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1429



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G. L. DUFFIELD, Director.

PROCLAMATION

AA101

PETROLEUM ACT 1967

PROCLAMATION

WESTERN AUSTRALIA
FRANCIS BURT,
Governor.
[L.S.]

} By His Excellency the Honourable Sir Francis
Theodore Page Burt, Companion of the Order of
Australia, Knight Commander of the Most Disting-
uished Order of Saint Michael and Saint
George, Queen's Counsel, Governor of the State
of Western Australia.

Whereas it is enacted by subsection (2) of section 15 and subsection (2) and (3) of section 152 of the Petroleum Act 1967 that notwithstanding the Land Act 1933 or any other Act the Governor, by proclamation, may declare that any land of the Crown or part thereof reserved for or dedicated to any public purpose under any Act and howsoever classified that:

- (a) is not Crown Land within the meaning of that expression in section 5 of the Act; and
- (b) is specified in the proclamation, is Crown Land for the purposes of the Petroleum Act 1967 and is land to which that Act applies, so long as the proclamation remains in force.

Now, therefore, I the Governor acting with the advice and consent of the Executive Council and in the exercise of the powers under subsection (2) of section 15 of the Petroleum Act 1967, do hereby declare that the land of the Crown comprising Reserve No. 40728 classified as Class "C" and set apart for the purpose of Recreation and Coastal Management pursuant to the provisions of the Land Act 1933 is Crown Land for the purpose of the Petroleum Act 1967 and is land to which the Petroleum Act 1967 applies so long as this proclamation remains in force.

Given under my hand and the Seal of the State on 2 March 1993.

By His Excellency's Command,

GEORGE CASH, Minister for Mines.

GOD SAVE THE QUEEN !

AGRICULTURE

AG301

PERTH MARKET ACT 1926

PERTH MARKET AMENDMENT BY-LAWS 1993

Made by The Perth Market Authority and approved of and confirmed by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Perth Market Amendment By-laws 1993*.

Schedule 1 amended

2. Schedule 1 to the *Perth Market By-laws 1990** is amended in column 3 in the item relating to by-law 18 by deleting "20" and substituting the following —

" 100 "

[* *Published in the Gazette of 28 December 1990.*
For amendments to 29 January 1993 see 1991 Index to Legislation
of Western Australia, p. 441 and Gazette of 27 November 1992.]

Made by the Perth Market Authority by resolution adopted on
the 3rd day of December 1992.

W. J. TOMS, Chairman.
I. A. MANNING, Manager.

Approved and confirmed by His Excellency the Governor in Executive Council.
Dated 2 March 1993.

D. G. BLIGHT, Clerk of the Council.

AG302

PLANT DISEASES ACT 1914

PLANT DISEASES AMENDMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Plant Diseases Amendment Regulations 1993*.

Principal regulations

2. In these regulations the *Plant Diseases Regulations 1989** are referred to as the principal regulations.

[* Published in the Gazette of 30 June 1989 at pp. 1980-1993.
For amendments to 23 February 1993 see 1991 Index to
Legislation of Western Australia, p. 446-7 and Gazettes of 24 July,
7 August and 18 September 1992.]

Regulations 17B and 17C inserted

3. After regulation 17A of the principal regulations the following regulations are inserted —

“ **Banana plants — (*Musa spp*) Banana weevil borer**

17B. (1) Unless contrary intention appears in this regulation and in Schedule 6 —

“quarantine area” means the area bounded by Ivanhoe Road, River Farm Road, King Location 599 boundary and the Ord River Irrigation Project boundary to Ivanhoe Crossing in the River Farm Road District delineated in black in the map set out in Schedule 6.

(2) A person shall not remove —

- (a) banana plants, leaf, stem, planting material and soil; and
- (b) machinery or farm equipment (unless the machinery or farm equipment is free from soil and banana plant material),

from within the quarantine area.

(3) For the purposes of regulation 16 (1) —

- (a) the quarantine area is a specified portion of the State; and
- (b) banana weevil borer is a specified disease.

Chrysanthemum plants — Chrysanthemum White Rust

17C. (1) Where a grower detects chrysanthemum white rust on his property the grower shall, as soon as practicable —

- (a) advise an inspector; and
- (b) undertake a spraying programme and control measures as approved by the Director General.

(2) A grower or a person who distributes, transports or sells chrysanthemum plants shall ensure that any plants, cuttings and cut flowers which are visually infected with chrysanthemum white rust —

- (a) are not distributed; and
- (b) are destroyed in an approved manner.

(3) A person who distributes chrysanthemum propagating material, including cuttings and rooted cuttings, shall be approved and shall ensure that —

- (a) chrysanthemum plants on the source property are visually free from chrysanthemum white rust;
- (b) staff and equipment are available to carry out a spraying programme and treat the disease in the approved manner; and
- (c) relevant staff are trained to recognize chrysanthemum white rust.

(4) Each consignment of propagating material referred to in regulation (3) shall be accompanied by a declaration from the grower that —

- (a) an approved spraying programme has been carried out; and
- (b) the consignment has been inspected by a trained member of staff and is visually free from chrysanthemum white rust.

(5) For the purposes of regulation 16 (1) chrysanthemum white rust is a specified disease.

(6) A person who fails to comply with this regulation commits an offence. ”.

Schedule 1 amended

4. Schedule 1 to the principal regulations is amended —

- (a) in Part A —
 - (i) in the item commencing “Avocado” by inserting after “41” in columns 2, 3 and 5 the following —

“ , 46 ”;
 - (ii) in the item commencing “Cotton” by inserting after “41” in column 2 the following —

“ , 47 ”;
 - (iii) after the item commencing “Cotton” by inserting the following item in columns 1,2,3 and 4 respectively —

“ Cowpea seed 13,17,29, 29,31,41 16,48
(for planting) 31,41,45 ”;
 - (iv) after the item commencing “Helconia” by inserting the following item in columns 1, 2, 3 and 4 respectively —

“ Hibiscus 13,17,29, 29,31,41, 16
31,41,45, 47
47 ”;

- (v) after the item commencing "Mushroom" by inserting the following item in columns 1, 2, 3 and 4 respectively —

" Mungbean seed 13,17,29, 29,31,41 16,48
(for planting) 31,41,45 ";

and

- (vi) in the item commencing "Okra" by inserting after "41" in column 1 and "16" in column 4 the following —

" 47 ";

and

- (b) in Part B —

- (i) by repealing clause 11 and substituting the following clause —

" 11. Chrysanthemum propagating material — Chrysanthemum White Rust — (*Puccinia horiana*)

Chrysanthemum plants, propagating material including cuttings and rooted cuttings.

(1) Distributors of propagating material to be accredited annually on the following basis —

- (a) that chrysanthemum plants on the source property are visually free from chrysanthemum white rust;
- (b) that staff and equipment are available to carry out a spraying programme and treat the disease in the approved manner; and
- (c) that relevant staff are trained to recognize chrysanthemum white rust.

(2) Each consignment shall be accompanied by a declaration from the grower that —

- (a) an approved spraying programme has been carried out; and
- (b) the consignment has been inspected by a trained member of staff and is visually free from chrysanthemum white rust. "

- (ii) by repealing clause 23 and substituting the following clause —

" 23. Sorghum seed — Sorghum Midge (*Contarinia sorghicola*)

To be certified that the seed has been fumigated with phosphine in a sealed enclosure at 1.5 g/m³ —

- (a) for 7 days at above 25°C; or

(b) for 10 days at 15°C — 25°C.

Seed to contain less than 1% by weight of chaff consisting of pieces of vegetative parts of plants other than seed or seed fragments.

(iii) in clause 30 (2) (a) by deleting —

(A) “(a)” in the second place where it occurs; and

(B) “(b)”,

and substituting the following —

“ (i) ” and “ (ii) ”;

(iv) in clause 41 by deleting paragraph (d) and substituting the following paragraph —

“ (d) with respect to plants and foliage of the class Monocotyledon (other than Orchidaceae, Amaryllidaceae and Poaceae) as from a property which is free from *Thrips palmi*. ”;

(v) after clause 45 by inserting the following clauses —

“ 46. Avocado plants and fruit — *Cercospora* Leaf Spot (*Pseudocercospora purpurea* synonym *Cercospora purpurea*).

To be certified as being —

(a) from an area where the disease *Cercospora* Leaf Spot has not been detected; and

(b) packed in premises which do not and have not previously handled avocado fruit or plants from an infected area; or

(c) from a State or Territory where *Cercospora* Leaf Spot (*Pseudocercospora purpurea* synonym *Cercospora purpurea*) has not been recorded.

47. (*Malvaceae*) Cotton, hibiscus and okra plants — *Eriophyes hibisci* Nalepa — known as Hibiscus Erineum Mite or Leaf Crumpling Mite.

Entry into Western Australia of plants and parts of plants of the family *Malvaceae* is prohibited unless certified as —

(a) from an area which has been inspected and found free from Hibiscus Erineum Mite; or

- (b) fumigated with methyl bromide at one of the following rates for a period of 2 hours —

56 g/m³ at 5° — 10°C;
 48 g/m³ at 11° — 15°C;
 40 g/m³ at 16° — 20°C;
 32 g/m³ at 21° — 25°C;
 24 g/m³ at 26° — 30°C;
 16 g/m³ at 31° and above; or

- (c) from a State or Territory where Hibiscus Erineum Mite has not been recorded.

48. Cowpea (*Vigna unguiculata* ssp. *unguiculata*) and mungbean seed (*Vigna radiata*) — Tan Spot (*Curtobacterium flaccumfaciens*).

Entry into Western Australia is prohibited unless certified as —

- (a) grown in an area where Tan Spot is not known to occur; or
- (b) from a State or Territory where Tan Spot has not been recorded. ”.

Schedule 5 amended

5. Schedule 5 to the principal regulations is amended —

- (a) in the item “*Centaurea solstitialis*” by deleting “Barnabys” in column 2 and substituting the following —
 “ Barnaby’s ”;
- (b) in the item commencing “*Cynara*” by deleting “*cardunculu*” and substituting the following —
 “ *cardunculus* ”; and
- (c) in the item “*Heliotropium europacum*” by deleting “*europacum*” and substituting the following —
 “ *europaeum* ”.

Schedule 6 inserted

6. After Schedule 5 to the principal regulations the following Schedule is inserted —

[Regulation 17B (2)]

10337—2

AG303

PLANT DISEASES ACT 1914

PLANT DISEASES AMENDMENT REGULATIONS (NO. 2) 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Plant Diseases Amendment Regulations (No. 2) 1993*.

Principal Regulations

2. In these regulations the *Plant Diseases Regulations 1989** are referred to as the principal regulations.

[* Published in the Gazette of 30 June 1989 at pp. 1980-1993.
For amendments to 24 February 1993 see 1991 Index to
Legislation of Western Australia, pp. 445-7 and Gazettes of
24 July, 7 August and 17 September 1992.]

Part 4 amended

3. Part 4 Division 2 of the principal regulations is amended by inserting after Subdivision 3 the following subdivision —

“

*Subdivision 4 - Control of Codling Moth***Codling moth**

19E. (1) In this subdivision and Schedule 4C unless the contrary intention appears —

“fruit” means any fruit that may host codling moth;

“orchard” means any land used for the growing or cultivating or handling of fruit that may host codling moth;

“the disease” means the disease known as codling moth (*Cydia pomonella*).

- (2) Section 11 of the Act applies to the disease.

(3) The occupier of an orchard where the disease exists or appears to exist shall take and adopt the steps and measures specified in Schedule 4C Part 1 or cause those steps and measures to be taken and adopted.

(4) An occupier referred to in subregulation (3) who fails to comply with Schedule 4C Part 1 commits an offence unless the non-compliance is authorized by an exemption under subregulation (8).

Penalty: \$5 000.

(5) Where the disease is the subject of a notice under section 12 and an orchard is in an area defined in the notice the owner or occupier of the orchard shall take and adopt the steps and measures specified in Schedule 4C Part 2 or cause those steps and measures to be taken and adopted.

(6) Subregulation (5) has effect whether or not the disease exists or appears to exist in the orchard.

(7) An owner or occupier referred to in subregulation (5) who fails to comply with Schedule 4C Part 2 commits an offence unless the non-compliance is authorized by an exemption under subregulation (8).

Penalty: \$5 000.

(8) An inspector may by notice exempt an owner or occupier from any or all of the steps and measures specified in Schedule 4C Parts 1 and 2.

Transporters, packers, distributors

19F. (1) Subject to subregulation (2) a person who transports, packs, stores, distributes or otherwise handles any fruit grown by the owner or occupier of an orchard to which this subdivision applies shall comply with the steps and measures specified in Schedule 4C Part 3.

(2) An inspector may by notice exempt a person from complying with all or any of the steps and measures specified in Schedule 4C Part 3.

(3) A person referred to in subregulation (1) who fails to comply with Schedule 4C Part 3 commits an offence unless the non-compliance is authorized by an exemption under subregulation (2).

Penalty: \$5 000.

”

Schedule 3 amended

4. Schedule 3 of the principal regulations is amended by inserting after Form 8 the following form —

“

PLANT DISEASES ACT 1914

[Schedule 4C Pt 1 cl 7]
[Schedule 4C Pt 2 cl 11]

FORM 9

MOVEMENT OF FRUIT CROPS THAT MAY HOST CODLING MOTH OR OTHER POTENTIAL CARRIERS FROM ANY ORCHARD WITHIN THE INFESTED AREA

To:

1.
(Name and address of owner or occupier)

the owner or occupier of the orchard situated at

2.

.....

3. I have inspected the orchard identified in item 2, being an orchard within the infested area as defined in a notice under section 12 of the Act and I authorize the harvesting of fruit that may host codling moth* and the removal of such fruit* and potential carriers* on the following conditions: —

.....

.....

4. I nominate
as the packing and processing establishment to which the fruit or
potential carrier shall be delivered.

5. I nominate
as the area(s) in which the fruit or potential carrier shall be
distributed.

6. The trucks, containers and any other form of conveyance shall
be cleaned by

7. All waste fruit, plant material, larvae and pupae shall be
.....
.....

.....
Inspector

..... 19 .

*Delete where applicable.

Schedule 4C inserted

5. After Schedule 4B of the principal regulations the following Schedule is
inserted —

“

SCHEDULE 4C

[Regulations 19E
and 19F]

CODLING MOTH

PART 1 — STEPS AND MEASURES TO ERADICATE AND PREVENT THE SPREAD OF CODLING MOTH UNDER SECTION 11 OF THE ACT.

Notice of appearance of codling moth

1. The occupier of an orchard shall as soon as practicable notify
an inspector, at the district office nearest to the orchard, of the
appearance of codling moth in the orchard.

Removal of infected material

2. Under the supervision and direction of an inspector the
occupier shall —

- (a) remove all infected and potentially infected material
(including fruit, fallen fruit and trees where
necessary);
- (b) dispose of the infected and potentially infected
material by deep burial or burning; and
- (c) remove any tree material, infected or otherwise, so as
to ensure full penetration of spray to the point of
runoff and to allow inspection of any remaining fruit
and dispose of that material by deep burial or
burning.

