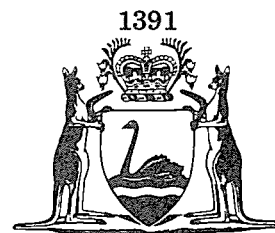


WESTERN
AUSTRALIAN
GOVERNMENT

Gazette



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G. L. DUFFIELD, Director.

PROCLAMATION

AA101

EMPLOYMENT AGENTS AMENDMENT ACT 1990**PROCLAMATION**

WESTERN AUSTRALIA	}	By His Excellency the Honourable Sir Francis Theodore Page Burt, Companion of the Order of Australia, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Queen's Counsel, Governor of the State of Western Australia.
FRANCIS BURT,		
Governor.		
[L.S.]		

I, the Governor, acting under section 2 of the Employment Agents Amendment Act 1990 and with the advice and consent of the Executive Council, fix 22 March 1991 as the day on which that Act shall come into operation.

Given under my hand and the Public Seal of the State on 19 March 1991.

By His Excellency's Command,

YVONNE HENDERSON, Minister for Consumer Affairs.

GOD SAVE THE QUEEN !

AGRICULTURE

AG401

SEEDS ACT 1981

Department of Agriculture,
March 14, South Perth 6151.

968/76.

I, the undersigned Minister for Agriculture, being the Minister charged with the administration of the Seeds Act 1981 hereby appoint Phillip Douglas Evans and Peter John McKenner as Inspectors in accordance with section 14 (1) of the said Act.

ERNIE BRIDGE, Minister for Agriculture.

AG402

PLANT DISEASES ACT 1914

Department of Agriculture,
25 March, South Perth 6151.

Agric 243/90.

I, the undersigned Minister for Agriculture, being the Minister charged with the administration of the Plant Diseases Act 1914 hereby appoint Phillip Douglas Evans and Peter John McKenner as Inspectors in accordance with section 7 (1) of the said Act.

ERNIE BRIDGE, Minister for Agriculture.

AG403

SOIL AND LAND CONSERVATION ACT 1945**Notice of Appointment**

Pursuant to section 23 (2b) (d) of the Soil and Land Conservation Act 1945, being persons actively engaged in, or affected by or associated with land use in the District, David Anthony Musgrave of York is appointed a member of the District Committee for the York Land Conservation District, which Committee was established by an Order in Council published in the *Government Gazette* of July 6, 1990 and amended by an Order so published on March 1, 1991, the appointment being for a term ceasing on August 2, 1993.

ERNIE BRIDGE, Minister for Agriculture.

AG404

SOIL AND LAND CONSERVATION ACT 1945

MOUNT MARSHALL LAND CONSERVATION DISTRICT (APPOINTMENT
OF MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 1991

Made by the Minister for Agriculture.

Citation

1. This Instrument may be cited as the *Mt Marshall Land Conservation District (Appointment of Members District Committee) Instrument 1991*.

Interpretation

2. In this Instrument—

“Constitution order” means the *Soil and Land Conservation (Mt Marshall Land Conservation District) Order 1984*.*

“Committee” means the District Committee established by Clause 5 of the Constitution Order.

[*Published in the *Gazette* of 16 March, 1984 at pp. 720 and amended in the *Gazettes* of 20 February 1987 at pp. 477, November 23 1990 at pp. 5771-72 and 1 March 1991 at pp. 967-968.]

Appointment of Members

3. (1) Under Clause 6 (1) (b) of the constitution order—

- (a) John Forrest Dunne of Beacon;
- (b) Leonard George Cargeeg of Bencubbin;
- (c) David Aston Gillett of Bencubbin

are appointed members of the Committee on the Nomination of the Shire of Mt Marshall.

(2) Under Clause 6 (1) (c) of the constitution order—

- (a) Vincenzo Sorgiovani of Gabbin;
- (b) Barry Selwyn-Davies of Bencubbin;
- (c) Noel Miguel of Beacon

are appointed members of the Committee to represent the Western Australian Farmers Federation.

(3) Under Clause 6 (1) (d) of the constitution order—

- (a) Colin Carlisle Shemeld of Beacon;
- (b) Phillip Surtees of Gabbin;
- (c) John Buller Grylls of Trayning;
- (d) Michael Joseph Hegarty of Mukinbudin;
- (e) Anne Shipway of Beacon;
- (f) Ian James of Koorda;
- (g) Andrew Putt of Bencubbin;
- (h) Jeffrey Wayne Job of Beacon

are appointed members of the Committee being persons actively engaged in or affected by, or associated with land use in the Mt Marshall Land Conservation District.

Term of Office

4. The appointment is made under Clause 6 (3) shall be for a term of three years commencing on the day that this instrument is published in the *Gazette*.

ERNIE BRIDGE, Minister for Agriculture.

AG405

SOIL AND LAND CONSERVATION ACT 1945

KELLERBERRIN LAND CONSERVATION DISTRICT (APPOINTMENT OF
MEMBERS OF DISTRICT COMMITTEE) INSTRUMENT 1991

Made by the Minister for Agriculture.

Citation

1. This Instrument may be cited as the *Kellerberrin Land Conservation District (Appointment of Members District Committee) Instrument 1991*.

Interpretation**2. In this Instrument—**

"Constitution order" means the *Soil and Land Conservation (Kellerberrin Land Conservation District) Order 1984*.

"Committee" means the District Committee established by Clause 5 of the Constitution Order.

[*Published in the Gazette of 25 May 1984 at pp. 1405-06 and amended in the Gazettes of 20 March 1987 at pp. 983-84, 15 December 1989 at pp. 4586-87 and 1 March 1991 at pp. 968.]

Appointment of Members

3. (1) Under Clause 6 (1) (b) of the constitution order Alan Geoffrey Cole of Kellerberrin is appointed a member of the Committee on the Nomination of the Shire of Kellerberrin.

(2) Under Clause 6 (1) (c) of the constitution order—

(a) Michael Robert McFarlane of Doodlakine;

(b) Ashley Victor Bonser of Doodlakine;

(c) David Alexander Leake of Kellerberrin;

are appointed members of the Committee to represent the Western Australian Farmers Federation.

(3) Under Clause 6 (1) (d) of the constitution order—

(a) William Dixon of Kellerberrin;

(b) Murray Norman Clement of Kellerberrin;

(c) Craig Victor Gorfin of Yorkrakine;

(d) Andrew John McLennan of Kellerberrin;

(e) Rex Austin Cox of South Doodlakine;

(f) Rodney Deane Forsyth of North Kellerberrin;

(g) Judith Forsyth of North Kellerberrin

are appointed members of the Committee being persons actively engaged in or affected by, or associated with land use in the Kellerberrin Land Conservation District.

Term of Office

4. The appointment is made under Clause 6 (3) shall be for a term of three years commencing on the day that this instrument is published in the *Gazette*.

ERNIE BRIDGE, Minister for Agriculture.

CONSUMER AFFAIRS

CN301

RETAIL TRADING HOURS ACT 1987**RETAIL TRADING HOURS EXEMPTION ORDER (No. 16) 1991**

Made by the Minister for Consumer Affairs under section 5.

Citation

1. This Order may be cited as the *Retail Trading Hours Exemption Order (No. 16) 1991*.

Exemption

2. The operators of the filling stations specified in the schedule may at those filling stations sell fuel or allow fuel to be sold between 1 pm and 6 pm on Saturdays and to that extent the *Retail Trading Hours Act 1987* does not apply to those filling stations.

Schedule

BP Service Station SWN, 1008 Wellington Street, West Perth.

Swan Taxis Co-operative Ltd, Elder Place, Fremantle.

BP Burrendah, 43 Burrendah Boulevard, Willetton.

BP Wellington Road, 261 Walter Road, Morley.

Shell Malaga Self Serve, Lot 4 Truganina Road, Malaga.

YVONNE HENDERSON, Minister for Consumer Affairs.

CN302

RETAIL TRADING HOURS ACT
RETAIL TRADING HOURS (TOWN OF ALBANY) AMENDMENT
ORDER (No. 1) 1991

Made by the Minister for Consumer Affairs under section 13.

Citation

1. This Order may be cited as the *Retail Trading Hours (Town of Albany) Amendment Order No. 1, 1991*.

Amendment

2. The *Retail Trading Hours (Town of Albany) Order 1988* (published in the *Gazette* of 2 September 1988 at pp. 3461) is amended by deleting—

“other than Saturdays 8, 15, 22, 29 December 1990, and 5, 12, 19, 26 January 1991”

and inserting in its place the following—

“other than Saturday 30 March 1991”

YVONNE HENDERSON, Minister for Consumer Affairs.

CN303

RETAIL TRADING HOURS ACT 1987
PETROL ROSTER ORDER 1991

Made by the Minister for Consumer Affairs.

Citation

1. This Order may be cited as the *Petrol Roster Order No. 1 of 1991*.

Commencement

2. This Order shall come into operation on the day that it is published in the *Government Gazette*.

Petrol Roster

3. Shopkeepers of zoned filling stations specified in the Schedule shall be open during the days and times respectively in that Schedule for the sale of fuel and requisites.

Fuel and Requisites to be Sold

4. All forms of fuel and the following requisites, namely—

- (a) oil;
 - (b) lubricants;
 - (c) tyres;
 - (d) batteries;
 - (e) distilled water; and
 - (f) such other requisites as the shopkeeper has in stock at the shop,
- shall be sold by shopkeepers of the zoned filling stations specified in the Schedule during the days and times so specified.

Roster for Christmas Day, Anzac Day, Good Friday

5. Where, whether as a weekend roster or weekday night roster any part of Christmas Day, Anzac Day or Good Friday is included in the rostered extraordinary trading period of a shop (except those shops rostered to open between 10 pm and 7 am daily), the shopkeeper of that shop shall keep that shop open on Christmas Day, Anzac Day, or Good Friday as the case requires for the sale of all forms of fuel and requisites specified in item 4 between the hours of 9 am and noon and 3 pm and 10 pm on Christmas Day; and 7 am and 10 pm on Anzac Day or Good Friday.

YVONNE HENDERSON, Minister for Consumer Affairs.

CN304

RETAIL TRADING HOURS ACT 1987

RETAIL TRADING HOURS EXEMPTION ORDER (No. 15) 1991

Made by the Minister for Consumer Affairs under section 5.

Citation

1. This Order may be cited as the *Retail Trading Hours Exemption Order (No. 15) 1991*.

Extended Trading Hours

2. Section 12 of the *Retail Trading Hours Act 1987* does not apply to general retail shops on Friday 26 April 1991 between 6.00 pm and 9.00 pm.

YVONNE HENDERSON, Minister for Consumer Affairs.

CN401

SUNDAY ENTERTAINMENTS ACT 1979

NOTICE

I, Yvonne Henderson, Minister for Consumer Affairs, acting pursuant to Section 3 (2) of the Sunday Entertainments Act 1979 do hereby declare that the provisions of Section 3 (1) of the Act shall not apply to or in relation to any person involved with the staging or viewing of a public concert performance as part of the Eighth Australian Flute Convention at the Octagon Theatre, University of Western Australia, Nedlands between 12 noon and 12 midnight on Good Friday 29 March 1991.

YVONNE HENDERSON, Minister for Consumer Affairs.

CN402

SUNDAY ENTERTAINMENTS ACT 1979

NOTICE

I, Yvonne Henderson, Minister for Consumer Affairs, acting pursuant to Section 3 (2) of the Sunday Entertainments Act 1979 do hereby declare that the provisions of Section 3 (1) of the Act shall not apply to or in relation to any person involved with the staging or viewing of the passion play "... and Jesus Wept" at the Dolphin Theatre, University of Western Australia, Nedlands between 12 noon and 12 midnight on Good Friday 29 March 1991.

YVONNE HENDERSON, Minister for Consumer Affairs.

CORPORATE AFFAIRS

CO401

ASSOCIATIONS INCORPORATION ACT 1987

Section 35 (2) (a)

MOUNT HAWTHORN PROGRESS ASSOCIATION

Notice is hereby given that the incorporation of the abovementioned Association has been cancelled as from the date of publication of this notice.

Dated the Twenty First day of February 1991.

B. A. SARGEANT, Commissioner for Corporate Affairs.

CROWN LAW

CW301

SUPREME COURT ACT 1935

SUPREME COURT AMENDMENT RULES 1991

Made by the Judges of the Supreme Court.

Citation

1. These rules may be cited as the *Supreme Court Amendment Rules 1991*.

Order 62A amended

2. Order 62A of the *Rules of the Supreme Court 1971** is amended by deleting Rule 2 (4) and substituting the following—

“ (4) Where the plaintiff claims delivery of possession there must be endorsed on the first sheet of the copy of the affidavit served on the defendant, directly following the information referred to in Order 69 Rule 2 (1) (h), a notice informing the defendant that the plaintiff intends at the hearing to apply for an order to the defendant to deliver up to the plaintiff possession of the mortgaged property and for such other relief (if any) claimed by the originating summons as the plaintiff intends to apply for at the hearing. ”.

[*Reprinted in the *Gazette* of 18 March 1986 at pp. 779-1100. For amendments to 25 February 1991 see pp. 358-359 of the 1989 *Index to Legislation of Western Australia and Gazettes* of 23 February 1990, 30 March 1990, 17 August 1990, 24 August 1990 (erratum) and 9, 16 and 30 November 1990.]

Dated the 22nd day of March 1991.

DAVID K. MALCOLM.
W. P. PIDGEON.
B. ROWLAND.
E. M. FRANKLYN.
PAUL SEAMAN.
R. D. NICHOLSON.
TERENCE A. WALSH.
D. A. IPP.
HENRY WALLWORK.
M. J. MURRAY.
R. ANDERSON.
R. J. OWEN.
K. WHITE.

CW302**SUPREME COURT ACT 1935****SUPREME COURT AMENDMENT RULES (No. 3) 1991**

Made by the Judges of the Supreme Court.

Citation

1. These rules may be cited as the *Supreme Court Amendment Rules (No. 3) 1991*.

Principal rules

2. In these rules the *Rules of the Supreme Court 1971** are referred to as the principal rules.

[*Reprinted in the *Gazette* of 18 March 1986 at pp. 779-1100. For Amendments to 28 February 1990 see pp. 358-359 of 1989 *Index to Legislation of Western Australia and Gazettes* of 23 February, 30 March 1990, 17 August (erratum), 24 August and 9, 16 and 30 November 1990.]

Order 24 amended

3. Order 24 of the principal rules is amended by repealing Rules 1 to 8 and Rule 10.

Order 24A inserted

4. After Order 24 of the principal rules the following order is inserted—

“

ORDER 24A**OFFER OF COMPROMISE****Mode of making offer**

1. (1) An offer of compromise is made to a party under this Order by serving a notice of the offer on the party.

(2) A notice of offer shall—

(a) be in writing; and

(b) bear a statement to the effect that the offer is made under this Order.

Application

2. In any proceedings the plaintiff or the defendant may make to the other an offer to compromise any claim in the proceedings on the terms specified in the notice of offer.

Time for making or accepting offer

3. (1) An offer may be made at any time before the time prescribed by paragraph (8) in respect of the claim to which it relates.

(2) A party may make more than one offer.

(3) An offer may be expressed to be limited as to the time it is open to be accepted but the time expressed shall not be less than 28 days after it is made.

(4) An offeree shall, within 3 days after service, serve a written acknowledgment of receipt on the offeror.

(5) An offeree may accept the offer by serving notice of acceptance in writing on the offeror before—

(a) the expiration of the time specified in accordance with paragraph (3) or, if no time is specified, the expiration of 28 days after the offer is made; or

(b) the time prescribed by paragraph (8) in respect of the claim to which the offer relates,

whichever is sooner.

(6) An offer shall not be withdrawn during the time it is open to be accepted, unless the Court otherwise orders.

(7) An offer is open to be accepted within the period referred to in paragraph (4) notwithstanding that during that period the party to whom the offer (the "first offer") is made makes an offer (the "second offer") to the party who made the first offer whether or not the second offer is made in accordance with this Order.

(8) The time prescribed for the purposes of paragraphs (1) and (5) is—

(a) where the trial is before a jury—after the Judge begins to sum up to the jury; or

(b) in any other case—after the Judge or master gives his decision or begins to give his reasons for decision on a judgment (except an interlocutory judgment).

(9) Where an offer is accepted under this Rule, any party to the compromise may enter judgment accordingly.

Time for payment

4. An offer to pay a sum of money to a plaintiff shall, unless the notice of offer otherwise provides, be taken to be an offer to pay that sum within 28 days after acceptance of the offer.

Withdrawal of acceptance

5. (1) A party who accepts an offer may, by serving a notice of withdrawal on the offeror, withdraw the acceptance—

(a) where the offer provides for payment of a sum of money and the sum is not paid into Court within 28 days after acceptance of the offer; or

(b) where the Court gives leave so to do.

(2) On withdrawal of an acceptance all steps in the proceedings taken in consequence of the acceptance shall have such effect only as the Court may direct.

(3) On withdrawal of an acceptance or on the motion for leave to withdraw an acceptance, the Court may—

(a) give directions under paragraph (2);

(b) give directions for restoring the parties as nearly as may be to their positions at the time of the acceptance; and

(c) give directions for the further conduct of the proceedings.

Offer without prejudice

6. An offer made in accordance with this Order shall be taken to have been made without prejudice, unless the notice of offer otherwise provides.

Disclosure of offer to Court

7. (1) No statement of the fact that an offer has been made shall be contained in any pleading or affidavit.

(2) Where an offer has not been accepted, then, except as provided by Rule 10 (8), no communication with respect to the offer shall be made to the Court at the trial until after all questions of liability and the relief to be granted have been determined.

(3) This Rule shall not apply where a notice of offer provides that the offer is not made without prejudice.

Failure to comply with accepted offer

8. (1) Where a party to an accepted offer fails to comply with the terms of the offer, then, unless for special cause the Court otherwise orders, the other party shall be entitled, as he may elect, to—

- (a) judgment in the terms of the accepted offer; or
- (b) where the party in default is the plaintiff, an order that the proceedings be dismissed, and, where the party in default is the defendant, that the defence be struck out, and in either case to judgment accordingly.

(2) Where a party to an accepted offer fails to comply with the terms of the offer, and a defendant in the proceeding has made a cross-claim which is not the subject of the accepted offer, the Court may make such order or give such judgment under paragraph (1) and make such order that the proceeding on the cross-claim be continued as it thinks fit.

Multiple defendants

9. Where 2 or more defendants are alleged to be jointly or jointly and severally liable to the plaintiff in respect of a debt or damages and rights of contribution or indemnity appear to exist between the defendants, Rule 8 shall not apply to an offer unless—

- (a) in the case of an offer made by the plaintiff—the offer is made to all defendants, and is an offer to compromise the claim against all of them;
- (b) in the case of an offer made to the plaintiff—
 - (i) the offer is to compromise the claim against all defendants; and
 - (ii) where the offer is made by 2 or more defendants—by the terms of the offer the defendants who made the offer are jointly or jointly and severally liable to the plaintiff for the whole amount of the offer.

Costs

10. (1) Upon the acceptance of an offer of compromise in accordance with Rule 3 (5), the plaintiff may, unless the Court otherwise orders, tax his costs in respect of the claim against the defendant up to and including the day the offer was accepted and, if the costs are not paid within 4 days after the signing of a certificate of the taxation, enter judgment against that defendant for the taxed costs.

(2) If a notice of offer contains a term which purports to negative or limit the operation of paragraph (1), that term shall be of no effect for any purpose under this Order.

(3) Paragraphs (4) to (6) apply to an offer which has not been accepted in the time prescribed by Rule 3 (8).

(4) Where an offer is made by a plaintiff and not accepted by the defendant, and the plaintiff obtains judgment on the claim to which the offer relates no less favourable to him than the terms of the offer, then, unless the Court otherwise orders, the plaintiff shall be entitled to an order against the defendant for his costs in respect of the claim from the date on which the offer was made, taxed on a party and party basis in addition to his costs incurred before that date, taxed on a party and party basis.

(5) Where an offer is made by a defendant and not accepted by the plaintiff, and the plaintiff obtains judgment on the claim to which the offer relates not more favourable to him than the terms of the offer, then, unless the Court otherwise orders, the plaintiff shall be entitled to an order against the defendant for his costs in respect of the claim up to and including the day the offer was made, taxed on a party and party basis, and the defendant shall be entitled to an order against the plaintiff for his costs in respect of the claim thereafter, taxed on a party and party basis.

(6) For the purpose of paragraph (5), where the offer was made on the first or a later day of the trial of the proceedings, then, unless the Court otherwise orders, the plaintiff shall be entitled to his costs in respect of the claim up to 11 a.m. on the day following the day on which the offer was

made, taxed on a party and party basis, and the defendant shall be entitled to his costs in respect of the claim thereafter, taxed on a party and party basis.

(7) Where a plaintiff obtains judgment for the payment of a debt or damages and—

(a) the amount for which judgment is given includes interest or damages in the nature of interest; or

(b) by or under any Act the Court awards the plaintiff interest or damages in the nature of interest in respect of the amount,

then, for the purpose of determining the consequences as to costs referred to in paragraphs (4) and (5), the Court shall disregard so much of the interest as relates to the period after the day the offer was made.

(8) For the purpose of paragraph (7), the Court may be informed of the fact that the offer was made, and of the date on which it was made, but shall not be informed of its terms.

(9) Paragraphs (4) and (5) shall not apply unless the Court is satisfied by the party making the offer that the party was at all material times willing and able to carry out what the party offered. ”.

Third Schedule amended

5. The Third Schedule to the principal rules is amended by repealing clause 5.

Dated the 22nd day of March 1991.

DAVID K. MALCOLM.
W. P. PIDGEON.
B. ROWLAND.
E. M. FRANKLYN.
PAUL SEAMAN.
R. D. NICHOLSON.
TERENCE A. WALSH.
D. A. IPP.
HENRY WALLWORK.
M. J. MURRAY.
R. ANDERSON.
R. J. OWEN.
K. WHITE.

CW303

LEGAL PRACTITIONERS ACT 1893

BARRISTERS' BOARD AMENDMENT RULES (No. 2) 1991

Made by the Barristers' Board under section 6.

Citation

1. These rules may be cited as the *Barristers' Board Amendment Rules (No. 2) 1991*.

Principal rules

2. In these rules the *Barristers' Board Rules 1949** are referred to as the principal rules.

[*Reprinted in the *Gazette of 6 May 1987 at pp. 2011-2058. For amendments to 26 March 1991 see p. 286 of 1989 Index to Legislation of Western Australia and Gazettes of 2 March 1990 pp. 1288-89 and 8 March 1991 pp. 1031-32.*]

Rule 51A amended

3. Rule 51A of the principal rules is amended—

(a) in paragraph (a), by deleting “\$450” and substituting the following—
“ \$500 ”; and

(b) in paragraph (b), by deleting “\$550” and substituting the following—
“ \$700 ”.

Rule 60 amended

4. Rule 60 of the principal rules is amended—

(a) by deleting “\$100” and substituting the following—
“ \$200 ”; and

(b) by deleting “\$50” and substituting the following—
“ \$100 ”.

K. H. PARKER, Member.
R. E. BIRMINGHAM, Member.
G. B. NELSON, Member.
R. G. WALTON, Member.

EDUCATION**ED401****PUBLIC EDUCATION ENDOWMENT ACT 1909**

Office of the Minister for Education, Perth.

