viii) by deleting the item commencing “PHENOL” and substituting the following item—
- “ PHENOL and any homologue of phenol boiling below 220°C, for therapeutic use, except in preparations containing 3 per cent or less by weight of such substances. ”; and
- (ix) by deleting the item commencing “TRIMEPRAZINE” and substituting the following item—
- “ TRIMEPRAZINE—
- (a) in preparations labelled and packed as eye drops or as nasal preparations for topical use;
- (b) in oral liquid preparations containing not more than 10 mg trimeprazine per 5 ml when compounded with an antitussive, an expectorant or a sympathomimetic amine and when packed, labelled and sold for the relief of coughs and colds, not containing codeine and not indicating a dosage for children under 2 years of age. ”;
- (c) in the Third Schedule—
- (i) by inserting in their appropriate alphabetical positions the following items—
- “ CLOTRIMAZOLE, for human use in preparations containing 1 per cent or less of clotrimazole, for treatment of fungal infections of the skin.  
 ISOCONAZOLE, for human use in preparations containing 1 per cent or less of isoconazole, for the treatment of fungal infections of the skin. ”;
- (ii) by deleting the item commencing “CHLORAL HYDRATE” and substituting the following item—
- “ CHLORAL HYDRATE for human internal therapeutic use in preparations containing 5 per cent or less chloral hydrate when packed in containers of 100 ml or less. ”;
- (iii) by deleting the item commencing “QUININE” and substituting the following item—
- “ QUININE for human internal therapeutic use. ”; and
- (iv) by deleting the item commencing “TRIMEPRAZINE” and substituting the following item—
- “ TRIMEPRAZINE—
- (a) in oral solid preparations containing 50 dosage units or less, except when included in the Second Schedule;
- (b) in oral liquid preparations containing not more than 10 mg of trimeprazine per 5 ml except when included in the Second Schedule. ”;

\*Repealed and substituted by Order published in the *Government Gazette* on 24 August 1984 and amended by Order from time to time thereafter.

(d) in the Fourth Schedule—

- (i) by inserting in their appropriate alphabetical positions the following items—  
 “ AURANOFIN.  
 CYCLOSPORIN.  
 GUAIPHENSIN except when included in the Second Schedule.  
 IOPAMIDOL.  
 NICOUMALONE for therapeutic use.  
 PHENINDIONE for therapeutic use.  
 SODIUM CELLULOSE PHOSPHATE for human internal use.  
 SOTALOL.  
 WARFARIN for therapeutic use. ”;
- (ii) by deleting the item commencing “BACITRACIN” and substituting the following item—  
 “ BACITRACIN except—  
 (a) when included in the Sixth Schedule;  
 (b) in animal feeds for growth promotion containing 50 mg/kg or less of antibiotic principles;  
 (c) in milk replacers for calves and starter rations for pigs, containing 100 mg/kg or less of antibiotic principles. ”;
- (iii) by deleting the item “CLOTRIMAZOLE” and substituting the following item—  
 “ CLOTRIMAZOLE except when included in the Third Schedule. ”;
- (iv) by deleting the item commencing “COUMARIN” and substituting the following item—  
 “ COUMARIN and phenylindanedione derivatives for therapeutic use except where separately specified in this Schedule. ”;
- (v) by deleting the item commencing “DEXTRORPHAN” and substituting the following item—  
 “ DEXTRORPHAN except when included in the Second Schedule. ”;
- (vi) by deleting the item “DIETHYLPROPION” and substituting the following item—  
 “ DIETHYLPROPION. ”;
- (vii) by deleting the item commencing “ERYTHROMYCIN” and substituting the following item—  
 “ ERYTHROMYCIN except—  
 (a) when included in the Sixth Schedule;  
 (b) in animal feeds for growth promotion containing 50 mg/kg or less of antibiotic principles;  
 (c) in milk replacers for calves and starter rations for pigs, containing 100 mg/kg or less of antibiotic principles. ”;
- (viii) by deleting the item commencing “FLAVOPHOSPHOLIPOL” and substituting the following item—  
 “ FLAVOPHOSPHOLIPOL except—  
 (a) when included in the Sixth Schedule;  
 (b) in animal feeds for growth promotion in concentrations of 50 mg/kg or less of antibiotic principles. ”;
- (ix) by deleting the item “ISOCONAZOLE” and substituting the following item—  
 “ ISOCONAZOLE except when included in the Third Schedule. ”;
- (x) by deleting the item commencing “KITASAMYCIN” except—  
 (a) when included in the Sixth Schedule;  
 (b) in animal feeds for growth promotion containing 100 mg/kg or less of antibiotic principles. ”;
- (xi) by deleting the item commencing “MEPHENESIN” and substituting the following item—  
 “ MEPHENESIN and its derivatives except guaiphenesin where specified in the Second or Fourth Schedule. ”;
- (xii) by deleting the item commencing “MONENSIN” and substituting the following item—  
 “ MONENSIN except—  
 (a) When included in the Sixth Schedule;  
 (b) in animal feeds containing 33 mg/kg or less of antibiotic principles. ”;
- (xiii) by deleting the item commencing “NATAMYCIN” and substituting the following item—  
 “ NATAMYCIN. ”;
- (xiv) by deleting the item commencing “OLEANDOMYCIN” and substituting the following item—  
 “ OLEANDOMYCIN except—  
 (a) when included in the Sixth Schedule;  
 (b) in animal feeds for growth promotion containing 50 mg/kg or less of antibiotic principles. ”;
- (xv) by deleting the item commencing “SEX HORMONES” and substituting the following item—  
 “ SEX HORMONES and all substances having sex hormonal activity not elsewhere specified in these Schedules. ”;

- (xvi) by deleting the item commencing "SPIRAMYCIN" and substituting the following item—  
 " SPIRAMYCIN except—  
 (a) when included in the Sixth Schedule;  
 (b) in animal feeds for growth promotion in pigs or poultry containing 50 mg/kg or less of antibiotic principles. ";
- (xvii) by deleting the item commencing "TYLOSIN" and substituting the following item—  
 " TYLOSIN except—  
 (a) when included in the Sixth Schedule;  
 (b) in animal feeds for growth promotion containing 50 mg/kg or less of antibiotic principles;  
 (c) in milk replacers for calves and starter rations for pigs containing 100 mg/kg or less of antibiotic principles. "; and
- (xviii) by deleting the item commencing "VIRGINIAMYCIN" and substituting the following item—  
 " VIRGINIAMYCIN except—  
 (a) when included in the Sixth Schedule;  
 (b) in animal feeds for growth promotion containing 50 mg/kg or less of antibiotic principles. ";
- (e) in the Fifth Schedule—  
 (i) by inserting in their appropriate alphabetical positions the following items—  
 " CALCIUM HYPOCHLORITE and preparations containing more than 4 per cent of available chlorine.  
 CHLORSULFURON.  
 CLOPYRALID.  
 (ALPHA-CYANO-4-FLUORO-3-PHENOXY)  
 BENZYL 3-[2-(4-CHLOROPHENYL)-2-  
 CHLOROVINYL]-2, 2-DIMETHYL  
 CYCLOPROPANE-CARBOXYLATE  
 (FLUMETHRIN), in oil based preparations containing 1 per cent or less of flumethrin.  
 CYFLUTHRIN—  
 (a) in wettable powders containing 10 per cent or less of cyfluthrin;  
 (b) in emulsifiable concentrates containing 2 per cent or less of cyfluthrin.  
 DICLOBUTRAZOL.  
 METALAXYL.  
 METHYL ALCOHOL (excluding its derivatives) in preparations containing 5 per cent or less of methyl alcohol.  
 NAA see NAPHTHALENE ACETIC ACID.  
 PENCONAZOLE.  
 PROPICONAZOLE in concentrations of 20 per cent or less.  
 SODIUM HYPOCHLORITE and preparations containing more than 4 per cent of available chlorine. ";
- (ii) by deleting the item commencing "ACETIC ACID" and substituting the following item—  
 " ACETIC ACID (excluding its salts and derivatives) in preparations containing more than 30 per cent of acetic acid except—  
 (a) when included in the Second or Sixth Schedule;  
 (b) for therapeutic use. ";
- (iii) by deleting the item commencing "AMMONIA" and substituting the following item—  
 " AMMONIA and AMMONIUM HYDROXIDE (excluding their salts and derivatives) in preparations containing 5 per cent or less of free ammonia except—  
 (a) in preparations for human internal therapeutic use;  
 (b) in preparations for inhalation when absorbed in an inert solid material;  
 (c) in preparations containing 0.5 per cent or less of free ammonia. ";
- (iv) by deleting the item commencing "BENZOYL PEROXIDE" and substituting the following item—  
 " BENZOYL PEROXIDE except—  
 (a) when included in the Second, Third or Fourth Schedule;  
 (b) in preparations containing 2 per cent or less of benzoyl peroxide. ";
- (v) by deleting the item commencing "CHLORINATING COMPOUNDS" and substituting the following item—  
 " CHLORINATING COMPOUNDS and BLEACHES containing more than 4 per cent of available chlorine, not elsewhere specified in these Schedules. ";
- (vi) by deleting the item commencing "2-CHLORO-N- [(4-METHOXY-6-METHYL-1,3,5-TRIAZINE-2-YL) AMINOCARBONYL] BENZENE SULPHONAMIDE";

- (vii) by deleting the item commencing "DDT" and substituting the following item—  
 " DDT in preparations containing 10 per cent or less of DDT except dicophane when included in the Second Schedule. ";
- (viii) by deleting the item commencing "DICHLOROISOCYANURATES" and substituting the following item—  
 " DICHLOROISOCYANURATES and their preparations containing more than 4 per cent of available chlorine. ";
- (ix) by deleting the item commencing "1-[2(2,4-DICHLOROPHENYL)-4-PROPHYL-1,3-DIOXALAN-2-YL-METHYL]-1H-1,2,4-TRIAZOLE";
- (x) by deleting the item "3,6-DICHLOROPICOLINIC ACID";
- (xi) by deleting the item commencing "ETHER PREPARATIONS" and substituting the following item—  
 " ETHER in preparations for use in internal combustion engines. ";
- (xii) by deleting the item commencing "EUCALYPTUS OIL";
- (xiii) by deleting the item "METHYL N-(METHOXYACETYL)-N-(2,6-XYLYL) ALANINATE. ";
- (xiv) by deleting the item commencing "PROPOXUR" and substituting the following item—  
 " PROPOXUR—  
 (a) in dust preparations containing 3 per cent or less of propoxur;  
 (b) in granular sugar-based fly baits containing 1 per cent or less of propoxur providing that the preparation also contains a dark colouring agent and a separate bittering agent;  
 (c) in aerosol packs containing 10 g or less of propoxur;  
 (d) in printed paper sheets for pest control containing 0.5 per cent or less of propoxur and in any case not more than 100 mg of propoxur per sheet. "; and
- (xv) by deleting the item commencing "1,1,1—TRICHLOROETHANE" and substituting the following item—  
 " 1,1,1—TRICHLOROETHANE except—  
 (a) in preparations containing 25 per cent or less of 1,1,1—trichloroethane;  
 (b) when used in aerosols other than for therapeutic use;  
 (c) when packed in containers of 50 mls or less;  
 (d) in containers having the capacity of more than 20 litres provided the containers are marked with the name and proportion of 1,1,1—trichloroethane. ";
- (f) in the Sixth Schedule—  
 (i) by inserting in their appropriate alphabetical position the following items—  
 " AVERMECTIN B1 in preparations containing 10 mg/ml or less of avermectin B1, for the treatment of animals, when supplied in sealed containers for use in automatic injection equipment.  
 CREOSOTE except—  
 (a) when included in the Second Schedule;  
 (b) in preparations containing 3 per cent or less of phenols included in the Sixth Schedule.  
 (ALPHA-CYANO-4-FLUORO-3-PHENOXY) BENZYL 3-[2-(4-CHLOROPHENYL)-2-CHLOROVINYL]-2,2-DIMETHYL CYCLOPROPANE-CARBOXYLATE (FLUMETHRIN) except when included in the Fifth Schedule.  
 CYFLUTHRIN except—  
 (a) when included in the Fifth Schedule;  
 (b) in pressurized spray packs containing 1 per cent or less of cyfluthrin.  
 DIFENACOU in preparations containing 0.25 per cent or less of difenacoum.  
 ETACONAZOLE.  
 ETHYLENE GLYCOL MONOALKYL ETHERS and their ACETATES except in preparations containing 10 per cent or less of such substances.  
 EUCALYPTUS OIL, except in preparations containing 25 per cent or less of eucalyptus oil.  
 PROPICONAZOLE except when included in the Fifth Schedule. ";
- (ii) by deleting the item commencing "ACETIC ACID" and substituting the following item—  
 " ACETIC ACID (excluding its salts and derivatives) and preparations containing more than 80 per cent of acetic acid, except when included in the Second Schedule. ";
- (iii) by deleting the item commencing "AMMONIA" and substituting the following item—  
 " AMMONIA and AMMONIUM HYDROXIDE (excluding their salts and derivatives) except—  
 (a) when included in the Fifth Schedule;  
 (b) in preparations for human internal therapeutic use;  
 (c) in preparations for inhalation when absorbed in an inert solid material;  
 (d) in preparations containing 0.5 per cent or less of free ammonia. ";

- (iv) by deleting the item commencing "BACITRACIN" and substituting the following item—  
" BACITRACIN in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles. ";
- (v) by deleting the item commencing "BROMADIOLONE" and substituting the following item—  
" BROMADIOLONE in preparations containing 0.25 per cent or less of bromadiolone. ";
- (vi) by deleting the item commencing "CARBADOX" and substituting the following item—  
" CARBADOX except in animal feeds containing 50 mg/kg or less of carbadox. ";
- (vii) by deleting the item commencing "COUMARIN DERIVATIVES" and substituting the following item—  
" COUMARIN and phenylindanedione derivatives except—  
(a) when included in the Fourth Schedule;  
(b) where separately specified in this Schedule. ";
- (viii) by deleting the item commencing "DDT" and substituting the following item—  
" DDT and its preparations containing more than 10 per cent of DDT except dicophane when included in the Second Schedule. ";
- (ix) by deleting the item "1-[2-(2,4-DICHLOROPHENYL)-4-ETHYL-1,3-DIOXOLAN-2-YL-METHYL]-1H-1,2,4-TRIAZOLE";
- (x) by deleting the item commencing "1-[2-(2,4-DICHLOROPHENYL)-4-PROPYL-1,3-DIOXOLAN-2-YL-METHYL]-1H-1,2,4-TRIAZOLE";
- (xi) by deleting the item commencing "DIMETHYL SULPHOXIDE" and substituting the following item—  
" DIMETHYL SULPHOXIDE—  
(a) when not for therapeutic use;  
(b) for the treatment of animals—  
(i) when combined with no other therapeutic substance;  
(ii) in preparations containing copper salicylate as the only other therapeutic substance. ";
- (xii) by deleting the item commencing "DITHIOCARBAMATES" and substituting the following item—  
" DITHIOCARBAMATES when prepared for agricultural or horticultural purposes, except when specified in the Fifth Schedule. ";
- (xiii) by deleting the item commencing "ERYTHROMYCIN" and substituting the following item—  
" ERYTHROMYCIN—  
(a) in preparations for intramammary infusion in animals, containing not more than 100 000 international units per dose of erythromycin, when suitably coloured with Brilliant Blue FCF or other approved colour as a marker and when packed in applicator devices specially designed for the purpose;  
(b) in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles. ";
- (xiv) by deleting the item "ETHER SOLVENT" and substituting the following item—  
" ETHER, solvent. ";
- (xv) by deleting the item commencing "FERROCYANIDES AND FERRICYANIDES";
- (xvi) by deleting the item commencing "FLAVOPHOSPHOLIPOL" and substituting the following item—  
" FLAVOPHOSPHOLIPOL in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles. ";
- (xvii) in the item commencing "HYDROFLUORIC ACID AND HYDROSILICO FLUORIC ACID AND OTHER FLUORINE COMPOUNDS" by deleting paragraph (b) and substituting the following paragraph—  
" (b) in dentifrices containing 0.1 per cent or less of fluoride ion; ";
- (xviii) by deleting the item commencing "HYGROMYCIN" and substituting the following item—  
" HYGROMYCIN in animal feed premixes for use as an anthelmintic containing 2 per cent or less of antibiotic principles. ";
- (xix) by deleting the item commencing "IRON" and substituting the following item—  
" IRON COMPOUNDS, for the treatment of animals, except—  
(a) in liquid preparations containing 0.1 per cent or less of iron;  
(b) in animal feeds and feed premixes. ";
- (xx) by deleting the item commencing "KITASAMYCIN" and substituting the following item—  
" KITASAMYCIN in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles. ";



- (xxi) by deleting the item commencing "LASALOCID" and substituting the following item—  
" LASALOCID except in animal feeds containing 100 mg/kg or less of antibiotic principles. ";
- (xxii) by deleting the item commencing "METHYL ALCOHOL" and substituting the following item—  
" METHYL ALCOHOL (excluding its derivatives) except when included in the Fifth Schedule. ";
- (xxiii) by deleting the item commencing "MONENSIN" and substituting the following item—  
" MONENSIN in animal feed premixes containing 12.5 per cent or less of antibiotic principles. ";
- (xxiv) by deleting the item commencing "OLAQUINDOX" and substituting the following item—  
" OLAQUINDOX in animal feed premixes for growth promotion. ";
- (xxv) by deleting the item commencing "OLEANDOMYCIN" and substituting the following item—  
" OLEANDOMYCIN in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles. ";
- (xxvi) by deleting the item commencing "PHENOL" and substituting the following item—  
" PHENOL, and any homologue of phenol boiling below 220°C, except—  
(a) when included in the Second Schedule;  
(b) in preparations containing 3 per cent or less by weight of such substances. ";
- (xxvii) by deleting the item commencing "SALINOMYCIN" and substituting the following item—  
" SALINOMYCIN in animal feed premixes containing 6 per cent or less of antibiotic principles. ";
- (xxviii) by deleting the item commencing "SPIRAMYCIN" and substituting the following item—  
" SPIRAMYCIN in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles. ";
- (xxix) in the item commencing "TESTOSTERONE" by deleting paragraphs (b) and (c) and substituting the following paragraphs—  
" (b) in preparations labelled for masculinization of wethers for use as "teaser rams" to stimulate and detect reproductive activity in ewes;  
(c) in combination with oestradiol-17-beta or trenbolone in ear implants for growth promotion in bovine cattle;  
(d) in oil preparations for growth promotion purposes labelled for injection at the base of the ear in sheep. ";
- (xxx) by deleting the item commencing "TRICHLOROETHYLENE" and substituting the following item—  
" TRICHLOROETHYLENE except—  
(a) when included in the Fourth Schedule;  
(b) for other human therapeutic use. ";
- (xxxi) by deleting the item commencing "TYLOSIN" and substituting the following item—  
" TYLOSIN in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles. ";
- (xxxii) by deleting the item commencing "VIRGINIAMYCIN" and substituting the following item—  
" VIRGINIAMYCIN in animal feed premixes for growth promotion containing 2 per cent or less of antibiotic principles. ";  
and
- (xxxiii) by deleting the item commencing "WARFARIN" and substituting the following item—  
" WARFARIN except when included in the Fourth or Fifth Schedule. ";  
and
- (g) in the Seventh Schedule—
- (i) by inserting in their appropriate alphabetical position the following items—  
" AVERMECTIN B1 except when included in the Sixth Schedule.  
CAPTAN.  
DIFENACOU except when included in the Sixth Schedule. "; and
- (ii) by deleting the item commencing "HYDROCYANIC ACID" and substituting the following item—  
" HYDROCYANIC ACID and CYANIDES except when included in the First or Second Schedule. ".

By His Excellency's Command,

G. PEARCE,  
Clerk of the Council.

## HEALTH ACT 1911.

## PUBLIC BUILDINGS AMENDMENT REGULATIONS 1985.

MADE by His Excellency the Governor in Executive Council.

- Citation. 1. These regulations may be cited as the Public Buildings Amendment Regulations 1985.
- Appendix A amended. 2. Appendix A of the Public Buildings Regulations\* is amended by deleting Form 1 and substituting the following form—

## Form 1

Health Department of W.A.

Public Buildings—Health Act Part VI.

NOTICE OF INTENTION TO BUILD, OPEN, ALTER OR EXTEND  
PUBLIC BUILDING.

## 1. Details of Owner

Surname		First Names	
Company Name		Telephone No.	
Address		Postcode	

## 2. Details of Building Alteration Extension (Location Details)

No.	Street	Suburb/Town
Nearest Cross Street		Local Authority District
Estimated Cost Including Materials and Labour	Purpose or Use of Building e.g. Nightclub School Hall, etc.	

## 3. Appointment of Agent (where applicable)

Surname		First Names	
Company Name		Telephone No.	
Address		Postcode	

## Important Information.

- A. I appoint the person/company shown in Item 3 above to be my agent in all matters between the executive director Public Health and Scientific Support Services and myself and all communications should be to the address shown in Item 3 above.
- B. I am aware that plans and specifications must be approved both by the Executive Director Public Health and Scientific Support Services and the local authority for the district.
- C. I undertake to carry out the work in accordance with the conditions of approval and not to open the premises until inspected and passed by an Officer authorized by the Executive Director of Public Health and Scientific Support Services.
- D. I am aware that the fees under the Public Buildings Regulations must be paid on demand.
- E. See reverse side of form for penalties.
- F. Any of the following may sign this notice: The owner or occupier or the manager, trustees, or other persons by whose authority such public building is intended to be so built, opened, altered or extended.
- G. This notice accompanied by a copy of the plan and specification or description of the proposed work and a block plan in accordance with section 174 (2) of the Health Act 1911, should be forwarded to:—  
Executive Director Public Health  
and Scientific Support Services  
Health Department of W.A.,  
60 Beaufort Street,  
Perth 6000.

Date

Signature.

## Reverse of Form 1.

The applicant's attention is drawn to the sections of the Health Act shown hereunder:—

174. (4) No such public building shall be built, opened, altered or extended as aforesaid until the Executive Director Public Health has approved thereof in writing.

\*Reprinted in the *Government Gazette* 28 November 1972 and amended from time to time thereafter.

(5) It shall be unlawful to commence the construction, alteration, or extension of any public building until the plans and specifications have been approved by the Executive Director Public Health and lodged with the local authority.

177. (1) If any public building or addition thereto is opened without the written approval of the Executive Director Public Health, the owner or occupier or the manager, trustees, or other persons by whose authority such building or addition has been opened, shall be liable to a penalty not exceeding \$200 and to a further penalty not exceeding \$20 for every day or night during which such building or addition thereto remains open without such approval.

By His Excellency's Command,  
G. PEARCE,  
Clerk of the Council.

#### HEALTH ACT 1911.

City of Fremantle.

WHEREAS under the provisions of the Health Act 1911, a local authority may make or adopt by-laws and may alter, amend or repeal any by-laws so made or adopted. Now therefore the City of Fremantle, being a local authority within the meaning of the Act and having by notice in the *Government Gazette* of 13 May 1964 adopted the Model By-Laws described as Series "A" as printed pursuant to the Reprinting of Regulations Act 1954 in the *Government Gazette* on 17 July 1963, doth hereby resolve and determine that the said by-laws shall be amended as follows:—

Part VII—FOOD.  
Itinerant Vendors.

By-law 51(2) is amended by deleting the figures "\$10.00" and inserting in lieu thereof the figures "\$60.00".

Passed at meeting of the City of Fremantle on 15 July 1985.

Dated this 24th day of July, 1985.

The Common Seal of the City of Fremantle was here-  
unto affixed in the presence of—

[L.S.]

JOHN ANGELO CATTALINI,  
Mayor.

IAN FREDERICK KINNER,  
Town Clerk.

Confirmed—

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

#### HEALTH ACT 1911.

Shire of Esperance.

Health By-laws—Eating Houses.

WHEREAS under the provisions of the Health Act 1911 (as amended) a local authority may make by-laws and may amend, repeal or alter any by-laws so made; now, therefore, the Esperance Shire Council being a local health authority, in exercise of the powers conferred upon it in that behalf by the said Act and all other powers enabling it, doth hereby record having resolved on the 26th day of June 1984 to make and submit for the approval of the Governor the following by-laws:—

Part I.

Commencement.

1. These by-laws shall come into operation on the date of publication hereof in the *Government Gazette*.

Interpretation.

2. In the construction of these by-laws, unless the context otherwise requires:

"Act" means the Health Act 1911 and any amendment thereof;

"Certificate of Registration" means a certificate of registration issued in respect of premises registered as an Eating House pursuant to the provisions of these by-laws;

"Eating House" shall have the same meaning as it has under section 160 of the Act and shall include for the purpose of registration Restaurants, Dining Rooms, Tea Rooms, Refreshment Rooms and Take-Away Food Premises;

"Licence" means a licence granted pursuant to the provisions of these by-laws to conduct an Eating House;

"Local Authority" means the Esperance Shire Council;

"Medical Officer" means the Medical Officer of the Local Authority and includes any person acting in that capacity;

"Registered Premises" means any premises which are registered as an Eating House pursuant to these by-laws, and includes any yard or land appurtenant to such Eating House;

“Shire Clerk” means the Shire Clerk or the Acting Shire Clerk for the time being of the Esperance Shire Council;

“Surveyor” means any person appointed by the Local Authority to be a health surveyor pursuant to the provisions of the Act and shall have the same meaning as it has under the Act;

All other terms including (but not limited to) “food”, “owner”, “premises” and “proprietor” shall have the same meanings as in the Act.

## Part II.

### Licences and Registration.

3. No person shall occupy or use any premises as an Eating House unless:
  - (a) the premises are registered pursuant to these by-laws by the Local Authority as an Eating House; and
  - (b) the proprietor of the premises is the holder of a licence issued by the Local Authority authorising him to conduct the business of an Eating House on the premises.
4. Prior to the registration of any premises as an Eating House pursuant to these by-laws the proprietor thereof shall make application in the form prescribed in the First Schedule hereto and shall forward his application together with a plan of the premises in respect of which such application is made and the prescribed fee to the Shire Clerk and, if the application is approved, the Local Authority shall issue to the proprietor a Certificate of Registration in the form prescribed in the Second Schedule hereto.
5. Before any licence to conduct an Eating House is granted to any proprietor by the Local Authority pursuant to these by-laws, the proprietor shall make an application in the form prescribed in the Third Schedule hereto and shall forward his application together with the prescribed fee to the Shire Clerk and, if the application is approved, the Local Authority shall issue to the proprietor a Licence in the form prescribed in the Fourth Schedule hereto.
6. Any person who makes a false statement in connection with any application under By-laws 4 and 5 hereof shall be guilty of an offence.
7. Every Certificate of Registration and every Licence shall be signed by the Shire Clerk and shall be duly entered in a register to be kept by the Local Authority for that purpose. Every proprietor of Registered Premises shall keep the Certificate of Registration and the Licence on the Registered Premises at all times in a position visible to the general public and shall, when requested so to do by the Health Surveyor, produce the Certificate of Registration and the Licence for inspection.
8. Every Certificate of Registration and every Licence shall be valid from the date of issue until and inclusive of the 31st day of December next following unless cancelled in accordance with the provisions of the Act.
9. An Application for the renewal of a Certificate of Registration and a Licence shall be made during the month of December in each year in the form prescribed in the Fifth and Sixth Schedules hereto respectively and shall be accompanied by the prescribed fees.
10. The fees to be paid to the Local Authority for the Certificate of Registration and Licence and any renewal thereof shall be as prescribed in the Seventh Schedule hereto.
11. Any proprietor granted a Licence pursuant to the provisions of these by-laws shall, within seven (7) days of the date of changing his address, give notice thereof in writing to the Shire Clerk, specifying his new address and shall produce the Licence to the Shire Clerk for alteration and endorsement of the particulars thereon.
12. If the proprietor of any Registered Premises agrees to sell or transfer the premises to any other person he shall within fourteen (14) days from the date of such agreement to sell or transfer notify the Shire Clerk in the form prescribed in the Eighth Schedule hereto.

## Part III.

### Management.

13. Any premises registered or required to be registered under the provisions of these by-laws shall in addition to the provisions hereof also comply with:
  - (a) the Food Hygiene Regulations (1973);
  - (b) the Health Act Model By-laws, Series A;
  - (c) the Food and Drug Regulations (1961)
 and any amendment thereto.
14. In any premises occupied or used or intended to be occupied or used as an Eating House the following provisions shall apply:
  - (a) adequate food storage facilities and cupboards shall be provided to prevent the contamination of food, crockery and utensils by dirt, dust, insects and vermin;
  - (b) separate sanitary conveniences shall be provided for the use of employees of each sex and, if so required by the Local Authority, separate sanitary conveniences shall be provided for the use of customers of each sex;
  - (c) suitable change rooms shall be provided and maintained for employees of each sex;
  - (d) all sanitary conveniences upon any Registered Premises shall be separated from the kitchen, food store and dining room by a properly constructed antechamber as directed and approved by the Local Authority;
  - (e) wherever practicable every room in Registered Premises shall have an external window with a clear glass surface area not less than one tenth of the floor area of that room and, where such natural lighting is not practicable, artificial lighting shall be installed at the approval and direction of the Local Authority;
  - (f) every room in Registered Premises shall be ventilated in the manner prescribed in the Food Hygiene Regulations (1973);
  - (g) any space between the ground surface and the floor of Registered Premises (except in the case of concrete or other solid floors) shall be ventilated to the satisfaction of the Local Authority;
  - (h) coal, coke or wood fuel stored upon Registered Premises shall be kept in a properly constructed store with brick walls and concrete floors separating such store from the remainder of the premises;

- (i) kitchen, scullery and food store facilities shall be provided to the satisfaction of the Health Surveyor and the floor area of the kitchen shall be approved by the Health Surveyor but in no circumstances shall measure less than 16m<sup>2</sup>. When any scullery, food store or cupboard is incorporated in a kitchen then the floor space occupied by such scullery, food store or cupboard shall not be included in the measurement of the floor area of the kitchen for the purposes of this by-law;
- (j) wet refuse shall be stored in an enclosure which shall have smooth rendered walls on at least three (3) sides of not less than one (1) metre in height and shall have a smooth rendered concrete floor graded to a bucket trap and be equipped with steel racks of a design approved by the Health Surveyor on which refuse containers shall be placed.

15. The proprietor of premises occupied or used or intended to be occupied or used as an Eating House shall:

- (a) construct and arrange or cause to be constructed and arranged all furniture, fixtures, counters, bins, sinks, drain boards, tubs, vessels, fittings, utensils and things in every kitchen, serving room, scullery and fish cleaning room on the premises such that every floor in the premises may at all times be kept in a clean and sanitary condition;
- (b) provide and at all times properly maintain suitable and effective means for keeping dust, insects, vermin and any other creatures from every room, compartment, cupboard and enclosure on the premises and if such measures in the opinion of the Health Surveyor cannot be effected during the hours of operation of the Eating House, then the Local Authority may order the temporary closure of the premises to the public until such time as such measures have been effected to the satisfaction of the Health Surveyor. Any order for closure made pursuant to this clause shall be in the form prescribed in the Eighth Schedule hereto;
- (c) provide and at all times properly maintain not less than six (6) spring back rat traps. The Health Surveyor shall direct when the traps shall be set, the number of traps and baits to be used, and the position and locality at which the trap shall be set;
- (d) keep the premises free from any unwholesome or offensive odour arising from the premises or from the operations carried on within the premises;
- (e) provide and at all times properly maintain an efficient chimney or flue to every solid fuel burning stove such that no smoke nuisance shall arise inside or outside the premises;
- (f) place all garbage, waste matter and other refuse in approved receptacles and remove or cause to be removed from the premises the contents of all such receptacles at least once in each twenty four (24) hour period;
- (g) thoroughly cleanse all refuse or garbage receptacles at least once in each twenty four (24) hour period and renew or repair any damaged, faulty or defective receptacle;
- (h) remove or cause to be removed the whole of the canned or preserved food or any food contained in an hermetically sealed container (such container not being composed wholly of glass or stoneware) intended for use on the Registered Premises from such original can or container immediately after the same shall have been opened;
- (i) provide and at all times properly maintain adequate and efficient means of refrigeration for the preservation of food;
- (j) remove or cause to be removed any food which may have been served to any person or placed on any table occupied by any person on the Registered Premises (and not then consumed or removed by such person) nor permit suffer or cause any such food so removed to be served to any person on the premises and such food shall immediately be deposited in a refuse receptacle provided that for the purposes of this clause "food" shall not mean or include sugar, pepper, salt, mustard, vinegar, sauces, spices or condiments if such substances are contained in receptacles so constructed that the contents of such receptacles cannot be handled by any person and provided further that for the purposes of this clause "food" shall not mean or include bread which is placed in a glass container of a design and construction such that the contents are handled only as required;
- (k) at all times keep and properly maintain all sanitary conveniences, grease traps and all other sanitary applications on the premises in a clean and sanitary condition.

16. The proprietor of any Eating House registered or required to be registered pursuant to these by-laws shall not:

- (a) permit or suffer any table napkin which has been used as such for any other purpose by any person to be placed or provided for use by any other person unless such table napkin shall have been first thoroughly washed;
- (b) permit suffer or cause any foodstuffs which are unsound unwholesome putrescent or infested to be used in the preparation of food meals or drinks;
- (c) permit suffer or cause any animal or bird to be killed or any poultry bird or game to be plucked hung or drawn upon the premises;
- (d) keep permit suffer or cause to be kept upon the premises any hamper, basket, box, trunk, case, crate or barrel which has contained wet fish or any other perishable foodstuffs and which after the last occasion of such use has not been immediately cleaned and rendered inoffensive;
- (e) permit suffer or cause any fish or other seafood to be gutted cleaned or scaled upon the premises unless a portion of the premises shall have been constructed for such purposes and approved for such purposes in writing by the Health Surveyor and shall not store any fish in any kitchen scullery or store on the premises unless such fish has been gutted cleaned scaled and washed;
- (f) permit suffer or cause any alteration addition or other work to be done to the Registered Premises for any purpose affecting or likely to affect the suitability of the premises for the use specified in respect of such premises without first obtaining the prior consent in writing of the Health Surveyor;
- (g) permit suffer or cause any structural alterations to be made to the Registered Premises or any portion thereof without first having obtained permission in writing from the Local Authority.

17. Any person who fails to comply with any notice duly served pursuant to the provisions of these by-laws shall be guilty of an offence.

18. Any person who commits a breach of any of the provisions of these by-laws shall be guilty of an offence and upon conviction shall be liable to a penalty not exceeding one hundred dollars (\$100.00) and where such breach is of a continuing nature to a daily penalty not exceeding four dollars (\$4.00)

19. The by-laws of the Shire of Esperance published in the *Government Gazette* on 16 October 1963 and 19 February 1964 are hereby repealed.

First Schedule.

Shire of Esperance.

Health Act 1911-1982.

APPLICATION FOR REGISTRATION OF AN EATING HOUSE.

To the Shire Clerk,  
Shire of Esperance,  
Esperance.

I ..... of .....  
being the owner/occupier of premises situate at .....  
in the Shire of Esperance, and known as ..... hereby make application for  
the registration of the said premises as an Eating House subject to the Health Act and the  
by-laws from time to time in force thereunder.

I attach hereto a plan of the said premises.

The maximum number of persons, including the proprietor, to be employed on the said  
premises will be:—

.....Males .....Females

Dated this ..... day of ..... 19.....

.....  
Signature of Applicant.

Second Schedule.

Shire of Esperance.

Health Act 1911-1982.

CERTIFICATE OF REGISTRATION OF AN EATING HOUSE.

This is to certify that the premises situated at .....  
in the Shire of Esperance which are known as .....  
and are owned/occupied by.....

.....of.....  
.....are registered as an Eating House from the  
..... day of ..... 19....., until the 31st day  
of December 19....., unless this certificate is previously cancelled.

This certificate is issued subject to the Health Act and the by-laws from time to time in  
force thereunder.

Dated this ..... day of ..... 19.....

.....  
Shire Clerk, Shire of Esperance.

Third Schedule.

Shire of Esperance.

Health Act 1911-1982.

APPLICATION FOR A LICENCE TO CONDUCT AN EATING HOUSE.

I, ..... of .....  
hereby apply for a licence to conduct an Eating House on premises situate at  
....., Shire of Esperance, and known as....., subject to  
the Health Act and the by-laws from time to time in force thereunder.

My nationality is..... (if a British subject by naturalisation) I was  
naturalised on the..... day of....., 19.....

I was born on the..... day of....., 19.....  
at..... in the country of.....

I have had the following previous experience as the keeper of an Eating House:—

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

Dated this..... day of....., 19.....

.....  
Signature of Applicant.

Fourth Schedule.

Shire of Esperance.

Health Act 1911-1982.

LICENCE TO CONDUCT AN EATING HOUSE

This is to certify that ..... of..... is licensed to conduct an Eating House on the premises situate at..... in the Shire of Esperance, known as..... from the..... day of....., 19....., until the 31st day of December 19....., unless the licence is previously cancelled.

This licence is issued subject to the Health Act and the by-laws from time to time in force thereunder.

Dated this..... day of....., 19.....

..... Shire Clerk, Shire of Esperance.

Note:—This licence is not transferable. If the holder of this licence changes his place of abode he must, within seven days, notify the Shire Clerk and have this licence endorsed accordingly.

Fifth Schedule.

Shire of Esperance.

Health Act 1911-1982.

APPLICATION FOR RENEWAL OF REGISTRATION OF AN EATING HOUSE.

I, ..... of..... being the owner/occupier of premises situate at..... in the Shire of Esperance, known as..... for which premises I hold a current Certificate of Registration as an Eating House, hereby apply for a similar Certificate of Registration from the 1st day of January next, subject to the Health Act and the by-laws from time to time in force thereunder.

The statements made in my application for the current Certificate of Registration are still true, except in the following particulars, namely:—

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

Dated this..... day of....., 19.....

..... Signature of Applicant.

Sixth Schedule.

Shire of Esperance.

Health Act 1911-1982.

APPLICATION FOR RENEWAL OF A LICENCE TO CONDUCT AN EATING HOUSE.

I, ..... of..... being the holder of a current licence to conduct an Eating House on premises situate at..... in the Shire of Esperance and known as..... hereby apply for a similar licence as from the 1st day of January next, subject to the Health Act and by-laws from time to time in force thereunder.

The statements made in my application for the current licence are still true, except in the following particulars, namely:—

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

Dated this..... day of....., 19.....

..... Signature of Applicant.

Seventh Schedule.

SCALE OF FEES.

The fee payable on registration of premises as an eating house and on every renewal therefore shall be ten dollars.

The fee payable on a licence issued to the proprietor of an eating house and on every renewal thereof shall be two dollars.

Eighth Schedule.  
Shire of Esperance.  
Health Act 1911-1982.

NOTIFICATION OF AGREEMENT TO SELL OR TRANSFER A REGISTERED EATING HOUSE.

This is to notify that the registered premises in the Shire of Esperance known as..... and situated at..... is subject to a contract of sale.

The name and address of the transferee is .....

Date of settlement .....

Signature of Transferor.

Ninth Schedule.  
ORDER.

To.....

IN the opinion of a Health Surveyor of the Shire of Esperance effective means and methods of cleansing and eradicating vermin from the premises situate at..... and used by you as a dining room/tearoom cannot be done effectively while your ordinary business is carried on: Now, therefore, you are ordered to close the said premises temporarily until such time as such cleansing and eradication of vermin has been carried out to the satisfaction of the Health Surveyor.

Failure to comply with this order will render you liable to prosecution.

Passed by resolution of the Esperance Shire Council at an ordinary meeting of the Council held on the 26th day of June 1984.

Dated this 15th day of December, 1984.

The common seal of the Shire of Esperance was hereunto affixed by Authority of a Resolution of the Council in the presence of:—

[L.S.]

M. J. ANDRE,  
Shire President.

R. T. SCOBLE,  
Shire Clerk.

Confirmed:—

J. C. McNULTY,  
Executive Director,  
Public Health.

Approved by His Excellency the Governor in Executive Council this 15th day of October, 1985.

G. PEARCE,  
Clerk of the Council.

HEALTH ACT 1911.

Shire of Esperance.

WHEREAS under the provisions of the Health Act 1911, as amended, a Local Authority may make or adopt by-laws and may alter, amend or repeal any by-law so made or adopted: Now therefore the Shire of Esperance, being the Local Authority within the meaning of the Act and having adopted the Model by-laws as described as Series "A" as reprinted pursuant to the Reprinting of Regulations Act 1954, in the *Government Gazette* on 17 July 1963 doth hereby resolve and determine that the said adopted by-laws shall be amended as follows:—

Part I.—General Sanitary Provisions.

1. By adding after by-law 1B a by-law as follows:—

1BB. (1) In every office the occupier shall provide sanitary conveniences for the use of the persons employed or engaged therein in accordance with the following scale and conditions.

Water Closets	Proportion of Pans to Female Employees	Proportion of Pans to Male Employees	Hand Basins
When the number of employees does not exceed 100 .....	1 to 20	1 to 25	1 to 20
When such number exceeds 100 but does not exceed 200 .....	1 to 25	1 to 30	1 to 20
When such number exceeds 200 .....	1 to 25	1 to 40	1 to 20



(2) Subject to sub-by-law (3) of this by-law separate closet accommodation shall be provided for the persons of different sexes and the entrance to each closet shall bear a sign to indicate for which sex its use is intended.

(3) In an office in which the majority of those employed or engaged are of the one sex and not more than two employees are of the other sex, separate closet accommodation for the persons of different sexes is not required if separate accommodation is provided or available in adjoining or adjacent premises at all times.

(4) Closets for different sexes shall not adjoin each other unless the closets are separated by a wall of brick, stone or concrete not less than 100 mm in thickness.

(5) The door of every external closet shall be properly screened from the ground to a height of at least 1.8 metres and screening shall also be provided to prevent the closet being visible from overlooking windows.

(6) Any closet for females shall have a separate entrance behind the screen and that entrance shall not be within 3.7 metres horizontally of the entrance of any closet intended for the use of males.

(7) In every office in which more than twelve males are employed, urinal accommodation shall be provided in the proportion of one stall or 610 mm of urinal for each thirty male employees.

(8) The distance between a person's workplace and the closet shall be not greater than the height of one storey, or more than 100 metres horizontally.

(9) The occupier shall cause sanitary conveniences to be cleaned each day.

(10) All sanitary conveniences required to be provided by this by-law shall be connected to an approved system of sewerage and the fittings and installation shall be of a standard that conforms to the by-laws made under the Metropolitan Water Supply, Sewerage and Drainage Act 1909.

(11) Where there is more than one office located in a building or part of a building the occupiers of those offices may jointly provide the sanitary conveniences required by this by-law as if those offices were one office.

(12) In this by-law—

“office” means any building or other premises or part thereof in which one or more persons are employed or engaged, directly or indirectly, to perform work of a professional or clerical nature in connection with any profession or business.

(13) The provisions of this by-law do not apply to, or in relation to, any premises which, on the date of the coming into operation of this by-law in the municipal district, are an office within the meaning of sub-by-law (12) of this by-law, so long as those premises continue to be used as an office and are not altered, extended, modified or converted in any way.

2. By adding after by-law 3 by-laws as follows:—

3A. The provisions of by-laws 4A, 4AA, 4AB, 4AC, 4AD and 4AF do not apply to any building, flat or house to which the Health Act (Laundries and Bathrooms) Regulations apply.

3B. The owner of a dwelling of Class I, IA, II or IV Occupancy as classified in the Uniform Building By-laws 1965, shall provide on the premises, for the use of the occupants thereof, a bathroom, having a floor area and minimum width in accordance with the requirements of the Uniform Building By-laws 1965, which shall be equipped with a wash basin and a shower bath or plunge bath.

3. By substituting for by-law 4A, the following by-law—

4A. (1) In this by-law—

“flat” means that portion of a building used or intended, or adapted or designed for use as a separate tenement in a building containing two or more such tenements, but shall not include any building or place established wholly or partly by contributions from the Consolidated Revenue Fund of the Commonwealth or the consolidated revenue of the State and used for the purpose of housing aged persons;

“laundry unit” means a unit consisting of one washing machine, one wash trough of not less than 36 litre capacity provided with hot and cold water, and one drying cabinet or a minimum of 30 metres of clothes line.

(2) A person shall not erect, rebuild, maintain or use any house intended for occupation unless it has provided in it a laundry properly enclosed and roofed, with either a concrete floor not less than 75 mm in thickness, properly surfaced, or other material of similar strength and impermeable qualities, with an even fall to a floor waste outlet, and having a floor area in accordance with the requirements of the Uniform Building By-laws 1965, not being a room in which food is stored, prepared, served or consumed, and which is fitted with the following facilities—

(a) in the case of a house which is a “private dwelling” within the meaning of by-law 301 of the Uniform Building By-laws 1965—

- (i) one pair of wash troughs and one copper; or
- (ii) a mechanical washing machine and one wash trough or sink having a capacity of not less than 36 litres and where the washing machine is not fitted with apparatus for heating water, a hot water system shall be provided.

(b) in the case of a residential flat building—

(i) communal facilities in accordance with the following scale—

No. of Bedrooms	Laundry Units
0-10 .....	1
11-30 .....	2
31-70 .....	3
71-100 .....	4
101-140 .....	5
141-180 .....	6
181-200 .....	7

plus one additional laundry unit for each 50 bedrooms in excess of 200;

- (ii) where any flat is serviced by an individual laundry unit, the number of bedrooms in that flat may be deducted from the total number of bedrooms referred to in subparagraph (i) of this paragraph prior to application of the scale to the requirement for communal facilities;
  - (iii) notwithstanding the provisions of subparagraphs (i) and (ii) of this paragraph a flat comprising two or more bedrooms shall be so constructed as to provide space in accordance with the Uniform Building By-laws 1965, for a washing machine and space for a drying cabinet, each space being provided with a power point connected to an electricity supply and the flat shall also be provided with a wash trough of not less than 36 litre capacity connected to an adequate supply of both hot and cold water.
4. By substituting for by-law 4AA, the following by-law:—
- 4AA. Where Laundry facilities provided in accordance with these by-laws consist of wash troughs and copper, and are situated in the same building as and adjacent to a kitchen or room where food is stored or consumed, those facilities shall be separated from the kitchen or room by a wall extending from the floor to the roof or the ceiling and where an opening permitting communication between the laundry and the kitchen or room where food is stored or consumed is provided, the opening shall be not more than 815 mm wide, and it shall be provided with a door which when closed, shall completely fill the opening.
5. The principal by-laws are amended by substituting for by-law 4AB, the following by-law:—
- 4AB. Where laundry facilities provided in accordance with these by-laws consist of mechanical washing machines and wash troughs or sinks, and are situated in the same building as and adjacent to a kitchen, those facilities shall be separated from the kitchen by a wall or other approved partition which shall be at least 1.8 metres high and where an opening permitting communication between the laundry and kitchen is provided, the opening shall not extend for more than half the width of the room and it shall not be more than 1.3 metres wide.
6. The principal by-laws are amended by substituting for by-law 4AC, the following by-law:—
- 4AC. Waste water from any washing machine shall be discharged to a properly trapped, drain inlet and disposed of in a manner permitted by the Bacteriolytic Treatment of Sewerage and Disposal of Effluent and Liquid Waste Regulations made under the Health Act 1911, the by-laws made under the Metropolitan Water Supply, Sewerage, and Drainage Act 1909 or the by-laws made under the Country Towns Sewerage Act 1948.
7. The principal by-laws are amended by substituting for by-law 4AD, the following by-law:—
- 4AD. A hot water system referred to in by-law 4A, of these by-laws shall—
- (a) where it is of the storage type, have a capacity of not less than twice the capacity of the washing machine; or
  - (b) where it is of the continuous flow type, deliver hot water to the washing machine at a rate of not less than 0.04 litres per second,
- and shall be capable of delivering an adequate supply of water at a temperature of not less than 77 degrees Celsius.
8. The principal by-laws are amended by substituting for by-law 4AF, the following by-law:—
- 4AF. Every copper, wash trough and sink, required to be provided by these by-laws shall be properly supported and be provided with an adequate supply of water.
9. The principal by-laws are amended by adding after by-law 4AF a by-law as follows:—
- 4B. A person shall not—
- (a) wash or permit to be washed;
  - (b) keep or permit to be kept;
- any soiled clothing or bedding in a kitchen or other place where food is stored, prepared, served or consumed.
10. By revoking by-law 11 of Part I.
11. By-law 12 of Part I of the principal by-laws is amended—
- (a) by adding immediately after paragraph (a), the following paragraph—
    - (b) Notwithstanding the provisions of paragraph (a) of this by-law, the occupier may provide as an alternative rubbish receptacle, a rust-proofed metal holder incorporating a tight-fitting lid and having fastened to such holder a two-ply moisture resistant or other approved type of disposable refuse container; and
  - (b) by substituting for the paragraph designation, “(b)” in line one of paragraph (b), the paragraph designation “(c)”.
12. By-law 15A of Part I of the principal by-laws is amended by adding after the word “place”, being the last word in paragraph (b), the passage, “, or supply a further disposable refuse container of an approved type, if applicable”.
13. The principal by-laws are amended by revoking:—
- (a) by-law 1BA and the heading “Bore-hole Type Privies” immediately preceding that by-law; and
  - (b) by-laws 23 and 23A.
14. By-law 32 of the principal by-laws is revoked and remade as follows:—
32. (1) The owner of a building erected after the coming into operation of this by-law shall, unless otherwise authorised by the local authority, and the owner of a building erected before the coming into operation of this by-law shall, when directed in writing by the local authority to do so, cause the building to be provided with—
- (a) spouting and downpipes fixed to the eaves of the roof of the building, so as to receive, without overflowing, all rainwater flowing from the roof; and
  - (b) drains, laid with sufficient fall, to carry off all storm or rainwater falling on the building.
- (2) The owner of a building shall properly maintain any spouting, downpipes and drains provided in compliance with sub-by-law (1) of this by-law.

15. By-law 33 of the principal by-laws is amended by deleting the passage "fourteen cubic metres" in line three and substituting "thirteen cubic metres".

16. By-law 35 of the principal by-laws is revoked and remade as follows:—

35. (1) Subject to sub-by-law (3) of this by-law, a person shall not erect, occupy or permit to be occupied a house or part thereof unless each room and corridor of the house is provided with fixed open ventilation sufficient to give uncontrolled ventilation to each room and corridor at the minimum ratio of 0.016 square metres to each 10 square metres of floor area of the room or corridor.

(2) The ventilators required under sub-by-law (1) of this by-law shall be so installed as to provide outlet ventilation and may be provided in the form of ceiling ventilators where the roof space is itself adequately ventilated.

(3) (a) Where a habitable room of a dwelling house is provided with a window or windows which when opened, either singly or in the aggregate, provide an open space—

(i) that is of a minimum area of 0.5 square metres for each 10 square metres of the floor area of the room;

(ii) the highest part of which is within 460 mm. of the ceiling line; and

(iii) that provides direct uncontrolled ventilation to the external air,

it shall not be necessary to provide the ventilation in the room as required by sub-by-law (1) of this by-law.

(b) In this sub-by-law—

"habitable room" means a room in which a person sleeps, eats or carries out his usual domestic or social activities, but does not include a room that is used as a laundry, bathroom, water closet compartment, serving and storage pantry, closet, boiler room, cellar or other room used infrequently or for short periods only.

17. By-law 35A of the principal by-laws is amended by substituting for the passage "Fire Underwriters' Association of W.A." in lines three and four of paragraph (1), the passage "Australian Standard CCI, Part 1 SAA Wiring Rules."

18. By-law 37 of the principal by-laws and the heading thereto are repealed and the following heading and by-law are substituted:—

#### Storage of Materials, etc.

37. Any person using or storing materials in marine stores, flock, bedding, or furniture manufactories shall keep or store the materials so as not to be a nuisance, or injurious or dangerous to health, and shall whenever required so to do by an inspector disinfect the materials in such manner and at such place as is directed by the inspector."

#### Part III—Private Hospitals.

19. By amending Schedules "A" and "C" by deleting the word "Secretary" where it appears in each schedule and substituting the words "Shire Clerk".

#### Part IV.

20. By amending Schedules "A" and "B" by deleting the word "Secretary" where it appears in each schedule and substituting the words "Shire Clerk".