Programme following initial detection of codling moth**3. The occupier shall —**

- (a) until harvest, apply an approved insecticide spray programme to all pome fruit trees bearing fruit;
- (b) where directed and to the satisfaction of an inspector —
 - (i) with an approved implement, scrape outer bark from the trunk and branches of pome fruit trees from ground level to a height of 0.25m above the crotch of the tree to remove over wintering larvae and pupae sites;
 - (ii) dispose of all scrapings by deep burial or burning;
 - (iii) kill any larvae or pupae on site; and
 - (iv) staple an approved corrugated cardboard band to the trunk;
- (c) every 3 weeks collect and deep bury or burn all fallen fruit; and
- (d) in May/June or after harvest for later maturing varieties, inspect bands and kill any larvae or pupae on site.

Spring/summer programme**4. (1) The occupier shall —**

- (a) apply an approved insecticide spray programme to all pome fruit trees in the orchard until harvest; or
- (b) strip all fruit from unsprayed pome fruit trees in November and destroy such fruit by burning or deep burial.

(2) The occupier shall renew bands on pome fruit trees in January.

Additional programmes

5. The occupier shall undertake any further approved programmes as directed by an inspector.

Records**6. The occupier shall —**

- (a) maintain an up to date record specifying the —
 - (i) dates on which any sprays were applied;
 - (ii) volumes applied;
 - (iii) amounts and names of insecticides used; and
 - (iv) area sprayed;and
- (b) produce the record referred to in paragraph (a) for inspection when requested by an inspector.

Crops shall be certified

7. (1) The occupier of an orchard referred to in regulation 19E (3) shall not harvest any fruit or remove any fruit or other potential carrier from the orchard until he receives a certificate issued by an inspector in the form of Form 9 in Schedule 3.

(2) A certificate referred to in subclause (1) shall —

- (a) nominate the packing or processing establishment to which the fruit or potential carrier shall be delivered;
- (b) nominate the areas to which the fruit or potential carrier may be distributed; and
- (c) specify the manner in which —
 - (i) trucks, containers and all other forms of conveyance and potential carriers shall be cleansed; and
 - (ii) the waste fruit, plant material, larvae and pupae shall be destroyed.

**PART 2 — STEPS AND MEASURES TO CONTROL,
ERADICATE AND PREVENT THE SPREAD OF CODLING
MOTH UNDER SECTION 12 OF THE ACT**

“Infested area” defined

8. In this Part and in Part 3 unless the contrary intention appears —

“infested area” means the area defined in the notice referred to in regulation 19E (5).

Treatments

9. The owner or occupier of an orchard in the infested area in which codling moth does not exist or does not appear to exist shall —

- (a) under the supervision and direction of an inspector
 - (i) remove all infected and potentially infected material (including fruit, fallen fruit and trees where necessary);
 - (ii) dispose of the infected and potentially infected material by deep burial or burning; and
 - (iii) remove any tree material, infected or otherwise, so as to ensure full penetration of spray to the point of runoff and to allow inspection of any remaining fruit and dispose of that material by deep burial or burning;
- (b) until harvest, apply an approved insecticide spray programme to all pome fruit trees bearing fruit, or strip all fruit from unsprayed pome fruit trees in November and destroy that fruit by burning or deep burial;
- (c) where directed and to the satisfaction of an inspector —
 - (i) with an approved implement, scrape outer bark from the trunk and branches of pome fruit trees from ground level to a height of 0.25m above the crotch of the tree to remove over wintering larvae and pupae sites;

- (ii) dispose of all scrapings by deep burial or burning;
 - (iii) kill any larvae or pupae on site; and
 - (iv) staple an approved corrugated cardboard band to the trunk;
- (d) every 3 weeks collect and deep bury or burn all fallen fruit;
- (e) in May/June or after harvest for later maturing varieties, inspect bands and kill any larvae or pupae on site;
- (f) renew bands on pome fruit trees in January; and
- (g) undertake any further approved programmes as directed by an inspector.

Records

10. The owner or occupier shall —

- (a) maintain an up to date record specifying the —
 - (i) dates on which any sprays were applied;
 - (ii) volumes applied;
 - (iii) amounts and names of insecticides used; and
 - (iv) area sprayed; and
- (b) produce the record referred to in paragraph (a) for inspection when requested by an inspector.

Crops shall be certified

11. (1) The owner or occupier shall not harvest any fruit or remove any fruit or other potential carrier from the orchard until he receives a certificate issued by an inspector in the form of Form 9 in Schedule 3.

(2) A certificate referred to in subclause (1) shall —

- (a) nominate the packing or processing establishment to which the fruit or potential carrier shall be delivered;
- (b) nominate the areas to which the fruit or potential carrier may be distributed; and
- (c) specify the manner in which —
 - (i) trucks, containers and all other forms of conveyance and potential carriers shall be cleansed; and
 - (ii) the waste fruit, plant material, larvae and pupae shall be destroyed.

**PART 3 — STEPS AND MEASURES TO BE TAKEN BY
PERSONS REFERRED TO IN REGULATION 19F TO
ERADICATE OR REDUCE THE SPREAD OF THE DISEASE**

Trucks, containers etc. to be cleaned

12. Packers and processors shall ensure that —

- (a) trucks, containers or any other form of conveyance in which fruit from an orchard referred to in regulation 19E is transported to packing or processing establishments; and
- (b) any other potential carrier which has been in contact with the fruit,

shall be cleaned of all fruit, plant material, larvae and pupae before leaving the premises.

Equipment to be cleaned

13. Packers and processors shall ensure that all packing and processing equipment which has been in contact with fruit during processing or packing, shall be cleaned of all fruit, plant material, larvae and pupae.

Disposal of potentially infected material

14. Packers and processors shall ensure that all fruit, plant material, larvae and pupae removed in accordance with clauses 12 and 13 shall be —

- (a) deep buried; or
- (b) burnt.

Distribution

15. A person who distributes fruit or potential carriers from an orchard referred to in regulation 19E shall only distribute fruit or potential carriers to areas nominated by an inspector.

”

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

AG304

PLANT DISEASES ACT 1914

PLANT DISEASES (CODLING MOTH) NOTICE 1993

Made by the Minister under section 12.

Citation

1. This notice may be cited as the *Plant Diseases (Codling Moth) Notice 1993*.

Commencement

2. This notice shall come into operation on the day on which the *Plant Diseases Amendment Regulations (No. 2) 1993* come into operation.

Definition of disease

3. For the purposes of this notice —

“disease” means the disease known as codling moth (*Cydia pomonella*).

Declaration of infested area

4. The portion of the State defined in the Schedule to this notice is infested with disease.

SCHEDULE

[Clause 4]

INFESTED AREA

The whole of the area of the Shire of Bridgetown — Greenbushes.

MONTY HOUSE, Minister for Primary Industry.

AG401

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, Leslie Arthur Last of Merredin is appointed a member of the District Committee for the Merredin Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 25 May 1984 at p. 1406 and amended in the *Gazettes* of 22 January 1988 at pp. 156-7; 28 June 1991 at pp. 3115-16; 31 May 1992 at p. 2179; and 12 February 1993 at pp. 1207-8, the appointment being for a term ceasing on 23 June 1995.

MONTY HOUSE, Minister for Primary Industry.

AG402

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, the following persons are appointed members of the District Committee for the Coolup Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 28 June 1991 at pp. 3116-18 and amended in the *Gazette* of 12 February 1993 at p. 1208, the appointments being for a term ceasing on 26 July 1993:

- (a) Stephen Rolan Wallace of Coolup
- (b) Steven Skipper of Coolup
- (c) Donald Gordon Spark of Coolup
- (d) Amanda Skipper of Coolup
- (e) Rosemary Josephine Pitter of Coolup
- (f) Lance Graham Pitter of Coolup
- (g) Colleen Helen Archibald of Waroona

MONTY HOUSE, Minister for Primary Industry.

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, Jeff O'Neil of Ongerup is appointed a member of the District Committee for the Gnowangerup Land Conservation District, which Committee was established by an Order in Council, published in the *Government Gazette* of 21 June 1985 at pp. 2266-67 and amended in the *Gazettes* of 25 July 1986 at pp. 2487-88, 20 January 1989 at p. 135, 28 April 1989 at pp. 1252-53, 6 July 1990 at p. 1266; 15 November 1992 at pp. 5802-03 and 31 December 1992 at p. 6318, the appointment being for a term ceasing on 12 February 1996.

MONTY HOUSE, Minister for Primary Industry.

AG404

MARKETING OF POTATOES ACT 1946

Department of Agriculture,
3 March 1993, South Perth.

Agric 408/86 V2.

His Excellency the Governor in Executive Council has been pleased to appoint in accordance with the provisions of section 7 (3) (c) of the Marketing of Potatoes Act 1946 Neville Peter Carter as an elected producer member of the Western Australian Potato Marketing Authority for a term of office expiring on 21 September 1995.

M. D. CARROLL, Director General of Agriculture.

AG405

SEEDS ACT 1981

Department of Agriculture,
24 February 1993, South Perth.

1002/91.

I, the undersigned Minister for Primary Industry, being the Minister charged with the administration of the Seeds Act 1981, hereby appoint the following persons as Seed Inspectors pursuant to section 14 (1) of the said Act:

Peter John Robson
Steven Thomas Gee
Stuart Arthur Smith
Kenneth John Annice
Sue Ellen Shaw
Lincoln George Heading

and appoint Lynette Rose Rasmussen as Seed Analyst pursuant to section 14 (1) of the said Act:
and cancel the appointments of the following officers as Seed Inspectors

Steven Elliott Porritt
William Leslie Smart.

MONTY HOUSE, Minister for Primary Industry.

AG406

WESTERN AUSTRALIAN MEAT INDUSTRY AUTHORITY ACT 1976Department of Agriculture,
23 February 1993, South Perth.

Agric. 801/90.

I, the undersigned Minister for Primary Industry, being the Minister charged with the administration of the Western Australian Meat Industry Authority Act 1976, hereby appoint the following persons as Inspectors in accordance with section 24g (1) of the said Act:

Timothy Marshall
Robert John Lightfoot
Max Charles Thurley
Gerard James McLoughlin
Garry Christopher Lange
Maurice Walsh
Neil Travers

M. G. HOUSE, Minister for Primary Industry.

AG407

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976

The Agriculture Protection Board, acting pursuant to sections 15 and 16 of the Agriculture and Related Resources Protection Act 1976 hereby:

- (i) cancels the appointments of the following persons as members of the Zone Control Authorities designated—

Rob Welsh (1B), Roy Mortimer (4), John Agars (9)

- (ii) appoints persons whose names are listed below to be members of the Authorities for the Zones designated to hold office until 1 August in the years specified—

Name	Zone	Retires
Rob Illingworth	1B	1996
Peter Brown	9	1994
Malcolm Sims	9	1996

- (iii) appoints Mark Reginald Godlonton Deputy Chairman for Zone 2.

- (iv) appoints the following persons to be deputies to members of the Zone Control Authorities designated—

Deputy	Member	Zone
Terry Brown	Peter John McCumstie	1B
Peter Van Duren	Allan Rees	1B
Keith Anderson	Rob Illingworth	1B
Ross Quartermaine	Rex William Ward	9
Henry Ward	James Quadrio	9
Steven Warren	Lindsay Keith Polmear	9
	Brian Warren	9
	Leonard Charles Boladeras	9
Margaret Jones	Stephen Tonkin	9
David McQuie	Garry Michel	9
Peter Carter	John Francis Cotter	9
Brett McKay	Kent McKay	9
Tim Funston	Peter Brown	9
	Malcom Sims	9

Dated 3 March 1993.

M. D. CARROLL, Chairman, Agriculture Protection Board.

AG408

AGRICULTURE AND RELATED RESOURCES PROTECTION ACT 1976

Acting pursuant to the powers granted by sections 35 and 36 of the Agriculture and Related Resources Protection Act 1976, the Agriculture Protection Board:

- (i) declares Egyptian geese (*Alopchen aegyptiacus*), New Zealand scaup (*Aythya novaeseelandiae*), Paradise shelduck (*Tadorna tadorna*) to be declared animals, assigned to categories A2, A4, A6

- (ii) declares Green peafowl (*Pavo muticus*) an exempt animal.

Dated 3 March 1993.

M. D. CARROLL, Chairman, Agriculture Protection Board.

CROWN LAW**CW301****JUSTICES ACT 1902****JUSTICES (FORMS) AMENDMENT REGULATIONS 1993**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Justices (Forms) Amendment Regulations 1993*.

Principal regulations

2. In these regulations the *Justices (Forms) Regulations 1982** are referred to as the principal regulations.

[* *Published in the Gazette 6 August 1982.*
For amendments to 4 February 1993 see 1991 Index to Legislation of Western Australia, p. 392.]

Regulation 5B inserted

3. After regulation 5A of the principal regulations the following regulation is inserted —

“ **Form of notice for section 98 (3)**

5B. For the purposes of section 98 (3) (b) of the Act, Form 10 is the prescribed form of notice. ”

Schedule amended

4. The Schedule to the principal regulations is amended by inserting after Form 9 the following form —

“

Form 10
JUSTICES ACT 1902
JUSTICES (FORMS) REGULATIONS 1982

NOTICE OF PROCEDURE FOR INDICTABLE OFFENCES

You have been charged with an indictable offence. This notice sets out what will occur before the charge against you is dealt with. If after reading this notice you do not understand its contents or have any questions, you should seek legal advice.

[Note: 2 or more Justices of the Peace may sometimes sit instead of a magistrate in a court of petty sessions.]

PART A

Indictable offences are serious offences. Some of them can be dealt with only in the Supreme Court or the District Court by a judge and a jury. If the charge against you is one of these read Part C.

Other indictable offences can be dealt with EITHER by a judge and jury in the Supreme Court or the District Court OR by a magistrate in a court of petty sessions. If the charge against you is one of these read Part B and Part C.

PART B

If the charge against you is one that can be dealt with in a court of petty sessions and a magistrate considers that the charge can be adequately dealt with in that court, you will be asked to choose one of the following —

- to have the charge dealt with by a magistrate in the court of petty sessions,

OR

- to have the charge dealt with by a judge and jury in the Supreme or the District Court.

If you choose to have the charge dealt with in the court of petty sessions, you must tell the magistrate.

If you choose to have the charge dealt by a judge and jury, some preliminary matters will occur in the court of petty sessions before your case is sent to the Supreme Court or the District Court. Part C deals with those matters.

PART C

This Part explains the preliminary matters that will occur in the court of petty sessions if the charge against you is to be dealt with in the Supreme Court or District Court.

Before you are given the opportunity in the court of petty sessions to plead to the charge against you, the prosecution will give you —

- a document stating the facts of the case against you in connection with the charge,
- a copy of any statement made by you to the police and signed by you,
- a copy of any interview with the police that was written down and signed by you,
- notice about any tape or videotape of any interview of you by the police,
- a written version of anything you said to the police that the police think is relevant to the charge.