His Excellency the Governor in Executive Council, acting under the provisions of section 9A of the Public Education Endowment Act 1909, has been pleased to approve the sale by the Trustees of the Public Education Endowment of land described as—

Mount Kokeby Lots 47 and 48, Part of Reserve 12079 described in Certificate of Title Volume 610 Folio 157 vested in the Trustees of the Public Education Endowment pursuant to section 4 of the Act, and the transfer of the land to the purchasers free of all trust.

KAY HALLAHAN, Minister for Education.

FISHERIES**FI301****FISHERIES ACT 1905****EXMOUTH GULF PRAWN LIMITED ENTRY FISHERY AMENDMENT
NOTICE 1991**

Notice No. 486

FD. 147/75.

Made by the Minister under section 32.

Citation

1. This notice may be cited as the *Exmouth Gulf Prawn Limited Entry Fishery Amendment Notice 1991*.

Principal notice

2. In this notice the *Exmouth Gulf Prawn Limited Entry Fishery Notice No. 394** is referred to as the principal notice.

Clause 10 amended

3. Clause 10 of the principal notice is amended—

(a) in paragraph (a) by deleting—

(i) "0700" and substituting "0800"; and

(ii) "2 November" and substituting "16 November".

(b) in paragraph (b) by deleting—

(i) "0700" and substituting "0800"; and

(ii) "23 April" and substituting "5 May";

(c) in paragraph (c) by deleting—

(i) "0700" and substituting "0800";

(ii) "23 April" and substituting "5 May"; and

(iii) "1 August in any year" and substituted "a date to be determined and advised in writing by the Minister";

(d) by deleting paragraph (d) and substituting—

" (d) during the period commencing at 0800 hours on a date to be determined and advised in writing by the Minister and ending at 0800 hours on a date to be determined and advised in writing by the Minister in the waters described in item 2 (c) of the Schedule. "; and

(e) by inserting the following paragraph—

" (e) during the period commencing at 0800 hours on a date to be determined and advised in writing by the Minister and ending on 16 November in any year in the waters described in Item 2 (d) of the schedule. ".

Clause 11 amended

4. Clause 11 of the principal notice is amended by deleting "Director" and substituting "Minister".

Clause 12 amended

5. Clause 12 of the principal notice is amended by—

- (a) deleting—
 - (i) “Director” and substituting “Minister”;
 - (ii) “0700” and substituting “0800”;
 - (iii) the comma after the word operation and substituting a full stop; and
 - (iv) the words “except that between 0700 hours and 0800 hours on every such day otter trawl nets may be streamed on the surface of the water for the purpose of cleaning.”;
- (b) inserting after the clause designation “12.” the subclause designation “(1)”;
- (c) adding the following subclauses—
 - “ (2) Boats licensed to operate in the Fishery are exempted from the provisions of this clause when trialling gear in the area of waters described in Item 3 of the Schedule and provided that—
 - (a) the codend is open when nets are being trialled;
 - (b) no prawns are held on board the boat; and
 - (c) trials are only undertaken during the hours of daylight.
 - (3) Trialling of gear in the area of waters described in Item 3 of the Schedule may only commence 14 days prior to the opening of the Fishery.”.

Schedule amended

6. The Schedule to the principal notice is amended by—

- (a) deleting Item 2 and substituting—

“Item 2 (a)

All waters of Exmouth Gulf and the Indian Ocean south of a line commencing at the intersection of the Western Australian mainland and a line drawn due south from the southern extremity of Locker Island and extending due north to the southern extremity of Locker Island; thence south westerly to the western extremity of Fly Island; thence south westerly to the intersection of latitude 21°53' south and longitude 114°28'42" east; thence due west along latitude 21°53' south to its intersection with longitude 114°22' east; and thence southwesterly on a bearing of 227° true to a point on the high water mark of Exmouth Gulf which approximates the site of the M G Kailis Gulf Fisheries Pty Ltd prawn processing factory.

Item 2 (b)

All waters of the Indian Ocean and Exmouth Gulf lying south of a line commencing at Point Lefroy and extending northeasterly to the intersection of latitude 22°10' south and longitude 114°15'30" east; thence northeasterly to the western extremity of Y Island; thence northeasterly to the western extremity of Fly Island; thence northeasterly to the southern extremity of Locker Island and thence due south to the mainland.

Item 2 (c)

All waters of Exmouth Gulf south and east of a line commencing on the high water mark at Tubridge Point and extending southwesterly to the northern extremity of Brown Island; thence south westerly to the intersection of latitude 22°10' south and longitude 114°25' east; thence due west along latitude 22°10' north to the intersection with longitude 114°15'30" east; and thence southwesterly to Point Lefroy.

Item 2 (d)

All waters of Exmouth Gulf south of a line commencing on the high water mark at Tubridge Point and extending southwest to the northern extremity of Brown Island; thence due west to the intersection of latitude 21°53' south and longitude 114°22' east; and thence southwesterly on a bearing of 227° true to a point on the high water mark of Exmouth Gulf which approximates the site of the M G Kailis Pty Ltd prawn processing factory.

(Note: for the purpose of this notice Point Lefroy is fixed at latitude 22°18'18" south and longitude 114°10'36" east.); and

(b) inserting after Item 2 (d) the following—

“Item 3

That area of the Fishery bounded by a line commencing at the intersection of latitude 22°9.0' south and longitude 114°9.0' east and extending due south along longitude 114°9.0' east to its intersection with latitude 22°11.0' south; thence easterly along latitude 22°11.0' south to its intersection with longitude 114°9.5' east; thence northerly along longitude 114°9.5' east to its intersection with latitude 22°9.0' south; thence west along latitude 22°9.0' south to the starting point.”

[*Published in the Gazette of 17 March 1989. For amendments to 18 March 1991 see Notice No. 437 published in the Gazette of 23 February 1990.]

Dated this 27th day of March, 1991.

GORDON HILL, Minister for Fisheries.

HEALTH

HE301

HEALTH ACT 1911

HEALTH—DANGEROUS INFECTIOUS DISEASES ORDER 1991

Made by His Excellency the Governor in Executive Council under section 248.

Citation

1. This Order may be cited as the *Health—Dangerous Infectious Diseases Order 1991*.

Dangerous infectious diseases

2. The infectious diseases specified in the Schedule to this Order are hereby declared to be dangerous infectious diseases within the meaning of the Act.

Repeals

3. The Order in Council made under section 248 of the Act and published in the *Gazette* of 9 September 1983 at p. 3306 and the *Health—Dangerous Infectious Diseases Order 1985** are repealed.

[*Published in the Gazette of 11 January 1985 at p. 181.]

Schedule

Acquired Immune Deficiency Syndrome (AIDS).

Human Immunodeficiency Virus (HIV) Infection.

By His Excellency's Command,

L. AULD, Clerk of the Council.

HE401

HOSPITALS ACT 1927

Health Department of WA,
Perth, 11 September 1990.

716/89 ExCo 1895.

His Excellency the Governor in Executive Council has approved under section 17 (2) of the Hospitals Act an exchange of properties by disposal and acquisition as follows—

- (1) Transfer of the Bicton Hospital property and adjoining house property held in freehold titles by the Fremantle Hospital board, to Markalinga Pty Ltd, free of encumbrances and caveats in consideration of Markalinga paying Fremantle Hospital Board \$1.65 million and renovating the Oats Street hospital properties as a hostel for Young Disabled for the Health Department of WA.
- (2) Transfer of the Oats Street Hospital property and two adjoining houses held in freehold title by the Hospital Benefit Fund to the Minister for Health, free of encumbrances and caveats in consideration of \$1.65 million payable by the Fremantle Hospital Board.
- (3) Property Details

3.1 Bicton Hospital and House: Disposal.

3.3.1 Portion of Swan Location 70 and being lot 1 the subject of Diagram 41161 Certificate of Title Volume 445 Folio 160a.

3.1.2 Portion of Swan Location 70 and being lot 10 on Diagram 14828 Certificate of Title Volume 1124 Folio 395.

3.2 Oats Street Hospital and Houses: Acquisition.

3.2.1 Portion of Canning Location 2 and being lot 500 the subject of Diagram 54994 Certificate of Title Volume 1527 Folio 797.

3.2.2 Portion of Canning Location 2 and being lot 1 on Diagram 4477 Certificate of Title Volume 1706 Folio 728.

3.2.3 Portion of Canning Location 2 and being part of lot 2 on Diagram 4477 Certificate of Title Volume 1074 Folio 663.

MICHAEL M. DAUBE, Acting Commissioner of Health.

HE402

**HEALTH ACT 1911
ANAESTHETIC MORTALITY COMMITTEE**

Health Department of WA,
Perth, 15 March 1991.

82/91.

I, Keith James Wilson, being the Minister administering the Health Act 1911, appoint the following persons to the Anaesthetic Mortality Committee for the period ending 15 March 1994.

Member	Deputy Member
	Dr A. Cumming
Dr T. D. Bourke	Dr S. J. Webster
Dr B. R. Trainor	Dr J. S. Male
Provisional Member	Deputy Provisional Member
Dr S. Burton	Dr A. Ong
Dr P. Corrigan	Dr P. Wallace

KEITH WILSON, Minister for Health.

HE701

POISONS ACT 1964

POISONS (SCHEDULED SUBSTANCES) AMENDMENT ORDER 1991

Made by His Excellency the Governor in Executive Council under section 21.

Citation

1. This order may be cited as the *Poisons (Scheduled Substances) Amendment Order 1991*.

Appendix A amended

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

- (a) in clause 3 of the preamble—
 - (i) by deleting “No. 3” and substituting the following—
 - “ No. 5 ”; and
 - (ii) by deleting “its 105th Session June 1988” and substituting the following—
 - “ the 57th meeting of the Drugs and Poisons Schedule Committee May 1990 ”;
- (b) in the First Schedule—
 - (i) in the item commencing “SAVIN”, by deleting “, oil of” and substituting the following—
 - “ OIL ”; and
 - (ii) in the item commencing “TANSY”, by deleting “, oil of” and substituting the following—
 - “ OIL ”;
- (c) in the Second Schedule—
 - (i) in the item commencing “ASPIRIN”—
 - (A) in paragraph (a) by inserting after “Schedule” the following—
 - “ or Sixth Schedule ”;
 - (B) in paragraphs (b) and (c) by deleting “10 or 11” and substituting the following—
 - “ 34 or 35 ”; and
 - (C) in paragraphs (b) and (c) by deleting “33 and 34” and substituting the following—
 - “ 37 and 38 ”;
 - (ii) in the item commencing “CODEINE”, in paragraph (a) (iii) (A) by inserting after “preparations” the following—
 - “ each ”;

- (iii) in the item commencing "DEXTROMETHORPHAN", by inserting after "less" the following—
 - " of dextromethorphan ";
- (iv) by inserting after the item commencing "HOMATROPINE" the following item—
 - " HUMAN CHORIONIC GONADOTROPHIN or its antibody in pregnancy test kits. ";
- (v) in the item commencing "IODINE", by deleting paragraph (a) and substituting the following paragraph—
 - " (a) in preparations for internal human therapeutic use containing 300 mg or more of iodine except when labelled, "CAUTION—Total iodine intake may exceed recommended level when taking this preparation", and "WARNING—Contains iodine—do not take when pregnant except on physician's advice", written in letters not less than 1.5 mm in height; or ";
- (vi) in the item commencing "MICONAZOLE" by inserting before "preparations" the following—
 - " topical ";
- (vii) by deleting the item commencing "PARACETAMOL" and substituting the following item—
 - " PARACETAMOL except—
 - (a) when included in the Fourth Schedule;
 - (b) in individually wrapped powders or sachets of granules each containing 1 000 mg or less of paracetamol as the only therapeutically active constituent other than effervescent agents, when—
 - (i) in a primary pack containing not more than 12 such powders or sachets;
 - (ii) labelled with warning statement 34 or 35 of Appendix F of the Standard for the Uniform Scheduling of Drugs and Poisons; and
 - (iii) not labelled for the treatment of children under 7 years of age;
 - (c) in tablets or capsules each containing 500 mg or less of paracetamol as the only therapeutically active constituent other than effervescent agents, when—
 - (i) packed in blister or strip packaging or in containers with child resistant closures;
 - (ii) in a primary pack containing not more than 25 such tablets or capsules;
 - (iii) labelled with warning statement 34 or 35 of Appendix F of the Standard for the Uniform Scheduling of Drugs and Poisons; and
 - (iv) not labelled for the treatment of children under 7 years of age. ";
- (d) in the Third Schedule—
 - (i) by deleting the items "AMYL NITRITE." and "BUTYL NITRITE";
 - (ii) in the item commencing "CLOTRIMAZOLE"—
 - (A) by inserting before "preparations" the following—
 - " topical "; and
 - (B) by inserting before "treatment" the following—
 - " the ";
 - (iii) in the item commencing "ECONAZOLE"—
 - (A) by inserting before "preparations" the following—
 - " topical "; and
 - (B) by inserting before "treatment" the following—
 - " the ";
 - (iv) by deleting the item commencing "IBUPROFEN" and substituting the following item—
 - " IBUPROFEN as the only therapeutically active substance in divided preparations for oral use containing 200 mg or less of ibuprofen per dosage unit in a pack containing 50 or less dosage units labelled with a recommended daily dose of not more than 1 200 mg of ibuprofen. ";

- (v) in the item commencing "ISOCONAZOLE" by inserting before "preparations" the following—
 - " topical ";
- (vi) after the item commencing "METHDILAZINE" by inserting the following item—
 - " MICONAZOLE for human use in topical preparations containing 2 per cent or less of miconazole for the treatment of oral candidiasis. ";
- (vii) in the item commencing "NITROFURAZONE", by deleting "preparation" and substituting the following—
 - " preparations ";
- (viii) by deleting the items "OCTYL NITRITE." and "PREGNANCY TESTING KITS.";
- (ix) by inserting after the item commencing "TERBUTALINE", the following item—
 - " TERFENADINE as the only therapeutically active substance in divided preparations for oral use containing 60 mg or less of terfenadine per dosage unit in a pack containing 20 or less dosage units. ";
- (x) in the item commencing "TIOCONAZOLE"—
 - (A) by inserting before "preparations" the following—
 - " topical "; and
 - (B) by inserting before "treatment" the following—
 - " the ";
- (e) in the Fourth Schedule—
 - (i) by deleting the item commencing "ARSENIC";
 - (ii) by deleting the item commencing "ASPIRIN" and substituting the following item—
 - " ASPIRIN—
 - (a) when combined with caffeine, paracetamol or salicylamide or any derivative of those substances; or
 - (b) for injection. ";
 - (iii) by deleting the item commencing "AVOPARCIN" and substituting the following item—
 - " AVOPARCIN except—
 - (a) when packed and labelled for use as an animal feed additive; or
 - (b) in animal feeds. ";
 - (iv) by deleting the item commencing "BENZYL PENICILLIN" and substituting the following item—
 - " BENZYL PENICILLIN except when included in the Sixth Schedule. ";
 - (v) by deleting the item commencing "CARDIAC GLYCOSIDES";
 - (vi) in the item commencing "COLESTIPOL", by inserting before "human" the following—
 - " internal ";
 - (vii) by deleting the item commencing "DIGITALIS" and substituting the following item—
 - " DIGITALIS LEAF for therapeutic use. ";
 - (viii) by deleting the item "N-ETHYLAMPHETAMINE.";
 - (ix) in the item commencing "HUMAN CHORIONIC GONADOTROPHIN" by deleting "Third" and substituting the following—
 - " Second ";
 - (x) by deleting the item commencing "MENOTROPHIN";
 - (xi) in the item commencing "MICONAZOLE", by inserting after "Second" the following—
 - " , Third ";
 - (xii) in the item commencing "MONENSIN" by deleting "33" and substituting the following—
 - " 360 ";

- (xiii) in the entry commencing "SELENIUM" by deleting "Fifth or Sixth" and substituting the following—
" Fifth, Sixth or Seventh ";
- (xiv) by deleting the item commencing "STROPHANTHUS" and substituting the following item—
" STROPHANTHUS (*Strophanthus* spp) for therapeutic use. ";
- (xv) by deleting the item commencing "SULPHONAMIDES" and substituting the following item—
" SULPHONAMIDES, except—
(a) when separately specified in this Schedule;
(b) when included in the Sixth Schedule;
(c) sulphaquinoxaline when incorporated in—
(i) baits for the destruction of vermin; or
(ii) animal feeds containing 200 mg/kg or less of sulphanquinoxaline; or
(d) oryzalin. ";
- (xvi) by inserting after "TERFENADINE" the following—
" , except when included in the Third Schedule. ";
- (xvii) in the item commencing "THYROID", by deleting "its extracts, and its active principles,"; and
- (xviii) by inserting in their correct alphabetical positions, the following items—
" ACOKANTHERA SCHIMPERI for therapeutic use.
ADONIS (*Adonis vernalis*) for therapeutic use.
AMYL NITRITE.
APOCYNUM (*APOCYNUM* spp) for therapeutic use.
BETAXOLOL.
BUTYL NITRITE.
CALOTROPIS (*Calotropis* spp) for therapeutic use.
CISAPRIDE.
CONVALLARIA (*Convallaria* spp) for therapeutic use.
CORNILLA (*Cornilla* spp) for therapeutic use.
CYMARIN.
DESLANOSIDE.
DIGITOXIN.
DIGOXIN.
ERYSIMUM (*Erysimum canescens*) for therapeutic use.
FLUOXETINE.
GALANTHUS (*Galanthus nivalis*) for therapeutic use.
HEMEROCALLIS (*Hemerocallis flava*) for therapeutic use.
ISOBUTYL NITRITE.
KAVA (*Piper methysticum*).
LANATOSIDE C.
MEDIGOXIN.
OCTYL NITRITE.
OLEANDRIN.
OLEANDER (*Nerium oleander*) for therapeutic use.
OUABAIN.
PENTAMIDINE ISETHIONATE.
PROCAINE PENICILLIN, except when included in the Sixth Schedule.
ROMIFIDINE.
SOLASODINE.
STROPHANTHIN-K.
TENOXICAM.
THEVETIA (*Thevetia neriifolia*) for therapeutic use.
THEVETIN.
UROFOLLITROPHIN (Human follicle—stimulating hormone). ";

(f) in the Fifth Schedule—

- (i) in the item commencing "ANHYDRIDES, ORGANIC" by inserting after "ORGANIC" the following—

" ACID ";

- (ii) in the item commencing "CYFLUTHRIN"—

- (A) by deleting the full stop at the end of paragraph (b) and substituting the following—

" ; or "; and

- (B) by inserting after paragraph (b) the following paragraph—

"(c) in emulsions containing 5 per cent or less of cyfluthrin. ";

- (iii) in the item commencing "HYDROCHLORIC ACID" by deleting "HCL" and substituting the following—

" HCl ";

- (iv) by deleting the item "MANEB";

- (v) in the item commencing "PHOSPHORIC ACID", by inserting after "acid" in paragraph (b) the following—

" (H₃PO₄) ";

- (vi) in the item commencing "SULPHAMIC ACID", by inserting after "acid" the following—

" (H₃NO₃S) ";

- (vii) in the item commencing "TEMEPHOS"—

- (A) by deleting "or" at the end of paragraph (a);

- (B) by deleting the full stop at the end of paragraph (b) and substituting the following—

" ; or "; and

- (C) by inserting after paragraph (b) the following paragraph—

" (c) in preparations containing 40 per cent or less of temephos when packed in single use containers having a capacity of 2 ml or less. ";

- (viii) in the item commencing "TETRAMETHRIN", by inserting after "20:80" the following—

" except in pressurized spray packs ";

- (ix) in the item commencing "1,1,1-TRICHLOROETHANE", by deleting "a" in paragraph (d) (ii);

- (x) by deleting the item "ZINEB"; and

- (xi) by inserting in the correct alphabetical positions, the following items—

" CYPROCONAZOLE, except in preparations containing 10 per cent or less of cyproconazole.

DAMINOZIDE.

IMAZETHAPYR.

POLYETHANOXY (15) TALLOW AMINE.

SODIUM DIACETATE, except in preparations containing 60 per cent or less of sodium diacetate.

TEBUCONAZOLE. ";

(g) in the Sixth Schedule—

- (i) by deleting the item commencing "BENZYL PENICILLIN" and substituting the following item—

" BENZYL PENICILLIN in preparations, for intramammary infusion in animals, containing not more than 100 000 international units of benzylpenicillin per dose. ";

- (ii) in the item commencing "CHLORTETRACYCLINE", in paragraph (b) by deleting all the words after "chlortetracycline";

- (iii) in the item commencing "DIHYDROSTREPTOMYCIN", by deleting all the words after "dose of dihydrostreptomycin";

- (iv) by deleting the item commencing "DITHIOCARBAMATES";

- (v) in the item commencing "ERYTHROMYCIN", in paragraph (a) by deleting the comma and all the words after "erythromycin";

- (vi) by deleting the item "ETHYL-2-[4-(6-CHLORO-2-QUINOXALYLOXY) PHENOXY] PROPIONATE (QUIZALOFOP ETHYL)." and substituting the following item—

" QUIZALOFOP ETHYL. ";

- (vii) by deleting the item "FERBAM.";
- (viii) in the item commencing "IVERMECTIN"—
 - (A) by deleting "or" at the end of paragraph (a);
 - (B) by deleting the full stop at the end of paragraph (b) and substituting the following—

" ; or "; and
 - (C) by inserting after paragraph (b) the following paragraph—

" (c) in preparations containing 1 per cent or less of ivermectin, for the treatment of bovine cattle, when supplied in sealed containers for use in automatic injection equipment. ";
- (ix) by deleting the item commencing "MELALEUCA OIL (TI-TREE OIL)" and substituting the following item—

" MELALEUCA OIL (Tea tree oil), except in preparations containing 25 per cent or less of melaleuca oil. ";
- (x) by deleting the item commencing "MERCURIC THIOCYANATE";
- (xi) by deleting the item "NABAM.";
- (xii) in the item commencing "NITRIC ACID" by deleting "as such" and substituting the following—

" (HNO₃) ";
- (xiii) in the item commencing "NOVOBIOCIN" by deleting the comma and all the words after "dose of novobiocin";
- (xiv) in the item commencing "OXYTETRACYCLINE", in paragraph (b) by deleting the comma and all the words after "oxytetracycline";
- (xv) by deleting the item commencing "PENTACHLOROPHENOL" and substituting the following item—

" PENTACHLOROPHENOL in preparations containing 1.5 per cent or less of pentachlorophenol. ";
- (xvi) in the item commencing "PHENETHICILLIN" by deleting the comma and all the words after "phenethicillin";
- (xvii) in the item commencing "PHENOXYMETHYLPENICILLIN" by deleting the comma and all the words after "phenoxyethylpenicillin";
- (xviii) by deleting the item commencing "PROPYLENE OXIDE";
- (xix) by deleting the item "RAFOXANIDE.";
- (xx) in the item commencing "SELENIUM", by deleting "2.5" in paragraph (c) and substituting the following—

" 0.5 ";
- (xxi) in the item commencing "STREPTOMYCIN" by deleting the comma and all the words after "streptomycin";
- (xxii) by deleting the item commencing "STRYCHNINE";
- (xxiii) by deleting the item commencing "SULPHANILIMIDE" and substituting the following—

"SULPHONAMIDES when packed and labelled for the treatment of ornamental caged birds or ornamental fish only. ";
- (xxiv) in the item commencing "TETRACYCLINE"—
 - (A) in paragraph (b) by deleting the comma and all the words after "tetracycline"; and
 - (B) by inserting "or" at the end of paragraph (b);
- (xxv) by deleting the item commencing "TI-TREE OIL (MELALEUCA OIL)"; and
- (xxvi) by inserting in their correct alphabetical positions, the following items—
 - " ASPIRIN for the treatment of animals, except when included in the Fourth Schedule.
 - BROMETHALIN in rodent baits containing 0.01 per cent or less of bromethalin.
 - FLOCOUMAFEN in preparations containing 0.005 per cent or less of flocoumafen.
 - PROCAINE PENICILLIN in preparations, for intramammary infusion in animals, containing not more than 100 000 international units of procaine penicillin per dose.
 - QUIZALOFOP ETHYL (D+ ISOMER). ";

and

(h) in the Seventh Schedule—

- (i) by deleting the item "HEXACHLOROBENZENE" and substituting the following item—

" HCB ";

- (ii) by deleting the item commencing "MADURAMICIN" and substituting the following item—

" MADURAMICIN, except—

(a) when included in the Sixth Schedule; or

(b) in animal feeds containing 5 mg/kg or less of antibiotic substances. ";

- (iii) by deleting the item commencing "PROPYLENE OXIDE" and substituting the following item—

" PROPYLENE OXIDE. ";

- (iv) by deleting the item commencing "SELENIUM" and substituting the following item—

SELENIUM, except—

(a) when included in or expressly excluded from the Fifth Schedule or Sixth Schedule;

(b) as selenium arsenide in photocopier drums; or

(c) in preparations for therapeutic use other than drench concentrates containing 2.5 per cent or less of selenium. ";

- (v) in the item commencing "STRYCHNINE" by deleting "or Sixth Schedules" and substituting the following—

" Schedule "; and

- (vi) by inserting in their correct alphabetical positions the following items—

" BROMETHALIN, except when included in the Sixth Schedule.