#### Part V.—Lodging Houses.

21. By amending Schedules "A", "B" and "E" by deleting the word "Secretary" where it appears in each schedule and substituting the words "Shire Clerk".

#### Part VI.—Boarding Houses.

22. By amending Schedules "A" and "B" by deleting the word "Secretary" where it appears in each Schedule and substituting the words "Shire Clerk".

#### Part VII.—Food.

23. By amending Schedules "B" and "D" by deleting the word "Secretary" where it appears in each schedule and substituting the words "Shire Clerk".

#### Part IX.—Offensive Trades.

24. By amending the commencing paragraph of Part IX of the principal by-laws by adding after the item "Section U.—Poultry Processing Establishments," being the last item in that paragraph, the following item—

##### Section V.—Poultry Farming Employing the Caged System of Poultry Housing.

25. The principal by-laws are amended by adding after Section U of Part IX a section as follows:—

##### Section V.—Poultry Farming Employing the Caged System of Poultry Housing.

1. For the purpose of this section of these by-laws "caged system of poultry housing" means any method of poultry farming in which series of nesting boxes, cages or similar devices are used to confine laying hens for intensive laying or the rearing and fattening of poultry.

2. No person shall, after the coming into operation of this section, establish a poultry farm employing the caged system of poultry housing on any premises unless—

(a) any buildings used for housing poultry are not less than 30 metres from a street or thoroughfare, dwelling house, dairy or premises wherein food is prepared for sale and not less than 6 metres from boundaries of land not in the same ownership or possession;

(b) any building used for the caged system of poultry housing is erected on a site where the highest known water table is at least 760 mm. below natural ground level.

3. The occupier of a poultry farm which uses the caged system of poultry housing shall dispose of all poultry carcasses by one of the following methods—

(a) incineration of the carcasses in an incinerator approved by the local authority;

(b) burial of the carcasses; or

(c) by some other means approved by the local authority.

26. By amending Schedule "E" by deleting the word "Secretary" and substituting the words "Shire Clerk".

27. By amending By-law 3 of section C of Part IX of the principal by-laws, by deleting the passage commencing with the words, "The floor", in line ten of paragraph (a), down to the end of that paragraph.

28. By-law 7 of section C of Part IX of the principal by-laws is amended, by adding immediately after paragraph (d) the following paragraph:—

- (e) Notwithstanding the provisions of paragraphs (a), (b), (c) and (d) of this by-law, where pigs are kept continually confined in fully enclosed pens, floor feeding with pellets or dry meal shall be permitted, in which case feeding troughs are not required to be provided.

29. By-law 19 of Section A of the principal by-laws is amended by deleting the words "twenty pounds" in lines eleven and twelve and substituting the words "two hundred dollars" and by deleting the words "two pounds" in line thirteen and substituting the words "four dollars".

30. Part IX of the principal by-laws is amended:—

- (a) in the index, by deleting "Section Q—Rag and Bone Merchants' Premises." and substituting the following:—  
"Section Q—Bone Merchants' Premises.";
- (b) in Section Q:—  
(i) by deleting from the heading "Rag and";  
(ii) by deleting "rag and" in paragraph (a); and  
(iii) by deleting paragraph (b); and
- (c) in Section S:—  
(i) in by-law 1:—  
(I) by deleting "air;" in paragraph (b) and substituting the following:—  
"air."; and  
(II) by deleting paragraph (c); and  
(ii) by repealing by-laws 2 to 6.

Passed at a meeting of the Shire of Esperance this 28th day of May, 1985.

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

[L.S.]

M. J. ANDRE,  
President.

R. T. SCOBLE,  
Shire Clerk.

Confirmed—

J. C. McNULTY,  
Executive Director Public Health.

Approved by His Excellency the Governor in Executive Council this 15th day of October, 1985.

G. PEARCE,  
Clerk of the Council.

#### HEALTH ACT 1911.

#### Shire of West Pilbara.

WHEREAS under the provisions of the Health Act 1911, a local authority may make or adopt by-laws, and may alter, amend or repeal any by-law so made or adopted. Now, therefore, the Shire of West Pilbara being a local authority within the meaning of the Act, and having adopted the Model By-laws described as "Part One—General Sanitary Provisions", "Keeping of Poultry and Pigeons" as published in the *Government Gazette* doth hereby resolve and determine that the said adopted by-laws shall be amended as follows:—

1. The insertion of a new by-law 29A4 to read as follows:—

If within the district of the local authority, residential lots are of such a size that the keeping of poultry is not possible at the distance 9 m (30 ft) from the dwelling-house on the lot where the poultry are to be kept, the keeping of 10 poultry a distance of 5 m from that dwelling-house and 9 m from any other dwelling-house is permitted.

The other provisions of By-law 29A shall be adhered to.

Resolved at an Ordinary Meeting of the Shire of West Pilbara held on 23 November 1983. The Common Seal of the Shire of West Pilbara was affixed in the presence of—

[L.S.]

E. GODWIN,  
President.

D. G. McCUTCHEON,  
Shire Clerk.

## POLICE ACT 1892-1982.

THE following abandoned and unclaimed property will be sold by Public Auction at Leonora Police Station on Saturday, 9 November 1985 at 9.30 a.m.

## Conditions of Sale.

1. The highest bidder shall be the purchaser.
  2. The vendor shall have the right to bid by the auctioneer or the vendor's agent for any lot offered.
  3. The auctioneer may, without giving any reason, therefore refuse to accept the bid of any person or persons and may decline the offer for any lot or withdraw any lot or lots from the sale.
  4. Should any dispute arise as to any bid, the relevant lot or lots may at the option of the auctioneer be put up again and resold.
  5. No allowance or refunds will be made nor will any buyer be permitted to reject any lot on the ground that it is not correctly described; the said lots are to be taken with all faults (if any) and will be at the buyer's risk on the fall of the hammer.
  6. All goods which have been paid for in full must be removed by the purchaser at the purchaser's expense by the close of the sale.
  7. Time shall be the essence of the sale of any lot.
  8. Whilst every care has been taken in the description of the property the auctioneer and/or vendor accept NO RESPONSIBILITY for any misdirection and make no warranty whatsoever. Descriptions are approximate and intended only as a guide to prospective purchasers.
  9. Payment strictly on fall of the hammer.
- ONE (1) Holden Utility 1982 Model, White Colour, Manual Transmission, poor condition (accident damage).  
Registration Northern Territory 265-456.

## NAVIGABLE WATERS REGULATIONS.

Water Ski Areas—Canning River.

Department of Marine and Harbours,  
Fremantle, 14 October 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 an area of navigable waters of the Canning River contained between Canning Bridge and Mount Henry Bridge for the purpose of water skiing, provided this area is confined to those authorised members of the W.A. Water Ski Association taking part in the Canning "Get Around" and will only apply between the hours of 0900 and 1200 Sunday 20 October 1985.

J. M. JENKIN,  
General Manager.

## ALBANY PORT AUTHORITY ACT 1926-1979.

Notice.

Application to Lease.

IN accordance with the provision of section 25 of the Albany Port Authority Act 1926-1979, it is hereby advertised that an application has been received from The Mission to Seamen for the lease of Lot 12 of Port land vested in the Albany Port Authority for a period exceeding three years for the purpose of establishing premises for the welfare of visiting seamen.

Dated this 26th day of September, 1985.

B. J. E. HUDSON,  
Managing Secretary.

## CITY OF PERTH PARKING FACILITIES ACT 1956 (AS AMENDED).

Municipality of the City of Perth By-law No. 60—Care,  
Control and Management of Parking Facilities—Amendment.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it the Council of the abovementioned Municipality hereby records having resolved on 19 August 1985 to make and submit for confirmation by the Governor the following amendments to By-law No. 60:

1. That the First Schedule be amended by:—
  - A. Deleting in Clause 2, sub-clause (c) and substituting therefor the following:
 

“ (c) Terrace Road on the southern side between Victoria Avenue and Plain Street and on the northern side between Victoria Avenue to 61 metres west of Plain Street—  
From 8.00 a.m. to 5.30 p.m. Monday to Friday inclusive and from 8.00 a.m. to 12 noon Saturday—  
40 cents for each period of one-hour or part thereof. ”
  - B. Adding in Clause 2 a new sub-clause (i) as follows:
 

“ (i) Terrace Road on both sides between Governors Avenue and Victoria Avenue—  
From 8.00 a.m. to 5.30 p.m. Monday to Friday inclusive and from 8.00 a.m. to 12 noon Saturday—  
50 cents for each period of one-hour or part thereof. ”
  - C. Adding in Clause 2 a new sub-clause (j) as follows:
 

“ (j) Governors Avenue on both sides between Riverside Drive and Terrace Road—  
From 8.00 a.m. to 5.30 p.m. Monday to Friday inclusive and from 8.00 a.m. to 12 noon Saturday—  
50 cents for each period of one-hour or part thereof. ”
  - D. Adding in Clause 2 a new sub-clause (k) as follows:
 

“ (k) Victoria Square—the south western section between Murray Street and Victoria Avenue—  
From 8.00 a.m. to 5.30 p.m. Monday to Friday inclusive and from 8.00 a.m. to 12 noon Saturday—  
40 cents for each period of one-hour or part thereof.  
Victoria Square—the south eastern section between Victoria Avenue and Goderich Street—  
From 9.00 a.m. to 4.15 p.m. Monday to Friday inclusive and from 8.00 a.m. to 12 noon Saturday—  
40 cents for each period of one-hour or part thereof. ”

- E. Adding in Clause 2 a new sub-clause (l) as follows:  
 “ (l) Lord Street on the eastern side between Goderich Street and Wellington Street—  
 From 9.00 a.m. to 4.15 p.m. Monday to Friday inclusive and from 8.00 a.m. to 12 noon Saturday—  
 40 cents for each period of one-hour or part thereof. ”
- F. Adding in Clause 2 a new sub-clause (m) as follows:  
 “ (m) Goderich Street on both sides between Victoria Square and Hill Street—  
 From 8.00 a.m. to 5.30 p.m. Monday to Friday inclusive and from 8.00 a.m. to 12 noon Saturday—  
 40 cents for each period of one-hour or part thereof. ”
2. That the Second Schedule be amended by:—
- A. Deleting in Clause 2B sub-clause (a) and substituting therefor the following under the respective columns:
- |                   |   |  |
|-------------------|---|--|
| Parking Station 1 | Terrace Road and Governors Ave on both sides between Victoria Ave and Riverside Drive | 50 cents for each period of one-hour or part thereof |
|-------------------|---|--|
- B. Deleting in Clause 3, sub-clause (k) in line three the figure “\$2.00” and substituting therefor “\$2.20”.
- C. Deleting in Clause 3 sub-clause (l) in line three the figure “\$2.00” and substituting therefor the figure “\$2.20”.

Dated this 19th day of August, 1985.  
 The Common Seal of the City of Perth was hereto affixed in the presence of—  
 [L. S.]

M. A. MICHAEL,  
 Lord Mayor.

R. F. DAWSON,  
 Town Clerk.

Recommended—

J. F. GRILL,  
 Minister for Transport.

Approved by His Excellency the Governor in Executive Council this 15th day of October, 1985.

G. PEARCE,  
 Clerk of the Council.

#### CITY OF PERTH PARKING FACILITIES ACT 1956-1983.

##### The Municipality of The City of Perth By Law No. 60—Care, Control and Management of Parking Facilities—Amendment.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it the Council of the abovementioned Municipality hereby records having resolved on 15 July 1985 to make and submit for confirmation by the Governor the following amendments to By-law No. 60:

1. That the Second Schedule be amended by:—
- (A) Deleting the whole of the reference to “Parking Station 3A” in Clause 1.
- (B) Deleting the description of “Parking Station 3B” in Clause 1 and substituting therefor:—  
 “situated between Milligan Street and Wellington Street east of Elder Street”.
- (C) Deleting in Clause 2, subclause (b) in line one, the figure and letter “3A”.
- (D) Deleting in Clause 2A, subclause (a) in line one, the figure and letter “3A”.
- (E) Deleting in Clause 2B, subclause (c) and substituting therefor, under the respective columns, the following:—
- |                            |                       |  |
|----------------------------|-----------------------|--|
| “ (c) Parking Station<br>3 | Parking Station<br>3B | 50 cents<br>per hour or \$3.00 for a maximum<br>period of ten hours on the same<br>day ” |
|----------------------------|-----------------------|--|
- (F) Deleting in Clause 3, subclause (b) in line one, the word “and” and the figure and letter “3A”, and adding a colon after the figure “3”.
- (G) Deleting in Clause 3, subclause (c) and substituting therefor:  
 “ (c) In Parking Station 3B:  
 From 8.00 a.m. to 6.00 p.m. on Monday to Friday inclusive—50 cents per hour or a maximum of \$3.00 for a ten hour period on the same day.  
 From 6.00 p.m. to Midnight on Monday to Sunday inclusive—\$1.00 for such period or part thereof.  
 From 1.00 p.m. to 6.00 p.m. Saturday and Sunday—\$1.00 for such period or part thereof. ”;

(H) Deleting in Clause 6 in the line three after the figure "3" and before the figure "4A", the figure "3A".

Dated this 18th day of July, 1985.  
The Common Seal of the City of Perth was hereto  
affixed in the presence of—  
[L. S.]

M. A. MICHAEL,  
Lord Mayor.  
G. G. HUNT,  
Acting Town Clerk.

Recommended—

J. F. GRILL,  
Minister for Transport.

Approved by His Excellency the Governor in Executive Council this 15th day of October, 1985.

G. PEARCE,  
Clerk of the Council.

CITY OF PERTH PARKING FACILITIES ACT 1956-1983.

The Municipality of the City of Perth By-law 60—Care,  
Control and Management of Parking Facilities—Amendment.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it the Council of the abovementioned Municipality hereby records having resolved on 15 July 1985 to make and submit for confirmation by the Governor the following amendments to By-law No. 60:

1. That the Third Schedule be amended by:

A. Deleting in Clause 3, subclause (a) and substituting therefor:—

“ (a) In Parking Stations 5, 6, 7 and 9 subject to paragraph (d) of this Clause:—  
From 8.00 a.m. to 6.00 p.m. on Monday to Friday inclusive—

Period of Parking	\$ Fee
One and a half hours or part thereof.....	0.70
More than one and a half hours but not more than three hours.....	1.50
More than three hours but not more than four hours.....	2.30
More than four hours but not more than five hours.....	3.10
More than five hours but not more than six hours.....	3.90
More than six hours but not more than seven hours.....	4.70
More than seven hours but not more than eight hours.....	5.50
More than eight hours but not more than nine hours.....	6.30
More than nine hours but not more than ten hours.....	7.10

From 6.00 p.m. to midnight Monday to Friday inclusive and on Saturday from 8.00 a.m. to 1.00 p.m. and from 1.00 p.m. to 6.00 p.m. and from 6.00 p.m. to midnight and on Sunday from 8.00 a.m. to midnight—\$1.00 for each of such periods or part thereof.

From midnight to 8.00 a.m. on any day—\$2.00 for such period or part thereof”

B. Deleting in Clause 3, subclause (b) in line six, under the respective column, the word “Nil” and substituting therefor the figure “40c”.

C. Deleting in Clause 3, subclause (b) in line thirty-one the figure “\$1.00” and substituting therefor the figure “\$2.00”.

Dated this 18th day of July, 1985.  
The Common Seal of the City of Perth was hereto  
affixed in the presence of—  
[L.S.]

M. A. MICHAEL,  
Lord Mayor.  
G. G. HUNT,  
Acting Town Clerk.

Recommended—

J. F. GRILL,  
Minister for Transport.

Approved by His Excellency the Governor in Executive Council this 15th day of October, 1985.

G. PEARCE,  
Clerk of the Council.

CITY OF PERTH PARKING FACILITIES ACT 1956 (AS AMENDED).

The Municipality of the City of Perth By-Law No. 60—Care, Control and Management of Parking Facilities—Amendment.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it the Council of the abovementioned municipality hereby records having resolved on 20 May 1985 to make and submit for confirmation by the Governor the following amendments to By-law No. 60:

FIFTH SCHEDULE

(FORM 1)

This document is not a receipt until the amount paid is printed by Cash Register in space opposite.

RECEIVED the amount shown below. R. F. DAWSON, Town Clerk.

CITY OF PERTH

PARKING FACILITIES ACT, 1956-83

TO THE OWNER OF THE VEHICLE

INFRINGEMENT NOTICE

Vehicle No. grid

(Vehicle No.)

(Make/Type)

It is alleged that at [ ]: [ ] Hours on [ ] day, the [ ] day of [ ] 19 [ ] at [ ]

you committed the offence indicated hereunder by an (X) in breach of Clause

[ ] of By-law 60. Meter No. [ ] Limit [ ]

Inspector [ ] No. [ ]

- Penalty \$9 Standing against an expired meter. \$9 Standing between the carriageway and boundary of a road. \$9 Standing longer than time allowed. \$9 Failing to clearly display the date and time of issue printed on the ticket(s) issued by the ticket machine. \$9 Failing to display sufficient number of tickets. \$9 Failing to display validated voucher. \$9 Voucher details not clearly displayed. \$9 Voucher not validated for current date. \$9 Voucher time expired. \$9 Not wholly in marked stall. \$16 Standing in a bus or taxi stand. \$16 Standing a non-commercial vehicle in a loading zone. \$16 Standing longer than time allowed in loading zone. \$16 Standing in a No Parking area. \$27 Standing on a footpath. \$27 Standing in a No Standing area. \$27 Standing in a Clearway. \$27 Standing on land without owners consent or in right-of-way. \$55 Displaying a parking voucher/ticket which is defaced, altered, added to, erased obliterated or interfered with.

TAKE NOTICE that pursuant to Section 19A of the City of Perth Parking Facilities Act you will be deemed to be the person who committed the above offence unless within 21 days of the date on which this notice was "served" left in or on the vehicle you inform the Council or an Inspector in writing of the identity and address of the offender or furnish information to the Council or an Inspector from which the Council or an Inspector is satisfied that the vehicle had been stolen or was being unlawfully used at the time the offence was alleged to have been committed or the modified penalty prescribed for the offence is paid to the Council

You may dispose of this matter either: (a) By payment of the penalty as shown within 7 days of the date of this notice to the Cashier, Ground Floor, Council House, 27 St. George's Terrace, Perth, Monday to Friday, between the hours of 9.00 a.m. and 4.00 p.m. or (b) By having it dealt with by a Court.

If the prescribed penalty is not paid within the time specified, Court proceedings may be instituted against you. PLEASE MAKE CHEQUES PAYABLE TO PERTH CITY COUNCIL, PAYMENTS BY MAIL SHOULD BE ADDRESSED TO THE TOWN CLERK, BOX C120, G.P.O. PERTH 6001. DO NOT DETACH. PLEASE COMPLETE PART 2 AND PRESENT THIS NOTICE INTACT WHEN MAKING PAYMENT.



FIFTH SCHEDULE

(FORM 1)

This document is not a receipt until the amount paid is printed by Cash Register in space opposite.

RECEIVED the amount shown below. R. F. DAWSON, Town Clerk.

CITY OF PERTH

PARKING FACILITIES ACT, 1958-83

TO THE OWNER OF THE VEHICLE

INFRINGEMENT NOTICE

Vehicle No. grid

(Vehicle No.)

(Make/Type)

It is alleged that at [ ]: [ ] Hours on [ ] day, the [ ] day of [ ] 19 [ ] at [ ]

you committed the offence indicated hereunder by an (X) in breach of Clause [ ] of By-law 60. Meter No. [ ] Limit [ ]

Inspector [ ] No. [ ]

- Penalty \$9 Standing against an expired meter. \$9 Standing between the carriage way and boundary of a road. \$9 Standing longer than time allowed. \$9 Failing to clearly display the date and time of issue printed on the ticket(s) issued by the ticket machine. \$9 Failing to display sufficient number of tickets. \$9 Failing to display validated voucher. \$9 Voucher details not clearly displayed. \$9 Voucher not validated for current date. \$9 Voucher time expired. \$9 Not wholly in marked stall. \$16 Standing in a bus or taxi stand. \$16 Standing a non-commercial vehicle in a loading zone. \$16 Standing longer than time allowed in loading zone. \$16 Standing in a No Parking area. \$27 Standing on a footpath. \$27 Standing in a No Standing area. \$27 Standing in a Clearway. \$27 Standing on land without owners consent or in right-of-way. \$55 Displaying a parking voucher/ticket which is defaced, altered, added to, erased, obliterated or interfered with.

\$ [ ]

I [ ] (Full name in Block Letters)

of [ ] (Address)

I tender herewith the sum of [ ] (Insert amount) in settlement of the modified penalty for the above offence.

[ ] (Insert "Cash", "Cheque", "Postal Order", "Money Order")

being modified penalty for such an offence.

Date [ ] Signature [ ]

\* Please register Notes or Cash otherwise mail is at sender's risk. Clause 61(2)

Dated this 25th day of July, 1985. The Common Seal of the City of Perth was hereto affixed in the presence of— [L.S.]

M. A. MICHAEL, Lord Mayor. G. G. HUNT, Acting Town Clerk.

Recommended— [ ]

J. F. GRILL, Minister For Transport.

Approved by His Excellency the Governor in Executive Council this 15th day of October, 1985.

G. PEARCE, Clerk of the Council.

## FISHERIES ACT 1905.

## PART III B—Processing Licenses.

FD 824/85.

THE public is hereby notified that I have issued a permit to S. R. & M. L. Daniels, Garden Road, Esperance, to establish a processing establishment to process fish in pursuance of the provisions of section 35C of the Fisheries Act 1905 at Garden Road, Esperance, subject to the following conditions:

That the processing establishment—

1. Shall comply with the requirements of the Fisheries Act 1905 and all Regulations, Orders in Councils and Notices and Ministerial Directions issued thereunder.
2. Shall not be used for processing Western Rock Lobsters, prawns, salmon, tuna or abalone.
3. Shall comply with the requirements of the Health Act 1911 (amended).
4. Shall comply with the requirements of any town planning scheme or interim development order gazetted under the provisions of the Town Planning and Development Act 1928 (amended), or the Metropolitan Region Town Planning Scheme Act 1959 (amended).
5. Shall be registered as an export establishment pursuant to the provisions of the Export (Fish) Regulations made under the provisions of the Customs Act 1901 (amended) and the Commercial (Trade Descriptions) Act 1905 (amended) of the Parliament of the Commonwealth should it be used to process fish for export.
6. Shall not be used for the processing of marron (*Cherax tenuimanus*) unless a license is held under section 39C of the Fisheries Act 1905.

In accordance with the provisions of section 35K, any person aggrieved by this decision may, within fourteen days after publication of this notice, appeal against the decision or order by serving on the Minister for Fisheries a statement in writing on the grounds of their appeal.

B. K. BOWEN,  
Director of Fisheries.

## NAMING OF "THE PERENA ROCCHI RESERVE".

Reserve No. 36587.

Department of Lands and Surveys,  
Perth, 18 October 1985.

File No. 2745/79.

IT is hereby notified for general information that the name of "The Perena Rocchi Reserve" has been applied to the land contained in Reserve No. 36587 (Jandakot Agricultural Area Lot 542) set apart for the purpose of "Public Recreation" and situated in the City of Cockburn.  
(Public Plan Perth 1:2 000 11.06.)

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

## NAMING OF "MABEL-DAVIES PARK".

Reserve No. 33662.

Department of Lands and Surveys,  
Perth, 18 October 1985.

File No: 1747/75.

IT is hereby notified for general information that the name of "Mabel-Davies Park" has been applied to the land contained in Reserve No. 33662 (Canning Location 2728) set apart for the purpose of "Public Recreation" and situated in the City of Gosnells.

(Public Plan: Perth 1:2 000 20.12.)

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

## REAPPRAISEMENT OF TOWN AND SUBURBAN LOTS.

Corres. No. 3999/29.

IT is hereby notified for general information that under the provisions of the Land Act 1933 and the Regulations thereunder governing the leasing of Town and Suburban lands the Honourable the Minister for Lands and Surveys has approved the reappraisal of the undermentioned Lots as from 1 January 1986.

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

Town	Lot	Lease	Unimproved Capital Value		Lessee
			Previous	Re-appraised	
Agnew	7	3117/3993	\$50.00	\$350.00	F. J. & T. H. Cock
Agnew	8	3117/3994	\$50.00	\$350.00	F. J. & T. H. Cock
Ora Banda	80	3117/4000	\$50.00	\$350.00	C. J. J. Ware

## LAND ACT 1933.

## Notice of Intention to Grant a Special Lease under section 116.

Department of Lands and Surveys,  
Perth, 27 September 1985.

Corres. 977/985, 978/985, 979/985, 2849/96 V4.

IT is hereby notified that it is intended to grant leases of Forrest Locations 179, 180, 181 and 182 to the Strelley Housing Society Incorporated for a term of 50 years for the purpose of "Housing Agriculture and Grazing".

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

## FORFEITURES.

THE following leases and licences together with all rights, title and interest therein have this day been forfeited to the Crown under the Land Act 1933 for the reasons stated.

- Name; Lease or Licence; District; Reason; Corres No.; Plan.
- Baumgarten, L. A. & Baumgarten, C.; 3116/8711 (C.L. 73/1984); Mount Magnet Lot 480; Non Compliance with Conditions; 2224/983; Mount Magnet Townsite.
- Courtice, J. & Dass, P. I.; 3116/8715 (C.L. 130/1984); King Loc. 608; Non Compliance with Conditions; 2282/982; Pincombe Range N.W. 1.25 000.
- Dixon, R. G.; 3116/8562 (C.L. 162/1983); Southern Cross Lots 319, 320, 321; Non Compliance with Conditions; 892/79; Southern Cross Townsite North.
- Ellery, R. G.; 3116/7817 (C.L. 149/1981); Collie Lot 2063; Non Compliance with Conditions; 854/980; Collie 31.30.
- Kramer, E. & Kramer, J. A.; 338/16998; Gibson Lot 52; Non Payment of Instalments; 1380/70; Gibson Townsite.
- Kwikform Services Pty. Limited; 3116/7538 (C.L. 318/1980); Karratha Lot 2496; Non Compliance with Conditions; 976/980; Karratha Townsite 32.24.
- Moral Holdings Pty. Ltd & T.M.M. Enterprises Pty. Ltd.; 3116/8709 (C.L. 79/1984); Newman Lot 1588; Non Compliance with Conditions; 1568/982; Newman 15.14 and 15.13.
- Nadfalusi, F. & Nadfalusi, T.; 3116/8225 (C.L. 184/1982); Wickham Lot 4; Non Compliance with Conditions; 2620/72; Wickham 10.35 and 10.36.
- Puttner, B. E.; 338/16918; Condungup Lot 112; Non Payment of Instalments; 2395/984; Condungup Townsite.
- Rowan, C. H.; 1466/153C (C.L. 1444/1917); Narngulu Lot 70; Non Payment of Rent; 8656/13; Geraldton 20.11.
- Rowan, F. C.; 1764/153 (C.L. 429/1914); Narngulu Lot 66; Non Payment of Rent; 8659/13; Geraldton 20.11.
- Rowan, F. C.; 1763/153 (C.L. 428/1914); Narngulu Lot 65; Non Payment of Rent; 8658/13; Geraldton 20.11.
- Walker, H. D. & Walker, L. D.; 3116/7723 (C.L. 381/1980); Ravensthorpe Lot 468; Non Payment of Rent; 960/980; Ravensthorpe 20.01 and 29.40.

Dated: 15/10/85.

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

## LOCAL GOVERNMENT ACT 1960.

## Closure of Street.

WHEREAS Corner View Pastoral Co. Pty. Ltd., being the owner of the land which adjoins the street hereunder described has agreed to the request of the Shire of Chapman Valley to close the said street:—

## Chapman Valley.

File No. 825/983.

C.1111. All those portions of surveyed roads through and abutting Mount Erin Estate Lot 78, and through Victoria Location 1982 and as shown bordered blue on Lands and Surveys Original Plan 16029.

(Public Plan Nanson N.E. 1: 25 000.)

(This notice hereby supersedes Road Closure Notice No. C.1111 appearing in the *Government Gazette* dated 4 October 1985 page 3874.)

And whereas the Council has requested 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.

WHEREAS Khurram Bux being the owner of the land which adjoins the street hereunder described has agreed to the request of the City of Stirling to close the said street.

## Stirling.

File No. 2445/984. S. 336. All those portions of Ferrar and Thongsbridge Streets, being part of the land marked "Road Widening" on Office of Titles Plan 11163 and as shown bordered blue on Lands and Surveys Diagram 87005. (Public Plan: Perth 2 000 13.28.)

WHEREAS The City of Stirling requests the closure of the street hereunder described.

## Stirling.

File No. 2852/978. S. 333. All that portion of Scarborough Beach Road (Road No. 6) now comprised in Swan Locations 10644 and 10645, surveyed and shown bordered pink on Lands and Surveys Diagram 86966. (Public Plan: 1:2 000 9.30.)

And whereas the Council has requested closure of the said streets, and whereas the Governor in Executive Council has approved these requests; it is notified that the said streets are hereby closed.

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

## LOCAL GOVERNMENT ACT 1960.

## Closure of Streets.

WHEREAS Kanat Pty Ltd, Commissioner of Main Roads being the owners of the land which adjoins the street hereunder described have agreed to the request of the City of Belmont to close the said street.

## Belmont.

File No. 1723/983. B. 1171. All that portion of Downsbrough Avenue (Road No. 9239), as surveyed and shown bordered blue on Lands and Surveys Diagram 86999. (Public Plans: Perth 18.21 and 18.22.)

## CORRIGENDUM.

Department of Lands and Surveys,  
Perth, 18 October 1985.

File No. 168/22.

ON page 3951 of the *Government Gazette* dated 11 October 1985 under the subheading of Road No. 17389 in line 4 amend eastern to read western.

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

L. & P.B. 455/84.

*Local Government Act 1960 (as amended); Public Works Act 1902 (as amended).*

## NOTICE OF INTENTION TO TAKE OR RESUME LAND.

*Drain—City of Cockburn.*

THE Minister for Works hereby gives notice in accordance with the provisions of section 17 (2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under section 17 (1) of that Act, the piece or parcel of land described in the Schedule hereto, and being all in the Cockburn Sound District, for the purpose of the following public work, namely, Drain—City of Cockburn and that the said piece or parcel of land is marked off on Plan L. & S., W.A. 37, which may be inspected at the office of the Minister for Works, Perth. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

## Schedule.

No. on Plan L. & S., W.A. No. 37	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Frederick Thomas Savage and Judith Linda Savage	Frederick Thomas Savage and Judith Linda Savage	Portion of Cockburn Sound Location 439 and being part of Lot 29 now shown as Lot 67 on Diagram 68470 and being part of the Land in Certificate of Title Volume 1614 Folio 130	102 m <sup>2</sup>

Dated this 9th day of October, 1985.

H. D. EVANS,  
Acting Minister for Works.

L. &amp; P.B. 3067/85.

*State Energy Commission Act 1979 (as amended); Public Works Act 1902 (as amended).*

## NOTICE OF INTENTION TO TAKE OR RESUME LAND.

*Northern Terminal Extension—Ballajura.*

THE Minister for Works hereby gives notice in accordance with the provisions of section 17 (2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under section 17 (1) of that Act, the piece or parcel of land described in the Schedule hereto, and being all in the Swan District, for the purpose of the following public work, namely, Northern Terminal—Extension and that the said piece or parcel of land is marked off on Plan L. & S., W.A. 45, which may be inspected at the office of the Minister for Works, Perth. The additional information contained in the Schedule after the land description is to define locality only and in no way derogates from the Transfer of Land Act description.

## Schedule.

No. on Plan L. & S., W.A. No. 45	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Denninup Vale Pastoral Company Pty Ltd	Denninup Vale Pastoral Company Pty Ltd	Portion of Swan Location I and being part of Part Lot 115 on Plan 4948 (Sheet 3) and being part of the Land in Certificate of Title Volume 1617 Folio 813.	3.186 ha

Dated this 9th day of October, 1985.

K. F. McIVER,  
Minister for Works.

M.R.D. 42/118-C

*Main Roads Act 1930 (As amended); Public Works Act 1902 (As amended).*

## NOTICE OF INTENTION TO TAKE OR RESUME LAND.

THE Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under section 17 (1) of that Act, the pieces or parcels of land described in the Schedule hereto and being all in the Cuballing District, for the purpose of the following public works, namely, widening of the Northam-Cranbrook Road (136.12-153.52 SLK Section) and that the said pieces or parcels of land are marked off on Plan M.R.D. W.A. 8409-39 to 8409-44 (incl.) which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

## Schedule.

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
1.	Edith Bessie Cox as Executrix of the Will of Cecil Alfred Wiles, deceased.	E. B. Cox .....	Portion of Popanyinning Lot 142 and being part of the land comprised in Certificate of Title Volume 1019 Folio 274.	2 808 m <sup>2</sup>
2.	Edith Bessie Cox as Executrix of the Will of Cecil Alfred Wiles, deceased.	E. B. Cox .....	Portion of Popanyinning Lots 140 and 141 and being part of the land comprised in Certificate of Title Volume 1019 Folio 268.	8 380 m <sup>2</sup>
3.	William Harold Lansdell .....	W. H. Lansdell .....	Portion of Williams Location 4439 and being part of the land comprised in Certificate of Title Volume 1147 Folio 492.	1.316 ha
4.	William Harold Lansdell .....	W. H. Lansdell .....	Portion of Williams Location 2897 and being part of the land comprised in Certificate of Title Volume 1016 Folio 982.	8 460 m <sup>2</sup>
5.	William Harold Lansdell .....	W. H. Lansdell .....	Portion of Williams Location 2966 and being part of the land comprised in Certificate of Title Volume 728 Folio 70.	1.478 ha.
6.	William Harold Lansdell .....	W. H. Lansdell .....	Portion of Williams Location 3963 and being part of the land comprised in Certificate of Title Volume 914 Folio 114.	7 940 m <sup>2</sup>
7.	John Graham Francis .....	J. G. Francis .....	Portion of Williams Location 3027 and being part of the land comprised in Certificate of Title Volume 1245 Folio 863.	7 500 m <sup>2</sup>
8.	John Graham Francis .....	J. G. Francis .....	Portion of Williams Location 3180 and being part of the land comprised in Certificate of Title Volume 1252 Folio 552.	1.652 ha.
9.	Kim Dent .....	K. Dent .....	Portion of Williams Locations 3268 and 3269 and being part of the land comprised in Certificate of Title Volume 475 Folio 157A.	2.256 ha
10.	Kim Dent .....	K. Dent .....	Portion of Williams Locations 2496 and 1923 and being part of the land comprised in Certificate of Title Volume 1097 Folio 16.	2.752 ha

NOTICE OF INTENTION TO TAKE OR RESUME LAND—*continued*

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
11.	Lindsay Bruce Herrmann.....	L. B. Herrmann.....	Portion of Williams Locations 2783, 2293 and 1881 and being part of the land comprised in Certificate of Title Volume 1634 Folio 955.	4.495 ha
12.	Norman Gordon Eisler and Patricia Maxine Eisler	N. G. & P. M. Eisler.....	Portion of Williams Location 2292 and being part of the land comprised in Certificate of Title Volume 1280 Folio 441.	1.146 ha
13.	Ross Frederick Blagrove and Briar May Blagrove	R. F. & B. M. Blagrove.....	Portion of Williams Location 5509 and being part of the land comprised in Certificate of Title Volume 1467 Folio 650.	1 005 m <sup>2</sup>
14.	Ross Frederick Blagrove and Briar May Blagrove	R. F. & B. M. Blagrove.....	Portion of Williams Location 6456 and being part of the land comprised in Certificate of Title Volume 1467 Folio 651.	995 m <sup>2</sup>
15.	Kenneth Graham Wyatt, and Margaret Ann Wyatt as beneficial co-owner ( <i>vide</i> Caveat C789499)	K. G. Wyatt.....	Portion of Williams Location 2979 and being part of the land comprised in Certificate of Title Volume 1232 Folio 894.	6 860 m <sup>2</sup>
16.	Kenneth Graham Wyatt, and Margaret Ann Wyatt as beneficial co-owner ( <i>vide</i> Caveat C789499)	K. G. Wyatt.....	Portion of Williams Location 3785 and being part of the land comprised in Certificate of Title Volume 1232 Folio 895.	1.258 ha
17.	Kenneth Graham Wyatt, and Margaret Ann Wyatt as beneficial co-owner ( <i>vide</i> Caveat C789499)	K. G. Wyatt.....	Portion of Williams Location 2909 and being part of the land comprised in Certificate of Title Volume 1232 Folio 896.	9 620 m <sup>2</sup>
18.	John Donald Campbell Metzke	J. D. C. Metzke.....	Portion of Williams Location 1697 and being part of the land comprised in Certificate of Title Volume 835 Folio 87.	1.053 ha
19.	John Donald Campbell Metzke	J. D. C. Metzke.....	Portion of Williams Location 14043 and being part of the land comprised in Certificate of Title Volume 35 Folio 395A.	9 100 m <sup>2</sup>
20.	John Donald Campbell Metzke	J. D. C. Metzke.....	Portion of Williams Location 1664 and being part of the land comprised in Certificate of Title Volume 1397 Folio 843.	1.286 ha
21.	Eric Gerald Cliff and Elizabeth Joy Cliff	E. G. & E. J. Cliff.....	Portion of Williams Locations 1662 and 1663 and being part of the land comprised in Certificate of Title Volume 1384 Folio 589.	2.196 ha
22.	Eric Gerald Cliff and Elizabeth Joy Cliff	E. G. & E. J. Cliff.....	Portion of Williams Location 11817 and being part of the land comprised in Certificate of Title Volume 1384 Folio 590.	1.134 ha
23.	Eric Gerald Cliff.....	E. G. Cliff.....	Portion of Williams Locations 1527, 1528 and 2674 and being part of the land comprised in Certificate of Title Volume 1257 Folio 632.	4.062 5 ha

Dated this 16th day of October, 1985.

D. R. WARNER,  
Director Administration and Finance.

M.R.D. 41/124-CV2

*Main Roads Act 1930 (as amended); Public Works Act 1902 (as amended).*

## NOTICE OF INTENTION TO TAKE OR RESUME LAND.

THE Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under section 17 (1) of that Act, the pieces or parcels of land described in the Schedule hereto and being all in the Rockingham and Mandurah District, for the purpose of the following public works, namely, widening of Bunbury Highway (45.4 to 52.45 SLK Section) and that the said pieces or parcels of land are marked off on L.T.O. Plan 15171 and L.T.O. Diagram 68654 which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

## Schedule.

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
1.	Henry William Sprigg.....	Hon. Minister for Works (Purchaser <i>vide</i> Caveat C771908)	Portion of Cockburn Sound Location 16 and being part of Lots 4 and 5 on diagram 20993 and being part of the land comprised in Certificate of Title Volume 1285 Folio 481.	804 m <sup>2</sup>

NOTICE OF INTENTION TO TAKE OR RESUME LAND—*continued*

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
2.	Andrew Colin Downes .....	Hon. Minister for Works (Purchaser <i>vide</i> Caveat C771586)	Portion of Cockburn Sound Location 16 and being part of Lot 3 on diagram 20993 and being part of the land comprised in Certificate of Title Volume 1273 Folio 664.	402 m <sup>2</sup>
3.	John Hilton Doust and Beryle May Doust	Hon. Minister for Works (Purchaser <i>vide</i> Caveat C852957)	Portion of Cockburn Sound Location 16 and being part of Lot 2 on diagram 20993 and being part of the land comprised in Certificate of Title Volume 1232 Folio 23.	402 m <sup>2</sup>
4.	Nikolai Solomko.....	Hon. Minister for Works (Purchaser <i>vide</i> Caveat C811003)	Portion of Cockburn Sound Location 16 and being part of Lot 15 on Plan 8300 and being part of the land comprised in Certificate of Title Volume 1451 Folio 300.	274 m <sup>2</sup>
5.	John Anderson Gibson and Violet Ruby Gibson	J. A. and V. R. Gibson.....	Portion of Cockburn Sound Location 16 and being part of Lot 16 on Plan 8300 and being part of the land comprised in Certificate of Title Volume 1451 Folio 299.	67 m <sup>2</sup>
6.	Harry John Perry and Nancy Grace Perry	H. J. and N. G. Perry .....	Portion of Cockburn Sound Location 16 and being part of Lot 3 on Plan 3064 and being part of the land comprised in Certificate of Title Volume 1312 Folio 710.	1.443 2 ha
7.	Harry John Perry and Nancy Grace Perry	H. J. and N. G. Perry .....	Portion of Cockburn Sound Location 16 and being part of Lot 7 on Plan 7226 and being part of the land comprised in Certificate of Title Volume 1289 Folio 56.	1.568 8 ha
8.	Harry John Perry and Nancy Grace Perry	H. J. and N. G. Perry .....	Portion of Cockburn Sound Location 16 and being part of Lot 101 or Plan 741 and being part of the land comprised in Certificate of Title Volume 1046 Folio 36.	8 591 m <sup>2</sup>

Dated this 16th day of October, 1985.

D. R. WARNER,  
Director Administration and Finance.*Main Roads Act 1930 (as amended); Public Works Act 1902 (as amended).*

M.R.D. 42/25-EV2

## NOTICE OF INTENTION TO TAKE OR RESUME LAND.

THE Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under section 17 (1) of that Act, the pieces or parcels of land described in the Schedule hereto and being all in the Mandurah District, for the purpose of the following public works, namely, construction of the Mandurah Bypass (Stage 2) and that the said pieces or parcels of land are marked off on L.T.O. Diagram 53129, which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

## Schedule.

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
1.	Encourage Pty Ltd.....	Hon. Minister for Works (Purchaser <i>vide</i> Caveat C833732)	Portion of Cockburn Sound Location 16 and being the whole of Lot 1000 the subject of Diagram 53129 and being the whole of the land comprised in Certificate of Title Volume 1695 Folio 201.	5.876 1 ha

Dated this 16th day of October, 1985.

D. R. WARNER,  
Director Administration and Finance.

M.R.D. 42/67-A

*Main Roads Act 1930 (as amended); Public Works Act 1902 (as amended).*

## NOTICE OF INTENTION TO TAKE OR RESUME LAND.

THE Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under section 17 (1) of that Act, the pieces or parcels of land described in the Schedule hereto and being all in the Albany District, for the purpose of the following public works, namely, the widening of the South Coast Highway (20.63-23.84 SLK section) and that the said pieces or parcels of land are marked off on Plan. M.R.D. W.A. 8401-72, which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

## Schedule.

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
1.	Ronald Kerruish.....	R. Kerruish .....	Portion of Plantagenet Location 5821 and being part of the land contained in Certificate of Title Volume 1542 Folio 782.	4 234 m <sup>2</sup>
2.	William Glen Horne and Rosalind Beatrice Horne	W. G. & R. B. Horne .....	Portion of Plantagenet Location 5819 and being part of Lot 1 on Diagram 45457 part of the land contained in Certificate of Title Volume 1412 Folio 129.	617 m <sup>2</sup>
3.	Sheila Elizabeth Gallimore...	S. E. Gallimore .....	Portion of Plantagenet Location 6266 and being part of the land contained in Crown Lease No. 307/1963.	3.100 5 ha
4.	Alan John Evans .....	A. J. Evans .....	Portion of Plantagenet Location 3589 and being part of land contained in Certificate of Title Volume 75 folio 104A	6 238 m <sup>2</sup>

Dated this 16th day of October, 1985.

D. R. WARNER,  
Director Administration and Finance.

M.R.D. 41/170-FV2

*Main Roads Act 1930 (as amended); Public Works Act 1902 (as amended).*

## NOTICE OF INTENTION TO TAKE OR RESUME LAND.

THE Minister for Works hereby gives notice, in accordance with the provisions of section 17 (2) of the Public Works Act 1902 (as amended) that it is intended to take or resume under section 17 (1) of that Act, the pieces or parcels of land described in the Schedule hereto and being all in the Serpentine-Jarrahdale District, for the purpose of the following public works, namely, widening of the Armadale-Bunbury Road (20.4-32.71 SLK Section) and that the said pieces or parcels of land are marked off on L.T.O. Plans 15112-15115 (inc.) and Diagrams 68435-68438 (inc.) which may be inspected at the office of the Commissioner of Main Roads, Waterloo Crescent, East Perth.

## Schedule.

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
1.	Douglas Henry Miller and Doris Brunilda Miller	D. H. & D. B. Miller .....	Portion of Serpentine Agricultural Area Lot 64 and being part of the land comprised in Certificate of Title Volume 1060 Folio 212.	1.449 5 ha
2.	Cemiel Pty Ltd and Freshwater Nominees Pty Ltd	Hon Minister for Works (Purchaser <i>vide</i> Caveat C880516)	Portion of Serpentine Agricultural Area Lot 81 and being part of the land comprised in Certificate of Title Volume 1046 Folio 307.	3 533 m <sup>2</sup>
3.	Water Authority of Western Australia	Water Authority of Western Australia	Portion of Serpentine Agricultural Area Lot 82 and being part of the Lot 1 the subject of Diagram 38853 and being part of the land comprised in Certificate of Title Volume 530 Folio 16A.	306 m <sup>2</sup>
4.	Minister for Water Supply, Sewerage and Drainage	Water Authority of Western Australia	Portion of Serpentine Agricultural Area Lot 123 the subject of Diagram 24511 and being part of the land comprised in Certificate of Title Volume 1231 Folio 893.	153 m <sup>2</sup>
5.	Constantino Joseph John Spagnolo	Hon Minister for Works (Purchaser <i>vide</i> Caveat DO21001)	Portion of Cockburn Sound Location 487 and being part of the land comprised in Certificate of Title Volume 1071 Folio 131.	2.329 3 ha
6.	James Chadwell Chave and Irene May Chave	Hon Minister for Works (Purchaser <i>vide</i> Caveat C932934)	Portion of Cockburn Sound Location 483 and being part of the land comprised in Certificate of Title Volume 1016 Folio 763.	1.431 1 ha
7.	Clement Charles Scott Overheu and Faye Clementine Overheu	Hon Minister for Works (Purchaser <i>vide</i> Caveat C808079)	Portion of Cockburn Sound Location 473 and being part of the land comprised in Certificate of Title Volume 1109 Folio 768.	8 008 m <sup>2</sup>

NOTICE OF INTENTION TO TAKE OR RESUME LAND—*continued*

No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
8.	Clement Charles Scott Overheu and Faye Clementine Overheu	Hon Minister for Works (Purchaser <i>vide</i> C808079)	Portion of Cockburn Sound Locations 471 and 472 and being part of Lot 2 on Diagram 62243 and being part of the land comprised in Certificate of Title Volume 1609 Folio 275.	1.175 ha
9.	Micheal Phillip Dunn and Lorraine Norma Dunn	Hon Minister for Works (Purchaser <i>vide</i> C932934)	Portion of each of Cockburn Sound Locations 471 and 472 and being part of Lot 4 on Diagram 63746 and being part of the land comprised in Certificate of Title Volume 1630 Folio 583.	7 462 m <sup>2</sup>
10.	Jeremy Edward Hayes.....	Hon Minister for Works (Purchaser <i>vide</i> DO98007)	Portion of Cockburn Sound Locations 471 and 472 and being part of Lot 1 on Diagram 62243 and being part of the land comprised in Certificate of Title Volume 1633 Folio 145.	166 m <sup>2</sup>
11.	Jeremy Edward Hayes.....	Hon Minister for Works (Purchaser <i>vide</i> DO98007)	Portion of Cockburn Sound Location 470 and being part of the land comprised in Certificate of Title Volume 1551 Folio 288.	1 271 m <sup>2</sup>
12.	James Lancelot Kentish.....	Hon Minister for Works (Purchaser <i>vide</i> C975880)	Portion of Murray Location 248 and being part of the land comprised in Certificate of Title Volume 1097 Folio 515.	3 101 m <sup>2</sup>
13.	James Lancelot Kentish.....	Hon Minister for Works (Purchaser <i>vide</i> C975880)	Portion of Murray Location 249 and being part of the land comprised in Certificate of Title Volume 1129 Folio 26.	5 501 m <sup>2</sup>
14.	Jeremy Edward Hayes.....	Hon Minister for Works (Purchaser <i>vide</i> DO98007)	Portion of Murray Location 250 and being part of the land comprised in Certificate of Title Volume 1641 Folio 953.	1 511 m <sup>2</sup>
15.	Jeremy Edward Hayes.....	Hon Minister for Works (Purchaser <i>vide</i> DO98007)	Portion of Murray Location 1258 and being part of the land comprised in Certificate of Title Volume 1641 Folio 954.	944 m <sup>2</sup>
16.	Herbert Clement Kentish.....	Hon Minister for Works (Purchaser <i>vide</i> C985167)	Portion of Murray Location 251 and being part of the land comprised in Certificate of Title Volume 1392 Folio 284.	1.133 1 ha

Items 10-16 (incl.) of this notice supersede items 1-7 (incl.) in the Notice published in the *Government Gazette* 14 December 1984 page 4145.

Dated this 16th day of October, 1985.

D. R. WARNER,  
Director Administration and Finance.

## BUSH FIRES ACT 1954.

Shire of Manjimup.

Firebreak Order.

Notice to All Owners/Occupiers of Land.

PURSUANT to the powers contained in section 33 of the above Act all owners and/or occupiers of land situated within the Shire of Manjimup shall have firebreaks or remove inflammable material from the land owned or occupied by you in accordance with the dates specified hereunder and in such places and to such dimensions as required by this notice unless otherwise specified.

Specified Dates:

Zone 6 (Northcliffe/Walpole) 1 January to 15 April 1986.

Zone 8 (Manjimup/Pemberton) 22 December 1985 to 15 April 1986.

1. Rural Land:

- Traffickable firebreaks clear of all inflammable material and not less than three (3) metres wide shall be constructed inside and within 15 m of the boundaries of the boundaries of all land, where trees, bush or scrub adjoin the boundary of that land and the trees, bush or scrub predominantly cover an area of land exceeding one (1) hectare.
- Firebreaks, clear of all inflammable material and not less than three (3) metres wide shall be constructed as close as reasonably practicable around the immediate surrounds of all buildings or haystacks.
- Where rural land whether cleared or uncleared abuts the gazetted townsite boundary of the towns of Manjimup, Pemberton, Northcliffe and Walpole,

three (3) metres wide firebreaks shall be constructed immediately along the common boundary.

- Firebreaks not less than three (3) metres wide shall be constructed around the perimetres of all coarse grain crops and such firebreaks shall be kept clear of inflammable material until the crop has been harvested.
- For the purpose of this notice a "Haystack" shall mean any collection of hay which is placed together.

2. Townsite Land (including Residential, Commercial, Industrial, Deferred Urban and Special Rural whether such land is occupied or not).

- Where the land is 2 024 m<sup>2</sup> (approx ½ acre) or less, remove all inflammable material from the whole of the land. (For the purpose of this notice, inflammable material does not include live standing trees, cultivated plants or shrubs in gardens).
- Where the land exceeds 2 024 m<sup>2</sup> (approx ½ acre) you shall have firebreaks not less than three (3) metres wide and clear of all inflammable material immediately inside and along all external boundaries of the land and immediately surrounding all buildings, haystacks and improvements on the land.

3. Fuel and Gas Storage Containers/Installations: In respect of any land owned or occupied by you upon which there is situated any container/installation used for the storage of flammable liquid or gas fuels, you shall:

- Townsite Land:  
Clear the whole of the land of inflammable material.



## (b) Rural Land:

Locate such containers/installations not less than 15 metres from any public thoroughfare or improvement upon the land.

Construct firebreaks not less than 6 metres in width around and immediately adjacent to all such containers/installations.

4. Commercial Plantations: For the purposes of this notice a "Commercial Plantation" shall be defined as land upon which any Pine or Eucalyptus species of tree have been planted for the purposes of commercial production, including sawlog, pole, chip or pulp produce and "boundary" shall mean parcels of plantation land under separate ownership, title, lease or any form of contractual arrangement.

You shall:

## Pine Plantations:

1. Construct firebreaks not less than ten (10) metres in width around and immediately inside all external boundaries of such land.
2. Construct firebreaks not less than six (6) metres in width within the plantation so as to subdivide the plantation into areas or compartments each not exceeding twenty eight (28) hectares.
3. Trees within two (2) metres of the edge of any firebreak to be pruned so that access along the firebreak is not impeded by branches.
4. A map of each plantation showing roads, firebreaks, access points and water points shall be lodged with the Council on or before 15 of December, 1985.