You should read all the papers that the prosecution give you.

When you next come before the court after getting the papers from the prosecution, the magistrate will ask you if you want to plead to the charge. You do not have to, but if you want to, you can plead guilty or plead not guilty.

If you plead guilty the charge will be sent to either the Supreme Court or the District Court together with a copy of the papers that the prosecution gave you.

If you plead not guilty or if you do not plead, you have a right to have a preliminary hearing of the charge in the court of petty sessions. The attached notice is about preliminary hearings and you should read that.

PLEAS OF GUILTY

By law a court can take into account a plea of guilty and the stage when a person pleads guilty and may impose a lesser sentence accordingly.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

FISHERIES**FI301****FISHERIES ACT 1905****NOTICE NO. 561**

Made by the Minister under section 25.

Citation

1. This notice may be cited as the *Fisheries Notice No. 561*.

Commencement

2. This notice shall come into operation on the day on which it is published in the *Gazette*.

Second Schedule to the Act repealed and a Schedule substituted

3. The Second Schedule to the principal Act is repealed and the following Schedule is substituted —

“

SECOND SCHEDULE

[Section 24]

MINIMUM LENGTHS

Common Name	Scientific Name	Minimum Length
FISH, MARINE OR FLUVIO — MARINE SPECIES		
		(cm)
Bream (or Black Bream)	<i>Acanthopagrus butcheri</i>	25
Bream, Yellow fin	<i>Acanthopagrus latus</i>	25
Cobbler	<i>Cnidogobius macrocephalus</i>	23
Coral Trout	<i>Plectropomus</i> spp.	45
Emperor, Red (or Government Bream)	<i>Lutjanus sebae</i>	41
Flathead, Bar-tailed	<i>Platycephalus endrachtensis</i>	30
Flathead, Blue-spotted (or Sand)	<i>Platycephalus speculator</i>	30
Flathead, Long-spined (or Sand)	<i>Platycephalus longispinus</i>	30
Flathead, Marbled	<i>Platycephalus marmoratus</i>	30
Flounder	<i>Pseudorhombus jenynsii</i>	25

Common Name	Scientific Name	Minimum Length
		(cm)
Garfish	Family <i>Hemirhamphidae</i>	
(a) when taken by the holder of a professional fisherman's licence;		23
(b) in any other case;		—
Groper, Baldchin	<i>Choerodon rubescens</i>	40
Groper, Blue	<i>Achoerodus gouldii</i>	40
Herring, Australian (or Ruff)	<i>Arripis georgianus</i>	
(a) when taken by the holder of a professional fisherman's licence;		18
(b) in any other case;		—
Jewfish, Westralian	<i>Glaucosoma hebraicum</i>	50
Leather jacket	Family <i>Monacanthidae</i>	25
Mackerel, Spanish (or Broad-barred Spanish)	<i>Scomberomorus semifasciatus</i>	76
Mackerel, Blue (or Common)	<i>Scomber australasicus</i>	
(a) when taken by the holder of a professional fisherman's licence;		15
(b) in any other case;		—
Mackerel, Narrow-barred Spanish	<i>Scomberomorus commersoni</i>	76
Mackerel, Spotted Spanish	<i>Scomberomorus munroi</i>	50
Mackerel Wahoo	<i>Acanthocybium solandri</i>	76
Mullet, Sea	<i>Mugil cephalus</i>	
(a) when taken by the holder of a professional fisherman's licence;		24
(b) in any other case;		—
Mullet, Yellow-eye	<i>Aldrichetta forsteri</i>	

Common Name	Scientific Name	Minimum Length
		(cm)
(a) when taken by the holder of a professional fisherman's licence;		23
(b) in any other case;		—
Mulloway (or River Kingfish)	<i>Argyrosomus hololepidotus</i>	45
Pike, Long-fin	<i>Dinolestes lewini</i>	28
Salmon, Australian	<i>Arripis truttaceus</i>	30
Samson fish (or Sea Kingfish)	<i>Seriola hippos</i>	60
Snapper, Northwest	<i>Lethrinus</i> spp.	28
Snapper	<i>Pagrus auratus</i>	
(a) when taken from the waters of Wilson Inlet on the south coast of Western Australia;		28
(b) when taken from any other area;		41
Snapper, Queen (or Blue Morwong)	<i>Nemadactylus valenciennesi</i>	30
Snapper, Red (or Redfish, Bight Snapper or Nannygai)	<i>Centroberyx</i> spp.	23
Snook (Pike)	<i>Sphyræna novaehollandiae</i>	33
Sole	Families <i>Soleidae</i> and <i>Cynoglossidae</i>	
(a) when taken by the holder of a professional fisherman's licence;		20
(b) in any other case;		—
Sweep	<i>Scorpiæ georgianus</i>	
(a) when taken by the holder of a professional fisherman's licence;		23
(b) in any other case;		—
Tailor	<i>Pomatomus saltator</i>	25
Tarwhine (or Silver Bream)	<i>Rhabdosargus sarba</i>	23
Trevally, Silver (or Skipjack)	<i>Pseudocaranx</i> spp.	20

Common Name	Scientific Name	Minimum Length
		(cm)
Tuskfish, Blue	<i>Choerodon cyanodus</i>	40
Whiting, Spotted (or King George)	<i>Sillaginoides punctata</i>	25
Whiting, transparent (or School Whiting)	<i>Sillago bassensis</i>	
(a) when taken by the holder of a professional fisherman's licence;		22
(b) in any other case;		—
Whiting, Western Sand (or Silver)	<i>Sillago schomburgkii</i>	
(a) when taken by the holder of a professional fisherman's licence;		22
(b) in any other case;		—

FISH, FRESHWATER SPECIES

		(cm)
Trout, Brown	<i>Salmo trutta</i>	30
Trout, Rainbow	<i>Oncorhynchus mykiss</i>	30

CRUSTACEANS

		(mm)
Crabs, Blue Manna	<i>Portunus pelagicus</i>	127
Crabs, Brown Mud	<i>Scylla serrata</i>	120
Crabs, Green Mud	<i>Scylla paramamosain</i>	150
Marron	<i>Cherax tenuimanus</i>	76
Prawns, School	<i>Metapenaeus dalliae</i>	
(a) when taken by the holder of a professional fisherman's licence;		50
(b) in any other case;		—
Prawns, Western King	<i>Penaeus latisulcatus</i>	

Common Name	Scientific Name	Minimum Length
		(cm)
(a) when taken by the holder of a professional fisherman's licence;		76
(b) in any other case;		—
Rock Lobster, Southern	<i>Jasus novaehollandiae</i>	98.5
Rock Lobster, Western	<i>Panulirus cygnus</i>	76
Rock Lobster, Northern	<i>Panulirus</i> spp.	76

MOLLUSCS

		(mm)
Abalone, Brown Lipped	<i>Haliotis coniscopora</i>	140
Abalone, Green Lipped	<i>Haliotis laevigata</i>	140
Abalone, Roe's	<i>Haliotis roei</i>	60
Trochus Shell	<i>Tectus niloticus</i>	65

METHODS OF MEASUREMENT

1. Cobbler are measured in a direct line from the base of the anterior edge of the caudodorsal fin to the tip of the tail.
2. Crabs are measured from tip to tip of the posterior carapace spikes.
3. Garfish are measured from the tip of the upper jaw to the end of the upper half of the tail.
4. Marron are measured from the tip of the rostrum to the posterior margin of the carapace along the mid-dorsal line.
5. Prawns are measured along the body from the eye to the tip of the tail.
6. Southern Rock Lobster are measured from the anterior surface of the median suture of the frontal tubercle to the mid point of the posterior edge of the dorsal region of the carapace.
7. Western and Northern Rock Lobster are measured along the mid-dorsal line from the anterior edge of the pronounced ridge which joins the front edges of the rostral horns immediately posterior to the eyestalks, to the posterior margin of the carapace.
8. Abalone are measured from edge to edge of the shell across the longest diameter.
9. Trochus Shell are measured across the base from the edge to edge at the longest diameter.
10. All other fish are measured from the point of the snout to the end of the tail.

MONTY HOUSE, Minister for Fisheries.

FI401

FISHERIES ACT 1905
PART IIIB — PROCESSING LICENCE

FD 673/91.

The public is hereby notified that I have issued a permit to Southern Trading Company of 7 Adams Street, O'Connor, WA to establish a processing establishment to process fish in pursuance of the provisions of section 35C of the Fisheries Act 1905, at 7 Adams Street, O'Connor, WA, subject to the following conditions—

That the processing establishment, subject to this permit—

1. Shall comply with the requirements of the Fisheries Act 1905, and all Regulations, Orders in Council and Notices and Ministerial Directions issued thereunder.
2. Shall not be used for the processing of rock lobster, abalone, tuna or salmon.
3. Shall comply with the requirements of the Health Act 1911.
4. Shall be registered as an export establishment pursuant to the provisions of the Parliament of the Commonwealth Export Control Act 1982, and Orders made thereunder, more specifically the Prescribed Goods (General) Orders and the Fish Orders, should be used to process fish for export.
5. Shall not be used for the processing of marron (*Cherax tenuimanus*) unless a licence is held under section 39C of the Fisheries Act 1905.
6. Shall not be used for the processing of fish or crustacea caught by any other vessel.

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

P. P. ROGERS, Executive Director of Fisheries.

FI402

FISHERIES ACT 1905
PERMIT TO ESTABLISH A PROCESSING ESTABLISHMENT

FD 618/92.

Brian Norman Simmonds, is hereby authorised to establish a processing establishment to process fish in pursuance of the provisions of section 35C of the Fisheries Act 1905 onboard fishing vessel *Nik-Kel-Jay* registered number LFB C1, subject to the following conditions—

That the processing establishment subject to this permit—

1. Shall comply with the requirements of the Fisheries Act 1905, and all Regulations, Orders in Council and Notices and Ministerial Directions issued thereunder.
2. Shall not be used for the processing of rock lobster, prawns, abalone, or scallops.
3. Shall comply with the requirements of the Health Act 1911.
4. Shall be registered as an export establishment pursuant to the provisions of the Parliament of the Commonwealth Export Control Act 1982, and Orders made thereunder, more specifically the Prescribed Goods (General) Orders and the Fish Orders, should it be used to process fish for export.
5. Shall not be used for the processing of marron (*Cherax tenuimanus*) unless a licence is held under section 39C of the Fisheries Act 1905.
6. Shall not be used for the processing of fish or crustacea caught by any other vessel.

P. P. ROGERS, Executive Director of Fisheries.

FI403

FISHERIES ACT 1905
PART IIIB—PROCESSING LICENCE

FD 204/70

The public is hereby notified that I have issued a permit to Shreeves Frozen Foods Pty Ltd of 143 Grand Prom, Doubleview, to establish a processing establishment to process rock lobster in pursuance of the provisions of section 35C of the Fisheries Act 1905 at 10 Stenenage Street, Yanchep, subject to the following conditions.

That the processing establishment subject to this permit—

1. Shall comply with the requirements of the Fisheries Act 1905 and all Regulations, Orders in Councils, and Notices and Ministerial Directions issued thereunder.

2. Shall not process any rock lobster except by cooking whole only for the purpose of selling on the local market and not for export.
3. Shall comply with the requirements of the Health Act 1911.
4. Shall comply with the requirements of any Town Planning Scheme or Interim Development Order gazetted under the provisions of the Town Planning and Development Act 1928 or the Metropolitan Region Town Planning Scheme Act 1959.
5. Shall be registered as an export establishment pursuant to the provisions of the Parliament of the Commonwealth Export Control Act 1982, and orders made thereunder, more specifically the Prescribed Goods (General) Orders and the Fish Orders, shall it be used to process fish other than rock lobster for export.
6. Shall not be used for the processing of marron (*Cherax tenuimanus*) unless a licence is held under section 39C of the Fisheries Act 1905.
7. Rock lobster shall not be processed or received for processing on Christmas Day, New Year's Day and Good Friday.
8. The licensee shall lodge with the Fisheries Department no later than the 15th day of each month, a return of all fish purchased for the preceding month, specifying the name of the fisherman, the boat number or professional fisherman's licence number, anchorage from which the vessel operates, the species and live weight purchased. Where no rock lobster has been purchased a "nil" return shall be submitted.
9. Shall not be used for processing of prawns, tuna, abalone, salmon or scallops.
10. That the rock lobster inspection facilities set out hereunder will be continuously available within the premises covered by this licence for use at any time by a Fisheries Officer.
11. That satisfactory arrangements are made to make bags of rock lobster selected by Fisheries Officers available for inspection as prescribed hereunder:
 - (a) An inspection table shall be provided and constructed such that the table top:
 - (i) is approximately 85 cm from the floor;
 - (ii) is fitted with sides and ends sufficient to constrain rock lobsters;
 - (iii) can hold one bag of rock lobsters no more than two rock lobsters deep across the surface of the table; and
 - (iv) is fitted with a chute so the contents can be pushed from the table surface.
 - (b) A bag holder shall be available immediately adjacent to the inspection table.
 - (c) The area or areas set aside for the inspection of lobsters shall be:
 - (i) sufficient in area to permit two Fisheries Officers to undertake inspections at the table simultaneously;
 - (ii) adequately lit and ventilated;
 - (iii) located close to the rock lobster receival section of the licensed premises;
 - (iv) adequately screened from spraying water or other materials; and
 - (v) free from excessive machinery noise.
 - (d) The contents of each selected bag or container of rock lobsters shall be placed upon an inspection table by employees of the licensee and shall be removed from the table as necessary after inspection.

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

P. P. ROGERS, Executive Director of Fisheries.

FI404

FISHERIES ACT 1905 PART IIB—PROCESSING LICENCE

FD 97/93.

Jordania Pty Ltd, Trading as Central Oyster Fresh Fish and Game, is hereby authorised to establish a processing establishment to process fish and yabbies in pursuance of the provisions of section 35C of the Fisheries Act 1905, at 56 Packenham Street, Fremantle, subject to the following—

That the processing establishment subject to this permit—

1. Shall comply with the requirements of the Fisheries Act 1905 and all Regulations, Orders in Councils, and Notices and Ministerial Directions issued thereunder.
2. Shall not be used for the processing of rock lobster, prawns or abalone.
3. Shall comply with the requirements of the Health Act 1911.
4. Shall comply with the requirements of any Town Planning Scheme or Interim Development Order gazetted under the provisions of the Town Planning and Development Act 1928, or the Metropolitan Region Town Planning Scheme Act 1959.

5. Shall be registered as an export establishment pursuant to the provisions of the Parliament of the Commonwealth Export Control Act 1982, and orders made thereunder, more specifically the Prescribed Goods (General) Orders and the Fish Orders, should it be used to process fish for export.
6. Shall not be used for the processing of marron (*Cherax tenuimanus*) unless a licence is held under section 39C of the Fisheries Act 1905.

In accordance with the provisions of section 35K, any person aggrieved by this decision may, within fourteen (14) days after publication of this Notice, appeal against the decision or order by serving on the Minister for Fisheries a statement in writing on the grounds of their appeal.