FLOCOUMAFEN, except when included in the Sixth Schedule.

NITROFURANS for the treatment of animals.

PENTACHLOROPHENOL, except when included in the Sixth Schedule.

S,S,S-TRIBUTYLPHOSPHOROTRITHIOATE. ";

(i) in the Eighth Schedule—

- (i) by inserting after the item "ECGONINE" the following item—

" ETHYLAMPETAMINE "; and

- (ii) by deleting the item commencing "OPIUM" and substituting the following item—

" OPIUM, except the alkaloids noscapine when included in the Second Schedule and papaverine when included in the Second Schedule or Fourth Schedule. ";

- (j) in the lists at the end of the First, Second, Fourth and Sixth Schedules under the heading "Excluding however the substances hereinbefore mentioned when contained in any of the following—" by deleting the item commencing "Paints," and substituting the following item—

" Paints, except when prepared for medicinal or cosmetic purposes, that contain poisons listed in the First Schedule or Second Schedule of Appendix P to the Standard for Uniform Scheduling of Drugs and Poisons, if—

(a) the proportion of the poison is less than the proportion specified in those schedules; or

(b) the proportion of the poison is within the limits specified in those schedules and the container is labelled in accordance with the labelling provisions of Appendix P. ";

and

- (k) in the list at the end of the Fifth Schedule under the heading "Excluding however the substances hereinbefore mentioned when contained in any of the following—" by deleting the item commencing "Paints," and substituting the following item—

" Paints, except when prepared for medicinal or cosmetic purposes. ".

*[*Reprinted as at 18 November 1986. For amendments to March 1991 see pp. 116-118 of 1989 Index to Legislation of Western Australia and Gazettes of 25 May, 20 July and 30 November 1990.]*

By His Excellency's Command,

L. AULD, Clerk of the Council.

LAND ADMINISTRATION

LA401

CORRIGENDUM LOCAL GOVERNMENT ACT 1960 CLOSURE OF STREETS

DOLA File No. 2834/985.

In the schedule appearing in the *Government Gazette* dated March 8, 1991, page 1042, under the heading "3. City of Rockingham", line 1, read "Closure No. R204" in lieu of "Closure No. R304."

A. A. SKINNER, Acting Executive Director,
Land Operations Division.

LA402

LOCAL GOVERNMENT ACT 1960 DECLARATION OF CLOSURE OF STREETS Made by the Minister for Lands Under Section 288A

At the request of the local government nominated, the streets described in the Schedule are now declared to be closed.

Schedule

1. City of Perth (DOLA File 1198/989; Closure No. P793) All that portion of the Boulevard shown bordered blue on DOLA Survey Diagram 89672.
(Public Plan: Perth 1:2 000 12.28)
2. Shire of Denmark (DOLA File 6535/919 V3; Closure No. D737) The whole of the surveyed road now comprised in Plantagenet Location 7624 shown bordered green on DOLA Survey Plan 17369.
(Public Plan: Owingup S.W. 1:25 000).

A. A. SKINNER, Acting Executive Director,
Department of Land Administration.

LB301

PUBLIC WORKS ACT 1902 Sale of Land

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

Land

File No. 3100/990.

Portion of Victoria Location 1956 and being part of the land on plan 11364 and being the whole of the land contained in Certificate of Title Volume 1425 Folio 474.

Portion of Victoria Location 1956 and being part of the land on plan 11364 and being the whole of the land contained in Certificate of Title Volume 1462 Folio 38.

Portion of Victoria Location 1956 and being Lot 6 on diagram 17435 and being the whole of the land contained in Certificate of Title Volume 1174 Folio 571.

Portion of Victoria Location 1956 and being Lot 7 on diagram 17435 and being the whole of the land contained in Certificate of Title Volume 1174 Folio 572.

Portion of Victoria Location 1956 and being Lot 4 on diagram 17435 and being the whole of the land contained in Certificate of Title Volume 1162 Folio 27.

Portion of Victoria Location 1956 and being the land coloured green on diagram 9367 and being the whole of the land contained in Certificate of Title Volume 1033 Folio 835.

Portion of Victoria Location 1956 and being Lot 8 on diagram 23679 and being the whole of the land contained in Certificate of Title Volume 1235 Folio 242.

Portion of Victoria Location 1956 and being Lot 9 on diagram 23679 and the whole of the land contained in Certificate of Title Volume 1235 Folio 241.
as is shown more particularly delineated and coloured green on plan L.A.W.A. 718.
Dated this 3rd day of April 1991.

A. A. SKINNER, Acting Executive Director,
Department of Land Administration.

LB302

PUBLIC WORKS ACT 1902

SALE OF LAND

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

Land

File No. 3671/990.

Portion of Victoria Location 1010, and being the whole of the land contained in Certificate of Title Volume 210 Folio 22 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 719.

Land

File No. 2753/983.

Cockburn Sound Locations 3018 and 3036 held as Reserve 38570 and Portion of Cockburn Sound Location 2927 held as part of Reserve 37527 as is shown more particularly delineated and coloured green on plan L.A.W.A. 723.

Land

File No. 1057/1955.

Mount Barker Lots 494, 495 and 496 held as Reserve 24406 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 724.

Land

File No. 1562/989.

Portion of Canning Location 21 being part of Lot 99 on Plan 2903 (2) and being part of the land contained in Certificate of Title Volume 1881 Folio 154 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 725.

Land

File No. 412/989.

Portion of Bridgetown Lot 37 and being the whole of the land contained in Certificate of Title Volume 177 Folio 22 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 726.

Land

File No. 2811/974.

Swan Location 11199 held as Reserve 41715 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 728.

Land

File No. PW 758/65.

Tincurrin Lot 15 being the whole of the land contained in Certificate of Title Volume 1189 Folio 792 as is shown more particularly delineated and coloured green on Plan L.A.W.A. 729.

Notice is hereby given that His Excellency the Governor has approved under section 29B (1) (a) (i) of the Public Works Act 1902 of the sale by public auction or private contract of the land hereinafter described, which was compulsorily taken or resumed under that Act for a public work, namely Shire of Harvey—Public Right of Way and has been used for that public work for a period of ten years or more and being no longer required for that work.

File No. 1214/990.

Land

Portion of Wellington Location 50A, being the portions coloured brown on L.T.O. Plan 4462 and being part of the land remaining in Certificate of Title Volume 639 Folio 108 (one undivided moiety only) and portion of Wellington Location 50A, being the portions coloured brown on L.T.O. Plan 4462 and being part of the land remaining in Certificate of Title Volume 639 Folio 105 (one undivided moiety only) as is shown more particularly delineated and coloured green on Plan L.A.W.A. 727.

Dated this 3rd day of April, 1991.

A. A. SKINNER, Acting Executive Director, Department of Land Administration.

LB601**LAND ACT 1933**

Notice of Intention to Grant a Lease

It is hereby notified that it is intended to grant a Special Lease over Dampier Location 290 to Pender Aboriginal Corporation under section 116 of the Land Act for a term of 50 years for the purpose of "Use and Benefit of Aboriginal Inhabitants".

A. A. SKINNER, Acting Executive Director,
Department of Land Administration.

LB602**LAND ACT 1933**

Notice of Intention to Grant a Lease

It is hereby notified that it is intended to grant a Special Lease over Dampier Location 297 to Djarindjin Aboriginal Corporation under section 116 of the Land Act for a term of 50 years for the purpose of "Use and Benefit of Aboriginal Inhabitants".

A. A. SKINNER, Acting Executive Director,
Department of Land Administration.

LB603**LAND ACT 1933**

Notice of Intention to Grant a Lease

It is hereby notified that it is intended to grant a Special Lease over Dampier Location 289 to Gurlbarljin Aboriginal Corporation under section 116 of the Land Act for a term of 50 years for the purpose of "Use and Benefit of Aboriginal Inhabitants".

A. A. SKINNER, Acting Executive Director,
Department of Land Administration.

LB701

File No. MRD 41-213-10.
Ex. Co. No. 2246.

PUBLIC WORKS ACT 1902**LAND RESUMPTION**

Road Widening—Great Northern Highway (7.69 SLK)

Notice is hereby given, and it is hereby declared, that the said piece or parcel of land described in the Schedule hereto being all in the Swan District has, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 6th day of November 1990, been set apart, taken or resumed for the purposes of the following public work, namely, Road Widening—Great Northern Highway—Shire of Swan.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed is marked off and more particularly described on the Plan specified in the Schedule, which may be inspected at the Main Roads Department, Waterloo Crescent East Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the transfer of Land Act description.

And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way, or other easements whatsoever.

Schedule

Plan MRD No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
90-9	Halina Kosovich and George Makarov	Hon. Minister for Works	Portion of Swan Location 6 and being Lot 72 on Plan 3598 now contained in Diagram 76394 being part of the land com- prised in Certificate of Title Volume 1043 Folio 722.	20 m ²

Certified correct this 26th day of October 1990.

PAM BEGGS, Minister for Transport.

Dated this 6th day of November 1990.

FRANCIS BURT, Governor in Executive Council.

LB702

File No. 3785/989.
Ex. Co. No. 2242.

LOCAL GOVERNMENT ACT 1960; PUBLIC WORKS ACT 1902

LAND RESUMPTION

Widening of Paul Valley Road—Road No. 2000—Shire of Tambellup

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Tambellup passed at a meeting of the Council held on or about April 19, 1989 the several pieces or parcels of land described in the Schedule hereto being all in the Kojonup District have, in pursuance of the written approval and consent of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 6th day of November 1990, been set apart, taken or resumed for the purpose of the following public work, namely, Widening of Paul Valley Road—Road No. 2000—Shire of Tambellup.

And further notice is hereby given that the said piece or parcel of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 89728, which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the transfer of Land Act description.

And it is hereby directed that the said lands shall vest in Her Majesty for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way, or other easements whatsoever.

Schedule

Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area
Wellstead Billabong Pty. Ltd.	Wellstead Billabong Pty. Ltd.	Portion of Kojonup Location 5446 being part of the land contained in Certificate of Title Volume 1039 Folio 809.	2 271 m ²

Dated this 26th day of October 1990.

KAY HALLAHAN, Minister for Lands.

Certified correct this 6th day of November 1990.

FRANCIS BURT, Governor in Executive Council.

Road Dedication

It is hereby notified that the Minister for Lands has approved, pursuant to section 288 of the Local Government Act, the dedication as public street the roads in the various Municipalities as described in the abovementioned resumption notices.

By Order of the Minister for Lands.

Dated this 5th day of April 1991.

A. A. SKINNER, Executive Director.

LB801

File No. 3266/1990.

TOWN PLANNING AND DEVELOPMENT ACT 1928; PUBLIC WORKS ACT 1902; METROPOLITAN REGION TOWN PLANNING SCHEME ACT 1959; STATE PLANNING COMMISSION ACT 1985

LAND ACQUISITION

Controlled Access Highway and Public Purposes—East Perth

Notice is hereby given, and it is hereby declared, that the several pieces or parcels of land described in the Schedule hereto being all in the Perth District have, in pursuance of the written consent under the Town Planning and Development Act 1928, Metropolitan Region Town Planning Scheme Act 1959, State Planning Commission Act 1985 and approval under Section 17 (1) of the Public Works Act 1902 of His Excellency the Governor, acting by and with the advice of the Executive Council, dated the 19th day of March 1991, been compulsorily taken and set apart for the purposes of the following public work, namely, Controlled Access Highway and Public Purposes—East Perth.

And further notice is hereby given that the said pieces or parcels of land so taken and set apart are shown marked off on Plan L.A., W.A. 708, which may be inspected at the Department of Land Administration, Perth. The additional information contained in the Schedule after the land descriptions is to define locality only and in no way derogates from the Transfer of Land Act description.

And it is hereby directed that the said lands shall vest in the State Planning Commission for an estate in fee simple in possession for the public work herein expressed, freed and discharged from all trusts, mortgages, charges, obligations, estates, interests, rights-of-way, or other easements whatsoever.

Schedule

No. on Plan L.A., W.A. No. 708	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Sir John Forrest	Vacant	Portion of Perth Town Lots X15, X16, X17 and X18 and being the land marked Right of Way on Plan 2292 being the land remaining in Certificate of Title Volume 211 Folio 181.	1051 m ²
	Frederick Morey	Vacant	Portion of Perth Town Lots X36 and X37 being the road shaded brown and named Kirkstall Gardens on Plan 1079 being part of the land remaining in Certificate of Title Volume 15 Folio 338.	965 m ²

Certified correct this 28th day of February 1991.

D. L. SMITH, Minister for Planning.

Dated this 19th day of March 1991.

FRANCIS BURT, Governor in Executive Council.

LOCAL GOVERNMENT

LG401

SHIRE OF NANNUP

It is hereby notified for public information that Mr Kevin John Waddington has been appointed by Council, Acting Shire Clerk and Returning Officer for the period 4th April 1991 to 9th May 1991.

D. F. BOULTER, Shire Clerk.

LG403

LOCAL GOVERNMENT ACT 1960

Geraldton/Greenough Regional Council

I, David Lawrence Smith, being the Minister charged with the responsibility for the administration of the Local Government Act 1960 hereby declare, under the provisions of section 701 (2) of the Local Government Act, the Geraldton/Greenough Regional Council to be constituted, and appoint Wednesday, 10 April 1991, at 10.00 am at the Council Chambers of the Shire of Greenough for the holding of the first meeting of the regional council.

DAVID SMITH, Minister for Local Government.

LG402

LOCAL GOVERNMENT ACT 1960

City of Kalgoorlie-Boulder

Closure of Private Street

Department of Local Government,
Perth, 25 March 1991.

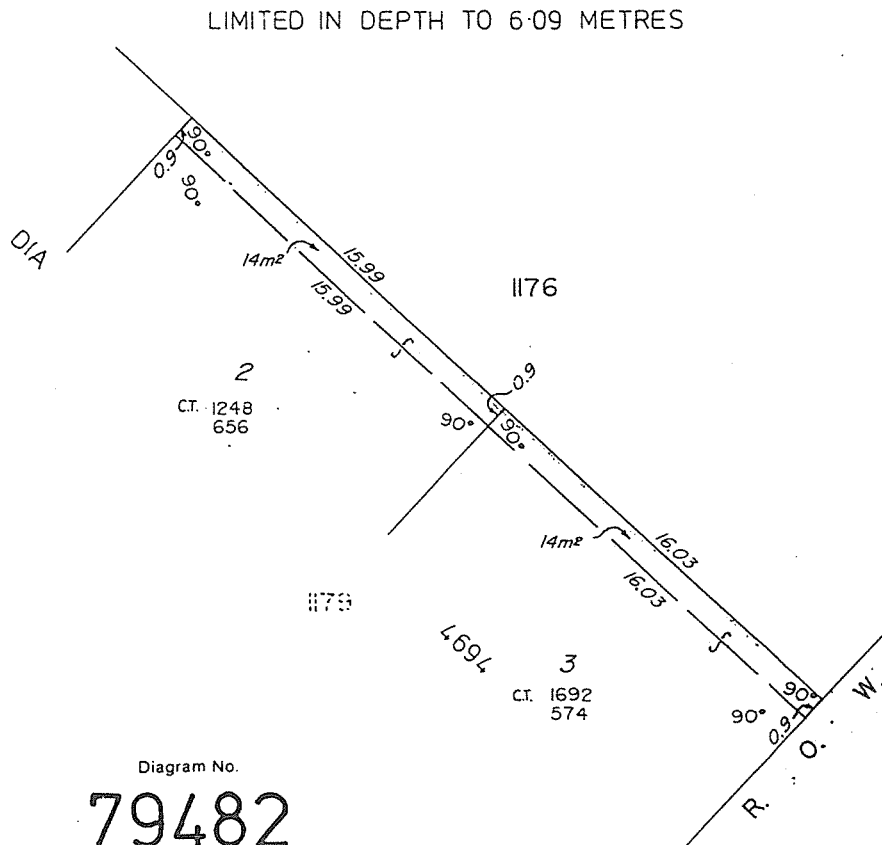
LG: KB 4-12A.

It is hereby notified for public information that His Excellency the Governor has approved under the provisions of section 297A of the Local Government Act 1960, the resolution passed by the City of Kalgoorlie-Boulder that the private street which is described as being portion of Kalgoorlie Town Lot 1179, being portion of the land coloured brown and marked R.O.W. on Diagram 4694 and being

portion of the land contained in certificate of Title Volume 672 Folio 27 be closed, and the land contained therein be amalgamated with adjoining Lots 2 and 3 of Kalgoorlie Town Lot 1179, as shown in the Schedule hereunder.

JOHN LYNCH, Executive Director, Department of Local Government.

Schedule
Diagram No. 79482



LG901

LOCAL GOVERNMENT ACT 1960

Shire of Exmouth

Notice of Intention to Borrow

Proposed Loan No. 70 of \$70 000

Pursuant to Section 610 of the Local Government Act 1960, the Shire of Exmouth gives notice that it proposes to borrow money by the sale of a debenture repayable at the office of the lender on the following terms and conditions—

Loan No. 70 of \$70 000 repayable by quarterly instalments of principal and interest.

Purpose: Construction of Ablution Facility.

Plans, specifications and estimates as required by Section 609 of the Act are open for inspection at the office of the Council during normal office hours for 35 days after publication of this notice.

Dated 28 March 1991.

D. G. BATHGATE, President.
K. J. GRAHAM, Shire Clerk.

LG902

LOCAL GOVERNMENT ACT 1960

*Shire of Dundas*Notice of Intention to Borrow
Proposed Loan No. 71 of \$100 000.00

Pursuant to Section 610 of the Local Government Act 1960, the Council of the Shire of Dundas hereby gives notice that it proposes to borrow money by the sale of a debenture on the following terms for the following purpose: \$100 000.00 for a period of 10 years at ruling rate of interest, repayable at the office of the Shire of Dundas by twenty half yearly instalments of principal and interest.

Purpose—purchase of road plant.

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.

P. J. BRADY, President.
E. A. GILBERT, Shire Clerk.

LG903

LOCAL GOVERNMENT ACT 1960

*Shire of Albany*Notice of Intention to Borrow
Proposed Loan No. 129—\$28 000.00

Pursuant to section 610 of the Local Government Act 1960, the Council of the Shire of Albany hereby gives notice that it proposes to borrow money by the sale of a single debenture on the following terms and for the following purpose.

\$28 000.00 for a term of 5 years repayable at the office of the Council, Albany, by 10 equal half yearly instalments of principal and interest.

Purpose—Purchase of Plant (Roller).

A specification as required by section 609 of the Act is available for inspection at the office of the Council during working hours for a period of 35 days after publication of this notice.

Dated this 3rd day of April 1991.

D. A. STONEY, Shire President.
D. J. CUNNINGHAM, Shire Clerk.

LG904

CORRIGENDUM

LOCAL GOVERNMENT ACT 1960

City of Perth

Notice of Intention to Borrow

Proposed Loans (No. 145) of \$2 500 000 and (No. 146) of \$2 500 000

The notice which appeared in the *Government Gazette* on 6 March 1987 is amended as follows—

Loan No. 145 is to be re-negotiated at the expiration of the first four year period with future repayments of principal and interest to be paid quarterly over eleven years.

Loan No. 146 is to be repaid in full at the expiration of the first four year period.

C. F. HOPKINS, Lord Mayor.
R. F. DAWSON, Chief Executive/Town Clerk.

LG905

LOCAL GOVERNMENT ACT 1960

*City of Mandurah*Notice of Intention to Borrow
Proposed Loan (No. 207) of \$90 000

Pursuant to section 610 of the Local Government Act, the City of Mandurah hereby gives notice that it proposes to borrow by sale of debentures on the following terms and conditions: Term—Loan to be for a term of 10 years with interest at ruling Treasury rates renegotiable after 2 years at the office of the Council in twenty half yearly instalments of principal and interest.

Purpose—Purchase of Computer Equipment.

Specifications and estimates of costs thereof and statement as required under section 609 of the Act to be open for inspection at the Council Offices, Mandurah during office hours for a period of 35 days after publication of the Notice of Intention to Borrow.

B. P. CRESSWELL, Mayor.
K. W. DONOHUE, City Manager/Town Clerk.

LG906

LOCAL GOVERNMENT ACT 1960

City of Belmont

Notice of Intention to Borrow

Proposed Loan No. 168 of \$50 000 and Proposed Loan No. 169 of \$200 000

The notices which appeared in the *Government Gazette* on page 1052 on 8th March 1991 is amended as follows.

For a period of five (5) years, repayable in ten (10) equal half yearly instalments of principal and interest at the office of the Council, 215 Wright Street, Cloverdale.