## Eucalyptus Plantations:

1. Construct firebreaks not less than five (5) metres in width around and immediately inside all external boundaries of such land.
2. Construct firebreaks not less than six (6) metres in width within the plantation so as to subdivide the plantation into areas or compartments each not exceeding twenty eight (28) hectares.
3. Trees within two (2) metres of the edge of any firebreaks to be pruned so that access along the firebreak is not impeded by branches.
4. A map of each plantation showing roads, firebreaks, access points and water points shall be lodged with the Council on or before 15 December, 1985.

All firebreaks as required by this section (4) of the notice shall be constructed to a standard traffickable by tractor/trailer fire units and four wheel drive vehicles.

5. Penalty: The penalty for not complying with this notice is a fine not exceeding \$400 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work required by this notice.

6. If it is considered impracticable for any reason to clear firebreaks or remove inflammable material as required by this notice you may apply to the Council or its duly authorised officer not later than 15 December, 1985 for permission to provide firebreaks in alternative positions or to take alternative measures to abate fire hazards on the land. Any such application must bear the signature of the Fire Control Officer for the area signifying his agreement to the variation. If permission is not granted, you shall comply with the requirements of this notice.

The Council forwards a copy of an abridged firebreak order each year to all landholders. The Firebreak Order is also published in the *Warren-Blackwood Times* and additional copies are available from the Shire Office. The requirements of this order are considered to be the minimum standard of fire prevention work required to prevent not only individual properties but the district generally. In addition to this order Council may issue separate special orders to owners or occupiers if hazard removal is considered necessary in some specific area.

By Order of the Council,

M. D. RIGOLL,  
Acting Shire Clerk.

## BUSH FIRES ACT 1954.

Shire of Goomalling.

IT is notified for public information that the following person is duly appointed a Bushfire Control Officer for the Shire of Goomalling:

R. W. Lord.

By Order of the Council,

C. C. KERP,  
Acting Shire Clerk.

## BUSH FIRES ACT 1954.

Koorda Shire Council.

Bushfire Control Officers.

THE following persons have been appointed to fill the various offices:

Fire Weather Officer—A. G. Leeke, Koorda

Deputy Fire Weather Officer—C. Larkman, Koorda

Chief Fire Control Officer—A. J. Weymouth, Koorda

Deputy Chief Fire Control Officers—F. W. Beaton, Koorda; J. N. Westlund, Koorda

Fire Control Officers—R. C. Maher, Koorda; J. D. Arrow, Koorda; J. Strahan, Koorda; G. O. Moir, Burakin; C. H. Cooke, Koorda; H. King, Mollerin; C. Larkman, Koorda; P. Briotti, Koorda; N. Greaves, Koorda; J. N. Westlund, Koorda; E. C. Burton, Koorda; B. Jones, Koorda; D. J. Inman, Koorda; R. A. Brooks, Koorda; B. W. Orchard, Kalannie; A. G. Leeke, Koorda; W. J. McNee, Koorda; D. Sutherland, Koorda; R. Collins, Mollerin; L. Stone, Kalannie; K. Simpson, Mollerin; J. H. Sharman, Cadoux; A. Downie, Koorda; J. Burton, Koorda; G. King, Mollerin; M. Slater, Mollerin; W. J. Weymouth, Koorda.

Dated this 9th day of October, 1985.

By Order of Council,

W. FELGATE,  
Shire Clerk.

## BUSH FIRES ACT 1954.

Koorda Shire Council.

Prohibited Burning Period.

IT is hereby notified for public information that the Prohibited Burning Period for the Shire of Koorda will be from 1 November 1985 to 1 February 1986, inclusive.

Dated this 9th day of October, 1985.

By Order of Council,

W. FELGATE,  
Shire Clerk.

## BUSH FIRES ACT 1954.

Koorda Shire Council.

Notice to all Owners and Occupiers of Land  
in the Shire of Koorda.

PURSUANT to the powers contained in section 33 of the above Act you are hereby required on or before 31 October 1985, to remove from the land owned or occupied by you all inflammable matter, material or to clear firebreaks in accordance with the following, and thereafter to maintain the land or the firebreaks clear of inflammable material up to an including 31 March 1986.

(1) In respect of the land owned or occupied by you within the townsite of Koorda, you shall remove all inflammable materials on the land from the whole of the land.

(2) In respect of the land owned or occupied by you other than within the townsite of Koorda which is used for growing crop or pasture, you shall clear of all inflammable material firebreaks of not less than 3.1 metres wide immediately inside the external boundaries of the land where the land or any part of the land adjoins a railway reserve, the firebreaks required to be cleared along your common boundary with the railway reserve, shall be at least 3.1 metres wide.

If the buildings are erected on the land, such buildings shall be immediately surrounded by a firebreak cleared of all inflammable material to a width of not less than 3.1 metres wide.

If it is considered to be impractical for any reason to clear firebreaks or to remove inflammable material from the land as required by this notice you may apply to the Council or its duly authorised officer, not later than 15 October 1985, for permission to provide firebreaks in alternative positions or take alternative action to abate fire hazards on the land.

If permission is not granted by the Council or its duly authorised officer, you shall comply with the requirements of this notice.

"Inflammable material" is defined for the purpose of this notice to include bush, timber, boxes, cartons, paper and like flammable materials, rubbish and also any combustible matter, but does not include green standing trees or growing bushes and plants in gardens and lawns.

The penalty for failing to comply with this notice is a fine of not less than \$10 nor more than \$200 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice, if it is not carried out by the owner or occupier, by the date required by this notice.

If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

By Order of the Council,

W. FELGATE,  
Shire Clerk.

#### BUSH FIRES ACT 1954.

Shire of West Arthur.

Notice to Owners and Occupiers of Land within the Shire of West Arthur.

PURSUANT to the powers contained in section 33 of the above Act you are hereby required, on or before 30 November 1985, to clear of all flammable material or to clear firebreaks in accordance with the following, and thereafter maintain and land or the firebreaks clear of all flammable material up to and including 1 April 1986.

1. Rural Land: Owners or Occupiers of Lands, other than within a townsite, shall clear of all flammable material, firebreaks at least two and a half (2 1/2) metres wide immediately inside all boundaries adjoining trafficable public roads.

2. Townsite land; Owners and Occupiers within a Townsite shall:

- (a) Clear of all flammable material the whole of the area where:
  - (i) The area of land is 2 023 square metres or less or:
  - (ii) The land is used for storage of flammable liquids or:
  - (iii) There is a hotel situated thereon.

- (b) If the area of land exceeds 2 023 square metres (half an acre) clear of all flammable material firebreaks at least two and a half (2½) metres wide immediately inside all external boundaries of the land.

3. Homesteads, buildings, haystacks, stacks of fodder, bulk fuel, drums and liquid petroleum: Owners and occupiers of land shall:

- (a) During the period from 30 November 1985, to 1 April 1986 inclusive, have firebreaks at least ten (10) metres wide, if provided by burning, cultivating or spraying or thirty (30) metres wide, if provided, by being closely grazed in such positions as are necessary to completely surround the perimeter of any homestead, building, fuel installation (including drums), haystacks or group of such structures or installations. Provided that wherever thirty (30) metre wide alternative is chosen, the outer two and a half (2½) metres of the thirty (30) metre area must be totally free of any flammable material.

4. Sawmills, rural and townsite areas: Occupiers of sawmills shall clear of all flammable material the whole of the land on which the sawmill is situated.

5. Harvesting: A fully operational mobile fire fighting powered unit complete with a container of at least 400 litres minimum capacity of water is to be located in any paddock

being harvested. The responsibility to supply the unit being that of the landholder.

If for any reason it is considered impracticable to comply with any provision of this notice, a written application for a variation may be made to the shire council and must reach the shire clerk by 14 November 1985. Any such application must bear the signature of the fire control officer of the area signifying his agreement to the variation.

If permission for variation is not granted the terms of this notice must be complied with, or as the Council directs.

Flammable material is defined for the purpose of this order to include bush (as defined in the Bush Fires Act), boxes, cartons, paper and like flammable materials, rubbish and also any combustible matter, but does not include green standing trees, or growing bushes or plants in gardens or lawns. The penalty for failing to comply with this notice is a fine of \$40 by infringement notice or not more than \$400.00 if prosecuted, and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

By order of the council,

G. S. WILKS,  
Shire Clerk.

#### BUSH FIRES ACT 1954.

Shire of Coolgardie.

Firebreak Order.

Notice to all Owners and/or Occupiers of Land in the Shire of Coolgardie.

PURSUANT to the powers contained in section 33 of the above Act, you are hereby required on or before 31 October 1985 to clear firebreaks and remove flammable materials from the land owned or occupied by you as specified hereunder and to have the specified land and firebreaks clear of all flammable materials from 31 October 1985 up to and including 30 April 1986.

(1) Land Outside Townsites:—

1.1 All buildings on land which is outside townsites shall be surrounded by two firebreaks not less than two metres wide cleared of all flammable material, the inner firebreak to be not more than 20 metres from the perimeter of the building or group of buildings and the outer firebreak not less than 200 metres from the inner firebreak.

1.2 To remove flammable material from the whole of the land between the firebreaks required in paragraph 1.1 above.

(2) Land in Townsites:—

2.1 Where the area of land is 2 000 square metres or less, all flammable material shall be removed from the whole of the land.

2.2 Where the area of the land exceeds 2 000 square metres, firebreaks at least three metres in width shall be cleared of all flammable material immediately inside and along the boundaries of the land. Where there are buildings on the land additional firebreaks three metres in width shall be cleared immediately surrounding each building.

If it is considered for any reason to be impractical to clear firebreaks or remove flammable material as required by this notice, you may apply to the Council or its duly authorised officer not later than 25 October 1985 for permission to provide firebreaks in alternative positions or take alternative action to remove or abate fire hazards. If permission is not granted by Council or its duly authorised officer, you shall comply with the requirements of this notice.

"Flammable Material" does not include green growing trees or green growing plants in gardens.

The penalty for failing to comply with this notice is a fine of \$400 and a person in default is also liable, whether prosecuted or not, to pay the cost of performing the work directed in this notice if it is not carried out by the owner or occupier by the date required by this notice.

The prohibited burning period for this Shire area is from 1 September 1985 to 30 April 1986 inclusive.

Dated this 1st day of October, 1985.

By Order of the Council,

B. G. WILLOUGHBY,  
Shire Clerk.

## BUSH FIRES ACT 1954.

Regulation 38A (1).

Shire of Beverley.

IT is hereby notified for public information that pursuant to the powers contained in Regulation 38A (1) of the above Act, it shall be illegal for a person to operate a grain harvesting machine in the Municipality of the Shire of Beverley during the Prohibited and Restricted Burning Times in any year unless he has first provided for and complied with the following specified conditions:

## Specified Conditions:

1. No person shall operate or suffer the operation of a grain harvesting machine or the cartage of grain on any land which is under crop, stubble or pasture on a Sunday, between the hours of 8.00 a.m. and 5.00 p.m.
2. During any period when harvesting operations are being conducted, there shall be provided in the same paddock or within ½ kilometre of that paddock, an operational firefighting unit having a water capacity of not less than 650 litres. The tank of the unit shall be kept full of water at all times during harvesting operations.

By Order of the Council

K. L. BYERS,  
Shire Clerk.

Dated this 19th day of September, 1985.

By Order,

J. F. W. WOODS,  
Chief Fire Control Officer.

Dated this 19th day of September, 1985

NOTE: This declaration supersedes that made under Regulation 38A (1) of the Bush Fires Act and published on page 3006 of the *Government Gazette* on 23 August 1985.

## BUSH FIRES ACT 1954.

Shire of Cranbrook.

Appointments—Fire Control and Fire Weather Officers.

IT is hereby notified for public information that the following persons have been appointed as Bushfire Control Officers for the Shire of Cranbrook.

J. Davis  
I. Walsh  
P. Phillips  
G. Logie  
N. Burges.

The appointments of the following persons are hereby cancelled.

R. A. Finlay  
R. McInnes  
S. Tohl  
A. Haslett  
T. Cunningham.

It is hereby notified for public information that Mr. A. Kelly has been appointed a Fire Weather Officer for the Shire of Cranbrook.

The appointment of R. A. Finlay is hereby cancelled.

B. R. GENONI,  
Shire Clerk.

## BUSH FIRES ACT 1954.

Shire of Cuballing.

Firebreaks Order 1985-86.

PURSUANT to the powers contained in section 33 of the Bush Fires Act 1954, owners or occupiers of property are hereby required on or before 31 October 1985 and thereafter up to 1 April 1986, to plough, scarify or otherwise provide and maintain firebreaks clear of all flammable material at least 3 metres wide as follows:

## Rural Land:

1. Immediately inside all external boundaries of the land held by each owner or occupier, and

2. To subdivide each holding into lots of not greater area than 121.75 hectares, and
3. To completely surround each building, haystack, fuel ramp or dump on such land.

Townsite Area: All lots within the Townsites of Cuballing, Popyanning and Yornaning are required to be totally cleared of all debris or inflammable material.

If it is considered impractical for any reason to provide the firebreaks required, or to otherwise comply with this order, the approval of the Council must be obtained before 30 October 1985 to provide them in an alternative situation.

Failure to comply with this requirement renders the owners or occupiers liable to a penalty not less than \$40 and not more than \$400.

By Order of the Council,

G. W. FOSTER,  
Shire Clerk.

## BUSH FIRES ACT 1954.

Shire of Harvey.

Important Information Relating to Your Responsibility as a Landholder in the Shire of Harvey.

WITH reference to section 33 of the Bush Fires Act 1954, you are required to carry out fire prevention work on land owned or occupied by you, in accordance with the provisions of this order.

This work must be carried out by 15 November 1985, and kept maintained throughout the summer months until the close of the Restricted Burning Period, 1986.

Persons who fail to comply with the requirements of the order may be issued with an infringement notice (penalty \$40) or prosecuted with an increased penalty, and additionally, Council may carry out the required work at cost to the owner or occupier.

If it is considered for any reason to be impractical to clear firebreaks or remove flammable materials as required by this notice, or where:

- (a) compliance with this order may aggravate soil erosion problems; or
- (b) the owner or occupier of land considers a more effective system of fire protection can be obtained; or
- (c) natural features render firebreaks unnecessary;

You may apply to the Council or its duly authorised officer, not later than 1 November 1985 for permission to provide firebreaks in alternative positions (strategic breaks) or to take alternative action to abate fire hazards on the land.

Approval of variations to this order must be endorsed by a Fire Control Officer.

If permission is not granted by the Council or its duly authorised officer, you shall comply with the requirements of this notice. If the requirements of this notice are carried out by burning, such burning must be in accordance with the relevant provisions of the Bush Fires Act.

## A. Rural Land:

Firebreaks not less than two metres wide must be provided in the following positions:

- (a) within 60 metres inside and along the boundaries of all land including that which is uncleared, so as to form a continuous break around the holding. (Note: firebreaks constructed on road verges do not constitute a legal firebreak);
- (b) where the area of land exceeds 120 ha (300 acres), additional firebreaks are required so as to divide the land into areas of not more than 120 ha (300 acres) which are completely surrounded by firebreaks;
- (c) not more than 100 metres and not less than 20 metres from the perimeter of all groups of buildings, haystacks and fuel installations provided on that land.

Note: Irrigation Areas—Owners or occupiers may be exempted from all or part of the requirements of the above if, in the opinion of the Fire Control Officer responsible for the area in which the land is located, there is no need to construct breaks on the irrigated land or non-irrigated land, not exceeding 20 hectares in area if surrounded by irrigated land.

## B. Special Rural Land:

The owners of all existing small rural holdings zoned as "Special Rural" under Town Planning Schemes, must maintain clear of all flammable materials, a firebreak not less than two metres wide immediately inside all external boundaries of the land.

C. Urban Land (Residential, Commercial and Industrial land within a townsite or any other area subdivided for residential purposes):

In respect of land owned or occupied by you within any townsite or any area subdivided for other purposes, you shall:

- (a) where the area of land is 2 024 m<sup>2</sup> (approx. ½ acre) or less, remove all flammable material on the land except living standing trees, from the whole of the land; and
- (b) where the area of land exceeds 2 024 m<sup>2</sup> (approx. ½ acre) provide firebreaks of at least two metres wide immediately inside all external boundaries of the land and also immediately surrounding all buildings situated on the land. Where several adjoining lots are held or used by the owner/occupier, the firebreaks may be provided inside and along the external boundaries of the group or lot.

Note: Myalup and Binningup—Firebreaks two metres wide inside and around all boundaries of land are accepted in lieu of item (a) of the above requirements.

## D. Fuel and/or Gas Depots:

In respect of land owned or occupied by you on which is situated any container normally used to contain liquid or gas fuel, including the land on which any ramp or supports are constructed, you shall maintain the land clear of all flammable materials.

## E. Pine Plantations:

Any pines planted for commercial purposes constitute a pine plantation and you are required to provide firebreaks:

- (a) not less than 10 metres wide around the perimeter of each plantation;
- (b) not less than six metres in width in such position that no part or compartment of the plantation exceeds 28 hectares in area.

Dated this 14th day of October, 1985.

By Order of the Council,

L. A. VICARY,  
Shire Clerk.

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. 341.

T.P.B. 853-2-16-18, Pt. 341.

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 24 September 1985 for the purpose of rezoning Lot 501, Canning Location 2, No. 25A Mills Street, Cannington, from "SR2" to "GR4 (Restricted)", and with City of Canning Group Housing Criteria (Appendix 4) to apply.

E. TACOMA,  
Mayor.  
N. I. DAWKINS,  
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 District Zoning Scheme  
No. 1—Amendment No. 189.

T.P.B. 853-2-23-5, Pt. 189.

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 amending the Scheme Text, in Appendix II, by the insertion of an Additional Use Zone as follows:—

Street	Particulars of Land	Additional Use Permitted
7. Wellard Street/Spearwood Avenue	Lot 34 being portion of Cockburn Sound Location 489 on Plan 12375 on Certificate of Title Volume 1499 Folio 395.	Petrol Filling Station

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 9 Coleville Crescent, Spearwood 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 29 November 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, PO Box 21, Hamilton Hill 6163 on or before 29 November 1985.

A. J. ARMAREGO,  
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 District Zoning Scheme  
No. 1—Amendment No. 190.

T.P.B. 853-2-23-5, Pt. 190.

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:

Street	Particulars of Land	Additional Use Permitted
5. Cnr. Moorhen and Swallow Drives, Yangebup.	Lot 205 of Jandakot A.A. Lot 299 on Diagram 63669, Certificate of Title Volume 1631, Folio 983	Service Station

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 9 Coleville Crescent, Spearwood 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 22 November 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 PO Box 21, Hamilton Hill 6163 on or before 22 November 1985.

A. J. ARMAREGO,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED).

Advertisement of Approved Town Planning Scheme.

Town of Armadale Town Planning Scheme No. 2.

T.P.B. 853-2-22-4, Vol. 3.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the Town of Armadale Town Planning Scheme No. 2 on 15 August 1985—the Scheme Text of which is published as a Schedule annexed hereto.

I. K. BLACKBURN,  
Mayor.

J. W. FLATOW,  
Town Clerk.

Schedule.

Town of Armadale.

Town Planning Scheme No. 2.

District Zoning Scheme.

THE Town of Armadale 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.

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- Appendix 3 Notice of Public Advertisement of Development Proposal.
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PART 1.—Preliminary.

1.1 This Town Planning Scheme may be cited as the Town of Armadale Town Planning Scheme No. 2 District Zoning Scheme hereinafter called "the Scheme" and shall come into operation on the publication of notice of the Minister's final approval thereof in the *Government Gazette*.

1.2 The Scheme shall apply to the whole of the land set out in the maps forming part of the Scheme.

1.3 The Scheme is complementary to, and is not a substitute for, the Metropolitan Region Scheme, and the provisions of the Metropolitan Region Scheme, as amended from time to time, shall continue to have effect.

1.4 The Town Planning Scheme for the Town of Armadale which was published in the *Government Gazette* on 5 April 1973 and subsequently from time to time amended, is hereby revoked in so far as it affects land within the borders of this Scheme.

1.5 The responsible authority for carrying out the Scheme is the Town of Armadale (hereinafter referred to as the Council) except that where land is shown in the Scheme Map as "Regional Reservation" the responsible authority shall be deemed to be the Metropolitan Region Planning Authority and the provisions of the Metropolitan Region Scheme shall apply to such reservations.

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

- PART 1—Preliminary.
- PART 2—Reserved Land.
- PART 3—Zones and Development.
- PART 4—Residential Development.
- PART 5—General Provisions.
- PART 6—Non-Conforming Uses of Land.
- PART 7—Administration.

The remaining documents of the Scheme are as follows:

- (1) Land Use Map.
- (2) Scheme Map.

1.7 Interpretation: In this Scheme, the terms used will have the respective interpretations set out hereunder:—

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

"Arts, Crafts and Handicrafts" means the use of land or a building for the purpose of making, displaying and sale of artifacts and shall also include the function of tuition in such skills.

"Board" means the Town Planning Board constituted under the Act.

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

- (a) residential purposes has the same meaning given to it in and for the purposes of the Residential Planning Codes; or
- (b) purposes other than residential purposes, means:

any structure or appurtenance thereto whether fixed or movable, temporary or permanent, placed or erected upon land, and the term shall include part of a building, but shall exclude a boundary fence or other structure less than 1.8 metres in height.

"Car Park" means land and buildings 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 building on or in which cars are displayed for sale.

"Car Wrecking" means the dismantling and storage of vehicles or machinery of any nature and includes scrap metal yards and may include the sale of machinery and spare parts derived therefrom as an incidental use.

- “Caravan Park” means an area set aside for the parking of caravans in conformity with the Caravan and Camp Regulations, 1961, made pursuant to the provisions of the Health Act 1911 (as amended), and the Local Government Model 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.
- “Child Minding Centre” means land and buildings used for the daily or occasional care of children in accordance with the Child Welfare (Care Centres) Regulations, 1968 (as amended) but does not include a family care centre as defined by those Regulations or an institutional home.
- “Club Premises” means land and buildings as used by a Club or Association or other body approved by the Council as a meeting place for formal or informal activity including entertainment within limitations approved by the Council and including consumption of liquor in accordance with the provisions of a restricted liquor licence, and includes any land appurtenant thereto used for recreation.
- “Civic Building” means a building designed, used 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 who in the Council’s opinion is qualified as or ordinarily associated with a medical practitioner in the investigation or treatment of physical or mental injuries or ailments.
- “Depot” means land or buildings used for the storage or transfer of goods or both, but does not include the sale of such goods unless Council, at its discretion, permits the sale of the goods.
- “Development” means 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.
- “Development Table” means the Development Table contained in Part 3 of the Scheme.
- “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.
- “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.
- “Extractive Industry” includes the extraction of sand, gravel, clay, turf, soil, rock, stone minerals or similar substance from the land and 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.
- “Floor Area” shall have the same meaning as is given to it in and for the purposes of the Uniform Building By-laws 1974 (as amended).
- “Frontage” shall have the same meaning as is given to it in and for the purposes of the Uniform Building By-laws 1974 (as amended).
- “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 the Scheme is published in the *Government Gazette*.
- “General Industry” means any industry other than a hazardous, light, rural, extractive or service industry.
- “Gross Floor Area” or the abbreviation “G.F.A.” means in relation to a building, the gross floor area of each storey measured over the enclosing walls, if any, and includes the portion of any party walls forming part of the building.
- “Gross Leasable Area” or the abbreviation “G.L.A.” means the measurement to be taken for all floors that could be occupied by a tenant for exclusive use, and is measured from the centre line of joint partitions or walls, and from outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas.
- “Hardware and Sawn Timber Showroom” means a building used predominantly for the display and sale of sawn timber and where it is ancillary to such use, the display and sale of tools, building equipment and home improvement fittings.
- “Hazardous Industry” means an industry which should be isolated from other land uses by reason of the possible danger to persons or property by the processes involved by the method of manufacture, or by the nature of the materials used, produced or stored.
- “Health Studio” means a building used, designed or equipped for physical fitness exercise, recreation or sporting activities and may as ancillary to such use include a hairdresser, beautician or uses of a similar nature.
- “Height” when used in relation to a building that is used for:—
- (a) residential purposes has the same meaning given to it in and for the purposes of the Residential Planning Codes; or
  - (b) purposes other than residential purposes has the same meaning given to it in and for the purposes of the Uniform Building By-laws 1974 (as amended).
- “Heritage Value” (place of) means those places, being components of the natural environment of Australia or the cultural environment of Australia, that have aesthetic, historic, scientific or special significance or other special value for future generations as well as the present community. This includes but is not limited to such things as a building, place, land, physical feature, tree or group of trees that should be retained in its present state or restored to its original state or a state acceptable to the Council. Also included are lakes and other inland waters, banks of rivers, hill slopes and summits and valleys.
- “Home Occupation” means a business carried on with the approval of the Council within a dwelling house or the curtilage of a dwelling 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 light, noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water or waste products in the opinion of the Council or the unsightly deposit of materials;
  - (b) does not entail the employment in the dwelling house of any person not a member of the occupier’s immediate family;
  - (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 a greater capacity than normally required in the zone in which it is located; and
  - (e) for which there is not more than one advertisement sign and that 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 buildings the subject of a hotel licence or limited hotel licence granted under the provisions of the Liquor Act 1970, or of any Act in the substitution for that Act, and includes a motel, the subject of such a licence.
- “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, work 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 in and connected with that process, the storage of goods, 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.
- “Kennel” means land and buildings used for the keeping or breeding of dogs or cats where such premises are registered or required to be registered.
- “Laboratory” means a building or part of a building used for experiment and testing of scientific data.
- “Land” includes air stratum titles, messuages, tenements and hereditaments and any estate in the land and houses, buildings, works and structures, in or upon the land.
- “Landscaped Area” shall have the same meaning as is given to it in and for the purposes of the Residential Planning Codes.
- “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 or 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.
- “Lot” has the meaning given to it in and for the purposes of the Act, and “allotment” has the same meaning.
- “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 or the accounting in connection with an industry.
- “Open Air Display” means the use of land as a site for the display, sale or hire of vehicles, bulky manufactured goods, materials 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 grant 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.
- “Plot Ratio” when used in relation to a building that is used for:—
- (a) residential purposes has the same meaning given to it and for the purposes of the Residential Planning Codes; or
  - (b) purposes other than residential purposes has the same meaning given to it in and for the purposes of the Uniform Building By-laws 1974 (as amended).
- “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.
- “Produce Feed Merchant Premises” means land or a building wherein fodders, fertilisers, grain and veterinary supplies only are displayed and offered for sale.
- “Public Amusement” means the use of a building as a theatre, a cinema, a dance hall, a skating rink, swimming pool or gymnasium, or for games, entertainments or exhibitions but does not include any of those uses carried on in the open unless the Council grants its special approval.
- “Public Assembly” (place of) means any special place of assembly including grounds for athletics, all sports grounds with spectator provision, racecourses, trotting tracks, stadia or show-grounds.
- “Public Authority” has the same meaning given to it in and for the purposes of the Act.
- “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.
- “Restaurant” means a building in which meals and refreshments are served to the public for gain or reward but does not include a takeaway food establishment unless approved by Council.
- “Retail Garden Centre” means land or buildings used for the purposes of propagating, growing and selling by retail plants and selling by retail domestic garden products and utilities, motorised garden implements, prefabricated garden buildings and bulk garden products.
- “Rural Industry” means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality and a workshop, servicing plant or equipment used for rural purposes in the locality and includes piggeries and battery poultry production.
- “Rural Use” means agriculture, horticulture, viticulture, orchards, grazing, forestry, the stabling, agistment or training of horses, free range poultry or game bird production but does not include—
- (a) piggeries;
  - (b) battery poultry production; or
  - (c) unless the Council, at its discretion, permits the sale by retail or offering for sale by retail on the land of fruit, vegetables, eggs or other produce grown or produced on the land.
- “Sandblasting, Scaling” means the use of land for the purpose of cleaning metal by the open dry silica sand blasting method and by the use of other dry and wet blasting methods carried out in the open.
- “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 and subject to Council approval, may include a shop or cafeteria incidental to the predominant use.
- “Setback” shall have the same meaning as is given to it in and for the purposes of the Residential Planning Codes.
- “Shop” means any building or portion of a building wherein goods are kept exposed or offered for sale by retail and includes a bank, a cafe and a restaurant and receiving depot; but does not include fuel depot, a market, service station, petrol filling station, milk depot, marine store, timber yard, pub-

lic amusement, 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 a building or portion of a building wherein predominantly bulky goods are displayed and may be offered for sale, excluding foodstuffs, liquor or beverages; items of clothing or apparel; magazines, newspapers, books or paper products; medicinal or pharmaceutical products; china, glassware or domestic hardware; or items of personal adornment.

“Stable” means a building in which horses, asses or mules are housed, kept and fed.

“Storey” when used in relation to building that is used for:—

- (a) residential purposes has the same meaning given to it in and for the purposes of the Residential Planning Codes; or
- (b) purposes other than residential purposes has the meaning given to it in and for the purposes of the Uniform Building By-laws 1974 (as amended).

“Takeaway Food Establishment” means premises in which food in a form ready to be eaten without further preparation is served to customers for consumption off the premises.

“Tavern” means land and buildings, the subject of a tavern licence granted under the provisions of the Liquor Act 1970 (as amended).

“Transport Depot” means land and buildings used for the parking or garaging of road motor vehicles (including taxis) which are used or intended to be used for the carriage of goods, or land or a building or buildings used for the transfer of goods or people from one such motor vehicle to another of such motor vehicles and includes the maintenance and repair of such vehicles.

“Uniform Building By-laws” means the Uniform Building By-laws 1974 published in the *Government Gazette* of 19 December 1974 (as amended) and if those by-laws are amended or revoked means the Uniform general by-laws made pursuant to section 433A of the Local Government Act 1960, for the time being in force.

“Veterinary Establishment” means land and buildings used for, or in connection with, the treatment of sick animals and pets but does not include the accommodation of animals and pets unless the Council grants special approval.

“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 or auction.

“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 for the use of land, but does not include land reserved.

## PART 2.—Reserved Land.

### Reservation of Land and Development Thereof.

2.1 (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, and the reservations of the Metropolitan Region Scheme are shown in the Scheme in order to comply with the provisions of the Metropolitan Region Town Planning Scheme Act.

(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 the planning consent of the Council.

(c) In giving its planning consent, the Council shall have regard to the ultimate purpose intended for the reserve and shall in the case of land reserved for the purposes of a public authority confer with that authority before giving its planning consent.

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

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

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

(c) In lieu of paying compensation, the Council may purchase the land injuriously affected, at a price not exceeding the value of the land at the time of refusal of planning consent or of the granting of planning consent subject to conditions that are unacceptable to the applicant.

## PART 3.—Zones and Development.

3.1 Zones: The Scheme area is divided into several types of zones set out hereunder:—

Zone	Sub-Category
1. Residential	
2. Rural A, B, C, D, E and X	Agricultural Protection, Kennels
3. General Rural	
4. Shopping	
5. Office	
6. General Industry	
7. Light Industry	
8. Showroom	
9. Special Use	

The Zones are delineated and coloured on the Scheme Map according to the legend appended thereto.

3.2 Areas and Codes: The Scheme area includes several types of Areas and Codes set out hereunder:—

Areas	Codes
1. Development Area	1. Residential Planning Density Codes
2.	2.
3.	3.

The Areas and Codes are delineated on the Scheme Map according to the legend appended thereto.

3.3 Development Table: The Tables following this clause indicate, subject to the provisions of the Scheme, the uses permitted in the various zones and the development standards that apply to various uses specified in the Table for each Zone.

The symbols used in the cross references in the Development Table have the following meanings—

P=a use that is permitted.

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 by the Council in accordance with Clause 7.2.



IP=a use that is not permitted unless such use is incidental to the predominant use of the land as determined by the Council.

X=a use that is not permitted.

n.a.=Not applicable.

Where in a Development Table a particular use is mentioned, it is deemed to be excluded from any other use class which by its more general terms would otherwise include the particular use unless it is otherwise provided in the Scheme.

3.4 Uses Not Listed: If a particular use or purpose is not mentioned in the list of use classes or is not included in the general terms of any of the use classes in the Development Table, that use or purpose is prohibited unless it is permitted by the subsequent provisions of the Scheme.

Upon application for planning consent to it the Council may:

- (a) determine that the use is not consistent with the objectives and purpose of the particular zone and its 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 7.2.

3.5 Compliance: Subject to the provisions of the Scheme, a person shall not use land or erect a building or structure for a use or purpose specified in the Development Table otherwise than in accordance with the relevant provisions of that Table and unless the buildings or structure complies with the requirements of the Table.

Nothing contained in the preceding clauses of this Part or in the Development Table limits the powers of the Council to impose conditions when granting planning consent to commence development and in particular, but without limiting the generality of the foregoing, the Council may impose conditions in respect of additional restrictions and requirements not specified in the Development Table.

3.6 Special Use Zone: A person shall not use any land or any building or structure thereon in the Special Use Zone otherwise than for the use specified in the Development Table or otherwise than in accordance with the requirements specified in the Development Table.

ZONE: Residential  
 POLICY STATEMENT: Zone intended primarily for residential living with single dwelling houses on separate lots. Where Council is satisfied that proper servicing and amenity is present, medium density grouped dwellings may be permitted in recognising the varied demands for residential accommodation in the community. Council also recognises that residential living should also include the opportunities for self employment or creative activity provided that those activities do not, in Council's opinion, prejudice the amenity of the residential environment.

Use Classes	Code	Development Standards						Other Requirements	
		Min. Lot Area	Min. Eff. Frontage	Minimum Boundary Setbacks			Min. Car Parking Spaces		Min. Landscaping
				Front	Rear	Sides			
Single House Attached House Grouped Dwelling R40 maximum Aged Persons Dwelling	P P AA AA	As per Residential Planning Density Code indicated on Scheme Map, or in Development Areas as per Code indicated on Outline Development Plan but the Council may permit Grouped Dwellings (not exceeding R40) or Aged Persons Dwellings (not exceeding R40) where it is satisfied that the amenity of the locality will not be prejudicially affected.						Grouped dwellings shall not be granted planning consent in the following circumstances:— Where Council is of the opinion that there is insufficient public open space in the locality to offset the increased demand for recreation space created by the development. Where applied for on a lot abutting a highway unless an alternative access to a local road is available.	
Car Park	IP	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	Nil	
Consulting Rooms	AA	800 m <sup>2</sup>	20 m <sup>2</sup>	7.5 m	7.5 m	3 m	5 per Consulting Room	Maximum of 2 Consulting Rooms Maximum G.F.A.—300 m <sup>2</sup>	
Child Minding Centre	SA	800 m <sup>2</sup>	20 m <sup>2</sup>	7.5 m	7.5 m	3 m	As required by Council	Maximum of 30 Children	
Home Occupation	AA	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	Nil	
Shop	SA	800 m <sup>2</sup>	20 m	As required by Council	7.5 m	3 m	8 per 100 m <sup>2</sup> G.L.A.	Maximum G.L.A.—150 m <sup>2</sup> Use not permitted on lot abutting highway or major regional road	
Civic Building	P	n.a.	n.a.	As required by Council	7.5 m	3 m	As determined by Council	Nil	
Cemetery	SA	n.a.	n.a.	n.a.	n.a.	n.a.	As determined by Council	Nil	
Educational Establishment	SA	8 000 m <sup>2</sup>	30 m	7.5 m	7.5 m	10 m	1.5 per Class Room	To provide off-street provision for collecting children and adequate on-site recreation space	
Public Recreation	P	n.a.	n.a.	n.a.	n.a.	n.a.	As determined by Council	Nil	
Public Utility	P	n.a.	n.a.	n.a.	n.a.	n.a.	As determined by Council	Nil	
Public Worship	SA	2 000 m <sup>2</sup>	n.a.	7.5 m	7.5 m	5 m	1 per 4 attendance capacity	Nil	
Club Premises	SA	800 m <sup>2</sup>	20 m	As required by Council	7.5 m	3 m	1 to each 35 m <sup>2</sup> of gross floor area or part thereof	Nil	

To be determined by Council as appropriate to the amenity of the locality. In all cases, parking areas shall be landscaped with shade trees.

ZONE: Rural—A, B, C, D, E, X and Sub-Categories as noted.

POLICY STATEMENT: Zone intended for fostering of semi-intensive rural use of land compatible with landscape conservation in conjunction with residential hobby farm uses. Where compatible, such uses promoting tourism, recreation and non-noisy entertainment may be permitted.

The Agricultural Protection sub-category is principally intended to foster horticulture and orchards and Council's discretionary powers under the Scheme shall be exercised to achieve this intent.

The Kennels, sub-category is primarily to accommodate dog breeding, training and associated canine activities.

It is intended as common to all Rural Zone categories that the rural landscape and amenity shall be retained, that natural bushland shall be conserved and that upon closer subdivision or upon new development a high standard of servicing and amenity will be implemented.

Use Classes	Code	Development Standards					Sub-Category Codes		
		Minimum Boundary Setbacks			Min. Car Parking Spaces	Min. Landscaping	Other Requirements	Agricultural Protection	Kennels
		Front	Rear	Sides					
Single House	P	15 m	15 m	15 m	2 per dwelling	Council may require the planting of native trees in order to revegetate and improve a barren or semi-barren rural landscape or in order to provide wind breaks or in order to provide foliage screens as a condition of development.	Sub-Category Setbacks shall be as per Residential Planning Code—R2.5	P	IP
Car Park	IP	n.a.	n.a.	n.a.	n.a.		Nil	IP	IP
Civic Building	P	15 m	15 m	15 m	As required by Council		Nil	P	P
Child Minding Centre	SA	15 m	15 m	15 m	1 per 5 children		Nil	AA	AA
Consulting Rooms	P	15 m	15 m	15 m	5 per Consulting Room		Maximum of 2 Consulting Rooms	P	P
Educational Establishment	SA	15 m	15 m	15 m	1.5 per Class Room		To provide off-street provision for collecting children and adequate on-site recreation space	X	X
Extractive Industry	SA	15 m	15 m	15 m	As required by Council		Nil	X	X
Fuel Depot	SA	15 m	15 m	15 m	n.a.		Nil	IP	X
Home Occupation	AA	n.a.	n.a.	n.a.	n.a.		Nil	AA	AA
Arts, Crafts & Handicrafts	AA	15 m	15 m	15 m	As required by Council		Nil	AA	AA
Hospital	SA	15 m	15 m	15 m	1 per 4 beds		Nil	X	X
Kennel	X	n.a.	n.a.	n.a.	n.a.		Nil	X	P
Milk Depot	SA	15 m	15 m	15 m	n.a.		Nil	SA	X
Private Recreation	SA	n.a.	n.a.	n.a.	1 per 4 attendance capacity		Nil	SA	SA
Public Amusement	SA	15 m	15 m	15 m	1 per 4 attendance capacity		Nil	SA	SA
Public Recreation	P	n.a.	n.a.	n.a.	As determined by Council		Nil	P	P
Public Utility	P	n.a.	n.a.	n.a.	n.a.		Nil	P	P
Public Worship	SA	15 m	15 m	15 m	1 per 4 attendance capacity		Nil	X	X
Produce Feed Merchant	SA	15 m	15 m	15 m	1 per 100 m <sup>2</sup> Gross Floor Area		Nil	SA	X
Club Premises	SA	15 m	15 m	15 m	1 for each 35 m <sup>2</sup> of Gross floor area or part thereof		Nil	SA	SA
Rural Industry	X	15 m	15 m	15 m	As required by Council		Nil	AA	X
Rural Use	AA	n.a.	n.a.	n.a.	n.a.		Nil	P	AA
Restaurant	SA	15 m	15 m	15 m	1 per 4 attendance capacity	Nil	SA	X	
Stables	AA	15 m	15 m	15 m	n.a.	Nil	AA	X	
Transport Depot	X	15 m	15 m	15 m	n.a.	Nil	AA	X	

ZONE: Rural—A, B, C, D, E, X and Sub-Categories as noted.—*continued*

Use Classes	Code	Development Standards					Sub-category Codes		
		Minimum Boundary Setbacks			Min. Car Parking Spaces	Min. Landscaping	Other requirements	Agricultural Protection	Kennels
		Front	Rear	Sides					
Veterinary Establishment	AA	15 m	15 m	15 m	5 per consulting Room	Council may require the planting of native trees in order to revegetate and improve a barren or semi-barren rural landscape or in order to provide wind breaks or in order to provide foliage screens as a condition of development.	Nil	AA	AA
Retail Garden Centre	SA	15 m	15 m	15 m	1 per 100 m <sup>2</sup> Gross Floor Area and open display areas		Nil	X	X

ZONE: Rural A, B, C, D, E, X and Sub-Categories as listed

RECOMMENDED MINIMUM SUBDIVISION STANDARDS:—

Category	Min. Lot Size ha	Ave. Lot Size ha	General Requirements
A	20	—	* See below Reticulated water supply required in Category "E"
B	10	—	
C	4	5	
D	2	3	
E	1	2	
X	No subdivision recommended	—	
Ag Protection Kennels	12 ha 4 000 m <sup>2</sup>	n.a.	Reticulated water supply required—urban standard roads

The preceding standards shall not be departed from unless the Town Planning Board, or the Minister or Town Planning Appeals Tribunal on appeal is satisfied that sufficient grounds exist to occasion such departure.

\*Subdivision will not be recommended unless the following matters have been considered and resolved to Council's satisfaction:—

- (i) The purpose and effect of subdivision on the locality and particularly the relationship of the subdivision to adjacent properties.
- (ii) The method of water supply to each lot and reasonable evidence as to its availability, quantity and potability.
- (iii) Proposed road construction standards both within and giving access to the subdivision. In particular it is not desirable or intended that Rural Zones be serviced by unsealed roads.
- (iv) Provision of foreshore reserves and public recreation areas.
- (v) Provision of fencing and tree conservation measures, and
- (vi) Any other appropriate matters.

ZONE: General Rural

POLICY STATEMENT: Zone intended for the conservation of natural resources, the maintenance of an open broad acre rural character, the fostering of rural uses and rural industries in circumstances where they do not constitute a nuisance. Apart from the subdivision which will, in Council's opinion, assist in achieving the objects of this zone, subdivision will not be recommended by Council.

DEVELOPMENT TABLE

Use Classes	Code	Development Standards					Other Requirements
		Minimum Boundary Setbacks			Minimum Car Parking Spaces	Minimum Landscaping	
		Front	Rear	Sides			
Single House	P	15 m	15 m	15 m	2 per dwelling	AS REQUIRED BY COUNCIL	Nil
Car Park	IP	n.a.	n.a.	n.a.	n.a.		Nil
Civic Building	P	15 m	15 m	15 m	As required by Council		Nil
Educational Establishment	AA	15 m	15 m	15 m	1.5 per Classroom		To provide off-street provision for collecting children and adequate on-site recreation space
Fuel Depot	AA	15 m	15 m	15 m	As required by Council		Nil
Home Occupation	AA	n.a.	n.a.	n.a.	Nil		Nil
Milk Depot	P	15 m	15 m	15 m	As required by Council		Nil
Retail Garden Centre	SA	15 m	15 m	15 m	1 per 100 m <sup>2</sup> Gross Floor Area and open display area		Nil
Rural Use	P	n.a.	n.a.	n.a.	Nil		Nil

ZONE: General Rural - *continued*Development Table - *continued*

Use Classes	Code	Development Standards					
		Minimum Boundary Setbacks			Minimum Car Parking Spaces	Minimum Landscaping	Other Requirements
		Front	Rear	Sides			
Rural Industry	AA	15 m	15 m	15 m	As required by Council	AS REQUIRED BY COUNCIL	Nil
Stables	P	15 m	15 m	15 m	Nil		Nil
Public Recreation	P	n.a.	n.a.	n.a.	Nil		Nil
Produce Feed Merchant	SA	15 m	15 m	15 m	1 per 100 m <sup>2</sup> Gross Floor Area.		Nil
Veterinary Est.	AA	15 m	15 m	15 m	5 per Consulting Room		Nil
Club Premises	SA	15 m	15 m	15 m	1 to each 35 m <sup>2</sup> of Gross Floor Area or part thereof		Nil
Extractive Industry	SA	15 m	15 m	15 m	As required by Council		Nil

ZONE: Shopping

POLICY STATEMENT: Zone intended primarily for retailing, with maximum consideration being given to the customer, relative to design and location of car parking, pedestrian movement systems, provision of comfort facilities and compactness of retailing outlets. Where in respect of a specific area Council has adopted a policy or statement as provided for in the Scheme, such policy is intended to guide Council's discretionary decision making and the nature of conditions imposed on development.

DEVELOPMENT TABLE

Use Classes	Code	Development Standards			
		Max. Plot Ratio	Minimum Car Parking Spaces	Minimum Landscaping	Other Requirements
Car Parking	AA	1.0		<p>In respect of external paved areas for pedestrian or car parking use, Council shall require provision and maintenance of native shade trees for both the purpose of creating shade and "softening" the harsh appearance of pavement. Council shall also require the provision of landscaping for the purpose of creating and protecting private areas, for screening service areas for defining precincts and for the general enhancement of development. Where specified by Council, existing trees shall be retained.</p> <p>Unless utilised by buildings or access crossovers, the perimeter of a site abutting a street shall be landscaped to a depth of 2 metres. Except for residential development the minimum landscaped area shall be not less than 10% of the site.</p>	<ol style="list-style-type: none"> <li>Council may require the granting of rights of carriageway in favour of adjacent properties in order to avoid undesirable access situations or undesirable traffic circulation.</li> <li>Unless otherwise provided by policy made pursuant to Clause 5.7.1, building height shall be limited to four storeys.</li> <li>All properties shall be provided with satisfactory service access.</li> <li>All public buildings shall be designed with consideration for access by disabled persons.</li> <li>Design of public and private pedestrian access shall include provision of weather shelter by way of verandahs or arcades.</li> <li>Access to public roads shall be sited to minimise traffic hazard. Council may require closure of an access provided an alternative is or can be available.</li> <li>Parking shall be provided for the disabled as required by Council.</li> <li>In the case of residential development, the Residential Planning Codes shall apply except as provided by the Development Table or as determined by Council.</li> <li>The maximum density of development for Multiple Dwellings shall be as per R100 Residential Planning Code and shall only be permitted as part of a commercial development.</li> </ol>
Child Minding Centre	P	n.a.	Nil		
Civic Building	P	1.0	As required by Council		
Consulting Rooms	AA	1.0	5 per Consulting Room		
Dry Cleaning	AA	1.0	As per Shop		
Single House	IP	n.a.	1		
Multiple Dwelling	AA	1.0 in total with predominant use	As per Residential Planning Code. Council may allow reduction of 50% of Code requirement where reciprocal use can be made of other car parking on site required for other purposes		
Health Studio	AA	1.0	As required by Council		
Hotel/Motel	SA	1.0	1 per 3 m <sup>2</sup> of bar and lounge space plus 1 per bedroom		
Tavern	SA	1.0	1 per 3 m <sup>2</sup> of bar and lounge space		
Office	AA	1.0	1 per 30 m <sup>2</sup> Gross Floor Area		
Public Amusement	AA	1.0	1 per 4 attendance capacity		
Public Recreation	P	n.a.	Nil		

ZONE: Shopping—continued

Development Table—continued

Use classes	Code	Development Standards			
		Max. Plot Ratio	Minimum Car Parking Spaces	Minimum Landscaping	Other requirements
Public Utility	P	n.a.	As required by Council	<p>In respect of external paved areas for pedestrian or car parking use, Council shall require provision and maintenance of native shade trees for both the purpose of creating shade and "softening" the harsh appearance of pavement. Council shall also require the provision of landscaping for the purpose of creating and protecting private areas, for screening service areas for zoning precincts and for the general enhancement of development. Where specified by Council, existing trees shall be retained. Unless utilised by buildings or access crossovers, the perimeter of a site abutting a street shall be landscaped to a depth of 2 metres. Except for residential development the minimum landscaped area shall be not less than 10% of the site.</p>	<ol style="list-style-type: none"> <li>Council may require the granting of rights of carriageway in favour of adjacent properties in order to avoid undesirable access situations or undesirable traffic circulation.</li> <li>Unless otherwise provided by policy made pursuant to Clause 5.7.1, building height shall be limited to four storeys.</li> <li>All properties shall be provided with satisfactory service access.</li> <li>All public buildings shall be designed with consideration for access by disabled persons.</li> <li>Design of public and private pedestrian access shall include provision of weather shelter by way of verandahs or arcades.</li> <li>Access to public roads shall be sited to minimise traffic hazard. Council may require closure of an access provided an alternative is or can be available.</li> <li>Parking shall be provided for the disabled as required by Council.</li> <li>In the case of residential development, the Residential Planning Codes shall apply except as provided by the Development Table or as determined by Council.</li> <li>The maximum density of development for Multiple Dwellings shall be as per R100 Residential Planning Code and shall only be permitted as part of a commercial development.</li> </ol>
Shop	P	1.0	8 spaces per 100 m <sup>2</sup> Gross Leasable Area. Council may reduce this requirement to 6 spaces per 100 m <sup>2</sup> G.L.A. in circumstances where the applicant can meet the objects of an adopted public parking station policy by transferring to Council the land and constructing parking improvements necessary in a location designated by Council.		
Showroom	AA	1.0 (min. tenancy floor space 400 m <sup>2</sup> )	1 space per 30 m <sup>2</sup> Gross Leasable Area		
Veterinary Est.	AA	1.0	5 per Consulting Room		
Club Premises	SA	n.a.	1 to each 35 m <sup>2</sup> of Gross Floor Area or part thereof.		

ZONE: Office

POLICY STATEMENT: Zone intended to accommodate offices as a predominant use with the principle intent of providing a pleasant environment for office workers in locations and developments affording convenient and safe access. It may be expected on occasions that office development will occur in a residential context thus design consideration should be given to compatibility with the residential scale and form prevailing.

DEVELOPMENT TABLE

Use Classes	Code	Development Standards						Other Requirements
		Max. Plot Ratio	Minimum Boundary Setbacks			Minimum Car Parking	Minimum Landscaping	
			Front	Rear	Sides			
Car Parking	P	n.a.	n.a.	n.a.	n.a.	n.a.	<p>To be determined by Council, as appropriate, to enhance the amenity of the locality. In all cases, parking areas shall be landscaped with shade trees.</p> <ol style="list-style-type: none"> <li>Where development abuts a residential use, the side setbacks shall, unless otherwise decided by Council conform to the Residential Planning Code requirements for the Residential Planning Code density of the abutting residential land.</li> <li>Unless otherwise provided by Policy made pursuant to Clause 5.7.1., building height shall be limited to three storeys.</li> <li>All properties shall be provided with satisfactory service access.</li> <li>All public buildings shall be designed with consideration for access by disabled persons.</li> </ol>	
Civic Building	P	1.0	9 m	3 m	Nil	As required by Council		
Child Minding Centre	P	n.a.	7.5 m	7.5 m	1 m	Nil		
Consulting Rooms	P	1.0	9 m	3 m	Nil	5 per Consulting Room		
Single House	P	n.a.	7.5 m	7.5 m	1 m	1		
Grouped Dwelling Multiple Dwelling	AA AA	As per Residential Planning Codes except for a mixed use development in which case the maximum plot ratio for a development incorporating Grouped Dwellings shall be 0.55 and the maximum plot ratio for a development incorporating Multiple Dwellings shall be 1.0. The Council shall determine the Minimum Boundary Setbacks and the Minimum Car Parking Requirement. The maximum density for Grouped Dwelling development shall be as per R60 Code and for Multiple Dwelling development shall be as per R100 Code.						
Funeral Parlour	P	1.0	9 m	3 m	Nil	1 per 30 m <sup>2</sup> Gross Floor Area plus adequate requirements for funeral vehicles.		
Health Studio	P	1.0	9 m	3 m	Nil	As required by Council		
Hospital	AA	1.0	9 m	3 m	3 m	1 per 4 beds		

ZONE: Office—continued

Development Table—continued

Use Classes	Code	Development Standards						Other Requirements
		Max. Plot Ratio	Minimum Boundary Setbacks			Minimum Car Parking	Minimum Landscaping	
			Front	Rear	Sides			
Hotel/Motel	SA	1.0	9 m	3 m	3 m	1 per 3 m <sup>2</sup> bar and lounge floor area plus 1 per bedroom	<p>To be determined by Council, as appropriate, to enhance the amenity of the locality. In all cases, parking areas shall be landscaped with shade trees.</p> <p>1. Where development abuts a residential use, the side setbacks shall, unless otherwise decided by Council, conform to the Residential Planning Code requirements for the Residential Planning code density of the abutting residential land.</p> <p>2. Unless otherwise provided by Policy made pursuant to Clause 5.7.1., building height shall be limited to three storeys.</p> <p>3. All properties shall be provided with satisfactory service access.</p> <p>4. All public buildings shall be designed with consideration for access by disabled persons.</p>	
Office	P	1.0	9 m	3 m	Nil	1 per 30 m <sup>2</sup> Gross Floor Area		
Public Amusement	AA	1.0	9 m	3 m	Nil	1 per 4 attendance capacity		
Public Worship	AA	1.0	9 m	3 m	Nil	1 per 4 attendance capacity		
Public Recreation	p	n.a.	n.a.	n.a.	n.a.			
Public Utility	P	n.a.	n.a.	n.a.	n.a.	As required by Council		
Shop	IP	1.0	9 m	3 m	Nil	8 spaces per 100 m <sup>2</sup> GLA		
Club Premises	SA	n.a.	9 m	3 m	Nil	1 to each 35 m <sup>2</sup> of Gross Floor Area or part thereof.		
Laboratory	AA	1.0	9 m	3 m	Nil	3 per 30 m <sup>2</sup> Gross Floor Area		

ZONE: General Industry

POLICY STATEMENT: Zone intended to accommodate industry that would not otherwise comply with the performance standards of Light Industry. It is anticipated that Light Industrial and other uses may be permitted on the assumption that the applicant and tenants of such uses will be aware of the effects from all other uses in the General Industrial Zone. Although the prime purpose of the zone is one of accommodating industrial processes, it is recognised that the zone will represent a major workplace and accordingly, due regard shall be paid to providing for the amenity of the workforce by ensuring high standards of factory design and appearance, landscaping and provision of facilities.