P. P. ROGERS, Executive Director of Fisheries.

FI405

FISHERIES ACT 1905
PART IIIB—PROCESSING LICENCE

FD 96/86.

The public is hereby notified that in accordance with section 35CA of the Fisheries Act 1905, I hereby authorise that I have approved the amendment of Processor's Licence No. 1131 issued to Mr Robin Ray Green of 18 Ashwell Street, Albany, to allow the unrestricted processing of pilchards at 26 Charles Street, Albany.

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

P. P. ROGERS, Executive Director of Fisheries.

FI406

FISHERIES ACT 1905
PART IIIB—PROCESSING LICENCE

FD 66/66.

The public is hereby notified that I have approved an application to transfer the Processing Licence No. 1080 for the establishment at 10 Madrid Street, Cervantes. The Processing Licence has been transferred from Kailis and France Pty Ltd to Golden West Lobsters Pty Ltd.

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

P. P. ROGERS, Executive Director of Fisheries.

LAND ADMINISTRATION

LA401

LAND ACT 1933
SUBURBAN LAND

DOLA File: 24/945V3

His Excellency the Governor in Executive Council has been pleased to approve, under section 10 of the Land Act 1933 of King Location 723 being set apart as Suburban Land.

Public Plan: Ivanhoe SE (25).

A. A. SKINNER, Chief Executive.

LA402**LAND ACT 1933****FORFEITURES**

Department of Land Administration

The following Leases and Licences together with all Rights, Title and Interest therein have this day been Forfeited to the Crown under the Land Act 1933 for the reasons stated.

A. A. SKINNER, Chief Executive.

Name; Lease or Licence; District; Reason; Corres. No.; Plan.

McDonald, Lawrence George; 3116/10390; Onslow, Lot 679; Non payment of rent and instalments; 2310/986; Onslow 39.05.

Pennington, David Jan; 3116/7060; Port Hedland, Lots 3793 & 3794; Non-compliance with conditions of sale; 2902/978; Port Hedland 24.26.

Bellway Pty Ltd; 3116/7783; South Boulder, Lots F78, F79 & F80; Non payment of rent; 911/977; Kal/Boulder 30.33.

Sheridan, Maurice Michael & Carter, Donald John; 3116/10672; Woodanilling, Lot 61; Non payment of rent; 2145/991; Woodanilling 1:2000 25.06.

Golden Mill Aerated Water Co Limited; 3116/7029; Kalgoorlie, Lot 3356; Non payment of rent; 1382/956; Kal/Boulder 30.36.

Kirkwood, Thomas Joseph (Dec'd) & Kirkwood, Charles (Dec'd); 3117/3644; Kalgoorlie, Lot 3355; Non payment of rent; 1066/946; Kalgoorlie Sheet 1.

Rotherfield Holdings Pty Ltd; 338/18715; Bullfinch, Lot 102; Non compliance with conditions of sale; 2934/988; Bullfinch T/Site.

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. 388/956v2.

Portion of Port Hedland Town Lot 52 and being Lot 1 the subject of Diagram 31936 and being the whole of the land contained in Certificate of Title Volume 1304 Folio 999.

Land

File No. 1636/990.

Reserve 42505 comprising Albany Lots 1285-1290 (inclusive) and 1294 as is shown on DOLA Diagram 82111.

Land

File No. 1879/992.

Portion of Swan Location 34 and being part of Lot 83 being the land remaining in Certificate of Title Volume 331 Folio 198 as is shown on LTO Plan 8167(4).

Land

File No. 2028/770.

Reserve 31481 comprising Cockburn Sound Location 2231 formerly portion of Cockburn Sound Location 16 being the subject of LTO Diagram 41040.

Land

File No. 2143/992.

Portion of Wellington Location 1 and being Lot 9 on Plan 6133 and being part of the land contained in Certificate of Title Volume 1185 Folio 227.

Land

File No. 2141/992.

Portion of Wellington Location 1 and being Lot 4 on Diagram 51753 and being the whole of the land contained in Certificate of Title Volume 1527 Folio 778.

Land

File No. 2533/992.

Merredin Lot 551 being the whole of the land contained in Certificate of Title Volume 1004 Folio 564 as is shown on DOLA O.P. 3281.

Land

File No. 2534/992.

Merredin Lot 584 being the whole of the land contained in Certificate of Title Volume 1039 Folio 706 as is shown on DOLA O.P. 3281.

Land

File No. 4008/1989.

Portion of Cockburn Sound Location 16 and being Lot 101 on Plan 17497 and being the whole of the land contained in Certificate of Title Volume 1883 Folio 865 as is shown more particularly delineated and coloured green on Plan LAWA 989.

Land

File No. 6294/951.

Corrigin Lot 222 comprising Reserve 42536 as is shown on DOLA Diagram 47137.

Land

File No. 1225/991.

Geraldton Town Lot 234 comprised in Memorial Book XII No. 304.

Geraldton Town Lots 229 and 230 comprised in Memorial Book XI No. 1011.

Geraldton Town Lot 231 being the whole of the land contained in Certificate of Title Volume 10 Folio 367.

North Eastern Moiety of Geraldton Town Lot 232 being the whole of the land contained in Certificate of Title Volume 13 Folio 25.

South Western Moiety of Geraldton Town Lot 232 being the whole of the land contained in Certificate of Title Volume 13 Folio 26.

South Western Moiety of Geraldton Town Lot 233 being the whole of the land contained in Certificate of Title Volume 7 Folio 380.

North Eastern Moiety of Geraldton Town Lot 233 and being the land remaining in Certificate of Title Volume 7 Folio 373.

Geraldton Town Lot 235 comprised in Memorial Book XI No. 1012.

Geraldton Town Lot 236 comprised in Memorial Book XI No. 1014.

File No. 2142/992.

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 South Western Railway—Additions and Improvements—Cottages for Railway Employees at Brunswick Junction and has been used for that public work for a period of ten years or more and being no longer required for that work.

Land

Portion of Wellington Location 1 and being Lot 40 on Plan 2564 being part of the land contained in Certificate of Title Volume 1106 Folio 117.

File No. 2257/992.

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 Bridgetown Auxiliary Water Supply Pump House Site with access thereto and has been used for that public work for a period of ten years or more and being no longer required for that work.

Land

Portion of Nelson Location 6799 and being part of the land on Diagram 11263 and being the whole of the land contained in Certificate of Title Volume 1075 Folio 593.

Dated this 2nd day of March 1993.

A. A. SKINNER, Chief Executive, Department of Land Administration.

LB701

File No. 2014/966.
Ex. Co. No. 0288.

LOCAL GOVERNMENT ACT 1960
PUBLIC WORKS ACT 1902
LAND RESUMPTION

Road Widenings—Bussell Highway—Main Roads Department

Notice is hereby given, and it is hereby declared, that pursuant to a resolution of the Shire of Capel passed at a meeting of the Council held on or about 13 October 1989 and 31 January 1992, the several pieces or parcels of land described in the Schedule hereto, being all in the Wellington 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 2nd day of March 1993, been set apart, taken or resumed for the purpose of the following public work, namely—Road Widenings—Bussell Highway—Main Roads Department.

And further notice is hereby given that the said pieces or parcels of land so set apart, taken, or resumed are marked off and more particularly described on Department of Land Administration Diagram 90945 and LTO Plan 18078 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 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 (approx.)
Crown	Crown Shire of Capel as Vestee	Portion of Wellington Location 4997 set aside as part of Reserve 28825 for "Public Recreation."	1.976 3 ha on Plan 18078 and 411 m ² on Diagram 90945
Crown	Crown	Portion of Wellington Location 4999 set aside as part of Reserve 28835 for "Drainage Five Mile Brook Diversion."	6 547 m ²
Crown	Crown Shire of Capel as Vestee	Portion of Wellington Location 4583 set aside as part of Class "A" Reserve 23000 for "Travellers Stopping Place and Caravan Park."	2.278 5 ha

Certified correct this 17th day of February 1993.

GEORGE CASH, Minister for Lands.

Dated this 2nd day of March 1993.

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 March 1993.

A. SKINNER, Chief Executive.

LB901

File No. 1602/1992.

LOCAL GOVERNMENT ACT 1960

PUBLIC WORKS ACT 1902

NOTICE OF INTENTION TO TAKE OR RESUME LAND

Extension of Road—City of Fremantle

The Minister for Works hereby gives notice in accordance with the provisions of section 17 (2) of the Public Works Act 1902, 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 Cockburn Sound District, for the purpose of the following public work, namely, Extension of Road—City of Fremantle, and that the said pieces or parcels of land are marked off on Plan L.A., W.A. 975 which may be inspected at the office of 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.

Schedule

No. on Plan L.A., W.A. No. 975	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	Chadderley Investments (W.A.) Pty Ltd	Chadderley Investments (W.A.) Pty Ltd	Portion of Cockburn Sound Location 136 and being part of Lot 39 on Plan 5777 and being part of the land remaining in Certificate of Title Volume 1267 Folio 223.	1 571 m ²

Dated this 2nd day of March 1993.

GEORGE CASH, Minister for Lands.

LB902

File No. 1159/991.

PUBLIC WORKS ACT 1902

NOTICE OF INTENTION TO TAKE OR RESUME LAND

College Purposes—Technical And Further Education—East Perth

The Minister for Works hereby gives notice in accordance with the provisions of section 17 (2) of the Public Works Act 1902 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 Perth District, for the purpose of the following public work, namely, College Purposes—Technical And Further Education—East Perth and that the said pieces or parcels of land are marked off on DOLA Plan 18303 which may be inspected at the office of 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.

Schedule

No. on Plan L.A., W.A. No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 1 on Plan 1484 being the whole of the land contained in Certificate of Title Volume 1195 Folio 618.	506 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lots 2 and 3 on Plan 1484 and Lots 1, 2 and 3 on Plan 1143 being the whole of the land contained in Certificate of Title Volume 547 Folio 57.	2 451 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 4 on Plan 1143, together with a right of carriageway over the portion coloured brown on the said Plan being the whole of the land contained in Certificate of Title Volume 1053 Folio 336.	486 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 5 on Plan 1143 being the whole of the land contained in Certificate of Title Volume 1081 Folio 279.	484 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 6 on Plan 1143 being the whole of the land contained in Certificate of Title Volume 1081 Folio 278.	311 m ²
	Commissioner of Main Roads	Commissioner of Main Roads	Lot 7 on Plan 1143 being the whole of the land contained in Certificate of Title Volume 1921 Folio 453.	311 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lots 8 and 9 on Plan 1143 being the whole of the land contained in Certificate of Title Volume 1446 Folio 392.	622 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	The resumed right-of-way on Plan 1143 remaining in Certificate of Title Volume 27 Folio 48.	306 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 1 on Diagram 7381 being the whole of the land contained in Certificate of Title Volume 946 Folio 40.	195 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 2 on Diagram 7381 being the whole of the land contained in Certificate of Title Volume 946 Folio 41.	219 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lots 34, 35, 36 and 37 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 1702 Folio 924.	1 900 m ²

No. on Plan L.A., W.A. No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 38 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 1231 Folio 472.	475 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lots 39, 40 and 41 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 1172 Folio 429.	1 425 m ²
	The State Planning Commission	The State Planning Commission	Lot 42 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 1843 Folio 640.	475 m ²
	The State Planning Commission	The State Planning Commission	Lots 43 and 44 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 1065 Folio 432.	855 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Part of Lot 21 on Plan 2292 being the land remaining in Certificate of Title Volume 1476 Folio 16.	118 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 20 on Plan 2292 being the land remaining in Certificate of Title Volume 1262 Folio 621.	175 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Part of Lot 19 on Plan 2292 being the land remaining in Certificate of Title Volume 1697 Folio 773.	231 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Part of Lot 18 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 1702 Folio 925.	288 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Part of Lot 17 on Plan 2292 being the resumed land remaining in Certificate of Title Volume 700 Folio 115.	223 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Part of Lots 16 and 17 being the land remaining in Certificate of Title Volume 712 Folio 9.	522 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 14 and Part of Lot 15 on Plan 2292 being the land remaining in Certificate of Title Volume 278 Folio 1.	943 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 13 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 1158 Folio 930.	485 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lots 11 and 12 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 1180 Folio 64.	875 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 1 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 241 Folio 69.	345 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 2 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 259 Folio 50.	348 m ²
	Commissioner of Main Roads	Commissioner of Main Roads	Lots 3 and 4 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 1921 Folio 454.	348 m ²

No. on Plan L.A., W.A. No.	Owner or Reputed Owner	Occupier or Reputed Occupier	Description	Area (approx.)
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lots 5 and 6 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 774 Folio 60.	696 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 7 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 470 Folio 53.	348 m ²
	Commissioner of Main Roads	Commissioner of Main Roads	Lot 8 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 1921 Folio 455.	348 m ²
	Commissioner of Main Roads	Commissioner of Main Roads	Lot 9 on Plan 2292 being the whole of the land contained in Certificate of Title Volume 1921 Folio 456.	348 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Lot 2 and Part of Lot 1 on Diagram 2847 being the whole of the land contained in Certificate of Title Volume 1517 Folio 159.	170 m ²
	The Metropolitan Region Planning Authority	The Metropolitan Region Planning Authority	Part of Lot 1 on Diagram 2847 being the whole of the land contained in Certificate of Title Volume 1517 Folio 160.	177 m ²
	State Planning Commission	State Planning Commission	The Right-of-way on Plan 2292 remaining in Certificate of Title Volume 211 Folio 181.	1 053 m ²

Certified correct this 22nd day of February 1993.

GEORGE CASH, Minister for Lands.

LOCAL GOVERNMENT

LG401

SHIRE OF LEONORA

Acting Shire Clerk

It is hereby notified for public information that Mr J. G. Epis has been appointed Acting Shire Clerk by resolution of Council for the period 9th March 1993 to 26th April 1993.

W. D. BIGGS, President.
W. JACOBS, Shire Clerk.

LG402

SHIRE OF ALBANY

Honorary Ranger/Beach Inspector

It is hereby advised for public information that Robert Peter Lucas has been appointed as an Honorary Ranger/Beach Inspector for Reserve 25295, Vancouver Peninsula, taking in the Heritage Trail and Point Possession.

WAYNE F. SCHEGGIA, Chief Executive Officer.

LG403

SHIRE OF ALBANY

Honorary Ranger/Beach Inspector

It is hereby advised for public information that the appointment of Clifford James Meredith as an Honorary Ranger and Beach Inspector for Reserve 25295, Vancouver Peninsula, is cancelled with effect from 24th February 1993.

WAYNE F. SCHEGGIA, Chief Executive Officer.

LG404**DOG ACT 1976***Shire of Brookton*

It is hereby notified for public information that the following persons have been appointed under the provisions of the Dog Act 1976 for the Municipality of the Shire of Brookton.

Registration Officers—

Danielle Lea Smith; Kim Maree Gault; Roslyn Claire Wright.

Authorised Officers—

Ian Neville Curley; Graham Phillip Stanley.

IAN CURLEY, Shire Clerk.