P. P. PARKIN, Mayor.
B. R. GENONI, Town Clerk.

MAIN ROADS

MA501

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 Murray District, for the purpose of the following public works namely, widening of Mandurah-Pinjarra Road M23 (16.07-18.34 SLK Section) and that the said pieces or parcels of land are marked off on LTO Diagrams 79116, 79115 and 79319 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.	Russell John Hine and Jennifer Anne Hine	R. J. & J. A. Hine	Portion of Murray Location 14 and being part of Lot 25 now comprised in Diagram 79319 and being part of the land comprised in Certificate of Title Volume 266 Folio 159A.	2 714 m ²
2.	Peter William Morton and Sandra Lesley Morton	Hon. Minister for Works	Portion of Pinjarra Suburban Lot 89 now comprised in Diagram 79116 and being part of the land comprised in Certificate of Title Volume 1229 Folio 693.	255 m ²
3.	Kenneth Proctor and Elizabeth Alice Burns Proctor	Hon. Minister for Works	Portion of Pinjarra Suburban Lot 88 now comprised in Diagram 79116 and being part of the land comprised in Certificate of Title Volume 1188 Folio 732.	63 m ²
4.	Dennis Palmer	Hon. Minister for Works	Portion of Pinjarra Suburban Lot 64 now comprised in Diagram 79115 and being part of the land comprised in Certificate of Title Volume 1553 Folio 981.	365 m ²

Dated this 3rd day of April 1991.

D. R. WARNER, Director Administration and Finance,
Main Roads Department.

MINES**MN401****PETROLEUM ACT 1967****NOTICE OF GRANT OF RENEWAL OF EXPLORATION PERMIT**Department of Mines,
Perth, 5th April 1991.

Exploration Permit No. EP 23, held by Western Mining Corporation Limited of 28-42 Ventnor Avenue, West Perth WA 6005, Doral Resources NL of 3rd Floor, 31 Ventnor Avenue, West Perth WA 6005, Arrow Petroleum Limited of 1st Floor, 30 Ord Street, West Perth WA 6005 and Turkey Oil NL of Suite 23, 88 Broadway, Nedlands WA 6005 has been renewed to have effect for a further period of five (5) years from 21st March 1991.

IAN FRASER, Director Petroleum Division.

MN402**MINING ACT 1978****Notice of Application for an Order for Forfeiture**

Department of Mines.

In accordance with Regulation 49 (2) (c) of the Mining Act 1978, notice is hereby given that the licences are liable to forfeiture under the provisions of section 96 (1) (a) for breach of covenant, *viz.* non payment of rent.

P. G. COCKRAM, Warden.

To be heard in the Warden's Court Carnarvon on the 17th day of May 1991.

ASHBURTON MINERAL FIELDP08/363
P08/364
P08/365
P08/366**GASCOYNE MINERAL FIELD**L09/0010
P09/245
P09/250**MN403****MINING ACT 1978****Notice of Application for an Order for Forfeiture**Department of Mines,
Mt. Magnet.

In accordance with Regulation 49 (2) (c) of the Mining Act 1978, notice is hereby given that the licences are liable to forfeiture under the provisions of section 96 (1) (a) for breach of covenant, *viz.* non payment of rent.

P. G. COCKRAM, Warden.

To be heard in the Warden's Court Mt. Magnet on the 17th day of May 1991.

MURCHISON MINERAL FIELD*Cue District*P20/827—Brookesby, John.
P20/1290—Farr, Michael James.
P20/1291—Farr, Michael James.
P20/1292—Farr, Michael James.
P20/1304—Giles, David Barry; Giles, John Barry; Giles, Kimberley John.
P21/432—Griffiths, Robert Lee.**EAST MURCHISON MINERAL FIELD***Black Range District*P57/531—Kjellgren, Norman William.
P57/534—Great Victoria Gold Ltd.
P57/535—Great Victoria Gold Ltd.

P57/536—Great Victoria Gold Ltd.
P57/537—Great Victoria Gold Ltd.
P57/538—Great Victoria Gold Ltd.
P57/539—Great Victoria Gold Ltd.
P57/540—Great Victoria Gold Ltd.
P57/541—Great Victoria Gold Ltd.
P57/542—Great Victoria Gold Ltd.
P57/545—Great Victoria Gold Ltd.
P57/605—Bush, Graham Leslie.

Mt. Magnet District

P58/689—Howe, Blair Wellington.
P58/690—Howe, Blair Wellington.

Yalgoo Mineral Field

P59/944—Ledden, Peter Robert Varville.

PLANNING AND URBAN DEVELOPMENT

PD402

**TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

City of Bunbury

Town Planning Scheme No. 6—Amendment No. 121

Ref: 853/6/2/9, Pt. 121.

Notice is hereby given that the City of Bunbury has prepared the abovementioned scheme amendment for the purpose of Rezoning Glen Iris—

- (a) From "Residential" and coded R12.5 to "Residential" and coded R20, all that land bounded by Vittoria Road, Australind Bypass CAH, and Service Corridor and a line north of the "Light Industrial" area.
- (b) From "Residential" coded R12.5, to "Residential" and coded R20 all that land bounded by Vittoria Road, the Old Picton Road, the Preston River Parklands and a line defining the more elevated parts of Loc 39.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Stephen Street, Bunbury, and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including May 17, 1991.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 17, 1991.

This amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

V. S. SPALDING, Town Clerk.

PD403

**TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

City of Canning

Town Planning Scheme No. 16—Amendment No. 573

Ref: 853/2/16/18, Pt. 573.

Notice is hereby given that the City of Canning has prepared the abovementioned scheme amendment for the purpose of revising Clauses 6, 18 and 35 with respect to Commercial Vehicle Parking.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1317 Albany Highway, Cannington and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including May 17, 1991.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 17, 1991.

This Amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

I. F. KINNER, Town Clerk.

PD404

**TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION**

City of Wanneroo

Town Planning Scheme No. 1—Amendment No. 554

Ref: 853/2/30/1, Pt. 554.

Notice is hereby given that the City of Wanneroo has prepared the abovementioned scheme amendment for the purpose of rezoning a portion of Swan Location 1722 on the corner of Constellation Drive/Herschell Boulevard, Ocean Reef from "Residential Development" to "Commercial" and "Civic".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Boas Avenue, Joondalup and at the Department of Planning and Urban Development, Albert Facey House, 469-489 Wellington Street, Perth, and will be available for inspection during office hours up to and including May 17, 1991.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before May 17, 1991.

This Amendment is available for inspection in order to provide an opportunity for public comment and it should not be construed that final approval will be granted.

R. F. COFFEY, Town Clerk.

PD501

**TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT**

City of Melville

Town Planning Scheme No. 3—Amendment No. 66

Ref: 853/2/17/10, Pt. 66.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Melville Town Planning Scheme Amendment on March 22, 1991 for the purpose of—

1. Introducing the definition of outdoor advertising as follows—

1.9.93.1 Outdoor advertising" means an advertising device, a wall or portion of building on which words, numbers or figures are written, placed, affixed or painted for the purpose of advertising and includes any vehicle or trailer or other objects placed or located predominantly for the purpose of advertising.

5.7.5 Outdoor Advertising

2. Power to Control Advertisements

2.1 For the purpose of this Scheme, the erection, placement and display, and subject to the provisions of Clause 5, the continuance of advertisements is development within the definition of the Act requiring, except as otherwise provided, the prior approval of the Council. Such planning approval is required in addition to any licence pursuant to the Council By-laws relating to Signs, Hoardings and Bill posting.

2.2 Applications for Council Planning approval pursuant to this Part shall be submitted in accordance with the provisions of Clause 5.1.3 of the Scheme and shall be accompanied by any Additional Information giving details of the advertisement(s) to be erected, placed or displayed on the land as required by the Council.

3. Existing Advertisements

Advertisements which—

- (i) were lawfully erected, placed or displayed prior to the approval of this Scheme, or
- (ii) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the approval of this Scheme, hereinafter in this Part referred to as "existing advertisements", may, except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.

4. Consideration of Applications

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

5. Exemptions from the Requirement to Obtain Approval

Subject to the provisions of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of Clause 1.1, the prior approval of the Council is not required in respect of those advertisements listed in Appendix 5 which for the purpose of this Part are referred to as "exempted advertisements".

6. Discontinuance

Notwithstanding the Scheme objectives and Clause 4, where in the opinion of the Council, an exempted or existing advertisement so seriously conflicts with the objectives of this Part, it may by notice in writing require the advertiser to remove, relocate, adapt, or otherwise modify the advertisement.

7. Derelict or Poorly Maintained Signs

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

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

8. Notices

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

8.2 Any notice served pursuant to Clauses 5 and 6 shall be served upon the advertisement and shall specify—

- (i) the advertisement(s) the subject of the notice,
- (ii) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice,
- (iii) the period, not being less than 28 days, within which the action specified shall be completed by the advertiser.

8.3 Any person upon whom a notice is served pursuant to this Part may within a period of 28 days from the date of the notice appeal to the Hon Minister for Planning or the Town Planning Appeal Tribunal in accordance with Part V of the Act, and where any such appeal is lodged the effect of the notice shall be suspended until the decision to uphold, quash or vary the notice is known and shall thereafter have effect according to that decision.

9. Scheme to Prevail

Where the provisions of this Part are found to be at variance with the provisions of the Signs, Hoardings and Bill Posting by-laws, of the Council the provisions of the Scheme shall prevail.

10. Enforcement and Penalties

Any advertiser who—

- (i) erects, places or displays or who permits to be erected, placed or displayed an advertisement otherwise than in accordance with the provisions of this Part; and
 - (ii) fails to comply with any notice issued pursuant to this Part;
- commits an offence and is liable to the remedies available to the Council pursuant to section 10 of the Act.

Appendix 5—Exempted Advertisements
Pursuant to Sub clause 5

Land Use and/or Development Requiring Advertising	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
Dwellings	One professional name-plate as appropriate	0.2 m ²
Home Occupation	One advertisement describing the nature of the home occupation	0.2 m ²
Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned	0.2 m ²
Shops, Showrooms and other uses appropriate to a Shopping Area	Signs contained within or on windows of the development but not including signs which project above the eaves or the ridge of the roof of the building, and signs projecting from a building whether or not those signs are connected to a pole, wall or other building	N/A
Industrial and Warehouse Premises	Signs contained within or on windows of the development but not including signs which project above the eaves or the ridge of the roof of the building, and signs projecting from a building whether or not those signs are connected to a pole, wall or other building	N/A

Land Use and/or Development Requiring Advertising	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
Public Places and Reserves	(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of government, a public authority or council of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and	N/A
	(b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the council of a municipality, and	N/A
	(c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein	N/A
Advertisements within Building	All advertisements placed or displayed within buildings which cannot ordinarily be seen by a person outside of those buildings	N/A
All classes of buildings other than single family dwellings	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof	0.2 m ²

Temporary Signs	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Sign
Building Construction Sites (advertisement signs displayed only for the duration of the construction as follows—		
(i) Dwellings	One Advertisement per street frontage containing details of the project and the contractors undertaking the construction work	2 m ²
(ii) Multiple Dwellings, Shops, Commercial and Industrial projects	One sign as for (i) above	5 m ²
(iii) Large Development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height	One sign as for (i) above	10 m ²
	One additional sign showing the name of the project builder	5 m ²
Property Transactions		
Advertisement signs displayed for the duration of the period over which property transactions are offered and negotiated as follows—		
(a) Dwellings	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed	Each sign shall not exceed an area of 2 m ²

Temporary Signs	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Sign
(b) Multiple Dwellings, Shops, Commercial and Industrial Properties	One sign as for (a) above	Each sign shall not exceed an area of 5 m ²
(c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5 ha	One sign as for (a) above	Each sign shall not exceed an area of 10 m ²

M. J. BARTON, Mayor.
G. G. HUNT, Town Clerk.

PD502

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENTS
City of Nedlands

Town Planning Scheme No. 2—Amendment No. 38

Ref: 853-2-8-4, Pt. 38.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the City of Nedlands Town Planning Scheme Amendments on 26 March 1991 for the purpose of—

Adding the following Additional Use to

Schedule 1—Additional Uses

Lot No.	Street	Zone	Additional Use Permitted
377	Philip Road, Dalkeith	Residential, Retail Shopping	Three (3) Aged Persons Units in accordance with plans submitted and approved by the Council on 2nd August 1990

D. C. CRUICKSHANK, Mayor.
N. G. LEACH, Town Clerk.

PD503

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Ashburton

Town Planning Scheme No. 3—Amendment No. 4

Ref: 853/10/3/3, Pt. 4.

It is hereby notified for public information, in accordance with Section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Ashburton Town Planning Scheme Amendment on March 22, 1991 for the purpose of—

(i) adding to the Scheme Text—Part X

PART X—CONTROL OF ADVERTISEMENTS

10.1 Power to Control Advertisements

- 10.1.1 For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior approval of the Council. Such Planning Consent is required in addition to any licence pursuant to Council's Signs and Hoarding and Bill Posting By-laws.

10.1.2 Applications for Council's Consent to this Part shall be submitted in accordance with the provisions of Part VIII of the Scheme and shall be accompanied by a completed Additional Information Sheet in the form set out at Appendix 6 giving details of the advertisement(s) to be erected, placed or displayed on the land.

10.2 Existing Advertisements

Advertisements which—

- (a) were lawfully erected, placed or displayed prior to the approval of this Scheme, or
- (b) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the approval of this Scheme, hereinafter in this Part referred to as "existing advertisements", may, except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.

10.3 Consideration of Application

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

10.4 Exemptions from the Requirement to Obtain Consent

Subject to the provisions of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of Clause 10.1.1, the Council's prior consent is not required in respect of those advertisements listed in Table 5 which for the purpose of this Part are referred to as "exempted advertisements." The exemptions listed in Table 5 do not apply to buildings, conservation areas or landscape protection zones which are either—

- (i) listed by the National Trust;
- (ii) listed on the register of the National Estate;
- (iii) included in local authority town planning scheme because of their heritage or landscape value.

10.5 Discontinuance

Notwithstanding the Scheme objectives and Clause 10.4, where the Council can demonstrate exceptional circumstances which cause an exempted or existing advertisement to seriously conflict with the objectives of this Part, it may by notice in writing (giving clear reasons) require the advertiser to remove, relocate, adapt or otherwise modify the advertisement within a period of time specified in the notice.

10.6 Derelict or Poorly Maintained Signs

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

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

10.7 Notices

10.7.1 "The advertiser" shall be interpreted as any one or any group comprised of the owner, occupier, licensee.

10.7.2 Any notice served in exceptional circumstances pursuant to Clause 10.5 or pursuant to Clause 10.6 shall be served upon the advertiser and shall specify—

- (i) the advertisement(s) the subject of the notice,
- (ii) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice,
- (iii) the period, not being less than 60 days, within which the action specified shall be completed by the advertiser.

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

10.8 Scheme to Prevail

Where the provisions of this Part are found to be at variance with the provisions of the Council's Signs, Hoarding and Bill Posting By-laws, the provisions of the Scheme shall prevail.

10.9 Enforcement and Penalties

The offences and penalties provisions specified in Clause 9.2 of the Scheme apply to the advertiser in this part.

- (i) adding to this Part—Table 5—Exempted Advertisements Pursuant to Clause 10.4;
- (ii) adding to the Appendices, "Appendix No. 6—Control Of Advertising—Additional Information Sheet for Advertisement Approval".

TABLE 5
EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 10.4

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (includes the change of posters on poster signs and applies to non illuminated signs unless otherwise stated.)	Minimum Area of Exempted Sign
Dwellings	One professional name-plate as appropriate.	0.2 m ²
Home Occupation	One advertisement describing the nature of the home occupation.	0.2 m ²
Places of Worship, Meeting Halls and Places of Public Assembly	One advertisement detailing the function and/or the activities of the institution concerned.	0.2 m ²
Cinemas, Theatres and Drive-in Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each advertisement sign not to exceed 5 m ²
Shops, Showrooms and other uses appropriate to a Shopping Area	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to a compliance with the requirements of the Signs Hoarding and Bill Posting By-laws.	N/A
Industrial and Warehouse Premises	A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building whether or not those signs are connected to a pole, wall or other building. A maximum of two free-standing advertisement signs not exceeding 5m in height above ground level.	Total area of any such advertisements shall not exceed 15 m ² Maximum permissible total area shall not exceed 10m ² and individual advertisement signs shall not exceed 6m ² .
Showroom, race courses, major racing tracks, sports stadia, major sporting grounds and complexes	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned, either from other private land or from public places and streets.	N/A
Public Places and Reserves	a) Advertisement signs (illuminated and non-illuminated) relating to the functions of Government, a public authority or council of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the council of a municipality, and	N/A N/A

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (includes the change of posters on poster signs and applies to non illuminated signs unless otherwise stated.)	Minimum Area of Exempted Sign
	c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.	N/A
Advertisements within Buildings	All advertisements placed or displayed within building which cannot ordinarily be seen by a person outside of those buildings.	N/A
All classes of buildings other than single family dwellings	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2 m ²
Temporary Signs	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
Building Construction Sites (advertisement signs displayed only for the duration of the construction as follows—		
i) Dwellings	One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2 m ²
ii) Multiple Dwellings, Shops Commercial and Industrial projects	One sign as for (i) above.	5 m ²
iii) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height	One additional sign as for (i) above. One additional sign showing the name of the project builder.	10 m ² 5 m ²
Sales of Goods or Live-stock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2 m ²
Property Transactions		
Advertisement signs displayed for the duration of a period over which property transactions are offered and negotiated as follows—		
a) Dwellings	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign shall not exceed an area of 2 m ² .
b) Multiple dwellings, shops Commercial and Industrial Properties	One sign as for (a) above.	Each sign shall not exceed an area of 5 m ² .

Temporary Signs	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5 ha.	One sign as for (a) above.	Each sign shall not exceed an area of 10 m ² .
Display Homes	i) One sign for each dwelling on display.	2 m ²
Advertisement signs displayed for the period over which homes are on display for public inspection.	ii) in addition to (i) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	5 m ²

Appendix No. 6

TOWN PLANNING AND DEVELOPMENT ACT 1928

TOWN PLANNING SCHEME No. 3

Shire of Ashburton

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. 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.....

.....
Shire Clerk.

.....
Date.

E. ROBBINS, President.
L. A. VICARY, Shire Clerk.

PD504

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

Shire of Katanning

Town Planning Scheme No. 3—Amendment No. 2

Ref: 853/5/10/3, Pt. 2.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Katanning Town Planning Scheme Amendment on 22 March 1991 for the purpose of—

Amending the Scheme Map, rezoning Reserve 27669 from Parks and Recreation to Private Clubs and Institutions and by rezoning the adjoining land, portion of Kojonup Location 256 and being Lots 1, 2 and 3 on Diagram 7608, from Residential to Private Clubs and Institutions.

P. J. KERIN, President.
T. S. RULAND, Shire Clerk.

PD505

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT
Shire of Northampton

Town Planning Scheme No. 4—Amendment No. 10

Ref: 853/3/14/6, Pt. 10.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Northampton Town Planning Scheme Amendment on 22 March 1991 for the purpose of—

- (1) Adding to the Scheme Text Contents page reference to—

Part X—Amenity Control

10.1 Untidy Sites

10.2 Vehicles, Caravans, Boats and Trailers in Residential Areas

10.3 Temporary Accommodation

10.4 Transportable Homes

10.5 Derelict Vehicles

10.6 Rear Access and Loading Docks

- (2) Adding to the Scheme Text the following Part

Part X—Amenity Control

10.1 Untidy Sites

To maintain an acceptable standard of amenity the Council may, by written notice as provided for in Clause 8.4 require the owner, occupier, or lessee of that land to undertake such works as may be necessary to restore or upgrade the conditions of that property to a standard commensurate with those generally prevailing in the vicinity.

Where in the opinion of the Council a property is not being maintained in a clean and tidy condition and that the unkempt appearance of the property has a deleterious effect on the amenity of the area in which it is located, the Council shall require the owner or occupier to make good the condition to meet proper standards.

10.2 Vehicles, Caravans, Boats and Trailers in Residential Areas

Except as hereinafter provided, no person within any lot zoned Residential Zone may without the written approval of the Council—

- (a) allow any commercial vehicle or truck to remain or park for a period of more than forty eight hours consecutively;
- (b) repair, maintain, service or clean a commercial vehicle or truck;
- (c) keep, park, repair or store any boat, trailer, caravan or any material not specifically for the immediate use by the occupant in front of the building setback line.

10.3 Temporary Accommodation

10.3.1 The Council may approve the occupation of a caravan or other temporary accommodation on a lot only if it has approved an application for the development of a habitable building in accordance with any by-laws as adopted by the Council.

10.3.2 The permit for such occupation of a temporary accommodation shall not exceed 12 months.

10.3.3 The Council shall not issue another permit unless it is satisfied that there has been a genuine effort to complete the approved building pursuant to the original temporary accommodation permit.

10.4 Transportable Homes

Council may permit the erection or placement of a transportable or prefabricated home on a lot providing that the design of the building is to the satisfaction of the Council and in its opinion does not adversely effect the amenity of other properties in the vicinity.

10.5 Derelict Vehicles

Council shall not permit the storage and/or wrecking of any vehicle on any street verge or on any lot other than behind the front building line on a lot in the General Industry Zone.

10.6 Rear Access and Loading Docks

When considering any application for Planning Consent the Council shall have regard to and may require the provision of loading docks and/or rear access. In particular, the Council may impose conditions concerning—

- (a) the size of loading docks
- (b) the means of providing rear access of adequate width and design so as to ensure that transport vehicles shall be able to proceed in a forward direction.

R. W. ALLEN, President,
C. J. PERRY, Shire Clerk.

PD702

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME
SHIRE OF HALL'S CREEK
Town Planning Scheme No. 1

Ref: 853/7/3/2.

It is hereby notified for public information, in accordance with section 7 of the Town Planning and Development Act 1928 that the Hon Minister for Planning approved the Shire of Hall's Creek Town Planning Scheme No. 1 on 25 February 1991, the Scheme Text of which is published as a Schedule annexed hereto.

M. H. EDWARDS, President.
P. FOSTER, Shire Clerk.

Schedule
SHIRE OF HALL'S CREEK
Town Planning Scheme No. 1
Scheme Text
Contents
Part I—Preliminary

- 1.1 Citation
- 1.2 Responsible Authority
- 1.3 Scheme Area
- 1.4 Contents of Scheme
- 1.5 Arrangement of Scheme Text
- 1.6 Scheme Objectives
- 1.7 Interpretations

Part II—Reserves

- 2.1 Scheme Reserves
- 2.2 Matters to be Considered by Council
- 2.3 Compensation

Part III—Zones

- 3.1 Zones, Policy Statements and Precincts
- 3.2 Zones
- 3.3 Policies

Part IV—Non-Conforming Uses

- 4.1 Non-Conforming Use Rights
- 4.2 Extension of Non-Conforming Use
- 4.3 Change of Non-Conforming Use
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Part V—Development Requirements

- 5.1 Development of Land
- 5.2 Land Subject to Inundation
- 5.3 Discretion to Modify Standards
- 5.4 Residential Development: Residential Planning Codes
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- 5.6 Residential Zone
- 5.7 Town Centre Zone
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Part VI—Amenity Control

- 6.1 Untidy Sites
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- 7.1 Car Parking Requirements
- 7.2 Conditions of Planning Consent
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Part VIII—Control of Advertisements

- 8.1 Power to Control Advertisements
- 8.2 Existing Advertisements
- 8.3 Consideration of Application
- 8.4 Exemptions from the Requirement to Obtain Approval
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- 8.7 Notices
- 8.8 Scheme to Prevail
- 8.9 Enforcement and Penalties

Part IX—Planning Consent

- 9.1 Application for Planning Consent
- 9.2 Advertising of Applications
- 9.3 Determination of Applications
- 9.4 Deemed Refusal

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- 10.1 Powers of the Scheme
- 10.2 Offences
- 10.3 Notices
- 10.4 Claims for Compensation
- 10.5 Appeals

Appendices

- Appendix No. 1 Interpretations
- Appendix No. 2 Special Rural Zone
- Appendix No. 3 Special Sites Schedule
- Appendix No. 4 Car Parking Requirements
- Appendix No. 5 Information Sheet for Advertisement Approval
- Appendix No. 6 Application Form for Planning Consent
- Appendix No. 7 Notice of Advertisement of Development Proposal
- Appendix No. 8 Decision on Application for Planning Consent

Part I—Preliminary

1.1 Citation: This Town Planning Scheme may be cited as the Shire of Hall's Creek Scheme No. 1 hereinafter called 'the Scheme' and shall come into operation on the publication of the Scheme in the *Government Gazette*.