DEVELOPMENT TABLE

Use Classes	Code	Development Standards						Other Requirements
		Minimum Lot Area	Minimum Boundary Setbacks			Minimum Car Parking Spaces	Minimum Landscaping	
			Front	Rear	Sides			
Car Parking	P	2 000 m <sup>2</sup>	n.a.	n.a.	n.a.	n.a.	Nil	
Car Wrecking	AA	2 000 m <sup>2</sup>	9 m	3 m	3 m	As required by Council	Use not permitted on lots peripheral to the zone. Vehicle bodies not to be stacked more than two high. Wrecking and stacking area to be screened to Council satisfaction.	
Panel Beating	P	2 000 m <sup>2</sup>	9 m	3 m	3 m	As required by Council	Nil	
Spray Painting	P	2 000 m <sup>2</sup>	9 m	3 m	3 m	As required by Council	Nil	
Depot—Building Materials —Stockpiling —Transport —Fuel —Engineering —Machinery —Govt./Local Govt.	P	2 000 m <sup>2</sup>	9 m	3 m	3 m	As required by Council	Nil	
Dwelling House	IP	2 000 m <sup>2</sup>	7.5 m	7.5 m	1 m	1	Nil	
General Industry	P	2 000 m <sup>2</sup>	9 m	3 m	3 m	1 per 100 m <sup>2</sup> G.F.A. or in the case of factory units 4 per unit whichever is the greater	Nil	
Light Industry	P	2 000 m <sup>2</sup>	9 m	3 m	3 m			
Service Industry	P	2 000 m <sup>2</sup>	9 m	3 m	3 m			
Showroom	1P	2 000 m <sup>2</sup>	9 m	3 m	3 m	1 per 30 m <sup>2</sup> Gross Leasable Area	Nil	

Council may waive the side setback requirement, if in its opinion, the proposed development is of a high architectural standard, provides service access to the rear of the lot and complies with U.B.L.L. requirements.

To be determined by Council, as appropriate, to enhance the amenity of the locality. In all cases, parking areas shall be landscaped with shade trees. Unless utilised by access crossovers, the perimeter of a site abutting a street shall be landscaped to a depth of 2 metres.

ZONE: General Industry—continued

Development Table—continued

Use Classes	Code	Development Standards						
		Minimum Lot Area	Minimum Boundary Setbacks			Minimum Car Parking Spaces	Minimum Landscaping	Other Requirements
			Front	Rear	Sides			
Sand Blasting	SA	2 000 m <sup>2</sup>	9 m	3 m	3 m	As required by Council	To be determined by Council, as appropriate, to enhance the amenity of the locality. In all cases, parking areas shall be landscaped with shade trees. Unless utilised by access crossovers, the perimeter of a site abutting a street shall be landscaped to a depth of 2 metres.	Council may limit the period of approval and/or times of operation.
Shop	1P	2 000 m <sup>2</sup>	9 m	3 m	3 m	8 per 100 m <sup>2</sup> Gross Leasable Area		Nil
Office	1P	2 000 m <sup>2</sup>	9 m	3 m	3 m	1 per 30 m <sup>2</sup> Gross Floor Area		Nil
Public Recreation	P	n.a.	n.a.	n.a.	n.a.	Nil		Nil
Public Utility	P	n.a.	n.a.	n.a.	n.a.	As required by Council		Nil
Warehouse	P	2 000 m <sup>2</sup>	9 m	3 m	3 m	1 per 100 m <sup>2</sup> Gross Floor Area		Nil
Open Air Display	AA	2 000 m <sup>2</sup>	9 m	3 m	3 m	1 per 100 m <sup>2</sup> Gross Floor Area and Open Display Area		Nil
Laboratory	P	2 000 m <sup>2</sup>	9 m	3 m	3 m	1 per 30 m <sup>2</sup> Gross Floor Area		Nil

ZONE: Light Industry

POLICY STATEMENT: Zone intended to accommodate those industries which will not adversely affect the prevailing or intended amenity of the locality by way of appearance, generation of traffic and generation of noise, light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products. It is anticipated that this zone may but or occur in proximity to residential zones and accordingly, the external appearance of development visible particularly from such zones, shall as far as possible, be of a standard compatible with such residential zones, particularly with regard to construction and landscaping. The zone will represent a major workplace and, as in the General Industry Zone, due regard shall be paid to providing for the amenity of the workforce by ensuring high standards of factory design and appearance, landscaping and provision of facilities.

DEVELOPMENT TABLE

Use Classes	Code	Development Standards						
		Minimum Lot Area	Minimum Boundary Setbacks			Minimum Car Parking Spaces	Minimum Landscaping	Other Requirements
			Front	Rear	Sides			
Car Parking	P	1 500 m <sup>2</sup>	n.a.	n.a.	n.a.	n.a.	To be determined by Council, as appropriate, to enhance the amenity of the locality. In all cases, parking areas shall be landscaped with shade trees. Unless utilised by access crossovers, the perimeter of a site abutting a street shall be landscaped to a depth of 2 metres.	Nil
Dwelling House	1P	1 500 m <sup>2</sup>	7.5 m	7.5 m	1 m	1		Nil
Light Industry	P	1 500 m <sup>2</sup>	9.0 m	3.0 m	3.0 m	1 per 100 m <sup>2</sup> G.F.A. or in the case of factory units, 4 per unit, whichever is the greater		Nil
Service Industry	P	1 500 m <sup>2</sup>	9.0 m	3.0 m	3.0 m	1 per 30 m <sup>2</sup> Gross Leasable Area		Nil
Showroom	1P	1 500 m <sup>2</sup>	9.0 m	3.0 m	3.0 m	8 per 100 m <sup>2</sup> Gross Leasable Area		Nil
Shop	1P	1 500 m <sup>2</sup>	9.0 m	3.0 m	3.0 m	1 per 30 m <sup>2</sup> Gross Floor Area		Nil
Office	1P	1 500 m <sup>2</sup>	9.0 m	3.0 m	3.0 m	1 per 100 m <sup>2</sup> Gross Floor Area & Open Display Area		Nil
Open Air Display	AA	1 500 m <sup>2</sup>	9.0 m	3.0 m	3.0 m	Nil		Nil
Public Recreation	P	n.a.	n.a.	n.a.	n.a.	Nil	Nil	

ZONE: Light Industry—continued

Development Table—continued

Use Classes	Code	Development Standards						
		Minimum Lot Area	Minimum Boundary Setbacks			Minimum Car Parking Spaces	Minimum Landscaping	Other Requirements
			Front	Rear	Sides			
Public Utility	P	n.a.	n.a.	n.a.	n.a.	As required by Council	To be determined by Council, as appropriate, to enhance the amenity of the locality. In all cases, parking areas shall be landscaped with shade trees. Unless utilised by access crossovers, the perimeter of a site abutting a street shall be landscaped to a depth of 2 metres.	Nil
Warehouse	P	1500 m <sup>2</sup>	9.0 m	3.0 m	3.0 m	1 per 100 m <sup>2</sup> Gross Floor Area		Nil
Laboratory	P	1500 m <sup>2</sup>	9.0 m	3.0 m	3.0 m	1 per 30 m <sup>2</sup> Gross Floor Area		Nil
Veterinary est.	P	1500 m <sup>2</sup>	9.0 m	3.0 m	3.0 m	5 per Consulting Room		Nil

Council may waive the side setback requirement, if in its opinion, the proposed development is of a high architectural standard, provides direct access to the rear of the lot and complies with U.B.L. requirements.

ZONE: Showroom

POLICY STATEMENT: Zone intended to accommodate showrooms and complementary warehouse uses involving the storage, display and sale of bulky goods or goods in bulk. It is anticipated that this zone may occur in highway visible locations or fronting onto major roads and in this regard, Council shall required development to be of a high quality appearance and of such a traffic generation characteristics as to minimise interference with passing traffic. A showroom shall be combined with a warehouse component of no less than equal floor space.

DEVELOPMENT TABLE

Use Classes	Code	Development Standards						
		Minimum Lot Area	Minimum boundary Setbacks			Minimum Car parking Spaces	Minimum Landscaping	Other Requirements
			Front	Rear	Sides			
Car Parking	P	1 500 m <sup>2</sup>	n.a.	n.a.	n.a.	n.a.	To be determined by Council, as appropriate, to enhance the amenity of the locality. In all cases, parking areas shall be landscaped with shade trees. Unless utilised by access crossovers, the perimeter of a site abutting a street shall be landscaped to a depth of 2 metres.	<ol style="list-style-type: none"> <li>Council may require the granting of rights of carriageway in favour of adjacent properties in order to avoid undesirable access situations or undesirable traffic circulation.</li> <li>All properties shall be provided with satisfactory service access.</li> <li>Access to public roads shall minimise traffic hazard. Council may require closure of an access provided an alternative is or can be available.</li> <li>The minimum tenancy floor space for a showroom shall be 200 m<sup>2</sup></li> </ol>
Open Air Display	P	1 500 m <sup>2</sup>	9 m	3 m	nil	1 per 100 m <sup>2</sup> Gross Floor Area and open display area		
Dwelling House	IP	1 500 m <sup>2</sup>	7.5 m	7.5 m	1 m	1		
Funeral Parlour	P	1 500 m <sup>2</sup>	9 m	3 m	Nil	1 per 30 m <sup>2</sup> Gross floor area plus adequate requirements for funeral vehicles		
Laboratory	P	1 500 m <sup>2</sup>	9 m	3 m	Nil	1 per 30 m <sup>2</sup> Gross floor area		
Office	IP	1 500 m <sup>2</sup>	9 m	3 m	Nil	1 per 30 m <sup>2</sup> Gross floor area		
Hardware and Sawm Timber Showroom	AA	3 000 m <sup>2</sup>	9 m	3 m	Nil	4 per 100 m <sup>2</sup> Gross floor area		
Showroom	P	1 500 m <sup>2</sup>	9 m	3 m	Nil	1 per 30 m <sup>2</sup> Gross floor area		
Warehouse	IP	1 500 m <sup>2</sup>	9 m	3 m	Nil	1 per 100 m <sup>2</sup> Gross Floor Area		
Retail Garden Centre	P	1 500 m <sup>2</sup>	9 m	3 m	Nil	1 per 100 m <sup>2</sup> Gross floor area and open display area		
Public Recreation	P	n.a.	n.a.	n.a.	n.a.	Nil		
Public Utility	P	n.a.	n.a.	n.a.	n.a.	As required by Council		
Public Amusement	AA	1 500 m <sup>2</sup>	9 m	3 m	Nil	1 per 4 attendance capacity		



ZONE: Special Use

POLICY STATEMENT: In a Special Use Zone the land or buildings thereon may be used for the special use prescribed but subject to any requirements as listed in this table.

## DEVELOPMENT TABLE

Prescribed Special Use	Requirements	Particulars of Land
1. Heritage Value Paradise Farm Dwelling	1. No person shall demolish any building or structure or part thereof or carry out development without the planning consent of the Council. 2. The Council may give its planning consent to restoration notwithstanding that the work involved may not comply with the Uniform Building By-laws.	Portion Lot 23, Albany Highway, Bedforddale
2. Public Amusement Pioneer Village being 19th Century building exhibition and including ancillary to such, a Motel, an Hotel, Restaurants, Cafes, Shops of 19th Century character, making or selling goods or crafts incidental to the nature of the Village.	1. No access permitted to Residential Zone abutting southern boundaries.	Diagram 9324 located on the south east corner of the intersection of Albany Highway and South West Highway.
3. Public Amusement Elizabethan Village being 16th Century Building exhibition and including a tavern and restaurant.	Nil	Lot 22, Canns Road, Armadale
4. Health Studio, Residential Accommodation and Dining Facilities	Residential accommodation and dining facilities restricted to:— 1. Maximum of 30 self contained chalets in addition to the Manager's residence and; 2. Use only by patrons of the Health Studio	Lot 4, Convine Road, Roleystone
5. Public Amusement Geological exhibit	Nil	Lot 11, Harrison Road, Armadale
6. Public Amusement Squash Courts	Nil	Lot 51, Albany Highway, Kelmscott
7. Public Amusement Kelmscott Museum	Nil	Lot 23, cnr Page Road/Gilwell Avenue, Kelmscott
8. Public Amusement Squash Courts and ancillary leisure activities	Nil	Lot 34, Wygonda Road, Roleystone
9. Service Station	Nil	Lot 28, cnr Forrest Road and Townley Street, Armadale
10. Service Station	Nil	Lot 200, cnr Second Road and Keira Street, Kelmscott
11. Service Station	Nil	Lot 3, Albany Highway, Bedforddale
12. Service Station	Nil	Lot 50, cnr Ferguson Road and Canning Road, Karragullen
13. Service Station	Nil	Lot 3, Wygonda Road, Roleystone
14. Service Station	Nil	Lot 11, Brookton Highway, Karragullen
15. Service Station	Nil	Portion Lot 43, cnr Railway Avenue and Kilburn Way, Kelmscott
16. Service Station	Nil	Lot 60, cnr Hawkstone Road and Brookton Highway, Roleystone
17. Service Station	Nil	Lot Pt. 161, cnr Canning Road, Brookton Highway, Karragullen
18. Service Station	Nil	Lot 2, cnr Nicholson Road and Forrest Road, Forrestdale
19. Service Station	Nil	Portion Lot 15, cnr Ypres Road, Westfield Road, Kelmscott
20. Service Station	Nil	Portion Lot 12, cnr Girraween Street and Balanda Place, Armadale
21. Caravan Park	Nil	Lot 4 and Portion Lot 2, cnr Nicholson Road and Forrest Road, Armadale
22. Caravan Park	Nil	Lots 8, 9, 10, Lake Road, Kelmscott
23. Caravan Park	Nil	Lot 9, River Road, Kelmscott
24. Restaurant/Shop	Nil	Lot 2, Brookton Highway, Roleystone
25. Retail Garden Centre	No access to Wilcannia Way	Lots 200 and 201, Lowanna Way, Armadale

ZONE: Special Use—continued

Development Table—continued

Prescribed Special Use	Requirements	Particulars of Land
26. Retail Garden Centre	No access to Albany Highway	Lot 100, Albany Highway, Kelmscott
27. Retail Garden Centre	Nil	Pt. Lot 59, Peet Road, Roleystone
28. Retail Garden Centre and Office	Nil	Lot 45, cnr Soldiers Road and Brookton Highway, Roleystone
29. Hotel	Nil	Lots 1, 2, Pt. 1, Pt. 2 and Portion Pt. 3 Albany Highway, Kelmscott
30. Tavern	Nil	Lot 70, Brookton Highway, Karragullen
31. Hospital	Nil	Lot 501, Angelo Street, Armadale
32. Public Worship and Youth Camp	Nil	Lots 5, 50 and 51, cnr Brookton Highway and Croyden Road, Roleystone
33. Office, Shops, Showroom, Petrol Pumps and Service Bays	1. Gross Leasable Area used for retail purposes limited to 200 m <sup>2</sup> (shops) 2. Showroom restricted to display and sale of motor vehicle accessories and spare parts 3. Service bays to be limited to 5.	Lots 39, 40, South West Highway, Armadale
34. Office, Shops	1. Gross Leasable Area used for retail purposes limited to 300 m <sup>2</sup> (shops)	Lot 11, River Road, Kelmscott
35. Office, Dwelling & Rural	1. Gross Office Floor Area limited to 54 m <sup>2</sup> . 2. Balance of property subject to Rural Zone use and development controls.	Lot 1, cnr Anstey and Forrest Roads, Forrestdale
36. Shop	1. Gross Leasable Area used for retail purposes limited to 275 m <sup>2</sup> (shops) 2. Parking area to be fenced and gated.	Lot Pt. 356, cnr Lofties Street and Moore Street, Forrestdale
37. Country Club including facilities for games, entertainment and refreshments, restricted to club membership use.	Nil	Lot Pt. 34, Wygonda Road, Roleystone
38. Motor Vehicle Repair	1. Buildings and repair activities to be screened from public view by retention of trees and flora.	Portion Lot 1, cnr Springdale Road and Chevin Road, Roleystone
39. Stabling for Horses and Residential	1. No building or other structures shall be located within 100 m of the Canning River. All development requiring an effluent disposal system to drain into an impervious sump and either be pumped to leach drains situated above the 150 metre mark or to be pumped out at regular intervals by a Council approved effluent disposal contractor. 2. Access from Page Road only.	Lot 4, Stocker Road, Kelmscott
40. Wholesale Butchers Shop	1. Gross Floor Area limited to maximum 60 m <sup>2</sup>	Portion Lot 9, Nicholson Road, Forrestdale
41. Farm Equipment and Equestrian Supplies	Nil	Portion Lot 2, Nicholson Road, Forrestdale
42. Sanitary Landfill Site	Nil	Lots 1, 185, 186 and 1120 Hopkinson Road, Forrestdale
43. Office	1. Maximum plot ratio shall be 0.3	Lots 101 and 102, Turner Place, Kelmscott
44. Veterinary Establishment	1. No overnight animal accommodation	Lot 224, Ypres Road, cnr Westfield Road, Westfield
45. Veterinary Establishment	1. No overnight animal accommodation	Lot Pt. 5, Albany Highway, cnr Armitage Road, Kelmscott
46. Service Station	Nil	Ptn. Pt. Lot 120, Albany Highway, Kelmscott
47. Service Station	Nil	Portion Lot 53, Stone Street, Wungong

## PART 4—Residential Development.

## 4.1 Residential Planning Codes.

4.1.1 For the purpose of this Scheme "Residential Planning Codes" means the Residential Planning Codes set out in Appendix 2 to the statement of Planning Policy No. 1, together with any amendments thereto.

4.1.2 A copy of the Residential Planning Codes, as amended, shall be kept and made available for public inspection at the offices of the Council.

4.1.3 In the event of there being any inconsistency between the Residential Planning Codes identified by Clauses 4.1.1 and 4.1.2 the provisions in the document identified in Clause 4.1.1 shall prevail.

4.1.4 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.

4.1.5 Subject to the provisions of the Development Table in relation to Grouped Dwellings and Aged Persons Dwellings the Residential Planning Code Density applicable to land within the Scheme Area shall be determined by reference to the Residential Planning Code 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 such an area abuts on another area having a Residential Planning Code Density, as being contained within the centre lines of those borders.

#### 4.2 Residential Planning Codes—Variations and Exclusions.

4.2.1 Notwithstanding the minimum setbacks from boundaries in Table 1 of the Residential Planning Codes, in respect of R Codes R10 and R12.5, the minimum street and rear setbacks shall be 7.5 metres.

4.2.2 No subdivision shall be approved in unsewered areas unless the Town Planning Board determines that there are exceptional circumstances and the Town Planning Board and the Public Health Department are satisfied that:

- (a) Soil conditions allow for efficient on-site disposal of effluent on a long term basis;
- (b) no detriment to the environment will result;
- (c) underground water supplies will not be affected;
- (d) the granting of the subdivision will not prejudice the ability to provide services to adjoining areas;
- (e) lot sizes within such subdivisions are appropriate to requirements as determined by the Town Planning Board.

#### PART 5—General Provisions.

##### 5.1 Residential Zone.

5.1.1 Development Area: Where, on the Scheme Maps, in the context of the Residential Zone, the designation Development Area is indicated, the following provisions shall apply:—

- (a) It is the intention of the Council to ensure that development of land within the Development Area takes place only after comprehensive planning ensures the maximum possible benefits of urban design and servicing.
- (b) In this regard, the Council, before recommending subdivisional proposals for land within the zone will require the preparation of an Outline Development Plan for the whole of the Development Area or for any particular part or parts as is considered appropriate by Council with regard to the primary intent of the zone.
- (c) An Outline Development Plan shall be prepared for an area or areas determined by the Council under paragraph (b) above, by either the owner of the land involved, or by the Council.
- (d) The Outline Development Plan shall include
  - (i) the topography of the area;
  - (ii) the vegetation of the area;
  - (iii) the existing major road systems;
  - (iv) the location and width of proposed major roads and cycleway systems;
  - (v) the approximate location and quantity of shopping, civic and public facilities proposed;
  - (vi) the appropriate location of the recreation and open space areas proposed; open space, where appropriate, to be related to creeklines, native vegetation and other natural features;
  - (vii) the population, residential densities and detailed subdivision standards proposed, including the spacial location of appropriate "Residential Planning Code" densities;
  - (viii) the basic layout of a sewerage system;
  - (ix) the layout of comprehensive drainage, both land and stormwater;

(x) land holdings adjacent to and included in the area the subject of the application;

(xi) the development proposed, the method of carrying out the development and the projected times of completion of each stage of development;

(xii) such other information as shall be required by Council.

(e) When an Outline Development Plan has been prepared to the satisfaction of Council, the Council shall notify in writing each owner of land affected by the Plan of the existence of the Plan and invite each owner to make a submission to Council regarding any aspect of the Plan of interest to or affecting the owner.

(f) The Council shall specify a time within which submissions will be received, but the time shall not be less than 28 days from the date of the notification described in Paragraph (e) above.

(g) The Council shall consider any submissions made under Paragraphs (e) and (f) of this Clause and may amend the Outline Development Plan after consideration of such submissions.

(h) The Council shall subsequently forward the Outline Development Plan to the Town Planning Board, together with a precis of, and the Council's decision in relation to, each submission received in respect of the Plan, and request the Board to adopt the Plan submitted as the basis for approval of subdivision applications within the area covered by the Plan.

(i) Any departure from or alterations to the Outline Development Plan may, subject to the approval of the Board, be permitted if it is considered the proposed departure or alteration will not prejudice the progressive development of the area, the subject of the Plan.

(j) Fencing: In approving applications for commencement of development relative to subdivisional development, the Council may impose conditions requiring, at the cost of the developer, the continuous fencing of lots backing onto or abutting public reserves. The intent of this provision is to ensure the harmonious appearance of fencing visible from locations such as public open space and major roadways. Such fencing shall be constructed to the satisfaction of the Council.

5.1.2 Parking of Commercial Vehicles: A person shall not park a commercial vehicle in excess of 3 tonnes combined tare weight within the Residential Zone except for delivery or loading purposes normally associated with a residential use.

A person may park on a lot in the Residential Zone not more than one commercial vehicle in excess of 3 tonnes combined tare weight with the approval of the Council but if approval is granted, the following conditions apply:

- (a) that on-site provision for housing the vehicle in a garage or parking behind the front building setback line is made in a manner satisfactory to the Council;
- (b) that the vehicle and its load does not exceed 3 m in height;
- (c) that the amenity of the neighbourhood is not prejudicially affected by the emission of light, noise, vibration, smell, fumes, smoke or dust;
- (d) that if, in the opinion of the Council, a nuisance or annoyance to the owners or occupiers of land in the neighbourhood is caused, the Council may revoke or refuse to renew its approval;
- (e) that the approval is valid for 12 months only but may be renewed annually at the discretion of the Council;
- (f) any other conditions the Council thinks necessary or desirable.

## 5.2 Rural Zone.

5.2.1 Subdivision: It is intended that development of land within the Rural Zone should take place only after comprehensive planning has ensured that the locality will derive the maximum possible benefit from the design and layout of buildings and other works, and the provision of services. Having regard to that intention the Council before supporting or approving any proposal for subdivision of land within the Zone will require the preparation of a Subdivision Guide Plan for that land and such other related land as it specifies within the Zone.

A Subdivision Guide Plan shall be prepared for an area or areas determined by the Council, by either the owner of the land involved, or by Council.

In preparing the Subdivision Guide Plan, due regard shall be given to the minimum subdivision standards specified in the Development Table in relation to the Rural Zone.

The Subdivision Guide Plan shall include:—

- (a) the topography of the area;
- (b) the vegetation of the area;
- (c) the existing road system;
- (d) an analysis of the bushfire vulnerability of the land within the subdivision area including measures proposed to control bushfire. Such measure shall include but not necessarily be limited to the provision and allocation of strategic firebreaks and methods of fire management;
- (e) a statement on the purpose and effect of subdivision on the locality and particularly the relationship of the subdivision to adjacent properties;
- (f) the proposed lot configuration and development envelopes;
- (g) the method of water supply and reasonable evidence as to its availability, quantity and potability;
- (h) the location of recreation and open space areas proposed; open space, where appropriate, to be related to creeklines, nature vegetation and other natural features;
- (i) the location and width of proposed roads, cycleway and bridle path systems;
- (j) proposed road construction standards both within and giving access to the subdivision. In particular it is not desirable or intended that Rural Zones be serviced by unsealed roads;
- (k) provision of fencing and tree conservation measures; and
- (l) such other information as shall be required by Council.

Council may invite submissions from relevant authorities in respect of the Subdivision Guide Plan before determining whether to adopt the Plan as a basis for supporting subdivision and development of the land.

The Council shall consider any submissions made by the consulted authorities and may amend the Subdivision Guide Plan after consideration of such submissions. The Council shall subsequently forward the Subdivision Guide Plan to the Town Planning Board, together with a copy of, and the Council's decision in relation to, each submission received in respect of the Plan and request the Board to adopt the Plan submitted as the basis for approval of subdivision applications within the area covered by the Plan.

Any minor departures from or minor alterations to the Subdivision Guide Plan may, subject to the approval of the Board, be permitted if it is considered the proposed departure or alteration will not prejudice the progressive development of the area.

Notwithstanding the provisions of this Clause and subject to the agreement of the Town Planning Board, Council may waive the requirement to prepare a Subdivision Guide Plan, where in the opinion, such a plan is unnecessary.

5.2.2 Development: In addition to the remaining provisions of the Scheme, the following provisions apply to the development of land within the Rural Zone, but the following provisions prevail to the extent of any inconsistency with the remaining provisions of the Scheme:—

- (a) No dwelling shall be erected unless the lot is connected to water mains or the Council is satisfied that there is a satisfactory water supply consisting of a roof water tank of not less than 92 000 litres, a bore, well, spring soak or dam. In this paragraph, satisfactory water supply means water which has been bacteriologically and chemically analysed to establish that water is fit for human consumption.
- (b) No tree with a trunk circumference in excess of 0.6 metres measured at a height of one metre from the ground shall be removed without the prior written approval of the Council other than:
  - (i) a fruit tree used for commercial purposes;
  - (ii) any tree which it is necessary to remove for the purpose of the construction of a dwelling house, fence or accessway in respect of which a building licence has been issued by the Council;
  - (iii) any tree lying within the boundary of a development envelope, where designated;
  - (iv) for the purpose of a firebreak construction required by a regulation or by-law except that, in order to preserve the amenity of the area, Council may at its discretion vary the position of any required firebreak to avoid destruction of vegetation or due to the physical features of the subject land.

Council may approve an application for clearing for rural use, particularly horticulture or orchard use, where it can be shown to the satisfaction of Council that such clearing would not detrimentally affect the character or good management of the locality; although such approval may be subject to any conditions which Council may see fit, to maintain the character and good management of the locality.

- (c) The coverage of each individual lot by buildings shall not exceed 5% of the area of that lot unless otherwise consented to by Council in respect of development consistent with the intent of and within an Agricultural Protection sub-category, or otherwise in circumstances where a lot is below 1 ha in area.
- (d) Only one dwelling per lot shall be constructed within the Rural Zone, except that Council may approve a second dwelling where a lot exceeds 2 hectares in area and Council is satisfied that development of an additional house as proposed, complies with all the other provisions of Clause 5.2.2 and is consistent with the stated intent for development and land use within the Rural Zone. In considering an application for a second dwelling, Council shall have regard to the provisions of Clause 7.3 of the Scheme. Specific regard shall be had to avoid the appearance of excessive building bulk.
 

Prior to approving an application for a second dwelling, Council shall adopt a plan showing a development envelope on the lot subject to the application, in accordance with Clause 5.7.8.

Approval to a second dwelling on a Rural zoned lot in accordance with this clause shall not be grounds for obtaining separate titles of ownership of the two dwellings.

- (e) No sand pad for the purpose of constructing a dwelling house or outbuilding shall have a depth exceeding 1.5 m and where a sand pad exceeds 1 m in vertical height it shall be retained by a retaining wall or by rock batters and ground cover designed and certified to be adequate by a practising structural en-

gineer. In this paragraph, "practising structural engineer" has the meaning given to it in and for the purposes of the Uniform Building By-Laws.

5.2.3 Parking of Commercial Vehicles: The provision of Clause 5.1.2, other than paragraph (b) of that clause, apply to the Rural Zone as if the reference in that clause to the Residential Zone were a reference to the Rural Zone and the reference to residential use were to a use permitted in the Rural Zone, but nothing in Clause 5.1.2 as applied by this clause to the Rural Zone restricts the parking of a commercial vehicle used for the purpose of an approved Rural use or Rural industry.

#### 5.3 General Rural Zone.

5.3.1 Parking of Commercial Vehicles: The provisions of Clause 5.1.2 other than paragraph (b) of that Clause, apply to the General Rural Zone as if the reference in that Clause to the Residential Zone were a reference to the General Rural Zone and the reference to residential use were to a use permitted in the General Rural Zone, but nothing in Clause 5.1.2 as applied by this Clause to the General Rural Zone restricts the parking of a commercial vehicle used for the purpose of an approved Rural use or Rural industry.

#### 5.4 Shopping Zone.

5.4.1 Shopping Centre Developments: In considering an application for planning consent to a proposed shopping centre development, the Council shall have regard to and, without limiting the generality of Clause 7.4 may impose conditions in respect of any one or more of the following matters:—

- (a) that each building or part of a building comprised in the proposed development is compatible with the development as a whole and complementary to each other building or part of a building;
- (b) the need for high quality design and for the proposed development to be harmonious with existing and adjacent buildings;
- (c) the location, height, scale, colour and general design of buildings;
- (d) the consolidation and continuity of parking and vehicle movements;
- (e) the continuity and safety of proposed pedestrian movement systems and whether they are functional;
- (f) the rationalisation of access, particularly to avoid potential conflict on public streets;
- (g) the need for complementary landscaping.

#### 5.5 Industrial and Showroom Zones.

5.5.1 Factory Tenement Building and Factory Units: A person shall not construct, or use a factory tenement building unless the following requirements are complied with:—

- (a) the floor area is not less than 100 m<sup>2</sup>;
- (b) either its width or its length shall not be less than 6 m;
- (c) there shall be appurtenant to every second factory unit an open yard not smaller than the floor area of the factory unit, such yard to be used for storage and service purposes and to contain facilities for stormwater and effluent drainage;
- (d) each yard shall be screened from public roads by a closed fence or wall not less than 1.8 m high;
- (e) internal partitions within a factory tenement building shall not be altered or removed without the consent of the Council.

#### 5.5.2 Access for Loading and Unloading Vehicles.

- (a) a person shall not construct or use a building for a showroom, a warehouse or an industry unless there is provided a paved access way for vehicles from the street to the rear of and to any other part of the building where provision is made in the external walls of the building for the entry of or the loading or unloading of vehicles.
- (b) the access way shall be so constructed that all vehicles using it can enter from and return to a street in forward gear without reversing any part of the vehicle on a street.

- (c) except as hereinafter mentioned, the access way shall be not less than 6 m in width; if the size of the lot makes the provision of a 6 m wide access way impracticable or unreasonable, the Council may permit an access way of a narrower width but in no case less than 3 m in width.

5.5.3 Storage Yards: A person shall not in Showroom or Industrial Zones use land for open storage purposes unless it is screened from public view by a fence or wall to the satisfaction of the Council.

5.5.4 Combined Zoning on a Lot: Where on a lot which, under this Scheme, comprises both a Light Industrial Zone and a Residential Zone, the Light Industrial portion of the property shall not be used or an industrial use building constructed unless:

- (a) a dwelling house has been constructed on the Residential portion of the lot or is incorporated in development plans to be directly implemented in parallel with the industrial use;
- (b) the industrial use is limited to a maximum of two tenancies per lot;
- (c) the industrial use is limited to the development envelope if so indicated on the Scheme Map and all flora external to the envelope shall remain undisturbed;
- (d) the uses of the lot or construction of buildings comply with any condition imposed by Council governing general appearance, landscaping, tidiness, height, form, colour, traffic generation, access or hours of operation or any other matter affecting the amenity of the zone or zones in proximity.

#### 5.6 Special Use Zone.

5.6.1 Compensation—Special Use, Heritage Value: A person whose land or property is injuriously affected in terms of Section 11 of the Act arising from the refusal of planning consent or the imposition of conditions on such consent, may within six months from date of Council's determination claim compensation from the Council.

5.6.2 Arbitration: If the parties cannot agree upon the amount of compensation payable it shall be determined by arbitration in accordance with the Arbitration Act 1895.

#### 5.7 General Matters—All Zones.

5.7.1 Policies: In this clause unless the context requires otherwise—

"absolute majority" has the meaning given to it in and for the purposes of the Local Government Act 1960;

"policy" means a policy adopted by the Council in accordance with the provisions of this clause.

Policies adopted by the Council—

- (a) are advisory and are intended to guide the Council's discretionary decision making under the scheme;
- (b) are not binding on the Council; and
- (c) do not affect the obligation of the Council to consider the circumstances and merits of each particular case.

The Council may implement its policies by imposing conditions upon its approval to commence development or to a use.

The Council may make a policy pursuant to this Clause or amend a policy previously made by adding to or altering it or may revoke it and substitute another policy therefor if the following procedure is followed:—

- (a) a preliminary resolution is passed by an absolute majority of the Council;
- (b) the policy or the amendment is advertised in a newspaper circulating in the district;
- (c) a copy of the policy or the amendment is posted on the official notice board of the Council for a period of not less than 30 days;
- (d) after consideration of any submissions in respect thereof, the Council, by an absolute majority, adopts the policy or the amendment.

If there is any conflict between a policy adopted by the Council pursuant to this Clause and the provisions of the Scheme, the latter prevail.

5.7.2 Sewerage.

- (a) Residential development comprising the erection of any grouped, attached or multiple dwelling in any zone shall be connected to a reticulated sewerage system;
- (b) Where no such connection is available no residential development other than the erection of a single dwelling house, shall be approved unless the Public Health Authority in accordance with the Government Sewerage Policy recommends to the Council that there are exceptional circumstances which warrant a variation from this requirement.

5.7.3 Car Parking: Car parking requirements for each use are set out in the Development Table, and the dimensions of parking spaces, manoeuvring spaces and landscaping treatment thereon are set out in Appendix 4.

Unless otherwise approved by the Council, parking spaces and manoeuvring areas shall be paved, kerbed, drained, marked and landscaped with shade trees and shrubs to the satisfaction of the Council.

When considering an application for planning consent, the Council shall have regard to and impose, conditions in respect of the location of parking on the site, access thereto and the pedestrian and vehicle traffic circulation system proposed thereon.

5.7.4 Cash payment or transfer of land in lieu of Parking Spaces: The Council may, if it is in conformity with an adopted public parking station policy made pursuant to Clause 5.7.1 accept a cash payment or transfer of land or both, in lieu of the provision of car parking spaces but subject to the requirements of this Clause.

A cash-in-lieu payment shall be not less than the estimated cost to the Council of providing and constructing the parking spaces required by this Scheme, plus the value, as estimated by the Council, of that area of his land which would have been occupied by the parking spaces.

Payments made under this Clause shall be paid into a special fund to be used to provide public parking stations.

In the case of the Council accepting a transfer of land, Council shall only accept such land free of cost, in fee simple and in a location satisfactory to the Council. The area of land concerned shall not be less than the area which would have had to be provided by the developer for car parking purposes.

In the case of the Council accepting a transfer of land, unless the land area transferred exceeds the area to be provided by the developer for parking purposes by a sufficient margin to reflect the cost of constructing the parking, the Council shall require payment in cash of the cost of constructing the parking in addition to the transfer of land.

In the interest of accommodating growth and a flexible approach to expanding business or industrial areas, nothing in this Scheme shall prevent the Council from seeking rezoning classification and sale of the lands referred to, provided that the originally required car parking provision is relocated elsewhere.

5.7.5 Advertising: In relation to advertising signs, hoardings and billposting, the Council shall:—

- (a) in the case of buildings to be used for commercial purposes, encourage the inclusion of advertising signs in the comprehensive design of buildings, and
- (b) in all circumstances, prohibit the erection of signs which would have a detrimental effect on the architectural qualities of a development, the general harmony and beauty of the neighbouring area and the amenity of neighbouring residents.

5.7.6 Setbacks from Boundaries: The minimum boundary setback requirements for any use are set out in the Development Table.

Where a widening line in respect of any road has been prescribed by virtue of this Scheme or the

Metropolitan Region Scheme, the relevant minimum boundary setbacks shall apply from such widening line.

A person shall not construct or erect or commence to construct or erect a building on that portion of a lot situated at the intersection or junction of two streets that is within an 8.5 m truncation of the corner.

5.7.7 Grazing/Stocking of Land: Wherever, in the opinion of Council, land is being grazed or stocked to cause topsoil to be exposed and/or trees to be ring-barked to the general detriment of the character and good management of the area, the matter may be referred to the Department of Agriculture for investigation and recommendation. Having regard to the recommendations of the Department, Council may order the reduction of number of or removal of stock and/or the protection of trees by fencing or lattice binding. Failure to comply with such order shall constitute an offence under the Act.

5.7.8 Development Envelope: A development envelope is that portion of a lot depicted on the Scheme Map according to the legend thereon or on a plan endorsed with the approval of the Council as the portion on which, subject to the provisions of the Scheme, a building may be erected.

Where a development envelope is so depicted in respect of a lot a person shall not—

- (a) erect or commence to erect a building on any portion of the lot not comprised in the development envelope;
- (b) remove any trees or flora from any portion of the lot not comprised in the development envelope without the prior written approval of the Council.

This clause does not prejudice or limit the provisions of Clause 7.4 or the powers of the Council under that clause.

5.7.9 The Council may by notice served upon individual land owners or upon a subdivider of land require the preservation of a tree or group of trees and thereafter no landowner shall cut, remove or otherwise destroy any tree unless the Council rescinds the notice or order.

5.7.10 The Council shall require the developer or landowner to advise future landholders of the restrictions in relation to the clearing of land.

PART 6—Non-conforming uses of land.

6.1 If at the gazettal date, any land, building or structure is being lawfully used for a purpose or in a manner not permitted by the Scheme, or if permits lawfully required to authorise a development or use not permitted by the Scheme have been duly obtained and are current (hereinafter called "a non-conforming use"), the non-conforming use may continue subject to the following restrictions:

- (a) the non-conforming use shall not be extended beyond the boundaries of the lot or lots upon which it was carried on at the gazettal date;
- (b) if the buildings in which the non-conforming use is carried on are wholly within one lot only then such buildings shall not be extended beyond the limits of that lot;
- (c) if the building or buildings in which the non-conforming use is carried on are constructed on more than one lot, such non-conforming use shall be restricted to the land on which the building stands or the buildings stand and such land which is adjacent to the building or buildings and not being used for any other purpose authorised by the Scheme as is reasonably required for the purpose for which the building or buildings is or are being used;
- (d) a building shall not be altered or extended otherwise than in conformity with the relevant development standards contained in the Development Table and with the provisions of the Scheme.

6.2 If a non-conforming use or a use permitted by Council under Clause 6.3 shall after the gazettal date be discontinued for a period of six months or more no person shall thereafter use the land or any other building or structure on which the non-conforming use was carried on for any purpose not permitted by the Scheme.

6.3 The Council may, upon such conditions as it thinks fit, permit the change of a non-conforming use to another non-conforming use if in its opinion the latter use is less prejudicial to the amenity of the area and is in the opinion of the Council closer to the intended use of the zone.

6.4 The Council may for the purpose of discontinuing any particular non-conforming use acquire the land and buildings (if any) on or in which the use is or is permitted to be carried on or make agreements relating to the payment of compensation or moneys to persons willing to discontinue a non-conforming use.

6.5 If a non-conforming shall be changed to another use, all the requirements of the Scheme relating to the new use and to the buildings used in respect thereof shall be complied with by the owner and by the occupier of the land on which the use is carried on.

6.6 Any person carrying on a non-conforming use shall, when required by the Council, give to the Council in writing full information of the nature and extent of the non-conforming use.

#### PART 7—Administration.

7.1 Application for Planning Consent: Any persons who desire to develop land zoned or reserved under the Scheme for any purpose other than for the purpose of erecting a single house on land zoned Residential or Rural by the Scheme, shall make application to the Council for planning consent to the development before applying for a Building Licence. The application shall be in the form in Appendix 1. and such further particulars as the Council may consider necessary to enable the Council to determine the application.

#### 7.2 Application for an SA Listed Use.

7.2.1 The Council shall in the case of a use marked SA in the Zoning and Development Table and may in the case of a use marked AA in the Zoning and Development Table or in other cases in which application is made for its Planning Consent, resolve to give notice to ratepayers likely to be affected by the granting of the Planning Consent.

7.2.2 If the use is marked SA in the Zoning Table or in other cases if so resolved by the Council, the Council shall—

- (a) serve notice of the proposed development to 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 one calendar month of the service of such notice;
- (b) publish in a newspaper circulating in the Scheme Area and in the State of Western Australia, notice of the proposal setting out in an abbreviated form the information contained in the proposal and stating that submissions may be made to the Council within one calendar month from the publication of the said notice; and
- (c) require the applicant to erect a sign containing the information referred to in paragraph (b) hereof to be displayed in a conspicuous place on the land for a period of one calendar month from the date of the notice referred to in paragraph (b) hereof.

7.2.3 At a subsequent meeting of the Council held, if notices have been given, after the expiration of one calendar month from the publication of the said notice and after the expiration of one calendar month from the posting of the said notices to the owners whichever is the later, but within three months from the date upon which this resolution to give the notice was passed, the Council shall consider the application and any submissions made to the Council and decide whether to grant or refuse its planning consent or to grant such Planning Consent upon conditions.

7.2.4 The notice referred to in Clauses 7.2.1 and 7.2.2 shall be in the form contained in Appendix 3 with such modification as may be required by the Council.

#### 7.3 Matters to be considered by Council.

7.3.1 In determining an application for Planning Consent, the Council may consult with any authority which, in the circumstances it thinks appropriate.

7.3.2 In considering and making its decision on an application for Planning Consent under Clause 7.1 the Council shall take into consideration and may impose conditions relative to the following matters:—

- (a) the zone policy and provisions of the Scheme and of any other Town Planning Scheme affecting the land the subject of the application or affecting land in the vicinity;
- (b) the size, shape and character of the land to which the application relates and the view from the building and interruption of the views likely to be caused by the proposed building;
- (c) any plan, design, development, code or policy adopted by the Council for the development of the locality, zone or use;
- (d) the existing and likely future character and amenity of the neighbourhood, including (but without limiting the generality of the foregoing) the question of whether the proposed development is likely to cause injury to such character and amenity;
- (e) the availability and adequacy of public utilities;
- (f) the nature of roads giving access to the land;
- (g) the provision of car parking, access for the manoeuvring of vehicles and likely traffic hazards;
- (h) the presence of vegetation on the site, the desirability of retaining portion of that vegetation and provision of adequate landscaping;
- (i) the submissions received by the Council including representations made by any statutory authority;
- (j) the provision of proposed buildings and their effect on adjoining buildings or land;
- (k) the provision of accessways, facilities and conveniences for the disabled;
- (l) such other matters as the Council considers relevant.

7.3.3 For the purpose of ensuring observance of the Scheme in a reasonable time and manner, the Council may, in respect to conditions imposed relative to its Planning Consent, require the applicant to enter into agreement with the Council whereby the applicant covenants to carry out and observe the conditions imposed.

#### 7.4 Council Decisions.

7.4.1 The Council may grant Planning Consent with or without conditions or may refuse to grant its consent to the application. The decision shall be in the form of Appendix 2 and shall be conveyed to the applicant.

7.4.2 If the Council shall have granted its planning consent subject to conditions and any of the conditions shall not be fulfilled or complied with, the Council may revoke its consent.

7.4.3 The Council may limit the time for which its Planning Consent remains valid.

7.4.4 The Council shall notify each person by whom a submission has been made following the publication of a notice under Clause 7.2.2 of the decision of the Council and shall state the conditions (if any) imposed by the Council in granting its Planning Consent or the grounds upon which consent was refused as the case may be.

7.4.5 An application for Planning Consent shall be deemed to have been refused—

- (a) where Council, after receipt by it of an application for Planning Consent, has not within sixty days either conveyed its decision to the applicant or given notice of the application in accordance with Clause 7.2;
- (b) notwithstanding that an application for Planning Consent may be deemed to have been refused under Clause (a) above, the Council may issue a decision in respect of the application at any time after the expiry of the sixty days.

7.5 Powers of Council.

7.5.1 The Council in the conduct and management of the Scheme shall in addition to all other powers vested in it have the following powers:—

- (i) By its officers and employees to enter and inspect any land or building within the Scheme Area at all reasonable times for the purpose of ascertaining whether the provisions of the Scheme are being observed;
(ii) To enter into agreements and arrangements with any of the owners of land within the Scheme Area and;
(iii) To acquire land or buildings within the Scheme Area.

7.5.2 One calendar month's written notice is hereby prescribed as the notice to be given pursuant to section 10 of the Act. Any expenses incurred by Council under the said section may be recovered from the person in default as a simple contract debt in such Court of Civil Jurisdiction as is competent to deal with the amount of the claim.

7.5.3 The Council may at any time exercise the powers conferred by sections 10 and 13 of the Act.

7.6 Relaxation of Standards: If a development other than a residential development in the Residential Zone, the subject of an application for planning consent does not comply with a standard or requirement prescribed by the Scheme applicable thereto the Council may if it is satisfied that:—

- (a) If approval were granted, the development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality; and
(b) the non-compliance will not have an adverse effect upon the occupiers or users of the development or the property in or the inhabitants of the locality or the likely future development of the locality;

by an absolute majority grant planning consent to the development subject to any conditions the Council thinks fit notwithstanding the non-compliance with the Scheme.

Prior to granting planning consent the Council may advertise its intentions to consider doing so in accordance with Clause 7.2.2.

7.7 Offences and Penalties.

7.7.1 No person shall erect, alter or add to or commence to erect, alter or add to a building or use or change the use of any land, building or part of a building contrary to or otherwise than in accordance with the provisions of the Scheme.

7.7.2 If pursuant to the provisions of the Scheme, planning consent to commence development has been granted by the Council upon conditions no person shall commit a breach of any of those conditions.

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

7.8 Claims for Compensation and Betterment.

7.8.1 Except where otherwise provided in the Scheme, the time limited for the making of claims for compensation pursuant to section 11 of the Act is six months after the date when notice of the approval of the Scheme is published in manner described by the regulations made under the Act.

7.8.2 Claims made by the Council pursuant to section 11 (2) of the Act shall be made within eighteen months of the completion of the work or the section of the work by reasons of which the land in respect of which the claim is made, is increased in value.

7.9 Appeals: An applicant aggrieved by a decision of the Council in respect of the exercise of a discretionary power by the Council under the Scheme may appeal under and in accordance with the provisions of Part V of the Act.

APPENDIX "1"

Office use only

This copy to be forwarded to

M.R.P.A. by Council

Serial No.....

METROPOLITAN REGION SCHEME

Form 1

City/Town/Shire of TOWN OF ARMADALE TOWN PLANNING SCHEME No. 2 DISTRICT ZONING SCHEME

APPLICATION FOR APPROVAL TO COMMENCE DEVELOPMENT

Owner of land on which development proposed. { Surname..... Other Names ..... Address in full .....

Submitted by .....

Address for Correspondence .....

Locality of Development (street, suburb, etc.).....

Titles Office description of land: Lot No.....

Location No.....

Plan or Diagram ..... Certificate of Title Vol. ....

Folio.....

Nearest road junction or intersection .....

Description of proposed development .....

Approximate cost of proposed development .....

Estimated time of completion .....

Three copies of the Building Plan and Site Plan of the proposal are submitted with this application.

Signed by the owner of the land .....

Date.....

RECOMMENDATION OF COUNCIL

.....

NOTE: Submit original and duplicate together with copies of the plans requested to the office of the Local Authority in whose area the development is proposed.

APPENDIX "2"

OFFICE USE ONLY

Serial No.....

METROPOLITAN REGION SCHEME

Form 2

City/Town/Shire of TOWN OF ARMADALE TOWN PLANNING SCHEME No. 2—district zoning scheme.

APPROVAL TO COMMENCE REFUSAL OF APPROVAL DEVELOPMENT

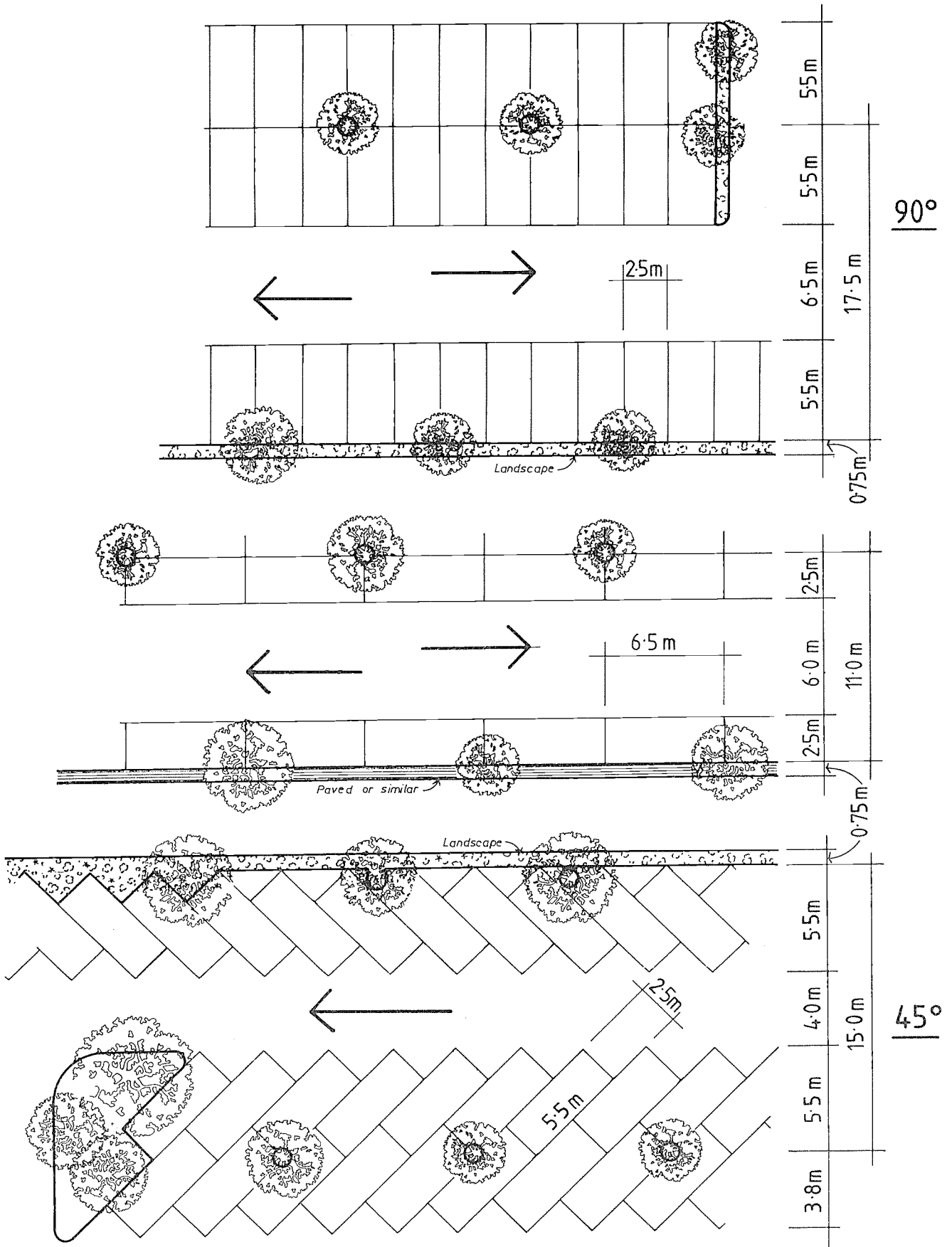
Name of Owner of Land on which Development Proposed SURNAME ..... CHRISTIAN NAMES.....