LG405**LOCAL GOVERNMENT ACT 1960**

Form No. 30

*City of Geraldton Council***SALE OF LAND FOR RATES**

(Section 584)

Notice is hereby given that default in the payment of rates for a period of not less than three years having occurred, the City of Geraldton Council, acting under the powers conferred by subsection C of Division 6 of Part XXV of the Local Government Act 1960, will offer for sale, by Public Auction, at Lot 30 George Road, Beresford WA 6530 on the 27th day of March 1993, 10.30 am, the pieces of land specified in the Schedule hereto.

G. K. SIMPSON, Town Clerk/Shire Clerk.

Schedule

Description of Land and Lot or Location Number	Plan or Diagram Number	Title Reference	Area	Street	Description of improvements, if any	Name of Registered Proprietor	Name of other persons appearing to have an interest	Rates outstanding	Other Charges due on the Land
Lot 30 of Portion of Geraldton Suburban Lots 38 and 39	P.838	Vol 747 Fol 35	936 m ²	George Road, Beresford	Vacant Land	John Wayland	Commissioner of Taxation	\$12 081.92	\$1 944.95

LG406**LOCAL GOVERNMENT ACT 1960****Municipal Elections**

Department of Local Government, Perth.

It is hereby notified, for general information in accordance with section 138 of the Local Government Act 1960, that the following persons have been elected members of the undermentioned Municipalities to fill the vacancies shown in the particulars hereunder:

Date of Election; Member Elected, Surname, First Names; Office; Ward; How Vacancy Occurred; (a) Effluxion of time; (b) Resignation; (c) Death; (d) Disqualified; (e) Other; Name of Previous Member; Remarks.

City of South Perth

20/2/93; McHale, Sheila Margaret; Councillor; Manning; (b); Maslen, E. N.; Extraordinary.

20/2/93; Boardman, Warwick John; Councillor; Manning; (b); Aris, A.; Extraordinary.

Shire of Mundaring

20/2/93; Moiler, James; Councillor; East; (b); Colless, R.; Extraordinary.

JOHN LYNCH, Executive Director.

LG901

LOCAL GOVERNMENT ACT 1960
Shire of Albany

NOTICE OF INTENTION TO BORROW

Proposed Loan No. 135—\$137 000

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 for the following purpose.

\$137 000 for a term of five (5) years repayable at the office of the Council by ten (10) equal half yearly instalments of principal and interest.

Purpose: Purchase of Plant.

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 thirty five (35) days after the publication of this notice.

Dated this 25th day of February 1993.

C. G. P. AYRES, President.
W. F. SCHEGGIA, Chief Executive Officer.

LG902

LOCAL GOVERNMENT ACT 1960
Shire of Esperance

NOTICE OF INTENTION TO BORROW

Proposed Loan No. 248—\$43 000

Pursuant to section 610 of the Local Government Act 1960 the Council of the Shire of Esperance hereby gives notice that it proposes to borrow money by the sale of a debenture, repayable at the office of the Lender, on the following terms and conditions—

Amount: \$43 000

Repayment: Quarterly instalments of principal and interest

Purpose: Purchase of Road Making Plant

Term: Four (4) years

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

Dated this 25th day of February 1993.

D. A. PATERSON, President.
R. T. SCOBLE, Shire Clerk.

LG903

LOCAL GOVERNMENT ACT 1960
Shire of Exmouth

NOTICE OF INTENTION TO BORROW

Proposed Loan No. 72 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. 72 of \$70 000 repayable by quarterly instalments of principal and interest.

Purpose: Construction of Clubhouse—Exmouth Bowling Club.

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 2 March 1993.

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

MINERALS AND ENERGY

MN401

COMMONWEALTH OF AUSTRALIA PETROLEUM (SUBMERGED LANDS) ACT 1967

Notice of Grant of Exploration Permit No. WA-10-L

Production Licence No. WA-10-L has been granted to BHP Petroleum (Australia) Pty Ltd of BHP Petroleum Plaza, 120 Collins Street, Melbourne Vic 3000; Mobil Exploration and Producing Australia Pty Ltd of 2 City Road, South Melbourne Vic 3205; Inpex Alpha Ltd of Toranomon 27 Mori Building, 5-1 Toranomon 3-Chome, Minato-Ku, Tokyo, Japan 105, to have effect for a period of twenty one years from the 19th of February 1993.

IAN FRASER, Director Petroleum Division.

MN402

PETROLEUM ACT 1967

Notice of Grant of Exploration Permit

Exploration Permit No. EP 370 has been granted to Australia Hunt Oil Company of Fountain Place, 1445 Ross at Field, Dallas, Texas, 75202-2785 to have effect for a period of five years from 22 February 1993.

IAN FRASER, Director Petroleum Division.

OCCUPATIONAL HEALTH, SAFETY AND WELFARE

OA301

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984 OCCUPATIONAL HEALTH, SAFETY AND WELFARE AMENDMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Occupational Health, Safety and Welfare Amendment Regulations 1993*.

Principal regulations

2. In these regulations the *Occupational Health, Safety and Welfare Regulations 1988** are referred to as the principal regulations.

[* Published in Gazette of 16 September 1988 at pp. 3767-3911.
For amendments to 22 February 1993 see 1991 Index to Legislation
of Western Australia, p. 435, and Gazette of 29 May 1992, 18 and
31 December 1992, and 5 February 1993.]

Regulation 304 amended

3. Regulation 304 (b) of the principal regulations is amended by deleting "85" and substituting the following —

" 90 "

Part 3 amended

4. Part 3 of the principal regulations is amended in Division 1 by repealing Subdivision 1A.

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

OA302

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984

OCCUPATIONAL HEALTH (TRANSFER OF ADMINISTRATION OF LAWS) (REVOCATION) ORDER 1993

Made under section 58 (2) by His Excellency the Governor in Executive Council.

Citation

1. This order may be cited as the *Occupational Health (Transfer of Administration of Laws) (Revocation) Order 1993*.

Order transferring administration of *Mines Regulation Act 1946* revoked

2. The *Occupational Health (Transfer of Administration of Laws) Order 1992** is revoked.

[* Published in Gazette of 31 December 1992 at p. 6389.]

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

OA401

OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1984

OCCUPATIONAL HEALTH, SAFETY AND WELFARE REGULATIONS 1988

Exemption Certificate under Regulation 213

No. 4 of 1993.

I, Neil Bartholomaeus, Commissioner of Occupational Health, Safety and Welfare, hereby grant an exemption to A. Goninan & Co. Limited from the requirements of Regulation 402 of the Occupational Health, Safety and Welfare Regulations 1988 in relation to operation of a Kleen 120 tonne press brake, provided that the press brake is modified so that there is a conscious movement by the operator required for the closing stroke.

This exemption is valid until 5 pm 26 March 1993.

Dated this twenty fourth day of February 1993.

NEIL BARTHOLOMAEUS, Commissioner for
Occupational Health, Safety and Welfare.

PLANNING AND URBAN DEVELOPMENT

PD401

TOWN PLANNING AND DEVELOPMENT ACT 1928

SCHEME AMENDMENT AVAILABLE FOR INSPECTION

Shire of Peppermint Grove

Town Planning Scheme No. 3—Amendment No. 7

Ref: 853/2/19/5, Pt. 7.

Notice is hereby given that the Shire of Peppermint Grove has prepared the abovementioned scheme amendment for the purpose of:

- (i) Amending Clause 3.2 (Zoning Table)
- (ii) Adding Lots 11 and 12 Johnston Street, Peppermint Grove to Schedule 7 (Restricted Uses).

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 1 Leake Street, Peppermint Grove 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 April 16, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before April 16, 1993.

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.

G. D. PARTRIDGE, Shire Clerk.

PD402

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

District Zoning Scheme No. 2—Amendment No. 48

Ref: 853/2/23/19, Pt. 48.

Notice is hereby given that the City of Cockburn has prepared the abovementioned scheme amendment for the purpose of rezoning portion of Lot Pt 28 Favazzo Place, Spearwood, from "Residential R30" to "Commercial", with the restricted uses of Service Station and Motor Repair Station.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 9 Coleville Crescent, Spearwood 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 April 16, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before April 16, 1993.

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.

A. J. ARMAREGO, Town Clerk.

PD403

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

Town Planning Scheme No. 2—Amendment No. 54

Ref: 853/2/8/4, Pt. 54.

Notice is hereby given that the City of Nedlands has prepared the abovementioned scheme amendment for the purpose of adding an Additional Use to Schedule 1 to permit the additional use "Child Day Care Centre" to Lots 19 and 20 (Nos. 51 and 49), Carrington Street, Nedlands.

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, 71 Stirling Highway, Nedlands 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 April 16, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before April 16, 1993.

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.

N. G. LEACH, Town Clerk.

PD404

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION*Town of Mosman Park*

Town Planning Scheme No. 2—Amendment No. 12

Ref: 853/2/18/4, Pt. 12.

Notice is hereby given that the Town of Mosman Park has prepared the abovementioned scheme amendment for the purpose of rezoning Lots 41, 42, 43, corner of St Leonard's Street and Stirling Highway, Mosman Park from "Service Station" to "Residential R50".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Memorial Park, Bay View Terrace, Mosman Park 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 April 2, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before April 2, 1993.

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.

T. J. HARKEN, Town Clerk.

PD405

TOWN PLANNING AND DEVELOPMENT ACT 1928
SCHEME AMENDMENT AVAILABLE FOR INSPECTION

City of Kalgoorlie-Boulder

Joint Town Planning Scheme—Amendment No. 92

Ref: 853/11/3/2, Pt. 92.

Notice is hereby given that the City of Kalgoorlie-Boulder has prepared the abovementioned scheme amendment for the purpose of rezoning:

- * Lots 873, 914, 915, 916, 953, 954, R706, R707, R708, R709, R710, R711, Pt Lot R712, Lots 1177, 1174, 1173, 1170, 1169 Hanbury Street.
- * Lots 1179, 1176, 1175, 1172, 1171 Cheetham Street and associated parts of Laneways.
- * The "closed" portion of Cassidy Street.
- * A small part of land currently part of Reserve 39004, Lot 4854, (Educational Purposes), immediately beside Lot 1177

from "Residential B" to "Public Purpose (Tertiary Education)".

Plans and documents setting out and explaining the scheme amendment have been deposited at Council Offices, Davidson Street, Kalgoorlie 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 April 16, 1993.

Submissions on the scheme amendment should be made in writing on Form No. 4 and lodged with the undersigned on or before April 16, 1993.

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.

L. P. STRUGNELL, Town Clerk.

PD501

TOWN PLANNING AND DEVELOPMENT ACT 1928
APPROVED TOWN PLANNING SCHEME AMENDMENT

City of Canning

Town Planning Scheme No. 16—Amendment No. 627

Ref: 853/2/16/18, Pt. 627.

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 Canning Town Planning Scheme Amendment on 23 February 1993, for the purpose of adding the following Serial 90 to Appendix 2 (Schedule of Special Zones):

Serial	Lot No.	Loc.	Address	Additional Purpose for which premises may be used
90	Portions 80 and 81	—	South-west intersection of Nicholson and Ranford Roads, Canning Vale (the "Special Purposes" site shown on Subdivision 85902).	Residential Building, Medium Density Housing, Private Club, Recreation Building, and Retirement Village with incidental facilities—subject to Council approval and in accordance with an approved outline Development Plan for the area, designated as a "Special Purpose" site on the Structure Plans Nos. 87/8/6 and 87/8/7 approved for the area.

M. S. LEKIAS, Mayor.
I. F. KINNER, Town Clerk.

PD707

TOWN PLANNING AND DEVELOPMENT ACT 1928**APPROVED TOWN PLANNING SCHEME***Shire of Cranbrook*

Town Planning Scheme No. 3

Ref: 853/5/6/3.

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 Cranbrook Town Planning Scheme No. 3 on 20 January 1993—the Scheme Text of which is published as a Schedule annexed hereto.

A. D. HUNT, President.
P. F. SHEEDY, Shire Clerk.

Schedule*Shire of Cranbrook*

Town Planning Scheme No. 3

Scheme Text

The Cranbrook Shire Council, under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act 1928 (as amended), hereinafter referred to as "the Act", hereby makes the following Town Planning Scheme for the purpose of—

- (a) Setting aside lands for future public use as local reserves.
- (b) Controlling development.
- (c) Other matters authorised by the enabling Act.

CONTENTS

- PART I—Preliminary
- PART II—Reserves
- PART III—Zones
- PART IV—Non-conforming uses
- PART V—Development requirements
- PART VI—Planning consent
- PART VII—Administration

PART I—PRELIMINARY

1.1 CITATION: This Town Planning Scheme may be cited as the Shire of Cranbrook Town Planning Scheme No. 3 hereinafter called "the scheme" and shall come into operation on the publication of notice of the Minister's approval thereof and the Scheme Text in the *Government Gazette*.

1.2 RESPONSIBLE AUTHORITY: The Authority responsible for implementing the Scheme is the Council of the Shire of Cranbrook hereinafter called "the Council".

1.3 SCHEME AREA: The Scheme shall apply to the whole of the land within the broken black border on the scheme map.

1.4 CONTENTS OF SCHEME: The Scheme comprises—

- (a) This Scheme Text
- (b) The Scheme Map (Sheet 1)

1.5 ARRANGEMENT OF SCHEME TEXT: The Scheme Text is divided into the following parts—

- PART I—Preliminary
- PART II—Reserves
- PART III—Zones
- PART IV—Non-conforming uses
- PART V—Development requirements
- PART VI—Planning consent
- PART VII—Administration

1.6 SCHEME OBJECTIVES: To encourage and control the continued orderly development of the Tenterden town area and environs and to protect the general amenity of the area.

1.7 RELATIONSHIP OF THE SCHEME TO BY-LAWS: The provisions of the Scheme shall have effect, notwithstanding any by-law for the time being in force in the area and, where the provisions of the Scheme are at variance with the provisions of any by-law, the provisions of the Scheme shall prevail.

1.8 INTERPRETATION:

1.8.1 Except as provided in Clause 1.8.2 the words and expressions of the Scheme have their normal and common meaning.

1.8.2 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 Schedule No. 1 or the Residential Planning Codes.

PART II—RESERVES

2.1 Scheme Reserves: The land 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—

Parks and Recreation
Public Purposes
Railway

2.2 Matters to be Considered by Council

2.2.1 Except as otherwise provided in the Part a person shall not carry out any development on land reserved under this Scheme, other than the erection of a boundary fence, without first applying for and obtaining a Planning Approval from the Council.

2.2.2 Where an application for planning consent is made with respect to land within a reserve, the Council shall have regard to the ultimate purpose 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.

2.3 Continued Use of Land: No provision of this part shall prevent the continued use of the land for the use of which it was being lawfully used immediately prior to the Scheme having the force of the law, or the repair and maintenance, for which the prior consent in writing of the Council has been obtained, of buildings or works lawfully existing on the land, in accordance with the provisions of Part III of the Scheme.

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 Local Authority purposes or 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 no 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.