1.2 Responsible Authority: The Authority responsible for implementing the Scheme is the Council of the Shire of Hall's Creek hereinafter called 'the Council'.

1.3 Scheme Area: The Scheme applies to part of the Shire of Hall's Creek as shown on the Scheme Map by the broken black border and which area is hereinafter called the 'Scheme Area'.

1.4 Contents of Scheme: The Scheme comprises:

- (a) The Scheme Text
- (b) The Scheme Maps
- (c) Policy Map
- (d) Land Use Maps

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

- Part I Preliminary
- Part II Reserves
- Part III Policies and Zones
- Part IV Non-Conforming Uses
- Part V Development Requirements
- Part VI Amenity Control
- Part VII Car Parking
- Part VIII Control of Advertising
- Part IX Planning Consent
- Part X Administration

1.6 Scheme Objectives: The broad objectives of the Scheme are as follows:

- (a) to set aside land for the continued development of the town in areas appropriate for urban development,
- (b) to limit the development of land considered inappropriate for urban uses because of the adverse affects of inundation and other physical constraints,
- (c) to reserve land for public purposes,

- (d) to zone the balance of the land within the Scheme Area for the various purposes described in the Scheme,
- (e) to provide development policies and controls for the purpose of securing land, maintaining an orderly and properly planned use and development of land within the Scheme Area.

1.7 Interpretations

1.7.1 Except as provided in Clause 1.7.2 and 1.7.3 the words and expressions of the Scheme have their normal and common meaning.

1.7.2 In the Scheme unless the context otherwise requires, or unless it is otherwise provided herein, words and expressions have the respective meanings given to them in Appendix 1 and the Residential Planning Codes.

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

Part II—Reserves

2.1 Scheme Reserves: The lands shown as Scheme Reserves on the Scheme Map, hereinafter called 'Reserves' are lands reserved under the Scheme for the purposes shown on the Scheme Map and are listed hereunder:

Major Road
Public Purposes (as marked)
Parks and Recreation.

2.2 Matters to be Considered by Council: Where an application for Planning Consent is made with respect to land within a Reserve, the Council shall have regard to the ultimate purposes intended for the Reserve and the Council shall, in the case of land reserved for the purposes of a Public Authority, confer with that Authority before granting its consent.

2.4 Compensation

2.4.1 Where the Council refuses Planning Consent for the development of a Reserve on the ground that the land is reserved for the purposes shown on the Scheme Map, or grants consent 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.

2.4.2 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.

2.4.3 In lieu of paying compensation the Council may purchase the land affected by such decision of the Council at a price representing the unaffected value of the land at the time of refusal of Planning Consent or of the grant of consent subject to conditions that are unacceptable to the applicant.

Part III—Policies and Zones

3.1 Zones, Policy Statements and Precincts: The Scheme Area is divided into Precincts and Zones. Each Precinct is the subject of a Policy Statement relating to the predominant use and strategy for future development of that Precinct.

3.2 Zones

3.2.1 Creation of Zones: There are hereby created the zones set out hereunder:

Town Centre Zone
Residential Zone
Industrial Zone
Rural/Pastoral Zone
Special Rural Zone
Special Site Zone (as marked).

These Zones and the development provisions relating to them shall be read in conjunction with the Policy Statements as adopted by the Council pursuant to this Part.

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

3.2.2 Zoning Table: The Zoning Table indicates, subject to the provisions of the Scheme, the several uses permitted in the Scheme Area in the various zones and such uses being determined by cross reference between the list of Use Classes on the left hand side of the Table 1 and the list of Zones at the top of the Zoning Table.

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

- 'P' means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting Planning Consent;
- 'IP' means a use that is not permitted unless such use is incidental to the predominant use of the land as determined by the Council;
- 'AA' means that the Council may, at its discretion, permit the use;
- 'SA' means that the Council may, at its discretion, permit the use after notice of application has been given in accordance with Clause 9.3.

Table 1
Zoning Table

Use Classes		Zones	Town Centre	Residential	Industrial	Rural/Pastoral	Special Rural	Special Site
Commercial	Amusement Facility		AA					
	Car Park		P	AA	P	AA	AA	
	Dry Cleaning Premises				P			
	Fast Food Outlet		P					
	Funeral Parlour		SA		AA			
	Health Studio		AA		AA			
	Home Occupation			AA		AA	AA	
	Hotel		AA					
	Motel		AA					
	Night Club		AA					
	Motor Vehicle or Marine							
	Sales Premises		AA		P			
	Motor Vehicle Hire		AA		P			
	Office		P		IP	IP	IP	
	Office—Professional		AA					
	Reception Centre		AA					
	Restaurant		P					
	Service Station		AA		P			
	Shop		P	SA	AA			
	Showroom		AA		P			
	Tavern		AA					
	Warehouse				P			
Residential	Single House		AA	P		P	P	
	Attached House		AA	AA		AA	AA	
	Grouped Dwelling		AA	AA				
	Multiple Dwelling		AA	AA				
	Aged & Dependent							
	Persons Dwelling		AA	AA				
	Caretaker's Dwelling		IP		IP	IP		
	Residential Building		AA	AA				
Community	Ambulance Depot		AA		AA			
	Civic Building		AA					
	Club Premises		AA			AA	AA	
	Consulting Rooms		AA			AA		
	Day Care Centre		AA	SA		SA	SA	
	Educational Establishment		AA		AA			
	Fire Brigade Depot		AA		P			
	Hospital		AA	AA				
	Kennels, Cattery				AA	AA	SA	
	Kindergarten		AA	SA				
	Medical Centre		AA	SA				
	Public Utility		P	P	P	P	P	
	Public Worship		AA	AA				
	Radio & TV Installation		SA		AA			
	Veterinary Consulting Rooms or Hospital				AA		AA	
Industrial	Fuel Depot				P			
	Industry—General				P			
	Light				P			
	Service				P			
	Extractive							
	Hazardous				SA			
	Cottage		AA	AA	AA	AA	AA	
	Motor Vehicle Repair				P			
	Motor Wrecking				AA			
	Salvage Yard					P		
	Transport Depot				P			

Predominant uses to be limited to that specifically marked in the Scheme Map.

Table 1
Zoning Table

Use Classes		Zones					
		Town Centre	Residential	Industrial	Rural/Pastoral	Special Rural	Special Site
Recreation	Equestrian Centre				P	P	
	Private Recreation	AA			AA	AA	
	Public Amusement	AA					
	Public Recreation	P	P	P	P	P	
Rural	Rural Pursuit				P	P	
	Stables				P	AA	

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

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

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

- (a) determine that the use is not consistent with the objectives and purpose of the Policy Statement and particular zone and is therefore not permitted,
- or
- (b) determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the Policy Statement and Zones and thereafter follow the advertising procedures of Clause 8.2 in considering an Application for Planning Consent.

3.3 Policies

3.3.1 Power To Make Policies: In order to achieve the objective of the Scheme, the Council may:

- (a) make Town Planning Scheme Policies relating to parts or all of the Scheme Area and relating to one or more of the aspects of the control of development,
- (b) the Policy Statements in the Scheme Report shall be deemed to be the Policy Statements prepared pursuant to this section.

3.3.2 Procedure of Policy Making: A Town Planning Scheme Policy shall become operative only after the following procedures have been completed:

- (a) The Council having prepared and resolved to adopt a draft Town Planning Scheme Policy, shall advertise a summary of the draft Policy once a week for two consecutive weeks in a newspaper circulating in the area giving details of where the draft Policy may be inspected and where, in what form, and during what period (being not less than 21 days) representations may be made to the Council.
- (b) The Council shall review its draft Town Planning Scheme Policy in the light of any representations made and shall then decide to finally adopt the draft Policy with or without amendment, or not proceed with the draft Policy.
- (c) Following final adoption of a Town Planning Scheme Policy, details thereof shall be advertised publicly and a copy kept with the Scheme documents for inspection during normal office hours.

3.3.3 Policy Amendment: A Town Planning Scheme Policy may only be altered or rescinded by:

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

3.3.4 Policy Statements and Precincts: The Policy Statements prepared pursuant to this Part shall apply to the Precincts so named and numbered by the Policy Statement Document.

3.3.5 The Scheme Shall Prevail: A Town Planning Scheme Policy shall not bind the Council in the respect of any Application for Planning Consent but the Council shall take into account the provisions of the Policy and Objectives which the Policy was designed to achieve before making its decision.

3.3.6 Policy Statements shall be Consistent with the Scheme: The Policy Statements prepared pursuant to this Part shall be consistent with the intent of the Objectives, Zones and general provisions of the Scheme.

Part IV—Non-Conforming Uses

4.1 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.

4.2 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 Consent of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme.

4.3 Change of Non-Conforming Use: Notwithstanding anything contained in the Zoning Table the Council may grant its Planning Consent 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.

4.4 Discontinuance of Non-Conforming Use

4.4.1 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.

4.4.2 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.

4.5 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 percent 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 V—Development Requirements and Policies

5.1 Development of Land

5.1.1 Subject to Clause 5.1.2 a person shall not commence or carry out development of land zoned or reserved under the Scheme without first having applied for and obtained the Planning Consent of the Council under the Scheme.

5.1.2 The Planning Consent of the Council is not required for the following development of land:

- (a) the use of land in a Reserve, where such land is held by the Council or vested in a public authority;
 - (i) for the purpose for which the land reserved under the Scheme;
 - or
 - (ii) in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority.
- (b) the carrying out of any works on, in, over or under a street or road by a public authority acting pursuant to the provisions of any Act;
- (c) the carrying out of any 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;
- (d) 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;
- (e) the erection of a boundary fence except as otherwise required by the Scheme;
- (f) the erection on a lot of a single dwelling house, including the ancillary outbuildings, in a zone where the proposed use is designated with the symbol 'P' in the cross-reference to that zone in the zoning table.
- (g) the erection of an outbuilding of an area less than 60 m².

5.2 Land Subject to Inundation: A building, except with the approval of Council, shall not be constructed upon any land within an area shown on the Policy Map as being liable to flooding. On approving any building within the Scheme Area, the Council may set minimum levels for any floor or appurtenant area of the building.

5.3 Discretion to Modify Development Standards: If a development, other than a residential development, the subject of an Application for Planning Consent, does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council may,

notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this Clause may only be exercised if the Council is satisfied that:

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

5.4 Residential Development: Residential Planning Codes

5.4.1 For the purpose of the 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.

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

5.4.3 In the event of there being any inconsistency between the Residential Planning Codes identified by Clauses 5.4.1 and 5.4.2, the provisions in the document identified in Clause 5.4.1 shall prevail.

5.4.4 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.

5.4.5 The Residential Coding of land shall be in accordance with that shown on the Scheme Map (as bordered).

5.5 Residential Planning Codes: Variations and Exclusions

5.5.1 Council may permit Aged Persons Housing in accordance with the R30 Code.

5.5.2 Any Application for Planning Consent of any residential building other than a single dwelling shall be accompanied by a plan showing the proposed landscaping on the site.

The landscape plan shall show:

- (a) the location and general nature of planted areas,
- (b) the location and nature of materials to be used on non-planted areas,
- (c) the location and size of any outbuildings or other minor proposed structures.

The applicant shall commence the implementation of the approved landscape plan within six calendar months of the completion of all other approved works and shall complete the works no later than six calendar months following approval to occupy any building.

5.6 Residential Zone

5.6.1 Objectives: The Council's objectives are:

- (a) for the allocation and density coding of the Residential zone throughout the Scheme Area is designed to provide for the development of the Scheme Area in such a way as will:
 - (i) provide sufficient land in appropriate locations for residential development to meet the needs of the Scheme Area's anticipated growth and population without unduly restricting the choice of sites;
 - (ii) promote and safeguard health, safety, convenience, the general public welfare and the amenity of the residential areas.
- (b) Notwithstanding that a proposed development conforms in all other respects with the requirements of the Scheme, Council may at its discretion refuse to grant approval if in its opinion such development would by its siting or construction result in significant deterioration of the amenity or landscape quality of the town.

5.6.2 Outline Development Plan: It is the intention of the Council to ensure that the subdivision and development of land within the future residential areas as shown on the Policy Map takes place only after comprehensive planning ensures the maximum possible benefits of urban design and servicing.

In this regard the Council, before supporting or approving any proposal for rezoning, subdivision or development of any land within the future residential areas, shall require the preparation of an Outline Development Plan for the whole of the area or for any particular part or parts as considered appropriate by the Council.

Subdivision of the land shall be approved in accordance with the adopted Outline Development Plan providing the land is zoned Residential.

5.6.3 The Outline Development Plan shall show:

- (i) the topography of the area,
- (ii) existing road system,
- (iii) location and standards of any future roads,
- (iv) location of shopping, community amenities and recreation areas,

- (v) proposed population and residential densities,
- (vi) existing and proposed services,
- (vii) staging of the development,
- (viii) any other information as shall be requested by the Council.

5.7 Town Centre Zone

5.7.1 Objectives: The Council's objectives for controlling development within the Town Centre Zone are:

- (a) to zone adequate land for the continued development of a main commercial and community facility centre for the town;
- (b) to apply appropriate development and land use controls to ensure the development is to a satisfactory standard.

5.7.2 Upper Floors: Where the ground floor of a two-storey building is used for the purpose of commerce, the upper floors of such building may be used for such purposes as may be permitted by Council and may include shops, offices or residential development.

Residential uses in such circumstances are to be confined to the upper storey only.

5.7.3 Site Coverage: The site coverage of up to 100 per cent may be permitted subject to the satisfaction of the Council on matters relating to access, car parking, rear access and loading docks and any other matters the Council shall consider relevant.

5.7.4 Loading and Unloading: Where areas for the loading and unloading of vehicles carrying goods and commodities to and from the premises are to be provided they shall be constructed and maintained in accordance with an approved plan relating thereto.

5.7.5 Residential Accommodation: Residential accommodation within the Town Centre Zone shall conform with the standards prescribed for the Residential Zone and the provisions of the R50 Code.

5.8 Industrial Zone

5.8.1 Objective: The Council's objective is to contain industrial uses and development in a specific area for the purpose of a mixture of service trades and small general industrial uses where there is the maximum benefit and access by the public and the minimum detrimental effect to the residential areas and the town centre precinct.

5.8.2 Development Standards: Development and site requirements shall be in accordance with the following provisions:

Table 2
Industrial Zone

Zone	Min. Lot Area	Effective Frontage	Building Setbacks Front-Side-Rear	Maximum Site Coverage
Industry	1000m ²	15m	9m 5m 7.5m	75%

*(a) 5 metres on any one side to permit access to the rear of the lot.

(b) a minimum of 1.2 metres on any other side,
or

(c) depending upon the building height and material as prescribed in the Building Code of Australia
or

(d) zero in the case of a parapet wall with a satisfactory fire rating in accordance with the Building Code of Australia.

Factory Unit Development: The development of factory tenement buildings, for the purpose of providing multiple factory units in one lot, shall not be permitted unless the following requirements are complied with:

- (i) no factory unit shall have a floor area of less than 100m².
- (ii) each factory unit shall have a service yard appurtenant to it which shall be a minimum of 50 per cent of the unit floor area.
- (iii) access to the office attached to the factory unit and the major access to the unit itself shall not be through the service yard.
- (iv) off street parking may be provided as an overall area on site and shall provide for all employees with a minimum staff parking requirement of four bays per unit. Customer parking shall be provided as an additional figure of one bay per unit.
- (v) all facades to be of masonry construction or other material approved by Council.

5.8.3 Residential Uses in Industrial Zone: Council may permit the development and occupancy of a single house upon a lot for the purposes of caretaker's residence for security and management providing the occupants of that residential unit are directly related to the operations of the predominant permitted use.

5.8.4 Landscape Treatment: Where a building is approved upon a lot and is set back from the front boundary of that lot Council shall require the provision of landscape treatment between the frontage of any building and the front boundary.

Such landscape treatment may include a car parking area. Implementation of an approved landscaped plan shall occur within six calendar months of:

(a) the completion of any other approved works,

or

(b) the date of occupancy, if occupancy commences prior to the completion of the development.

5.8.5 Storage of Materials: No dumping, storage of waste or materials, or construction, servicing or maintenance shall be carried out between the front building line and the street frontage but shall not prohibit the display of finished goods or goods for sale or ready for delivery.

5.8.6 Loading and Unloading: Areas for loading and unloading of vehicles, particularly road trains, carrying goods and commodities to or from premises shall be provided and maintained in accordance with the approved plan relating thereto.

5.8.7 Vehicle Wrecking: The wrecking or storage of wrecked vehicles or parts thereof shall not be permitted in front of the building setback as prescribed in Table 2.

5.8.8 Buildings: No building in the Industrial Zone shall:

(a) exceed two storeys in height, without the consent of the Department of Transport and Communication,

and

(b) have a highly reflective roofing material.

5.9 Special Rural Zone: The Council's objective for this Zone is to retain the predominant rural/residential character of the precinct and to deter any use which may detract from the quiet living environment.

Land use and development may only be permitted in accordance with the provisions of Appendix No. 2.

5.10 Rural/Pastoral Zone: Objectives:

The Council's objectives for this Zone are:

(a) to maintain the rural character of the land;

(b) to prohibit the use of any land which may be incompatible to the existing uses or which may adversely affect the expansion of the urban area;

(c) to prohibit the erection of any structure other than a fence on the land subject to inundation.

5.11 Special Site Zone

5.11.1 Objectives: The Council's objectives for this Zone are to:

(a) encourage development to a high standard appropriate to the use of the land within the zone;

and

(b) protect the amenity of the adjoining areas.

5.11.2 Special Sites Schedule: The Special Sites Schedule in Appendix No. 3 shall be in accordance with the Scheme Maps.

5.11.3 Application of Development Standards: Land within the Special Sites Zone may be used for the purposes specified on the Scheme Map and the schedule in Appendix No. 3 as applicable to that site and for no other purpose except for a use that Council deems is incidental to the predominant use.

Council shall apply such development standards to a proposal as it thinks fit providing such standards are not less than pertaining to similar uses permitted under the Scheme.

Part VI—Amenity Control

6.1 Untidy Sites: To maintain an acceptable standard of amenity the Council may, by written notice as provided for in Clause 10.3 require the owner, occupier, or lessee of any land to undertake such works as may be necessary to restore or upgrade the conditions of that property to a standard commensurate with those generally prevailing in the vicinity.

6.2 Vehicles, Caravans, Trailers in Residential Areas: Except as hereinafter provided, no person within any lot zoned Residential Zone may without the written approval of the Council:

(a) allow any commercial vehicle or truck to remain or be parked for a period of more than forty eight hours consecutively;

(b) repair, maintain, service or clean a commercial vehicle or truck;

(c) keep, park, repair or store any boat, trailer, caravan, or any material not specifically for the immediate use by the occupant in front of the building setback line.

6.3 Transportable Homes: Council may permit the erection or placement of a transportable or prefabricated home on a lot providing that the design of the building is to the satisfaction of the Council and in its opinion does not adversely affect the amenity of other properties in the vicinity.

6.4 Derelict Vehicles: Council shall not permit the storage and/or wrecking of any vehicle on any street verge or on any lot between the front boundary and the front setback line within any Zone.

6.5 Home Occupations/Cottage Industries

6.5.1 Council shall not permit any Home Occupation or Cottage Industry unless:

- (a) Planning Consent is granted in accordance with Part IX of the Scheme. The Council may limit the period of validity of a permitted Cottage Industry and shall review the register from time to time as the Council deems fit;
- (b) the applicant provides the following information:
 - (i) location of the home occupation/industry;
 - (ii) the area of the floor space to be devoted to the activity;
 - (iii) the times and conditions of the operation;
 - (iv) demonstrate that there is a demand for the goods and services.

6.5.2 Nothing in the Scheme shall prevent the Council from implementing any by-law which it may amend from time to time to control any home occupation or cottage industry and where any conflict between those by-laws and this Scheme the by-laws shall prevail.

6.6 Outbuildings: No outbuilding exceeding 60 m² in area shall be erected on any lot without the consent of the Council in accordance with Part IX of the Scheme and;

- (a) no part of any outbuilding shall be within 0.75 metres of any side or rear boundary, or
- (b) as required under the Residential Planning Codes (as amended), and,
- (c) any additional setback as required by any servicing authority and,
- (d) as otherwise stated in any other part of the Scheme.

6.7 Rear Access and Loading Docks: When considering any application for Planning Consent the Council shall have regard to and may require the provision of loading docks and/or rear access. In particular, the Council may impose conditions concerning:

- (a) the size of loading docks,
- (b) the means of providing rear access of adequate width and design so as to ensure that transport vehicles shall be able to proceed in a forward direction.

Part VII—Car Parking

7.1 Car Parking Requirements: Any person shall not develop or use land or erect, use or adapt any building for any purpose unless car parking spaces of the number specified in Appendix 4 are constructed and maintained in accordance with the provisions of the Scheme.

Where an application is made for Planning Consent and the purposes for which the land or building are to be used is not specified in Appendix 4 the Council shall determine the number of car parking spaces to be provided on the land having regard to the nature of the proposed development, the number of employees likely to be on the site, the prevention of the obstruction of roads and streets, and the orderly and proper planning of the locality and the preservation of its amenity.

7.2 Conditions of Planning Consent: When considering an application for Planning Consent the Council shall have regard to, and may impose conditions on the number and location of the car parking spaces to be provided.

In particular the Council shall have regard to:—

- (a) the means of access to each parking space,
- (b) the location of the spaces on the site and their affect upon the amenity of the any adjoining properties,
- (c) the extent to which the spaces are located within the building setback areas,
- (d) the location of the spaces other than on the lot if such spaces are to be provided in conjunction with a public car park,
- (e) the location of the proposed public footpaths, vehicular crossings, and the effect on both pedestrian and vehicular traffic movements and safety.

7.3 Off Street Parking: Where public off street parking facilities are located or are proposed to be located in the near vicinity of land or building being the subject of an application for Planning Consent the Council may approve such application notwithstanding that the required number of car parking spaces are not to be provided on site subject to:

- (a) the Council being satisfied that off street parking facilities are sufficient to cater for the requirements of the land or buildings,
- (b) the applicant entering into an agreement with the Council to pay for the cost of providing and maintaining the required number of car parking spaces as required.

7.4 Shared or Combined Parking: Where the number of car parking spaces proposed to be provided on land or in a building the subject of an application for Planning Consent is less than the number required to be provided pursuant to the Scheme, the Council may approve the application if it can be demonstrated that off street parking facilities in the near vicinity are available to cater for the requirements of the proposal and that arrangements to the satisfaction of the Council have been made to enable those facilities to be used for that purpose.