Address.....



# CARPARKING LAYOUTS

Scale 1:2500



Approval to commence development in accordance with the Application dated .....and the attached Plans is granted subject to the following conditions:—

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

This approval is valid for a period of .....only. If development is not completed within this period a fresh approval must be obtained before commencing or continuing with development.

Signed .....  
Secretary, the Metropolitan Region Planning Authority or Town Clerk/Shire Clerk.

APPENDIX "3"  
TOWN OF ARMADALE.  
TOWN PLANNING SCHEME No. 2.  
DISTRICT ZONING SCHEME.  
NOTICE OF PUBLIC ADVERTISEMENT OF DEVELOPMENT PROPOSAL

IT IS HEREBY NOTIFIED for public information and comment that the Council has received an application to develop land for the purpose described hereunder.

Land Description  
Lot No..... House No..... Street.....  
Proposal.....

Details of the proposal are available for inspection at the Council Office. Comments on the proposal may be submitted to the Council in writing on or before the day of 19 .....

TOWN CLERK DATE

Adopted by Resolution of the Council of the Town of Armadale at the Ordinary meeting of the Council held on 1 August 1983.

I. K. BLACKBURN, Mayor.  
J. W. FLATOW, Town Clerk.

Adopted for final approval by resolution of the Council of the Town of Armadale at the Ordinary meeting of the Council held on 21 May 1984 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of—

[L.S.]  
I. K. BLACKBURN, Mayor.  
J. W. FLATOW, Town Clerk.

Recommended/Submitted for final approval—

M. A. FEILMAN,  
Chairman of the Town Planning Board.

Dated 13/8/85.

Final approval granted—

R. J. PEARCE,  
Minister for Town Planning.

Dated 15/8/85.

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme. Shire of Broome Town Planning Scheme No. 3.

T.P.B. 853-7-2-2.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the Shire of Broome Town Planning Scheme No. 3, on 15 September, 1985—the Scheme Text of which is published as a Schedule annexed hereto.

K. S. MALE, President.  
D. L. HAYNES, Shire Clerk.

Schedule.  
Shire of Broome.  
Town Planning Scheme No. 3.  
Table of Contents.

- 1.0 Introduction.
- 2.0 The Existing Environment.
  - 2.1 Physical Characteristics.
  - 2.2 Small Rural Holdings.
  - 2.3 The Coastal Environment.

- Description of Planning Scheme.
  - 3.1 Scheme Objectives.
  - 3.2 Zones.
    - 3.2.1 Special Rural Zones.
    - 3.2.2 Coastal Policy Areas.

List of Figures.

Figure 1: Locality Plan—Scheme Area.

1.0 Introduction: The overall purposes of Town Planning Scheme No. 3 is to enable Council to direct and control land use activities in areas outside the Scheme Area of Town Planning Scheme No. 2—Broome Townsite.

More specifically the scheme will define a framework within which Council can:

- (a) Control uses and development of small rural holdings;
- (b) Control where necessary inappropriate uses in the remaining rural areas;
- (c) Develop a management strategy for the protection of the coastline.

The Scheme Area covers land outside the Broome townsite extending northwards to include Willie Creek, eastward to the coastline and westward to include Crab Creek. (See Figure 1.)

A majority of land within the Scheme Area is Crown Land under lease agreement for the purpose of pastoral activities in addition to reserves for water supply, gravel supplies and aboriginal use.

2.0 The Existing Environment.

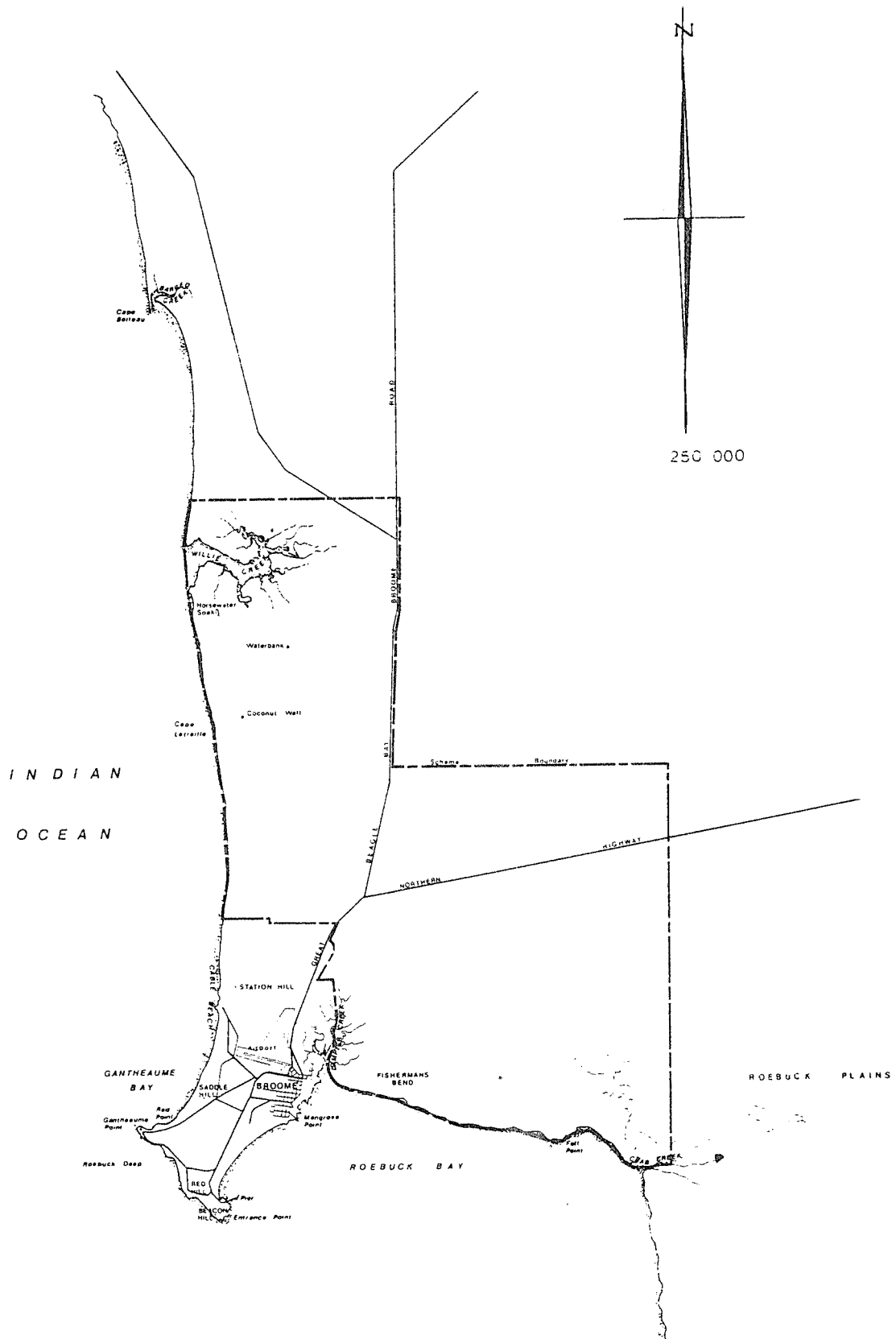
2.1 Physical Characteristics: A brief examination of the physical features of the Scheme Area will be made prior to a more detailed consideration of existing development.

Land within the Scheme Area is relatively low lying and of little topographical relief.

The predominant vegetation type is "Pindan woodland" which extends over much of the sand plain country. The Pindan is characterized by a sparse upper layer of trees and a middle layer of acacia thicket on red sands.

At Willie Creek and Crab Creek, within the rise and fall of normal tides, there are mangrove vegetation communities. The mangroves typically consist of a single dense tree or shrub layer, growing in bare mud.

Small areas of salt water grasslands adjacent to the coast also prevail.



LOCALITY PLAN

Fig. 1

2.2 Small Rural Holdings: Demand exists within the Scheme Area for small rural holdings. To date, demand has been satisfied by two small holding subdivisions at Coconut Wells and the Broome Agricultural Area, both of which fall within the Scheme Area. In both areas a degree of intensive agricultural activity is carried out.

#### 1. Broome Agricultural Area.

The Broome Agricultural Area is situated 15km from Broome on the Great Northern Highway. A large proportion of the existing subdivision has been cleared with a range of horticultural uses being carried out. The supply of water in the area is considered adequate to allow the continuation of the existing types of activities.

#### 2. Coconut Wells Subdivision.

Coconut Wells subdivision is located at Cape Latrielle approximately 15.5 km from the Broome Townsite. Residences have been established on many of the lots, with some form of horticultural development taking place on others. The subdivision comprises of some 19 lots ranging from 4 to 40 hectares.

Pressure for the further subdivision within the locality does exist, however due to the absence of a proven water supply, the Town Planning Board is at present not prepared to approve the further breakdown of lots.

A Hydrogeology Report prepared by Geological Survey of W.A., concluded that there is some groundwater throughflow to the Coconut Wells area, but the exact amount is undetermined. Similarly the position of the saltwater interface is unknown. Given the uncertainty of the availability of a reliable water supply in the locality, the report recommended that no further bores be drilled within the Coconut Wells Subdivision and that all existing bores and wells be placed under firm restrictions. Such action will prolong the life of the subdivision's existing water supply by carefully proportioning the available water resources between licensed bores.

The report further recommend that no further subdivision be approved by the Town Planning Board, until all water supply problems have been clarified. The Town Planning Board has supported this recommendation.

In the interim period, a drilling programme is to be undertaken in the locality to enable a more precise evaluation of the water table to occur.

1. Laws, A. T. *Hydrogeology Report 2638. Groundwater Conditions in Broome—Cable Beach—Coconut Wells Area.* Geological Survey of W.A. Perth 1985.

2.3 The Coastal Environment: The coastal environment within the Scheme Area includes Willie Creek and Crab Creek both of which represent tidal inlets surrounded by mangrove swamps. Land use activity at Willie Creek is restricted to small areas of land being leased for the purpose of a land base support for a small pearling operation. The operation is also randomly used as a natural recreation facility for swimming, fishing and other passive recreation pursuits. In addition, a reserve has been set aside for the purpose of gravel excavation vested in the Commissioner for Main Roads and the Shire of Broome.

The coastline south of Willie Creek is not easily accessible apart from that area of coast adjacent to the Coconut Wells subdivision.

Land use activities along the coastline between the Broome townsite and Crab Creek include two reserves:

1. A Reserve for Gravel Supplies—The Shire obtains Pindan sand from areas immediately adjacent to the coastline. This is causing some concern to the Department of Conservation and Environment given that the coastline immediately adjacent to the gravel pits has become discoloured as a result of erosion.
2. A Reserve for the Use and Benefit of Aborigines—the definition of areas of importance to aborigines is non specific apart from this reserve being set aside for aboriginal purposes adjacent to the coastline. It is often the case the aboriginal sites will be found as areas of preferred development. The former aboriginal occupiers most likely considered the same selective environmental factors we would consider in choosing areas in which to develop. It is therefore essential that consideration be given to the likelihood of a development prejudicing the range of economic, educational and recreation interest of aboriginal communities.

Temporary "shack" type shelters are another land use which are becoming prevalent along the coastline to Crab Creek. These shelters have a habit of becoming permanent substantial residences and this is of considerable concern to Council.

In general terms the coastal environment within the Scheme Area requires careful and constant management, particularly as development pressure emerges in relation to natural recreation facilities. The implementation of a reasonably strict conservation policy to control land use activities is essential if the very characteristics which attract people are to be suitably preserved and remain attractive. Almost certainly the most important area at issue here is the coastline and the protection of its environmental fragility.

#### 3.0 Description of Town Planning Scheme.

##### 3.1 Scheme Objectives: The Scheme has been prepared to:

- (i) provide for the development of small holdings in designated Special Rural zones to be controlled by the provisions of the Scheme;
- (ii) recognise the importance of maintaining the rural nature of agricultural and grazing land under pastoral lease, and to zone accordingly;
- (iii) provide Council with the mechanism to determine coastal policy areas within which a coastal management strategy can be defined to guide development decisions, having due regard to protecting areas of environmental and ecological fragility.

3.2 Zones: Given the Scheme objectives, the Scheme will provide for two types of zones and a series of policy areas. The rationale for each zone will be discussed below.

##### 3.2.1 Special Rural Zones: The Scheme defines two Special Rural Zones.

###### (i) Special Rural Zone A—Coconut Wells.

The zone was established to control land use activities at Coconut Wells. No further subdivision is permitted within this locality given the difficulty in ensuring the continuation of an adequate supply of water.

###### (ii) Special Rural Zone B—Broome Agricultural Area.

The zone covers the full extent of an approved Lands and Surveys Department subdivision as outlined by the Subdivision Plan forming part of the Scheme. Lot sizes range from 2 ha to 33 ha with an average lot size of 6 ha. All applications for subdivision must be in accord with the Plan of Subdivision adopted by Council and forming part of the Scheme.

3.2.2 Coastal Policy Areas: The development of Coastal Policies is in line with Council's objective to ensure that development and land management is consistent with and sensitive to the protection of the natural coastal environment.

The Scheme proposes to set up procedures for Council to make policies with regard to Coastal Management. The policies, specifically relating to defined management areas, will function as a framework to guide Council's decisions in close liaison with affected bodies such as the Coastal Management and Co-ordinating Committee, Department of Aboriginal Affairs and Registrar of Aboriginal Sites.

The coastal management areas have been identified on the Policy Map which accompanies the Scheme Map. Because of the particular character of each area, a specific approach must be taken in the evaluation procedure:

- identifying the particular environmental characteristics and problems of each area.
- defining the likely development potential for each area.

Shire of Broome.

Town Planning Scheme No. 3.

Scheme Text.

THE Broome 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 for the purpose of—

- (a) setting aside land for future public use as reserves;
- (b) controlling land development;
- (c) other matters authorised by the enabling Act.

## PART I—Preliminary.

1.1 Citation: This Town Planning Scheme may be cited as the Shire of Broome Town Planning Scheme No. 3 hereinafter called "the Scheme" and shall come into operation on the publication of notice of the Scheme in the *Government Gazette*.

1.2 Scheme Area: The Scheme shall apply to the whole of the land set out in the maps forming part of the Scheme.

1.3 Responsible Authority: The responsible authority for carrying out the Scheme is the Council of the Shire of Broome hereinafter referred to as the Council.

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

- PART I—Preliminary.
- PART II—Reserves.
- PART III—Zones.
- PART IV—Planning Consent.
- PART V—General Provisions.
- PART VI—Non-conforming Uses.
- PART VII—Finance and Administration.

The remaining documents of the Scheme are as follows:

- (1) Land Use Map.
- (2) Scheme Map.

## PART II—Reserves.

Reservation of Land and Development thereof.

2.1 (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 the written approval of the Council.

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

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

2.2 (a) Where a Council refuses approval for the development of land reserved under the Scheme on the ground 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 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 land at the time of refusal of approval or of the grant of approval subject to conditions that are unacceptable to the applicant.

## PART III—Zones.

## The Zones.

3.1 The Scheme Area is divided into 3 types of zones set out below:

- Special Rural Zone A—Coconut Wells.
- Special Rural Zone B—Broome Agricultural Area.
- Rural Zone.

3.2 The Scheme sets out against each zone a general statement of objective and development will be in accordance with the provisions adopted for the zone by the Council.

3.3 The Table for each zone sets out a list of permitted uses, and when appropriate the conditions if any under which such uses are permitted.

## 3.4 Special Rural Zone A—Coconut Wells.

3.4.1 Council's objective will be to ensure the zone retains its suitability as a rural living and intensive agricultural area.

3.4.2 Within the zone no use will be permitted except those listed in Table 1 hereunder and permitted uses will be subject to any conditions set out opposite the use.

Table 1.

Use	Conditions
Dwelling House Rural Use Public Utility	Uses permitted, subject to complying with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting Planning Consent.

3.4.3 Within the Zone no building may be erected closer than twenty metres to the road frontage of the lot.

3.4.4 Not more than one private dwelling house will be permitted to be erected on a lot within Special Rural Zone A—Coconut Wells, except that by specific consent of Council more than one private dwelling house may be erected on a lot where Council is satisfied that the use proposed for the lot justifies such additional dwelling houses.

3.4.5 No further subdivision within Special Rural Zone A—Coconut Wells shall be permitted.

3.4.6 Within the zone a building may not be occupied as a residence unless the building has been approved by the Council as a residence in conformity with the Uniform Building By-laws and the provisions of this Scheme.

3.4.7 Notwithstanding the provisions of Clause 3.4.6 Council may permit the occupation of a building which does not conform to its building By-Laws for a time period not exceeding six months under a permit renewable by Council at its discretion, if the Council has at the same time given approval to plans for the construction of a residence on a lot.

## 3.5 Special Rural Zone B—Broome Agricultural Area.

3.5.1 Council's Objective will be to ensure that the zone provides for the continuation of existing intensive agricultural uses, however, due to groundwater supply limits, will encourage the establishment of non-horticultural pursuits which do not require water supplies above that considered by the Public Works Department to be necessary for domestic and garden uses.

3.5.2 Within the zone no use will be permitted except those listed in Table 2 hereunder and permitted uses will be subject to any conditions set out opposite the use.

Table 2.

Use	Conditions
Dwelling House Rural Use Public Utility	Uses permitted, subject to complying with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting Planning Consent.

3.5.3 Within the zone no building may be erected closer than twenty metres to the road frontage of the lot.

3.5.4 Not more than one private dwelling house will be permitted to be erected on a lot within Special Rural Zone B—Broome Agricultural Area, except that by specific consent of Council more than one private dwelling house may be erected on a lot where Council is satisfied that the use proposed for the lot justifies such additional dwelling houses.

3.5.5 Future subdivision within Special Rural Zone B—Broome Agricultural Area, shall be in general accordance with the Plan of Subdivision adopted by Council and forming part of the Scheme.

3.5.6 Within the zone no building may be occupied as a residence unless the building has been approved by Council as a residence in conformity with the Uniform Building By-Laws and the provisions of this Scheme.

3.5.7 Notwithstanding the provisions of Clause 3.5.6 Council may permit the occupation of a building which does not conform to its building By-laws for a time period not exceeding six months under a permit renewable by Council at its discretion, if the Council has at the same time given approval to plans for the construction of a residence on the lot.

3.5.8 Notwithstanding the provisions of the Scheme and the Plan of Subdivision, the Town Planning Board may approve minor variations to the subdivisional design, but further breakdown of lots so created shall be deemed contrary to the provisions of the Scheme.

## 3.6 Rural Zone.

3.6.1 Council's objective will be to retain the rural nature of the zone ensuring the continuation of pastoral and grazing activities.

3.6.2 Within the zone no use will be permitted except those listed in Table 4 hereunder and permitted uses will be subject to any conditions set out opposite the use.

Table 4.

Use	Conditions
Dwelling House Rural Use Public Utility	Uses permitted, subject to complying with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting Planning Consent.

3.6.3 Within the zone no subdivision will be supported except under conditions normally applied by the Town Planning Board to rural land.

#### PART IV—Planning Consent.

##### 4.1 Application for Planning Consent.

4.1.1 Planning Consent is required for all development and uses in the Scheme Area.

4.1.2 Application for Planning Consent shall be in writing, addressed to the Shire Clerk and shall be accompanied by such plans and other explanatory documents as may be necessary to enable Council to gain a complete understanding of the proposal and its effect on the locality.

##### 4.2 Advertisement of Application.

4.2.1 If Council considers that a proposed use which is subject to an application for Planning Consent may materially affect the locality within which the use is proposed, the Council shall require that one or more of the following be carried out:

- (a) 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;
- (b) Notice of the proposed development to be published in a newspaper circulating in the Scheme Area stating that submissions may be made to the Council within twenty-one days from the publication thereof;
- (c) A sign or signs displaying notice of the proposed development to be erected in a conspicuous position on the land for a period of twenty-one days from the date of publication of the notice referred to in paragraph (b) of this clause.

4.2.2 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.

##### 4.3 Determining an Application.

4.3.1 In considering an application for Planning Consent Council may forward the application to any Government Department or statutory authorities likely to be affected by the proposed use or development with a request for advice and comment.

4.3.2 The Council when considering an application for Planning Consent will take into consideration:

- (a) any submission made under clause 4.3.1;
- (b) the effect which the proposed use or development will have on the amenity of the area;
- (c) the effect on the road system of the locality;
- (d) any other matter which it considers relevant to the establishment of the use.

##### 4.4 Council Decision.

4.4.1 Council after considering an application for Planning Consent and any advice or comment received may either:

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

4.4.2 Where the Council approves an Application for Planning Consent under the Scheme, the Council may limit the time for which that consent remains valid.

##### 4.5 Notification of Decision.

4.5.1 The Council shall convey its decision on any application for Planning Consent to the applicant within 90 days of the date upon which it was received at the Council 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 that period or extended period the application shall be deemed to have been refused.

##### 4.6 Compliance with Planning Consent.

4.6.1 Failure to comply with the conditions imposed by Council on the grant of a Planning Consent 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, 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 Civil Jurisdiction as is competent to deal with the amount of the claim;
- (b) Prosecute the owner or occupier of lands as the case may be pursuant to section 10 of the Act.

#### PART V—General Provisions.

##### 5.1 Coastal Policy.

5.1.1 The Council shall prepare or cause to be prepared, policies for each of the coastal management areas as shown on the Policy Map attached to the Scheme.

5.1.2 During preparation of the policies and prior to adoption thereof Council will seek comment on the policies and any development proposals from:

- (a) Coastal Management Co-ordinating Committee,
- (b) Department of Aboriginal Affairs,
- (c) Registrar of Aboriginal Sites.

5.1.3 Following preparation of the policies Council shall advertise a summary of the policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the full policy may be inspected and where, in what form and during what period (not being less than 21 days) representations may be made to Council.

5.1.4 Having considered the submissions made under the provisions of clause 5.1.3, Council may resolve to adopt a policy for an area and may adopt management strategies in accordance with the recommendations of the policy and will thereafter determine development in accordance with the strategy.

5.1.5 Prior to adoption of coastal policies and the strategies resulting therefrom Council will refer any development proposals falling within a policy area to the bodies referred to in clause 5.1.2 and request that they advise on the proposal and any requirements recommended by any one of the bodies.

5.1.6 After receipt of the advice or recommendations from the bodies identified in clause 5.1.2, Council may use the advice or recommendations to either:

- (i) approve the development proposal,
- (ii) refuse the proposal,
- (iii) grant approval subject to conditions which may include a requirement to prepare an Environmental Review and Management Programme.

#### PART VI—Non-conforming Uses.

##### 6.1 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 (as amended) and any other law authorising the development to be carried out have been duly obtained and was current.

6.2 (a) Where in respect of land reserved under Part II of the Scheme a non-conforming use exists or was authorised as mentioned in clause 6.1 of this Part on that land all or any erections, alterations or extensions of the buildings thereon or 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 III of the Scheme a non-conforming use exists or was authorised as mentioned in clause 6.1 of this Part on that land, and provided the prior consent in writing of the Council has been obtained, buildings may be extended to the limits prescribed by the Uniform Building By-laws made under the Local Government Act 1960 (as amended), or by any other by-laws made under that Act for the purpose of limiting the size,

location and distance from boundaries and any other matter required by law for that class of use within the boundary of the lot or lots on which the use was carried on immediately prior to the coming into force of the Scheme.

6.3 Change of Non-Conforming Use: The Council 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.

6.4 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 6.3 when a non-conforming use of any land or building has been discontinued for a period of 6 months or longer, such land or building shall not thereafter be used other than in conformity with the provisions of the Scheme, except that where Council is satisfied that special circumstances exist Council may permit an extension of the period to no longer than 12 months.
- (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 or to both the owner and the occupier of that property, and may enter into an agreement with the owner for that purpose.

PART VII—Finance and Administration.

7.1 Disposal of Land: The Council may deal with or dispose of any land which it owns or which it has acquired pursuant to the provisions of the Scheme, in accordance with the Act and in conformity with the provisions of the Scheme, and for such purpose may make such agreements with other owners as it deems fit.

7.2 Compensation: Claims for compensation by reason of the Scheme other than for the purpose of Part II shall be made not later than 6 months from the date on which notice of approval of the Scheme is published in the *Government Gazette*, except in the case of reserved land where the provisions of Part II shall apply.

7.3 Entry to Premises: The Council may by an authorised officer, enter at all reasonable times any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

7.4 Valuation of Land: Any valuation required under the provision of this Scheme shall be made by either the Valuer General or by a licensed valuer appointed by the Council.

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

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

Schedule 1—Interpretations.

In this Scheme the terms will have the respective interpretations set out hereunder:

- “Act” means the Town Planning and Development Act 1928 (as amended).
- “Board” means the Town Planning Board constituted under the Act.
- “Building” means any structure or appurtenance thereto whether fixed or movable, temporary or permanent, placed or erected upon land, and the term shall include part of a building but shall exclude a boundary fence.
- “Camping Ground” means an area set aside for the setting up of tents and other camping equipment in conformity with the Health Act (Caravan Park and Camping Ground) Regulations 1974, made under the provisions of the Health Act 1911 (as amended).
- “Caravan Park” means an area set aside for the parking of caravans in conformity with the Caravan and Camp Regulations 1961, made pursuant to the provisions of the Health Act 1911 (as amended), and the Local Government Model 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.

“Clause” means a clause of the Scheme.

“Council” means the Council of the Shire of Broome.

“Development” means 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.

“Dwelling House” means a building used primarily for living purposes as one separate family unit; this also includes such outbuildings and recreational uses and gardens as are ordinarily used therewith.

“Existing Use” means use of any land or buildings for the purpose for which it was lawfully used immediately prior to the gazettal date of the Scheme.

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

“Land” has the same meaning given to it in, and to the purpose of, the Act.

“Lot” has the meaning given to it in and for the purposes of the Act, and “allotment” has the same meaning.

“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.

“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 grant 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.

“Rural Uses” means uses normally carried out in connection with:

- (a) the growing of vegetables, fruit, cereals or food crops;
- (b) the rearing or agistment of poultry, sheep, cattle or beast of burden;
- (c) the stabling, agistment or training of horses;
- (d) the growing of trees, plants, shrubs or flowers for replanting in domestic, commercial and industrial gardens;
- (e) the sale of produce grown solely on the lot but does not include the following except as approved by Council.
  - (i) the keeping of pigs;
  - (ii) the processing, treatment or packing of produce;
  - (iii) the breeding, rearing or boarding of domestic pets.

“Uniform Building By-laws” means the Uniform By-laws 1974 published in the *Government Gazette* on the 19th December, 1974 and if those By-laws are revoked or amended after the gazettal date, means the Uniform General By-laws made pursuant to Section 433A of the Local Government Act 1960, for the time being in force.

“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 for the use of land, but does not include land reserved.

Adopted by Resolution of the Council of the Shire of Broome at the ordinary meeting of the Council held on 20 August 1985 and the seal of the Municipality was pursuant to that Resolution hereunto affixed in the presence of—

[L.S.]

K. A. S. MALE,  
President.  
D. L. HAYNES,  
Shire Clerk.

The Scheme Text is to be read in conjunction with the approved maps of the Scheme described in Clause 1.4 of this Scheme and to which formal approval was given by the Hon. Minister for Town Planning on the 15th day of September, 1985.

Recommended—

\_\_\_\_\_  
M. FEILMAN,  
Chairman of the Town  
Planning Board.

Dated 10/9/85.

Approved—

\_\_\_\_\_  
R. J. PEARCE,  
Minister for Planning.

Dated 15/9/85.

TOWN PLANNING AND DEVELOPMENT ACT 1928  
(AS AMENDED).

Advertisement of Approved Town Planning Scheme.

Shire of Northam Town Planning Scheme No. 2.

T.P.B. 853-4-23-2.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the Shire of Northam Town Planning Scheme No. 2 on 10 August 1985—the Scheme Text of which is published as a Schedule annexed hereto.

D. R. ANTONIO,  
President.  
A. J. MIDDLETON,  
Shire Clerk.

Schedule

Shire of Northam.  
Town Planning Scheme No. 2  
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\_\_\_\_\_  
Shire of Northam.

Town Planning Scheme No. 2.

THE Northam 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 for the purpose of:

- (a) setting aside land for future public use as reserves;
- (b) controlling land development;
- (c) other matters authorised by the enabling Act.

PART I—PRELIMINARY.

1.1 Citation: This Town Planning Scheme may be cited as the Shire of Northam Town Planning Scheme No. 2 hereinafter called "The Scheme" and shall come into operation on the publication of notice of the Scheme in the *Government Gazette*.

1.2 Area of Scheme: The Scheme shall apply to the whole of the Shire of Northam.

1.3 Responsible Authority: The responsible authority for implementing the Scheme is the Council of the Shire of Northam (hereinafter referred to as the Council).

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

- Part I—Preliminary.
- Part II—Reserved Land.
- Part III—Zones.
- Part IV—General Provisions.
- Part V—Non-Conforming Use.
- Part VI—Planning Approval.
- Part VII—Administration.

The remaining documents of the Scheme are as follows:

1. Land Use Map.
2. Scheme Map.

1.5 Scheme Objectives: The objectives of the Scheme are to:

- (a) Provide for future growth at existing centres of urban development;
- (b) Preserve the existing rural character of the Shire where this is consistent with other Scheme objectives;
- (c) Adopt land use policies appropriate to the location of the Shire and which will not prejudice long term options to the planning of the Perth Metropolitan Region.



- (d) Permit more intensive use of land in environmentally suitable areas of the Shire and where in accordance with the policies of the Scheme;
- (e) Secure wherever possible reserves of environmental importance;
- (f) Identify and protect other areas of recreational and landscape significance.

1.6 Revocation of Existing Scheme: The Shire of Northam Town Planning Scheme No. 1 as amended which came into operation by publication of the Scheme in the *Government Gazette* on 13 January 1978, is hereby revoked.

1.7 Interpretation: In this Scheme unless the context otherwise requires and unless it is otherwise provided for, words and expressions shall have the respective meanings given to them in Schedule 1.

1.8 Relationship of Scheme to By-laws: The provisions of the Scheme shall have effect notwithstanding any by-law for the time being in force in the district, and where the provisions of the Scheme are inconsistent with the provisions of any by-laws, the provisions of the Scheme shall prevail.

## PART II—RESERVED LAND.

### 2.1 Reservation of Land and Development Thereof:

- (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 the written approval of the Council.
- (c) In giving its approval the Council shall have regard to the ultimate purpose intended for the reserve and shall in the case of land reserved for the purposes of a public authority confer with that authority before giving its approval.
- (d) No provision of this Part shall prevent the continued use of land for the use for which it was being lawfully used immediately prior to the Scheme having the force of law, or the repair and maintenance, for which the prior consent in writing of the Council has been obtained, of buildings or works lawfully existing on the land.

### 2.2 Compensation:

- (a) Where a Council refuses approval for the development of land reserved under the Scheme on the ground 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 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 refusal of approval or of the grant of approval subject to conditions that are unacceptable to the applicant.

## PART III: ZONES.

### 3.1 Scheme Zones.

3.1.1 The Scheme is divided into 4 urban and 6 rural Zones together with a Special Site Zone set out hereunder:

Urban Zones	Residential
	Commercial
	Industrial
	Community
Rural Zones	Rural 1
	Rural 2
	Rural 3
	Rural 4
	Rural 5
	Special Rural
	Special Sites

3.1.2 The zones are delineated and coloured on the Scheme Map according to the legend thereon.

### 3.2 Permitted Uses

3.2.1 The Zoning Table indicates the several uses permitted by this Scheme in the various zones, such uses being determined by cross reference between the list of Use Classes upon the left-hand side of the Table and the list of Zones on the top of that Table.

3.2.2 The symbols used in the cross reference in Table No. 1 appended to this Clause have the following meanings:

P = A use that 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 Approval.

AA = A use that is not permitted unless Planning Approval is granted by the Council.

IP = A use that is not permitted unless such use is incidental to the predominant use as decided and approved by the Council.

SA = A use that is not permitted by the Scheme unless Planning Approval is granted by the Council after notice of application has been given by the Council in accordance with Clause 4.2.

3.2.3 Where no symbols appear 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.

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

3.2.5 If the use of land for a particular purpose is not specifically referred to in the Zoning Tables and cannot reasonably be determined as falling within the interpretation of one of the use classes shown, the Council may;

- (a) determine that the use is not consistent with the objectives and purposes of the particular Zone, and is therefore not permitted, or
- (b) determine by absolute majority that the proposed use is consistent with the objectives and purposes of the Zones and therefore follow the SA procedures of Clause 4.2 in considering an application for Planning Approval.

### 3.3 Development of Zoned Land.

3.3.1 Subject to the exclusion of Clause 3.3.2 Council's Planning Approval is required for development of any land zoned under this Scheme, including the clearing or destruction of vegetation within an area of Environmental significance as marked on the Scheme Map and in Rural Zone 4.

3.3.2 The Planning Approval of Council is not required for the following development of land zoned under this Scheme;

- (a) erection of a boundary or other fence.
- (b) erection on a lot within the residential or rural zones of the Scheme of a single house including outbuildings where that single house will be the only single house on that lot;
- (c) normal agricultural use including the clearing of land within Rural Zones 2, 3 and 5 except for areas of environmental significance, and the erection of buildings or carrying out of works required for agricultural purposes within Rural Zones 3, 4 and 5.
- (d) the carrying out of works on, in, over, or under a street or road by a Public Authority acting pursuant to the provisions of any Act;
- (e) the carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building;
- (f) the use of any buildings on land within the curtilage of a dwelling for any purpose incidental to the enjoyment of the dwelling as such;
- (g) the carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services.

3.4 Amenity: Notwithstanding that a building or works conforms in all respects to the provisions of the Scheme the Council may refuse to issue a Planning Approval and may require amendment to the proposal if it considers that proposed building or work would be likely to be detrimental to the amenity or visual appearance of the area.

Northam Zoning Table

TABLE 1  
ZONING TABLE

Zones		Residential	Commercial	Industrial	Community	Rural 1	Rural 2	Rural 3	Rural 4	Rural 5	Special Rural	Special Sites
Use Classes												
1	Aged or Dependent Persons..... Dwelling .....	AA			P							
2	Airfield .....	SA	AA			AA				AA		
3	Boarding House.....		AA	P		SA						
4	Builders Storage Yard .....		AA			P	AA					
5	Caravan Park-Camping Area.....		P			IP			AA			
6	Caretaker's Dwelling.....		IP	IP	IP	IP						
7	Car Park.....		P	P	P	AA						
8	Civic Building.....	P	P		P	AA	P	P	P	P	P	
9	Civic Use.....	P	P		P	AA	P	P	P	P	P	
10	Club Premises.....	SA	P		P	AA	AA			AA		
11	Community Home .....	SA	AA		P	AA						
12	Consulting Rooms.....	AA	P		AA							
13	Day Care Centre-Kindergarten .....	AA	AA		P							
14	Dog Kennels-Cattery.....					AA	AA	AA	AA	AA		
15	Drive-In Theatre.....				AA	AA						
16	Dry-Cleaning Premises.....		AA	P								
17	Educational Establishment.....				P	AA						
18	Equestrian Centre.....					P	P	P	P	P		
19	Fast Food Outlet .....		P									
20	Fuel Depot .....			P		AA	AA	AA	AA	AA		
21	Funeral Parlour.....		P									
22	Garden Centre .....	AA	P									
23	Health Studio .....		P		P	SA	AA					
24	Home Occupation .....	AA	AA			AA	AA	AA	AA	AA	AA	
25	Horse Stables.....	AA				P	P	P	P	P	AA	
26	Hospital.....				P	AA						
27	Hotel Industry.....		P			SA	AA					
28	General .....			P			AA					
29	Extractive.....					AA	AA	AA	AA	AA		
30	Hazardous .....			AA			AA					
31	Light .....			P			AA					
32	Noxious .....			AA			AA			AA		
33	Rural.....			P			AA			AA		
34	Service.....		AA	P		SA	AA					
35	Institutional Building .....	SA			P	AA	AA					
36	Institutional Home .....	SA			P	A	AA					
37	Marine Collectors Yard.....			P		SA	AA					
38	Medical Centre.....	SA	P		P							
39	Milk Depot.....			P								
40	Motel.....		P			SA	AA					
41	Motor Vehicle Sales Premises .....		P									
42	Motor Vehicle Repair Station.....			P								
43	Motor Vehicle Wrecking .....			P								
44	Office.....		P	P	P							
45	Private Recreation .....				P	AA						
46	Produce Store.....		P			SA	AA	AA	AA	AA		
47	Public Amusement.....		P				AA	AA	AA			
48	Public Recreation.....		P	P	P	P	P	P	P	P	P	
49	Public Utility.....	P	P	P	P	P	P	P	P	P	P	
50	Public Worship—Place of.....	SA	P		P	AA	AA					
51	Radio & TV Installation Residential .....			P		AA						
52	Single House .....	P	P		AA	P	P	P	P	P	P	
53	Attached House .....	P										
54	Grouped Dwelling.....	P										
55	Restaurant.....		P				AA	AA				
56	Restricted Rural Use.....						AA	AA	AA	AA		
57	Rural Pursuit.....					P	P	P	P	P	P	
58	Salvage Yard.....			P			AA					
59	Service Station .....		P	P		SA	AA	AA				
60	Shop .....		P				AA					
61	Showroom.....		P	P	P							
62	Tavern.....		P				SA					
63	Transport Depot.....			P			AA	AA		AA		
64	Veterinary Consulting Rooms .....		AA				AA	AA				
65	Veterinary Hospital.....						AA	AA				
66	Warehouse .....			P								

Use and Conditions of Use Restricted to Those Shown in Schedule 3

## PART IV: PLANNING APPROVAL.

## 4.1 Application for Planning Approval.

4.1.1 Every application for Planning Approval shall be in writing addressed to the Shire Clerk and shall be accompanied by such plans and other information as is required by the Scheme or which may be necessary to enable Council to gain a complete understanding of the proposed development, including a site plan showing the location of all buildings or works proposed.

4.1.2 An application for Planning Approval for an Industrial Use within Rural Zone 2 shall be in the form of a Notice of Intent as required under guidelines established by the Environmental Protection Authority and as a condition of granting its approval Council may require the preparation of an Environmental Review and Management Programme.

## 4.2 Advertising of Applications.

4.2.1 Where an application is made for Planning Approval to commence or carry out development which involves an "S A" use the Council shall not grant approval to that application unless notice of the application is first given in accordance with the provisions of this clause.

4.2.2 Where an application is made for Planning Approval to commence or carry out development which involves an "AA" use or for any other development which requires the Planning Approval of the Council, the Council may give notice of the application in accordance with the provisions of this clause.

4.2.3 Where the Council is required or decides to give notice of an application for Planning Approval the Council shall cause one or more of the following to be carried out:—

- (a) notice of the proposed development to be served on the owners and occupiers of land within an area determined by the Council as likely to be affected by the granting of Planning Approval stating that submissions may be made to the Council within twenty-one days of the service of such notice;
- (b) notice of the proposed development to be published in a newspaper circulating in the Scheme Area stating that submissions may be made to the Council within twenty-one days from the date of publication of the notice referred to in paragraph (b) of this clause;
- (c) a sign 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.

4.2.4 Where an application for Planning Approval is made under the provisions of clause 4.1.2 the Council may forward the Notice of Intent to the Environmental Planning Authority with a request that the Authority consider the application and advise Council if approval should be granted or if further environmental management procedures are necessary.

4.2.5 If notices have been given, after expiration of twenty-one days from the publication of the notice, the erection of the notice or the posting of the notice to the owners and occupiers, whichever is the later, the Council shall consider and determine the application.

## 4.3 Determination of Application.

4.3.1 In determining an application for Planning Approval the Council may consult with any authority which, in the circumstances, it thinks appropriate.

4.3.2 The Council having regard to any matter which it is required by the Scheme to consider, to the purpose for which the land is reserved, zoned or approved for use under the Scheme, to the purpose for which land in the locality is used, and to the orderly and proper planning of the locality, may refuse to approve any application for Planning Approval or may grant its approval unconditionally or subject to such conditions as it thinks fit.

4.3.3 Where the Council approves an application for Planning Approval under this Scheme the Council may limit the time for which that approval remains valid.

## 4.4 Relaxation of Development Standards:

If a development, other than a residential development, the subject of an application for Planning Approval, 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 appli-

cation unconditionally or on 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 property 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 Deemed Refusal.

4.5.1 Where the Council has not within sixty days of the receipt by it of an application of Planning Approval either conveyed its decision to the applicant or given notice of the application in accordance with Clause 4.2 the application is deemed to have been refused.

4.5.2 Where the Council has given notice of an application for Planning Approval in accordance with clause 4.2 and where the Council has not within ninety days of receipt by it of the application conveyed its decision to the applicant, the application is deemed to have been refused.

## PART V: NON-CONFORMING USE.

5.1 Non-Conforming Use Rights: 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 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 lawfully required to authorise the development to be carried out, were duly obtained and are current.

5.2 Extension of Non-Conforming Use: A person shall not alter or extend a non-conforming use or erect alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the Planning Approval of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme.

5.3 Change of a Non-Conforming Use: Notwithstanding anything contained in the Zoning Table the Council may grant its Planning Approval to the change of use of any land from a non-conforming use to another use if the proposed use is, in the opinion of the Council, less detrimental to the amenity of the locality than the non-conforming use and is, in the opinion of the Council, closer to the intended uses of the zone or reserve.

## 5.4 Discontinuance of a Non-Conforming Use.

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

5.4.2 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 or to both the owner and the occupier of that property, and may enter into an agreement with the owner for that purpose.

5.5 Destruction of Buildings: If any building is, at the gazettal date, being used for a non-conforming use, and is subsequently destroyed or damaged to an extent of 75 per cent or more of its value the land on which the building is built shall not thereafter be used otherwise than in conformity with the Scheme, and the buildings shall not be repaired or rebuilt, altered or added to for the purpose of being used for a non-conforming use or in a manner or position not permitted by the Scheme.

## PART VI: GENERAL PROVISIONS.

6.1 Residential Zone: Council Policy is to permit residential development as extension to or consolidation of existing residential areas in locations and to standards considered appropriate.

6.1.1 For the purpose of this Scheme "Residential Planning Codes" means the residential planning codes set out in Appendix 3 to the Statement of Planning Policy No. 1 together with any amendments thereto.

6.1.2 A copy of the Residential Planning Codes as amended shall be kept and made available for public inspection at the offices of the Council.

6.1.3 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.

6.1.4 The Residential Planning Code density applicable to land within the Scheme Area shall be determined by reference to the Residential Planning Code 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 such an area abuts on another area having a Residential Planning Code density, as being contained within the centre lines of those borders.

6.1.5 The Residential Planning Code applicable to residential development within the Scheme area shall be:

Dwelling Type	Code
Single House	R 10
Attached House or Grouped Dwelling	R 20

6.1.6 In the areas coded R 10/20 the R 10 development standards shall apply unless Council is satisfied that in a particular case the ground conditions are suitable to ensure that on-site effluent disposal methods will continue to function effectively on a permanent basis under R 20 development standards.

6.2 Commercial Zone: Council Policy is to permit the establishment of a wide range of permitted uses within the Zone, and in considering the granting of Planning Approval Council will take into account the existing provision of Commercial facilities within the locality and the amenity of the area.

6.2.1 Within the Commercial Zone on site car parking shall be provided in accordance with the following:

Use	Car Parking Provisions
Shops	1 space for each 15 m <sup>2</sup> gross leasable area
Offices	1 space for each 40 m <sup>2</sup> of floor space
Hotel	1 space for each bedroom and 1 space for each 5 m <sup>2</sup> of bar area.
Tavern	1 space for each 10 m <sup>2</sup> of floor space.
Motel	1 space for each unit plus 3 additional spaces.
Other Uses	Determined by Council, taking into account the nature and circumstances of the use.

6.3 Industrial Zone: Council Policy is to make provision for the establishment of industrial uses associated with the urbanised areas of the district in locations, and to standards, which do not detrimentally affect the amenity of the district.

6.3.1 Within the Industrial Zone on-site car parking shall be provided in the ratio of 1 car parking space for each employee plus one additional space for each four employees.

- (a) Buildings shall be set back a distance of 10 metres from the street frontage of a lot.
- (b) Thirty per cent of the area between the street frontage and the setback line shall be landscaped to the satisfaction of the Council.

6.4 Community Zone: Council Policy is to include in the Community Zone uses of a recreational, community service or institutional nature.

6.4.1 Uses within the Community Zone shall provide on site parking spaces of a number and layout determined by the Council, having regard to the use of the site and its location in respect of other uses.

6.5 Rural Zones: Council Policy, recognising that the rural lands of the district vary in respect to their topography, landscape, rural character and location relative to settlement patterns, is to control land use and development in a manner appropriate to proper utilisation of these resources, and in this regard the Scheme defines 6 Rural Zones of different significance.

6.5.1 Rural Zone 1: In considering the granting of Planning Approval to any development proposed within Rural Zone 1, the Council shall have regard to the present and possible future structure of the Town of Northam, and shall notify the Council of the Town of Northam of any proposed development.

6.5.2 Rural Zone 2: Having regard to the zones location in relationship to the Metropolitan Region accessibility, and to the existing District settlement pattern, Council will:

- (a) be prepared to consider under the provisions of the Scheme applications for rezoning to Special Rural of suitable land within the Zone;
- (b) consider applications for Planning Approval on the basis of siting in relation to the existing or proposed re-location of Great Eastern Highway, the effect on the landscape of the Zone, the possible effect on water quality in the zones stream system and existing or potential salinity of the land.

6.5.3 Rural Zone 3: Having regard to the zones existing agricultural use, and the need to retain the landscape and environmental significance of rural areas of the zone, Council will not in general support further breakdown of lots except where this may be desirable or necessary to ensure continued rural viability, or to achieve the Special Rural Zone policies of Clause 6.6.

6.5.4 Rural Zone 4: Having regard to the zone's importance as a landscape feature of District and Regional importance, all development including the felling or destruction of trees except for the purpose of normal agricultural activities of clearing for fence lines, provision of access roads, construction of firebreaks, dam sites, and building sites, and the removal of regrowth under the age of two years is prohibited unless with the Planning Approval of the Council and in considering the granting of approval Council will take into account the probable effect of such development on the stability of the land, the quality of water in the stream system, the preservation of landscape quality and will assess the siting and appearance of buildings or works on the landscape.

6.5.5 Rural Zone 5: Having regard to the need to retain the zone as an area of agricultural importance, Council will not support further breakdown of existing lots except:

- (a) where subdivision is for the purpose of amalgamation with existing holdings or increasing rural viability;
- (b) for development ancillary to the existing rural land use, or for development of community or recreational facilities.

6.5.6 Areas of Environmental Significance: The Scheme Map shows Areas of Environmental Significance and within these areas development including the clearing of trees except for the purpose of a firebreak, fence or access road, will not be permitted except with the Planning Approval of the Council, and in considering any approval Council will take into account the possible retention of the natural environment by eventual reservation or by any other means.

6.5.7 District Roads: Within 50 metres of a Highway Reserve and 30 metres of a Major Road Reserve where these reserves are within a Rural Zone the following shall not be permitted except with the approval of the Council:

- (a) the construction of a building or other work with the exception of a fence;
- (b) the clearing of trees or substantial indigenous vegetation with the exception of those which are dead, diseased or dangerous or for the purpose of a firebreak.

6.6 Special Rural Zone: Council policy is to restrict the development of Special Rural Zones to:

- (a) those areas where the effect on the rural character and economy would be minimal;
- (b) areas closely associated with the District's principal road systems and established closer settlement pattern; or
- (c) areas where by reason of subdivision, land of particular environmental value may be reserved or protected by special conditions imposed on the lots.

6.6.1 Submissions for Rezoning:

- (a) Submissions for Rezoning to Special Rural will be considered by Council if they can be shown to meet the Policy requirements of this clause and must consist of a detailed analysis and subdivision or development proposal in conformity with the requirements of Schedule 2.
- (b) Upon being satisfied that an application for rezoning meets with its objectives and policies and the requirements of the Scheme, Council will initiate procedures for rezoning and the amendment documents will include where applicable, the plan of subdivision or structure plan agreed to.

6.6.2 Application for Subdivision: Application for Subdivision made to the Town Planning Board following rezoning shall be generally in accordance with the plan forming part of the amendment, or any variation therefrom as may be agreed upon by the Board and the Council.

6.6.3 Lodgment of Plan: Prior to final approval of a plan of subdivision Council will require to be lodged with Council a copy of the plan of subdivision on which is shown:

- (a) a building envelope for each lot;
- (b) tree preservation areas;
- (c) any other matter required to be shown by the Board or the Council as a condition of subdivision,

and upon adoption by Council the plan will form part of this Scheme for the purpose of determining an application for Planning Approval within the area, and no further breakdown of lots will be permitted except for minor adjustment of boundaries.

6.6.4 Building Envelopes and Setbacks: A building on a lot must be contained within the building envelope defined on the plan lodged under the provisions of Clause 6.6.3 except that Council may permit construction of buildings in areas other than the building envelope if it is satisfied that the proposed location thereof will not be detrimental to the landscape or the environment but in any case the distance from a lot boundary will not be less than:

- (a) from the frontage to Highways ..... 50 metres.
- (b) from the frontage to Major Roads ..... 30 metres.
- (c) from the frontage to Other Roads ..... 25 metres.
- (d) from the side and rear boundaries of a lot ..... 20 metres.

6.6.5 Trees Preservation: Within a Tree Preservation area defined on the plan lodged with Council under the provisions of Clause 6.6.3 no indigenous tree or other substantial vegetation may be felled or removed except:

- (a) trees which are dead, diseased or are dangerous;
- (b) for the purpose of a firebreak required by a regulation or by-law;
- (c) under the conditions of Clause 6.6.6.

6.6.6 Replacement of Trees: Any person wishing to fell or remove indigenous trees or substantial vegetation within a Tree Preservation area except under the exemptions of the preceding clause will be required to obtain the consent of Council and if approval is granted will be required to establish a tree of a type approved by Council for each tree felled or removed.

6.6.7 Tree Preservation on Road Frontages: Land abutting a road within the Zone shall be shown on the plan lodged with Council as a Tree Preservation area to a depth of:

- (a) from Highways ..... 45 metres.
- (b) from Major Roads ..... 25 metres.
- (c) from other Roads ..... 20 metres.

#### 6.6.8 Occupation of Buildings:

- (i) A building on a lot may not be occupied as a residence unless such building has been approved by Council as a residence in conformity with its building by-laws currently in force or any variation therefrom approved by Council.
- (ii) Council may permit temporary occupancy of a building which does not conform to its building by-laws under such conditions as it thinks fit, provided that the Council has at the same time approved plans for construction of a residence on the lot.
- (iii) All buildings intended for residence except those occupied on a temporary basis under the provisions of the preceding sub-clause must provide for the catchment and storage of at least 92 000 litres of water unless it can be shown that the residence can be connected to and supplied from an existing reticulated water supply or to an alternative supply of potable water.