2.5 Objectives: The objectives for the Local Reserves in this scheme are to set aside and secure lands for the various public purposes. Once achieved the land shall be used and developed in accordance with the designated land use.

PART III—ZONES

3.1 Zones

3.1.1 There are hereby created the several zones set out hereunder—

Residential
Commercial
Rural Residential
Rural

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

3.2 Zoning Table

3.2.1 The Zoning Table indicates, subject to the provisions of the Scheme, the several uses permitted in the Scheme in the various zones. Such uses being determined by cross reference between the list of "use classes" on the left hand side of the Zoning Table and the list of "zones" at the top of the Zoning Table.

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

"P" means that the use is permitted provided it complies with the relevant standards and requirements laid down in the Scheme and all conditions (if any) imposed by the Council in granting planning consent—

"AA" means that the Council may, at its discretion, permit the use;

"SA" means that the Council may, at its discretion, permit the use after notice of Application has been given in accordance with Clause 6.2.

"X" means that use is not permitted in that zone.

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

3.2.4 Incidental Use or Activity: Notwithstanding that a particular use class is prohibited within a particular zone, a use or activity coming within the scope of such a class may be approved by the Council where it is necessary to or incidental to the main use of the land or premises.

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

(A) Determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted, or

- (B) Determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the "SA" procedures of Clause 6.2 in considering an Application for planning consent.

ZONING TABLE

Use Classes	Zones			
	Residential	Commercial	Rural	Rural Residential
Abattoir	X	X	SA	X
Air Field	X	X	P	X
Automotive Panel Beating/ Spraypainting	X	X	X	X
Automotive Repairs	X	X	X	X
Automotive Wrecking	X	X	X	X
Automotive and Marine Sales	X	P	P	X
Betting Agency	X	P	P	X
Boarding House	AA	X	AA	AA
Builders Storage Yard	SA	SA	SA	SA
Car Sales Premises	X	P	X	X
Car Park	AA	AA	X	X
Caravan Park	SA	X	SA	SA
Caretakers Dwelling	P	AA	X	X
Civic Building	AA	AA	X	X
Consulting Rooms	SA	AA	X	X
Club Premises	X	AA	X	X
Dry Cleaning Premises	X	SA	X	X
Educational Establishment	AA	AA	AA	AA
Eating House	X	P	X	X
Fast Food Take Away	X	P	X	X
Fuel Depot	X	SA	X	X
Home Occupation	AA	X	AA	AA
Horse Stables	SA	SA	P	P
Hospital	SA	AA	AA	AA
Hotel	X	SA	X	X
Industry—Cottage	AA	X	AA	AA
Industry Extractive	X	X	SA	SA
Industry—General	X	X	X	X
Industry—Hazardous	X	X	X	X
Industry—Light	X	AA	X	X
Industry—Noxious	X	X	SA	X
Industry—Rural	X	X	AA	AA
Industry—Service	X	AA	SA	SA
Kennels	X	X	AA	AA
Marine Collectors Yard	X	X	AA	AA
Motel	AA	AA	SA	SA
Motor Repair Station	X	SA	X	X
Nursing Home	AA	X	AA	AA
Office	X	P	X	X
Open Air Display	X	AA	X	X
Public Recreation	AA	AA	AA	AA
Public Utility	AA	AA	AA	AA
Public Worship—Place Of	AA	AA	AA	AA
Residential—				
(a) Single House	P	AA	P	P
(b) Group Dwelling	SA	X	X	X
Restaurant	SA	AA	SA	X
Rural Use	X	X	P	P
Service Station	X	AA	X	X
Shop	X	P	SA	X
Showrooms	X	P	X	X
Tavern	X	SA	X	X
Trade Display	X	AA	X	X
Transport Depot	X	AA	SA	SA
Veterinary Consulting Rooms	X	AA	AA	AA
Warehouse	X	AA	X	X

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 one non-conforming use to another non-conforming use if the proposed use is, in the opinion of the Council, less detrimental to the amenity of the locality than the existing use and is, in the opinion of the Council, closer to the intended uses of the zone.

4.4 Discontinuance of Non-conforming Use:

4.4.1 Except where a change of non-conforming use has been permitted by the Council under Clause 4.3 when a non-conforming use of any land or building has been discontinued for a period exceeding six months such land or building shall not thereafter be used other 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.

PART V—DEVELOPMENT REQUIREMENTS

5.1 Development of Land.

5.1.1 Subject to Clause 5.1.2 a person shall not commence or carry out development of any 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 the land in a Reserve, where such land is held by the Council or vested in public Authority—
 - (i) for the purpose for which the land is reserved under the Scheme; or
 - (ii) in the case of land vested in a Public Authority for any purpose for which said land may be lawfully used by that Authority.
- (b) the erection of a boundary fence except as otherwise required by the Scheme;
- (c) The erection on a lot of a single house, including ancillary outbuildings, in a zone where the proposed use is designated with the symbol "P" in the cross-reference to that zone in the Zoning Table;
- (d) The carrying out of any work on, in, over or under a street or road by a public Authority acting pursuant to the provisions of any Act.
- (e) The carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building;
- (f) The 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.

5.2 Discretion to Modify Development Standards: If a development, other than a residential development, the subject of an application for planning consent, does not comply with a standard or requirement prescribed by the Scheme with respect to that development the Council may, notwithstanding that non-compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this clause may only be exercised if the Council is satisfied that—

- (a) Approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenity 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.

5.3 Residential Development: Residential Planning Codes.

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

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

5.3.3 Unless otherwise provided for in the Scheme the development of land for any of the residential purposes dealt with by the Residential Planning Codes shall conform to the provisions of those codes.

5.4 Development Other Than Residential Development: All development other than residential development, shall comply with the provision set out in the zone development table at Schedule No. 2.

5.5 Appearance of buildings: A person shall not without the approval of the Council erect or commence to erect a building which by virtue of colour or type of materials, architectural style, height, bulk, or ornamental or general appearance has in the opinion of the Council an exterior design which is out of harmony with the exterior designs of existing buildings or is likely to injure the amenity of the locality.

5.6 Control of Advertisements:

5.6.1 Power to Control Advertisements—

- (a) 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.
- (b) Applications for Council's consent pursuant to this Part shall be submitted in accordance with the provisions of Part VI of the Scheme and shall be accompanied by a completed Additional Information Sheet in the form set out in Schedule 6 giving details of the advertisement(s) to be erected, placed or displayed on the land.

5.6.2 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 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.

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

5.6.4 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 5.6.1, the Council's prior approval is not required in respect of those advertisements listed in Schedule 7 which for the purpose of this Part are referred to as "exempted advertisements".

The exemptions listed in Schedule 7 do not apply to places, 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; or
- (iii) included in local authority town planning schemes because of their heritage or landscape value.

5.6.5 Discontinuance: Notwithstanding the Scheme objectives and Sub-Clause 5.6.4 where in the opinion of Council, an exempted or existing advertisement so seriously conflicts 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.

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

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

5.6.7 Notices—

- (a) "The advertiser" shall be interpreted as any one or any group comprised of the owner, occupier or licensee.
- (b) Any notice served pursuant to Clause 5.6.5 and 5.6.6 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.
- (c) 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.

5.6.8 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.

5.6.9 Enforcement and Penalties: The offences and penalties provisions specified in Clause 7.2 of the Scheme apply to the advertiser in this part.

5.7 Multiple Occupancy

Generally only one dwelling will be permitted on any one lot within the Rural and Rural Residential Zones. Council may however, approve a second house on one lot if—

- (i) the area of the lot is not less than 4ha; and
- (ii) both dwellings will be erected in a position that complies with all other provisions of the Scheme.

Multiple occupancy of the land shall require specific zoning of the land and will only be supported if the proposal accords with State Planning Commission Policy.

5.8 Tree Preservation: In order to conserve the rural environment or features of natural beauty no trees shall be felled or removed except where —

- (i) trees are dead, diseased or dangerous;
- (ii) the establishment of a firebreak is required under a regulation or by-law;
- (iii) access to a building site is required and approved;
- (iv) the site is an approved building site for a dwelling or out building;

The removal of trees for any purpose other than the above exceptions shall require the approval of Council and as a condition of granting consent, Council may require the planting and maintenance for a period of at least 3 years, of trees in locations approved by Council.

PART VI—PLANNING CONSENT

6.1 Application for Planning Consent.

6.1.1 Every Application for planning consent shall be made in the form prescribed in Schedule 3 to the Scheme and shall be accompanied by such plans and other information as is required by the Scheme.

6.1.2 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 or commodities to and from the site and the means of access to and from those areas;
 - (vi) The location, dimensions and design of any landscaped, open storage or trade display area and particulars of the manner in which it is proposed to develop the same;
- (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.

6.2 Advertising of Applications:

6.2.1 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.

6.2.2 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 required the planning consent of the Council, the Council may give notice of the application in accordance with the provisions of this Clause.

6.2.3 Where the Council is required or decides to give notice of any 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 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.

6.2.4 The notice referred to in Clause 6.2.3 (a) and (b) shall be in the form contained in Schedule No. 4 with such modifications as circumstances require.

6.2.5 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.

6.3 Determination of Application:

6.3.1 In determining an application for planning consent the Council may consult with any authority which, in the circumstances, it thinks appropriate.

6.3.2 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.

6.3.3 The Council shall issue its decision in respect of an application for planning consent in the form prescribed in Schedule No. 5 to the Scheme.

6.3.4 Where the Council approves the application for planning consent under this Scheme the Council may limit the time for which that consent remains valid.

6.4 Deemed Refusal:

6.4.1 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 6.2 the application may be deemed to have been refused.

6.4.2 Where the Council has given notice of an application for planning consent in accordance with Clause 6.2 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.

6.4.3 Notwithstanding that an application for planning consent may be deemed to have been refused under Clause 6.4.1 or 6.4.2 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 VII—ADMINISTRATION

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

- (a) The Council may enter any agreement, with any owner, occupier or other person having an interest in land affected by the provisions of the Scheme in respect of any matters pertaining to the Scheme.
- (b) The Council may acquire any land or buildings within the district pursuant to the provisions of the Scheme or the Act. The Council may deal with or dispose of any land which it has acquired pursuant to the provisions of the Scheme or the Act in accordance with law and for such purpose may make such agreements 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 observed.

7.2 Offences:

7.2.1 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 approvals and consents required by the Scheme have been granted or issued;
- (c) Unless all conditions imposed upon the grant or issue of any approval and 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 or that part have been and continue to be complied with.

7.2.2 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.

7.3 Notices:

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

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

7.4 Claims for Compensation and Betterment:

7.4.1 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 when notice of the approval of the Scheme is published in the *Government Gazette*.

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

7.6 Power to Make Policies:

7.6.1 In order to achieve the objectives of the Scheme, Council may 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.

7.6.2 A Town Planning Scheme Policy shall become operative only after the following procedures have been completed—

- (a) The Council having prepared and having 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.

7.6.3 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.

7.6.4 A Town Planning Scheme Policy shall not bind the Council in 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.

SCHEDULE NO. 1

DEFINITIONS

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

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

Advertisement: means any word, letter, model, sign, placard, board, notice, device or representation whether illuminated or not, in the nature of, and employed wholly or partly for the purpose of, advertisement, announcement or direction, and includes any heading or similar structure used, or adapted for use, for the display of advertisements;

Airfield: means land and buildings used in conjunction with the operation of aeroplanes but does not include occasional or seasonal use of temporary facilities for purposes associated with agriculture.

Amenity: means the quality of the environment as determined by the character of an area, its appearance and land use, which contributes to its pleasantness and harmony and to its better enjoyment.

Attached House: has the meaning given to it in and for the purpose of the Residential Planning Codes.

Automotive Panel Beating/Spray Painting: means chassis reshaping, minor or major body repairs and the painting of motor vehicles by a spray process.

Automotive Repairs: means the mechanical repairs and overhaul of motor vehicles.

Automotive Wrecking: means the storage, breaking up or dismantling of motor vehicles and includes the sale of secondhand automotive accessories and spare parts.

Automotive and Marine Sales: means the display and sale of new and secondhand motorcycles, cars, trucks, caravans and boats or any one or more of them and may include, with the approval of Council, the servicing of motor vehicles sold from the site.

Boarding House: means any building or structure, permanent or otherwise, and any part thereof, in which provision is made for lodging or boarding more than four persons, exclusive of the family of the keeper, for hire or reward, but does not include:

- (a) premises the subject of an Hotel, Limited Hotel or Tavern Licence granted under the provisions of the Liquor Act 1970 (as amended);
- (b) premises used as a boarding school approved under the Education Act 1928 (as amended);
- (c) a single house, grouped or multiple dwelling;
- (d) any building that is the subject of a strata title used under the provisions of the Strata Titles Act 1985;

Builders Storage Yard: means land used for the storage of materials and tools of trade ordinarily connected with building construction.

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

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 a position at which a building may be erected.

Caretaker's Dwelling: means a dwelling used by a person having the care of a building or plant situated upon the same site or an industrial or commercial activity carried upon the same site.

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 of use as a habitation or for dwelling or sleeping purposes.

Caravan Park: means land and building used for the parking of caravans under the by-laws of the Council or the Caravan Parks and Camping Grounds Regulations 1974 (as amended) made pursuant to the provisions of the Health Act 1911-1979 (as amended).

Car Park: means a site or building used primarily for parking private cars or taxis whether as a public or private car park, but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings on or in which cars are displayed for sale.

Car Sales Premises: means land and buildings used for the display and sale of cars, whether new or secondhand but does not include a workshop.

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

Civic Use: means the use of land by a Government Department, instrumentality of the Crown, or the Council for Administrative, Recreational or other purpose.

Club Premises: means land used by a Club or Association or other body approved by the Council as a meeting place for formal or informal activity including entertainment within limitations approved by the Council and includes any land appurtenant thereto used for recreation.

Clause: means a clause of the Scheme.

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

Council: means the Council of the Shire of Cranbrook.

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

District: means the district of the Council.

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

Eating House: means premises in which meals are served to the public for gain or reward, but does not include—

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

Educational Establishment: means a school, college, university, technical institute, academy or other educational centre, but does not include a reformatory or institutional home.

Existing Use: means use of any land or building for the purpose for which it was lawfully used immediately prior to the gazettal date of the Scheme, in accordance with the conditions set out in the Scheme.

Fastfood/Take Away: means a shop wherein food is prepared and offered for sale for consumption off the premises.

Fuel Depot: means land and buildings used for the storage and bulk sale of solid, liquid and gaseous fuels, but does not include a Service Station.

Gazettal Date: means the date on which notice of the approval of the Minister to this Scheme is published in the *Government Gazette*.

Grouped Dwelling: has the meaning given to it in and for the purposes of the Residential Planning Codes.

Gross Floor Area: means the total floor area within any building, exclusive of lift shafts, toilets, amenities, stair wells, external wall thickness, plant areas and gross areas of parking facilities and access thereto which are sited within any building.