7.5 Standards: The dimensions of car parking spaces, parking angles, driveway widths and landscaping detail shall be in accordance with Appendix 4.

The Council may vary any dimension or requirement by up to 10% where obstructions, site dimensions or topography result in the loss of a car parking space in any run of car parking spaces. This provision shall not be used to modify landscaping, shade tree or driveway access requirements.

7.6 Landscaping, Construction and Maintenance: The owner or occupier of premises on which car parking spaces are provided shall ensure that the parking area is landscaped with shade trees, the car parking is laid out, drained and maintained in accordance with the approved plans relating thereto.

7.7 Town Centre Zone: In the Town Centre Zone, if the Council is satisfied that adequate constructed car parking is to be provided in close proximity to a proposed development, notwithstanding the provisions of Appendix 4 it may accept a cash payment in lieu of the provision of car parking spaces but subject to the following requirements:—

- (a) a cash-in-lieu payment shall not be less than the estimated cost to the owner of providing and constructing the parking spaces required by the Scheme, plus the value, as estimated by the Valuer General of Western Australia, of that area of land which would have been occupied by the parking spaces;
- (b) before the Council agrees to accept a cash payment in-lieu parking spaces, the Council must have already provided a public car park nearby, or must have firm proposals for providing a public car park within a period of not more than eighteen months from the time of agreeing to accept the cash payment;
- (c) payments made under this Clause shall be paid into a special fund to be used to provide public car parks in the near vicinity.

Part VIII—Control of Advertisements

8.1 Power to Control Advertisements

8.1.1 For the purpose of this Scheme, the erection, placement and display of advertisements and the use of land or buildings for that purpose is development within the definition of the Act requiring, except as otherwise provided, the prior approval of the Council. Such an approval to Consent is required in addition to any licence pursuant to Council's Signs and Hoarding and Bill Posting By-laws.

8.1.2 Applications for Council's Consent to this Part shall be submitted in accordance with the provisions of Part IX of the Scheme and shall be accompanied by a completed Additional Information Sheet in the form set out at Appendix 5 giving details of the advertisement(s) to be erected, placed or displayed on the land.

8.2 Existing Advertisements: Advertisements which:

- (a) were lawfully erected, placed or displayed prior to the approval of this Scheme, or
- (b) may be erected, placed or displayed pursuant to a licence or other approval granted by the Council prior to the approval of this Scheme, hereinafter in this Part referred to as 'existing advertisements', may, except as otherwise provided, continue to be displayed or be erected and displayed in accordance with the licence or approval as appropriate.

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

8.4 Exemptions from the Requirement to Obtain Consent: Subject to the provisions of the Main Roads (Control of Signs) Regulations 1983 and notwithstanding the provisions of Clause 8.1.1, the Council's prior consent is not required in respect of those advertisements listed in Table 3 which for the purpose of this Part are referred to as 'exempted advertisements'. The exemptions listed in Table 3 do not apply to buildings, conservation areas or landscape protection zones which are either:

- (i) listed by the National Trust;
- (ii) listed on the register of the National Estate;

Table 3

EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 8.4

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
Dwellings	One professional name-plate as appropriate.	0.2 m ²
Home Occupation	One advertisement describing the nature of the home occupation.	0.2 m ²
Places of Worship, Meeting Halls and Places of Public Assembly.	One advertisement detailing the function and/or the activities of the institution concerned.	0.2 m ²

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
Cinemas, Theatres and Drive-in Theatres	Two signs (illuminated or non-illuminated) detailing the entertainment being presented from time to time at the venue upon which the signs are displayed.	Each advertisement sign not to exceed 5 m ² .
Shops, Showrooms and other uses appropriate to a Shopping Area.	All advertisements affixed to the building below the top of the awning or, in the absence of an awning, below a line measured at 5 metres from the ground floor level of the building subject to a compliance with the requirements of the Signs, Hoarding and Bill Posting By-laws.	Not Applicable
Industrial and Warehouse Premises.	<p>A maximum of 4 advertisements applied to or affixed to the walls of the building but not including signs which project above the eaves or the ridge of the roof of the building, and excluding signs projecting from a building whether or not those signs are connected to a pole, wall or other building.</p> <p>A maximum of two free-standing advertisement Signs not exceeding 5 m in height above ground level.</p>	<p>Total area of any such advertisements shall not exceed 15 m²</p> <p>Maximum permissible total area shall not exceed 10 m² and individual advertisement signs shall not exceed 6 m².</p>
Showroom, race courses, major racing tracks, sports stadia, major sporting grounds and complexes.	All signs provided that, in each case, the advertisement is not visible from outside the complex or facility concerned, either from other private land or from public places and streets.	N/A
Public Places and Reserves	<p>(a) Advertisement signs (illuminated and non-illuminated) relating to the functions of Government, a public authority or council of a municipality excluding those of a promotional nature constructed or exhibited by, or on behalf of any such body, and</p> <p>(b) Advertisement signs (illuminated and non-illuminated) required for the management or control of traffic on any public road, car park, cycleway, railway or waterway where such advertisement has been constructed or exhibited by or at the direction of a Government department, public authority or the council of a municipality, and</p> <p>(c) Advertisement signs (illuminated and non-illuminated) required to be exhibited by or pursuant to any statute or regulation or the like made pursuant to powers contained within a Statute provided that any such advertisement is constructed and/or exhibited strictly in accordance with the requirements specified therein.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p>
Railway Property and Reserves.	Advertisement signs exhibited on such land provided that each such advertisement is directed only at persons at or upon a railway station.	No sign shall not exceed 2 m ² in area.
Advertisements within Buildings.	All advertisements placed or displayed within building which cannot ordinarily be seen by a person outside of those buildings.	N/A

Land Use and/or Development Requiring Advertisement	Exempted Sign Type and Number (All non-illuminated unless otherwise stated)	Maximum Area of Exempted Sign
All classes of buildings other than single family dwellings.	One advertisement sign containing the name, number and address of the building, the purpose for which the building is used or the name and address of the managing agent thereof.	0.2 m ²

Temporary Signs	Exempted Sign Type and Number (All non-illuminated unless otherwise stated.)	Maximum Area of Exempted Sign
Building Construction Sites (advertisement signs displayed only for the duration of the construction as follows:		
(i) Dwellings	One advertisement per street frontage containing details of the project and the contractors undertaking the construction work.	2 m ²
(ii) Multiple Dwellings, Shops Commercial & Industrial projects.	One sign as for (i) above.	5 m ²
(iii) Large development or redevelopment projects involving shopping centres, office or other buildings exceeding 3 storeys in height.	One additional sign showing the name of the project builder.	5 m ²
Sales of Goods or Livestock.	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2 m ²

Property Transactions.
Advertisement signs displayed for the duration of a period over which property transactions are offered and negotiated as follows:

(a) Dwellings	One sign per street frontage for each property relating to the sale, leasing or impending auction of the property at or upon which the sign is or the signs are displayed.	Each sign shall not exceed an area of 2 m ² .
(b) Multiple Dwellings, Shops Commercial & Industrial Properties.	One sign as for (a) above.	Each sign shall not exceed an area of 5 m ² .
(c) Large properties comprised of shopping centres, buildings in excess of four storeys and rural properties in excess of 5 ha.	One sign as for (a) above.	Each sign shall not exceed an area in excess of 10 m ² .

Temporary Signs	Exempted Sign Type and Number (All non-illuminated unless otherwise stated.)	Maximum Area of Exempted Sign
Display Homes.		
Advertisement signs displayed for the period over which homes are on display for public inspection.	(i) One sign for each dwelling on display.	2 m ²
	(ii) In addition to (i) above one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	5 m ²

(iii) include in local authority town planning scheme because of their heritage or landscape value.

8.5 Discontinuance: Notwithstanding the Scheme objectives and Clause 8.4, where the Council can demonstrate exceptional circumstances which cause an exempted or existing advertisement to seriously conflict with the objectives of this Part, it may by notice in writing (giving clear reasons) require the advertiser to remove, relocate, adapt or otherwise modify the advertisement within a period of time specified in the notice.

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

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

8.7 Notices

8.7.1 'The advertiser' shall be interpreted as any one or any group comprised of the owner, occupier, licensee.

8.7.2 Any notice served in exceptional circumstances pursuant to Clause 8.5 or pursuant to Clause 8.6 shall be served upon the advertiser and shall specify:

- (i) the advertisement(s) the subject of the notice,
- (ii) full details of the action or alternative courses of action to be taken by the advertiser to comply with the notice,
- (iii) the period, not being less than 60 days, within which the action specified shall be completed by the advertiser.

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

8.8 Scheme to Prevail: Where the provisions of this Part are found to be at variance with the provisions of the Council's Signs, Hoarding and Bill Posting By-laws, the provisions of the Scheme shall prevail.

8.9 Enforcement and Penalties: The offences and penalties provisions specified in Clause 10.2 of the Scheme apply to the advertiser in this part.

Part IX—Planning Consent

9.1 Application for Planning Consent

9.1.1 Every application for Planning Consent shall be made in the form prescribed in Appendix 6 to the Scheme and shall be accompanied by such plans and other information as is required by the Scheme.

9.1.2 Unless Council waives any particular requirement every application for Planning Consent shall be accompanied by:—

- (a) A plan or plans to a scale of not less than 1:500 showing:
 - (i) street names, lot number(s), north point and the dimensions of the site;
 - (ii) the location and proposed use of any existing buildings to be retained and the location and use of buildings proposed to be erected on the site;
 - (iii) the existing and proposed means of access for pedestrians and vehicles to and from the site;
 - (iv) the location, number, dimensions and layout of all car parking spaces intended to be provided;
 - (v) the location and dimensions of any area proposed to be provided for the loading and unloading of vehicles carrying goods of commodities to and from the site and the means of access to and from those areas;
 - (vi) the location, dimensions and design of any landscaped, open storage or trade display area and particulars of the manner in which it is proposed to develop the same;

- (vii) the location of any underground services.
- (b) plans, elevations and sections of any building proposed to be erected or altered and of any building it is intended to retain;
- (c) any other plan or information that the Council may reasonably require to enable the application to be determined.

9.2 Advertising of Applications

9.2.1 Where an application is made for Planning Consent to commence or carry out development which involves an 'SA' use the Council shall not grant consent to that application unless notice of the application is first given in accordance with the provisions of this Clause.

9.2.2 Where an application is made for Planning Consent to commence or carry out development which involves an 'AA' use, or for any other development which requires the Planning Consent of the Council, the Council may give notice of the application in accordance with the provisions of this clause.

9.2.3 Where the Council is required or decides to give notice of an application for Planning Consent the Council shall cause one or more of the following to be carried out:—

- (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.

9.2.4 The notice referred to in Clause 9.2.3 (a) and (b) shall be in the form contained in Appendix 7 with such modifications as circumstances require.

9.2.5 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.

9.3 Determination of Applications

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

9.3.2 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 and the preservation of the amenities of the locality, may refuse to approve any application for Planning Consent or may grant its approval unconditionally or subject to such conditions as it thinks fit.

9.3.3 The Council shall issue its decision in respect of an application for Planning Consent in the form prescribed in Appendix 8 to the Scheme.

9.3.4 Where the Council approves an application for Planning Consent under this Scheme the Council may limit the time for which that consent remains valid.

9.4 Deemed Refusal

9.4.1 Where the Council has not within sixty days of the receipt by it of an application for Planning Consent either conveyed its decision to the applicant or given notice of the application in accordance with Clause 9.2 the application may be deemed to have been refused.

9.4.2 Where the Council has given notice of an application for Planning Consent in accordance with Clause 9.2 and where the Council has not within ninety days of receipt by it of the application conveyed its decision to the applicant, the application may be deemed to have been refused.

9.4.3 Notwithstanding that an application for Planning Consent may be deemed to have been refused under Clauses 9.4.1 or 9.4.2 the Council may issue a decision in respect of the application at any time after the expiry of the sixty day or ninety day period specified in those clauses, as the case may be.

Part X—Administration

10.1 Powers of the Scheme: The Council in implementing the Scheme has, in addition to all other powers vested in it, the following powers:—

- (a) the Council may enter into an 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.
- (b) the Council may acquire any land or buildings in the district pursuant to the provisions of the Scheme or the Act. The Council may deal with or dispose of any land which it has acquired pursuant to the provisions of the Scheme or the Act in accordance with law and for such purpose may make such agreement with other owners as it considers fit.
- (c) 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 served.

10.2 Offences

10.2.1 A person shall not 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 for any purpose:—

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

10.2.2 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.

10.3 Notices

10.3.1 Twenty-eight (28) days written notice is hereby prescribed as the notice to be given pursuant to Section 10 of the Act.

10.3.2 The Council may recover expenses under Section 10 (2) of the Act in a court of competent jurisdiction.

10.4 Claims for Compensation: Except where otherwise provided in the Scheme, the time limit for the making of claims for compensation pursuant to Section 11 (1) of the Act is six (6) months after the date of publication of the Scheme in the *Government Gazette*.

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

ADOPTION

Adopted by resolution of the Council of the Shire of Hall's Creek at the Meeting of the Council held on the day of 19.....

President Date

Shire Clerk Date

FINAL APPROVAL

1. Adopted by Resolution of the Council of the Shire of Hall's Creek at the Meeting of the Council held on the day of 19..... and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

President

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 formal approval was given by the Hon. Minister for Planning on the date shown below.

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

Chairman Date

3. Final approval granted

Minister for Planning Date

APPENDICES

Appendix No. 1

INTERPRETATIONS

Abattoir: means land and buildings used for the slaughter of animals for human consumption and the treatment of carcasses, offal and by-products.

Absolute Majority: shall have the same meaning as is given to it in and for the purposes of the Local Government Act 1960 (as amended).

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

Advertisement Sign: means any board, sign, model, placard, notice, device, wall or part of a building on which words or numbers or figures or other features or emblems are written, placed, affixed or painted for the purpose of advertising, and includes any vehicle or trailer or other similar stationary object placed or located so as to predominantly serve the purpose of advertising.

Amusement Facility: means land and buildings, open to the public, used for not more than two amusement machines where such use is incidental to the predominant use.

Amusement Machine: means a machine, device or games table, mechanically or electronically powered, that releases or makes available balls, discs or other items for projection in or on the machine by the use of springs, flippers, paddles or cues, or electronic devices which are controlled or partly controlled by computer associated with electronic screen(s) operated by one or more players for amusement or recreation.

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

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

Betting Agency: means a building operated in accordance with the Totalisator Agency Board Betting Act 1960 (as amended).

Builder's Storage Yard: means land and buildings used for the storage of building material, pipes, or other similar items related to any trade; and may include manufacture, assembly and dismantling processes incidental to the predominant use.

Building: shall have the same meaning as is given to it in and for the purposes of the Residential Planning Codes.

Building Envelope: means an area of land within a lot marked on a plan forming part of the Scheme outside which building development is not permitted.

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

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

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

Caravan: means a vehicle as defined under the Road Traffic Act 1974-82 maintained in condition suitable for licence under that Act at all times and being designed or fitted or capable for habitation or for dwelling or sleeping purposes.

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

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

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

Cattery: means the use of an approved out-building constructed in accordance with the Health Act Model By-laws Series 'A' Part One—General Sanitary Provisions (as amended) for the purpose of keeping more than three (3) cats over the age of three (3) months.

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

Civic Use: means land and buildings used by a Government Department, an instrumentality of the Crown, or the Council, for administrative, recreational or other purpose.

Club Premises: means land and buildings used or designed for use by a legally constituted club or association or other body of persons united by a common interest whether such building or premises be licensed under the provisions of the Liquor Act, 1970 (as amended) or not and which building or premises are not otherwise classified under the provisions of the Scheme.

Commission: means the State Planning Commission constituted under the State Planning Commission Act 1985.

Consulting Rooms: means a building (other than a hospital or medical centre) used by no more than two practitioners who are legally qualified medical practitioners or dentists, physiotherapists, chiropractors, and persons ordinarily associated with a practitioner, in the prevention or treatment of physical or mental injuries or ailments, and the two practitioners may be of the one profession or any combination of professions or practices.

Convenience Store: means land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents but including the sale of petrol and operated during hours which include but which may extend beyond normal trading hours and providing associated parking. The buildings associated with a convenience store shall not exceed 200 m² gross leasable area.

Day Care 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).

Development: shall have the same meaning given it in and for the purposes of the Act.

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

District: means the Municipal District of the Shire of Hall's Creek.

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

Drive-In Theatre: means land and buildings used to make provision for an audience to view the entertainment 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.

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

- (a) where the site boundaries of a lot are parallel to one another, the length of a line drawn at right angles to such boundaries;
- (b) where the side boundaries of a lot are not parallel to one another, the length of a line drawn parallel to the street frontage and intersecting the side boundaries at the minimum distance from the street alignment at which buildings may be constructed; and
- (c) where a lot is of such irregular proportions or on such steep grade that neither of the foregoing methods can reasonably be applied, such length as determined by the Council.

Equestrian Centre: means land and buildings used for the stabling and exercise of horses and includes facilities for events of a competitive nature.

Factory Unit Building: means an industrial building designed, used or adapted for use as two or more separately occupied production or storage areas.

Family Care Centre: means land and buildings used for the purpose of a Family Care Centre as defined in Child Welfare (Care Centres) Regulations, 1968 (as amended).

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

Fish Shop: means a building where wet fish and similar foods are displayed and offered for sale.

Floor Area: shall have the same meaning given to it and for the purposes of the Building Code of Australia.

Frontage: means the boundary line or lines between a site and the street or streets upon which the site abuts.

Fuel Depot: means land and buildings used for the storage and sale in bulk of solid or liquid gaseous fuel, but does not include a service station.

Funeral Parlour: means land and buildings occupied by an undertaker where bodies are stored and prepared for burial or cremation.

Garden Centre: means land and buildings used for the sale and display of garden products, including garden ornaments, plants, seeds, domestic garden implements and motorised implements and the display but not manufacture of pre-fabricated garden buildings.

Gazettal Date: means the date of which this Scheme is published in the *Government Gazette*.

Gross Leasable Area: means in relation to a building, the 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 shop fronts, basements, mezzanines and storage areas.

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

Home Occupation: means a business or activity carried on with the written permission of the Council within a dwelling house or the curtilage of a house by a person resident therein or within a domestic outbuilding by a person resident in the dwelling house to which it is appurtenant 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, electrical interferences, smell, fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid wastes or waste products or the unsightly appearance of the dwelling house or domestic outbuilding or the land on which the business is conducted;
- (b) does not entail employment of any person not a member of the occupier's family;
- (c) does not occupy an area greater than twenty 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) does not display a sign exceeding 0.2 m² in area;
- (f) in the opinion of the Council it is compatible with the principal uses to which land in the zone in which it is located may be put and will not in the opinion of the Council generate a volume of traffic that would prejudice the amenity of the area;
- (g) does not entail the presence, use or calling of a vehicle of more than two tonnes tare weight;

- (h) does not entail the presence of more than one commercial vehicle and does not include provision for the fuelling or repairing of motor vehicles within the curtilage of the dwelling house or domestic out-building;
- (i) does not entail the offering for sale or display of motor vehicles, machinery or goods (other than goods manufactured or serviced on the premises); and
- (j) does not entail a source of power other than an electric motor of not more than 0.373 kilowatts (0.5 h.p.).

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

Hospital Special Purposes: means a building used or designed for use wholly or principally for the purpose of a hospital or sanatorium for the treatment of infectious or contagious diseases, or hospital for the treatment of the mentally ill or similar use.

Hotel: means land and buildings providing accommodation for the public the subject of a Hotel Licence granted under the provisions of the Liquor Act, 1970 (as amended).

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

- (a) the winning, processing or treatment of minerals;
- (b) the making, altering, repairing, or ornamentation, painting, finishing, cleaning, packing or canning or adapting, or the breaking up or demolition of any article or part of an article;
- (c) the generation of electricity or the production of gas;
- (d) the manufacture of edible goods;
and includes, when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the wholesaling of goods, or the incidental sale of goods resulting from that 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 on land,
 - (iii) in the case of edible goods the preparation of food for sale from the premises.

Industry—Cottage: means an industry which produces arts and crafts goods which cannot be carried out under the provisions relating to a "home occupation" and 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, steam, soot, ash, dust, grit, oil, liquid wastes or waste products;
- (b) where operated in a Residential Zone, does not entail the employment of any person not a member of the occupier's family normally resident on the land;
- (c) is conducted in an out-building which is compatible to the zone and its amenity and does not occupy an area in excess of 55m²;
- (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) does not display a sign exceeding 0.2m² in area.

Industry Extractive: means an industry which involves:

- (a) the extraction of sand, gravel, clay, turf, soil, rock, stone, minerals, or similar substance from the land, and also the storage, treatment or manufacture of products from those materials is extracted or on land adjacent thereto; or
- (b) the production of salt by the evaporation of sea water.

Industry General: means an industry other than a cottage, extractive, hazardous, light, noxious, rural or service industry.

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 will not adversely affect the amenity of the locality by reason of the emission of light, noise, electrical interference, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water or other waste products; and
- (b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected service for the supply or provision of water, gas, electricity, sewerage facilities, or any other like services.

Industry Noxious: means an industry in which the processes involved constitute an offensive trade, within the meaning of the Health Act, 1911-1979 (as amended), but does not include a fish shop, dry cleaning premises, marine collectors yard, laundromat, piggery or poultry farm.

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 or in buildings which may have a retail shop front and from which goods manufactured on the premises may be sold; or land and buildings having a retail shop front and used as a depot for receiving goods to be serviced.

Kindergarten: means land and buildings used as a school for developing the intelligence of young children by object-lessons, toys, games, singing and similar methods.

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

Laundromat: means a building, open to the public, in which coin-operated or other washing machines, with or without provision for drying clothes, are available for use.

Liquor Store: means a building the subject of a Store Licence granted under the provisions of the Liquor Act, 1970 (as amended).

Lot: shall have the same meaning given to it in and for the purposes of, the Act and "allotment" has the same meaning.

Marine Collector's Yard: means land and buildings used for the storage of marine stores under the provisions of the Marine Stores Act, 1902 (as amended) and Land Marine Dealer's Yard and Marine Store have the same meaning.

Market: means land and buildings used for a fair, a farmers' or producers' market, or a swapmeet in which the business or selling carried on or the entertainment provided is by independent operators or stall holders carrying on their business or activities independently of the market operator save for the payment where appropriate of a fee or rental.

Medical Centre: means a building (other than a hospital) that contains or is designed to contain facilities not only for the practitioner or practitioners mentioned under the interpretations of consulting rooms but also for ancillary services such as chemists, pathologists and radiologists.

Milk Depot: means land and buildings to which milk is delivered for distribution to consumers but in which milk is not processed or pasteurised.

Mobile Home: means any vehicle or similar relocatable structure having been manufactured with wheels (whether or not such wheels have been removed) and having no footings other than wheels, jacks or skirtings, and so designed or constructed as to permit independent occupancy or continuous dwelling purposes incorporating its own facilities including bathroom and toilet facilities.

Mobile Home Park: means land upon which two or more mobile homes, occupied for dwelling purposes, are located regardless of whether or not a charge is made for such accommodation.