### PART VII: ADMINISTRATION.

#### 7.1 Powers of the Council:

- (a) The Council in implementing the Scheme has, in addition to all other powers vested in it, the following powers:
  - (i) The Council may enter into any agreement with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme in respect of any matters pertaining to the Scheme.

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

- (iii) An officer of the Council, authorised by the Council for the purpose, may at all reasonable times enter any building or land for the purpose of ascertaining whether the provisions of the Scheme are being observed.

#### 7.2 Offences:

- (a) A person shall not erect, alter or add to a building or use or change the use of any land, building or part of a building for any purpose:
  - (i) otherwise than in accordance with the provisions of the Scheme;
  - (ii) unless all approvals required by the Scheme have been granted or issued;
  - (iii) unless all conditions imposed upon the grant or issue of any approval required by the Scheme have been and continue to be complied with;
  - (iv) unless all standards laid down and all requirements prescribed by the Scheme or determined by the Council pursuant to the Scheme with respect to that building or that use of that land or building have been and continue to be complied with.
- (b) A person who fails to comply with any of the provisions of the Scheme is guilty of an offence and without prejudice to any other remedy given herein is liable to the penalties prescribed by the Act.

#### 7.3 Notices

7.3.1 Thirty days written notice is hereby prescribed as the notice to be given pursuant to Section 10 of that Act.

7.3.2 The Council may recover expenses under section 10(2) of the Act in a Court of competent jurisdiction.

#### 7.4 Claims for Compensation.

7.4.1 Except where otherwise provided in the Scheme, the time limit for the making of claims for compensation pursuant to section 11 of the Act is six (6) months after the date when notice of the approval of the Scheme is published in the *Government Gazette*.

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

#### SCHEDULE 1 Interpretations:

In this Scheme the terms used have the following interpretations.

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

"Airfield" means land and buildings used in connection with the operation of aeroplanes but does not include occasional or seasonal use of temporary facilities for purposes associated with agriculture.

"Amenity" means the quality of the environment as determined by the character of an area, its appearance and land use, which contributes to its pleasantness and harmony and to its better enjoyment.

"Board" means the Town Planning Board constituted under the Act.

"Boarding House" means any building or structure, permanent or otherwise, and any part thereof, in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper, for hire or reward, but does not include:

- (a) premises the subject of an Hotel, Limited Hotel or Tavern Licence granted under the provisions of the Liquor Act 1970.
- (b) premises used as a boarding school approved under the Education Act 1928.
- (c) a single, attached, grouped or multiple dwelling unit.
- (d) any building that is the subject of a strata title issued under the provisions of the Strata Titles Act 1966.

- (e) a hospital special purposes, reformatory, penal institution, institutional home or a group residence.
- “Builders Storage Yard” means land used for the storage of materials and tools of trade ordinarily connected with building construction.
- “Building” means any structure or appurtenance thereto whether fixed or movable, temporary or permanent, placed or erected upon land, and the term shall include part of a building.
- “Building Setback” means the distance between a boundary or other specified point and the position at which a building may be erected.
- “Caravan Park” means land set aside for the parking of caravans pursuant to the Caravan and Camp Regulations 1972, made pursuant to the provisions of the Health Act 1911 (as amended).
- “Caretaker’s Dwelling” means a dwelling used by a person having the care of a building or plant situated upon the same site or an industrial or commercial activity carried on upon the same site.
- “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 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.
- “Child Day Care Centre” means land used for the daily or occasional care of children in accordance with the Child Care Regulations 1968 but does not include an Institutional Home.
- “Civic Building” means a building designed, used or intended to be used by Government Departments, statutory bodies representing the Crown, or Councils as offices or for administrative or other like purpose.
- “Civic Use” means the use of land by a Government Department, instrumentality of the Crown, or the Council, for administrative, recreational or other purpose.
- “Clause” means a clause of the Scheme.
- “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, dentist or chiropractor, 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.
- “Council” means the Council of the Shire of Northam.
- “Development” means 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.
- “District” means the district of the Council.
- “Drive-In Cinema/Theatre” means an open air cinema which makes provision for the public to view motion pictures while seated in motor vehicles.
- “Dry Cleaning Premises” means land and buildings used for the cleaning of garments and other fabrics by chemical processes.
- “Educational Establishment” means a school, college, university, technical institute, academy or other educational centre, but does not include a reformatory or institutional home.
- “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 the Scheme.
- “Fast Food/Take Away” means a shop wherein food is prepared and offered for sale for consumption principally off the premises.
- “Fuel Depot” means land and buildings used for the storage and bulk sale of solid, liquid and gaseous fuels, but does not include a Service Station.
- “Funeral Parlour” means land and buildings occupied by undertakers where bodies may be stored and prepared for burial or cremation.
- “Garden Centre” means land used for the growing of trees, plants, shrubs or flowers for sale and includes the sale of associated gardening supplies.
- “Gazettal Date” means the date on which notice of the approval of the Minister to this Scheme is published in the *Government Gazette*.
- “Gross Leasable Area”
- (a) means area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shops fronts; and
  - (b) includes basements, mezzanines and storage areas.
- “Health Studios” means a building used and equipped for physical fitness and body building exercises and may include outdoor areas if approved by Council.
- “Home Occupation” means an activity 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 of prejudicial affection due to the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, waste water, or wasteproductions;
  - (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 and area greater than 20 square metres;
  - (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) will not result in the requirement of a greater number of vehicle parking facilities than normally required in the zone in which it is located and will not result in a substantial increase in the amount of vehicular traffic in the vicinity.
- “Horse Stables” means land, buildings and appurtenances thereto used for the keeping and agistment of horses.
- “Hospital” means any building or part of a building, in which persons are received and lodged for medical treatment or care and includes a maternity hospital.
- “Hotel” means land and buildings providing accommodation for the public and which is the subject of an Hotel Licence granted under the provisions of the Liquor Act 1970 (as amended) but does not include a Tavern, Boarding House or premises the subject of a Limited Hotel Licence granted under that Act.
- “Incidental Use” means the use of land in conjunction with and ancillary to the main use on the land.
- “Industry-General” means the carrying out of any process in the course of trade or business for gain, for and incidental to:
- (a) the winning, processing or treatment of minerals;
  - (b) the making, altering, repairing or ornamentation, painting, finishing, cleaning, packing or canning or adapting for sale, or the breaking up or demolition of any article or part of an article;
  - (c) the generation of electricity or the production of gas;
  - (d) the manufacture of edible goods for human or animal consumption; and
  - (e) when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the sale of goods resulting from the process, and the use of land for the amenity of persons engaged in the process;
- But does not include:
- (i) the carrying out of agriculture;
  - (ii) site work on buildings, work or land;

- (iii) in the case of edible goods for human or animal consumption, the preparation of food for sale from the premises;
- (iv) automotive panelbeating, spraypainting or wrecking.
- “Industry-Extractive” means:
- (a) the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals, or similar substance from the land, and also the treatment or manufacture of products from those materials when carried out on the land from which any of those materials are extracted or on land adjacent thereto;
- (b) the production of salt by the evaporation of sea water.
- “Industry-Hazardous” 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.
- “Industry-Light” means an industry:
- (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to or 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.
- “Industry-Noxious” 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 a fish shop or a dry cleaning establishment.
- “Industry-Rural” means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.
- “Industry-Service” 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.
- “Institutional Building” means a sanatorium for infectious diseases or a mental asylum or a drug and alcohol rehabilitation centre.
- “Institutional Home” means land and buildings used for residential purposes for the care and maintenance of children, the aged, the infirm, the intellectually handicapped or the physically handicapped.
- “Kennels” means land and buildings used for the keeping or breeding of dogs or cats where such premises are registered or required to be registered.
- “Land” has the same meaning given to it in, and to the purposes of, the Act.
- “Lot” has the same meaning given to it in, and for the purposes of, the Act and “allotment” has the same meaning.
- “Medical Centre” means a building (other than a hospital) that contains or is designed or intended to contain facilities not only for the practitioners mentioned under the definition of consulting rooms but also for ancillary services such as chemists, pathologists and radiologists.
- “Milk Depot” means a depot to which milk is delivered for distribution to consumers but in which milk is not processed or pasteurised.
- “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.
- “Non-Conforming Use” means a use of land which, though lawful immediately prior to the coming into operation of this Scheme, is not in conformity with the Scheme.
- “Nursing Home” means a building used for the care and maintenance of the aged or infirm or the physically or mentally handicapped.
- “Office” means a building or part of a building used for the conduction of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services, and services of a similar nature.
- “Owner” in relation to any land includes the Crown and every person who jointly or severally, whether at law or in equity:
- (a) is entitled to the land for an estate in fee simple in possession; or
- (b) is a person to whom the Crown has lawfully contracted to grant 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.
- “Plot Ratio” has the same meaning as in the Uniform Building By-laws 1974 as amended.
- “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 and includes areas provided for spectators.
- “Public Amusement” means the use of land for the amusement or entertainment of the public, with or without charge and includes an Amusement Parlour.
- “Public Authority” has the same meaning given to it in, and for the purposes of, the Act.
- “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 work or undertaking constructed or maintained by a public authority or the Council, as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.
- “Public Worship-Place of” means a building 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 Equipment” means masts, aerials and other associated equipment used for the transmission and reception of radio signals.
- “Radio and T.V. Installation” means land used by a private or public body for the transmission, relay or reception of radio or television signals and associated activities and includes a radio or television studio.
- “Residential Building” means a building, other than a dwelling home, designed for use for human habitation together with such outbuildings as are ordinarily used therewith, and the expression includes a hostel, an hotel designed primarily for residential purposes and a residential club.
- “Restaurant” means a building or portion of a building wherein food is prepared solely for sale and consumption within the building or portion thereof and the expression shall include a licensed restaurant, cafe, or nightclub, and also includes a restaurant at which food for consumption outside the building, or portion thereof, is sold where the Council is of the opinion that that forms a minor part of the business only.
- “Restricted Rural Use” means land and/or buildings used for piggeries, intensive lot feeding or poultry farming under caged conditions.

"Rural Use" means the use of land for any of the purposes set out hereunder and shall include such buildings normally associated therewith:

- (a) the growing of vegetables, fruit, cereals or food crops;
- (b) the rearing or agistment of poultry, sheep, cattle or beast of burden;
- (c) the stabling, agistment or training of horses;
- (d) the growing of trees, plants, shrubs, or flowers for replanting in domestic, commercial or industrial gardens;
- (e) the sale of produce grown solely on the lot, except that sales from a building used specifically or principally as a shop will not be permitted.

but does not include the following except as approved by the Council:

- (i) piggeries, intensive feeding lots or poultry farming under caged conditions;
- (ii) the processing, treatment or packing of produce;
- (iii) the breeding, rearing or boarding of domestic pets.

"Service Station" means land used for the supply of motor vehicle oil and fuel to the public and may include the supply of automotive accessories other than petroleum products, greasing, tyre repairs and mechanical repairs but does not include panel beating, spraypainting or wrecking.

"Setback" means the shortest horizontal distance between a wall at any point and the adjacent lot boundary.

"Shop" means any building or portion of a building wherein goods are kept, exposed or offered for sale, but does not include a bank, fuel depot, a market, service 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 (cafe and restaurant are included under the definition of "Restaurant").

"Showroom" means a building or portion of a building wherein goods are displayed and may be offered for sale, excluding foodstuffs, liquor or beverages; items of clothing or apparel; magazines, newspapers, books or paper products; medicinal or pharmaceutical products; china, glassware or domestic hardware; or items of personal adornment provided that retail uses shall be limited to an area no greater than 20 per cent of the total gross leasable area.

"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 or a building the subject of a Tavern Licence granted under the provisions of the Liquor Act 1970 (as amended).

"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 the vehicles used, but not of other vehicles.

"Uniform Building By-laws" means the Uniform Building By-laws 1974 published in the *Government Gazette* on 19 December 1974 and if those by-laws are revoked or amended after the gazettal date, means the Uniform General By-laws made pursuant to section 433A of the Local Government Act 1960, for the time being in force.

"Veterinary Consulting Rooms" means a building in which a veterinary surgeon or veterinarian treats the minor ailments of domestic animals and household pets as patients but in which animals or pets do not remain overnight.

"Veterinary Hospital" means land or a building used for, or in connection with, the treatment of sick animals and pets and includes the accommodation of sick animals and pets.

"Warehouse" means a building or portion of a building wherein goods are received and stored and includes the sale of such goods stored by wholesale, but of no other goods but does not include the storage on rural holdings of grain, chaff or hay.

"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 for the use of land, but does not include land reserved.

#### Schedule 2.

##### Submission Requirements For Special Rural Zones.

Application for rezoning to Special Rural, or for subdivision and development within a Special Rural Zone must include the following or any variations therefrom which in the opinion of Council are reasonably satisfactory.

##### (i) Base Plan showing:—

- (a) contours of the land at intervals not exceeding 5 metres; except that over areas proposed for reserves contours shown need only indicate generally the topography of the land;
- (b) location, type and approximate density of trees and other significant vegetation;
- (c) creeks, water courses, significant drainage lines and major rock outcrops (if any);
- (d) building, fences and other improvements.

##### (ii) Submissions must identify and show how the following have been dealt with or taken into account in the subdivisions:—

- (a) present use of the land (e.g. crop, improved pasture);
- (b) skylines and landscape faces which are important in retention of the rural character or the environmental amenity of the area;
- (c) adjoining reserves, special treatment of areas adjacent to them and access thereto;
- (d) proposed reserves, and a detailed analysis of the conditions affecting the location of the boundaries thereof;
- (e) methods or providing access to adjoining lands within the zone.

##### (iii) Submissions must identify and show on the subdivisional proposal or on supplementary plans or documents—

- (a) areas intended for tree preservation including road fringing areas and other timbered areas of environmental significance;
- (b) the location, nature and existing degree of preservation of any building of historic or architectural significance, any aboriginal site, any area of botanical or scientific interest, and any unique wild life habitats, together with the means by which such features if any are to be treated or disposed of;
- (c) any other unique features of qualities of the subdivisional proposal;
- (d) the means of treating any areas of specific problems (e.g. areas of actual or potential erosion);
- (e) the means by which the scenic quality of the landscape are to be preserved and/or enhanced;
- (f) the method proposed to ensure that each lot can obtain adequate and satisfactory supply of water, together with proof that the nominated supply is of sufficient volume and quality;
- (g) demonstrate, if applicable, that the obtaining of water will not affect the supply to nearby agricultural, forest and ecological areas;
- (h) indicate the proposed means of disposal of liquid wastes from each lot, and demonstrate that such disposal method will not affect other lands either adjoining lots within the subdivision or lands external to the subdivision nor will cause pollution of any natural water course;



- (i) assessment of the natural drainage conditions of the land and the means of overcoming any drainage problems either existing or caused by the proposed development;
- (j) the method of road construction proposed including any specific areas such as water course crossing and excessive grades;
- (k) the measures proposed within the subdivision to control bush fires, such measures to include but not be necessarily limited to the provision and location of strategic firebreaks and the methods of treating open space areas where these may, by appropriate treatment, form effective fire management control.

## Schedule 3.

## Special Sites.

Description of Site	Permitted Uses and Conditions of Use where applicable
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Part Avon Loc. 1678 El Caballo Blanco	Hotel and Equestrian Centre
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Adopted by resolution of the Council of the Shire of Northam at the Ordinary meeting of the Council held on 5 July 1985 and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of—

[L.S.]

D. R. ANTONIO,  
President.

A. J. MIDDLETON,  
Shire Clerk.

This Scheme Text is to be read in conjunction with the approved maps of the Scheme described in Clause 1.4 of this Scheme and to which final approval was given by the Hon. Minister for Town Planning on the 10th day of August 1985.

Recommended—

M. FEILMAN,  
Chairman of the Town Planning Board.

Dated 30/7/85.

Approved—

R. PEARCE,  
Minister for Planning.

Dated 10/8/85.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).Advertisement of Approved Town Planning Scheme  
Amendment.

City of Gosnells Town Planning Scheme  
No. 1—Amendment No. 212.

T.P.B. 853-2-25-1, Pt. 212.

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 Gosnells Town Planning Scheme Amendment on 2 October 1985 for the purpose of rezoning Lot 227 Gallant Court, Thornlie from Residential "A" to Residential "B".

L. G. RICHARDSON,  
Mayor.

G. WHITELEY,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).Advertisement of Approved Town Planning Scheme  
Amendment.

Town of Albany Town Planning Scheme  
No. 1A—Amendment No. 4.

T.P.B. 853-5-2-15, Pt. 4.

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 Albany Town Planning Scheme Amendment on 10 October 1985 for the purpose of the following:—

1. The land detailed in the Schedules is deleted from the Residential Zone and included in the Tourist Residential Zone as depicted in this document and the Scheme Map is hereby amended accordingly.

2. The land detailed in the Schedule is deleted from the R20 Residential Density Code Area and included in the R30 Residential Density Code Area as depicted in this document and the Scheme Map is hereby amended accordingly.

3. The definition of "Chalet" contained in Appendix IX—Interpretations of the Scheme Text is deleted.

4. The definition which reads "Holiday Accommodation means accommodation comprising two or more cabins, apartments, chalets, cottages, or flats which, by way of trade or business, or for the purpose of any trade or business, is held out as being available or is made available for holiday purposes for occupation by persons other than the proprietor" is included in Appendix IX—Interpretations of the Scheme Text after the definition "Hazardous Industry".

5. The use class "Holiday Accommodation" is included in Appendix 1—Zoning Table after use class "29. Hazardous Industry" with the symbols "AA" under Tourist Residential and Central Area Zones, "SA" under Residential Zone and "X" under the remaining zones.

6. Clauses 4.36 and 4.37 are included in Part IV—General Provisions of the Scheme Text:—

## Holiday Accommodation

4.36 The development of holiday accommodation shall comply with the provisions relating to the development of multiple dwelling units in whichever is the greater of the R.50 Residential Density Code Area or the Residential Density Code Area depicted on the Scheme Map except that it shall not be necessary to comply with Clause 30(2) of the Residential Planning Codes relating to the provision of storage areas.

4.37 Council shall not grant its special consent to the development or operation of holiday accommodation comprising more than four units in addition to managers quarters in the Residential Zone.

J. M. HODGSON,  
Mayor.

W. P. MADIGAN,  
Acting Town Clerk.

## Schedule.

1.—Nos. 18 to 26 Adelaide Crescent, Nos. 4 to 12 Golf Links Road, and Nos. 3 to 11 Marine Terrace more particularly described as Portion of Albany Suburban Lot A14, and being Lots 1 to 6 inclusive, 148, 152 to 157 inclusive, and 163.

2.—Nos. 14 to 26 Golf Links Road, and Nos. 13 to 25 Marine Terrace more particularly described as Portion of Albany Suburban Lot A14, and being Pt. Lot 74 and Lots 75 to 87 inclusive.

3.—Nos. 16 to 22 Middleton Road, Nos. 30 to 40 Golf Links Road, No. 11 Wollaston Road, and Nos. 29 to 41 Marine Terrace more particularly described as Portion of Albany Suburban Lot A14, and being Lots 1, 2, 7 to 9 inclusive, 57 to 59 inclusive, 62 to 66 inclusive, and 69 to 73 inclusive.

4.—Nos. 28 to 36 Adelaide Crescent, Nos. 2 to 12 Garden Street, and Nos. 1 to 11 Golf Links Road more particularly described as Portion of Albany Suburban Lot A14, and being Lots 1 to 5 inclusive, 7, 8, 138 to 147 inclusive.

5.—Nos. 14 to 26 Garden Street, and Nos. 13 to 25 Golf Links Road more particularly described as portion of Albany Suburban Lot A14, and being Lots 7, 88, 89, 92 to 101 inclusive.

6.—Nos. 26 to 30 Middleton Road, Nos. 30 to 42 Garden Street, and Nos. 31 to 41 Golf Links Road more particularly described as portion of Albany Suburban Lot A14, and being Lots 2, 4, 40 to 52 inclusive, and 54.

7.—Nos. 27 to 45 Garden Street more particularly described as Portion of Albany Suburban Lot A14, and being Pt. Lots 34, 35 and 39, Lots 1 to 4 inclusive, 160, 162 and 164.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

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

Town of Bassendean Town Planning Scheme No. 3—  
Amendment No. 10.

T.P.B. 853-2-13-3, Pt. 10.

NOTICE is hereby given that the Town of Bassendean 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 116 and 118 Seventh Avenue to Group Residential.

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 48 Old Perth Road, Bassendean, 6054 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 22 November 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, Town of Bassendean, PO Box 87, Bassendean, 6054 on or before 22 November 1985.

C. McCREED,  
Town Clerk.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning  
Scheme Amendment.

Shire of Busselton  
Town Planning Scheme No. 5—Amendment No. 41.

T.P.B. 853-6-6-6, 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 Shire of Busselton Town Planning Scheme amendment on 10 October 1985 for the purpose of:—

1. Rezoning Lot 30 Gypsy Street, Eagle Bay, from "Single Residential" to "Shopping and Additional Use".
2. Amending the Scheme Text by adding to Appendix IV "Additional Use Zones" the following:—  
"Gypsy Street—Lot 30—Petrol Sales".

T. B. HOUSE,  
President.  
B. N. CAMERON,  
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. 12.

T.P.B. 853-7-4-2, Pt. 12.

IT is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 (as amended) that the Minister for Planning approved the Shire of Derby-West Kimberley Town Planning Scheme amendment on 24 September 1985 for the purpose of:—

1. Rezoning Lots 1, 2 and 866 Alexander Street, from Public Open Space to Residential.
2. Including the Right-of-Way Alexander Street, in the Residential Zone.

J. F. O'DRISCOLL,  
President.

B. HARRIS,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT  
1928 (AS AMENDED).

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

Shire of Kalamunda District Planning Scheme No. 2—  
Amendment No. 12.

T.P.B. 853-2-24-16, Pt. 12.

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 Scheme Text at Appendix C—Special Rural Zone Schedules:—

- (a) In column (b) to substitute subdivisional guide plan No. 10—1 for plan No. 10 in subparagraph (1).

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 2 Railway Road, Kalamunda, 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 8 November 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, 6076 on or before 8 November 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 Mandurah Town Planning Scheme No. 1A—  
Amendment No. 38.

T.P.B. 853-6-13-9, Pt. 38.

NOTICE is hereby given that the Shire of Mandurah 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:—

1. Transferring portion of Part Lot 104 at the corner of Petina Court and Seawind Drive, Mandurah from Local Recreation Reserve to the Residential 1 Zone (Single Residential).
2. Rezoning Lot 126 Hickman Road, Mandurah from Commercial Zone to Residential 1 Zone (Single Residential).
3. Incorporating the above land within the Residential Planning Code R12.5 code.

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, Mandurah Terrace, Mandurah, 6210 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 22 November 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 Mandurah, PO Box 210, Mandurah, 6210 on or before 22 November 1985.

K. W. DONOHOE,  
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. 231.

T.P.B. 853-2-27-1, Pt. 231.

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 Pt. Lot 71 and Swan Location 10018 Marlboro Road, Swan View from "Residential" to "Special Purposes Zone" and Local Authority Reservation, "Public Open Space".

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 50 Great Eastern Highway, Mundaring, 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 17 December 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, PO Box 20, Mundaring, 6073 on or before 17 December 1985.

M. N. WILLIAMS,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme Amendment.

Shire of Mundaring Town Planning Scheme No. 1—Amendment No. 232.

T.P.B. 853-2-27-1, Pt. 232.

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 Mundaring Town Planning Scheme amendment on 10 October 1985 for the purpose of the following:—

1. Amending the Scheme Maps to rezone the southern portion of Lot 1 at the Corner of Homestead Road and Great Eastern Highway, Mahogany Creek from "Residential" to "Special Purposes".

2. Amending the Scheme Text to:—

- (a) exclude from the Schedule entitled "Special Purposes Zone" the particulars under the respective headings.

Locality	Street	Particulars of Land	Permitted Use
Mahogany Creek	Cnr. Great Eastern Highway and Homestead Road	Lot 12 Swan Loc. 97 Plan. 3456 Certificate of Title Vol. 1308 Fol. 019	Historical, Commercial and Residential as decided by Council.

- (b) include in the Schedule entitled "Special Purposes Zone" the particulars under the respective headings.

Locality	Street	Particulars of Land	Permitted Use
Mahogany Creek	Cnr. Great Eastern Highway and Homestead Road	Lot 1 Swan Loc. 97 Diagram No. 42757 Certificate of Title Vol. 616 Fol. 193A	Historic Restaurant Reception Centre dwelling unit 13 accommodation units Limited display and sale of local arts and crafts. Carpark. Development to be generally in conformity with the Concept Plan which forms part of this amendment.

R. WAUGH,  
President.  
M. N. WILLIAMS,  
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. 246.

T.P.B. 853-2-27-1, Pt. 246.

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 Swan Location 2636, Rosedale Road, Chidlow from "Rural" to "Special Purposes—Holiday Accommodation".

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 50 Great Eastern Highway, Mundaring 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 17 December 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 am. 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, PO Box 20, Mundaring 6073 on or before 17 December 1985.

M. N. WILLIAMS,  
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. 269.

T.P.B. 853-2-27-1, Pt. 269.

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 Mount Helena Lot 279 Lion Street, Mount Helena from "Rural" to "Special Rural—Landscape Interest".

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 50 Great Eastern Highway, Mundaring 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 17 December 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, PO Box 20, Mundaring 6073 on or before 17 December 1985.

M. N. WILLIAMS,  
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. 276.

T.P.B. 853-3-27-1, Pt. 276.

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:—

1. Excluding Lot 424 of Swan Location 16, Salisbury Road, Swan View, from the "Commercial" zone and including it in the "Special Purposes" zone.
2. Inserting in the Schedule—Special Purposes zone, Lot 424 of Swan Location 16 for use as Aged Persons Hostel Complex.

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 50 Great Eastern Highway, Mundaring 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 17 December 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 6073 on or before 17 December 1985.

M. N. WILLIAMS,  
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 Narembeen Town Planning Scheme No. 1—Amendment No. 5.

T.P.B. 853-4-21-1, Pt. 5.

NOTICE is hereby given that the Shire of Narembeen 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 9, 10, and Location 16227, Longhurst Street and Lot 11 Latham Road from Industrial to Rural.

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, 1 Longhurst Street, Narembeen 6369 and will be open for inspection without charge during the hours of 8.30 a.m. to 5.00 p.m. on all days of the week except Saturdays, Sundays and Public Holidays until and including 22 November 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 Narembeen, P.O. Box 205, Narembeen, 6369 on or before 22 November 1985.

V. EPIRO,  
Shire Clerk.

CORRIGENDUM.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme Amendment.

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

Shire of Plantagenet Town Planning Scheme No. 2—Amendment No. 2.

T.P.B. 853-5-14-3, Pt. 2.

IT is hereby notified for public information that the notice under the above Amendment No. 2 published at page 3963 of the *Government Gazette* (No. 97) dated 10 October 1985 contained an error which is now corrected as follows:—

for the words "R. H. GURNEY" read "M. NICHOLLS".

M. NICHOLLS,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme Amendment.

Shire of Swan Town Planning Scheme No. 1—Amendment No. 133.

T.P.B. 853-2-21-1, Pt. 133.

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 Swan Town Planning Scheme Amendment on 4 September 1985 for the purpose of:—

1. Amending the legend on the Scheme Map to include a new notation for the "Special Sites" zone. The new notation shall be "B.P.—Manufacture and Sale of Building Products and Associated Activities including Clay Extration".
2. Rezoning Locations 2983-2987 (inclusive) Harper Street, Caversham, from "Rural" to "Special Sites—B.P."
3. Amending Appendix C to the Scheme Text entitled Special Sites to include the following:—

Locality	Street	Land Part	Permitted Use
Caversham	Harper	Loc. 2983, 2984, 2985, 2986 and 2987	Manufacture and sale of building products and associated activities including clay extraction.

C. M. GREGORINI,  
President.

R. S. BLIGHT,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme Amendment.

Shire of Wanneroo Town Planning Scheme No. 1—Amendment No. 259.

T.P.B. 853-2-30-1, Pt. 259.

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 Wanneroo Town Planning Scheme Amendment on 30 September 1985 for the purpose of the following:—

1. Rezoning Lots 100 and 101 and Part Lots 10 and 11 of Perthshire Location 103 and Part Perthshire Location 114 from "Rural" to "Special Residential" on the Scheme Maps.
2. Inserting the following heading and special provisions under Schedule 6 of the Scheme Text.

Special Residential Zone No. 2.

1. Description of Locality: Lots 100 and 101 and Part Lots 10 and 11 of Perthshire Location 103 and Part Perthshire Location 114, corner of Hocking Road and Wanneroo Road, Kingsley.

## 2. Special Provisions:—

- (a) A range of lot sizes with a minimum lot size of 2 000 m<sup>2</sup> and an average lot size of not less than 2 300 m<sup>2</sup> shall be provided. Subdivision shall be in accordance with the Development Guide Plan.
- (b) Access from individual lots to Wanneroo Road shall only be via approved subdivisional roads.
- (c) Electricity shall be provided by means of underground cables to all buildings.
- (d) All stormwater run-off shall be disposed of by means of drainage systems constructed within Special Residential Zone No. 2 to the satisfaction and specification of the Council.
- (e) A landscaping programme utilising native trees and shrubs shall be undertaken to the satisfaction of the Council. Plans illustrating the species and location of plants to be used shall be submitted by all land owners for the Council's approval at the same time as Applications for Approval to Commence Development are submitted.

N. TRANDOS,  
President.  
R. F. COFFEY,  
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 Wyndham-East Kimberley Town Planning Scheme No. 4—Amendment No. 4.

T.P.B. 853-7-5-6, Pt. 4.

NOTICE is hereby given that the Shire of Wyndham-East Kimberley 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 1240 and 1134, Poinciana Street, from Light Industry to General Industry.

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, Koolama Street, Wyndham 6740 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 29 November 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 Wyndham-East Kimberley, P.O. Box 188, Wyndham 6740 on or before 29 November 1985.

B. R. THOMPSON,  
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 Wanneroo Town Planning Scheme No. 1—  
Amendment No. 294.

T.P.B. 853-2-30-1, Pt. 294.

NOTICE is hereby given that the Shire of Wanneroo 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 333 of Swan Location 1586, Gnangara Road, Wangara from Rural to Special Zone (Additional Use) Motel and adding reference to the new Zone in Schedule 1.

All plans and documents setting out and explaining the amendment have been deposited at Council Offices, Shenton Avenue, Joondalup 6065 and will be open for inspection without charge during the hours of 8.45 a.m. to 4.45 p.m. on all days of the week except Saturdays, Sundays and Public Holidays until and including 29 November 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 Wanneroo, PO Box 21, Wanneroo 6065 on or before 29 November 1985.

J. R. WATSON,  
Acting Shire Clerk.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Shire of Esperance Interim Development Order No. 8.

T.P.B. 26-11-6-1.

NOTICE is hereby given that in accordance with the provisions of subsection (2) of section 7B of the Town Planning and Development Act 1928 (as amended), and by direction of the Minister for Planning a summary as set out hereunder of the Shire of Esperance Interim Development Order No. 8 made pursuant to the provisions of section 7B of that Act is published for general information.

The Minister for Planning has made copies of this Order available for inspection by any person free of charge at the offices of the Town Planning Board, Oakleigh Building, 22 St George's Terrace, Perth, and at the offices of the Shire of Esperance, Windich Street, during normal office hours.

## Summary.

1. The Shire of Esperance Interim Development Order No. 8 contains provisions *inter alia*:

- (a) That the Order applies to that part of the Shire of Esperance specified in the Order.
- (b) That, subject as therein stated, the Esperance Shire Council is the authority responsible for its administration.
- (c) That the carrying out of certain development on land within the scope of the Order without approval as stated therein is prohibited.
- (d) Relating to the application for, and grant of approval for, development other than development permitted by the Order.
- (e) Relating to development by a public authority.
- (f) Relating to certain development permitted by this Order.
- (g) Relating to the continuance of the lawful use of land and buildings.
- (h) Relating to appeals against refusal of approval for development or against conditions subject to which approval to carry out development is granted.

2. The Order has effect from and after the publication of this Summary in the *Government Gazette*.

R. SCOBLE,  
Shire Clerk.

## CORRIGENDUM.

TOWN PLANNING AND DEVELOPMENT  
ACT 1928 (AS AMENDED).

Advertisement of Approved Town Planning Scheme Amendment.

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

Shire of Wyndham-East Kimberley.

Town Planning Scheme  
No. 5—Amendment Nos. 1 and 2.

Town Planning Scheme  
No. 4—Amendment No. 3.

T.P.B. 853-7-5-7, Pts. 1 and 2; 853-7-5-6, Pt. 3.

IT is hereby notified for public information that the notice under the above Amendment Nos. 1, 2, and 3 published at page 3781 of *Government Gazette* (No. 91) dated 20 September 1985 contained an error which is now corrected as follows:—

For the words "M. N. BROWN" read "B. R. THOMPSON".

Also, for the words "Town Clerk" read "Shire Clerk".

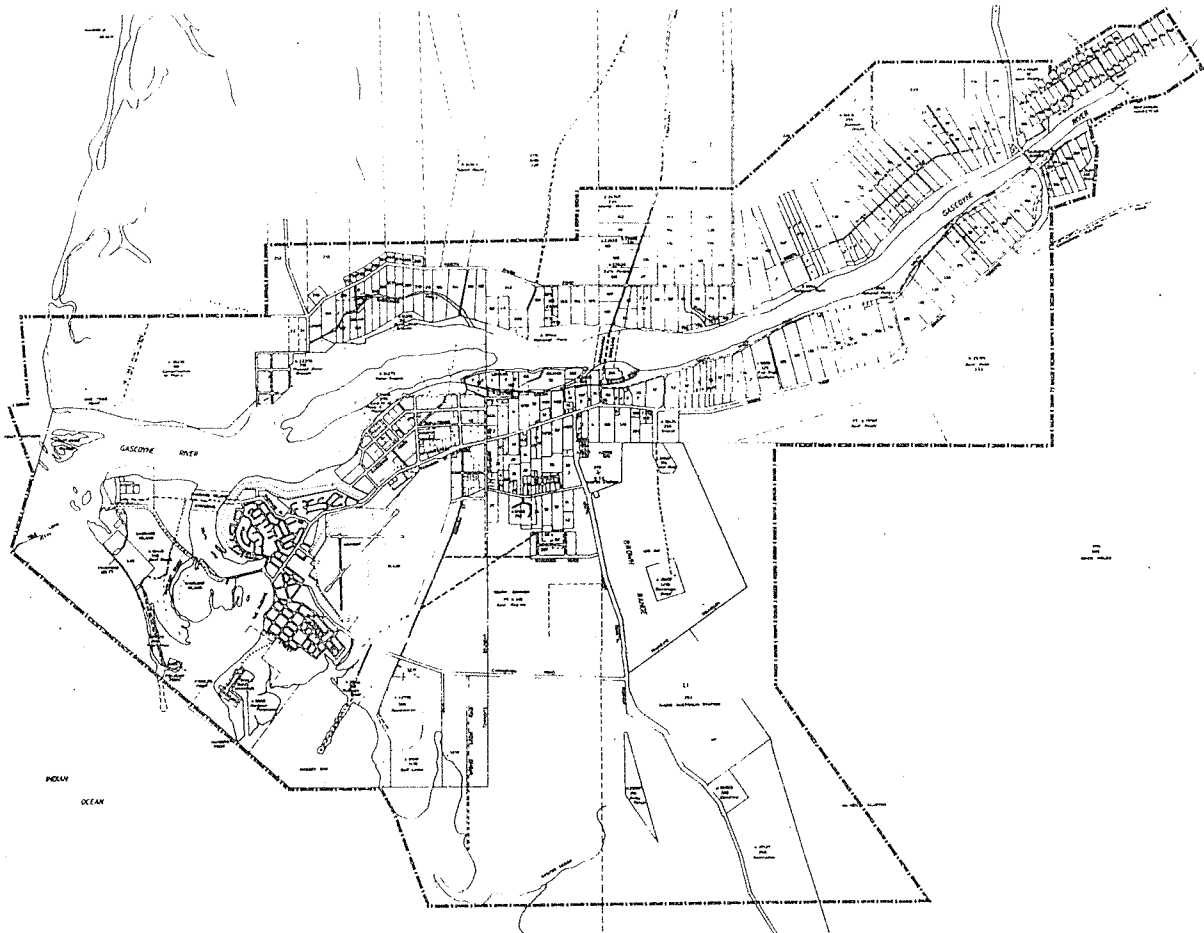
B. R. THOMPSON,  
Shire Clerk.

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED).  
 Resolution Deciding to Prepare a Town Planning Scheme.  
 Land Wholly Within the District of the Local Authority Preparing the Scheme.  
 Shire of Carnarvon Town Planning Scheme No. 10.

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 situate wholly within the Shire of Carnarvon and enclosed within the inner edge of the dotted black border on a plan now produced to the Council and marked and certified by the Shire Clerk under his hand.

Dated this 26th day of September, 1985.

S. K. GOODE,  
 Shire Clerk.



SHIRE OF COOROW.

Municipal Fund.

SUMMARY STATEMENT OF RECEIPTS AND PAYMENTS.  
 YEAR ENDED 30 JUNE 1985.

Receipts.		\$	\$
Rates	491 807.76		
Less Discount	24 601.83	467 205.93	
Licences		2 415.26	
Government Grants and Recoups.		587 085.00	
Income from Property		29 770.76	
Sanitation Charges		17 349.15	
Vermis Receipts		9.00	
All Other Revenue:			
Private Works	55 193.85		
Sale of Plant-Contr	177 616.00		
Interest on Deposits	7 313.47		
Contribution to Works	109 745.12		
Loan Repayments	24 744.12		
Sundry	7 223.47	381 836.03	
		\$1 485 671.13	

Payments.

	\$
Administration:	
Staff Section	123 085.47
Members Section	10 613.44
Debt Service	248 046.11
Public Works and Services	724 454.52
Buildings, Construction and Equipment	45 082.84

	\$	\$
Buildings, Maintenance		46 439.77
Town Planning		9 859.24
Health Services		28 769.62
Sanitation and Equipment		522.70
Vermis Services		15 205.98
Bushfire Control		
Cemeteries		195 722.65
Plant, Machinery and Tools		
Fuels and Oils	107 731.87	
Plant Maintenance and Repair	73 527.55	
	181 259.42	
Less Allocated to Works and Services	180 579.77	679.65
Donations and Grants		474.09
Other Works and Services		1 383.49
All Other Expenditure:		
Private Works	27 780.13	
Purchase of Land		
Sundry	7 104.49	34 884.62
		\$1 485 224.19

SUMMARY.

	\$	\$
Credit Balance 30/6/84	9 062.64	
Receipts for the Year 1984/85	1 485 671.13	1 494 733.77
Expenditure for Year 1984/85		1 485 224.19
		\$9 509.58

## SUMMARY BALANCE SHEET AS AT 30 JUNE 1985.

Assets.	
Current Assets:	16 301.08
Stock in Hand:	2 671.76
Deferred Assets:	1 358.68
Non Current Assets:	74 384.42
Deposits:	175.00
Fixed Assets:	1 707 311.23
	<u>\$1 802 202.17</u>
Liabilities.	
Current Liabilities:	\$
Non Current Liabilities:	8 026.33
Deferred Liabilities:	923 491.82
	<u>\$931 518.15</u>
SUMMARY.	
Total Assets:	\$ 1 802 202.17
Total Liabilities:	931 518.15
Municipal Accumulation Account (Surplus):	<u>\$870 684.02</u>

We hereby certify that the figures and particulars contained in the statement are correct.

T. J. READ, President.  
S. N. HAZELDINE, Shire Clerk.

I have examined the accounts of the Shire of Coorow for the financial year ended 30 June 1985. The accounts are in order and properly kept in accordance with provisions of the Local Government Act and the accounting directions and have been allowed by me as required by section 632 of the Act.

The Balance Sheet and related financial reports for the year ended 30 June 1985 are, in my opinion, prepared in a manner which is in substantial compliance with the Local Government Act accounting directions and reflect a true and fair view of the affairs of the Shire.

M. J. BREMAN, F.A.S.A., C.P.A.  
Local Government Auditor.

Total Assets:	\$ 636 861.46
Total Liabilities:	283 910.27
Municipal Accumulation Account Surplus:	<u>\$352 951.19</u>

We certify the above particulars and figures are correct.

K. O'DEA, President.  
W. T. PERRY, Shire Clerk.

## Audit Report.

We have audited the books and records of the Shire of Narrogin in accordance with Australian Auditing Standards and the Local Government Audit Directions issued by the Minister for Local Government.

In our opinion the annual accounts have been prepared on a basis consistent with the Local Government Act 1960 and the Local Government Accounting Directions and give a true and fair view of:

- (i) the state of affairs of the Shire of Narrogin as at 30 June 1985; and
- (ii) the cash transactions of the Shire of Narrogin for the year ended 30 June 1985;

and are in accordance with the books and records of the Shire.

K. BOND,  
S. J. FOSTER,  
Ernst & Whinney,  
Chartered Accountants.

## CITY OF MELVILLE.

IT is hereby notified for Public Information that Leslie Charles Williams has been appointed ranger pursuant to the provisions of the Dog Act 1976 and section 450 of the Local Government Act 1960 from 7 October 1985 for the purpose of registering, impounding, seizing, detaining and destroying dogs and effecting general ranger duties.

The name of Cedrick Thomas Bawden is deleted as a ranger as from 20 September 1985.

RALPH H. FARDON,  
Town Clerk.

## SHIRE OF NARROGIN.

## STATEMENT OF RECEIPTS AND PAYMENTS FOR YEAR ENDING 30 JUNE, 1985.

Receipts.	
Credit Balance at 1/7/84:	\$ 37 093.05
Rates:	140 074.13
Licences:	256.00
Government Grants and Recoups:	302 357.27
Income from Property:	11 899.10
Private Works:	19 862.24
Vermin Services:	12.20
Health Services:	60.00
Other Revenue:	9 017.31
Fund Transfers:	12 511.16
	<u>\$533 142.46</u>
Payments.	
Debit Balance at 1/7/84:	\$ 6 336.78
Administration Staff Section:	60 192.75
Administration Members Section:	9 668.80
Debt Service:	55 910.42
Public Works and Services:	284 060.27
Building Maintenance:	17 810.54
Transfer of Funds:	26 000.00
Rubbish Services:	1 449.45
Health Services:	988.51
Town Planning Scheme:	617.20
Noxious Weeds:	538.65
Traffic Control:	1 466.75
Parks, Halls and Reserves:	3 901.20
Bushfire Control:	3 465.87
Airport Maintenance:	227.87
Donations and Grants:	25 025.00
Private Works:	11 555.97
Capital Expenditure:	7 905.70
	<u>\$517 121.73</u>

## BALANCE SHEET 1984/5.

Assets.	
Current Assets:	\$ 17 128.03
Non Current Assets:	29 026.09
Contras - Reserve Funds:	27 397.60
Fixed Assets At Cost:	563 309.74
	<u>\$636 861.46</u>
Liabilities.	
Current Liabilities:	\$ 10 593.48
Non Current Liabilities:	29 026.09
Deferred Liabilities:	244 290.70
	<u>\$283 910.27</u>

## SHIRE OF NORTHAMPTON.

## Appointment of Authorised Officer.

IT is hereby notified for public information that Mr. Ronald Alan Gilbert has been appointed an Honorary Ranger and an authorised officer from 20 September 1985 for the following purposes:

1. Dog control in accordance with the provisions of the Dog Act 1976-1977.
2. Litter control in accordance with the provisions of the Litter Act 1979 and under section 665 (B) of the Local Government Act 1960-1985.
3. Control and supervision of the following by-laws:
  - (a) by-laws relating to Caravan Parks and Camping Grounds;
  - (b) by-laws relating to the control of vehicles on land which is vested in or under the care, control or management of the Shire of Northampton.

C. J. PERRY,  
Shire Clerk.

## CORRIGENDUM.

## DOG ACT 1976.

## Shire of Busselton.

THE notice which appeared under the above heading on page 3966 of *Government Gazette* (No. 98) of 11 October 1985 contained an error.

The name David Anthony Whitfield should read David Anthony Whitfield.

B. N. CAMERON,  
Shire Clerk.

## HEALTH ACT 1911.

Shire of Wickepin.

PURSUANT to the provisions of section 57 of the Health Act 1911, the Shire of Wickepin gives notice it intends to construct extensions to the sewerage scheme in Wickepin Townsite as permitted by section 54 of the Act and that in accordance with section 55 of that Act the application general plan and description of the proposed scheme have been forwarded to the Commissioner of Health for approval.

A copy of the general plan and description may be inspected at the Office of the Shire of Wickepin during normal business hours.

Objections to the proposed scheme will be received within one month after the publication of this notice in the *Government Gazette*, as provided by section 58.

P. J. WALKER,  
Shire Clerk.

## CORRIGENDUM.

LOCAL GOVERNMENT ACT 1960.

Shire of Collie.

Notice of Intention to Borrow.

Proposed Loan (No. 93) of \$50 000.

THE notice published under the above heading on page 3025 of the *Government Gazette* (No. 77) dated 23 August 1985 is corrected as follows:—

\$50 000 for a period of seven (7) years repayable at the Office of the Shire of Collie by equal half yearly instalments of principal and interest.

J. L. MUMME,  
President.

L. J. CHRISTINGER,  
Shire Clerk.

## LOCAL GOVERNMENT ACT 1960.

Town of Armadale.

Notice of Intention to Borrow.

Proposed Loan (No. 235) of \$50 000.

PURSUANT to section 610 of the Local Government Act 1960 the Town of Armadale gives notice that it proposes to borrow by the sale of a debenture or debentures on the following terms and conditions and the following purposes: For a period of 10 years, initially for five years at the current ruling rate of interest to be re-negotiated at the then ruling rate of interest repayable at the office of the Council by half yearly instalments of principal and interest for the purposes of: Construction of Toilet Blocks and Tourist Footpath.

Plans, specifications and estimates of costs thereof and the statement required by section 609 are open for inspection at the Office of the Council, Jull Street, Armadale for 35 days after publication of this notice.

Dated this 15th day of October, 1985.

I. K. BLACKBURN,  
Mayor.

J. W. FLATOW,  
Town Clerk.

## LOCAL GOVERNMENT ACT 1960.

Shire of Esperance.

Notice of Intention to Borrow.

Proposed Loan (No. 211) of \$12 500.

PURSUANT to section 610 of the Local Government Act 1960, the Council of the Shire of Esperance hereby gives notice that it proposes to borrow money by the sale of a debenture or debentures on the following terms and for the following purposes: \$12 500 for a period of 10 years at ruling interest rates repayable at the office of the Council, Windich Street, Esperance in twenty half-yearly instalments of principal and interest. The loan may be repayable by half-yearly instalments of principal and interest over four years with repayments calculated over a ten-year term and then repaid in full or rolled over for the balance of the ten-year term at the then current interest rate. Purpose: Part construction and reconstruction costs of netball courts on Esperance Reserve 3287.

Specifications, estimates of costs and statements as required by section 609 of the Local Government Act are open for inspection at the Office of the Council for 35 days after publication of this notice.

Note: The Netball Association has accepted responsibility for the repayments to this loan.

Dated this 11th day of October, 1985.

M. J. ANDRE,  
President.

R. T. SCOBLE,  
Shire Clerk.

## LOCAL GOVERNMENT ACT 1960.

Shire of Carnarvon.

Notice of Intention to Borrow.

Proposed Loan (No. 157) of \$113 000.

PURSUANT to section 610 of the Local Government Act 1960 as amended, the Shire of Carnarvon hereby gives notice of its intention to borrow money by the sale of debentures on the following terms for the following purpose: \$113 000 for a period of 10 years with interest at ruling Treasury rates payable at the Office of the Council by 20 equal half-yearly instalments of Principal and Interest. Purpose: Roadworks—T.P.S. 6.

Plans, Specifications and Estimates of the costs thereof are open for inspection at the office of the Council, Carnarvon during normal office hours for a period of 35 days after the publication of this notice.

Dated this 3rd day of October, 1985.

W. J. DALE,  
President.

S. K. GOODE,  
Shire Clerk.

## LOCAL GOVERNMENT ACT 1960.

Shire of Esperance.

Notice of Intention to Borrow.

Proposed Loan (No. 212) of \$17 500.

PURSUANT to section 610 of the Local Government Act 1960, the Council of the Shire of Esperance hereby gives notice that it proposes to borrow money by the sale of a debenture or debentures on the following terms and for the following purpose: \$17 500 for a period of 10 years at ruling interest rates repayable at the office of the Council, Windich Street, Esperance in twenty half-yearly instalments of principal and interest. The Loan may be repayable by equal half-yearly instalments of principal and interest over four years with repayments calculated over a ten-year term and then repaid in full or rolled over for the balance of the ten-year term at the then current interest rate.

Purpose: Scaddan Hall extensions and improvements (part cost).

Specifications, estimates of costs and statements as required by section 609 of the Local Government Act are open for inspection at the Office of the Council for 35 days after publication of this notice.



Note: The repayments of this loan will be met by a differential rate over a specified area of the Shire as gazetted 27 September 1985.

Dated this 11th day of October, 1985.

M. J. ANDRE, President.  
R. T. SCOBLE, Shire Clerk.

#### CORRIGENDUM.

LOCAL GOVERNMENT ACT 1960.

Shire of Manjimup.

Notice of intention to borrow.

Proposed Loan (No. 149) of \$100 000.

THE following correction is made to the Notice of Intention to Borrow for the above proposed loan which appeared in the *Government Gazette* No. 95 published on 4 October 1985.

The term of the loan is to be for a period of 20 years repayable by 40 equal half-yearly repayments and not 15 years with 30 equal half-yearly repayments as published.

D. REES, Deputy President.  
M. D. RIGOLL, Acting Shire Clerk.

#### CORRIGENDUM.

LOCAL GOVERNMENT ACT 1960.

Shire of Manjimup.

Notice of intention to borrow.

Proposed loan (No. 150) of \$100 000.

THE following correction is made to the Notice of Intention to Borrow for the above proposed loan which appeared in the *Government Gazette* No. 95 published on 4 October 1985.

The term of the loan is to be for a period of 20 years repayable by 40 equal half-yearly repayments and not 15 years with 30 equal half-yearly repayments as published.

D. REES, Deputy President.  
M. D. RIGOLL, Acting Shire Clerk.

#### CORRIGENDUM.

LOCAL GOVERNMENT ACT 1960.

Shire of Manjimup.

Notice of intention to borrow.

Proposed loan (No. 151) of \$100 000.

THE following correction is made to the Notice of Intention to Borrow for the above proposed loan which appeared in the *Government Gazette* No. 95 published on 4 October 1985.

The term of the loan is to be for a period of 20 years repayable by 40 equal half-yearly repayments and not 15 years with 30 equal half-yearly repayments as published.

D. REES, Deputy President.  
M. D. RIGOLL, Acting Shire Clerk.

LOCAL GOVERNMENT ACT 1960.

Shire of Morawa.

Notice of Intention to Borrow.

Proposed Loan (No. 113) of \$20 000.

PURSUANT to section 610 of the Local Government Act 1960 the Shire of Morawa proposes to borrow money by sale of a debenture on the following terms and for the following purpose. \$20 000 for a period of 4 (four) years repayable at the office of the lender by eight equal half-yearly instalments of principal interest. Purpose: Refinancing of Loan No. 46 "Erection and Furnishing of a Club House and preparation of two bowling greens for the Morawa Golf and Bowling Club (Inc)"

Plans, specifications and estimates as required by section 609 are available for inspection at the office of the Council during business hours for 35 days after publication of this notice.

Dated this 1st day of October, 1985.

\* Please note that the half-yearly payments of principal and interest on Loan No. 113 will be met by the Morawa Golf and Bowling Club (Inc) and will not be a charge to the ratepayers of the Shire of Morawa.

J. A. NORTH, President.  
K. L. HILL, Shire Clerk.

LOCAL GOVERNMENT ACT 1960.

Municipal Elections.

Department of Local Government.

Perth, 8 October 1985.