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 interference, smell, fumes, smoke, vapour, steam, soot, ash, dust, oil, liquid wastes, or waste products or the unsightly appearance of the dwelling house or domestic outbuilding on 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 an 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 0.2m² in area;
- (f) in the opinion of the Council it is compatible with the principal uses to which land in the zone it is located may be put and will not in the opinion of Council generate a volume of traffic which 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 fueling or repairing of motor vehicles within the curtilage of the dwelling house or domestic outbuilding;
- (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 (0.5hp).

Horse Stables: means land, buildings and appurtenances thereto used for the keeping and agistment of horses.

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

Hotel: means land and buildings providing accommodation for the public and which is the subject of an Hotel Licence granted under the provisions of the Liquor Act 1970 (as amended) but does not include a Tavern, Boarding House or premises the subject of a Limited Hotel Licence granted under the Act.

Incidental Use: means the use of land in conjunction with and ancillary to the main use of the land.

Industry—Cottage: means an industry which produces arts and craft 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 outbuilding 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—General: means the carrying out of any process in the course of trade or business for gain, for and incidental to—

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

- (e) when carried out on land upon which the process is carried out and in connection with that process, the storage of goods, any work of administration or accounting, or the sale of goods resulting from the process, and the use of the 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 for human or animal consumption, the preparation of food for sale from the premises;
- (iv) automotive panelbeating, spray painting or wrecking.

Industry—Extractive: means,

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

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

Industry—Light: means an industry;

- (a) in which the processes carried on, the machinery used, and the goods and commodities carried to and from the premises will not cause any injury to or prejudicially affect the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise; and
- (b) the establishment of which will not or the conduct of which does not impose an undue load on any existing or projected services for the supply or provision of water, gas, electricity, sewerage facilities, or any other like service.

Industry—Noxious: means an industry in which the processes involved constitute an offensive trade within the meaning of the Health Act 1911-1979 (as amended) but does not include a fish shop or a dry cleaning establishment.

Industry—Rural: means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.

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

Kennels: means land and buildings used for the keeping or breeding of dogs or cats where such premises are registered or required to be registered.

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

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

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

Motel: means a building, group of buildings or place used or intended to be used to accommodate patrons in a manner similar to an hotel or boarding house but in which special provision is made for the accommodation of patrons with motor vehicles.

Motor Repair Station: means land and buildings used for or in connection with mechanical repairs and overhauls, including tyre recapping, retreading, panel beating, spray painting and chassis reshaping.

Non-conforming Use: means a use of land which, though lawful immediately prior to the coming into operation of this Scheme, is not in conformity with the Scheme.

Nursing Home: means a building used for the care and maintenance of the aged or infirm or the physically or mentally handicapped.

Office: means a building or part of a building used for the conduction of administration, the practice of a profession, the carrying on of agencies, banks, typist and secretarial services, and services of a similar nature.

Open Air Display: means the use of land as a site for the display or sale of goods and equipment or both of those purposes.

Owner: in relation to any land includes the Crown and every person who jointly or severally whether at law or in equity—

- (a) is entitled to the land for an estate in fee simple in possession; or
- (b) is a person to whom the Crown has lawfully contracted to grant the fee simple of the land; or
- (c) is a lessee or licensee from the Crown; or

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

Private Recreation: means the use of lands, parks, gardens, playgrounds, sports arenas or other grounds for recreation which are not normally open to the public without charge and includes areas provided for spectators.

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

Public Recreation: means the use of land for a public park, public gardens, foreshore reserve, playground or grounds for recreation which are normally open to the public without charge.

Public Utility: means any work or undertaking constructed or maintained by a public authority or the Council, as may be required to provide water, sewerage, electricity, gas, drainage, communications or other similar services.

Public Worship—Place Of: means a building used primarily for the religious activities of a church but does not include an institution for primary, secondary, or higher education, or a residential training institution.

Restaurant: means a building or portion of a building wherein food is prepared solely for sale and consumption within the building or portion thereof and the expression shall include a licensed restaurant, cafe or nightclub, and also includes a restaurant at which food for consumption outside the building, or portion thereof, is sold where the Council is of the opinion it forms a minor part of the business only.

Rural Use: means the use of the land for any purposes set out hereunder and shall include such buildings normally associated therewith—

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

Service Station: means land used for the supply of motor vehicle oil and fuel to the public and may include the supply of automotive accessories other than petroleum products, greasing, tyre repairs and mechanical repairs but does not include panel beating, spray painting or wrecking.

Shop: means any building or portion of a building wherein goods are kept, exposed or offered for sale, but does not include a bank, fuel depot, a market, service station, milk depot, marine store, timber yard or land and buildings used for the sale of motor and other vehicles or any purpose falling within the definition of industry (cafe and restaurant are included under the definition of "Restaurant").

Showroom: means a building or portion of a building wherein goods are displayed and may be offered for sale, excluding foodstuffs, liquor or beverages; items of clothing or apparel; magazines, newspapers, books or paper products; medicinal or pharmaceutical products; china, glassware or domestic hardware; or items of personal adornment; provided that retail uses shall be limited to an area no greater than 20% of the total gross leasable area.

Single House: has the meaning given to it in and for the purpose of the Residential Planning Codes.

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

Trade Display: means the external display of goods for advertisement and inspection purposes only.

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

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.

Warehouse: means a building or portion of a building wherein goods are received and stored and includes the sale of such goods stored by wholesale, but not of other goods.

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

SCHEDULE NO. 2
SHIRE OF CRANBROOK
TOWN PLANNING SCHEME NO. 3
ZONE DEVELOPMENT TABLE

ZONE	MINIMUM LOT SIZE	MINIMUM EFFECTIVE FRONTAGE m	MAXIMUM PLOT RATIO	MINIMUM BOUNDARY SETBACKS			MINIMUM CAR PARKING SPACES	MINIMUM LANDSCAPING (% OF SITE)
				FRONT (m)	REAR (m)	SIDE (m)		
COMMERCIAL	-	5	1.5	NIL	NIL	NIL	1 PER 40M2 GROSS FLOOR AREA	10
RESIDENTIAL	Refer to Clause 5.3 Residential Planning Codes							
RURAL	-	-	-	20	20	10	-	-
RURAL RESIDENTIAL	2ha	-	-	20	20	10	-	-

SCHEDULE NO. 3

Application No. }
 Date Received } OFFICE USE ONLY
 Notice of Application }

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

SHIRE OF CRANBROOK

TOWN PLANNING SCHEME NO. 3

APPLICATION FOR PLANNING CONSENT

1. SURNAME OF APPLICANT GIVEN NAMES
 FULL ADDRESS POST CODE
2. SURNAME OF LAND OWNER
 (if different from above)
 GIVEN NAMES
3. SUBMITTED BY
4. ADDRESS FOR CORRESPONDENCE
5. LOCALITY OF DEVELOPMENT
6. TITLE DETAILS OF LAND

House No	Street	Site Area	Dimensions
Lot/Loc No	Plan or Diag	Frontage	sq metres
Cert of Title—Vol	Folio	Depth	metres

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 THE 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

DATE.....

DATE.....

(both signatures are required if applicant is not the owner)

NOTE: (a) This form should be completed and submitted in duplicate to the Council together with three 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.

(b) This is not an application for a building licence, for which a separate application is required.

SCHEDULE NO. 4

SHIRE OF CRANBROOK

TOWN PLANNING SCHEME NO. 3

NOTICE OF PUBLIC ADVERTISEMENT OF DEVELOPMENT PROPOSAL

It is hereby notified for public information and comment that the Council has received an application to develop land for the purpose described hereunder.

Land Description: Lot No. House No.
 Street
 Proposal

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

Shire Clerk

Date

SCHEDULE NO. 5

TOWN PLANNING AND DEVELOPMENT ACT 1928 (AS AMENDED)

SHIRE OF CRANBROOK

TOWN PLANNING SCHEME NO. 3

DECISION ON APPLICATION FOR PLANNING CONSENT

The Council 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 condition/s for the following reasons.

SHIRE CLERK.....

DATE.....

NOTE: This is NOT a Building Licence for which a separate application is necessary.

SCHEDULE NO. 6

SHIRE OF CRANBROOK

TOWN PLANNING SCHEME NO. 3

CONTROL OF ADVERTISEMENTS

ADDITIONAL INFORMATION SHEET FOR ADVERTISEMENT APPROVAL

(to be completed in addition to Application for Planning Consent)

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
.....
.....

NB: 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.....

SCHEDULE NO. 7
SHIRE OF CRANBROOK
TOWN PLANNING SCHEME NO. 3

EXEMPTED ADVERTISEMENTS PURSUANT TO CLAUSE 5.6.4.

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.	0.2m ²
Home Occupation	One advertisement describing the nature of the home occupation.	0.2m ²
Places of Worship, Meeting Halls and Places of Public Assembly.	One advertisement detailing the function and/or the activities of the institution concerned.	0.2m 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 not to exceed 5m 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 Bylaws.	Not applicable.
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.	Total area of any such advertisements shall not exceed 15m ² .

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
Industrial and Warehouse Premises (Cont...)	A maximum of two free standing advertisement signs not exceeding 5m in height above ground level.	Maximum permissible total area shall not exceed 10m ² & 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	<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 or 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>	N/A
		N/A
		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
Railway Property and Reserves	Advertisement signs exhibited on such land provided that each such advertisement is directed only at or upon a railway station.	No sign shall exceed 2m ² in area.
Advertisements within Buildings	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.	0.2m ²
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 a professional consultant and the contractors undertaking the construction work.	2m ²
ii) Multiple Dwellings, Shops, Commercial and Industrial Projects	One sign as for (i) above.	5m ²
iii) Large Development or re-development projects involving shopping centres, offices or other buildings exceeding three storeys in height	One sign as for (i) above. One additional sign showing the name of the project builder	10m ² 5m ²

LAND USE AND/OR DEVELOPMENT REQUIRING ADVERTISEMENT	EXEMPTED SIGN TYPE AND NUMBER (All non-illuminated unless otherwise stated)	MAXIMUM AREA OF EXEMPTED SIGN
Sales of Goods or Livestock	One sign per lot displayed for a period not exceeding 3 months advertising the sale of goods or livestock upon any land or within any building upon which the sign is exhibited provided that the land is not normally used for that purpose.	2m 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 2m ² .
b) Multiple Dwellings, Shops Commercial and Industrial Properties	One sign as for (a) above.	Each sign shall not exceed an area of 5m 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 10m ² .

Display Homes	(i) One sign for each dwelling on display. (ii) In addition to (i) one sign for each group of dwellings displayed by a single project builder giving details of the project building company and details of the range of dwellings on display.	2m ² 5m ²

ADOPTION

Adopted by resolution of the Council of the Shire of Cranbrook at the Ordinary Meeting of the Council held on the eighteenth day of June 1992.

Dated 22 June 1992.

A. D. HUNT, President.

Dated 22 June 1992.

P. F. SHEEDY, Shire Clerk.

FINAL APPROVAL

Adopted for final approval by resolution of the Shire of Cranbrook at the Ordinary Meeting of the Council held on the nineteenth day of November 1992 and the Seal of the Shire of Cranbrook was pursuant to the Resolution hereunto affixed in the presence of:

A. D. HUNT, President.

P. F. SHEEDY, Shire Clerk.

This Scheme Text is to be read in conjunction with the approved map 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.

Recommended/Submitted for Final Approval by the State Planning Commission:

Dated 14 January 1993.

M. R. ALLEN,

for the Chairman of the State Planning Commission.

Final approved granted:

Dated 20 January 1993.

DAVID SMITH, Hon Minister for Planning.

POLICE**PE301****FIREARMS ACT 1973****FIREARMS AMENDMENT REGULATIONS 1993**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Firearms Amendment Regulations 1993*.

Principal regulations

2. In these regulations, the *Firearms Regulations 1974** are referred to as the principal regulations.

[* Reprinted in the Gazette of 17 February 1981 at pp.663-697.
For amendments to 8 January 1993 see 1991 Index to Legislation
of Western Australia, pp.321-2 and Gazette of 26 June 1992.]

Regulation 23 amended

3. Regulation 23 of the principal regulations is amended by deleting "forty dollars." and substituting the following —

" \$200. "

Regulation 26B amended

4. Regulation 26B (1a) of the principal regulations is amended in paragraph (a) (i) by deleting "12" and substituting the following —

" 50 "

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.

PE401

POLICE AUCTION

Under the provisions of the Police Act 1892 unclaimed and stolen property will be sold by public auction at the premises of Unit 2, Number 3 Boyd Street, Geraldton at approximately 10.00 am on 13 March 1993.

Auction to be conducted by John Whitehouse, auctioneer.

B. BULL, Commissioner of Police.

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			
220	Quinault Pty Ltd	Application for transfer of restaurant licence in respect of premises known as Arteka Restaurant and situated at 35 Ardross Street, Applecross from R & J Engineering Pty Ltd	12/3/93
221	Michael Edwards	Application for transfer of tavern licence in respect of premises known as Quinninup Tavern and situated at Wheatley Coast Road, Quinninup from Alice Hudson	12/3/93
222	Bilanjil Nominees Pty Ltd	Application for transfer of liquor store licence in respect of premises known as Pioneer Store and situated at Lots 23/24 Nicholds Street, Walpole from Norrium Pty Ltd	23/3/93
223	Teik Pty Ltd and Chereeba Pty Ltd	Application for transfer of cabaret licence in respect of premises known as Boko's and situated at 298 Hay Street, Subiaco from Chereeba Pty Ltd	15/3/93
224	Riverview Heights Pty Ltd	Application for transfer of hotel licence in respect of premises known as Swanbourne Hotel and situated at 141 Claremont Crescent, Swanbourne from Chereeba Pty Ltd	17/3/93
GRANT OF LICENCE			
152	Pernarle Pty Ltd	Application for the grant of a producers licence at premises known as Chestnut Grove and situated at Wingeballup Road, Frankland	1/4/93

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

H. R. HIGHMAN, Acting Director of Liquor Licensing.

TENDERS**ZT201****MAIN ROADS***Tenders*

Tenders are invited for the following projects.