Motel: means land and buildings used or intended to be used to accommodate patrons in a manner similar to a Hotel or Boarding House but in which special provision is made for the accommodation of patrons with motor vehicles.

Motor Vehicle and Marine Sales Premises: means land and buildings used for the display and sale of new or second hand motorcycles, cars, trucks, caravans and boats or any one or more of them and may include, the servicing of motor vehicles sold from the site.

Motor Vehicle Hire Station: means land and buildings used for the hiring out of motor vehicles and when conducted on the same site, the storage and cleaning of motor vehicles for hire but does not include mechanical repair or servicing of such vehicles.

Motor Vehicle Repair Station: means land and buildings used for the mechanical repair and overhaul of motor vehicles including tyre recapping, retreading, panel beating, spray painting and chassis reshaping.

Motor Vehicle Wash Station: means land and buildings where vehicles are washed and cleaned by or primarily by mechanical means.

Motor Vehicle Wrecking Premises: means land and buildings used for the storage, breaking up or dismantling of motor vehicles and includes the sale of second-hand motor vehicle accessories and spare parts.

Museum: means land and buildings used for storing and exhibiting objects illustrative of antiquities, natural history art, nature and curiosities.

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.

Nursery: means land and buildings used for the propagation, rearing and sale of products associated with horticultural and garden decor.

Office: means a building used for 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.

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 lessor or licensee from the Crown; or
- (d) is entitled to receive or is in receipt of, or if the land were let to a tenant, would be entitled to receive the rents and profits thereof, whether as a beneficial owner, trustee, mortgagee in possession, or otherwise.

Park Home: means a movable dwelling, not being a vehicle as defined under the Road Traffic Act 1974-1982 but constructed and maintained on its own chassis and wheels and capable of mobility at all times although stabilised by jacks and provided with skirtings and so designed and constructed as to permit independent occupancy for dwelling purposes.

Petrol Filling Station: means land and buildings used for the supply of petroleum products and motor vehicle accessories.

Piggery: shall have the same meaning given to it in and for the purposes of the Health Act, 1911-1979 (as amended).

Plot Ratio: shall have the same meaning given to it in the Building Code of Australia except for residential dwellings where it shall have the same meaning given to it in the Residential Planning Codes.

Potable Water: means water in which levels of physical, chemical and bacteriological constituents do not exceed the maximum permissible levels set out in 'International Standards for Drinking Water—Third Edition, World Health Organisation—1971'.

Poultry Farm: means land and buildings used for hatching, rearing or keeping of poultry for either egg or meat production which does not constitute an offensive trade within the meaning of the Health Act, 1911-1979 (as amended).

Prison: shall have the same meaning given to it in and for the purposes of the Prisons Act, 1981 (as amended).

Private Hotel: means land and buildings used for residential purposes the subject of a Limited Hotel Licence granted under the provisions of the Liquor Act 1970 (as amended).

Private Recreation: means land used for parks, gardens, playgrounds, sports arenas, or other grounds for recreation which are not normally open to the public without charge.

Produce Store: means land and buildings wherein fertilisers and grain are displayed and offered for sale.

Professional Office: means a building used for the purposes of his profession by an accountant, architect, artist, author, barrister, chiropractist, consular official, dentist, doctor, engineer, masseur, nurse, physiotherapist, quantity surveyor, solicitor, surveyor, teacher (other than a dancing teacher or a music teacher), town planner, or valuer, or a person having an occupation of a similar nature, and Professional Person has a corresponding interpretation.

Public Amusement: means land and buildings used for the amusement or entertainment of the public, with or without charge.

Public Authority: shall have the same meaning given to it in and for the purposes of the Act.

Public Mall: means any public street or right-of-way designed especially for pedestrians who shall have the right-of-way and vehicle access shall be restricted to service vehicles at times specified by the Council.

Public Recreation: means land used for a public park, public gardens, foreshore reserve, playground or other 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 land and buildings used for the religious activities of a church but does not include an institution for primary, secondary, or higher education or a residential training institution.

Radio and T.V. Installation: means land and buildings used for the transmission, relay and reception of signals and pictures, both commercial and domestic, but does not include domestic radio and television receivers.

Reception Centre: means land and buildings used by parties for functions on formal or ceremonious occasions, but not for unhosted use for general entertainment purposes.

Reformatory: means land and buildings used for the confinement or detention in custody of juvenile offenders against the law with a view to their reformation.

Residential Building: means a building or portion of a building, together with rooms and outbuildings separate from such building but ancillary thereto; such building being used or intended, adapted or designed to be used for the purpose of human habitation—

- temporarily by two or more persons, or
- permanently by seven or more persons,

who do not comprise a single family; but does not include a hospital or sanatorium, a prison, a hotel, a motel or a residential school.

Residential 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 as published in the *Government Gazette* on January 30, 1985.

Restaurant: means a building wherein food is prepared for sale and consumption within the building and the expression shall include a licensed restaurant, and a restaurant at which food for consumption outside the building is sold where the sale of food for consumption outside the building is not the principal part of the business.

Restoration: means any work or process on at or in respect of a building structure or place which wholly or partly brings back the building structure or place to its original condition or which reinstates its historic or natural character either by rebuilding or repairing its fabric or by removing accretions or additions.

Restricted Premises: means any premises, part or parts thereof, used or designed to be used primarily for the sale by retail or wholesale, or the offer for hire, loan or exchange, or the exhibition, display or delivery of:

- (a) publications that are classified as restricted publications pursuant to the Indecent Publications and Articles Act 1902 (as amended); or
- (b) materials, compounds, preparations or articles which are used or intended to be used primarily in or in connection with any form of sexual behaviour or activity.

Rural Pursuit: means 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 goats, sheep, cattle or beasts 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;
- but does not include the following except as approved by the Council:
- (i) the keeping of pigs;
 - (ii) poultry farming;
 - (iii) the processing, treatment or packing of produce;
 - (iv) the breeding, rearing or boarding of domestic pets.

Salvage Yard: means land and buildings used for the storage and sale of materials salvaged from the erection, demolition, dismantling or renovating of, or fire or flood damage to structures including (but without limiting the generality of the foregoing) buildings, machinery vehicles and boats.

Sawmill: means land and buildings where logs or large pieces of timber are sawn but does not include a joinery works unless logs or large pieces of timber are sawn therein.

Schedule: means a schedule to the Scheme.

Service Station: means land and buildings used for the supply of petroleum products and motor vehicle accessories and for carrying out greasing, tyre repairs and minor mechanical repairs and may include a cafeteria, restaurant or shop incidental to the primary use, but does not include transport depot, panel beating, spray painting, major repairs or wrecking.

Shop: means a building wherein goods are kept, exposed or offered for sale by retail, but does not include a bank, fuel depot, market, service station, milk depot, marine collector's yard, timber yard or land and buildings used for the sale of vehicles or for any purpose falling within the definition of industry.

Showroom: means a building wherein goods are displayed and may be offered for sale by wholesale and/or by retail, excluding the sale by retail of: foodstuffs, liquor or beverages; items of clothing or apparel, magazines, books or paper products; medical or pharmaceutical products; china, glassware or domestic hardware; and items of personal adornment.

Stables: means land and building used for the housing and keeping of horses.

Tavern: means land and buildings the subject of a Tavern Licence granted under the provisions of the Liquor Act, 1970 (as amended).

Trade Display: means land and buildings used for the display of trade goods and equipment for the purposes of advertisement.

Transport Depot: means land and buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one such motor vehicle to another of such motor vehicles and includes maintenance, management and repair of the vehicles used, but not of other vehicles.

Transportable Home: means any structure designed for human habitation that is partly or wholly prefabricated at any place other than on the lot upon which it is to be erected.

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 a building used in connection with the treatment of sick animals and includes the accommodation of sick animals.

Warehouse: means a building wherein goods are stored and may be offered for sale by wholesale.

Wayside Stall: means a building situated on private land which offers for sale to the general public produce or any commodity which is produced on the land upon which the buildings are located.

Wholesale: means the sale of any goods to any person or persons other than the ultimate consumer of those goods by a person or his trustee, registered as a 'wholesale merchant' for Sales Tax purposes under the provisions of the Sales Tax Assessment Act No. 1 1930, (as amended).

Wine House: means land and buildings the subject of a Wine House Licence granted under the provisions of the Liquor Act 1970, (as amended).

Zone: means a portion of the Scheme area shown on the map by distinctive colouring, patterns, symbols, hatching, or edging for the purpose of indicating the restrictions imposed by the Scheme on the erection and use of buildings or for the use of land, but does not include reserved land.

Zoological Gardens: means land and buildings used for the keeping, breeding or display of fauna and the term includes Zoo but does not include kennels or keeping, breeding or showing of domestic pets.

Appendix No. 2

SPECIAL RURAL ZONE

Specified Area of Locality	Special Provisions Referring to
Lots 14, 22, 23, 25, 27, 29 to 40, 43, 47 and Reserve 37132	(1) Subdivision of lots to be in accordance with the plan approved by the Commission.
Located on Beckett, Cox and Dehe Streets and Duncan Road.	(2) Building Setbacks
	No structure other than a fence shall be permitted within:
	15 metres from the front boundary
	10 metres from a side boundary
	15 metres from a rear boundary

Appendix No. 3

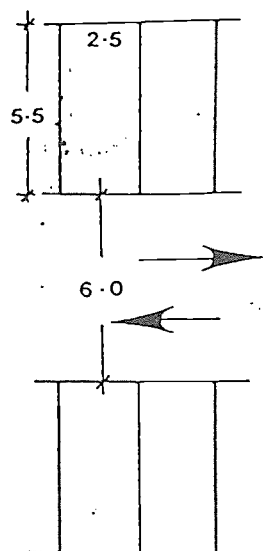
SPECIAL SITES SCHEDULE

Lot No.	Location	Purpose
1	Great Northern Highway	Service Station/Road House
6	Roberta Avenue	Hotel/Motel
Reserve 28456	Roberta Avenue	Caravan Park and Tourist Accommodation
194	Great Northern Highway	Motel/Restaurant
Undefined Lot	McDonald Street	Civic and Community Uses

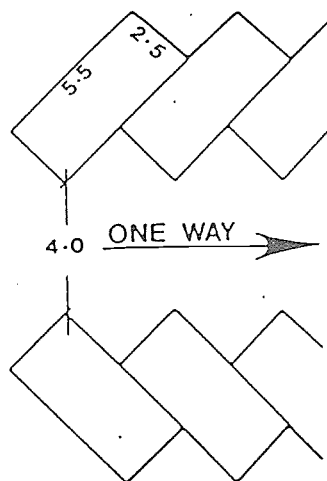
Appendix No. 4

CAR PARKING REQUIREMENTS

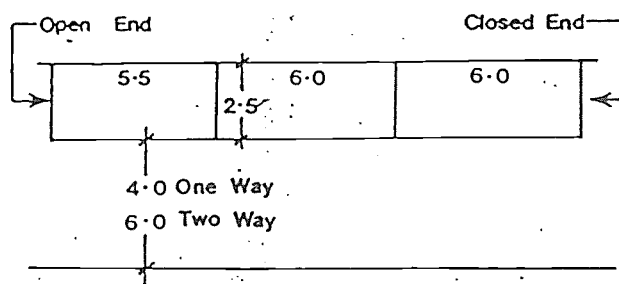
Use	No. of Car Parking Spaces
Single House Attached House Grouped Dwelling	As prescribed within the provisions of the Residential Planning Code
Shop	
Office	
Warehouse/Showroom	1 for every 15 m ² floor area
Industry	1 for every 40 m ² floor area
Licensed Hotel	1 for every 100 m ² floor area
Motel	1 for every 50 m ² floor area
Tavern	1 for every bedroom & 1 for every 4 m ² of public bar/lounge floor area
Residential Building	1 for every bedroom & 1 for every 25 m ² gross floor area of service building
Eating House/Restaurant	1 for every 4 m ² public floor area
Private Club	1 for every bedroom & 1 for every staff member
Church	1 for every 4 persons accommodated
Hospital	1 for every 4 persons accommodated
Medical Centre	1 for every 4 persons accommodated
Motor Repair Station/Service Station	1 for every 4 beds provided & 1 for every person employed
Library/Museum	3 for every consulting room
Take-Away Food Outlet	2 for every working bay & 1 for each employee
T.A.B.	1 for every 35 m ² floor area
	1 for every 10 m ² floor area
	1 for every 10 m ² floor area



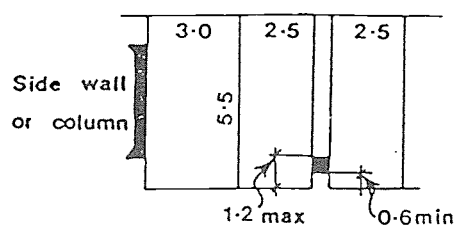
90° Parking



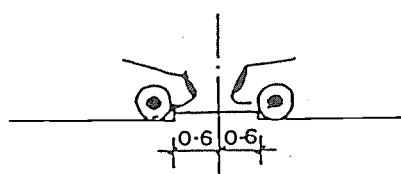
45° Parking



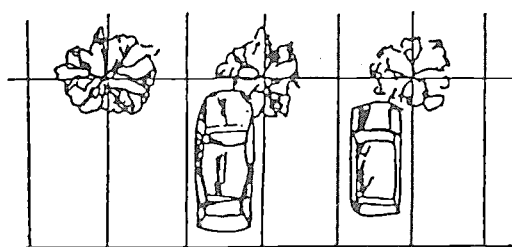
Parallel Parking



Obstructions

Wheel Stop
Modifications

Not to affect drainage



Shade Tree Landscaping

Kerb ring not to exceed 900mm diam

- 90° & 45° Parking - 5.5m x 2.5m
 Parallel Parking - 6.0m x 2.5m
 OR - 5.5m x 2.5m where Open Ended
 Driveway Widths 90° - 6.0m access
 45° - 4.0m one way access
 Parallel - 4.0m one way "
 - 6.0m two way "

CARPARKING

LAYOUTS

CONTROL OF ADVERTISEMENTS
SHIRE OF HALL'S CREEK
ADDITIONAL INFORMATION SHEET FOR ADVERTISEMENT APPROVAL
(to be completed in addition to Application for
Approval to Commence Development Form 1)

1. Name of Advertiser (if different from owner):
2. Address in full:
3. Description of Property upon which advertisement is to be displayed, including full details of its proposed position within that property:
.....
.....
4. Details of Proposed Sign: Height: Width: Depth:
Colours to be used:
Height above ground level (to top of Advertisement:
(to Underside:
Materials to be used:
Illuminated: Yes/No
If yes, state whether steady, moving, flashing, alternating, digital, animated or scintillating etc.:
If yes, state intensity of light source:
5. State period of time for which advertisement is required:
6. Details of signs, if any, to be removed if this application is approved:
N.B. Application should be supported by a photograph or photographs of the premises showing superimposed thereon the proposed position for the advertisement and those advertisements to be removed detailed in 6 above.
Signature of Advertiser(s):
(if different from land owners)
Date:

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)
SHIRE OF HALL'S CREEK
APPLICATION FORM FOR PLANNING CONSENT

1. Surname of Applicant Given Names
Full Address
 2. Surname of Landowner Given Names
(If different from above)
Address
 3. Submitted by
 4. Address for Correspondence
 5. Locality of Development
 6. Title Details of Land
 7. Name of Road Serving Property
 8. State Type of Development
Nature and size of all buildings proposed
Materials to be used on External Surface of Buildings
General Treatment of Open Portions of the Site
Details of Car Parking and Landscaping Proposals
Approximate Cost of Proposed Development
Estimate Time for Construction
- Signature of Owner Signature of Applicant or Agent
- (Both signatures are required if applicant is not the owner)
- Date Date

NOTE: This form should be completed and forwarded to the Hall's Creek Shire Council together with 2 COPIES of detailed plans showing complete details of the development including a site plan showing the relationship of the land to the area generally. In areas where close development exists, or is in the course of construction, plans shall show the siting of buildings and uses on lots immediately adjoining the subject land.

All applications shall be accompanied by:

- (a) a location plan showing the land and the subject of the application and its relationship to surrounding lots and streets;
- and in the case of an application for the erection of new buildings:
- (b) a site plan or plans showing:
 - (i) the position, type and use of all existing buildings and improvements on the land; indicating those to be removed as part of the proposal;
 - (ii) the position, type and use of any new buildings and improvements proposed on the land;
 - (iii) the position of any trees on the site showing those to be removed and those to be retained;
 - (iv) areas to be landscaped, surfaced for parking or developed for any other purpose within the site;
 - (v) contours and any earthworks to be undertaken as a part of the development;
 - (vi) the location and description of any buildings, places or objects (vide Section 2.4);
 - (vii) the method by which stormwater run-off is to be contained on the site or discharged from the site;
- or in the case of an application for a change in the use of land and/or buildings;
- (c) a site plan and, where applicable, floor plan(s) of the existing building(s) indicating the uses to be made of the land and the respective buildings or portions of the building(s).

Appendix No. 7

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

SHIRE OF HALL'S CREEK

TOWN PLANNING SCHEME No. 1

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. 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

.....
SHIRE CLERK

.....
DATE

Appendix No. 8

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

SHIRE OF HALL'S CREEK

DECISION ON APPLICATION FOR PLANNING CONSENT

The Council or its delegated officer having considered the application dated
submitted by on behalf of

hereby advise that it has decided to:

REFUSE/GRANT APPROVAL: TO COMMENCE DEVELOPMENT
TO DISPLAY AN ADVERTISEMENT

subject to the conditions for the following reasons:—

.....
SHIRE CLERK

.....
DATE

ADOPTION

Adopted by resolution of the Council of the Shire of Hall's Creek at the Meeting of the Council held on the 27th day of April 1989.

Dated 22 March 1990.

M. H. EDWARDS, President.

P. FOSTER, Shire Clerk.

FINAL APPROVAL

1. Adopted by Resolution of the Council of the Shire of Hall's Creek at the Ordinary Meeting of the Council held on the 13th day of December 1990 and the seal of the Municipality was pursuant to that resolution hereto affixed in the presence of:

M. H. EDWARDS, President.

P. FOSTER, 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 formal approval was given by the Hon. Minister for Planning on the date shown below.

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

Dated 20 February 1991.

JOHN F. FORBES, for Chairman, State Planning Commission.

3. Final approval granted.

Dated 25 February 1991.

DAVID SMITH, Hon. Minister for Planning.

POLICE

PE401**ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Chief Superintendent (Traffic) being the delegated officer of the Minister for Police under section 84 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the local authorities having been obtained and nominated for the purpose of cycle racing by members/entrants of the Melville Fremantle Cycling Club on April 6, 27, 1991 between the hours of 1330-1630 hours, do hereby approve the temporary suspension of Regulations made under such Act on the carriageways mentioned hereunder.

Racing to be confined to the extreme left hand side of the carriageway only on Hope Valley Road, Mandogalup Road, Watelup Road, Postans Road, Hope Valley.

All participants to wear approved head protection at all times.

Dated at Perth this 20th day of March 1991.

A. R. PILKINGTON, Chief Superintendent (Traffic).

PE402**ROAD TRAFFIC ACT 1974**

I, Anthony Royston Pilkington, Chief Superintendent (Traffic) being the delegated officer of the Minister for Police under section 84 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the local authorities having been obtained and nominated for the purpose of cycle racing by members/entrants of the Midland Cycle Club on April 14, 21, 28, 1991 between the hours of 0900-1200 hours do hereby approve the temporary suspension of Regulations made under such Act on the carriageways mentioned hereunder.

Racing to be confined to the extreme left hand side of the carriageway only on Wilkin Street, Henkin Street, Clayton Road, Military Road, Helena Valley Road, Scott Road, Sampson Road, Kathrine Street, Bellevue.

All participants to wear approved head protection at all times.

Dated at Perth this 22th day of March 1991.

A. R. PILKINGTON, Chief Superintendent (Traffic).

PE403

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Chief Superintendent (Traffic) being the delegated officer of the Minister for Police under section 84 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the local authorities having been obtained and nominated for the purpose of cycle racing by members/entrants of the Albany Cycling Club on April 6, 13 and 20, 1991 between the hours of 1400 and 1600 hours, do hereby approve the temporary suspension of Regulations made under such Act on the carriageways mentioned hereunder.

Racing to be confined to the extreme left hand side of the carriageway only on Adelaide Crescent, Garden Street, Middleton Road-Eyre Park, Albany.

All participants to wear approved head protection at all times.

Dated at Perth this 26th day of March 1991.

A. R. PILKINGTON, Chief Superintendent (Traffic).

PE404

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Chief Superintendent (Traffic) being the delegated officer of the Minister for Police under section 84 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the local authorities having been obtained and nominated for the purpose of cycle racing by members/entrants of the Australian Glass Manufacturers Company on April 10 and 21, 1991 between the hours of 1000 hours and 1300 hours, do hereby approve the temporary suspension of Regulations made under such Act on the carriageways mentioned hereunder.

Racing to be confined to the extreme left hand side of the carriageway only on Baile Road and Bannister Road, Canning Vale.

All participants to wear approved head protection at all times.

Dated at Perth this 26th day of March 1991.

A. R. PILKINGTON, Chief Superintendent (Traffic).

PE405

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Chief Superintendent (Traffic) being the delegated officer of the Minister for Police under section 84 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the local authorities having been obtained and nominated for the purpose of cycle relay and time trial by members/entrants of the Rotary Club of Bunbury Leschenault on April 14, 1991 between the hours of 0900-1130, do hereby approve the temporary suspension of Regulations made under such Act on the carriageways mentioned hereunder.

Racing to be confined to the extreme left hand side of the carriageway only on Old Coast Road-Paris Road-Bunbury By-pass Road-Old Coast Road, Australind.

All participants to wear approved head protection at all times.

Dated at Perth this 26th day of March 1991.

A. R. PILKINGTON, Chief Superintendent (Traffic).

PE406

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Chief Superintendent (Traffic) being the delegated officer of the Minister for Police under section 84 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the local authorities having been obtained and nominated for the purpose of Half Marathon Club on April 21, 1991 between the hours of 0700-1000 hours, do hereby approve the temporary suspension of Regulations made under such Act on the carriageways mentioned hereunder.

Racing to be confined to the extreme left hand side of the carriageway only on Mews Road, Ocean Drive, Ocean Road, Hulbert Street, Douro Road, Marine Terrace, Cliff Street, Phillimore Street, Elder Place, Beach Street, Victoria Quay Road.

Dated at Perth this 26th day of March 1991.

A. R. PILKINGTON, Chief Superintendent (Traffic).

PE407

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Chief Superintendent (Traffic) being the delegated officer of the Minister for Police under section 84 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the local authorities having been obtained and nominated for the purpose of a triathlon by members/entrants of the Central Midlands Senior High School Committee on March 28, 1991 between the hours of 1.00 pm-3.00 pm, do hereby approve the temporary suspension of Regulations made under such Act on the carriageways mentioned hereunder.

Racing to be confined to the extreme left hand side of the carriageway only on Roberts Street, Clinch Street, Gardiner Street, Moora/Walebing Road, Atbara Street, Ranfurly Street, Moora.

All participants to wear approved head protection at all times.

Dated at Perth this 26th day of March 1991.