IT is hereby notified, for general information, in accordance with section 138 of the Local Government Act 1960, that the following persons have been elected members of the undermentioned Municipalities to fill the vacancies shown in the particulars hereunder:—

Date of Election; Member Elected, Surname, First Names; Office; Ward; How Vacancy Occurred: (a) Effluxion of time; (b) Resignation; (c) Deaths; (d) Disqualified; (e) Other; Name of Previous Members; Remarks.

Town of Claremont.

19/9/85; Monteath, James Percival; Councillor; East; (b); Barrie, N; Extraordinary.

M. C. WOOD,  
Secretary for Local Government.

LOCAL GOVERNMENT ACT 1960.

Loan Poll.

Town of Narrogin.

Department of Local Government,

Perth, 14 October 1985.

Proposed Loan No. 113 of \$300 000 to construct premises for Westpac on a Self Supporting Basis.

LG: NG 3-8.

IT is hereby notified for general information in accordance with section 138 of the Local Government Act 1960, that the result of a loan poll conducted on 21 September 1985 with respect to the above proposed loan was as follows:—

Yes votes	312
No votes	173
Informal votes	—
	485

In a poll in which 27.3 per cent of the persons eligible to vote, did so vote, a majority were for the proposal.

M. C. WOOD,  
Secretary for Local Government.

## LOCAL GOVERNMENT ACT 1960.

Sale of Land.

City of Perth.

Department of Local Government,  
Perth, 15 October 1985.

LG: P 4-6 L.

IT is hereby notified for public information that His Excellency the Governor has directed under the provisions of section 266 of the Local Government Act 1960, that the City of Perth may sell Perth Town Lot 959 Hill Street, East Perth, being the whole of the land contained in Certificate of Title Volume 1691 Folio 465 to the Jesus People Incorporated by Private treaty.

M. C. WOOD,  
Secretary for Local Government.

## LOCAL GOVERNMENT ACT 1960.

Shire of Wanneroo.

Sale of Land.

Department of Local Government,  
Perth, 15 October 1985.

LG: WN 4-6 Z1.

IT is hereby notified for public information that His Excellency the Governor has directed under the provisions of section 266 of the Local Government Act 1960, that the Shire of Wanneroo may sell the following land by private treaty:—

1. Lot 211 being portion of Swan Location 1586 on Plan 11775 and being the whole of the land contained in Certificate of Title Volume 1452 Folio 293 to Ronald Arthur Fawkes.
2. Lots 177 and 178 being portion of Swan Location 1586 on Plan 11775 and being the whole of the land contained in Certificate of Title Volume 1452 Foliols 280 and 281 to Modular Metals Pty Ltd.
3. Lots 292 and 293 being portion of Swan Location 1586 on Plan 12575 and being the whole of the land contained in Certificate of Title Volume 1517 Foliols 508 and 509 to Darryl Charles Litton and Maureen Anne Litton.

M. C. WOOD,  
Secretary for Local Government.

## LOCAL GOVERNMENT ACT 1960.

Shire of Wanneroo.

Sale of Land.

Department of Local Government,  
Perth, 15 October 1985.

LG: WN 4-6 Y1.

IT is hereby notified for public information that His Excellency the Governor has directed under the provisions of section 266 of the Local Government Act 1960, that the Shire of Wanneroo may sell Lots 215 and 216, being portion of Swan Location 1586 on Diagram 52478 and being the whole of the land contained in Certificate of Title Volume 1476 Foliols 749 and 750 to Sidney Earnest Pond by private treaty.

M. C. WOOD,  
Secretary for Local Government.

## LOCAL GOVERNMENT ACT 1960.

Shire of Wanneroo.

Sale of Land.

Department of Local Government,  
Perth 15 October 1985.

LG: WN 4-6.

IT is hereby notified for public information that His Excellency the Governor has directed under the provisions of section 266 of the Local Government Act 1960, that the Shire of Wanneroo may sell Lot 224 being portion of Swan Location 1586 on Plan 12576 and being the whole of the land contained in Certificate of Title Volume 1517 Folio 555, to C & R Gurgone, by private treaty.

M. C. WOOD,  
Secretary for Local Government.

## LOCAL GOVERNMENT ACT 1960.

Shire of Augusta-Margaret River.

Rating Exemption.

Department of Local Government,  
Perth 15 October 1985.

LG: 116/85.

IT is hereby notified for public information that His Excellency the Governor acting pursuant to subsection 10 of section 532 of the Local Government Act 1960, has declared exempt from rates, the following lots owned by the Molloy Island Home Owner's Association (Inc.):—

- (a) Portion of Sussex Location a being Lot 109 on Diagram 53620 and being the whole of the land contained in Certificate of Title Volume 1609 Folio 472;
- (b) Portion of Sussex Location a being Lot 110 on Diagram 53620 and being the whole of the land contained in Certificate of Title Volume 1609 Folio 473;
- (c) Portion of Sussex Location a being Lot 259 on Plan 12809 and being the whole of the land contained in Certificate of Title Volume 1532 Folio 573;
- (d) Portion of Sussex Location a being Lot 260 on Plan 12809 and being the whole of the land contained in Certificate of Title Volume 1532 Folio 574;
- (e) Portion of Sussex Location a being Lot 261 on Plan 12809 and being the whole of the land contained in Certificate of Title Volume 1532 Folio 575.

M. C. WOOD,  
Secretary for Local Government.

## LOCAL GOVERNMENT ACT 1960.

Shire of Augusta-Margaret River.

Purchase of Land for Subdivision and Resale.

Department of Local Government,  
Perth 15 October 1985.

IT is hereby notified for public information that His Excellency the Governor has, pursuant to the provisions of section 514A of the Local Government Act approved of a proposal by the Shire of Augusta-Margaret River to purchase part of the land described as portion of Sussex Location 83 and being the land comprised in Certificate of Title Volume 1669 Folio 220, for the purpose reselling portion of the land after subdividing it under and in accordance with the Town Planning and Development Act 1928.

M. C. WOOD,  
Secretary for Local Government.

## LOCAL GOVERNMENT ACT 1960.

Local Government Boundaries Commission.

Appointment of Members.

Department of Local Government,  
Perth 15 October 1985.

LG: 1043/68.

IT is hereby notified for public information that His Excellency the Governor, acting under the provisions of subsection (6) of section 12 of the Local Government Act 1960, has appointed—

Michael Cunningham Wood, of the Department of Local Government, to be Chairman, *vice* Paul Fellowes; and

Phillip Graham Cooper, to be the deputy of James George Burnett, Member, *vice* Ian Douglas Temby; of the Local Government Boundaries Commission.

M. C. WOOD,  
Secretary for Local Government.

CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT  
1978.

Cancellation of Permitted Area.

Department of Local Government,  
Perth, 2 October 1985.

LG: 120/78M.

PURSUANT to the powers conferred on me by the Control of Vehicles (Off-road Areas) Act 1978, and with the consent of the Governor, I, Jeffery Phillip Carr, being the Minister as defined by section 3 of that Act, hereby declare that the permitted area specified in the Schedule to this notice shall be cancelled.

JEFF CARR,  
Minister for Local Government.

Schedule.

Permitted Area to be Cancelled.

All portion of land situated in the district of the Shire of Swan and comprising Lots 35 and 36 of Swan Location K1 and shown stippled on Lands and Surveys Miscellaneous Diagram Number 29 Sheet 2.

(Lands and Surveys Public Plan: Perth 2000 18.35.)

## LOCAL GOVERNMENT ACT 1960.

Shire of Coolgardie.

Purchase of Land for Resale Without Subdivision.

Department of Local Government,  
Perth, 15 October 1985.

LG: CG 4-6.

IT is hereby notified for public information that His Excellency the Governor has approved pursuant to the provisions of section 514A of the Local Government Act 1960 of the purchase of Reserve 29206 by the Shire of Coolgardie for the purpose of re-selling the whole of the land without subdivision.

M. C. WOOD,  
Secretary for Local Government.

## LOCAL GOVERNMENT ACT 1960.

The Municipality of the City of Perth.

By-law No. 9 Relating to Parks and Public Reserves.

Amendment.

IN pursuance of the powers conferred upon it by the abovementioned Act and of all other powers enabling it, the Council of the abovementioned Municipality hereby records having resolved on 19 August 1985, to make and submit for confirmation by the Governor the following amendment to the above by-law:—

That Clause 14 of the by-law be deleted and the following new clause substituted in lieu thereof:—

- “ 14. On a park or public reserve, a person shall not:
- (a) sell or expose for sale; or
  - (b) hire or expose for hire,
- anything except with the prior written consent of the Council.”

Dated this 19th day of August 1985.

The Common Seal of the City of Perth was hereto  
affixed in the presence of:—

[L.S.]

M. A. MICHAEL,  
Lord Mayor.

R. F. DAWSON,  
Town Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 15th day of October  
1985.

G. PEARCE,  
Clerk of the Council.

## LOCAL GOVERNMENT ACT 1960.

Municipality of the Shire of Wanneroo.

By-laws Relating to Standing Orders.

IN pursuance of the powers conferred upon it by the abovementioned Act and all other powers enabling it the Council of the Shire of Wanneroo hereby records having resolved on the 28 August 1985, to make and submit for confirmation of the Governor the following By-laws:—

1. The proceedings and business of the Council shall be conducted according to these By-laws which shall be called the Standing Orders.

Interpretation.

2. In these By-laws, unless the context otherwise requires:—  
“Act” means the Local Government Act 1960.

“Chairperson” means the person elected under By-law 184 to preside at Committee meetings and has the same meaning as the term “Chairman” for the purposes of section 182 of the Local Government Act.

“Clerk” means the Town Clerk.

“Council” means the Council of the City of Wanneroo.

“Committee” means any Standing or Occasional Committee appointed pursuant to these By-laws.

#### Arrangement.

3. (1) The arrangement of these By-laws is as follows:

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3. (2) Subject to By-law 3(3) hereof, these By-laws shall come into operation on 31 October 1985.

3. (3) The provisions of By-laws 174 to 176 shall not come into operation until 4 May 1986.

## Mayor.

4. (1) The Mayor shall be the chief elective executive officer of the municipality and shall exercise the functions and duties of that office as prescribed in the Local Government Act and these By-laws.
4. (2) In these By-laws unless the context otherwise requires the word Mayor shall include the person presiding at any meeting of the Council, or any meeting of any Committee.
5. The Mayor or if absent the Deputy Mayor or if absent a member chosen by the members present shall preside at each meeting of the Council.

## Meetings of the Council.

6. Meetings of the Council shall be of two kinds, "ordinary" and "special". Ordinary meetings are those called at such places and such times as the Council from time to time appoints for the transaction of the ordinary business of the Council. Special meetings are those called to consider special business, the nature of which shall be notified on the notice paper summoning the meeting.
7. The Mayor may convene a meeting of the Council as often as the Mayor thinks appropriate by notice in writing signed by the Mayor or the Clerk sent to each member before the meeting, or by the Mayor or Clerk in a person to person telephone call to each member.
8. If the Mayor refuses or neglects to call a meeting of the Council after receiving a request for that purpose signed by at least three members, those members may call a meeting of the Council by serving notice in writing signed by them stating the business to be transacted on each of the other members of the Council at least twenty four hours before the time of the commencement of the Meeting.
9. No business shall be transacted at any meeting of the Council other than that specified in the notice relating thereto except:
  - (a) matters which the Act permits to be dealt with without notice;
  - (b) matters which these By-laws permit to be dealt with without notice.

## Ordinary Meetings.

10. Ordinary meetings of the Council shall be held at such time as the Council may from time to time determine.
11. The Council shall resolve the days and times when Council Meetings shall be held at the first meeting held after the annual election.
12. The Council may alter the days or times of ordinary meetings subject to:
  - (a) any temporary alteration to remain in force for not more than one month; and
  - (b) any other alteration being made by an absolute majority resolution of the Council after two months Notice of Motion has been given to alter such dates or times.

## Special Meetings.

13. Special Meetings of the Council pursuant to By-law 7, shall be held to consider such business as the Mayor may determine or as given by Notice or request under By-law 8.
14. The order of business at any special meeting of the Council shall be in the order in which such business stands in the notice thereof.

## Notice of Meeting.

15. The Clerk shall give to all members of the Council notice in writing of each meeting, together with the agenda for such meeting, at least three clear days before the meeting.
16. When a meeting of the Council is adjourned to a day and hour other than the next Ordinary Meeting of the Council, notice of the adjourned meeting shall, if time permits, be sent in the manner provided by By-law 15 to each member of the Council, specifying the nature of the business to be transacted.

17. Failure to receive a notice on the part of any member of the Council shall not affect the validity of any ordinary or special meeting of Council so long as all reasonable steps have been taken to serve such notice, in compliance with By-law 7.

## Quorum.

18. Except in cases where section 173(4) of the Act applies the number of members necessary to form a quorum—
  - (a) where the total number of members of Council is an even number, is one half of that total; or
  - (b) where the total number of members of Council is an odd number, is the integer nearest to but greater than one half of that total.

19. The Council shall not transact business at a meeting unless a quorum is present.

20. If at the expiration of half an hour from the time fixed for the commencement of a meeting of the Council or a meeting adjourned pursuant to these By-laws, a quorum is not present, the Mayor or if absent the Deputy Mayor or if absent the majority of members present, or any member present alone, or in the absence of the Mayor and all members the Clerk may adjourn the meeting; and business which could have been transacted had there been a quorum at the meeting may be transacted at the resumption of the adjourned meeting.

21. If at any time during any meeting of the Council a quorum is not present the Mayor shall thereupon suspend the proceedings of the meeting for a period of five minutes and if a quorum is not present at the expiration of that period the meeting shall be deemed to have been counted out and the Mayor shall adjourn it to a future day.

22. The Mayor shall determine the date, time and place for the resumption of a meeting counted out or adjourned under By-law 20, because of absence of a quorum.

23. At all meetings of the Council at which there is not a quorum present or at which the Council is counted out for want of a quorum the names of the members present shall be recorded in the Minute Book.

24. If a debate on any motion moved and seconded be interrupted by the Council being counted out, such debate may be resumed at the next meeting at the point where it was so interrupted, on motion without notice.

## Open Doors.

25. The business of the Council shall be conducted with open doors except upon such occasions as the Council may by resolution otherwise decide

26. Upon the carrying of such a resolution as is mentioned in By-law 25, the Mayor shall direct all persons other than members and such employees as Council may resolve to permit to remain, to leave the Council Chambers and every such person shall forthwith comply with such direction.

27. After the carrying of a resolution made under By-law 25, the business at that meeting of the Council shall proceed behind closed doors until the Council by resolution decides to proceed with open doors.

28. Any person who fails to comply with a direction made pursuant to By-law 26 commits an offence and may by order of the Mayor be removed from the Council Chambers.

#### Business Behind Closed Doors.

29. Every matter dealt with by, or brought before the Council sitting otherwise than with open doors, shall be treated as strictly confidential, and shall not without the authority of the Council be disclosed to any person other than the Mayor, Councillors or the Officers or employees of the City (and in the case of officers and employees only so far as may be necessary for the performance of their duties) prior to the discussion of that matter at a meeting of the Council held with open doors. Nothing herein shall prevent the Clerk from recording the business conducted at the Meeting in the Minute Book.

30. Upon resuming with open doors the Clerk shall unless the Council by resolution otherwise decides, read out the resolutions passed by the Council whilst it was proceeding behind closed doors and details of any divisions taken or interests declared.

#### Visitors and Reporters.

31. If a distinguished visitor is present at a meeting of the Council the Mayor may invite that person to sit beside the Mayor or at the Council Table.

32. At all meetings accredited reporters shall be permitted to attend in such part of the Council Chamber as may be provided for their accommodation but they shall withdraw during any period when the Council is sitting behind closed doors.

33. Citizens, reporters, and visitors to the Council Chamber shall be entitled to attend all meetings of the Council, and subject to By-laws 26 and 34, be permitted to remain in the area of the Council Chamber set aside for the public.

34. Visitors, reporters and members of the public present in the Chamber during a meeting of the Council shall not make any expression of dissent or approval, or enter into any conversation, or interruption and the Mayor may without vote of the Council require any person, not being a member who interrupts the orderly conduct of the business of the Council to immediately withdraw from the Council Chamber.

35. Any person who fails to comply with the direction made pursuant to By-law 34 may by order of the Mayor be removed from the Council Chambers.

### Business at Meetings.

#### Order of Business.

36. The order of business at an ordinary meeting of the Council shall, unless otherwise resolved by Council, be as near as is practicable, to the following—

- Attendances and Apologies
- Confirmation of Minutes
- Announcements by the Mayor Without Discussion
- Questions of which due notice has been given, without discussion
- Questions of which notice has not been given, without discussion
- Petitions and Deputations
- Any business outstanding from the previous meeting
- Reports of Committees
- Report of the Town Clerk
- Motions of which previous notice has been given
- Notice of Motions for consideration at the following meeting
- General Business
- Public Question Time
- Confidential Business

37. At the resumption of an adjourned meeting of the Council no business shall be transacted other than such business as remains outstanding on the notice paper of the adjourned meeting.

#### Minutes.

38. The pasting or otherwise permanently affixing of the minutes to the leaves of a book shall be sufficient recording of the minutes in the minute book.

39. The reading at the next ordinary meeting of the Council of the minutes of the previous meeting may be dispensed with when members have been supplied with copies of the minutes at least three days before the holding of the next ordinary meeting of the Council.

40. (1) In considering whether or not to confirm the minutes of a previous meeting, no discussion shall be permitted except as to the accuracy of the minutes.

(2) The minutes of a previous meeting, if confirmed, shall be signed and dated by the Mayor at the bottom of each page and such signed and dated copy of the minutes shall stand as a true and accurate record of the proceedings which took place at the meeting to which the minutes relate.

#### Questions.

41. Any member desiring to ask a question at any meeting of the Council shall direct the question to the Mayor and shall give notice thereof in writing to the Clerk at least six hours before the hour fixed for the meeting. Both the question and the answer shall be recorded in the Minutes.

42. Notwithstanding By-law 41, a member may without notice ask at a meeting of the Council any question requesting general information from any officer present at that meeting, and that officer shall—

- (a) answer the question, or

- (b) have the right to request that:
- (i) the question be placed on notice for the next ordinary meeting of the Council, or
  - (ii) the answer to the question be given to the member who asked it prior to the next ordinary meeting of the Council,
- provided that if the answer to the question without notice cannot be given at the meeting at which it is asked, the member asking the question may request that the answer be given to the appropriate Committee and the Mayor may if he thinks fit so direct.

43. Every question and answer shall be submitted as briefly and concisely as possible and no discussion shall be allowed thereon unless the Mayor decides otherwise.

#### Petitions.

44. Any petition to the Council shall:
- (a) as far as practicable be prepared in the form prescribed in the Schedule,
  - (b) be addressed to the Council and forwarded to the Clerk, and
  - (c) state the name and address of the person upon whom correspondence in respect of the petition may be served, and where such name and address is not given, all correspondence thereon shall be forwarded to the person whose name first appears on the petition.
45. Petitions may be presented to the Council by the Clerk or by a member provided that:
- (a) the petition is in order;
  - (b) the petition deals with a matter falling within Council's jurisdiction;
  - (c) the number of signatures on the petition is determined and the Council is advised of the number.

#### Deputations

46. Any person or persons wishing to be received as a deputation by the Council or a Committee, shall, in the first instance, send to the Clerk a written request, setting out in concise terms the subject matter to be raised by the deputation.

47. When the Clerk receives a written request in terms of By-law 46 it shall be brought to the attention of—

- (a) the Mayor; or
- (b) the Chairperson of the Committee concerned.

48. The Mayor or Chairperson of Committee receiving a written request may either agree to the deputation waiting upon the Council or Committee, as is appropriate, or direct that the written request be referred to the Council or Committee as the case may be.

49. Where a written request for a deputation is referred to a Committee, it may either resolve to receive the deputation or recommend to Council that the deputation not be received.

50. A deputation shall not exceed five in number and three only of those shall be at liberty to address the Council or Committee of the Council, and to reply to questions from members of the Council or Committee and until the deputation has completed its address to the Council or in the case of the Committee, until the deputation has withdrawn from the Committee Room, the matter which is the subject of the deputation shall not be further considered by the Council or Committee.

51. Members of a deputation shall collectively have a maximum of fifteen minutes to address the Council or Committee as the case may be unless otherwise resolved.

#### Recommendations of Committees.

52. A recommendation made by or contained in a Report of a Committee may be:
- (a) adopted by the Council without amendment or modification;
  - (b) rejected by the Council in its entirety;
  - (c) subject to By-law 53 hereof amended or modified and adopted with such amendments or modifications; or
  - (d) referred back to the Committee for further consideration in accordance with By-law 166.

53. Where in the opinion of the Mayor an amendment or modification of a recommendation alters the substance or effect of the recommendation the Mayor shall require a new motion to be put forward prefaced by the words . . . "I move that the Committee Recommendation be rejected and that. . ." but such a Motion shall require to be carried by an absolute majority of the Council.

#### Notices of Motion.

54. A member may bring forward at a meeting such business as that member wishes in the form of a motion, of which notice has been given in writing to the Clerk, either at the previous meeting or at any time thereafter being no less than seven clear days before the meeting at which it is to be brought forward. Where such Notice of Motion proposes that Council rescinds an earlier resolution, the Clerk shall comply with the requirements of By-law 111.

55. A motion the subject matter of which is beyond the jurisdiction of Council may be ruled out of order by the Mayor.

56. A notice of motion shall lapse unless the member who gave the notice thereof or some other member authorised by him in writing, is present to move the same when such motion is called on.

#### Conduct of Meetings.

##### Rules of Debate.

57. A member moving a motion or amendment, or taking part in a discussion thereon, shall stand to address the Mayor.

58. If two or more members rise to speak at the same time the Mayor shall decide who is entitled to priority.

59. At meetings of the Council, speakers in referring to others present thereat shall designate them by their separate titles of Mayor, Deputy Mayor or Councillor, as the case may be.

60. After a meeting of the Council has been formally constituted and the business thereof commenced, a member shall not enter, leave or withdraw from such meeting, without first paying due respect to the Chair by deferring to the Mayor.

61. When the Mayor is putting any motion, no member shall cross the Council Chamber nor shall any member, whilst any other member is speaking, pass between the speaker and the Chair.

62. (1) A member shall not make any noise or disturbance or converse in a loud manner whilst any other member is addressing a meeting.

(2) A member shall not cause any interruption or speak out of turn during a meeting, other than to raise a point of order, make a personal explanation or move a procedural motion.

63. Subject to the provisions of the Act and these By-laws, it shall be competent for the Mayor to take part in the discussion of any motion before the Council, provided that the Mayor shall address the Council before the right of reply is exercised.

64. Whenever the Mayor signifies a desire to speak during a debate, any member speaking or offering to speak is to be silent, so that the Mayor may be heard without interruption.

65. A member of the Council shall not reflect adversely upon a resolution of the Council, except on a motion that the resolution be rescinded.

66. A member of the Council shall not reflect adversely upon the character or actions of another member nor impute any motive to a member unless the Council resolves, without debate, that the motion then before the Council cannot otherwise be adequately considered.

67. Any member of the Council may require the Clerk to take down and record in the minutes of the meeting any particular words used by a member immediately after such words have been used if such words are considered by the member to be in contravention of By-law 67.

68. A member who shall use any expression which in the opinion of the Mayor reflects offensively on the Council or any member of the Council or Officer of the City, shall when required by the Mayor unreservedly withdraw such expression and make a satisfactory apology to the Chair, and if that member declines, or neglects to do so, the Mayor may refuse to hear such member further upon the business then under discussion and may call upon the next speaker.

69. The Mayor may call the attention of the Council to continued irrelevance, tedious repetition, unbecoming language or any breach of order, or decorum on the part of a member, and may direct the member, if speaking, to discontinue speaking, and thereupon the member shall cease speaking and be seated.

70. Any member who fails to comply with the provisions of By-laws 57, 59 to 62, 64 to 66, 68 and 69, or who fails to comply with a direction of the Mayor given under By-laws 68 and 69 shall be considered to have committed a breach of these By-laws.

71. Where a member persists in a breach of these By-laws, the Mayor may direct the member to refrain from taking any further part in that meeting of the Council, other than by voting and the member shall comply with such direction.

72. A member when addressing Council upon any motion or other business then before Council shall confine any remarks to the motion or other business and shall not speak otherwise or digress.

#### Suspension of Standing Orders.

73. In cases of urgent necessity or whilst the Council is sitting behind closed doors, any of these Standing Orders may be suspended on motion duly made and seconded, but that motion shall not be declared carried unless an absolute majority of the members of the Council, or a two-thirds majority of those present and voting on the question, whichever is the lesser number, have voted in favour of the motion.

74. Any member moving the suspension of a Standing Order shall state the object of the motion but discussion shall not otherwise take place thereon.

#### Point of Order.

75. The Mayor shall preserve order, when putting a motion may call any member to order whenever in the Mayor's opinion there shall be cause for so doing.

76. Any member who shall act in breach of these By-laws may be deemed to be out of order by the Mayor.

77. A member may direct the Mayor to a breach of these By-laws by any other member.

78. A member expressing a difference of opinion with, or contradicting, a speaker shall not be recognised as raising a point of order. The following shall be recognised as breaches of order:

- (a) discussion of question not before the Council;
- (b) the use of offensive or insulting language;
- (c) a breach of these By-laws;
- (d) the presentation of misleading information.

79. The Mayor shall decide all questions of order or practice and such decision shall be final and be accepted by the Council without argument or comment unless in any particular case the Council shall thereupon resolve that a different ruling shall be substituted for the ruling given by the Mayor.

80. (1) A motion, amendment or other business deemed out of order shall not be proceeded with without the need for any resolution.

(2) Where anything said or done by a member is deemed out of order, the Mayor may require such member to make an explanation, retraction or apology as the case may be.

81. Where a member persists in any conduct which the Mayor decides is out of order, or refuses to make any explanation, retraction or apology required by the Mayor under By-law 80 the Mayor may direct that member to refrain from taking any further part in that meeting of the Council, other than by recording that member's vote and the member shall comply with such direction.

82. Any member who fails to comply with the direction given by the Mayor under By-law 81 shall be considered to have committed a breach of these By-laws.



**Serious Disorder.**

83. If at a meeting of the Council the Mayor is of the opinion that by reason of disorder or otherwise the business of the Council cannot effectively be continued, the meeting may be adjourned by the Mayor for a period of fifteen minutes, whereafter the Council shall re-assemble and decide whether business is to be proceeded with and that question shall be decided forthwith without debate.

84. Where after any proceeding under By-law 83 the Mayor is again of the opinion that the business of the Council cannot effectively be continued, the meeting may be closed or adjourned by the Mayor.

**Personal Explanation.**

85. (1) A member may at any time seek leave to make a personal explanation.

(2) Where a member seeks to make a personal explanation the Mayor shall either give leave or not.

(3) Where a member has been given leave to make a personal explanation that member may with the consent of the member then speaking do so forthwith but if such consent is not forthcoming then such explanation shall be made at the conclusion of the other member's speech.

86. A member making a personal explanation shall confine it to a succinct explanation of a material part of his former speech which may have been misunderstood and shall not avert to matters not strictly necessary for that purpose or seek to strengthen his former argument by new matters or by replying to other members.

**Motions.**

87. Any member desirous of proposing an original motion or amendment shall state its substance before addressing the Council thereon, and if so required by the Mayor shall put the motion or amendment in writing.

88. The Mayor or the Council by resolution may require a complicated motion to be restated or divided into two or more motions.

89. (1) Upon a motion being moved, the Mayor may ask the meeting if any member opposes it.

(2) If no-one signifies opposition to the motion the Mayor may declare the motion carried without debate and without taking a vote thereon.

(3) Any motion declared carried under this By-law shall for all purposes be deemed a resolution of the Council.

(4) If no member signifies opposition to a motion, the motion shall be dealt with according to the following By-laws.

90. Except for any motion dealt with under the preceding By-law or a motion to which By-law 91 relates, a motion or amendment shall not be discussed or put to the vote of the Council unless seconded.

91. A nomination to the position of Mayor or Deputy Mayor is not required to be seconded.

92. It shall not be competent for the mover of an original motion to amend the same without the consent of a seconder.

93. A motion or amendment may be withdrawn by the mover, provided the seconder signifies agreement to same, and it shall not be competent for any member to speak upon it after the motion or amendment has been withdrawn.

94. An original or substantive motion shall not be withdrawn until any amendment proposed thereto has been withdrawn or negated except with the consent of the Council which shall be signified without debate.

95. Only one motion shall be debated at any one time, and whilst a motion is under debate, no other motion shall be received unless it is a motion which the Act or these By-laws allows to take precedence over the current motion.

96. (1) No member, unless that member is the mover of the motion, shall speak twice on the same motion.

(2) The mover of a motion shall have the right of reply and in exercising that right shall confine that reply to previous speakers and not introduce any new matters.

(3) No member shall speak on any motion after the mover thereof has replied.

(4) Council may by resolution suspend the operation of this By-law during debate on a motion.

97. A member moving or seconding a motion or amendment shall be held to have spoken thereon.

98. No member shall speak on any motion after the motion has been put.

99. A member shall not speak upon any motion or reply for a period longer than ten minutes, unless granted leave by Council which shall be resolved without debate, provided that no member shall speak or reply for more than twenty minutes in total.

**Negatived Motion.**

100. A motion to the same effect or to similar effect as a motion which has been negatived may not be entertained within a period of three months after the original motion was negatived, except with the leave of an absolute majority of the Council.

**Motions Affecting Expenditure**

101. Where a motion or amendment would have the effect of incurring expenditure not provided for in the budget, that motion or amendment shall not be moved other than in the form of a reference of the question to the Finance and Community Services Committee.

**Amendments.**

102. At any time during the debate on a motion, except after the mover has been given the call by the Mayor to exercise the right of reply or during the debate on a procedural motion, a member may move an amendment to that original motion.

103. Every amendment shall be relevant to the Motion in respect of which it is moved.

104. An amendment to a motion shall only take one of the following forms:

- (a) that certain words be omitted therefrom;
- (b) that certain words be omitted therefrom and others substituted or added;
- (c) that certain words be added.

105. Every amendment shall be read or stated before being moved by the mover thereof.

106. An amendment to a motion may not have the effect of negating the general intention of the original motion and any proposed amendment having this effect shall be out of order.

107. Only one amendment shall be discussed at a time, but as often as an amendment is lost, another amendment may be moved before the original motion is put to the vote, except that where an amendment is carried, one further amendment to the original motion, as amended, and no more, may be moved.

108. Where an amendment is carried, the original motion as amended shall for all purposes of subsequent debate and subject only to By-law 107 be treated as an original motion.

#### Rescission Motions.

109. The Council may, at the same meeting at which it is passed, rescind or alter a resolution if all members of the Council who were present at the time the resolution was passed are also present at the time the rescission or alteration is proposed.

110. The Council may, at a meeting after that at which it was passed, rescind or alter a resolution—

- (a) where Notice of the Motion to rescind or alter is not given, if a motion to that effect is carried by an absolute majority of the members of the Council; or
- (b) where the member intending to propose the rescission or alteration has, through the Clerk, given written notice of intention to each of the other members of the Council at least seven days before the meeting, if a motion to that effect is carried by a majority of the members voting on the proposal at the meeting; but not otherwise.

111. Where a member submits in accordance with the previous By-law 110(b) a Notice of Motion to rescind an earlier resolution of the Council, and such resolution has not already been acted upon, the Clerk shall forthwith cease any action on that resolution until the Notice of Motion has been considered by the Council. If the Notice of Motion is defeated, the Clerk shall, as soon as practicable thereafter, put into effect the original resolution of the Council.

112. A member may not move a further Notice of Motion to rescind a resolution of the Council within three months of the Council defeating a Notice of Motion to the same effect, unless the Council by absolute majority resolution resolves to permit that further Notice of Motion.

#### Voting.

113. At all meetings of the Council except where prohibited from voting by the Act a member present in the Council Chamber when a motion is put shall vote on the motion. All voting at meetings shall be open and in accordance with By-law 115.

114. The Mayor shall, in taking the vote on any motion or amendment, put the question, first in the affirmative, and then in the negative, and may do so as often as is necessary to enable the Mayor to form and declare an opinion as to whether the affirmative or the negative has the majority.

115. The result of voting shall be determined on the count of raised hands but may be determined on the voices unless a member of the Council calls for a show of hands and upon a vote on the voices or on a show of hands being taken a member may call for a division.

116. A division shall be taken by those voting in the affirmative passing to the right of the chair and those voting in the negative to the left of the Chair.

117. Upon a division being called for, the Mayor may order that the division be announced by the Clerk at the door to the Council Chamber, and after the lapse of one half minute from that announcement a member shall not be permitted to enter or leave the Chamber, until after the division has been taken.

118. The names of the members of the Council who vote on a question on which there is the division shall be recorded by the Clerk in respect of every division together with details of whether they voted in the affirmative or negative together with names of those members who abstained from voting.

#### Procedural Motions.

119. During the course of any motion a member may move a procedural motion which provided it is seconded shall be dealt with immediately.

120. A procedural motion is a motion that:

- (a) the Meeting do adjourn;
- (b) the debate be adjourned;
- (c) the motion be now put;
- (d) the motion lie on the table;
- (e) the Council proceed with the next business;
- (f) the Council sit behind closed doors;
- (g) the meeting be now closed; or
- (h) a Committee recommendation be referred back to the originating Committee, or any other Standing Committee.

#### The Meeting do Adjourn.

121. A member may, at the conclusion of the speech of any other member or on the conclusion of any business, move without notice that the meeting do now adjourn and that motion shall state the time and date to which the meeting is to adjourn.

122. A member who has spoken on any motion then before the meeting shall not move or second a motion for the adjournment of the meeting.

123. On a motion to adjourn the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second and the mover of the motion (if any) which was then under debate may speak for not more than five minutes, but no other debate shall be allowed.

124. At the same meeting a member may not move or second more than one motion for the adjournment of a meeting.

125. Upon a motion for the adjournment of a meeting being carried, a record shall be taken of all those who have spoken on the motion then under consideration and they shall not be permitted to speak on any subsequent consideration of the same motion, but this By-law shall not deprive a mover of the original motion of the right of reply.

126. Upon a motion to adjourn a meeting being carried, the Mayor shall adjourn the meeting to such time and date as the motion specifies or where no time and date is specified to such time and date as the Mayor shall then declare.

127. If on any motion for adjournment of a meeting being put and negatived, the motion then under consideration or the next on the notice paper, or any other that may be allowed precedence, shall be considered and put to the vote before any subsequent motion for adjournment shall be entertained.

128. On a motion for the adjournment of the Council being carried, the debate on the motion (if any) under debate when the motion was moved shall be continued immediately upon the Council resuming the meeting.

#### The Debate be Adjourned.

129. A member may, at the conclusion of the speech of another member move without previous notice that the debate be adjourned to a later hour of the same meeting or to a subsequent meeting of the Council.

130. A member who has spoken on the motion then before the Council shall not move or second the adjournment of the debate.

131. No discussion shall be allowed upon a motion for the adjournment of a debate.

132. At the same meeting, a member shall not move or second more than one motion for adjournment of the same debate.

133. On a motion for the adjournment of a debate being carried, a record shall be taken of all those who have spoken on the subject under debate and they shall not be permitted to speak on any resumption of the debate on that subject, but this By-law shall not deprive a mover of the original motion of the right of reply.

134. On resuming an adjourned debate, the member who moved its adjournment shall be entitled to speak first.

#### The Motion Be Now Put.

135. A member may, at the conclusion of the speech of any other member move without comment, that the motion under consideration be now put.

136. A member who has spoken on the motion then before the Council shall not move or second a motion that the motion be now put.

137. No discussion shall be allowed on a motion that the motion be now put.

138. At the same meeting a member may not move or second more than one motion that the motion be now put in relation to the same motion.

139. When it is resolved by the Council that the motion under consideration be put, the mover of the motion under consideration may speak in reply for not more than five minutes provided that at least one member has spoken in opposition thereto.

140. A motion that the motion be now put shall relate only to the motion or amendment then before the Council, and if carried in respect of an amendment shall not affect the debate on the substantive motion.

141. When it is decided by the Council in regard to a motion that the motion be now put, the motion to be so put includes the motion as well as any amendment thereto already carried by the Council.

142. The Mayor may refuse to accept a motion that the motion be now put where it would have the effect of unfairly limiting debate before the principal arguments for and against the motion have been presented.

#### The Motion Lie On the Table.

143. A member may, at the conclusion of the speech of any other member move, without notice, that the motion lie on the table.

144. A member who has spoken on the motion then before the Council shall not move for the laying of the motion on the table.

145. On a motion that the motion lie on the table, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second, and no other debate shall be allowed.

146. A member shall not, at the same meeting of the Council, move or second more than one motion for the laying of the motion on the table.

147. If a motion that the motion lie on the table is carried debate on that motion shall not be resumed until a motion has been passed to take the motion from the table.

148. On a motion for the laying of the motion on the table being carried, a record shall be taken of all those who have spoken on the motion under debate and they shall not be permitted to speak on any resumption of the debate on that motion, but this By-law does not deprive the mover of the motion of the right of reply.

149. Any motion that was subject to a resolution under By-law 143 and not dealt with subsequently at the same meeting, shall be included in the Notice Paper for the next ordinary meeting, in accordance with By-law 36.

150. A member moving the taking of the motion from the table shall be entitled to speak first upon the resumption of the debate thereon.

151. A motion that the motion lie on the table shall not be moved in respect of the election of the Mayor or Deputy Mayor.

#### The Council Proceed with the Next Business.

152. A member may, at the conclusion of the speech of any other member move, without notice, that the Council proceed to the next business.

153. A member who has spoken on the motion then before the Council shall not move or second a motion that the Council proceed with the next business.

154. On a motion that the Council proceed with the next business, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second, and no other debate shall be allowed.

155. During the course of the same motion, a second motion that the Council do proceed with the next business shall not be made within one hour after a similar motion has been negatived.

156. When a motion is carried that the Council proceed to the next business, the motion under discussion shall be considered as dropped, but if that motion was an amendment to a substantive motion, the substantive motion shall then become the next item of business.

#### The Council Sit Behind Closed Doors.

157. A member may move at any time, notwithstanding that another member may be speaking to a question then under debate, that the Council sit behind closed doors.

158. Any member may move a motion under By-law 157 whether or not that member has already spoken to the question then under debate.

159. On a motion that the Council sit behind closed doors, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second, and no other debate shall be allowed.

160. A member shall not, in respect of the same item of business, move or second more than one motion that the Council sit behind closed doors.

161. On the carrying of a resolution under By-law 157 the provisions of By-laws 26 to 30 shall come into effect.

#### The Meeting be Now Closed.

162. A member may, after the debate and voting on any motion has been concluded, move, without notice, that the meeting be now closed.

163. The mover, seconder and any other member wishing to speak on a motion that the meeting be now closed, may so speak for not more than five minutes.

164. A member who has moved a motion that the meeting be now closed, shall not move the same motion within one hour of the earlier motion being negatived.

165. On a motion that the meeting be now closed being carried, the Mayor shall forthwith close the meeting, and no further business may be transacted. Any business outstanding on the notice paper for that meeting shall be carried forward to the notice paper for the next ordinary meeting of the Council, unless dealt with earlier by a special meeting of Council, pursuant to By-laws 8 and 13.

#### A Committee Recommendation be Referred Back to the Originating Committee, or Any Other Standing Committee.

166. A member may at the conclusion of the speech of any other member, move, without notice, that the Committee recommendation then under consideration by the Council be referred back to the Originating Committee or another Standing Committee named in the motion.

167. A member who has spoken on the question then before the Council shall not move a motion under By-law 166.

168. On a motion that the Committee recommendation be referred back to the Originating Committee or any other Standing Committee, the mover may speak for not more than five minutes, the seconder shall not speak other than formally to second, and no other debate shall be allowed.

169. A member shall not, in respect of the same Committee recommendation, move or second more than one motion under By-law 168.

#### General.

##### Production of Documents.

170. (1) Provided that a member shall give the Clerk not less than six hours notice, that member may require the Clerk to produce at any meeting of Council any document of the Council.

(2) Upon receipt of a request to produce documents pursuant to sub-by-law 170(1), the Clerk shall table the documents required at the meeting to which the request relates, and the documents shall remain on the table for the duration of that meeting.

171. As provided in this By-law a member shall not require an officer of the Municipality or any other person to produce or make available to any nominated person any document or record of the Council unless the document or record at the same time is, at the discretion of the Mayor, made available to all other members provided always that the provisions of this By-law do not apply to documents in respect of which the Act makes particular provisions concerning their production and accessibility to members.

##### Provision of Meals.

172. The Council may provide a meal to members and officers that are required to attend a meeting of the Council or a Committee.

173. In the event of a meeting of the Council or of a Committee of the Council not having been completed prior to any usual meal hour the meeting (unless adjourned to another day) shall be adjourned for a reasonable meal period after which the meeting shall be resumed.

#### Committees.

##### Standing Committees.

174. The following Standing Committees may be appointed from among the members of Council—

- (1) Finance and Community Services Committee.
- (2) Technical Services Committee.
- (3) Town Planning Committee.
- (4) Policy and Resources Committee.

175. The members of each Standing Committee shall be elected at the first meeting of the Council held after the annual election and shall, subject to By-law 181 and 183 hold office until the first Saturday in May in the following year.

##### Powers and Duties of Standing Committees.

176. The powers and duties of the Standing Committees shall be as determined by the Council at its first meeting after the annual election each year.

Occasional Committees.

177. The Council may appoint Occasional Committees to perform any duty which may be lawfully entrusted by it to a Committee.

Committee Membership.

178. (1) The members of the Standing and Occasional Committees shall, in default of agreement, be elected by ballot.

(2) Not more than one member representing the same ward may be elected as member of a Standing Committee.

(3) Subject to By-law 179 of these Standing Orders, each Standing Committee shall consist of one member representing each ward.

179. The number of the members of a Committee (inclusive of an ex officio member) shall be less than one-half of the total number of the members of the Council.

180. Any Committee Meeting may be attended by any member who is not a member of that Committee but that member shall not take part in any of the proceedings of the Committee unless granted permission to do so by the Chairperson of that Committee Meeting.

181. The Council may, by resolution carried pursuant to a Notice of Motion, by a simple majority, or on a motion moved without notice, by an absolute majority, change, subtract from, or add to the membership of any Committee or appoint substitutes for members absent pursuant to leave granted by the Council, and fill any vacancies.

182. The members of a Committee shall be members of the Council except in cases where the Act otherwise permits.

183. A member of a Committee may resign from the Committee by tendering a signed notice addressed to the Clerk, and when delivered to the Clerk, that member's seat on the Committee shall become vacant.

Committee Chairperson.

184. Subject to the provisions of the Act, each Committee shall, as the first item of business, at its first meeting after being appointed by Council, elect by secret ballot one of their members as Chairperson for the ensuing year.

185. The Mayor, or if the Mayor is not present at the meeting, the Clerk, shall preside at that first meeting until a Chairperson is elected.

186. Where a Committee Chairperson resigns from that position or ceases to hold membership of the Committee, the then members of the Committee shall, subject to the provisions of the Act, at the next meeting elect by secret ballot, a member to take the office of Chairperson for the balance of the term, and the provisions of By-law 185 shall apply to such election.

187. A Standing Committee shall not interfere in any matter which has for the time being been entrusted to an Occasional Committee.

188. The Clerk shall call a meeting of a Committee when requested so to do by the Mayor, Chairperson of the Committee, or any two members of such Committee.

189. At a meeting of a Committee unless otherwise determined by the Council a quorum shall consist of three members. Every meeting shall proceed to business as soon as there shall be a sufficient number of members in attendance to constitute a quorum, and where a quorum is not present within one half hour of the appointed time for the commencement of the meeting, it shall be adjourned in accordance with the provisions of By-law 20.

190. The decision of a Committee on a motion shall be decided by a majority of the votes of the members present, including the Chairperson who has a deliberative vote, and who in the case of an equal division of votes, has a casting vote.

191. Each Committee shall keep a minute book, in which shall be entered minutes of all its proceedings and transactions. The minutes of each meeting shall be confirmed at the following meeting, and signed and dated by the Chairperson thereof. The minutes shall be circulated to members within five days of the meeting.

192. Other than By-laws 25 and 96, these By-laws relating to the conduct of meetings shall apply to the conduct of committee meetings.

193. Every Committee shall report to the Council.

Confidentiality of Committee Business.

194. All matters dealt with by Standing and Occasional Committees shall remain confidential until they have been considered by Council at a meeting held with open doors.

195. The preceding By-law shall not preclude a member of a Committee from making further enquiry and investigation of a matter before a Committee, provided that the content of any report of an officer to the Committee and the deliberation of and any recommendation made or proposed by the Committee shall remain confidential.

196. Any member, officer or other person who contravenes the provisions of By-laws 194 and 195 shall have committed a breach of these By-laws.

Officers of the Municipality.

Employment of Senior Officers.

197. Subject to the provisions of By-law 198, no appointment to the office of Town Clerk, Deputy Town Clerk, City Engineer, Deputy Engineer, Treasurer, Building Surveyor, Chief Health Surveyor, City Planner, City Librarian, Superintendent of Parks and Gardens, Senior Recreation Officer or Security Administrator, or other office of which the Council may determine requires the appointment of a senior officer, shall take place until notice has been given by advertisement in one or more newspapers circulating in the municipality. Such advertisements shall state the date and hour of receiving applications, the nature of the office to be filled, rate of salary to be paid, and other qualifications in support of the application, and require applicants to forward recent references or testimonials.

198. Notwithstanding anything contained in By-law 197, the Council, in its discretion, may promote any officer from one position to any other position within the Council without advertising or otherwise inviting applications for such position.

199. Whenever applications have been invited and received by the Council for any position referred to in By-law 197, such applications shall be perused by the Town Clerk and a list of applicants to be interviewed shall be determined. The appropriate Standing Committee may interview those applicants listed by the Clerk and such other applicants as the Committee deems necessary and make a recommendation to the Council for appointment. Notwithstanding the above, the Council may, by resolution, delegate the power of interview and appointment to a sub-committee or to the Clerk.

Clerk to be Chief Non Elective Executive Officer.

200. The Clerk shall be the Chief Non Elective Executive Officer of the Municipality and shall have and exercise on the Council's behalf full authority over every employee of the Municipality.

201. All officers and other employees of the Municipality in whatsoever capacity shall be subordinate to the Clerk, whose lawful directions and instructions to such officers and employees shall be properly and faithfully accepted, acted upon and executed.

Employment of Other Staff.

202. All appointments, promotions and dismissals in respect of officers and employees other than those provided for under By-law 197, shall be the responsibility of the Clerk.

203. The Clerk, having due regard to the provisions of the appropriate Award, may transfer any officer or employee, other than a senior officer, as referred to in By-law 197, from one position to any other position within the Council as he considers warranted in the best interests of the Municipality.

204. The Clerk shall provide each month to the Finance and Community Services Committee, a report on all appointments he has made in the preceding month.

Reports by Senior Officers.

205. Reports prepared by a senior officer of the Council, including a report called for by the Clerk, shall be directed to the Clerk who shall refer the same to Council or to a meeting of a Committee of the Council, provided that the Clerk may comment on such report to the Council or Committee.

Protection of Employees.

206. Any complaint concerning the performance of duties, or conduct of a senior officer as defined in By-law 197, shall:

- (a) be in writing addressed to the Mayor;
- (b) be signed by the person or persons making the complaint; and
- (c) contain such details as are available in order that the complaint may be investigated.

The Mayor may refer any such complaint to the Clerk for investigation and appropriate action, may personally investigate the matter or refer it to the Finance and Community Services Committee.

207. If a complaint or criticism be made concerning a senior officer as defined in By-law 198, whether by a member of Council or any other person that officer shall be afforded the opportunity to see the complaint and shall have the right to offer such explanation or response if appropriate to the complaint or criticism either personally or in writing to the Clerk, Mayor or Finance and Community Services Committee (as the case may be) and with the consent of the Council to the Council itself.

#### Miscellaneous.

Representation on Public Bodies.

208. Whenever it becomes necessary to appoint a member of the Council to represent the Council on a public body, notice of the necessity to make the appointment shall be given to all members, and the Council shall either by resolution (or election if more members are nominated than the number of representatives required) appoint such representatives.

#### Meetings of Electors.

209. These Standing Orders shall so far as is practicable, apply to all meetings of electors held pursuant to the Act.

210. A person who is not an elector is not entitled to vote at a meeting of electors and may not take any part in any discussion at that meeting, unless the meeting, by a motion so permits.

211. Subject to the Act the Mayor shall be Chairperson of all meetings of electors.

212. All questions if answered at a meeting of electors shall be answered by the Mayor, or with the consent of the Mayor or Chairperson of the meeting, by a member or officer of the Council.

213. If any question cannot readily be answered at a meeting of electors, the question may be referred to the Clerk and an answer in writing shall be provided to the proposer of the question and to the Mayor.

214. If so called upon by the Chairperson of the meeting, the mover of a motion shall submit the motion in writing.

215. The Chairperson may at any time close a meeting.

216. Subject to these By-laws the conduct of a meeting of electors shall be at the sole discretion of the Chairperson.

Public Meetings.

217. Any meeting of electors, ratepayers or residents convened by the Council other than pursuant to a provision of the Act, shall insofar as is practicable, be subject to the provisions of By-laws 209 to 216.

Confidential Papers.

218. All documents of the municipality, whether brought before the Council or a Committee of the Council or not, that are marked "CONFIDENTIAL" or "NOT FOR PUBLICATION" at the head thereof, are confidential to the Council, and shall not be published, copied, or reproduced, in whole or in part, in any manner whatsoever without the express permission of the Council or the Clerk.

219. A person who contravenes the provisions of the preceding By-law commits an offence.

## Interpretation and Enforcement of Standing Orders.

220. Where a situation arises where no provision or insufficient provision is made in these By-laws, the Mayor shall determine the procedure to be observed and may use, as a guide, the procedure of the Western Australian Parliament.

221. If there is inconsistency between any provision in this By-law and any provision in the Act, then the provision of the Act shall prevail.

222. The Mayor shall be responsible for the enforcement of these By-laws and may prosecute for any breach thereof.

223. Any person who fails to do anything required by these By-laws or who does something contrary to the provisions of the By-laws, shall commit a breach of the By-laws and is liable to a penalty not exceeding \$500.

## Revocation.

224. (1) Subject to sub-Bylaw 2 of this By-law, the following By-laws of the municipality are hereby revoked:

- (a) Wanneroo Road Board—By-law *re* Minutes Published in the *Government Gazette* of 2 June 1933.
- (b) Shire of Wanneroo—By-law Relating to Standing Orders—published in the *Government Gazette* on 11 November 1977 and amended on 7 August 1981 and 11 March 1983.

(2) The provisions of Clauses 113 to 115 of the By-laws Relating to Standing Orders published in the *Government Gazette* on 11 November 1977 and amended on 7 August 1981 and 11 March 1983, shall continue in force until 3 May 1986.

Dated this 27th day of September, 1985.

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

[L.S.]

N. TRANDOS,  
President.

R. COFFEY,  
Shire Clerk.

Recommended—

JEFF CARR,  
Minister for Local Government.

Approved by His Excellency the Governor in Executive Council this 15th day of October, 1985.

G. PEARCE,  
Clerk of Council.

## NOISE ABATEMENT ACT 1972.

NOISE ABATEMENT (HEARING CONSERVATION IN WORKPLACES)  
AMENDMENT REGULATIONS (No. 2) 1985.

MADE by His Excellency the Governor in Executive Council.

- |                        |   |
|------------------------|---|
| Citation.              | 1. These regulations may be cited as the Noise Abatement (Hearing Conservation in Workplaces) Amendment Regulations (No. 2) 1985.   |
| Principal regulations. | 2. In these regulations the Noise Abatement (Hearing Conservation in Workplaces) Regulations 1983* are referred to as the principal regulations.  |
| Regulation 22 amended. | 3. Regulation 22 of the principal regulations is amended— <ol style="list-style-type: none"> <li>(a) by inserting in subregulation (1), after “as soon as” the following—           <p style="margin-left: 2em;">“ is practicable after ”;</p> </li> <li>(b) in subregulation (2)—           <ol style="list-style-type: none"> <li>(i) by inserting after “shall” the following—               <p style="margin-left: 2em;">“ if practicable, ”; and</p> </li> <li>(ii) in paragraph (a), by deleting “; and” and substituting the following—               <p style="margin-left: 2em;">“ or by 21 October 1986, whichever is the later; and ”;</p> </li> </ol> </li> </ol> <p style="margin-left: 2em;">and</p> <ol style="list-style-type: none"> <li>(c) in (subregulation 3), by inserting after “shall” the following—           <p style="margin-left: 2em;">“ , if practicable, ”.</p> </li> </ol> |
| Regulation 23 amended. | 4. Regulation 23 of the principal regulations is amended— <ol style="list-style-type: none"> <li>(a) by repealing subregulation (10) and substituting the following subregulation—           <p style="margin-left: 2em;">“ (10) an audiometric officer shall not disclose any—               <ol style="list-style-type: none"> <li>(a) audiogram recorded in accordance with the Act or any details of the computer code relating to that audiogram;</li> </ol> </p> </li> </ol>  |

\*Published in the *Government Gazette* on 21 October 1983 at pp. 4235-4258 and amended from time to time thereafter.