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

Tender No.	Description	Closing Date
		1993
183/92	Tree surround grill supports, Albany Highway, Metropolitan Division.	March 5
197/92	Complete cleaning of Main Roads offices and buildings, Planet Street, Carlisle	March 17
204/92	Asphalt surfacing, various roads, Northam Division	March 12
207/92	Installation of reinforced concrete drainage pipes and construction of 8 manholes and gullies, Albany Highway, Cannington	March 5

ZT202*Acceptance of Tenders*

Contract No.	Description	Successful Tenderer	Amount	Date Awarded
			\$	
51/92	Bituminous sealing and resealing, Great Northern Highway, Geraldton Division	Boral Asphalt	550 330.41	18/2/93
139/92	Removal and fixing of retroreflective raised pavement marker in the Perth Metropolitan Area.	Municipal Contractors	172 879.90	26/2/93
162/92	Asphalt surfacing, various roads, Albany	Pioneer Asphalts Pty Ltd	344 856.80	2/3/93
92Q50	Supply and delivery of one hydraulic truck mounted crane	T L Engineering	9 040.00	2/3/93
92Q54	Programmer for work on enhancements to personnel system (PIMS).	Gryphon Consultants Pty Ltd	27 000.00	2/3/93
92Q43	Supply and delivery of one only hydraulic shear and punch machine	Brevtex Machine Tools Pty Ltd	21 512.00	22/2/93

D. R. WARNER, Director, Corporate Services.

ZT301**STATE SUPPLY COMMISSION***Tenders Invited*

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

TELEPHONE No. 222 8491 or 222 8241

FACSIMILE No. 321 7918

Date of Advertising	Schedule No.	Description	Date of Closing
1993			1993
Feb. 19	068A1993	Supply of Poultry, fresh and frozen for various Government Departments for an initial period of 12 months with an option to extend for a further two (2) twelve (12) month periods	Mar. 11
Feb. 26	135A1993	Supply Furniture Groups 3 and 6 (Wood Furniture for Office and Library Use) for a twelve (12) month period with an option to extend for two (2) twelve (12) month periods to various Government Departments	Mar. 18

STATE SUPPLY COMMISSION—*continued**Tenders Invited—continued*

Date of Advertising	Schedule No.	Description	Date of Closing
1993			1993
Feb. 26	297A1993	Supply and delivery of Teaching Peripherals—Whiteboards, Electronic Whiteboards, Overhead Projectors, Display Units and Specified Consumables 12 month period with an option to extend for two (2) twelve (12) months period for various Government Departments	Mar. 18
Feb. 26	337A1993	Supply and delivery of Nine (9) Plant Tandem Axle Trailers in accordance with Specification P601 for Main Roads	Mar. 18
Feb. 26	338A1993	Supply and delivery of 1st Grade Sleepers in accordance with General Conditions and Westrail Sleeper Specifications 1992-93	Mar. 18
Jan. 29	319A1993	Supply & design of Nine (9) Airconditioning Packages for the Prospector Railcars in accord with Spec. CME No. 2611/-12/92 for Westrail—Midland	Extended Mar. 18
Mar. 5	100A1993	Supply of Drugs to meet a "Whole of Health" requirement for a one (1) year period	April 8
Mar. 5	341A1993	Supply and delivery of Sixty-five thousand (65 000) tonnes—Crushed rock railway Ballast for the upgrading of the Kalgoorlie-Esperance Railway	Mar. 18
Mar. 5	342A1993	Supply of eighteen (18) metre See-Saw type Lighting Columns for Kwinana and Bicton rail yards in accordance with WAGR Commission Specification No. 788M Supply of Floodlights and Equipment for Kwinana and Bicton rail yards in accordance with WAGR Commission Specification No. 787M	Mar. 18
Jan. 29	318A1993	One (1) only Narrow Gauge 1 067 mm Railway Track Ballast Regulator Machine in accord with Spec CME 2608-10/92	Mar. 25
Feb. 5	332A1993	Supply and design of Traction and Auxiliary Radiators in accord with Spec CME 2602-12/92	Extended Mar. 25
Mar. 5	340A1993	Supply, delivery and commissioning of Ten (10) only 4x4 light Commercial vehicles 1 067mm Rail Gauge Rail Guidance Equipment in accordance with Specification No. CME 2566-11/93 for Westrail	April 8
Mar. 5	339A1993	Supply and delivery of Single Use Tracheal Tubes to Public Hospitals in WA for an initial period of two (2) years with an option for a further one (1) year period	April 22
<i>For Service</i>			
Feb. 19	208A1993	Cleaning of Thornlie College—TAFE for classification "B" Cleaners. Inspection time: Wednesday 3rd March 1993 at 3.00pm	Mar. 11
Mar. 5	52A1993	For the conduct of funerals of Deceased Indigent persons in Country Areas for a two (2) year period	Mar. 25

Tenders addressed to the Chairman, State Supply Commission, 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 Supply Commission.

ZT302

STATE SUPPLY COMMISSION—*continued**Accepted Tenders*

Schedule No.	Particulars	Contractor	Rate
<i>Supply</i>			
526A1992	Supply and free Delivery of Three (3) John Deere 310D Backhoe Loaders for Main Roads.	CJD Equipment P/L	Details on Request
<i>Purchase and Removal</i>			
327A1993	Purchase and Removal of 1983 Mustang S/S Loader (XQY 844) (MR 7074) & 1987 Case S/S Loader (6QL 881) (MR 9777) for Main Roads—Welshpool	Item 1: M & D Muir Item 2: CFC Holdings P/L	\$7 800.00 \$6 279.00
333A1993	Purchase and Removal of Item 1: 1984 Perkins/Stanford 60KW Generator Set (MR 7425), Item 2: 1987 Cummins/Stanford 60KW Generator Set (MR 9440) for Main Roads—Welshpool	Item 1 & 2: Global Machinery	\$4 525.00 \$4 256.00

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 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 5th April 1993, after which date I may convey or distribute the assets, having regard only to the claims of which I then have notice.

Aitken, Jessie Blackburn, late of Kimberley Nursing Home, Kimberley Street, Leederville, died 6/2/93.

Arundel, Lenore Adelaide, late of Mt Henry Hospital, Cloisters Avenue, Como, died 25/6/92.

Battams, Edith Muriel, late of 86 Federal Road, Boulder, died 7/2/93.

Britten, David Abbott, late of Gracewood Nursing Home, Roebuck Drive, Manning, died 6/1/93.

Brown, Jessica, formerly of Unit 44/156 Whatley Crescent, Maylands, late of St Davids Nursing Home, 19 Lawley Crescent, Mount Lawley, died 3/2/93.

Butcher, Constance Jean, late of Rowethorpe, Hillview Terrace, Bentley, died 16/2/93.

Crocker, Terence James, late of F21 Churinga Gardens, 11-19 Stirling Road, Claremont, died 10/1/93.

Geyer, Francis Piers James, late of 30 Salisbury Street, Leederville, died 8/2/93.

Hair, Elizabeth Muriel, late of Carinya Nursing Home, 41 Bristol Avenue, Bicton died 27/8/92.

Hanlon, William Albert George, formerly of Wattle Valley Farm, Kellerberrin, late of 22 Messingham Street, Kellerberrin, died 17/12/92.

James, Norman Frederick, late of 11 Hope Street, Onslow, died 29/8/92.

Jones, Nancy Joan, late of 3 Leigh Place, Girrawheen, died 13/1/92.

Kastner, Ernst Vilhelm, late of Coolgardie, died 16/2/91.

Leonard, Kevin John, late of Lot 27 Ledge Point Road, Ledge Point, died 2/2/93.

Mitsopoulos, Fania, late of 27 Hovia Terrace, South Perth, died 19/12/92.

Moore, Thomas, late of Ida Mann Hostel, Sixth Avenue, Maylands, died 9/2/93.

Reid, William Morrison, late of Sunset Hospital, Birdwood Parade, Dalkeith, died 18/1/93.

Rooke, Herbert Charles, late of 216/45 Adelaide Terrace, Perth, died 23/12/92.

Sims, Laura Ellen, late of 11 Smith Street, Hilton, died 2/2/93.

Starr, John Lionel, late of 30 Tillbrook Street, Glen Forrest, died 14/2/93.

Sweeney, Frederick Joseph, late of 126 St Leonards Avenue, Leederville, died 13/2/93.

Taylor, Herbert Kingham, late of Leighton Nursing Home, Florence Street, West Perth, died 6/12/92.

Thatcher, Florrie May, late of 7/52 East Street, Maylands, died 7/2/93.

Tomsett, Ivor Francis, late of Hollywood Repatriation Hospital, Monash Avenue, Nedlands, died 28/12/92.

Villiers, Mary Margaret, formerly of Lot 5 Bailey Road, Glen Forrest, late of St Vincents Hospital, Guildford, died 8/12/92.

Vinneir, William Charles, late of 25 Lawrance Street, Gosnells, died 22/1/93.

Walton, Margaret Cicely, late of St Davids Retirement Centre, 19 Lawley Street, Mount Lawley, died 15/2/93.

Worsfold, Lena Veronica, late of 34B Melrose Street, Rossmoyne, died 19/7/92.

Wunderlich, Patricia Mary, late of 36 Parkfield Street, Bunbury, died 4/1/93.

Dated this 2nd day of March 1993.

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

ZZ202**TRUSTEES ACT 1962**

In the matter of the Estate of Richard Michael Roy Simon late of Lot 15 Carradine Road Bedfordale in the State of Western Australia Carpenter deceased.

Creditors and other persons having claims (to which section 63 of the Trustees Act 1962 relates) in respect of the estate of the abovenamed deceased who died on the 1st day of February 1992 intestate are required by the Administratrix Elizabeth Veronica Spencer of 98 Peet Road Roleystone in the said State to send particulars of their claims to her care of Geoffrey D. White, Solicitor, 1st Floor, 97 William Street, Perth by the 15th day of April 1993 after which date the said Administratrix may convey or distribute the assets having regard only to the claims of which she then has notice.

Dated this 2nd day of March 1993.

GEOFFREY D. WHITE of 1st Floor,
97 William Street, Perth
Solicitor to the Administratrix.

ZZ401**UNCLAIMED MONEYS****ANNUAL REGISTER OF UNCLAIMED MONEYS HELD BY HALLMARK LIFE INSURANCE COMPANY LTD ACT 1988****Western Australia**

Cheque No.; Name of Owner on Books; Total Amount Due to Owner; Description of Unclaimed Moneys; Date of First Payment.

16029; D. Reid, 10/36 Cape Street, Osborne Park 6017; \$141.00; Premium Refund; 24/9/84.

16757; G. Francke, 391 Belgravia Street, Cloverdale 6105; \$164.00; Premium Refund; 19/11/84.

22668; J. Carter, 142 Apsley Road, Willetton 6155; \$183.00; Premium Refund; 1/3/86.

ZZ501**THE WESTERN AUSTRALIAN TURF CLUB****Amendment of By-laws**

I, Ramon Douglas Warren, the Chairman for the time being of The Western Australian Turf Club hereby certify that at a meeting of the Committee of the Club held on the 2nd day of February 1993 the following resolution was passed unanimously by the members of the Committee amending the By-laws of the Club as follows:

By-law 18 shall be amended:

- (a) by the deletion of the words "twelve" and "six" and the substitution in their place of the words " eight " and " four ", respectively; and
- (b) by the deletion of the words "The" at the commencement of the sentence beginning "The six longest ..." and the substitution in its place of the words " Subject to By-law 19, the ".

By-law 19 shall be deleted in its entirety and substituted with the following:

" 19. Subject to By-law 20, any person shall be eligible to nominate for the Committee if:

- (a) He is a Life Member; or

- (b) He is an Ordinary Member who has been a Member for at least 18 months, including any period on the absent list, immediately prior to the General Meeting at which the election is to take place,

provided that with effect from the 1994 General Meeting, no person, other than the Chairman or Vice-Chairman for the time being, may be a Member of the Committee for more than ten consecutive years. "

By-law 24 (c) shall be deleted in its entirety and substituted with the following:

" Every member voting shall vote for up to as many candidates as there shall be vacancies to be filled by marking the name or names of the candidates for whom he wishes to vote ".

A new By-law 29A shall be inserted as follows:

" 29A (a) Notwithstanding anything to the contrary contained in these By-laws, as soon as practicable upon the coming into operation of this By-law 29A, the Members of the Committee shall convene a Special General Meeting at which—

- (i) all the members of the Committee standing as at the commencement of that meeting shall resign; and
- (ii) the Life Members and Ordinary Members shall vote on the election of eight Life Members or Ordinary Members to form the Committee as from the close of that Special General Meeting,

and the provisions of By-laws 19 to 26 shall apply to such election as if, where applicable, references to the "General Meeting" were references to the "Special General Meeting" mentioned in this By-law 29A, save that the following provisions shall apply only to that Special General Meeting:

- (i) The four Life Members or Ordinary Members so elected to the Committee and receiving the greatest number of votes shall retire from the Committee at the General Meeting to be held in 1995 (but shall be eligible for re-election pursuant to By-law 18); and
 - (ii) The remaining four Life Members or Ordinary Members so elected to the Committee shall retire at the General Meeting to be held in 1994 (but shall be eligible for re-election pursuant to By-law 18).
- (b) This By-law 29A shall cease to have effect upon the close of the General Meeting to be held in 1995 ".

By-law 42 shall be amended by the deletion of the full stop at the end of that By-law and the substitution in its place of the words " and also provided that no person shall hold the office of Chairman for more than four consecutive years ".

By-law 2 (c) shall be deleted.

Dated the 2nd day of February 1993.

R. D. WARREN, Chairman.

(These amendments have not been disallowed and will come into effect on the date of publication in the *Government Gazette*).

Approved—

G. M. EVANS, Minister for Racing and Gaming.

ZZ601

DISSOLUTION OF PARTNERSHIP

Notice is hereby given that the partnership heretofore subsisting between Adelaide May Parsons and Rodney Raymond Parson both of PO Box 145, Jerramungup and John Stanley Parsons of Malee Road, Jerramungup carrying on business as farmers and graziers under the style or firm of Coladdie Farms Partnership has been dissolved so far as concerns the said Rodney Raymond Parsons who retires from the said partnership.

All debts due to and owing by the said partnership will be received and paid respectively by Adelaide May Parsons and John Stanley Parsons who will continue to carry on the said business in partnership under the names described above.

Dated the 28th day of October 1992.

Signed: ADELAIDE MAY PARSONS, RODNEY RAYMOND PARSONS and
JOHN STANLEY PARSONS.

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Indecent Publications and Articles Act 1902
Constitution Acts Amendment Act 1899
Builders Registration Act 1939
Hospitals Act 1927
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Soil and Land Conservation Act 1945

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Totalisator Agency Board Rules 1961 (available — \$1.80)
Valuation of Land Regulations 1979
Totalisator Agency Board (Betting) Regulations 1988 (available — \$3.00)
Land Regulations 1968

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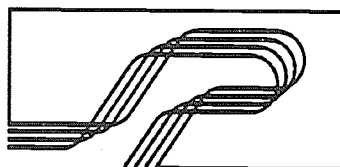
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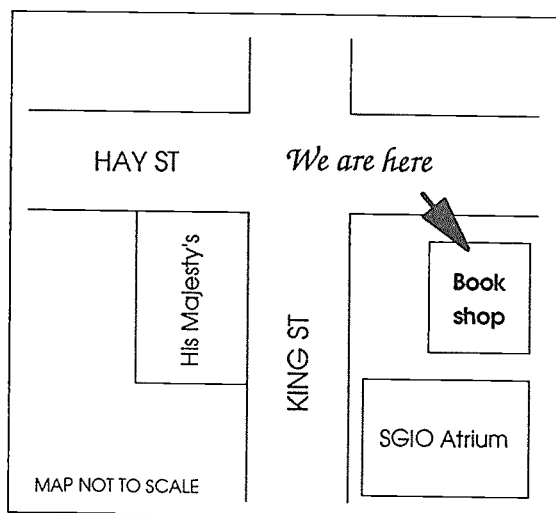
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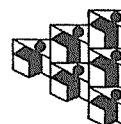
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