A. R. PILKINGTON, Chief Superintendent (Traffic).

PE408

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Chief Superintendent (Traffic) being the delegated officer of the Minister for Police under section 84 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the local authorities having been obtained and nominated for the purpose of a triathlon by members/entrants of the Cottesloe Surf Life Saving Club on 7 April 1991 between the hours of 0700-1100, do hereby approve the temporary suspension of regulations made under such Act on the carriageways mentioned hereunder.

Racing to be confined to the extreme left hand side of the carriageway only on Marine Parade, Cottesloe.

Dated at Perth this 26th day of March 1991.

A. R. PILKINGTON, Chief Superintendent (Traffic).

PE409

ROAD TRAFFIC ACT 1974

I, Anthony Royston Pilkington, Chief Superintendent (Traffic) being the delegated officer of the Minister for Police under section 84 (6) of the Road Traffic Act 1974, pursuant to the powers conferred by section 83 (1) of that Act, and the consent of the local authorities having been obtained and nominated for the purpose of a triathlon by members/entrants of the Sorrento Surf Life Saving Club on 21 April 1991 between the hours of 0700-1000, do hereby approve the temporary suspension of regulations made under such Act on the carriageways mentioned hereunder.

Racing to be confined to the extreme left hand side of the carriageway only on West Coast Highway, Hepburn Avenue, Marmion Avenue, Whitfords Avenue, Hillarys.

All participants to wear approved head protection at all times.

Dated at Perth this 26th day of March 1991.

A. R. PILKINGTON, Chief Superintendent (Traffic).

PREMIER AND CABINET

PR401

MINISTRY OF THE PREMIER AND CABINET

It is hereby notified for public information that His Excellency the Governor, on behalf of Her Majesty the Queen, has approved of the retention of the title "The Honourable" for life by the following persons who served for more than three years as members of the Executive Council of Western Australia—

Jeffrey Phillip Carr

Gavan John Troy

D. G. BLIGHT, Director General,
Ministry of the Premier and Cabinet.

RACING AND GAMING

RA401

SUMMARY OF LIQUOR LICENSING APPLICATIONS

The following is a summary of applications received under the Liquor Licensing Act 1988 and required to be advertised. Any person wishing to obtain more details about any application, or about the objection process, should contact the Liquor Licensing Division, 1st Floor, Hyatt Centre, 87 Adelaide Terrace, Perth (telephone: 425 1888), or consult a solicitor or relevant industry organisation.

App No.	Applicant	Nature of Application	Last Day For Objections
TRANSFER OF LICENCE			
208	Zhen Kai Wu and Ying	Application for transfer restaurant for premises known as Garden Palace Chinese Restaurant situated in Australind from Hazbout Pty Ltd	5/4/91
209	Alexandra Holdings P/L	Application for transfer of a tavern licence for premises known as Odin Tavern situated Balcatta from Eler Pty Ltd	27/3/91
NEW LICENCE			
56A/90	Northbank Holdings P/L	Application for a cabaret licence in respect of City Heat Nightclub (Grosvenor Hotel), Cnr Hay and Hill Streets, Perth	23/4/91

G. B. AVES,
Director of Liquor Licensing.

TENDERS

ZT101

BUILDING MANAGEMENT AUTHORITY

Acceptance of Tenders

Tender No.	Project	Contractor	Amount
			\$
24932....	Australind High School— Stage 3	J. M. Best & Son Holdings Pty. Ltd.	566 632
24942 ...	Bunbury Regional Prison— Perimeter Security Weld Mesh Fence	Swift Industrial Fencing	91 550
24925 ...	Derby District High School— Art & Craft Facility	Goldawn Constructions	258 390
24930 ...	Eden Hill Primary School— Covered Assembly	Scaffidi Developments	149 000

C. BURTON, Executive Director,
Building Management Authority.

ZT201

MAIN ROADS DEPARTMENT

Tenders

Tenders are invited for the following projects.

Tender documents are available from the Contracts Clerk, Ground Floor, Main Roads Department, Waterloo Crescent, East Perth.

Tender No.	Description	Closing Date
184/90 ..	Construction of eleven (11) water bores along Eyre Highway between Balladonia and Cocklebiddy, over a distance of approx. 172 km. Testing of a further three (3) existing bores between Norseman and Cocklebiddy.	Tuesday, April 16, 1991

Tender documents may also be obtained from the Administration Manager, Lower Hannan Street, Kalgoorlie.

ZT202

Acceptance of Tenders

Contract No.	Description	Successful Tenderer	Amount
			\$
172/90 ..	Supply and delivery of road pavement materials to July 31, 1991 Metropolitan Division.	The Readymix Group Atlas Quarries Boral Quarries Pioneer Concrete (WA) P/L Western Quarries	As required
185/90 ..	Purchase demolition and removal of improvements at Lot 20 (39) Tudor Ave, Shelley.	Tony's Contracting Company	
168/90 ..	Supply and delivery of one only four wheel drive flat top truck	Major Motors Pty Ltd	53 138.00
163/90 ..	Supply and delivery of one to three crew cab flat top trucks	Major Motors Pty Ltd	40 938.00 each

D. R. WARNER, Director, Administration and Finance.

ZT301

STATE TENDER BOARD OF WESTERN AUSTRALIA

Tenders Invited

Tender forms and full particulars of the Schedule hereunder may be obtained on application at the State Tender Board, 815 Hay Street, Perth, 6000.

TELEPHONE No. 222 8491 or 222 8241

FACSIMILE No. 321 7918

Date of Advertising		Description	Date of Closing
March 1	112A1991	Supply of Diesel Fuel, Bulk and Drum requirements for various Government Departments—Group Class No. 9140	Extended to May 2
March 15	47A1991	Section 1—Supply and delivery of "Recycled" Laser Printer Toner Cartridge Service Section 2—Supply and delivery of "New" Laser Printer Toner Cartridges (for a period of 12 months with an option to extend for a further 12 month period)—Group Class No. 7025	
March 15	68A1991	Supply and delivery of Poultry, Fresh and Frozen to various Government Departments—Group Class No. 8905	April 11
			April 11

STATE TENDER BOARD OF WESTERN AUSTRALIA—*continued*
Tenders Invited

Date of Advertising		Description	Date of Closing
March 15	366A1991	One (1) to Four (4) only Heavy Duty Tandem Drive Graders in accordance with Specification P189-5 for the Main Roads Department—Group Class No. 3805	April 11
March 15	367A1991	One (1) to Four (4) Four Wheel Drive Loaders in accordance with Specification P139-2 for the Main Roads Department—Group Class No. 3805	April 11
March 15	368A1991	One (1) to Nine (9) Tandem Drive Graders in accordance with Specification P53-8 for the Main Roads Department—Group Class No. 3805	April 11
March 15	364A1991	Supply, delivery and commissioning of an Endoscopic Ultrasound Unit for the Department of Radiology for the Royal Perth Hospital—Group Class No. 6525	April 18
March 15	365A1991	Supply, delivery and commissioning of a Multi-Channel EMG/Evoked Potential Equipment for Neurological Diagnosis and Monitoring for the Department of Neurology—Royal Perth Hospital—Group Class No. 6525	April 18
March 15	369A1991	Supply, delivery and commissioning of Two (2) Blood Serum Chemistry Analysers for the Biochemistry Department, Royal Perth Hospital—Group Class No. 6525	April 18
March 22	96A1991	Supply and Delivery of Disinfectants and Antiseptics to meet a Whole of Health Requirement for a one (1) year period—Group Class No: 6505	April 18
March 22	100A1991	Supply and Delivery of Drugs to meet a Whole of Health Requirement for a one (1) year period—Group Class No: 6505	April 18
March 28	375A1991	Supply and Delivery of one hundred (100) Rotary, Push Sweepers for the Ministry of Education—Group Class No: 3825	April 18
April 5	32A1991	Icecream for various Government Departments for a one year period with an option to extend for a further one year period—Group Class No. 8910 .	May 2
April 5	99A1991	Supply and Delivery of Sterile Fluids Large Volume to meet a whole of Health requirement, for a one (1) year period with an option of a further one (1) year period—Group Class No. 6505	May 2
March 1	112A1991	Supply of Diesel Fuel, Bulk and Drum requirements for various Government Departments—Group Class No: 9140	April 18
<i>For Service</i>			
March 15	52A1991	Conduct of Funerals of Deceased Indigent Persons in Country Areas for a period of two years from 1 June, 1991 to May 31, 1993—Service Code: ABZZ	April 11
March 28	376A1991	Provision of a Consultancy Service to review the Operations of the Royal Flying Doctor Service in Western Australia for the Health Department W.A.—SECWA Code: ADZZ	May 2
<i>For Sale</i>			
March 22	370A1991	Surplus Miscellaneous Equipment for the Department of Conservation and Land Management—Ludlow	April 18
March 22	371A1991	1985 Nissan Cabstar Tray Top Truck (MRD 8706)—Recall for the Main Roads Department—Welshpool	April 18
March 22	372A1991	Secondhand Aveling Barford Steel Wheel Roller (MRD 1969) for the Main Roads Department—Welshpool	April 18

STATE TENDER BOARD OF WESTERN AUSTRALIA—continued

For Sale

Date of Advertising		Description	Date of Closing
March 22	373A1991	1981 Isuzu SBR422 Crew Cab Truck (MRD 5589) and 1986 Mazda T3500 Crew Cab Truck (MRD 9355) for the Main Roads Department—Welshpool	April 18
March 22	374A1991	1984 Toyota Coaster (MRD 7220) for the Main Roads Department—Welshpool	April 18
April 5	377A1991	1987 Nissan Patrol 4x4 Tray Back (6QJ 722) for Conservation & Land Management—Mundaring.	May 2
April 5	378A1991	1988 Toyota Hilux Crew Cab Ute (MRD 2477), 1989 Holden Jackaroo Station Wagon (MRD A345), 1989 Nissan Pintara Station Wagon (MRD A905), 1990 Ford Falcon Ute (MRD B406) for Main Roads Department—Welshpool	May 2
April 5	379A1991	1989 Mitsubishi Express Combi (MRD A335), 1989 Toyota Hilux Crew Cab Ute (MRD A551), 1990 Mitsubishi Triton Ute (MRD A899), 1989 Mitsubishi Triton Crew Cab Ute (MRD A912) for the Main Roads Department—Welshpool	May 2
April 5	380A1991	1990 Mitsubishi Triton Ute (MRD A977), 1989 Ford Falcon Ute (MRD B132), 1990 Ford Falcon Ute (MRD B285), 1990 Ford Falcon Panel Van (MRD B316), 1988 Toyota Hilux Crew Cab Ute (MRD 2511) for the Main Roads Department—Welshpool	May 2
April 5	381A1991	Surplus Miscellaneous Equipment for the Department of Agriculture—Derby	May 2

Tenders, addressed to the Chairman, State Tender Board, 815 Hay Street, Perth 6000 will be received for the abovementioned tenders until 10.00 am on the date of closing.

Tenders must be properly endorsed on envelopes otherwise they are liable to rejection. No tender necessarily accepted.

L. W. GRAHAM, Chairman, State Tender Board.

ZT302

Accepted Tenders

Schedule No.	Particulars	Contractor	Rate
	<i>Supply</i>		\$
135A1991	Furniture, Groups 3 & 6 for Various Government Departments for a One Year Period	Various.....	Details on Request
353A1991	Storage Containers, Security for Handguns, Modular, for the Police Department	Brownbuilt Metalux Industries.....	110 720.00 Total
	<i>Service</i>		
337A1991	Provision of the Service of Conservation and Implementation of Systems from a Concurrent Computer to a Vax/Oracle Environment for the Department of Planning & Urban Development	Australian Technology Resources	98 000.00 Total
	<i>Purchase and Removal</i>		
339A1991	1987 Mitsubishi Express 4x4 Van (6QO 680)	Dean Cunningham	Item 3 12,300.00
	1988 Toyota Land Cruiser 4x4 Tray Back (6QR 353)—Mundaring	B. H. White	Item 6 11,280.00

ZT401

WATER AUTHORITY OF WESTERN AUSTRALIA

Tenders

Tenders are invited for the projects listed below and will be accepted up to 2.30 pm on the closing date specified.

Tender documents are available from the Supply Services Branch, Level 2, Entry 4, John Tonkin Water Centre, 629 Newcastle Street, Leederville, WA 6007.

Tender documents must be completed in full, sealed in the envelope provided and placed in the Tender Box located at the above Leederville address.

The lowest or any tender may not necessarily be accepted.

Contract No.	Description	Closing Date
		1991
AM 11014	Supply of 1 200 mm nominal diameter non-pressure reinforced concrete pipes and bends Class Z 3590 plastic lined complete with necessary rings for Slade Street Pump Station Diversion	9 April

ZT402

Accepted Tenders

Contract	Particulars	Contractor	Price
AM 900623 ...	Construction of Tamworth Hill Reservoir Pond No. 1 Roof, Baldivis	Barclay Mowlem Construction (W.A.) Ltd. ..	\$1 588 235
AV 13308	Supply of One (1) Only Tandem Drive Grader in accordance with specification 91P/4	Blackwood Hodge (Aust.) Pty. Ltd.	\$92 900
KM 10201	Construction of replacement roof Minnivale Pumping Station	Lipak Pty Ltd	\$24 605
AP 11001	Supply of dry well waste-water pumps for Slade Street Wastewater Pump Station	Ajax Pumps Pty Ltd	\$124 516
AP 12004	Supply and delivery of Aqueous Ammonia Solution to the Authority's Bulk Storage Tank at Mundaring Weir for a twenty four (24) month period 1991/93	Rampire Laboratories	Schedule of Rates
AV 13309	Supply of one (1) 9 300 kg G.V.M. Gang Truck in accordance with Specification 91V/4	Prestige Toyota	\$31 141
AP 902053	Supply of stainless steel repair clamps for a twelve (12) month period	Malco Engineering Pty Ltd Wangaratta Industries Pty Ltd Northgard Service Pty Ltd Scuttons Ltd	Schedule of Rates

W. COX, Managing Director.

PUBLIC NOTICES

ZZ201

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 to send particulars of their claims to R&I Trustees Limited of 5th Floor, 54-58 Barrack Street, Perth on or before the expiration of one month from the date of publication of this notice after which date the Company may convey or distribute the assets, having regard only to the claims of which it then has notice—

Dwyer, Basil Bede, late of Unit 2/40 Axford Street, Como, Retired Public Servant, died 19/2/91.

Hindley, George James, late of Unit 3/1 Riverview Street, South Perth, Electrical Contractor, died 23/12/90.

Dated this 25th day of March 1991.

A. J. HALL, Business Development Officer.

ZZ202

TRUSTEES ACT 1962

Section 63

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962, relates) in respect of the estate of Winifred Martha Smith (in the Will Winifred Martha Orton also known as Winifred Martha Orton-Smith and Winifred Bernadette Orton-Smith) formerly of Beverly Hills in the State of New South Wales, late of 8 Matson Street, Medina in the State of Western Australia, Divorcee, deceased who died on 4 July 1989 at Fremantle in the said state are required by the Executor and Trustee of care of Messrs. Dwyer Durack, Barristers and Solicitors of 9th Floor, National Bank House, 50 St George's Terrace, Perth to send particulars of their claims to him by 6 May 1991 after which date the trustee may convey or distribute the assets having regard only to the claims of which he then has notice.

DWYER DURACK, Solicitors for the Executor.

ZZ203

TRUSTEES ACT 1962

Notice to Creditors and Claimants

Creditors and other persons having claims (to which section 63 of the Trustees Act relates) in respect of the estates of the undermentioned deceased persons are required to send particulars of their claims to me on or before the 6th May 1991, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Baker, Charles Clifford, late of 20 Lights Road, Denmark, died 5/2/91.
Bateman, Gladys Constance, late of 16 Blinco Street, Fremantle, died 28/2/91.
Boswell, William Edgar, late of E4 Cottage Drive, "Rowethorpe", Bentley, died 28/1/91.
Brice, Henrietta, late of Gracewood Nursing Home, 20 Roebuck Drive, Manning, died 18/3/91.
Brown, Ronald John, late of Unit 7/56 Meakers Way, Girrawheen, died 6/1/91.
Campbell, Billy, late of Leonora District Hospital, died 30/1/91.
Chick, Elizabeth, late of 223 Esther Street, Belmont, died 3/3/91.
Coole, James, late of 11 Bedbrook Place, Shenton Park, died 31/1/91.
Crispin, Thomas Edward, late of 125 Williamson Avenue, Cloverdale, died 21/2/91.
Cucel, John Frances, late of 6 Boundary Road, St James, died 8/3/91.
Davies, Kenneth Stanley, late of 8 Blackdown Way, Karrinyup, died 25/2/91.
Davis, Lorna Beryl, formerly of Unit 1/7 Clearview Avenue, Yokine, late of Osborne Lodge, Osborne Place, Osborne Park, died 25/2/91.
Heath, Peter Anthony, late of 108 Harold Street, Mount Lawley, died 25/2/91.
Hickey, Beryl Evelyn, late of Unit 54/303 Harborne Street, Glendalough, died 20/2/91.
King, Mary Mona, late of RAAF Association, Bull Creek Drive, Bull Creek, died 3/3/91.
Leggatt, Brenda Leslie, late of 15 Devenish Street, East Victoria Park, died 18/2/91.
Legge, Donella Theresa, late of Charles Jenkins Hospital, Rowethorpe, Hayman Road, Bentley, died 22/2/91.
Marshall, George Denistown, late of 12 Patrick Street, Bunbury, died 7/2/91.
Middleton, Norman, Sydney, late of Unit 15/227 Scarborough Beach Road, Doubleview, died 27/2/91.
Monteleone, Domenico, late of Unit 2/21 Wilcock Avenue, Balcatta, died 11/3/91.
Mutch, Francis Rowland, late of Little Sisters of the Poor, Rawlins Street, Glendalough, died 28/2/91.
Palmer, Alice Elizabeth Maud, late of Unit 41, 38 Kings Park Road, West Perth, died 3/3/91.
Pitson, Jane, late of Valencia Nursing Home, Valencia Road, Carmel, died 29/12/90.
Powell, Ross Dausey, late of 15 Greenshields Way, Redcliffe, died 1/3/91.
Power, Hilda May, late of Mertome Village, Winifred Street, Bayswater, died 3/3/91.
Sinclair, Elizabeth Marcus, late of Charles Jenkins Hospital, Rowethorpe, Hayman Road, Bentley, died 25/2/91.
Smythe, Peter Hayden, late of 8B/93 Thomas Street, Subiaco, died 14/12/90.
Stephenson, Maxwell Coleman, late of 5 Montrose Avenue, Darlington, died 3/3/91.
Stevens, Bertha May, late of Unit 15/61 Jeanes Road, Karrinyup, died 6/3/91.
Stewart, Winifred, late of Mon Repos Nursing Home, Palmerston Street, Mosman Park, died 13/3/91.
Wallace, John Roy, late of 8 Lochee Street, Mosman Park, died 15/3/91.
Dated this 27th day of March 1991.

K. E. BRADLEY, Public Trustee,
Public Trust Office, 565 Hay Street, Perth 6000.

ZZ402

COMPANIES (CO-OPERATIVE) ACT 1943

NOTICE OF INCREASE IN SHARE CAPITAL BEYOND THE REGISTERED CAPITAL

Section 66

(Ord River District Co-operative Limited)

Ord River District Co-operative Ltd hereby gives notice that by a resolution of the Company passed on the 28th February 1991 the nominal share capital of the Company was increased by the addition thereto of the sum of \$500 000 divided into 250 000 shares of \$2.00 each beyond the current registered capital of \$500 000.

The additional capital is divided as follows:

Number of Shares	Class of Shares	Nominal amount of each Share
250 000	Ordinary	\$2.00

The conditions (eg voting rights, dividends, etc) subject to which the new shares have been or are to be issued are as follows:

In all respects the same as existing ordinary shares.

The rights attached to the preference shares or to each class of preference shares forming part of the original or increased capital of the Company are:

Not applicable.

Dated this 7th day of March 1991.

I. M. RUDD, Director or Secretary.

ZZ401

DISSOLUTION OF PARTNERSHIP

V. J. and J. M. Chitty

Take notice that the partnership between Vernon John Chitty and Judith Mary Chitty in the business known as Busselton Fruit and Vege Supply carried on at 47 Prince Street, Busselton was as and from the 22nd of March, 1991 dissolved.

SHADDICK OWENS & RICHARDS, Solicitors for Vernon John Chitty.

ZZ403

DISSOLUTION OF PARTNERSHIP

Take notice that the Partnership between Michael C. Cahill/Ann R. Cahill and Derek Crowther/Michael Heath trading as "Vajras Teahouse" at 4 Elder Place, Fremantle, Western Australia, has been dissolved with effect from 2 April, 1991. Derek Crowther and Michael Heath will continue trading under the name "Vajras Teahouse", telephone number remains unchanged at (09) 335 3802.

A. CAHILL.

ZZ501

DISPOSAL OF UNCOLLECTED GOODS ACT 1970

Notice Under Part 6 of Intention to Apply to Court for an Order to Sell or Otherwise Dispose of Goods

To Michael Stephen Searle, 160B Calais Road, Wembley Downs, Bailor.

1. You were given notice on the 16th day of July 1990 that goods situated at 160A Calais Road, Wembley Downs in the State of Western Australia are now ready for re-delivery.
2. Unless not more than one month after the date of the giving of this notice you take re-delivery of the goods or give directions for their re-delivery, Theodore Arthurs of 160A Calais Road, Wembley Downs, Bailee, intends making an application to the Court for an order to sell or otherwise dispose of them in accordance with the Act.

KOTT GUNNING,
11th Floor, 66 St. George's Terrace, Perth WA 6000.
Solicitors for the Bailee.

ZZ502

DISPOSAL OF UNCOLLECTED GOODS ACT 1970

Notice Under Part 6 of Intention to Apply to Court for an Order to Sell or Otherwise Dispose of Goods

To: Helena Attard (also known as Helen Schaffer also known as Helena Richardson also known as Hertha Attard), 160B Calais Road, Wembley Downs, Bailor.

1. You were given notice on the 16th day of July 1990 that goods situated at 160A Calais Road, Wembley Downs in the State of Western Australia are now ready for re-delivery.
2. Unless not more than one month after the date of the giving of this notice you take re-delivery of the goods or give directions for their re-delivery, Theodore Arthurs of 160A Calais Road, Wembley Downs, Bailee, intends making an application to the Court for an order to sell or otherwise dispose of them in accordance with the Act.

KOTT GUNNING,
11th Floor, 66 St. George's Terrace, Perth WA 6000,
Solicitors for the Bailee.

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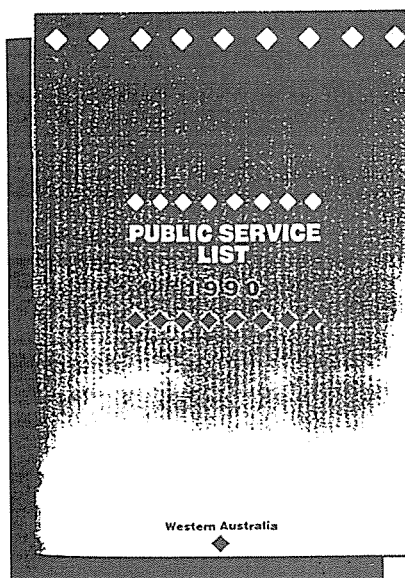
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WESTERN AUSTRALIA

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