- (b) audiometric information obtained in a hearing test given under the Act; or
- (c) information derived from audiometric test results acquired for the purposes of the Act, except information required for the statistical summary referred to in regulation 27,

to anybody other than—

- (d) the designated worker or former designated worker to whom the audiogram relates;
- (e) an approved medical practitioner;
- (f) a person approved by the Permanent Head for the purposes of the inspection of audiograms;
- (g) a person acting under the direct supervision of that audiometric officer or the direct supervision of the approved medical practitioner referred to in paragraph (e) for the purpose of handling, storage and retrieval of the audiograms;
- (h) any other audiometric officer appointed in respect of the workplace concerned,

unless the designated worker or former designated worker to whom the audiogram relates agrees in writing to, or requests in writing, that disclosure. ”;

- (b) by repealing subregulation (10a) and substituting the following—

“ (10a) A person who has received details of an audiogram in accordance with subregulation (10) shall not disclose—

- (a) details of that audiogram;
- (b) details of the computer code relating to that audiogram;
- (c) audiometric information obtained in a hearing test associated with that audiogram; or
- (d) any information derived from those audiometric test results,

to any other person unless the designated worker or former designated worker to whom the audiogram relates agrees in writing to, or requests in writing, that disclosure. ”;

- (c) in subregulation (11), by deleting paragraph (a) and substituting the following paragraph—

“ (a) coerce a designated worker or former designated worker to agree to, or request, the disclosure of—

- (i) details of an audiogram;
- (ii) any audiometric information obtained in a hearing test; or
- (iii) any information derived from audiometric test results, relating to the designated worker or former designated worker; or ”.

Regulation 24 amended.

- 5. Regulation 24 of the principal regulations is amended in subregulation (3), by inserting after “relates” the following—

“ or subject to subregulation (2) (d) (iii) to any person other than the designated worker or former designated worker ”.

By His Excellency's Command,

G. PEARCE,  
Clerk of the Council.

### PETROLEUM PRODUCTS PRICING ACT 1983.

#### PETROLEUM PRODUCTS PRICING (MAXIMUM PRICES FOR MOTOR FUEL) AMENDMENT ORDER (No. 11) 1985.

MADE by the Prices Commissioner under section 12.

- Citation. 1. This order may be cited as the Petroleum Products Pricing (Maximum Prices for Motor Fuel) Amendment Order (No. 11) 1985.
- Commence-  
ment. 2. This order shall come into operation on 21 October 1985.
- Interpretation. 3. In this order—  
“the principal order” means the Petroleum Products Pricing (Maximum Prices for Motor Fuel) Order 1984\*.
- Clause 3  
amended. 4. Clause 3 of the principal order is amended—  
(a) in the definition of “motor fuel” by deleting “standard grade petrol;”  
and  
(b) by deleting the definition of “standard grade petrol”.

\*Published in the *Government Gazette* on 3 February 1984 at pp. 325-327.



- Clause 4 amended.
5. Clause 4 of the principal order is amended—
- (a) in subclause (2) by deleting—
    - (i) paragraph (a);
    - (ii) "54.4c" in paragraph (b) and substituting the following—  
" 54.8c "; and
    - (iii) "54.4c" in paragraph (c) and substituting the following—  
" 54.8c ";
  - and
  - (b) in subclause (4) by deleting—
    - (i) paragraph (a);
    - (ii) "fourth column" in paragraph (b) and substituting the following—  
" third column "; and
    - (iii) "fifth column" in paragraph (c) and substituting the following—  
" fourth column ".
- Schedule repealed and substituted.
6. The Schedule to the principal order is repealed and the following Schedule is substituted—

Schedule (Clause 4(4)).  
MAXIMUM RETAIL PRICES IN CERTAIN DISTRICTS AND AREAS.

Item	District or area	Maximum retail price per litre	
		Super grade petrol	Unleaded petrol
1.	District of the Shire of Albany.....	56.6c	56.6c
2.	District of the Town of Albany.....	56.6c	56.6c
3.	Area of the townsite of Boulder.....	60.2c	60.2c
4.	District of the City of Bunbury.....	55.1c	55.1c
5.	Area of the townsite of Busselton.....	56.8c	56.8c
6.	Area of the townsite of Dampier.....	58.8c	58.8c
7.	Area of the townsite of Esperance.....	56.6c	56.6c
8.	District of the Town of Geraldton.....	56.6c	56.6c
9.	District of the Town of Kalgoorlie.....	60.2c	60.2c
10.	Area of the townsite of Karratha.....	59.2c	59.2c
11.	Area of the townsite of Port Hedland.....	58.6c	58.6c

N. R. FLETCHER,  
Prices Commissioner.

PLANT DISEASES ACT 1914-1981.

Department of Agriculture,  
South Perth, 16 October 1985.

Agric 938/75.

I, THE undersigned Minister for Agriculture, being the Minister charged with the administration of the Plant Diseases Act 1914-1981 acting in exercise of the power in this behalf conferred on me by section 7(2) of that Act, do hereby cancel the appointment of John Adrian Richards as an Inspector and appoint Cirino Alfio Licciardello as an Inspector and Chairman of the Donnybrook Compulsory Fruit Fly Baiting Scheme.

H. D. EVANS, M.L.A.,  
Minister for Agriculture.

WESTERN AUSTRALIAN LAMB MARKETING BOARD.

THE following person, being an approved grader for lamb carcasses and a holder of a grading certificate, is hereby appointed Inspector under Regulation 6(3)(d), pursuant to the Marketing of Lamb Act 1971, for the purpose of organizing, supervising or carrying out the mouting of lamb, or the identification, classification, grading, weighing, recording, marking and tagging of lamb and lamb products within his area of responsibility.

Grading Certificate No. 121—Hunter, Timothy James.

K. J. LeBRETON,  
Board Secretary,  
W.A. Lamb Marketing Board.

AGRICULTURAL PRODUCE (CHEMICAL RESIDUES) ACT 1983.

AGRICULTURAL PRODUCE (CHEMICAL RESIDUES)  
AMENDMENT REGULATIONS 1985.

MADE by His Excellency the Governor in Executive Council.

- Citation. 1. These regulations may be cited as the Agricultural Produce (Chemical Residues) Amendment Regulations 1985.
- Principal regulations. 2. In these regulations the Agricultural Produce (Chemical Residues) Regulations 1985\* are referred to as the principal regulations.
- Regulation 2A inserted. 3. After regulation 2 of the principal regulations the following regulation is inserted—  
" 2A. The substances set forth in Column 1 of Schedule 1 are agricultural chemicals. "
- Schedule 1 amended. 4. Schedule 1 to the principal regulations is amended by inserting in its appropriate alphabetical position the following—  
" Barium Chloride nil vegetables "

By His Excellency's Command,

G. PEARCE,  
Clerk of the Council.

\*Published in the *Government Gazette* on 30 August 1985 at pp. 3127-45.

## 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 for Works,  
C/- Contract Office,  
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.

Contract No.	Project	Closing Date	Tender Documents now available at
24004.....	Graylands Hospital—New Manning Ward and New Admissions and Assessment Ward Selected Tenderers only Deposit on Documents \$200	5/11/85	B.M.A. West Perth
24198.....	Albany Regional Hospital—Redevelopment—Electrical Nominated Sub Contract (Recall) Deposit on Documents \$200. Drawings and Specification now available. The Bill of Quantities will be available Tuesday 22 October.	19/11/85	B.M.A., West Perth B.M.A., Albany B.M.A., Bunbury
24203.....	Kalgoorlie Regional Hospital—Stages 3B and 4 Redevelopment (Selected Tenderers only) Deposit on Documents \$400.	12/11/85	B.M.A., West Perth B.M.A., Kalgoorlie
24221.....	Government Printing Office (Wembley)—Essential Power Supply—Electrical Installation	22/10/85	B.M.A., West Perth
24223.....	Midland Courthouse—Erection 1985—Lift Installation	29/10/85	B.M.A., West Perth
24224.....	Norseman Hospital—Casualty Administration—Additions and Remodelling	22/10/85	B.M.A., West Perth B.M.A., Kalgoorlie
24225.....	Kalamunda Primary School Special Support Unit Alterations and Additions	22/10/85	B.M.A., West Perth
24226.....	Warburton School Transportable Primary Facilities Mechanical Services Nominated Sub Contract	29/10/85 (amended)	B.M.A., West Perth
24227.....	Murdoch—Hospital Laundry and Linen Service. Replacement Folders and Stackers	29/10/85	B.M.A., West Perth
24228.....	Augusta—District Hospital—Redevelopment—Major Alterations and Additions Head Contract	29/10/85	B.M.A., West Perth B.M.A., Bunbury
24229.....	Augusta District Hospital—Redevelopment—Major Alterations and Additions—Electrical Nominated Sub Contract	29/10/85	B.M.A., West Perth B.M.A., Bunbury
24230.....	Augusta District Hospital—Redevelopment—Major Alterations and Additions—Mechanical Nominated Sub Contract	29/10/85	B.M.A., West Perth B.M.A., Bunbury
24231.....	Adam Road Primary School—Bunbury—Alterations and Additions to Library Resource Centre	5/11/85	B.M.A., West Perth B.M.A., Bunbury
24232.....	Withers Primary School—Bunbury—Covered Assembly Area	5/11/85	B.M.A., West Perth B.M.A., Bunbury
24233.....	Kalgoorlie Regional Hospital—Stages 3B and 4 Redevelopment—Electrical Installation Nominated Sub Contract	12/11/85	B.M.A., West Perth B.M.A., Kalgoorlie
24234.....	Transportable Specialist Classrooms 1985/86—3 Units (1 Science, 1 Manual Arts, 1 Home Economics)	29/10/85	B.M.A., West Perth
24235.....	Transportable Classrooms 1985-86—6 Units	12/11/85	B.M.A. West Perth B.M.A. Sth. Hedland
24236.....	Kununurra High School—Stage 2 Addition Deposit on Documents \$200.00	29/10/85	B.M.A., West Perth B.M.A. Kununurra
24237.....	Coonana School—Boulder—Transportable Amenities Block	29/10/85	B.M.A., West Perth
24238.....	Northam Police Complex—Erection Deposit on Documents \$150.00	5/11/85	B.M.A., West Perth B.M.A., Northam
24239.....	Northam Police Complex Electrical Installation Nominated Sub Contract	12/11/85	B.M.A., West Perth B.M.A., Northam
24240.....	Graylands Hospital—Manning Ward and Admissions and Assessment Ward—Electrical Installation Nominated Sub Contract	19/11/85	B.M.A., West Perth
24241.....	Northam Police Complex—Mechanical Services Nominated Sub Contract	12/11/85	B.M.A., West Perth B.M.A., Northam
24242.....	Kalgoorlie Regional Hospital—Stages 3B and 4 Redevelopment—Mechanical Nominated Sub Contract Deposit on Documents \$95.00	12/11/85	B.M.A., West Perth B.M.A., Kalgoorlie
24243.....	Broome Police Complex Alterations and Additions to Police Station and New O.I.C. Quarters Deposit on Documents \$150.00	19/11/85	B.M.A., West Perth B.M.A., Derby B.M.A., South Hedland
24244.....	York District High School—Alterations and Additions (Registration of Tenderers)	5/11/85	B.M.A., West Perth B.M.A., Northam

## ACCEPTANCE OF TENDERS

Contract No.	Project	Contractor	Amount
24210.....	Swanbourne Senior High School New Gymnasium.....	Longo Construction Pty Ltd...	\$ 214 550
24182.....	Albany—Yakamia Primary School Administration—Upgrade....	Gnowangerup Building Supply Co Pty Ltd	75 455

BUILDING MANAGEMENT AUTHORITY—*continued.*  
ACCEPTANCE OF TENDERS—*continued*

Contract No.	Project	Contractor	Amount
24188.....	Leederville Audio Visual Branch Stage 3—Addition—Electrical	AC Electrical Engineering Pty Ltd	\$ 197 843
24200.....	Perth Supreme Court New Library and Court Building Lift Installation	Grant Elevators Pty Ltd.....	182 209.

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

MARINE AND HARBOURS ACT 1981.  
JURIEN BOAT HARBOUR.

TENDERS are called for the undermentioned works. Normal conditions apply.

Contract No.	Project	Closing Date	Tender Documents now available at
E 004.....	Excavation, Reclamation and Rock Placing at Jurien Boat Harbour	22/10/85 1430 hrs.	Clerk in Charge Engineering Division Dept. of Marine & Harbours Dumas House Room 717, 7th Floor 2 Havelock Street (Old PWD Bldg) West Perth 6005 After 1400 on Tuesday 24/9/85.

J. JENKIN,  
General Manager.

STATE TENDER BOARD OF WESTERN AUSTRALIA

*Tenders for Government Supplies*

Date of Advertising	Schedule No.	Supplies Required	Date of Closing
1985			1985
Sept. 27.....	786A1985.....	Grit Blasting, Grit Recovery and Air Cleaning Equipment for an enclosed blast cleaning facility—Westrail.....	Oct. 24
Oct. 4.....	794A1985.....	Bi-directional 30 Channel Microwave Bearer System one (1) only—Police Department.....	Oct. 24
Oct. 4.....	797A1985.....	Fully Automated Three Knife Trimmer—Government Printing Office.....	Oct. 24
Oct. 11.....	73A1985.....	Disposable Paper and Plastic Containers, Plates and Trays—Various Government Departments (excluding Royal Perth Hospital) (1 year period)	Oct. 31
Oct. 11.....	116A1985.....	Cotton Mops (1 year period)—Various Government Departments.....	Oct. 31
Oct. 11.....	802A1985.....	5.5 to 6 metre GRP Patrol Vessel—one (1) only—Department of Marine and Harbours.....	Oct. 31
Oct. 11.....	803A1985.....	Disposable Plastic Tubes for Collecting Blood (approx. 200 000) (2 year period)—Agriculture Department.....	Oct. 31
Oct. 11.....	86A1985.....	Timber Office Furniture—Group 1 (1 year period)—Various Government Departments.....	Nov. 7
Oct. 11.....	102A1985.....	Groceries (2 year period)—Various Government Departments.....	Nov. 7
Oct. 18.....	99A1985.....	Large Volume Sterile Fluids (12 month period)—Various Government Departments.....	Nov. 7
Oct. 18.....	804A1985.....	Power Take off Header one (1) only for Newdegate Research Station—Agriculture Department.....	Nov. 7
Oct. 18.....	816A1985.....	Tractors seven (7) only for Agriculture Research Stations in nominated country towns—Department of Agriculture.....	Nov. 7
		<i>Service</i>	
Sept. 27.....	113A1985.....	Servicing and repair of vehicles and plant in nominated country centres (1 year period).....	Oct. 24
		<i>Proposal</i>	
		Computer System for the Bunbury Regional Office—Department of Agriculture. Closing 17 October, 1985 at 10.00 a.m.	

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

Date of Advertising	Schedule No.	For Sale	Date of Closing
1985			
Oct. 4.....	788A1985.....	1983 Holden WB 1 Tonne Mechanics Van (MRD7117) at Carlisle .....	Oct. 24
Oct. 4.....	789A1985.....	Various Vehicles (XQD989, XQP802, XQM416, XQH135, XQJ045 and XQI858) at Derby.....	Oct. 24
Oct. 4.....	790A1985.....	1983 Ford Falcon XE Panel Van (XQQ269) at Broome .....	Oct. 24
Oct. 4.....	791A1985.....	1982 Holden WB 1 Tonner (XQN435) at South Hedland.....	Oct. 24
Oct. 4.....	792A1985.....	1983 Holden Commodore VH Sedan (XQS253) (Recall) at South Hedland.....	Oct. 24
Oct. 4.....	793A1985.....	Various Vehicles (XQQ845, XQR827, XQH599, XQJ684, XQJ082, XQJ073) at Derby .....	Oct. 24
Oct. 4.....	795A1985.....	1982 TF Sedan (XQQ963), 1982 Holden VH Commodore Sedan (XQR676), 1982 Holden WB Utilities (XQQ977 and XQR810) at Kununurra.....	Oct. 24
Oct. 4.....	796A1985.....	1983 Holden WB Panel Van (MRD6762) at Carlisle .....	Oct. 24
Oct. 4.....	798A1985.....	1981 Toyota Hilux 4x4 T/Top (XQL990) at Esperance.....	Oct. 24
Oct. 11.....	799A1985.....	1982 Holden Commodore VH Station Sedan (XQQ972), 1983 Holden Commodore VK Station Sedan (XQR202) and 1982 Commodore VK Station Sedan (XQN316) at Kununurra .....	Oct. 31
Oct. 11.....	800A1985.....	1982 Toyota FJ45 1 tonne tray back (XQX041), 1980 Holden Gemini Sedan (XQL095), 1981 Holden Gemini Panel Van (XQL654), 1981 Holden WB Utilities (XQM142, XQK490, XQL036) at Mundaring Weir .....	Oct. 31
Oct. 11.....	801A1985.....	1982 Commodore VH SL Sedan (XQQ102), 1979 Toyota FJ45 4x4 Personnel Carrier Landcruiser (XQJ576), 1983 Ford Falcon XE Station Wagon (XQH159), 1983 Ford Falcon XE Utility (XQS343) at Derby .....	Oct. 31
Oct. 18.....	805A1985.....	1983 Holden WB 1 tonne (XQR200) at Kununurra.....	Nov. 7
Oct. 18.....	806A1985.....	1981 Toyota Landcruiser Station Wagon (XQO205) at Derby .....	Nov. 7
Oct. 18.....	807A1985.....	1974 Zetor Crystal 8011 Tractor (Unregistered) (Recalled) at Mundaring Weir.....	Nov. 7
Oct. 18.....	808A1985.....	Fabco Skid Mounted Laboratory (MRD920) at South Hedland .....	Nov. 7
Oct. 18.....	809A1985.....	1977 Dodge D5N 69D Crew Cab Truck (MRD1869) at Carnarvon.....	Nov. 7
Oct. 18.....	810A1985.....	Losenhausen Vibrating Roller (MRD826) at Carlisle.....	Nov. 7
Oct. 18.....	811A1985.....	Bedford Fap Large Industrial Cement Mixer (Recalled) at Broome.....	Nov. 7
Oct. 18.....	812A1985.....	1982 Mitsubishi L200 Express Utility (XQN178), 1981 Toyota Hilux 4x2 RN41 Utility (XQN027), 1982 Toyota Hilux 4x2 LN40 Tray Top (XQP065), 1981 Toyota Hilux 4x4 RN46 Utility (XQM668), 1979 Toyota Dyna Double Cab 4x2 (XQN128), 1982 Falcon XE Sedan (XQN198) at Manjimup .....	Nov. 7
Oct. 18.....	813A1985.....	1982 Toyota FJ45 Landcruiser 1 tonne Tray Top (XQP712), 1981 Toyota Hilux RN41R 4x2 Utility (XQM928) at Ludlow.....	Nov. 7
Oct. 18.....	814A1985.....	1982 Mitsubishi L200 Utility (MRD6481), 1984 Falcon XE Panel Van (MRD7542) at Carlisle .....	Nov. 7
Oct. 18.....	815A1985.....	Chamberlain R1250 Rear End Loader (MRD3006) at Carlisle.....	Nov. 7

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>			
65A1985	Disinfectants and Antiseptics (1-year period)—Various Government Depts.	Various.....	Details on application.
85A1985	Ammunition (1-year period)—Various Government Departments	Various.....	Details on application.
697A1985	Litter Bins and Stands—M.R.D.	Rheem Australia Ltd.....	Details on application.
<i>Service</i>			
702A1985	Transport of Motor Vehicle (2-year period)—Education Department.	T.N.T. Car Carrying.....	Details on application.

STATE TENDER BOARD OF WESTERN AUSTRALIA—*continued.*ACCEPTED TENDERS—*continued*

Schedule No.	Particulars	Contractor	Rate
<i>Purchase and Removal</i>			
708A1985	Surplus Equipment—Dept. of Mines, Carlisle.	Various.....	Details on application.
737A1985	1965 Caterpillar 12E Grader (UQY120)—Dept of Conservation and Land Management, Manjimup.	Soltoggio Bros.....	\$11 388
759A1985	1984 Falcon XE Utility (MRD7384)—MRD Depot, Carlisle.	William Wood Motors.....	\$5 906
761A1985	1984 Ford Falcon XE Utility (XQY921).....	B. S. Criddle.....	\$7 200
	1984 Commodore VK Station Sedan (XQY943)—Water Authority Depot, Geraldton.	Drennan O'Malley Motors.....	\$8 420
762A1985	1984 Ford Falcon XE Panel Van (MRD295)—MRD Depot, Geraldton.	Ray Taylors Caravan Land.....	\$5 110
763A1985	Datsun 4WD Diesel Dual Cab Utility (MRD6791)	East Side Cars.....	\$7 165
	Datsun 4WD Diesel Dual Cab Utility (MRD6792)—MRD Depot, South Hedland.	Alan Neal Autos.....	\$7 158
767A1985	1982 Holden WB 1 tonne (XQO413)—Water Authority Depot, Onslow.	Selected Cars.....	\$4 177
768A1985	1982 Holden Rodeo (XQR605).....	East Side Cars.....	\$3 065
	1982 Ford Courier Tray Top (XQR814).....	R. Lawer.....	\$4 567
	1982 Ford Courier Tray Top (XQR813) 1983 ...	S. Aylmore.....	\$3 750
	1983 Ford Falcon Sedan (XQS057).....	T. J. Gibson.....	\$6 755
	1982 Holden Gemini Sedan (XQS044).....	Drennan O'Malley Motors.....	\$4 340
	1977 Toyota Coaster 22-Seater Bus (XQA726)—Water Authority Depot, Carnarvon.	Toyota Carnarvon.....	\$1 806
771A1985	1981 Holden WB Utility (XQL038)	T. L. Niven.....	\$4 250
	1981 Holden WB Utility (XQM273).....	Derry Wholesale.....	\$3 861
	1982 Mitsubishi L200 Utility (XQO722)—Dept of Conservation and Land Management, Mundaring Weir.	J. & F. Vehicle Wholesalers.....	\$3 705
<i>Decline of Tenders</i>			
387A1985	Supply—Submersible Agitation Equipment for the Sludge Facilities at Subiaco—M.W.A.		
523A1985	Supply—Traffic Signal Lanterns (2 500 approx)—M.R.D.		
541A1985	Supply—19-ton Crawler Track-Mounted Excavator one (1) only—M.W.A.		
<i>Cancellation of Contract</i>			
591A1985	Disposal—Benford Industrial Cement Mixer at Broome	E. K. Linge	

## MAIN ROADS DEPARTMENT.

*Tenders.*

Tenders are invited for the following projects.

Tender documents are available from the Clerk in Charge, Orders Section, Ground Floor, Main Roads Department, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date 1985
60/85.....	Sheer studding, minor fabrication works and delivery of a quantity of steel universal beams for Bridges Nos. 1138, 1141 and 1234 on Newman to Port Hedland Road.....	22 October
75/85.....	Sealing and Resealing Albany, Bunbury and Narrogin Divisions.....	5 November

## ACCEPTANCE OF TENDERS

Tender No.	Description	Successful Tenderer	Amount
37/85.....	Internal/External painting of six houses at Derby	Prellance Pty Ltd T/A Williams & Underwood	\$ 17 794.00
35/85.....	Cleaning MRD Office, Lot 34 Robinson Street Carnarvon	S. & M. Martin.....	17 804.34

D. R. WARNER,  
Director Administration and Finance.

## MINING ACT 1904.

## Notice of Intention to Cancel.

Warden's Office,  
Cue, 9 October 1985.

TAKE notice that it is the intention of the Warden of the Mineral Field mentioned hereunder, on the date mentioned, to issue out of the Warden's Court an order authorising the cancellation of registration of the undermentioned Mining Tenements in accordance with Regulation 180 of the Mining Act 1904. An order may issue in the absence of the registered holder, but should he desire to object to such order he must, before the date mentioned, lodge at the Warden's Office an objection containing the grounds of such objection, and, on the date mentioned, the Warden will proceed to hear and determine the same, in accordance with the evidence then submitted.

P. S. MICHELIDES,  
Warden.

To be heard in the Warden's Court Cue on Tuesday 26 November 1985.

## MURCHISON MINERAL FIELD.

*Cue District.*

## Mineral Claims.

20/2972 Openpit Mining & Exploration Pty. Ltd.  
20/2973 Openpit Mining & Exploration Pty. Ltd.  
20/2993 Openpit Mining & Exploration Pty. Ltd.  
20/2994 Openpit Mining & Exploration Pty. Ltd.  
20/3077 Openpit Mining & Exploration Pty. Ltd.  
20/3233 V. & D. Ridolfo Pty. Ltd.  
20/3234 V. & D. Ridolfo Pty. Ltd.  
20/3235 V. & D. Ridolfo Pty. Ltd.

*Day Dawn District.*

## Mineral Claims.

21/383 Getty Oil Development Company Ltd.  
21/460 Openpit Mining & Exploration Pty. Ltd.  
21/461 Openpit Mining & Exploration Pty. Ltd.  
21/462 Openpit Mining & Exploration Pty. Ltd.  
21/463 Openpit Mining & Exploration Pty. Ltd.  
21/464 Openpit Mining & Exploration Pty. Ltd.  
21/466 Openpit Mining & Exploration Pty. Ltd.  
21/467 Openpit Mining & Exploration Pty. Ltd.  
21/468 Openpit Mining & Exploration Pty. Ltd.  
21/469 Openpit Mining & Exploration Pty. Ltd.  
21/470 Openpit Mining & Exploration Pty. Ltd.  
21/471 Openpit Mining & Exploration Pty. Ltd.  
21/472 Openpit Mining & Exploration Pty. Ltd.  
21/473 Openpit Mining & Exploration Pty. Ltd.  
21/474 Openpit Mining & Exploration Pty. Ltd.  
21/475 Openpit Mining & Exploration Pty. Ltd.

## MINING ACT 1904.

## Notice of Intention to Cancel.

Warden's Office,  
Meekatharra, 9 October 1985.

TAKE notice that it is the intention of the Warden of the Mineral Field mentioned hereunder, on the date mentioned, to issue out of the Warden's Court an order authorising the cancellation of registration of the undermentioned Mining Tenements in accordance with Regulation 180 of the Mining Act 1904. An order may issue in the absence of the registered holder, but should he desire to object to such order he must, before the date mentioned, lodge at the Warden's Office an objection containing the grounds of such objection, and, on the date mentioned, the Warden will proceed to hear and determine the same, in accordance with the evidence then submitted.

P. S. MICHELIDES,  
Warden.

To be heard in the Warden's Court Meekatharra on Wednesday, 27 November 1985.

## MURCHISON MINERAL FIELD.

*Meekatharra District.*

## Mineral Claims.

51/4585—Atkins, Colin Ross.  
51/4586—Atkins, Colin Ross.

*Peak Hill District.*

## Mineral Claim.

52/4279—Beaumont, Edna Alice; Posa, Nicholas Anthony; Sarich, Donald Thomas.

## MINING ACT 1904.

## Notice of Intention to Cancel.

Warden's Office,  
Mt Magnet, 9 October 1985.

TAKE notice that it is the intention of the Warden of the Mineral Field mentioned hereunder, on the date mentioned, to issue out of the Warden's Court an order authorising the cancellation of registration of the undermentioned Mining Tenements in accordance with Regulation 180 of the Mining Act 1904. An order may issue in the absence of the registered holder, but should he desire to object to such order he must, before the date mentioned, lodge at the Warden's Office an objection containing the grounds of such objection, and, on the date mentioned, the Warden will proceed to hear and determine the same, in accordance with the evidence then submitted.

P. S. MICHELIDES,  
Warden.

To be heard in the Warden's Court Mt Magnet on Tuesday, 26 November 1985.

## EAST MURCHISON MINERAL FIELD.

*Black Range District.*

## Mineral Claim.

57/5055—Sheppard, William John; Ridley, Lance Dennis; Rodriguiz, Mario Albert; Zuks, Nicholas.

## Water Right.

SWR 57/29—Bennett, John.

## MURCHISON MINERAL FIELD.

*Mt Magnet District.*

## Garden Area.

58/61—Maxwell, Seymore Duncan.

*Yalgoo Mineral Field.*

## Mineral Claims.

59/7692—Kulim Ltd.  
59/7693—Kulim Ltd.  
59/7696—Kulim Ltd.  
59/7901—Christopher Stevens Pty. Ltd.  
59/7904—Christopher Stevens Pty. Ltd.  
59/7905—Christopher Stevens Pty. Ltd.  
59/8223—Tyrer, Malcolm Alan South West Exploration Pty. Ltd.  
59/8224—Tyrer, Malcolm Alan South West Exploration Pty. Ltd.  
59/8225—Tyrer, Malcolm Alan South West Exploration Pty. Ltd.

## MINING ACT 1904.

## Notice of Intention to Cancel.

Warden's Office,  
Coolgardie, 9 October 1985.

TAKE notice that it is the intention of the Warden of the Mineral Field mentioned hereunder, on the date mentioned, to issue out of the Warden's Court an order authorising the

cancellation of registration of the undermentioned Mining Tenements in accordance with Regulation 180 of the Mining Act 1904. An order may issue in the absence of the registered holder, but should he desire to object to such order he must, before the date mentioned, lodge at the warden's office an objection containing the grounds of such objection, and, on the date mentioned, the Warden will proceed to hear and determine the same, in accordance with the evidence then submitted.

D. REYNOLDS,  
Warden.

To be heard in the Warden's Court Coolgardie on Wednesday, 18 December 1985.

COOLGARDIE MINERAL FIELD.

Quarrying Area.

15/15 Velcrete Pty Ltd.  
15/17 Velcrete Pty Ltd.  
15/22 Velcrete Pty Ltd.  
15/27 Velcrete Pty Ltd.  
15/33 Velcrete Pty Ltd.  
15/34 Velcrete Pty Ltd.

MINING ACT 1904.

Notice of Intention to Cancel.

Warden's Office  
Carnarvon.  
5 September 1985.

TAKE notice that it is the intention of the Warden of the Mineral Field mentioned hereunder, on the date mentioned, to issue out of the Warden's Court an order authorising the cancellation of registration of the undermentioned Mining Tenements in accordance with Regulation 180 of the Mining Act 1904. An order may issue in the absence of the registered holder, but should he desire to object to such order he must, before the date mentioned, lodge at the Warden's Office an objection containing the grounds of such objection, and, on the date mentioned, the Warden will proceed to hear and determine the same, in accordance with the evidence then submitted.

P. S. MICHELIDES,  
Warden.

To be heard in the Warden's Court Carnarvon on 1 November 1985.

ASHBURTON MINERAL FIELD.

Quarrying Area.

08/27—Paul List.

Machinery Area.

08/3—Australian Hanna Ltd.

MINING ACT 1904.

Notice of Intention to Cancel.

Warden's Office, Leonora,  
20 September 1985.

TAKE notice that it is the intention of the Warden of the Mineral Field mentioned hereunder, on the date mentioned, to issue out of the Warden's Court an order authorising the cancellation of registration of the undermentioned Mining Tenements in accordance with Regulation 180 of the Mining Act 1904. An order may issue in the absence of the registered holder, but should he desire to object to such order he must, before the date mentioned, lodge at the Warden's Office an objection containing the grounds of such objection, and, on the date mentioned, the Warden will proceed to hear and determine the same, in accordance with the evidence then submitted.

D. REYNOLDS,  
Warden.

To be heard in the Warden's Court Leonora on Thursday 28 November 1985.

EAST MURCHISON MINERAL FIELD.

Lawlers District

Mineral Claims.

36/4921—Walley: Hugh Gordon; Epis: James Gregory; Epis: James Leslie; Epis: Stephen Robert.  
36/4922—Walley: Hugh Gordon; Epis: James Leslie; Epis: James Gregory; Epis: Stephen Robert.  
36/4923—Walley: Hugh Gordon; Epis: James Leslie; Epis: James Gregory; Epis: Stephen Robert.

MOUNT MARGARET MINERAL FIELD.

Mount Malcolm District.

Mineral Claims.

37/6714—Connelly: Michael Ashley; Pinniger: William Hamilton.  
37/6851—Thames Mining N.L.  
37/6852—Thames Mining N.L.  
37/6853—Thames Mining N.L.  
37/6854—Thames Mining N.L.  
37/6855—Thames Mining N.L.  
37/6856—Thames Mining N.L.  
37/6857—Thames Mining N.L.  
37/6858—Thames Mining N.L.  
37/6861—Thames Mining N.L.  
37/6862—Thames Mining N.L.  
37/6873—Thames Mining N.L.  
37/6874—Thames Mining N.L.  
37/7218—Camon Pty Ltd.  
37/7219—Camon Pty Ltd.

Garden Areas.

25c—William: Norman Andrew.  
61c—Biggs: Keith.  
76c—Moreschetti: Domenic.  
37/88—Reddingius: Rene.  
37/89—Reddingius: Rene.  
37/90—Reddingius: Rene.

Tailings Area.

37/15—Taylor: Vernon Ross.

Water Right.

216c—Murray: Donald Robert; Murray: Nuala Clare.

MOUNT MARGARET MINERAL FIELD.

Mount Margaret District.

Mineral Claims.

38/8177—Morris: Brian Cecil; Baldock: Robert Frederick.  
38/8183—Whitfield: Gregory Basil.  
38/8184—Whitfield: Gregory Basil.

Garden Area.

47T—Collopy: Allan Joseph.

Tailings Area.

38/22—Strong: Aubrey Peter.

Water Rights.

113T—Thomson: David Kenneth.

MOUNT MARGARET MINERAL FIELD.

Mount Morgans District.

Mineral Claims.

39/5480—Mani: Walter James; Shimmin: Kenneth William; Huizenga: Jan Adolf Johan; Mani: Noel Edward.  
39/5502—Mani: Noel Edward; Johnson: Noel Walter.

Water Right.  
89F—Mt Malcolm Pastoral Co Ltd.

NORTH COOLGARDIE MINERAL FIELD.

*Niagara District.*

Mineral Claims.

40/973—Great Eastern Mines Ltd.  
40/974—Great Eastern Mines Ltd.  
40/975—Great Eastern Mines Ltd.  
40/1192—Kalamunda Commodities Pty Ltd.

Machinery Area.

40/68—Great Eastern Mines Ltd.

Water Right.

119G—Great Eastern Mines Ltd.

MINING ACT 1904.

Notice of Intention to Cancel.

Warden's Office,  
Kalgoorlie, 3 October 1985.

TAKE notice that it is the intention of the Warden of the Mineral Field mentioned hereunder, on the date mentioned, to issue out of the Warden's Court an order authorising the cancellation of registration of the undermentioned Mining Tenements in accordance with Regulation 180 of the Mining Act 1904. An order may issue in the absence of the registered holder, but should he desire to object to such order he must, before the date mentioned, lodge at the Warden's Office an objection containing the grounds of such objection, and, on the date mentioned, the Warden will proceed to hear and determine the same, in accordance with the evidence then submitted.

D. REYNOLDS,  
Warden.

To be heard in the Warden's Court Kalgoorlie on Tuesday, 3 December 1985.

BROAD ARROW MINERAL FIELD.

Mineral Claims.

24/2096—Brinco Holdings Pty Ltd.  
24/2098—Brinco Holdings Pty Ltd.  
24/2502—Mistral Mines NL.  
24/2543—Sanidine NL.  
24/2604—Sanidine NL.  
24/2605—Sanidine NL.

EAST COOLGARDIE MINERAL FIELD.

*East Coolgardie District.*

Mineral Claims.

26/2018—Keogh, Aidan Gale.  
26/2019—Keogh, Aidan Gale.

Garden Areas.

26/187—Firle Dairy Pty Ltd.  
26/188—Firle Dairy Pty Ltd.  
26/189—Patroni, Alfred Con.  
26/190—Edney, Bronwyn April.  
26/195—Goode, Mervyn James.  
26/196—Goode, Florence Ethel.  
26/197—Goode, Mervyn James.  
26/198—Edwards, Ronald Keith.

NORTH EAST COOLGARDIE MINERAL FIELD.

*Kanowna District.*

Mineral Claims.

27/2136—Sargent, Robert Bruce.  
27/2191—Sargent, Robert Bruce.  
27/2192—Sargent, Robert Bruce.

*Menzies District.*

Mineral Claims.

29/3281—Rose, Harry.

MINING ACT 1978-1983.

Notice of Intention to Forfeit.

Department of Mines,  
Perth, 9 October 1985.

IN accordance with Regulation 50(b) of the Mining Act 1978-1983, notice is hereby given that unless the rent due on the undermentioned mining tenements be paid on or before 18 November 1985, it is the intention of the Minister for Minerals and Energy under the provisions of sections 96A(1) and 97(1) of the Act, to forfeit such for breach of covenant *vis non*-payment of rent.

D. R. KELLY,  
Director General and  
Under Secretary for Mines.

WEST KIMBERLEY MINERAL FIELD.

Mining Lease.

04/47—L. H. Ross.

ASHBURTON MINERAL FIELD.

Exploration Licence.

08/49—Jays Exploration Pty. Ltd.

COOLGARDIE MINERAL FIELD.

Mining Leases.

15/33—Epoch Developments Pty. Ltd. and Paul Mining Nominees Pty. Ltd.  
15/34—Charles Slavick, Ladislav Stanko, Alvin Frank.  
15/123—R. J. Harrington.

NORTH COOLGARDIE MINERAL FIELD.

*Menzies District.*

Mining Lease.

29/4—F. F. Capelli.

MT. MARGARET MINERAL FIELD.

*Mt. Malcolm District.*

Exploration Licence.

37/36—Metals Exploration Ltd.

MT. MARGARET MINERAL FIELD.

*Mt. Margaret District.*

Mining Lease.

38/14—Credit Collection House Pty. Ltd.

MT. MARGARET MINERAL FIELD.

*Mt. Morgans District.*

Mining Lease.

39/14—G. F. Rose.

PILBARA MINERAL FIELD.

*Marble Bar District.*

Mining Leases.

45/20—Greenbushes Tin Ltd.  
45/25—Bell Bros Pty. Ltd.  
45/28—Adelaide Quarry Industries Ltd.  
45/43—Jays Exploration Pty. Ltd.

Exploration Licence.

45/327—Greenbushes Tin Ltd.

PILBARA MINERAL FIELD.

*Nullagine District.*

Exploration Licence.

46/6—Mt. Newman Mining Co. Pty. Ltd.

WEST PILBARA MINERAL FIELD.

Exploration Licences.

47/19—Mt. Newman Mining Co. Pty. Ltd.  
47/70—Vern Pty. Ltd.



## PEAK HILL MINERAL FIELD.

## Mining Leases.

- 52/9—V. J. Novak; V. Dvorak; J. Novak.  
 52/20—Bell Bros Pty. Ltd.  
 52/21—Bell Bros Pty. Ltd.  
 52/22—Bell Bros Pty. Ltd.  
 52/23—Bell Bros Pty. Ltd.  
 52/28—V. J. Novak; J. Novak.

## DUNDAS MINERAL FIELD.

## Mining Lease.

- 63/24—A. J. Mayberry.

## YILGARN MINERAL FIELD.

## Mining Leases.

- 77/10—Kia Ora Gold Corporation NL.  
 77/45—Kia Ora Gold Corporation NL.

## General Purpose Leases.

- 77/1—Kia Ora Gold Corporation NL.  
 77/2—Kia Ora Gold Corporation NL.  
 77/3—Kia Ora Gold Corporation NL.

## Exploration Licences.

- 77/25—R. W. Brown.  
 77/55—Ascot Holdings Pty. Ltd. and G. W. Pearce.

## MINING ACT 1978-1983.

## Notice of Application for an Order for Forfeiture.

Department of Mines,  
 Perth, 14 October 1985.

IN accordance with Regulation 49(2)(c) of the Mining Act 1978-1983, notice is hereby given that unless the rent due on the undermentioned Prospecting Licence is paid before 10.00 a.m. on 13 November 1985, the licence is liable to forfeiture under the provisions of section 96(1)(a) for breach of covenant, *viz.* non payment of rent.

R. RASMUSSEN,  
 Warden.

To be heard at the Warden's Court, Perth on 13 November 1985.

## SOUTH WEST MINERAL FIELD.

## Prospecting Licence.

- 70/309—Rule, Ian Max and Rule, James Pearse and Hines, Oliver Maymon.

## Western Australia.

## PETROLEUM (SUBMERGED LANDS) ACT 1982.

## Instrument Revoking Delegations.

I, DAVID CHARLES PARKER, Minister for Minerals and Energy for the State of Western Australia, being authorised by or under the Act do hereby revoke the delegation dated 21 February 1983 as published in the *Government Gazette* on 25 February 1983 whereby certain functions were delegated to the Clerk in Charge Petroleum.

Dated at Perth this 9th day of October, 1985.

DAVID CHARLES PARKER,  
 Minister for Minerals and Energy.

## Western Australia.

## PETROLEUM (SUBMERGED LANDS) ACT 1982.

## Instrument of Delegation.

I, DAVID CHARLES PARKER, Minister for Minerals and Energy for the State of Western Australia, being authorised by or under the Act do hereby delegate to the person who for

the time being holds, or who is authorised for the time being to act as the holder of, the office of Administrative Officer Petroleum (previously known as the Clerk in Charge Petroleum) in the Department of Mines in the said State, the powers and functions of the Minister under the following sections and subsections of:—

## (A) Division 5 of Part III of the Act:—

76(1), 76(2), 76(3), 76(5), 77, 78(4), 78(9), 79(2), 81(5), 81(7), 81(10), 87(2), 87(3); and

## (B) Schedule 3 Part IV of the Act:—

9(2) and 9(4).

## Interpretation.

In this instrument, "the Act", means the Act under which this instrument is made and includes any Act with which that is incorporated and words used in this instrument have the same respective meanings as in the Act.

Dated at Perth this 9th day of October, 1985.

Made under the Petroleum (Submerged Lands) Act 1982 of Western Australia.

DAVID CHARLES PARKER,  
 Minister for Minerals and Energy.

## Western Australia.

## PETROLEUM ACT 1967.

## Instrument of Delegation.

I, DAVID CHARLES PARKER, Minister for Minerals and Energy for the State of Western Australia, being authorised by or under the Act do hereby delegate to the person who for the time being holds, or who is authorised for the time being to act as the holder of, the office of Administrative Officer Petroleum (previously known as the Clerk in Charge Petroleum) in the Department of Mines in the said State, the powers and functions of the Minister under the following sections and subsections of Division 4 of Part III of the Act:—

70(2), 70(3), 70(4), 70(6), 71, 72(4), 72(9), 73(2), 75(5), 75(7), 75(10), 81(2) and 81(3).

## Interpretation.

In this instrument, "the Act", means the Act under which this instrument is made and includes any Act with which that is incorporated and words used in this instrument have the same respective meanings as in the Act.

Dated at Perth this 9th day of October, 1985.

Made under the Petroleum Act 1967 of Western Australia.

DAVID CHARLES PARKER,  
 Minister for Minerals and Energy.

## Western Australia.

## PETROLEUM ACT 1967.

## Instrument Revoking Delegations.

I, DAVID CHARLES PARKER, Minister for Minerals and Energy for the State of Western Australia, being authorised by or under the Act do hereby revoke the delegation dated 7 March 1975 as published in the *Government Gazette* on 27 March 1975 whereby certain functions were delegated to the Principal Registrar.

Dated at Perth this 9th day of October, 1985.

DAVID CHARLES PARKER,  
 Minister for Minerals and Energy.

## State of Western Australia.

## PETROLEUM ACT 1967.

## Notice of Grant of First Renewal of Exploration Permit.

Department of Mines,  
 Perth, 30 September 1985.

EXPLORATION Permit No. 175, held by Getty Oil Development Company Ltd. of 2000 Westchester Avenue, White Plains, New York 10650, United States of America; Union

Texas Australia, Inc. of One Riverway, Houston, Texas 77252, United States of America; Alliance Petroleum International Ltd. of Level 15, 35 Collins Street, Melbourne, Victoria 3000; B.H.P. Petroleum Pty. Ltd. of 140 William Street, Melbourne, Victoria 3000; and Global Oil Ltd. of 27th Floor, St. Martin's Tower, 44 St George's Terrace, Perth, Western Australia 6000 has been renewed in accordance with the provisions of the above Act for a further period of five (5) years commencing on the day after the day on which the previous permit term ceased to have effect.

D. R. KELLY,  
Director General of Mines.

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TRUSTEES ACT 1962.

Notice to Creditors and Claimants.

WEST AUSTRALIAN TRUSTEES LIMITED of 135 St. 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: 15 November 1985.

- Crowley, John William, late of Unit 2, 33 Creery Street, Mandurah, retired Clay Blender, died 31/8/85.  
 Forte, Alfredo, late of Flat E6, Newman Drive, Newman, Trades Assistant, died 6/8/85.  
 Greenhorn, John, late of 134 Samson Street, White Gum Valley, Turbine Driver, died 15/8/85.  
 Trotman, Albert Howard, late of 67 Melville Beach Road, Applecross, retired Assistant Director of Education, died 13/8/85.  
 Van Hall, Hendricus Jacobus, late of 178 Bateman Road, Brentwood, Workshop Supervisor, died 18/8/85.  
 Wollaston, Kathleen Blanche, late of 31 Anderson Way, Thornlie, Home Duties, died 22/8/85.

Dated at Perth this 15th day of October, 1985.

L. C. RICHARDSON,  
General Manager.

---

DECEASED PERSONS ESTATE.

WOULD any person having knowledge of a Will of Florence Hazel Morgan, late of 15 Viking Road, Dalkeith please contact Taylor Smart & Co., Solicitors, Level 4, 533 Hay Street, Perth WA 6000. Telephone: 325 8266.

---

TRUSTEES ACT 1962.

Notice to Creditors and Claimants.

CREDITORS and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the Estates of the undermentioned deceased persons, are required by Perpetual Trustees W.A. Ltd. of 89 St. George's Terrace, Perth, to send particulars of their claims to the Company, by the undermentioned date, after which date the said Company may convey or distribute the assets, having regard only to the claims of which the Company then has notice.

Claims for the following expire one month after the date of publication hereof.

- Christensen, Tage late of yacht named "Bluebird" care of Thursday Island, Queensland and formerly of 2 Brown Street, Newman. Truck Driver and Seaman. Died 14 June 1985.  
 Kelliher, Catherine Mary late of Salvado Villa, McAuley Centre, 18 Barrett Street, Wembley. Widow. Died 22 June 1985.  
 Littlewood, Ronald Innes late of 8 York Street, Tuart Hill. Storeman. Died 16 June 1985.

Price, Ernest late of 7 Gibney Street, Dunsborough. Retired Foreman. Died 7 July 1985.

Dated at Perth this 16th day of October, 1985.

Perpetual Trustees W.A. Ltd.,  
 D. O. D. PRICE,  
 Divisional Manager,  
 Trust and Legal Services Division.

---

PUBLIC TRUSTEE ACT 1941.

NOTICE is hereby given that pursuant to section 14 of the Public Trustee Act 1941, the Public Trustee has elected to administer the estates of the undermentioned deceased person.

Dated at Perth the 14th day of October, 1985.

S. H. HAYWARD,  
 Public Trustee,  
 565 Hay Street, Perth.

Name of Deceased; Occupation; Address; Date of Death;  
 Date Election Filed.

Oddy, William George; Publican; Bateman; 12/6/84; 3/10/85.

---

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 18 November 1985, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

- Anglesey, Theresa Frances, late of 173 Keane Street, Cloverdale, died 29/8/85.  
 Arnold, William Henry, late of Marble Bar, died 22/9/85.  
 Bairstow, Ian Wayne, late of 19a Trainee Crescent, South Hedland, died 29/5/85.  
 Bulliard, Irene Jane, late of St. Francis Nursing Home, 163 Healy Road, Hamilton Hill, died 28/9/85.  
 Cox, Anthony Barrie, late of 219a Forrest Street, Palmyra, died 30/9/85.  
 Feast, Charles James, formerly of Unit 12 Park Mansions, 15 Corvus Place, Rockingham, late of Unit 8, 33 Frederick Street, Shoalwater, died 2/10/85.  
 Flint, Albert William, late of 78 Brown Street, East Perth, died 25/8/85.  
 Fox, Edna Maud, late of Unit 30 Wearne House, 7 Leslie Street, Mandurah, died 22/9/85.  
 Herd, James Samuel Edward, late of 9 Pitt Street, St. James, died 19/9/85.  
 Hoskins, Stephen George, late of Unit 6, 60 Watkins Street, White Gum Valley, died 6/10/85.  
 Jamieson, Andrew Stevenson, late of Fairview Farm, Bonnie Rock, died between 30/8/85 and 2/9/85.  
 Jennings, Cecilia, late of Unit 62 Richard Cleaver Lodge, c/- Swan Cottage Homes, Bentley, died 1/10/85.  
 Krinte, Zanis, late of 125 Richmond Street, Leederville, died 28/9/85.  
 La Rosa, Mughetta, late of 23 Stanbury Crescent, Morley, died 1/10/85.  
 Lansley, Allan Henry, late of 282 Harborne Street, Glendalough, died 20/9/85.  
 Lauva, Nellija, late of 139 Matlock Street, Mt. Hawthorn, died 21/8/85.  
 Ludikar, George Francis, late of 148 Newborough Street, Karrinyup, died 14/9/85.  
 McCallum, Alice Gertrude, late of Adelphi Nursing Home, 29 Neville Street, Bayswater, died 18/9/85.  
 Mahoney, Roy, late of Midland Nursing Home, 44 John Street, Midland, died 16/9/85.  
 Murton, Laura Ada, late of Room 318 Waminda Lodge, Adie Court, Bentley, died 21/9/85.  
 Page, Rosemary Rosalia, late of Albany Permanent Care Unit, Albany Regional Hospital, Hardie Road, Albany, died 25/11/84.

Robinson, Owen Henry, late of 49 Kirwan Street, Floreat, died 28/9/85.  
 Rowe, Dorothy Mabel, late of St. Florence Hospital, 32 Whatley Crescent, Mt. Lawley, died 6/9/85.  
 Tate, Vera, late of 86 Central Road, Rossmoyne, died 2/9/85.  
 Thomas, Dorothy Robina, late of Milford Aged Hostel, 20 Milford Road, Geraldton, died 25/9/85.  
 Thompson, Robert John, late of 45 Panton Crescent, Karrinyup, died 17/9/85.  
 Van den Berg, Corstiaan Hendrik Cornelis, late of 28 Eileen Street, Gosnells, died 31/8/85.  
 Webb, Lydia Georgina, late of Quadriplegic Centre, Selby Street, Shenton Park, died 28/9/85.  
 Williams, Ada Louisa, late of 31 Hovea Crescent, Wundowie, died 6/7/85.  
 Wilson, Eric Lawrence, late of Mount St., Camillus Nursing Home, 138 Lewis Road, Forrestfield, died 6/10/85.  
 Dated the 14th day of October, 1985.

S. H. HAYWARD,  
 Public Trustee,  
 565 Hay Street, Perth.

---

**RELIGIOUS EDUCATION IN THE  
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Chairman Mr. W. E. Nott, S.M.

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 CHAIRMAN MR. L. F. O'MEARA**

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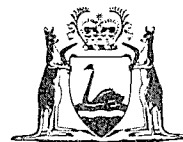
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GOVERNMENT OF WESTERN  
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**WESTERN AUSTRALIA  
REPORT OF  
GOVERNMENT REGULATIONS  
REVIEW COMMITTEE  
FEBRUARY 1983**

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(Extract from Government Gazette (No. 20) of 8 March,  
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